TOWN OF LOS GATOS
PLANNING COMMISSION - SPECIAL MEETING AGENDA
NOVEMBER 21, 2022
110 EAST MAIN STREET
LOS GATOS, CA

Melanie Hanssen, Chair
Jeffrey Barnett, Vice Chair
Kylie Clark, Commissioner
Kathryn Janoff, Commissioner
Steven Raspe, Commissioner
Reza Tavana, Commissioner
Emily Thomas, Commissioner

PARTICIPATION IN THE PUBLIC PROCESS

How to participate: The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the "Verbal Communications" period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Planning Commission meeting.

Effective Proceedings: The purpose of the Planning Commission meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town's meeting guidelines while attending Planning Commission meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Commissioners without first being recognized; interrupting speakers, Commissioners or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Planning Department by 1 p.m. or the Clerk's Office no later than 3:00 p.m. on the day of the Planning Commission meeting.
- Persons wishing to submit written comments to be included in the materials provided to the Planning Commission must provide the comments to the Planning Department as follows:
  - For inclusion in the regular packet: by 11:00 a.m. the Friday before the meeting
  - For inclusion in any Addendum: by 11:00 a.m. the day before the meeting
  - For inclusion in any Desk Item: by 11:00 a.m. on the day of the meeting

Planning Commission meetings are broadcast Live on KCAT, Channel 15 (on Comcast) on the 2nd and 4th Wednesdays at 7:00 p.m. Live and Archived Planning Commission meetings can be viewed by going to:
www.LosGatosCA.gov/TownYouTube

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]

IMPORTANT NOTICE REGARDING PLANNING COMMISSION MEETING

This meeting is being conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as Amended by Assembly Bill 361, in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 et seq.). Consistent with AB 361 and Town of Los Gatos Resolution 2021-044 this meeting will not be physically open to the public and the Council and/or Commissioners will be teleconferencing from remote locations. Members of the public can only participate in the meeting by joining the Zoom webinar (log in information provided below). The live stream of the meeting may be viewed on television and/or online at: https://meetings.municode.com/PublishPage/index?cid=LOSGATOS&ppid=4bc370fb-3064-458e-a11a-78e0c0e5d161&p=0. **In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online and not in the Council Chambers.**

PARTICIPATION

If you are not interested in providing oral comments real-time during the meeting, you can view the live stream of the meeting on television (Comcast Channel 15) and/or online at: https://www.youtube.com/channel/UCFh35XRBWer1DPx-F7vvhcg.

If you are interested in providing oral comments in real-time during the meeting, you must join the Zoom webinar at:
https://losgatosca-gov.zoom.us/j/82625513189?pwd=cWNsa2x6Y05nS3dJN09HZlZhVzFoUT09.
Passcode: 248469.

Please be sure you have the most up-to-date version of the Zoom application should you choose to provide public comment during the meeting. Note that participants cannot turn their cameras on during the entire duration of the meeting.

During the meeting:

- When the Chair announces the item for which you wish to speak, click the "raise hand" feature in Zoom. If you are participating by phone on the Zoom app, press *9 on your telephone keypad to raise your hand. If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- When called to speak, please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Council meeting.

If you are unable to participate in real-time, you may send an email to PlanningComment@losgatosca.gov with the subject line "Public Comment Item # " (insert the item number relevant to your comment) or "Verbal Communications – Non Agenda Item." Comments will be reviewed and distributed before the meeting if received by 11:00 a.m. on the day of the meeting. All comments received will become part of the record. The Chair has the option to modify this action on items based on comments received.

REMOTE LOCATION PARTICIPANTS

The following Planning Commissioners are listed to permit them to appear electronically or telephonically at the Planning Commission meeting: CHAIR MELANIE HANSSEN, VICE CHAIR JEFFREY BARNETT, COMMISSIONER KYLIE CLARK, COMMISSIONER KATHRYN JANOFF, COMMISSIONER STEVEN RASPE, COMMISSIONER REZA TAVANA, AND COMMISSIONER EMILY THOMAS. All votes during the teleconferencing session will be conducted by roll call vote.

TOWN OF LOS GATOS
PLANNING COMMISSION - SPECIAL MEETING AGENDA
NOVEMBER 21, 2022
7:00 PM

ROLL CALL

MEETING CALL TO ORDER

RULES OF DECORUM AND CIVILITY
To conduct the business of the community in an effective and efficient manner, please follow the meeting guidelines set forth in the Town Code and State law.

The Town does not tolerate disruptive conduct, which includes but is not limited to:

- Addressing the Planning Commission without first being recognized;
- Interrupting speakers, Planning Commissioners, or Town staff;
- Continuing to speak after the allotted time has expired;
- Failing to relinquish the microphone when directed to do so;
- Repetitiously addressing the same subject.

Town Policy does not allow speakers to cede their commenting time to another speaker. Disruption of the meeting may result in a violation of Penal Code Section 403.

VERBAL COMMUNICATIONS *(Members of the public may address the Commission on any matter that is not listed on the agenda. Unless additional time is authorized by the Commission, remarks shall be limited to three minutes.)*

CONSENT ITEMS *(Items appearing on the Consent Items are considered routine Town business and may be approved by one motion. Any member of the Commission may request to have an item removed from the Consent Items for comment and action. Members of the public may provide input on any or multiple Consent Item(s) when the Chair asks for public comments on the Consent Items. If you wish to comment, please follow the Participation Instructions contained on Page 2 of this agenda. If an item is removed, the Chair has the sole discretion to determine when the item will be heard.)*

None.

PUBLIC HEARINGS *(Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Commission's consent at the meeting.)*

1. Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit and an Appeal of a Santa Clara County Fire Department Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations on Property Zoned HR-1. **Located at 17121 Crescent Avenue.** APN 532-21-007. Architecture and Site Application S-21-021. PROPERTY OWNERS/APPLICANTS: Eric and Lee Ann Wade. PROJECT PLANNER: Sean Mullin.

2. Requesting Approval for Construction of a Shared Driveway, Two New Single-Family Residences to Exceed the Maximum Height for Visible Homes in the Hillsides, and Site Work Requiring a Grading Permit on Vacant Property Zoned HR-2½. **Located at 400 Surmont Drive**. APN 527-20-003. Architecture and Site Applications S-21-004 and S-21-023. PROPERTY OWNER: Sandra K. Anderson, TTE. APPLICANT: Studio 3 Design. PROJECT PLANNER: Ryan Safty.

OTHER BUSINESS *(Up to three minutes may be allotted to each speaker on any of the following items.)*

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

SUBCOMMITTEE REPORTS / COMMISSION MATTERS

ADJOURNMENT *(Planning Commission policy is to adjourn no later than 11:30 p.m. unless a majority of the Planning Commission votes for an extension of time)*

Writings related to an item on the Planning Commission meeting agenda distributed to members of the Commission within 72 hours of the meeting are available for public inspection at the reference desk of the Los Gatos Town Library, located at 100 Villa Avenue; the Community Development Department and Clerk Department, both located at 110 E. Main Street; and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Commission at the meeting are available for review in the Town Council Chambers.

Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.

TOWN OF LOS GATOS
PLANNING COMMISSION
SPECIAL MEETING REPORT

MEETING DATE: 11/21/2022

ITEM NO: 1

DATE: November 17, 2022

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit and an Appeal of a Santa Clara County Fire Department Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations on Property Zoned HR-1. **Located at 17121 Crescent Avenue.** APN 532-21-007. Architecture and Site Application S-21-021.
PROPERTY OWNERS/APPLICANTS: Eric and Lee Ann Wade.
PROJECT PLANNER: Sean Mullin.

RECOMMENDATION:

Consider approval of a request for construction of a new single-family residence and site improvements requiring a Grading Permit, granting an appeal of a Santa Clara County Fire Department (SCCFD) decision denying a request for an exception to the State minimum Fire Safe Regulations, and addition of a Condition of Approval requiring the applicant to work with the SCCFD to develop an acceptable alternative on property zoned HR-1 located at 17121 Crescent Drive.

PROJECT DATA:

General Plan Designation:	Hillside Residential
Zoning Designation:	HR-1
Applicable Plans & Standards:	General Plan; Hillside Development Standards and Guidelines
Parcel Size:	0.95 acres (41,207 square feet)

PREPARED BY: Sean Mullin, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

PROJECT DATA (continued):

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Hillside Residential	HR-1
South	Residential	Hillside Residential	HR-1
East	Residential	Hillside Residential	HR-1
West	Residential, Vacant	Hillside Residential	HR-1

CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction.

FINDINGS:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- Other than the exceptions to the depth of fill standard and the architectural design standard prohibiting exterior structural supports and undersides of decks not enclosed by walls, the project complies with the Hillside Development Standards and Guidelines (HDS&G).
- The project complies with the Hillside Specific Plan.
- Granting the appeal meets the intent of providing defensible space consistent with the Fire Safe Regulations.

CONSIDERATIONS:

- As required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is located on the west side of Crescent Drive, approximately 850 feet south of the intersection with Los Cerritos (Exhibit 1). The subject property is approximately 41,207 square feet, with an average lot slope of 29.7 percent, and is currently developed with a single-family residence (Exhibit 18). The parcel is screened by topography and existing vegetation so that any development would not be visible from any of the Town's viewing areas. A new accessory dwelling unit (ADU) was approved by the Town and will be located north of the site for the proposed residence. Pursuant to State law, the ADU is not the subject of this application.

The Architecture and Site application has been referred to the Planning Commission based on the requested exceptions to the Hillside Development Standards and Guidelines (HDS&G) and for consideration of an appeal of a SCCFD decision denying a request for an exception to the Fire Safe Regulations, also called Public Resource Code 4290 (PRC 4290).

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject parcel is approximately 41,207 square feet, located on the west side of Crescent Drive (Exhibit 1). Surrounding the subject parcel is an undeveloped parcel immediately west of the subject property and single-family development to the north, south, and east. From Crescent Drive, the parcel descends approximately 56 feet to the lowest point along the western property line. The Least Restrictive Development Area (LRDA) is concentrated in the eastern and southern portions of the property.

B. Project Summary

The applicant proposes demolition of approximately 48 percent of the existing single-family residence to be repurposed as an accessory structure (pool house), construction of a new two-story single-family residence with an attached garage, and site improvements requiring a Grading Permit. The proposed residence would be located within the LRDA and would not be visible as defined by the HDS&G. The project requires a Grading Permit for the site improvements with earthwork quantities exceeding 50 cubic yards. The project complies with the objective standards of the Town Code and the applicant requests exceptions to the HDS&G for fill depths exceeding three feet and for exterior structural supports and undersides of decks not enclosed by walls.

The applicant is also requesting that the Planning Commission grant an appeal of a SCCFD decision denying a request for an exception to the Fire Safe Regulations. A detailed discussion of the appeal is provided below.

PROJECT DESCRIPTION (continued):

C. Zoning Compliance

A single-family residence, accessory structures, and swimming pool are permitted in the HR-1 zone. The proposed residence is in compliance with the zoning regulations for allowable floor area, height, setbacks, and on-site parking requirements for the property.

DISCUSSION:

A. Architecture and Site Analysis

Pursuant to the HDS&G, when determining the maximum allowable floor area for a hillside property, the gross lot area is reduced based on its average slope. The subject property is approximately 41,207 square feet with an average lot slope of 29.7 percent. Based on this average slope, the net lot area is 16,854 square feet, which provides for a maximum allowable floor area of 4,400 square feet.

The applicant has provided a Written Description/Letter of Justification detailing the project (Exhibit 4). The applicant proposes demolition of approximately 980 square feet of the existing 2,040-square foot single-family residence with attached garage. The reduced size structure would be repurposed as a pool house. The applicant proposes construction of 3,107-square foot, two-story residence with an attached 498-square foot garage and a swimming pool (Exhibit 18). The project proposes a contemporary style residence with neutral colors and materials. Proposed exterior materials include: a standing-seam metal roof; vertical board and batten cement board siding; smooth stucco siding; faux-wood tongue-and-groove siding; metal-clad wood windows and doors; and metal garage doors (Exhibit 5). The proposed residence includes 385 square feet of below-grade square footage that would be exempted from floor area. The residence also includes a 498-square foot attached garage, 98 square feet of which would count toward the total floor area allowed for the property. A summary of the proposed floor area for the property is included in the table on the following page.

DISCUSSION (continued):

Floor Area Summary	
Maximum Allowed Floor Area	4,400 sf
Proposed Floor Area	
First Floor	840 sf
Second Floor	2,652 sf
Garage	498 sf
Pool House	1,080 sf
Subtotal	5,070 sf
Below-Grade Square Footage	(385 sf)
Garage Exclusion	(400 sf)
Total	**4,285 sf**

The proposed residence would be sited on the eastern portion of the parcel within the LRDA. The maximum height of the proposed residence is 25 feet, where a maximum of 30 feet is allowed by the Town Code and a maximum of 25 feet is allowed by the HDS&G for nonvisible homes. The project requires a Grading Permit for the site improvements with earthwork quantities exceeding 50 cubic yards. The applicant requests exceptions to the HDS&G for fill depths exceeding three feet and for exterior structural supports and undersides of decks not enclosed by walls.

B. Building Design

The project proposes a contemporary style residence with neutral colors and materials. Proposed exterior materials include: a standing-seam metal roof; vertical board and batten cement board siding; smooth stucco siding; faux-wood tongue-and-groove siding; metal-clad wood windows and doors; and metal garage doors (Exhibit 5). Pursuant to the HDS&G, exterior colors for nonvisible homes in the hillside area may not exceed an average light reflectivity value (LRV) of 30. The proposed exterior colors and materials comply with the LRV limitation as shown on Exhibit 5.

The proposed residence has been designed with a linear form and sited to run with the contours of the property (Exhibit 18). The upper floor would be visible from Crescent Drive and would present as a single-story mass. The lower floor would be primarily visible from the interior of the property and partially screened by vegetation from portions of Crescent Drive. The proposed residence incorporates a hip roof with projecting gable-end portions at the front entry and the kitchen at the rear. The upper floor of the residence would be clad with vertically oriented cement board and batten siding while the lower floor would be clad with stucco with a smooth finish. Portions of the residence at the front entry and the

DISCUSSION (continued):

stairwell at the rear would be accented with faux-wood tongue-and-groove siding in a natural appearing wood finish. The upper floor of the residence includes the primary living areas, the main bedroom suite, a bedroom suite, and the attached two-car garage. A deck and balcony would be located off the rear elevation of the upper floor. The lower floor includes two additional bedroom suites.

The Town's Consulting Architect reviewed the proposed residence on July 26, 2021 (Exhibit 6). In the report the Consulting Architect noted that the proposed residence is well designed and comparable to the size of nearby homes. The Consulting Architect identified several issues and concerns and provided recommendations for changes to the original design to increase compatibility with the Residential Design Guidelines. In response to these recommendations, the applicant made several modifications to the design of the residence, summarizing the changes in a written response (Exhibit 7). The Consulting Architect's issues and recommendations are provided below, followed by the applicant's response in *italics*.

Issues and Recommendations:

1. The artificial turf area proposed very close to the road would be out of character with the more natural edges along the remainder of the road. Eliminate the artificial turf near Crescent Drive in favor of natural landscaping.

   Understood, removed.

2. The spacing of the standing seams on the metal roof seem too close together, and visually very busy. Refine the standing seam texture of the roof.

   Corrected.

3. The entry is a bit weak. Refine the entry details.

   Corrected. See Sheet 10. Ten-inch square columns added to entry porch roof.

4. Windows without trim would not be consistent with Residential Design Guideline 3.7.4. Add wood trim to all doors and windows consistent with the Residential Design Guideline.

   Corrected. All windows and doors now have 3.5-inch-wide trim on all sides.

5. The exact materials are not called out for the garage doors except for the note that they are "Contemporary Style Roll Up Doors." When I see that note, I would be concerned if

DISCUSSION (continued):

the door panels were glass that would provide a visual lantern at night which would be quite out of character for the semi-rural character of this neighborhood. Provide solid panels in the garage doors unless glazing is limited to the top door panels.

Noted. See Sheet 10. Garage doors do not incorporate glass windows. All panels are solid.

6. The tall multiple window areas on the rear elevation do not seem to yet have the appropriate traditional detailing for the home's proposed architectural style. Refine the large rear elevation windows by separating upper and lower panes with wood framing in lieu of the segment of wall siding shown.

   Understood. The windows over doors are to be "field mulled." This feature perpetuates the contemporary feel of the home. It also conforms to the design guidelines by allowing increased solar heating during the winter months. The extended eve at these locations provide protection during the summer months.

7. The Town's Hillside Design Guidelines generally discourage the type of open deck support shown at the rear of the house, but the portion of the rear elevation where this occurs is small and not visually awkward. However, the columns on the rear elevation supporting upper-level decks are rather skinny compared to their height. Increase the size of the rear deck supports.

   Corrected. Deck support posts are now seven-inch square.

The applicant responded to the Consulting Architect's issues and recommendations through design revisions. Staff determined that the applicant adequately addressed all issues and concerns raised in the Consulting Architect's report.

C. Neighborhood Compatibility

Pursuant to the HDS&G, the maximum allowable floor area for the subject parcel is 4,400 square feet. The table on the following page reflects the current conditions of the development in the immediate area and the proposed project.

DISCUSSION (continued):

FAR Comparison - Neighborhood Analysis							
Address	**Zoning**	**Gross Lot Area SF**	**Residential SF***	**Garage SF**	**Total SF****	**FAR**	**No. of Stories**
17089 Crescent Dr	HR-1	49,328	2,281	468	2,749	0.06	2
17095 Crescent Dr	HR-1	31,738	2,534	501	3,035	0.10	2
17177 Crescent Dr	HR-1	39,929	1,840	440	2,280	0.06	2
17130 Crescent Dr	HR-1	78,469	4,251		4,251	0.05	1
17120 Crescent Dr	HR-1	29,788	3,029	478	3,507	0.12	2
17110 Crescent Dr	HR-1	27,015	2,522	0	2,522	0.09	1
17100 Crescent Dr	HR-1	30,607	1,901	400	2,301	0.08	1
17160 Crescent Dr	HR-1	54,665	4,539	861	5,400	0.10	1
17140 Crescent Dr	HR-1	133,454	3,399	729	4,128	0.03	1
17121 Crescent Dr (E)	**HR-1**	**41,207**	**1,660**	**400**	**2,060**	**0.05**	**1**
17121 Crescent Dr (P)	**HR-1**	**41,207**	**4,196**	**498**	**4,694**	**0.11**	**2**

* Residential square footage includes the residence and detached accessory structures, except garages.
** The total square footage numbers do not include below grade square footage.

The properties in the immediate neighborhood are developed with one- and two-story residences and include a mix of architectural styles. The property sizes within the immediate neighborhood range from 0.6 to 3.1 acres. Based on Town and County records, the square footage of the residences located in the immediate neighborhood range from 1,840 square feet to 4,539 square feet. The applicant is proposing a 3,107-square foot residence with an attached 498-square foot garage and a 1,080-square foot pool house on a 0.96-acre parcel, where a maximum total floor area of 4,400 square feet is allowed by the HDS&G. The proposed project would be the second largest in terms of total square footage and Floor Area Ratio (FAR).

D. Site Design

The subject property is located on the west side of Crescent Drive. The parcel slopes downward from the roadway approximately 56 feet to the lowest point along the western property line and is wooded outside of the developed areas. The LRDA is concentrated in the eastern and southern portions of the property, within which all proposed development would occur.

The applicant proposes partial demolition of the existing residence located in the southern portion of the property, which would be repurposed as a pool house. A new rectangular pool would be constructed just north of the proposed pool house. The proposed main residence and attached garage are sited in the southeastern portion of the property.

DISCUSSION (continued):

The proposed driveway would provide access to the attached two-car garage from the west side of Crescent Drive, utilizing the footprint of the existing driveway to minimize impacts to adjacent trees (Exhibit 18, Sheet 3). Four additional on-site guest parking spaces are required by the Hillside Specific Plan and would be provided by two spaces located along the west side of the roadway and by two spaces located in the second driveway serving the approved ADU. The required parking space for the ADU will be accommodated in the driveway serving the main residence in a tandem configuration consistent with the Town Code.

Outdoor living areas are concentrated at the rear of the residence and include a deck adjacent to the kitchen, a balcony at the primary bedroom, and a patio adjacent to the proposed swimming pool.

E. Tree Impacts

The development plans were reviewed by the Town's Consulting Arborist who inventoried seven protected trees within the project area and made recommendations for their preservation (Exhibit 8). The applicant responded to the recommendations by including Sheet T-1 in the Development Plans showing tree preservation measures consistent with the recommendations of the Town's Consulting Arborist (Exhibit 18).

Of the seven trees included in the inventory, one is proposed for removal (#716) and one was removed in 2021 under an approved permit (#719). Tree #716 is a 10-inch Brazilian pepper tree in good condition with a 20-foot canopy. Given the canopy size of tree #716, three new trees are required to be planted on site or payment of in-lieu fees provided by the applicant. The Landscape Plans do not propose any new trees.

If the project is approved, tree protection measures would be implemented prior to construction and maintained for the duration of construction activity. Arborist recommendations for tree protection and requirements for obtaining a Tree Removal Permit have been included in the Conditions of Approval (Exhibit 3).

F. Landscaping

The applicant proposes new landscaping adjacent to the residence consisting of shrubs, bushes, and deer grass (Exhibit 18, Sheet L-2.0). No new trees are proposed and the remainder of the property would remain in its current state. All the species included in the proposed Landscape Plan are native to California, and eight of the ten are included in Appendix A of the HDS&G.

DISCUSSION (continued):

G. Visibility

The parcel is screened by topography and existing vegetation and any development would not be visible from any of the Town's viewing areas (Exhibit 18, Sheet 14).

H. Grading

The project includes site improvements with grading quantities exceeding 50 cubic yards, which requires approval of a Grading Permit. Site improvements adjacent to the residence would require 206 cubic yards of cut and 363 cubic yards of fill.

Site Grading Summary			
	Cut	Fill	**Total**
Driveway/yard	206	363	**569**

The Town's Parks and Public Works Engineering staff have included a condition of approval requiring submittal and evaluation of a Grading Permit in parallel with the required Building Permits (Exhibit 3).

I. Exceptions to the Hillside Development Standards and Guidelines

The applicant is requesting exceptions to two standards in the HDS&G: the grading standard limiting the depth of fill to three feet (Chapter III, Standard A.1, page 20); and the architectural design standard prohibiting exterior structural supports and undersides of decks not enclosed by walls (Chapter V, Standard H.1, page 43).

The applicant requests an exception to the three-foot depth of fill standard to fill in an existing dirt service road created by a previous owner. The fill area requiring the exception is located adjacent to the northeast portion of the proposed residence and would require a fill depth of three feet, 10-inches. The applicant discusses the requested exception in their Letter of Justification (Exhibit 4), indicating that reducing the fill depth in the area in question requires that the entire residence be lowered into the site, increasing excavation and site grading quantities and resulting in more off-haul and impacts to the neighborhood. The requested exception would reduce overall grading activities, off-haul, and impacts to the neighborhood during construction.

The applicant also requests an exception to the architectural design standard prohibiting exterior structural supports and undersides of decks not enclosed by walls unless no alternative type of construction is feasible, and that fire safety and aesthetic considerations have been addressed. The applicant proposes a deck on the rear of the residence that would be supported by seven-inch square posts. The top of the tallest post would be

DISCUSSION (continued):

approximately 17 feet above the adjacent finished grade. In their Letter of Justification, the applicant states:

- The deck post is not visible from the road as its located at the back of the house;
- The deck post is not visible from the down slope neighbor due to the dense vegetation between the two homes;
- The distance from the deck post to the house has been reduced to just 8 feet from the back wall of the house; and
- The property is sloping. A deck at the back of the house provides exterior living space immediately adjacent to the home and reduces the need to create cut and fill patios elsewhere on the property.

Staff discussed two alternatives to the proposed design with the applicant: lowering the residence approximately four feet to limit the height of the tallest post to five feet; and creating outdoor living space via an at-grade patio. While both of the alternatives may be feasible, each would increase the required excavation and site grading quantities, increasing off-haul and having a greater impact on the neighborhood. Regarding fire safety, the property is located in the Wildland Urban Interface (WUI) requiring specific materials and construction methods that address fire safety. Additionally, the project was reviewed by the SCCFD and, while not approved for reasons discussed below, did not include any comments related to the proposed deck. Regarding aesthetic considerations, the project was reviewed by the Town's Consulting Architect who noted that these types of deck supports are generally discouraged by the HDS&G, but given the location of the deck at the rear of the residence and its slight impact to the rear elevation, it would not be visually awkward. Further, the Consulting Architect noted that the posts as originally presented were rather skinny relative to their height and recommended increasing the size of the posts. The applicant responded by increasing the size of the posts to seven-inches square.

Based on the analysis provided above, staff supports to the proposed exceptions to the HDS&G.

J. Appeal of a SCCFD Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations

The applicant is appealing the decision of the SCCFD denying a request for an exception to the Fire Safe Regulations.

Background on PRC 4290 and the Fire Safe Regulations

In 1991, the Board of Forestry (BOF) adopted PRC 4290 (Exhibit 9) requiring that the BOF establish minimum fire safety standards applicable to lands located in the State

DISCUSSION (continued):

Responsibility Area (SRA) and as of July 1, 2021, within lands classified and designated as Very High Fire Hazard Severity Zones (VHFHSZ) within the Local Responsibility Area (LRA) (Exhibit 10). The Fire Safe Regulations (Exhibit 11) as adopted by the BOF establish the minimum wildfire protection standards for building and construction related to:

- Road standards and fire equipment access;
- Standards for signs identifying streets, roads, and buildings;
- Minimum private water supply reserves for emergency fire use; and
- Fuel breaks and greenbelts.

Section §1270.06 (a) of the Fire Safe Regulations outlines a process allowing applicants to request exceptions to the regulations where it is shown that the exceptions provide the same practical effect as the Fire Safe Regulations (Exhibit 11). In Los Gatos, exception requests are considered by the SCCFD. As defined in the Fire Safe Regulations, same practical effect means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

a. Access for emergency wildland fire equipment;
b. Safe civilian evacuation;
c. Signing that avoids delays in emergency equipment response;
d. Available and accessible water to effectively attack wildfire or defend a structure from wildfire; and
e. Fuel modification sufficient for civilian and fire fighter safety.

Pursuant to Section §1270.06 (c) of the Fire Safe Regulations, when an exception is not granted, the applicant may file an appeal to be heard by the local jurisdiction who can establish or utilize an existing appeals process. Consistent with the Town Code, an appeal of a SCCFD denial of an exception request to the Fire Safe Regulations is considered by the Planning Commission. Because the Fire Safe Regulations are imposed by the State, the Planning Commission has the authority to remove or modify the conditions relating to Fire Safe Regulations only if requiring an applicant to comply with the Conditions would violate federal or state law. As discussed in more detail below, staff believes that requiring improvement of the bridle path right-of-way to allow vehicular travel would constitute an unconstitutional taking and does not recommend that the Town impose that condition.

SCCFD Review of this Application

The applicant submitted the Architecture and Site application on July 7, 2021. Through the Town's development review process, the SCCFD reviewed iterations of the application three

DISCUSSION (continued):

times, providing comment letters on August 5, 2021, March 23, 2022, and May 18, 2022. Each letter deemed the application incomplete and outlined deficiencies related to PRC 4290, the Fire Safe Regulations, and other SCCFD standards.

In the most recent comment letter dated May 18, 2022, the SCCFD identified six provisions of the Fire Safe Regulations to which the application was deficient (Exhibit 12). On May 25, 2022, the applicant applied for an exception to these regulations and provided reasoning as to how the provided alternatives achieve the same practical effect as the Fire Safe Regulations (Exhibit 13). On July 20, 2022, the SCCFD denied the exception request on the basis of three outstanding deficiencies: road widths; turnarounds; and dead-end roads (Exhibit 14). The applicant is appealing the decision of the SCCFD to the Planning Commission (Exhibit 4).

The SCCFD's denial of the exception request is based on three aspects of the fire safe Regulations. First, Section §1273.01 (a) requires that "all roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping" (Exhibit 14). The applicant's exception request indicates that the current road is on average 20-feet wide (Exhibit 13). The applicant provided a road study exhibit showing road widths of 17 to 24 feet along Los Cerritos Drive from Phillips Avenue and continuing up Crescent Drive to the subject property (Exhibit 18, Sheet 17). In response to the exception request, the SCCFD states that the existing road widths are capable of providing the same practical effect, but additional validation is required (Exhibit 14).

Second, Section §1273.05 (a) requires that turnarounds be provided on driveways and dead-end roads and that (b) the minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §1273.05(e) and §1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length. The applicant's exception request included a SCCFD Type A turnaround located at the proposed driveway. In response to the exception request, the SCCFD indicated that the proposed turnaround did not comply with the Fire Safe Regulations by dimension or location and did not meet the SCCFD's prescriptive dimensions (Exhibit 14). Further, the SCCFD indicated that a compliant turnaround may be considered a component of the same practical effect if properly designed and dedicated for public use and/or emergency vehicle access. In response, the applicant revised the development plans to include a SCCFD Type B turnaround located at the southeast corner of the property. Staff has included a Condition of Approval that all necessary easements be recorded prior to issuance of a Building Permit (Exhibit 3).

Lastly, Section §1273.08 (a) sets the maximum length of dead-end roads for parcels zoned for less than one acre to 800 feet (Exhibit 11). The subject property is zoned HR-1 with a minimum lot size requirement of 40,000 square feet, or 0.92 acres. The SCCFD indicates

DISCUSSION (continued):

that the subject property is located approximately 1,500 feet from the intersection of Phillips Avenue and Los Cerritos Drive, exceeding the 800-foot limitation (Exhibit 14). The Development Plans show an existing bridle path leading from the roadway at the southeast corner of the property to Los Cerritos Drive, approximately 150 feet from the intersection with Phillips Avenue (Exhibit 18, Sheet 17). This bridle path was dedicated to the public use along with other rights-of-way in 1929 with the recorded Crescent Hill Subdivision map (Exhibit 15). The applicant's exception request (Exhibit 13) reasoned that the same practical effect to this regulation is achieved through:

- The existing 20-foot wide primary access road;
- The safe civilian evacuation from Crescent Drive provided via the bridle path right-of-way;
- The addition of a signage;
- Availability of accessible water supply as verified by San Jose Water (Exhibit 13); and
- Through completed fuel reduction on the subject property.

In response to the exception request, the SCCFD indicated that while an improved bridle path right-of-way would provide a civilian evacuation route, it would not provide unobstructed traffic circulation during a wildfire, as intended by the Fire Safe Regulations (Exhibit 14). The applicant has appealed this determination (Exhibit 4), indicating that the SCCFD has incorrectly interpreted PRC 4290 to restrict or deny approval for residential building applications located on existing roads as they apply to:

- New home construction of any kind. This includes both from the ground up new construction or removal of existing and complete replacement; and
- Home remodeling that exceeds the Town's 50 percent demolition policy.

The applicant's appeal also indicates that the SCCFD are the only department in California interpreting PRC 4290 to include existing roads, which can result in restricting the replacement or upgrading of existing structures with more fire-safe structures. The applicant also indicates that the SCCFD's application of PRC 4290 results in a regulatory taking.

Staff's Analysis

One of the SCCFD requirements being appealed relates to access to the property. Section §1273.08 sets forth the maximum length of a dead-end road based upon a parcel's zoning. The minimum lot size required by the Town Code for HR zoned parcels is 40,000 square feet. Pursuant to Section §1273.08, the dead-end road length would be limited to 800 feet. The subject property is approximately 1,500 feet beyond the intersection of Phillips Avenue

DISCUSSION (continued):

and Crescent Drive. The applicant has met with SCCFD to discuss alternatives to the requirement for an 800-long road.

As discussed above, the 1929 Crescent Hill Subdivision dedicated the bridle path right-of-way for public use east of the property (Exhibit 15). The applicant states that the bridle path right-of-way would provide a pedestrian evacuation route during an emergency (Exhibit 13). In their denial of the requested exception, the SCCFD states that the bridle path does not meet the Fire Safe Regulations to provide unobstructed traffic circulation during a wildfire and that the bridle path could be considered for elimination of the dead-end road if it were improved as a one-way road (Exhibit 14). In staff's view, imposing a requirement to improve the bridle path to provide vehicular circulation would constitute an unconstitutional taking. Application of a law to a particular property becomes a taking if the law either:

1. Does not substantially advance legitimate state interests; or
2. Denies an owner economically viable use of his or her land. (*Agins v. City of Tiburon*, 447 U.S. 255 (1980)).

With regard to the first question, when reviewing an exaction imposed on a project, courts will consider the connection between what is being required and the impacts of the project. In the *Dolan* decision, the United States Supreme Court discusses the required degree of connection between the exaction imposed and the projected impacts of the proposed development (*Dolan v. City of Tigard*, 512 U.S. 374 (1994)). The Dolan court held that, in making an adjudicative decision, a city must demonstrate a "reasonable relationship" between the conditions imposed on a development permit and the development's impacts. In evaluating a "takings" claim, a court must first determine whether an "essential nexus" exists between the "legitimate state interests" and the permit condition exacted by the city. Second, if it finds that a nexus exists, the required exaction must be "roughly proportional" to the projected impacts of the private development.

The applicant indicates that improving the bridle path right-of-way to support one-way vehicular traffic is estimated to cost approximately $4,500,000. In addition, because the path was dedicated as a bridle path and park, the applicants would need to acquire an easement interest to expand on the scope of the allowable use to include vehicular access. The project is a single-family home. In staff's view, the cost of the proposed requirement is not "roughly proportional" to the impacts of the single-family home and is therefore not defensible. As a result, staff recommends approving the project and replacing Conditions of Approval #102 through #106 related to the Fire Safe Regulations with a condition to require that the applicant work with the SCCFD to develop alternatives that comply with the Fire Safe Regulations and are constitutionally defensible (Exhibit 3).

DISCUSSION (continued):

K. Neighbor Outreach

The owners have indicated that they have been communicating with the surrounding neighbors to discuss the proposed project. A summary of their outreach efforts is included as Exhibit 16.

L. CEQA Determination

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction.

PUBLIC COMMENTS:

Story poles and project signage were installed on the site by November 3, 2022, in anticipation of the November 21, 2022, Planning Commission hearing. Public comments received by 11:00 A.M., Thursday, November 17, 2022 are included as Exhibit 17.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for construction of a new a single-family residence and site improvements requiring a Grading Permit. The project is well designed and compatible with the properties in the immediate area. The project is consistent with the Zoning and General Plan Land Use designation for the property. The applicant requests two exceptions to the HDS&G as discussed above and otherwise complies with the applicable sections of the HDS&G and Hillside Specific Plan.

The applicant is also requesting that the Planning Commission grant an appeal of a SCCFD decision denying a request for an exception to the Fire Safe Regulations.

B. Recommendation

Based on the analysis above, staff recommends approval of the Architecture and Site application subject to the recommended conditions of approval (Exhibit 3) and granting the appeal of the SCCFD's decision denying a request for an exception to the SRA/VHFHSZ Fire Safe Regulations. If the Planning Commission finds merit with the proposed project, it should:

CONCLUSION (continued):

1. Make the finding that the proposed project is Categorically Exempt, pursuant to the adopted Guidelines for the implementation of the California Environmental Quality Act, Section 15303: New Construction (Exhibit 2);
2. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 2);
3. Make the finding that due to the constraints of the site, exceptions to the depth of fill standard, and the architectural design standard prohibiting exterior structural supports and undersides of decks not enclosed by walls, are appropriate, and the project is otherwise in compliance with the applicable sections of the Hillside Development Standards and Guidelines (Exhibit 2);
4. Make the finding that the project complies with the Hillside Specific Plan (Exhibit 2);
5. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
6. Make the finding that granting the appeal of the Santa Clara County Fire Department's decision denying a request for an exception to the SRA/VHFHSZ Fire Safe Regulations meets the intent of providing defensible space consistent with the SRA/VHFHSZ Fire Safe Regulations as provided in the Statement of Reasons included in Exhibit 2;
7. Grant the appeal of the Santa Clara County Fire Department's decision denying a request for an exception to the SRA/VHFHSZ Fire Safe Regulations and replacing Conditions of Approval #102 through #106 with a new Condition of Approval #111 as discussed above (Exhibit 3); and
8. Approve Architecture and Site Application S-21-031 with the conditions contained in Exhibit 3 and the development plans in Exhibit 18.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction; or
2. Approve the application with additional and/or modified conditions; or
3. Deny the application.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Letter of Justification
5. Color and Materials Board
6. Consulting Architect's Report
7. Applicant's Response to Consulting Architect's Report
8. Consulting Arborist's Report
9. Public Resources Code 4290
10. Fire Hazard Severity Zones Map
11. SRA/VHFHSZ Fire Safe Regulations
12. SCCFD Deficiency Letter, dated May 18, 2022
13. Applicant's Exception Request to the Fire Safe Regulations, dated May 25, 2022
14. SCCFD Denial of Applicant's Exception Request to the Fire Safe Regulations, dated July 20, 2022
15. Crescent Hill Subdivision Map, 1929
16. Applicant's Neighbor Outreach Effort Summary
17. Public Comments received by 11:00 A.M., Thursday, November 17, 2022
18. Development Plan

17121 Crescent Drive

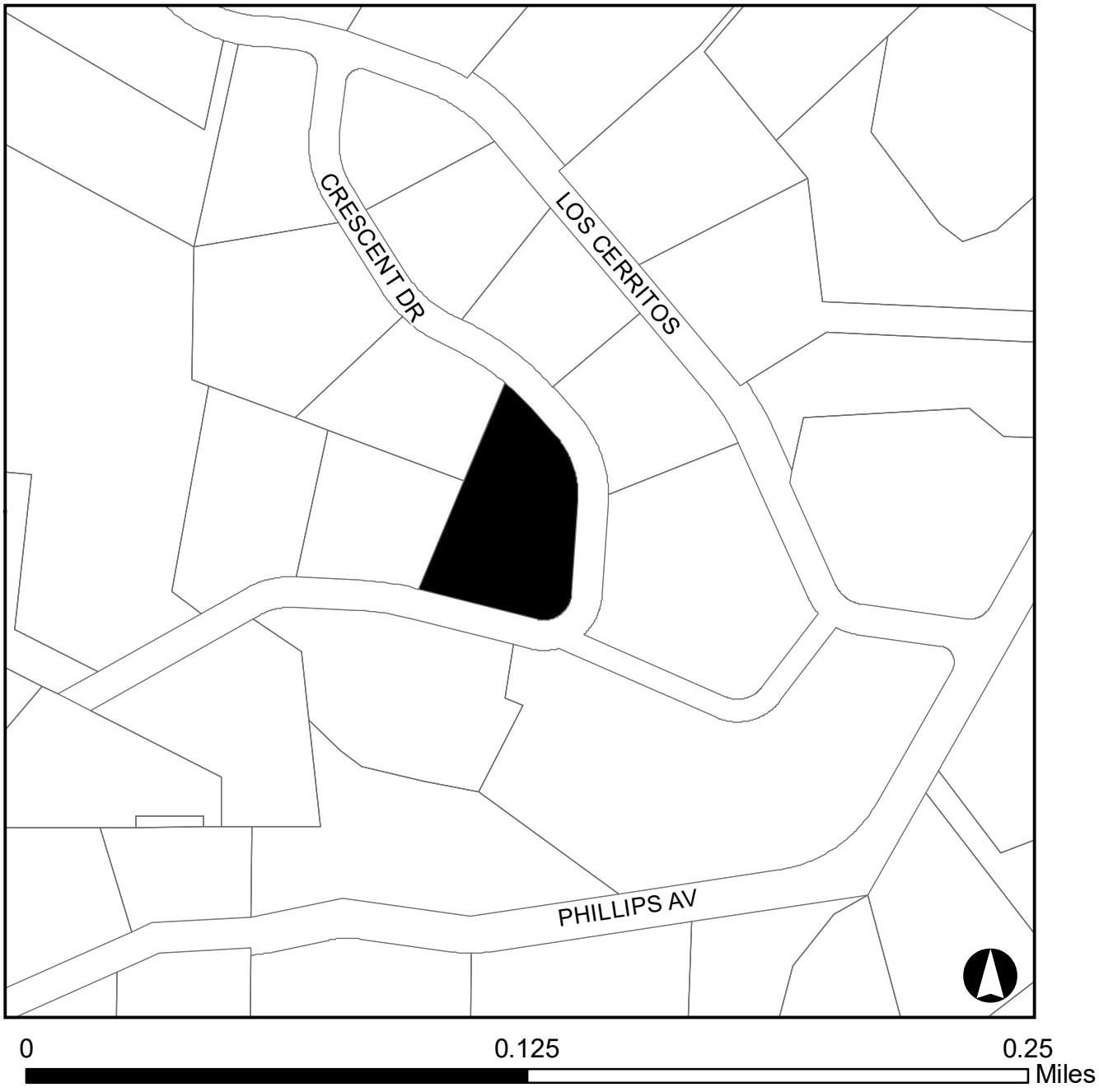

EXHIBIT 1

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PLANNING COMMISSION –*November 21, 2022*
REQUIRED FINDINGS & CONSIDERATIONS FOR:

17121 Crescent Drive
Architecture and Site Application S-21-021

Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit and an Appeal of a Santa Clara County Fire Department Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations on Property Zoned HR-1.
APN 532-21-007.

PROPERTY OWNERS/APPLICANTS: Eric and Lee Ann Wade
PROJECT PLANNER: Sean Mullin

FINDINGS
Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

Required compliance with the Zoning Regulations:

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).

Required compliance with the Hillside Development Standards and Guidelines:

- As required, that other than the exceptions to the depth of fill standard, and the architectural design standard prohibiting exterior structural supports and undersides of decks not enclosed by walls, the project complies with the Hillside Development Standards and Guidelines.

Required compliance with the Hillside Specific Plan:

- As required, the project complies with the Hillside Specific Plan.

Required for Granting an Appeal of a Santa Clara County Fire Department Decision Denying an Exception to the Fire Safe Regulations:

- As required, granting the appeal meets the intent of providing defensible space consistent with the Fire Safe Regulations as provided in the following statement:

EXHIBIT 2

The decision to grant the appeal includes a Condition of Approval that the applicant work with the Santa Clara County Fire Department to develop alternatives that comply with the Fire Safe Regulations and are constitutionally defensible.

CONSIDERATIONS

Required considerations in review of Architecture and Site applications:

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.

PLANNING COMMISSION – *November 21, 2022*
CONDITIONS OF APPROVAL

17121 Crescent Drive
Architecture and Site Application S-21-021

Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit and an Appeal of a Santa Clara County Fire Department Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations on Property Zoned HR-1. APN 532-21-007.

PROPERTY OWNERS/APPLICANTS: Eric and Lee Ann Wade
PROJECT PLANNER: Sean Mullin

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. OUTDOOR LIGHTING: Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.
4. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
5. EXISTING TREES: All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
6. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations identified in the Arborist's report for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans and completed prior to issuance of a building permit where applicable.
7. TREE FENCING: Protective tree fencing and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
8. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.

9. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
10. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
11. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.
12. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
13. EXTERIOR COLORS: The exterior colors of all structures shall comply with the Hillside Development Standards & Guidelines.
14. DEED RESTRICTION: Prior to the issuance of a building permit, a deed restriction shall be recorded by the applicant with the Santa Clara County Recorder's Office that requires all exterior materials be maintained in conformance with the Town's Hillside Development Standards & Guidelines.
15. EASEMENTS: Any easements required for the fire truck turnaround shall be reviewed by the Town and recorded with the Santa Clara County Recorder prior to issuance of a Building Permit.
16. LAND USE NEAR STREAMS: The project shall comply with the Guidelines and Standards for Land Use Near Streams prepared by the Santa Clara Valley Water Resources Protection Collaborative.
17. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

18. PERMITS REQUIRED: A Building Permit is required for the construction of the new single-family residence and attached garage. An additional Building Permit will be required for the PV System if the system is required by the California Energy Code. Additional individual Building Permits will be required for all other structures such as the renovation of the existing house into the pool house, swimming pool, retaining walls supporting a surcharge, etc..
19. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2020, are the 2019 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, including locally adopted Energy Reach Codes.
20. ADVISORY COMMENT: Building Permit applications submitted after 1:00 pm on December 22, 2022, will be subject to the new 2022 California Building Codes, which take effect January 1, 2023.

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21. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
22. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
23. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
24. SOILS REPORT: A Soils Report, prepared to the satisfaction of the Building Official, containing foundation, and retaining wall design recommendations, shall be submitted with the Building Permit Application. This report shall be prepared by a licensed Civil Engineer specializing in soils mechanics.
25. SHORING: Shoring plans and calculations will be required for all excavations which exceed five (5) feet in depth, or which remove lateral support from any existing building, adjacent property, or the public right-of-way. Shoring plans and calculations shall be prepared by a California licensed engineer and shall confirm to the Cal/OSHA regulations.
26. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report, and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:
    a. Building pad elevation
    b. Finish floor elevation
    c. Foundation corner locations
    d. Retaining wall(s) locations and elevations
27. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e., directly printed, onto a plan sheet.
28. TOWN RESIDENTIAL ACCESSIBILITY STANDARDS: New residential units shall be designed with adaptability features for single-family residences per Town Resolution 1994-61:
    a. Wood backing (2" x 8" minimum) shall be provided in all bathroom walls, at water closets, showers, and bathtubs, located 34 inches from the floor to the center of the backing, suitable for the installation of grab bars if needed in the future.
    b. All passage doors shall be at least 32-inch-wide doors on the accessible floor level.
    c. The primary entrance door shall be a 36-inch-wide door including a 5'x 5' level landing, no more than 1 inch out of plane with the immediate interior floor level and with an 18-inch clearance at interior strike edge.
    d. A door buzzer, bell or chime shall be hard wired at primary entrance.
29. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12 inches above the elevation of the next upstream manhole.

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30. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
31. WILDLAND-URBAN INTERFACE: This project is located in a Wildland-Urban Interface High Fire Area and must comply with Section R337 of the 2019 California Residential Code, Public Resources Code 4291 and California Government Code Section 51182.
32. PROVIDE DEFENSIBLE SPACE/FIRE BREAK LANDSCAPING PLAN: Prepared by a California licensed Landscape Architect in conformance with California Public Resources Code 4291 and California Government Code Section 51182.
33. PRIOR TO FINAL INSPECTION: Provide a letter from a California licensed Landscape Architect certifying the landscaping and vegetation clearance requirements have been completed per the California Public Resources Code 4291 and Government Code Section 51182.
34. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the Building Permit. The Town Special Inspection form must be completely filled-out and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building.
35. BLUEPRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal as the second page. The specification sheet is available at the Building Division Service Counter for a fee of $2 or at ARC Blueprint for a fee or online at www.losgatosca.gov/building.
36. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
    a. Community Development – Planning Division: (408) 354-6874
    b. Engineering/Parks & Public Works Department: (408) 399-5771
    c. Santa Clara County Fire Department: (408) 378-4010
    d. West Valley Sanitation District: (408) 378-2407
    e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

TO THE SATISFACTION OF THE DIRECTOR OF PARKS & PUBLIC WORKS:

Engineering Division

37. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner's representative in charge shall be at the job site during all

working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner's expense.

38. APPROVAL: This application shall be completed in accordance with all the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
39. CONSTRUCTION PLAN REQUIREMENTS: Construction drawings shall comply with Section 1 (Construction Plan Requirements) of the Town's Engineering Design Standards, which are available for download from the Town's website (https://www.losgatosca.gov/1088/Town-Engineering-Standards).
40. PRIOR APPROVALS: All conditions per prior approvals shall be deemed in full force and affect for this approval.
41. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over $5,000 will require construction security. It is the responsibility of the Owner to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
42. PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY (INDEMNITY AGREEMENT): The property owner shall enter into an agreement with the Town for all existing and proposed private improvements within the Town's right-of-way. The Owner shall be solely responsible for maintaining the improvements in a good and safe condition at all times and shall indemnify the Town of Los Gatos. The agreement must be completed and accepted by the Director of Parks and Public Works, and subsequently recorded by the Town Clerk at the Santa Clara County Office of the Clerk-Recorder, prior to the issuance of any grading or building permits. Please note that this process may take approximately six to eight (6-8) weeks.
43. GENERAL LIABILITY INSURANCE: The property owner shall provide proof of insurance to the Town on a yearly basis. In addition to general coverage, the policy must cover all elements encroaching into the Town's right-of-way.
44. PUBLIC WORKS INSPECTIONS: The Owner or their representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in penalties and rejection of any work that occurred without inspection.
45. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
46. STREET CLOSURE: Any proposed blockage or partial closure of the street and/or sidewalk requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.

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47. PLAN CHECK FEES: Plan check fees associated with the Grading Permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the commencement of plan check review.
48. INSPECTION FEES: Inspection fees shall be deposited with the Town prior to the issuance of any grading or building permits.
49. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The Owner's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
50. PLANS AND STUDIES: All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California and submitted to the Town Engineer for review and approval.
51. GRADING PERMIT: A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). After the preceding Architecture and Site Application has been approved by the respective deciding body and the appeal period has passed, the grading permit application with grading plans and requisite materials shall be submitted via email to the PPW engineer assigned to the A&S review. Plan check fees (determined after initial submittal) shall be sent to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location(s), driveway, utilities and erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). Prior to Engineering signing off and closing out on the issued grading permit, the Owner's soils engineer shall verify, with a stamped and signed letter, that the grading activities were completed per plans and per the requirements as noted in the soils report. A separate building permit, issued by the Building Department, located at 110 E. Main Street, is needed for grading within the footprint.
52. GRADING PERMIT DETERMINATION DURING CONSTRUCTION DRAWINGS: In the event that, during the production of construction drawings and/or during construction of the plans approved with this application by the Town, it is determined that a grading permit would be required as described in Chapter 12, Article II (Grading Permit) of the Town Code of the Town of Los Gatos, an Architecture and Site Application would need to be submitted by the Owner for review and approval by the Development Review Committee prior to applying for a grading permit.
53. ILLEGAL GRADING: Per the Town's Comprehensive Fee Schedule, applications for work unlawfully completed shall be charged double the current fee. As a result, the required grading permit fees associated with an application for grading will be charged accordingly.
54. GRADING ACTIVITY RESTRICTIONS: Upon receipt of a grading permit, any and all grading activities and operations shall not occur during the rainy season, as defined by Town Code of the Town of Los Gatos, Sec. 12.10.020, (October 15-April 15), has ended.

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55. COMPLIANCE WITH HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES: All grading activities and operations shall be in compliance with Section III of the Town's Hillside Development Standards and Guidelines. All development shall be in compliance with Section II of the Town's Hillside Development Standards and Guidelines.
56. DRIVEWAY: The driveway conform to existing pavement on Crescent Drive shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
57. CONSTRUCTION EASEMENT: Prior to the issuance of a grading or building permit, it shall be the sole responsibility of the Owner to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed. Proof of agreement/approval is required prior to the issuance of any Permit.
58. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to the issuance of a building permit. An arborist report may be necessary.
59. SURVEYING CONTROLS: Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
    a. Retaining wall: top of wall elevations and locations.
    b. Toe and top of cut and fill slopes.
60. PRECONSTRUCTION MEETING: Prior to issuance of any grading or building permits or the commencement of any site work, the general contractor shall:
    a. Along with the Owner, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
    b. Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them as well prior to commencing any work, and that a copy of the project conditions of approval will be posted on-site at all times during construction.
61. RETAINING WALLS: A building permit, issued by the Building Department, located at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
62. PROXIMITY OF RETAINING WALLS TO ADJACENT BUILDINGS: Prior to the issuance of a grading or building permit, structural details for the proposed retaining walls located immediately adjacent to or in the immediate vicinity of existing buildings on adjoining lots shall be submitted confirming that said walls will not negatively affect the structural integrity of these buildings.
63. SOILS REPORT: One electronic copy (PDF) of the soils and geologic report shall be submitted with the application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
64. SOILS REVIEW: Prior to issuance of a building permit, the Owner's engineers shall prepare and submit a design-level geotechnical and geological investigation for review by the Town's consultant, with costs borne by the Owner, and subsequent approval by the Town.

In the event that the deciding body requests as such, the peer review shall be completed prior to approval of a development application. The Owner's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations and the peer review comments. Approval of the Owner's soils engineer shall then be conveyed to the Town either by submitting a Plan Review Letter prior to issuance of grading or building permit(s).

65. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations and grading shall be inspected by the Owner's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing shall be documented in an "as-built" letter/report prepared by the Owner's soils engineer and submitted to the Town before a certificate of occupancy is granted.
66. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the project's design-level geotechnical/geological investigation as prepared by the Owner's engineer(s), and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Owner.
67. SUPPLEMENTAL GEOLOGIC AND GEOTECHNICAL STUDIES: Supplemental geologic and geotechnical engineering studies shall be performed in support of the design of the infrastructure and the building type, and the reports and plans shall be submitted to the Town for review.
68. WATER METER: The existing water meter, currently located within the Crescent Drive right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line. The Owner shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
69. SANITARY SEWER CLEANOUT: The existing sanitary sewer cleanout, currently located within the Crescent Drive right-of-way, shall be relocated within the property in question, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town. The Owner shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
70. DRIVEWAY APPROACH: The Owner shall install a Town standard residential driveway approach. The new driveway approach shall be constructed per Town Standard Plans and must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore.
71. CONSTRUCTION VEHICLE PARKING: Construction vehicle parking within the public right-of-way will only be allowed if it does not cause access or safety problems as determined by the Town.

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72. ON-SITE/OFF-SITE PARKING: Parking spaces shall be paved with a compacted base not less than four (4) inches thick, surfaced with asphaltic concrete or Portland cement concrete pavement or other surfacing (e.g.: permeable paving materials, interlocking pavers and ribbon strip driveways) approved by the Town Engineer.
73. SIGHT DISTANCE STUDY: Prior to grading/building permit approval, the Owner shall have a traffic engineer prepare and submit a sight distance analysis for review by the Town staff along with a review fee of **$189.00**.
74. ADVANCE NOTIFICATION: Advance notification of all affected residents and emergency services shall be made regarding parking restriction, lane closure or road closure, with specification of dates and hours of operation.
75. HAULING OF SOIL: Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of a grading or building permit, the Owner and/or Applicant or their representative shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off the project site. This may include, but is not limited to provisions for the Owner and/or Applicant to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
76. CONSTRUCTION HOURS: All site improvements construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
77. CONSTRUCTION NOISE: Between the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.
78. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any grading or building permits, the Owner and/or Applicant's design consultant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Earth Movement Plan, site security fencing, employee parking, construction staging area, materials storage area(s), construction trailer(s), concrete washout(s) and proposed outhouse locations. Please refer to the Town's Construction Management Plan Guidelines document for additional information (https://www.losgatosca.gov/DocumentCenter/View/17600/Construction-Management-Plan-Guidelines?bidId=).

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79. MAINTENANCE ACCESS: Prior to the issuance of any grading or building permits, the Owner shall propose maintenance access improvements for the Town Engineer to review, comment on, and approve. The Engineering Division of the Parks and Public Works Department shall approve the surface materials over each public easement.
80. SHARED MAINTENANCE AGREEMENT: The Owner shall record a shared Maintenance Agreement at the time of recordation of the Parcel/Final Map. The shared Maintenance Agreement shall be subject to the review and approval of the Town prior to recordation of the parcel map. The owners of the number (#) properties shall be responsible for the maintenance of all private utilities, wildland fire and buffer areas, storm water treatment facilities (including the bioretention area(s)) landscape areas, the long term maintenance the fences located on the boundary line, and other common areas/facilities within the proposed subdivision. The owners of the number (#) properties shall be responsible for keeping the shared driveway signed, marked, free and clear for fire department access.
81. WVSD (West Valley Sanitation District): Sanitary sewer laterals are televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used. A Sanitary Sewer Clean-out is required for each property at the property line, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town.
82. SANITARY SEWER BACKWATER VALVE: Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Building Official. The Town shall not incur any liability or responsibility for damage resulting from a sewer overflow where the property owner or other person has failed to install a backwater valve as defined in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to the issuance of a building permit.
83. RELOCATION OF POOL EQUIPMENT FACILITIES: Prior to the issuance of any permits, an approval letter from West Valley Sanitation District accepting the relocated pool equipment facilities shall be provided to the Town.

STORMWATER MANAGEMENT:

84. BEST MANAGEMENT PRACTICES (BMPs): The Owner is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.

85. NPDES STORMWATER COMPLIANCE: In the event that, during the production of construction drawings for the plans approved with this application by the Town of Los Gatos, it is determined that the project will create and/or replace more than 2,500 square feet of impervious area, completion of the NPDES Stormwater Compliance Small Projects Worksheet and implementation of at least one of the six low impact development site design measures it specifies shall be completed and submitted to the Engineering Division before issuance of a grading/building permit.
86. SITE DESIGN MEASURES: All projects shall incorporate at least one of the following measures:
    a. Protect sensitive areas and minimize changes to the natural topography.
    b. Minimize impervious surface areas.
    c. Direct roof downspouts to vegetated areas.
    d. Use porous or pervious pavement surfaces on the driveway, at a minimum.
    e. Use landscaping to treat stormwater.
87. UNLAWFUL DISCHARGES: It is unlawful to discharge any wastewater, or cause hazardous domestic waste materials to be deposited in such a manner or location as to constitute a threatened discharge, into storm drains, gutters, creeks or the San Francisco Bay. Unlawful discharges to storm drains include, but are not limited to: discharges from toilets, sinks, industrial processes, cooling systems, boilers, fabric cleaning, equipment cleaning or vehicle cleaning.
88. LANDSCAPING: In finalizing the landscape plan for the biotreatment area(s), it is recommended that the landscape architect ensure that the characteristics of the selected plants are similar to those of the plants listed for use in bioretention areas in Appendix D of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) C.3 Stormwater Handbook.
89. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
90. DUST CONTROL: Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging

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areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty (20) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.

91. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
    a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
    b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
    c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
    d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
    e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
    f. All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
    g. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
    h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Please provide the BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).
    i. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.
    j. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.

92. CONSTRUCTION ACTIVITIES: All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.
93. WATER FEATURES: New swimming pools, hot tubs, spas and/or fountains shall have a connection to the sanitary sewer system, subject to West Valley Sanitation District's authority and standards, to facilitate draining events. Discharges from this/these feature(s) shall be directed to the sanitary sewer and are not allowed into the storm drain system.
94. SITE DRAINAGE: Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If stormwater treatment facilities are to be used they shall be placed a minimum of ten (10) feet from the adjacent property line and/or right-of-way. Alternatively, the facility(ies) may be located with an offset between 5 and 10 feet from the adjacent property and/or right-of-way line(s) if the responsible engineer in charge provides a stamped and signed letter that addresses infiltration and states how facilities, improvements and infrastructure within the Town's right-of-way (driveway approach, curb and gutter, etc.) and/or the adjacent property will not be adversely affected. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
95. SILT AND MUD IN PUBLIC RIGHT-OF-WAY: It is the responsibility of Contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
96. GOOD HOUSEKEEPING: Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Owner's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Owner's expense.
97. NEIGHBORHOOD CONSTRUCTION COMMUNICATION PLAN: Immediately upon approval of an encroachment permit, the Owner shall initiate a weekly neighborhood email notification program to provide project status updates. The email notices shall also be posted on a bulletin board placed in a prominent location along the project perimeter.
98. PERMIT ISSUANCE: Permits for each phase; reclamation, landscape, and grading, shall be issued simultaneously.
99. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

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100. GENERAL: Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.
101. GENERAL: The subject property is located within the Very High Fire Hazard Severity Zone (VHFHSZ) of the Local Responsibility Area (LRA). Pursuant to California Public Resources Code (PRC) 4290, the California Board of Forestry and Fire Protection is required to "…adopt regulations implementing minimum fire safety standards related to defensible space" applicable to "the perimeters and access to all residential, commercial, and industrial building construction." In 2018, the Legislature passed and the Governor signed SB 901 (Dodd), which expanded the applicability of the regulations promulgated under PRC 4290 to land in the Local Responsibility Area (LRA) Very High Fire Hazard Severity Zone. All comments below that result from PRC 4290 are identified by **.
~~102. ** DEAD-END ROADS: (a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served: parcels zoned for less than one acre – 800 feet. Parcels zoned for 1 acre to 4.99 acres – 1,320 feet. Parcels zoned for 5 acres to 19.99 acres – 2,640 feet. Parcels zoned for 20 acres or larger – 5,280 feet. All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.08. This parcel is located within the Very High Fire Hazard Severity Zone and the dead-end access road exceeds the maximum length of 800 feet. Current PRC 4290 regulations remain in effect. The proposed Safe Civilian Access Route doesn't provide for vehicle travel and therefore doesn't meet same practical effect. This request for exemption is not accepted.~~
~~103. **WIDTH: (a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250. (b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads. (1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units. (2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road. (c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six~~

~~inches (13' 6"). California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2 Articles 1-5, § 1273.01. 20 ft roadway is required from both Cypress Way & S Kennedy Rd to the proposed residence. On sheet 17, the roadway width doesn't comply with PRC 4290.~~

104. ~~**ROAD SURFACES: (As Noted on Sheet 17) (a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base. (b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds. (c) Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.02.~~

105. ~~**GRADES: (As Noted on Sheet 17) (a) At no point shall the grade for all roads and driveways exceed 16 percent. (b) The grade may exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.03.~~

106. ~~**RADIUS: (As Noted on Sheet 17) (a) No road or road structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet. (b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.04.~~

107. FIRE SPRINKLERS REQUIRED: An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: 1) In all new one- and two-family dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 SF whether by increasing the area of the primary residence or by creation of an attached Accessory Dwelling Unit. 2) In all new basements and in existing basements that are expanded by more than 50%. 3) In all attached ADUs, additions or alterations to an existing one- and two-family dwelling that have an existing fire sprinkler system. Exceptions: 1) One or more additions made to a building after January 1, 2011 that does not total more than 1,000 square feet of building area and meets all access and water supply requirements of Chapter 5 and Appendix B and C of the 2019 California Fire Code. 2) Detached Accessory Dwelling Units, provided that all of the following are met: a) The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2. b) The existing primary residence does not have automatic fire sprinklers. c) The detached ADU does not exceed 1,200 square feet in size. d) The unit is on the same lot as the primary residence. e) The unit meets all access and water supply requirements of Chapter 5 and Appendix B and C of the 2019 California Fire Code. Residence, pool house & ADU require sprinklers. **Clearly identify intent to install residential fire sprinkler in all structures on sheet A0.0.**

108. REQUIRED FIRE FLOW: The minimum require fireflow for this project is 875 Gallons Per Minute (GPM) at 20 psi residual pressure. This fireflow assumes installation of automatic fire sprinklers per CFC [903.3.1.3]

109. FIRE APPARATUS (ENGINE) TURNAROUND REQUIRED: Provide an approved fire apparatus (engine) turnaround with a minimum radius of 36 feet outside and 23 feet inside. Maximum grade in any direction shall be a maximum of 5%. Installations shall conform with Fire Department Standard Details and Specifications D-1. CFC Sec. 503. **Sheet 3 reflects alternate turnaround to SCCFD D-1 standard. Provide graphic design analysis, such as "Autoturn" to demonstrate equivalency.**
110. FIRE APPARATUS (ENGINE) ACCESS ROADWAY REQUIRED: Provide an access roadway with a paved all-weather surface, a minimum unobstructed width of 20 feet, vertical clearance of 13 feet 6 inches, minimum circulating turning radius of 42 feet outside, and a maximum slope of 15%. Surface shall be capable of supporting 75,000 pounds. Installations shall conform to Fire Department Standard Details and Specifications sheet A-1. CFC Sec. 503. **20 ft roadway is required. On sheet 17, the roadway width doesn't comply.**
111. WATER SUPPLY REQUIREMENTS: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.
112. ADDRESS IDENTIFICATION: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.
113. CONSTRUCTION SITE FIRE SAFETY: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.
114. WILDLAND-URBAN INTERFACE: This project is located within the designated Wildland-Urban Interface Fire Area. The building construction shall comply with the provisions of California Building Code (CBC) Chapter 7A. Note that vegetation clearance shall be in compliance with CBC Section 701A.3.2.4 prior to project final approval. Check with the Planning Department for related landscape plan requirements.
115. GENERAL: This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A

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permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

116. FIRE SAFE REGULATIONS: The applicant shall work with the Santa Clara County Fire Department to develop alternatives that comply with the Fire Safe Regulations that are constitutionally defensible.

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November 3, 2022

Planning Commission
Town of Los Gatos Planning Department
110 East Main Street
Los Gatos, CA 95030

RE: Proposed Single Family Residence
17121 Crescent Drive, Los Gatos, CA 95030

SUBJECT: Letter of Justification/Description of Proposed Work

Dear Planning Department of Los Gatos,

My name is Eric Wade and I am a third generation Los Gatos resident. My grandfather & father moved to Los Gatos and built their first home on Bonnie Lane off Shannon Road in 1947. My wife, Lee Ann, and I built our first home in Los Gatos in 1995 up in the Santa Cruz Mountains. Since then, we have built and lived in two additional homes in downtown Los Gatos and Monte Sereno. We have two children enrolled in the Los Gatos School District. We recently came across this property on Crescent Drive and decided that this is the perfect property to build our final dream home - a property removed enough from the downtown hustle and bustle yet close enough to walk down for dinner. The long range views, rural feel and proximity to town fit our needs perfectly.

Prior to property purchase, due diligence was performed on the viability of potential development. It was conveyed to us by the Los Gatos Planning Department that the property was zoned HR-1 and had no development restrictions.

The proposed home and pool house are designed for our specific current and future needs. As our children grow, the need for a larger space is evident. With the high cost of college we want the option for the children to remain in the home and attend a local college. There also looks to be the very real possibility of having at least one aging grandparent in need of home care. The fourth bedroom adjacent to the master bedroom is intended to house my aging parents and provide the care and support needed as well as keeping the cost of this care/housing affordable.

My wife and I are self-employed and require in-home offices. One office will be located in the main house and the other in the pool house. I own and operate a custom design-build home remodeling and construction business - a business my father started here in Los Gatos in 1982. The pool house and adjacent storage area in the back are ideally situated to support my needs. The in-home office is designed to support my wife's business.

The general home design is very site specific. A thorough site analysis was done before design started. We wanted to make sure the home was designed to take into account almost every section of the Hillside Development Standards and Guidelines. It should be noted that this home will not be the largest of the six adjacent homes.

1. Topography

The property is a mix of existing structures, flat land and sloping hillside. In an effort to reduce cut and fill, the new garage is in the same basic location of the existing. This provides, for the most part, a flat level location for the garage and driveway along with the best street access.

As the contours of the property drop away to the north and west, a 1st floor is cut into this natural bowl shape. By pushing the 1st floor bedrooms and utility rooms into the hillside, the mass of the overall structure is greatly reduced. This, in turn, creates a situation where the 2nd floor appears to be a single story home from the street.

Also, by taking advantage of site opportunities, locating the home high on the property has many benefits.

- The home has better solar exposure and leaves the majority of the property and lower hillside undisturbed.
- The proposed building envelope is free of vegetation and of trees. No tree removals are required for this development.
- This location is as far from the adjacent property owners' home and preserves their privacy as much as possible.

2. Architectural Design

When looking at the existing surrounding homes, there is a wide variety of designs. However, only three homes are within sight. The home adjacent to the bottom of the property is a two story transitional with metal roof. The home directly across the street is a two story craftsman/ranch with composite roof. The home across the street and to the north is a large two story contemporary/modern. Both of the homes across the street sit atop the ridge and are very pronounced structures.

By comparison, our home is tucked down into the hillside so that its street presence is effectively reduced to one story. Our proposed home is designed to fit into the property rather than on top of it as requested in the Hillside Development Standards and Guidelines. Its low pitched metal hip roof structure helps it maintain a low profile street presence and its contemporary ranch architectural style is pleasing to the eye and doesn’t make an excessively bold or overpowering statement. Also, its position does not interfere or block the potential views of the homes across the street when they look to the west.

3. Energy Efficiency and Fire Safety

The home is designed to be all electric. The low pitched roof surface area of the roof provides almost 400 sf. of PV surface area and is oriented to optimal south/southwest exposure. The 1st floor utility space is designed to accommodate a power wall.

As noted in the Hillside Development Standards and Guidelines, increased window & door fenestration on the west & south exterior walls help with mid-winter solar heating.

Also as noted in the Hillside Development Standards and Guidelines, the 24” roof overhangs at most exterior walls offer good solar protection during mid-day.

The house is designed with the attic insulation applied as spray foam to the underside of the roof plane. This is a two-fold benefit as it protects the attic space from excessive heat build up effectively creating an attic space that is considered conditioned. This is a highly efficient attribute that greatly reduces the need for air-conditioning during Los Gatos hot summer months. The fully insulated attic space also eliminates the need for attic ventilation. Doing away with an under eave venting screen is the best way to protect against potential burning embers entering the structure.

The home is designed to be firesafe through the use of cementitious siding panels over the entire exterior surface. All exterior windows and doors are to be tempered. The underside of all eaves are also protected with the same fireproof paneling. The lower hillsides are to remain unvegetated or vegetated with water friendly ground cover. This is an effort to create a defensible space below the home.

4. Environmental

Several areas of the home are designed to reduce its impact on the environment. The existing 2080 sf house is to have 48% of the structure removed. This retains 52% of the structure as a pool house. The waste and off hauling is reduced with this approach. The large 4000 sf drive through asphalt driveway is removed to help offset the permeable surfaces calculation.

Landscaping and irrigation is kept to a minimum. Use of water-friendly native plants also helps reduce water demand.

The removal of a portion of the existing home and placement of the new primary home open up the use of existing level areas on the lot for yard space. These yard spaces, plus the decking off the rear of the home, reduce the need to create level areas or terraces elsewhere on the property.

We have gone to great lengths to ensure this design in its current form produces the home we are most happy with. We strongly feel all major criteria noted in the Hillside Development Standards and Guidelines have been met or addressed to a very large degree. We request that the design be approved as proposed.

Sincerely,

Eric and Lee Ann Wade
Property Owners

Exception Requests For Application S-21-021

17121 Crescent Dr. Los Gatos
Request made by Owners Eric and Lee Ann Wade

1. Exceptions request for fill depth under foundation at lowest point of home.

A previous landowner cut a small service road diagonally across the property. This “skid trail” created a un-natural low spot 18” deep. See attached elevation of back “West” wall. In an effort to comply with the hillside development standard requiring a fill depth of no more than 3’ and not to exceed the allowable max vertical house height, the entire home had to be lowered. This resulted in the need to excavate for the upper floors garage, kitchen & family room areas as well as exterior walkways and patios. This in turn generated the need to off haul 160 cu. yards of soil and cause unwanted construction traffic, noise and neighborhood disruption.

We request an exemption from the max fill of 3’ and allow an additional 10-12” of fill depth for a total of 4’ only at this small location. See Site Plan (north end of master bd. deck), Grading & Drainage plan sheet 2, Sheet 10 west elevation, and attached photos showing footprint of foundation at existing “skid trail”. Approval of this exception would result in 0 cu. yards to be off hauled. (See attached photos)

2. Exceptions request for living room deck support posts height.

We are requesting approval of a post for the support on the back deck. See back “west” elevation.

Reasoning:

- The deck post is not visible from the road as its located at the back of the house
- The deck post is not visible from the down slope neighbor due to the dense vegetation between the two homes.
- The distance from the deck post to the house has been reduced to just 8’ from the back wall of the house.
- The property is sloping. A deck at the back of the house provides exterior living space immediately adjacent to the home and reduces the need to create cut & fill patios elsewhere on the property.

We have received support from staff and feel that these two exception requests do not violate the overall intent of the Hillside Development Standards and Guidelines’ primary goal of preventing excessive structure height or mass. Our design's primary goal is to not only produce a beautiful, comfortable home that meets our family’s needs, but also a home that is designed to fit into the topography rather than on top of it and reduce mass when viewed from the street or east elevation.

3. Exception Request from PRC 4290 provision on Dead-End Roads as imposed by Santa Clara County Fire Department (SCCFD).

WHAT IS PRC 4290 AND HOW DOES IT AFFECT EXISTING LEGAL LOTS IN THE VHFHSZ WITHIN THE TOWN OF LOS GATOS?

PRC 4290 is a Public Resource Code that helps guide Cal Fire in its operations in the State Responsibility Area (SRA) of California. It was passed and went into effect on June 1st 1991. Within it is an automatic maturity date of June 1st 2021. This maturity date enables many of its regulations to now be enforceable within the Local Responsibility Area (LRA) which includes the Town of Los Gatos. It also would now cover areas designated as Very High Fire Hazard Severity Zones (VHFHSZ). Almost 70% of the town of Los Gatos lies within this VHFHSZ.

The Santa Clara County Fire Department has incorrectly interpreted PRC 4290 regulation to restricts or deny approval for residential building applications located on existing roads as they apply to:

- New home construction of any kind. This includes both from the ground up new construction or removal of existing and complete replacement.
- Home remodeling that exceeds the towns 50% demolition policy

Many homes and private properties are affected by these regulations.

WHAT PARTS OF PRC 4290 ARE BEING INTERPRETED TO RESTRICT OUR DEVELOPMENT?

In particular:

1273.09. Dead-End Roads

(a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, ***shall*** not exceed the following cumulative lengths, regardless of the number of parcels served:

Parcels zoned for less than one acre:	800 feet
Parcels zoned for 1 acre to 4.99 acres:	1,320 feet
Parcels zoned for 5 acres to 19.99 acres:	2,640 feet
Parcels zoned for 20 acres or larger:	15,200 feet

All lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring length limits, the shortest allowable length shall apply.

WHO IS ENFORCING IT AND WHY?

An exhaustive inquiry into which departments are wrongfully interpreting this regulation shows that ***only*** **Santa Clara County Fire Department** interprets the regulation to include existing roads. Members of the **Board of Forestry** have verbally stated that it is not intended to restrict residential development on existing roads. The word "shall" is used throughout the document to describe how new and future roadways and developments should be designed.

WHY IS SCCFD's INTERPRETATION UNSAFE ?

The down side of restricting the replacement of existing fire prone structures for new fire safe ones may seem obvious. However SCCFD's enforcement of this portion of the regulation suggests otherwise. They have shown that through their action of denying our application in the face of strong pro fire safety arguments, they are not interested in practical or logical implementation of fire safety, rather the adherence to their incorrect interpretation of this regulation.

Allowing the replacement of existing homes or the construction of new homes requires implementation of many fire safe features. Features like A-1 fire safety which require ignition resistant exterior home cladding/ siding and roofing, fire sprinklers, fire equipment turnarounds, defensible space and other firesafe features.

Currently as this regulation is interpreted by SCCFD, you may add additional square footage or remodel an existing home. With this approach you would not be required to implement many of the firesafe measures like, turnarounds, defensible space, ignition resistant exterior siding material or fire sprinklers that are required on a new or replacement home.

SCCFD's current interpretation and enforcement of this regulation extends the life of older homes without fire safety improvements far into the future. SCCFDs interpretation, enforcement and insertion of terms into the text of the regulation, goes against the regulation's primary intent, which was written to create a more firesafe neighborhood whether existing or proposed.

IS ENFORCEMENT OF THIS REGULATION LEGAL?

It has been successfully argued to Santa Clara County Planning that it is not legal.

WHAT LAW IS IT BREAKING?

Legal Definition of: **regulatory taking**

: an appropriation or diminution of private property rights by a governmental regulation which exceeds the government's legitimate police power (as the power to enact safety regulations) and for which the owner may seek a writ of mandamus, declaratory relief, or just compensation (as by inverse condemnation)

Legal analysts have determined that SCCFD's interpretation may also violate portions of the 5th and 14th Amendment as well as other state and federal laws..

ARE OTHER PLANNING DEPARTMENTS REMOVING THIS REQUIREMENT FROM APPLICANTS' CONDITIONS OF APPROVAL?

Yes, Santa Clara County Planning has determined in several cases that the requested road improvements are in conflict with other state and federal laws. They do not require compliance with the regulations.

Attached are applications for development located within Santa Clara County that were subject to PRC 4290. All applications to date that have been subject to the restrictions of PRC 4290 imposed on them by SCCF have received exemptions by Santa Clara County Planning. This has set a precedent. The Town of Los Gatos Planning Department senior staff has informed us that they intend to follow the guidance of SCC Planning.

IS THERE AN EXCEPTION WRITTEN INTO THE REGULATION THAT ALLOWS FOR AN EXISTING HOME ON A DEAD-END ROAD TO BE REPLACED BY A NEW ONE?

Yes, under section: 1271.00. Definitions

Same Practical Effect: As used in this subchapter, means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

(a) Access for emergency wildland fire equipment

(b) Safe civilian evacuation

(c) Signing that avoids delays in emergency equipment response.

(d) available and accessible water to effectively attack wildfire or defend a structure from wildfire.

(e) Fuel modification sufficient for civilian and firefighter safety.

We have submitted to SCCFD the following information showing how our parcel qualifies for exemption under "Same Practical Effect"

(a) Access for emergency wildland fire equipment,

Condition met through existing 20' wide primary access road with approved hammerhead turnaround terminus on our property.

(b) Safe civilian evacuation

Condition met through existing/deeded Safe Civilian Access corridor. (See neighborhood map sheet 17)

(c) Signing that avoids delays in emergency equipment response,

Condition can be met by adding signage.

(d) Available and accessible water to effectively attack wildfire or defend a structure from wildfire, and

Condition met. (See fire hydrant flow letter submitted to Planning)

(e) Fuel modification sufficient for civilian and firefighter safety.

Condition Met. Property has been cleared of most all vegetation and the proposed new home includes a 100' defensible space.

SCCFD responded to this request stating that the "Safe Civilian Access" needs to be a paved single lane road. They suggested that the "bridal path" could be considered for elimination of the dead end road if prepared as a one-way road. There is no mention of this requirement under "Same Practical Effect".

We argue:

The regulation is wrongly interpreted by SCCFD and does not apply to existing roads.

It is unlawful to require an applicant to build a new road down an easement dedicated to public use that lies on neighboring property and is recorded as a bridal-pedestrian path. We have estimated the cost of this requested road construction at approx. $4.5M

Restricting or denying our application to construct a new home goes against the intent of the regulation, which is to create more fire safe homes and neighborhoods. Its enforcement based on wrongful interpretation also potentially exposes Los Gatos and SCCFD to liability and lawsuits.

All applications to date that have been subject to the restrictions of PRC 4290 imposed on them by SCCFD have received exemptions by Santa Clara County Planning. This has set a precedent.

The Town of Los Gatos Planning Department senior staff has informed us that they intend to follow the guidance of SCC Planning if approved by the planning commission.

In Conclusion, our decision to build a new home rather than add on to the existing one goes back to the very beginning of our property investigation. The current home was built in the late 50's and its structure and utilities are far beyond their service life. The structure is out of compliance on its setbacks as it is too close to the southern property line. It is notched low into the hillside and receives no sunlight during the winter months. Adding a 2nd story to the existing home would still not expose the roof line enough to support such a system.

We wanted to build a new fire safe home that was located further to the north and received more sun so that we could "go green" and power the home primarily through a photovoltaic system.

It is our sincere hope that after 17 long months, our application finds approval based on practicality, safety, and set precedent from neighboring Santa Clara County Planning.

Sincerely,

Eric & Lee Ann Wade
Property Owners

County of Santa Clara
Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, CA 95110
Phone: (408) 299-5700
www.sccplandev.org

STAFF MEMORANDUM

July 19, 2022

Staff Contact: Robert Cain – Associate Planner
(408) 299-5706, robert.cain@pln.sccgov.org

FILE: Administrative Design Review (PLN20-141)
SUBJECT: Land Use Entitlement for new 4,246 square-foot single-family residence and related improvements
ADDRESS: 15570 Canon Drive (APN: 510-49-001)

BACKGROUND

The subject property is located at 15570 Canon Drive, in Los Gatos. The General Plan designation is Urban Service Area - Saratoga and Zoning District is Urban Hillsides Residential – Santa Clara Valley Viewshed District (RHS-d1). The parcel is approximately 1.8 acres in size. The parcel previously contained a single-family residence and is currently undeveloped.

On December 8, 2021, the Department of Planning and Development approved this application for Administrative Design Review (DRX) and issued preliminary Conditions of Approval. The DRX was not subject to a public hearing. On December 23, 2021, the Applicant filed an appeal of the Conditions to the Planning Commission, requesting that Conditions No. 8 and 34 be removed or substantially modified. These Conditions relate to the applicability of the State Minimum Fire Safe Regulations ("Regulations") and requires that the project comply with all standards in effect at the time of building permit issuance unless an Exception is granted. At the time the Property Owner agreed to delay scheduling the Appeal hearing to see how the amendments to the Regulations may impact the project.

The Property Owner requested an Exception from the Regulations from CAL Fire on January 13, 2021, which was denied on January 28, 2021, by CAL Fire. The Property Owner later

Board of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

appealed this decision to the County, and on October 28, 2021 the appeal was denied by the County. At this time, the Board of Forestry had published a draft amendment to the Regulations which, if adopted, would have eased the Applicant's ability to meet the standards therein. However, since that time the Board of Forestry has abandoned their attempt to overhaul the Regulations.

On February 25, 2022, the Property Owner contacted Staff to see if a resolution could be reached and to avoid the Appeal moving forward to a hearing. County Staff began analyzing all available solutions and provided draft language on March 15, 2022. On March 16, 2022, the Property Owner notified Staff that the draft language was not acceptable, and requested the Appeal be scheduled for the next possible hearing date.

After consultation with the Roads and Airports Department and County Counsel, Staff has determined that imposition of Condition No 34, which applies Regulation § 1273.01(a), would not comply with state and federal laws. Consequently, Staff modified Condition No. 8 and removed Condition No. 34 on July 11, 2022, and the Planning Director approved the modification on July 19, 2022.

ATTACHMENTS

- Attachment A: Final Conditions of Approval

REVIEWED BY

Prepared by: Robert Cain, Associate Planner

Approved by: Jacquelin R. Onciano, Director, Department of Planning and Development

County of Santa Clara
Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, CA 95110
Phone: (408) 299-5700
www.sccplandev.org

August 3, 2022

[redacted]

Dear [redacted]

County Staff has reviewed the specific details of your particular parcel located at 16968 Bohlman Road, (APN: 517-30-013) concerning your application for Design Review (Tier II) and Grading Approval Application and the applicability of the State Minimum Fire Safe Regulations ("Regulations"). After consultation with the Roads and Airports Department and County Counsel, the Department of Planning and Development (Department) has determined that regarding your specific application, requirements related to off-site road improvements are in conflict with other state and federal laws. As such, the Department will no longer require compliance with the regulations. Other requirements in the Regulations still apply. Please note that this determination is specific to this particular property.

Please let me know is you have any questions.

Sincerely,

Joanna Wilk
Senior Planner

cc Jacqueline R. Onciano, Director, Department of Planning and Development
Leza Mikhail, Planning Manager
Elizabeth Pianca, Lead Deputy County Counsel

oard of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
ounty Executive: Jeffrey V. Smith

County of Santa Clara

Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, CA 95110
Phone: (408) 299-5700
www.sccplandev.org

August 2, 2022

[redacted]

Via Email Only
dandjreed@yahoo.com

FILE NUMBER: PLN14-10694 Mod 1
SUBJECT: Minor Modification of Grading Approval
SITE LOCATION: Felter Road, San Jose (APN: 042-32-002)

Dear [redacted]

County Staff reviewed the details of your specific parcel on Felter Road, San Jose (APN: 042-32-002) concerning the application for a Grading Modification and the applicability of the State Minimum Fire Safe Regulations ("Regulations"). After consultation with the Roads and Airports Department and County Counsel, the Department of Planning and Development (Department) has determined that regards to your specific application, requirements related to off-site road improvements are in conflict with other state and federal laws. As such, the Department will no longer require compliance with the regulations. Other requirements in the regulations still apply. Please note that the determination is specific to this particular property.

Please let me know is you have any questions.

Warm regards,

DocuSigned by:
Lara Tran
747B96A85CB94DC...

Lara Tran
Senior Planner

cc Jacqueline R. Onciano, Director, Department of Planning and Development
Leza Mikhail, Planning Manager
Elizabeth Pianca, Lead Deputy County Counsel

Board of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

FINAL
ADMINISTRATIVE DESIGN REVIEW, BUILDING SITE AND GRADING APPROVAL
CONDITIONS OF APPROVAL

Date:	February 24, 2022
Owner/Applicant:	Margaret Belska and Peter Manca
Location:	0 Higuera Highland Lane (APN: 654-15-028)
File Number:	PLN15-10815-MOD1 (previously 10815-15B-15G-15DR)
CEQA:	Categorically Exempt - 15303(a) New Construction or Conversion of Small Structures
Project Description:	Minor Modification to an approved concurrent land use application for a Building Site Approval, Grading Approval, and Design Review file to reduce the size of the approved single-family residence from 7,176 square-feet to 4,842 square feet.

AMENDED CONDITIONS OF APPROVAL

If you have any question regarding the following final conditions of approval, call the person whose name is listed as the contact for that agency. He or she represents a particular specialty or office and can provide details about the conditions of approval.

Agency	Name	Phone	E-mail
Planning Habitat Plan	Robert Cain	(408) 299-5706	robert.cain@pln.sccgov.org
Land Development Engineering	Eric Gonzalez	(408) 299-5735	eric.gonzales@pln.sccgov.org
Department of Environmental Health	Darrin Lee	(408) 918-3435	darrin.lee@cep.sccgov.org
Fire Marshal's Office	Christina DaSilva	(408) 299-5706	christina.dasilva@sccfd.org
County Geologist	Jim Baker	(408) 299-5774	jim.baker@pln.sccgov.org
CAL Fire	Marcus Hernandez		marcus.hernandez2@fire.ca.gov

STANDARD CONDITIONS OF APPROVAL

Planning

1. Development must take place according to approved architectural plans, prepared by Miller Design (received ~~September 2015~~ June 30, 2021), and engineering plans, prepared by Yang Consulting Group (received ~~March 2016~~ June 30, 2021). (MODIFIED 9-28-2021)

See Cal Fire notes 30 &31

Department of Environmental Health

2. All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays for the duration of construction.

Fire Marshal's Office

3. Fire protection water shall be made available to the fire department.

4. Property is located within the ~~San Jose Fire Department response area and~~ State response area (served by Cal Fire), and shall comply with all fire safe regulations and state laws, unless an exception request appeal is approved pursuant to County Ordinance Code and State Regulation. (MODIFIED 9-28-2021) [Exception request appeal was denied by a designated hearing officer on October 28, 2021. Requirement to comply with PRC 4290 regulations § 1273.01(a) and § 1273.08 deleted consistent with Planning Commission removal of conditions 30 and 31 on 2-24-2022.]

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO DEVELOPMENT PERMIT ISSUANCE

Planning

5. LANDSCAPE PLAN: Prior to issuance of the building permit, submit three (3) copies of a landscape plan (including irrigation systems), prepared and stamped by a licensed landscape architect. The landscape plan shall emphasize native plant species, and shall be designed to provide some visual screening and break up the apparent mass of the house as viewed from the valley floor, and to revegetate and stabilize graded areas. [The County will accept the landscape plan electronically.]
   a. The requirements of Division B33 of the County Ordinance Code (Water Conservation in Landscaping) shall apply. In particular:
      i. Landscape water efficiency must be demonstrated by utilizing any one of the three options provided in Section B33-5: Demonstration of Landscape Water Efficiency.
      ii. Landscape design must comply with all applicable standards and criteria of Section B33-6: Water-Efficient Design Elements.
      iii. Landscape and irrigation plans must comply with all applicable standards and criteria of Section B33-8: Landscape and Irrigation Design Plans. The landscape ordinance and supporting information can be found on the Planning Office web site:
      www.sccplanning.org > Plans and Ordinances > Landscape Ordinance
   b. ~~Any elective~~ Elective landscape, if any, ~~shall~~ should consist of a variety of landscape material types (i.e. large/small trees, shrubs, forbs, vines/ivy, and ground cover) of varying species. Canopy trees shall, for the purposes of this condition, mean deciduous or evergreen trees of a species whose height and spread at maturity

normally exceeds 35 feet, and shall not include palms (family Arecaceae or Palmae). (MODIFIED JUNE 2016)

c. The plan shall include at least three (3) native or naturalized canopy trees (oaks or other), to be installed in locations where they would eventually provide meaningful screening as well as ridgeline mitigation, with the following specific requirements:
   i. Such trees shall be planted above the 690-foot contour line and below the 760-foot contour line ~~(pad elevation is 1,080)~~. (MODIFIED JUNE 2016)
   ii. ~~At least three (3) of the trees must be installed to the west and southwest side of the house which would face the valley floor. They may either be dispersed, or clustered into two or more groupings, to balance viewshed mitigation and priority views from the house. Remaining three (or more) trees shall be installed elsewhere in the vicinity of the house.~~ (DELETED JUNE 2016)
   iii. Trees shall be from (minimum) 24-inch box containers.
d. Arrangement of trees and other plant materials shall provide for defensible space for fire protection around proposed buildings. Please contact the Fire Marshal's Office (408 299-5760) for more information.
e. Soil must be capable of supporting the proposed installation and must have adequate water storage capacity. Soil characteristics, including structure, texture, percolation, pH, mineral content, and microbiology, shall be evaluated early in the design process. Soil amendments, such as compost or fertilizer, shall be added as appropriate.

6. COLOR/ LRV: With the exception of trim and minor details, the exterior surfaces of the structure must be of muted colors with light reflectivity value (LRV) of 45 or lower. Provide two sets of conforming color samples for review prior to building permit issuance.

7. ONGOING COMPLIANCE: Record a "Notice of Permit and Conditions" with the County Office of Clerk-Recorder, to ensure that successor property owners are made aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided prior to building permit issuance.

Habitat Plan

8. The subject property is located in the Santa Clara Valley Habitat Plan "Area 1: Private Development Covered." Land cover on the subject property is designated California Annual Grassland and Coast Live Oak Forest and Woodland. The property is not located in the Habitat Plan Wildlife or Plant Survey Areas.

9. New development that is covered by the Habitat Plan is subject to fees to compensate for the loss of endangered species habitat. Fees shall be paid prior to issuance of any grading/ drainage or building permits. This project is subject to the following Habitat Plan fees:
   a. Land Cover Fee Zone A —Ranchlands and Natural Lands.
   b. Nitrogen Deposition Fee for new single-family residence.

Development fees are paid based on the development area associated with the project, as described below. Temporary development fees are based on the amount of time the land is disturbed during construction, plus one year after completion of construction and cannot exceed a combined total of two years.

10. Prior to issuance of the grading/drainage or building permit, submit a completed Habitat Plan application for private projects and the required submittal materials, as described in Item 2 in the application, with GIS compatible file (Shape or CAD file). The required site plan shall show the development area of the project, including a delineation of the permanent and temporary development buffer areas. Plans do not need to show buffer areas that cross property boundaries.
    a. Permanent development area is defined as all land that will have permanent improvements (house, driveway, access road, landscaping), plus a 50-foot buffer surrounding these areas.
    b. Temporary development area is defined as land that will be temporarily affected during development (construction laydown areas, subsurface utilities, septic system) that will be restored within one year of completing construction, plus a 10-foot buffer surrounding these areas.

11. The land cover fee shall be paid based on the total area included within the permanent and temporary development areas. All SCVHP fees must be paid prior to the issuance of grading/drainage or building permits to start construction. Worksheets used to calculate Habitat Plan fees are provided as Exhibit 2 (Permanent Fees) and Exhibit 3 (Temporary Fees) on the Habitat Agency website at http://www.scv-habitatagency.org.

12. Based on the location of the project, the following will be required as prescribed in the Habitat Plan:
    • Condition No. 1 - Avoid direct impacts on legally protected plan and wildlife species
    • Condition No. 3 - Maintain hydrologic conditions and protect water quality.
    • Condition No. 7 - Rural development design and construction projects.
    Submit written documentation to the Planning Office and show on the grading and building plans how the project complies with the required conditions, above. These conditions are described in more detail within Chapter 6 of the Santa Clara Valley Habitat Plan.

13. Incorporate the stock Habitat Plan conditions of approval (Exhibit A) onto the cover sheet (or other appropriate location) within grading and building plans.

<u>Land Development Engineering</u>

14. PLAN REVIEW: Obtain a grading/ drainage permit from Land Development Engineering (LDE) prior to beginning any construction activities. Issuance of the grading/drainage permit is required prior to LDE clearance of the building permit (building and grading/drainage permits can be applied for concurrently). The process for

obtaining a grading/drainage permit and the forms that are required can be found at the following web page:
www.sccplanning.org > I Want to.. > Apply for a Permit > Grading Permit
Expect four (4) to six (6) weeks for plan review and plan check comments. Please contact LDE at (408 299-5734) for additional information and timelines.

15. The owner shall post a performance bond for the pro rata improvements. The bond amount shall be based on the County's estimate of probable construction cost. The performance bond may be in the form of cash deposit, assignment of a savings account or CD, a surety from an insurance company, or a letter of credit.

16. IMPROVEMENT PLANS: Final improvement plans shall be prepared by a licensed civil engineer for review and approval by LDE and the scope of work shall be in substantial conformance with the conditionally approved preliminary plans on file with the Planning Office. Include plan, profile, typical sections, contour grading for all street, road, driveway, structures and other improvements as appropriate for construction. The final design shall be in conformance with all currently adopted standards and ordinances. The following standards are available on-line:
    • Standard Details Manual, September 1997 (Roads & Airports)
    www.sccgov.org/sites/rda> Published Standards, Documents and Forms
    • March 1981 Standards and Policies Manual, Volume 1 (Land Development)
    www.sccplanning.org > Plans & Ordinances > Land Development Standards and Policies
    • 2007 Santa Clara County Drainage Manual
    www.sccplanning.org > Plans & Ordinances > Grading and Drainage Ordinance
    Final improvement plans shall include the, following:
    SURVEY MONUMENTS: Survey monuments shall be shown on the improvement plan to provide sufficient information to locate the proposed improvements and the property lines.
    a. Existing monuments must be exposed, verified and noted on the grading plans. Where existing monuments are below grade, they shall be field verified by the surveyor and the grade shall be restored and a temporary stake shall be placed identifying the location of the found monument. If existing survey monuments are not found, temporary staking delineating the property line may be placed prior to construction and new monuments shall be set prior to final acceptance of the improvements. The permanent survey monuments shall be set pursuant to the California Land Surveyor's Act. The land surveyor / engineer in charge of the boundary survey shall file appropriate records pursuant to Business and Professions Code Section 8762, or 8771 of the Land Surveyor's Act, with the County Surveyor.
    b. Existing and set permanent survey monuments shall be verified by inspectors prior to final acceptance of the improvements by the County. Any permanent survey monuments damaged or missing shall be reset by a licensed land surveyor or registered civil engineer authorized to practice land surveying and they shall file

appropriate records pursuant to Business and Professions Code Section 8762, or 8771 of the Land Surveyors Act, with the County Surveyor.

EROSION CONTROL: The improvement plans shall include an erosion and sediment control plan that outlines seasonally appropriate erosion and sediment controls during the construction period. Include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the plan set.

DRAINAGE: Final plans shall reflect the following:

c. Provide a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. The mean annual precipitation is available on the on-line property profile.

d. Property owner is responsible for the adequacy of any drainage facilities, and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to adjoining property.

EASEMENTS: Include the following on improvement plans and provide additional documentation as appropriate.

~~e. The owner/ applicant shall be required to record the proposed waterline and well access easements. Dedication documents including legal descriptions, and plats shall be recorded with the County's Recorder's Office. After recordation, show the following on the development plans:~~ (DELETED 9-28-2021)

~~f. Recorded waterline and well access easements and document numbers. These easements shall be sufficiently wide to accommodate required improvements, and future maintenance.~~ (DELETED 9-28-2021)

g. Submit evidence of legal access to the site from the nearest publicly maintained road compiled and/or verified by a Licensed Land Surveyor or Registered Civil Engineer who is authorized to practice land surveying. Should access not exist, submit signed, notarized, and recorded agreements to grant rights-of-ingress and egress.

STORM WATER TREATMENT: It is recommended and encouraged to include site design measures in the project design. Site design measures include: (a) directing hardscape and/or roof runoff onto vegetated areas, (b) collecting roof runoff in cisterns or rain barrels for reuse, or (c) constructing hardscape (driveway, walkways, patios, etc.) with permeable surfaces. For additional information, please refer to the C.3 Stormwater Handbook (April 2012) available at the following website: www.scvurppp.org > Resources > reports and work products > New Development and Redevelopment >C.3 Stormwater Handbook (April 2012)

IMPROVEMENTS —ACCESS:

h. A fire turnaround in conformance with the County Standard Detail SD 16 shall be provided at the connection of the proposed private driveway to Higuera Highland Lane. In addition, demonstrate that the grades within the proposed turnaround do not exceed 5% in any direction.

i. The proposed driveway shall conform to County Standard Detail SD5.

j. Provide a driveway approach designed per County Standard SD4.

17. UTILITIES: All new on-site utilities, mains and services shall be placed underground and extended to serve the proposed residence. All extensions shall be included in the improvement plans submitted to LDE for review. Off-site work should be coordinated with any other undergrounding to serve other properties in the immediate area.

18. SOILS AND GEOLOGY: Submit one copy of the signed and stamped geotechnical report for the project.

19. Submit a plan-review letter by the project geotechnical engineer certifying that the geotechnical recommendation in the above geotechnical report have been incorporated into the improvement plan.

20. NOTICE OF INTENT: Indicate on the improvement plans the land area that will be disturbed. If one acre or more of land area will be disturbed, file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for coverage under the state general construction permit. The SWRCB will issue a waste discharge identification number (WDID). The WDID number shall be shown on the on the final improvement plans. The SWRCB web site is at:
www.waterboards.ca.gov > Water Issues > Programs > Stormwater

21. AGREEMENTS: Enter into a land development improvement agreement with the County. Submit an engineer's estimate of probable construction cost prepared by a registered civil engineer with the all stages of work clearly identified for all improvements and grading as proposed in this application. Post financial assurances based upon the estimate, sign the development agreement and pay necessary inspection and plan check fees, and provide County with a certificate of worker's compensation insurance. (C12-206)

22. Enter into a deferred improvement agreement for the ultimate County improvement of Higuera Highland Lane.

23. CONSTRUCTION AND STAKING: Construct all of the aforementioned improvements on site and within the ROW adjacent to the project site. Construction staking is required and shall be the responsibility of the developer.

Department of Environmental Health

24. Based upon a percolation rate of 33 minutes per inch, sewage disposal conditions have been determined for the following:
    a. A four (4)-bedroom single-family residence would require a minimum of 243 plus 243 lineal feet of subsurface drainline four (4) square feet of infiltrative space.

b. A five (5)-bedroom single-family residence would require a minimum of 278 plus 278 lineal feet of subsurface drainline four (4) square feet of infiltrative space.
c. A six (6)-bedrooms would require a minimum of 313 plus 313 lineal feet of subsurface drainline utilizing four (4) square feet of infiltrative space.

The two drainline systems must be connected through a positive diversion valve. A 1,500-gallon septic tank will be sufficient to serve a six (6) bedroom single-family residence. ~~Sewage disposal conditions have been determined for the following: a. A five (5) bedroom single family residence would require a minimum of 278 plus 278 lineal feet of subsurface drainline four (4) square square feet of infiltrative space. b. A six (6) bedrooms would require a minimum of 313 plus 313 lineal feet of subsurface drainline utilizing four (4) square feet of infiltrative space.~~ (MODIFIED 9-28-2021)

25. Prior to issuance of a building permit, submit a floor plan to the Department of Environmental Health. ~~The two drainline systems must be connected through a positive diversion valve. A 1,500 gallon septic tank will be sufficient to serve a six (6) bedroom single family residence. Note: Basement floor plan indicates a future bathroom: "provide rough plumbing for future bathroom".~~ (MODIFIED 9-28-2021)

26. At the time of application for a building permit, submit four (4) revised plot plans to scale (1" = 20') on a grading and drainage plan showing the house, driveway, accessory structures, septic tank and required drainlines to contour, in order to obtain a septic system permit. Maintain all setbacks as outlined within the Onsite Waste Water Treatment Ordinance. The original plans must be submitted to the Department of Environmental Health (DEH) for sign-off prior to the issuance of the septic system permit, and submitted as the final grading plan to Land Development Engineering when a grading permit is required. Any modification to the stamped approved septic system design which requires a subsequent review and approval by DEH will require the applicant to return all previously approved septic design plans to the district specialist prior to obtaining current design approval. [The County will accept the grading and drainage plans electronically.]

27. ~~State the proposed water source. If the water source is a well, call Ann Peden at 408 918-3480 for water system clearance.~~ Prior to issuance of a development permit, obtain either shared well clearance with adjacent property or an individual water clearance for accessor's parcel number 654-15-028. Call Ross Kakinami at 408 918-3479 for either shared or individual water system clearance. Additional fees may be required. A well log showing a 50-foot sanitary seal, pump test & water testing are required. (MODIFIED 9-28-2021)

County Geologist

28. Prior to permit issuance, submit a Plan Review Letter that confirms the plans conform with the intent of the recommendations presented in report from Upp Geotechnology, "Limited Geologic and Geotechnical Study" (dated 12-19-2014), which includes the

findings of a thorough field investigation (including the logs of 7 test pits) which showed that Briones Sandstone bedrock is covered by shallow soil throughout the proposed development area. No evidence of landsliding or springs was found. ~~Submit a geotechnical engineer's plan review letter that confirms the plans conform with the intent of the recommendations presented in the approved geologic/ geotechnical report.~~ (MODIFIED 9-28-2021)

Building Inspection

29. ~~At the time an application is filed for a building permit, a checklist from either LEED for Homes or Build it Green (GreenPoint) will be required. The checklist must demonstrate compliance with the Santa Clara County Green Building Ordinance (§ C3-50).~~ (REMOVED 9-28-2021)

CAL Fire

30. ~~Per PRC 4290, § 1273.01. **Width**. (a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.~~ (ADDED 9-28-2021) [Removed by Planning Commission 2-24-2022]

31. ~~Per PRC 4290, § 1273.08. **Dead-end Roads**, the maximum allowed length of the dead-end road serving this property measured from the intersection of Higuera Road and Mt. Pleasant Road is 2,640 feet. An alternate egress route or other mitigation is required to meet this standard.~~ (ADDED 9-28-2021) [Removed by Planning Commission 2-24-2022]

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO GRADING FINAL

Fire Marshal's Office

32. Fire protection water system shall be installed, functioning and inspected prior to approval of the foundation. System shall be maintained in good working order and accessible throughout construction. A stop-work order may be placed on the project if the required hydrant systems are not installed, accessible and/or functioning.

33. ON-SITE WATER STORAGE: Where on-site storage tanks are required, details for fire protection water supply shall be included with the building permit set of drawings. Submittal shall include, but not be limited to, location of water supply (e.g. onsite well, shared well), tank location and capacity, pipe size, wharf hydrant orifice size and location, domestic and fire protection water tanks and piping configuration.
    a. All installations shall include a primary aboveground storage tank with a capacity of not less than 3,000 gallons dedicated to domestic and fire sprinkler system demand.

Storage capacity may be increased due to sprinkler design demand or additional domestic (including landscaping) required by the Environmental Health Department.

b. Provide 2-5,000-gallon secondary aboveground storage tank dedicated to the wharf hydrant. ~~A secondary aboveground storage tank dedicated to the wharf hydrant shall be provided in accordance with the following:~~
~~i. Structures up to 3,600 sq. ft: 5,000 gallons~~
~~ii. Structures 3,601-10,000 sq. ft: 10,000 gallons~~
~~iii. Structures 10,001-15,000 sq. ft: 30,000 gallons~~
~~iv. Structures over 15,000 sq. ft 45,000 gallons~~ (MODIFIED 9-28-2021)

c. Above-ground storage tanks shall be provided with automatic refill. Manual refilling of tanks is not acceptable.

d. Installation of aboveground storage tanks located less than 20 feet to a structure requires tanks to be of noncombustible construction.

e. Installation of the tank system shall comply with Fire Marshal Standard CFMO-W5.

f. Underground storage tanks and swimming pools shall not be accepted in place of aboveground storage tanks.

34. WHARF HYDRANT: One on-site wharf hydrant with 2 1/2-inch orifice is required to be installed when fire protection water is supplied by on-site aboveground storage tank(s). Installation of hydrants shall be in accordance with Fire Marshal Standard Detail CFMO-W4.
    a. Minimum distance to structure shall not be less than 55 feet from the closest portion of the structure and shall not exceed 150 feet from the farthest portion of the structure, measured along path of travel.
    b. Hydrant shall be installed within eight (8) feet of driving surface in a location acceptable to the Fire Marshal's Office.
    c. Installation of a hydrant adjacent to a driveway (12 feet wide) requires a turnout complying with SD-16 to allow additional emergency vehicles to pass.
    d. Hydrant shall have a positive flow by means of gravity feed or where that is not possible, from a reliable, listed automatic pump approved by the Fire Marshal. Elevation of hydrants and tanks in relation to - each other shall be a major consideration.

    NOTE: tank and hydrant elevations shall be noted on the site plan submitted for building permit.

35. A separate permit from the Fire Marshal's Office is required for residential fire protection water systems. (ADDED 9-28-2021)

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO BUILDING FINAL

Planning

36. The landscape architect shall oversee the installation of plant materials and irrigation hardware, and assess the quality of installation. After the planting is complete, the

property owner shall provide to the Planning Office a written summary report from the landscape architect, which shall:

a. Detail the plant materials installed (species, number, location, size, quality) per the approved plan. Indicate any discrepancies between plan and installation (if applicable), and state reasons for such discrepancies.
b. Detail any necessary soil augmentation, fertilizer, staking or other plant specific maintenance required for the installation.
c. Report any installation problems or concerns of long-term viability.
d. Detail any longer-term maintenance needs, including periodic professional tree fertilizing and pruning to better assure successful growth.

37. Landscaping materials must be installed per approved plan prior to final inspection.

38. Original invoices and receipts from landscape contractor(s) and tree nursery must be kept on hand for one year following installation. Should verification of proper installation be necessary, such invoices shall be made available to the zoning administrator for inspection.

Department of Environmental Health

39. Provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of Santa Clara County is mandatory. (ADDED 9-28-2021)

Fire Marshal's Office

40. FIRE SPRINKLER SYSTEM: An approved residential fire sprinkler system complying with CFMO-SP6 shall be installed throughout the structure (including existing residences when square footage is added). (MODIFIED 9-28-2021)
NOTE: The fire sprinkler system shall be installed and finaled by this office prior to occupancy. A separate permit shall be obtained from this office by a state licensed C-16 contractor prior to installation. Please allow for a minimum of 30 days for plan review of fire sprinkler plans by this office.

41. GENERAL ACCESS REQUIREMENTS: These are minimum Fire Marshal standards. Should these standards conflict with any other local, state or federal requirement, the most restrictive shall apply.
a. Construction of access roads and driveways shall use good engineering practice.
b. All required access roads, driveways, turnarounds, and turnouts shall be installed, and serviceable prior to approval of the foundation, and shall be maintained throughout construction. A stop-work order may be placed on the project if required driving surfaces are not installed, accessible, and/or maintained at all times.

42. ACCESS ROADS for fire department access: Road improvements to the private access road shall be per the civil drawings submitted by Yang Consulting Group (project number 153000) dated ~~2/17/16~~ 6/29/21. Additional requirements to meet PRC 4290

(State Minimum Fire Safety Regulations) shall also be met. (MODIFIED 9-28-2021) [Requirement to comply with PRC 4290 regulations § 1273.01(a) and § 1273.08 deleted consistent with Planning Commission removal of conditions 30 and 31 on 2-24-2022.]

43. DRIVEWAYS (roads serving only one lot) shall comply with the following when the distance between the centerline of the access road and any portion of the structure exceeds 150 ft. (measured along the path of travel).
    a. Width: Clear width of drivable surface of 12 feet ~~with~~ plus 1 ft. shoulder each side for 14 feet of unobstructed horizontal clearance. (MODIFIED 9-28-2021)
    b. Vertical Clearance: Minimum vertical clearance of ~~13 ft. 6 in.~~ 15 feet shall be maintained between the access road and the building site (trim or remove, tree limbs, electrical wires, structures, and similar improvements). (MODIFIED 9-28-2021)
    c. Curve Radius: Per PRC 4290: Horizontal inside radius minimum 50 feet.
    d. Grade: Maximum grade shall not exceed 16%.
    e. Surface: All driving surfaces shall be all-weather and capable of sustaining 75,000-pound gross vehicle weight.
    f. Turnouts: Passing turnouts in compliance with PRC 4290 shall be provided at every 400 feet and wherever hydrants are placed adjacent to driveways.
    g. Turnarounds: Turnaround shall be provided for driveways in excess of 150 ft. as measured along the path of travel from the centerline of the access road to the structure. Acceptable turnarounds shall ~~be 40-foot by 48-foot pad~~, hammerhead, or bulb of 40-foot radius complying with County Standard SD-16 (A or C only). All turnarounds shall have a slope of not more than 5% in any direction. (MODIFIED 9-28-2021)
    h. Gates: Gates shall not obstruct the required width or vertical clearance of the driveway and may require a fire department lock box/gate switch to allow for fire department access. Installation shall comply with CFMO-A3.

44. This property is located in the wildland/ urban interface fire area. All of the following conditions shall apply:
    a. A Class "A" roof assembly is required. Detail shall be included in plans submitted for building permit. The green roof being proposed may require an “Alternate Means” authorization from the Fire Marshal’s Office. (ADDED JUNE 2016)
    b. Provide a 1/2-inch spark arrester for the chimney.
    c. Remove significant combustible vegetation within 30 feet of the structure to minimize risk of wildfire casualty. Maintain appropriate separation of vegetative fuels in areas between 30 and 100 feet from the structure.

45. MAINTENANCE: Fire protection water systems and equipment shall be accessible and maintained in operable condition at all times, and shall be replaced or repaired where defective. Fire protection water shall be made available to the fire department.

46. Fire department access roads, driveways, turnouts and turnarounds shall be maintained free and clear and accessible at all times for fire department use. Gates shall be maintained in good working order, and shall remain in compliance with Fire Marshal Standard CFMO-A3 at all times.

CAL Fire

47. The project is located in a Wildland Urban Interface Area. Defensible Space Protection measures shall be in place prior to building final. (ADDED 9-28-2021)

STATEMENT OF ACCEPTANCE:

We, Margaret Belska and Peter Manca, as property owners of the subject application, hereby agree to the aforementioned final conditions of approval and request a final action to be taken in accordance with these conditions.

Date _____ Signature_____

Date _____ Signature_____

STATEMENT OF REJECTION:

We, Margaret Belska and Peter Manca, as property owners of the subject application, do NOT agree to the aforementioned final conditions of approval and request to meet with the agencies/ departments imposing the following conditions. (Please list conditions by number and explain your reasons.)

We disagree with the following conditions:

_____

_____

_____

_____

_____

_____

Date _____ Signature_____

Date _____ Signature_____

NOTE: Please return one copy of this page of the conditions, as per instructions in the enclosed cover letter, to:

Robert Cain
County of Santa Clara
Planning Office, 7th Floor
70 W. Hedding Street
San Jose, CA 95110

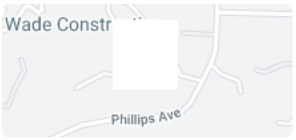
Google Maps 17130 Crescent Dr

Los Gatos, California

Google

Street View - Mar 2019

Image capture: Mar 2019 © 2022 Google



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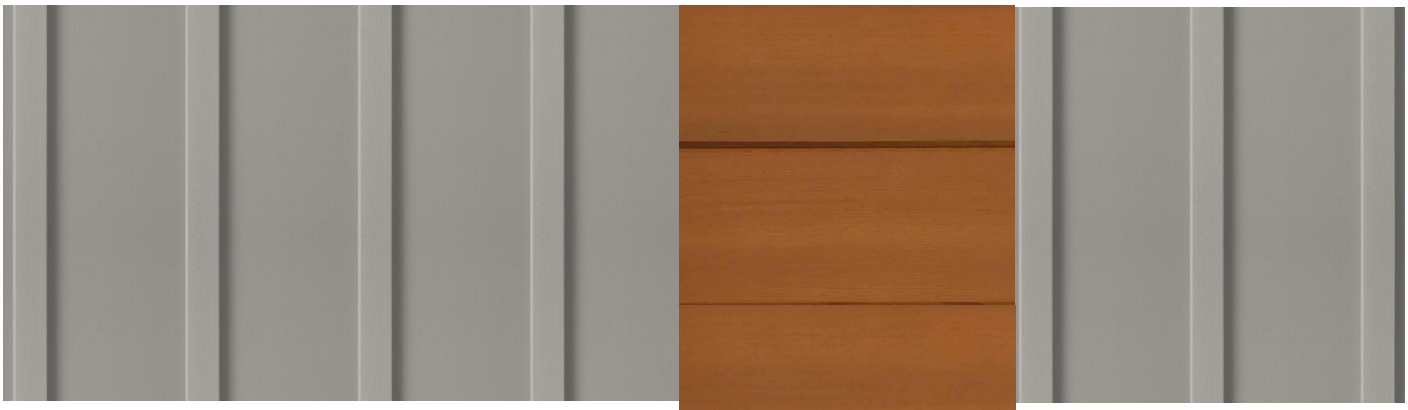
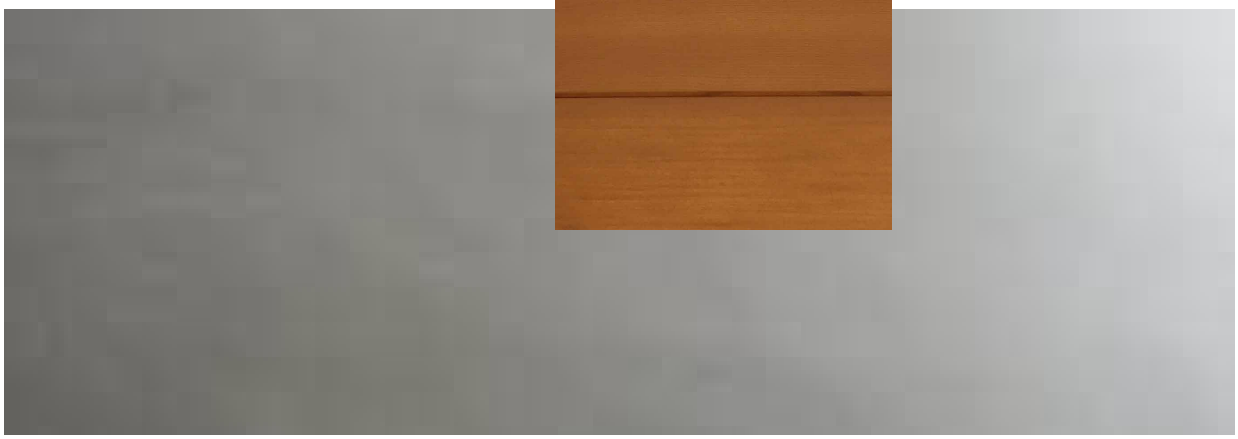
16" STANDING SEAM METAL ROOFING
COLOR TO BE IRON GATE PER MANUFACTURE LRV 22.1



BOARD & BATTEN SIDING @ 2ND FLOOR
BEMJAMIN MOORE EAGLE ROCK LRV 23.45

FAUX. CEDAR T&G SIDING ACCENTS
BEMJAMIN MOORE INTRIGUE LRV 23.38



SMOOTH STUCCO @ 1ST FLOOR
BEMJAMIN MOORE GREYSTONE LRV 29.88

DARK METALLIC WINDOWS RAILINGS & DOORS
BEMJAMIN MOORE DEEP RIVER LRV 5.77

EXHIBIT 5

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CDG
CANNON
DESIGN
GROUP

ARCHITECTURE PLANNING URBAN DESIGN

July 26, 2021

Mr. Diego Mora
Community Development Department
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

RE: 17121 Crescent Drive

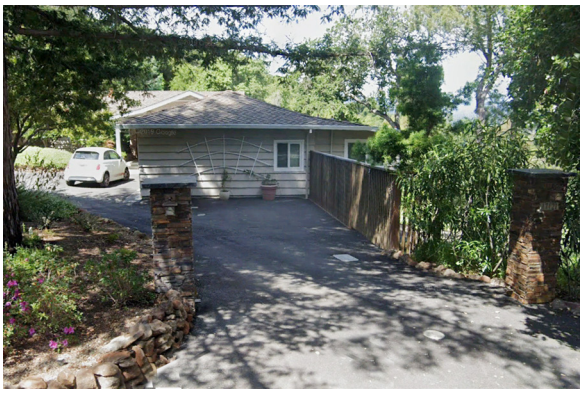
Dear Diego:

I reviewed the drawings, and evaluated the site context. My comments and recommendations are as follows:

Neighborhood Context
The site is located on a large lot with a substantial setback from the street. The site is heavily wooded. The nearby parcels are similar in size with homes of also similar size. Photographs of the site and immediate neighborhood are shown on the following page.

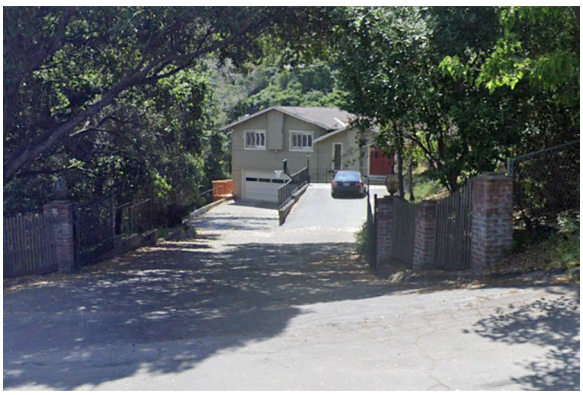
700 LARKSPUR LANDING CIRCLE . SUITE 199 . LARKSPUR . CA . 94939
TEL: 415.331.3795
CDGPLAN@PACBELL.NET

THE SITE



House to the immediate right

Nearby house across Crescent Drive

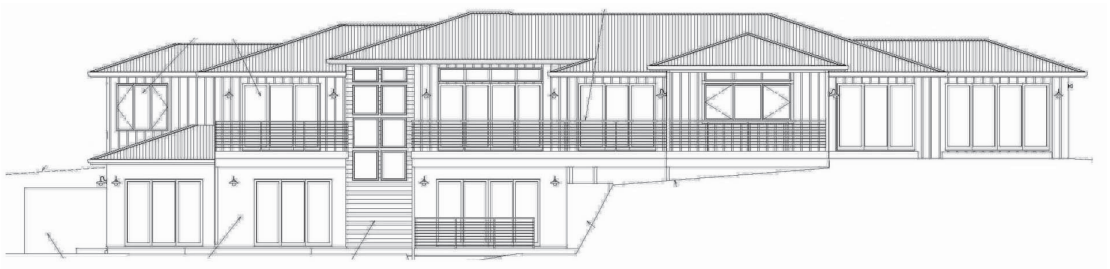


Nearby house across Crescent Drive

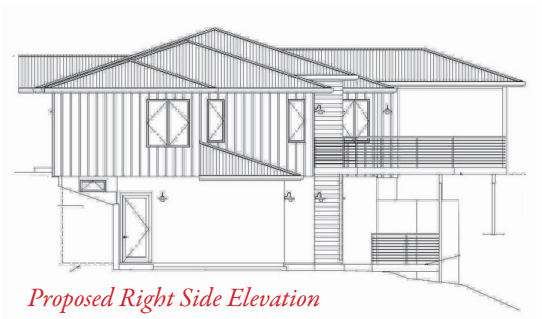
ISSUES AND CONCERNS

The proposed house would be one-story above grade at the street level, comparable to the size of nearby homes, and is well designed - see air photo with site and proposed elevations below.

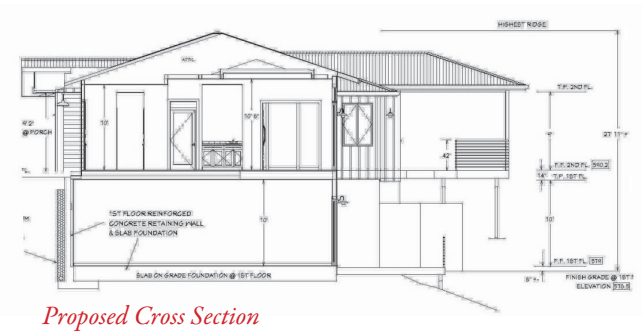
Proposed Front Elevation



Proposed Rear Elevation



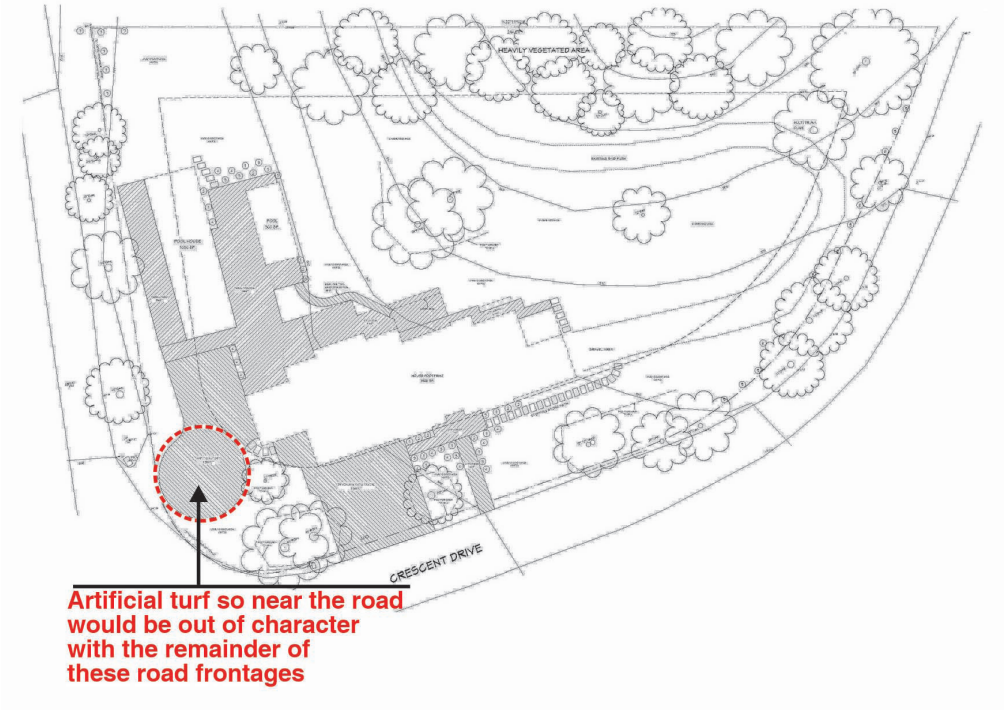
Proposed Right Side Elevation

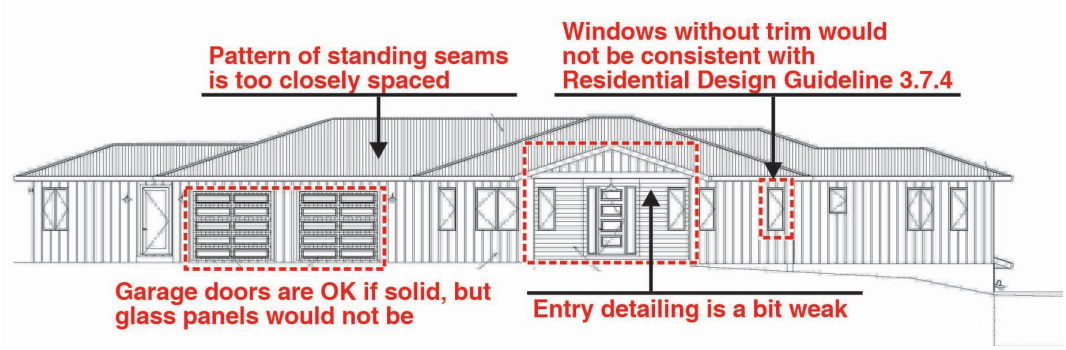


Proposed Cross Section

There are just a few issues of concern.

1. The proposed artificial turf area proposed very close to the road would be out of character with the more natural edges along the remainder of the road.





2. The spacing of the standing seams on the metal roof seem too close together, and visually very busy.
3. The entry is a bit weak.
4. Windows without trim would not be consistent with Residential Design Guideline 3.7.4.

3.7.4 Design the windows with attention to matching the traditional details of the architectural style

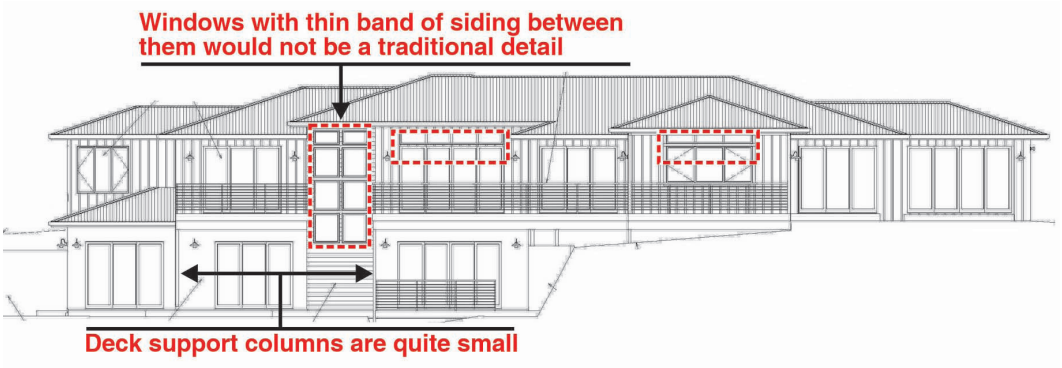
- *Most architectural styles - except Mission, Spanish Eclectic or Modern - should have wood trim around the windows. The trim width should be matched to the style, but in general, should not be less than 3 1/2 inches wide. Head trim depth should be equal to or wider than the jamb casing, but not less than one-sixth of the opening width.*
- *Projecting window sills and heads are strongly encouraged unless the architectural style would not normally have those features.*

5. The exact materials are not called out for the garage doors except for the note that they are Contemporary Style Roll Up Doors. When I see that note, I would be concerned if the door panels were glass that would provide a visual lantern at night which would be quite out of character for the semi-rural character of this neighborhood - see photo examples below.

Glass Garage Doors: Daytime

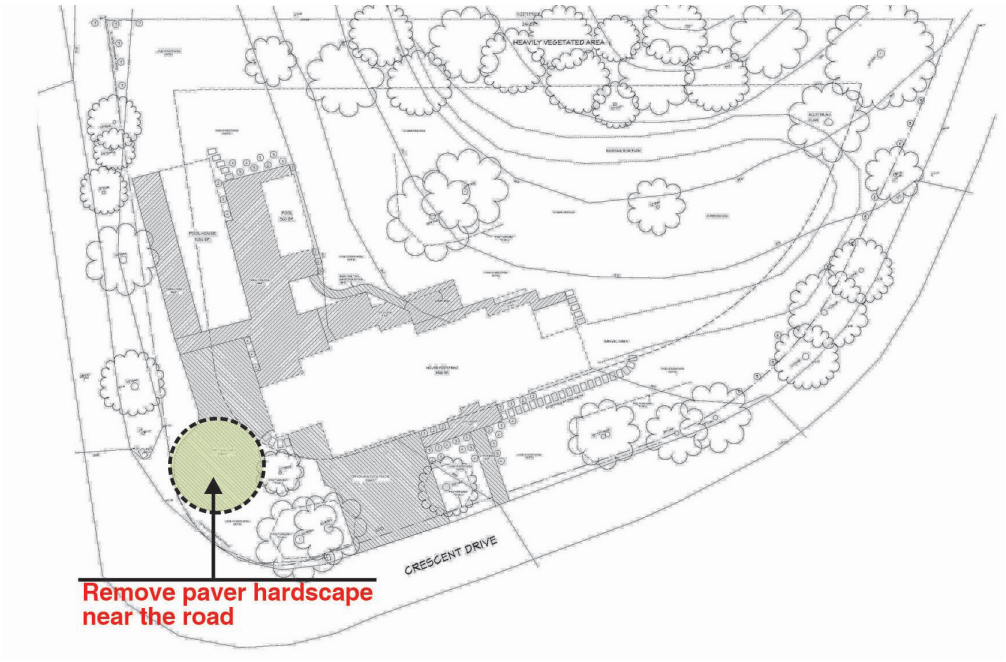
Glass Garage Doors: Nighttime

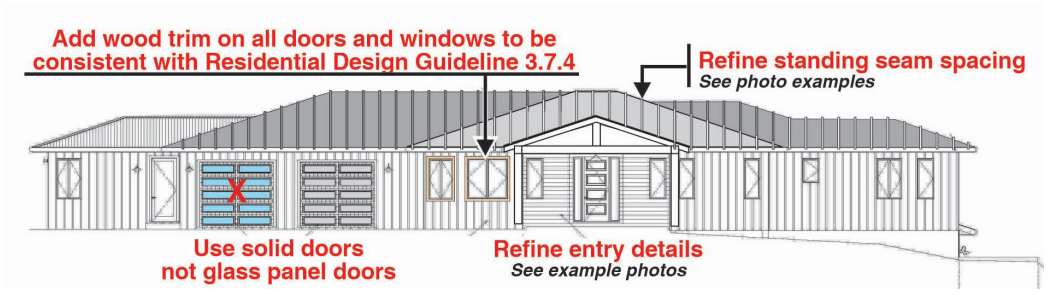
6. The tall multiple window areas on the rear elevation do not seen to yet have the appropriate traditional detailing for the home's proposed architectural style.
7. The Town's Hillside Deign Guidelines generally discourages this type of open deck support shown at the rear of the house, but the portion of the rear elevation where this occurs is small and not visually awkward. However, the columns on the rear elevation supporting upper level decks are rather skinny compared to their height.



RECOMMENDATIONS

1. Eliminate the artificial turf near Crescent Drive in favor of natural landscaping.

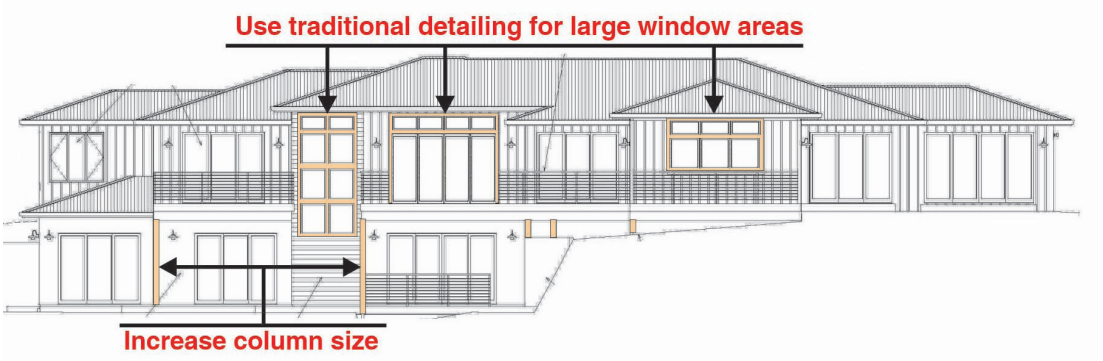




2. Refine the standing seam texture of the roof - see example photos below.

3. Refine the entry details - see photo examples below.

4. Add wood trim to all doors and windows consistent with Residential Design Guideline 3.7.4.
5. Provide solid panels in the garage doors unless glazing is limited to the top door panels.
6. Refine the large rear eleation windows by separating upper and lower panes with wood framing in lieu of the segment of wall siding shown.



7. Increase the size of the rear deck supports.

Diego, I have no other recommendations for change.

Sincerely,
CANNON DESIGN GROUP

Larry L. Cannon

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ARCHITECTURAL-COMMENTS RESPONSE LETTER

17121 Crescent Dr. Los Gatos 2-14-2022

Architecture & Site Application S-21-021

Project Planner: Sean Mullin

Attn: Larry Cannon of CDG

1. Understood, Removed

2. Corrected

3. Corrected. See sheet 10. 10x10”Columns were added to entry porch roof

4. Corrected. All windows and doors now have 3.5” wide trim on all sides

5. Noted. See sheet 10. Garage doors do not incorporate glass windows. All panels are solid.

6. Understood. The windows over doors are to be “field mulled” This feature perpetuates the contemporary feel of the home. It also conforms to the design guidelines by allowing increased solar heating during the winter months. The extended eve at these locations provide protection during the summer months.

7. Corrected. Deck support posts are now 7x7”

Eric & Leeann Wade
Owners /Designers / Builders

EXHIBIT 7

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Tree Inventory, Assessment, and Protection Report

17121 Crescent Drive, Los Gatos
Los Gatos, CA 95032

Prepared for:

Town of Los Gatos

October 14, 2021

Prepared By:

Monarch Consulting Arborists

Richard Gessner
P.O. Box 1010 - Felton, CA 95018
1 831 331 8982
www.monarcharborists.com

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Summary

The plans indicate a new home will be constructed and a pool placed in the backyard. The inventory contains seven (7) trees comprised of five (5) different species. Two coast live oaks (*Quercus agrifolia*) along the road are considered Large Protected and none are Exempt. There is one tree in good condition and the remaining are in fair shape. No trees are expected to be highly impacted or removed. Four trees will be moderately impacted by the proposed plans which are the two coast redwoods in front and the two coast live oaks along the road with drainage and soil filling nearby. The soil filling near the coast live oaks #717 and #720 will need to be at least 18 feet from the trees. The applicant will not be required to replace any protected trees according to the ordinance. Tree protection for the coast redwoods and Brazilian pepper (*Schinus terebinthifolia*) should consist of fence around the existing planting island and supplemental watering will be required. The coast live oaks are close to proposed filling and draining and offsets of eighteen feet under the trees should be established. There were seven trees appraised for a rounded depreciated value of $75,750.00.

Introduction

Background

The Town of Los Gatos asked me to assess the site, trees, and proposed footprint plan, and to provide a report with my findings and recommendations to help satisfy planning requirements.

Assignment

- Provide an arborist's report including an assessment of the trees within the project area and on the adjacent sites. The assessment is to include the species, size (trunk diameter), condition (health, structure, and form), and suitability for preservation ratings. Affix number tags on the trees for reference on site and on plans.
- Provide tree protection specifications, guidelines, and impact ratings for those affected by the project.
- Provide appraised values using the Trunk Formula Technique.

Limits of the assignment

- The information in this report is limited to the condition of the trees during my inspection on September 21, 2021. No tree risk assessments were performed.
- Tree heights and canopy diameters are estimates.

- The plans reviewed for this assignment were as follows (Table 1)

Table 1: Plans Reviewed Checklist

Plan	Date	Sheet	Reviewed	Source
Existing Site Topographic			No	
Proposed Site Plan	June 27, 2021	3	Yes	Wade Construction, Inc.
Erosion Control			No	
Grading and Drainage	June 27, 2021	15	Yes	Wade Construction, Inc.
Utility Plan and Hook-up locations			No	
Exterior Elevations	June 27, 2021	6, 7, 10, 11, 12, 13	Yes	Wade Construction, Inc.
Landscape Plan	June 27, 2021	16	No	Wade Construction, Inc.
Irrigation Plan			No	
T-1 Tree Protection Plan			No	

Purpose and use of the report

The report is intended to identify all the trees within the plan area that could be affected by a project. The report is to be used by the Town of Los Gatos and the property owners as a reference for existing tree conditions to help satisfy planning requirements.

Observations

Tree Inventory

The inventory consists of trees protected by the Town of Los Gatos located on site and those in close proximity on neighboring properties. Sec. 29.10.0960. - Scope of protected trees. All trees which have a four-inch or greater diameter (twelve and one half-inch circumference) of any trunk, when removal relates to any review for which zoning approval or subdivision approval is required. (Appendix A and B). Los Gatos Town Ordinance 29.10.0970 Exceptions (1) states the following: “A fruit or nut tree that is less than eighteen (18) inches in diameter (fifty-seven-inch circumference).

Plans

The plans indicate a new home will be constructed and a pool placed in the backyard. There is grading and a retaining wall.

The inventory contains seven (7) trees comprised of five (5) different species. Two coast live oaks along the road are considered Large Protected[1] and none are Exempt[2] (Table 2).

Table 2: Inventory Characteristics

Tree Species	I.D. Number	Trunk Diameter (in.)	~ Canopy Diameter (ft.)	Health	Structure	Form	Status
coast redwood (*Sequoia sempervirens*)	714	34	35	Poor	Fair	Good	Protected
coast redwood (*Sequoia sempervirens*)	715	42	35	Poor	Fair	Good	Protected
Brazilian pepper (*Schinus terebinthifolia*)	716	6.5, 5.5, 5, 5	20	Good	Fair	Good	Protected
coast live oak (*Quercus agrifolia*)	717	17, 20	35	Good	Fair	Good	Large Protected
Canary Island pine (*Pinus canariensis*)	718	23	45	Fair	Fair	Good	Protected
stone pine (*Pinus pinea*)	719	24	55	Fair	Fair	Good	Protected
coast live oak (*Quercus agrifolia*)	720	15, 18	35	Fair	Fair	Good	Large Protected

[1] Large protected tree means any oak (*Quercus spp.*), California buckeye (*Aesculus californica*), or Pacific madrone (*Arbutus menziesii*) which has a 24-inch or greater diameter (75-inch circumference); or any other species of tree with a 48-inch or greater diameter (150-inch circumference).

[2] A fruit or nut tree that is less than eighteen (18) inches in diameter (fifty-seven-inch circumference).

Analysis

Tree appraisal was performed according to the Council of Tree & Landscape Appraisers *Guide for Plant Appraisal 10th Edition, 2019* (CLTA) along with Western Chapter International Society of Arboriculture *Species Classification and Group Assignment, 2004*. The trees were appraised using the "Cost Approach" and more specifically the "Trunk Formula Technique" (Appendix B).

"Trunk Formula Technique" is calculated as follows: Basic Tree Cost = (Unit tree cost x Appraised trunk area), Appraised Value = (Basic tree cost X functional Limitations (percentage) X Condition (percentage) X External Limitations (percentage)).

The trunk formula valuations are based on four tree factors; size (trunk cross sectional area), condition, functional limitations, and external limitations. There are two steps to determine the overall value. The first step is to determine the "Basic Tree Cost" based on size and unit tree cost. Unit tree cost is calculated by dividing the nursery wholesale cost of a 24 inch box specimen and its replacement size (cost per square inch trunk caliper) which is determined by the *Species Classification and Group Assignment, 2004 Western Chapter Regional Supplement*. The cost of the 24 inch box wholesale specimen was determined through personal communications with BrightView and Normans nurseries in Farmington and Central Wholesale in San Jose for an average of $214.00.

The second part is to depreciate the tree's Basic Cost through an assessment of condition, functional limitations, and external limitations. The condition assessment guidelines and percentages are defined in the "Condition Rating" section of this report. Functional limitations are based on factors associated with the tree's interaction to its planting site that would affect condition, limit development, or reduce the utility in the future and include genetics, placement, and site conditions for the individual tree. External limitations are outside the property, out of control of the owner and also affect condition, limit development, or reduce the utility in the future (i.e power lines, municipal restrictions, drought adaptations, or species susceptibility to pests).

There were seven trees appraised for a rounded depreciated value of $75,750.00.

Appraisal worksheets are available upon request

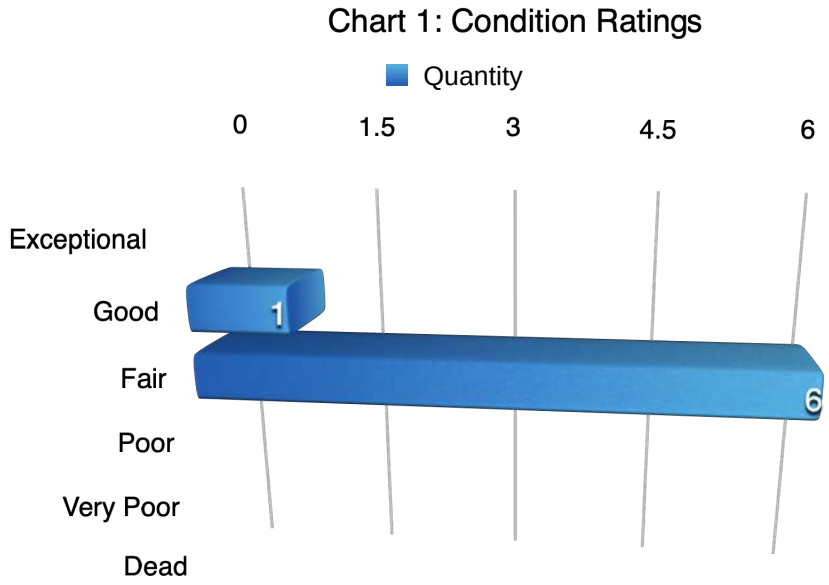
Discussion

Condition Rating

A tree's condition is a determination of its overall health, structure, and form. The assessment considered all three criteria for a combined condition rating.

- 100% - Exceptional = Good health and structure with significant size, location or quality.
- 61-80% - Good = Normal vigor, well-developed structure, function and aesthetics not compromised with good longevity for the site.
- 41-60 % - Fair = Reduced vigor, damage, dieback, or pest problems, at least one significant structural problem or multiple moderate defects requiring treatment. Major asymmetry or deviation from the species normal habit, function and aesthetics compromised.
- 21-40% - Poor = Unhealthy and declining appearance with poor vigor, abnormal foliar color, size or density with potential irreversible decline. One serious structural defect or multiple significant defects that cannot be corrected and failure may occur at any time. Significant asymmetry and compromised aesthetics and intended use.
- 6-20% - Very Poor = Poor vigor and dying with little foliage in irreversible decline. Severe defects with the likelihood of failure being probable or imminent. Aesthetically poor with little or no function in the landscape.
- 0-5% - Dead/Unstable = Dead or imminently ready to fail.

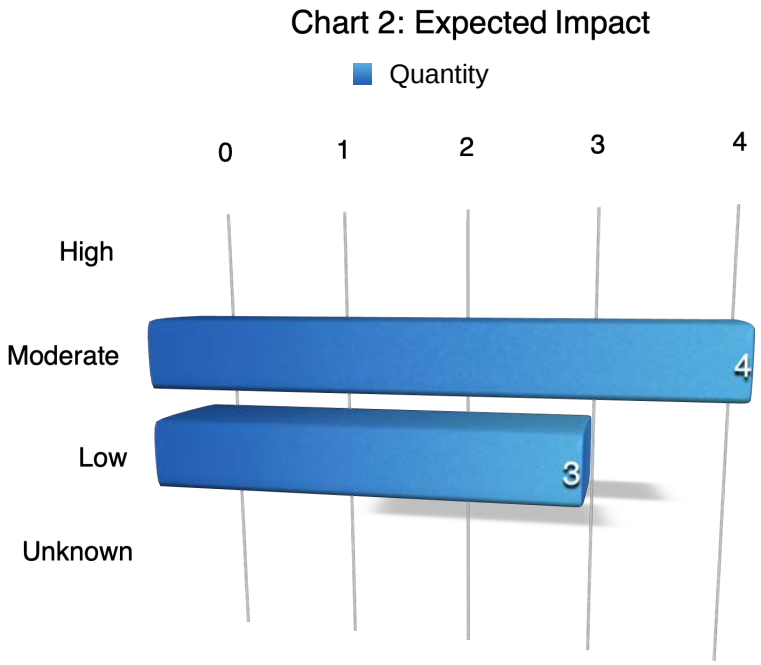
There is one tree in good condition which is the Brazilian pepper and the remaining trees are in fair shape. The redwoods are drought stressed with sparse crowns and multiple tops and the coast live oaks have codominant stems. The pines have grown naturally and are somewhat stressed.



Expected Impact Level

Impact level defines how a tree may be affected by construction activity and proximity to the tree, and is described as low, moderate, or high. The following scale defines the impact rating:

- Low = The construction activity will have little influence on the tree.
- Moderate = The construction may cause future health or structural problems, and steps must be taken to protect the tree to reduce future problems.
- High = Tree structure and health will be compromised and removal is recommended, or other actions must be taken for the tree to remain. The tree is located in the building envelope.



No trees are expected to be highly impacted or removed. Four trees will be moderately impacted by the proposed plans which are the two coast redwoods in front and the two coast live oaks along the road with drainage and soil filling nearby. The driveway will remain in a similar location with half of the roundabout abandoned. The new driveway is located in the same footprint of the existing. If there is signifiant grading, compaction, or sub base excavation it will likely destroy roots of the redwoods under the existing asphalt. The soil filling near the coast live oaks #717 and #720 will need to be at least 18 feet from the trees.

Mitigation for Removals

The table below indicates the recommended replacement values (Table 2). The applicant will not be required to replace any protected trees according to the ordinance. Alternatively it may be possible to create an approved landscape plan or provide an in-lieu payment.

Table 2: Town of Los Gatos Tree Canopy - Replacement Standard

Canopy Size of Removed Tree (1)	Replacement Requirement (2)(4)	Single Family Residential Replacement
10 feet or less	Two 24 inch box	Two 15 gallon
More than 10 feet to 25	Three 24 inch box	Three 15 gallon
More than 25 feet to 40 feet	Four 24 inch box trees or two 36 inch	Four 15 gallon trees
More than 40 feet to 55 feet	Six 24 inch box trees; or three 36	Not available
Greater than 55 feet	Ten 24 inch box trees; or five 36 inch	Not available

[1]To measure an asymmetrical canopy of a tree, the widest measurement shall be used to determine canopy size.

[2]Often, it is not possible to replace a single large, older tree with an equivalent tree(s). In this case, the tree may be replaced with a combination of both the Tree Canopy Replacement Standard and in-lieu payment in an amount set forth by Town Council resolution paid to the Town Tree Replacement Fund.

[3]Single Family Residential Replacement Option is available for developed single family residential lots under 10,000 square feet that are not subject to the Town's Hillside Development Standards and Guidelines. All 15-gallon trees must be planted on-site. Any in-lieu fees for single family residential shall be based on 24" box tree rates as adopted by Town Council.

[4]Replacement Trees shall be approved by the Town Arborist and shall be of a species suited to the available planting location, proximity to structures, overhead clearances, soil type, compatibility with surrounding canopy and other relevant factors. Replacement with native species shall be strongly encouraged. Replacement requirements in the Hillsides shall comply with the Hillside Development Standards and Guidelines Appendix A and Section 29.10.0987 Special Provisions—Hillsides.

Tree Protection

Typically there are three different tree protection schemes which are called Type I (Appendix D1), Type II and Type III (Appendix D2) trunk protection only. Tree protection focuses on avoiding damage to the roots, trunk, or scaffold branches (Appendix D). The most current accepted method for determining the TPZ is to use a formula based on species tolerance, tree age/vigor, and trunk diameter (Matheny, N. and Clark, J. 1998) (Fite, K, and Smiley, E. T., 2016). Preventing mechanical damage to the trunk from equipment or hand tools can be accomplished by wrapping the main stem with straw wattle or using vertical timbers (Appendix D).

Tree protection for the coast redwoods and Brazilian pepper should consist of fence around the existing planting island where the trees originate. Supplemental watering will be required in this planting bed to ensure the survival of the already declining coast redwoods. The coast live oaks are close to proposed filling and draining and offsets of eighteen feet under the trees should be established.

Conclusion

The plans indicate a new home will be constructed and a pool placed in the backyard. The inventory contains seven (7) trees comprised of five (5) different species including pines, redwoods, and oaks. Two coast live oaks along the road are considered Large Protected and none are Exempt. There is one tree in good condition which is the Brazilian pepper and the remaining trees are in fair shape. The redwoods are drought stressed with sparse crowns and multiple tops and the coast live oaks have codominant stems. The pines have grown naturally and are somewhat stressed. No trees are expected to be highly impacted or removed. Four trees will be moderately impacted by the proposed plans which are the two coast redwoods in front and the two coast live oaks along the road with drainage and soil filling nearby. The new driveway is located in the same footprint of the existing. If there is signifiant grading, compaction, or sub base excavation it will likely destroy roots of the redwoods under the existing asphalt. The soil filling near the coast live oaks #717 and #720 will need to be at least 18 feet from the trees. The applicant will not be required to replace any protected trees according to the ordinance. Tree protection for the coast redwoods and Brazilian pepper should consist of fence around the existing planting island where the trees originate. Supplemental watering will be required in this planting bed to ensure the survival of the already declining coast redwoods. The coast live oaks are close to proposed filling and draining and offsets of eighteen feet under the trees should be established. There were seven trees appraised for a rounded depreciated value of $75,750.00.

Recommendations

1. Place tree numbers on all the plans. Make sure the trees are clearly indicated for removal on all the plans. The trees should also be very clearly marked on site prior to removal.

2. Place tree protection around the coast redwoods and Brazilian pepper consisting of fence around the existing planting island where the trees originate. The coast live oaks are close to proposed filling and draining and offsets of eighteen feet under the trees should be established.

3. Install temporary irrigation or soaker hoses in all tree protection zones and provide supplemental watering during construction within all TPZ areas. Monitor watering times or amounts to ensure adequate soil saturation. (A 5/8" soaker hose requires about 200 minutes to deliver one inch of water to a garden. This number is affected by the length of the hose and the overall rate of flow from the faucet. A good rule of thumb is to expect about ½ GPM as a standard faucet flow rate.). Infrequent deeper watering is preferred.

4. All tree maintenance and care shall be performed by a qualified arborist with a C-61/D-49 California Contractors License. Tree maintenance and care shall be specified in writing according to American National Standard for Tree Care Operations: *Tree, Shrub and Other Woody Plant Management: Standard Practices* parts 1 through 10 and adhere to ANSI Z133.1 safety standards and local regulations. All maintenance is to be performed according to ISA Best Management Practices.

5. Refer to Appendix D for general tree protection guidelines including recommendations for arborist assistance while working under trees, trenching, or excavation within a trees drip line or designated TPZ/CRZ.

6. Place all the tree protection fence locations and guidelines on the plans including the grading, drainage, and utility plans. Create a separate plan sheet that includes all three protection measures labeled "T-1 Tree Protection Plan."

7. Provide a copy of this report to all contractors and project managers, including the architect, civil engineer, and landscape designer or architect. It is the responsibility of the owner to ensure all parties are familiar with this document.

8. Arrange a pre-construction meeting with the project arborist or landscape architect to verify tree protection is in place, with the correct materials, and at the proper distances.

Bibliography

American National Standard for Tree Care Operations: Tree, Shrub and Other Woody Plant Management : Standard Practices (Management of Trees and Shrubs During Site Planning, Site Development, and Construction)(Part 5). Londonderry, NH: Secretariat, Tree Care Industry Association, 2019. Print.

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Matheny, Nelda P., Clark, James R. Trees and development: A technical guide to preservation of trees during land development. Bedminster, PA: International Society of Arboriculture 1998.

Smiley, E, Matheny, N, Lilly, S, ISA. *Best Management Practices: Tree Risk Assessment:* International Society of Arboriculture, 2017. Print

Glossary of Terms

Basic Tree Cost: The cost of replacement for a perfect specimen of a particular species and cross sectional area prior to location and condition depreciation.

Cost Approach: An indication of value by adding the land value to the depreciated value of improvements.

Defect: An imperfection, weakness, or lack of something necessary. In trees defects are injuries, growth patterns, decay, or other conditions that reduce the tree's structural strength.

Diameter at breast height (DBH): Measures at 1.4 meters (4.5 feet) above ground in the United States, Australia (arboriculture), New Zealand, and when using the Guide for Plant Appraisal, 9th edition; at 1.3 meters (4.3 feet) above ground in Australia (forestry), Canada, the European Union, and in UK forestry; and at 1.5 meters (5 feet) above ground in UK arboriculture.

Drip Line: Imaginary line defined by the branch spread or a single plant or group of plants. The outer extent of the tree crown.

Form: describes a plant's habit, shape or silhouette defined by its genetics, environment, or management.

Health: Assessment is based on the overall appearance of the tree, its leaf and twig growth, and the presence and severity of insects or disease.

Mechanical damage: Physical damage caused by outside forces such as cutting, chopping or any mechanized device that may strike the tree trunk, roots or branches.

Scaffold branches: Permanent or structural branches that for the scaffold architecture or structure of a tree.

Straw wattle: also known as straw worms, bio-logs, straw noodles, or straw tubes are man made cylinders of compressed, weed free straw (wheat or rice), 8 to 12 inches in diameter and 20 to 25 feet long. They are encased in jute, nylon, or other photo degradable materials,
and have an average weight of 35 pounds.

Structural evaluation: focused on the crown, trunk, trunk flare, above ground roots and the site conditions contributing to conditions and/or defects that may contribute to failure.

Tree Protection Zone (TPZ): Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, especially during construction or development.

Tree Risk Assessment: Process of evaluating what unexpected things could happen, how likely it is, and what the likely outcomes are. In tree management, the systematic process to determine the level of risk posed by a tree, tree part, or group of trees.

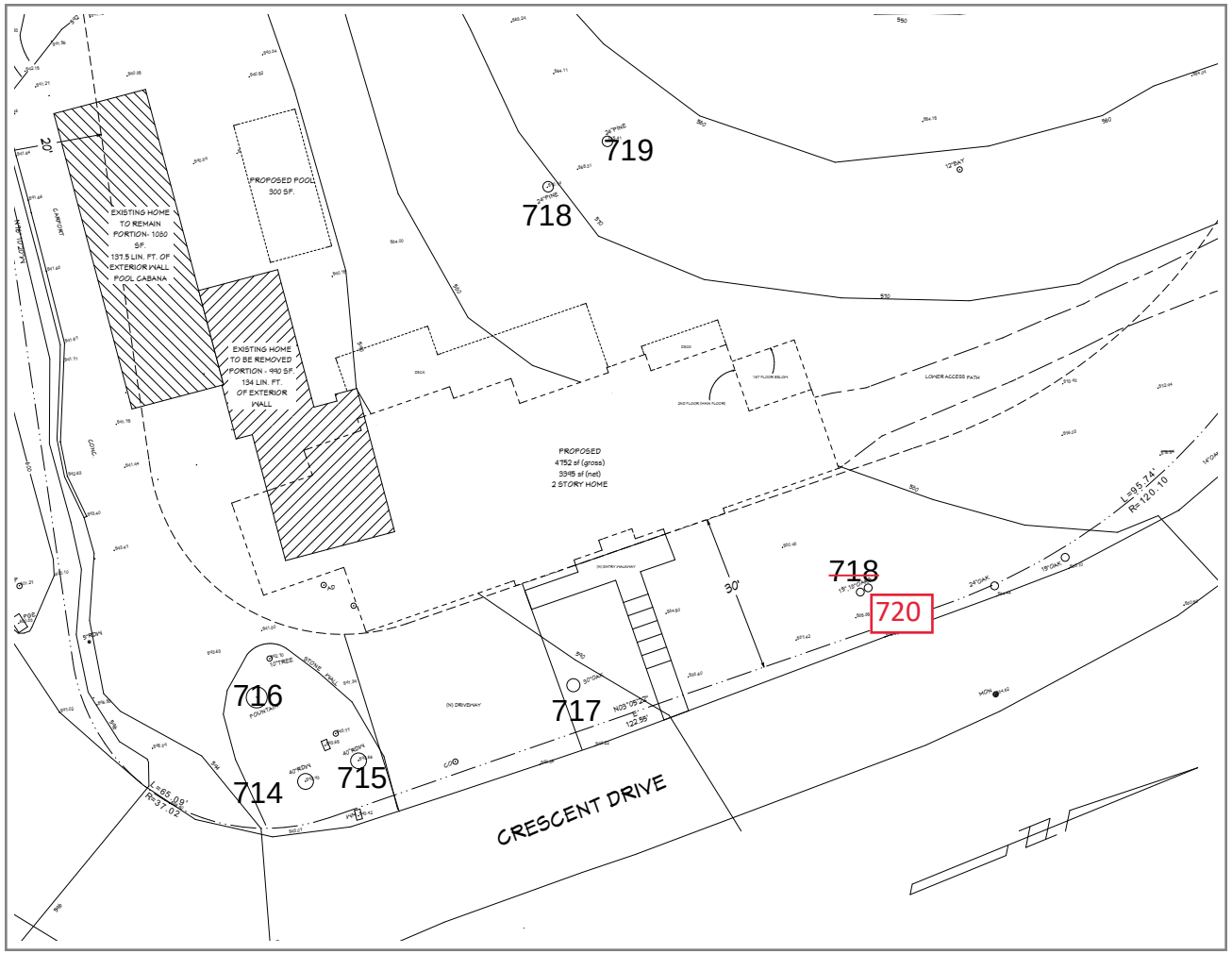
Trunk: Stem of a tree.

Trunk Formula Technique: Method to appraise the monetary value of trees considered too large to be replaced with nursery or field grown stock. Based on developing a representative unit cost for replacement with the same or comparable species of the same size and in the same place, subject to depreciation for various factors. Contrast with replacement cost method.

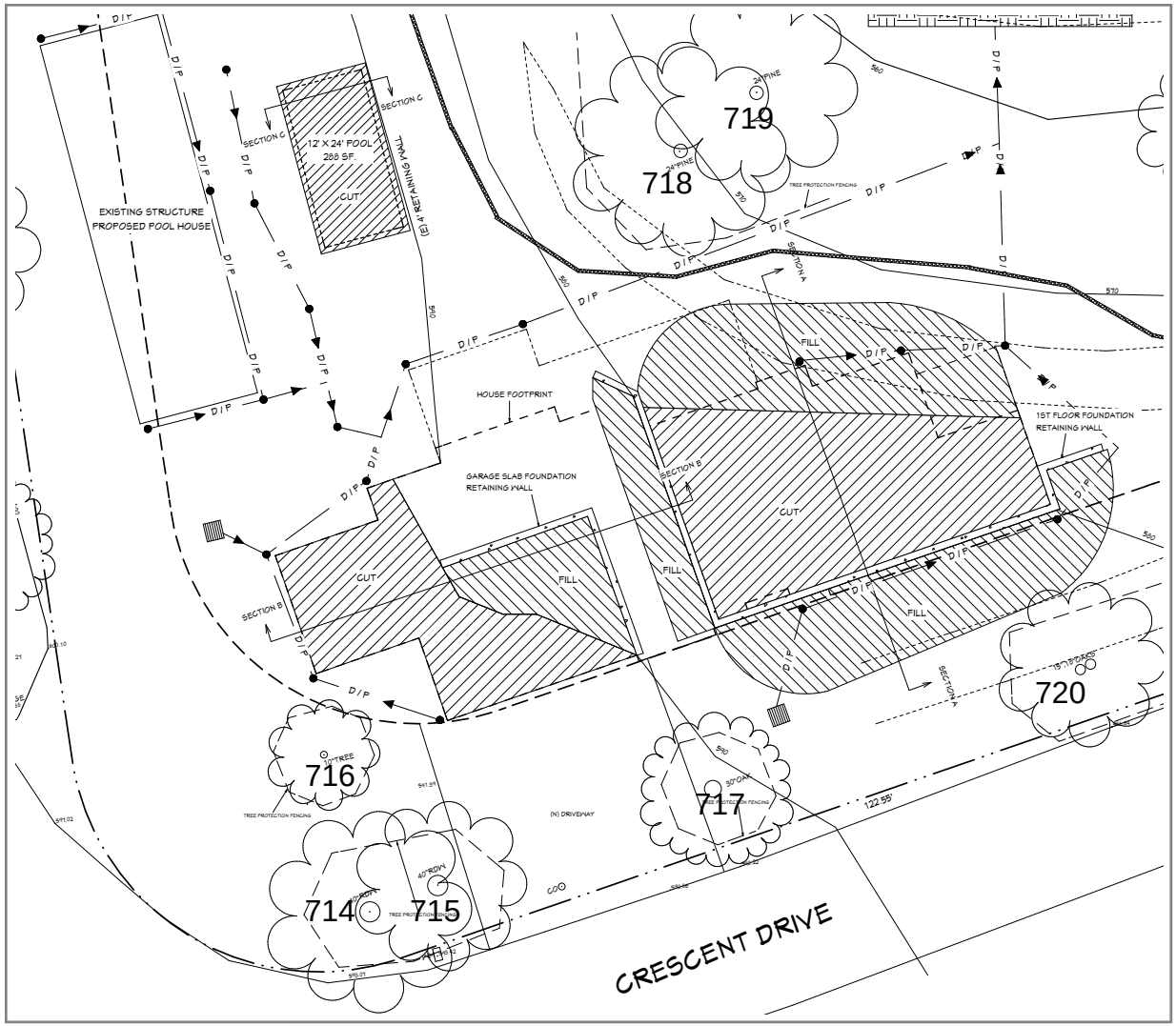
Volunteer: A tree, not planted by human hands, that begins to grow on residential or commercial property. Unlike trees that are brought in and installed on property, volunteer trees usually spring up on their own from seeds placed onto the ground by natural causes or accidental transport by people. Normally, volunteer trees are considered weeds and removed, but many desirable and attractive specimens have gone on to become permanent residents on many public and private grounds.

Appendix A: Tree Inventory Map and Site Plan

A1: Existing and Proposed Site Plan



A2: Proposed Grading Plan



Appendix B: Tree Inventory and Assessment Tables

Table 3: Inventory and Assessment Summary

Tree Species	I.D. #	Trunk Diameter (in.)	~ Canopy Diameter (ft.)	Condition	Expected Impact	Protection Status	Rounded Depreciated Value	Tree Protection Radii (ft.)
coast redwood (*Sequoia sempervirens*)	714	34	35	Fair	Moderate	Protected	$12,900.00	23
coast redwood (*Sequoia sempervirens*)	715	42	35	Fair	Moderate	Protected	$19,700.00	28
Brazilian pepper (*Schinus terebinthifolia*)	716	6.5, 5.5, 5, 5	20	Good	Low	Protected	$2,050.00	10
coast live oak (*Quercus agrifolia*)	717	17, 20	35	Fair	Moderate	Large Protected	$13,100.00	18
Canary Island pine (*Pinus canariensis*)	718	23	45	Fair	Low	Protected	$9,500.00	15
stone pine (*Pinus pinea*)	719	24	55	Fair	Low	Protected	$6,400.00	16
coast live oak (*Quercus agrifolia*)	720	15, 18	35	Fair	Moderate	Large Protected	$12,100.00	18

Appendix C: Photographs

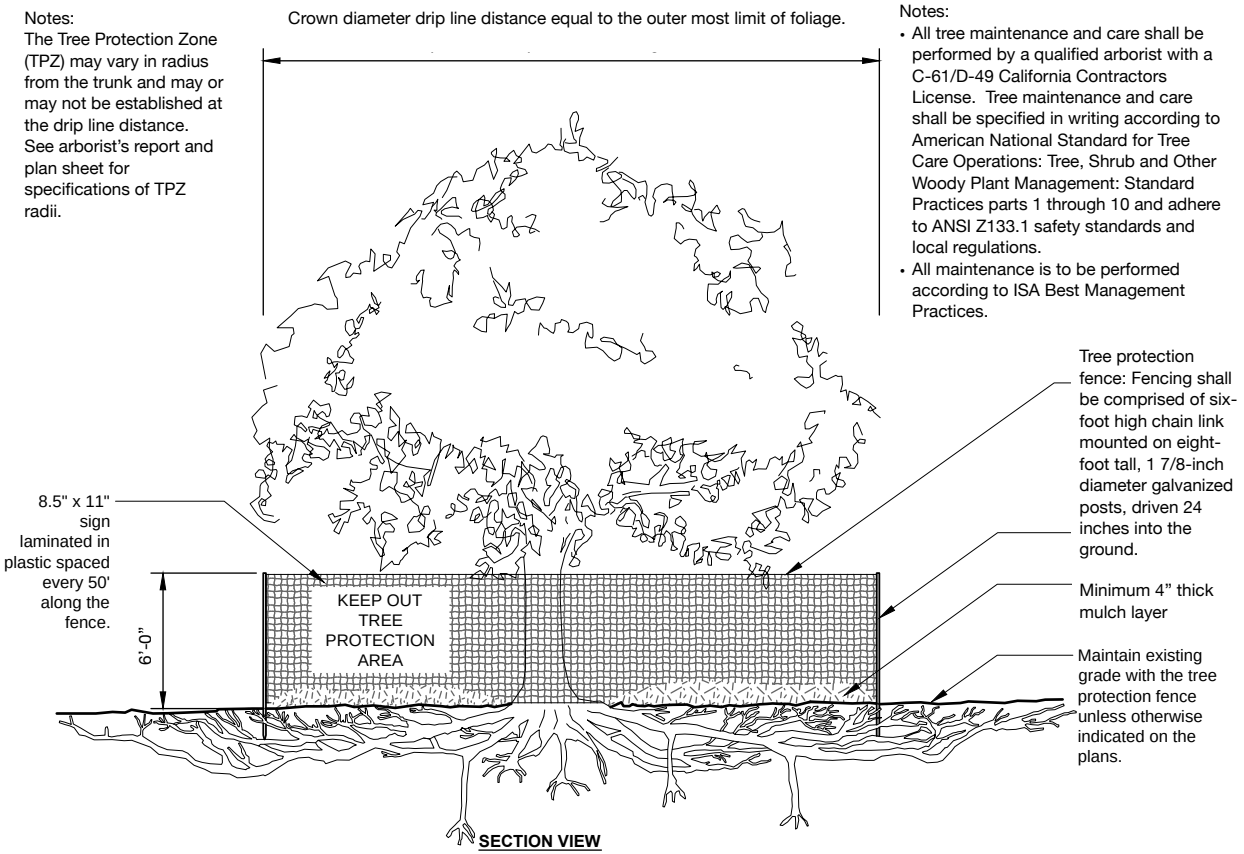
C1: Pines #718 and #719

C2: Redwoods #714 and #715

C3: Coast live oak #717

Appendix D: Tree Protection Guidelines

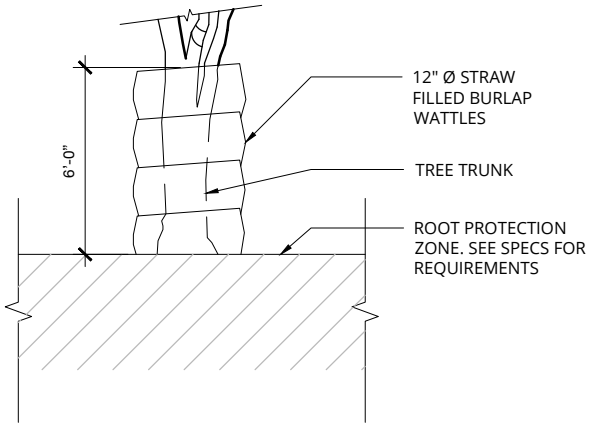
D1: Plan Sheet Detail S-X (Type I)



S-X TREE PROTECTION

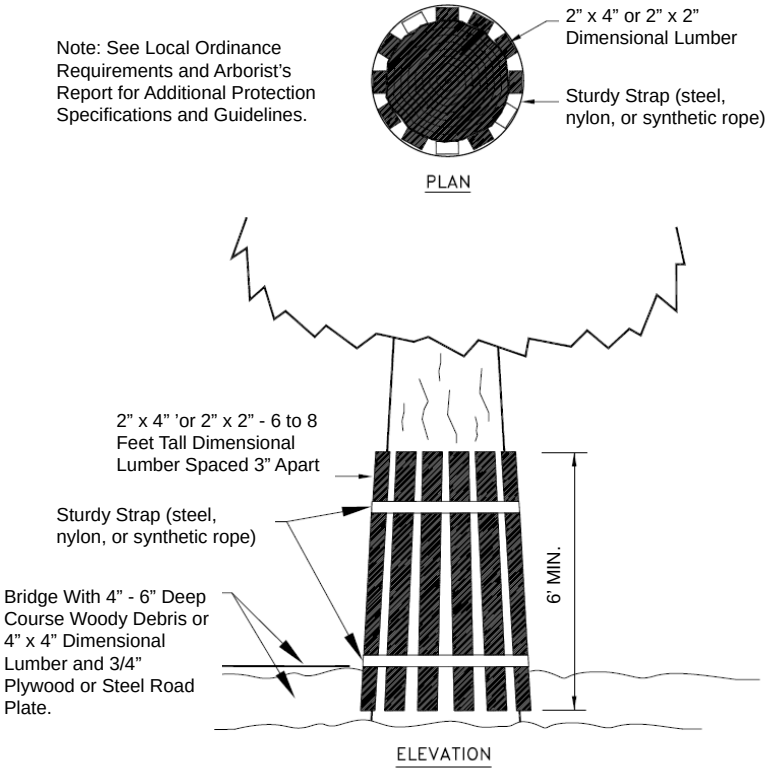
URBAN TREE FOUNDATION © 2014
OPEN SOURCE FREE TO USE
Modified by Monarch Consulting Arborists LLC, 2019

D2: Plan Sheet Detail S-Y (Type III)



SECTION VIEW

S-Y TRUNK PROTECTION WITH WATTLE



Trunk Protection Vertical Timber Detail

D3: Section 29.10.1005. - Protection of Trees During Construction

Tree Protection Zones and Fence Specifications

1. **Size and materials:** Six (6) foot high chain link fencing, mounted on two-inch diameter galvanized iron posts, shall be driven into the ground to a depth of at least two (2) feet at no more than ten-foot spacing. For paving area that will not be demolished and when stipulated in a tree preservation plan, posts may be supported by a concrete base.
2. **Area type to be fenced:** Type I: Enclosure with chain link fencing of either the entire dripline area or at the tree protection zone (TPZ), when specified by a certified or consulting arborist. Type II: Enclosure for street trees located in a planter strip: chain link fence around the entire planter strip to the outer branches. Type III: Protection for a tree located in a small planter cutout only (such as downtown): orange plastic fencing shall be wrapped around the trunk from the ground to the first branch with two-inch wooden boards bound securely on the outside. Caution shall be used to avoid damaging any bark or branches.
3. **Duration of Type I, II, III fencing:** Fencing shall be erected before demolition, grading or construction permits are issued and remain in place until the work is completed. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.
4. **Warning Sign:** Each tree fence shall have prominently displayed an eight and one-half-inch by eleven-inch sign stating: "Warning —Tree Protection Zone—This fence shall not be removed and is subject to penalty according to Town Code 29.10.1025.” Text on the signs should be in both English and Spanish (Appendix E).

All persons, shall comply with the following precautions

1. Prior to the commencement of construction, install the fence at the dripline, or tree protection zone (TPZ) when specified in an approved arborist report, around any tree and/or vegetation to be retained which could be affected by the construction and prohibit any storage of construction materials or other materials, equipment cleaning, or parking of vehicles within the TPZ. The dripline shall not be altered in any way so as to increase the encroachment of the construction.
2. Prohibit all construction activities within the TPZ, including but not limited to: excavation, grading, drainage and leveling within the dripline of the tree unless approved by the Director.
3. Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the dripline of or in drainage channels, swales or areas that may lead to the dripline of a protected tree.
4. Prohibit the attachment of wires, signs or ropes to any protected tree.
5. Design utility services and irrigation lines to be located outside of the dripline when feasible.
6. Retain the services of a certified or consulting arborist who shall serve as the project arborist for periodic monitoring of the project site and the health of those trees to be preserved. The project arborist shall be present whenever activities occur which may pose a potential threat to the health of the trees to be preserved and shall document all site visits.
7. The Director and project arborist shall be notified of any damage that occurs to a protected tree during construction so that proper treatment may be administered.

Prohibited Activities

The following are prohibited activities within the TPZ:

- Grade changes (e.g. soil cuts, fills);
- Trenches;
- Root cuts;
- Pedestrian and equipment traffic that could compact the soil or physically damage roots;
- Parking vehicles or equipment;
- Burning of brush and woody debris;
- Storing soil, construction materials, petroleum products, water, or building refuse; and,
- Disposing of wash water, fuel or other potentially damaging liquids.

Monitoring

Any trenching, construction or demolition that is expected to damage or encounter tree roots should be monitored by the project arborist or a qualified ISA Certified Arborist and should be documented.

The site should be evaluated by the project arborist or a qualified ISA Certified Arborist after construction is complete, and any necessary remedial work that needs to be performed should be noted.

Root Pruning

Roots greater than two inches in diameter shall not be cut. When roots over two inches in diameter are encountered and are authorized to be cut or removed, they should be pruned by hand with loppers, handsaw, reciprocating saw, or chain saw rather than left crushed or torn. Roots should be cut beyond sinker roots or outside root branch junctions and be supervised by the project arborist. When completed, exposed roots should be kept moist with burlap or backfilled within one hour.

Boring or Tunneling

Boring machines should be set up outside the drip line or established Tree Protection Zone. Boring may also be performed by digging a trench on both sides of the tree until roots one inch in diameter are encountered and then hand dug or excavated with an Air Spade® or similar air or water excavation tool. Bore holes should be adjacent to the trunk and never go directly under the main stem to avoid oblique (heart) roots. Bore holes should be a minimum of three feet deep.

Tree Pruning and Removal Operations

All tree pruning or removals should be performed by a qualified arborist with a C-61/D-49 California Contractors License. Treatment, including pruning, shall be specified in writing according to the most recent ANSI A-300A Standards and Limitations and performed according to ISA Best Management Practices while adhering to ANSI Z133.1 safety standards. Trees that need to be removed or pruned should be identified in the pre-construction walk through.

Appendix E: Tree Protection Signs

E1: English

Warning
Tree Protection Zone

This Fence Shall Not Be Removed
And Is Subject To Penalty According To
Town Code 29.10.1025

E2: Spanish

Cuidado
Zona De Arbol Pretejido

Esta valla no podrán ser sacados
Y está sujeta a sanción en función de
Código Ciudad del 29.101025

Qualifications, Assumptions, and Limiting Conditions

Any legal description provided to the consultant is assumed to be correct. Any titles or ownership of properties are assumed to be good and marketable. All property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

All property is presumed to be in conformance with applicable codes, ordinances, statutes, or other regulations.

Care has been taken to obtain information from reliable sources. However, the consultant cannot be responsible for the accuracy of information provided by others.

The consultant shall not be required to give testimony or attend meetings, hearings, conferences, mediations, arbitration, or trials by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

This report and any appraisal value expressed herein represent the opinion of the consultant, and the consultant’s fee is not contingent upon the reporting of a specified appraisal value, a stipulated result, or the occurrence of a subsequent event.

Sketches, drawings, and photographs in this report are intended for use as visual aids, are not necessarily to scale, and should not be construed as engineering or architectural reports or surveys. The reproduction of information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is only for coordination and ease of reference. Inclusion of said information with any drawings or other documents does not constitute a representation as to the sufficiency or accuracy of said information.

Unless otherwise expressed: a) this report covers only examined items and their condition at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that structural problems or deficiencies of plants or property may not arise in the future.

Certification of Performance

I Richard Gessner, Certify:

That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and/or appraisal is stated in the attached report and Terms of Assignment;

That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That the analysis, opinions and conclusions stated herein are my own;

That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;

That no one provided significant professional assistance to the consultant, except as indicated within the report.

That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any other subsequent events;

I further certify that I am a Registered Consulting Arborist® with the American Society of Consulting Arborists, and that I acknowledge, accept and adhere to the ASCA Standards of Professional Practice. I am an International Society of Arboriculture Board Certified Master Arborist®. I have been involved with the practice of Arboriculture and the care and study of trees since 1998.

Richard J. Gessner

ASCA Registered Consulting Arborist® #496
ISA Board Certified Master Arborist® WE-4341B

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STATE OF CALIFORNIA
LEGISLATIVE COUNSEL BUREAU
AUTHENTICATED
ELECTRONIC LEGAL MATERIAL

State of California

PUBLIC RESOURCES CODE

Section 4290

4290. (a) The board shall adopt regulations implementing minimum fire safety standards related to defensible space that are applicable to state responsibility area lands under the authority of the department, and to lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code. These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991, and within lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code after July 1, 2021. The board may not adopt building standards, as defined in Section 18909 of the Health and Safety Code, under the authority of this section. As an integral part of fire safety standards, the State Fire Marshal has the authority to adopt regulations for roof coverings and openings into the attic areas of buildings specified in Section 13108.5 of the Health and Safety Code. The regulations apply to the placement of mobile homes as defined by National Fire Protection Association standards. These regulations do not apply where an application for a building permit was filed prior to January 1, 1991, or to parcel or tentative maps or other developments approved prior to January 1, 1991, if the final map for the tentative map is approved within the time prescribed by the local ordinance. The regulations shall include all of the following:

(1) Road standards for fire equipment access.

(2) Standards for signs identifying streets, roads, and buildings.

(3) Minimum private water supply reserves for emergency fire use.

(4) Fuel breaks and greenbelts.

(b) The board shall, on and after July 1, 2021, periodically update regulations for fuel breaks and greenbelts near communities to provide greater fire safety for the perimeters to all residential, commercial, and industrial building construction within state responsibility areas and lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code, after July 1, 2021. These regulations shall include measures to preserve undeveloped ridgelines to reduce fire risk and improve fire protection. The board shall, by regulation, define "ridgeline" for purposes of this subdivision.

(c) These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state.

(d) The board may enter into contracts with technical experts to meet the requirements of this section.

(Amended by Stats. 2018, Ch. 626, Sec. 9. (SB 901) Effective January 1, 2019.)

EXHIBIT 9

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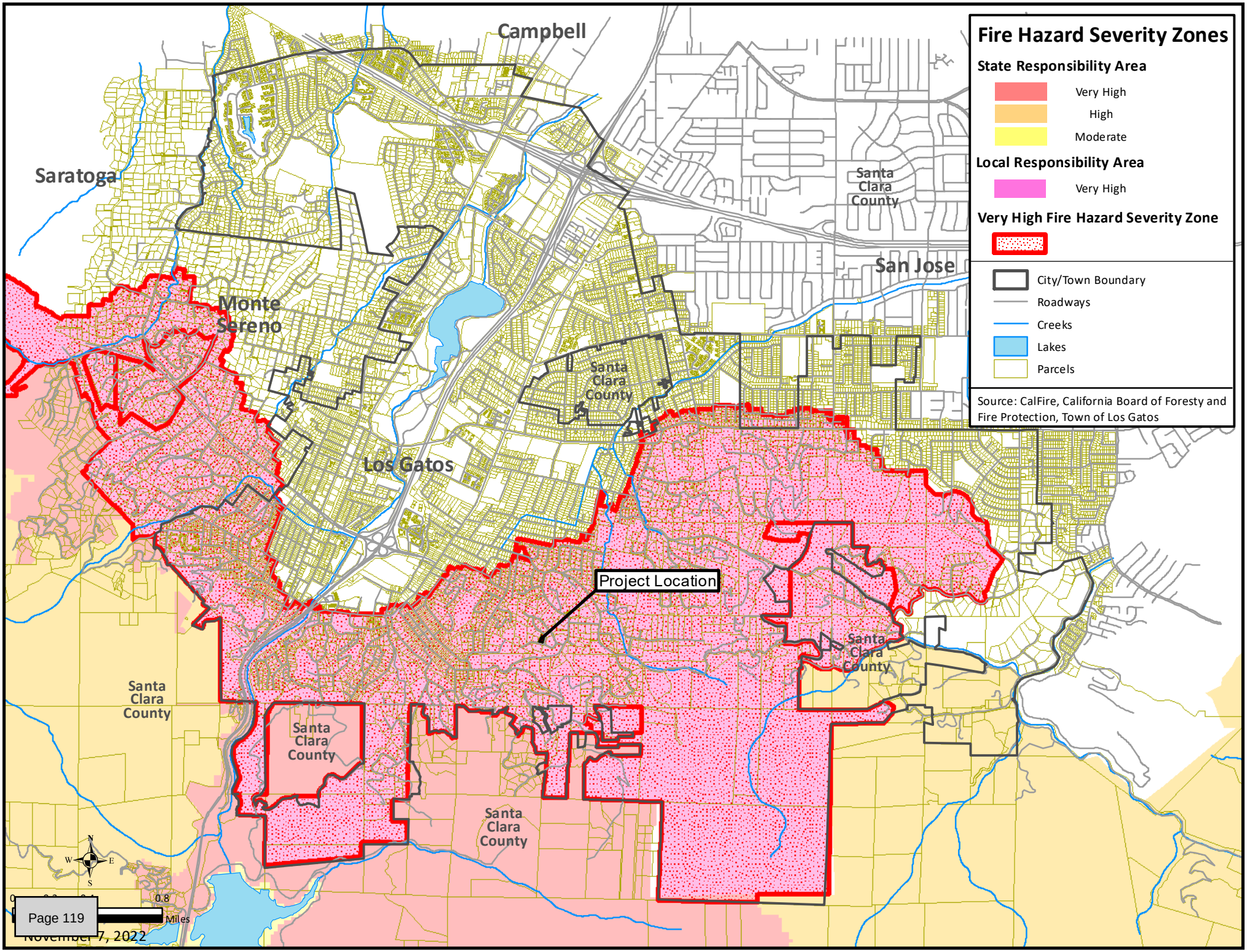
Fire Hazard Severity Zones
State Responsibility Area
Very High
High
Moderate
Local Responsibility Area
Very High
Very High Fire Hazard Severity Zone
City/Town Boundary
Roadways
Creeks
Lakes
Parcels
Source: CalFire, California Board of Foresty and Fire Protection, Town of Los Gatos
Campbell
Saratoga
Monte Sereno
Los Gatos
San Jose
Santa Clara County
Project Location
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EXHIBIT 10

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California Code of Regulations

Title 14. Natural Resources

Division 1.5. Department of Forestry and Fire Protection (Refs & Annos)

Chapter 7. Fire Protection (Refs & Annos)

Subchapter 2. SRA/VHFHSV Fire Safe Regulations

Article 1. Administration

§ 1270.00. Title.

These regulations shall be known as the "SRA/VHFHSZ Fire Safe Regulations," and shall constitute the basic wildfire protection standards of the California Board of Forestry and Fire Protection.

§ 1270.01. Purpose.

(a) These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Area (SRA) and, after July 1, 2021, the Very High Fire Hazard Severity Zones as defined in Government Code § 51177(i) (VHFHSZ).

(b) The future design and construction of structures, subdivisions and developments in the SRA and, after July 1, 2021, the VHFHSZ shall provide for basic emergency access and perimeter wildfire protection measures as specified in the following articles.

(c) These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification. The fire protection standards which follow shall specify the minimums for such measures.

§ 1270.02. Scope.

(a) These regulations shall apply to:

(1) the perimeters and access to all residential, commercial, and industrial building construction within the SRA approved after January 1, 1991, and those approved after July 1, 2021 within the VHFHSZ, except as set forth below in subsection (b.);

(2) the siting of newly installed commercial modulars, manufactured homes, mobilehomes, and factory-built housing, as defined in Health and Safety Code sections 18001.8, 18007, 18008, and 19971;

(3) all tentative and parcel maps or other developments approved after January 1, 1991; and

(4) applications for building permits on a parcel approved in a pre-1991 parcel or tentative map to the extent that conditions relating to the perimeters and access to the buildings were not imposed as part of the approval of the parcel or tentative map.

(b) These regulations do not apply where an application for a building permit is filed after January 1, 1991 for building construction on a parcel that was formed from a parcel map or tentative map (if the final map for the tentative map is approved within the time prescribed by the local ordinance) approved prior to

January 1, 1991, to the extent that conditions relating to the perimeters and access to the buildings were imposed by the parcel map or final tentative map approved prior to January 1, 1991.

(c) Affected activities include, but are not limited to:

(1) permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d);

(2) application for a building permit for new construction, not relating to an existing structure;

(3) application for a use permit;

(4) road construction, including construction of a road that does not currently exist, or extension of an existing road.

(d) EXEMPTION: Roads used solely for agricultural, mining, or the management and harvesting of wood products.

§ 1270.03. Provisions for Application of These Regulations.

This subchapter shall be applied as follows:

(a) the local jurisdictions shall provide the Director of the California Department of Forestry and Fire Protection (CAL FIRE) or their designee with notice of applications for building permits, tentative parcel maps, tentative maps, and installation or use permits for construction or development within the SRA or, after July 1, 2021, the VHFHSZ.

(b) the Director or their designee may review and make fire protection recommendations on applicable construction or development permits or maps provided by the local jurisdiction.

(c) the local jurisdiction shall ensure that the applicable sections of this subchapter become a condition of approval of any applicable construction or development permit or map.

§ 1270.04. Local Ordinances.

(a) Nothing contained in these regulations shall be considered as abrogating the provisions of any ordinance, rule or regulation of any state or local jurisdiction provided that such ordinance, rule, regulation or general plan element is equal to or more stringent than these minimum standards.

(b) The Board may certify local ordinances as equaling or exceeding these regulations when they provide the same practical effect.

(c) Counties may submit their local ordinances for certification via email to the Board.

(d) The Board's certification of local ordinances pursuant to this section is rendered invalid when previously certified ordinances are subsequently amended by local jurisdictions without Board re-certification of the amended ordinances. The Board's regulations supersede the amended local ordinance(s) when the amended local ordinance(s) are not re-certified by the Board. Amendments made by local jurisdictions to previously certified ordinances shall be submitted for re-certification.

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

§ 1270.05. Inspections.

Inspections shall conform to the following requirements:

(a) Inspection shall be made by:

(1) the Director, or

(2) local jurisdictions that have assumed state fire protection responsibility on SRA lands, or

(3) local jurisdictions where the inspection duties have been formally delegated by CAL FIRE to the local jurisdiction.

(b) Inspections made under 14 CCR § 1270.05(a)(2) or 14 CCR § 1270.05(a)(3) shall occur only when these regulations are incorporated into local ordinance in one of the following manners:

(1) these regulations have been incorporated verbatim or by reference into that jurisdiction's permitting or approval process for the activities described in 14 CCR § 1270.02; or

(2) the local ordinances have been certified pursuant to 14 CCR § 1270.04.

(c) Nothing in this section abrogates CAL FIRE's authority to inspect and enforce state forest and fire laws even when the inspection duties have been delegated pursuant to this section.

(d) Reports of violations shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in the local jurisdiction.

(e) When inspections are conducted, they shall occur prior to: the issuance of the use permit or certificate of occupancy; the recordation of the parcel map or final map; the filing of a notice of completion; or the final inspection of any project or building permit.

§ 1270.06. Exceptions to Standards.

(a) Upon request by the applicant, exceptions to standards within this subchapter or to local jurisdiction certified ordinances may be allowed by the inspection entity listed in 14 CCR § 1270.05, where the exceptions provide the same practical effect as these regulations towards providing defensible space. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be made on a case-by-case basis only. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be forwarded to the appropriate CAL FIRE Unit Office that administers SRA fire protection in that county and shall be retained on file at the Unit Office.

(b) Requests for an exception shall be made in writing to the inspection entity listed in 14 CCR § 1270.05 by the applicant or the applicant's authorized representative. At a minimum, the request shall state the specific section(s) for which an exception is requested, material facts supporting the contention of the applicant, the details of the exception proposed, and a map showing the proposed location and siting of the exception. Local jurisdictions listed in 14 CCR section 1270.05 may establish additional procedures or requirements for exception requests.

(c) Where an exception is not granted by the inspection entity, the applicant may appeal such denial to the local jurisdiction. The local jurisdiction may establish or utilize an appeal process consistent with existing local building or planning department appeal processes.

(d) Before the local jurisdiction makes a determination on an appeal, the inspection authority shall be consulted and shall provide to that local jurisdiction documentation outlining the effects of the requested exception on wildfire protection.

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

(e) If an appeal is granted, the local jurisdiction shall make findings that the decision meets the intent of providing defensible space consistent with these regulations. Such findings shall include a statement of reasons for the decision. A written copy of these findings shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in that local jurisdiction.

§ 1270.07. Exceptions to Standards. [Repealed]

§ 1270.08. Requests for Exceptions. [Repealed]

§ 1270.09. Appeals [Repealed]

§ 1271.00. Definitions.

Agriculture: Land used for agricultural purposes as defined in a local jurisdiction's zoning ordinances.

Building: Any structure used or intended for supporting or sheltering any use or occupancy, except Utility and Miscellaneous Group U buildings.

CAL FIRE: California Department of Forestry and Fire Protection.

Dead-end road: A road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.

Defensible space: The area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, road names and building identification, and fuel modification measures.

Development: As defined in section 66418.1 of the California Government Code.

Director: Director of the Department of Forestry and Fire Protection or their designee.

Driveway: A vehicular access that serves up to two (2) parcels with no more than two (2) residential units and any number of non-commercial or industrial buildings on each parcel.

Distance Measurements: All specified or referenced distances are measured along the ground, unless otherwise stated.

EXCEPTION: An alternative to the specified standard requested by the applicant that may be necessary due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem.

Fire valve: see hydrant.

Fuel modification area: An area where the volume of flammable vegetation has been reduced, providing reduced fire intensity and duration.

Greenbelts: A facility or land-use, designed for a use other than fire protection, which will slow or resist the spread of a wildfire. Includes parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards or annual crops that do not cure in the field.

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

Hammerhead/T: A road or driveway that provides a "T" shaped, three-point turnaround space for emergency equipment, being no narrower than the road that serves it.

Hydrant: A valved connection on a water supply or storage system, having either one two and a half (2 1/2) inch or one four and a half (4 1/2) inch outlet, with male American National Fire Hose Screw Threads (NH), used to supply fire apparatus and hoses with water.

Local Jurisdiction: Any county, city/county agency or department, or any locally authorized district that issues or approves building permits, use permits, tentative maps or tentative parcel maps, or has authority to regulate development and construction activity.

Occupancy: The purpose for which a building, or part thereof, is used or intended to be used.

One-way road: A minimum of one traffic lane width designed for traffic flow in one direction only.

Residential unit: Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and/or sanitation for one or more persons. Manufactured homes, mobilehomes, and factory-built housing are considered residential units for the purposes of mandatory measures required in 14 CCR § 1270.01(c).

Road: Vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial occupancy. Includes public and private streets and lanes.

Road or driveway structures: Bridges, culverts, and other appurtenant structures which supplement the traffic lane or shoulders.

Same Practical Effect: As used in this subchapter, means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

(a) access for emergency wildland fire equipment,

(b) safe civilian evacuation,

(c) signing that avoids delays in emergency equipment response,

(d) available and accessible water to effectively attack wildfire or defend a structure from wildfire, and

(e) fuel modification sufficient for civilian and fire fighter safety.

Shoulder: Vehicular access adjacent to the traffic lane.

State Board of Forestry and Fire Protection (Board): As defined in Public Resources Code section 730.

State Responsibility Area (SRA): As defined in Public Resources Code sections 4126-4127; and the California Code of Regulations, title 14, division 1.5, chapter 7, article 1, sections 1220-1220.5.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Subdivision: As defined in section 66424 of the Government Code.

Traffic lane: The portion of a road or driveway that provides a single line of vehicle travel.

Turnaround: A road or driveway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Design of such area may be a hammerhead/T or terminus bulb.

Turnouts: A widening in a road or driveway to allow vehicles to pass.

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

Utility and Miscellaneous Group U building: A structure of an accessory character or a miscellaneous structure not classified in any specific occupancy permitted, constructed, equipped, and maintained to conform to the requirements of Title 24, California Building Standards Code.

Vertical clearance: The minimum specified height of a bridge or overhead projection above the road or driveway.

Wildfire: As defined in Public Resources Code Section 4103 and 4104.

§ 1271.05. Distance Measurements. [Repealed]

§ 1272.00. Maintenance of Defensible Space Measures. [Repealed]

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

Article 2. Emergency Access and Egress

§ 1273.00. Intent.

Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

§ 1273.01. Width.

(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.

(b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads.

(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units.

(2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

(c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13’ 6”).

§ 1273.02. Roadway Surface.

(a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.

(b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.

(c) Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction.

§ 1273.03. Grades.

(a) At no point shall the grade for all roads and driveways exceed 16 percent.

(b) The grade may exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect.

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

§ 1273.04. Radius.

(a) No road or road structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet.

(b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet.

§ 1273.05. Turnarounds.

(a) Turnarounds are required on driveways and dead-end roads.

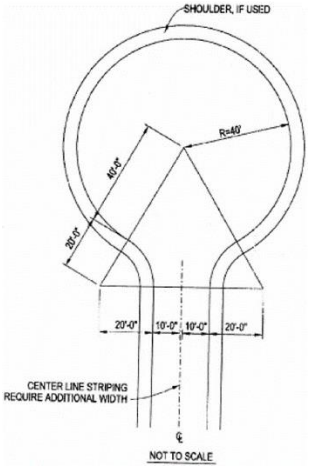
(b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.

(c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.

(d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.

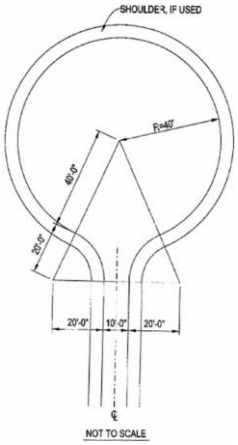
(d) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.

(e) Figure A. Turnarounds on roads with two ten-foot traffic lanes.



Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

(f) Figure B. Turnarounds on driveways with one ten-foot traffic lane.



§ 1273.06. Roadway Turnouts.

Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.

§ 1273.07. Road and Driveway Structures.

(a) Appropriate signing, including but not limited to weight or vertical clearance limitations, one-way road or single traffic lane conditions, shall reflect the capability of each bridge.

(b) Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with the American Association of State and Highway Transportation Officials Standard Specifications for Highway Bridges, 17th Edition, published 2002 (known as AASHTO HB-17), hereby incorporated by reference. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the local authority having jurisdiction.

(c) Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, barriers, or signs, or both, as approved by the local authority having jurisdiction, shall be installed and maintained.

(d) A bridge with only one traffic lane may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends.

§ 1273.08. Dead-end Roads.

(a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

parcels zoned for less than one acre - 800 feet

parcels zoned for 1 acre to 4.99 acres - 1,320 feet

parcels zoned for 5 acres to 19.99 acres - 2,640 feet

parcels zoned for 20 acres or larger - 5,280 feet

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.

(b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

§ 1273.09. Gate Entrances.

(a) Gate entrances shall be at least two (2) feet wider than the width of the traffic lane(s) serving that gate and a minimum width of fourteen (14) feet unobstructed horizontal clearance and unobstructed vertical clearance of thirteen feet, six inches (13’ 6”).

(b) All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

(c) Where a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used.

(d) Security gates shall not be installed without approval. Where security gates are installed, they shall have an approved means of emergency operation. Approval shall be by the local authority having jurisdiction. The security gates and the emergency operation shall be maintained operational at all times.

§ 1273.10. Driveways. [Repealed]

§ 1273.11. Gate Entrances. [Repealed]

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

Article 3. Signing and Building Numbering

§ 1274.00. Intent.

To facilitate locating a fire and to avoid delays in response, all newly constructed or approved roads and buildings shall be designated by names or numbers posted on signs clearly visible and legible from the road. This section shall not restrict the size of letters or numbers appearing on road signs for other purposes.

§ 1274.01. Road Signs.

(a) Newly constructed or approved roads must be identified by a name or number through a consistent system that provides for sequenced or patterned numbering and/or non-duplicative naming within each local jurisdiction. This section does not require any entity to rename or renumber existing roads, nor shall a road providing access only to a single commercial or industrial occupancy require naming or numbering.

(b) The size of letters, numbers, and symbols for road signs shall be a minimum four (4) inch letter height, half inch (.5) inch stroke, reflectorized, contrasting with the background color of the sign.

§ 1274.02. Road Sign Installation, Location, and Visibility.

(a) Road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred (100) feet.

(b) Signs required by this article identifying intersecting roads shall be placed at the intersection of those roads.

(c) A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end roads, one-way roads, or single lane conditions, shall be placed:

(i) at the intersection preceding the traffic access limitation, and

(ii) no more than one hundred (100) feet before such traffic access limitation.

(d) Road signs required by this article shall be posted at the beginning of construction and shall be maintained thereafter.

§ 1274.03. Addresses for Buildings.

(a) All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Utility and miscellaneous Group U buildings are not required to have a separate address; however, each residential unit within a building shall be separately identified.

(b) The size of letters, numbers, and symbols for addresses shall conform to the standards in the California Fire Code, California Code of Regulations title 24, part 9.

(c) Addresses for residential buildings shall be reflectorized.

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

§ 1274.04. Address Installation, Location, and Visibility.

(a) All buildings shall have a permanently posted address which shall be plainly legible and visible from the road fronting the property.

(b) Where access is by means of a private road and the address identification cannot be viewed from the public way, an unobstructed sign or other means shall be used so that the address is visible from the public way.

(c) Address signs along one-way roads shall be visible from both directions.

(d) Where multiple addresses are required at a single driveway, they shall be mounted on a single sign or post.

(e) Where a road provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site, or otherwise posted to provide for unobstructed visibility from that intersection.

(f) In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter.

§ 1274.05. Intersecting Roads, Streets and Private Lanes. [Repealed]

§ 1274.06. Signs Identifying Traffic Access Limitations. [Repealed]

§ 1274.07. Installation of Road, Street and Private Lane Signs. [Repealed]

§ 1274.08. Addresses for Buildings. [Repealed]

§ 1274.09. Size of Letters, Numbers and Symbols for Addresses. [Repealed]

§ 1274.10. Installation, Location and Visibility of Addresses. [Repealed]

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

Article 4. Emergency Water Standards

§ 1275.00. Intent.

Emergency water for wildfire protection shall be available, accessible, and maintained in quantities and locations specified in the statute and these regulations in order to attack a wildfire or defend property from a wildfire.

§ 1275.01. Application.

The provisions of this article shall apply in the tentative and parcel map process when new parcels are approved by the local jurisdiction having authority.

§ 1275.02. Water Supply.

(a) When a water supply for structure defense is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when alternative methods of protection are provided and approved by the local authority having jurisdiction.

(b) Water systems equaling or exceeding the California Fire Code, California Code of Regulations title 24, part 9, or, where a municipal-type water supply is unavailable, National Fire Protection Association (NFPA) 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 2017 Edition, hereby incorporated by reference, shall be accepted as meeting the requirements of this article.

(c) Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or man made containment structure, as long as the specified quantity is immediately available.

(d) Nothing in this article prohibits the combined storage of emergency wildfire and structural firefighting water supplies unless so prohibited by local ordinance or specified by the local fire agency.

(e) Where freeze or crash protection is required by local jurisdictions having authority, such protection measures shall be provided.

§ 1275.03. Hydrants and Fire Valves.

(a) The hydrant or fire valve shall be eighteen (18) inches above the finished surface. Its location in relation to the road or driveway and to the building(s) or structure(s) it serves shall comply with California Fire Code, California Code of Regulations title 24, part 9, Chapter 5, and Appendix C.

(b) The hydrant head shall be a two and half (2 ½) inch National Hose male thread with cap for pressure and gravity flow systems and four and a half (4 ½) inch for draft systems.

(c) Hydrants shall be wet or dry barrel and have suitable freeze or crash protection as required by the local jurisdiction.

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

§ 1275.04. Signing of Water Sources.

(a) Each hydrant, fire valve, or access to water shall be identified as follows:

(1) if located along a driveway, a reflectorized blue marker, with a minimum dimension of three (3) inches shall be located on the driveway address sign and mounted on a fire retardant post, or

(2) if located along a road,

(i) a reflectorized blue marker, with a minimum dimension of three (3) inches, shall be mounted on a fire retardant post. The sign post shall be within three (3) feet of said hydrant or fire valve, with the sign no less than three (3) feet nor greater than five (5) feet above ground, in a horizontal position and visible from the driveway, or

(ii) as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

§ 1275.10. General Standards. [Renumbered]

§ 1275.15. Hydrant/Fire Valve. [Renumbered]

§ 1275.20. Signing of Water Sources. [Renumbered]

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

Article 5. Fuel Modification Standards

§ 1276.00. Intent.

To reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation, the strategic siting of fuel modification and greenbelts shall provide for increased safety for emergency fire equipment and evacuating civilians by its utilization around structures and roads, including driveways, and a point of attack or defense from a wildfire.

§ 1276.01. Setback for Structure Defensible Space.

(a) All parcels shall provide a minimum thirty (30) foot setback for all buildings from all property lines and/or the center of a road.

(b) When a thirty (30) foot setback is not possible for practical reasons, which may include but are not limited to parcel dimensions or size, topographic limitations, or other easements, the local jurisdiction shall provide for same practical effect.

(i) Same practical effect requirements shall reduce the likelihood of home-to-home ignition.

(ii) Same practical effect options may include, but are not limited to, noncombustible block walls or fences; five (5) feet of noncombustible material horizontally around the structure; installing hardscape landscaping or reducing exposed windows on the side of the structure with a less than thirty (30) foot setback; or additional structure hardening such as those required in the California Building Code, California Code of Regulations title 24, part 2, Chapter 7A.

(c) Structures constructed in the SRA are required to comply with the defensible space regulations in Title 14. Natural Resources Division 1.5. Department of Forestry and Fire Protection Chapter 7. Fire Protection Subchapter 3. Fire Hazard.

§ 1276.02. Maintenance of Defensible Space Measures.

To ensure continued maintenance of commonly owned properties in conformance with these standards and to assure continued availability, access, and utilization of the defensible space provided by these standards during a wildfire, provisions for annual maintenance shall be provided in emergency access covenants or similar binding agreements.

§ 1276.03. Disposal of Flammable Vegetation and Fuels.

Disposal, including chipping, burying, burning or removal to a site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.

§ 1276.04. Greenbelts.

Subdivision and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the local authority having jurisdiction and may be consistent with the CAL FIRE Unit Fire Management Plan or Contract County Fire Plan.

Source: Thomas Reuters Westlaw, California Code of Regulations. https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I4650C2B05B4D11EC976B000DA7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default). Accessed November 7, 2022.

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SANTA CLARA COUNTY FIRE DEPARTMENT
14700 Winchester Blvd., Los Gatos, CA 95032 | (408) 378-4010 | www.sccfd.org

PLAN REVIEW No. 22 1548

BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

Plans and Scope of Review:

This project shall comply with the following:
The California Fire (CFC) & Building (CBC) Code, 2019 edition, as adopted by the Town of Los Gatos Town Code (LGTC), California Code of Regulations (CCR) and Health & Safety Code.

The scope of this project includes the following:

Proposed new 3,614 SF two-story single-family residence with attached garage on site of an existing 1,080 SF pool house. New 1,200 SF detached Accessory Dwelling Unit (ADU) submitted under separated permit.

Plan Status:

Plans are **NOT APPROVED.** Revise and resubmit drawings and provide a response letter addressing comments on this plan review.

Plan Review Comments:
1. Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.

NOTE: The subject property is located within the Very High Fire Hazard Severity Zone (VHFHSZ) of the Local Responsibility Area (LRA).
Pursuant to Californina Public Resources Code (PRC) 4290, the California Board of Forestry and Fire Protection is required to "…adopt regulations implementing minimum fire safety standards related to defensible space" applicable to "the perimeters and access to all residential, commercial, and industrial building construction." In 2018, the Legislature passed and the Governor signed SB 901 (Dodd), which expanded the applicability of the regulations promulgated under PRC 4290 to land in the Local Responsibility Area (LRA) Very High Fire Hazard Severity Zone. All comments below that result from PRC 4290 are identified by **.

City	PLANS	SPECS	NEW	RMDL	AS	OCCUPANCY	CONST. TYPE	ApplicantName	DATE	PAGE
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SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION	PROJECT TYPE OR SYSTEM
2	3614		Residential Development	Design Review

NAME OF PROJECT	LOCATION
SFR	17121 Crescent Dr Los Gatos

TABULAR FIRE FLOW	REDUCTION FOR FIRE SPRINKLERS	REQUIRED FIRE FLOW @ 20 PSI	BY
1750	50%	875	Ip, Kenny

PLAN REVIEW No. 22 1548

BLDG PERMIT No.

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** 2. **Dead-end Roads:** (a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served: parcels zoned for less than one acre - 800 feet. Parcels zoned for 1 acre to 4.99 acres - 1,320 feet. Parcels zoned for 5 acres to 19.99 acres - 2,640 feet. Parcels zoned for 20 acres or larger - 5,280 feet. All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.08. **This parcel is located within the Very High Fire Hazard Severity Zone and the dead-end access road exceeds the maximum length of 800 feet. Current PRC 4290 regulations remain in effect. The proposed Safe Civilian Access Route doesn't provide for vehicle travel and therefore doesn't meet same practical effect. This request for exemption is not accepted.**

3. **Width: (a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250. (b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads. (1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units. (2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road. (c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6"). California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2 Articles 1-5, § 1273.01. **20 ft roadway is required from both Cypress Way & S Kennedy Rd to the proposed residence. On sheet 17, the roadway width doesn't comply with PRC 4290.**

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1750	50%	875	Ip, Kenny

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BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

4. **Road Surfaces: *(As Noted on Sheet 17)* (a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base. (b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds. (c) Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.02.

5. **Grades: *(As Noted on Sheet 17)* (a) At no point shall the grade for all roads and driveways exceed 16 percent. (b) The grade may exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.03.

6. **Radius: *(As Noted on Sheet 17)* (a) No road or road structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet. (b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.04.

7. **Turnaround: (a) Turnarounds are required on driveways and dead-end roads. (b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length. (c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart. (d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building. (d) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals. (e) Figure A. Turnarounds on roads with two ten-foot traffic lanes. California Code of California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.05. **Sheet 3 reflects alternate turnaround to SCCFD D-1 standard. Provide graphic design analysis, such as "Autoturn" to demonstrate equivalency.**

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1750	50%	875	Ip, Kenny

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BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

8. **Fire Sprinklers Required:** An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: 1) In all new one- and two-family dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 SF whether by increasing the area of the primary residence or by creation of an attached Accessory Dwelling Unit. 2) In all new basements and in existing basements that are expanded by more than 50%. 3) In all attached ADUs, additions or alterations to an existing one- and two-family dwelling that have an existing fire sprinkler system. **Exceptions:** 1) One or more additions made to a building after January 1, 2011 that does not total more than 1,000 square feet of building area and meets all access and water supply requirements of Chapter 5 and Appendix B and C of the 2019 California Fire Code. 2) Detached Accessory Dwelling Units, provided that all of the following are met: a) The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2. b) The existing primary residence does not have automatic fire sprinklers. c) The detached ADU does not exceed 1,200 square feet in size. d) The unit is on the same lot as the primary residence. e) The unit meets all access and water supply requirements of Chapter 5 and Appendix B and C of the 2019 California Fire Code. **Residence, pool house & ADU require sprinklers. Clearly identify intent to install residential fire sprinkler in all structures on sheet A0.0.**

9. **Required Fire Flow:** *(Letter received)* The minimum require fireflow for this project is 875 Gallons Per Minute (GPM) at 20 psi residual pressure. This fireflow assumes installation of automatic fire sprinklers per CFC [903.3.1.3]

10. **Fire Apparatus (Engine) Turnaround Required:** Provide an approved fire apparatus (engine) turnaround with a minimum radius of 36 feet outside and 23 feet inside. Maximum grade in any direction shall be a maximum of 5%. Installations shall conform with Fire Department Standard Details and Specifications D-1. CFC Sec. 503. **Sheet 3 reflects alternate turnaround to SCCFD D -1 standard. Provide graphic design analysis, such as "Autoturn" to demonstrate equivalency.**

11. **Fire Apparatus (Engine)Access Roadway Required:** Provide an access roadway with a paved all-weather surface, a minimum unobstructed width of 20 feet, vertical clearance of 13 feet 6 inches, minimum circulating turning radius of 42 feet outside, and a maximum slope of 15%. Surfaceshall be capable of supporting 75K pounds. Installations shall conform to Fire Department Standard Details and Specifications sheet A-1. CFC Sec. 503. **20 ft roadway is required. On sheet 17, the roadway width doesn't comply.**

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SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION	PROJECT TYPE OR SYSTEM
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BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

12. **Water Supply Requirements:** Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.

13. **Address identification:** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.

14. **Construction Site Fire Safety:** All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.

This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

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FIRE DEPARTMENT
SANTA CLARA COUNTY

14700 Winchester Blvd., Los Gatos, CA 95032-1818
(408) 378-4010 • (408) 378-9342 (fax) • www.sccfd.org

APPLICATION FOR USE OF ALTERNATE MATERIALS, METHODS OF CONSTRUCTION, OR MODIFICATION OF CODE

Project Address: 17121 Crescent Dr. Los Gatos CA. 95030

Applicant's Name: Eric & Lee Ann Wade

Applicant's Address: 17121 Crescent Dr. Los Gatos CA. 95030 Suite _____

Telephone: 408-314-2755 Fax: _____

The applicant hereby requests the following:

☒ Use of Alternate Materials or Method of Construction
PRC 4290 Exception request

☐ Modification of Code

Codes Affected:

☐ Building Code
☐ Fire Code
☐ Mechanical Code
☐ Electrical Code
☒ Other: PRC 4290 Exception Request

Specific section(s) of the code involved: Article 2 Emergency Access, 1273.09 Dead End Roads

Brief description of the request: Exception under "Same Practical Effect"

The Building and Fire Official must evaluate information that the material(s), method of work, and/or modification is equal to the intent of the code in strength, effect, fire- resistance, durability, safety, etc.

Please complete the following information as applicable to support your request. Use additional paper if necessary.

1. Quality:

2. Strength

3. Effectiveness:

4. Fire Resistance: See attached letter and supporting documents

5. Durability:

6. Safety:

Additional evidence of proof: See attached letter and associated documents.

Applicant Signature: Erica Welch Date: 5-25-2022

****

The above application has been reviewed and has been:

ACCEPTED **REJECTED**

Signature:

Fire Official: _____ Date: _____

Building Official: N/A Date: _____

Alternative materials / ss / 12.31.14

17121 Crescent dr.
Los Gatos. CA 95030

Attn: SCCF Fire Chief

The information provided here is in support of our request for exemption under the SCCF application for use of alternate materials, methods of construction, or modification of code.

As currently designed, the proposed home will provide substantial protection using A-1 fire safe materials such as all concrete and stucco siding, metal roofing, ember proof ventilation screening, tempered glass windows and doors, fire suppression sprinkler systems etc.

In addition we argue for an exception on the following:

Article 2. Emergency Access

1273.09. Dead end Roads

We believe our application meets the necessary requirements for exception under :

1271.00. Definitions: “Same Practical Effect”

Definition of “Practical”

1. Of or concerned with the actual doing or use of something rather than with theory and ideas.

2. (Of an idea, plan, or method) likely to succeed or be effective in real circumstances; feasible.

Under Title 14, Natural Resources, Division 1.5, Department of Forestry, Chapter 7, Fire Protection, Sub Chapter 2, SRA Fire Safe Regulations, Articles 1-5. See:

Same Practical Effect: As used in this subchapter, means an exception or alternative with the capability of applying accepted wild land fire suppression strategies and tactics, and provisions for fire fighter safety, including:

(a) Access for emergency wild land fire equipment,

Condition met through existing 20’ wide primary access road.

(b) Safe civilian evacuation

Condition met through existing/deeded Safe Civilian Access corridor.(see attached neighborhood map)

(c) Signing that avoids delays in emergency equipment response,

Condition can be met by adding signage.

(d) Available and accessible water to effectively attack wildfire or defend a structure from wildfire, and

Condition met. (see attached fire hydrant flow letter)

(e) Fuel modification sufficient for civilian and fire fighter safety.

Condition Met. Property has been cleared of most all vegetation.

All portions of Title 14- Natural Resources Division 1.5- Department of Forestry, Chapter 7- fire Protection Subchapter 2 SRA Fire Safe Regulations, Articles 1-5 carry the same weight of enforcement.

Regulation 1271.00. Same Practical Effect caries no diminished level of enforcement or acceptability than any other portion of these regulations. If not, then all regulations are subject to some diminished level of enforceability.

The definition of Same Practical Effect says nothing about "vehicular traffic". This property offers the effect of allowing civilians and or fire crews to escape through the Safe Civilian Access corridor.

Under Title 14- Natural Resources Division 1.5- Department of Forestry, Chapter 7- fire Protection Subchapter 2 SRA Fire Safe Regulations, Articles 1-5 this project complies with the access requirements. The compliance is noted in **Bold.**

1273.00. Intent

Road and street networks, whether public or private, unless exempted under Section 1270.02 (e), shall provide for safe access for emergency wild land fire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with Section 1273.00 through 1273.11.

1273.01. Road Width

All roads shall be constructed to provide a minimum of two nine-foot traffic lanes providing two-way traffic flow, unless other standards are provided in this article, or additional requirements are mandated by local jurisdictions or local subdivision requirements.

The current road is on average 20' wide

1273.02. Roadway Surface

The surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting a 40,000 pound load.

The current road is designed for this weight

1273.03. Roadway Grades

The grade for all roads, streets, private lands and driveways shall not exceed 16 percent.

No portion of the road is over 16 percent grade

1273.04. Roadway Radius

(a) No roadway shall have a horizontal inside radius of curvature of less than 50 feet and additional surface width of 4 feet shall be added to curves of 50-100 feet radius; 2 feet to those from 100-200 feet.

(b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than 100 feet.

No portion of the road exceeds the minimum radius.

1.273.05. Roadway Turnarounds

Turnarounds are required on driveways and dead-end roads as specified in this article. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the 'T' shall be a minimum of 60 feet in length.

Type A residential hammerhead is proposed on the subject property.

1273.06. Roadway Turnouts

Turnouts shall be a minimum of l 0 feet wide and 30 feet long with a minimum 25 foot taper on each end.

Not required as road is 20’ wide in most places.

1273.07. Roadway Structures

(a) All driveway, road, street, and private and roadway structures shall be constructed to carry at least the maximum load and provide the minimum vertical clearance as required by Vehicle Code Sections 35550, 35750, and 35250.

(b) Appropriate signing, including, but not limited to weight or vertical clearance limitations, one-way road or single lane conditions, shall reflect the capability of each bridge.

(c) A bridge with only one traffic land may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends.

Current road complies

1273.08 One-Way Roads

All one-way roads shall be constructed to provide a minimum of one l0- foot traffic lane. The local jurisdiction may approve one-way roads. All one-way roads shall connect to a two-lane roadway at both ends, and shall provide access to an area currently zoned for no more than 10 dwelling units. In no case shall it exceed 2640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one- way road.

Current road is a two-way road

1273.09. Dead-End Roads

(a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

Parcels zoned for less than one acre 1800 feet

Parcels zoned for 1 acre to 4.99 acres 1320 feet

Parcels zoned for 5 acres to 19.99 acres 12640 feet

Parcels zoned for 20 acres or larger 5280 feet

All lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned, parcel sizes, requiring length limits, the shortest allowable length shall apply.

(b) Where parcels are zoned 5 acres or larger, turnarounds shall be provided at a maximum of 1320 foot intervals.

(c) Each dead-end road shall have a turnaround constructed at is terminus.

Same Practical Effect applies

1273.10. Driveways

All driveways shall provide a minimum 10 foot traffic lane and unobstructed vertical clearance of 15 feet along its entire length.

(a) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.

(b) A turnaround shall be provided at all building sites on driveways over 300 feet in length, and shall be within 50 feet of the building.

Not applicable to this project

1273.11 Gate Entrances

(a) Gate entrances shall be at least two feet wider than the width of the traffic lane(s) serving that gate.

(b) All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

(c) Where a one-way road with a single traffic land provides access to a gated entrance, a 40 foot turning radius shall be used.

Not applicable to this project

Per these definitions, Crescent dr. has a usable means to provide for safe access for emergency wild land fire equipment and civilian evacuation concurrently. It also complies with all requirements to meet minimum standards and is eligible for approval under the currently enforced fire safe regulations.

Per the definition of “practical” it is unrealistic to and should be prohibitive to peruse unrealistic and cost prohibitive improvements, like building complete road systems, to be borne on the backs of the individual applicant.

We believe the SCCF is looking to support any argument of a regulation that provides latitude in its interpretation in favor of arguments that result in creating a more fire safe neighborhood.

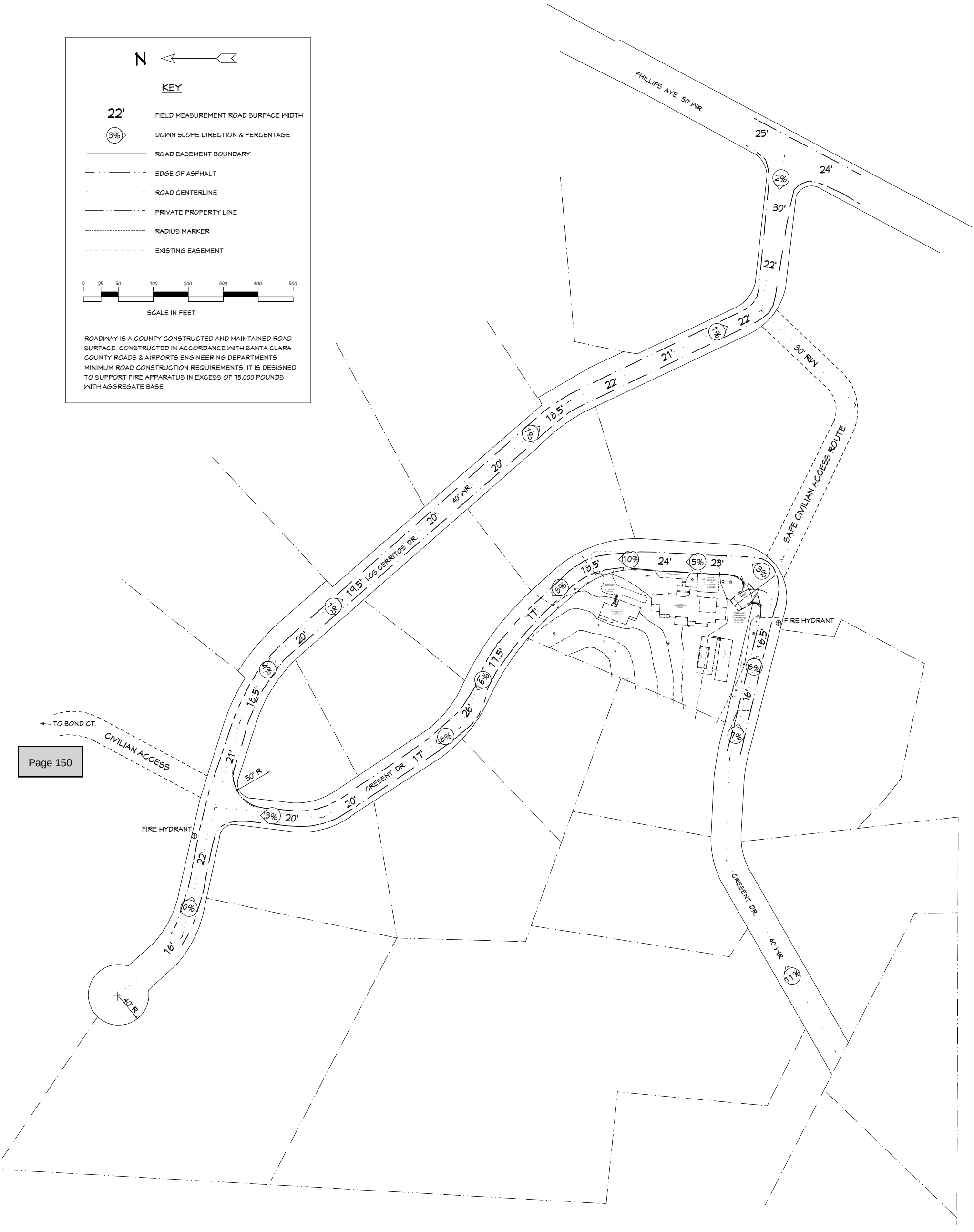
Interpretations of regulations in a manner that restricts the implementation of more fire safe homes and neighborhoods will continue to exacerbate the diminishing fire safety in those existing neighborhoods. There is no down side to allowing the construction of a new fire safe home where an existing un-fire safe one exists. Fire crews are currently duty bound to enter a neighborhood during a fire event to attempt in saving the structures and provide safety to the residence therein. The more homes that are allowed to rebuild existing or build new with fire safety measures, materials and access in these existing neighborhoods only helps create a more fire safe neighborhood.

Approving this application reduces liability, is acceptable, legal and benefits the departments end goal of creating a more fire safe neighborhood.

Thank you for your consideration of this argument.

Eric & Lee Ann Wade

CRESCENT DR. ROAD STUDY



Upper existing safe civilian evacuation route. Signage can be added.

Lower existing safe civilian evacuation route. Signage can be added.

SAN JOSE WATER
1265 S. Bascom Avenue
San Jose, CA 95128-3514

Writer's Direct Line: (408) 279-7821
Email: marty.henderson@sjwater.com

March 29, 2022

Eric Wade
Wade Construction
17121 Crescent Dr
Los Gatos, CA 95030

Reference: 17121 Crescent Dr., Los Gatos, CA
APN: 532-21-007

Dear Mr. Wade:

Per a request, we conducted a computer simulation to determine fire flow availability at the referenced location. The purpose of the simulation is to determine if 1,000 GPM is available. The table below gives the results of the computer simulation, which are valid for one year from the date of the simulation. Elevations are interpolated from United States Geological Survey contours.

Hyd. No.	Location	GPM	Static PSI	Residual PSI
G-00592 Elev. = 606'	Crescent Dr., approx. 1003' S. of Los Cerritos Dr.	1000	81	31
Date of Simulation: June 14, 2021				

Determining the adequacy of fire protection from the information provided herein is the responsibility of those qualified to do so. San Jose Water Company undertakes to supply only such water at such pressure as may be available any time through the normal operation of its system. Section 774 of the Public Utilities Code limits the liability of the utility resulting from a claim regarding the provision or maintenance of an adequate water supply, water pressure, equipment or other fire protection facility or service

Sincerely,

Marty Henderson
Engineering Support Supervisor

For additional information
Backflow: 408-279-7872
Map requests: 408-918-7360
Static water pressure: 408-918-7361
Water meter sizing: 408-279-7839

MH:mmr
17121CrescentDrHYD.doc

SANTA CLARA COUNTY FIRE DEPARTMENT
14700 Winchester Blvd., Los Gatos, CA 95032 | (408) 378-4010 | www.sccfd.org

PLAN REVIEW No. 22 1989

BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

Plans and Scope of Review:

This project shall comply with the following:
The California Fire (CFC) & Building (CBC) Code, 2019 edition, as adopted by the Town of Los Gatos Town Code (LGTC), California Code of Regulations (CCR) and Health & Safety Code.

The scope of this project includes the following:
Request for Exception to Fire Safe Regulations applicable to a proposed 3,614 SF two-story single-family residence with attached garage on site of an existing 1,080 SF pool house.

Plan Status:
The proposed request for exception is **DENIED**. If conditions exist that rectify the findings herein, a revised request for exception may be submitted for consideration. Otherwise, the process to appeal the decision may be pursued, in coordination with the Town of Los Gatos appeal process.

Plan Review Comments:
Discussion: The subject parcel is located within the Very High Fire Hazard Severity Zone of the Local Responsibility Area (LRA), and is subject to the requirements of the Fire Safe Regulations, per 14 CCR § 1270.02. This application proposes use of an existing "bridal path" easement as a safe civilian access route to provide for "same practical effect", per 14 CCR §1270.06, Exceptions to Standards.The primary findings, for which the subject project is deemed non-compliant, regard road width, dead-end road and fire apparatus turnaround.

Note: Comments include reference section text from California Code of Regulations, Title 14.

1. The subject project is located approximately 1,500 feet beyond the intersection of Phillips Avenue and Los Cerritos Drive, which establishes the beginning of the dead end road measurement. The exception request proposes pedestrian civilian evacuation route by improving an existing "bridal path" easement. Although the improvement will allow for pedestrian evacuation, it does not provided unobstructed traffic circulation during a wildfire, as intended by the Fire Safe Regulations, for parcels zoned for 1 acre to 4.99 acres. The "bridal path" could be considered for elimination of the dead end road if prepared as a one-way road per 14 CCR § 1273.01.

City	PLANS	SPECS	NEW	RMDL	AS	OCCUPANCY	CONST. TYPE	ApplicantName	DATE	PAGE
LGA	☐	☐	☐	☐	☐			Eric & Lee Ann Wade	7/20/2022	1 OF 4

SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION	PROJECT TYPE OR SYSTEM
PRC			Residential Development	Application for Use of Alternate Materials

NAME OF PROJECT	LOCATION
SFR	17121 Crescent Drive Los Gatos

TABULAR FIRE FLOW	REDUCTION FOR FIRE SPRINKLERS	REQUIRED FIRE FLOW @ 20 PSI	BY
			Campbell, Rob

PLAN REVIEW No. 22 1989

BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

§ 1273.00. Intent.
Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

§ 1273.08. Dead-end Roads.
(a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

parcels zoned for less than one acre - 800 feet
parcels zoned for 1 acre to 4.99 acres - 1,320 feet
~~parcels zoned for 5 acres to 19.99 acres - 2,640 feet~~ **N/A**
~~parcels zoned for 20 acres or larger - 5,280 feet~~ **N/A**

All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.
(b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

2. The proposed exception reflects road widths ranging from 17 to 24 feet with a stated average width of 20 feet. No change to the existing road width is proposed by way of the exception request. The existing road widths are capable of providing Same Practical Effect, for passing vehicles in the LRA, but require additional validation. 14 CCR § 1273.01

§ 1273.01. Width.
(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.

City	PLANS	SPECS	NEW	RMDL	AS	OCCUPANCY	CONST. TYPE	ApplicantName	DATE	PAGE
LGA	☐	☐	☐	☐	☐			Eric & Lee Ann Wade	7/20/2022	2 OF 4

SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION	PROJECT TYPE OR SYSTEM
PRC			Residential Development	Application for Use of Alternate Materials

NAME OF PROJECT	LOCATION
SFR	17121 Crescent Drive Los Gatos

TABULAR FIRE FLOW	REDUCTION FOR FIRE SPRINKLERS	REQUIRED FIRE FLOW @ 20 PSI	BY
			Campbell, Rob

PLAN REVIEW No. 22 1989

BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

3. The exception request shows a turnaround that does not comply with the Fire Safe Regulations, by dimension or location at the terminus. Further, the design does not meet all prescriptive dimensions of the SCCFD D-1 standard, but could do so with minor design adjustment. A turnaround meeting the SCCFD D-1 standard may be considered a component of same practical effect if properly designed and dedicated for public use and/or emergency vehicle access.

§ 1273.05. Turnarounds.

(a) Turnarounds are required on driveways and dead-end roads.

(b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.

~~(c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.~~ **N/A**

~~(d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.~~ **N/A**

(d) Each dead-end road shall have a turnaround constructed at its terminus. ~~Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.~~

Relevant definitions per 14 CCR § 1271.00

Defensible space: The area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, road names and building identification, and fuel modification measures.

Dead-end road: A road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.

Distance Measurements: All specified or referenced distances are measured along the ground, unless otherwise stated.

City	PLANS	SPECS	NEW	RMDL	AS	OCCUPANCY	CONST. TYPE	ApplicantName	DATE	PAGE
LGA	☐	☐	☐	☐	☐			Eric & Lee Ann Wade	7/20/2022	3 OF 4

SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION	PROJECT TYPE OR SYSTEM
PRC			Residential Development	Application for Use of Alternate Materials

NAME OF PROJECT	LOCATION
SFR	17121 Crescent Drive Los Gatos

TABULAR FIRE FLOW	REDUCTION FOR FIRE SPRINKLERS	REQUIRED FIRE FLOW @ 20 PSI	BY
			Campbell, Rob

PLAN REVIEW No. 22 1989

BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

Exception: An alternative to the specified standard requested by the applicant that may be necessary due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem.

Hammerhead/T: A road or driveway that provides a "T" shaped, three-point turnaround space for emergency equipment, being no narrower than the road that serves it.

One-way road: A minimum of one traffic lane width designed for traffic flow in one direction only.

Road: Vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial occupancy. Includes public and private streets and lanes.

Same Practical Effect: As used in this subchapter, means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:
(a) access for emergency wildland fire equipment,
(b) safe civilian evacuation,
(c) signing that avoids delays in emergency equipment response,
(d) available and accessible water to effectively attack wildfire or defend a structure from wildfire, and
(e) fuel modification sufficient for civilian and fire fighter safety.

Turnaround: A road or driveway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Design of such area may be a hammerhead/T or terminus bulb.

This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

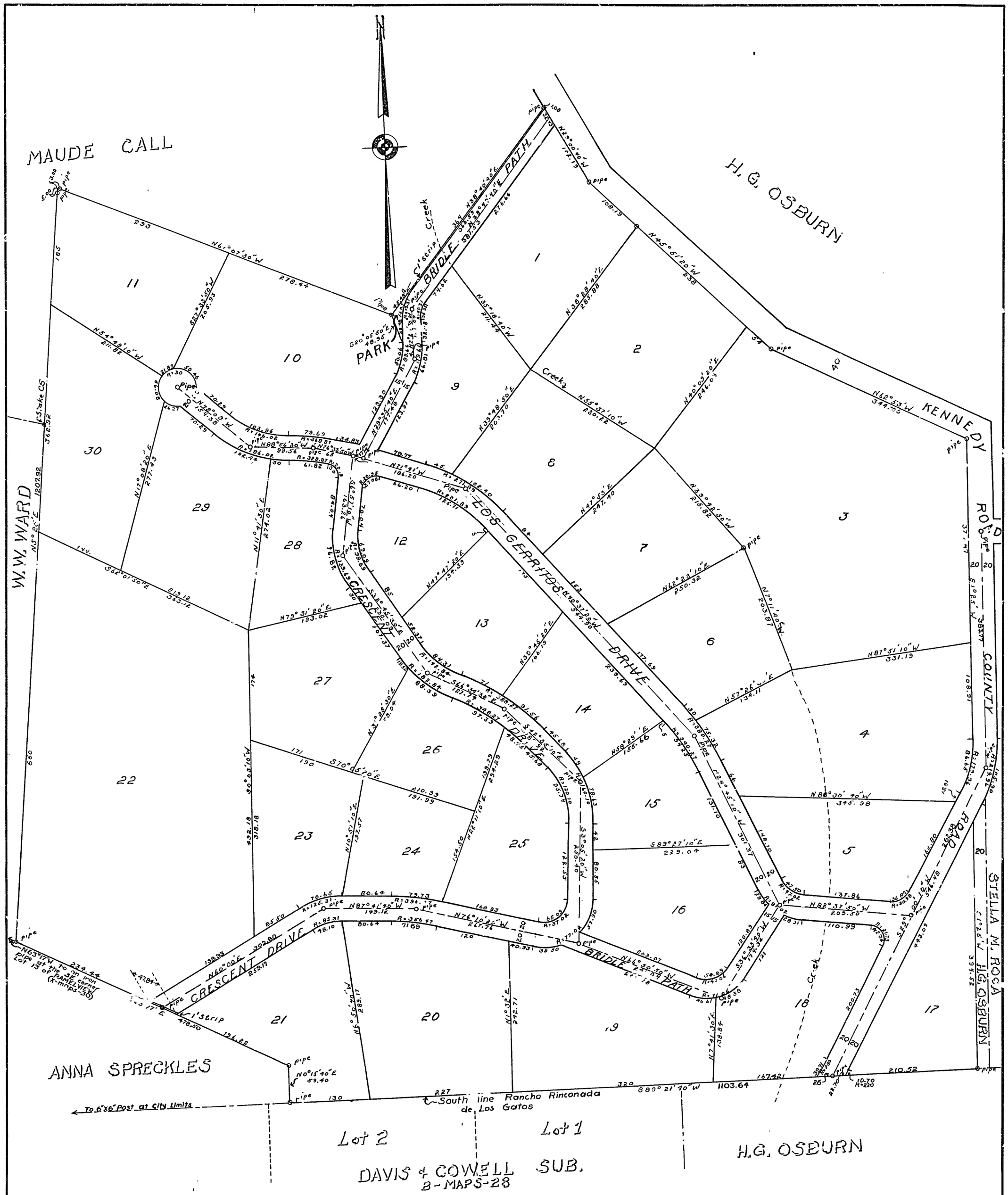
City	PLANS	SPECS	NEW	RMDL	AS	OCCUPANCY	CONST. TYPE	ApplicantName	DATE	PAGE
LGA	☐	☐	☐	☐	☐			Eric & Lee Ann Wade	7/20/2022	4 OF 4

SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION	PROJECT TYPE OR SYSTEM
PRC			Residential Development	Application for Use of Alternate Materials

NAME OF PROJECT	LOCATION
SFR	17121 Crescent Drive Los Gatos

TABULAR FIRE FLOW	REDUCTION FOR FIRE SPRINKLERS	REQUIRED FIRE FLOW @ 20 PSI	BY
			Campbell, Rob

9/11



MAP OF CRESCENT HILL

SANTA CLARA COUNTY

CALIFORNIA

Surveyed by MARK E. THOMAS Civil and Subdivision Engineer

SAN JOSE, CALIFORNIA MAY 1929

Scale 1" = 100'

H 16223

SHEET NO. 1 OF TWO SHEETS

9/11

EXHIBIT 15

This is to certify that HELEN WATKINS PHILLIPS and C.H. PHILLIPS, her husband, are the owners of that tract of land shown on the within map entitled CRESCENT HILL and that the BANK of ITALY NATIONAL TRUST and SAVINGS ASSOCIATION, a national association, is the beneficiary in that certain Deed of Trust recorded September 1, 1928 in Volume 421 of Official Records at page 252, Records of Santa Clara County, State of California, and that the NATIONAL BANKITALY COMPANY, a Corporation, formerly STOCKHOLDERS AUXILIARY CORPORATION, a Corporation, is the Trustee, and that they are the only parties the consent of whom is necessary to pass a clear title to said tract and they do hereby dedicate CRESCENT DRIVE, LOS CERRITOS DRIVE and BRIDLE PATHS and PARK as shown on the within map, to the Public use forever.

Helen Watkins Phillips.

C.H. Phillips.

Signed and Sealed this 22nd day of May A.D. 1929.

NATIONAL BANKITALY COMPANY, a Corporation. (Trustee)

By A.C. Hamilton Vice President and R.F. Ingalls Asst. Secretary.

Signed and Sealed this 23rd day of May A.D. 1929.

BANK of ITALY NATIONAL TRUST and SAVINGS ASSOCIATION, a national association. (Beneficiary).

A.C. Hamilton Vice President and R.F. Ingalls Asst. Secretary

STATE of CALIFORNIA } S.S.
COUNTY of SANTA CLARA }

On this 21st day of May A.D. 1929, before me G.S. McMurtrey a Notary Public in and for the said County of Santa Clara, State of California, personally appeared HELEN WATKINS PHILLIPS and C.H. PHILLIPS, her husband, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed my Official Seal at my office in the County and State aforesaid, the day and year in this certificate first above written.

G.S. McMurtrey

Notary Public in and for the County of Santa Clara State of California

STATE of CALIFORNIA }
CITY and COUNTY of SAN FRANCISCO } S.S.

On this 23rd day of May A.D. 1929, before me Dan Foster a Notary Public in and for the said City and County of San Francisco, State of California personally appeared C.E. Hendricks and R.F. Morette known to me to be the Vice-President and Assistant Secretary of the BANK of ITALY NATIONAL TRUST and SAVINGS ASSOCIATION, a national association, the association that executed the within instrument, and also known to me to be the persons who executed the same on behalf of said Association and they duly acknowledged to me that said Association executed the same as beneficiary.

And also personally appeared W.H. Sneddon and A.W. Hopkins known to me to be the Vice President and Assistant Secretary of the NATIONAL BANKITALY COMPANY, a Corporation, the Corporation that executed the within instrument, and also known to me to be the persons who executed the same on behalf of said Corporation, and they duly acknowledged to me that said Corporation executed the same as trustee.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed my Official Seal at my office in the City and County and State aforesaid, the day and year in this certificate first above written.

Dan Foster

Notary Public in and for the City and County of San Francisco State of California

This is to certify that the Town Planning Commission of the Town of Los Gatos, California, has this 16th day of May A.D. 1929, approved the within Map or Plat of CRESCENT HILL made by MARK E. THOMAS, Civil and Subdivision Engineer.

Leland H. Walker
Secretary

The within map having been presented to the Town Council of the Town of Los Gatos, California on this 20th day of May A.D. 1929, it is hereby ordered by said Council that the said map be and the same is hereby approved.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed the seal of said Town of Los Gatos this 21st day of May A.D. 1929.

Florence V. Shirley
Town Clerk

I, ARTHUR B. LANGFORD, County Auditor of the County of Santa Clara, State of California, do hereby certify that there are no liens for unpaid State, County or other taxes, except taxes not yet payable against the tract or subdivision of land delineated upon the within map or any part thereof.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed my Official Seal on this 23rd day of May A.D. 1929.

Arthur B. Langford
County Auditor

By A.M. Seibotth
Deputy Auditor

I hereby certify that the subdivision shown on the within map is made from my own survey of the ground, and that the monuments are of the nature and in the locations shown on the map.

Mark E. Thomas
Licensed Surveyor

We, ROBERT B. CHANDLER and C.Y. PITMAN, County Surveyor and County Assessor, respectively, of Santa Clara County, State of California, do hereby certify that we have examined the within map of CRESCENT HILL and that the lots delineated thereon are suitable for residential and commercial purposes.

Robert B. Chandler
County Surveyor

C.Y. Pitman
County Assessor

Deputy

Deputy

Filed for record at the request of San Jose Abst. & Title Ins. Co. July 23rd 1929, at 40 minutes past 11 o'clock A.M. and recorded in Volume X of Maps, Pages 46 and 47, Records of Santa Clara County, California.

Filed No. 16225

May E. Flannery
County Recorder

By Lyle Scully
Deputy

It is hereby certified that a bond in an amount fixed by the Board of Supervisors of the County of Santa Clara, State of California, inuring to the benefit of said County and conditioned for the payment of taxes which were, at the time of the filing of this map, a lien against the Tract or Subdivision of land delineated or said map, but not yet payable, has been filed with the Board of Supervisors as approved by law.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed the seal of the Board of Supervisors this 3rd day of June A.D. 1929

Henry A. Foster
Clerk of Board of Supervisors

By Eugene M. Don
Deputy

The within map having been presented to the Board of Supervisors of the County of Santa Clara, State of California, on the 3rd day of June A.D. 1929, it is hereby ordered by said Board that the map of CRESCENT HILL be and the same is hereby approved.

It is also ordered that all streets and parts of streets be not accepted as public thoroughfares.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed the seal of the Board of Supervisors this 3rd day of June A.D. 1929.

Henry A. Foster
Clerk of Board of Supervisors

By Eugene M. Don
Deputy

MAP OF
CRESCENT HILL
SANTA CLARA COUNTY
CALIFORNIA

Surveyed by MARK E. THOMAS Civil and Subdivision Engineer
SAN JOSE, CALIFORNIA MAY 1929
Scale 1" = 100'

SHEET NO. 2 OF TWO SHEETS

3) Understood. All property owners on adjoining & adjacent parcels have been contacted and made aware of this proposed development. See sheet 1 Street Scape Map for adjacent property locations.

17095 Bob Fisher

17110 John & Delani Gaylord

17120 Sridhar & Sushima Seshadri

17130 Dave & Margo Moore

17140 Casey

17160 Jim & Julie Rees

A letter describing the proposed development along with preliminary plans was delivered in person to each homeowner. The first letter was delivered on approx. 7-15-2021 and a project updated was delivered on approx. 12-15-2021. I have had a in person meeting on site with the owners 17095 and 17120 Crescent dr. Both had minor questions regarding the ADU. These concerns were addressed in the design & placement of the ADU. We have not received any questions or been notified of any concerns on the design of the primary residence.

EXHIBIT 16

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From: Jens Roever [redacted]
Sent: Tuesday, November 8, 2022 4:26 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Fwd: Application S-21-021

EXTERNAL SENDER

Planning Commissioners,

I have been recently notified of the proposed development at 17121 Crescent Dr. I understand Santa Clara County Fire is restricting the development under regulations noted in PRC 4290. In respect to new construction on existing dead-end roads, I feel the fire departments interpretation of this regulation is incorrect. Construction of new fire safe homes on existing legal lots with required safety measures to replace existing ones will help to create a more fire safe neighborhood. This application should be approved with this in mind.

Sincerely,

Jens Roever

[redacted]
Los Gatos, CA [redacted]

EXHIBIT 17

From: [redacted]
Sent: Tuesday, November 8, 2022 4:43 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Re Application S-21-021

EXTERNAL SENDER

Dear Planning Commissioners,

I have been recently notified of the proposed development at 17121 Crescent Dr. I understand Santa Clara County Fire is restricting the development under regulations noted in PRC 4290. In respect to new construction on existing dead-end roads, I feel the fire departments interpretation of this regulation is incorrect. Construction of new fire safe homes on existing legal lots with required safety measures to replace existing ones will help to create a more fire safe neighborhood. This application should be approved with this in mind.

Sincerely,

Steve

Steve Bobzin, Ph.D.

From: Amanda Jacobs <[redacted]>
Sent: Wednesday, November 9, 2022 8:09 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Planning commission

EXTERNAL SENDER

Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos. It is ridiculous to not allow home owners to build fire safe properties because they live on a no through public road that they can not widen.

Thank you,

Amanda and Adam Jacobs

From: Jon and Tish Bohane <[redacted]>
Sent: Wednesday, November 9, 2022 8:30 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive in Los Gatos

EXTERNAL SENDER

Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,

Jon and Tish Bohane
[redacted]
Monte Sereno, CA [redacted]

From: Jackie Bustos <[redacted]>
Sent: Wednesday, November 9, 2022 8:37 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Support for 17121 Crescent Drive

EXTERNAL SENDER

Planning Council,

I am writing to express my support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you & Best Regards.

Jackie Bustos

From: Matthew Swenson <[redacted]>
Sent: Wednesday, November 9, 2022 8:38 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Application S-21-021

EXTERNAL SENDER

Planning Commissioners,

I have been recently notified of the proposed development at 17121 Crescent Dr. I understand Santa Clara County Fire is restricting the development under regulations noted in PRC 4290. In respect to new construction on existing dead-end roads, I feel the fire departments interpretation of this regulation is incorrect. Construction of new fire safe homes on existing legal lots with required safety measures to replace existing ones will help to create a more fire safe neighborhood. This application should be approved with this in mind.

Sincerely,

Matthew Swenson

REALTOR®

Golden Gate Sotheby's International Realty

[redacted]

From: jennifer halsey [redacted]>
Sent: Wednesday, November 9, 2022 8:43 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive in Los Gato

EXTERNAL SENDER

Planning Council,

I am writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,
Jennifer Halsey

From: Margo Moore <[redacted]>
Sent: Wednesday, November 9, 2022 9:12 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Proposed Development at 17121 Crescent Dr

EXTERNAL SENDER

Planning Council,

We are the neighbors at [redacted] located directly across the street from the proposed development at 17121 Crescent Dr. We have reviewed the application, the proposed plans and see the story poles outlining the proposed home.

We support the approval of this application for 2 reasons:

1. The home does not appear oversized and satisfactory effort has been made to limit impact to current westward views.
2. The new home would provide fire safety and a defensible space to our west.

Thank you,
Dave & Margo Moore
[redacted]

From: Jill Hourani [redacted]>
Sent: Wednesday, November 9, 2022 9:20 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive - Los Gatos

EXTERNAL SENDER

Dear Planning Council,

We wanted to express our full support for the proposed development at 17121 Crescent Drive in Los Gatos. The residents that are living there are wonderful people and deserve this little piece of happiness. Please do what you can to let them move forward with this project.

Thank you for your attention to this matter.

Jill and Mark Hourani
Residents of Los Gatos

From: Goddard, Nick <[redacted]>
Sent: Wednesday, November 9, 2022 9:25 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Proposed Development at Crescent Drive

EXTERNAL SENDER

I am writing to give my unqualified support for the development proposal submitted for 17121 Crescent Drive
Please approve without further delay
Regards

Nick Goddard SIOR MRICS CCIM
Senior Vice President | Silicon Valley
[redacted]

From: John Halsey [redacted]>
Sent: Wednesday, November 9, 2022 9:27 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Application S-21-021

EXTERNAL SENDER

Planning Commissioners,

I have been recently notified of the proposed development at 17121 Crescent Dr. I understand Santa Clara County Fire is restricting the development under regulations noted in PRC 4290. In respect to new construction on existing dead-end roads, I feel the fire departments interpretation of this regulation is incorrect. Construction of new fire safe homes on existing legal lots with required safety measures to replace existing ones will help to create a more fire safe neighborhood. This application should be approved with this in mind.

Sincerely,

John and Jennifer Halsey
[redacted]
Monte Sereno, CA
[redacted]

From: Jennifer Appleton <[redacted]>
Sent: Wednesday, November 9, 2022 9:47 AM
To: Sean Mullin <SMullin@losgatosca.gov>; Bill Appleton <[redacted]>
Subject: 17121 Crescent Drive in Los Gatos

EXTERNAL SENDER
Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos. We see no reason not to let this family develop on their own property.

Thank you,

Jennifer and Bill Appleton

--
Jennifer Appleton
[redacted]

From: Alexa Pagonas <[redacted]>
Sent: Wednesday, November 9, 2022 9:54 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive

EXTERNAL SENDER

Dear Planning Council,
I am writing to express my support for the proposed development at 17121 Crescent Drive in Los Gatos - and to encourage you to do the same. I have known the Wades for decades and can attest they are committed, thoughtful, and respectful members of their community, always striving to make things better for everyone. They are, simply put, the types of homeowners you should want in Las Gatos.

Respectfully,
Alexa Pagonas

From: Jamie [redacted]
Sent: Wednesday, November 9, 2022 10:28 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Dr

EXTERNAL SENDER

Planning Council,

I am writing to express my support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,
Jamie Bell

From: Jim Gannon <[redacted]>
Sent: Wednesday, November 9, 2022 11:47 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Application S-21-021

EXTERNAL SENDER

Planning Commissioners,

I have been recently notified of the proposed development at 17121 Crescent Dr. I understand Santa Clara County Fire is restricting the development under regulations noted in PRC 4290. In respect to new construction on existing dead-end roads, I feel the fire departments interpretation of this regulation is incorrect. Construction of new fire safe homes on existing legal lots with required safety measures to replace existing ones will help to create a more fire safe neighborhood. This application should be approved with this in mind.

Sincerely,

Jim Gannon
[redacted]
Saratoga, CA [redacted]

From: GRETCHEN MAIR <[redacted]>
Sent: Wednesday, November 9, 2022 12:56 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Los Gatos Development Proposal

EXTERNAL SENDER

Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,
Gretchen and Jim Mair

From: Amy Olson <[redacted]>
Sent: Wednesday, November 9, 2022 1:28 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive

EXTERNAL SENDER

Dear Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,
Amy Olson

From: Gabrielle Rahimi <[redacted]>
Sent: Wednesday, November 9, 2022 1:33 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: The Wade Home

EXTERNAL SENDER
Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,
Gabrielle

From: Julee Rees <[redacted]>
Sent: Wednesday, November 9, 2022 2:35 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Cc: Lee Ann Wade <[redacted]>; Eric Wade [redacted]>; Jim Rees [redacted]>
Subject: Endorsement of 17121 Crescent Drive Plans

EXTERNAL SENDER

Planning Council,

We are the neighbors at [redacted]. We have seen the plans and story poles for the proposed development at 17121 Crescent Dr.

We approve of this project as the proposed home is not large from the street perspective and provides a new fire safe home in our neighborhood.

Thank you,

Julee and Jim Rees

From: Kimberly Simon <[redacted]
Sent: Wednesday, November 9, 2022 3:40 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Development proposal for 17121 Crescent Drive

EXTERNAL SENDER

Dear Planning Council,

I am writing to you to demonstrate my support for the proposed development of 17121 Crescent Drive in our lovely community here in Los Gatos.

We have been members of the 95030 (Los Gatos and Monte Sereno) for over 15 years.

Thank you for your tireless work to do the very best for Los Gatos!

Sincerely,

Kim Simon

From: Monika Messer <[redacted]>
Sent: Wednesday, November 9, 2022 4:18 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive Los Gatos

EXTERNAL SENDER

Planning Council,
We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.
Thank you,
Monika Messer

From: Steve Wade <[redacted]>
Sent: Wednesday, November 9, 2022 9:02 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Application S-21-021

EXTERNAL SENDER

Planning Commissioners,

I have been recently notified of the proposed development at 17121 Crescent Dr. I understand Santa Clara County Fire is restricting the development under regulations noted in PRC 4290. With respect to new construction on existing dead-end roads, I feel the fire departments interpretation of this regulation is incorrect. Construction of new fire safe homes on existing legal lots with required safety measures to replace existing ones will help to create a more fire safe neighborhood. This application should be approved with this in mind.

Sincerely,

Steve and Rebecca Wade
[redacted]
Monte Sereno, CA [redacted]

From: Holli Roever [redacted]>
Sent: Wednesday, November 9, 2022 9:23 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Upcoming planning meeting

EXTERNAL SENDER

Planning Council,

We are writing to you today to express our support for the proposed development at 17121 Cresent Drive in Los Gatos.

Sincerely,
Holli and Jen's Roever
[redacted] Los Gatos

From: Leighanne Neville [redacted]>
Sent: Thursday, November 10, 2022 1:15 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive

EXTERNAL SENDER

Dear Planning Committee
I am a resident of Los Gatos and would like to express my support for the proposed development at 17121 Crescent Drive
Thank you

Leighanne Neville
Startup CFO & Growth Lead

From: D Snyder <[redacted]>
Sent: Thursday, November 10, 2022 6:27 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive

EXTERNAL SENDER

Dear Planning Council,

I am writing to express my support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,

Daniel Snyder
[redacted]
Los Gatos, CA

From: Hayley Charnaw <h[redacted]>
Sent: Thursday, November 10, 2022 11:12 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Cc: Lee Ann Wade <[redacted]>
Subject: 17121 Crescent Drive Los Gatos.

EXTERNAL SENDER
Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,
Hayley Charnaw

From: Lynne Tsobanakis <[redacted]>
Sent: Thursday, November 10, 2022 3:19 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive

EXTERNAL SENDER

Dear Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,
Lynne and Costa Tsobanakis

From: Lisa Hanson <[redacted]>
Sent: Thursday, November 10, 2022 4:09 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Support of proposed development 17121 Crescent Drive

EXTERNAL SENDER

Planning Council,

I am writing to express my support for the proposed development at 17121 Crescent Drive in Los Gatos. Eric Wade of Wade Construction does top notch work and as a lifelong resident of Los Gatos would never develop a property to diminish the beauty or splendor of his home town. He will live in this house and the Council can rest assured that it will be a property for Los Gatos to be proud of.

Thank you,

Lisa Hanson

From: yvonne pierre <[redacted]>
Sent: Thursday, November 10, 2022 9:10 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Crescent property

EXTERNAL SENDER

Dear Planning Council,
We are writing to express our support of the proposed development of 17121 Crescent Drive, Los Gatos.

Thank you.

From: T Thornton <[redacted]>
Sent: Friday, November 11, 2022 3:49 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive, Los Gatos

EXTERNAL SENDER

We are writing this email in support of Lee Ann and Eric Wade who - like us- would like to build a new home on their property on an existing road and it was not approved due to SCCFD's unique interpretation of PRC 4290.

We are hoping that they will get granted exceptions to the ridiculous PRC 4290 regulations that are imposed by SCCFD in order to set a precedent for other projects like ours.

Joe and Tabea Thornton

From: erin nrosenblum.com <[redacted]>
Sent: Saturday, November 12, 2022 8:07 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: proposed Development support

EXTERNAL SENDER

Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,

Erin and Neal Rosenblum

From: Benjamin Adams [redacted]
Sent: Saturday, November 12, 2022 7:06 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Application S-21-021

EXTERNAL SENDER

Planning Commissioners,

I am writing in support of the proposed development at 17121 Crescent Dr. I understand Santa Clara County Fire is restricting the development under regulations noted in PRC 4290. In respect to new construction on existing dead-end roads, I feel the fire departments interpretation of this regulation is incorrect. Construction of new fire safe homes on existing legal lots with required safety measures to replace existing ones will help to create a more fire safe neighborhood. I respectfully request that this application should be approved.

Sincerely,

Benjamin C. Adams
[redacted] Los Gatos, CA 95032

From: Paula Marcheschi <[redacted]>
Sent: Sunday, November 13, 2022 3:34 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive

EXTERNAL SENDER

Dear Planning Council,

I am writing in full support of the proposed development at 17121 Crescent Drive in Los Gatos. Wade Construction has a long-proven track record of impeccable design and execution. Their projects elevate every neighborhood in which they build, and the home on Crescent Drive would surely do the same.
Many thanks for your consideration!

Paula Marcheschi [redacted]

From: Scott Watson <[redacted]>
Sent: Monday, November 14, 2022 10:03 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive

EXTERNAL SENDER

To: Town of Los Gatos Planning Commission and Mr. Mullin,

I am a neighbor of the Wades who live at 17121 Crescent Drive at Hillside Los Gatos.

We support Eric and Lee Ann Wade's project and are very excited to see a housing development with a stunning architect design, which will improve home values in the neighborhood. We appreciate the Wade's fire safety plans including A-1 fire safe design, fuel modification for a 100' defensible space, and ensuring water supply for fighting fires.

We recently learned Santa Clara County Fire Department (SCCFD) is wrongly interpreting PRC 4290 to apply the regulation to existing roads. It is shocking to see SCCFD request the applicant to build a new road over a bridal path, with an estimated cost of $4.5M.

We have met several residents with building applications in Santa Clara County (SCC). They have seen that the SCC planning commission is fully aware of the wrongly interpretation by SCCFD. These residents have successfully been exempted from incorrect SCCFD requirements by the SCC Planning Commission. Now those applicants can proceed to build their homes smoothly.

We are expecting the Town of Los Gatos planning commission to apply the same smart judgement as the Santa Clara County Planning Commission and correct SCCFD's wrongly interpreted regulations, because the regulation does not apply to existing roads.

Please approve the project of 17121 Crescent Drive. We sincerely hope that Town of Los Gatos's planning commission give us justice by approving this application, so the resident at Town of Los Gatos can be treated same justice as resident at Santa Clara County. We are looking forward to seeing more fire-safe home designs in the Town of Los Gatos.

Best regards,

Scott Watson

From: Burk Zimmer, Dana M <[redacted]
Sent: Monday, November 14, 2022 12:23 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive support

EXTERNAL SENDER
Planning Council,

I am writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos. The Wade family is amazing and the enhancements will be a fantastic upgrade to the property.

Regards,

Dana Zimmer
Monte Sereno resident

Dana Burk Zimmer

[redacted]

From: Kirsten Antonelli [redacted]>
Sent: Monday, November 14, 2022 1:34 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Wade home construction

EXTERNAL SENDER

Dear Planning Council,
I am writing to express my support for the proposed development at 17121 Crescent Drive in Los Gatos.
Sincerely,
Kirsten Antonelli

From: Leah Williams <[redacted]>
Sent: Monday, November 14, 2022 9:22 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Support for proposed development- 17121 Crescent Drive

EXTERNAL SENDER

Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,

Leah and Jeff Williams

Omari V. Bouknight
[redacted] Los Gatos, CA 95032

November 14, 2022

Planning Commission
Town of Los Gatos Planning Department
110 East Main Street
Los Gatos, CA 95030

Re: Proposed Single Family Residence
Architecture and Site Application: S-21-021
17121 Crescent Drive, Los Gatos, CA 95030
APN: 532-21-007

Subject: Support Appealing Application of State Minimum Fire Safe Regulations (PRC 4290)

Dear Planning Commission Members:

I'm writing in full support of appealing the application of State Minimum Fire Safe Regulations (PRC 4290) to architecture and site application: S-21-021. The sudden and erratic application of these regulations without any town engagement as to appropriate implementation has enabled an arbitrary and capricious introduction. The result is the town under Santa Clara County is engaging in a manner completely disconnected from approaches across the rest of the state of California. This leaves the town exposed, as application of these regulations to existing roads in reference to single-family residences can and has been noted as a form of regulatory taking.

In regard to this particular application, application of this regulation is problematic because: (1) Reengineering Crescent Drive is infeasible, (2) CalFire's regulations do not require offsite improvements and (3) A requirement to reengineer Crescent Drive would constitute a taking.

To reengineer Crescent Drive to the level implied would be cost prohibitive for the applicants. It would also require a number of governmental approvals as well as easements. Further, Crescent Drive is a public roadway and therefore the responsibility for any implied improvements are assumed by the town of Los Gatos not the applicants. For the applicants to obtain authority to implement improvements, substantial and unreasonable legislative action would be necessary.

The regulations cited use future tenses throughout, indicating that that the regulation should be applied prospectively only and should not be applied to existing roadways or offsite improvements.

Importantly, it must be noted that under three different legal doctrines, the requirement to reengineer Crescent Drive would constitute a taking without just compensation in violation of the Fifth Amendment to the United States Constitution. Over the last several months Santa Clara County Planning has reviewed a number of instances in which the application of this regulation was rejected, because its implementation would constitute a taking.

From a practical point of view, rejecting the appellants' site and architectural plans on the basis of this regulation has no merit. The appellants have put forth an application that improves the area's fire safety significantly in comparison to its current state. The proposed residence will be constructed with fire resistant materials, employ fire sprinklers and incorporate a fire engine turnaround along with the introduction of other firesafe features.

I would urge the planning commission to support the applicants' appeal of the application of this regulation and more broadly stop allowing it to be applied to single-family residences until a full evaluation of appropriate introduction has been made.

Sincerely,

Omari V. Bouknight

From: David Hutchison [redacted]>
Sent: Tuesday, November 15, 2022 9:19 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Letter regarding Wade Residence on Crescent Rd

EXTERNAL SENDER

Sean,

I understand that the Wade family have a hearing soon with respect to their Crescent Rd application as it relates to PRC4290. Please include this letter as public comment.

As background, I met the Wade family and became interested in these issues because I live nearby and have a similar situation -- I live on an existing dead-end road in VHFSZ in LG. The Wade family is further along than me in their development plans, but I expect that the property rights and property values of probably thousands of people on existing roads in VHFSZ in LG are affected -- but the vast majority don't know it yet. Beyond just granting approval to the Wade's application, it is important that this matter is cleared up in such a way as to provide these thousands of people with reasonable and rightful future property development options. Solving each case piecemeal for years in the future is not a sustainable solution.

In short:

- PRC4290 should be applied to **new not existing roads**, and the Wade family's application should be exempt.
- Inasmuch as Fire insists on interpreting ambiguous 4290 wording as applying to existing roads, Planning should rule that **applying these standards is unreasonable and a *taking***, and therefore approve the development without further delay.

It is entirely reasonable to ask a developer to build a new road with >20' width and to have them avoid making long dead-end roads.

It is entirely unreasonable to ask an existing homeowner on an existing road (public or private) to widen and/or otherwise improve their road. Existing homeowners can't foot the seven-figure bill for paving and retaining, or be required to buy easements from neighbors if widening the existing road would require it.

Understandably, fire trucks must have ingress while civilians have egress. I understand the Wade family is being asked to pave an old bridle path. This seems unreasonable to me as their road is already quite wide and not that long. This isn't Chemeketa Park! The bridal path is very steep and this is all very unnecessary.

Regardless, the point is moot; the majority of jurisdictions in CA are applying PRC4290 to new roads only, so none of these details should matter.

Solution

- I respectfully request the Planning Commission waive the 4290 requirements from the Wade's plans on the basis that complying with them would be financially unreasonable or impossible, and these conditions therefore would represent a taking.
- I also respectfully request that Planning Commission by default waive PRC 4290 conditions on any development unless the development includes a new road where PRC4290 should apply. Santa Clara County now appears to be doing this.

Respectfully,
David Hutchison

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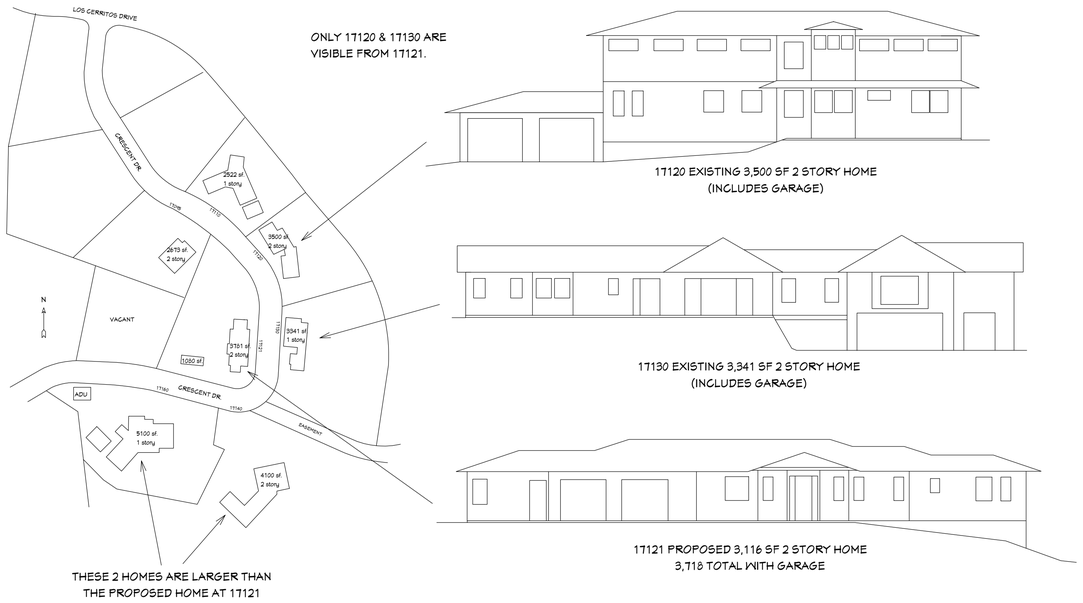

ONLY 17120 & 17130 ARE VISIBLE FROM 17121.

17120 EXISTING 3,500 SF 2 STORY HOME
(INCLUDES GARAGE)

17130 EXISTING 3,341 SF 2 STORY HOME
(INCLUDES GARAGE)

17121 PROPOSED 3,116 SF 2 STORY HOME
3,718 TOTAL WITH GARAGE

THESE 2 HOMES ARE LARGER THAN
THE PROPOSED HOME AT 17121

STREET SCAPE

NOTES:

THIS HOME SHALL BE CONSTRUCTED UNDER THE 2019 CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PARTS 1-12, INCLUDING LOCALLY ADOPTED ENERGY REACH CODES.

A SEPARATE BUILDING PERMIT IS REQUIRED FOR THE PV SYSTEM THAT IS REQUIRED BY THE ENERGY CALCULATIONS COMPLIANCE MODELING. THE SEPARATE PV SYSTEM PERMIT MUST BE FINALED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.

THIS RESIDENCE WILL COMPLY WITH THE TOWN'S ALL ELECTRIC APPLIANCE, ELECTRIC VEHICLE AND ENERGY STORAGE SYSTEM REQUIREMENTS IN ACCORDANCE WITH TOWN CODE SECTION 6.70.020 AND 6.120.020.

EXTERIOR COLORS AND LRV VALUES:

1ST FLOOR SIDING IS TO BE SMOOTH SAND FINISH STUCCO	
COLOR TO BE BEMJAMIN MOORE GREYSTONE	LRV 29.88
2ND FLOOR SIDING IS "BOARD & BATT" FIBROUS CONCRETE	
"HARDIE" PANEL WITH FIBROUS CONCRETE BATTS.	
COLOR TO BE BEMJAMIN MOORE EAGLE ROCK	LRV 23.45
ENTRY & STAIRWELL HORIZONTAL SIDING ACCENTS ARE	
TO BE FIBROUS CONCRETE "HARDIE" 8" T&G LAP SIDING.	
COLOR TO BE BEMJAMIN MOORE INTRIGUE	LRV 23.38
WINDOWS & DOORS ARE TO BE ALUMINUM METAL CLAD WOOD	
COLOR TO BE BEMJAMIN MOORE DEEP RIVER	LRV 5.77
WINDOW & DOOR TRIM IS TO BE FIBROUS CONCRETE	
"HARDIE" DIMENSIONAL TRIM BOARDS.	
COLOR TO BE BEMJAMIN MOORE SWISS COFFEE	LRV 83.93
AVERAGE TOTAL	LRV 26.5

ROOF COLOR AND LRV VALUE:

ALL ROOFS SECTIONS ARE TO BE 16" STANDING SEAM METAL ROOF	
COLOR TO BE IRON GATE PER MANUFACTURE	LRV 22.1

PROJECT DESCRIPTION

REMOVE EXISTING DRIVE THROUGH DRIVE WAY, CHAINLIKE FENCING, EXISTING IRRIGATION, EXISTING DECKING AND LANDSCAPING.

REMODEL EXISTING 1660 SF SINGLE FAMILY RESIDENCE. DEMOLISH 48% OF THIS STRUCTURE AND RE-DESIGNATE IT AS A POOL HOUSE. NEW FINISH POOL HOUSE WILL BE 1080 SF.

BUILD NEW 3,116 SF. 2 STORY, 4 BEDROOM, 3 FULL BATHS, 2 HALF BATHS SINGE FAMILY RESIDENCE, ATTACHED 498 SF. 2 CAR GARAGE & 408 SF. DECKS, .

BUILD NEW 388 SF. POOL
AND POOL PATIO

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5. EXISTING ELEVATIONS - DEMO PLAN
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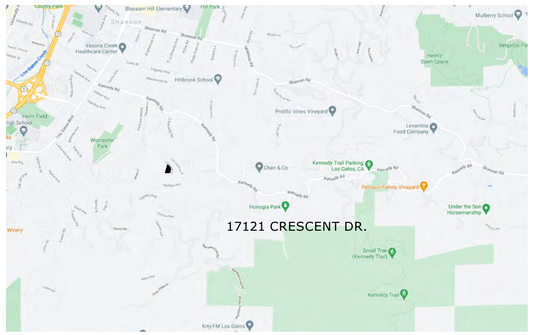
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030
APN. 522-21-007



MAP

17121 Crescent dr.
APN 532-21-007
ZONING HR-1

LOT SIZE 41,207 SF.
AVERAGE SLOPE 29.7%
NET LOT 16,854 SF.

GROSS FLOOR AREA TOTALS
(PERCENTAGES ARE IN RELATIONSHIP TO NET LOT SIZE 16,854 SF.)

MAX. FLOOR AREA ALLOWED 4400 SF. (26.1%)

EXISTING HOME FLOOR AREA
(TO BE REDESIGNATED AS POOL HOUSE)

EXISTING HOUSE	1,660 SF.
EXISTING GARAGE	400 SF.

TOTAL EXISTING FLOOR AREA COVERAGE 2,060 (12.2%)

EXISTING IMPERVIOUS

HOUSE & GARAGE	2,060 SF.
DRIVEWAY & PATIO	4,370 SF.
TOTAL	6,430 SF.

EXISTING PERMEABLE

DECKS	408 SF.
PATIOS	330 SF.
TOTAL	738 SF.

TOTAL NEW PROPOSED COUNTABLE FLOOR AREA

HOUSE 1ST FLOOR	455 SF.
HOUSE 2ND FLOOR	2,652 SF.
NEW HOUSE TOTAL	3,107 SF.
GARAGE	498 SF.
GARAGE CREDIT	-400 SF.
NET GARAGE	98 SF.
POOL HOUSE	1,080 SF.
TOTAL FLOOR AREA	4,285 SF. (25.9%) (4,400 SF.OR 26.1% ALLOWED)
BELOW GRADE SF*	385 SF.

*EXEMPT FROM FLOOR AREA

PROPOSED NEW STRUCTURAL COVERAGE
(PERCENTAGES ARE IN RELATIONSHIP TO LOT SIZE 41,207 SF.)

STRUCTURAL COVERAGE (IMPERVIOUS)	
HOUSE (FOOTPRINT)	3,219 SF.
POOL HOUSE	1,080 SF.
POOL	380 SF.
TOTAL	5,029 SF. (12.2%)
PATIO OR OTHER (IMPERVIOUS)	
EXISTING PATIO	590 SF.
POOL PATIO	2,200 SF.
ENTRY STOOP	174 SF.
OTHER	990 SF.
TOTAL	4,464 SF. (10.8%)
PERMEABLE SURFACES	
DRIVEWAY & PATIO	2,210 SF. (3.1%)

TOTAL HARD SCAPE COVERAGE 6,674 SF. (13.9 %)
33.1% OF THE HARD SCAPE IS PERMEABLE

CONTRIBUTING SPECIALIST

WESTFALL ENGINEERS
14583 Big Basin wy.
Saratoga CA. 95070
408-867-0244

Jennifer Clark Colfer
Landscape Architect
CA License #5784
Michael Arnone + Associates
Landscape Architecture
www.arnonelandscape.com
831.235.1886

WADE DESIGN
17121 Crescent dr.
Los Gatos CA. 95030
408-314-2755

Milstone Geotechnical
17020 melody ln.
Los Gatos CA. 95033
408-353-5528

ABBREVIATIONS

SF. - SQUARE FEET
FL. - FLOOR
ELV. - ELEVATION
(N) - NEW
(E) - EXISTING
F.F. - FINISH FLOOR
T.P. - TOP PLATE
PT. - PRESSURE TREATED WOOD
CL. - CLOSET
FP. - FIRE PLACE
C.O. - CLEAN OUT
LIN. - LINEAR FEET
TYP. - TYPICAL
LRV - LIGHT REFLECTIVE VALUE
RDW - RED WOOD
DS - DOWN SPOUT

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE:
COVER PAGE
STREET SCAPE

WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

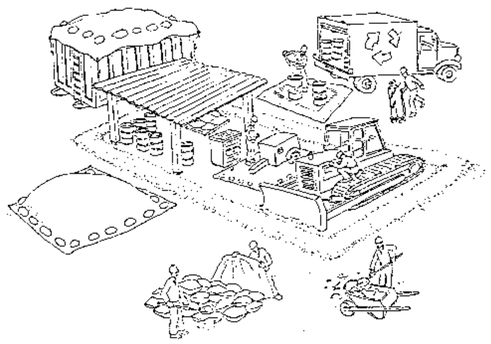
DATE:
4-22-2022

SCALE:

SHEET:
1

EXHIBIT 18

Pollution Prevention — It's Part of the Plan



Make sure your crews and subs do the job right!

Runoff from streets and other paved areas is a major source of pollution in San Francisco Bay. Construction activities can directly affect the health of the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines will ensure your compliance with local ordinance requirements.

Materials storage & spill cleanup

Non-hazardous materials management

- ✔ Sand, dirt, and similar materials must be stored at least 10 feet from catch basins, and covered with a tarp during wet weather or when rain is forecast.
- ✔ Use (but don't overuse) reclaimed water for dust control as needed.
- ✔ Sweep streets and other paved areas daily. Do not wash down streets or work areas with water!
- ✔ Recycle all asphalt, concrete, and aggregate base material from demolition activities.
- ✔ Check dumpsters regularly for leaks and to make sure they don't overflow. Repair or replace leaking dumpsters promptly.

Hazardous materials management

- ✔ Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, state, and federal regulations.
- ✔ Store hazardous materials and wastes in secondary containment and cover them during wet weather.
- ✔ Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- ✔ Be sure to arrange for appropriate disposal of all hazardous wastes.

Spill prevention and control

- ✔ Keep a stockpile of spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- ✔ When spills or leaks occur, contain them immediately and be particularly careful to prevent leaks and spills from reaching the gutter, street, or storm drain. Never wash spilled material into a gutter, street, storm drain, or creek!
- ✔ Report any hazardous materials spills immediately! Dial 911 or your local emergency response number.

Vehicle and equipment maintenance & cleaning

- ✔ Inspect vehicles and equipment for leaks frequently. Use drip pans to catch leaks until repairs are made; repair leaks promptly.
- ✔ Fuel and maintain vehicles on site only in a bermed area or over a drip pan that is big enough to prevent runoff.
- ✔ If you must clean vehicles or equipment on site, clean with water only in a bermed area that will not allow rinsewater to run into gutters, streets, storm drains, or creeks.
- ✔ Do not clean vehicles or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc.

Earthwork & contaminated soils

- ✔ Keep excavated soil on the site where it is least likely to collect in the street. Transfer to dump trucks should take place on the site, not in the street.
- ✔ Use hay bales, silt fences, or other control measures to minimize the flow of silt off the site.

- ✔ Avoid scheduling earth moving activities during the rainy season if possible. If grading activities during wet weather are allowed in your permit, be sure to implement all control measures necessary to prevent erosion.
- ✔ Mature vegetation is the best form of erosion control. Minimize disturbance to existing vegetation whenever possible.
- ✔ If you disturb a slope during construction, prevent erosion by securing the soil with erosion control fabric, or seed with fast-growing grasses as soon as possible. Place hay bales down-slope until soil is secure.
- ✔ If you suspect contamination (from site history, discoloration, odor, texture, abandoned underground tanks or pipes, or buried debris), call your local fire department for help in determining what testing should be done.
- ✔ Manage disposal of contaminated soil according to Fire Department instructions.

Dewatering operations

- ✔ Reuse water for dust control, irrigation, or another on-site purpose to the greatest extent possible.
- ✔ Be sure to call your city's storm drain inspector before discharging water to a street, gutter, or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- ✔ In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the city inspector to determine what testing to do and to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.

Saw cutting

- ✔ Always completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, hay bales, sand bags, or fine gravel dams to keep slurry out of the storm drain system.
- ✔ Shovel, absorb, or vacuum saw-cut slurry and pick up all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- ✔ If saw cut slurry enters a catch basin, clean it up immediately.

Paving/asphalt work

- ✔ Do not pave during wet weather or when rain is forecast.
- ✔ Always cover storm drain inlets and manholes when paving or applying seal coat, tack coat, slurry seal, or fog seal.
- ✔ Place drip pans or absorbent material under paving equipment when not in use.
- ✔ Protect gutters, ditches, and drainage courses with hay bales, sand bags, or earthen berms.
- ✔ Do not sweep or wash down excess sand from sand sealing into gutters, storm drains, or creeks. Collect sand and return it to the stockpile, or dispose of it as trash.
- ✔ Do not use water to wash down fresh asphalt concrete pavement.

Concrete, grout, and mortar storage & waste disposal

- ✔ Be sure to store concrete, grout, and mortar under cover and away from drainage areas. These materials must never reach a storm drain.
- ✔ Wash out concrete equipment/trucks off-site or designate an on-site area for washing where water will flow onto dirt or into a temporary pit in a dirt area. Let the water seep into the soil and dispose of hardened concrete with trash.

- ✔ Divert water from washing exposed aggregate concrete to a dirt area where it will not run into a gutter, street, or storm drain.
- ✔ If a suitable dirt area is not available, collect the wash water and remove it for appropriate disposal off site.

Painting

- ✔ Never rinse paint brushes or materials in a gutter or street!
- ✔ Paint out excess water-based paint before rinsing brushes, rollers, or containers in a sink. If you can't use a sink, direct wash water to a dirt area and spade it in.
- ✔ Paint out excess oil-based paint before cleaning brushes in thinner.
- ✔ Filter paint thinners and solvents for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as hazardous waste.

Bay Area Stormwater Management Agencies Association (BASMAA)
1-888-BAYWISE

Storm drain polluters may be liable for fines of up to $10,000 per day!

NEW HOME RATING SYSTEM, VERSION 8.0

SINGLE FAMILY CHECKLIST

GreenPointRated

The GreenPoint Rated checklist tracks green building measures in new home. GreenPoint Rated is administered by Build It Green, a non-profit whose mission is to promote healthy, energy and resource efficient buildings in California.

The minimum requirements of GreenPoint Rated are: verification of EE in more points, Eight (8) in Building minimum points per category (Community, IS Energy, IAQ, Indoor Air Quality/Health, (S), Purchases, (E), and Water, (W), and meet the prerequisites (CALGreen Mandatory Measures, Yes, No).

The Home Size Adjustment is a standard more with the addition of "Yes", "No", or "TBD", or a range of percentages to allocate points. Select the number of bedrooms and square footage of the home. Points are awarded for smaller homes.

The criteria for the green building practices listed below are described in the GreenPoint Rated New Home Rating Manual. For more information please visit www.builditgreen.org/greenpointrated

Build It Green is not a code enforcement agency.

A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater and certified by Build It Green.

New Home Single Family, Version 8.0

Project Name: Wade Residence
Project Street: 17121 Crescent Drive
Project City: Los Gatos
Project Zip: 95032

Points Targeted: 93
Certification Level Targeted: Silver
Compliance Pathway Targeted: Home

	MEASURES		NOTES
CALGreen			
Yes	CALGreen Req. (REQUIRED)		
1. SITE			
Yes	A1. Construction Footprint (See Foundation Plan, Sheet A-2 and Ordinance #NS-406, 4,500 + 0.5xSite Area)	4	
	A2. Job Site Construction Waste Diversion		
No	A2.1 70% C&D Waste Diversion (Bundled-up Alternative Calls Covers)	0	2
No	A2.2 Recycling Rates from Third-Party Verified Waste/Use Waste Facility	0	1
	A3. Recycled Content Base Material (Minimum 25% Total Cement or Concrete)		
Yes	A4. Heat Island Effect Reduction (Non-Roof)	1	1
Yes	A5. Construction Environmental Quality Management Plan Including Flush-Out	1	1
	A6. Stormwater Control: Prescriptive Path (Addition Required at Upgrade)		
Yes	A6.1 Permeable Paving Material	1	1
Yes	A6.2 Filtration and/or Bio-Retention Features	1	1
Yes	A6.3 Non-Leaching Roofing Materials	1	1
No	A6.4 Small Stormwater Street Design	0	1
No	A7. Stormwater Control: Performance Path (Addition to Flat 50% Allowed/Runoff Water)	0	4
2. FOUNDATION			
No	B1. Fly Ash and/or Slag in Concrete (Minimum of 20%)	0	1
No	B2. Radon-Resistant Construction	0	2
Yes	B3. Foundation Drainage System	2	2
Yes	B4. Moisture Controlled Crawlspace	2	2
	B5. Structural Pest Controls		
Yes	B5.1 Termite Shields and Separated Exterior Wood-to-Concrete Connections	1	1
No	B5.2 Plant Trellis, Debris, or Stump at Least 30 Inches from the Foundation	0	1
3. CONCRETE			
0.00%	Enter % of Buildable Area (percentage). Points capped at 2.5 (Flat) Flat 75%		
Yes	C1. Plants Dressed by Water Needs (Hydrozoning)	1	1
Yes	C2. Three Inches of Mulch in Planting Beds	1	1
	C3. Resource Efficient Landscapes		
Yes	C3.1 No Invasive Species Listed by Cal-IPC	1	1
Yes	C3.2 Plants Chosen and Located to Thrive in Natural Site (Limited Maintenance)	1	1
Yes	C3.3 Drought Tolerant, California Native, Mediterranean Species, or Other Appropriate Species	1	3
	C4. Minimal Turf in Landscape		
Yes	C4.1 No Turf on Slopes Exceeding 10% and No Overhead Sprinklers Installed in Areas Less Than Eight Feet Wide	0	2
No	C4.2 Turf as a Small Percentage of Landscaped Area	0	2
No	C5. Trees to Moderate Building Temperature (at least 5% of Street Facing Wall and Walls Shaded)	0	1
No	C6. High-Efficiency Irrigation System	0	2
No	C7. One Inch of Compost in the Top Six to Twelve Inches of Soil (with Soil Testing)	0	2
No	C8. Rainwater Harvesting System	0	2
No	C9. Recycled Wastewater Irrigation System	0	4
No	C10. Submeter or Dedicated Meter for Landscape Irrigation	0	2
40.53%	C11. Landscape Meets Water Budget	0	2
	C12. Environmentally Preferable Materials for Site		
No	C12.1 Environmentally Preferable Materials for 75% of Non-Plant Landscape Elements and Fencing	0	1
Yes	C13. Reduced Light Pollution (Exterior lighting fixtures are shielded downward)	1	1
No	C14. Large Stature Tree(s)	0	1
No	C15. Third Party Landscape Program Certification	0	1
No	C16. Maintenance Contract with Certified Professional (Key Friendly Qualified Professional or Equiv.)	0	1
4. STRUCTURAL FRAME AND BUILDING ENVELOPE			
	D1. Optimal Value Engineering		
No	D1.1 Joists, Rafters, and Studs at 24 Inches on Center	0	1
No	D1.2 Non-Load Bearing Door and Window Headers Sized for Load	0	1

Yes	D1.3 Advanced Framing Measures	2	2
No	D2. Construction Material Efficiencies (Prerequisites will exist (sufficient) for at least 40% of framing)	0	1
	D3. Engineered Lumber		
Yes	D3.1 Engineered Beams and Headers	1	1
Yes	D3.2 Allied Trusses or Web Trusses for Floors	1	1
Yes	D3.3 OSB for Subfloor	0.5	0.5
Yes	D3.4 OSB for Wall and Roof Sheathing	0.5	0.5
Yes	D4. Insulated Headers	1	1
	D5. FSC-Certified Wood		
No	D5.1 Dimensional Lumber, Studs, and Timber	0	4
No	D5.2 Panel Products	0	3
	D6. Solid Wall Systems		
No	D6.1 At Least 90% of Floors	0	1
No	D6.2 At Least 90% of Exterior Walls	0	1
No	D6.3 At Least 90% of Roofs	0	1
	D7. Energy Heels on Roof Trusses	0	1
16 inches	D8. Overhangs and Gutters	1	1
	D9. Reduced Pollution Entering the Home from the Garage		
No	D9.1 Detached Garage	0	2
Yes	D9.2 Mitigation Strategies for Attached Garage	1	1
	D10. Structural Pest and Rot Controls		
No	D10.1 All Wood Located At Least 12 Inches Above the Soil	0	1
Yes	D10.2 Wood Framing Treated With Borates or Factory-Impregnated, or Wall Materials Other Than Wood	1	1
Yes	D11. Structural Panels and Sheathing in Wet Areas (such as Kitchen, Bathrooms, Utility Rooms, and Basements)	1	1
5. EXTERIOR			
No	E1. Environmentally Preferable Decking	0	1
No	E2. Flashing Installation Third-Party Verified	2	2
No	E3. Rain Screen Wall System	0	4
Yes	E4. Durable and Non-Combustible Cladding Materials	1	1
	E5. Durable Roofing Materials		
Yes	E5.1 Durable and Fire Resistant Roofing Materials or Assembly	1	1
No	E5. Vegetated Roof	0	7
6. INSULATION			
	F1. Insulation with 30% Post-Consumer or 60% Post-Industrial Recycled Content		
Yes	F1.1 Walls and Floors	0.5	0.5
Yes	F1.2 Ceilings	0.5	0.5
	F2. Insulation that Meets the CDPH Standard Method—Residential for Low Emissions		
No	F2.1 Walls and Floors	0	0.5
No	F2.2 Ceilings	0	0.5
	F3. Low GWP Insulation That Does Not Contain Fire Retardants		
No	F3.1 Cavity Walls and Floors	0	1
No	F3.2 Ceilings	0	1
No	F3.3 Interior and Exterior	0	1
7. PLUMBING			
	G1. Efficient Distribution of Domestic Hot Water		
Yes	G1.1 Insulated Hot Water Pipes	1	1
No	G1.2 WaterSense Volume Limit for Hot Water Distribution	0	1
No	G1.3 Increased Efficiency in Hot Water Distribution	0	2
	G2. Install Water-Efficient Fixtures		
No	G2.1 WaterSense Showerheads 1.5 gpm with Matching Compensation Valve	0	2
No	G2.2 WaterSense Bathroom Faucets 1.0 gpm	0	2
No	G2.3 WaterSense Toilets with a Maximum Performance (MaP) Threshold of for Less Than 500 Grams 1.28 gpf (4.8 l pf)	0	2
No	G3. Pre-Plumbing for Greywater System	0	1
No	G4. Operational Greywater System	0	3
Yes	G5. Thermostatic Shower Valve or Auto-Diversion Tub Spout	1	1
8. HEATING, VENTILATION, AND AIR CONDITIONING			
	H1. Sealed Combustion Units		
Yes	H1.1 Sealed Combustion Furnace	1	1
Yes	H1.2 Sealed Combustion or Heat Pump Water Heater	1	2
No	H2. High Performing Zoned Hydronic Radiant Heating System	0	4
	H3. Effective Ductwork		
Yes	H3.1 Duct Mastic on Duct Joints and Seams	1	1
Yes	H3.2 Pressure Balance the Ductwork System	1	1
Yes	H4. ENERGY STAR® Bathroom Fans Per IAS Standards with Air Flow Verified	1	1
	H5. Advanced Practices for Cooling		

Yes	H5.1 ENERGY STAR® Ceiling Fans in Living Areas and Bedrooms	1	1
No	H5. Whole House Mechanical Ventilation Prioritizes to Improve Indoor Air Quality		
Yes	H5.1 Meet ASHRAE 62.2-2013 Ventilation Residential Standards	Y	Y Y Y Y Y
No	H5.2 Advanced Ventilation Standards	0	2
No	H5.3 Outdoor Air Is Filtered and Tempered	0	1
	H7. Effective Range Hood Design and Installation		
Yes	H7.1 Effective Range Hood Ducting and Design	1	1
No	H7.2 Automatic Range Hood Control	0	1
No	H8. High Efficiency HVAC Filter (MERV 16+)	0	3
Yes	H9. Advanced Refrigerants	1	1
Yes	H10. No Fireplace or Sealed Gas Fireplace	1	1
No	H11. Humidity Control Systems	0	1
No	H12. Register Design Per ACCA Manual T	0	1
9. HOUSEHOLD ENERGY			
40%	I1. On-site Renewable Generation (Solar PV, Solar Thermal, and Wind)	10	25
	I2. Low Carbon Homes		
No	I2.1 Near Zero Energy Home (Offset at least 90% of annual energy use)	0	2
Yes	I2.2 Low Carbon Home (Must be ECHO/CL Enabled)	4	4
Yes	I3. Energy Storage	1	1
No	I4. Solar Hot Water Systems to Preheat Domestic Hot Water	0	4
10. BUILDING PERFORMANCE AND TESTING			
Yes	J1. Third-Party Verification of Quality of Insulation Installation	1	1
Yes	J2. Supply and Return Air Flow Testing	2	2
Yes	J3. Mechanical Ventilation Testing	1	1
No	J4. All Electric or Combustion Appliance Safety Testing	0	1
Rated Compliance Pathway No. (A-L)	J5. Building Performance Exceeds Title 24 Part 6		Option 1: Mixed Fuel - Minimum Compliance Margin Total EDR ranges from 6-10 based on climate zone. Pre-wiring requirements: Dryer - conductor rated for 30 amp. Range - conductor rated for 50 amp. PV and storage credit allowed. Option 2: All Electric Compliance - Meet Compliance Margin Efficiency EDR based on climate zone (0-5). PV and Storage credit allowed. Option 3: Annual Energy Use - Minimum 20% compliance based on annual energy use. PV credit not allowed
4	Rated Project Climate Zone		Climate Zone Input
option2	J5.1 Home Outperforms Title 24 Part 6	20	
Yes	J6. Title 24 Prepared and Signed by a CABEC Certified Energy Analyst	1	1
No	J7. Participation in Utility Program with Third-Party Plan Review	0	1
No	J8. ENERGY STAR® for Homes	0	1
No	J9. EPA Indoor airPlus Certification	0	2
No	J10. Blower Door Testing	0	2
11. PAINTS			
	K1. Entryways Designed to Reduce Tracked-In Contaminants		
Yes	K1.1 Individual Entryways (Optional) Not to surface or entrance and not covered (applies to wind storage)	1	1
No	K2. Zero-VOC Interior Wall and Ceiling Paints	0	2
Yes	K3. Low-VOC Caulks and Adhesives	1	1
	K4. Environmentally Preferable Materials for Interior Finish		
>50%	K4.1 Cabinetry	1	2
>50%	K4.2 Interior Trim	1	2
>50%	K4.3 Shelving	1	2
>50%	K4.4 Doors	1	2
Yes	K4.5 Countertops	1	1
	K5. Formaldehyde Emissions in Interior Finish Exceed CARB		
No	K5.1 Doors	0	1
No	K5.2 Cabinets and Countertops	0	1
No	K5.3 Interior Trim and Shelving	0	2
No	K6. Products That Comply With the Health Product Declaration Open Standard	0	2
TBD	K7. Indoor Air Formaldehyde Level Less Than 27 Parts Per Billion	0	2
No	K8. Comprehensive Inclusion of Low Emitting Finishes	0	1
12. FLOORING			
>25%	L1. Environmentally Preferable Flooring	1	2
No	L2. Low-Emitting Flooring Meets CDPH 2010 Standard Method—Residential	0	3
Yes	L3. Durable Flooring (Reflooring is less durable)	1	1

Summary						
Total Available Points in Specific Categories	165.5	90	73.5	59	87	45
Minimum Points Required in Specific Categories	90	7	25	6	6	6
Total Points Achieved	93.0	7.0	25.0	6.0	6.0	6.0

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: GREEN POINT RATING CHECKLIST

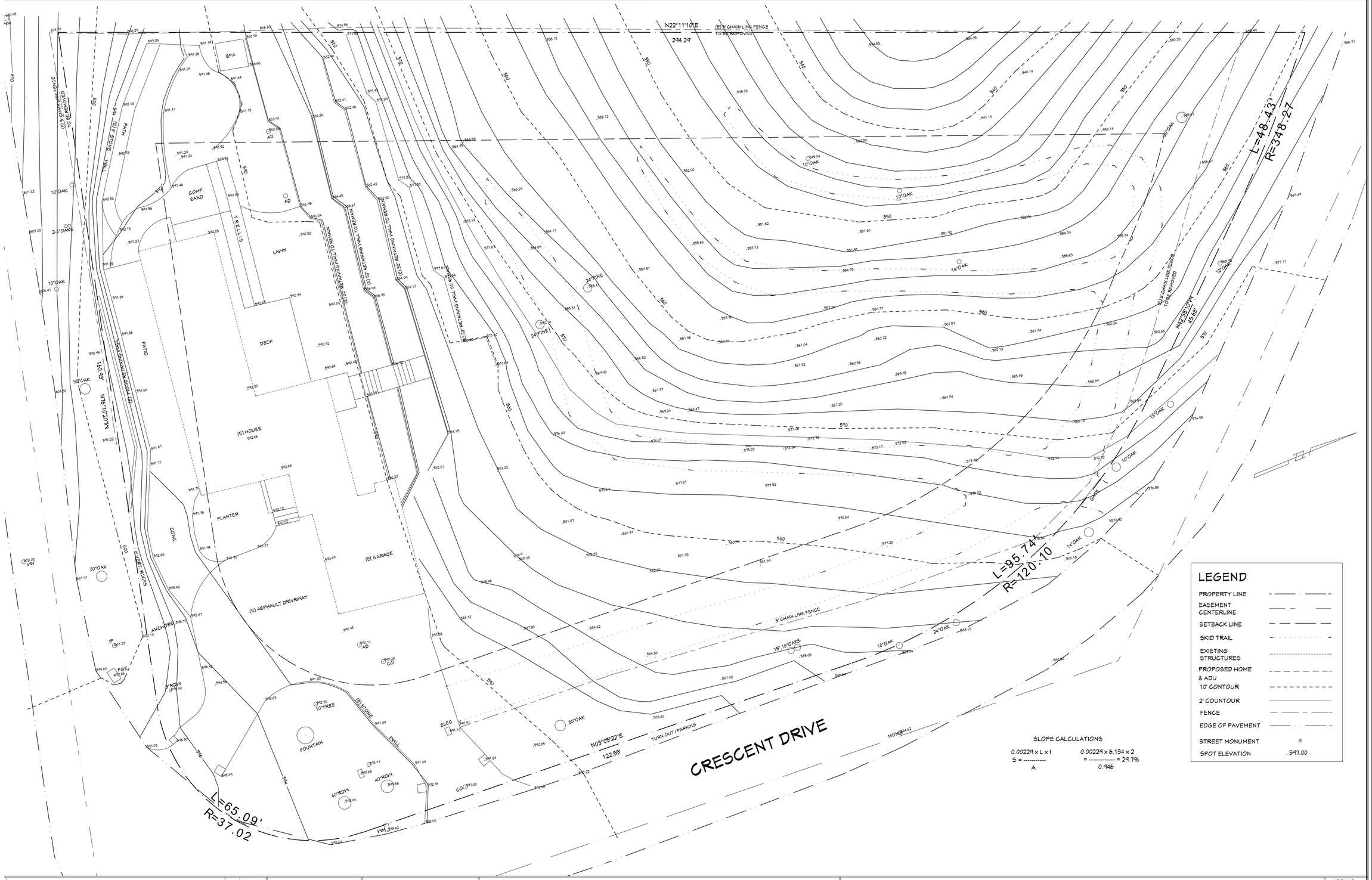
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE: 4-22-2022

SCALE: 1/4" = 1'

SHEET: GP



LEGEND

- PROPERTY LINE
- EASEMENT CENTERLINE
- SETBACK LINE
- SKID TRAIL
- EXISTING STRUCTURES
- PROPOSED HOME & ADU
- 10' CONTOUR
- 2' COUNTOUR
- FENCE
- EDGE OF PAVEMENT
- STREET MONUMENT
- SPOT ELEVATION . 597.00

SLOPE CALCULATIONS

$S = \frac{0.00229 \times L \times I}{A}$ $= \frac{0.00229 \times 6,134 \times 2}{0.946} = 29.7\%$

REVISION	BY	DATE	
			DATE: APRIL 2021
			SCALE: HOR. 1"= 10' VERT.
			DESIGNED:
			DRAWN: HB
			PROJ.ENGR:

BY:HARRY BABICKA, LS 4953
DATE:

WESTFALL ENGINEERS,INC.
14583 BIG BASIN WAY, SARATOGA, CA 95070 (408)867-0244

TOPOGRAPHIC MAP
17121 CRESCENT DRIVE, LOS GATOS, CA

JOB NO. 2021-013
SHEET 1
OF 1

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: TOPO

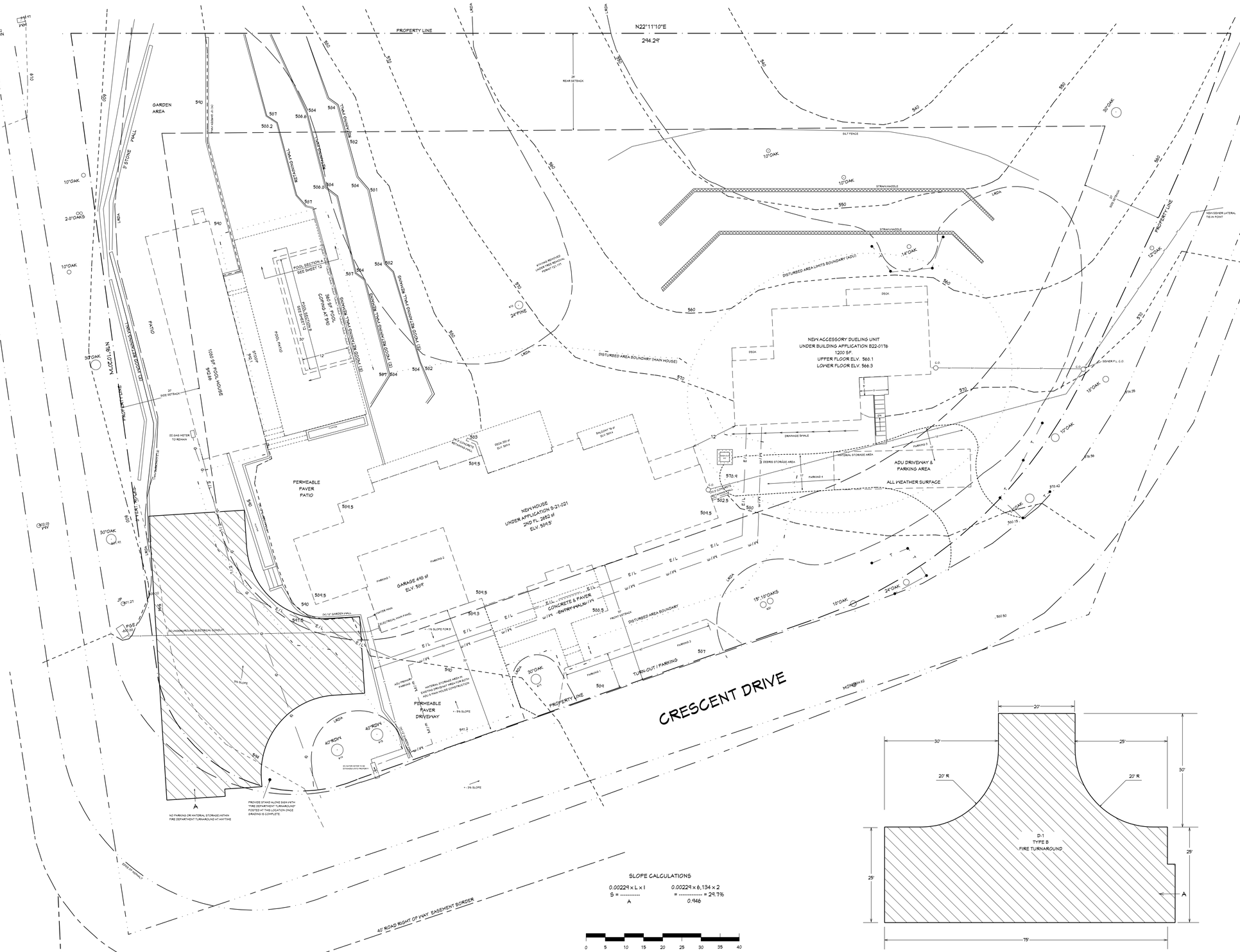
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE: 4-22-2022

SCALE: 1" = 10'

SHEET: 2



LEGEND

- PROPERTY LINE
- 40' ROAD EASEMENT CENTERLINE
- SETBACK LINE
- NEW HOME
- NEW DECKS, POOL, DRIVEWAY & MISC. HARD SCAPE
- 10' CONTOUR
- TREE PROTECTION FENCING
- LRDA
- EDGE OF PAVEMENT
- DISTURBED AREA LIMITS BOUNDARY
- OTHER EASEMENTS
- STREET MONUMENT
- SPOT ELEVATION 549.00

WADDLE PLACEMENT DETAIL

GRADING

A GRADING TOTAL OF APPROXIMATELY 46 YARDS OUTSIDE OF THE FOUNDATION FOOTPRINT IS REQUIRED.

DRIVEWAY CUT & FILL TOTALS 14 +- YARDS
ADU CUT & FILL TOTALS 32 +- YARDS

DRAINAGE

DRIVEWAY MATERIAL IS COMPACTED CLASS 2 BASE. THIS IS CONSIDER PERMEABLE AND WILL NOT REQUIRE WATER COLLECTION INTO CATCH BASINS.

ADU ROOF DOWNSPOUTS ARE TO EXIT ONTO SPLASH BLOCKS. SPLASH BLOCKS WILL DRAIN INTO LOCAL PERK PITS. SEE DETAIL SHEET 6.

PROVIDE 5 PERCENT SLOPE FOR 10' AWAY FROM BUILDING AT ALL SIDES OR WHERE POSSIBLE.

SLOPE CALCULATIONS

$$S = \frac{0.00229 \times L \times I}{A} \qquad \frac{0.00229 \times 6,134 \times 2}{0.946} = 29.1\%$$

0 5 10 15 20 25 30 35 40

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: SITE PLAN

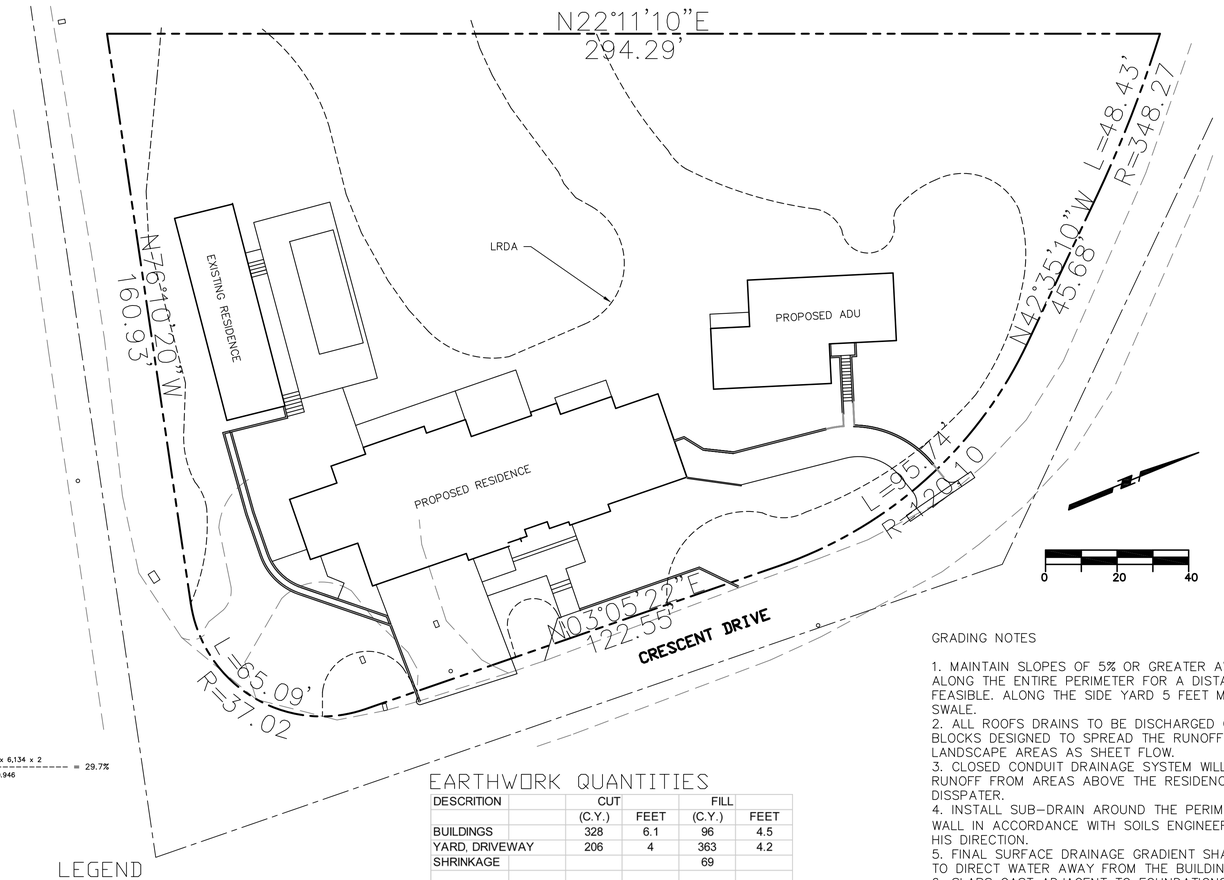
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE: 4-22-2022

SCALE: 1" = 12'

SHEET: 3



SLOPE CALCULATIONS

$$S = \frac{0.00229 \times L \times I}{A} = \frac{0.00229 \times 6{,}134 \times 2}{0.946} = 29.7\%$$

LEGEND

EXISTING		PROPOSED
⊕	BULDING	⊕
◻	MONUMENT	■
○	CURB INLET	●
◦	AREA DRAIN	•
○	POLE	●
◎	SANITARY SEWER MANHOLE	●
◎	STORM DRAIN MANHOLE	●
⊗	FIRE HYDRANT	●
⊗	WATER VALVE	⊗
○	STREET LIGHT	⊗
○	CLEANOUT	⊗
———	BOUNDARY	———
———	LOT LINE	———
—— · ——	CENTERLINE	—— · ——
— — — —	LIMIT OF EASEMENT	— — — —
———	CURB	———
———	CURB AND GUTTER	———
———	EDGE OF PAVEMENT	———
———	CONTOUR	———
———	ORIGINAL CONTOUR	———
— — — —	FENCE	—— — ——
—— · ——	FLOW LINE	—— · ——
—— SS ——	SANITARY SEWER	—— SS ——
—— SD ——	STORM DRAIN	—— SD ——
—— E ——	ELECTRICAL	———
—— G ——	GAS	—— G ——
—— W ——	WATER	—— W ——
	FIBER ROLLS	

EARTHWORK QUANTITIES

DESCRIPTION		CUT		FILL	
		(C.Y.)	FEET	(C.Y.)	FEET
BUILDINGS		328	6.1	96	4.5
YARD, DRIVEWAY		206	4	363	4.2
SHRINKAGE				69	
TOTAL		534		528	
EXPORT		6 C.Y.			

NOTE:
MAXIMUM DEPTH OF FILL NEAR THE NORTHWEST CORNER OF THE RESIDENCE WILL BE 4.5 FEET.
THIS AREA IS NOT NATURAL GROUND AND WAS EXCAVATED FOR A ROAD.

SURFACES

DESCRIPTION	EXISTING	PROPOSED
BUIILDINGS (ROOF)	2843	5440
DRIVEWAY AC OR PCC	2740	311
PATIOS/WALKWAYS	731	2850
PAVERS	0	892
IMPERVIOUS SURFACES	6314	9493
GRAVEL DRIVEWAY	0	973
LANDSCAPING	34894	30742
PERMEABLE SURFACES	34894	31715
TOTAL	41208	41208

GRADING NOTES

1. MAINTAIN SLOPES OF 5% OR GREATER AWAY FROM THE FOUNDATION ALONG THE ENTIRE PERIMETER FOR A DISTANCE OF 10 FEET MINIMUM WHERE FEASIBLE. ALONG THE SIDE YARD 5 FEET MINIMUM TOWARD THE DRAINAGE SWALE.
2. ALL ROOFS DRAINS TO BE DISCHARGED ONTO AN ADEQUATE SPLASH BLOCKS DESIGNED TO SPREAD THE RUNOFF SO THAT IT ENTERS THE LANDSCAPE AREAS AS SHEET FLOW.
3. CLOSED CONDUIT DRAINAGE SYSTEM WILL BE PROVIDED TO CONVEY RUNOFF FROM AREAS ABOVE THE RESIDENCE AND RETAINING WALLS TO A DISSPATER.
4. INSTALL SUB-DRAIN AROUND THE PERIMETER FOUNDATION AND RETAINING WALL IN ACCORDANCE WITH SOILS ENGINEER'S RECOMMENDATION AND UNDER HIS DIRECTION.
5. FINAL SURFACE DRAINAGE GRADIENT SHALL BE PLANNED AND BUILT SO AS TO DIRECT WATER AWAY FROM THE BUILDINGS AND FOUNDATIONS.
6. SLABS CAST ADJACENT TO FOUNDATIONS SHALL SLOPE AWAY FROM THE FOUNDATIONS.
7 INTERIM EROSION CONTROL MEASURES AS SHOWN ON THESE PLANS, TO BE CARRIED OUT DURING CONSTRUCTION AND BEFORE INSTALLATION OF THE FINAL LANDSCAPING.

TOWN OF LOS GATOS NPDES NOTES

NPDES NOTES
1) Sediment from areas disturbed by construction shall be retained on site using structural controls as required by the statewide General Construction Stormwater Permit.
2) Stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind as required by the statewide General Construction Stormwater Permit.
3) Appropriate best management practices (BMPs) for construction-related materials, wastes, spill or resides shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff as required by the statewide General Construction Stormwater Permit.
4) Runoff from equipment and vehicle washing shall be contained at construction sites and must not be discharged to receiving waters or to the local storm drain system.
5) All construction contractor and subcontractor personnel are to be made aware of the required best management practices (BMPs) and good housekeeping measures for the project site and any associated construction staging areas.
6) At the end of each day of construction activity, all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.
7) Construction sites shall be maintained in such a condition that a storm does not carry waste or pollutants off of the site. Discharges of material other than stormwater (non-stormwater discharges) are prohibited except as authorized by an individual National Pollutant Discharge Elimination System (NPDES) permit or the statewide General Construction Stormwater Permit. Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, solvents, detergents, glues, lime, pesticides, herbicides, fertilizers, wood preservatives and asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; concrete and related cutting or curing residues; floatable wastes; wastes from engine/equipment steam cleaning or chemical degreasing; wastes from street cleaning; and superchlorinated potable water from line flushing and testing. During construction, disposal of such materials should occur in a specified and controlled temporary area on-site physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.
8) Discharging contaminated groundwater produced by dewatering groundwater that has infiltrated into the construction site is prohibited. Discharging of contaminated soils via
Parks and Public Works Department Engineering Division 41 Miles Ave, Los Gatos, CA 95030
408.399.5771 www.losgatosca.gov www.facebook.com/losgatosca

TOWN OF LOS GATOS NPDES NOTES

surface erosion is also prohibited. Discharging non-contaminated groundwater produced by dewatering activities requires a National Pollutant Discharge Elimination System (NPDES) permit from the respective State Regional Water Quality Control Board.
Parks and Public Works Department Engineering Division 41 Miles Ave, Los Gatos, CA 95030
408.399.5771 www.losgatosca.gov www.facebook.com/losgatosca

INDEX

SHEET 1	TITLE SHEET
SHEET 2	GRADING AND DRAINAGE PLAN
SHEET 3	SECTIONS AND DETAILS
SHEET 4	EROSION CONTROL PLAN
SHEET 5	BMP

NO.	BY	DATE	REVISION	BY	DATE

DATE: APRIL 2022
SCALE: HOR. 1"= 10' VERT.
DESIGNED:
DRAWN: HB
PROJ. ENGR:

BY: KAREL CYMBAL, RCE 34531
DATE:

WESTFALL ENGINEERS, INC.
14583 BIG BASIN WAY, SARATOGA, CA 95070 (408)867-0244

GRADING AND DRAINAGE PLAN

17121 CRESCENT DRIVE, LOS GATOS, CA

JOB NO. 2021-013
SHEET 1 OF 5

N22°11'10"E
294.29'

PROPOSED ADU
F.F. 566.30
PAD 563.30

F.F. 568.10
PAD 565.10

PROPOSED RESIDENCE
BASEMENT F.F. 579.90
PAD 577.90

F.F.589.50
PAD 587.50

PROPOSED GARAGE
T.S. 589.00
PAD 587.60

FUTURE POOL
590.00

REMODEL
EX. F.F. 592.66

EX. HOUSE

SPA

COMP. SAND

CARPORT

DECK
589.40

DECK
589.40
579.80

DECK
561.30

ENERGY DISSIPATER
INV 564.87

N76°10'20"W
160.93'

N42°35'10"W
45.68'

L=48.43'
R=345.27

L=85.08'
R=37.02

N03°05'22"E
122.55'

CRESCENT DRIVE

NOTE:
MAXIMUM DEPTH OF FILL NEAR THE NORTHWEST CORNER OF THE RESIDENCE WILL BE 4.5 FEET.
THIS AREA IS NOT NATURAL GROUND AND WAS EXCAVATED FOR A ROAD.

SLOPE CALCULATIONS

$$S = \frac{0.00229 \times L \times I}{A} = \frac{0.00229 \times 6{,}134 \times 2}{0.946} = 29.7\%$$

0 20 40

NO.	BY	DATE	REVISION	BY	DATE

DATE: APRIL 2022
SCALE: HOR. 1" = 10' VERT.
DESIGNED:
DRAWN: HB
PROJ. ENGR:

BY: KAREL CYMBAL, RCE 34539
DATE:

WESTFALL ENGINEERS, INC.

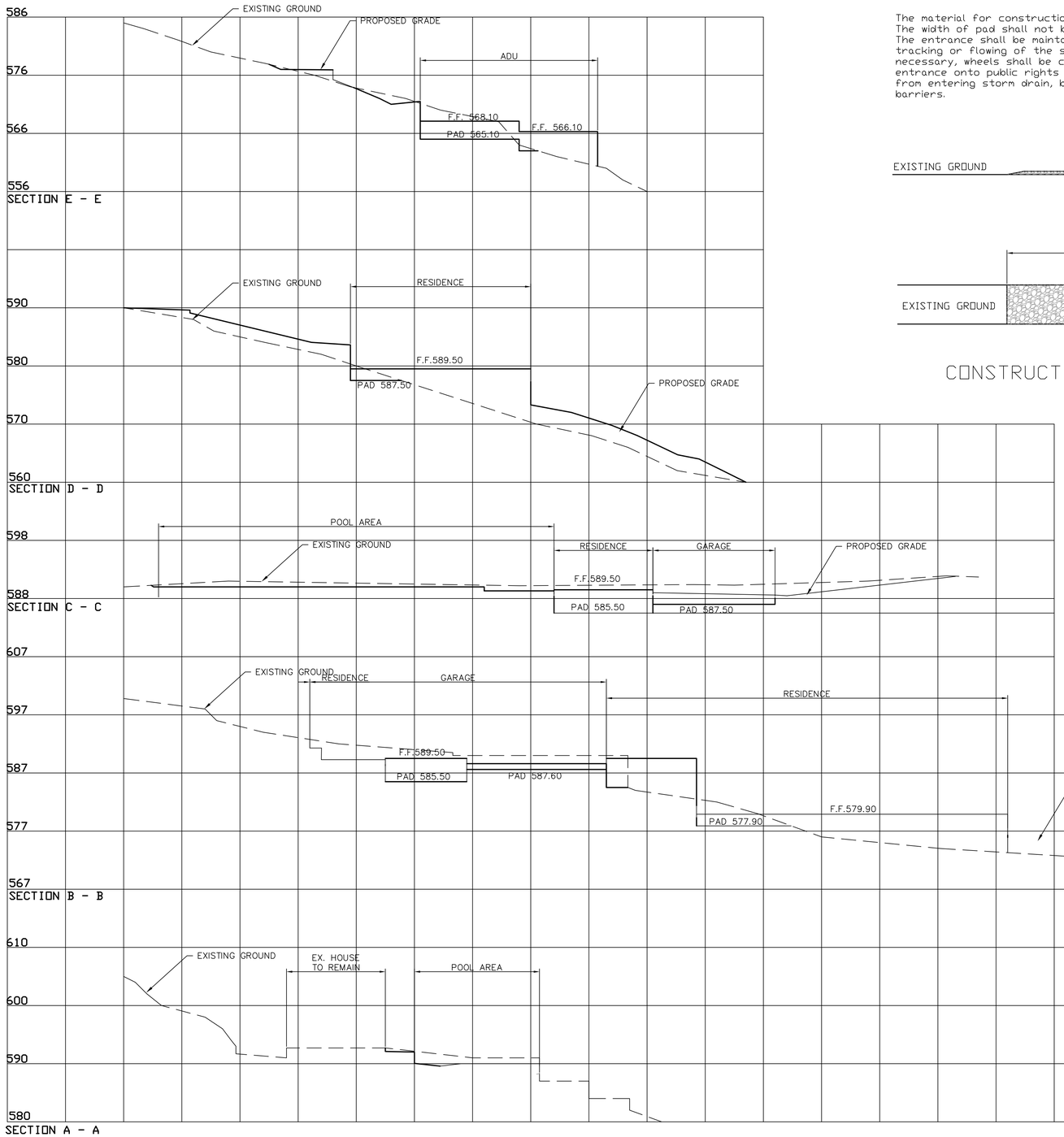
14583 BIG BASIN WAY, SARATOGA, CA 95070 (408)867-0244

GRADING AND DRAINAGE PLAN

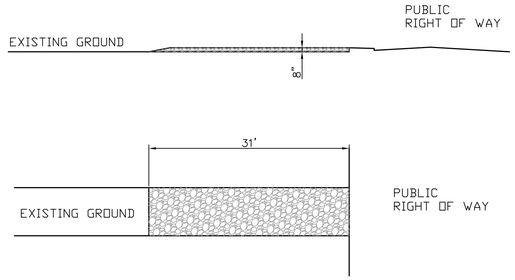
17121 CRESCENT DRIVE, LOS GATOS, CA

JOB NO. 2021-013

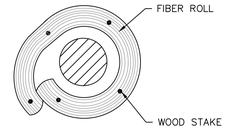
SHEET 2 OF 5



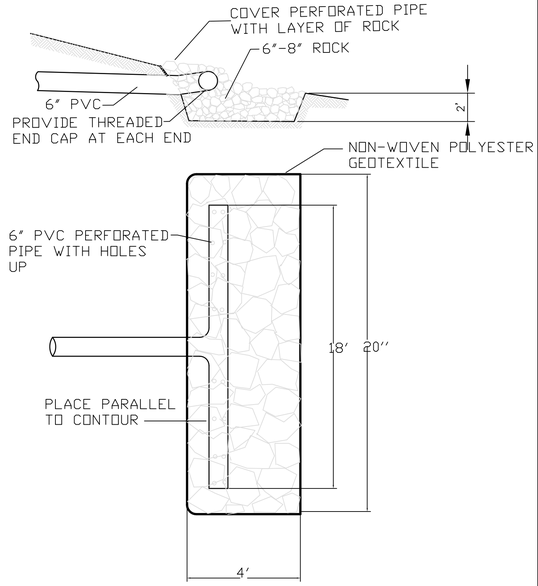
The material for construction of the pad shall be 2 to 3 inch rock. The width of pad shall not be less than the full width of access road. The entrance shall be maintained in a condition that will prevent tracking or flowing of the sediment onto puclic rights of way. When necessary, wheels shall be cleaned to remove sediment prior to entrance onto public rights of way. All sediment shall be prevented from entering storm drain, by use of sand bags, gravel or sediment barriers.



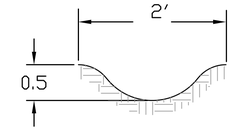
CONSTRUCTION ENTRANCE DETAIL



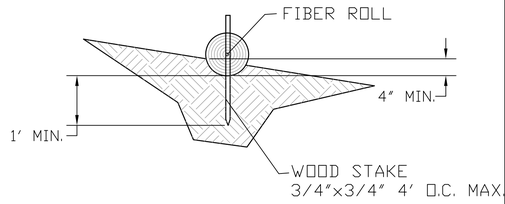
INLET PROTECTION



ENERGY DISSIPATOR



SWALE



ENTRENCHMENT DETAIL
FOR FIBER ROLLS

NO.	BY	DATE	REVISION	BY	DATE

DATE: APRIL 2022
SCALE: HOR. 1'= 10'
VERT. 1'=10'
DESIGNED:
DRAWN: HB
PROJ. ENGR:

BY: KAREL CYMBAL, RCE 34534
DATE:

WESTFALL ENGINEERS, INC.
14583 BIG BASIN WAY, SARATOGA, CA 95070 (408)867-0244

SECTIONS AND DETAILS
17121 CRESCENT DRIVE, LOS GATOS, CA

JOB NO. 2021-013
SHEET 3
OF 5

N22°11'10"E
294.29'

PROPOSED ADU

REMODEL
(E) HOUSE

PROPOSED RESIDENCE

PROPOSED GARAGE

GARAGE

DECK
588.40

DECK
588.40
578.70

DECK
588.40

SPA

COMP.
SAND

LAWN

PLANTER

PAVEMENT

CARPORT

FOUNTAIN

CRESCENT DRIVE

N76°10'20"W
180.93'

N43°12'10"W
15.68'

L=48.43'
R=348.27'

L=35.74'
R=20.15'

L=65.09'
R=37.02'

N03°05'22"E
122.55'

FIBER ROLLS

INLET PROTECTION

CONSTRUCTION ENTRANCE

SD

0 20 40

NO.	BY	DATE	REVISION	BY	DATE

DATE: APRIL 2022
SCALE: HOR. 1" = 10'
VERT.
DESIGNED:
DRAWN: HB
PROJ. ENGR:

BY: KAREL CYMBAL, RCE 34530
DATE:

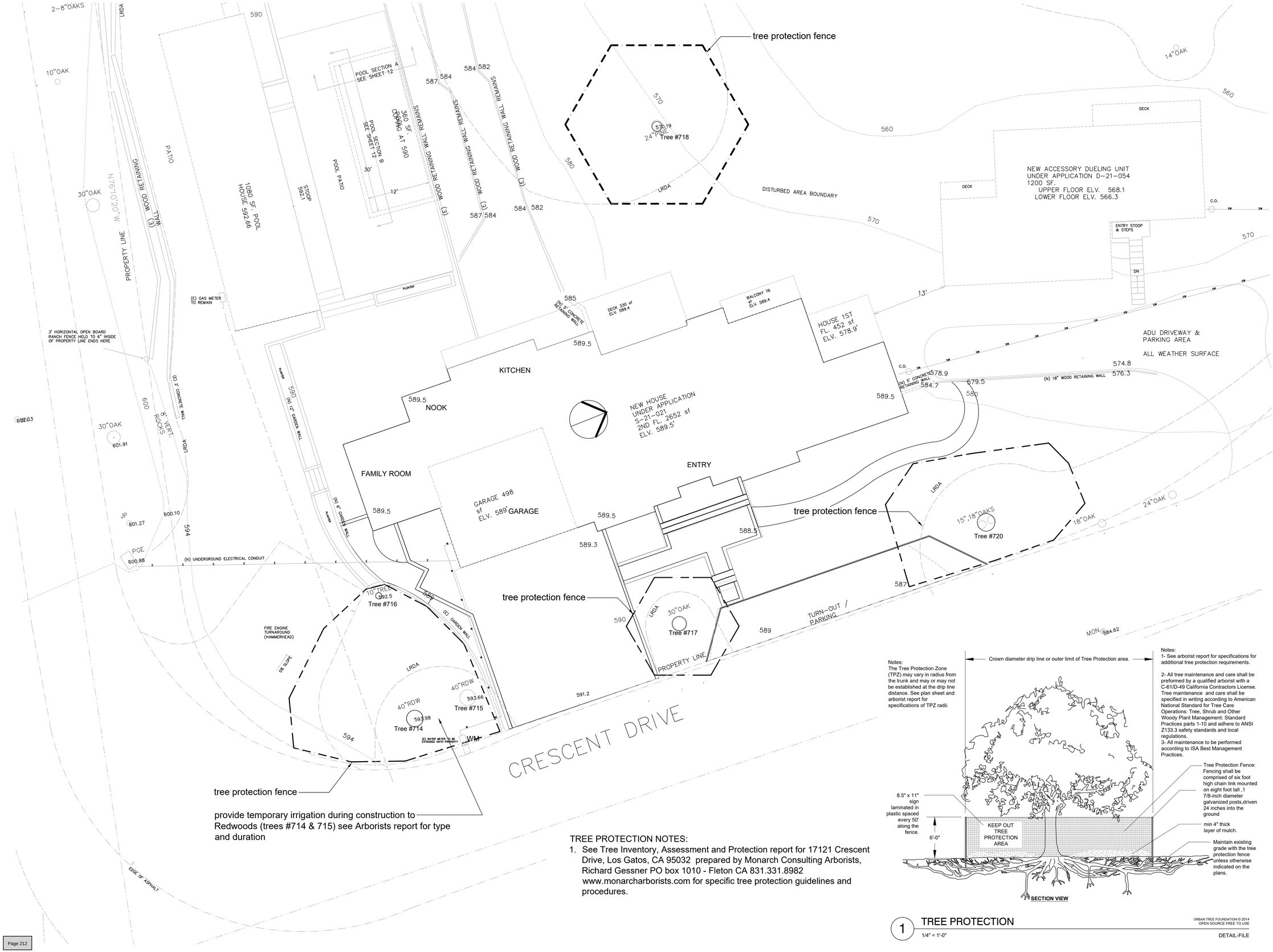
WESTFALL ENGINEERS, INC.
14583 BIG BASIN WAY, SARATOGA, CA 95070 (408)867-0244

EROSION CONTROL PLAN

17121 CRESCENT DRIVE, LOS GATOS, CA

JOB NO.
2021-013

SHEET 4
OF 5



TREE PROTECTION NOTES:

1. See Tree Inventory, Assessment and Protection report for 17121 Crescent Drive, Los Gatos, CA 95032 prepared by Monarch Consulting Arborists, Richard Gessner PO box 1010 - Fleton CA 831.331.8982 www.monarcharborists.com for specific tree protection guidelines and procedures.

1 TREE PROTECTION
1/4" = 1'-0"

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DETAIL-FILE

Michael Arnone + Associates
LANDSCAPE ARCHITECTURE
831.462.4988 mike@arnonelandscape.com www.arnonelandscape.com

WADE RESIDENCE
17141 CRESCENT DR
LOS GATOS, CA 95030

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REVISIONS

LICENSED LANDSCAPE ARCHITECT
MICHAEL A. ARNONE
No. 3347
(Exp 7/31/22)
STATE OF CALIFORNIA

TREE PROTECTION PLAN

JOB NO.	202202
SCALE	1/8" = 1' - 0"
DRAWN	MA
CHECK	JC/MA
DATE	4.21.2022

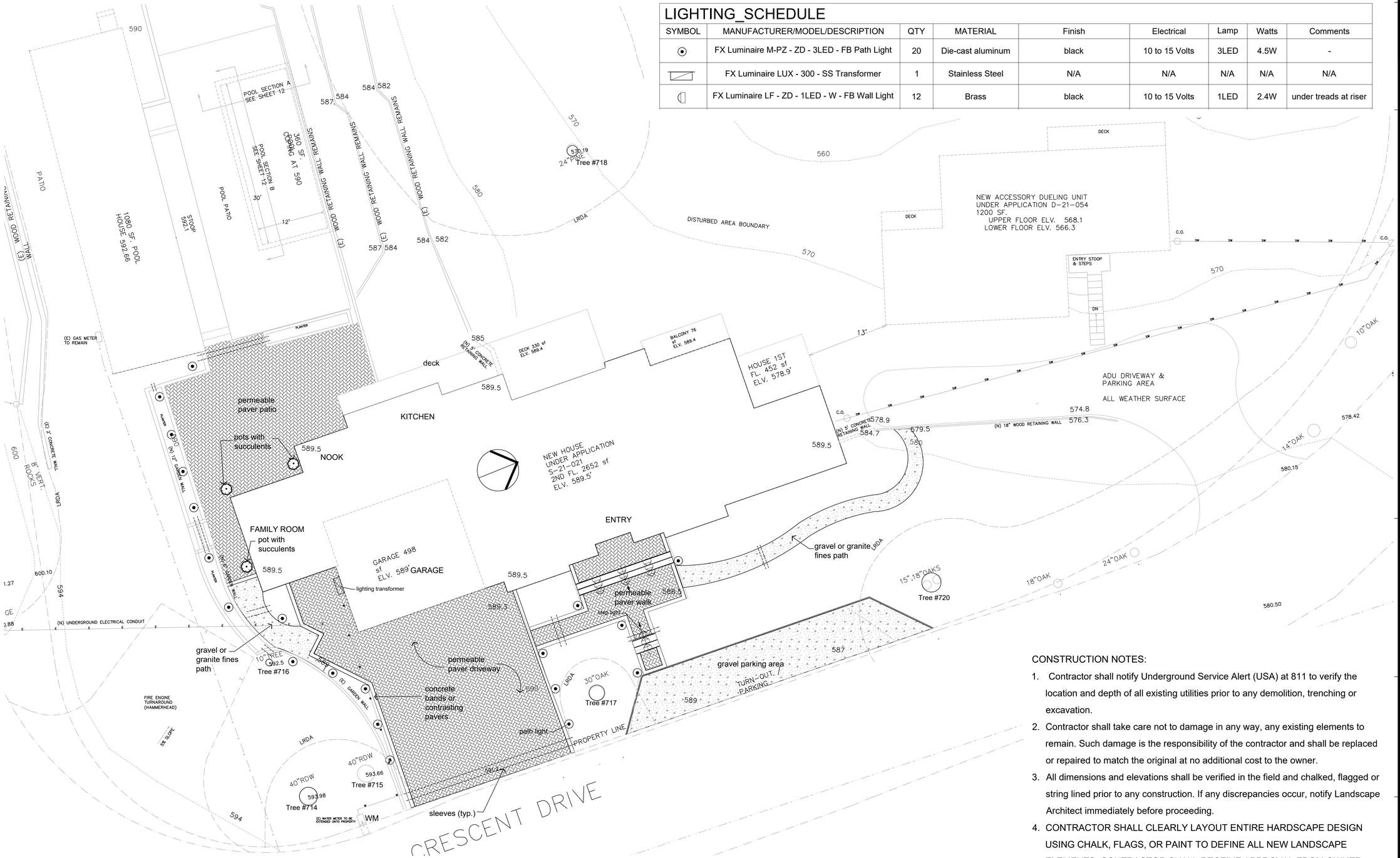
SHEET

T-1.0

SHEET 1 OF 6

LIGHTING_SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	MATERIAL	Finish	Electrical	Lamp	Watts	Comments
⊙	FX Luminaire M-PZ - ZD - 3LED - FB Path Light	20	Die-cast aluminum	black	10 to 15 Volts	3LED	4.5W	-
▭	FX Luminaire LUX - 300 - SS Transformer	1	Stainless Steel	N/A	N/A	N/A	N/A	N/A
▯	FX Luminaire LF - ZD - 1LED - W - FB Wall Light	12	Brass	black	10 to 15 Volts	1LED	2.4W	under treads at riser



CONSTRUCTION NOTES:

1. Contractor shall notify Underground Service Alert (USA) at 811 to verify the location and depth of all existing utilities prior to any demolition, trenching or excavation.
2. Contractor shall take care not to damage in any way, any existing elements to remain. Such damage is the responsibility of the contractor and shall be replaced or repaired to match the original at no additional cost to the owner.
3. All dimensions and elevations shall be verified in the field and chalked, flagged or string lined prior to any construction. If any discrepancies occur, notify Landscape Architect immediately before proceeding.
4. CONTRACTOR SHALL CLEARLY LAYOUT ENTIRE HARDSCAPE DESIGN USING CHALK, FLAGS, OR PAINT TO DEFINE ALL NEW LANDSCAPE ELEMENTS. CONTRACTOR SHALL RECEIVE APPROVAL FROM OWNER PRIOR TO START OF INSTALLATION OF LANDSCAPE ELEMENTS SHOWN ON PLANS.
5. Contractor shall place 3" diameter sleeves (chases) under all paving crossings as shown on plan to be used for drip irrigation lines, irrigation laterals or low voltage lighting cable.
6. The pavers shall be permeable, Belgard "Aqualine" in Victorian color or similar pemeable paver.
7. Gravel paths and parking area to be edged with metal or trex landscape edging. Gravel to be $\frac{3}{8}$" California gold or tan path fines.

Michael Arnone + Associates
LANDSCAPE ARCHITECTURE
831.462.4988 mike@arnonelandscape.com www.arnonelandscape.com

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LOS GATOS, CA 95030

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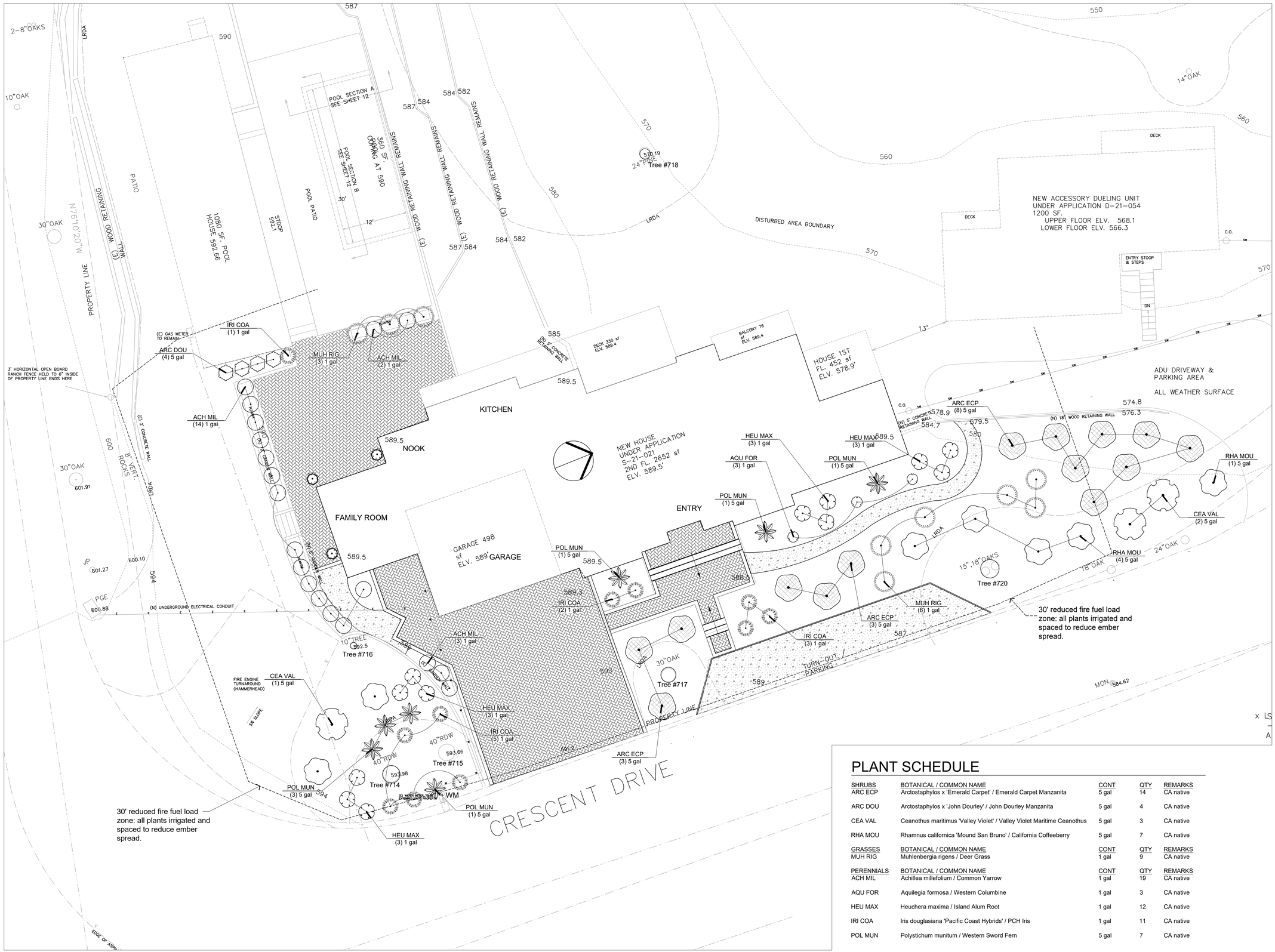
REVISIONS

LICENSED LANDSCAPE ARCHITECT
MICHAEL A. ARNONE
No. 3347
(Exp 7/31/22)
STATE OF CALIFORNIA

HARDSCAPE PLAN

JOB NO. 202202
SCALE 1/8" = 1' - 0"
DRAWN MA
CHECK JC/MA
DATE 4.21.2022

SHEET
L-1.O



PLANT SCHEDULE

SHRUBS	BOTANICAL / COMMON NAME	CONT	QTY	REMARKS
ARC ECP	Arctostaphylos x 'Emerald Carpet' / Emerald Carpet Manzanita	5 gal	14	CA native
ARC DOU	Arctostaphylos x 'John Dourley' / John Dourley Manzanita	5 gal	4	CA native
CEA VAL	Ceanothus maritimus 'Valley Violet' / Valley Violet Maritime Ceanothus	5 gal	3	CA native
RHA MOU	Rhamnus californica 'Mound San Bruno' / California Coffeeberry	5 gal	7	CA native
GRASSES	**BOTANICAL / COMMON NAME**	**CONT**	**QTY**	**REMARKS**
MUH RIG	Muhlenbergia rigens / Deer Grass	1 gal	9	CA native
PERENNIALS	**BOTANICAL / COMMON NAME**	**CONT**	**QTY**	**REMARKS**
ACH MIL	Achillea millefolium / Common Yarrow	1 gal	19	CA native
AQU FOR	Aquilegia formosa / Western Columbine	1 gal	3	CA native
HEU MAX	Heuchera maxima / Island Alum Root	1 gal	12	CA native
IRI COA	Iris douglasiana 'Pacific Coast Hybrids' / PCH Iris	1 gal	11	CA native
POL MUN	Polystichum munitum / Western Sword Fern	5 gal	7	CA native

Michael Arnone + Associates
LANDSCAPE ARCHITECTURE
831.462.4988 mike@arnonelandscape.com www.arnonelandscape.com

WADE RESIDENCE
17141 CRESCENT DR
LOS GATOS, CA 95030

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REVISIONS

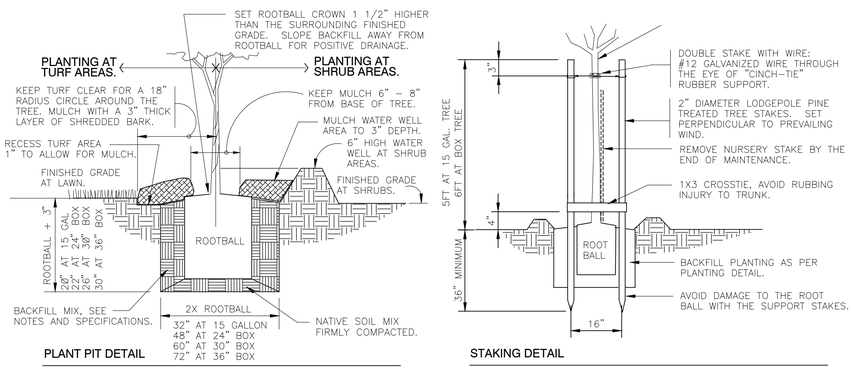
LICENSED LANDSCAPE ARCHITECT
MICHAEL A. ARNONE
No. 3347
(Exp. 7/31/22)
STATE OF CALIFORNIA

PLANTING PLAN

JOB NO. 202202
SCALE 1/8" = 1' - 0"
DRAWN MA
CHECK JC/MA
DATE 4.21.2022

SHEET
L- 2.0

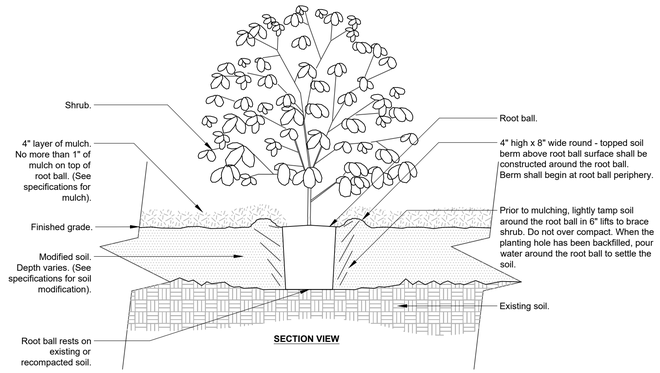
SHEET 3 OF 6



1 TREE DOUBLE STAKE PLANTING

1" 1'-0"d

FX-PL-FX-TREE-11



Notes:
1- Shrubs shall be of quality prescribed in the root observations detail and specifications.

2- See specifications for further requirements related to this detail.

2 SHRUB - MODIFIED SOIL

3/4" 1'-0"d

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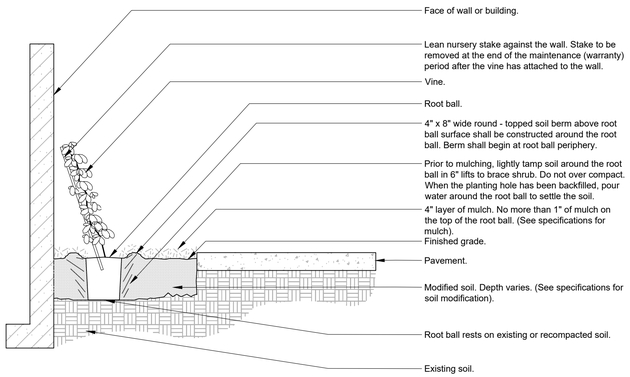
FX-PL-FX-SHRB-03



Notes:
1- Vines shall be of quality as prescribed in the root observations detail and specifications.

2- See specifications for further requirements related to this detail.

3 VINE - MODIFIED SOIL

1/2" 1'-0"d

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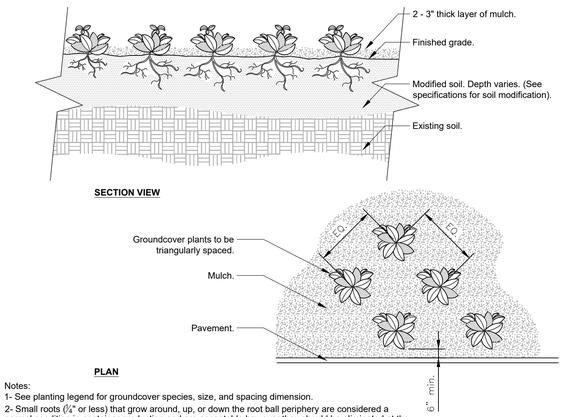
FX-PL-FX-SHRB-06



Notes:
1- See planting legend for groundcover species, size, and spacing dimension.
2- Small roots (¼" or less) that grow around, up, or down the root ball periphery are considered a normal condition in container production and are acceptable however they should be eliminated at the time of planting. Roots on the periperhy can be removed at the time of planting. (See root ball shaving container detail).
3- Settle soil around root ball of each groundcover prior to mulching.

4 GROUNDCOVER

3/4" 1'-0"d

URBAN TREE FOUNDATION © 2014
OPEN SOURCE FREE TO USE

FX-PL-FX-GROU-01

PLANTING NOTES

1. All existing trees, shrubs and ground covers to remain shall be protected. Any damage caused by Contractor's work shall be repaired or replaced at the Contractor's expense and be approved by the Landscape Architect.
2. If topsoil is intact, spread 1-2 inches of STA certified compost (U.S. Composting Council's (USCC) Seal of Testing Assurance (STA) Program) over surface of soil and incorporate into top 6 inches of planting area. If topsoil has been scraped and stored, mix one cubic yard of compost to 3-5 cubic yards of topsoil before re-spreading.
3. Amend soil as noted in soil report from Perry Lab.
4. After amending soil, grade all areas smooth with no localized depressions exceeding .5 inch. All areas shall surface drain with 1.5 percent minimum slope away from all buildings, paving or other structures.
5. Quantities are for aiding in bidding only. Contractor shall verify all quantities.
6. Contractor shall lay out plant material as per plan and receive approval from Landscape Architect prior to installation.
7. No plants shall be planted with root balls or new pits in a dry condition.
8. Plant all plants as per planting details in square pits with sides and bottoms thoroughly scarified. Do not amend backfill mix beyond initial topsoil amending unless noted.
9. All plants to be planted in gopher baskets if evidence of gophers on site or as directed by owner
10. All newly planted material shall be watered by deep soaking within 3 hours of planting.
11. All planting areas shall receive 2 to 3 inches of fine grind bark top dressing (mulch).
12. Contractor shall be responsible for irrigating all new plant material until the entire project as been approved and accepted by Owner.
13. Thirty days after planting Contractor shall restake and straighten all trees as necessary to be approved by Landscape Architect.

PERRY LABORATORY
HORTICULTURAL ADVISING AND TESTING

Michael Arnone
3370 Samuel Place
Santa Cruz, CA 95062

424 AIRPORT BOULEVARD
WATSONVILLE, CA 95076
Telephone 831/722-7606
Fax 831/722-5053

January 20, 2022

Soil Analyses

Chemical analyses on samples received: January 17, 2022

Sample Identification	pH saturated paste	Electrical Conductivity dS/m	Nitrate Nitrogen (N)	Ammonium Nitrogen (N)	Phosphorus (P)	Potassium (K)	Calcium (Ca)	Magnesium (Mg)	Sulfate (SO4)	Boron (B)	Zinc (Zn)	Copper (Cu)	Manganese (Mn)	Iron (Fe)	Sodium (Na)	Calcium plus Magnesium	Sodium (Na)	Chloride (Cl)	SAR Sodium Adsorption Ratio	ESP Exchangeable Sodium Percentage	Cation Exchange Capacity
		Saturated paste extract	RESULTS REPORTED IN PARTS PER MILLION OF DRY SOIL												milliequivalents per liter in extract						Meq/100 grams
General Guidelines- South African, Australian & California Native Plants	4.5-5.5	1.0-3.0	15-35	15-30	5-10	150-300	2000-4000	300-500	25-500	0.5-1.0	2.5-5.0	1.0-3.0	10-25	50-100		>6.0	<3.0	<3.0	<8.0	<9.0	
Wade, Los Gatos	5.3	0.5	16	5	10	246	2203	590	**14**	0.2	10.7	1.1	15.1	134	74	3.6	0.8	0.9	0.6	0.7	30

	Organic Matter (% by Weight)		Lime Content % Ca CO3		Mechanical Analyses, % by weight, USDA Classifications								Infiltration Rate inches/ hour
					Sand		Silt		Clay		Texture		
Optimum Values	>5.0		<3.0										
	8.8		1.9		53		19		28		sandy clay loam		0.15

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PERRY LABORATORY
HORTICULTURAL ADVISING AND TESTING

Michael Arnone
Wade, Los Gatos
01/20/22
Page 2

The pH value of this soil is moderately acid in reaction and is in a satisfactory range. The low electrical conductivity reading shows the levels of soluble salt are low.

The soil fertility analysis shows the nitrogen and phosphorus levels are at a minimum. The potassium, calcium, magnesium, boron, zinc, copper, manganese and iron levels are in good ranges. The sulfate concentration is slightly low.

The sodium and chloride levels are low and will not cause toxicity problems. The low SAR and ESP value shows the sodium that is present will not cause a hazard to the soil structure. The cation exchange capacity of this soil indicates it has satisfactory nutrient holding properties.

The organic matter content is satisfactory at this time. The free lime content in this soil is safely low. The mechanical analysis indicates this is a sandy clay loam textured soil. A sandy clay loam soil generally has an infiltration rate of 0.15 inches per hour, however, the high organic matter should make it satisfactory.

Preplanting will require the following per 1000 sq ft of bed area:

Gypsum	25.0 lbs
Tiger 90 Soil Sulfur (90% S)	10.0 lbs
Bone Meal (3-15-0)	10.0 lbs
Feather meal (12-0-0)	10.0 lbs

The above materials should be incorporated into the upper 6-8" of the soil profile.

If you have any questions, please give me a call.

Respectfully submitted,

Clifford B. Low, M.S.

Michael Arnone + Associates
LANDSCAPE ARCHITECTURE
831.462.4988 mike@arnonelandscape.com www.arnonelandscape.com

WADE RESIDENCE
17141 CRESCENT DR
LOS GATOS, CA 95030

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REVISIONS

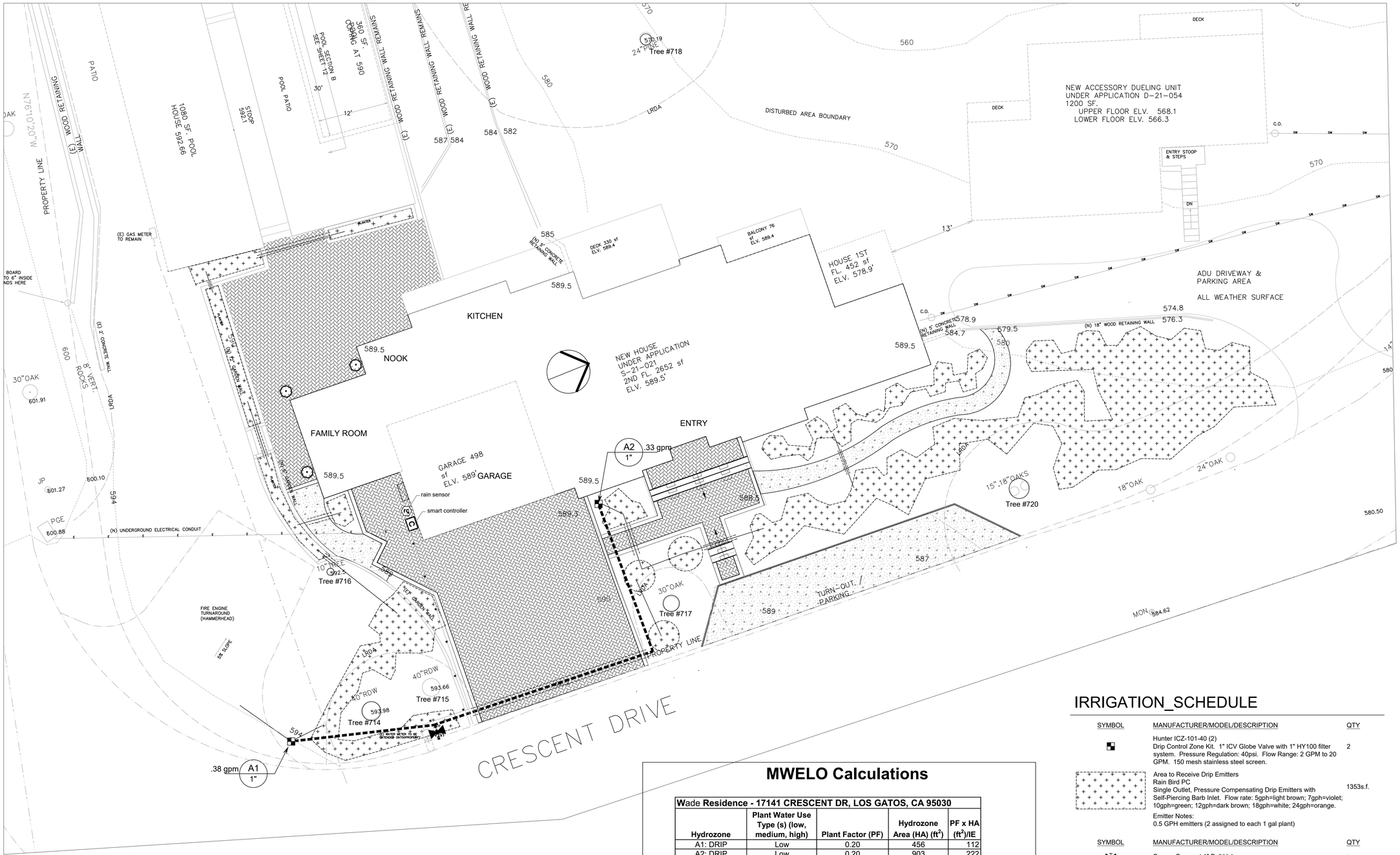
LICENSED LANDSCAPE ARCHITECT
MICHAEL A. ARNONE
No. 3347
(Exp 7/31/22)
STATE OF CALIFORNIA

PLANTING NOTES AND DETAILS

JOB NO. 202202
SCALE AS NOTED
DRAWN MA
CHECK JC/MA
DATE 4.21.2022

SHEET
L- 2.1

SHEET 4 OF 6



MWELO Calculations

Wade Residence - 17141 CRESCENT DR, LOS GATOS, CA 95030

Hydrozone	Plant Water Use Type (s) (low, medium, high)	Plant Factor (PF)	Hydrozone Area (HA) (ft^2)	PF x HA (ft^2)/IE
A1: DRIP	Low	0.20	456	112
A2: DRIP	Low	0.20	903	222
		Sum	**1,359**	**334**
ETWU = (ET_o) x (0.62) x [(PF x HA/IE) + SLA]		**9,526**	**Gallons**	
MAWA = (ET_o) x (0.62) x [(0.55 x LA)+(0.3 x SLA)]		**19,881**	**Gallons**	
	ETWU complies with MAWA			

IRRIGATION_SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
	Hunter ICZ-101-40 (2) Drip Control Zone Kit. 1" ICV Globe Valve with 1" HY100 filter system. Pressure Regulation: 40psi. Flow Range: 2 GPM to 20 GPM. 150 mesh stainless steel screen.	2
	Area to Receive Drip Emitters Rain Bird PC Single Outlet, Pressure Compensating Drip Emitters with Self-Piercing Barb Inlet. Flow rate: 5gph=light brown; 7gph=violet; 10gph=green; 12gph=dark brown; 18gph=white; 24gph=orange. Emitter Notes: 0.5 GPH emitters (2 assigned to each 1 gal plant)	1353s.f.

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
	Spears Compact 1" Ball Valve	1
C	Hunter HC-6 6 station controller with Wi-Fi connection	1
rc	Hunter WR-CLIK Rain Sensor, install within 1000 ft of controller, in line of sight. 22-28 VAC/VDC 100 mA power from timer transformer.	1
	Irrigation Lateral Line: PVC Class 315 SDR	
	Irrigation Mainline: PVC Schedule 40	
	Pipe Sleeve: CPVC Schedule 80	

Valve Callout
Valve Number
Valve Flow
Valve Size

Michael Arnone + Associates
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REVISIONS

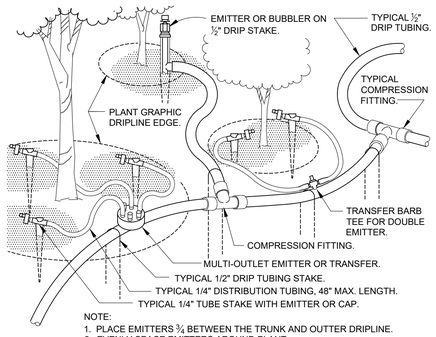
LICENSED LANDSCAPE ARCHITECT
MICHAEL A. ARNONE
No. 3347
(Exp 7/31/22)
STATE OF CALIFORNIA

IRRIGATION PLAN

JOB NO. 202202
SCALE 1/8" = 1' - 0"
DRAWN MA
CHECK JC/MA
DATE 4.21.2022

SHEET
L- 3.0

SHEET 5 OF 6

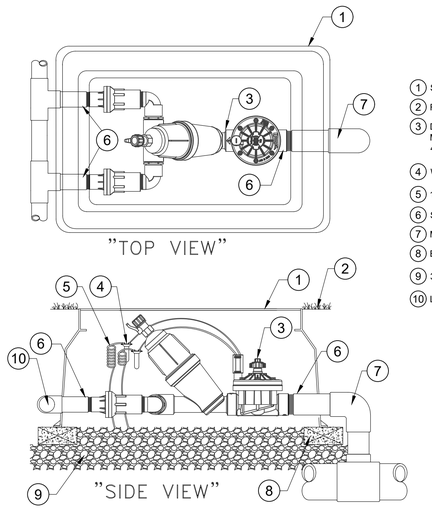


NOTE:
1. PLACE EMITTERS ¾ BETWEEN THE TRUNK AND OUTTER DRIPLINE.
2. EVENLY SPACE EMITTERS AROUND PLANT.
3. STAKE THE DRIP TUBING AT EACH TEE, ELL, COUPLER, AT EACH EMITTER OR TRANSFER, AND AT 6'-0" MAX O.C.

USE BUBBLERS FOR TREES AS NOTED IN LEGEND; USE TUBING FOR ALL SHRUBS

1 TYPICAL DRIP TUBING

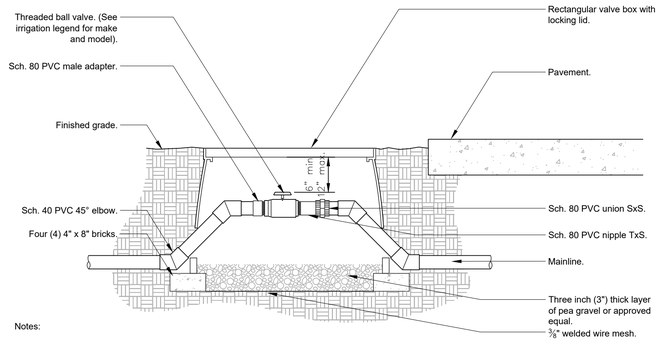
1 1/2" 1'-0"d FX-IR-FX-DRIP-01



1. SUPER JUMBO VALVE BOX
2. FINISH GRADE
3. DRIP ZONE KIT MODEL ICZ-151-40 WITH FILTER (TIP 45 DEGREES) REGULATOR 40 PSI
4. WATERPROOF CONNECTORS (2)
5. 18-24" COILED WIRE
6. SCH 80 T.O.E. NIPPLE
7. MAIN LINE PIPE & FITTINGS
8. BRICK SUPPORTS (7)
9. 3/4" MINUS WASHED GRAVEL
10. LATERAL PIPE AND FITTINGS

2 ICZ-151-40 DRIP CONTROL KIT

1 1/2" 1'-0"d FX-IR-HUNT-DRIP-20



Notes:

1- Locate valve boxes in planting areas.

2- Wrap valve box with a minimum of 3 mil thick plastic and secure it using duct tape or electrical tape.

3- All threaded connection to be made using teflon tape.

4- All changes in elevation shall be made using Sch. 40 PVC 45° elbows.

3 BALL VALVE - 3" AND SMALLER

1 1/2" 1'-0"d

URBAN TREE FOUNDATION © 2014
OPEN SOURCE FREE TO USE

FX-IR-FX-SHUT-01

IRRIGATION NOTES
1. The drip system will incorporate pressure compensating drip emitters with 1/4" drip tubes to each plant that deliver water at 90% efficiency at an application rate that matches the soil type.
2. An ET based "smart" irrigation controller shall be installed to efficiently irrigate all new planting areas and plant containers.Irrigation schedule shall be reduced (frequency and duration) after plants are established (1 year).
3. Irrigation schedule shall be adjusted seasonally based on plant needs.
4. Irrigation schedule provided to appropriate personnel and posted near irrigation controller.
5. Irrigation system to be inspected regularly and maintained in good working condition.
6. Repairs to be made using identical or improved parts.
7. Landscape maintenance schedule to be followed.

IRRIGATION NOTES
1. Contractor shall notify U.S.A. (Underground Service Alert) at 800 642 2444, prior to start of any excavation or trenching.
2. Contractor shall review all plans and documents pertaining to the project prior to the start of work to coordinate work with other trades.
3. Contractor shall install irrigation system in accordance with all local codes and ordinances.
4. Drip valves have been designed to operate at a maximum of 10 gallons per minute at 40 p. s. i. static pressure. Irrigation contractor shall verify a static pressure of at least 55 p.s.i. at the point of connection prior to the installation of the irrigation system. Should the p.s.i. or the g.p.m. be insufficient to operate either system, contractor shall notify landscape architect and request review of design.
5. Irrigation design is diagrammatic. Mainline, valves, laterals and other irrigation equipment may be shown outside of planting beds for graphic clarity. All irrigation equipment shall be located in adjacent planting beds.
6. Irrigation pipe depths: Mainlines under paving shall have 24" cover over pipes. Lateral lines under paving shall have 18" cover over pipes. Sleeves shall be located as per plan. Mainlines in planting beds shall have 12" of cover over pipes. Laterals in planting beds shall have 12" cover over pipes.
7. Lateral lines (non pressure lines) sizing guidelines shall be as follows: 3/4" O.D. - 0 to 10 GPM; 1" O.D. - 11 to 15 GPM; 1 1/4" O.D. - 16 to 25 GPM; 1 1/2" O.D. 26 to 30 GPM; 2" O.D. 31 to 55 GPM. Refer to Irrigation Legend and plan sheets for further data.
8. Control wires shall be 14 gauge UF direct burial wire. Use red for control wire and white for common wire. Contractor shall run one spare common and one spare control wire to each of the end valves. All low voltage wire connections shall be made only at remote control boxes. All connections shall be made with a 2' coil of wire for service. Connections shall be made with RainBird 'Snap-Tite' connectors or equal.
9. All electrical connections for the controller shall be installed by a licensed electrical contractor. All work shall comply with the most current standards and codes at the time of installation. Contractor shall hard wire new clocks at closest, safest location.
10. Contractor shall determine the number and location of drip emitters based on the plant counts and actual plant locations in the field. Contractor shall adjust all drip distribution tubing to effectively irrigate all plant material.
11. The drip system will incorporate pressure compensating drip emitters with 1/4" drip tubes to each plant that deliver water at 90% efficiency at an application rate that matches the soil type.
12. Contractor shall provide a minimum of one drip end cap assembly per drip zone for ease of flushing system.

Michael Arnone + Associates
LANDSCAPE ARCHITECTURE
831.462.4988 mike@arnonelandscape.com www.arnonelandscape.com

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LICENSED LANDSCAPE ARCHITECT
MICHAEL A. ARNONE
No. 3347
(Exp 7/31/22)
STATE OF CALIFORNIA

IRRIGATION NOTES + DETAILS

JOB NO. 202202
SCALE AS NOTED
DRAWN MA
CHECK JC/MA
DATE 4.21.2022

SHEET
L- 3.1

SHEET 6 OF 6

	EXISTING FOOTPRINT (LINEAR FEET)	WIDTH OF PRESERVED WALL FRAMING IN LINEAR FEET (INCLUDING EXISTING OPENINGS)	WIDTH OF DEMOLISHED WALL FRAMING IN LINEAR FEET (INCLUDING EXISTING OPENINGS)
TOTAL	273.15'	138.25'	134.9'

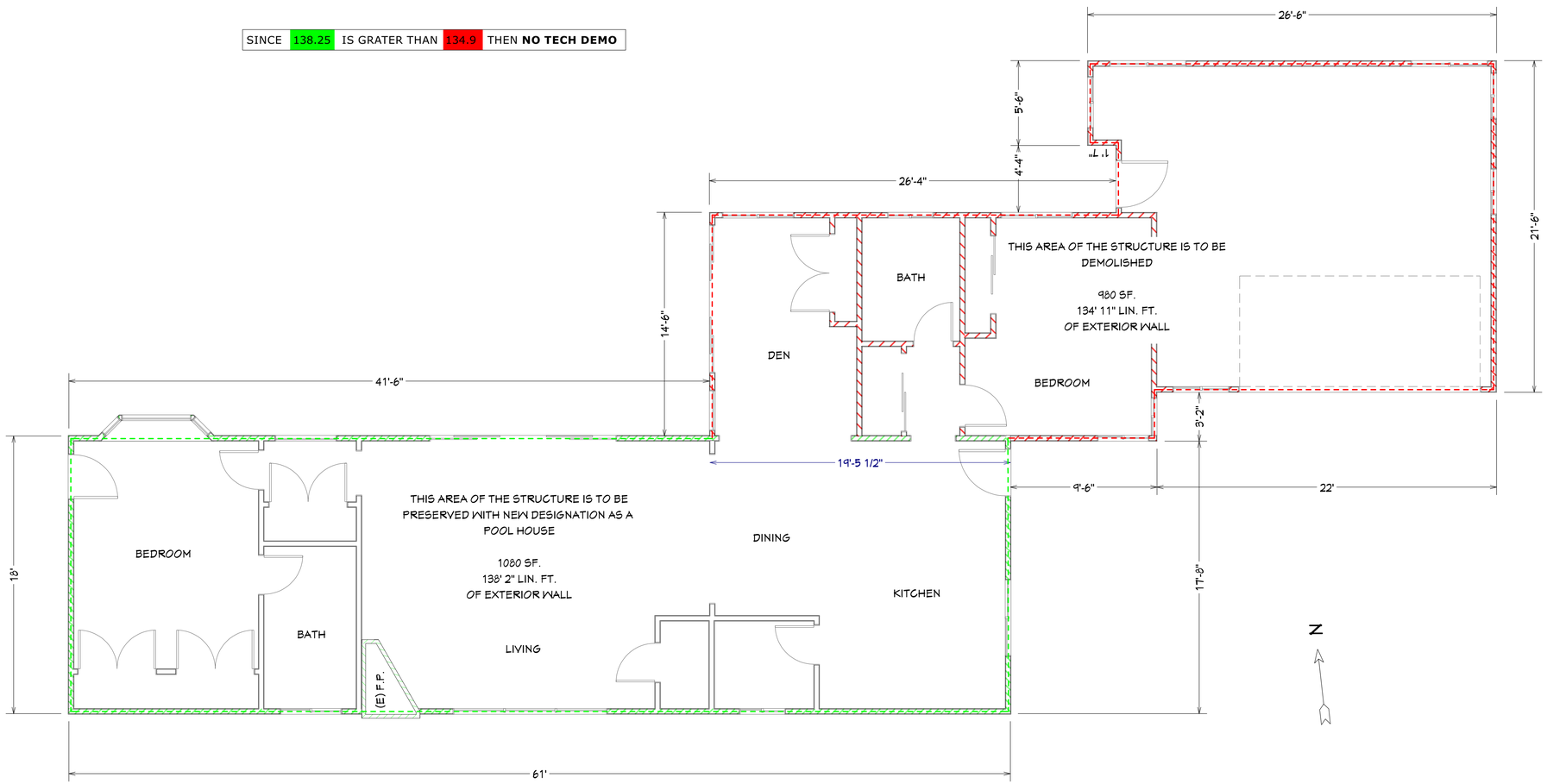
IF	PRESERVED WALL FRAMING	IS GRATER THAN	DEMO'D WALL FRAMING	THEN **NO TECH DEMO**
IF	DEMO'D WALL FRAMING	IS GRATER THAN	PRESERVED WALL FRAMING	THEN **TECH DEMO**

SINCE	138.25	IS GRATER THAN	134.9	THEN **NO TECH DEMO**

PLAN KEY

DEMOLISHED WALL FRAMING

PRESERVED WALL FRAMING



EXISTING FLOOR PLAN

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: EXISTING HOUSE FLOOR PLAN DEMO PLAN

WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE: 4-22-2022

SCALE: 1/4" = 1'

SHEET: 4

PLAN KEY

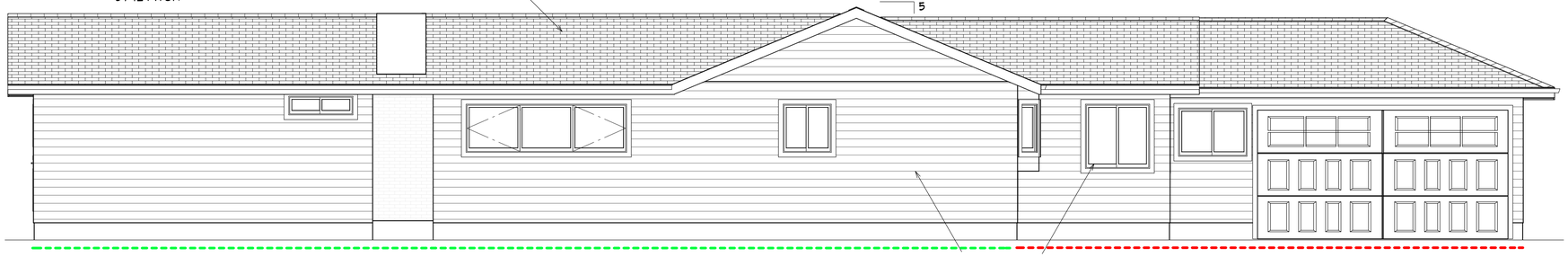
DEMOLISHED WALL FRAMING

PRESERVED WALL FRAMING

5 / 12 PITCH

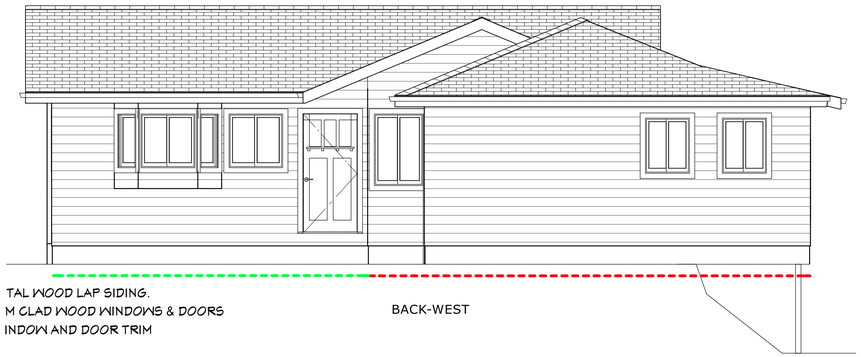
AND ROOFING MATERIAL REMAINS AT NEW POOL HOUSE SECTION.

12
5



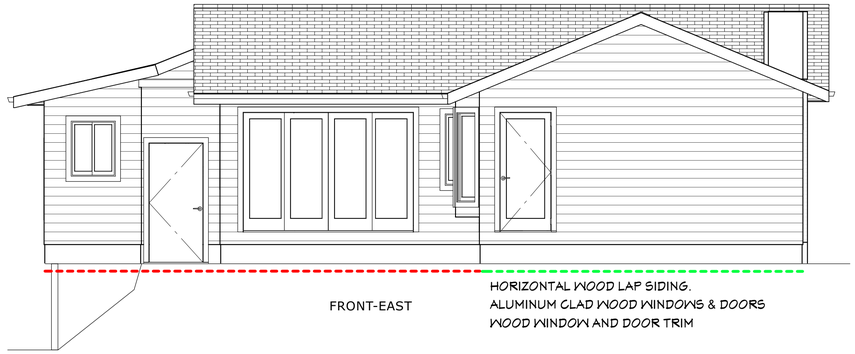
LEFT SIDE-SOUTH

HORIZONTAL WOOD LAP SIDING.
ALUMINUM CLAD WOOD WINDOWS & DOORS
WOOD WINDOW AND DOOR TRIM



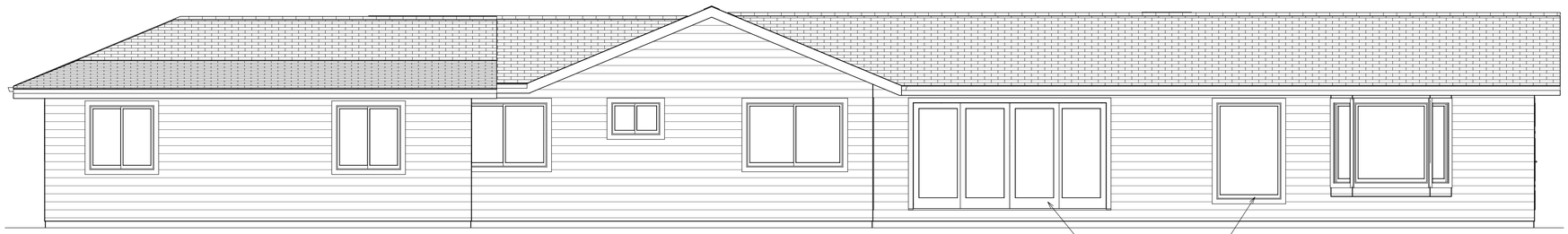
TAL WOOD LAP SIDING.
M CLAD WOOD WINDOWS & DOORS
INDOW AND DOOR TRIM

BACK-WEST



FRONT-EAST

HORIZONTAL WOOD LAP SIDING.
ALUMINUM CLAD WOOD WINDOWS & DOORS
WOOD WINDOW AND DOOR TRIM



RIGHT SIDE-NORTH

HORIZONTAL WOOD LAP SIDING.
ALUMINUM CLAD WOOD WINDOWS & DOORS
WOOD WINDOW AND DOOR TRIM

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Design • Build • Remodel
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REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE:
EXISTING HOME ELEVATIONS
DEMO PLAN

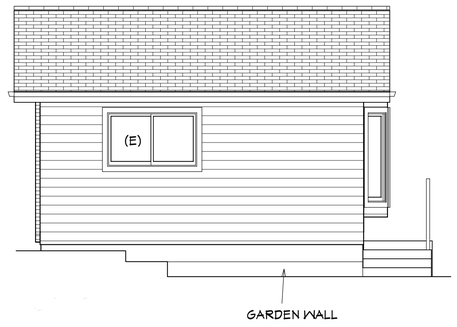
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

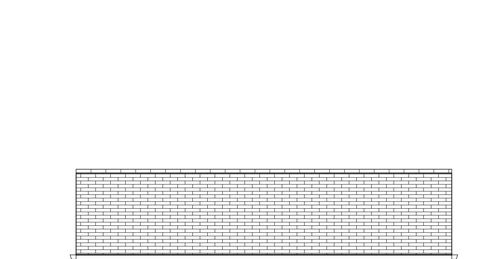
DATE:
4-22-2022

SCALE:
1/4" = 1'

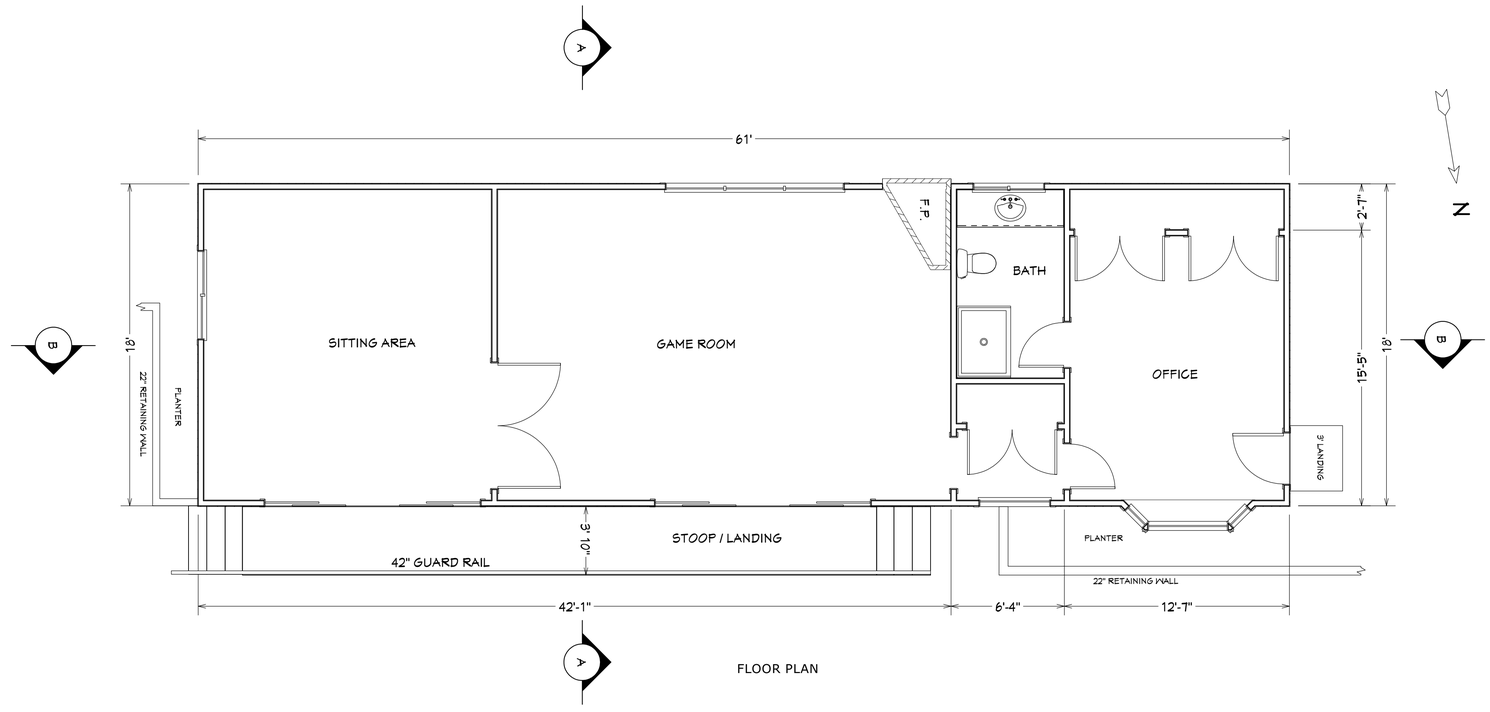
SHEET:
5



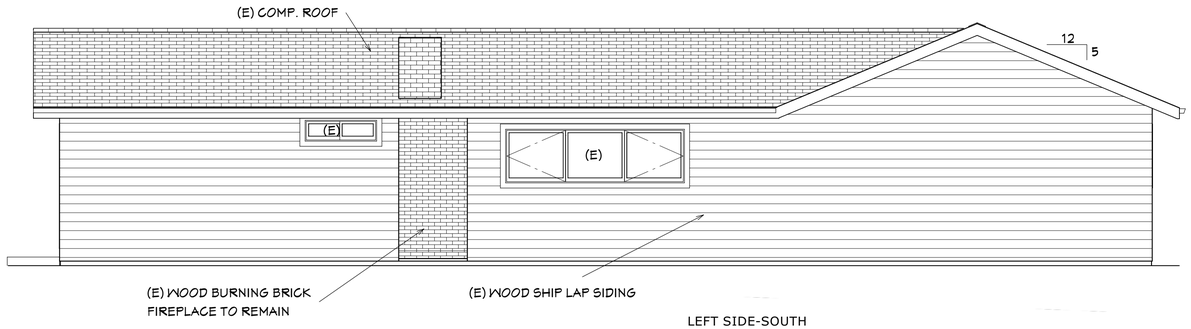
FRONT-EAST



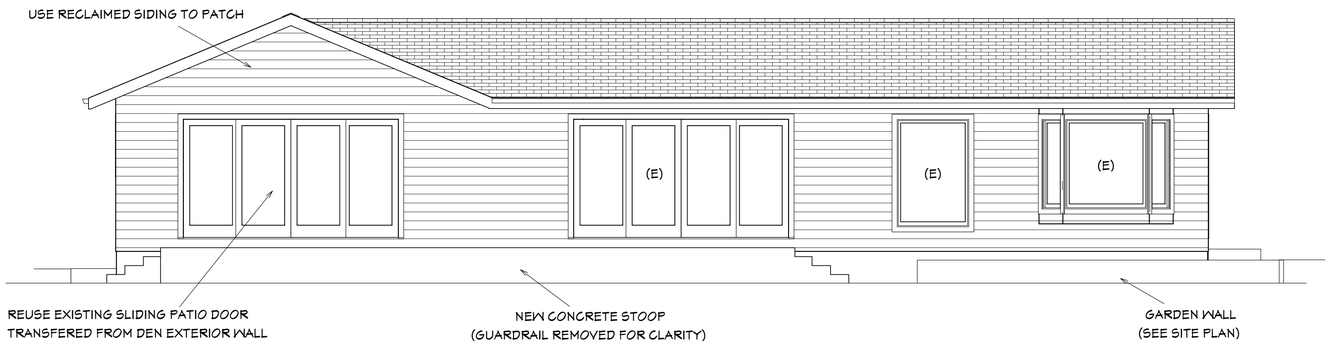
BACK-WEST



FLOOR PLAN



LEFT SIDE-SOUTH



RIGHT SIDE-NORTH

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE:
CONVERTED POOL HOUSE
FLOOR PLAN
ELEVATIONS

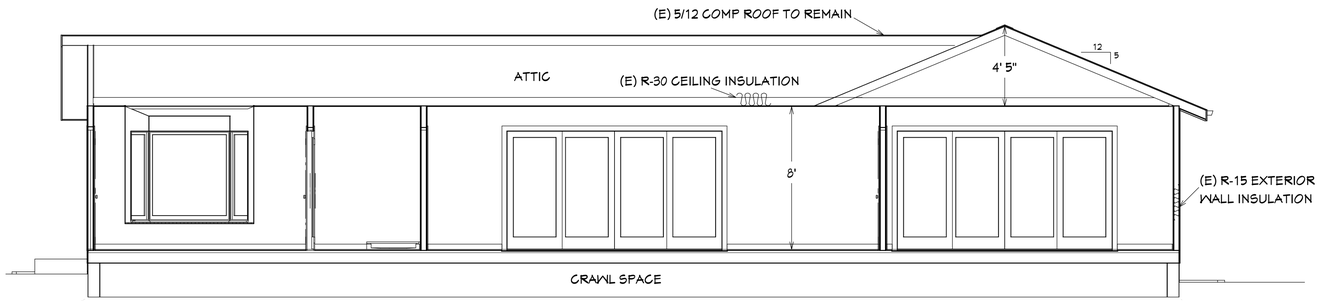
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

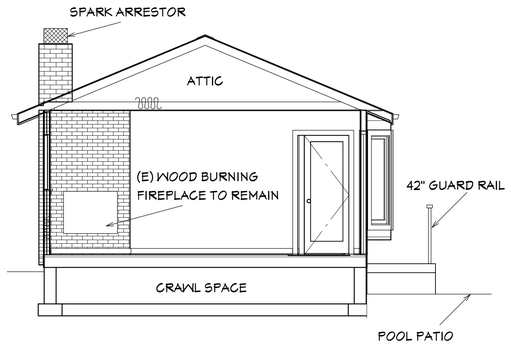
DATE:
4-22-2022

SCALE:
1/4" = 1'

SHEET:
6

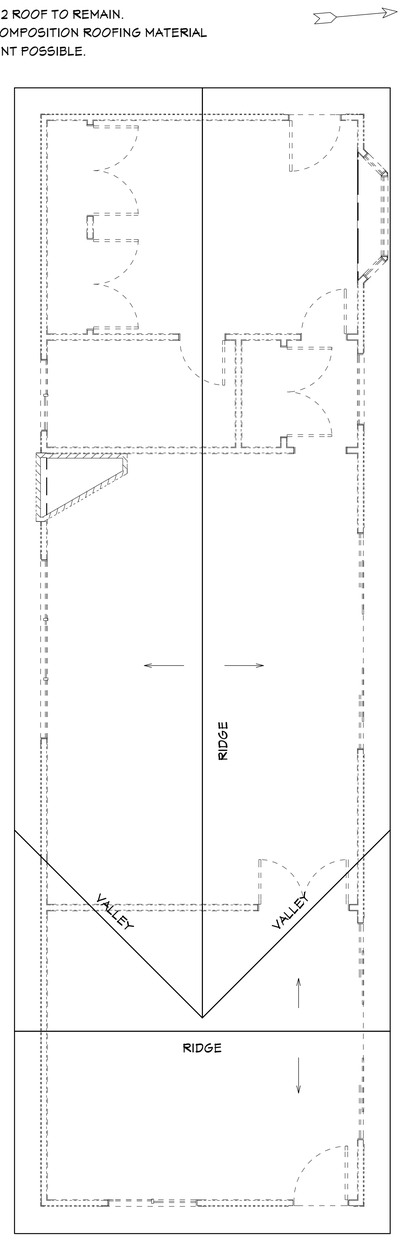


SECTION B



SECTION A

EXISTING 5/ 12 ROOF TO REMAIN.
PRESERVE COMPOSITION ROOFING MATERIAL
TO THE EXTENT POSSIBLE.



ROOF PLAN

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE:
CONVERTED POOL HOUSE
SECTIONS
ROOF PLAN

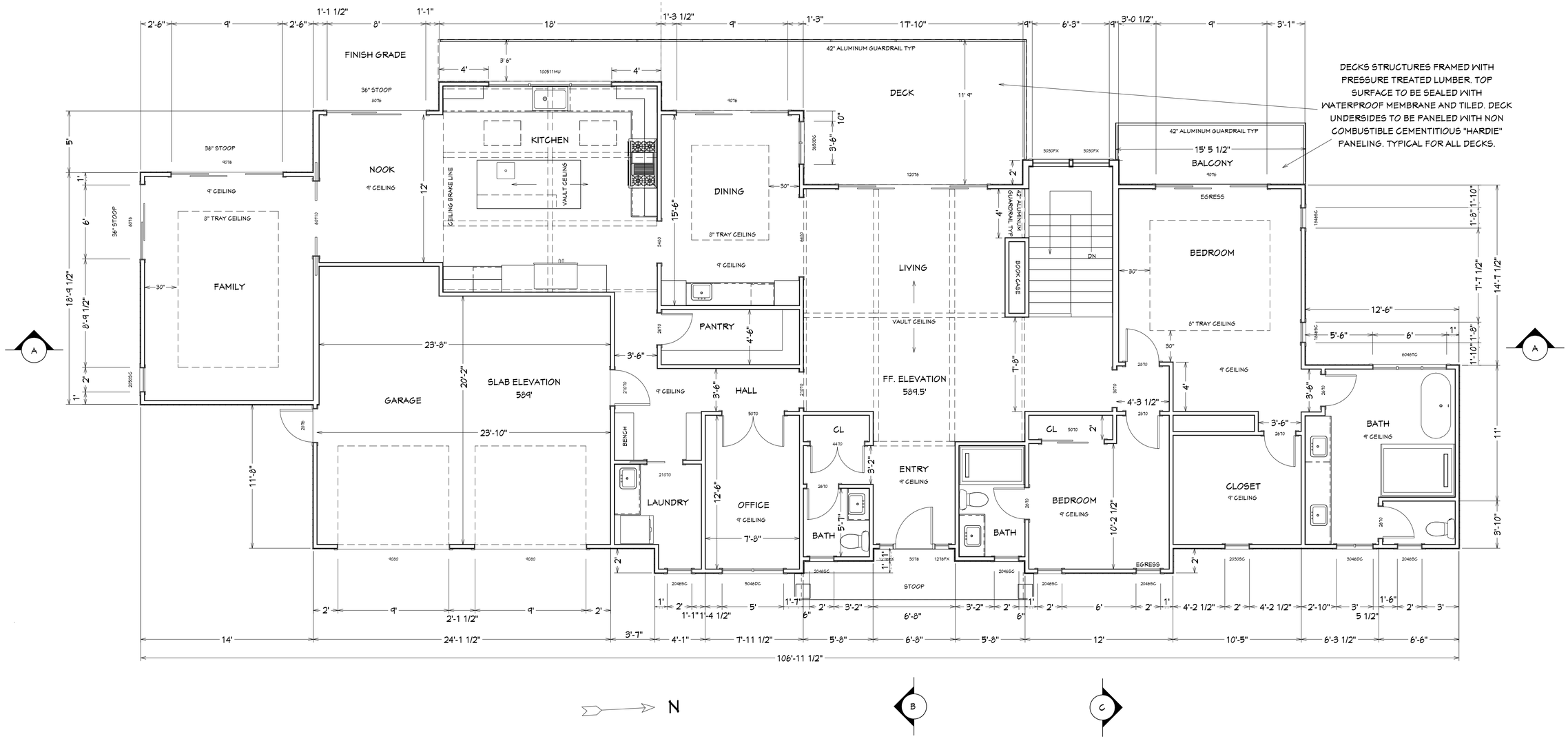
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE:
4-22-2022

SCALE:
1/4" = 1'

SHEET:
7



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REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: NEW MAIN HOUSE 2ND FLOOR PLAN

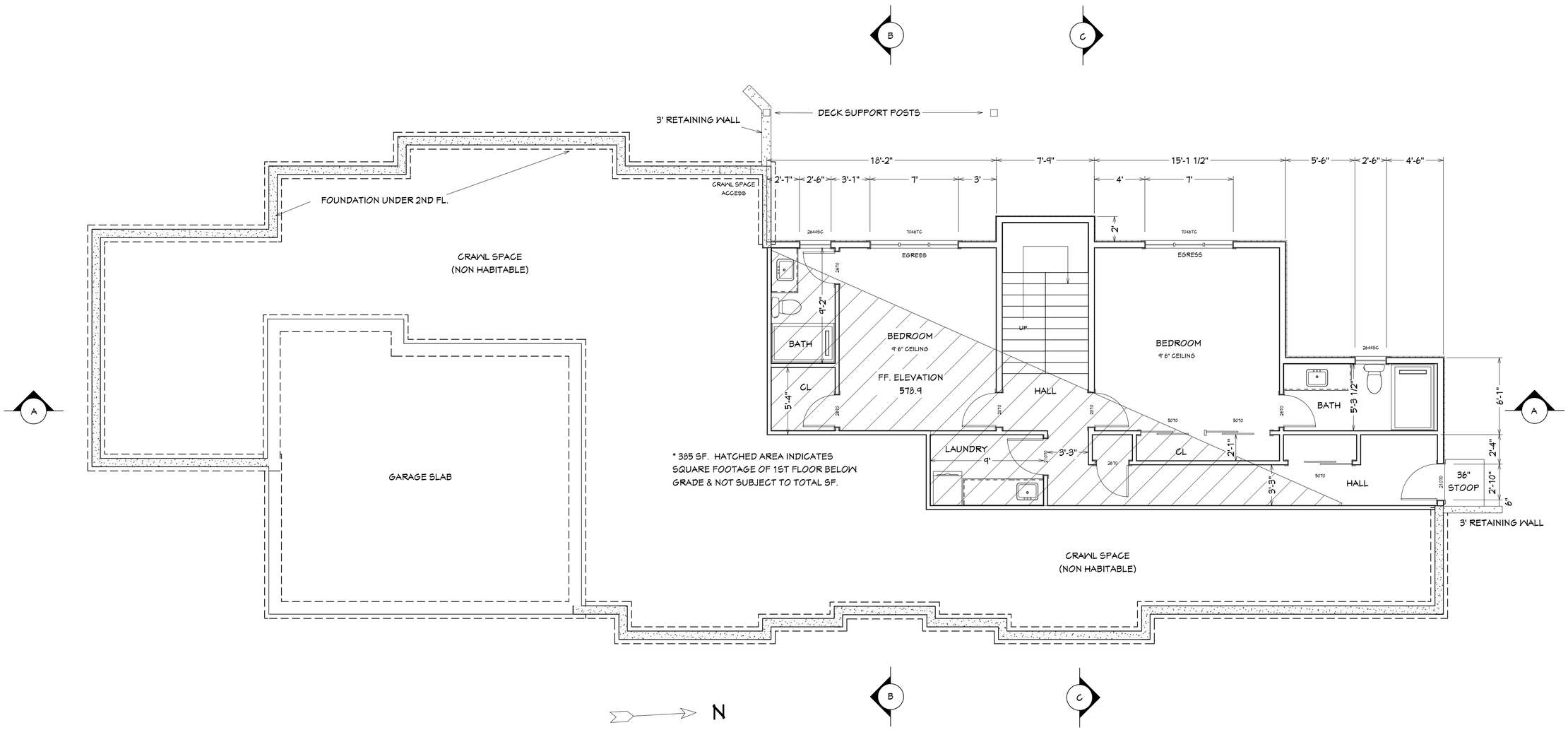
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE: 4-22-2022

SCALE: 1/4" = 1'

SHEET: 8



WADE CONSTRUCTION, Inc.
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CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE:
NEW MAIN HOUSE
1ST FLOOR PLAN

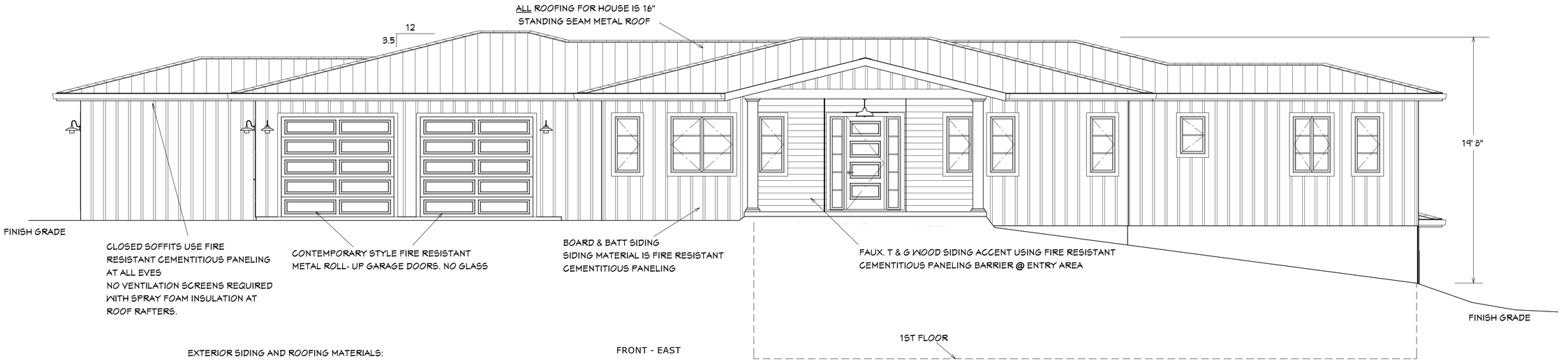
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE:
4-22-2022

SCALE:
1/4" = 1'

SHEET:
9



FRONT - EAST

EXTERIOR SIDING AND ROOFING MATERIALS:

ALL ROOFS ARE TO BE 16" STANDING SEAM METAL ROOF

1ST FLOOR SIDING IS TO BE SMOOTH SAND FINISH STUCCO

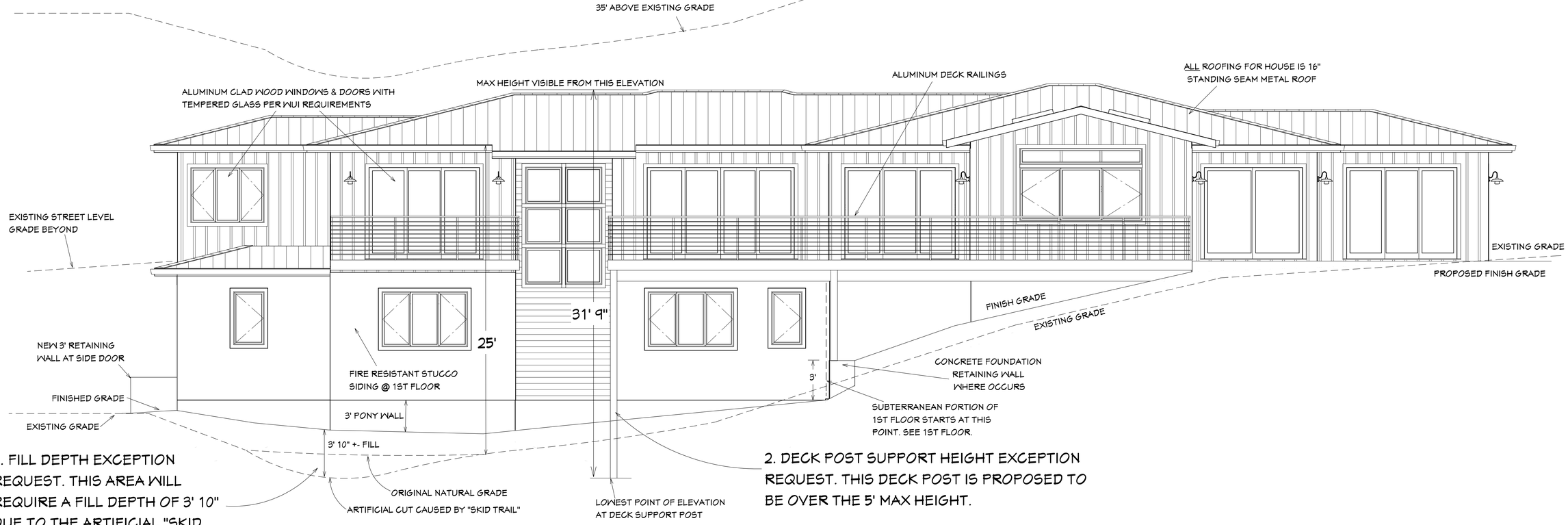
2ND FLOOR SIDING IS "BOARD & BATT" FIBROUS CONCRETE "HARDIE" PANEL WITH FIBROUS CONCRETE BATTS.

ENTRY & STAIRWELL HORIZONTAL SIDING ACCENTS ARE TO BE FIBROUS CONCRETE "HARDIE" 8" T&G LAP SIDING.

WINDOWS & DOORS ARE TO BE ALUMINUM METAL CLAD WOOD

WINDOW & DOOR TRIM IS TO BE FIBROUS CONCRETE "HARDIE" DIMENSIONAL TRIM BOARDS.

EXTERIOR RAILINGS ARE TO BE CUSTOM WELDED ANODIZED ALUMINUM.



1. FILL DEPTH EXCEPTION REQUEST. THIS AREA WILL REQUIRE A FILL DEPTH OF 3' 10" DUE TO THE ARTIFICIAL "SKID TRAIL" CUT.

2. DECK POST SUPPORT HEIGHT EXCEPTION REQUEST. THIS DECK POST IS PROPOSED TO BE OVER THE 5' MAX HEIGHT.

BACK - WEST

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: NEW MAIN HOUSE ELEVATIONS

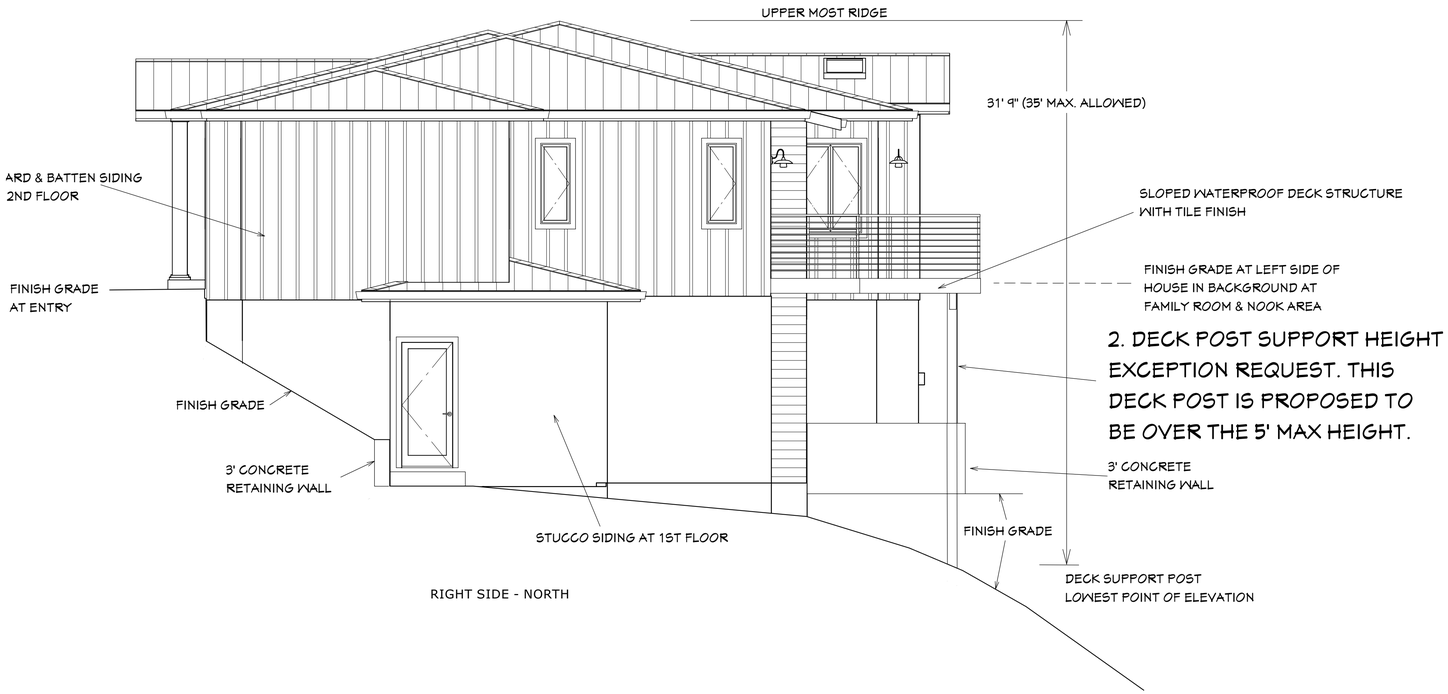
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE: 4-22-2022

SCALE: 1/4" = 1'

SHEET: 10



RIGHT SIDE - NORTH

EXTERIOR SIDING AND ROOFING MATERIALS:

ALL ROOFS ARE TO BE 16" STANDING SEAM METAL ROOF

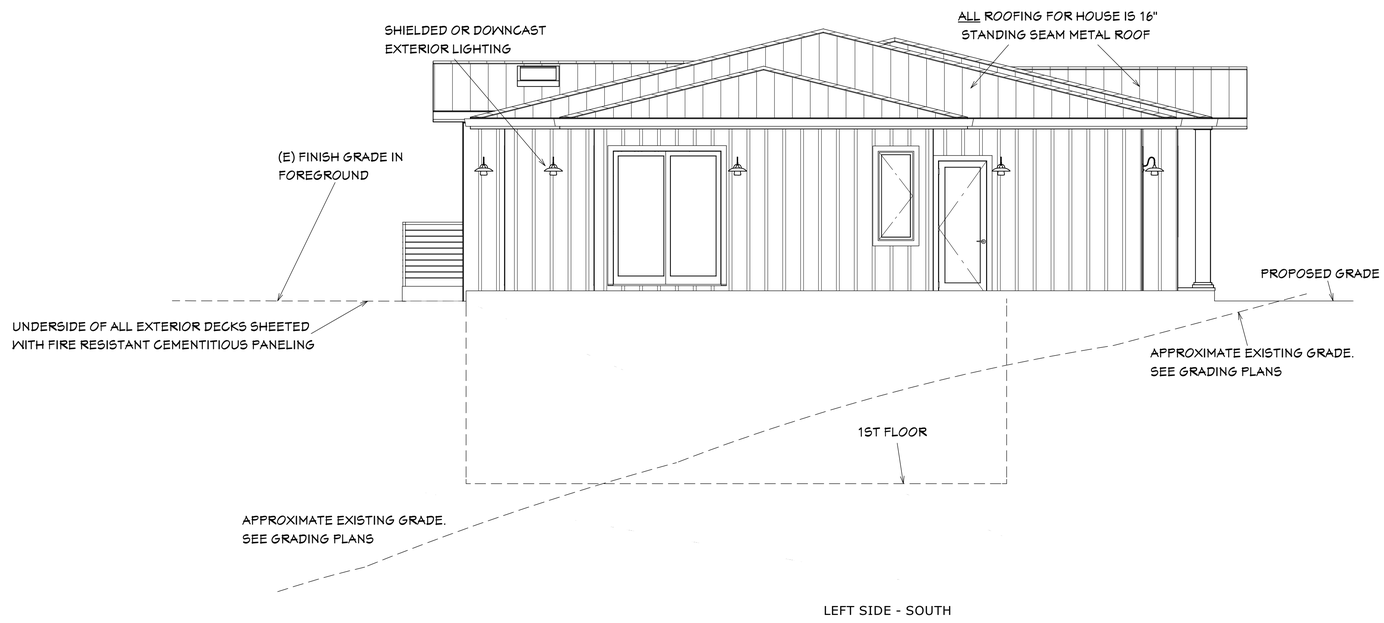
1ST FLOOR SIDING IS TO BE SMOOTH SAND FINISH STUCCO

2ND FLOOR SIDING IS "BOARD & BATT" FIBROUS CONCRETE "HARDIE" PANEL WITH FIBROUS CONCRETE BATTS.

WINDOWS & DOORS ARE TO BE ALUMINUM METAL CLAD WOOD

WINDOW & DOOR TRIM IS TO BE FIBROUS CONCRETE "HARDIE" DIMENSIONAL TRIM BOARDS.

EXTERIOR RAILINGS ARE TO BE CUSTOM WELDED ANODIZED ALUMINUM.



LEFT SIDE - SOUTH

WADE
CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: NEW MAIN HOUSE ELEVATIONS

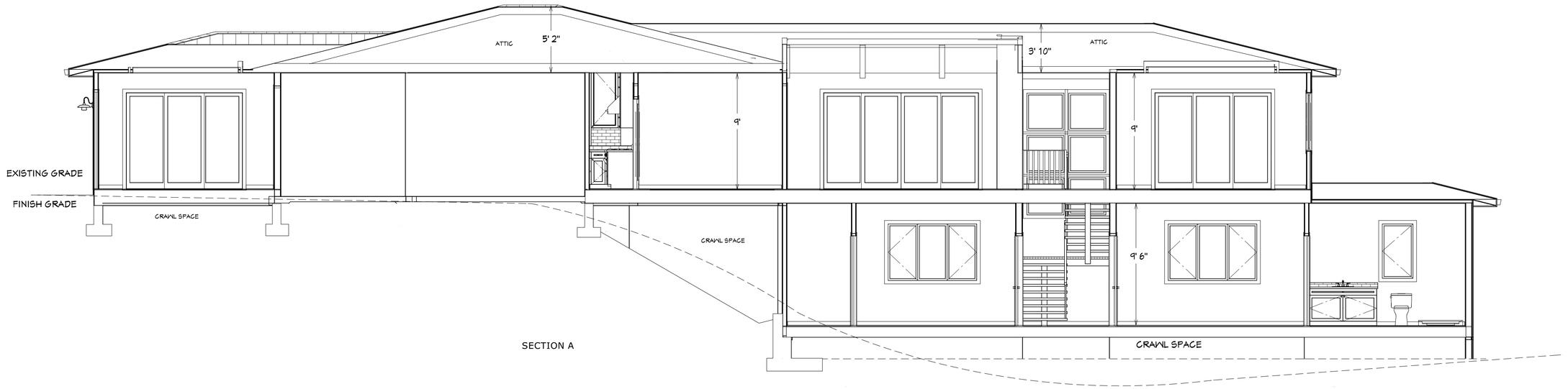
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

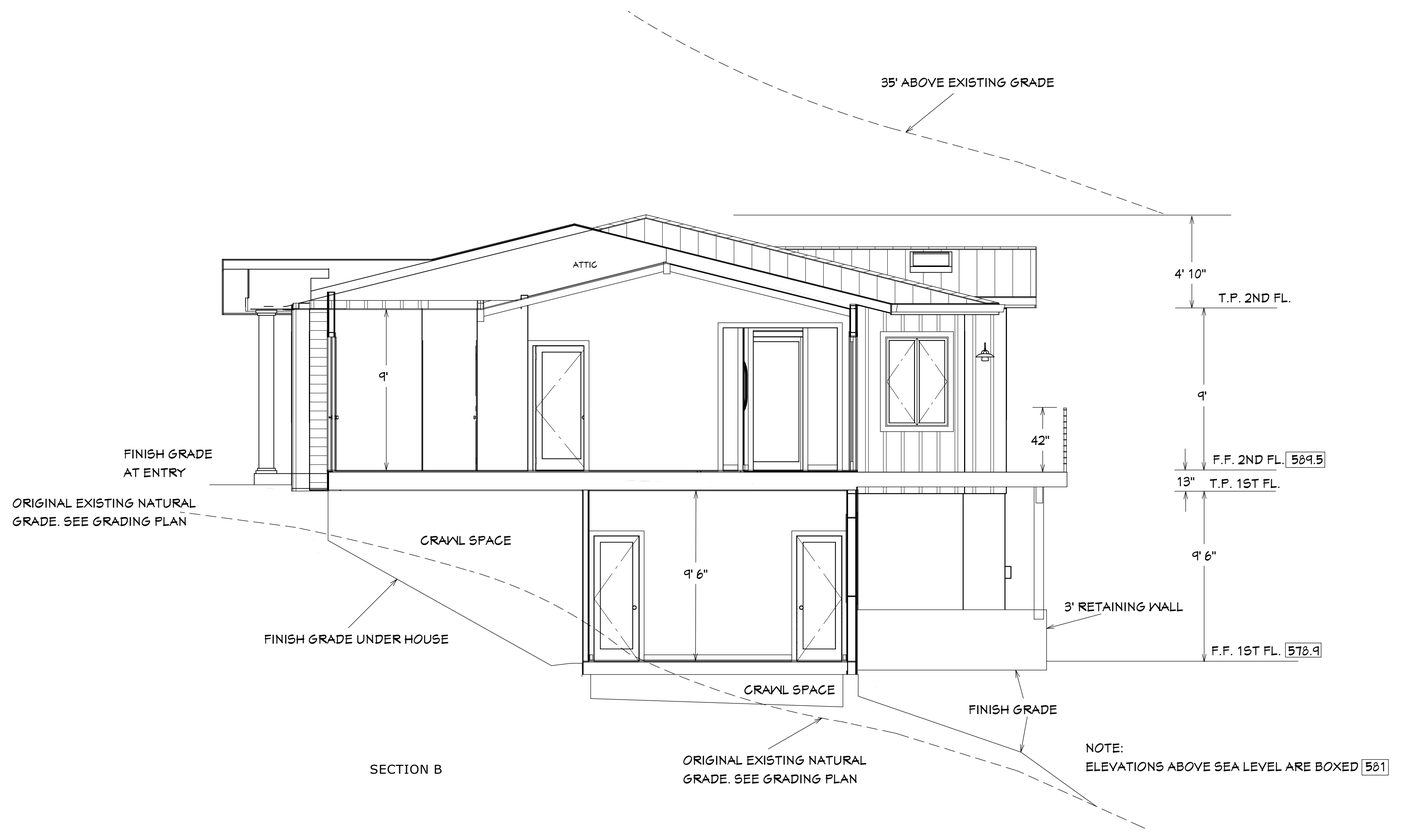
DATE: 4-22-2022

SCALE: 1/4" = 1'

SHEET: 11



SECTION A



SECTION B

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: SECTIONS

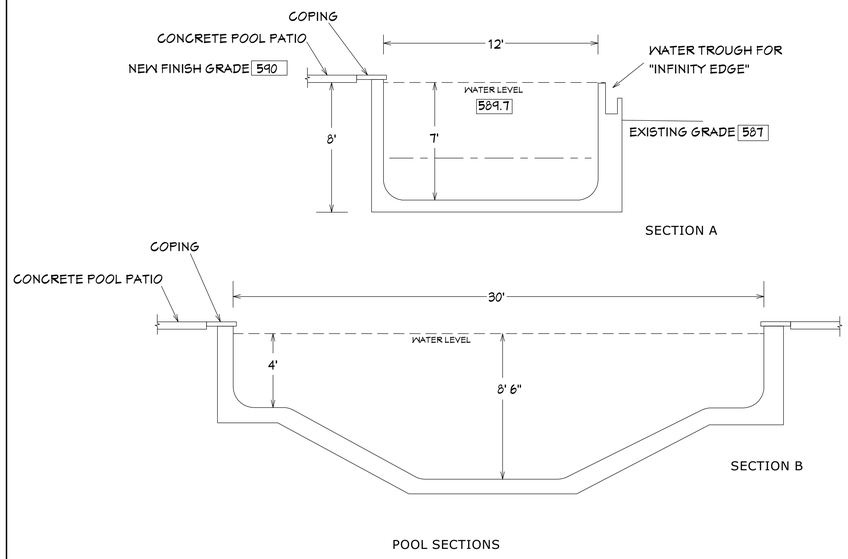
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE: 4-22-2022

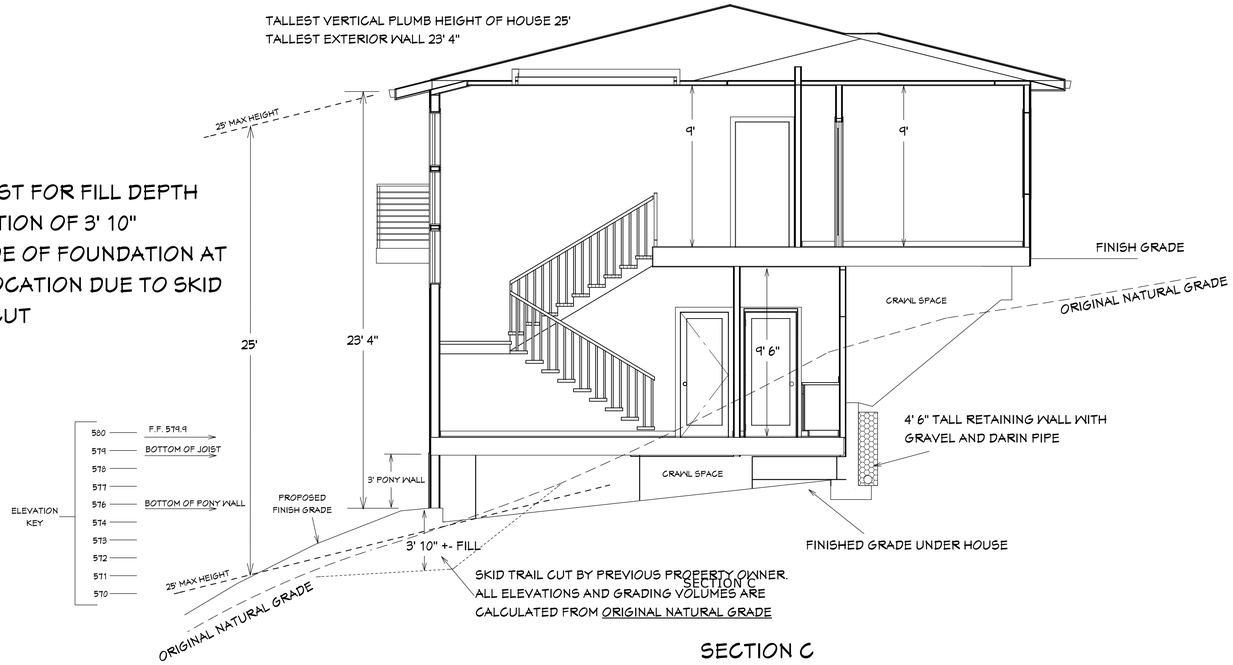
SCALE: 1/4" = 1'

SHEET: 12



POOL SECTIONS

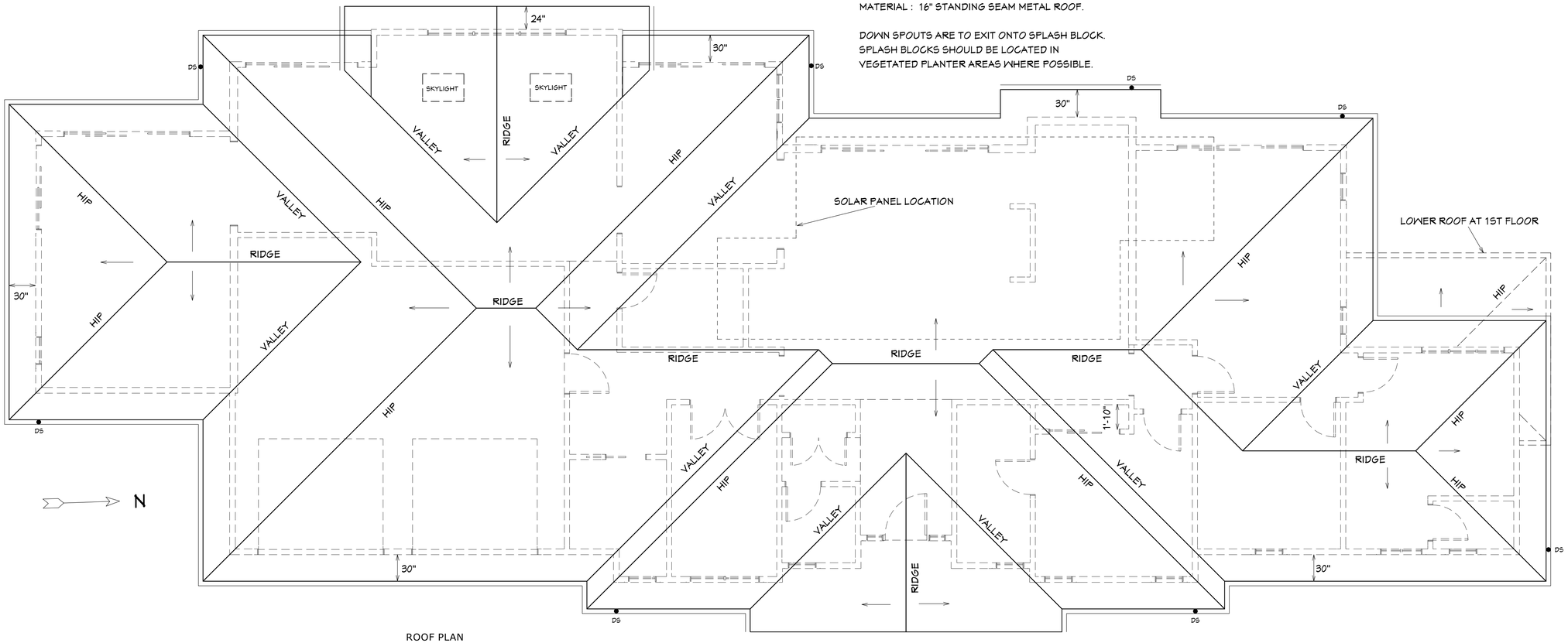
1. REQUEST FOR FILL DEPTH EXCEPTION OF 3' 10" OUTSIDE OF FOUNDATION AT THIS LOCATION DUE TO SKID TRAIL CUT



SECTION C

PITCH : 3.5/12
MATERIAL : 16" STANDING SEAM METAL ROOF.

DOWN SPOUTS ARE TO EXIT ONTO SPLASH BLOCK.
SPLASH BLOCKS SHOULD BE LOCATED IN
VEGETATED PLANTER AREAS WHERE POSSIBLE.



ROOF PLAN

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: POOL SECTION
HOUSE SECTION
ROOF PLAN

WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

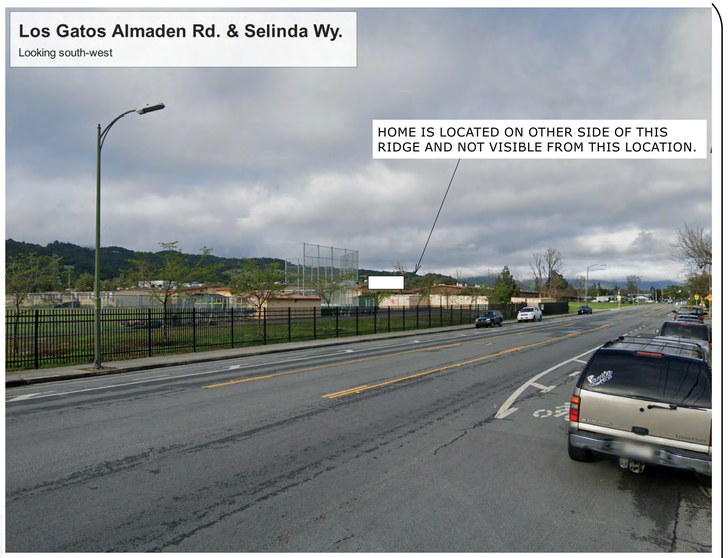
DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

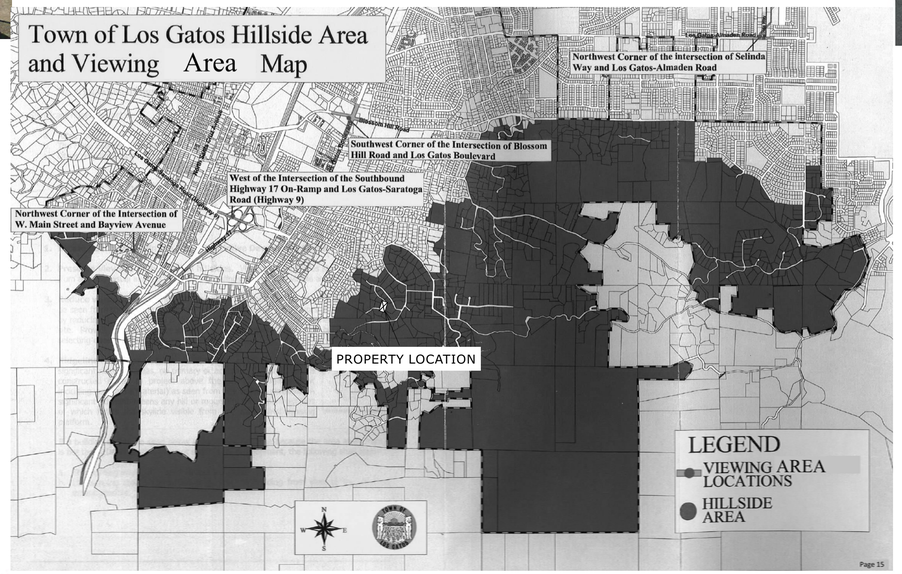
DATE:
4-22-2022

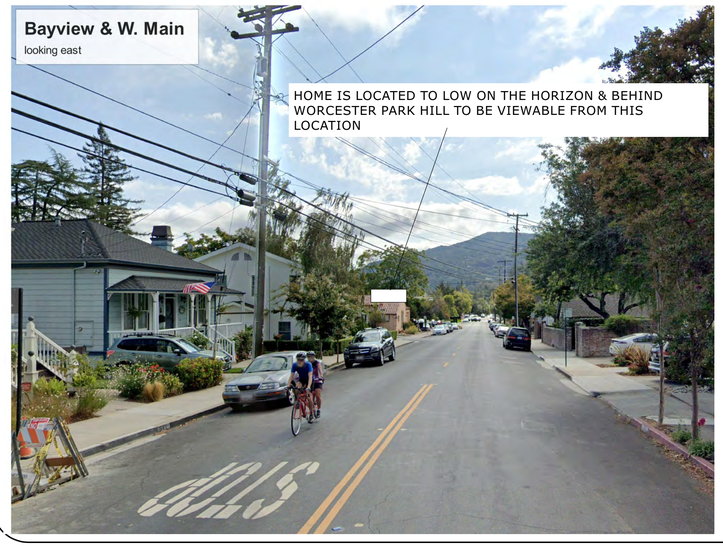
SCALE:
1/4" = 1'

SHEET:
13

PROPOSED HOME LOCATION IS NOTED WITH WHITE BOX.
HOUSE RIDGE IS 604'
INTERSECTION OF HWY. 9 & LOS GATOS BLVD. IS 416'.
THIS PLACES THE HIGHEST ROOF RIDGE OF THE HOME LESS THAN 200' ABOVE THE CLOSEST MAJOR INTERSECTION.
THIS PRELIMINARY FINDING SHOW THAT THE PROPOSED HOME IS TO LOW IN ELEVATION TO BE VIEWABLE FROM ANY OF THE OF THE FOUR VIEWING AREAS.







WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: VIEWING AREA PLAN

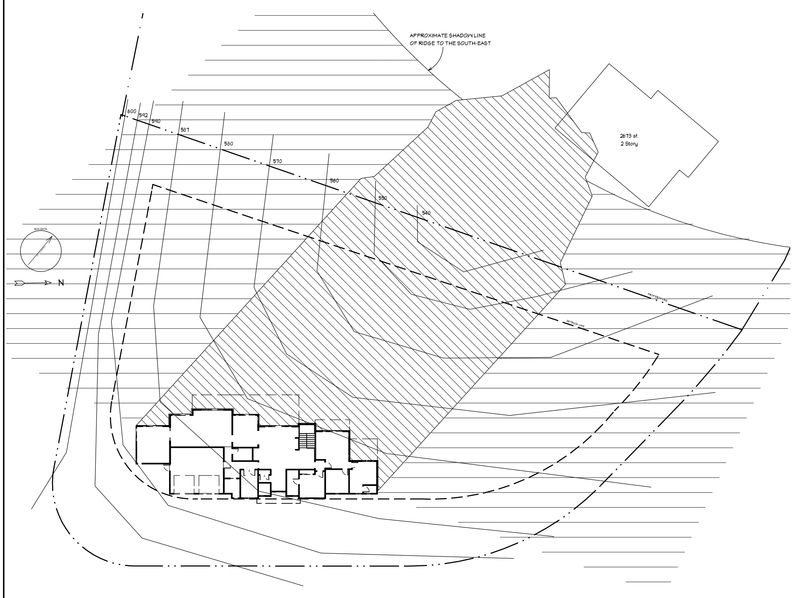
WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE: 4-22-2022

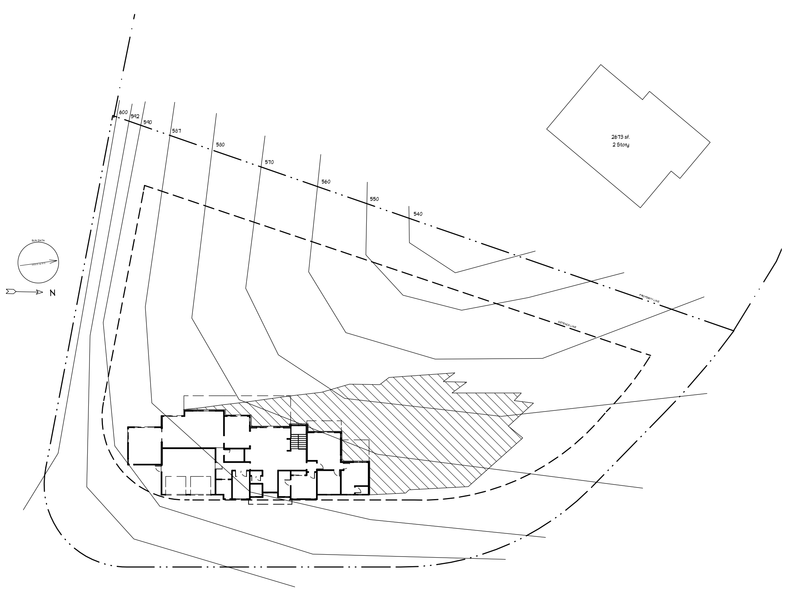
SCALE:

SHEET: 14

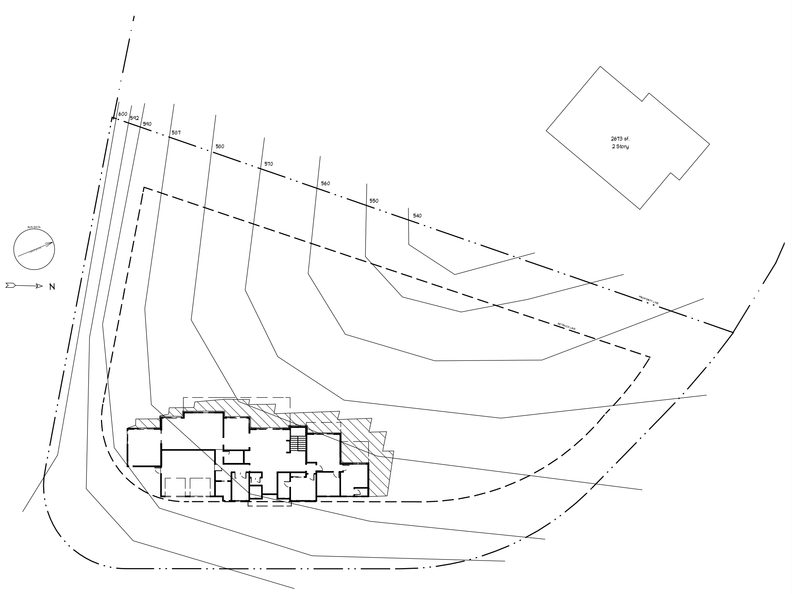


DECEMBER 21 2021 9AM

JUNE 21 2021 9AM



DECEMBER 21 2021 12PM



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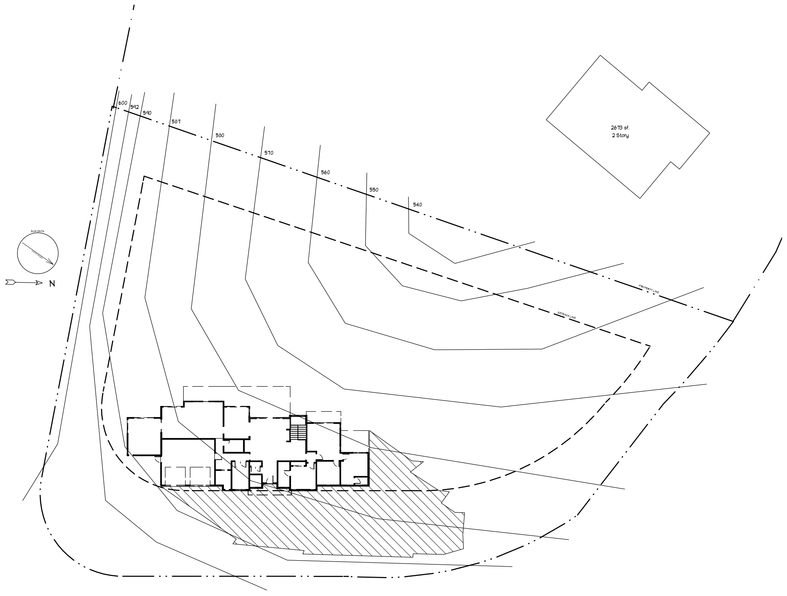

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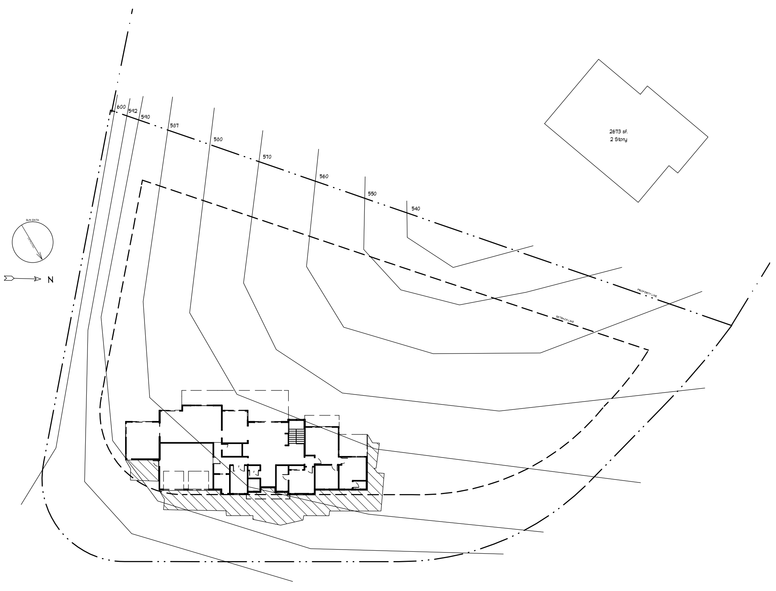

JUNE 21 2021 3PM

SHEET:	SCALE:	DATE:
15		4-22-2022

DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

SHEET TITLE:
SHADOW STUDY

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

WADE
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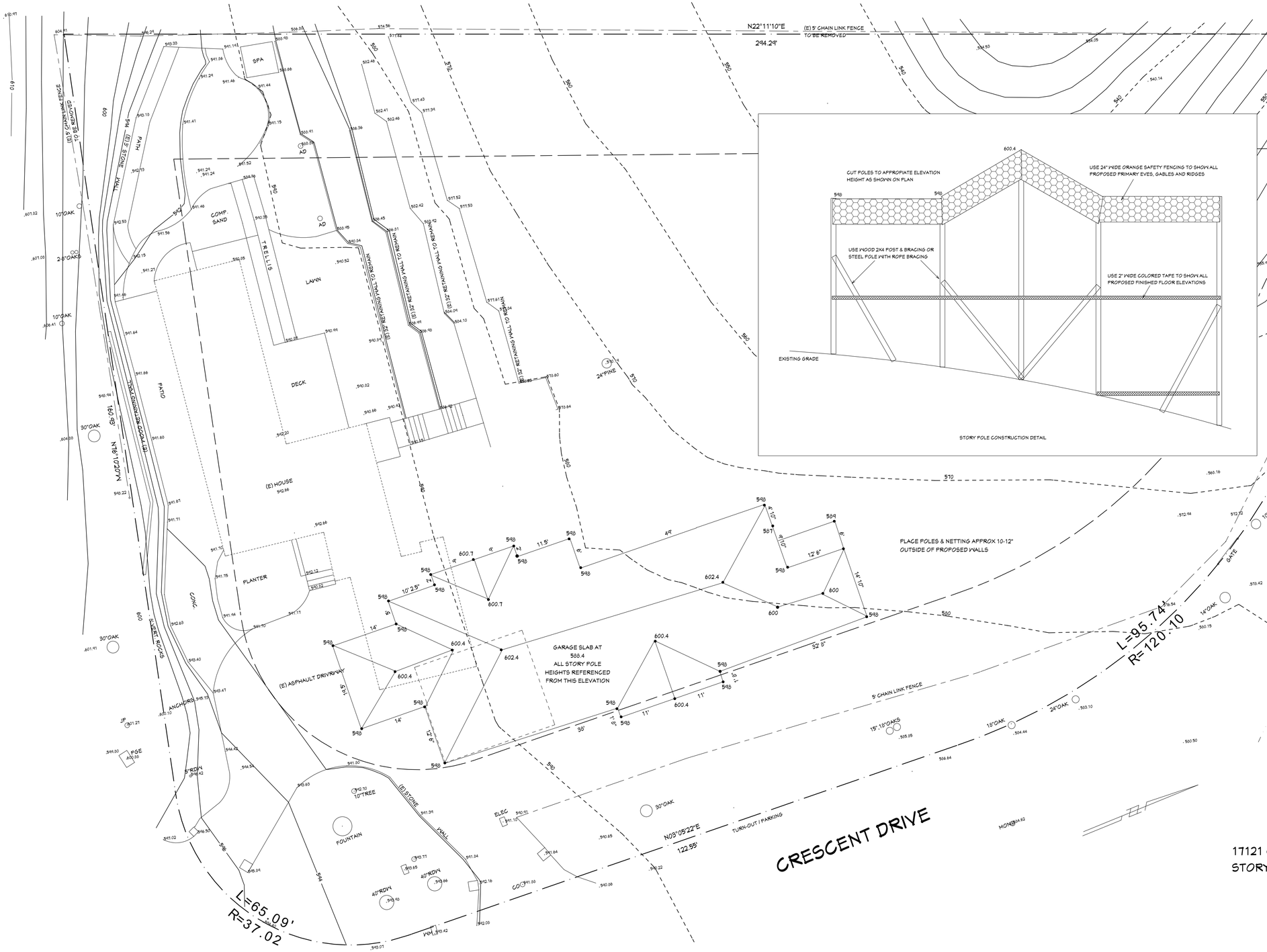


17121 CRESCENT DR.
STORY POLE PLAN

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

REVISION NO.	DATE
PLANNING REVISION	2/17/2022

SHEET TITLE: STORY POLE PLAN

WADE RESIDENCE
17121 CRESCENT DR.
LOS GATOS CA. 95030

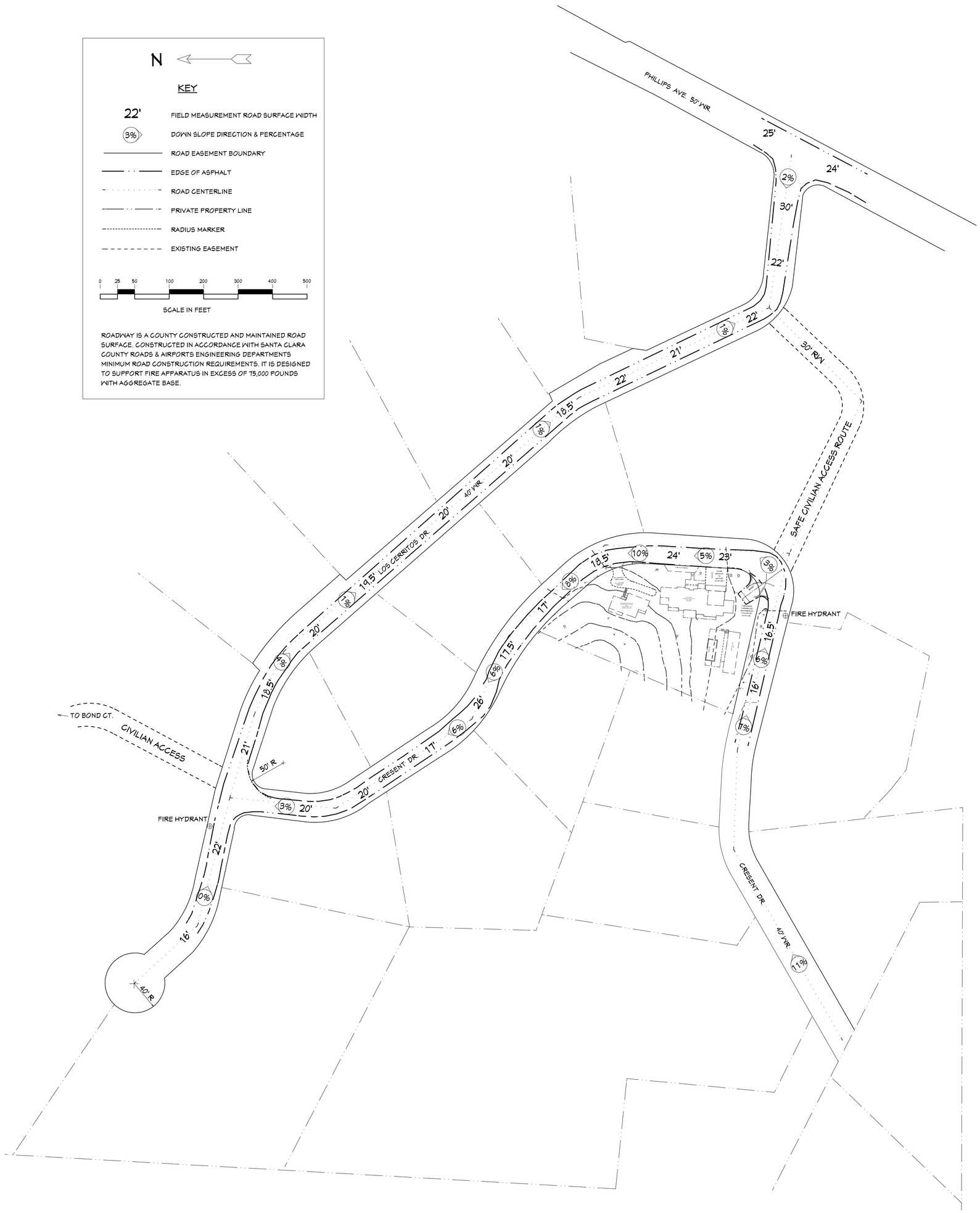
DRAWINGS PROVIDED BY:
WADE CONSTRUCTION
17710 BRUCE AV.
MONTE SERENO CA. 95030
408-314-2755

DATE:
4-22-2022

SCALE:
1/4" = 1'

SHEET:
16

CRESCENT DR. ROAD STUDY



SHEET:	SCALE:	DATE:	DRAWINGS PROVIDED BY:		SHEET TITLE:	REVISION NO.	DATE
17	1/4" = 1'	4-22-2022	**WADE CONSTRUCTION** 17710 BRUCE AV. MONTE SERENO CA. 95030 408-314-2755	WADE RESIDENCE 17121 CRESCENT DR. LOS GATOS CA. 95030	CRESCENT DR. ROAD STUDY	PLANNING REVISION	2/17/2022

WADE CONSTRUCTION, Inc.
Design • Build • Remodel
CA Lic No. 895872

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TOWN OF LOS GATOS
PLANNING COMMISSION
SPECIAL MEETING REPORT

MEETING DATE: 11/21/2022

ITEM NO: 1

ADDENDUM

DATE: November 18, 2022

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit and an Appeal of a Santa Clara County Fire Department Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations on Property Zoned HR-1. **Located at 17121 Crescent Avenue.** APN 532-21-007. Architecture and Site Application S-21-021.
PROPERTY OWNERS/APPLICANTS: Eric and Lee Ann Wade.
PROJECT PLANNER: Sean Mullin.

REMARKS:

Exhibit 19 includes public comment received between 11:01 a.m., Thursday, November 17, 2022, and 11:00 a.m., Friday, November 18, 2022.

EXHIBITS:

Previously received with the November 17, 2022 Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Letter of Justification
5. Color and Materials Board
6. Consulting Architect's Report
7. Applicant's Response to Consulting Architect's Report
8. Consulting Arborist's Report
9. Public Resources Code 4290
10. Fire Hazard Severity Zones Map
11. SRA/VHFHSZ Fire Safe Regulations
12. SCCFD Deficiency Letter, dated May 18, 2022
13. Applicant's Exception Request to the Fire Safe Regulations, dated May 25, 2022

PREPARED BY: Sean Mullin, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

EXHIBITS (continued):

14. SCCFD Denial of Applicant's Exception Request to the Fire Safe Regulations, dated July 20, 2022
15. Crescent Hill Subdivision Map, 1929
16. Applicant's Neighbor Outreach Effort Summary
17. Public Comments received by 11:00 a.m., Thursday, November 17, 2022
18. Development Plan

Received with this Addendum Report:

19. Public Comment received between 11:01 a.m., Thursday November 17, 2022, and 11:00 a.m., Friday, November 18, 2022

From: Anne Cristofano <[redacted]>
Sent: Monday, November 14, 2022 10:26 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Support for 17131 Crescent Dr., Los Gatos

EXTERNAL SENDER

Planning Council,

We are writing to express our support for the proposed development at 17121 Crescent Drive in Los Gatos.

Thank you,

Anne Cristofano

From: Margaret Belska <[redacted]>
Sent: Thursday, November 17, 2022 12:55 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Application S-21-021, Nov 21 Hearing, Item #1

EXTERNAL SENDER

Dear Town of Los Gatos Planning Commission,

I would like to voice my strong support in favor of approval of the project Located at 17121 Crescent Avenue for applicants Eric and Lee Ann Wade. The Wades' project has been blocked for months by an SCCFD requirement that they spend $4.5 million dollars building a new shared road for the benefit of their neighbors as a condition of approval for a new single-family home. This requirement is unconstitutional since it is unreasonable and completely disproportionate to the project being proposed. It also constitutes a regulatory taking without compensation since the value of their property will be severely diminished if they are not able to develop it.

This Commission does not need to decide on the legality of the imposed requirements since that has already been done by others. No other County in the State besides Santa Clara is blocking single family home development on existing roads on account of PRC 4290. They realize the legal hotbed they would be in if they tried. In unincorporated Santa Clara County, the Planning Department has removed the PRC 4290 road requirements from multiple projects, deeming them to be in violation of the law. This Commission is simply being asked to alight the Town of Los Gatos with its neighbors and the rest of the State by removing the unconstitutional requirements from the Wades' application by granting them the Request for an Exception.

Sincerely,

Margaret Belska

From: Karen Giordano <[redacted]>
Sent: Thursday, November 17, 2022 4:04 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Drive Los Gatos, Ca.

EXTERNAL SENDER

Hello Planning Council,

I would like to support the proposed development for 17121 Crescent Drive
Los Gatos, Ca. Please make an exception for the owners to develop their land.

Thank you,

Giordano

[redacted], Los Gatos, Ca. [redacted]

From: elizabeth adams <[redacted]>
Sent: Thursday, November 17, 2022 6:45 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 17121 Crescent Dr

EXTERNAL SENDER

Planning Commissioners,

I am writing in support of the proposed development at 17121 Crescent Dr. I understand Santa Clara County Fire is restricting the development under regulations noted in PRC 4290.

In respect to new construction on existing dead-end roads, I feel the fire departments interpretation of this regulation is incorrect. Construction of new fire safe homes on existing legal lots with required safety measures to replace existing ones will help to create a more fire safe neighborhood.

I respectfully request that this application should be approved.

Sincerely,

Elizabeth A. Adams
[redacted], Los Gatos, [redacted]

Sent from my iPhone

TOWN OF LOS GATOS
PLANNING COMMISSION
SPECIAL MEETING REPORT

MEETING DATE: 11/21/2022
ITEM NO: 1
DESK ITEM

DATE: November 21, 2022

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit and an Appeal of a Santa Clara County Fire Department Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations on Property Zoned HR-1. **Located at 17121 Crescent Avenue.** APN 532-21-007. Architecture and Site Application S-21-021.
PROPERTY OWNERS/APPLICANTS: Eric and Lee Ann Wade.
PROJECT PLANNER: Sean Mullin.

REMARKS:

Exhibit 20 includes a letter from the applicant responding to the November 21, 2022 Staff Report.

After further consideration, staff recommends that the Planning Commission grant the appeal of the Santa Clara County Fire Department's (SCCFD) decision denying a request for an exception to the SRA/VHFHSZ Fire Safe Regulations and approve the Architecture and Site application subject to the revised Recommended Conditions of Approval (Exhibit 22). If the Planning Commission finds merit with the proposed project, it should:

1. Make the finding that the proposed project is Categorically Exempt, pursuant to the adopted Guidelines for the implementation of the California Environmental Quality Act, Section 15303: New Construction (Exhibit 21);
2. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 21);
3. Make the finding that due to the constraints of the site, exceptions to the depth of fill standard, and the architectural design standard prohibiting exterior structural supports and undersides of decks not enclosed by walls, are appropriate, and the project is otherwise in compliance with the applicable sections of the Hillside Development Standards and Guidelines (Exhibit 21);

PREPARED BY: Sean Mullin, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

REMARKS (continued):

4. Make the finding that the project complies with the Hillside Specific Plan (Exhibit 21);
5. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 21); and
6. Make the finding that granting the appeal of the Santa Clara County Fire Department's decision denying a request for an exception to the SRA/VHFHSZ Fire Safe Regulations meets the intent of providing defensible space consistent with the SRA/VHFHSZ Fire Safe Regulations as provided in the Statement of Reasons included in Exhibit 21;
7. Grant the appeal of the Santa Clara County Fire Department's decision denying a request for an exception to the SRA/VHFHSZ Fire Safe Regulations, removing Condition of Approval #102, and adding Condition of Approval #116 as reflected in the revised Recommended Conditions of Approval (Exhibit 22); and
8. Approve Architecture and Site Application S-21-031 with the conditions contained in Exhibit 22 and the development plans in Exhibit 18.

Pursuant to Section §1270.06 of the Fire Safe Regulations, the SCCFD has provided Exhibit 23 outlining the effects of the requested exception on wildfire protection.

A Planning Commissioner asked several questions after receiving the November 21, 2022 Staff Report. Responses to each question are provided below in italics:

1. Condition #9 concerns front yard landscaping. Is this consistent with the owner's landscaping plans?

   This condition is standard and is intended to ensure that any areas disturbed by construction activities within the front yard visible from the street be landscaped prior to final inspection. If implemented, the proposed landscape plans would satisfy this condition.

2. Staff is recommending exceptions to the Hillside Development Standards and Guidelines (HDS&G) regarding exposed deck posts and grading, but Condition #55 on Page 33 requires compliance with the HDS&G.

   The recommended Revised Findings and Considerations (Exhibit 21) include findings for granting the requested exceptions to the HDS&G. If the Findings and Considerations are made as drafted and the Planning Commission approves the project with the requested exceptions, the Condition #55 would apply to the approved project which includes the HDS&G exceptions. This condition would not cancel out the exception if granted.

REMARKS (continued):

3. Condition #80 on Page 36 regarding a shared maintenance agreement does not seem applicable.

   Condition #80 is a standard condition from Parks and Public Works that is not applicable to this application and can be removed.

4. Should Condition #103 on Page 40 be amended to require a minimum width of 17 feet?

   Condition #103 requires a minimum road width providing for two 10-foot traffic lanes. In consultation with the SCCFD, the roads widths included on Sheet 17 of Exhibit 18 require third-party validation prior to Fire's approval of the Building Permit.

5. Why is Condition #104 on Page 41 regarding the weight load capacities of roads and driveways struck out?

   See answer to #6 below.

6. Condition #105 on Page 41 regarding maximum steepness of 16% is removed. Why?

   The Recommended Conditions of Approval (Exhibit 3) distributed with the Staff Report reflect staff's recommendation to remove all conditions related to PRC 4290 and the Fire Safe Regulations in granting the appeal. Pursuant to the discussion above, staff has prepared revised Conditions of Approval that include Conditions #104 and #105 and add a condition that the project must comply with the SCCFD requirements and regulations (Exhibit 22).

7. Condition #115 on Pages 42-43 states that there shall be no deviations from the fire code. This is inconsistent with granting an exception for maximum driveway length.

   The revised Findings and Considerations (Exhibit 21) include findings for granting the requested appeal of the SCCFD decision denying an exception the Fire Safe Regulations. If the Findings and Considerations are made as drafted and the Planning Commission grants the appeal and approves the project, Condition #115 would not cancel out the granted appeal.

REMARKS (continued):

8. Is board and batten siding on all shown locations cementitious? (per a website, fiber cement board and batten is a practical way to get more durable siding without compromising the classic look of board and batten design. Fiber cement is crafted using a unique composition of cement, sand, water and cellulose fibers.)

   Yes.

9. Is the road width study available? Portions of Crescent Avenue appeared quite narrow.

   The road width exhibit included on Sheet 17 of Exhibit 18 was prepared by the applicant. In consultation with the SCCFD, third-party validation of the road widths will be required prior to issuance of the Building Permit.

Exhibit 24 includes public comment received between 11:01 a.m., Friday, November 18, 2022, and 11:00 a.m., Monday, November 21, 2022.

EXHIBITS:

Previously received with the November 17, 2022 Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Letter of Justification
5. Color and Materials Board
6. Consulting Architect's Report
7. Applicant's Response to Consulting Architect's Report
8. Consulting Arborist's Report
9. Public Resources Code 4290
10. Fire Hazard Severity Zones Map
11. SRA/VHFHSZ Fire Safe Regulations
12. SCCFD Deficiency Letter, dated May 18, 2022
13. Applicant's Exception Request to the Fire Safe Regulations, dated May 25, 2022
14. SCCFD Denial of Applicant's Exception Request to the Fire Safe Regulations, dated July 20, 2022
15. Crescent Hill Subdivision Map, 1929
16. Applicant's Neighbor Outreach Effort Summary
17. Public Comments received by 11:00 a.m., Thursday, November 17, 2022
18. Development Plans

EXHIBITS (continued):

Received with the November 17, 2022 Addendum Report:

19. Public Comment received between 11:01 a.m., Thursday November 17, 2022, and 11:00 a.m., Friday, November 18, 2022

Received with this Desk Item Report:

20. Letter from the applicant responding to the November 21, 2022 Staff Report
21. Revised Required Findings and Considerations
22. Revised Recommended Conditions of Approval
23. SCCFD statement outlining the effects of the requested exception on wildfire protection
24. Public Comment received between 11:01 a.m., Friday, November 18, 2022, and 11:00 a.m., Monday, November 21, 2022

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TOWN OF LOS GATOS
PLANNING DIVISION

Town of Los Gatos Planning Department.

11-18-2022

Regarding application S-21-021

17121 Crescent Dr. Los Gatos CA

Attn: Senior Planning Staff

Joel & Sean,

Your insertion of item #116 into the conditions of approval has caught us off guard and goes against the process of approval previously stated. We are currently working to better understand its impact on our application. It is clear that the Los Gatos Planning Department is uncertain how to perform its role as the ultimate authority in determining exactly how the process for exemption from the provisions that restrict development noted in PRC 4290 are handled.

Under:

Title 14 of the California Code of Regulations (14 CCR), Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, "DRAFT State Minimum Fire Safe Regulations, 2021" See section 1270.05

The regulation clearly states that the course of due process terminates at planning commission meeting currently scheduled this coming Monday the 21st. However, a 10 day appeals period would still be available.

The argument used to define that enforcement of this regulation is not "constitutionally defendable" has been established by the town attorney.

Item #116 implies that the process for appeals be repeated. We have well documented this process has already taken place, and our attempt to find a satisfactory agreement that is "constitutionally defendable" with the SCCF has bourn no fruit. This can be verified through the comments response letters from the SCCFD.

Now that #116 has been added into our conditions of approval we require one of the following actions be taken by the town of Los Gatos Planning Department prior to the meeting scheduled this Monday the 21st. :

1. Remove item 116 from our applications conditions of approval. This is to be accompanied by a notice to the planning commission and to us stating that 116 has been stricken and that the course of due process has been satisfied as defined under section 1270.05.

2. Add a fourth exception request to our packet with the following statement: "The applicant request and exception from line item #116 noted in the proposed conditions of approval on the grounds that the appeals process noted within Title 14 of the California Code of Regulations (14 CCR), Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, "DRAFT State Minimum Fire Safe Regulations, 2021" has already been satisfied."

EXHIBIT 20

3. Clearly state and define why the process of appeals must be repeated and how an appeals process of item #116 follows due process. This will need to be accompanied by town code verifying its enforcement, the process by which it was developed and the date it went into effect.

4. If there is a legal finding that shows the process of appeal must be repeated, and once again agreement between Santa Clara County Fire and Eric and Lee Ann Wade on what is constitutionally defensible cannot be reached, what is the path forward through due process.

5. Leave item 116 as is.

If items 3-5 are selected, we will be filing an appeal during the 10 day appeals window following Monday's meeting.

Please let us know how you wish to proceed.

Sincerely,

Eric Wade

Wade Construction

408-314-2755

PLANNING COMMISSION –*November 21, 2022*
REQUIRED FINDINGS & CONSIDERATIONS FOR:

17121 Crescent Drive
Architecture and Site Application S-21-021

Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit and an Appeal of a Santa Clara County Fire Department Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations on Property Zoned HR-1.
APN 532-21-007.

PROPERTY OWNERS/APPLICANTS: Eric and Lee Ann Wade
PROJECT PLANNER: Sean Mullin

FINDINGS
Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

Required compliance with the Zoning Regulations:

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).

Required compliance with the Hillside Development Standards and Guidelines:

- As required, that other than the exceptions to the depth of fill standard, and the architectural design standard prohibiting exterior structural supports and undersides of decks not enclosed by walls, the project complies with the Hillside Development Standards and Guidelines.

Required compliance with the Hillside Specific Plan:

- As required, the project complies with the Hillside Specific Plan.

EXHIBIT 21

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Required for Granting an Appeal of a Santa Clara County Fire Department (SCCFD) Decision Denying an Exception to the Fire Safe Regulations (14 CCR Section 1270.06):

- Granting the appeal meets the intent of providing defensible space consistent with the Fire Safe Regulations for the following reasons:

  - With the exception of the requirement to build a secondary access road to the property, the project complies with Public Resources Code Section 4290, the Fire Safe Regulations, and the conditions imposed by SCCFD, which include:
    - Improvements to the primary access road to accommodate firefighting trucks and other equipment;
    - Signage;
    - Adequate water supply; and
    - Fuel break and greenbelt.
  - Because of the existing site and road configuration and conditions, improvements creating a secondary vehicular ingress/egress are not feasible.
  - The applicant is required to improve an existing bridle path to provide a secondary escape route for pedestrians.
  - As conditioned, the project would comply with the local requirements of the Santa Clara County Fire Department.

CONSIDERATIONS

Required considerations in review of Architecture and Site applications:

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.

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PLANNING COMMISSION – *November 21, 2022*
CONDITIONS OF APPROVAL

17121 Crescent Drive
Architecture and Site Application S-21-021

Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit and an Appeal of a Santa Clara County Fire Department Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations on Property Zoned HR-1. APN 532-21-007.

PROPERTY OWNERS/APPLICANTS: Eric and Lee Ann Wade
PROJECT PLANNER: Sean Mullin

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. OUTDOOR LIGHTING: Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.
4. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
5. EXISTING TREES: All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
6. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations identified in the Arborist's report for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans and completed prior to issuance of a building permit where applicable.
7. TREE FENCING: Protective tree fencing and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
8. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.

9. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
10. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
11. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.
12. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
13. EXTERIOR COLORS: The exterior colors of all structures shall comply with the Hillside Development Standards & Guidelines.
14. DEED RESTRICTION: Prior to the issuance of a building permit, a deed restriction shall be recorded by the applicant with the Santa Clara County Recorder's Office that requires all exterior materials be maintained in conformance with the Town's Hillside Development Standards & Guidelines.
15. EASEMENTS: Any easements required for the fire truck turnaround shall be reviewed by the Town and recorded with the Santa Clara County Recorder prior to issuance of a Building Permit.
16. LAND USE NEAR STREAMS: The project shall comply with the Guidelines and Standards for Land Use Near Streams prepared by the Santa Clara Valley Water Resources Protection Collaborative.
17. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

18. PERMITS REQUIRED: A Building Permit is required for the construction of the new single-family residence and attached garage. An additional Building Permit will be required for the PV System if the system is required by the California Energy Code. Additional individual Building Permits will be required for all other structures such as the renovation of the existing house into the pool house, swimming pool, retaining walls supporting a surcharge, etc..
19. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2020, are the 2019 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, including locally adopted Energy Reach Codes.
20. ADVISORY COMMENT: Building Permit applications submitted after 1:00 pm on December 22, 2022, will be subject to the new 2022 California Building Codes, which take effect January 1, 2023.

21. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
22. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
23. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
24. SOILS REPORT: A Soils Report, prepared to the satisfaction of the Building Official, containing foundation, and retaining wall design recommendations, shall be submitted with the Building Permit Application. This report shall be prepared by a licensed Civil Engineer specializing in soils mechanics.
25. SHORING: Shoring plans and calculations will be required for all excavations which exceed five (5) feet in depth, or which remove lateral support from any existing building, adjacent property, or the public right-of-way. Shoring plans and calculations shall be prepared by a California licensed engineer and shall confirm to the Cal/OSHA regulations.
26. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report, and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:
    a. Building pad elevation
    b. Finish floor elevation
    c. Foundation corner locations
    d. Retaining wall(s) locations and elevations
27. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e., directly printed, onto a plan sheet.
28. TOWN RESIDENTIAL ACCESSIBILITY STANDARDS: New residential units shall be designed with adaptability features for single-family residences per Town Resolution 1994-61:
    a. Wood backing (2" x 8" minimum) shall be provided in all bathroom walls, at water closets, showers, and bathtubs, located 34 inches from the floor to the center of the backing, suitable for the installation of grab bars if needed in the future.
    b. All passage doors shall be at least 32-inch-wide doors on the accessible floor level.
    c. The primary entrance door shall be a 36-inch-wide door including a 5'x 5' level landing, no more than 1 inch out of plane with the immediate interior floor level and with an 18-inch clearance at interior strike edge.
    d. A door buzzer, bell or chime shall be hard wired at primary entrance.
29. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12 inches above the elevation of the next upstream manhole.

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30. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
31. WILDLAND-URBAN INTERFACE: This project is located in a Wildland-Urban Interface High Fire Area and must comply with Section R337 of the 2019 California Residential Code, Public Resources Code 4291 and California Government Code Section 51182.
32. PROVIDE DEFENSIBLE SPACE/FIRE BREAK LANDSCAPING PLAN: Prepared by a California licensed Landscape Architect in conformance with California Public Resources Code 4291 and California Government Code Section 51182.
33. PRIOR TO FINAL INSPECTION: Provide a letter from a California licensed Landscape Architect certifying the landscaping and vegetation clearance requirements have been completed per the California Public Resources Code 4291 and Government Code Section 51182.
34. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the Building Permit. The Town Special Inspection form must be completely filled-out and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building.
35. BLUEPRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal as the second page. The specification sheet is available at the Building Division Service Counter for a fee of $2 or at ARC Blueprint for a fee or online at www.losgatosca.gov/building.
36. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
    a. Community Development – Planning Division: (408) 354-6874
    b. Engineering/Parks & Public Works Department: (408) 399-5771
    c. Santa Clara County Fire Department: (408) 378-4010
    d. West Valley Sanitation District: (408) 378-2407
    e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

TO THE SATISFACTION OF THE DIRECTOR OF PARKS & PUBLIC WORKS:

Engineering Division

37. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner's representative in charge shall be at the job site during all

working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner's expense.

38. APPROVAL: This application shall be completed in accordance with all the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
39. CONSTRUCTION PLAN REQUIREMENTS: Construction drawings shall comply with Section 1 (Construction Plan Requirements) of the Town's Engineering Design Standards, which are available for download from the Town's website (https://www.losgatosca.gov/1088/Town-Engineering-Standards).
40. PRIOR APPROVALS: All conditions per prior approvals shall be deemed in full force and affect for this approval.
41. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over $5,000 will require construction security. It is the responsibility of the Owner to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
42. PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY (INDEMNITY AGREEMENT): The property owner shall enter into an agreement with the Town for all existing and proposed private improvements within the Town's right-of-way. The Owner shall be solely responsible for maintaining the improvements in a good and safe condition at all times and shall indemnify the Town of Los Gatos. The agreement must be completed and accepted by the Director of Parks and Public Works, and subsequently recorded by the Town Clerk at the Santa Clara County Office of the Clerk-Recorder, prior to the issuance of any grading or building permits. Please note that this process may take approximately six to eight (6-8) weeks.
43. GENERAL LIABILITY INSURANCE: The property owner shall provide proof of insurance to the Town on a yearly basis. In addition to general coverage, the policy must cover all elements encroaching into the Town's right-of-way.
44. PUBLIC WORKS INSPECTIONS: The Owner or their representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in penalties and rejection of any work that occurred without inspection.
45. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
46. STREET CLOSURE: Any proposed blockage or partial closure of the street and/or sidewalk requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.

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47. PLAN CHECK FEES: Plan check fees associated with the Grading Permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the commencement of plan check review.
48. INSPECTION FEES: Inspection fees shall be deposited with the Town prior to the issuance of any grading or building permits.
49. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The Owner's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
50. PLANS AND STUDIES: All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California and submitted to the Town Engineer for review and approval.
51. GRADING PERMIT: A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). After the preceding Architecture and Site Application has been approved by the respective deciding body and the appeal period has passed, the grading permit application with grading plans and requisite materials shall be submitted via email to the PPW engineer assigned to the A&S review. Plan check fees (determined after initial submittal) shall be sent to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location(s), driveway, utilities and erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). Prior to Engineering signing off and closing out on the issued grading permit, the Owner's soils engineer shall verify, with a stamped and signed letter, that the grading activities were completed per plans and per the requirements as noted in the soils report. A separate building permit, issued by the Building Department, located at 110 E. Main Street, is needed for grading within the footprint.
52. GRADING PERMIT DETERMINATION DURING CONSTRUCTION DRAWINGS: In the event that, during the production of construction drawings and/or during construction of the plans approved with this application by the Town, it is determined that a grading permit would be required as described in Chapter 12, Article II (Grading Permit) of the Town Code of the Town of Los Gatos, an Architecture and Site Application would need to be submitted by the Owner for review and approval by the Development Review Committee prior to applying for a grading permit.
53. ILLEGAL GRADING: Per the Town's Comprehensive Fee Schedule, applications for work unlawfully completed shall be charged double the current fee. As a result, the required grading permit fees associated with an application for grading will be charged accordingly.
54. GRADING ACTIVITY RESTRICTIONS: Upon receipt of a grading permit, any and all grading activities and operations shall not occur during the rainy season, as defined by Town Code of the Town of Los Gatos, Sec. 12.10.020, (October 15-April 15), has ended.

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55. COMPLIANCE WITH HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES: All grading activities and operations shall be in compliance with Section III of the Town's Hillside Development Standards and Guidelines. All development shall be in compliance with Section II of the Town's Hillside Development Standards and Guidelines.
56. DRIVEWAY: The driveway conform to existing pavement on Crescent Drive shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
57. CONSTRUCTION EASEMENT: Prior to the issuance of a grading or building permit, it shall be the sole responsibility of the Owner to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed. Proof of agreement/approval is required prior to the issuance of any Permit.
58. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to the issuance of a building permit. An arborist report may be necessary.
59. SURVEYING CONTROLS: Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
    a. Retaining wall: top of wall elevations and locations.
    b. Toe and top of cut and fill slopes.
60. PRECONSTRUCTION MEETING: Prior to issuance of any grading or building permits or the commencement of any site work, the general contractor shall:
    a. Along with the Owner, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
    b. Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them as well prior to commencing any work, and that a copy of the project conditions of approval will be posted on-site at all times during construction.
61. RETAINING WALLS: A building permit, issued by the Building Department, located at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
62. PROXIMITY OF RETAINING WALLS TO ADJACENT BUILDINGS: Prior to the issuance of a grading or building permit, structural details for the proposed retaining walls located immediately adjacent to or in the immediate vicinity of existing buildings on adjoining lots shall be submitted confirming that said walls will not negatively affect the structural integrity of these buildings.
63. SOILS REPORT: One electronic copy (PDF) of the soils and geologic report shall be submitted with the application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
64. SOILS REVIEW: Prior to issuance of a building permit, the Owner's engineers shall prepare and submit a design-level geotechnical and geological investigation for review by the Town's consultant, with costs borne by the Owner, and subsequent approval by the Town.

In the event that the deciding body requests as such, the peer review shall be completed prior to approval of a development application. The Owner's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations and the peer review comments. Approval of the Owner's soils engineer shall then be conveyed to the Town either by submitting a Plan Review Letter prior to issuance of grading or building permit(s).

65. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations and grading shall be inspected by the Owner's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing shall be documented in an "as-built" letter/report prepared by the Owner's soils engineer and submitted to the Town before a certificate of occupancy is granted.
66. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the project's design-level geotechnical/geological investigation as prepared by the Owner's engineer(s), and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Owner.
67. SUPPLEMENTAL GEOLOGIC AND GEOTECHNICAL STUDIES: Supplemental geologic and geotechnical engineering studies shall be performed in support of the design of the infrastructure and the building type, and the reports and plans shall be submitted to the Town for review.
68. WATER METER: The existing water meter, currently located within the Crescent Drive right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line. The Owner shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
69. SANITARY SEWER CLEANOUT: The existing sanitary sewer cleanout, currently located within the Crescent Drive right-of-way, shall be relocated within the property in question, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town. The Owner shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
70. DRIVEWAY APPROACH: The Owner shall install a Town standard residential driveway approach. The new driveway approach shall be constructed per Town Standard Plans and must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore.
71. CONSTRUCTION VEHICLE PARKING: Construction vehicle parking within the public right-of-way will only be allowed if it does not cause access or safety problems as determined by the Town.

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72. ON-SITE/OFF-SITE PARKING: Parking spaces shall be paved with a compacted base not less than four (4) inches thick, surfaced with asphaltic concrete or Portland cement concrete pavement or other surfacing (e.g.: permeable paving materials, interlocking pavers and ribbon strip driveways) approved by the Town Engineer.
73. SIGHT DISTANCE STUDY: Prior to grading/building permit approval, the Owner shall have a traffic engineer prepare and submit a sight distance analysis for review by the Town staff along with a review fee of **$189.00**.
74. ADVANCE NOTIFICATION: Advance notification of all affected residents and emergency services shall be made regarding parking restriction, lane closure or road closure, with specification of dates and hours of operation.
75. HAULING OF SOIL: Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of a grading or building permit, the Owner and/or Applicant or their representative shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off the project site. This may include, but is not limited to provisions for the Owner and/or Applicant to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
76. CONSTRUCTION HOURS: All site improvements construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
77. CONSTRUCTION NOISE: Between the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.
78. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any grading or building permits, the Owner and/or Applicant's design consultant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Earth Movement Plan, site security fencing, employee parking, construction staging area, materials storage area(s), construction trailer(s), concrete washout(s) and proposed outhouse locations. Please refer to the Town's Construction Management Plan Guidelines document for additional information (https://www.losgatosca.gov/DocumentCenter/View/17600/Construction-Management-Plan-Guidelines?bidId=).

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79. MAINTENANCE ACCESS: Prior to the issuance of any grading or building permits, the Owner shall propose maintenance access improvements for the Town Engineer to review, comment on, and approve. The Engineering Division of the Parks and Public Works Department shall approve the surface materials over each public easement.
80. SHARED MAINTENANCE AGREEMENT: The Owner shall record a shared Maintenance Agreement at the time of recordation of the Parcel/Final Map. The shared Maintenance Agreement shall be subject to the review and approval of the Town prior to recordation of the parcel map. The owners of the number (#) properties shall be responsible for the maintenance of all private utilities, wildland fire and buffer areas, storm water treatment facilities (including the bioretention area(s)) landscape areas, the long term maintenance the fences located on the boundary line, and other common areas/facilities within the proposed subdivision. The owners of the number (#) properties shall be responsible for keeping the shared driveway signed, marked, free and clear for fire department access.
81. WVSD (West Valley Sanitation District): Sanitary sewer laterals are televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used. A Sanitary Sewer Clean-out is required for each property at the property line, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town.
82. SANITARY SEWER BACKWATER VALVE: Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Building Official. The Town shall not incur any liability or responsibility for damage resulting from a sewer overflow where the property owner or other person has failed to install a backwater valve as defined in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to the issuance of a building permit.
83. RELOCATION OF POOL EQUIPMENT FACILITIES: Prior to the issuance of any permits, an approval letter from West Valley Sanitation District accepting the relocated pool equipment facilities shall be provided to the Town.

STORMWATER MANAGEMENT:

84. BEST MANAGEMENT PRACTICES (BMPs): The Owner is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.

85. NPDES STORMWATER COMPLIANCE: In the event that, during the production of construction drawings for the plans approved with this application by the Town of Los Gatos, it is determined that the project will create and/or replace more than 2,500 square feet of impervious area, completion of the NPDES Stormwater Compliance Small Projects Worksheet and implementation of at least one of the six low impact development site design measures it specifies shall be completed and submitted to the Engineering Division before issuance of a grading/building permit.
86. SITE DESIGN MEASURES: All projects shall incorporate at least one of the following measures:
    a. Protect sensitive areas and minimize changes to the natural topography.
    b. Minimize impervious surface areas.
    c. Direct roof downspouts to vegetated areas.
    d. Use porous or pervious pavement surfaces on the driveway, at a minimum.
    e. Use landscaping to treat stormwater.
87. UNLAWFUL DISCHARGES: It is unlawful to discharge any wastewater, or cause hazardous domestic waste materials to be deposited in such a manner or location as to constitute a threatened discharge, into storm drains, gutters, creeks or the San Francisco Bay. Unlawful discharges to storm drains include, but are not limited to: discharges from toilets, sinks, industrial processes, cooling systems, boilers, fabric cleaning, equipment cleaning or vehicle cleaning.
88. LANDSCAPING: In finalizing the landscape plan for the biotreatment area(s), it is recommended that the landscape architect ensure that the characteristics of the selected plants are similar to those of the plants listed for use in bioretention areas in Appendix D of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) C.3 Stormwater Handbook.
89. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
90. DUST CONTROL: Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging

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areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty (20) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.

91. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
    a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
    b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
    c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
    d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
    e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
    f. All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
    g. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
    h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Please provide the BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).
    i. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.
    j. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.

92. CONSTRUCTION ACTIVITIES: All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.
93. WATER FEATURES: New swimming pools, hot tubs, spas and/or fountains shall have a connection to the sanitary sewer system, subject to West Valley Sanitation District's authority and standards, to facilitate draining events. Discharges from this/these feature(s) shall be directed to the sanitary sewer and are not allowed into the storm drain system.
94. SITE DRAINAGE: Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If stormwater treatment facilities are to be used they shall be placed a minimum of ten (10) feet from the adjacent property line and/or right-of-way. Alternatively, the facility(ies) may be located with an offset between 5 and 10 feet from the adjacent property and/or right-of-way line(s) if the responsible engineer in charge provides a stamped and signed letter that addresses infiltration and states how facilities, improvements and infrastructure within the Town's right-of-way (driveway approach, curb and gutter, etc.) and/or the adjacent property will not be adversely affected. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
95. SILT AND MUD IN PUBLIC RIGHT-OF-WAY: It is the responsibility of Contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
96. GOOD HOUSEKEEPING: Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Owner's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Owner's expense.
97. NEIGHBORHOOD CONSTRUCTION COMMUNICATION PLAN: Immediately upon approval of an encroachment permit, the Owner shall initiate a weekly neighborhood email notification program to provide project status updates. The email notices shall also be posted on a bulletin board placed in a prominent location along the project perimeter.
98. PERMIT ISSUANCE: Permits for each phase; reclamation, landscape, and grading, shall be issued simultaneously.
99. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

100. GENERAL: Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.
101. GENERAL: The subject property is located within the Very High Fire Hazard Severity Zone (VHFHSZ) of the Local Responsibility Area (LRA). Pursuant to California Public Resources Code (PRC) 4290, the California Board of Forestry and Fire Protection is required to "…adopt regulations implementing minimum fire safety standards related to defensible space" applicable to "the perimeters and access to all residential, commercial, and industrial building construction." In 2018, the Legislature passed and the Governor signed SB 901 (Dodd), which expanded the applicability of the regulations promulgated under PRC 4290 to land in the Local Responsibility Area (LRA) Very High Fire Hazard Severity Zone. All comments below that result from PRC 4290 are identified by **.
~~102. ** DEAD-END ROADS: (a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served: parcels zoned for less than one acre - 800 feet. Parcels zoned for 1 acre to 4.99 acres - 1,320 feet. Parcels zoned for 5 acres to 19.99 acres - 2,640 feet. Parcels zoned for 20 acres or larger - 5,280 feet. All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.08. This parcel is located within the Very High Fire Hazard Severity Zone and the dead-end access road exceeds the maximum length of 800 feet. Current PRC 4290 regulations remain in effect. The proposed Safe Civilian Access Route doesn't provide for vehicle travel and therefore doesn't meet same practical effect. This request for exemption is not accepted.~~
103. **WIDTH: (a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250. (b) All one- way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads. (1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units. (2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road. (c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six

inches (13' 6”). California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2 Articles 1-5, § 1273.01. 20 ft roadway is required from both Cypress Way & S Kennedy Rd to the proposed residence. On sheet 17, the roadway width doesn't comply with PRC 4290.

104. **ROAD SURFACES: (As Noted on Sheet 17) (a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base. (b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds. (c) Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.02.
105. **GRADES: (As Noted on Sheet 17) (a) At no point shall the grade for all roads and driveways exceed 16 percent. (b) The grade may exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.03.
106. **RADIUS: (As Noted on Sheet 17) (a) No road or road structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet. (b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.04.
107. FIRE SPRINKLERS REQUIRED: An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: 1) In all new one- and two-family dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 SF whether by increasing the area of the primary residence or by creation of an attached Accessory Dwelling Unit. 2) In all new basements and in existing basements that are expanded by more than 50%. 3) In all attached ADUs, additions or alterations to an existing one- and two-family dwelling that have an existing fire sprinkler system. Exceptions: 1) One or more additions made to a building after January 1, 2011 that does not total more than 1,000 square feet of building area and meets all access and water supply requirements of Chapter 5 and Appendix B and C of the 2019 California Fire Code. 2) Detached Accessory Dwelling Units, provided that all of the following are met: a) The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2. b) The existing primary residence does not have automatic fire sprinklers. c) The detached ADU does not exceed 1,200 square feet in size. d) The unit is on the same lot as the primary residence. e) The unit meets all access and water supply requirements of Chapter 5 and Appendix B and C of the 2019 California Fire Code. Residence, pool house & ADU require sprinklers. **Clearly identify intent to install residential fire sprinkler in all structures on sheet A0.0.**
108. REQUIRED FIRE FLOW: The minimum require fireflow for this project is 875 Gallons Per Minute (GPM) at 20 psi residual pressure. This fireflow assumes installation of automatic fire sprinklers per CFC [903.3.1.3]

109. FIRE APPARATUS (ENGINE) TURNAROUND REQUIRED: Provide an approved fire apparatus (engine) turnaround with a minimum radius of 36 feet outside and 23 feet inside. Maximum grade in any direction shall be a maximum of 5%. Installations shall conform with Fire Department Standard Details and Specifications D-1. CFC Sec. 503. **Sheet 3 reflects alternate turnaround to SCCFD D-1 standard. Provide graphic design analysis, such as "Autoturn" to demonstrate equivalency.**
110. FIRE APPARATUS (ENGINE) ACCESS ROADWAY REQUIRED: Provide an access roadway with a paved all-weather surface, a minimum unobstructed width of 20 feet, vertical clearance of 13 feet 6 inches, minimum circulating turning radius of 42 feet outside, and a maximum slope of 15%. Surface shall be capable of supporting 75,000 pounds. Installations shall conform to Fire Department Standard Details and Specifications sheet A-1. CFC Sec. 503. **20 ft roadway is required. On sheet 17, the roadway width doesn't comply.**
111. WATER SUPPLY REQUIREMENTS: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.
112. ADDRESS IDENTIFICATION: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.
113. CONSTRUCTION SITE FIRE SAFETY: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.
114. WILDLAND-URBAN INTERFACE: This project is located within the designated Wildland-Urban Interface Fire Area. The building construction shall comply with the provisions of California Building Code (CBC) Chapter 7A. Note that vegetation clearance shall be in compliance with CBC Section 701A.3.2.4 prior to project final approval. Check with the Planning Department for related landscape plan requirements.
115. GENERAL: This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A

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permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

116. SANTA CLARA COUNTY FIRE DEPARTMENT REGULATIONS: The applicant shall work with the Santa Clara County Fire Department to ensure compliance with the local fire department requirements and regulations.

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November 21, 2022

Joel Paulson, Town of Los Gatos Community Development Director
110 E. Main Street
Los Gatos, CA 95030

Re: Appeal to Exception Denial for State Minimum Fire Safe Regulation for Property Located at 17121 Crescent Drive, APN 532-21-007

Dear Mr. Paulson,

This letter offers comments on the above-referenced appeal of the Santa Clara County Fire Department's (SCCFD) denial of an exception to the State Minimum Fire Safe Regulations. SCCFD's position on this project is summarized in its AMMR comments and has not changed.

SCCFD staff have worked closely with the applicant over several months and regret that the project has not met the minimum standards for approval. The single outstanding deficiency is the length of the dead-end road, which does not satisfy the required Minimum Fire Safe Regulations. The location of the project on Crescent Drive is over twice the allowable distance for the property increasing the risk of entrapment of civilian and first responders during evacuation using approved emergency vehicle access roads.

The materials submitted in support of this appeal and the corresponding Staff Report raise several other issues. First, the applicant has not explained the methodology used to develop the $4.5 million estimate for improvements to the bridal path. The Staff Report relies heavily on the $4.5 million estimate, but the applicant has not offered any materials from a qualified engineer or equivalent professional to support it.

Second, the applicant incorrectly states that SCCFD is the only fire safety department in California interpreting and applying the Fire Safe standards to include existing roads. The Santa Clara Unit of CALFire also applies the Fire Safe Regulation to include existing roads.

Next, the analysis in the Staff Report does not properly consider the current value of the subject property, which includes the value of the existing home. SCCFD and the Town have also approved the construction of an ADU on the property, and the applicant can move forward with the ADU with the existing structure in place.

Finally, the proposed resolution of this appeal lacks clarity about the next steps for this project. If the appeal is granted, the Town should provide clear direction for any subsequent review by SCCFD and should reference appropriate state or local fire safety standards consistent with California law. SCCFD staff will be present at the Planning Commission's special meeting and will be prepared to respond to questions.

Respectfully,

Hector Estrada
Deputy Chief

From: Carol Muser [redacted]
Sent: Monday, November 21, 2022 9:38 AM
To: Planning <Planning@losgatosca.gov>
Subject: SPECIAL MEETING AGENDA NOVEMBER 21, 2022

EXTERNAL SENDER

To the Town of Los Gatos Planning Commission,

Thank you for strongly encouraging my active participation in the public process.
In regard to the agenda of today's meeting,
I am writing to express my belief that State Minimum Fire Safe Regulations should be upheld without this exception.
I am also writing to express my belief that Maximum Height for Visible Homes in the Hillsides should not be exceeded.

Regards,

Carol Muser

[redacted]
Los Gatos, CA [redacted]

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TOWN OF LOS GATOS
PLANNING COMMISSION
SPECIAL MEETING REPORT

MEETING DATE: 11/21/2022

ITEM NO: 2

DATE: November 18, 2022

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Requesting Approval for Construction of a Shared Driveway, Two New Single-Family Residences to Exceed the Maximum Height for Visible Homes in the Hillsides, and Site Work Requiring a Grading Permit on Vacant Property Zoned HR-2½. Located at 400 Surmont Drive. APN 527-20-003. Architecture and Site Applications S-21-004 and S-21-023. PROPERTY OWNER: Sandra K. Anderson, TTE. APPLICANT: Studio 3 Design. PROJECT PLANNER: Ryan Safty.

RECOMMENDATION:

Consider approval of a request for construction of a shared driveway, two new single-family residences to exceed the maximum height for visible homes in the hillsides, and site work requiring a grading permit on vacant property zoned HR-2½ located at 400 Surmont Drive.

PROJECT DATA:

General Plan Designation: Hillside Residential
Zoning Designation: HR-2½
Applicable Plans & Standards: General Plan; Hillside Development Standards and Guidelines
Parcel 1 Size: 1.39 acres (60,752 square feet)
Parcel 2 Size: 1.33 acres (57,840 square feet)
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Hillside Residential	HR-2½
South	Residential	Hillside Residential	HR-2½
East	Residential	Hillside Residential	HR-2½
West	Residential	Hillside Residential	HR-2½

PREPARED BY: Ryan Safty
Associate Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

A Notice of Exemption (NOE) was prepared for the previous subdivision and subsequent construction of a driveway and two new single-family residences in 2020. The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction, and consistent with the previously prepared NOE.

FINDINGS:

- A Notice of Exemption was prepared for the previous subdivision and subsequent construction of a driveway and two new single-family residences in 2020. The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction, and consistent with the previously prepared Notice of Exemption.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- The project complies with the Hillside Development Standards and Guidelines, with requested exceptions for maximum allowed height of visible homes in the hillsides, maximum height of the lowest finished floor of a structure above existing grade, maximum cut for the rear yard areas adjacent to each proposed home, maximum cut and fill for the shared driveway and fire turnaround areas, and maximum retaining wall heights.
- The project complies with the Hillside Specific Plan.

CONSIDERATIONS:

- As required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is located at the terminus of Surmont Drive, approximately 1,300 feet south of Blossom Hill Road (Exhibit 1). The 15-acre property was subdivided on October 6, 2020, into three separate parcels: vacant Parcel 1 at the northern edge; vacant Parcel 2 in the middle; and “remainder” Parcel 3 to the south with an existing single-family residence. The property owner is in the process of recording the Parcel Map for this subdivision. A NOE was filed with the subdivision application, which included reviews of the following technical analyses: Biological Resources Report; Arborist Report; Geotechnical Investigation; and

BACKGROUND (continued):

Geologic Report. The NOE also included review of future construction of a driveway and one single-family residence on each of the two new lots (Exhibit 4).

An existing ephemeral drainage feature exists along the western edge of the properties, immediately adjacent to the entrance of the new shared driveway. To prevent indirect impacts on water quality within the drainage and in the downslope watershed, a two-foot tall retaining wall is proposed between the driveway and the drainage feature for the 30-foot portion of the driveway closest to the drainage feature. With the inclusion of this wall, along with standard environmental conditions of approval recommended in the NOE, the project would not have a significant effect on the environment. This retaining wall is shown in the proposed plans, and the standard environmental conditions of approval are included with these applications (Exhibit 3).

Following approval of the subdivision application, Parcel 1 is approximately 60,752 square feet, with an average slope of 27.3 percent. Parcel 2 is approximately 57,840 square feet, with an average slope of 27.3 percent. Architecture and Site application S-21-004 includes the proposed shared driveway and construction of a single-family residence and attached garage on Parcel 1. Architecture and Site application S-21-023 includes construction of a single-family residence and attached garage on Parcel 2. Both Architecture and Site applications have been referred to the Planning Commission for major exceptions to the Hillside Development Standards and Guidelines (HDS&G) for maximum height of visible homes in the hillsides.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located at the terminus of Surmont Drive, approximately 1,300 feet south of Blossom Hill Road (Exhibit 1). The property contains three parcels: vacant Parcel 1 at the northern edge; vacant Parcel 2 in the middle; and “remainder” Parcel 3 to the south with an existing single-family residence. Parcel 1 is approximately 60,752 square feet and Parcel 2 is approximately 57,840 square feet. Single-family and hillside residential development surrounds the parcel. From the terminus of Surmont Drive, the property ascends approximately 75 feet to the highest point of Parcel 2.

B. Project Summary

The applicant proposes construction of a new shared driveway and two new single-family residences on vacant Parcel 1 and Parcel 2. Both residences would be single-story with attached garages and located within the Least Restrictive Development Area (LRDA) for each parcel. The proposed driveway work and site work associated with the two residences

PROJECT DESCRIPTION (continued):

requires a Grading Permit as the proposed earthwork quantities would exceed 50 cubic yards.

The proposed applications would comply with the objective standards of the Town Code, but exceptions to the HDS&G are requested. The specific exceptions include: maximum allowed height of visible homes in the hillsides; maximum height of the lowest finished floor of a structure above existing grade; maximum cut for the rear yard areas adjacent to each proposed home; maximum cut and fill for the shared driveway and fire turnaround areas; and maximum retaining wall heights.

C. Zoning Compliance

Single-family residences and garages are permitted in the HR-1 zone. The proposed residences are in compliance with the zoning regulations for allowable floor area, height, setbacks, and on-site parking requirements for the property.

DISCUSSION:

A. Architecture and Site Analysis

Parcel 1 (Architectural and Site Application S-21-004)

Pursuant to the HDS&G, when determining the maximum allowable floor area for a hillside property, the gross lot area is reduced based on its average slope. Parcel 1 is approximately 60,752 square feet with an average lot slope of 27.3 percent. Based on this average slope, the net lot area is 29,222 square feet, which provides for a maximum allowable floor area of 5,700 square feet.

The applicant proposes construction of a new 3,683-square foot, single-story residence with an attached 996-square foot garage on Parcel 1 (Exhibit 15). The applicant has provided a Written Description/Letter of Justification detailing the project (Exhibit 5). The residence includes a 996-square foot attached garage, 596 square feet of which would count toward the total house floor area allowed for the property. A summary of the floor area for the proposed Parcel 1 residence is included in the table below.

Parcel 1 - Floor Area	
Residence	3,683 sf
Garage	996 sf
Subtotal	4,679 sf
Garage Credit	(400 sf)
Total	**4,279 sf**

DISCUSSION (continued):

The proposed residence on Parcel 1 would be sited near the center of the parcel, within the LRDA. The maximum height of the proposed residence is approximately 25 feet, where a maximum of 30 feet is allowed by the Town Code and a maximum of 18 feet is allowed by the HDS&G for homes that are more than 24.5 percent visible from the established viewing areas. The project requires a Grading Permit for site improvements for earthwork quantities exceeding 50 cubic yards associated with the building footprint and new driveway. Exceptions to the HDS&G are requested, which are described in Section B below.

Parcel 2 (Architectural and Site Application S-21-023)

Parcel 2 is approximately 57,840 square feet with an average lot slope of 27.3 percent. Based on this average slope, the net lot area is 27,821 square feet, which provides for a maximum allowable floor area of 5,500 square feet.

The applicant proposes construction of a new 3,450-square foot, single-story residence with 713 square feet of countable attic space above and an attached 671-square foot garage on Parcel 2 (Exhibit 16). The applicant has provided a Written Description/Letter of Justification detailing the project (Exhibit 5). The residence includes a 671-square foot attached garage, 271 square feet of which would count toward the total house floor area allowed for the property. A summary of the floor area for the proposed Parcel 2 residence is included in the table below.

Parcel 2 - Floor Area	
Residence	3,450 sf
Countable Attic	713 sf
Garage	671 sf
Subtotal	4,834 sf
Garage Credit	(400 sf)
Total	**4,434 sf**

The proposed residence would also be sited near the center of the parcel within the LRDA. The maximum height of the proposed residence is approximately 25 feet, where a maximum of 30 feet is allowed by the Town Code and a maximum of 18 feet is allowed by the HDS&G for homes that are more than 24.5 percent visible from the established viewing areas. Exceptions to the HDS&G are requested, which are described in Section B below.

B. Hillside Development Standards and Guidelines

Per the Project Description/Letter of Justification (Exhibit 5), both homes are designed to maintain as many trees on the property as possible, and are sited to protect the uphill

DISCUSSION (continued):

neighbor's view to the valley floor as well as not to loom over or cast shadows on the downhill neighbor. The proposed residences run parallel to the contour lines and the footprints are adjusted to step with grade and around existing mature trees. The overall bulk and mass of the homes are broken up with a mix of materials to enhance the character. The following includes descriptions of the requested HDS&G exceptions.

Maximum Building Height Exception (Parcels 1 and 2)

Town Code allows a maximum height of 30 feet in the Hillside Residential zones; however, the HDS&G has more restrictive requirements. Per the HDS&G, buildings that are more than 24.5 percent visible from the established viewing areas are limited to 18 feet in height. Both proposed homes are considered visible from the Almaden Road/Selinda Way viewing area as follows: Parcel 1 residence is visible only in certain areas of the viewing areas as the proposed footprint is situated lower on the hill, and portions of Leigh High School block views to the site; and Parcel 2 is visible from most of the viewing area. Both residences are proposed to be approximately 25 feet in height, and therefore, exceptions to the HDS&G are required for each proposed residence. Pursuant to the HDS&G, building height exceptions are considered "major exceptions" and require Planning Commission approval; with, "the burden of proof on the applicant to show that there are compelling reasons for granting the requested deviation."

Per the applicant's Project Description/Letter of Justification (Exhibit 5), although both homes are considered visible, the proposed materials blend into the hillside significantly better than adjacent homes. Additionally, the applicant has provided the following additional justification for the maximum building height exceptions within the Visibility Analysis (Exhibit 9); specifically:

- Both parcels are within Environmentally Sensitivity – Level 1 pursuant to the Blossom Hill Open Space study and are over 70 feet away from the designated "critically visible slopes;"
- The Almaden Road/Selinda Way viewing area is outside of Town limits and is roughly one- and one-half miles away from the project site; and
- Other homes in the adjacent area are more visible.

Parcel 1 Exceptions (Architecture and Site Application S-21-004)

As noted in the applicant's Project Description/Letter of Justification (Exhibit 5), additional exceptions to the HDS&G are requested for the proposed shared driveway and residence associated with Architecture and Site application S-21-004 for Parcel 1, summarized below with the HDS&G requirement, requested exception, and applicant's justification:

DISCUSSION (continued):

- HDS&G Chapter V, Section E, Standard 4: The height of the lowest finished floor(s) of a structure, excluding below grade square footage pursuant to Section 29.40.072 of the Town Code, shall not be more than three feet above the existing grade to ensure that buildings follow slopes.
    - Proposed: Approximately five feet along the North Elevation (Exhibit 15).
    - Applicant's justification: *The house footprint sits across approximately 12 feet of vertical grade differential while internal floor level changes absorb approximately five feet of height […] We have done our best to minimize the external grading that would be visible around the residence perimeter with the use of terraced walls at the rear yard and natural undulating slopes below the house. Along the north wall, we have included shallow fill slopes to mask the underfloor area and only 40 feet of the 100-foot length is at five feet above existing grade. The complex matrix of grading depth, building height, and terraced retaining walls results in this exception […].*

- HDS&G Chapter III, Section A, Standard 1, Table 1 – Maximum Graded Cuts and Fills: The maximum allowed cut outside of building excavation is four feet.
    - Proposed: Approximately nine feet as seen on Section D-D of Civil Sheet C-8 (Exhibit 15).
    - Applicant's justification: *Given the multiple depth of grading constraints, the terraced wall area has been compressed horizontally to minimize the amount and depth of grading to provide for a minimum safe perimeter pathway width of six feet. This allows for fire department ladder placement and a "wetband" of landscape for fire suppression. Finally, the highest top of retaining wall is at the roof eave level and as such, any and all of the rear yard grading is fully masked by the residence from off-site views.*

- HDS&G Chapter III, Section A, Standard 1, Table 1 – Maximum Graded Cuts and Fills: The maximum allowed cut for driveways is four feet.
    - Proposed: Approximately five feet of cut as seen in the Earthwork Summary table provided on Sheet C-8 (Exhibit 15).
    - Applicant's justification: *We contend that the (driveway cut and fill maximums) are no longer valid now that as of April 2021, Santa Clara County Fire has significantly upsized their turnaround requirements and now requires the entire approach at five percent slope. The previous standard was […] a 20 percent slope for the approach driveway […] The depth of cut non-conformance is limited to 160 square feet at the interface of the lower fire department turnaround with the Parcel 2 driveway and does not result in a prominent visual scar on the hillsides.*

DISCUSSION (continued):

- HDS&G Chapter III, Section A, Standard 1, Table 1 – Maximum Graded Cuts and Fills: The maximum allowed fill for driveways is three feet.
    - Proposed: Approximately four feet of fill as seen in the Earthwork Summary table provided on Sheet C-8 (Exhibit 15).
    - Applicant's justification: *This occurs at the driveway where it intersects the parking area for the Parcel 1 garage. Note that we previously reduced the driveway width at this location due to a five-foot fill. We really can't squeeze this any further, but have provided an undulating slope at the base of the retaining wall to mask this fill, resulting in a new wall height of three feet*.

Parcel 2 Exceptions (Architecture and Site Application S-21-023)

As noted in the applicant's Project Description/Letter of Justification (Exhibit 5), additional exceptions to the HDS&G are requested for the proposed residence and private driveway associated with Architecture and Site application S-21-023 for Parcel 2, summarized below with the HDS&G requirement, requested exception, and applicant's justification:

- HDS&G Chapter V, Section E, Standard 4: The height of the lowest finished floor(s) of a structure, excluding below grade square footage pursuant to Section 29.40.072 of the Town Code, shall not be more than three feet above the existing grade to ensure that buildings follow slopes.
    - Proposed: Approximately six feet along the North Elevation (Exhibit 16).
    - Applicant's justification: *Again, similar to Parcel 1, a one-story residence has a slightly larger footprint but is at least 10 to 12 feet shorter than a two-story residence design. So it is a matter of balance of visibility versus grading. To paraphrase the words of former Los Gatos Mayor, Randy Attoway, "I'd rather see a one time grading impact from foundation excavation for a week than stare at a 35-foot tall building for more than 60 years." Such is the case here as to underfloor clearance that is merely five feet where three is the maximum […] There is a 30-foot length that is non-compliant in a location that is invisible to any downslope neighborhood*.

- HDS&G Chapter III, Section A, Standard 1, Table 1 – Maximum Graded Cuts and Fills: The maximum allowed cut outside of building excavation is four feet.
    - Proposed: Approximately nine feet as seen on Section B-B of Civil Sheet C-9 (Exhibit 16).
    - Applicant's justification: *While we are allowed an eight-foot cut at the rear of the residence, we could have buried the rear of the house against a retaining wall. This would have compromised the floor plan and the window placement on the rear wall. Extensive moisture protection for the large retaining wall would also have been required […] Our current proposal of two*

DISCUSSION (continued):

terraced walls with a fire ladder platform and landscape wetband around the residence is preferred for fire safety and aesthetics. The area of non-compliance is merely 70 feet long by seven feet wide at the invisible southeast corner of the residence.

- HDS&G Chapter VI, Section C, Guideline 1: Retaining walls should not be higher than five feet. Where an additional retained portion is necessary due to unusual or extreme conditions, the use of multiple-terraced, lower retaining structures is preferred.
    - Proposed: Approximately six-foot tall retaining wall behind the garage as shown on Sheet C-9 (Exhibit 16).
    - Applicant's justification: *The attached garage is buried eight feet at the southeast corner and this is merely a 20-foot long transition from the eight-foot garage wall to the four-foot yard wall*.

- HDS&G Chapter III, Section A, Standard 1, Table 1 – Maximum Graded Cuts and Fills: The maximum allowed fill for driveways is three feet.
    - Proposed: Approximately four feet of fill as seen in Section A-A on Sheet C-9 (Exhibit 16).
    - Applicant's justification: *This is required to balance the cut and fill across the massive 3,600-square foot fire department turn around which is the size of a […] convenience store parking lot. We have done our best to mask the fill with that same trapezoidal wall used at the high crawl space. This is merely an area of 100 square feet*.

- HDS&G Chapter III, Section A, Standard 1, Table 1 – Maximum Graded Cuts and Fills: The maximum allowed fill for driveways is three feet.
    - Proposed: Approximately five feet of fill for the fire department turnaround area as seen in the Earthwork Summary table provided on Sheet C-9 (Exhibit 16).
    - Applicant's justification: *This fire department turnaround sits diagonally across 80 feet of slope […] with five percent maximum slope imposed by Fire […] The size and slope for the fire department turnaround are non-negotiable […].*

- HDS&G Chapter III, Section A, Standard 1, Table 1 – Maximum Graded Cuts and Fills: The maximum allowed cut for driveways is four feet.
    - Proposed: Approximately five feet of cut as seen in the Earthwork Summary table provided on Sheet C-9 (Exhibit 16).
    - Applicant's justification: *We contend that the (driveway cut and fill maximums) are no longer valid now that as of April 2021, Santa Clara County*

DISCUSSION (continued):

> *Fire has significantly upsized their turnaround requirements and now requires the entire approach at five percent slope. The previous standard was […] a 20 percent slope for the approach driveway […] The depth of cut non-conformance is limited to 160 square feet at the interface of the lower fire department turnaround with the Parcel 2 driveway and does not result in a prominent visual scar on the hillsides.*

C. Building Design

Parcel 1 (Architectural and Site Application S-21-004)

The project proposes a Mediterranean inspired residence and garage with neutral colors and materials each with a Light Reflectivity Value (LRV) of under 30, compliant with the HDS&G. Proposed exterior materials include smooth stucco siding; clay tile roofing; aluminum clad windows with cast stone trim; wood posts and columns; and wrought iron railing (Exhibit 7). The applicant has provided a Written Description/Letter of Justification detailing the project (Exhibit 5).

Parcel 2 (Architectural and Site Application S-21-023)

The project proposes a Modern Farmhouse inspired residence and garage with neutral colors and materials each with a LRV of under 30, compliant with the HDS&G. Proposed exterior materials include a mixture of horizontal and board and batten wood siding; shingled roofing with metal standing seam roofing used as accents throughout the roof form; aluminum clad windows; wood posts and columns; and wood railing (Exhibit 8). The applicant has provided a Written Description/Letter of Justification detailing the project (Exhibit 5).

The Town's Consulting Architect reviewed the proposed residences on July 23, 2021 (Exhibit 10). In the report, the Consulting Architect noted that each proposed home is limited to one-story in height and designed to blend into the natural topography of the site. They are well designed with substantial façade articulation and authentic architectural details carried consistently around all sides of the homes. The Consulting Architect identified two minor concerns, one for each proposed residence. The Consultant's recommendation for each residence is provided below, along with the applicant's response (Exhibit 11).

DISCUSSION (continued):

- Parcel 1 Recommendation: Provide an adequate recess for all windows and assure that the size of the window head trim and sills are properly scaled for the size of the home.
    - Applicant Response: *Windows for Parcel 1 will be set to the inside and will provide the desired look/detail. The floor plan has been revised to show the new window placement.*

- Parcel 2 Recommendation: Reevaluate the Parcel 2 building base materials, details, and potential buffer landscaping. This will be a judgement call for the architect and applicant, but using board form concrete at the exposed base for the wall may not be the best solution for this architectural style.
    - Application Response: *We will proceed with board form concrete and will provide a textural change.*

D. Neighborhood Compatibility

Pursuant to the HDS&G, the maximum allowable floor area is 5,700 square feet for Parcel 1, and 5,500 square feet for Parcel 2. The table below reflects the current conditions of the homes in the immediate area and the proposed projects.

Address	Zoning	House	Garage	Total Floor Area (w/garage credit)	Lot Size	FAR	No. of Stories
Parcel 1 (Proposed)	HR-2.5	3,683	996	4,279	60,752	0.070	1
Parcel 2 (Proposed)	HR-2.5	4,163	671	4,434	57,840	0.077	1
400 Surmont Drive	HR-2.5	2,798	600	2,998	530,095	0.006	1
401 Surmont Drive	HR-2.5	1,960	440	2,000	520,341	0.004	1
200 Surmont Drive	HR-2.5	3,050	816	3,466	66,974	0.052	1
303 Belgatos Lane	HR-2.5	3,250	615	3,465	123,389	0.028	1
307 Belgatos Lane	HR-2.5	6,495	2430	8,525	464,785	0.018	2
308 Belgatos Lane	HR-2.5	4,165	1349	5,114	84,070	0.061	2
198 Surmont Ct	R-1:20	2,742	657	3,399	18,080	0.152	1
180 Surmont Ct	R-1:20	4,007	1135	5,142	21,228	0.189	2
197 Surmont Ct	R-1:10	3,474	720	4,194	10,170	0.342	2
155 Surmont Dr	R-1:10	4,340	562	4,902	20,763	0.209	1

The properties in the immediate neighborhood are developed with one- and two-story residences with a mix of Hillside Residential and Single-Family Residential zoning. With the different zoning classifications, the property sizes within the immediate neighborhood vary drastically, with a range from 10,170 square feet to 12 acres.

DISCUSSION (continued):

Based on Town and County records, the square footage of the residences located in the immediate neighborhood range from 1,960 square feet to 8,525 square feet. The subject parcels are larger than the adjacent Single-Family Residential properties, yet smaller than the other Hillside Residential properties.

Parcel 1 (Architectural and Site Application S-21-004)

The applicant is proposing a 3,683-square foot residence with an attached 996-square foot garage on a 1.39-acre parcel, where a maximum total floor area of 5,700 square feet is allowed by the HDS&G. The proposed development on Parcel 1 would be the fifth largest in terms of total square footage and fifth largest in terms of FAR.

Parcel 2 (Architectural and Site Application S-21-023)

The applicant is proposing a 4,163-square foot residence with an attached 671-square foot garage on a 1.33-acre parcel, where a maximum total floor area of 5,500 square feet is allowed by the HDS&G. The proposed project would be the fifth largest in terms of total square footage and fifth largest in terms of FAR.

E. Site Access

A 12-foot-wide shared driveway approach is proposed at the north-western corner of the property, immediately adjacent to the ephemeral drainage feature and the neighboring property at 200 Surmont Drive. The shared driveway approach would have a 20 percent slope, leading to a Fire Department hammerhead turnaround feature with a five percent slope, all of which would be located on Parcel 1. The Parcel 1 and Parcel 2 driveways each have a 20 percent slope and would branch-off from the hammerhead feature. The Parcel 1 private driveway would run along the northern edge of Parcel 1, adjacent to the neighboring property at 200 Surmont Drive, and connect to the three-car garage and four additional on-site guest parking spaces as required by the Hillside Specific Plan. The Parcel 2 driveway would branch off the hammerhead turnaround on Parcel 1, and connect to a separate Fire Department turnaround and the two-car garage and four on-site parking spaces.

F. Tree Impacts

The development plans were reviewed by the Town's Consulting Arborist who inventoried a total of 39 trees within the project area of the two parcels and made recommendations for their preservation (Exhibit 12). The applicant responded to the recommendations of the Consulting Arborist (Exhibit 13) and updated the project plans to show requested tree fencing locations.

DISCUSSION (continued):

The site includes a total of 39 trees, 23 of which are considered protected trees. Two of these trees are Large Protected oak trees (Trees # 116 and 133), both of which are proposed to be protected and preserved. A total of seven protected trees are expected to be highly impacted and are proposed for removal. Based on Town Code, these seven removals require a total of 21, 24-inch box, replacement trees to be planted on the sites. Per the landscape plans, the required replacement requirements would be met, with new trees proposed on either side of the shared driveway and along the northern edge of both homes to provide privacy screening to the downhill neighbors.

G. Visibility

The applicant has submitted a visibility analysis, provided as Exhibit 9. The visibility analysis shows that the proposed residence at Parcel 2 is visible from the Almaden Road/Selinda Way viewing area, but that the Parcel 1 residence would be obscured by portions of Leigh High School. Town staff visited the site and determined that both proposed homes are visible from the Almaden Road/Selinda Way viewing area, with the Parcel 1 residence only blocked from view in certain sections of the viewing area, and therefore both homes are visible and are limited to 18 feet in height pursuant to the HDS&G. The applicant has provided justification for the height exceptions, which are discussed in Section B of the staff report above, as well as the applicant's Letter of Justification (Exhibit 5).

H. Grading

The project includes site improvements with grading quantities exceeding 50 cubic yards, which requires approval of a Grading Permit. For both sites, a total of 2,432 cubic yards of cut and 599 cubic yards of fill are proposed as summarized in the tables below. The proposed grading plan requests exceptions to the maximum allowed cut and fill standards per the HDS&G, as discussed in Section B of the staff report above.

Parcel 1 Grading Summary			
	Cut	Fill	Total
Shared Access	74	40	114
Driveway	80	218	298
Residence	589	100	689
Garage	192	0	192
Rear Yard	320	0	320
Total	**1,255**	**358**	**1,613**

Parcel 2 Grading Summary			
	Cut	Fill	Total
Driveway	205	241	446
Residence	525	0	525
Garage	162	0	162
Rear Yard	285	0	285
Total	**1,177**	**241**	**1,418**

DISCUSSION (continued):

The Town's Parks and Public Works Engineering staff have included a condition of approval requiring submittal and evaluation of a Grading Permit in parallel with the required Building Permits (Exhibit 3). As a part of their review, a Geotechnical and Geological Report was required and peer-reviewed for the entire project. Parks and Public Works have also included conditions of approval related to the recommendations of the peer review.

I. Neighbor Outreach

The applicant has indicated that they have been meeting with the surrounding neighbors to discuss the project dating back to the Subdivision Application review in 2019. A summary of their outreach efforts is included as Exhibit 14.

J. CEQA Determination

A Notice of Exemption (NOE) was prepared for the previous subdivision and subsequent construction of a driveway and two new single-family residences in 2020. The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction, and consistent with the previously prepared NOE.

PUBLIC COMMENTS:

Story poles and project signage were installed on the site by October 24, 2022. Public comment received by 11:00 a.m. on Friday, November 18, 2022, is included as Exhibit 17. The applicant has provided response to public comment in Exhibit 18.

CONCLUSION:

Summary, Recommendation, and Alternatives are provided separately below for each of the two Architecture and Site Applications under review.

Parcel 1 (Architectural and Site Application S-21-004)

A. Summary - Parcel 1 (Architectural and Site Application S-21-004)

The applicant is requesting approval of an Architecture and Site application for construction of a shared driveway and Fire Department turnaround and a new single-family residence on vacant Parcel 1. The proposed site work associated with the driveway, turnaround, and residence require a Grading Permit. The proposed driveway, turnaround, and single-story residence comply with the Hillside Specific Plan and objective standards of the Town Code.

CONCLUSION (continued):

Exceptions to the HDS&G are requested, including: maximum allowed height of visible homes in the hillsides; maximum height of the lowest finished floor of a structure above existing grade; maximum cut for the rear yard areas adjacent to the proposed residence; and maximum cut and fill for the shared driveway and fire turnaround area.

B. Recommendation - Parcel 1 (Architectural and Site Application S-21-004)

Based on the analysis above, staff recommends denial of the Architecture and Site application due to the extent of the exceptions requested.

C. Alternatives - Parcel 1 (Architectural and Site Application S-21-004)

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction; or
2. Approve the application with additional and/or modified conditions; or
3. Approve the application by taking the following actions:
    a. Make the finding that the proposed project is Categorically Exempt, pursuant to the adopted Guidelines for the implementation of the California Environmental Quality Act, Section 15303: New Construction, and consistent with the previously prepared NOE (Exhibit 2);
    b. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 2);
    c. Make the finding that the project complies with the applicable sections of the Hillside Development Standards and Guidelines with requested exceptions for: maximum allowed height of visible homes in the hillsides; maximum height of the lowest finished floor of a structure above existing grade; maximum cut for the rear yard areas adjacent to the proposed residence; and maximum cut and fill for the shared driveway and fire turnaround area (Exhibit 2);
    d. Make the finding that the project complies with the Hillside Specific Plan (Exhibit 2);
    e. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
    f. Approve Architecture and Site Application S-21-004 with the conditions contained in Exhibit 3 and the development plans in Exhibit 15.

Parcel 2 (Architectural and Site Application S-21-023)

A. Summary - Parcel 2 (Architectural and Site Application S-21-023)

The applicant is requesting approval of an Architecture and Site application for construction of a private driveway and Fire Department turnaround and a new single-family residence on

CONCLUSION (continued):

vacant Parcel 2. The proposed site work associated with the driveway, turnaround, and residence require a Grading Permit. The proposed private driveway, turnaround, and single-story residence comply with the Hillside Specific Plan and objective standards of the Town Code. Exceptions to the HDS&G are requested, including: maximum allowed height of visible homes in the hillsides; maximum height of the lowest finished floor of a structure above existing grade; maximum cut for the rear yard areas adjacent to the proposed residence; maximum cut and fill for the private driveway and fire turnaround area; and maximum retaining wall heights.

B. Recommendation - Parcel 2 (Architectural and Site Application S-21-023)

Based on the analysis above, staff recommends denial of the Architecture and Site application due to the extent of the exceptions requested.

C. Alternatives - Parcel 2 (Architectural and Site Application S-21-023)

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction; or
2. Approve the application with additional and/or modified conditions; or
3. Approve the application by taking the following actions:
   a. Make the finding that the proposed project is Categorically Exempt, pursuant to the adopted Guidelines for the implementation of the California Environmental Quality Act, Section 15303: New Construction, and consistent with the previously prepared NOE (Exhibit 2);
   b. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 2);
   c. Make the finding that the project complies with the applicable sections of the Hillside Development Standards and Guidelines with requested exceptions for: maximum allowed height of visible homes in the hillsides, maximum height of the lowest finished floor of a structure above existing grade, maximum cut for the rear yard areas adjacent to the proposed residence, maximum cut and fill for the private driveway and fire turnaround area, and maximum retaining wall heights. (Exhibit 2);
   d. Make the finding that the project complies with the Hillside Specific Plan (Exhibit 2);
   e. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
   f. Approve Architecture and Site Application S-21-023 with the conditions contained in Exhibit 3 and the development plans in Exhibit 16.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Subdivision Notice of Exemption
5. Project Description/Letter of Justification
6. Property Photos
7. Color and Materials Board – Parcel 1
8. Color and Materials Board – Parcel 2
9. Visibility Analysis
10. Consulting Architect's Report
11. Applicant's Response to Consulting Architect's Report
12. Consulting Arborist's Report
13. Applicant's Response to Consulting Arborist's Report
14. Neighbor Outreach Summary
15. Development Plans – Parcel 1
16. Development Plans – Parcel 2
17. Public Comments
18. Applicant's Response to Public Comments

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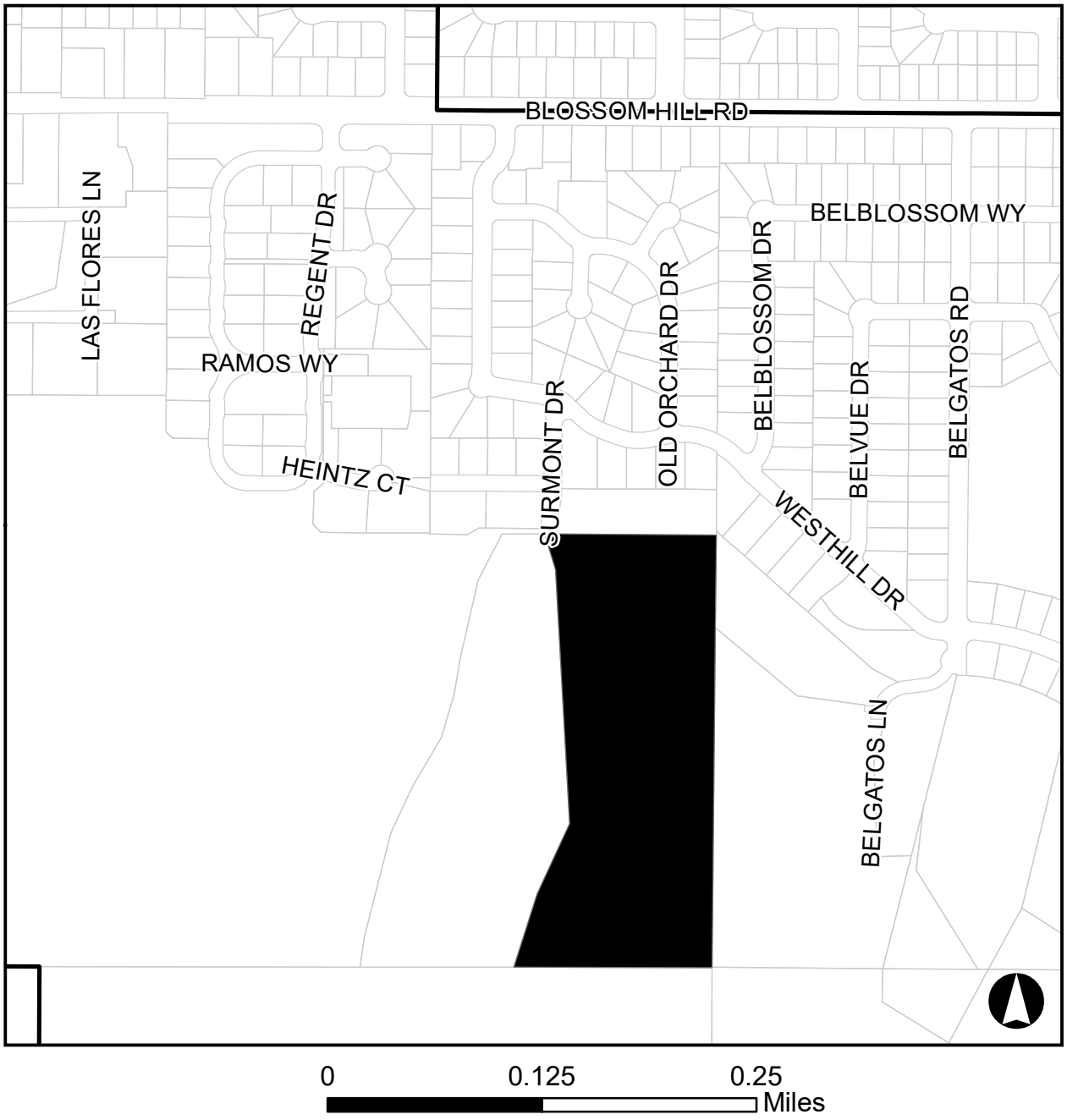

EXHIBIT 1

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PLANNING COMMISSION – *November 21, 2022*
REQUIRED FINDINGS & CONSIDERATIONS FOR:

400 Surmont Drive
Architecture and Site Applications S-21-004 and S-21-023

Requesting Approval for Construction of a Shared Driveway, Two New Single-Family Residences to Exceed the Maximum Height for Visible Homes in the Hillsides, and Site Work Requiring a Grading Permit on Vacant Property Zoned HR-2½. APN 527-20-003.
PROPERTY OWNER: Sandra K. Anderson, TTE.
APPLICANT: Studio 3 Design.

FINDINGS
Required finding for CEQA:

- A Notice of Exemption (NOE) was prepared for the previous subdivision and subsequent construction of a driveway and two new single-family residences in 2020. The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction, and consistent with the previously prepared NOE.

Required compliance with the Zoning Regulations:

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).

Required compliance with the Hillside Development Standards and Guidelines:

- The project complies with the Hillside Development Standards and Guidelines (HDS&G), with requested exceptions for maximum allowed height of visible homes in the hillsides, maximum height of the lowest finished floor of a structure above existing grade, maximum cut for the rear yard areas adjacent to each proposed home, maximum cut and fill for the shared driveway and fire turnaround areas, and maximum retaining wall heights.

Required compliance with the Hillside Specific Plan:

- As required, the project complies with the Hillside Specific Plan.

CONSIDERATIONS

Required considerations in review of Architecture and Site applications:

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.

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PLANNING COMMISSION – *November 21, 2022*
CONDITIONS OF APPROVAL

400 Surmont Drive
Architecture and Site Applications S-21-004 and S-21-023

Requesting Approval for Construction of a Shared Driveway, Two New Single-Family Residences to Exceed the Maximum Height for Visible Homes in the Hillsides, and Site Work Requiring a Grading Permit on Vacant Property Zoned HR-2½. APN 527-20-003.
PROPERTY OWNER: Sandra K. Anderson, TTE.
APPLICANT: Studio 3 Design.

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
4. TREE IN-LIEU FEES: Prior to issuance of building or grading permits, tree in-lieu fees (or replacement trees) must be paid to the Parks and Public Works Department with the Tree Removal Permits.
5. EXISTING TREES: All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
6. TREE FENCING: Protective tree fencing and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
7. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
8. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations identified in the Arborist's report dated as received February 11, 2022 for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.
9. TREE REPLACMENT: Replacement trees and/or in-lieu fees, subject to the Town Arborist requirements, must be planted or paid prior to building permit final inspections.
10. OUTDOOR LIGHTING: Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.

11. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
12. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
13. EXTERIOR COLORS: The exterior colors of all structures shall comply with the Hillside Development Standards & Guidelines.
14. LRV DEED RESTRICTION: Prior to the issuance of a building permit, a deed restriction shall be recorded by the applicant with the Santa Clara County Recorder's Office that requires all exterior materials be maintained in conformance with the Town's Hillside Development Standards & Guidelines.
15. FAULT ZONE DEED RESTRICTION: Prior to building permit issuance, the applicant must record a deed restriction stating the detached garage on Parcel 2 is within a fault zone and cannot be converted to habitable space or an Accessory Dwelling Unit.
16. MAINTENANCE AGREEMENT: Following the issuance of a certificate of occupancy, the property owner shall execute a five-year maintenance agreement with the Town that the property owner agrees to protect and maintain the trees shown to remain on the approved plans, trees planted as part of the tree replacement requirements, and guarantees that said trees will always be in a healthy condition during the term of the maintenance agreement.
17. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
18. NESTING BIRDS: To avoid impacts to nesting birds, the removal of trees and shrubs shall be minimized to the greatest extent feasible. Construction activities that include any tree removal, pruning, grading, grubbing, or demolition shall be conducted outside of the bird nesting season (January 15 through September 15) to the greatest extent feasible. If this type of construction starts, if work is scheduled to start or if work already occurring during the nesting season stops for at least two weeks and is scheduled to resume during the bird nesting season, then a qualified biologist shall conduct a pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project construction. If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys. Two surveys for active nests of such birds shall occur within 14 days prior to start of construction, with the second survey conducted with 48 hours prior to start of construction. Appropriate minimum survey radius surrounding each work area is typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall

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conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active.

19. SPECIAL-STATUS BATS: Approximately 14 days prior to tree removal or structure demolition activities, a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees to be removed, in trees within 50 feet of the development footprint, and within and surrounding any structures that may be disturbed by the project. These surveys will include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an "Anabat" unit. Potential roosting features found during the survey shall be flagged or marked.

    If no roosting sites or bats are found, a letter report confirming absence will be prepared and no further measures are required.

    If bats or roosting sites are found, a letter report and supplemental documents will be prepared prior to grading permit issuance and the following monitoring, exclusion, and habitat replacement measures will be implemented:

    a. If bats are found roosting outside of the nursery season (May 1 through October 1), they will be evicted as described under (b) below. If bats are found roosting during the nursery season, they will be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. If the roost is determined to not be a maternal roost, then the bats will be evicted as described under (b) below. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if determined in consultation with the CDFW) will be established around the roosting site within which no construction activities including tree removal or structure disturbance will occur until after the nursery season.
    b. If a non-breeding bat hibernaculum is found in a tree or snag scheduled for removal or on any structures scheduled to be disturbed by project activities, the individuals will be safely evicted, under the direction of a qualified bat biologist. If pre-construction surveys determine that there are bats present in any trees to be removed, exclusion structures (e.g. one-way doors or similar methods) shall be installed by a qualified

biologist. The exclusion structures shall not be placed until the time of year in which young are able to fly, outside of the nursery season. Information on placement of exclusion structures shall be provided to the CDFW prior to construction.

If needed, other methods conducted under the direction of a qualified bat biologist could include: carefully opening the roosting area in a tree or snag by hand to expose the cavity and opening doors/windows on structures, or creating openings in walls to allow light into the structures. Removal of any trees or snags and disturbance of any structures will be conducted no earlier than the following day (i.e., at least one night will be provided between initial roost eviction disturbance and tree removal/structure disturbance). This action will allow bats to leave during dark hours, which increases their chance of finding new roosts with a minimum of potential predation.

20. ARCHAEOLOGICAL RESOURCES AND HUMAN REMAINS:
    a. In the event that archaeological traces are encountered, all construction within a 50-meter radius of the find will be halted, the Community Development Director will be notified, and an archaeologist will be retained to examine the find and make appropriate recommendations.
    b. If human remains are discovered, the Santa Clara County Coroner will be notified. The Coroner will determine whether or not the remains are Native American. If the Coroner determines the remains are not subject to his authority, he will notify the Native American Heritage Commission, who shall attempt to identify descendants of the deceased Native Americans.
    c. If the Community Development Director finds that the archaeological find is not a significant resource, work will resume only after the submittal of a preliminary archaeological report and after provisions for reburial and ongoing monitoring are accepted. Provisions for identifying descendants of a deceased Native American and for reburial will follow the protocol set forth in CEQA Guidelines Section 15064.5(e). If the site is found to be a significant archaeological site, a mitigation program will be prepared and submitted to the Community Development Director for consideration and approval, in conformance with the protocol set forth in Public Resources Code Section 21083.2.
    d. A final report shall be prepared when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report will include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions.
21. DUSKY-FOOTED WOODRATS: This project will implement the following standard measures to minimize impacts on woodrats and active woodrat nests on the project site.
    a) PRECONSTRUCTION SURVEY. A qualified biologist will conduct a preconstruction survey for San Francisco dusky-footed woodrat nests within 30 days of the start of work activities. If active woodrat nests are determined to be present in, or within 10 feet of the impact areas, the conditions below (Avoidance and/or Nest Relocation) will be implemented, as appropriate. If no active woodrat nests are present on or within 10 feet of impact areas, no further conditions are warranted.

b) AVOIDANCE. Active woodrat nests that are detected within the work area wil be avoided to the extend feasible. Ideally, a minimum 10-foot buffer will be maintained between project activities and woodrat nests to avoid disturbance. In some situations, a small buffer may be allowed if, in the opinion of a qualified biologist, nest relocation (below) would represent a greater disturbance to the woodrats than the adjacent work activities.

c) NEST RELOCATION. If avoidance of active woodrat nests within and immediately adjacent to (within 10 feet of) the work areas is not feasible, then nest materials will be relocated to suitable habitat as close to the project site as possible (ideally, within or immediately adjacent to the project site).

   Relocation efforts will avoid the peak nesting season (February-July) to the maximum extent feasible. Prior to the start of construction activities, a qualified biologist will disturb the woodrat nest to the degree that all woodrats leave the nest and seek refuge outside of the construction area. Disturbance of the woodrat nest will be initiated no earlier than one hour before dusk to prevent the exposure of woodrats to diurnal predators. Subsequently, the biologist will dismantle and relocate the nest material by hand. During the deconstruction process, the biologist will attempt to assess if there are juveniles in the nest. If immobile juveniles are observed, the deconstruction process will be discontinued until a time when the biologist believes the juveniles will be capable of independent survival (typically after 2 to 3 weeks). A no-disturbance buffer will be established around the nest until the juveniles are mobile. The nest may be dismantled once the biologist has determined that adverse impacts on the juveniles would not occur.

22. WATER QUALITY: The project will implement the following conditions to minimize impacts on water quality within the ephemeral drainage (many of these conditions are overlapping conditions with what will be required for compliance with the *California Regional Water Quality Board, San Francisco Bay Region, Municipal Regional Stormwater NPDES Permit*):

    a) All construction activities in the ephemeral drainage shall be avoided. Within the Slope Stability Protection Area, grading will be minimized to the extent necessary and existing contours and slopes shall be maintained.

    b) Existing native vegetation adjacent the drainage shall be retained by removing only as much vegetation as necessary to accommodate the construction of the retaining wall. When possible, a vegetated buffer strip between staging/excavation areas and the drainage shall be maintained.

    c) Appropriate erosion control measures (e.g., fiber rolls, filter fences, vegetative bugger strips) shall be used on site to reduce siltation and runoff of contaminants into the ephemeral drainage. Fiber rolls used for erosion control will be certified as free of noxious weed seed. Filter fences and mesh will be of material that will not entrap reptiles and amphibians. Erosion control measures will be placed at the top of bank of the drainage or the edge of the Slope Stability Protection Area where possible. The erosions control measures should follow the approaches and details outlined in the Bank Protection/Erosion Repair Design Guide in the Santa Clara Valley Water

Resources Protection Collaborative's User Manual: Guidelines & Standards for Land Use Near Streams (Valley Water 2006).

d) All disturbed soils shall be revegetated with native plans and/or grasses or sterile nonnative species suitable for the altered soil conditions upon completion of construction. Local watershed native plants will be used if available. If sterile nonnative species are used for temporary erosion control, native seed mixtures must be used in subsequent treatments to provide long-term erosion control and slow colonization by invasive nonnatives. All disturbed areas that have been compacted shall be de-compacted prior to planting or seeding. Cut-and-fill slopes will be planted with local native or non-invasive plants suitable for the altered soil conditions. Again, revegetation of disturbed soils shall follow the recommendations of the Santa Clara Valley Water Resources Protection Collaborative's User Manual: Guidelines & Standards for Land Use Near Streams (Valley Water 2006).
e) No stockpiling or placement of erodible materials shall be allowed within 20 feet of the ephemeral drainage or along areas of natural stormwater flow where materials could be washed into waterways.
f) No equipment servicing shall be done within 20 feet of the ephemeral drainage, unless equipment stationed in these locations cannot be readily relocated (i.e., pumps, generators.)
g) Construction personnel shall prevent the accidental release of chemicals, fuels, lubricants, and non-storm drainage water into channels. Spill prevention kits shall always be in close proximity when using hazardous materials (e.g., crew trucks and other logical locations). Personnel shall implement measures to ensure that hazardous materials are properly handled, and all construction waste will be disposed of in designated areas to prevent stormwater from flowing onto or off these areas.
h) Potential contaminating materials must be stored in covered storage areas or secondary containment that is impervious to leaks and spills. Runoff pathways shall be free of trash containers or trash storage areas. Trash storage areas shall be screened or walled.
i) Vehicles and equipment shall be parked on pavement, existing roads, and previously disturbed areas.

23. WATER AGENCY PERMTTING: Prior to start of any work along or within a water agency's right-of-way/easement, the Owner and/or Applicant shall obtain necessary encroachment permit(s) and/or plan check review(s) from said Agency(ies) corresponding with the proposed work. A copy of any necessary permit(s) is required to be submitted to the Engineering Division of the Parks and Public Works Department prior to Grading or Building Permit issuance.
24. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.

25. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

26. PERMITS REQUIRED: A Building Permit is required for the construction of the new single-family residence and attached garage. An additional Building Permit will be required for the PV System if the system is required by the California Energy Code.
27. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2020, are the 2019 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, including locally adopted Energy Reach Codes.
28. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
29. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
30. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
31. SOILS REPORT: A Soils Report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with the Building Permit Application. This report shall be prepared by a licensed Civil Engineer specializing in soils mechanics.
32. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report, and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:
    a. Building pad elevation
    b. Finish floor elevation
    c. Foundation corner locations
    d. Retaining wall(s) locations and elevations
33. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a plan sheet.
34. TOWN RESIDENTIAL ACCESSIBILITY STANDARDS: New residential units shall be designed with adaptability features for single-family residences per Town Resolution 1994-61:
    a. Wood backing (2" x 8" minimum) shall be provided in all bathroom walls, at water closets, showers, and bathtubs, located 34 inches from the floor to the center of the backing, suitable for the installation of grab bars if needed in the future.
    b. All passage doors shall be at least 32-inch wide doors on the accessible floor level.
    c. The primary entrance door shall be a 36-inch-wide door including a 5'x 5' level landing, no more than 1 inch out of plane with the immediate interior floor level and with an 18-inch clearance at interior strike edge.
    d. A door buzzer, bell or chime shall be hard wired at primary entrance.

35. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12 inches above the elevation of the next upstream manhole.
36. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
37. WILDLAND-URBAN INTERFACE: This project is located in a Wildland-Urban Interface High Fire Area and must comply with Section R337 of the 2019 California Residential Code, Public Resources Code 4291 and California Government Code Section 51182.
38. PROVIDE DEFENSIBLE SPACE/FIRE BREAK LANDSCAPING PLAN: Prepared by a California licensed Landscape Architect in conformance with California Public Resources Code 4291 and California Government Code Section 51182.
39. PRIOR TO FINAL INSPECTION: Provide a letter from a California licensed Landscape Architect certifying the landscaping and vegetation clearance requirements have been completed per the California Public Resources Code 4291 and Government Code Section 51182.
40. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the Building Permit. The Town Special Inspection form must be completely filled-out and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building.
41. BLUEPRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal as the second page. The specification sheet is available at the Building Division Service Counter for a fee of $2 or at ARC Blueprint for a fee or online at www.losgatosca.gov/building.
42. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
    a. Community Development – Planning Division: (408) 354-6874
    b. Engineering/Parks & Public Works Department: (408) 399-5771
    c. Santa Clara County Fire Department: (408) 378-4010
    d. West Valley Sanitation District: (408) 378-2407
    e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

TO THE SATISFACTION OF THE DIRECTOR OF PARKS & PUBLIC WORKS:

Engineering Division

43. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall

conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner, Applicant and/or Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner, Applicant and/or Developer's expense.

44. APPROVAL: This application shall be completed in accordance with all the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
45. CONSTRUCTION PLAN REQUIREMENTS: Construction drawings shall comply with Section 1 (Construction Plan Requirements) of the Town's Engineering Design Standards, which are available for download from the Town's website.
46. PRIOR APPROVALS: All conditions per prior approvals shall be deemed in full force and affect for this approval.
47. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over $5,000 will require construction security. It is the responsibility of the Owner/Applicant/Developer to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
48. RESTORATION OF PUBLIC IMPROVEMENTS: The Owner, Applicant and/or Developer or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Owner, Applicant and/or Developer or their representative's operations. Improvements such as, but not limited to: curbs, gutters, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the Engineering Construction Inspector shall be completed before the issuance of a certificate of occupancy. The Owner, Applicant and/or Developer or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

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49. STREET CLOSURE: Any proposed blockage or partial closure of the street requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
50. DRIVEWAY: The existing or proposed driveway shall conform to existing pavement on Surmont Drive and shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
51. PUBLIC IMPROVEMENTS: The following improvements shall be installed by the Owner and/or Applicant. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, before the issuance of any grading or building permits or the recordation of a map. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
    a. Surmont Drive: Driveway, tie-in paving, guardrail, signing, striping, storm drainage, sanitary sewers, and utility services/laterals as required.
52. DEDICATIONS: The following dedications shall be included in the parcel map. The dedication shall be recorded before any grading or building permits are issued:
    a. Open Space/Visual Easement as delineated on the development plans.
    b. Weed Abatement Easement as delineated on the development plans
53. PUBLIC WORKS INSPECTIONS: The Owner, Applicant and/or Developer or their representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in penalties and rejection of any work that occurred without inspection.
54. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
55. PLAN CHECK FEES: Plan check fees associated with the Grading Permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the commencement of plan check review.
56. GRADING PERMIT FEES: All fees associated with the grading permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the issuance of a grading permit.
57. GRADING PERMIT: A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). After the preceding Architecture and Site Application has been approved by the respective deciding body, the grading permit application (with grading plans and associated required materials and plan check fees) shall be made to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location(s), driveway, utilities and interim erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). Prior to Engineering signing off and closing out on the issued grading permit, the Owner/Applicant/Developer's soils engineer shall verify, with a stamped and signed

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letter, that the grading activities were completed per plans and per the requirements as noted in the soils report. A separate building permit, issued by the Building Department, located at 110 E. Main Street, is needed for grading within the building footprint.

58. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The Owner, Applicant and/or Developer's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
59. PLANS AND STUDIES: All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California and submitted to the Town Engineer for review and approval. Additionally, any studies imposed by the Planning Commission or Town Council shall be funded by the Owner, Applicant and/or Developer.
60. GRADING ACTIVITY RESTRICTIONS: Upon receipt of a grading permit, any and all grading activities and operations shall not commence until after/occur during the rainy season, as defined by Town Code of the Town of Los Gatos, Sec. 12.10.020, (October 15-April 15), has ended.
61. COMPLIANCE WITH HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES: All grading activities and operations shall be in compliance with Section III of the Town's Hillside Development Standards and Guidelines. All development shall be in compliance with Section II of the Town's Hillside Development Standards and Guidelines.
62. DRAINAGE IMPROVEMENT: Prior to the recordation of a subdivision map (except maps for financing and conveyance purposes only) or prior to the issuance of any grading/improvement permits, whichever comes first, the Owner, Applicant and/or Developer shall: a) design provisions for surface drainage; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide a recorded copy of any required easements to the Town.
63. SURVEYING CONTROLS: Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
    a. Retaining wall: top of wall elevations and locations.
    b. Toe and top of cut and fill slopes.
64. PRECONSTRUCTION MEETING: Prior to the commencement of any site work, the general contractor shall:
    a. Along with the Owner, Applicant and/or Developer, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
    b. Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them as well prior to commencing any work, and that a copy of the project conditions of approval will be posted on-site at all times during construction.
65. RETAINING WALLS: A building permit, issued by the Building Department, located at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or

approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.

66. SOILS REPORT: One electronic copy (PDF) of the soils and geologic report shall be submitted with the application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
67. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations and grading shall be inspected by the Owner, Applicant and/or Developer's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing shall be documented in an "as-built" letter/report prepared by the Owner, Applicant and/or Developer's soils engineer and submitted to the Town before a certificate of occupancy is granted.
68. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the Engineering Geologic Investigation by Steven F. Connelly C.E.G, dated May 18, 2019, Geotechnical Investigation by Milstone Geotechnical, dated June 12, 2019, and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Owner, Applicant and/or Developer.
69. FRONTAGE IMPROVEMENTS: The Owner and/or Applicant shall be required to improve the project's public frontage (right-of-way line to centerline and/or to limits per the direction of the Town Engineer) to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approach(es), curb ramp(s), signs, pavement, raised pavement markers, thermoplastic pavement markings, storm drain facilities, traffic signal(s), street lighting (upgrade and/or repaint) etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
70. UTILITIES: The Owner, Applicant and/or Developer shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. The Owner, Applicant and/or Developer is required to obtain approval of all proposed utility alignments from any and all utility service providers before a Certificate of Occupancy for any new building can be issued. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.
71. CURB AND GUTTER REPAIR: The Owner, Applicant and/or Developer shall repair and replace to existing Town standards any curb and gutter damaged now or during construction of this project. All new and existing adjacent infrastructure must meet Town standards. New curb and gutter shall be constructed per Town Standard Details. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole

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expense and no additional compensation shall be allowed therefore. The limits of curb and gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.

72. DRIVEWAY APPROACH: The Owner, Applicant and/or Developer shall install one (1) Town standard residential driveway approach. The new driveway approach shall be constructed per Town Standard Plans and must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed, therefore.
73. TRAFFIC IMPACT MITIGATION FEE: Prior to the recordation of the preceding parcel map or issuance of grading or building permits, the Owner/Applicant/Developer shall pay the Traffic Impact Mitigation Fees at the Town adopted rate at the time of the payment.
74. CONSTRUCTION VEHICLE PARKING: No construction vehicles, trucks, equipment and worker vehicles shall be allowed to park on the portion of any public (Town) streets without written approval from the Town Engineer.
75. CONSTRUCTION TRAFFIC CONTROL: All construction traffic and related vehicular routes, traffic control plan, and applicable pedestrian or traffic detour plans shall be submitted for review and approval by the Town Engineer prior to the issuance of an encroachment, grading or building permit.
76. HAULING OF SOIL: Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Cover all trucks hauling soil, sand and other loose debris.
77. CONSTRUCTION HOURS: All subdivision improvements and site improvements construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays, holidays excluded. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner, Applicant and/or Developer shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
78. CONSTRUCTION NOISE: Between the hours of 8:00 a.m. to 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.
79. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any grading or building permits, the Owner and/or Applicant's design consultant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, employee parking, construction staging area, materials storage area(s), concrete washout(s) and

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proposed outhouse location(s). Please refer to the Town's Construction Management Plan Guidelines document for additional information.

80. BEST MANAGEMENT PRACTICES (BMPs): The Owner, Applicant and/or Developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
81. SITE DESIGN MEASURES: All projects shall incorporate at least one of the following measures:
    a. Protect sensitive areas and minimize changes to the natural topography.
    b. Minimize impervious surface areas.
    c. Direct roof downspouts to vegetated areas.
    d. Use porous or pervious pavement surfaces on the driveway, at a minimum.
    e. Use landscaping to treat stormwater.
82. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
83. DUST CONTROL: Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities

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shall be halted when wind speeds (instantaneous gusts) exceed twenty (20) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.

84. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
    a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
    b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
    c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
    d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
    e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
    f. All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
    g. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
    h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Please provide the BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).
    i. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.
    j. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
85. CONSTRUCTION ACTIVITIES: All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.
86. SITE DRAINAGE: Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These

include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If stormwater treatment facilities are to be used, they shall be placed a minimum of ten (10) feet from the adjacent property line. Alternatively, the facility may be located with an offset between 5 and 10 feet from the adjacent property line if the responsible engineer in charge provides a stamped and signed letter that addresses infiltration and states how the adjacent property will not be adversely affected. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.

87. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS: The property owner shall enter into an agreement with the Town for maintenance of the stormwater filtration devices required to be installed on this project by the Town's Stormwater Discharge Permit and all current amendments or modifications. The agreement shall specify that certain routine maintenance shall be performed by the property owner and shall specify device maintenance reporting requirements. The agreement shall also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded, and an electronic copy (PDF) of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to the release of any occupancy permits.
88. SILT AND MUD IN PUBLIC RIGHT-OF-WAY: It is the responsibility of Contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
89. GOOD HOUSEKEEPING: Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Owner, Applicant and/or Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Owner, Applicant and/or Developer's expense.
90. PERMIT ISSUANCE: Permits for each phase; reclamation, landscape, and grading, shall be issued simultaneously.
91. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.
92. OTHER FEES: Prior to the issuance of grading or building permits, Storm Drainage and Construction Activities Mitigation Fees would need to be paid.
93. STORMWATER C.3 PROVISION: There development projects shall comply with the Municipal regional Stormwater NPDES Permit requirements for C.3 New Development and Development. Following documents shall be submitted with the Grading Permit submittal for review by the Town's third-party stormwater consultant:
    - A completed C.3 Data Form for regulated projects
    - A stormwater control plan that shows how treatment will be provided for all impervious surfaces on the two parcels, the drainage areas to the treatment measures, calculations demonstrating that the treatment measures are properly sized, and details for the treatment measures and connections to storm drains

94. GEOLOGICAL/GEOTECHNICAL CONDITIONS: The proposed site improvements are potentially constrained by surface fault rupture and secondary ground deformation, along with moderate to steep slopes that are prone to instability. Appropriate measures should be implemented to limit the potential for collapse given the identified risk of fault deformation. Based on the results of geotechnical peer reviews, following conditions are attached:
    a. **Restrictive Covenant for Proposed Detached Garage** – A restrictive covenant to be recorded before issuance of grading or building permits to limit the use of the proposed garage structure to that consistent with a non-habitable structure, as recommended by the Project Engineering Geologist. The Owner and future property Owners should be aware of this restriction, and also be aware that conversion of the detached garage to habitable space (i.e., an Additional Dwelling Unit) is not feasible in its current location.
    b. **Structural Engineering Evaluations** – Given the recommendations and findings of the Project Engineering Geologist that proposed non-habitable structures located within the fault set-back zone should be sufficiently detached from habitable improvements, additional evaluations and confirmation required by the Project Structural Engineer. The Project Structural Engineer should review the proposed breezeway design and structure locations as well as findings of the Project Engineering Geologist. Then, perform additional analysis, as necessary, to develop a design that will protect occupants from collapse of the breezeway and main residence in an earthquake rupture scenario.
    c. **Geotechnical Plan Review** – The Project Geotechnical Consultant should review and approve all geotechnical aspects of the project building and grading plans (i.e., site preparation and grading, site drainage improvements and design parameters) to ensure that their recommendations have been properly incorporated. The Project Geotechnical Consultant should also be provided the “Second Peer Review” letter by Wood dated January 28, 2022. The results of the plan review should be summarized by the Geotechnical Consultant in a letter and submitted to the Town Engineer for review along with other documents for grading and building permit plan checks.
    d. **Engineering Geologic Plan Review** – The Project Engineering Geologist should review and approve final layouts of proposed improvements to ensure that their recommendations, including setbacks for habitable structures, have been properly incorporated. The results of the plan review should be summarized by the Engineering Geologist in a letter and submitted to the Town Engineer for review along with other documents for grading and building permit plan checks.
    e. **Engineering Geologic Construction Inspections** – The construction inspections shall be performed by the Project Engineering Geologist, who should coordinate with the Contractor and be provided the opportunity to inspect, clean and log (as needed), site excavations exposing pertinent soil and bedrock conditions in the vicinity of the proposed main residence (e.g., pad grading, site retaining wall excavation, etc.,). If evidence of faulting is identified in foundation excavation (or other), additional geologic investigation and possible relocation of proposed improvements may be necessary, as noted in prior geotechnical peer reviews. The Town should be notified if

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evidence of faulting is identified during construction. The results of these inspections and the as-built conditions of the project should be described by the Engineering Geologist in a letter and submitted to the Town Engineer for review prior to final (granting of occupancy) project approval.

f. **Geotechnical Construction Inspections** - The Project Geotechnical Consultant shall inspect, test (as needed), and approve all geotechnical aspects of the project construction. The inspections should include, but not necessarily be limited to site preparation and grading, site surface and subsurface drainage improvements, and excavations for foundations prior to the placement of steel and concrete. The results of these inspections and the as-built conditions of the project should be described by the Geotechnical Consultant in a letter and submitted to the Town Engineer for review prior to final (granting of occupancy) project approval.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

95. Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.
96. Fire Sprinklers Required: (As Noted on Sheet A1.1) An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: 1) In all new one- and twofamily dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 SF whether by increasing the area of the primary residence or by creation of an attached Accessory Dwelling Unit. 2) In all new basements and in existing basements that are expanded by more than 50%. 3) In all attached ADUs, additions or alterations to an existing one- and two-family dwelling that have an existing fire sprinkler system. Please indicate on the cover sheet that an automatic fire sprinkler system shall be provided and installed per NFPA 13D.
97. Fire Apparatus (Engine) Access Driveways Required: (As Noted on Sheet C-2) Provide an access driveway with a paved all weather surface, a minimum unobstructed width of 12 feet, vertical clearance of 13 feet 6 inches, minimum outside turning radius of 36-feet and a maximum slope of 15%. Installations shall conform to the Fire Department Standard Details Specifications D-1 and CFC Section 503.
    Access driveways shall provide a minimum 12 foot conforming driving surface exclusive of shoulder or drainage gutter, as demonstrated on Sheet C-2.
    The proposed access driveway exceeds the maximum 15% slope requirement and is proposed at up to 20%. Please incorporate your attached justification letter for slope increase, onto the sheets detailing the Lot 2 access driveway profile.
98. Fire Department (Engine) Driveway Turnaround Required: (As Noted on Sheet C-5) Provide an approved fire department engine driveway turnaround with a minimum radius of 36 feet outside and 23 feet inside. Maximum grade in any direction shall be a maximum of 5%. Installations shall conform with Fire Department Standard Details and Specifications D-1. CFC Sec. 503 Driving surface shall be capable of supporting the

imposed load of fire apparatus weighing at least 75,000 pounds (34050 kg). Please demonstrate on the plans, SCCFD D-1 compliant turnarounds, having no greater than 5% slope in any direction, throughout the entire turnaround.

99. Fire Hydrant Systems Required: (As Noted on Sheet A1.1) Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, onsite fire hydrants and mains shall be provided where required by the fire code official. Exception: For Group R-3 and Group U occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more than 600 feet. [CFC, Section 507.5.1].
    Previously approved hydrant location (PC 19-2053) is shown on the site plan.
    Please provide the following:
    A note on the cover page indicating that this hydrant will be a deferred submittal.
    A flow letter from San Jose Water verifying that the required flow will be available from the proposed hydrant.
    NOTE: Hydrant installation shall occur prior to the commencement of combustible construction.
100. Water Supply Requirements: (As Noted on Sheet A1.1) Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.
101. Address identification: (As Noted on Sheet A1.1) New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.
102. Construction Site Fire Safety: (As Noted on Sheet A1.1) All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.

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September 2020

CEQA Memorandum
400 SURMONT DRIVE
TOWN OF LOS GATOS, SANTA CLARA COUNTY

Project Location and Description

The 15.1-acre site is located at 400 Surmont Drive, within the Town of Los Gatos, Santa Clara County, California. The project site is located on Surmont Drive, west of Belgatos Lane and south of Blossom Hill Road, a major arterial road that runs east to west in the Town of Los Gatos. The project site can be accessed via the existing Surmont Drive. See Figure 1, *Local Vicinity Map* for a local context of the site location.

The project site (Assessor's Parcel Number 527-20-003) is currently occupied by an existing single-family home. There are two additional existing residential homes to the north and west of the project site on adjacent lots. The project site is within a relatively sloped hillside area (approximately 27.3% average slope). The project site's Zoning designation is Hillside Residential (HR-2½) with an allowed density range of 2.5 to 10 acres per dwelling unit. The site's Land Use designation is Hillside Residential.

The proposed project is requesting approval of a minor subdivision to divide one residential lot (APN 527-20-003) into three lots (approximate lot sizes 1.4 acres, and 1.3 acres, with an existing single-family residence to remain on a remainder parcel of approximately 12 acres) and to construct a driveway connecting the two new lots to the existing Surmont Drive. See the attached Figure 2, *Parcel Map* for the proposed site plan. The proposed project is consistent with the existing land use and zoning designations. While there is no construction currently planned on the two new lots, the proposed project would allow for future construction of one single-family residence on each of the two new lots.

CEQA Class 3 Categorical Exemption

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15303, Class 3. The project qualifies for a CEQA Class 3 Categorial Exemption, which allows for construction and location of limited number of new structures, including construction of up to three single-family residences in an urbanized area [14 California Code of Regulations (CCR) § 15303]. An urbanized area is defined as a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile (14 CCR § 15387). The Town of Los Gatos has a population density greater than 1,000 persons per square mile, and the Town of Los Gatos and the City of San Jose are contiguous, and together have a population exceeding 1 million people. Therefore, the project would be within an urbanized area. Because the project would allow for the future creation of two new single-family residences within an urbanized area, the project would qualify for a Class 3 CE.

CEQA Class 15 Categorical Exemption

The proposed project is also categorically exempt from the provisions of the CEQA pursuant to State CEQA Guidelines Section 15315, Class 15. The project qualifies for a CEQA Class 15 Categorial Exemption, which allows for the division of property into four or fewer parcels when the division is in conformance with the general plan and zoning, no other variances or exceptions requiring environmental review are required, and all required services and access to the proposed parcels per local standards are available. The proposed project would divide one residential lot (APN 527-20-003) into three lots (approximate lot sizes 1.4 acres, and 1.3 acres, with an existing single-family residence to remain on a remainder parcel of approximately 12 acres), which is less than the allowed maximum of four parcels. The project is in conformance with the general plan and zoning requirements for the project site. No other exceptions requiring environmental review are required, and all required services and access to the new lots would be available. Therefore, the project would qualify for a Class 15 CE.

Technical Analyses

Several technical memoranda were prepared for the project to understand the potential environmental effects, and they are attached to the end of this memorandum. Specifically, the following reports and memoranda were prepared:

- Biological Resources Report (Attachment A)
- Arborist Report (Attachment B)
- Geotechnical Investigation (Attachment C)
- Geologic Report (Attachment D)

The applicant will be required to obtain any required review or permits from applicable water agencies.

Categorical Exemption Exceptions

The project does not meet any of the exceptions to Categorical Exemptions, which are listed in CEQA Section 15300.2. The analysis below identifies the exceptions with a discussion that substantiates how the project does not meet those exceptions.

a) *Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The project site is in an urbanized area and largely consists of undeveloped ruderal grassland with small

areas coast live oak woodland. The project site is not located in an area mapped or designated as critical habitat or as containing hazardous resources. Further, no critical habitat was identified on the project site and there are no hazardous resources on the project site. The project, with implementation of the Town's standard conditions of approval (including requirements to address potential impacts to birds, bats, or rats), would not result in damages to critical habitat.

b) *Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The proposed project is a minor subdivision to divide one residential lot into three lots with an existing single-family residence to remain on a remainder parcel and for the future construction of two single-family residences, and construction of a driveway to connect the two new lots to the existing Surmont Drive. The project site is located in an existing residential neighborhood and is zoned for residential uses. Surrounding lots, adjoining the project site, would not be impacted by the proposed improvements to the project site. No significant adverse impacts would occur as a result of the proposed project. Therefore, the proposed project would not contribute to or cause a cumulative impact based on successive projects of the same type in the same place.

c) *Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

Based on the substantial evidence described below and contained in the whole of the project record, the Town finds that there are no unusual circumstances related to this project or project site. As such, the proposed project would not have a significant effect on the environment due to unusual circumstances.

The terrain and vegetation of the project site do not constitute unusual circumstances in Los Gatos, particularly within the setting of the surrounding area. There are existing residential dwellings located immediately adjacent to the north, south, and west of the proposed new lots. These existing, surrounding residential dwellings are subject to similar terrain and biological conditions as the project site. Therefore, there is nothing unusual about the terrain or vegetation of the project site.

In the same vein, the seismic conditions of the project site do not constitute unusual circumstances in Los Gatos, and particularly as compared to the immediate project vicinity, because the risk for strong seismic-induced ground shaking exists throughout Los Gatos and is identical at the immediately adjacent properties that are already developed with residential dwellings. Further, the risk for strong seismically-induced ground shaking is present throughout most of the greater San Francisco Bay Area due to the many active fault lines located throughout the San Francisco Bay Area. As such, the project site's proximity to a fault line and potential to experience strong ground shaking during a seismic event are not unusual circumstances.

Given the project site's proximity to a fault line and the site topography, the project site is located in an area mapped as an earthquake-induced landslide hazard zone, which indicates the potential for seismically-induced landslides to occur in these mapped areas. However, a site-specific Geotechnical

Report and geologic Report were prepared and signed by a licensed Geotechnical Engineer and a Certified Engineering Geologist, respectively (See Attachment C and D). These reports were also peer reviewed, and the peer reviews are included in Attachment C and D. The Geotechnical Report concluded that the project site is suitable for the proposed dwellings from a geotechnical standpoint and that the Geologic Report concluded that the landslide risk for the project site is negligible. The mapped *potential* for landslide risk is superseded by the site-specific study indicating there is negligible landslide risk on the project site. Therefore, the geologic and geotechnical considerations for the project are not unusual circumstances. Further, while no construction is proposed at this time, should future construction proceed, the design of the dwellings will require site-specific engineering to obtain a building permit.

The Town of Los Gatos has determined, based on substantial evidence, that there are no unusual circumstances related to this project. Notwithstanding, for the purposes of transparency and context, the following analysis evaluates the potential for environmental impacts as result of the project (not as a result of unusual circumstances).

The proposed project is a minor subdivision to divide one residential lot into three lots with construction of a driveway to connect the two new lots to the existing Surmont Drive, and future construction of two single family residential homes. A biologist from H.T. Harvey & Associates conducted a single-day site visit to the project site in October 2019 to identify habitats present onsite and determine if the site supports potentially suitable habitat for any special-status plant or animal which are known to occur regionally. The results of the field survey are compiled in memo attached to this notice (Attachment A). The biologists found that no special-status plant species have the potential to occur on the project site and the project, with implementation of the Town's standard conditions of approval, would not have a significant effect on special status animal species.

The Town of Los Gatos receives its utility services from: San Jose Water Company; West Valley Sanitation District; Guadalupe Landfill; and the San Jose/Santa Clara Water Pollution Control Plant. The existing buildings on the project site have been adequately serviced and the project site will continue to be adequately serviced with the new development. Therefore, the project would not require construction of any new public service or utility facilities that would result in environmental impacts.

The project entails construction of a new driveway to connect the two new lots to the existing Surmont Drive, which would ensure sufficient access to the proposed parcels. As noted in Attachment A, the proposed driveway would be located adjacent to an ephemeral drainage feature, which is potentially a jurisdictional drainage feature. Portions of the proposed driveway would be located within the required 20-foot slope stability protection area for the ephemeral drainage feature on the site (Santa Clara Valley Water District's Guidelines and Standards for Land Use Near Streams). To prevent indirect impacts on water quality within the drainage and in the downslope watershed, the project will construct a two-foot tall retaining wall in between the driveway and the drainage feature for the 30-foot portion of the driveway closest to the drainage feature. The retaining wall will be constructed just above the top of bank to protect the bank and avoid any erosion form the construction of the driveway into the ephemeral drainage feature. No project work will be inside the bed and bank of the ephemeral drainage feature. A slope stability analysis was also conducted and peer reviewed for the proposed site work encroaching into the slope stability protection area (Attachment C). However, as detailed in Attachment A, with

implementation of the Town's standard conditions of approval for water quality, the project would not have a significant effect on any jurisdictional waters or on water quality.

The project would not have a reasonable potential to have any significant effects on the environment. Therefore, the proposed project, with standard conditions of approval, would not have a significant effect on the environment due to unusual circumstances.

d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

There are no state designated scenic highways on the project site or in the near vicinity of the project site. The nearest highway to the project site is State Route (SR) 17, located approximately 2.68 miles west of SR 17. However, SR 17 is not a designated scenic highway within the Town of Los Gatos and the project site is not visible from SR 17, or any other public rights-of-way that are designated as a scenic resource. Therefore, the proposed project does not have the potential to affect a scenic resource.

e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

Per Figure 8.7-1, *Hazardous Materials Sites* in the Los Gatos General Plan 2040 Background Report, there are no hazardous waste sites located at or within the local vicinity of the project site. According to the Geotracker Website, administered by the California State Water Quality Control Board, there are no listed sites within 1,500 feet of the project site. Therefore, the site is not included on a hazardous materials list.

f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Per the Town of Los Gatos Interactive GIS Map, the project site is not a designated historic site and is not located within an historic district. According to records, the existing single family residential home on-site was built in 1929, and is therefore potentially historical, absent any evaluation from the Town determining the structure has no significance. However, the two new single family residential homes allowed by the project would be located on separate lots from the existing single-family residence to remain on the remainder parcel. Construction of the two new single family structures would not effect the existing residential structure, and no modifications to the existing structure are proposed as part of the project. As such, the project would not cause any substantial adverse changes to the significance of a potential historical resource. As previously mentioned, the site's zoning is Hillside Residential, with no Historic Preservation Overlay.

There are no known archaeological resources or human remains on the project site, however ground disturbance associated with any future construction would have the potential to inadvertently discover previously unknown archaeological resources or human remains.

The Town's standard condition of approval regarding inadvertent discovery of archaeological resources and human remains, would ensure any potential impacts to previously unknown archaeological resources and human remains would be less than significant.

Conclusion

The proposed project is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15303, Class 3 and Section 15315, Class 15. The proposed project characterizes the new construction allowed by the Class 3 CE and the minor land division allowed by the Class 15 CE. The proposed project complies with the Town's general plan designation and zoning for the project site, utilities and public services would not be impacted, and the proposed project does not fall within the exceptions listed in CEQA Guidelines Section 15300.2.

The project, with standard conditions of approval, would not have a significant effect on the environment.

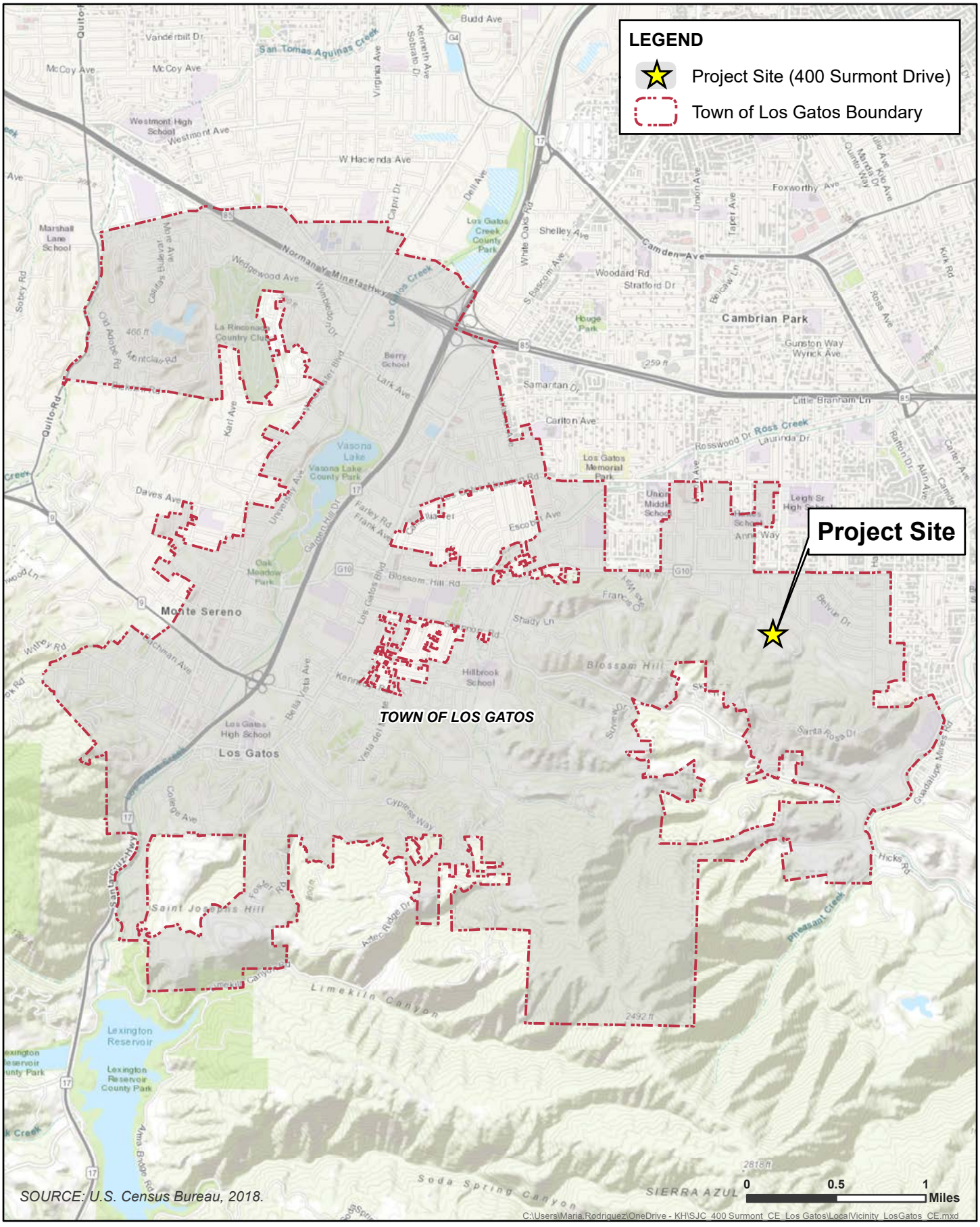

FIGURE 1: Local Vicinity Map

hont Drive, Town of Los Gatos, Santa Clara County

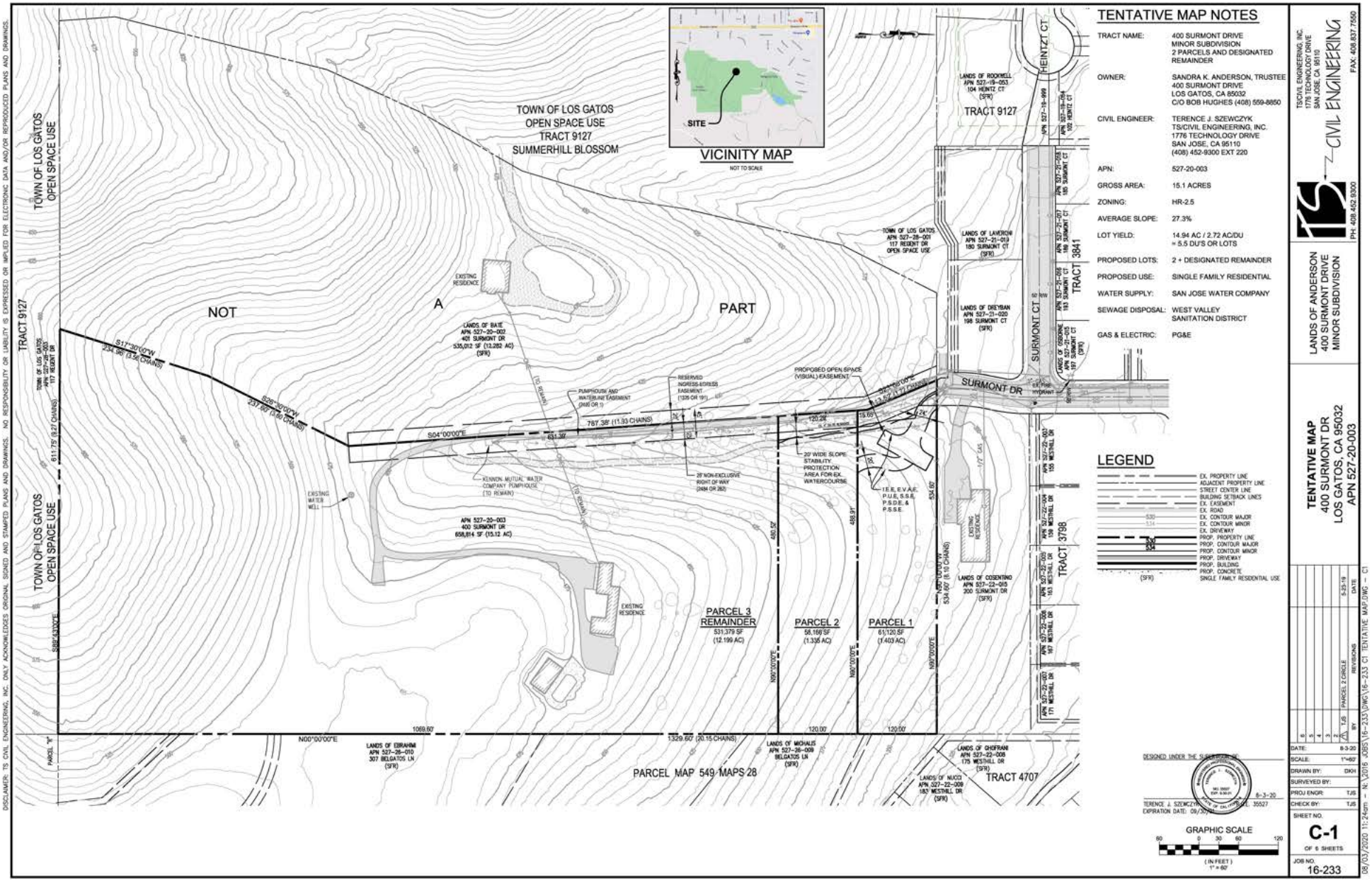

FIGURE 2: Parcel Map

hont Drive, Town of Los Gatos, Santa Clara County

Kimley»Horn

Attachment A: Biological Resources Report

H. T. HARVEY & ASSOCIATES
Ecological Consultants

400 Surmont Drive
Biological Resources Report

Project #4374-01

Prepared for:

Danae Hall
Kimley-Horn
100 West San Fernando Street, Suite #250
San José, CA 95113

Prepared by:

H. T. Harvey & Associates

October 2020

983 University Avenue, Building D • Los Gatos, CA 95032 • Ph: 408.458.3200 • F: 408.458.3210

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List of Preparers

Steve Rottenborn, Ph.D., Principal/Senior Wildlife Ecologist
Kelly Hardwicke, Ph.D., Senior Plant Ecologist
Robin Carle, M.S., Project Manager/Senior Wildlife Ecologist
Jillian Pastick, M.S.., Plant Ecologist
Christian Knowlton, B.S., Wildlife Ecologist

Section 1. Introduction

This report describes the biological resources present within and adjacent to the proposed 400 Surmont Drive project site, as well as the potential impacts of the proposed development on biological resources under the California Environmental Quality Act (CEQA). This report was prepared to facilitate CEQA review of the project.

1.1 Project Description

The approximately 2.8-acre project site is located at 400 Surmont Drive in Los Gatos, California (Figure 1), and the site is bounded by residential development to the north and mown fields surrounding residential development to the east, west, and south (Figure 2). The project site currently consists of undeveloped grasslands with a number of trees. A private residence and horse facility is located approximately 180 feet south of the site within the existing parcel.

The proposed project entails the subdivision of the existing parcel to create two new lots, as well as the future development of two new single-family residences on the site (one on each new lot) at a later date.

1.2 Standard Conditions

The project will comply with standard conditions to protect nesting birds, roosting bats, San Francisco dusky-footed woodrats (*Neotoma fuscipes annectens*), and water quality on the project site, as described below.

1.2.1 Nesting Birds

To avoid impacts to nesting birds, the removal of trees and shrubs shall be minimized to the greatest extent feasible. Construction activities that include any tree removal, pruning, grading, grubbing, or demolition shall be conducted outside of the bird nesting season (January 15 through September 15) to the greatest extent feasible. If this type of construction starts, if work is scheduled to start or if work already occurring during the nesting season stops for at least two weeks and is scheduled to resume during the bird nesting season, then a qualified biologist shall conduct a pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project construction. If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys. Two surveys for active nests of such birds shall occur within 14 days prior to start of construction, with the second survey conducted with 48 hours prior to start of construction. Appropriate minimum survey radius surrounding each work area is typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until

the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active.

1.2.2 Roosting Bats

Approximately 14 days prior to tree removal, a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees to be removed and in trees within 50 feet of the development footprint. These surveys will include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an "Anabat" unit. Potential roosting features found during the survey shall be flagged or marked.

If no roosting sites or bats are found, a letter report confirming absence will be prepared and no further measures are required.

If bats or roosting sites are found, a letter report and supplemental documents will be prepared prior to grading permit issuance and the following monitoring, exclusion, and habitat replacement measures will be implemented:

a. If bats are found roosting outside of the nursery season (May 1 through October 1), they will be evicted as described under (b) below. If bats are found roosting during the nursery season, they will be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. If the roost is determined to not be a maternal roost, then the bats will be evicted as described under (b) below. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if determined in consultation with the California department of Fish and Wildlife [CDFW]) will be established around the roosting site within which no construction activities including tree removal or structure disturbance will occur until after the nursery season.

b. If a non-breeding bat hibernaculum is found in a tree or snag scheduled for removal or on any structures scheduled to be disturbed by project activities, the individuals will be safely evicted, under the direction of a qualified bat biologist. If pre-construction surveys determine that there are bats present in any trees to be

removed, exclusion structures (e.g. one-way doors or similar methods) shall be installed by a qualified biologist. The exclusion structures shall not be placed until the time of year in which young are able to fly, outside of the nursery season. Information on placement of exclusion structures shall be provided to the CDFW prior to construction.

If needed, other methods conducted under the direction of a qualified bat biologist could include: carefully opening the roosting area in a tree or snag by hand to expose the cavity and opening doors/windows on structures, or creating openings in walls to allow light into the structures. Removal of any trees or snags and disturbance of any structures will be conducted no earlier than the following day (i.e., at least one night will be provided between initial roost eviction disturbance and tree removal/structure disturbance). This action will allow bats to leave during dark hours, which increases their chance of finding new roosts with a minimum of potential predation.

1.2.3 San Francisco Dusky-Footed Woodrats

This project will implement the following standard measures to minimize impacts on woodrats and active woodrat nests on the project site.

- **Preconstruction Survey.** A qualified biologist will conduct a preconstruction survey for San Francisco dusky-footed woodrat nests within 30 days of the start of work activities. If active woodrat nests are determined to be present in, or within 10 feet of the impact areas, the conditions below (Avoidance and/or Nest Relocation) will be implemented, as appropriate. If no active woodrat nests are present on or within 10 feet of impact areas, no further conditions are warranted.

- **Avoidance.** Active woodrat nests that are detected within the work area will be avoided to the extent feasible. Ideally, a minimum 10-foot buffer will be maintained between project activities and woodrat nests to avoid disturbance. In some situations, a smaller buffer may be allowed if, in the opinion of a qualified biologist, nest relocation (below) would represent a greater disturbance to the woodrats than the adjacent work activities.

- **Nest Relocation.** If avoidance of active woodrat nests within and immediately adjacent to (within 10 feet of) the work areas is not feasible, then nest materials will be relocated to suitable habitat as close to the project site as possible (ideally, within or immediately adjacent to the project site).

  Relocation efforts will avoid the peak nesting season (February–July) to the maximum extent feasible. Prior to the start of construction activities, a qualified biologist will disturb the woodrat nest to the degree that all woodrats leave the nest and seek refuge outside of the construction area. Disturbance of the woodrat nest will be initiated no earlier than one hour before dusk to prevent the exposure of woodrats to diurnal predators. Subsequently, the biologist will dismantle and relocate the nest material by hand. During the deconstruction process, the biologist will attempt to assess if there are juveniles in the nest. If immobile juveniles are observed, the deconstruction process will be discontinued until a time when the biologist

believes the juveniles will be capable of independent survival (typically after 2 to 3 weeks). A no-disturbance buffer will be established around the nest until the juveniles are mobile. The nest may be dismantled once the biologist has determined that adverse impacts on the juveniles would not occur.

1.2.4 Water Quality

The project will implement best management practices (BMPs) as described in this section to avoid and minimize impacts on water quality in the ephemeral drainage on the project site.

It is our understanding that the project will maintain a 20-foot setback from the ephemeral drainage feature for avoidance purposes, with the exception of a driveway that will be constructed adjacent to the drainage. As a result, the project will not result in direct impacts on jurisdictional wetlands or waters.

Indirect impacts on water quality due the construction of single-family residences on the project site will be avoided and minimized by implementing erosion and sediment control measures, as well as BMPs for work near aquatic environments. Construction projects in California causing land disturbances that are equal to 1 acre or greater must comply with state requirements to control the discharge of stormwater pollutants under the National Pollutant Discharge Elimination System *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit; Water Board Order No. 2009-0009-DWQ). Prior to the start of construction, a Notice of Intent must be filed with the State Water Board describing the project. A Storm Water Pollution Prevention Plan must be developed and maintained during the project and it must include the use of BMPs to protect water quality until the site is stabilized. Standard permit conditions under the Construction General Permit require that the applicant utilize various measures including: on-site sediment control BMPs, damp street sweeping, temporary cover of disturbed land surfaces to control erosion during construction, and utilization of stabilized construction entrances and/or wash racks, among other factors.

In many Bay Area counties, including Santa Clara County, projects must also comply with the *California Regional Water Quality Control Board, San Francisco Bay Region, Municipal Regional Stormwater NPDES Permit* (Water Board Order No. R2-2009-0074). This permit requires that all projects implement BMPs and incorporate Low Impact Development practices into the design that prevents stormwater runoff pollution, promotes infiltration, and hold/slows down the volume of water coming from a site after construction has been completed. In order to meet these permit and policy requirements, projects must incorporate the use of green roofs, impervious surfaces, tree planters, grassy swales, bioretention and/or detention basins, among other factors.

In April 2019, Live Oak Associates prepared a memorandum for the project proponent to evaluate the ephemeral drainage with respect to the Town of Los Gatos' stream setback guidance. As discussed below, the Town of Los Gatos has adopted guidance from the *Guidelines and Standards for Land Use Near Streams* (Valley Water 2006). In its evaluation, Live Oak Associates characterized the aquatic feature as an ephemeral channel, which only flows following storm events and has no other water source aside from storm water runoff from adjacent hillsides, which agrees with the determination made in this report. According to that evaluation, the

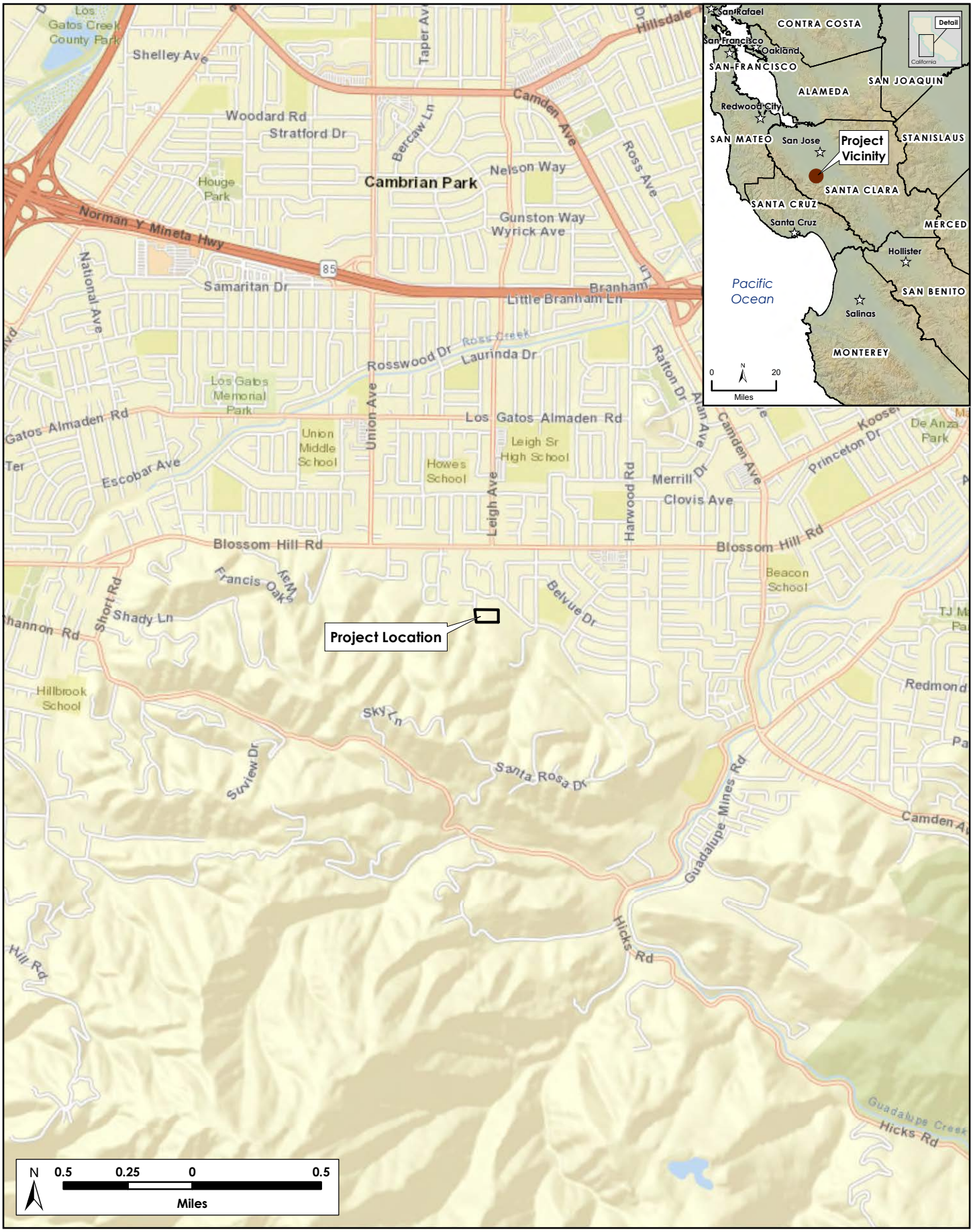
recommended minimum Slope Stability Protection Area (or setback for ephemeral aquatic features such as the drainage along the site's western boundary) for structures is between 10 to 20 feet, with the exact setback determined at the discretion of the local jurisdiction (Live Oak Associates 2019). Exceptions may be granted to allow a structure or driveway to be located within the slope stability protection area where a slope stability analysis is provided and maintenance or repair of the stream will be provided. In February 2020, Live Oak Associates conducted a follow-up survey to evaluate the location of the proposed wall adjacent the new driveway in relation to the bed and bank of the ephemeral drainage (Live Oak Associates 2020). This assessment confirmed that the wall and driveway will be outside the top of bank of the feature. Project measures as described below will ensure that indirect impacts to water quality downstream of the drainage will be avoided. H. T. Harvey & Associates concurs with the results and recommendations provided in the two memoranda prepared by Live Oak Associates.

All project work will be outside the bed and bank of ephemeral drainage feature on the project site, though the proposed driveway will be directly adjacent and immediately outside the top of bank at its downslope end (i.e. in the northwest corner of the parcel). The project proposes a 30-foot long by 2-foot tall retaining wall to be constructed just above the top of bank to protect the bank and avoid any erosion from construction of the driveway into the ephemeral drainage. In addition, this project will implement the following conditions to minimize impacts on water quality within the ephemeral drainage (Note: many of these conditions are overlapping conditions with what will be required for compliance with the *California Regional Water Quality Control Board, San Francisco Bay Region, Municipal Regional Stormwater NPDES Permit* [Water Board Order No. R2-2009-0074] as described above).

- All construction activities in the ephemeral drainage shall be avoided. Within the Slope Stability Protection Area, grading will be minimized to the extent necessary and existing contours and slopes shall be maintained.
- Existing native vegetation adjacent the drainage shall be retained by removing only as much vegetation as necessary to accommodate the construction of the retaining wall. When possible, a vegetated buffer strip between staging/excavation areas and the drainage shall be maintained.
- Appropriate erosion control measures (e.g., fiber rolls, filter fences, vegetative buffer strips) shall be used on site to reduce siltation and runoff of contaminants into the ephemeral drainage. Fiber rolls used for erosion control will be certified as free of noxious weed seed. Filter fences and mesh will be of material that will not entrap reptiles and amphibians. Erosion control measures will be placed at the top of bank of the drainage or the edge of the Slope Stability Protection Area where possible. The erosion control measure should follow the approaches and details outlined in the Bank Protection/ Erosion Repair Design Guide in the Santa Clara Valley Water Resources Protection Collaborative's User Manual: Guidelines & Standards for Land Use Near Streams (Valley Water 2006).
- All disturbed soils shall be revegetated with native plants and/or grasses or sterile nonnative species suitable for the altered soil conditions upon completion of construction. Local watershed native plants will be used if available. If sterile nonnative species are used for temporary erosion control, native seed mixtures must

be used in subsequent treatments to provide long-term erosion control and slow colonization by invasive nonnatives. All disturbed areas that have been compacted shall be de-compacted prior to planting or seeding. Cut-and-fill slopes will be planted with local native or non-invasive plants suitable for the altered soil conditions. Again, revegetation of disturbed soils shall follow the recommendations of the Santa Clara Valley Water Resources Protection Collaborative's User Manual: Guidelines & Standards for Land Use Near Streams (Valley Water 2006).

- No stockpiling or placement of erodible materials shall be allow with 20 feet of the ephemeral drainage or along areas of natural stormwater flow where materials could be washed into waterways.
- No equipment servicing shall be done within 20 feet of the ephemeral drainage, unless equipment stationed in these locations cannot be readily relocated (i.e., pumps, generators).
- Construction personnel shall prevent the accidental release of chemicals, fuels, lubricants, and non-storm drainage water into channels. Spill prevention kits shall always be in close proximity when using hazardous materials (e.g., crew trucks and other logical locations). Personnel shall implement measures to ensure that hazardous materials are properly handled, and all construction waste will be disposed of in designated areas to prevent stormwater from flowing onto or off of these areas
- Potential contaminating materials must be stored in covered storage areas or secondary containment that is impervious to leaks and spills. Runoff pathways shall be free of trash containers or trash storage areas. Trash storage areas shall be screened or walled.
- Vehicles and equipment shall be parked on pavement, existing roads, and previously disturbed areas.



N:\Projects4300\4374-01\Reports\400 Surmont Drive BRR\Fig 1. Vicinity Map.mxd akaiser

Figure 1. Vicinity Map

400 Surmont Drive Biological Resources Report and Constraints Analysis (4374-01)

H. T. HARVEY & ASSOCIATES
Ecological Consultants

Figure 2. Project Site

400 Surmont Drive Biological Resources Report and Constraints Analysis (4374-01)

H. T. HARVEY & ASSOCIATES
Ecological Consultants

Section 2. Methods

2.1 Background Review

Prior to conducting field work, H. T. Harvey & Associates ecologists reviewed the project plans and description provided by Kimley-Horn in October 2019; aerial photos (Google Inc. 2020) and topographic maps; the California Department of Fish and Wildlife's (CDFW's) California Natural Diversity Database (CNDDB) (2020); Calflora (2020); the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California (CNPS 2020); bird records from the project vicinity reported to the eBird database (Cornell Lab of Ornithology 2020), which has been established by the Cornell University Laboratory of Ornithology to archive records of birds seen worldwide; and other relevant scientific literature and technical databases in order to assess the current distribution of special-status plants and animals in the site vicinity. In addition, for plants we reviewed all species on the current California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) 1A, 1B, 2A, and 2B lists occurring in the *Los Gatos, California* 7.5-minute USGS quadrangle in which the project is located, as well as the surrounding eight quadrangles (*Cupertino*, *San Jose West*, *San Jose East*, *Castle Rock Ridge*, *Santa Teresa Hills*, *Felton*, *Laurel*, and *Loma Prieta, California*) using both the CNDDB and CNPS databases. Quadrangle-level results are not maintained for CRPR 3 and 4 species, so we also conducted a search of CNPS Inventory records for these species occurring in San Mateo County (CNPS 2020). In addition, we queried the CNDDB for natural communities of special concern that occur in the project vicinity. For the purposes of this report, the "project vicinity" encompasses a 5-mile radius surrounding the project site.

In addition, H. T. Harvey & Associates peer-reviewed two memoranda prepared by Live Oak Associates for the Town of Los Gatos. In April 2019, Live Oak Associates prepared a memorandum for the project proponent to evaluate the ephemeral drainage with respect to the Town of Los Gatos' stream setback guidance, and in February 2020, they produced a follow up memorandum to evaluate the location of the proposed wall adjacent the new driveway in relation to the bed and bank of the ephemeral drainage (Live Oak Associates 2019 and 2020). The findings of these memoranda were utilized in the impact analysis with respect to potential project impacts on jurisdictional waters and/or sensitive communities.

2.2 Site Visit

Following our background review, H. T. Harvey & Associates plant ecologist Jillian Pastick, M.S., and wildlife ecologists Christian Knowlton, B.S., and Robin Carle, M.S., conducted a reconnaissance-level survey of the project site on October 24, 2019. The purpose of this survey was to identify existing biological conditions and the site's potential to support special-status species of plants and animals, as well as sensitive/regulated habitats such as jurisdictional wetlands and other waters of the U.S. regulated under Section 404 of the Clean Water Act, potential waters of the state, and/or riparian habitats. The survey included an assessment of habitats for special-status species both on the site and in adjacent areas (e.g., in developed and landscaped areas on adjacent properties) that could be impacted either directly or indirectly by proposed activities, as well as an assessment

of adjacent habitats that could potentially support source populations of sensitive species that could then disperse onto the project site.

Section 3. Environmental Setting

3.1 General Project Area Description

Historical aerial imagery indicates that the project site was formerly agricultural, and appears to have been planted with orchard trees (Google Inc. 2020). The site currently consists of a disked field with several remnant orchard trees. A dirt access road is present along the western boundary of the site that leads to the residence and horse stable at the southern end of the existing parcel. An ephemeral drainage is present off-site just west of the dirt road, and this drainage runs south to north from the residence to a culvert and storm drain at Surmont Drive.

Elevation on the project site ranges from approximately 335 to 422 feet above sea level (Google Earth 2020). The Natural Resource Conservation Service has mapped two soil units on the project site: Alo-Altamont complex, 15 to 30% slopes and Alo-Altamont complex, 30 to 50% slopes (Natural Resource Conservation Service 2020). These soil types have a variable profile and are considered well-drained and not ideal for farmland.

3.2 General Habitat Conditions and Wildlife Use

The project site and surrounding areas have been heavily modified by anthropogenic activities as a result of residential development and agricultural impacts. The reconnaissance-level survey identified three habitat/land use types on the project site: ruderal grassland (2.3 acres), coast live oak woodland (0.5 acre), and ephemeral drainage (<0.1 acre). These habitat/land use types are described in detail below and are shown on Figure 3.

N:\Projects4300\4374-01\Reports\400 Surmont Drive BRR\Fig 3. Biotic Habitats .mxd akaiser

Figure 3. Biotic Habitats
400 Surmont Drive Biological Resources Report and Constraints Analysis (4374-01)

H. T. HARVEY & ASSOCIATES
Ecological Consultants

3.2.1 Ruderal Grassland

Vegetation. Ruderal (i.e. disturbed) grassland habitat is the most extensive vegetation community on the project site (Photo 1). At the time of the reconnaissance survey, this habitat was entirely disked (in open areas) or mowed and partially disked (beneath trees). Based on evaluation of the remaining stubble, it appears that prior to mowing and disking the vegetation was largely dominated by non-native grasses such as wild oat (*Avena fatua*) and various bromes (*Bromus* spp.). Intermittent patches of stinkwort (*Dittrichia graveolens*) are also present as well. There were also a few orchard trees scattered throughout the grassland habitat, including the rootstock of stone fruit (*Prunus* sp.), which are likely remnants from an historical orchard on the site.

Photo 1. Ruderal grassland habitat.

Wildlife. Wildlife use of grasslands on the project site is limited by human disturbance (e.g., due to regular disking and mowing), the small extent of the grassland habitat, and the isolation of this habitat from more extensive grasslands in the region. As a result, some of the wildlife species associated with extensive grasslands in the South Bay, such as the grasshopper sparrow (*Ammodramus savannarum*), are absent from the grasslands on the project site. In addition, due to the minimal vegetation present, this habitat provides limited foraging opportunities for wildlife species that may inhabit adjacent developed or woodland areas and forage on the site opportunistically.

Bird species that occur on the site are primarily associated with surrounding developed and woodland areas and use the grasslands and remnant orchard trees on the site for foraging. These include the California towhee (*Melozone crissalis*), mourning dove (*Zenaida macroura*), lesser goldfinch (*Spinus psaltria*), dark-eyed junco (*Junco hyemalis*), Anna's hummingbird (*Calypte anna*), northern mockingbird (*Mimus polyglottos*), and American crow (*Corvus brachyrhynchos*). Birds are not expected to nest on the ground in the grassland habitat on the site due to the mown/disked conditions; however, small numbers of common bird species such as the Anna's hummingbird and mourning dove may nest in the remnant orchard trees within this habitat.

Burrows of California ground squirrels (*Otospermophilus beecheyi*) and Botta's pocket gophers (*Thomomys bottae*) are present beneath trees along the western boundary of the site where the grassland area is mown instead of disked. These fossorial mammals are an important component of grassland communities, providing a prey base for diurnal raptors and terrestrial predators. Other rodent species that can potentially occur in the grassland habitat on the site include the California vole (*Microtus californicus*) and deer mouse (*Peromyscus maniculatus*). Diurnal raptors such as red-tailed hawks (*Buteo jamaicensis*) and Cooper's hawks (*Accipiter cooperi*) forage for these

small mammals on the site during the day, and at night nocturnal species, such as barn owls (*Tyto alba*) and great-horned owls (*Bubo virginianus*), will forage for nocturnal rodents, such as deer mice.

Several reptile species may occur in the ruderal grassland habitat, including the western fence lizard (*Sceloporus occidentalis*) and gopher snake (*Pituophis catenifer*). Mammals such as the native striped skunk (*Mephitis mephitis*), black-tailed deer (*Odocoileus hemionus*), and coyote (*Canis latrans*) as well as the nonnative Virginia opossum (*Didelphis virginianus*) and feral cat (*Felis catus*) are likely to occasionally forage in these grasslands. Common species of bat, such as the Mexican free-tailed bat (*Tadarida brasiliensis*) may forage aerially over this habitat for insects.

3.2.2 Coast Live Oak Woodland

Vegetation. A small portion of the site contains a coast live oak woodland (Photo 2). Within the south west portion of the project site, this habitat is situated on a westward-facing slope (30–40%) and abuts the dirt road that runs along the western boundary of the site. This habitat is dominated by mature, closely spaced coast live oak (*Quercus agrifolia*) trees. The understory of the coast live oak woodland is mowed, partially disked, and mostly devoid of any vegetation, except for small patches of wild oats around the bases of trees.

Photo 2. Coast live oak woodland habitat.

Wildlife. Woodlands dominated by oaks typically support diverse animal communities in California. Coast live oaks provide cavities, bark crevices, and complex branching growth that create shelter for wildlife species, and these trees produce mast crops that are an important food source for many birds and mammals. However, the coast live oak woodland habitat on the project site is limited in extent, with a mown understory that is nearly devoid of vegetation. As a result, this habitat provides fewer structural resources and foraging opportunities for wildlife species compared to more natural and/or more extensive oak woodlands in the region. Nevertheless, due to the close proximity of Heintz Open Space immediately west of the site, species associated with more extensive oak woodlands in the open space area may utilize the oak woodland habitat on the site for breeding and foraging.

Birds such as the California scrub-jay (*Aphelocoma californica*), white-breasted nuthatch (*Sitta carolinensis*), Bewick's wren (*Thryomanes bewickii*), chestnut-backed chickadee (*Poecile rufescens*), and oak titmouse (*Baeolophus inornatus*) may nest and forage in oaks on the project site, and the acorn woodpecker (*Melanerpes formicivorus*) and California quail (*Callipepla californica*) may forage for acorns on the site and nest in the adjacent Heintz Open Space. Other birds expected to use this habitat are the wintering ruby-crowned kinglet (*Regulus calendula*) and Townsend's warbler (*Setophaga townsendi*). Raptors such as the red-tailed hawk, red-shouldered hawk, and Cooper's hawk may forage for prey in this woodland. These species could also potentially nest in the limited oak woodland present

on the site, but no active or inactive raptor nests were detected during the site visit, suggesting that raptors have not nested on the site in recent years.

Because the oak woodland habitat on the site lacks understory cover and vegetation, amphibian and reptile species that are typically associated with dense leaf cover and coarse woody debris in wooded habitats are not expected to occur here. Reptiles associated with the adjacent grassland habitat, such as the western fence lizard and Pacific gopher snake, may forage in the mown understories. Burrows of native California ground squirrels and Botta's pocket gophers were observed beneath these trees during the site visit, and several nests of the nonnative eastern gray squirrel (*Sciurus carolinensis*) were present in the oak trees. Mammals that forage in grasslands on the site such as the striped skunk, black-tailed deer, and coyote as well as the nonnative Virginia opossum and feral cat are expected to forage in this habitat. No cavities or crevices were observed in oaks on the site that provide high-quality roosting habitat for bats.

3.2.3 Ephemeral Drainage

An ephemeral drainage feature is located along the western boundary of the project site (Photo 3). The drainage is situated in a topographically low position relative to the adjacent slopes and is located in what historically (i.e. prior to the development of the area) would have been the bottom of a ravine. Presently, the drainage appears to only convey flows following storm events in winter months, and the majority of the flow in the channel is likely contributed by run-off from the adjacent road. There was no observed flowing or standing water within the drainage during the October 24, 2019 site visit. The channel bottom of the ephemeral drainage is approximately 1 foot wide. The width of the channel (and what would be considered its ordinary high water mark [OWHM] during periods of flow following storm events) is approximately 2 feet. The channel banks are earthen and largely devoid of vegetation with the exception of a small patch of Himalayan blackberry (*Rubus discolor*) found near the culvert at the downstream end. The drainage is within the canopy cover of the adjacent coast live oak woodland as well as remnant orchard trees rooted on the hillside upslope of the drainage. There is no riparian vegetation associated with the drainage. The culvert at the downstream end of drainage (at the northeast corner of the project site) is an 18-inch concrete culvert, which conveys run-off from the site into the storm drain system in the neighborhood to the north. The storm drain system in the neighborhood flows into Ross Creek approximately 1 mile north of the project site and subsequently into Guadalupe Creek in the City of San José.

Photo 3. Ephemeral drainage located adjacent to the western border of the project site.

Wildlife. The ephemeral (short-lived) nature of the drainage along the western boundary of the project site precludes the presence of fish and aquatic wildlife species, and wildlife use of this drainage is similar to that described for the ruderal grassland and coast live oak woodland habitats above. During rain events when the drainage conveys flow, this feature may be utilized as a water source for bird and mammal species, as well as a dispersal corridor for common species of amphibians such as the Pacific tree frog (*Pseudacris sierra*) and California newt (*Taricha torosa*).

Section 4. Special-Status Species and Sensitive Habitats

CEQA requires assessment of the effects of a project on species that are protected by state, federal, or local governments as "threatened, rare, or endangered"; such species are typically described as "special-status species". For the purpose of the environmental review of the project, special-status species have been defined as described below.

For purposes of this analysis, "special-status" plants are considered plant species that are:

- Listed under the Federal Endangered Species Act as threatened, endangered, proposed threatened, proposed endangered, or a candidate species.
- Listed under the California Endangered Species Act as threatened, endangered, rare, or a candidate species.
- Listed by the CNPS as CRPR 1A, 1B, 2, 3, or 4.

For purposes of this analysis, "special-status" animals are considered animal species that are:

- Listed under the Federal Endangered Species Act as threatened, endangered, proposed threatened, proposed endangered, or a candidate species.
- Listed under the California Endangered Species Act as threatened, endangered, or a candidate threatened or endangered species.
- Designated by the CDFW as a California species of special concern.
- Listed in the California Fish and Game Code as fully protected species (fully protected birds are provided in Section 3511, mammals in Section 4700, reptiles and amphibians in Section 5050, and fish in Section 5515).

Information concerning threatened, endangered, and other special-status species that potentially occur on the project site was collected from several sources and reviewed by H. T. Harvey & Associates biologists as described in Section 2.1 above.

4.1 Special-Status Plant Species

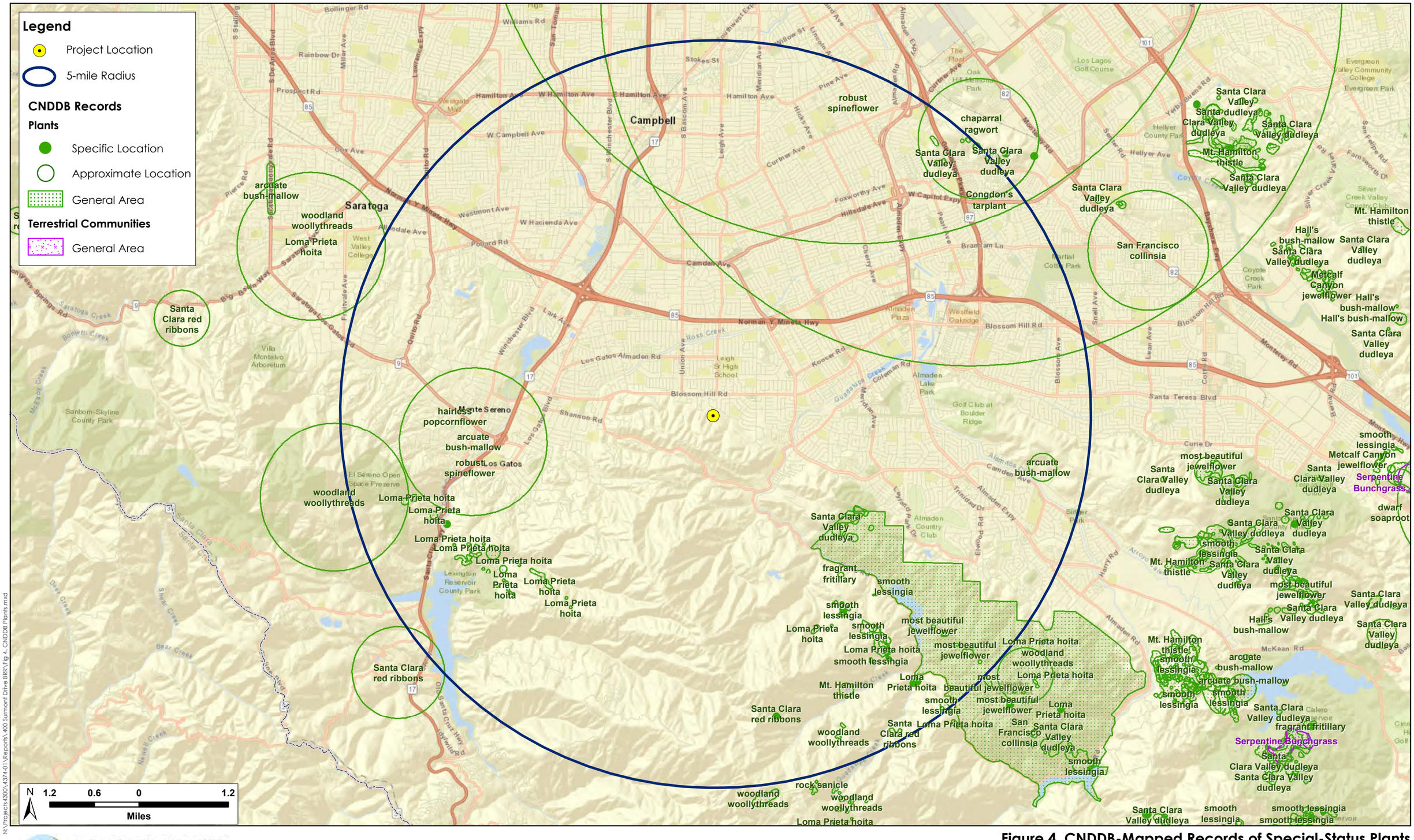
The CNPS (2020) and CNDDB (2020) identified 92 special-status plant species as known or potentially occurring in at least one of the nine USGS 7.5-minute quadrangles containing or surrounding the project site. The majority of the site is ruderal grassland, which may have historically been in orchard production, and which is presently mowed and disked. The small amount of coast live woodland in the southwest corner of the property is also heavily disturbed in the understory, with limited understory herbaceous vegetation, and also being mowed and disked in this area, in many cases right up to the trees. Due to the current and recent historical

land use involving frequent and continued disturbance of native vegetation, as well as the lack of specialized habitats (e.g. serpentine soils, wetlands, etc.) on the site, none of the special-status plant species identified in the background review have potential to occur on the project site.

Figure 4 shows the CNDDB-mapped records of special-status plants within a 5-mile radius of the project site. A total of 14 special-status species have been known to occur within a 5-mile radius of the project site, including: robust spineflower (*Chorizanthe robusta* var. *robusta*), hairless popcornflower (*Plagiobothrys glaber*), arcuate bush-mallow (*Malacothamnus arcuatus*), woodland woollythreads (*Monolopia gracilens*), Loma Prieta hoita (*Hoita strobilina*), Santa Clara red ribbons (*Clarkia concinna* ssp. *automixa*), Mt. Hamilton fountain thistle (*Cirsium fontinale* var. *campylon*), smooth lessingia (*Lessingia micradenia* var. *glabrata*), most beautiful jewelflower (*Streptanthus albidus* ssp. *peramoenus*), fragrant fritillary (*Fritillaria liliacea*), Santa Clara Valley dudleya (*Dudleya abramsii* ssp. *setchellii*), San Francisco Collinsia (*Collinsia multicolor*), Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), and chaparral ragwort (*Senecio aphanactis*) (CNDDB 2020). Though the project site is within the appropriate elevational range for each of these special-status species, no appropriate habitat and edaphic conditions exist to support these species. Robust spineflower is found in sandy or gravelly openings in chaparral, scrub, or grassland habitats, and these edaphic conditions do not occur on the project site. Woodland woollythreads, Loma Prieta hoita, Mt. Hamilton fountain thistle, smooth lessingia, most beautiful jewelflower, fragrant fritillary, Santa Clara Valley dudleya, and San Francisco collinsia all occur on serpentine soils, which do not occur on the project site. Arcuate bush-mallow can occur in woodland habitats, but is more associated with chaparral, which does not occur on the project site; additionally, no shrubs in the genus *Malacothamnus* (which are apparent and identifiable to genus year-round) were observed on the project site. Chaparral ragwort occurs in dry, open rocky areas in chaparral or scrub habitats, often in alkaline soils, which do not occur on the site.

Congdon's tarplant is the one special-status plant which is known to occasionally occur in disturbed annual grassland habitat. This plant, which blooms from May to October, would have been blooming and identifiable at the time of the survey. The plant ecologist conducting the site visit for this project also surveyed for and observed Congdon's tarplant at the Sunnyvale Baylands Park, in Sunnyvale, California, on October 23, 2019. Given the small size of the 400 Surmount Drive project site, she was able to survey the entirety of the project site for Congdon's tarplant. No Congdon's tarplant was observed on this site and it is presumed to be absent.

Thus, no special-status plant species are expected to be present on the project site.



N:\Projects\4300\4374-01\Reports\400 Surmont Drive BRR\Fig 4. CNDDB Plants.mxd

Figure 4. CNDDB-Mapped Records of Special-Status Plants
400 Surmont Drive Biological Resources Report and Constraints Analysis (4374-01)

H. T. HARVEY & ASSOCIATES
Ecological Consultants

4.2 Special-Status Animal Species

We identified several special-status animal species as potentially occurring in the project vicinity, and Figure 5 shows CNDDB-mapped records of special-status animals in the site vicinity. However, the majority of these species were determined to be absent from the project site. Species considered for occurrence but rejected, as well as the reasons for their rejection, are as follows:

- The California tiger salamander (*Ambystoma californiense*), federally and state listed as threatened, and the California red-legged frog (*Rana draytonii*), federally listed as threatened and a California species of special concern, occurred historically in the project vicinity. No suitable breeding habitat for these species occurs on the site, and both species have been extirpated from the majority of the project region, including the entire urbanized Santa Clara Valley floor, due to development, the alteration of hydrology of its aquatic habitats, and the introduction of nonnative predators such as non-native fishes and bullfrogs (H. T. Harvey & Associates 1997, Santa Clara Valley Water District 2011). As a result, these species are determined to be absent from the project site.
- The foothill yellow-legged frog (*Rana boylii*), a candidate for listing under the California Endangered Species Act, occurred historically in the project vicinity. No aquatic habitat to support this species occurs on the site (or adjacent to the site in the ephemeral drainage), and this species has been extirpated from Valley floor areas of Santa Clara County, and is no longer known to occur along the County's streams below major reservoirs (H. T. Harvey & Associates 1999). As a result, this species is determined to be absent from the project site.
- Burrows of California ground squirrels on the site provide ostensibly suitable roosting habitat for burrowing owls (*Athene cunicularia*), a California species of special concern. However, all of these burrows are located under trees, which provide perches for predatory raptors (e.g., hawks, owls and falcons) that prey upon burrowing owls, and the adjacent grassland habitat provides limited foraging habitat due to high levels of disturbance (i.e., due to disking) and its small size. As a result, the site provides only very low-quality habitat for this species due to high levels of disturbance and the presence of trees. Burrowing owls occur more widely in the South Bay during the nonbreeding season, but they are not known to nest or occur on the site or in nearby areas in the foothills of Los Gatos and south San José (CNDDB 2020, Cornell Lab of Ornithology 2020). No burrowing owls or signs of recent burrowing owl use of the site (e.g., pellets, fecal material, or feathers) were observed on the site during the October 24, 2019 site visit. Due to the low-quality of the habitat on the site and the lack of recent or historical records of the species from the surrounding area, burrowing owls are determined to be absent.

N:\Projects\4300\4374-01\Reports\400 Surmont Drive BRR\Fig 5. CNDDB Animals.mxd

Figure 5. CNDDB-Mapped Records of Special-Status Animals

400 Surmont Drive Biological Resources Report and Constraints Analysis(4374-01)

H. T. HARVEY & ASSOCIATES
Ecological Consultants

- An examination of trees on the project site failed to detect any cavities or crevices large enough to provide high-quality habitat for a roosting or maternity colony of common or special-status bat species. Further, no sign of bats (e.g., guano or urine staining) was observed on trees on the project site. Special-status bats, including the pallid bat (*Antrozous pallidus*), are not known to occur in the site vicinity, and are determined to be absent from the site due to a lack of suitable roosting habitat. Individual bats may fly over the site or forage opportunistically on the site on occasion.

The white-tailed kite (*Elanus leucurus*), a state fully protected species, occurs in open grasslands in the South Bay. However, the grasslands on the project site and in the immediate vicinity are not sufficiently extensive to support a nesting pair of this species, and white-tailed kites are not known to nest in the site vicinity. Occasional individuals may occur on the site or in adjacent open space areas as non-breeding foragers. The proposed project will have little impact on this species' foraging habitat and no impacts on regional populations of the species. Therefore, this species is not discussed further in this report.

One old nest of the San Francisco dusky-footed woodrat, a California species of special concern, was observed in an oak tree on the project site; however, this nest was dilapidated and clearly inactive. Several active woodrat nests were observed at the edge of the adjacent Heintz Open Space west of the site, and woodrats that inhabit the open space area likely forage on the site occasionally. Suitable habitat for this species is present within oak woodland habitat on the project site; however, woodrats are unlikely to occupy the site in the future due to the lack of understory vegetation, which they rely on for foraging opportunities and cover. Nevertheless, given the presence of an old woodrat nest in an oak tree on the site, the possibility that one or more woodrats may create new active nests in oak trees on the project site in the future cannot be ruled out. To address potential project impacts on dusky-footed woodrats that may occur on the project site, this species is discussed under Section 5 *CEQA Discussion* below.

In summary, the only special-status animal species that can potentially occur on the project site are the white-tailed kite, which may occasionally occur on the site or in adjacent open space areas as a non-breeding forager, and the San Francisco dusky-footed woodrat, for which there is at least a low potential of nesting on the site.

4.3 Sensitive and Regulated Habitats

Sensitive and regulated habitats are rare, ecologically valuable, and/or protected by federal, state, regional, and/or local laws. Generally, such habitats require permits from regulatory agencies if they are to be disturbed, altered, or lost. The CDFW ranks certain rare or threatened plant communities, such as wetlands, tracked in the CNDDB. The most commonly regulated habitats are wetland and aquatic habitats including rivers, streams, ponds, and seasonal wetlands, which fall under the jurisdiction of the U. S. Army Corps of Engineers (USACE) via Section 404 of the Clean Water Act, the Regional Water Quality Control Board (RWQCB) via Section 401 of the Clean Water Act and the Porter-Cologne Water Quality Control Act, and/or the CDFW via Section 1602 of the California Fish and Game Code.

CDFW Sensitive Natural Communities and Sensitive Vegetation Alliance and Associations. A query of sensitive natural communities in Rarefind (CNDDB 2020) identified three sensitive natural communities as occurring in the project vicinity: maritime coast range ponderosa pine forest (Rank G1/S1.1), northern maritime chaparral (G1/S1.2), and serpentine bunchgrass (Rank G2/S2.2). None of these sensitive natural communities occurs on the project site.

The CDFW also maintains a list of vegetation alliances and associations within the state of California (CDFW 2020). This list includes global (G) and state (S) rarity ranks for associations and alliances. Alliances and associations currently ranked as S1-S3 are considered highly imperiled. The California annual grassland and coast live oak woodland on the site do not correspond to any sensitive vegetation alliances or associations as defined by CDFW.

Waters of the U.S./State. H. T. Harvey & Associates' reconnaissance-level survey of the project site and background review of available material was in agreement with the two memoranda prepared by Live Oak Associates for the Town of Los Gatos (Live Oak Associates 2019, Live Oak Associates 2020). The ephemeral drainage that is located along the boundary of the project site has potential to be considered a jurisdictional drainage by the USACE and/or RWQCB based on the fact that it is a channel with a bed and bank morphology (and therefore containing an ordinary high water mark), and at least seasonal flow, and is hydrologically connected via the storm drain system north of the project site to Ross Creek approximately 1 mile to the north.

In summary, the only sensitive or regulated habitat on the project site is the ephemeral drainage located along the site boundary.

Section 5. CEQA Discussion

The State CEQA Guidelines provide direction for evaluating the impacts of projects on biological resources and determining which impacts will be significant. CEQA defines a "significant effect on the environment" as "a substantial adverse change in the physical conditions which exist in the area affected by the proposed project." Under State CEQA Guidelines Section 15065, a project's impacts on biological resources are deemed significant if the project would:

A. "substantially reduce the habitat of a fish or wildlife species"

B. "cause a fish or wildlife population to drop below self-sustaining levels"

C. "threaten to eliminate a plant or animal community"

D. "reduce the number or restrict the range of a rare or endangered plant or animal"

In addition to the Section 15065 criteria that trigger mandatory findings of significance, Appendix G of State CEQA Guidelines provides a checklist of other potential impacts to consider when analyzing the significance of project effects. The impacts listed in Appendix G may or may not be significant, depending on the level of the impact. For biological resources, these impacts include whether the project would:

A. "have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service"

B. "have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service"

C. "have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means"

D. "interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites"

E. "conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance"

F. "conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan"

Following is a brief assessment of potential project impacts on biological resources. The impact assessment below is structured based on the six significance criteria (A–F) listed above.

5.1 **Impacts on Special-Status Species**: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS (Less than Significant)

5.1.1 **Special-Status Plants** (No Impact)

As described above, no special-status plant species have potential to occur on the project site. Therefore, the project will have no impact on these species, and no mitigation measures are warranted to avoid and minimize project impacts on special-status plants under CEQA.

5.1.2 **Impacts on the San Francisco Dusky-Footed Woodrat** (Less than Significant)

Suitable habitat for the San Francisco dusky-footed woodrat is present in oak woodland habitat on the project site, and one old/inactive woodrat nest was observed in an oak tree on the site during the October 2019 site visit. In our opinion, woodrats are unlikely to occupy the site in the future due to the lack of understory vegetation, which they rely on for foraging opportunities and cover. Nevertheless, given the presence of an old woodrat nest in an oak tree on the site, the possibility that one or more woodrats may create new active nests in oak trees on the site in the future cannot be ruled out. If one or more woodrats established active nests in trees on the site, we would expect them to be present in very low numbers (i.e., one or two individuals) due to the limited availability of foraging opportunities and cover in the immediate area.

In our opinion, impacts of the project on, at most, one or two individual woodrats would not be considered significant under CEQA, as such an impact would represent a small proportion of the regional population of the species. Thus, in our opinion, no mitigation measures are warranted to avoid and minimize project impacts on woodrats under CEQA. Nevertheless, the project will be required to implement standard conditions to avoid and minimize impacts on woodrats during project construction, as described in Section 1.2.3.

5.1.3 **Impacts on Nesting Birds** (Less than Significant)

Several species of common native birds protected by the Migratory Bird Treaty Act and California Fish and Game Code may nest in trees and shrubs on the site or immediately adjacent to the site. The removal of vegetation supporting active nests may cause the direct loss of eggs or young, while construction-related activities located near an active nest may cause adults to abandon their eggs or young. This type of impact would not be significant under CEQA, in our opinion, because of the local and regional abundances of the species that could potentially nest on the site and the very low magnitude of the potential impact of development on these species (i.e., the project is expected to impact only a few pairs of these species, which is not a substantial impact on their regional populations). Thus, in our opinion, no mitigation measures are warranted to avoid and minimize project impacts on nesting birds under CEQA. Nevertheless, per the

requirements of the Town of Los Gatos, the project will implement standard conditions to avoid and minimize impacts on nesting birds during project construction, as described in Section 1.2.1.

5.1.4 Roosting Bats (No Impact)

As discussed under Section 4.2 above, an examination of trees on the project site failed to detect any cavities or crevices large enough to provide high-quality habitat for a roosting or maternity colony of common or special-status bat species. As a result, the project is not expected to impact common or special-status species of bats, and no mitigation measures are warranted to avoid and minimize project impacts on roosting bats under CEQA, in our opinion. Nevertheless, per the requirements of the Town of Los Gatos, the project will implement standard conditions to avoid and minimize impacts on roosting bats during project construction, as described in Section 1.2.2.

5.2 Impacts on Sensitive Communities: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the CDFW or USFWS (No Impact)

5.2.1 Impacts on Riparian Habitat, or Other Sensitive Natural Communities (No Impact)

The CDFW defines sensitive natural communities and vegetation alliances using NatureServe's standard heritage program methodology (CDFW 2020), as described above in Section 4.3. Aquatic, wetland and riparian habitats are protected under applicable federal, state, or local regulations, and are generally subject to regulation, protection, or consideration by the USACE, RWQCB, CDFW, and/or the U.S. Fish and Wildlife Service. Project impacts on sensitive natural communities, vegetation alliances/associations, or any such community identified in local or regional plans, policies, and regulations, were considered and evaluated. No riparian habitat or other sensitive natural communities are located on or adjacent to the project site, and thus, there will be no impacts to riparian habitat or other sensitive natural communities as a result of the project. Indirect impacts to aquatic habitat due to water quality are discussed below under Section 5.3.

5.3 Impacts on Wetlands: Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (Less than Significant)

A potentially jurisdictional ephemeral drainage is located along the western boundary of the project site. This drainage may be considered jurisdictional waters of the U.S. by the USACE, waters of the state by RWQCB, and/or waters subject to the jurisdiction of the CDFW under Section 1600 of the California Fish and Game Code.

The Town of Los Gatos has adopted the guidance for evaluation of land use near streams provided in the Santa Clara Valley Water District's (Valley Water's) *Guidelines and Standards for Land Use Near Streams: A Manual of Tools,*

Standards, and Procedures to Protect Streams and Streamside Resources in Santa Clara County (Valley Water 2006) Consistent with *Section II.E.* on page 3.8 of the *Guidelines* ("Slope Stability Protection Area for Single-Family Units", page 3.8) and as determined by the Town of Los Gatos, the setback for the ephemeral aquatic feature on the site is 20 feet. This setback is shown on Figure 3. In our opinion, no additional setback from this drainage should be necessary given its relatively low ecological value.

Where the project proposes features with the proposed setback described above, all project work will be outside the bed and bank of ephemeral drainage feature on the project site. The proposed driveway will be directly adjacent and immediately outside the top of bank at its downslope end (i.e. in the northwest corner of the parcel). To prevent indirect impacts on water quality within the drainage and in the downslope watershed, the project will construct a 30-foot-long by 2-foot-tall retaining wall in between the driveway and the drainage. The retaining wall will be constructed just above the top of bank to protect the bank and avoid any erosion from construction of the driveway into the ephemeral drainage. In addition, this project will implement the conditions to minimize impacts on water quality within the ephemeral drainage as described in Section 1.2.4.

With the use of the proposed setback, the retaining wall, and the avoidance and minimization measures that will be part of the project, the project will not result in direct impacts on jurisdictional wetlands or waters.

As discussed in Section 1.2.4 above, the project will implement standard erosion control measures and BMPs for work near aquatic environments, and comply with the Town's required setback for the construction of new structures. Project compliance with these conditions will reduce potential project impacts on water quality to a less-than-significant level under CEQA, in our opinion, and no mitigation measures are warranted to avoid and minimize project impacts on water quality under CEQA, in our opinion.

5.4 **Impacts on Wildlife Movement:** Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (Less than Significant)

For many species, the landscape is a mosaic of suitable and unsuitable habitat types. Environmental corridors are segments of land that provide a link between these different habitats while also providing cover. Development that fragments natural habitats (i.e., breaks them into smaller, disjunct pieces) can have a twofold impact on wildlife: first, as habitat patches become smaller they are unable to support as many individuals (patch size); and second, the area between habitat patches may be unsuitable for wildlife species to traverse (connectivity).

The project site is situated on the edge of a dense matrix of urban development. Further, the ephemeral drainage on the site does not provide an important movement pathway for aquatic or terrestrial wildlife species, as the drainage does not support vegetative cover and holds water only ephemerally during rain events. As a result, the proposed redevelopment of the project site would not result in the fragmentation of natural habitats. While some wildlife species that occur in nearby natural areas may move through the site when traveling through the

area, they will continue to be able to move between Heintz Open Space to the east and Belgatos Park to the west following construction of the new residences on the property, either by passing south of the new structures on the property or south of all development on the property (i.e., through the park, which connects from east to west south of the property). Thus, any wildlife species that currently move through the project site would continue to be able to do so following project construction, and the project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors in the site vicinity.

5.5 Impacts due to Conflicts with Local Policies: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Less than Significant)

5.5.1 Impacts Due to the Removal of Protected Trees (Less than Significant)

According to the Town of Los Gatos Municipal Code, no person is allowed to unlawfully prune or remove any tree that qualifies as a "protected tree" (Los Gatos, CA Code of Ordinances, Sec. 29.10.0950). The Town considers a protected tree of significant size to be:

- All trees which have a 12-inch or greater diameter on a developed residential property.
- All trees which have an 8-inch or greater diameter on a developed hillside residential property.
- All trees of the following species which have an 8-inch or greater diameter (measured at 4.5 feet [54 inches] above natural grade) located on any developed residential property:
    - Blue oak (*Quercus douglasii*)
    - Black oak (*Quercus kelloggii*)
    - California buckeye (*Aesculus californica*)
    - Pacific madrone (*Arbutus menziesii*)
- All trees which have a 4-inch or greater diameter on a vacant or non-residential property.
- All trees which have a 4-inch or greater diameter when removal relates to any development review.
- Any tree that existed at the time of a zoning approval or subdivision approval and was a specific subject of such approval or otherwise covered by subsection (6) of this section (e.g., landscape or site plans).
- All trees, which have a 4-inch or greater diameter (12.5-inch circumference) of any trunk and are located on property other than developed residential property.
- All publicly owned trees growing on Town lands, public places or in a public right-of-way easement, which have a 4-inch or greater diameter (12.5-inch circumference) of any trunk.
- A protected tree shall also include a stand of trees, the nature of which makes each dependent upon the other for the survival of the stand.

- Any tree that was required to be planted or retained by the terms and conditions of a development approval, building permit, tree removal permit or code enforcement action.
- Any large protected tree with a diameter of 48 inches or more, as well as all native oak species, California buckeye, and Pacific madrone with a diameter of 24 inches or more.

Many of the trees on the project site, including all remnant orchard trees greater than 24-inches in diameter, as well as all coast live oak trees greater than 8 inches in diameter, would be considered protected trees by the Town of Los Gatos. A Tree Removal Permit will be required from the Town of Los Gatos for the removal or pruning of any protected trees.

5.6 Impact due to Conflicts with an Adopted Habitat Conservation Plan: Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan (Less Than Significant)

The project site is not located within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the project would not conflict with any such plans.

5.7 Cumulative Impacts

Cumulative impacts arise due to the linking of impacts from past, current, and reasonably foreseeable future projects in the region. Future development activities in the Town will result in impacts on the same habitat types and species that will be affected by the proposed project. The proposed project, in combination with other projects in the area and other activities that impact the species that are affected by this project, could contribute to cumulative effects on special-status species. Other projects in the area include office/retail/commercial development, mixed use, and residential projects that could adversely affect these species.

The cumulative impact on biological resources resulting from the project in combination with other projects in the larger region would be dependent on the relative magnitude of adverse effects of these projects on biological resources compared to the relative benefit of impact avoidance and minimization efforts prescribed by planning documents, CEQA mitigation measures, and permit requirements for each project; and compensatory mitigation and proactive conservation measures associated with each project. In the absence of such avoidance, minimization, compensatory mitigation, and conservation measures, cumulatively significant impacts on biological resources could occur.

However, many projects in the region that impact resources similar to those impacted by the project will be subject to CEQA requirements. It is expected that such projects would mitigate their impacts on sensitive

habitats and special-status species through the incorporation of mitigation measures and compliance with permit conditions.

Regardless of the magnitude and significance of cumulative impacts that result from other projects, the 400 Surmont Drive project is not expected to have a significant impact on biological resources, and would implement the conditions described in Section 1.2, which ensure the project would not result in significant impacts. Thus, the project will not have a cumulatively considerable contribution to cumulative effects on biological resources.

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LIVE OAK ASSOCIATES, INC.
an Ecological Consulting Firm

February 13, 2020

Mr. Bob Hughes
400 Surmont Drive
Los Gatos, CA 95032

RE: 400 Surmont Drive, Town of Los Gatos, Santa Clara County, California (PN 2358-01)

Dear Mr. Hughes:

At your request, I conducted a site visit to evaluate the location of a wall that is being proposed to be built between the driveway that will access the proposed project's two new lots and an existing ephemeral swale feature, on your property located at 400 Surmont Drive in the Town of Los Gatos, in Santa Clara County, CA. The purpose of this follow-up site visit was to evaluate whether the construction of the proposed wall would result in fill being placed within the swale that may require permits from the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB) and/or California Department of Fish and Wildlife (CDFW).

Site Visit

Previously, in January 2019, I conducted a site visit to evaluate the swale and provide our analysis of an appropriate setback from this feature. A full description of the swale was provided in our report of findings from that evaluation (LOA 2019).

On February 10, 2020, I conducted the follow-up site visit to evaluate the location of the proposed wall in relation to the bed and bank of the ephemeral swale feature. The existing conditions of the swale had not changed since the January 2019 site visit. The swale was completely dry during this 2020 site visit and, in the location of the proposed wall, it was completely barren of vegetation within the bed and bank . Terry from T.S. Civil Engineering had staked and flagged the outside edge of wall prior to the site visit.

Findings from the Site Visit

Photos taken during the site visit are attached. The closest edge of the wall occurs outside of the bed and bank of the swale, and therefore, its construction will not result in fill being placed within the bed and bank of this feature.

San Jose Office: 6830 Via Del Oro, Suite 205 • San Jose, CA 95119 • Phone: 408-224-8300 • Fax: 408-224-1411
Oakhurst Office: P.O. Box 2697 • 49430 Road 426, Suite B • Oakhurst, CA 93644 • Phone: 559-642-4880 • Fax: 559-642-4883

Discussion and Conclusions

With features such as the one occurring on the site which does not support either wetland vegetation or woody riparian vegetation, the extent of the USACE's jurisdiction would be the Ordinary High Water mark on opposing banks, while the jurisdiction of both the CDFW and RWQCB would be the top of the bank.

In this case, the wall is proposed to be built outside of the bed and bank of the ephemeral swale feature and therefore will result in no impacts to waters regulated by the USACE, CDFW or RWQCB.

Thank you very much for allowing us to assist you with your project. If you wish to discuss our evaluation or findings, please feel free to contact me at 408-281-5884.

Sincerely,

Pamela E. Peterson
Senior Project Manager
Plant and Wetland Ecologist

Attachment: Photos

LIVE OAK ASSOCIATES, INC.
an Ecological Consulting Firm

April 3, 2019

Mr. Bob Hughes
400 Surmont Drive
Los Gatos, CA 95032

RE: 400 Surmont Drive, Town of Los Gatos, Santa Clara County, California (PN 2358-01)

Dear Mr. Hughes:

At your request, we are providing this setback evaluation for an aquatic feature that occurs adjacent to areas where you are proposing to develop two new single-family lots, on your property located at 400 Surmont Drive in the Town of Los Gatos, in Santa Clara County, CA. The evaluation of the setback is being based upon guidance contained in the Guidelines and Standards for Land Use Near Streams (SCVWD 2005, revised 2006) which the Town has adopted. To that aim, we conducted a background review and a site visit. Below we provide our evaluation of the feature.

Background Review

Prior to the site visit, LOA completed a background review of information relevant to the proposed project, the project site, and the site's vicinity. Information reviewed included the site plans provided by T.S. Civil Engineers dated March 13, 2019, Google Earth aerial photographs, USGS topographic maps, and the U.S. Fish and Wildlife Service's (USFWS) National Wetlands Inventory (NWI) (accessed on-line on April 2, 2019 at https://www.fws.gov/wetlands/data/mapper.html).

Additionally, the *Guidelines and Standards for Land Use Near Streams: A Manual of Tools, Standards, and Procedures to Protect Streams and Streamside Resources in Santa Clara County* (Santa Clara Valley Water District 2005 (revised 2006)) was reviewed, which has been adopted by the Town of Los Gatos to guide determinations on stream setback requirements.

The aquatic feature in question does not show up as a wetland or stream on the USFWS NWI and it also does not show up on the USGS topographic map as a blue-line stream or other aquatic feature. There also are no aquatic features that show up on the NWI or USGS upstream of the feature that may provide a perennial or intermittent source of water for the feature, such as a spring.

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Oakhurst Office: P.O. Box 2697 • 49430 Road 426, Suite B • Oakhurst, CA 93644 • Phone: 559-642-4880 • Fax: 559-642-4883

Existing Conditions

On April 2, 2019, I visited the project site along with yourself and with Terry Scewczyk from T.S. Civil Engineering to evaluate the aquatic feature on the site. The feature generally flows from south to north along the east side, and within two to three feet, of the paved area of Surmont Drive. In the location where the two new lots are proposed, in the northernmost portion of the property, the channel has earthen banks which are generally barren of vegetation. Habitats adjacent to the feature include California annual grassland and oak woodland/savannah with an open canopy to the east, and on the west side of Surmont Drive, dense oak woodland habitat is present. The feature is incised with a width at the top of the bank of approximately five feet, and a depth of between one and two feet. It flows off-site to the north via an underground, 18-inch cement culvert, which in turn drains into the storm drain system and eventually into Ross Creek.

As noted above, the channel is generally barren of vegetation along the reach that is adjacent to the proposed lots. Vegetation associated with the banks and channel in this location are limited to a few California blackberry (*Rubus ursinus*) plants just before the feature flows underground and off-site. No other wetland or riparian vegetation was observed to be associated with the feature. Trees that occur in the vicinity of the feature include native coast live oaks (*Quercus agrifolia*) and one valley oak (*Quercus lobata*), as well as cultivated and ornamental species including apricot (*Prunus armeniaca*) (remnant trees from the apricot orchard that used to occur on the property per our discussion at the site), Monterey cypress (*Cupressus macrocarpus*), coast redwood (*Sequoia sempervirens*) and pine (*Pinus* sp.).

Although it had rained the night before the site visit and surface soils were moist, there was no flowing or standing water observed in the channel, and there was no evidence of an ordinary high water mark observed. Per our communications at the site, after a very heavy storm, the feature may maintain a flow for up to a week after, but otherwise it will stop flowing and dry out quickly once it stops raining. There are two sources of water for the feature: one is storm water runoff from the hillsides of the adjoining property to the west which flow into the channel via a small erosional feature and the second source is storm water runoff from the hillsides of the owner's own property. There are no springs or other non-storm water sources that appear to be associated with the feature.

Upstream from the proposed lots, the channel is completely cement and rock-lined.

Conclusions

Based on the background review, site visit and information provided by the property owner, the aquatic feature on the site appears to be an ephemeral channel which only flows following storm events and has no other water source aside from storm water runoff from adjacent hillsides.

According to *Section II.E.* on page 3.8 of the *Guidelines and Standards for Land Use Near Streams* ("Slope Stability Protection Area for Single-Family Units", page 3.8), the recommended minimum Slope Stability Protection Area or setback for ephemeral features such as the one occurring on the site is between 10 to 15 feet, with the exact setback determined at the discretion of the local jurisdiction. It does note in the Guidelines on page 3.8 that for lots larger than 10,000

square feet, another five feet may be added to the required Slope Stability Area (setback). Therefore, the setback range may be increased to a minimum of 15 to 20 feet from the top of the bank for your project.

Other Considerations

There are native oak trees that occur between the top of the bank and the proposed driveway that will service the two new lots. In addition to an appropriate setback from the top of the bank of the ephemeral feature, we would also recommend that the project avoids construction of impervious surfaces within the dripline of any retained native oak trees.

Thank you very much for allowing us to assist you with your project. If you wish to discuss our evaluation or findings, please feel free to contact me at 408-281-5884.

Sincerely,

Pamela E. Peterson
Senior Project Manager
Plant and Wetland Ecologist

Attachment B: Arborist Report

Tree Inventory, Assessment, and Protection

400 Surmont Drive
Los Gatos, CA 95032

Prepared for:

Town of Los Gatos

September 27, 2019

Prepared By:

Monarch Consulting Arborists LLC
P.O. Box 1010
Felton, CA 95018
831. 331. 8982

Richard Gessner

ASCA - Registered Consulting Arborist ® #496
ISA - Board Certified Master Arborist® WE-4341B
ISA - Tree Risk Assessor Qualified

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Summary

The inventory contains 26 trees comprised of 6 different species. One coast live oak is considered Large Protected and seven are Exempt. Fourteen trees are in good condition, ten fair, and two in poor shape. Sixteen trees (mostly oaks) have good suitability for retention. There are six trees within the footprint of the proposed driveway and two in or near the proposed building sites. Tree protection for this project would consist of a Type I scheme around all the trees to be retained with a maximum encroachment radius of six times the trunk diameter distance. A total of 26 trees were appraised for a rounded depreciated value of $53,920.00 using the Trunk Formula Method.

Introduction

Background

The Town of Los Gatos asked me to assess the site, trees, and proposed footprint plan, and to provide a report with my findings and recommendations to help satisfy planning requirements.

Assignment

- Provide an arborist's report including an assessment of the trees within the project area and on the adjacent sites. The assessment is to include the species, size (trunk diameter), condition (health and structure), and suitability for preservation ratings. Affix aluminum number tags on the trees for reference on site and on plans.
- Provide tree protection specifications, guidelines, and impact ratings for trees that may be affected by the project.
- Provide appraised values.

Limits of the assignment

- The information in this report is limited to the condition of the trees during my inspection on May 20, 2019. No tree risk assessments were performed.
- Tree heights and canopy diameters are estimates.
- The most recent *Guide to Plant Appraisal, Tenth Edition* was published in late 2018 by the ISA. The Guide is not functional at this time due to significant errors in the original printed version and gaps in information regarding regional species characteristics and nursery stock wholesale costs. Therefore the ninth edition and its supplemental publications was used for this assignment with the exception of the "condition ratings" assessment.

- The plans reviewed for this assignment were as follows (Table 1).

Table 1: Plans Reviewed Checklist

Plan	Date	Sheet	Reviewed	Source
Existing Site Topographic Map or A.L.T.A with tree locations				
Proposed Site Plan	8/21/19	C-1 and C-2	Yes	TS/Civil Engineering
Demolition Plan				
Construction Staging				
Grading and Drainage				
Utility Plan and Hook-up locations				
Exterior Elevations				
Landscape Plan				
Irrigation Plan				
T-1 Tree Protection Plan				

Purpose and use of the report

The report is intended to identify all the trees within the plan area that could be affected by a project. The report is to be used by the Town of Los Gatos and the property owners as a reference for existing tree conditions to help satisfy planning requirements.

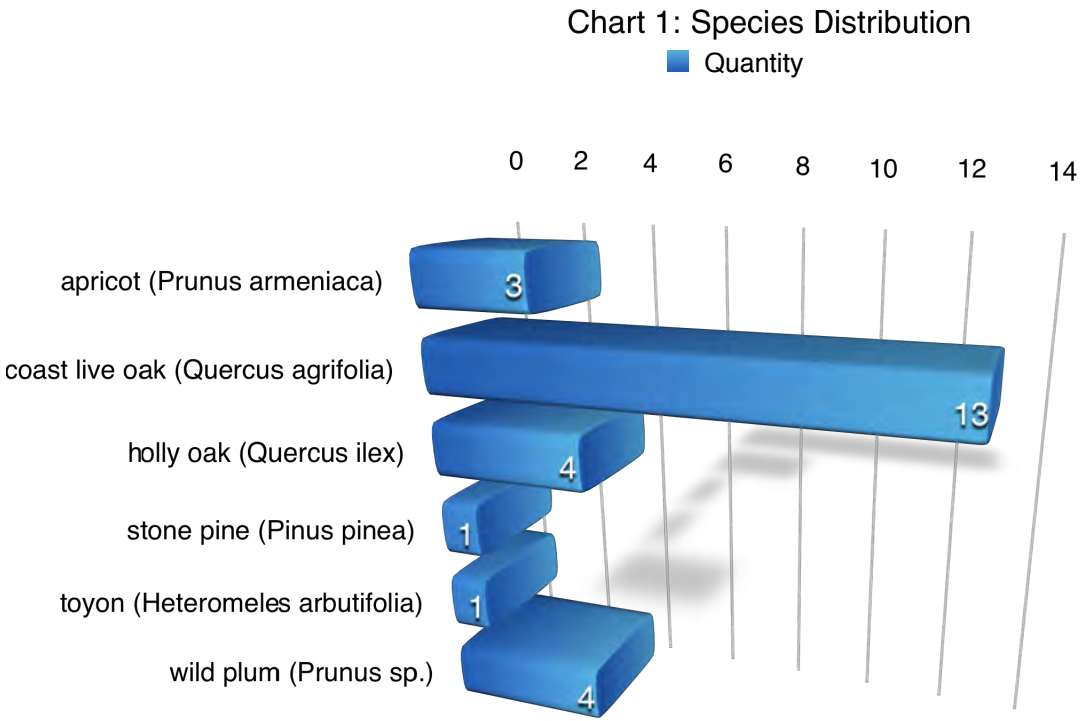
Observations

The plans provided indicated the proposed location of the driveway to the two lots. The topographic survey provided is not completely accurate and the red "X" located on the plan in Appendix A indicates at least one oak that has been removed.

Tree Inventory

The inventory consists of trees protected by the Town of Los Gatos located on site and those in close proximity on neighboring properties. Sec. 29.10.0960. - Scope of protected trees. All trees which have a four-inch or greater diameter (twelve and one half-inch circumference) of any trunk, when removal relates to any review for which zoning approval or subdivision approval is required. (Appendix A and B). Los Gatos Town Ordinance 29.10.0970 Exceptions (1) states the following: "A fruit or nut tree that is less than eighteen (18) inches in diameter (fifty-seven-inch circumference).

The inventory contains 26 trees comprised of 6 different species. Two coast live oaks are considered Large Protected[1], and seven fruit trees are Exempt[2]. The chart below list the species and their relative quantities (Chart 1).



[1] Large protected tree means any oak (*Quercus spp.*), California buckeye (*Aesculus californica*), or Pacific madrone (*Arbutus menziesii*) which has a 24-inch or greater diameter (75-inch circumference); or any other species of tree with a 48-inch or greater diameter (150-inch circumference).

[2] A fruit or nut tree that is less than eighteen (18) inches in diameter (fifty-seven-inch circumference).

Analysis

Tree appraisal was performed according to the Council of Tree & Landscape Appraisers *Guide for Plant Appraisal 9th Edition, 2000* (CLTA) along with Western Chapter International Society of Arboriculture *Species Classification and Group Assignment, 2004*. The trees were appraised using the "Cost Approach" and more specifically the "Trunk Formula Method" (Appendix B).

"Trunk Formula Method" is calculated as follows: Basic Tree Cost = (Appraised tree trunk increase X Unit tree cost + Installed tree cost) Appraised Value = (Basic tree cost X Species % X Condition % X Location %).

The trunk formula valuations are based on four tree factors; species, size (trunk cross sectional area), condition, and location. There are two steps to determine the overall value. The first step is to determine the "Basic Tree Cost" based on size and species rating which is determined by the *Species Classification and Group Assignment, 2004 Western Chapter Regional Supplement*.

The second part is to depreciate the value according to the location and condition of the trees.

The condition assessment and percentages are defined in the "Condition Rating" section of this report. The condition ratings deviate from the Guide's condition assessment numerical rating system. The reason for this deviation is the Guide's assessment criteria fails to account for significant health or structural issues creating high percentages for tree with either significant structural defects or health problems that could ultimately lead to failure or irreversible decline.

Location rating is an average of three factors; site, contribution, and placement. Site is determined by the relative property value where the trees are planted. The residential site would be classified as "very high" value with a 90 percent rating compared to similar sites in the area (ISA, 2000).

Contribution and placement is determined by the function and aesthetics the trees provide for the site and their location on the property. The percent of contribution and placement can range from 10 to 100 percent depending on the trees influence to the value of the property. These percentages ranged from 0 to 90 percent in my assessment.

A total of 26 trees were appraised for a rounded depreciated value of $53,920.00 using the Trunk Formula Method (Appendix B).

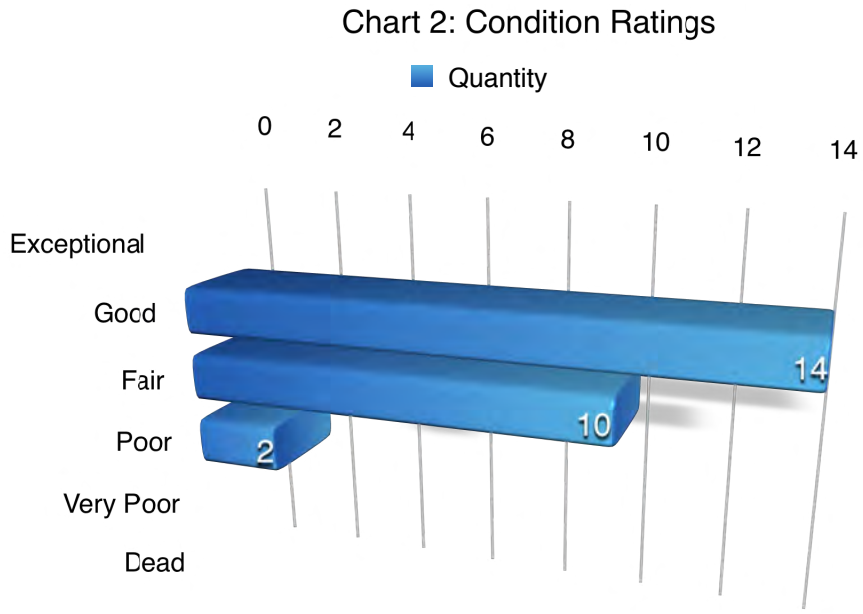
Discussion

Condition Rating

A tree's condition is a determination of its overall health, structure, and form. The assessment considered both the health and structure for a combined condition rating.

- 100% - Exceptional = Good health and structure with significant size, location or quality.
- 61-80% - Good = Normal vigor, well-developed structure, function and aesthetics not compromised with good longevity for the site.
- 41-60 % - Fair = Reduced vigor, damage, dieback, or pest problems, at least one significant structural problem or multiple moderate defects requiring treatment. Major asymmetry or deviation from the species normal habit, function and aesthetics compromised.
- 21-40% - Poor = Unhealthy and declining appearance with poor vigor, abnormal foliar color, size or density with potential irreversible decline. One serious structural defect or multiple significant defects that cannot be corrected and failure may occur at any time. Significant asymmetry and compromised aesthetics and intended use.
- 6-20% - Very Poor = Poor vigor and dying with little foliage in irreversible decline. Severe defects with the likelihood of failure being probable or imminent. Aesthetically poor with little or no function in the landscape.
- 0-5% - Dead/Unstable = Dead or imminently ready to fail.

Fourteen trees are in good condition, ten fair, and two in poor shape (Chart 2).

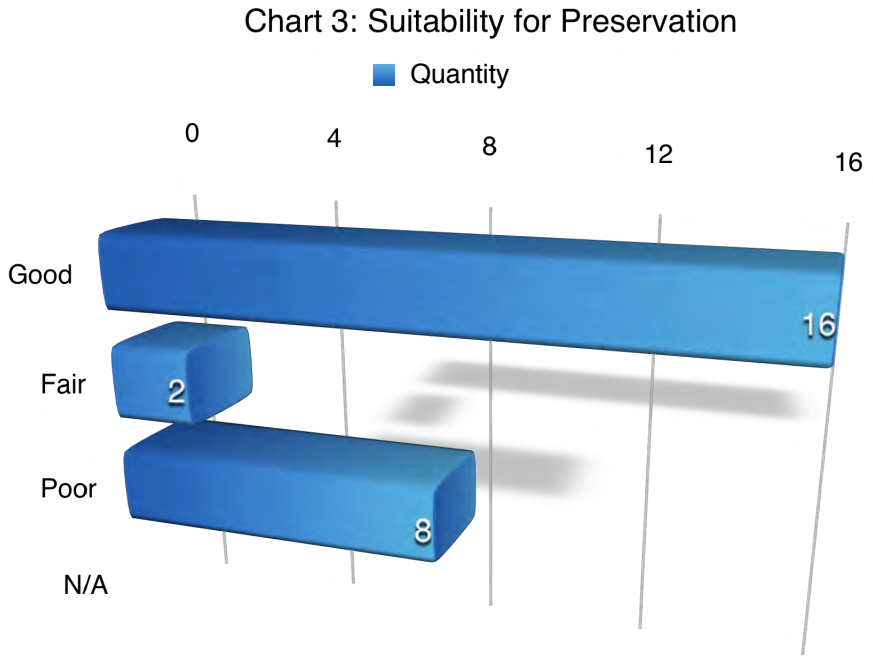


Suitability for Preservation

A tree's suitability for conservation is determined based on its health, structure, age, species and disturbance tolerances, proximity to cutting and filling, proximity to construction or demolition, and potential longevity using a scale of good, fair, or poor (Fite, K, and Smiley, E. T., 2016). Trees with good suitability have good vigor, structural stability, and potential longevity after construction.

- Good = Trees with good health, structural stability and longevity.
- Fair = Trees with fair health and/or structural defects that may be mitigated through treatment. These trees require more intense management and monitoring, and may have shorter life spans than those in the good category.
- Poor = Trees in poor health with significant structural defects that cannot be mitigated and will continue to decline regardless of treatment. The species or individual may possess characteristics that are incompatible or undesirable in landscape settings or unsuited for the intended use of the site.

Eight trees are poorly suited for retention which are primarily fruit trees (Chart 3). Two trees have fair suitability. The remaining sixteen have good suitability for retention. Most of the trees with good suitability are naturally occurring oaks on the site.

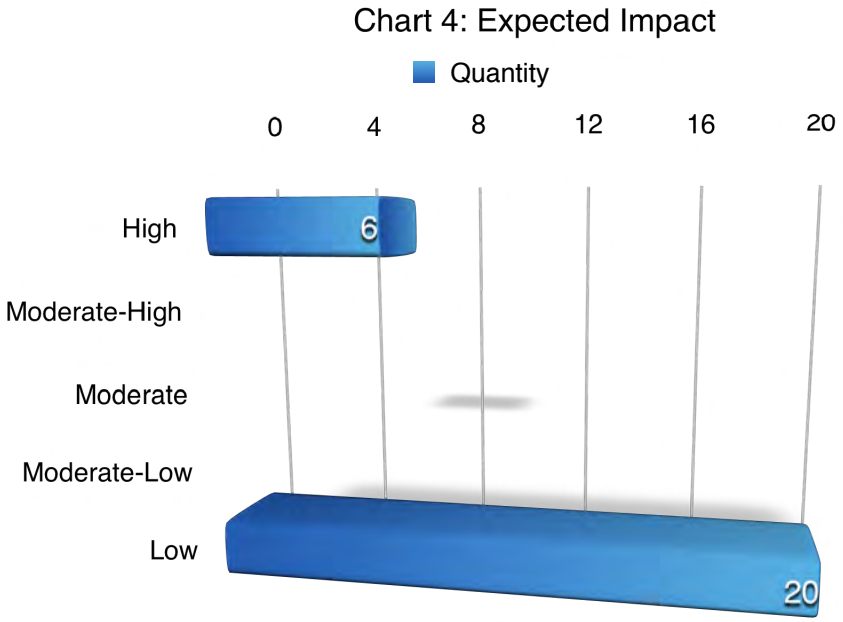


Expected Impact Level

Impact level defines how a tree may be affected by construction activity and proximity to the tree, and is described as low, moderate, or high. The following scale defines the impact rating:

- Low = The construction activity will have little influence on the tree.
- Moderate = The construction may cause future health or structural problems, and steps must be taken to protect the tree to reduce future problems.
- High = Tree structure and health will be compromised and removal is recommended, or other actions must be taken for the tree to remain. The tree is located in the building envelope.

There are six trees within the footprint of the proposed driveway and two in or near the proposed building sites (Chart 4). From what was provided there will be at least six trees lost due to the driveway configuration (Appendix A).



Mitigation for Removals

The table below indicates the recommended replacement values (Table 3). Alternatively it may be possible to create an approved landscape plan or provide an in-lieu payment.

Table 3: Town of Los Gatos Tree Canopy - Replacement Standard

Canopy Size of Removed Tree (1)	Replacement Requirement (2)(4)	Single Family Residential Replacement Option (3)(4)
10 feet or less	Two 24 inch box trees	Two 15 gallon trees
More than 10 feet to 25 feet	Three 24 inch box trees	Three 15 gallon trees
More than 25 feet to 40 feet	Four 24 inch box trees or two 36 inch box trees	Four 15 gallon trees
More than 40 feet to 55 feet	Six 24 inch box trees; or three 36 inch box trees	Not available
Greater than 55 feet	Ten 24 inch box trees; or five 36 inch box trees	Not available

[1]To measure an asymmetrical canopy of a tree, the widest measurement shall be used to determine canopy size.

[2]Often, it is not possible to replace a single large, older tree with an equivalent tree(s). In this case, the tree may be replaced with a combination of both the Tree Canopy Replacement Standard and in-lieu payment in an amount set forth by Town Council resolution paid to the Town Tree Replacement Fund.

[3]Single Family Residential Replacement Option is available for developed single family residential lots under 10,000 square feet that are not subject to the Town's Hillside Development Standards and Guidelines. All 15-gallon trees must be planted on-site. Any in-lieu fees for single family residential shall be based on 24" box tree rates as adopted by Town Council.

[4]Replacement Trees shall be approved by the Town Arborist and shall be of a species suited to the available planting location, proximity to structures, overhead clearances, soil type, compatibility with surrounding canopy and other relevant factors. Replacement with native species shall be strongly encouraged. Replacement requirements in the Hillsides shall comply with the Hillside Development Standards and Guidelines Appendix A and Section 29.10.0987 Special Provisions—Hillsides.

Tree Protection

Tree protection focuses on avoiding damage to the roots, trunk, or scaffold branches (Appendix D). The most current accepted method for determining the TPZ is to use a formula based on species tolerance, tree age/vigor, and trunk diameter (Matheny, N. and Clark, J. 1998) (Fite, K, and Smiley, E. T., 2016). Preventing mechanical damage to the trunk from equipment or hand tools can be accomplished by wrapping the main stem with straw wattle or using vertical timbers.

Both the ISA *Best Management Practices: Root Management*, 2017 and ISA *Best Management Practices: Managing trees during construction, second edition*, 2016 indicate linear cuts should be beyond six times the trunk diameter distance when affected on only one side.

Tree protection for this project would consist of a Type I scheme around all the trees to be retained with a maximum encroachment radius of six times the trunk diameter distance or at the drip line distance. If any tree is to be impacted on multiple sides the tree protection radius would need to be expanded to twelve times the trunk diameter radius in feet.

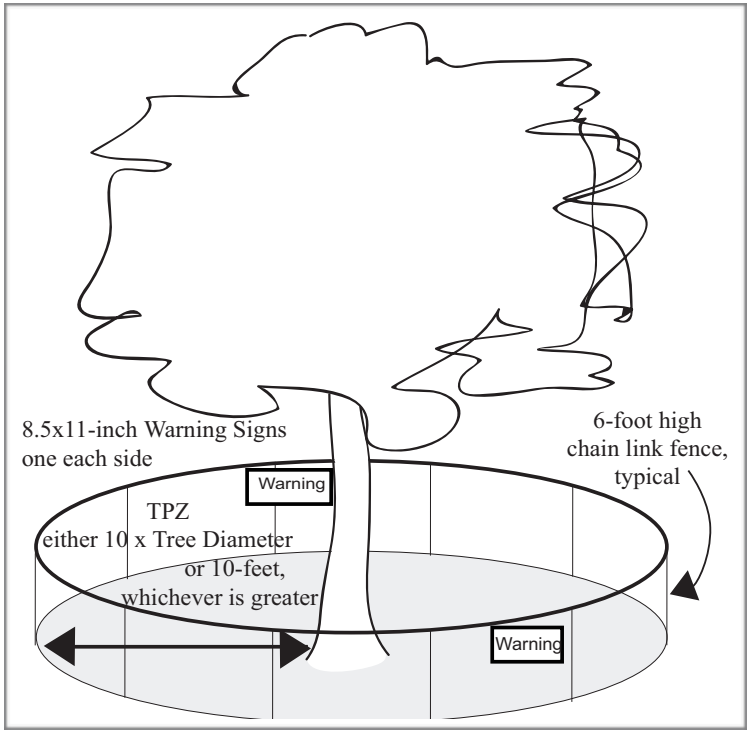


Figure 1: Type I Tree protection with fence placed at a radius of ten times the trunk diameter. Image City of Palo Alto 2006.

Conclusion

The inventory contains 26 trees comprised of 6 different species. Two coast live oaks are considered Large Protected and seven fruit trees are Exempt. Fourteen trees are in good condition, ten fair, and two in poor shape. Eight trees are poorly suited for retention which are primarily fruit trees. Two trees have fair suitability and the remaining sixteen (mostly oaks) have good suitability for retention. There are six trees within the footprint of the proposed driveway and two in or near the proposed building sites. From what was provided there will be at least six trees lost due to the driveway configuration. Tree protection for this project would consist of a Type I scheme around all the trees to be retained with a maximum encroachment radius of six times the trunk diameter distance or at the drip line. A total of 26 trees were appraised for a rounded depreciated value of $53,920.00 using the Trunk Formula Method.

Recommendations

1. Update the survey to show the current existing conditions and the locations of the trees and their trunks including those along the drainage.

2. Place tree numbers and tree protection fence locations and guidelines on the plans including the grading, drainage, and utility plans. Create a separate plan sheet that includes all protection measures labeled "T-1 Tree Protection Plan."

3. Place tree protection fence along the service road near the drainage outside the tree dip lines, around #132, and adjacent to #122, #124, #125, #128and #133.

4. Provide a landscape plan that accounts for the loss in tree canopy to include in tabular form the required replacements in accordance with the Town's Tree Canopy Replacement Standard.

5. All tree maintenance and care shall be performed by a qualified arborist with a C-61/D-49 California Contractors License. Tree maintenance and care shall be specified in writing according to American National Standard for Tree Care Operations: *Tree, Shrub and Other Woody Plant Management: Standard Practices* parts 1 through 10 and adhere to ANSI Z133.1 safety standards and local regulations. All maintenance is to be performed according to ISA Best Management Practices.

6. Refer to Appendix D for general tree protection guidelines including recommendations for arborist assistance while working under trees, trenching, or excavation within a trees drip line or designated TPZ/CRZ.

7. Provide a copy of this report to all contractors and project managers, including the architect, civil engineer, and landscape designer or architect. It is the responsibility of the owner to ensure all parties are familiar with this document.

8. Arrange a pre-construction meeting with the project arborist or landscape architect to verify tree protection is in place, with the correct materials, and at the proper distances.

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Glossary of Terms

Basic Tree Cost: The cost of replacement for a perfect specimen of a particular species and cross sectional area prior to location and condition depreciation.

Cost Approach: An indication of value by adding the land value to the depreciated value of improvements.

Defect: An imperfection, weakness, or lack of something necessary. In trees defects are injuries, growth patterns, decay, or other conditions that reduce the tree's structural strength.

Diameter at breast height (DBH): Measures at 1.4 meters (4.5 feet) above ground in the United States, Australia (arboriculture), New Zealand, and when using the Guide for Plant Appraisal, 9th edition; at 1.3 meters (4.3 feet) above ground in Australia (forestry), Canada, the European Union, and in UK forestry; and at 1.5 meters (5 feet) above ground in UK arboriculture.

Drip Line: Imaginary line defined by the branch spread or a single plant or group of plants. The outer extent of the tree crown.

Form: describes a plant's habit, shape or silhouette defined by its genetics, environment, or management.

Health: Assessment is based on the overall appearance of the tree, its leaf and twig growth, and the presence and severity of insects or disease.

Mechanical damage: Physical damage caused by outside forces such as cutting, chopping or any mechanized device that may strike the tree trunk, roots or branches.

Scaffold branches: Permanent or structural branches that for the scaffold architecture or structure of a tree.

Straw wattle: also known as straw worms, bio-logs, straw noodles, or straw tubes are man made cylinders of compressed, weed free straw (wheat or rice), 8 to 12 inches in diameter and 20 to 25 feet long. They are encased in jute, nylon, or other photo degradable materials,
and have an average weight of 35 pounds.

Structural evaluation: focused on the crown, trunk, trunk flare, above ground roots and the site conditions contributing to conditions and/or defects that may contribute to failure.

Tree Protection Zone (TPZ): Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, especially during construction or development.

Tree Risk Assessment: Process of evaluating what unexpected things could happen, how likely it is, and what the likely outcomes are. In tree management, the systematic process to determine the level of risk posed by a tree, tree part, or group of trees.

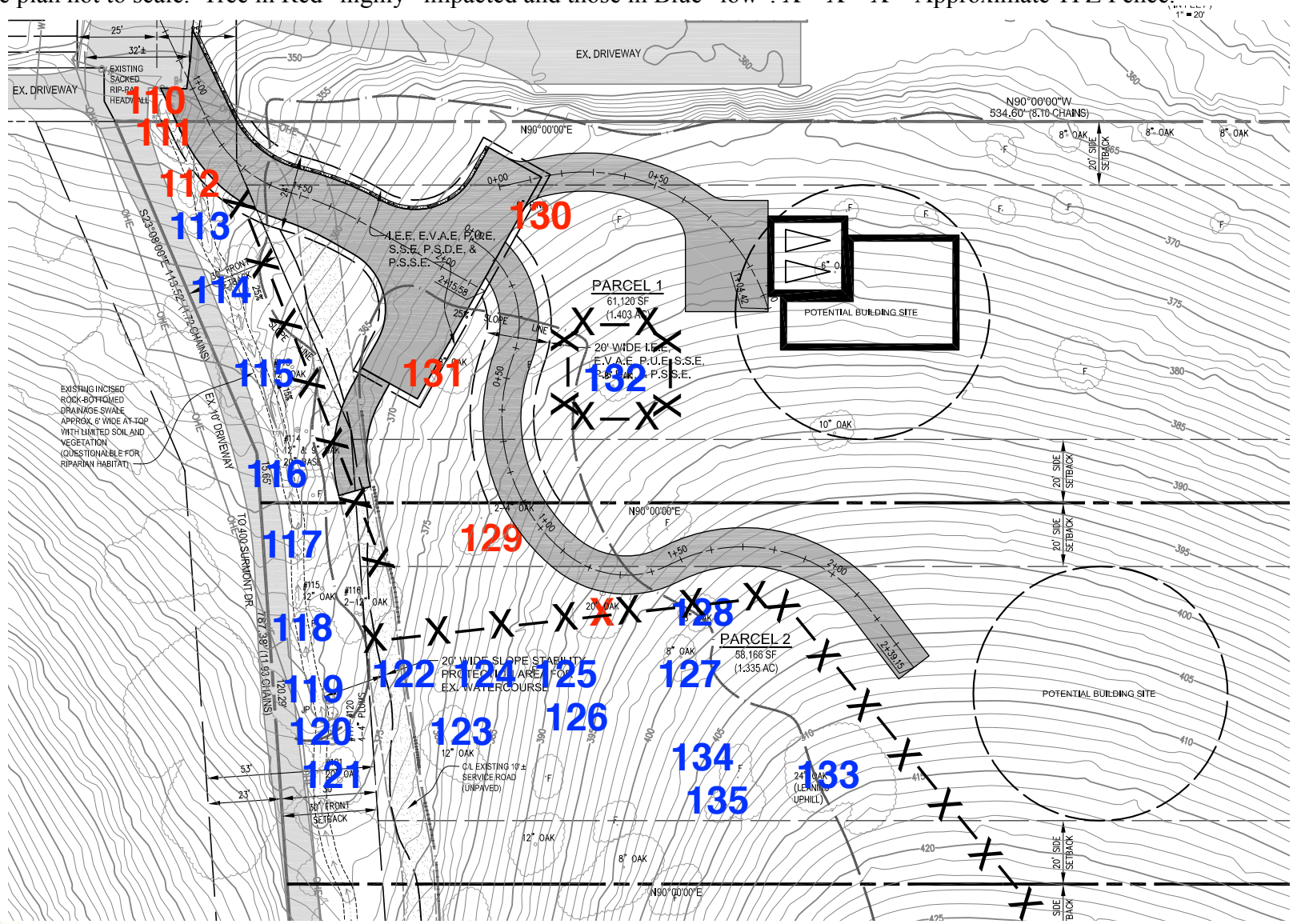
Trunk: Stem of a tree.

Trunk Formula Method: Method to appraise the monetary value of trees considered too large to be replaced with nursery or field grown stock. Based on developing a representative unit cost for replacement with the same or comparable species of the same size and in the same place, subject to depreciation for various factors. Contrast with replacement cost method.

Volunteer: A tree, not planted by human hands, that begins to grow on residential or commercial property. Unlike trees that are brought in and installed on property, volunteer trees usually spring up on their own from seeds placed onto the ground by natural causes or accidental transport by people. Normally, volunteer trees are considered weeds and removed, but many desirable and attractive specimens have gone on to become permanent residents on many public and private grounds.

Appendix A: Site Plan

Site plan not to scale. Tree in Red "highly" impacted and those in Blue "low". X—X—X = Approximate TPZ Fence.



Appendix B: Tree Inventory and Assessment Tables

Table 2: Tree Inventory and Assessment Summary

Tree Species	#	Trunk Diameter (in.)	~ Canopy Diameter (ft.)	Health	Structure	Form	Condition	Suitability	Expected Impact	Rounded Value	Large Protected /Exempt
apricot (*Prunus armeniaca*)	110	8	15	Fair	Poor	Fair	Poor	Poor	High	$470.00	Exempt
coast live oak (*Quercus agrifolia*)	111	6, 5	15	Good	Fair	Fair	Fair	Fair	High	$750.00	
apricot (*Prunus armeniaca*)	112	7, 7	15	Fair	Poor	Fair	Poor	Poor	High	$710.00	Exempt
holly oak (*Quercus ilex*)	113	13	30	Good	Fair	Fair	Fair	Fair	Low	$2,340.00	
coast live oak (*Quercus agrifolia*)	114	14, 9	30	Good	Fair	Good	Fair	Good	Low	2700	
coast live oak (*Quercus agrifolia*)	115	14	35	Good	Good	Good	Good	Good	Low	$1,380.00	
coast live oak (*Quercus agrifolia*)	116	13, 15	35	Good	Fair	Good	Fair	Good	Low	$2,090.00	Large Protected
wild plum (*Prunus sp.*)	117	8	25	Good	Fair	Good	Good	Poor	Low	$620.00	Exempt
wild plum (*Prunus sp.*)	118	8	25	Good	Fair	Good	Good	Poor	Low	$620.00	Exempt
wild plum (*Prunus sp.*)	119	6	25	Good	Fair	Good	Good	Poor	Low	390	Exempt
wild plum (*Prunus sp.*)	120	8, 4, 3	25	Good	Fair	Good	Good	Poor	Low	$770.00	Exempt

Tree Species	#	Trunk Diameter (in.)	~ Canopy Diameter (ft.)	Health	Structure	Form	Condition	Suitability	Expected Impact	Rounded Value	Large Protected /Exempt
coast live oak (*Quercus agrifolia*)	121	18.5	35	Good	Good	Good	Good	Good	Low	$5,400.00	
apricot (*Prunus armeniaca*)	122	8, 8	15	Fair	Poor	Good	Fair	Poor	Low	$1,700.00	Exempt
coast live oak (*Quercus agrifolia*)	123	10, 9	35	Good	Fair	Good	Fair	Good	Low	$1,820.00	
holly oak (*Quercus ilex*)	124	8, 6	25	Good	Fair	Good	Fair	Good	Low	$1,420.00	
holly oak (*Quercus ilex*)	125	5	20	Good	Good	Good	Good	Good	Low	$620.00	
holly oak (*Quercus ilex*)	126	6, 4, 4	20	Good	Poor	Good	Fair	Good	Low	$940.00	
coast live oak (*Quercus agrifolia*)	127	14	30	Good	Good	Good	Good	Good	Low	3140	
coast live oak (*Quercus agrifolia*)	128	11	30	Good	Good	Good	Good	Good	Low	1990	
coast live oak (*Quercus agrifolia*)	129	11, 9	25	Good	Fair	Good	Good	Good	High	$3,140.00	
stone pine (*Pinus pinea*)	130	9	15	Good	Good	Good	Good	Poor	High	$880.00	
toyon (*Heteromeles arbutifolia*)	131	7, 7, 7	25	Good	Fair	Fair	Fair	Good	High	$2,150.00	
coast live oak (*Quercus agrifolia*)	132	8, 5, 5	30	Good	Fair	Good	Fair	Good	Low	1120	

Tree Species	#	Trunk Diameter (in.)	~ Canopy Diameter (ft.)	Health	Structure	Form	Condition	Suitability	Expected Impact	Rounded Value	Large Protected /Exempt
coast live oak (*Quercus agrifolia*)	133	27	55	Good	Fair	Good	Good	Good	Low	11300	Large Protected
coast live oak (*Quercus agrifolia*)	134	9, 9	25	Good	Fair	Good	Good	Good	Low	2730	
coast live oak (*Quercus agrifolia*)	135	13	25	Good	Good	Good	Good	Good	Low	2730	

Appendix C: Photographs

C1: Trees near hammerhead

Appendix D: Tree Protection Guidelines

Section 29.10.1005. - Protection of Trees During Construction

Tree Protection Zones and Fence Specifications

1. **Size and materials:** Six (6) foot high chain link fencing, mounted on two-inch diameter galvanized iron posts, shall be driven into the ground to a depth of at least two (2) feet at no more than ten-foot spacing. For paving area that will not be demolished and when stipulated in a tree preservation plan, posts may be supported by a concrete base.
2. **Area type to be fenced:** Type I: Enclosure with chain link fencing of either the entire dripline area or at the tree protection zone (TPZ), when specified by a certified or consulting arborist. Type II: Enclosure for street trees located in a planter strip: chain link fence around the entire planter strip to the outer branches. Type III: Protection for a tree located in a small planter cutout only (such as downtown): orange plastic fencing shall be wrapped around the trunk from the ground to the first branch with two-inch wooden boards bound securely on the outside. Caution shall be used to avoid damaging any bark or branches.
3. **Duration of Type I, II, III fencing:** Fencing shall be erected before demolition, grading or construction permits are issued and remain in place until the work is completed. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.
4. **Warning Sign:** Each tree fence shall have prominently displayed an eight and one-half-inch by eleven-inch sign stating: "Warning —Tree Protection Zone—This fence shall not be removed and is subject to penalty according to Town Code 29.10.1025." Text on the signs should be in both English and Spanish (Appendix E).

All persons, shall comply with the following precautions

1. Prior to the commencement of construction, install the fence at the dripline, or tree protection zone (TPZ) when specified in an approved arborist report, around any tree and/or vegetation to be retained which could be affected by the construction and prohibit any storage of construction materials or other materials, equipment cleaning, or parking of vehicles within the TPZ. The dripline shall not be altered in any way so as to increase the encroachment of the construction.
2. Prohibit all construction activities within the TPZ, including but not limited to: excavation, grading, drainage and leveling within the dripline of the tree unless approved by the Director.
3. Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the dripline of or in drainage channels, swales or areas that may lead to the dripline of a protected tree.
4. Prohibit the attachment of wires, signs or ropes to any protected tree.
5. Design utility services and irrigation lines to be located outside of the dripline when feasible.
6. Retain the services of a certified or consulting arborist who shall serve as the project arborist for periodic monitoring of the project site and the health of those trees to be preserved. The project arborist shall be present whenever activities occur which may pose a potential threat to the health of the trees to be preserved and shall document all site visits.
7. The Director and project arborist shall be notified of any damage that occurs to a protected tree during construction so that proper treatment may be administered.

Monitoring

Any trenching, construction or demolition that is expected to damage or encounter tree roots should be monitored by the project arborist or a qualified ISA Certified Arborist and should be documented.

The site should be evaluated by the project arborist or a qualified ISA Certified Arborist after construction is complete, and any necessary remedial work that needs to be performed should be noted.

Root Pruning

Roots greater than two inches in diameter shall not be cut. When roots over two inches in diameter are encountered and are authorized to be cut or removed, they should be pruned by hand with loppers, handsaw, reciprocating saw, or chain saw rather than left crushed or torn. Roots should be cut beyond sinker roots or outside root branch junctions and be supervised by the project arborist. When completed, exposed roots should be kept moist with burlap or backfilled within one hour.

Boring or Tunneling

Boring machines should be set up outside the drip line or established Tree Protection Zone. Boring may also be performed by digging a trench on both sides of the tree until roots one inch in diameter are encountered and then hand dug or excavated with an Air Spade® or similar air or water excavation tool. Bore holes should be adjacent to the trunk and never go directly under the main stem to avoid oblique (heart) roots. Bore holes should be a minimum of three feet deep.

Tree Pruning and Removal Operations

All tree pruning or removals should be performed by a qualified arborist with a C-61/D-49 California Contractors License. Treatment, including pruning, shall be specified in writing according to the most recent ANSI A-300A Standards and Limitations and performed according to ISA Best Management Practices while adhering to ANSI Z133.1 safety standards. Trees that need to be removed or pruned should be identified in the pre-construction walk through.

Appendix E: Tree Protection Signs
E1: English

Warning
Tree Protection Zone

This Fence Shall Not Be Removed
And Is Subject To Penalty According To
Town Code 29.10.1025

E2: Spanish

Cuidado
Zona De Arbol Pretejido

Esta valla no podrán ser sacados
Y está sujeta a sanción en función de
Código Ciudad del 29.101025

Qualifications, Assumptions, and Limiting Conditions

Any legal description provided to the consultant is assumed to be correct. Any titles or ownership of properties are assumed to be good and marketable. All property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

All property is presumed to be in conformance with applicable codes, ordinances, statutes, or other regulations.

Care has been taken to obtain information from reliable sources. However, the consultant cannot be responsible for the accuracy of information provided by others.

The consultant shall not be required to give testimony or attend meetings, hearings, conferences, mediations, arbitration, or trials by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

This report and any appraisal value expressed herein represent the opinion of the consultant, and the consultant's fee is not contingent upon the reporting of a specified appraisal value, a stipulated result, or the occurrence of a subsequent event.

Sketches, drawings, and photographs in this report are intended for use as visual aids, are not necessarily to scale, and should not be construed as engineering or architectural reports or surveys. The reproduction of information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is only for coordination and ease of reference. Inclusion of said information with any drawings or other documents does not constitute a representation as to the sufficiency or accuracy of said information.

Unless otherwise expressed: a) this report covers only examined items and their condition at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that structural problems or deficiencies of plants or property may not arise in the future.

Certification of Performance

I Richard Gessner, Certify:

That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and/or appraisal is stated in the attached report and Terms of Assignment;

That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That the analysis, opinions and conclusions stated herein are my own;

That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;

That no one provided significant professional assistance to the consultant, except as indicated within the report.

That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any other subsequent events;

I further certify that I am a Registered Consulting Arborist® with the American Society of Consulting Arborists, and that I acknowledge, accept and adhere to the ASCA Standards of Professional Practice. I am an International Society of Arboriculture Board Certified Master Arborist®. I have been involved with the practice of Arboriculture and the care and study of trees since 1998.

Richard J. Gessner

ASCA Registered Consulting Arborist® #496
ISA Board Certified Master Arborist® WE-4341B
ISA Tree Risk Assessor Qualified

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Attachment C: Geotechnical Investigation

REPORT

GEOTECHNICAL INVESTIGATION

PROPOSED ANDERSON RESIDENCES

400 Surmont Drive
Los Gatos, California

for
Sandra Anderson
c/o Robert O. Hughes
The Building Works
2730 Union Street, Suite B
San Jose, CA 95124

Project No. 184950
July 2018

MILSTONE GEOTECHNICAL

17020 Melody Lane
Los Gatos, California 95033
www.milstonegeo.com

Tel 408.353.5528
Fax 802.448.1025
bsm@milstonegeo.com

June 12, 2019
Project No. 195040

Sandra Anderson
c/o Robert O. Hughes
The Building Works
2730 Union Street, Suite B
San Jose, CA 95124

SUBJECT: Geotechnical Investigation
RE: Proposed Anderson Residences
400 Surmont Drive
Los Gatos, California

Dear Ms. Anderson:

Milstone Geotechnical has completed a geotechnical investigation for the above referenced site, in accordance with your authorization. The accompanying report presents the results of the investigation with conclusions and recommendations for the geotechnical aspects of the proposed development.

Based on the work performed for this investigation, we are pleased to report that, from a geotechnical perspective, the site is suitable for the proposed development if properly designed and constructed. It has been a pleasure providing professional services to you on this project and I look forward to continued service. If you have any questions regarding the contents of this report, or require additional assistance, please phone.

Sincerely,
MILSTONE GEOTECHNICAL

Barry S. Milstone, G.E. 2111
Principal Geotechnical Engineer

1 7 0 2 0 Melody Lane
Los Gatos, California 95033
www.milstonegeo.com
Tel 408.353.5528
Fax 802.448.1025
bsm@milstonegeo.com

GEOTECHNICAL INVESTIGATION
PROPOSED ANDERSON RESIDENCES
400 Surmont Drive
Los Gatos, California

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Figure 4. Static Stability Analysis – 10 Critical Surfaces ..... follows page 8
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APPENDIX A - FIELD INVESTIGATION

Small-Diameter Borehole Investigation Description
Soil Classification Chart
Logs of Exploratory Boreholes MG1 through MG4

APPENDIX B - LABORATORY INVESTIGATION

Summary of Laboratory Test Results
Unconfined Compression
Atterberg Limits
Constant Volume Swell

GEOTECHNICAL INVESTIGATION
PROPOSED ANDERSON RESIDENCES
400 Surmont Drive
Los Gatos, California

INTRODUCTION

This report presents the findings, conclusions, and recommendations of a geotechnical investigation related to the construction of two new single-family residences in Los Gatos, California (Figure 1). This investigation was conducted in accordance with our proposal dated March 8, 2019.

Project Description

Based on communications with, Robert Hughes, project manager, is our understanding that the project will involve the construction of two new, single-level, single-family residences without basements on adjacent, currently undeveloped, parcels. It is anticipated that site development will include grading to establish building pads, access driveways and parking areas, and landscape and hardscape improvements including possible swimming pools and pool houses. It is our understanding that the properties will be serviced by the municipal sanitary sewer system.

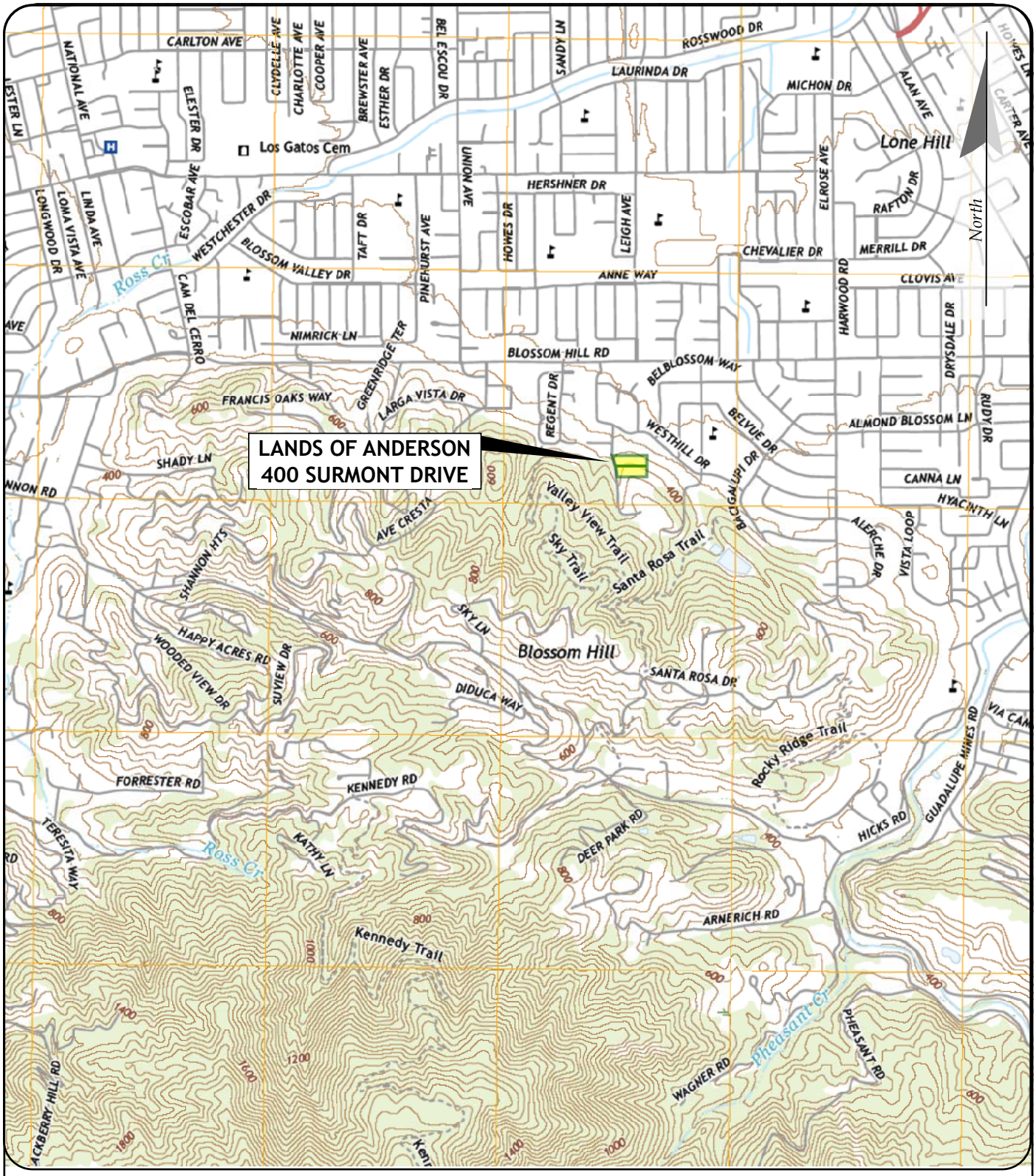
Purpose and Scope of Investigation

The investigation was predicated on the data and conclusions presented in a Engineering Geologic Investigation[1] performed by Steven Connelly, CEG, with whom we collaborated during the undertaking of our investigation. The purposes of the investigation were to characterize the geotechnical conditions of the proposed development areas and provide specific recommendations for the geotechnical aspects of the proposed improvements.

The scope of services undertaken for this investigation included the following tasks:

- Compilation and review of available published and unpublished engineering and geologic documents relevant to site development;
- Visual site reconnaissance to note pertinent geotechnical site conditions, identify potential borehole locations, and mark the site for utility notification of intended drilling;
- Consultation with the project geologist and examination of four (4) of the exploratory test pits;
- Drilling, logging, in-situ testing, and sampling of four (4) small-diameter exploratory boreholes;

[1] Connelly, Steven F., CEG, 5/18/19, Engineering Geologic Investigation, Proposed Residences, APN 527-20-003, 400 Surmont Drive, Los Gatos, California.



Base map derived from USGS, 2018, Los Gatos 7.5' Quadrangle

MILSTONE GEOTECHNICAL

SITE LOCATION MAP

PROPOSED ANDERSON RESIDENCES
400 Surmont Drive
Los Gatos, California

FIGURE NO. **1**

Date	Scale	Drawn by	Project No.
June 2019	1 inch = 2,000 feet	BSM	195040

- Laboratory testing of representative subsurface materials to verify field classifications and determine index properties and pertinent engineering characteristics
- Analysis of the resulting data and development of geotechnical design criteria;
- Preparation of this report and the accompanying illustrations describing the findings, conclusions, and recommendations.

SITE GEOLOGY

Site geology, including geologic and seismic settings, faulting, and landsliding, have recently been investigated and reported by Steven Connelly[1], project geologist. The investigation included review of previous nearby geologic studies and pertinent geologic documents, analysis of aerial photographs, visual reconnaissance, logging of six (6) exploratory test pits, and review of data derived during the current investigation. The reader is referred to the referenced report for complete description of the investigation and discussion of their findings.

Geologic Setting

Based on published map review, air photo analysis, geologic reconnaissance, and logging of exploratory test pits, Connelly reports that a potentially active fault crosses the southwest corner or the property. Consequently, he identifies a recommended building setback. The proposed building sites are located outside of the recommended setback. Furthermore, Connelly indicates that Evidence of landsliding or other geologic hazards that would restrict the proposed development were not encountered on the property.

Based on the results of his investigation, Connelly opines that “the weathered bedrock underlying the property should provide good support for the proposed residences”, and that “the potential hazard from fault rupture, landsliding, liquefaction, ground subsidence, lateral spreading, tsunamis, seiches, or flooding to the proposed residences, is very low to minimal, provided construction does not occur within the recommended building setback zone.”

Seismicity

Connelly indicates that moderate to strong ground shaking is likely to occur at the site due to movement on one of the range front faults such as the Blossom Hill fault. Additionally, he indicates the possibility of secondary fissures or ground cracks that could damage the property.

Based on the most recent earthquake forecasts published by the Working Group on California Earthquake Probabilities[2], there is estimated to be a 72 percent chance of at least one magnitude 6.7 or greater earthquake occurring in the Bay Area region between 2014 and 2044. The property is expected to experience violent ground shaking during large earthquakes on the nearby segment of the San Andreas fault, similar to the level experienced in the 1906 earthquake.

The National Earthquake Hazard Reduction Program, the USGS[3] has classified the subject area to be within a Site Class C shaking hazard zone. This is generally consistent with a shear wave velocity of 471 meters per second (m/s) reported by Hartzell and others for similar deposits approximately 6,000 feet to the east.

Anticipated Ground Surface Acceleration

The property is expected to experience violent ground shaking during large earthquakes on the nearby segment of the San Andreas fault, similar to the level experienced in the 1906 earthquake. The peak ground acceleration, with a 10% probability of being exceeded in 50 years, is estimated to be 0.52g using the probabilistic parameters provided by the California OSHPD[4].

As a minimum, the proposed structure should be designed in accordance with the current California Building Code (CBC) standards for static and seismic design. More specific seismic design criteria are presented in the Geotechnical Design Criteria section. It should be noted that there is a paucity of data available for near field sites, such as the subject site, and that it is possible that actual ground surface accelerations will exceed the current estimates.

---

2 Field, E.H., Biasi, G.P., Bird, P., Dawson, T.E., Felzer, K.R., Jackson, D.D., Johnson, K.M., Jordan, T.H., Madden, C., Michael, A.J., Milner, K.R., Page, M.T., Parsons, T., Powers, P.M., Shaw, B.E., Thatcher, W.R., Weldon, R.J., II, and Zeng, Y., 2013, Uniform California earthquake rupture forecast, version 3 (UCERF3)—The time-independent model: U.S. Geological Survey Open-File Report 2013–1165, 97 p., California Geological Survey Special Report 228, and Southern California Earthquake Center Publication 1792, http://pubs.usgs.gov/of/2013/1165/.

3 United States Geological Survey, undated, Soil type and shaking hazard in the San Francisco Bay Area, https://earthquake.usgs.gov/hazards/urban/sfbay/soiltype/.

4 California Office of Statewide Health Planning and Development, 2008, Seismic Design Maps, https://seismicmaps.org.

SITE CONDITIONS

The subject property is situated on a northeast-facing hillside located in the foothills near the base of the northeast flank of the Santa Cruz Mountains, approximately two (2) miles east of the Los Gatos town center (Figure 1).

Site Setting

The adjacent, approximately 1.3-acre, east-west oriented, generally elongated rectangular shaped lots constitute the northernmost parcels of a three (3) lot subdivision. The properties are accessed by a private south-trending extension of Surmont Drive approximately 1,200 feet south of Blossom Hill Road.

Surface Topography

Site topography (Figure 2) is defined by gentle, north plunging spur ridge that descends from an elevation of 423 feet near the center of the southern property line to 355 at the northwest corner and 345 at the northeast corner. Within the proposed development areas, the ground surfaces slope at inclinations of about 20 percent.

Surface Drainage

The development area drains by uncontrolled sheet flow to the northwest and northeast from the central portions of the lots.

Existing Development

The site of the proposed improvements is current undeveloped. Historic aerial photographs indicate that the properties previously functioned as orchards.

Vegetation

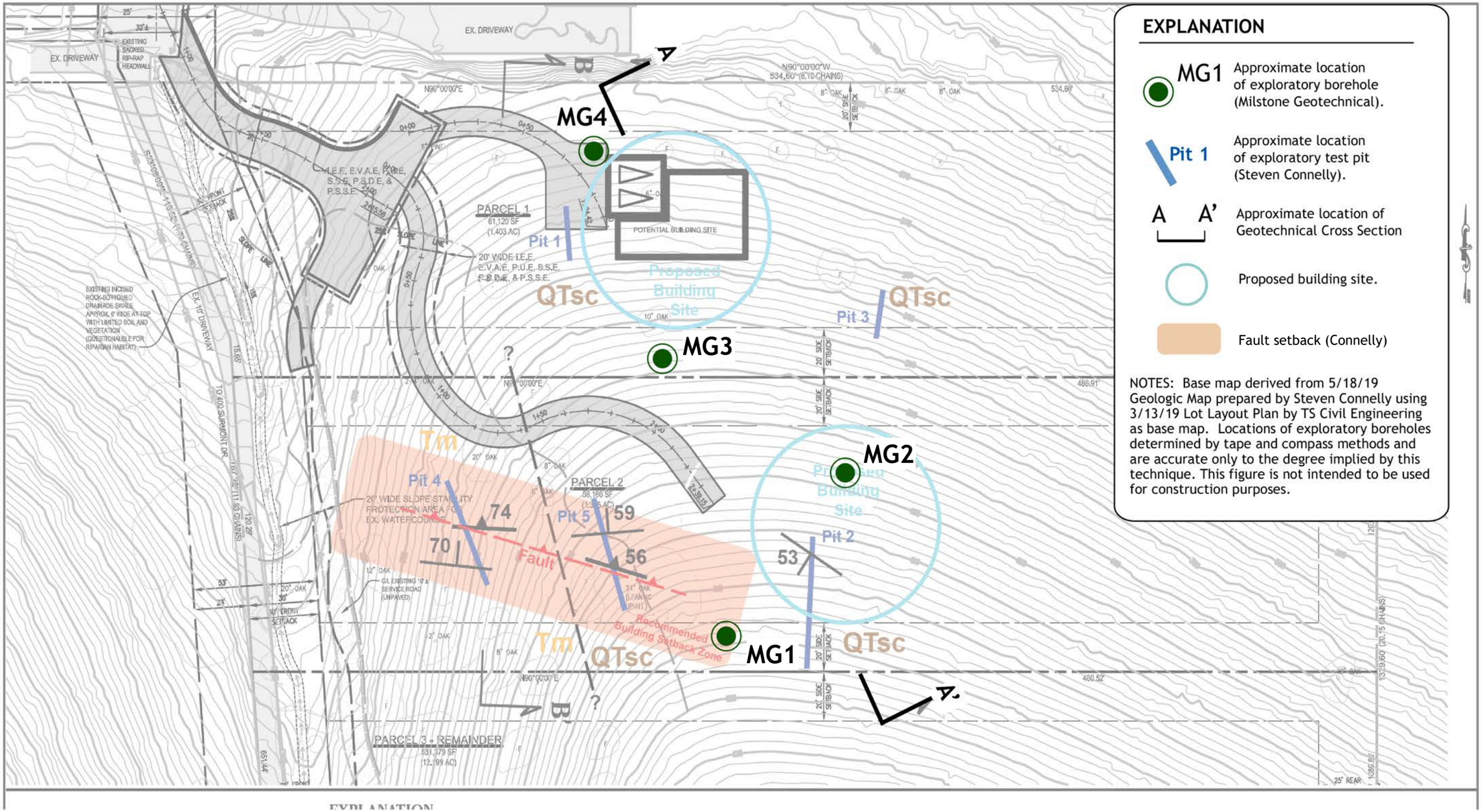
The development areas are covered with local grasses and weeds.

SUBSURFACE CONDITIONS

Milstone Geotechnical investigated the subsurface conditions of the site by examining Connelly[1] test pits 1 through 4 and by drilling, logging, in-situ testing, and sampling of four (4) small-diameter exploratory boreholes to depths of 15.5 and 20.0 feet using a track-mounted drill rig. The purpose of the subsurface investigation was to supplement data presented by Connelly[1], characterize the geotechnical subsurface conditions of the site, and obtain representative undisturbed samples for testing. The field investigation is discussed in more detail in Appendix A. Representative soil samples were transported to the laboratory to verify field descriptions and perform index testing. Laboratory test results are summarized following the material descriptions.

Subsurface Investigation

Subsurface exploration locations are depicted on Figure 2. Graphical logs of the small-diameter boreholes are presented in Appendix A of this report. Our interpretations of the available subsurface information at the proposed



MILSTONE GEOTECHNICAL

SITE PLAN AND EXPLORATION MAP			FIGURE NO.
PROPOSED ANDERSON RESIDENCES 400 Surmont Drive Los Gatos, California			2
Date: June 2019	Scale: 1 inch = 40 feet	Drawn by: BSM	Project No. 195040

building site is depicted on the Idealized Subsurface Cross Section A-A' (Figure 3).

Subsurface Materials

Beneath a blanket of surficial and colluvial clay soils, the exploratory boreholes encountered interbedded weathered Santa Clara formation materials These findings are similar to the subsurface conditions exposed by Connelly[1] and are characteristic of the locally mapped Quaternary age Santa Clara Formation materials described by McLaughlin and others[5]. The subsurface materials are described in more detail below in order of increasing age. More detailed descriptions of the encountered subsurface materials are presented in the exploratory borehole logs (Appendix A).

Colluvial Soil

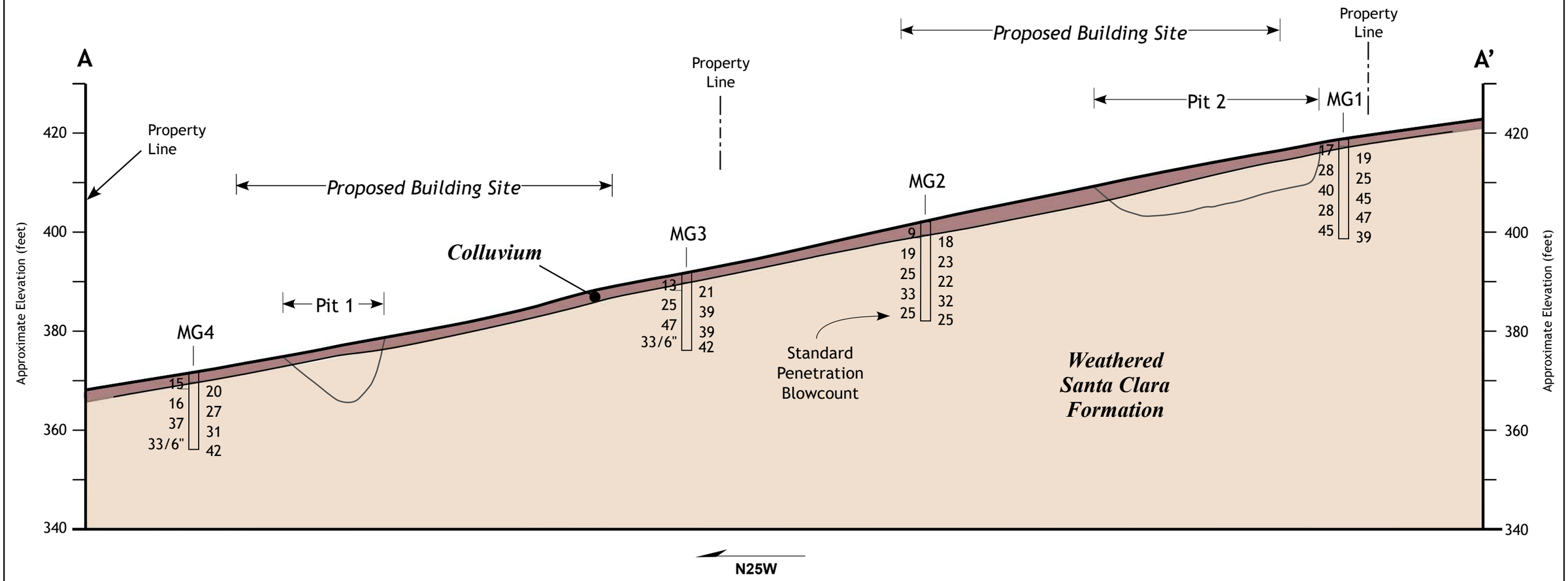
The site is blanketed by one to three (1 to 3) feet of colluvial soil consisting, predominantly, of dark brown and dark grayish brown, firm to stiff, damp to moist, medium to high plasticity, sandy clay with up to 20 percent fine- to coarse-grained sand and abundant rootlets within the upper 12 inches.

Four (4) penetration tests demonstrated an average standard penetration blowcount of 14 blows per foot (bpf). One (1) pocket penetrometer testing in the surficial clay suggest an unconfined compressive strength in excess of 3.2 tons per square foot (tsf).

One (1) undisturbed sample of the clay obtained near the interface with the underlying Santa Clara formation exhibited a dry density of 108.9 pounds per cubic foot (pcf) with a corresponding moisture content of 10.4 percent. A laboratory determined liquid limit of 69 and plasticity index of 46 indicate high plasticity with a significant potential for shrink-swell behavior resulting from moisture fluctuations. A constant-volume swell test demonstrated a swell pressure of 3,417 pounds per square foot (psf) required to limit vertical swelling of an air-dried sample to 0.3 percent when flooded.

[5] McLaughlin, R. J., Clark, J.C., Brabb, E. E., Helley, E. J. and Colón, C. J., 2001, Geologic maps and structure sections of the southwestern Santa Clara Valley and southern Santa Cruz Mountains, Santa Clara and Santa Cruz counties, California: U.S Geological Survey Miscellaneous Field Studies MF-2373.

GEOTECHNICAL CROSS SECTION A-A'



NOTES: Surface topography and locations of proposed building sites derived from 3/13/19 Lot Layout Plan prepared by TS Civil Engineering. Locations of exploratory test pits derived from 5/18/19 Connelly Geologic Report. Locations of exploratory boreholes determined by tape and compass methods.

MILSTONE GEOTECHNICAL

IDEALIZED GEOTECHNICAL SECTION A-A'

PROPOSED ANDERSON RESIDENCES
400 Surmont Drive
Los Gatos, California

FIGURE NO. 3

Date:	Scale:	Drawn by:	Project No.
June 2019	1 inch = 20 feet	BSM	195040

Santa Clara Formation

The encountered Santa Clara Formation materials consist, predominantly, of interbedded, medium dense to very dense, moist, silty to clayey gravel and silty to clayey fine- to coarse-grained sand and weathered siltstone. These materials generally demonstrate standard penetration test (SPT) blowcounts ranging from 22 to in excess of 50 bpf with an average of 31 bpf. The upper approximately two to four (2 to 4) feet of these materials exhibits advanced weathering with blowcounts averaging 20 bpf.

The dry density and moisture content of 16 undisturbed samples of the weathered Santa Clara formation average 112 pcf and 15 percent, respectively. Four (4) unconfined compression tests yielded unconfined compressive strengths ranging from 4,833 to 9,318 psf. The lower bound compressive strength of 4,833 psf was adopted for purposes of analysis and design. Empirical strength relationships based on material composition, dry density, and standard penetration blowcount suggest an undrained angle of about 36 degrees for the more highly weathered materials at the shallower elevations of the unit.

GROUND WATER

Ground water was not encountered in any of the four (4) boreholes advanced for this investigation to a maximum depth of 20 feet. It should be noted that ground water conditions at other locations and times, or during different weather conditions might differ from those encountered in our test boreholes. Nevertheless, based on the results of our subsurface investigation and collected data, it is anticipated that construction of the proposed improvements will not be adversely affected by ground water if constructed during the dry season.

SLOPE STABILITY

Most of the subject lots are located within a State of California designated seismic hazard zone with respect to potential earthquake induced landsliding. Presumably, this determination is driven by the slope inclinations. Slope stability analyses were performed to assess the stability of the subject slope during static and seismic loading conditions.

Methodology

Slope stability was evaluated using SLIDE[6], a limit equilibrium computer program developed by Rocscience, Inc. An idealized slope model was developed using site geometry, subsurface stratigraphy, ground water conditions, engineering properties of the site soils, and anticipated seismic loading conditions as described previously in this report. Thousands of potential failure surfaces were evaluated with the SLIDE program using Bishop's and Spencer's methods with continued model refinement to result in the lowest factor of safety. The factor of safety is defined as the ratio of forces resisting failure to those that could drive failure. A factor of safety of 1.5 is generally considered to be the minimum acceptable factor of safety under static conditions.

Geometry

The analyzed surface topography was developed from the topographic survey prepared by TS Civil Engineering.

Soil Properties

The subsurface material contacts were interpreted from the exploratory borehole advanced for this investigation. The following table summarizes the soil strength properties used in the stability analyses. The bases for these soil properties are described elsewhere in this report. Additionally, sensitivity analyses were performed to evaluate the potential impacts of increases soil and weathered bedrock saturation.

Soil Properties for Stability Analyses

	Moist Density (pcf)	Shear Strength (psf)	Friction Angle (deg)
Colluvial Soil	124	1,000	-
Weathered Santa Clara Fm.	128	-	36 / 0

[6] Rocscience, Inc., SLIDE version 5.044.

Seismic Loading

The subject slope was subjected to a screening analysis based on the previously described ground acceleration determined for a 10 percent probability of exceedance during a 50-year period. Using a five (5)-centimeter displacement criteria, a reduction factor of 0.48 was applied to the probabilistically determined seismic coefficient to yield a seismic coefficient of 0.25g for use in the analyses.

Ground Water

Ground water was not encountered to the maximum explored depth (20 feet) during this investigation and no indications of seasonally high ground water, such as mottling or precipitate deposits, were observed in any of the boreholes. Consequently, no ground water was considered in the analysis.

Analysis and Results

This analysis yielded a static factor of safety against failure of 3.87 (Figure 4) and a pseudostatic factor of safety of 1.62 (Figure 5) under the considered seismic loading conditions. Only negligible decreases in the factors of safety were observed when considering up to 10 pcf increases in moist densities resulting from potential increased saturation. Consequently, with respect to static and seismic stability, the potential for slope instability during the economic life of the structure is considered to be low.

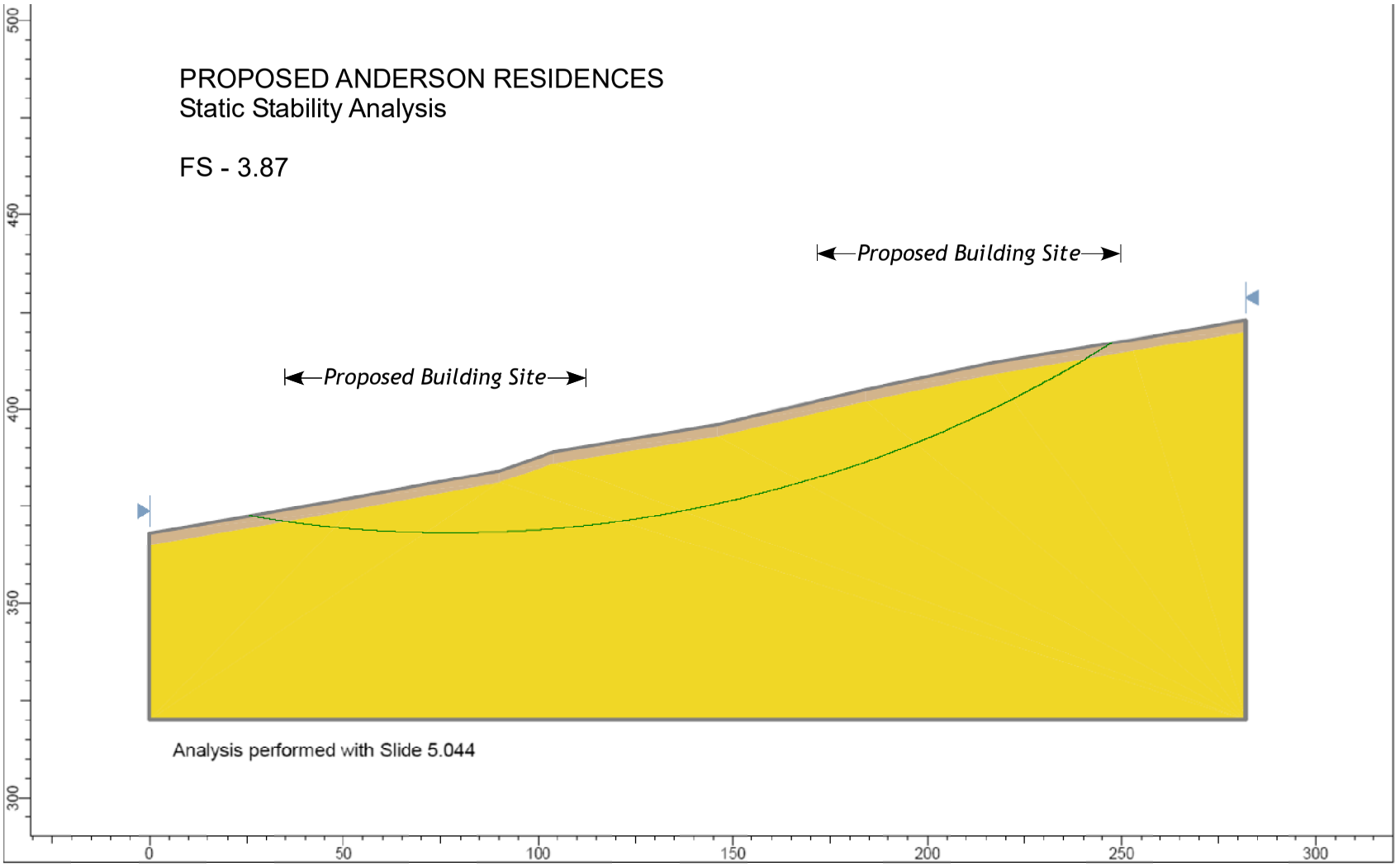
DISCUSSIONS and CONCLUSIONS

Based on the findings of this investigation and our review of previous site geologic investigations, it is our opinion that the geotechnical conditions of the site are suitable for the proposed improvements provided that the geotechnical design criteria presented in this report are incorporated into the design and construction. We conclude that the primary geotechnical factors affecting the design and construction of the proposed improvements are the hillside setting, relatively weak and creep-prone near-surface soil, expansive near-surface soils, and the potential for significant ground shaking caused by an earthquake on the nearby active San Andreas and Berrocal fault systems.

The following discussions summarize our findings and conclusions regarding the geotechnical aspects of the proposed improvements as determined from the presented data. Specific geotechnical design parameters are presented in a subsequent section.

Expansive and Creep Prone Soil

Field observations and laboratory test data indicate that up to about three (3) feet of the surficial soils consist of moderately to highly expansive clay that is



MLSTONE GEOTECHNICAL

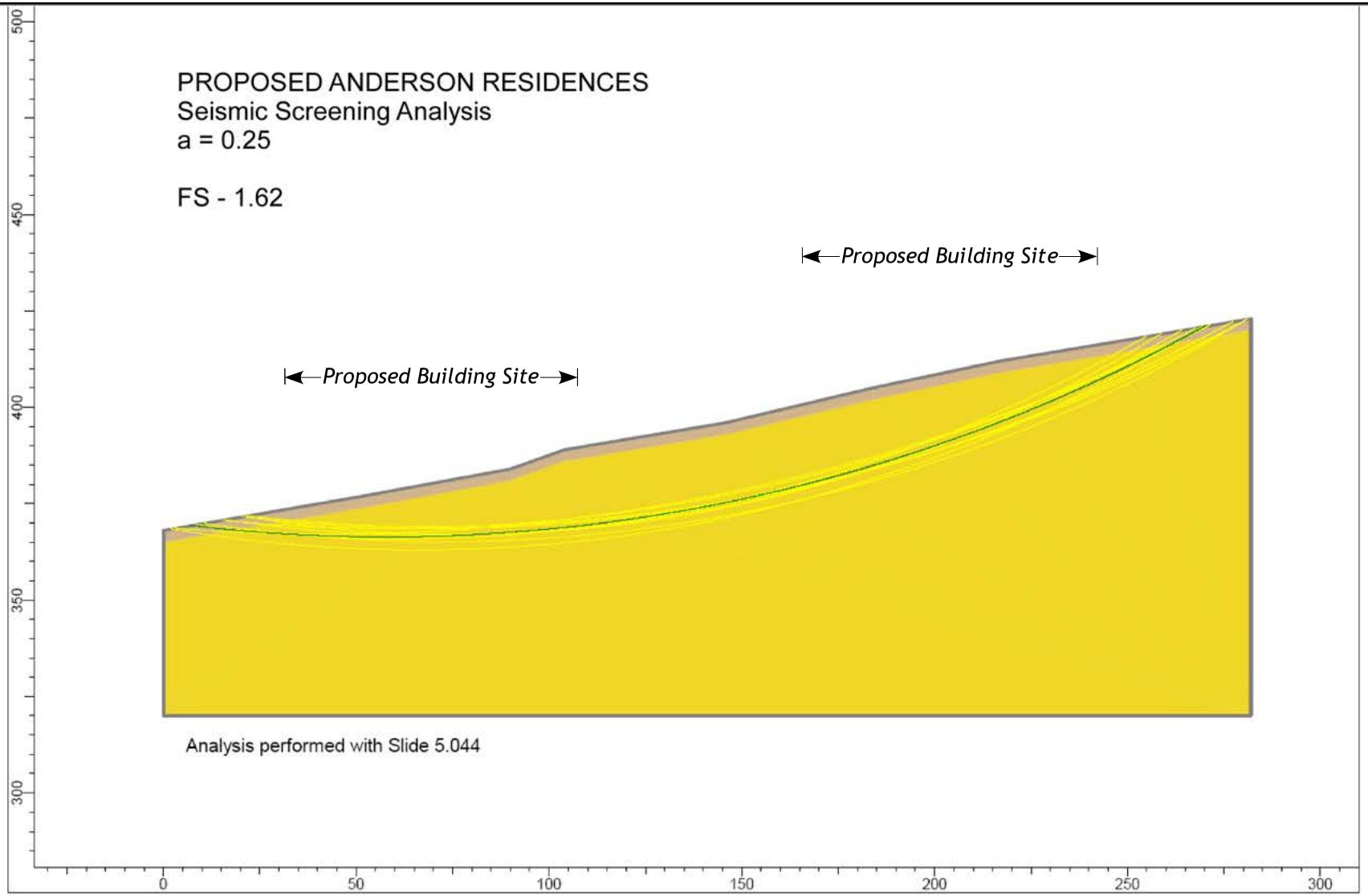
STATIC STABILITY - 10 Critical Surfaces

PROPOSED ANDERSON RESIDENCES
400 Surmont Drive
Los Gatos, California

Date:	Scale:	Drawn by:
June 2019	1 inch = 20 feet	BSM

FIGURE NO. **4**

Project No. 195040



MLSTONE GEOTECHNICAL

SEISMIC STABILITY - 10 Critical Surfaces

PROPOSED ANDERSON RESIDENCES
400 Surmont Drive
Los Gatos, California

FIGURE NO. **5**

Date:	Scale:	Drawn by:	Project No.
June 2019	1 inch = 20 feet	BSM	195040

subject to shrink-swell behavior resulting from anticipated seasonal moisture fluctuations. The existence of expansive soils on the site's moderately steep slopes also produce a phenomenon referred to as soil creep. Seasonal expansion and contraction of the site soils creates a condition where slow progressive downslope movement of the clayey soils occurs. The geotechnical recommendations provided below address the potential impacts of expansive soils through avoidance and/or replacement.

Seismic Shaking

The site is expected to experience strong ground shaking from earthquakes along active faults located within the region and on the property during the design life of the project. Based on anticipated ground shaking, a peak horizontal ground acceleration of 0.53g is predicted by probabilistic methods. However, much can be done both to prepare for a large earthquake and to mitigate some of its consequences.

Excellent discussions of simple procedures to make a residence stronger and safer during a major earthquake can be found in "Peace of Mind in Earthquake Country" by Peter Yanev[7], at the Association of Bay Area Government earthquake information website[8], and in the United States Geologic Survey “Putting Down Roots in Earthquake Country” handbook[9]. As a minimum, the proposed structure should be designed in accordance with the current California Building Code (CBC) standards for static and seismic design.

[7] Yanev, Peter and Andrew Thompson, 2009, Peace of Mind in Earthquake Country: How to Save Your Home, Business, and Life, Chronical Books.

[8] Association of Bay Area Governments, ABAG Earthquakes and Hazard Maps/Info, http://quake.abag.ca.gov/.

[9] US Geologic Survey, 2005, Putting Down Roots in Earthquake Country – Your Handbook for the San Francisco Bay Region, General Information Product 15, http://pubs.usgs.gov/gip/2005/15/.

GEOTECHNICAL DESIGN CRITERIA

The following recommendations are presented as guidelines for subsequent stages of development. These recommendations shall be incorporated into the design of the proposed subdivision improvements. Final detailing of concrete elements and reinforcing steel is to be designed by a qualified structural engineer in accordance with the provided geotechnical criteria. To assure that the intent of these recommendations is included in the project plans and specifications, we request an opportunity to review the plans prior to initiation of construction. It has been our experience that the permit process is often expedited when we review the plans prior to submittal. References to ASTM test designations are intended to indicate the most recent version at the time of construction.

Grading

Due to the site topography, it is anticipated that development of the building pads could involve total cuts and/or fills up to about 10 feet. Based on the experience of borehole drilling, it is expected that proposed site excavations can be performed with conventional earthmoving equipment.

Clearing and Site Preparation

All areas to be graded should be cleared of vegetation and organic laden soil. Stripped materials should be removed from the improvement area for proper disposal. Depressions created by the removal of debris that extends below the proposed finished subgrade should be backfilled with engineered fill as described below. Disturbed soil subgrades to receive fill should be excavated to expose firm soil and should be scarified to a depth of six (6) inches, moisture conditioned to within two (2) percent of optimum, and compacted to a minimum of 90 percent of the maximum dry density as determined by the ASTM D1557 test method.

Subgrade Improvement

Due to the relatively limited thickness of surficial soils, it is recommended that all expansive clays underlying improvement be removed from the site for proper disposal. Subgrade improvement should extend laterally a minimum of two (2) feet beyond the limits of proposed surface improvements. The bases of all excavations shall be in firm material as approved by the project geotechnical engineer, scarified to a depth of six (6) inches, moisture conditioned to achieve a moisture content of about two (2) percent above the optimum moisture content, and compacted to a minimum of 90 and a maximum of 95

percent relative compaction based on the ASTM D 1557 test method.

Where required to achieve design subgrade elevations, the excavated materials are to be replaced with approved, non-expansive, treated on-site or non-expansive import fill that is placed and compacted as described below.

Material for Fill

Any fill to be placed at the site should not contain rocks or lumps greater than four (4) inches in greatest dimension and should not contain greater than 15 percent (by dry weight) larger than two-and-one-half (2.5) inches. Fill material within three (3) feet of the ground surface should have a maximum plasticity index of 12. Minimum 50-pound samples of materials to be used as engineered fill should be submitted to the project geotechnical engineer for review and approval prior to placement. It is anticipated that much of the Santa Clara Formation materials encountered at depth will be suitable for use as engineered fill

Aggregate Base for Pavements

Aggregate base materials for pavement sections should consist of material conforming to the requirements for Caltrans Class 2 Aggregate Base, be moisture conditioned to within two (2) percent of optimum, and compacted to a minimum of 95 percent of the maximum dry density as determined by ASTM D1557.

Fill Placement and Compaction

On-site native expansive soil used as fill in landscaping areas should be moisture conditioned to at least two (2) percent above optimum moisture content and compacted to a minimum of 90 percent of the maximum dry density as determined by the ASTM D1557 test method. Non-expansive import material used as fill should be moisture conditioned to within two (2) percent of optimum, spread in horizontal lifts not exceeding eight (8) inches in loose thickness, and compacted with an approved mechanical compactor to a minimum of 95 percent of the maximum dry density as determined by the ASTM D1557 test method.

The upper 12 inches of fill in landscape areas may be compacted to a minimum of 85 percent to promote growth of vegetation. Final grading of the road should provide a minimum two (2) percent inboard slope to promote drainage.

Cut Slope Design

Permanent cut slopes in competent Santa Clara Formation materials should not exceed inclinations of two to one (2 to 1) horizontal to vertical. Permanent cut slopes in surficial materials including soil and colluvium should not exceed inclinations of three-to-one (3 to 1) horizontal to vertical. Short-term temporary cuts should not exceed inclinations of one to one (1 to 1) horizontal to vertical without shoring.

Fill Slope Design

Permanent engineered fill slopes should not exceed an inclination of two-to-one (2 to 1) horizontal to vertical. Fill slope inclinations may be increased with the use of geogrid reinforcement. At your request, we can provide design and construction criteria for geogrid-reinforced fill slopes.

Fill slopes should be provided with a keyway founded in competent weathered Santa Clara Formation materials located below the surficial soil and colluvium and be sloped inboard a minimum of two (2) percent. The depth of keyways should be determined in the field by the project geotechnical engineer at the time of construction. For preliminary budgeting purposes, it is anticipated that keyways will extend a minimum of 18 inches into competent materials.

Subdrains should be placed in fill slopes exceeding five (5) feet in height. The subdrains should be trenched a minimum of three (3) feet deep into placed fill and consist of a minimum four (4)-inch diameter, perforated, Schedule 40, PVC pipe (or approved functional equivalent) surrounded by approved, filtered drainrock. The necessity, final design, and construction of subdrains should be determined by the project geotechnical engineer prior to construction.

Previous Excavations	Five (5) exploratory test pit was excavated within the properties by Connelly[1]. It is presumed that the excavation was loosely backfilled with only moderate compactive effort. It is recommended that any test pits located within the proposed improvement areas and driveways be located, re-excavated, and filled in accordance with the design criteria presented above for Fill Placement and Compaction if it is located within five (5) feet of proposed improvements.

Building Foundations

Because of the hillside setting, presence of expansive and relatively weak near surface soils, variability of foundation soils, and anticipated seismic shaking, it is recommended that the structures be constructed as a drilled, cast-in-place, friction pier and grade beam foundations that are isolated from expansive subgrade soils with the use of void forms. All foundation piers should be interconnected by the grade beams or tie beams. Maximum total and differential settlement of structures supported on drilled pier and grade beam foundations is estimated to be one-half (1/2) inch.

The foundations should be designed and constructed in accordance with the following design criteria. Final design of foundation configuration and reinforcement to be determined by a qualified structural engineer.

Minimum Pier Diameter	16 inches.
Minimum Pier Depth	Eight (8) feet into competent weathered bedrock that is estimated to be encountered within about three (3) feet below the existing ground surface.
Minimum Pier Spacing	3 pier diameters, center to center.
Maximum Pier Spacing	10 feet.

Creep Loading	Piers and grade beams located on slopes should be designed to resist creep loading acting within three feet of the ground surfaces calculated using an equivalent fluid pressure of 85 pcf/f acting across two (2) pier diameters.
Allowable Shaft Friction	In competent weathered Santa Clara Formation materials: 700 psf in compression; 560 psf in uplift resistance. Neglect shaft friction within three (3) feet of existing ground surface. Increase by 33% for transient loads such as wind or seismic.
Lateral Resistance	350 pounds per cubic foot per foot (pcf/f) equivalent fluid pressure (in competent weathered claystone and conglomerate). Apply resistance over two (2) pier diameters. Neglect lateral resistance within three (3) feet of the existing ground surface. Increase by 33% for seismic or wind loads.
Minimum Pier Reinforcement	Four (4) - vertical No. 4 bars (two uphill and two downhill) with No. 3 spirals or ties at maximum 12-inch spacing. Reinforcement to be provided with a minimum of three (3) inches concrete cover. Reinforcing cages to be constructed with sufficient clearance to allow introduction of tremie pipe to the bottom of pier excavation.
Void Forms	Grade beams that do not extend through the surficial clay should be isolated from the clay with an approved, minimum six (6)-inch thick, collapsible void form that is functionally equivalent to *SureVoid*.
Construction	Pier holes should be free of standing water and cleared of all loose debris prior to pouring of concrete. If standing water collects in the pier excavations, the water should be pumped out or the concrete should be placed by the tremie method with the concrete displacing the water from the bottom up. If casing is required to maintain excavation stability, the casings shall be removed during placement of the concrete so that the concrete will cure in contact with native soil.

Uncased holes that encounter groundwater should be poured within 24 hours of drilling. All pier excavations should be inspected and approved by the project geotechnical engineer prior to the placement of reinforcing steel. Concrete over-pour ("mushrooming") of piers and grade beams should be prevented with the use of "sono-tubes" where required.

Retaining Walls

Due to the sloping ground conditions, it is anticipated that retaining walls, either as partial rear walls to the structures or as site retaining walls, will be required to establish level building pads. Retaining walls should be supported by pier-and-grade-beam foundations as described previously for building foundations. Residence retaining walls should be constructed integrally with the mat foundations.

Retaining walls are to be designed to support the total of all applicable loads in accordance with the following geotechnical criteria:

Lateral Loading

		Equivalent Fluid Pressure (pcf/f)		
		Surficial Clay	Weathered Bedrock	Select Fill*
Restrained	Level	80	55	55
	Up to 3H:1V	85	60	60
Unrestrained	Level	60	35	35
	Up to 3H:1V	65	40	40

* Retaining walls with select non-expansive backfill extending at least three (3) feet beyond the wall may be designed using "Select Fill" loading criteria.

Seismic Surcharge

As described by Lew and others[10], the evaluation of seismic earth pressures for unrestrained walls less than 12 feet tall is not necessary provided the walls are designed for a factor of safety of at least 1.5. However, the current CBC requires that all walls in excess of six (6) feet be designed to support lateral seismic loads. Restrained retaining walls exceeding six (6) feet in height shall be designed to resist a seismic surcharge calculated as a uniform lateral pressure of 19H psf, where H is the height of the wall. Retaining walls that

10 Lew, L., Sitar, N., Al Atik, L., Pourzanjani, M., and Hudson, M.B., 2010. "Seismic Earth Pressures on Deep Building Basements", SEAOC 2010 Convention Proceedings.

can accommodate up to two (2) inches of lateral displacement during seismic loading may be designed to resist a uniform lateral pressure of 12.5H psf, where H is the height of the wall.

Traffic Surcharge

Retaining walls that will support traffic loading are to be designed to support an additional uniform surcharge load of 80 psf along the upper five (5) feet of wall.

Wall Drainage

The provided design pressures assume that the retaining walls will be fully drained. Positive drainage to daylight must be provided behind all retaining walls exceeding 18 inches in height. The drain should consist of a minimum 18-inch wide vertical blanket of Caltrans Class 2 permeable material or clean, crushed, durable one-half- to three-quarter- (1/2- to 3/4-) inch drainrock that is completely enveloped by approved non-woven filter fabric. The upper 12 inches of retaining wall backfill should consist of compacted, low permeability material separated from the drainrock by a double layer of filter fabric.

A minimum four (4)-inch diameter, rigid (SDR 35 ABS, or functional equivalent) perforated pipe should be placed near the base of the drainage material on a minimum one (1)-inch thick drainrock layer with at least four (4) inches of drainage material on each side. The pipe should be sloped to drain at a minimum gradient of one (1) percent toward a suitably sited and constructed energy dissipation device to be approved by the project geotechnical engineer. The drainpipe should be provided with appropriate cleanouts.

Alternatively, drainage of the retaining walls may be accomplished by placing a prefabricated drainage panel (such as “Miradrain G100N”) between the wall and backfill with fabric facing outward. The drainage panel should extend down to a four (4)-inch diameter, rigid, perforated pipe embedded in a minimum 12-inch wide by 18-inch high blanket of Caltrans Class 2 permeable material at the base of the wall. The manufacturer’s specifications regarding any proposed prefabricated drainage panel should be reviewed by a geotechnical engineer to verify that it is appropriate for the intended use.

Wall Backfill	Retaining wall drainrock and backfill placement and compaction should conform to the requirements for engineered fill and be compacted with appropriate equipment and in a manner to prevent excessive loading to adjacent walls or damage to waterproofing or drainage systems. Waterproofing membranes should be inspected for integrity during backfill placement and compaction.
Swimming Pools	Swimming pools should be founded on approved, competent, weathered Santa Clara Formation materials that are encountered below the surficial clays.
Shell Pressure	The swimming pool shell should be designed to withstand exterior lateral pressures as described above for retaining walls.
Base Drainage	The pool bottom should be underlain by a minimum six (6)-inch thick gravel drainage blanket and a suitable pressure relief valve designed to protect the unfilled pool in the event of high groundwater. We should be provided an opportunity to examine the pool excavation prior to the placement of reinforcing steel or concrete.
Seismic Design Criteria	The site is expected to experience strong ground shaking from earthquakes along active faults located within the region during the design life of the project. Peak probable horizontal ground accelerations of 0.53g have been predicted by probabilistic methods. As a minimum, the structure should be designed to resist lateral loads resulting from ground shaking as provided in the current California Building Code (CBC) or other accepted design methods. Based on the observed site conditions, we conclude the following design parameters to be appropriate for design using the 2016 California Building Code design method:

Seismic Design Parameters

PARAMETER	VALUE
Site Class	C
S_S (0.2s Spectral Response Acc.) Default Site Class B	2.382
S_1 (1.0s Spectral Response Acc.) Default Site Class B	0.904
S_{MS} (0.2s Spectral Response Acc.) Site Class C	2.382
S_{M1} (1.0s Spectral Response Acc.) Site Class C	1.175
S_{DS} (0.2s Spectral Response Acc.) Site Class C	1.588
S_{D1} (1.0s Spectral Response Acc.) Site Class C	0.783
F_a (Site Class C)	1.0
F_v (Site Class C)	1.3

For additional guidance on reducing the risks associated with living in seismically active areas, owners may wish to consult "Putting Down Roots in Earthquake Country" [11] (available on-line at the US Geological Survey), which references additional useful documents.

Concrete Slabs-on-Grade

The subgrades for concrete slabs-on-grade should be non-yielding and compacted to the requirements previously stated for engineered fill. Subgrades for interior slabs on grade should be removed and replaced with a uniform thickness of properly compacted non-expansive import or on-site-derived fill as discussed in the grading section of this report. Exterior slabs in areas underlain by expansive soils should be over-excavated to a minimum depth of 24 inches for replacement with engineered fill.

The slabs-on-grade should be underlain by a minimum of six (6) inches of compacted Caltrans Class 2 aggregate base, a minimum of five (5) inches thick, and reinforced with a minimum of No. 4 bars on 18-inch spacings in both directions. The baserock may count toward the total "non-expansive" thickness as described above. Slabs should be provided with minimum eight (8)-inch by eight (8)-inch thickened edges. Slab thickness, steel reinforcement, load-transfer devices, and crack control features should be determined by the structural engineer.

[11] United States Geological Survey, 2005, Putting down roots in earthquake country, General Information Product 15, http://pubs.usgs.gov/gip/2005/15/.

Exterior slabs should be structurally isolated from adjacent structures although a sleeved dowel connection may be used at entrances to limit differential vertical displacement. Exterior slab moisture and potential efflorescence can be limited with a moisture barrier consisting of a minimum 10-mil thick waterproof membrane a described in the Moisture Control section.

Moisture Control

It is recommended that the project engage the services of a moisture control specialist to design, review, and oversee the installation of moisture and vapor protection systems. Additionally, it is essential that such systems be installed by qualified and experienced personnel. The following design and construction considerations are offered as a minimum standard.

To minimize moisture infiltration and potential efflorescence, the blind sides of floors and retaining walls should be sealed with a continuous water/vapor barrier such as high-density polyethylene (functionally equivalent to Tremco's *Paraseal LG* or Stego Industries' *StegoWrap* for horizontal surfaces and GCP's *Bithuthene* for vertical surfaces). The integrity of the moisture barrier is to be maintained at below-ground utility penetrations and at foundation piers grade beams. All below-ground cold joints and basement slab control joints should be provided with continuous waterstops flanged at both ends.

Installation, lapping, and sealing of waterproofing membranes should be performed in accordance with the manufacturers' recommendations. It is recommended that corners, such as at wall/footing joints, be provided with a cant strip or sloping infill to reduce the potential for damage to the overlying waterproofing membranes. Vertical vapor barriers should be protected from drainrock and backfill with a rigid panel or prefabricated drainage panel. The top edges of vapor barriers applied to vertical surfaces should be secured with manufacture-recommended termination bars.

Surface Drainage

Positive surface drainage, with a minimum slope five (5) percent, should be provided away from the structures for a minimum distance of 10 feet as mandated by the current California Building Code. Where this is not possible due to topographic considerations, alternate approaches such as lined surface swales or low permeability surface treatments should be considered to limit the introduction of surface runoff to the building foundation.

Cut slope retaining walls should be provided with a lined swale that diverts upslope surface runoff to an appropriate storm water collection and dissipation system. Hard surfaces, such as perimeter walkways may be provided with a minimum one-and-one-half (1.5) percent cross slope. All roof sections should be provided with roof gutters connected via downspouts to minimum four (4)-inch diameter, non-perforated, rigid, smooth-wall drain-pipes that have a minimum slope of one (1) percent to discharge at approved downgradient locations.

The use of 90-degree angled connections should be strictly avoided in favor of long sweep-90 connections or combinations of maximum 45-degree angled connections. Drain lines should be provided with appropriate and sufficient cleanouts and isolated from subsurface drainage facilities.

Final siting of on-site storm drain discharge facilities, such as infiltration trenches or energy dissipaters, should avoid areas immediately downslope of proposed improvements and should be determined in the field by the project architect, civil engineer, and geotechnical engineer. The use of drought tolerant landscaping is encouraged to limit irrigation requirements.

Utilities

Underground utility pipes and conduits should be bedded with approved free-draining sand or quarry-fines. Trenches should be backfilled with compacted on-site or import fill material that does not contain rocks or lumps greater than three (3) inches in size. The backfill should be moisture conditioned to within two (2) percent of optimum, placed in maximum six (6)-inch horizontal layers and compacted by mechanical means to 90 percent of the maximum dry density as determined by the ASTM D1557 test method. The upper 24 inches of fill below exterior surface improvements (such as paved areas) should be backfilled with non-expansive soil and compacted to 95 percent of the maximum dry

density. Compaction of trench backfill by flooding, jetting, or other non-mechanical means shall not be permitted.

Sloping trenches should be provided with minimum 12-inch thick, low permeability cutoff walls (such as clay or controlled density pumpable fill (CDF)) at maximum lateral intervals of 25 feet to limit the migration of bedding soils.

Erosion Protection

Project contractors should observe Best Management Practices during construction operations to protect areas downslope from construction activities and limit generation and offsite transport of sediment throughout the duration of construction. At a minimum, erosion protection should consist of properly installed fiber rolls (bio-wattles) or erosion fencing below the downslope limits of grading. Additionally, stripped slope areas should be provided with appropriate erosion protection methods prior to the rainy season.

TECHNICAL REVIEW

This report should be reviewed by the project architect, engineers, and potential contractors prior to the next stage of development. A copy of this report should also be provided to the general contractor for reference during construction. Any questions or discrepancies should be brought to the attention of a representative of Milstone Geotechnical prior to the start of design and construction.

We request an opportunity to review the final plans, design calculations, and specifications prior to construction to confirm that our recommendations have been incorporated and, if necessary, to provide supplemental recommendations. It has been our experience that the permit process may be expedited if we review the plans prior to submittal

GEOTECHNICAL CONSTRUCTION OBSERVATION

Site grading, subgrade improvement, mat subgrade preparation, moisture barrier installation, drainage control installations, and placement of engineered fill and backfill should be observed by the project geotechnical engineer (prior to placement of steel and concrete) to verify that the encountered site conditions are the same as those anticipated by this investigation and to verify conformance with our recommendations. A minimum of three (3) working-days notification prior to construction activities requiring inspection services is required. The cost of these services will be charged on a time-and-expenses basis.

Geotechnical plan review and construction observation are conducted to reduce - not eliminate - the risk of problems arising during construction, and provision of the service does not create a warranty or guarantee of any type. In all cases, contractors shall retain responsibility for the quality and completeness of their work, for adhering to the plans, specifications, and recommendations on which their work is based, and for contacting the appropriate parties in a timely manner regarding construction activities that require inspection or observation services.

It is suggested that an on-site pre-construction meeting be conducted with the owner, designer, geotechnical engineer, general contractor, and appropriate subcontractors (such as excavation and grading) prior to the start of construction to establish project expectations and communication protocol.

LIMITATIONS

These services consist of professional opinions and recommendations made in accordance with generally accepted engineering geologic and geotechnical engineering principles and practices in the San Francisco Bay Area at the time this report was written. The investigation was performed, and this report prepared, for the exclusive use of the client, and for specific application to proposed site development as outlined in the body of the report. No third-party shall have the right to rely on the findings, opinions, or recommendations rendered in connection with this investigation without the written consent of Milstone Geotechnical. No warranty, express or implied, or merchantability of fitness, is made or intended in connection with this work, by the proposal for consulting or other services, or by the furnishing of oral or written reports or findings.

This report is issued with the understanding that the owners choose the risk they wish to bear by the expenditures and savings involved with the chosen construction alternatives. The recommendations and design criteria presented in this report are contingent upon a representative of Milstone Geotechnical being retained to review the final plans and specifications and to provide geotechnical construction observation services for all earthwork and construction operations that are addressed by this report.

Unanticipated soils and geologic conditions are commonly encountered during construction and cannot be fully determined from existing exposures. If conditions encountered in the field are different than those anticipated by this report, our firm should be contacted immediately to provide any necessary revisions to the recommendations.

This report is issued with the understanding that it is the responsibility of the owner or of their representative to see that all parties to this project including designers, engineers, contractors, subcontractors, etc. are made aware of this report and to see that the contractor and subcontractors carry out such recommendations in the field. The recommendations contained herein are valid for one year, after which time they must be reviewed by a representative of Milstone Geotechnical to determine whether they are still applicable.

APPENDIX A
FIELD INVESTIGATION

Description of Subsurface Investigation
Soil Classification Chart
Logs of Exploratory Boreholes MG1 through MG4

SUBSURFACE INVESTIGATION DESCRIPTION

Our subsurface investigation involved drilling, logging, and sampling of two (2) small diameter exploratory boreholes to verify and supplement subsurface data presented by Steven Connelly[Error! Bookmark not defined.]. The boreholes were advanced by Britton Exploration, under the direction of Milstone Geotechnical, using a track-mounted CME45 drill rig with a six (6.0)-inch diameter solid-stem auger. The boreholes were drilled to depths of 15.5 and 20.0 on May 6, 2019. Following completion of drilling and sampling, the boreholes were backfilled with loosely tamped soil cuttings to the ground surface. Subsequently, obtained samples were transported to the laboratory to verify field classification and perform index and strength testing. Borehole locations are depicted on Figure 3 located in the body of the report. Graphical logs of the boreholes and a key to soil classification follows in this appendix.

The encountered earth materials were continuously logged and described in the field by a registered geotechnical engineer. Relatively undisturbed samples were obtained at various depths with a three (3.0)-inch-outside-diameter, two-and-one-half (2.5)-inch-inside-diameter, split-barrel (Modified California) sampler with a series of six (6)-inch-long, thin walled brass liners. Resistance blowcounts were obtained with the samplers by repeatedly dropping a 140-pound auto-hammer through a free-fall distance of 30 inches using an automatic hammer. The samplers were driven 18 inches (or to apparent refusal) and the number of blows recorded for each six (6) inches of penetration. The blows per foot recorded on the borehole logs represent the accumulated number of blows to drive the sampler the last 12 inches of penetration corrected to represent standard penetration blowcounts with Modified California sampler results corrected to represent Standard Penetration test blowcounts.

The borehole logs and related information show our interpretation of the subsurface conditions at the dates and locations indicated, and it is not implied that they are representative of subsurface conditions at other locations or at other times.

CRITERIA FOR ASSIGNING GROUP SYMBOLS AND GROUP NAMES			SOIL CLASSIFICATION		
			GRAPHIC SYMBOL	USCS GROUP SYMBOL	TYPICAL NAMES
COARSE-GRAINED SOILS (MORE THAN HALF IS LARGER THAN NO. 200 SIEVE)	GRAVELS (MORE THAN HALF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE SIZE)	CLEAN GRAVELS WITH LITTLE OR NO FINES		GW	Well graded gravel
				GP	Poorly graded gravel
		GRAVELS WITH MORE THAN 12% FINES		GM	Silty gravel
				GC	Clayey gravel
	SANDS (MORE THAN HALF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE SIZE)	CLEAN SANDS WITH LITTLE OR NO FINES		SW	Well graded sand
				SP	Poorly graded sand
		SANDS WITH MORE THAN 12% FIINES		SM	Silty sand
				SC	Clayey sand
FINE-GRAINED SOILS (MORE THAN HALF IS SMALLER THAN NO. 200 SIEVE)	SILTS AND CLAYS LIQUID LIMIT LESS THAN 50%	INORGANIC		ML	Low plasticity silt
				CL	Low plasticity clay, Lean clay
		ORGANIC		OL	Low plasticity organic silt, Low plasticity oganic clay
	SILTS AND CLAYS LIQUID LIMIT GREATER THAN 50%	INORGANIC		MH	High plasticity silt, Elastic silt
				CH	High plasticity clay, Fat clay
		ORGANIC		OH	Medium to high plasticity organic silt or clay
	HIGHLY ORGANIC SOILS	PRIMARILY ORGANIC MATTER		PT	Peat

Note: Blow-counts reported for samplers other than a Standard Penetration Split Spoon Sampler were obtained by empirically converting the number of blows required to drive the sampler through the last 12 inches of an 18-inch penetration to the equivalent number of blows using a Standard Penetration Split Spoon Sampler.

Note:The borehole logs depict our interpretation of the subsurface conditions at the dates and locations indicated. It is not warranted that they are representative of subsurface conditions at other times and locations. The lines separating strata on the boring logs represent approximate boundaries only. Actual transitions may be gradual.

ABBREVIATIONS

AD: Auger Drilling

MC: Modified California Sampler

SPT: Casagrande Sampler

T1: Tube Sample (undisturbed)

B1: Grab Sample (disturbed)

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SOIL CLASSIFICATION CHART AND KEY TO LOGS OF EXPLORATORY BOREHOLES

LOG OF EXPLORATORY BOREHOLE MG1

Project Proposed Anderson Residences — Project Number 184950
Location 400 Surmont, CA — Project Elev. ~420 feet — Page 1 of 1
Drilling Equipment Track-mounted CME45 — Hole Diameter 6 inches — Logged By RLF
Drilling Contractor Britton Exploration — Surface weeded — Date 5/6/19

TORVANE (tsf)	POCKET PENET. (tsf)	GROUND-WATER	RECOVERY (in./in.)	SPT (bpf) or PRESS. (psi)	SAMPLE OR DRILL MODE	SAMPLE DESIG-NATION	DEPTH IN FEET	GRAPHIC LOG	USCS DESIG.	GEOTECHNICAL DESCRIPTION
					AD		0		SC	**COLLUVIAL AND RESIDUAL SOIL** Clayey SAND Gravel: Very dark gray (10YR3/1); loose; damp; abundant rootlets.
			18/18	17	MC	T1	1		GC	**SANTA CLARA FORMATION** Clayey GRAVEL: Light yellowish brown and brownish yellow (10YR6/4,6/1);~70% medium to severely weathered gravel to 2-inch size; ~20% fine to coarse grained sand; ~10% medium plasticity fines; medium dense; moist.
						T2	2			
			18/18	19	SPT	B1	3			
					AD		4		SM	Silty SAND: with Gravel: Yellowish brown (10YR5/6);~30% weathered sandstone and siltone gravel to 1-inch size; ~60% fine to coarse grained sand; ~10% low plasticity fines; medium dense; moist.
			12/18	28	MC	T3	5		GC	
						T4	6			Clayey GRAVEL: Dark yellowish brown with very dark grayish brown (10YR4/6,3/2);~70% medium to severely weathered gravel to 1.5-inch size; ~15% medium to coarse grained sand; ~15% medium plasticity fines; medium dense; moist to wet.
			18/18	25	SPT	B2	7		Slst	
					AD		8			Sandy SILTSTONE: Yellowish brown (10YR5/6); severely weathered; weak; soft; friable; with very fine grained sand; very moist.
	>4.5		18/18	40	MC	T5	9		Clst	Weathered CLAYSTONE: Grayish brown (10YR5/2) with carbonate stained veins; severely weathered; weak; soft; friable; moist.
	>4.5					T6	10			
			18/18	45	SPT	B3	11		GM	Silty GRAVEL with Sand: Yellowish brown (10YR5/6) with variable gravel colors; ~70% rounded to subrounded gravel to 2-inch size; ~20% fine to coarse grained sand; ~10% medium plasticity fines; dense; moist.
					AD		12			
			18/18	28	MC	T7	13			
						T8	14			
			18/18	47	SPT	B4	15			Slightly clayey, very moist.
					AD		16			
			18/18	45	MC	T9	17			Clayey matrix.
						T10	18			
			18/18	39	SPT	B5	19			Weathered CLAYSTONE: Light yellowish brown and pale yellow (10YR6/3,7/4); severely weathered; weak; soft; carveable; moist.
							20		Clst	

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Remarks: Borehole terminated at 20.0 feet.
No ground water encountered.
Borehole backfilled with tamped cuttings.

LOG OF EXPLORATORY BOREHOLE MG2

Project: Proposed Anderson Residences
Project Number: 184950
Location: 400 Surmont, CA
Project Elev.: ~403 feet
Page: 1 of 1
Drilling Equipment: Track-mounted CME45
Hole Diameter: 6 inches
Logged By: RLF
Drilling Contractor: Britton Exploration
Surface: weeded
Date: 5/6/19

TORVANE (tsf)	POCKET PENET. (tsf)	GROUND-WATER	RECOVERY (in./in.)	SPT (bpf) or PRESS. (psi)	SAMPLE OR DRILL MODE	SAMPLE DESIG-NATION	DEPTH IN FEET	GRAPHIC LOG	USCS DESIG.	GEOTECHNICAL DESCRIPTION
					AD		0		CH	**COLLUVIAL AND RESIDUAL SOIL** Sandy CLAY: Very dark grayish brown (10YR3/2); fine to coarse grained sand; medium to high plasticity fines; damp; abundant rootlets.
	>4.5		9/18	9	MC	T1	1		CH	
	3.0					T2	2			Sandy CLAY: Dark yellowish brown (10YR3/4); trace gravel to 1/2-inch size; ~20% fine to coarse grained sand; ~80% medium to high plasticity fines; very stiff; very moist.
			12/18	18	SPT	B1	3		SC	**SANTA CLARA FORMATION** Clayey SAND with Gravel: Yellow brown with brownish yellow and dark brown and dark yellowish brown (10YR5/6,6/8,4/6); ~5% weathered gravel to 3/4-inch size; ~60% fine to coarse grained sand; ~35% medium plasticity fines; medium dense; moist.
					AD		4			
	2.5		15/18	19	MC	T3	5		CL	
						T4	6			Sandy CLAY: Dark yellowish brown (10YR4/6); ~40% very fine to fine grained sand; ~60% low to medium plasticity fines; very stiff; very moist.
			15/18	23	SPT	B2	7		GC/ SC	Clayey GRAVEL to Clay SAND: Dark yellowish brown (10YR4/6);~40% subangular to subrounded gravel to 1.5-inch size; ~40% fine to coarse grained sand; ~20% medium plasticity fines; medium dense; very moist.
					AD		8			
	>4.5		12/18	25	MC	T5	9			
	>4.5					T6	10			Weathered SILTSTONE: Yellowish brown (10YR5/6); severely weathered; weak; soft; slightly clayey; trace very fine grained sand; very moist.
			18/18	22	SPT	B3	11			
					AD		12			
	>4.5		15/18	33	MC	T7	13		Slts	
	>4.5					T8	14			
			18/18	32	SPT	B4	15			
					AD		16			
	4.5		18/18	25	MC	T9	17			Mottled with yellowish brown (10YR5/4); clayey; very moist.
	>4.5					T10	18			
			18/18	25	SPT	B5	19		GC	Clayey GRAVEL: Dark yellowish brown (10YR4/6); ~50% rounded gravel to 1/2-inch size; ~20% fine to coarse grained sand; ~30% medium plasticity fines; medium dense; moist; abundant calcium carbonate.

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Remarks: Borehole terminated at 20.0 feet.
No ground water encountered.
Borehole backfilled with tamped cuttings.

LOG OF EXPLORATORY BOREHOLE MG3

Project: Proposed Anderson Residences
Project Number: 184950
Location: 22700 Mt. Eden Road, Saratoga, CA
Project Elev.: ~394 feet
Page: 1 of 1
Drilling Equipment: Track-mounted CME45
Hole Diameter: 6 inches
Logged By: RLF
Drilling Contractor: Britton Exploration
Surface: weeded
Date: 5/6/19

TORVANE (tsf)	POCKET PENET. (tsf)	GROUND-WATER	RECOVERY (in./in.)	SPT (bpf) or PRESS. (psi)	SAMPLE OR DRILL MODE	SAMPLE DESIG-NATION	DEPTH IN FEET	GRAPHIC LOG	USCS DESIG.	GEOTECHNICAL DESCRIPTION
					AD		0		CH	**COLLUVIAL AND RESIDUAL SOIL** Sandy CLAY with Gravel: Dark brown (10YR3/3); gravel to 2-inch size; fine to coarse grained sand; medium to high plasticity fines; damp; abundant rootlets.
	>4.5		18/18	13	MC	T1	1		CH	
						T2	2			Sandy CLAY: Dark yellowish brown with yellowish brown specs (10YR3/4,5/8); ~20% fine to coarse grained sand; ~80% medium to high plasticity fines; hard; moist.
			18/18	21	SPT	B1	3			
					AD		4		SM	**SANTA CLARA FORMATION** Silty to Clayey GRAVEL with Sand: Light yellowish brown and brownish yellow (10YR5/6,6/8); ~50% moderately weathered gravel to 1.5-inch size; ~30% fine to coarse grained sand; ~20% medium plasticity fines; medium dense; moist.
			12/18	25	MC	T3	5			
						T4	6			Yellowish brown (10YR5/6); dense.
			18/18	39	SPT	B2	7			
					AD		8			
			18/18	47	MC	T5	9			~60-70% gravel to 2-inch size; ~20% fine to coarse grained sand.
						T6	10			
			18/18	39	SPT	B3	11			
					AD		12			
			12/12	33/6"	MC	T7	13			Slightly clayey, very moist.
						T8	14			
			18/18	42	SPT	B4	15			
							16			
							17			
							18			
							19			

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Remarks: Borehole terminated at 15.5 feet.
No ground water encountered.
Borehole backfilled with tamped cuttings.

LOG OF EXPLORATORY BOREHOLE MG4

Project: Proposed Anderson Residences | Project Number: 184950
Location: 22700 Mt. Eden Road, Saratoga, CA | Project Elev.: ~374 feet | Page: 1 of 1
Drilling Equipment: Track-mounted CME45 | Hole Diameter: 6 inches | Logged By: RLF
Drilling Contractor: Britton Exploration | Surface: weeded | Date: 5/6/19

TORVANE (tsf)	POCKET PENET. (tsf)	GROUND-WATER	RECOVERY (in./in.)	SPT (bpf) or PRESS. (psi)	SAMPLE OR DRILL MODE	SAMPLE DESIG-NATION	DEPTH IN FEET	GRAPHIC LOG	USCS DESIG.	GEOTECHNICAL DESCRIPTION
					AD				CH	**COLLUVIAL AND RESIDUAL SOIL** Sandy CLAY with Gravel: Dark brown (10YR3/3); gravel to 2-inch size; fine to coarse grained sand; medium to high plasticity fines; soft; damp; abundant rootlets.
	3.25		18/18	15	MC	T1	1		CH	
						T2	2			Sandy CLAY with Gravel: Dark yellowish brown with yellowish brown specs (10YR4/4); ~20% fine to coarse grained sand; ~80% medium to high plasticity fines; very stiff; very moist.
			18/18	20	SPT	B1	3		SC/ GC	
					AD		4			**SANTA CLARA FORMATION** Clay SAND to clayey GRAVEL: Dark yellowish brown (10YR4/4,4/6); ~40% gravel to 1-inch size; ~40% fine to coarse grained sand; ~20% medium to high plasticity fines; medium dense; moist.
			12/18	16	MC	T3	5			
						T4	6			Clayey GRAVEL: Dark yellowish brown and yellowish brown (10YR4/6,5/6); ~60% moderately weathered gravel to 1.5-inch size; ~20% fine to coarse grained sand; ~20% medium plasticity fines; medium dense; moist.
			18/18	27	SPT	B2	7			
					AD		8			
			18/18	37	MC	T5	9			Gravel to at least 2.5-inch size.
						T6	10		GC	
			18/18	31	SPT	B3	11			
					AD		12			
			12/12	33/6"	MC	T7	13			
						T8	14			
			18/18	42	SPT	B4	15			
							16			
							17			
							18			
							19			

MILSTONE GEOTECHNICAL

Remarks: Borehole terminated at 15.5 feet.
No ground water encountered.
Borehole backfilled with tamped cuttings.

APPENDIX B
LABORATORY INVESTIGATION

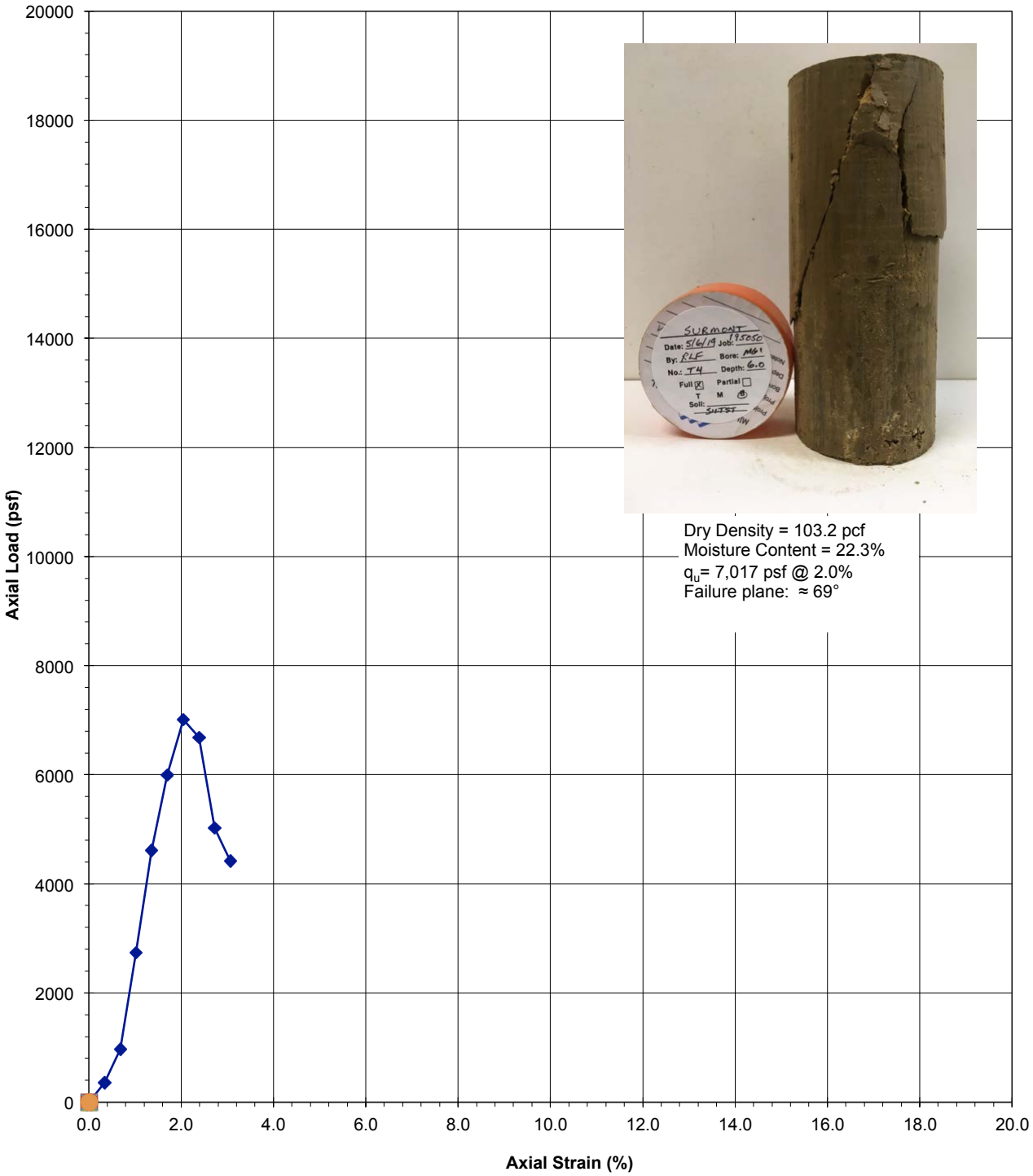
Summary of Laboratory Test Results
Unconfined Compression
Atterberg Limits
Constant Volume Swell

Summary of Laboratory Test Results
Proposed Surmont Residences
400 Surmont Drive
Los Gatos, California

Borehole/ Sample No.	Depth (ft)	Earth Material	Moisture Content (%)	Dry Density (pcf)	Unconfined Compressive Strength (psf)	Atterberg Limits (LL / PI) (% / %)	Constant Volume Swell Pressure (psf)
MG1/T2	2.0	GC	10.4	108.9	-	-	-
MG1/T4	6.0	CH-CL	22.3	103.2	7,017	-	-
MG1/T5	9.5	SC	24.1	95.6	5,334	-	-
MG1/T8	14.0	CH	10.3	119.0	-		3,417
MG1/T10	18.0	SC/CH	8.0	126.9	-	-	-
MG2/T2	2.0	CH-CL	-	-	-	-	-
MG2/T4	6.0	CH	22.8	104.5	-	-	-
MG2/T6	10.0	SC	22.9	101.3	4,883	-	-
MG2/T8	14.0	CH-CL	19.1	110.5	9,318	-	-
MG2/T9	17.5	CH/GC	22.5	101.1	-	-	-
MG3/T2	2.0	CH-CL	11.5	111.0	-	-	-
MG3/T4	6.0	CH	14.2	110.0	-	-	-
MG3/T6	10.0	SC	8.6	121.0	-	-	-
MG3/T8	13.5	CH-CL	11.4	103.9	-	-	-
MG4/B1	0.5	CH-CL	22.9	-	-	69 / 46	-
MG4/T2	2.0	CH-CL	14.3	118.7	-	-	-
MG4/T4	6.0	CH	13.9	119.6	-	-	-
MG4/T6	10.0	SC	8.9	124.4	-	-	-
MG4/T7	13.0	CH-CL	10.0	119.8	-	-	-

Unconfined Compression Test Results
Surmont
Boring MG1, T4 @ 6.0'
Claystone, Yel Brn, Very Severely Weathered, Soft

Dry Density = 103.2 pcf
Moisture Content = 22.3%
q_u= 7,017 psf @ 2.0%
Failure plane: ≈ 69°



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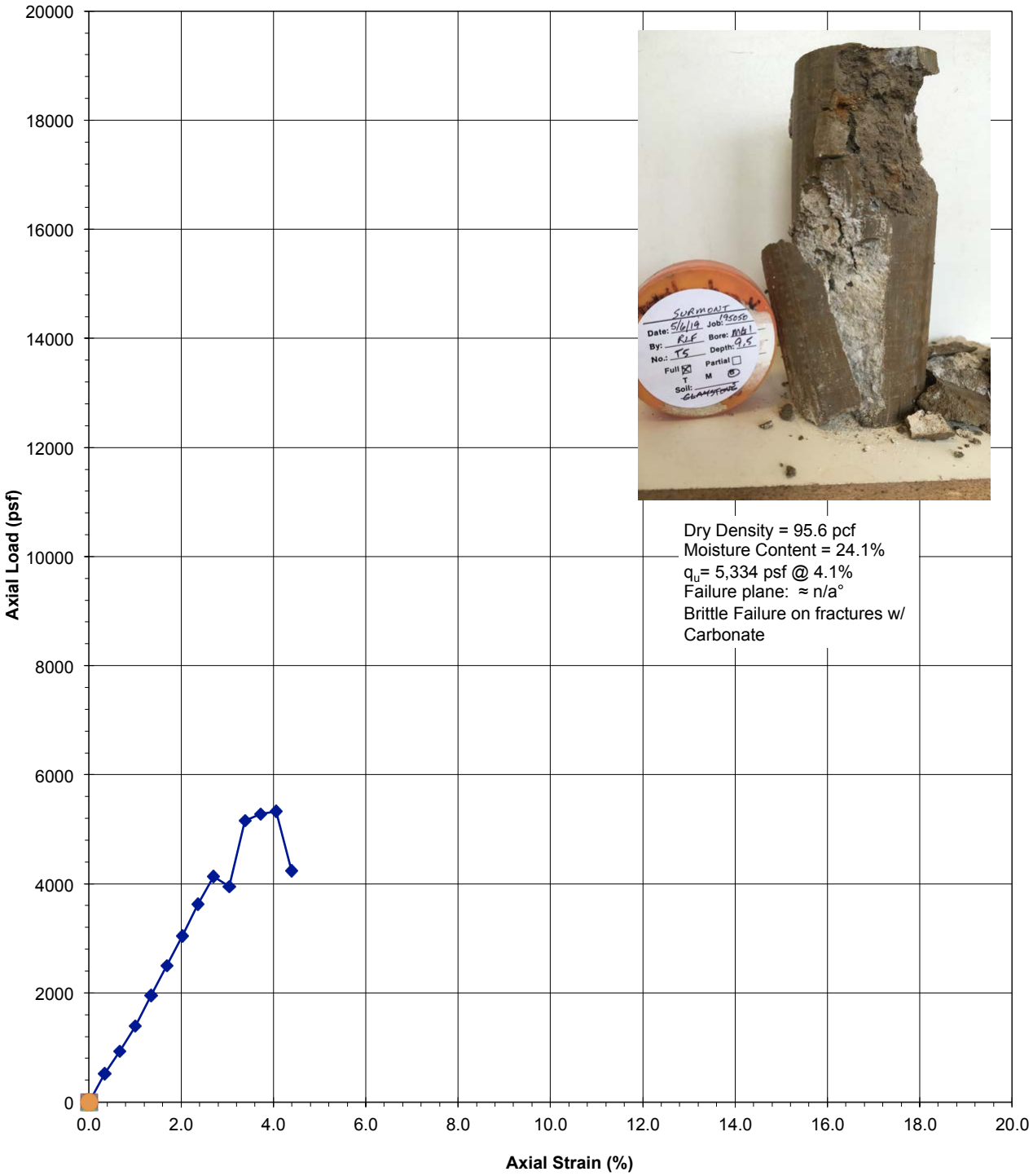
SOIL TESTING LABORATORY

Unconfined Compression Test Results
Surmont
Boring MG1, T5 @ 9.5'
Claystone, Mottled Dk Yel Brn, Very Severely Weathered, Soft

Dry Density = 95.6 pcf
Moisture Content = 24.1%
q_u= 5,334 psf @ 4.1%
Failure plane: ≈ n/a°
Brittle Failure on fractures w/ Carbonate

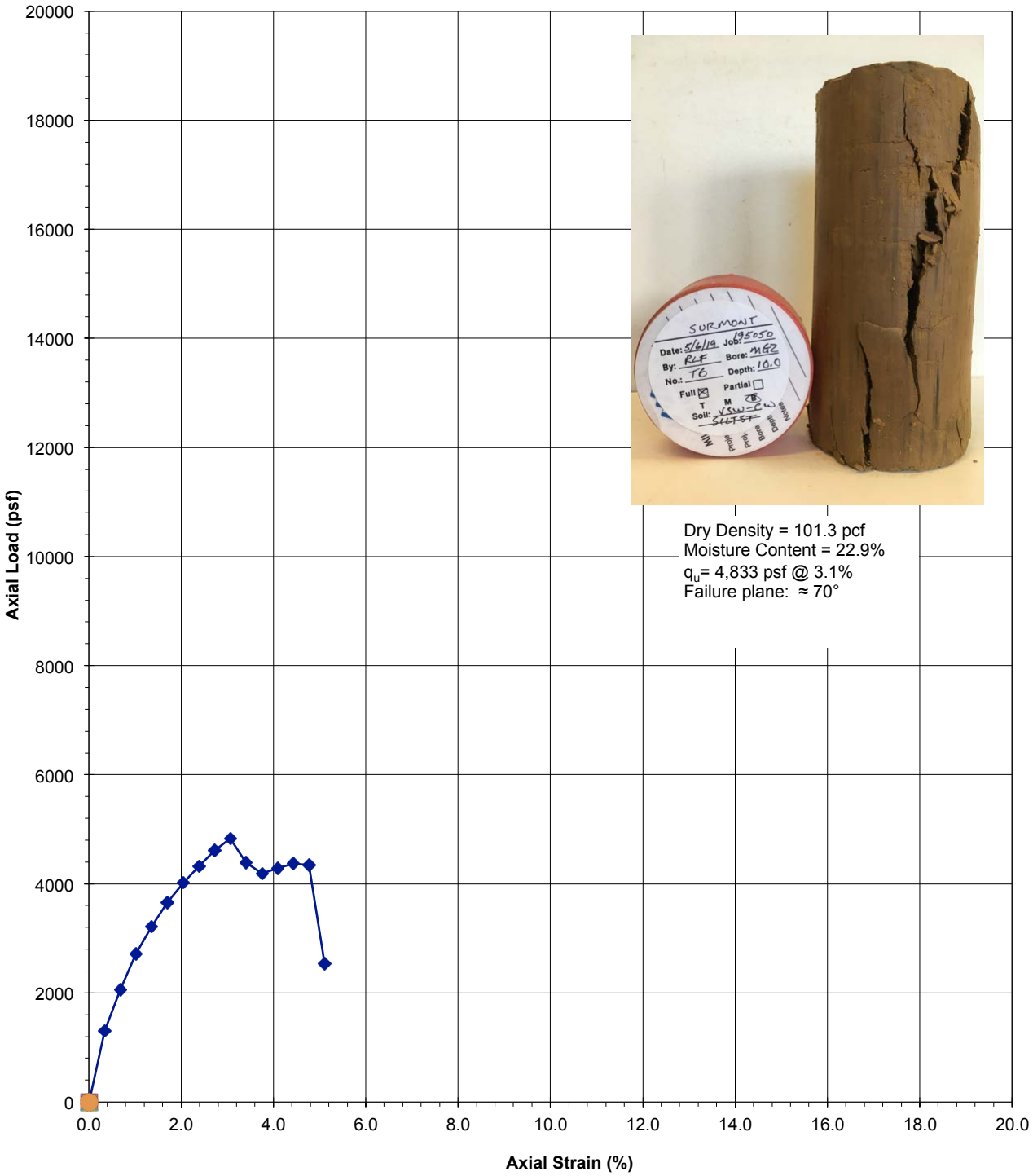


CLIENT: Milstone Geotechnical

FISHER GEOTECHNICAL
SOIL TESTING LABORATORY

Unconfined Compression Test Results
Surmont
Boring MG2, T6 @ 10.0'
Siltstone, Dk Yel Brn, Very Severely Weathered, Soft

Dry Density = 101.3 pcf
Moisture Content = 22.9%
q_u= 4,833 psf @ 3.1%
Failure plane: ≈ 70°



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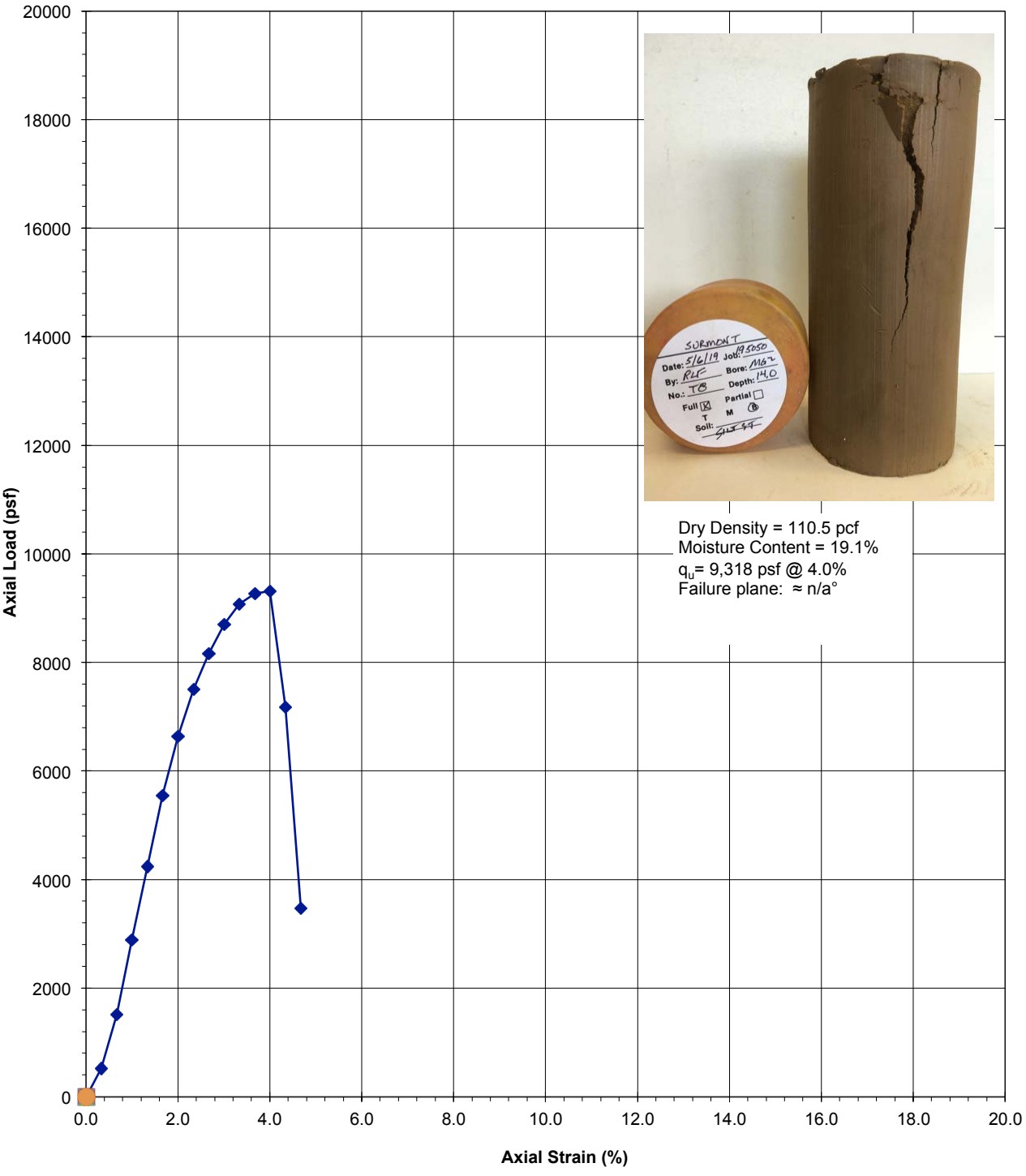
FISHER GEOTECHNICAL
SOIL TESTING LABORATORY

Unconfined Compression Test Results
Surmont
Boring MG2, T8 @ 14.0'
Siltstone, Dk Yel Brn, Very Severely Weathered, Soft



CLIENT: Milstone Geotechnical

FISHER GEOTECHNICAL
SOIL TESTING LABORATORY

FISHER GEOTECHNICAL

Client Name:	Milstone Geotechnical	Project Name:	Surmont
Client Address:	17020 Melody Lane Los Gatos, CA 95033	Project Location: Sample ID:	400 Surmont Dr., Los Gatos MG4, B1@ 0-1.0'
Client Contact:	Barry Milstone	Visual Description:	Sandy Fat Clay (CH), dk yel brn/dk brn
Report Date:	5/20/19	Reference:	Passing No. 40 portion tested
Date Received:	5/6/19	Test Classification:	CH

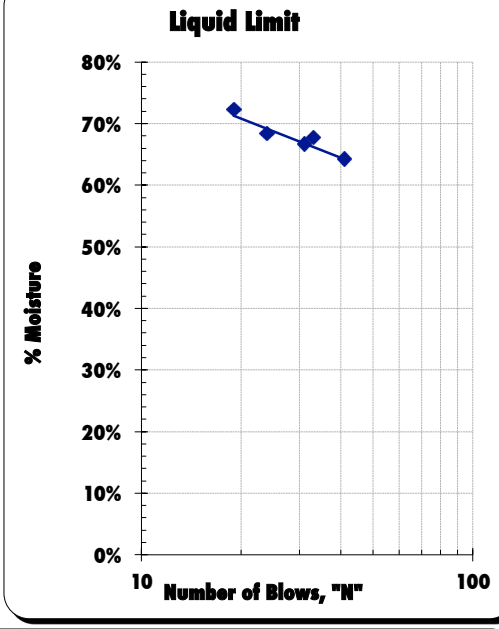
Liquid Limit Determination

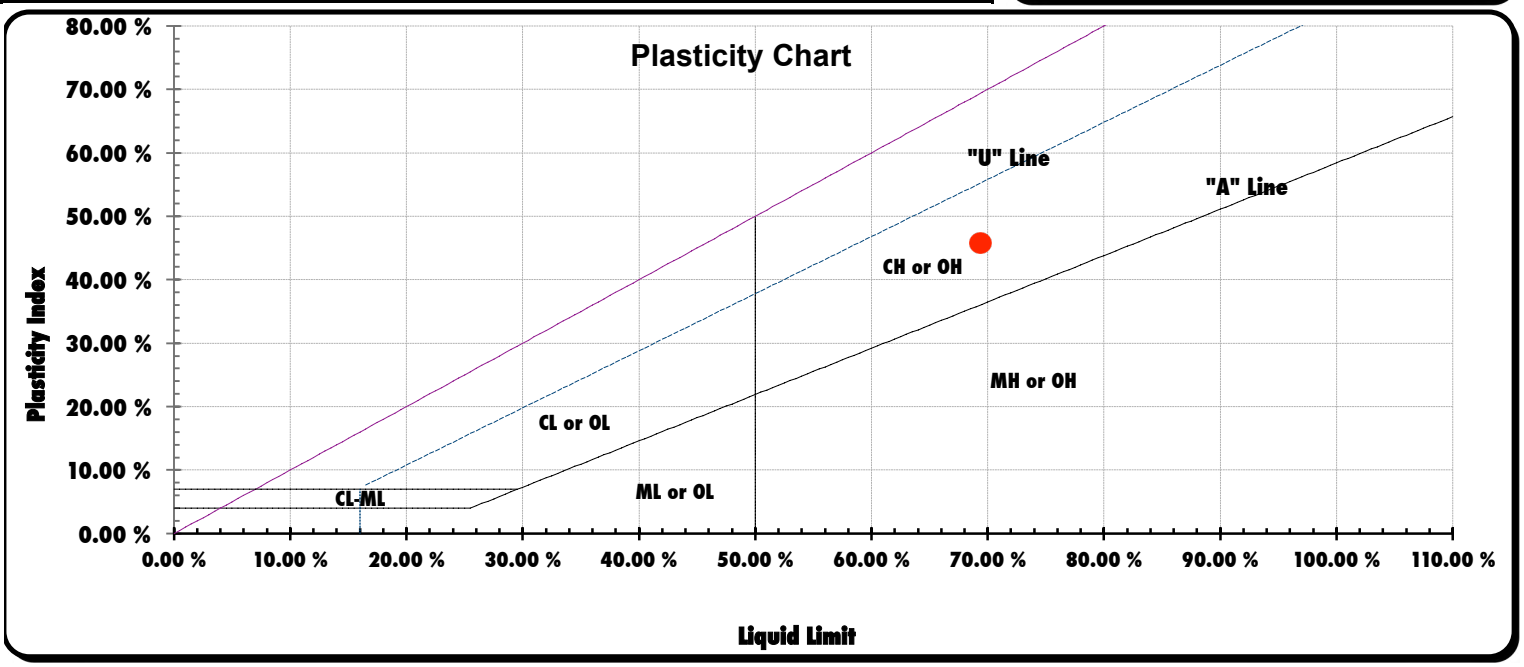
	#1	#2	#3	#4	#5	#6
Weight of Wet Soils + Pan:	6.00	8.10	7.20	6.10	6.00	
Weight of Dry Soils + Pan:	5.10	6.00	5.80	4.80	4.70	
Weight of Pan:	3.70	2.90	3.70	2.90	2.90	
Weight of Dry Soils:	1.40	3.10	2.10	1.90	1.80	
Weight of Moisture:	0.90	2.10	1.40	1.30	1.30	
% Moisture:	64.3 %	67.7 %	66.7 %	68.4 %	72.2 %	
Number of Blows, N:	41	33	31	24	19	

Atterberg Limits		(whole no.)
Liquid Limit@ 25 Blows:	69.34 %	69
Plastic Limit Average:	23.54 %	24
Plasticity Index, I_P:	45.81 %	46

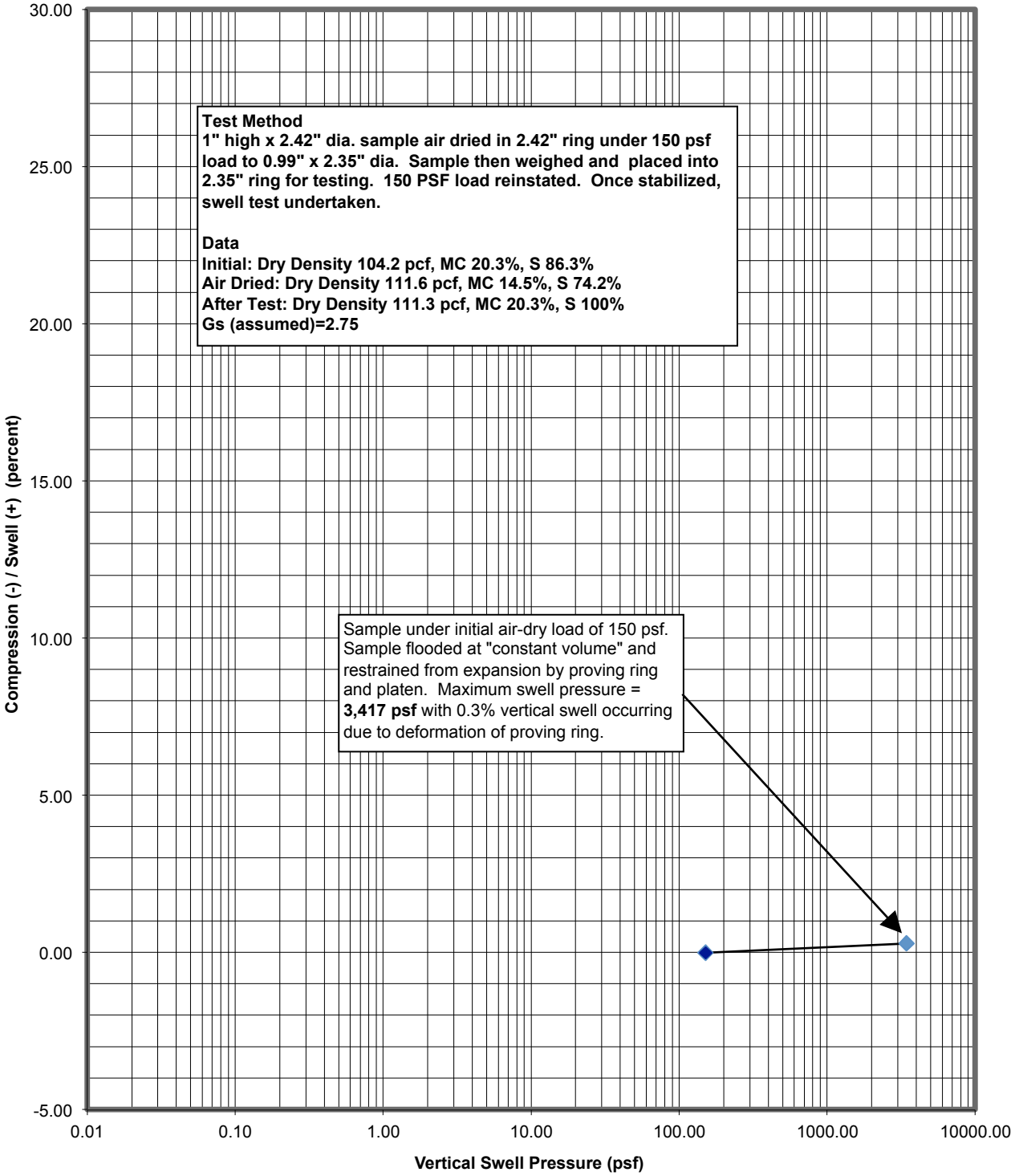
Plastic Limit Determination

	#1	23.9	#3	#4	#5	#6
Weight of Wet Soils + Pan:	8.10	8.90				
Weight of Dry Soils + Pan:	7.10	7.90				
Weight of Pan:	2.90	3.60				
Weight of Dry Soils:	4.20	4.30				
Weight of Moisture:	1.00	1.00				
% Moisture:	23.8 %	23.3 %				





SWELL TEST RESULTS (CONSTANT VOLUME)
SURMONT
PROJECT 195050, BORING MG2 @ 2.0' Sample T2
Dk Brn Sandy Fat Clay (CH)



FISHER GEOTECHNICAL
SOIL TESTING LABORATORY

CLIENT: Milstone Geotechnical

Attachment D: Geologic Report

ENGINEERING GEOLOGIC INVESTIGATION
PROPOSED RESIDENCES
APN 527-260-003
400 SURMONT DRIVE
LOS GATOS, CALIFORNIA

Prepared for

Ms. Sandra K. Anderson
%
Mr. Bob Hughes
400 Surmont Drive
Los Gatos, California

May 2019

STEVEN F. CONNELLY, C.E.G.
Consulting in
Engineering Geology

May 18, 2019
Project #1909

Ms. Sandra K. Anderson
%
Mr. Bob Hughes
400 Surmont Drive
Los Gatos, CA 95032

Subject: **ENGINEERING GEOLOGIC INVESTIGATION**
Proposed Residences
APN 527-20-003
400 Surmont Drive
Los Gatos, California

Dear Ms. Anderson,

At your request, I have prepared this Engineering Geologic Investigation for the proposed residences to be constructed on your property, APN 527-20-003, located at 400 Surmont Drive in Los Gatos, California. I understand that you intend to subdivide the property and construct two new residences on Parcels 1 and 2, as approximately shown on plans provided for my review. The accompanying report presents my findings regarding the geologic conditions and potential geologic hazards influencing the proposed development.

I am pleased to have been of service to you on this project. Please contact me if you have any questions regarding this report.

Very truly yours,

Steven F. Connelly
Certified Engineering Geologist 1607

Copies: 7 - Addressee
1 - Milstone Geotechnical

nida Benito, San Jose, CA 95131 www.stevenfconnelly.com Phone (408) 392-9999 Cell (408) 398-9339

ENGINEERING GEOLOGIC INVESTIGATION
PROPOSED RESIDENCES
APN 527-20-003
400 SURMONT DRIVE
LOS GATOS, CALIFORNIA

This report presents the results of an Engineering Geologic Investigation for the proposed residences to be constructed on the property, APN 527-20-003, located at 400 Surmont Drive in Los Gatos, California (see Figure 1, Site Location Map). I understand that 2 new lots will be subdivided from the property and that new homes are planned, as approximately shown on Figure 9, Site Geologic Map.

The property is located within the Blossom Hill area of Los Gatos, as shown on Figure 2, Regional Topographic Map. Several northwest-trending thrust faults have been mapped to the southwest of the property, as shown on Figure 3, Regional Geologic Map. The property is also located within hillside terrain susceptible to potential landsliding. Most of the property lies within a State Seismic Hazard Zone for potential earthquake-induced landsliding, as shown on Figure 5, State Seismic Hazard Zone Map. Consequently, the Town of Los Gatos requires geologic investigation to assess potential geologic hazards for the proposed residences.

The purpose of this Engineering Geologic Investigation is to identify existing geologic conditions and potential geologic, fault, landslide, or seismic hazards on the subject property, and to provide appropriate recommendations for the proposed residences. The scope of this investigation included review of pertinent geologic maps and literature; review of previous nearby investigations; communications with Dr. Robert Wright, the Reviewing Geologist for the Town of Los Gatos; consultation with the project Geotechnical Engineer, Mr. Barry Milstone of Milstone Geotechnical; analysis of historical aerial photographs; a site reconnaissance and mapping; excavation and logging of five test pits on the property; engineering geologic analysis; drafting and preparation of this report.

This report has been prepared for the exclusive use of Ms. Sandra K. Anderson, and project architects and engineers for the proposed new construction. This investigation has been conducted in accordance with generally accepted engineering geology principles and practices. No other warranty, either expressed or implied, is made. In the event that any changes in the nature or location of the improvements are planned, the conclusions and recommendations of this report shall not be considered valid unless such changes are reviewed, and the conclusions and recommendations of this report are modified or verified in writing by Certified Engineering Geologist 1607.

Photo 1: 2009 aerial photograph showing the subject property.

Site Conditions

The proposed new parcels are roughly rectangular-shaped lots located to the southeast of the end of Surmont Drive, as shown on Photo 1 above. The parcels are situated within the Los Gatos foothills along the northeast flank of the northwest-trending Santa Cruz Mountain Range, as shown on Figure 2, Regional Topographic Map.

The parcels and proposed homesites are inclined gently towards the northeast, as shown on Figure 9, Site Geologic Map and Figure 15, Geologic Cross-Section A-A'. A driveway to the existing upper home site bounds the western margin of the proposed new parcels. The parcels are vegetated by grass, scattered oak trees, and brush.

Geology

Bailey and Everhart (1964) initially mapped geology and fault traces in the site vicinity. Their mapping has been reproduced in a geologic map compiled by McLaughlin and others (2001), as shown on Figure 3, Regional Geologic Map. An un-named northwest-

trending fault is mapped about 200 feet to the southwest of the site. The active Blossom Hill, Shannon, and Berrocal faults are mapped further to the southwest. Monterey Shale bedrock is identified underlying the property and site vicinity. Santa Clara Formation is mapped capping the Monterey Shale to the east and west. Holocene alluvial fan deposits are mapped to the north.

The middle Miocene age (11 to 16 million years old) Monterey Shale in the site vicinity consists mainly of well-bedded siliceous mudstone, shale, and porcelanite, with minor interbeds of sandstone and dolomite (Stanley and others, 2002). The Monterey Shale is a marine sedimentary unit deposited in a continental shelf environment.

The late Pliocene to middle Pleistocene age (3.4 million to 100,000 years old) Santa Clara Formation consists of poorly lithified conglomerate, sandstone, siltstone, and mudstone. The sediments were deposited in various fluvial and lacustrine environments (Cummings, 1968; McLaughlin and others, 1999). The Santa Clara Formation was deposited over the Monterey Shale along an angular unconformity.

Holocene age (less than 11,000 years old) alluvial fan deposits are composed of unsorted boulders, gravel, sand, silt, and soil deposited by recent stream activity.

The faults mapped in the site vicinity are part of a northwest-trending belt of faults that lie sub-parallel to the San Andreas fault along the southwest margin of the Santa Clara Valley. The belt of faults is referred to as the Range Front Fault System, which includes the Sargent, Berrocal, Shannon, Blossom Hill, and Monta Vista faults and other faults that may exist beneath the valley fill to the northeast.

The range front faults generally accommodate both dip-slip and lateral movement. Based on geologic, geophysical, and seismic data, these faults are considered to be the locus of about 3 to 4 kilometers of uplift and an undetermined amount of lateral slip within the last 5 million years (McLaughlin and others, 1999).

Nolan Associates (2002) identified similar geologic relationships on a geologic hazards map produced for the Town of Los Gatos, as shown on Figure 4, Town Geologic Hazards Map. Landslide deposits are not mapped on the property or immediate site vicinity.

The California Geological Survey (2002) has mapped most of the subject property within a State Seismic Hazard Zone, susceptible to potential seismically-induced landsliding, as shown on Figure 5, State Seismic Hazard Zone Map. The hazard zone mapping for the subject property appears to be based on slope inclinations and not on any particular mapped landslide deposit.

Seismicity

The greater San Francisco Bay Area is recognized by Geologists and Seismologists as one of the most active seismic regions in the United States. Several major fault zones pass through the Bay Area in a northwest direction (see Figure 1) which have produced approximately 12 earthquakes per century strong enough to cause structural damage.

The faults causing such earthquakes are part of the San Andreas Fault System, a major rift in the earth's crust that extends for at least 700 miles along western California. The San Andreas Fault System includes the San Andreas, Hayward, Calaveras, Greenville, and San Gregorio Fault Zones.

According to Blake (2000), the San Andreas fault is located about 6 miles southwest of the subject site. The Calaveras and Hayward faults are located about 14 miles and 16 miles northeast of the site, respectively. The San Gregorio fault is located about 22 miles to the west and the Greenville fault about 28 miles to the northeast. These faults are considered to be active (Hart and Bryant, 1997), having had surface displacement within Holocene time (the last 11,000 years).

As previously discussed, an un-named fault has been mapped about 200 feet to the southwest of the property, as shown on Figure 3, Regional Geologic Map and Figure 4, Town Geologic Hazards Map. The County of Santa Clara (2004) includes this fault within a County Fault Rupture Hazard Zone, as shown on Figure 6, County Fault Rupture Hazard Zone Map. The Blossom Hill fault was identified by Steven F. Connelly, C.E.G. (2003) as an active fault, and is located about 1200 feet to the southwest.

Hitchcock and others (1994) mapped several scarps and lineations possibly related to the range front faults in the site vicinity. Topographic saddles and vegetation lineaments were mapped to the northwest and southwest of the property, as shown on Figure 7, Map of Geomorphic Surfaces.

Geomorphic and seismic data, as well as surficial deformation documented following the 1989 Loma Prieta earthquake, suggests that faults within the Range Front Fault System may be currently active. Schmidt and others (1995) identified damage to pavement and pipes associated with the Loma Prieta Earthquake, as shown on Figure 8, Map of 1989 Coseismic Deformation. Extensive damage was noted in the immediate site vicinity.

The range front faults may be independent seismic hazards, as evidenced by a recent earthquakes along the Monta Vista fault. Activity may also occur as triggered slip in response to large events on the nearby San Andreas fault. Hitchcock and others (1994)

suggest that a M6.5 earthquake in 1865 may have been centered on the Monta Vista or Shannon faults. Kovach and Beroza (1993) indicate that a M7.1 earthquake could potentially be generated by rupture along the entire length of the Range Front Fault System. Steven F. Connelly, C.E.G. (2003) documented evidence of recent fault activity along the Blossom Hill fault with up to about 3 feet of displacement within the last 600 years.

Air Photo Review

The following stereographic pairs of black & white aerial photographs were examined to observe site conditions and to aid in identifying potential fault or landslide hazards. Several GoogleEarth air photo images from 1993 to present were also examined.

Date	Photo Identification	Type	Scale
6-9-56	CIV-6R-72 & 73	B&W	1:20,000
5-16-65	SCL-10-106 & 107	B&W	1:12,000

Photo 2: Aerial photograph from 1965 showing the subject property as part of a large fruit orchard.

The subject property is clearly visible in the photos reviewed, as shown on Photo 2 above. The proposed parcels are located along the nose of a broad gently-inclined north-trending ridgeline along the northeast flank of the Los Gatos foothills. The existing residence on the upper southern portion of the property was constructed sometime prior to the 1956 photo date.

A northwest-trending linear depression or saddle is evident in the air photos about 200 feet to the southwest of the property. The saddle is coincident with the un-named fault mapped on Figures 3, 4, and 6. Evidence of recent landsliding or faulting, in the form of fresh scarps, ground cracking, soil lineations, or disturbed vegetation, however, is not apparent on the subject property in the air photos reviewed. Debris flow tracks or debris flow source areas were not observed upslope of the property.

Previous Investigation

Steven F. Connelly, C.E.G. (2003) completed a Fault Investigation for a proposed home site on Greenridge Terrace about 4000 feet to the west of the subject property. The Blossom Hill fault was observed thrusting Monterey Formation rocks over younger rocks of the Santa Clara Formation. Evidence of recent fault activity was observed along the Blossom Hill fault and the proposed building site was found to be unsuitable for the proposed home construction.

Steven F. Connelly, C.E.G. (2016) completed an Engineering Geologic Investigation for a proposed home site on Belgatos Lane on the adjacent property to the east of the subject property. Monterey Shale was encountered underlying the uphill southern portion of the property. Santa Clara Formation in depositional contact with the Monterey Shale was found mantling the lower northern portion of the property. Evidence of active faulting or landsliding was not encountered and the proposed building site was found to be suitable for the proposed home construction.

FIELD INVESTIGATION

Site Reconnaissance

Several site reconnaissances were completed of the subject property during the course of the field investigation. The proposed building sites are located on a broad gently-inclined north-trending ridgeline. Large mature oak trees are located adjacent to the western side of the proposed building sites. Bedrock exposures do not occur on the property.

Photo 3: View of backhoe excavating Test Pit 1.

Subsurface Investigation

As part of this investigation, four test pits were initially excavated on the property, in the approximate locations shown on Figure 9, using a track-mounted excavator (see Photo 3 above). When Test Pit 4 encountered anomalous materials, a fifth test pit was excavated to investigate geologic relationships. Test Pit 2 was later lengthened and deepened as part of further investigation. Detailed logs of the materials encountered in Test Pits 1 through 5 are shown on Figures 10 through 14, Logs of Test Pits 1 through 5. Groundwater was not encountered in any of the excavations.

Test Pits 1 and 3 encountered about 2 to 3 feet of colluvial soil composed of brown, firm, highly plastic, silty clay with some sand and sub-rounded gravel clasts. Weathered bedrock of the Santa Clara Formation composed of yellowish brown, dense to very dense, poorly cemented, gravelly silty sand was observed at depth below the colluvial soil. Test Pit 2 also encountered about 2.5 feet of colluvial soil underlain by weathered bedrock of the Santa Clara Formation. The gravelly silty sand was interbedded with grayish brown claystone and bedding was folded into syncline, as shown on Figure 11. A bedding attitude of N55W 53S was measured in the claystone.

Photo 4: View of Monterey Shale exposed in Test Pit 4.

Photo 5: View of Santa Clara Formation exposed in Test Pit 4.

Test Pit 4 encountered about 1 to 2 feet of colluvial soil composed of brown, loose to firm, medium plasticity, silty clay with some sand and gravel. Weathered bedrock of the Monterey Shale (see Photo 4 above) was encountered in the northern half of Test Pit 4, composed of pale brown, moderately dense to dense, closely-bedded, siltstone containing gypsum veins and crystals deposited parallel to bedding. A bedding attitude of N84W 70N was measured in the siltstone. Weathered bedrock of the Santa Clara Formation (see Photo 5 above) was encountered in the southern portion of Test Pit 4, composed of interbedded, gravelly sandy silt and claystone. The Santa Clara Formation is in depositional contact with Monterey Shale as a slightly undulating unconformity.

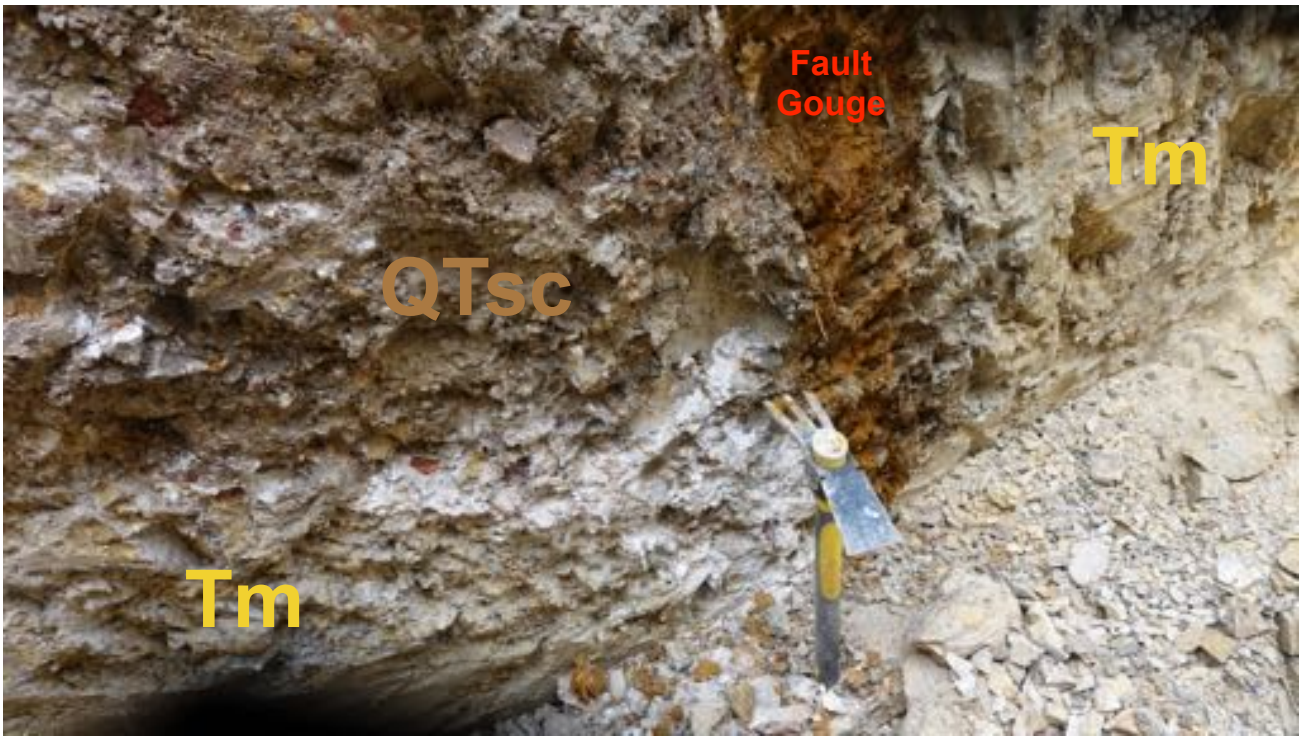


Photo 6: View of the western wall of Test Pit 4. Closely-bedded Monterey Shale Tm is exposed to the right of the photo. Strong brown-colored fault gouge is apparent just to the right of the soil pick. Santa Clara Formation sediment QTsc overlying Monterey Shale is exposed to the left of the soil pick.

A prominent fault defined by a 4 to 6-inch-wide layer of fault gouge composed of strong brown, highly plastic, clay separates the Monterey Shale in the northern portion of Test Pit 4 from the Santa Clara Formation and Monterey Shale in the southern end of the pit (see Photo 6 above and Photo 7 below). The fault plane is oriented parallel to bedding in the Monterey Shale and is bounded at its base by white carbonate veins and carbonate deposits up to 3 inch thick. The fault gouge thins and flattens out in the uphill direction as depicted on Figure 13. The fault thrusts older Monterey Shale rocks over younger Santa Clara Formation rocks in an uphill direction, antithetical to the common range front thrust dynamics in the site vicinity.

Test Pit 5 was excavated adjacent to Test Pit 4 in an attempt to further document the fault and determine its lateral continuity. About 1 foot of colluvial soil overlying weathered bedrock of the Santa Clara Formation was encountered in Test Pit 5. The Santa Clara Formation is in depositional contact with Monterey Shale in Test Pit 5 as a slightly undulating unconformity, similar to observations in the southern end of Test Pit 4. The Monterey Shale strikes N86E and dips 59N, similar to bedding attitudes measured in Test

Photo 7: View of the eastern wall of Test Pit 4. Closely-bedded Monterey Shale **Tm** is exposed to the left of the photo. Strong brown-colored fault gouge defines a thrust fault that thrusts older Monterey Shale over younger Santa Clara Formation sediment **QTsc** in the right of the photo.

Pit 4. A fault defined as a slightly-undulating, thin, clay surface was observed in Test Pit 5 along the projected trend of the fault observed in Test Pit 4. The fault trends N74W and plunges 56N. The fault appears to thrust the Santa Clara Formation and Monterey Shale materials towards the south over a different unit of the Santa Clara Formation containing boulders up to 1 foot in diameter.

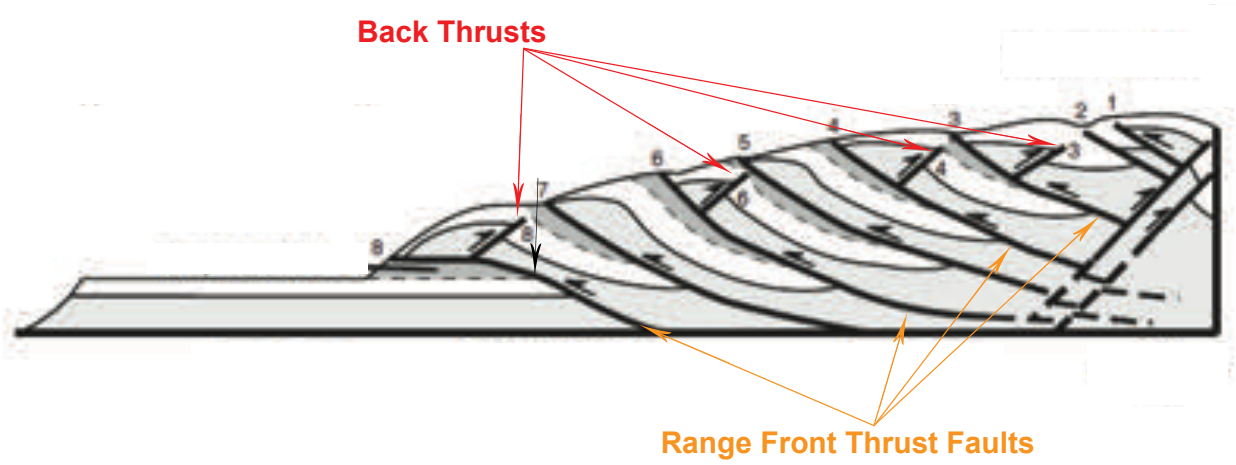
Test Pit 2 was re-excavated, deepened, and lengthened, as shown on Figure 11 to determine if the fault observed in Test Pits 4 and 5 extends further towards the southeast. The fault was not observed in Test Pit 2, however, beds within the Santa Clara Formation were folded into a syncline, possibly as a result of fault deformation.

Discussion

Depositional contacts, where younger Santa Clara Formation rocks overlie older Monterey Shale, were observed in Test Pits 4 and 5. The subsurface relationships are depicted on Figure 15, Geologic Cross-Section B-B'. These contacts appear to be similar to the depositional contact shown by McLaughlin and others (2001) to the east of the property on Figure 3, Regional Geologic Map.

The fault encountered in Test Pits 4 and 5 appears to be a "back thrust", as depicted on Figure 15, Geologic Cross-Section B-B'. Older rocks of the Monterey Shale are thrust over younger rocks of the Santa Clara Formation. The fault, however, plunges towards the north, unlike relationships encountered along the Blossom Hill fault nearby (Steven F. Connelly, C.E.G., 2003), where Monterey Shale is thrust along southwest-dipping faults over the Santa Clara Formation.

Mr. James Baker, C.E.G., visited the property on April 18, 2019, observed the relationships in Test Pits 4 and 5, and concurred that the fault relationship appears to be a back thrust. Mr. Bob McLaughlin, USGS emeritus, also agreed in email communications that the fault was likely a back thrust, where a fault block undergoes tensional release as a result of thrusting occurring along a related downslope underlying thrust fault. A diagram of back thrusts and related range front thrust faults is shown below, based on a publication on fold and thrust belt kinematics by Poblet and Lisle (2011). It should be noted that this relationship suggests that there is an unidentified and unmapped thrust fault occurring downslope and to the north of the subject property.



The fault observed in Test Pits 4 and 5 appears to have possibly broken the ground surface and, in my opinion, should be considered potentially active. Ground rupture, however, was not observed in Test Pit 2. Consequently, I recommend a building setback zone, as depicted on Figure 9, Site Geologic Map, from the potentially active fault.

Evidence of recent landsliding was not observed in the surface topography on the subject property, during the site reconnaissance, during the review of air photos or published maps and literature, or subsurface investigation. Consequently, in my opinion, the building sites for the proposed residences, are suitable for the proposed new construction, provided the residences are constructed outside of my recommended building setback zone and according to the recommendations of the project Soil Engineer, Mr. Barry Milstone of Milstone Geotechnical.

FINDINGS

Based upon the results of this Engineering Geologic Investigation, a potentially active fault crosses the southwest corner of the subject property. Consequently, a building set back zone is recommended as depicted on Figure 9, Site Geologic Map. Evidence of landsliding or other geologic hazards was not encountered that would restrict construction of the proposed residences on the subject property.

In my opinion, the weathered bedrock underlying the property should provide good support for the proposed residences. It is my opinion that the potential hazard from fault rupture, landsliding, liquefaction, ground subsidence, lateral spreading, tsunamis, seiches, or flooding to the proposed residences, is very low to minimal, provided construction does not occur within the recommended building setback zone.

Seismic Hazards

Based upon the results of this Engineering Geologic Investigation, a potentially active fault passes through the subject property, as approximately shown on Figure 9, Site Geologic Map. Habitable construction should avoid the recommended building setback zone shown on Figure 9. An un-named fault has been mapped about 200 feet to the southwest and the active Blossom Hill fault is located about 1400 feet to the southwest.

It is reasonable to assume that the proposed residences will be subjected to moderate to strong shaking from a major earthquake on the Blossom Hill fault, or one of the other active or potentially active faults in the Bay Area during the design life of the structures.

During such an earthquake, the danger from primary fault offset through the proposed building sites is low, but moderate to strong ground shaking is likely to occur.

Based on a deterministic analysis of preliminary data for selected California faults by Blake (2000), one of the range front faults such as the Blossom Hill fault presents the most significant seismic shaking hazard to the sites. Using a fault attenuation relationship by Idriss (1994), a peak site acceleration of 0.73 g and a Modified Mercalli shaking intensity of XI are predicted for the property from a possible 6.7 Mw earthquake on one of the range front faults.

Historically, Blake (2000) indicates that the property experienced a site acceleration of 0.38 g and a Modified Mercalli shaking intensity of X due to the 6.3 Mw 1865 Earthquake. The 1865 Earthquake was possibly associated with an earthquake in the Range-Front Fault System along a fault such as the Blossom Hill fault. A site acceleration of 0.24 g and a Modified Mercalli shaking intensity of IX occurred on the property during the recent 7.0 Mw 1989 Loma Prieta Earthquake centered about 14 miles south of the site. The property experienced 0.16 g from the 1906 Earthquake on the San Andreas fault, located about 45 miles to the northwest.

Properly designed buildings using the California Building Code (California Building and Standards Commission, 2007) and sound engineering practices should mitigate the damaging effects of ground shaking. As a minimum, the proposed residences should be designed using current building code requirements.

It is possible that secondary fissures or ground cracks may damage the subject property during an earthquake on one of the range front faults or San Andreas fault. Extensive secondary ground cracks unrelated to primary fault offset occurred during the 1989 Loma Prieta Earthquake.

According to Schmidt and others (1995), minor to severe damage occurred to several residences nearby (see Figure 8) as a result of secondary fault movement. These fissures or ground cracks were commonly focused on ridge top locations and were associated with weaker shale interbeds (Cotton and others, 1990), preexisting landslides, or intense ground shaking (Hart and others, 1990).

The U.S. Geological Survey (2008) recently cited a 63 percent probability that a Richter magnitude 6.7 or greater earthquake, similar to the 1989 Loma Prieta Earthquake, will occur on one of the active faults in the San Francisco Bay Region by the year 2032. A 21 percent probability was attributed specifically to the nearby San Andreas fault that a large

earthquake will occur along its trace by the year 2032, as shown on Figure 16, Earthquake Probability Map.

In addition, Dr. David Schwartz of the U.S.G.S. has cited a 9 percent probability for an earthquake on one of the range-front faults such as the Blossom Hill fault, by the year 2032 in a recent lecture (oral communication).

Landsliding

Based upon my review of air photos, site reconnaissance, and subsurface investigation, the property and proposed building sites are underlain by resistant weathered bedrock at shallow depth, as approximately depicted on Figure 15, Geologic Cross-Section A-A'. In my opinion, the resistant weathered bedrock should provide adequate support for the proposed residences. In my opinion, the potential for deep-seated landsliding on the property is very low. Evidence of recent active landsliding was not observed on or adjacent to the property.

In addition, in my opinion, the hazard due to potential earthquake-induced landsliding to the property is very low. Springs or seeps were not observed on the property during my review of air photos, site reconnaissance, or subsurface investigation. These groundwater sources, commonly associated with landslides or contributing to potential landsliding were not observed.

The proposed residences will be located on gently-inclined terrain and sources for potential debris flow landslides were not observed upslope during my review of air photos. Consequently, the hazard to the proposed building sites from debris flow landsliding is, in my opinion, considered negligible.

Liquefaction

Liquefaction most commonly occurs during earthquake shaking in loose fine sands and silty sands associated with a high ground water table. Based on the subsurface investigation, the property is underlain by stiff soils and weathered bedrock at shallow depth that are not susceptible to liquefaction. Liquefaction is therefore, in my opinion, unlikely to occur on the property. The California Geological Survey (2002) indicates that the property is located in an area with a very low susceptibility to liquefaction (see Figure 5, State Seismic Hazard Zones Map).

Ground Subsidence

Ground subsidence may occur when poorly-consolidated soils densify as a result of earthquake shaking. Since the proposed building sites are underlain by stiff soils and resistant weathered bedrock at relatively shallow depth, the hazard due to ground subsidence is, in my opinion, considered negligible.

Lateral Spreading

Lateral spreading may occur when a weak layer of material, such as a sensitive silt or clay, loses its shear strength as a result of earthquake shaking. Overlying blocks of competent material may be translated laterally towards a free face. Since the proposed building sites are underlain by stiff soils and resistant weathered bedrock at shallow depth, the hazard due to lateral spreading is, in my opinion, considered negligible.

Tsunamis, Seiches, and Flooding

The subject property is located in an inland area removed from the hazard of inundation by tsunamis (Ritter and Dupre, 1972). The Association of Bay Area Governments (1980b) indicates that the subject property is located in an area free from the hazard of seiches and flooding caused by dam failure.

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A list of References, Table, and Figures are attached and complete this report:

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TABLE I - MODIFIED MERCALLI INTENSITY SCALE

I	Not felt. Marginal and long-period affects of large earthquakes.
II	Felt by persons at rest, on upper floors, or favorably placed.
III	Felt indoors. Hanging objects swing. Vibration like passing of light trucks. Duration estimated. May not be recognized as an earthquake.
IV	Hanging objects swing. Vibration like passing of heavy trucks; or sensation of a jolt like a ball striking walls. Standing motor cars rock. Windows, dishes, doors rattle. Glasses clink. Crockery clashes. In the upper range of IV wooden walls and frames creak.
V	Felt outdoors; direction estimated. Sleepers wakened. Liquids disturbed, some spilled. Small unstable objects displaced or upset. Doors swing, close, open. Shutters, pictures move.
VI	Felt by all. May frightened and run outdoors. Persons walk unsteadily. Windows, dishes, glassware broken, knickknacks, books, etc., off shelves. Pictures off walls. Furniture moved or overturned. Weak plaster and masonry D cracked. Small bells ring (church, school). Trees, bushes shaken (visible, or heard to rustle).
VII	Difficult to stand. Noticed by drivers of motor cars. Hanging objects quiver. Furniture broken. Damage to masonry D, including cracks. Weak chimneys broken at roof line. Fall of plaster, loose bricks, stones, tiles, cornices (also unbraced parapets and architectural ornaments). Some cracks in masonry C. Waves on ponds; water turbid with mud. Small slides and caving along sand and gravel banks. Large bells ring. Concrete irrigation ditches damaged.
VIII	Steering of motor cars affected. Damage to masonry C; partial collapse. Some damage to masonry B; none to masonry A. Fall of stucco and some masonry walls. Twisting, fall of chimneys, factory stacks, monuments, towers, elevated tanks. Frame houses moved on foundation if not bolted down; loose panel walls thrown out. Decayed piling broken off. Branches broken from trees. Changes in flow or temperature of springs and wells. Cracks in wet ground and on steep slopes.
IX	General panic. Masonry destroyed or seriously damaged. (Damage to foundations.) Frame structures, if not bolted, shifted off foundations. Frames racked. Serious damage to reservoirs. Buried pipes broken. Conspicuous ground cracks. In alluviated areas sand and mud ejected, earthquake fountains, sand craters.
X	Most masonry and frame structures destroyed with their foundations. Some well-built wooden structures and bridges destroyed. Serious damage to dams, dikes, embankments. Large landslides. Water thrown on banks to canals, rivers, lakes, etc. Sand and mud shifted horizontally on beaches and flat land. Rails bent slightly.
XI	Rails bent greatly. Underground pipelines completely out of service.
XII	Damage nearly total. Large rock masses displaced. Lines of sight and level distorted. Objects thrown into air.

Source: Richter, C.F., Elementary Seismology, San Francisco, CA: W.H. Freeman Co., 1957.

Note: To avoid ambiguity, the quality of masonry, brick, or other material is specified by the following lettering system. (This has no connection with the conventional classes A, B, and C construction.) Masonry A. Good workmanship, mortar, and design; reinforced, especially laterally, and bound together by using steel, concrete, etc.; designed to resist lateral forces. Masonry B. Good workmanship and mortar; reinforced, but not designed to resist lateral forces. Masonry C. Ordinary workmanship and mortar; no extreme weaknesses, like failing to tie in at corners, but neither reinforced nor designed to resist horizontal forces. Masonry D. Weak materials, such as adobe; poor mortar; low standards of workmanship; weak horizontally.

Site Location Map

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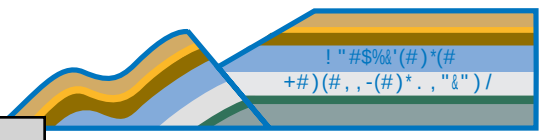
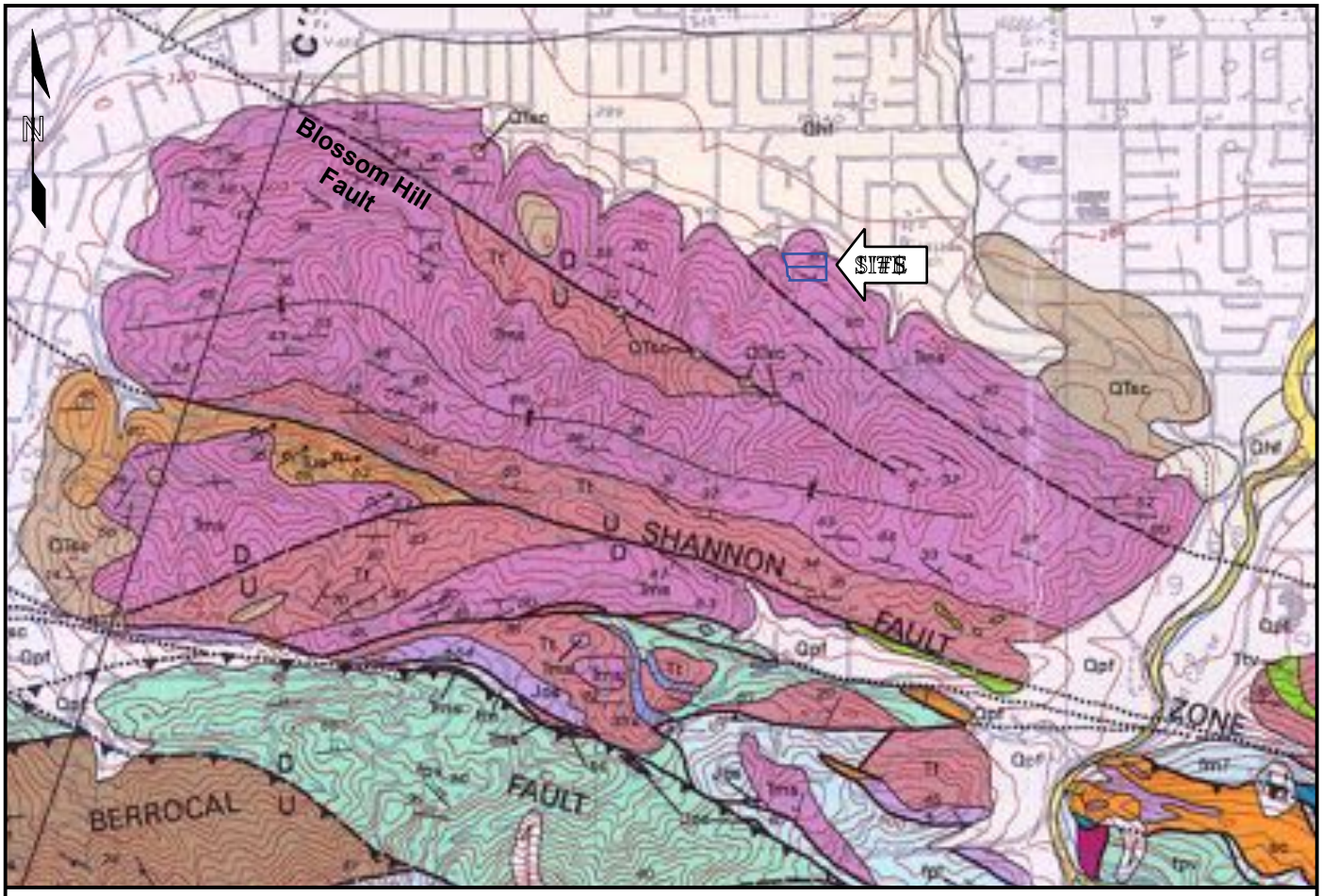


APN 527-20-003
400 Surmont Drive
Los Gatos, California

Project #	Approximate Scale	Date	Figure
1909	1 Inch = 10 Miles	5/18/19	1



EXPLANATION

- Geologic Contact, dashed where approx., dotted where concealed
- Fault Trace, dashed where approx., dotted where concealed, queried where uncertain
- Thrust or Reverse Fault
- 35 — Strike and Dip of Bedding
- 35 — Strike and Dip of Foliation
- Qls — Landslide deposit, arrows in direction of movement

- Qhf — Alluvial fan deposits (Holocene)
- Qls — Landslide deposits, undivided (Holocene and Pleistocene)
- Qpf — Alluvial fan deposits (Pleistocene)
- QTsc — Santa Clara Formation (Pleistocene and Pliocene)
- Tus — Unnamed sandstone (mid Miocene or younger)
- Tms — Monterey Shale (mid and lower Miocene)
- Tt — Temblor Sandstone (mid Miocene to Oligocene?)
- Jos — Serpentinized ultramafic rocks (Jurassic)
- fm — Melange of the Central belt (Upper Cretaceous)
- fpl — Foraminiferal limestone (Upper and Lower Cretaceous)
- fpv — Volcanic rocks (Lower Cretaceous)
- fms — Sandstone (Upper and or Lower Cretaceous)

Source: McLaughlin and others, 2001

Regional Geologic Map

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400 Surmont Drive
Los Gatos, California

Project #	Scale	Date	Figure
1909	1 Inch = 2000 Feet	5/18/19	3

EXPLANATION

Qfl	Modern fluvial deposits	Qtsc	Santa Clara Formation
Qls	Landslide deposits	Tmm	Monterey Shale
Qal	Undifferentiated alluvium	Tmt	Temblor Sandstone
Qt	Youngest fluvial terrace deposits	Tmv	Dacitic tuff, tuff breccia, and intrusive rocks
Qf	Youngest alluvial fan deposits	Jos	Serpentinite
Qto	Older fluvial terrace deposits	sc	Siliceous, mercury bearing carbonates
Qfo	Older alluvial fan deposits	flp	Limestone
		fcp	Chert
		fvp	Basalt
		fsrp	Melange
		fsm	Metasandstone
		fcm	Radiolarian chert
		fvm	Basalt
		fsrm	Melange

Contact, dasted where approximate, dotted where concealed

U
D
Fault, dashed where approximate, dotted where concealed, queried where uncertain, U and D denote up and downthrouwn blocks

Thrust fault, barbs on upper plate

Synclinal axis

Landslide headscarp

Landslide mass, arrows indicate direction of movement

Source: Nolan Associates, revised 11/21/02

Town Geologic Hazards Map

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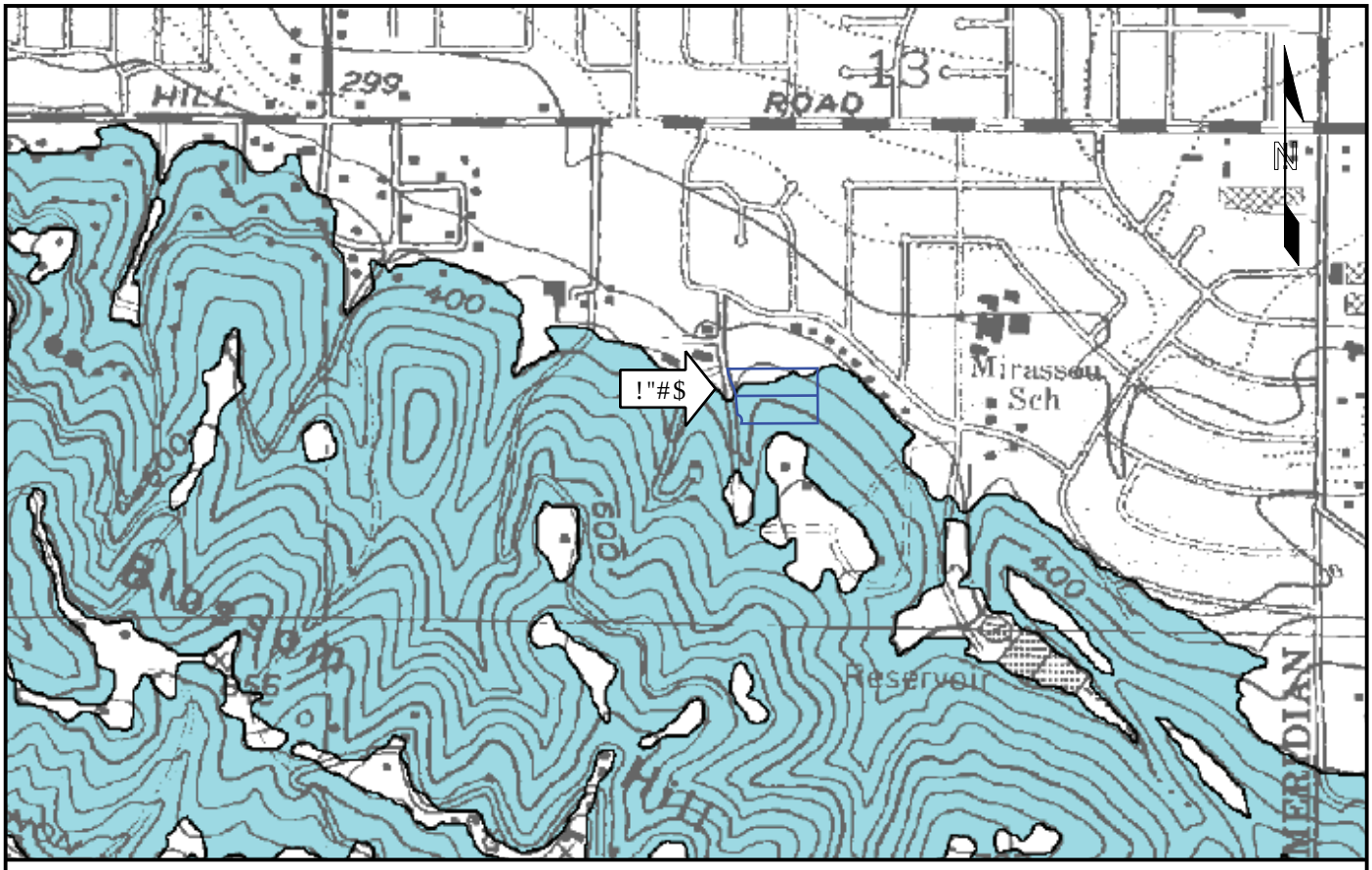
Los Gatos, California

Project #	Scale	Date	Figure
1909	1 Inch = 1000 Feet	5/18/19	4



EXPLANATION

Liquefaction

Areas where historic occurrence of liquefaction, or local geological, geotechnical and groundwater conditions indicate a potential for permanent ground displacements such that mitigation would be required

Earthquake-Induced Landslides

Areas where previous occurrence of landslide movement, or local topographic, geological, geotechnical and subsurface water conditions indicate a potential for permanent ground displacements such that mitigation would be required.

Base: California Geological Survey, 2002

State Seismic Hazard Zone Map

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APN 527-20-003
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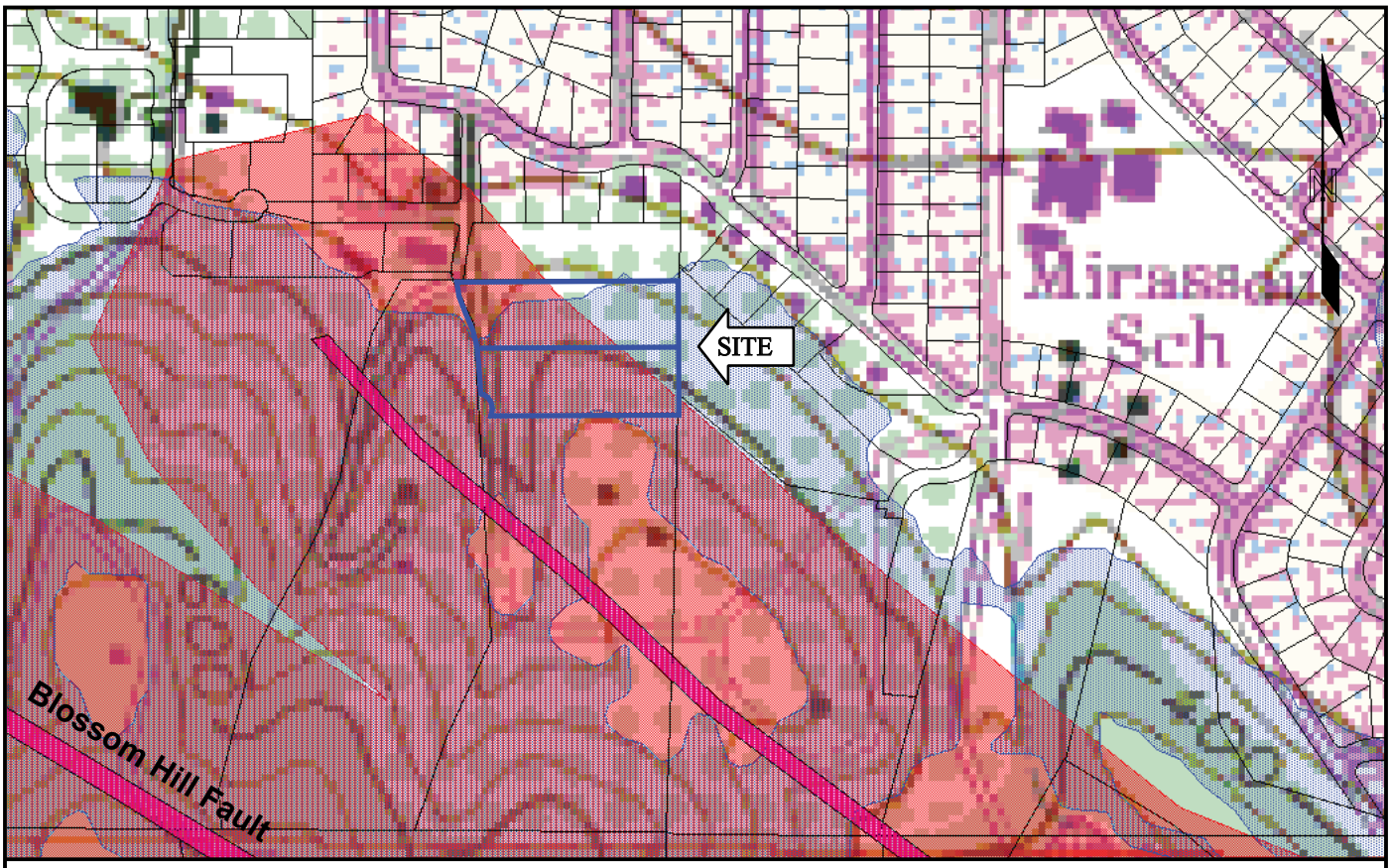
Los Gatos, California

Project #	Scale	Date	Figure
1909	1 Inch = 1000 Feet	5/18/19	5



EXPLANATION

Fault Rupture Hazard Zone

Fault Trace

Fault-Related Lineations

Landslide Zone

Earthquake-Induced Landslide Hazard Zone

Liquefaction Zone

Base: County of Santa Clara, 2004

County Fault Rupture Hazard Zone Map

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APN 527-20-003
400 Surmont Drive
Los Gatos, California

Project #	Scale	Date	Figure
1909	1 Inch = 400 Feet	5/18/19	6

Explanation

Key

Qt4p

Surface type — **Drainage Basin** — **Relative age**

Surface Type
- fp active floodplain
- t fluvial surface
- lv levee
- p pediment developed on Qtsc

Relative Age
- u undifferentiated
- 5 youngest
- 4
- 3
- 2
- 1 oldest

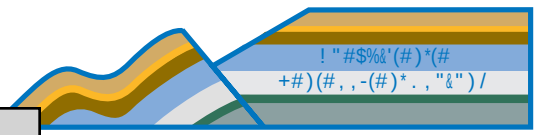
Drainage Basin
- p Permanente Creek
- s Stevens Creek
- r Regnart Creek
- c Calabazas Creek
- st Saratoga Creek
- a Aquinas Creek
- lg Los Gatos Creek
- rs Ross Creek

Lineaments
- v vegetation
- s saddle
- sc scarp
- t tonal
- fct faceted spur
- cd closed depression
- ld linear depression
- lf linear front

Surficial deposits/bedrock
- Qls landslide deposits
- Qal Undifferentiated stream alluvium
- Qlv Levee deposits
- Qtsc Santa Clara gravel
- pQ Undifferentiated bedrock

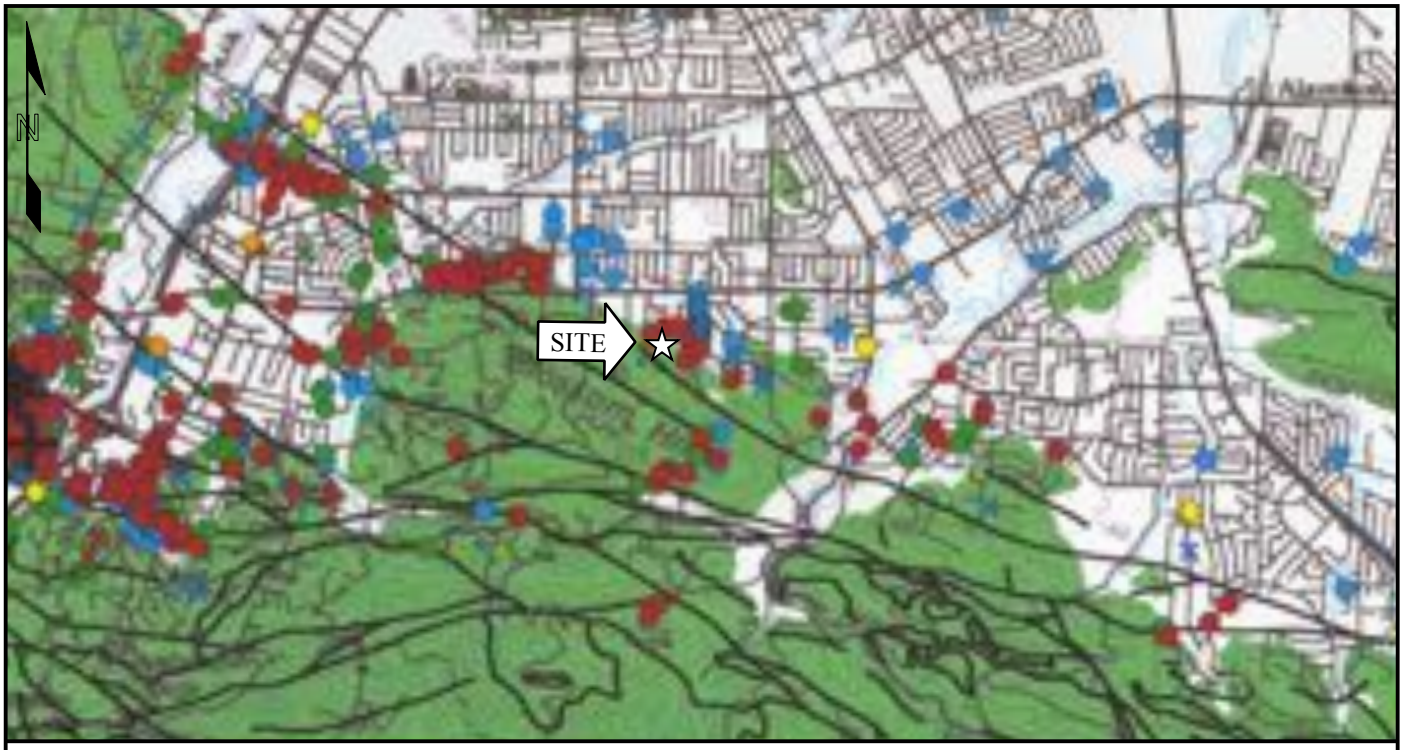
Hitchcock and others, 1994

Map of Geomorphic Surfaces



APN 527-20-003
400 Surmont Drive
Los Gatos, California

Project #	Scale	Date	Figure
1909	1 Inch = 1000 Feet	5/18/19	7



Categories of Damage

COSEISMIC PAVEMENT BREAKS

IN ASPHALT

- Linear zone of complex rupture; denotes area of severe damage
- Fresh break or buckle suggestive of contractional deformation
- Fresh break with unspecified sense of deformation

IN CONCRETE

- Fresh contractional break in channel lining of Los Gatos Creek
- Fresh break or buckle suggestive of contractional deformation
- Apparently fresh break with unspecified sense of deformation
- Break with unspecified sense of deformation

- IN BOTH ASPHALT AND CONCRETE
- EXTENSIONAL RUPTURE IN BOTH PAVEMENT AND SOIL

COSEISMIC PIPE BREAKS

- Underground water line
- Underground natural-gas distribution line
- Above-ground natural-gas distribution line
- More than one type of pipe

OTHER BREAKS

- In both pipe and pavement
- Pavement break that pre-dates the earthquake
- Combination of pre-earthquake and coseismic break in pavement
- Contractional deformation that post-dates the earthquake

OTHER SYMBOLS

- Fault

Source: Schmidt and others, 1995

Map of 1989 Coseismic Deformation

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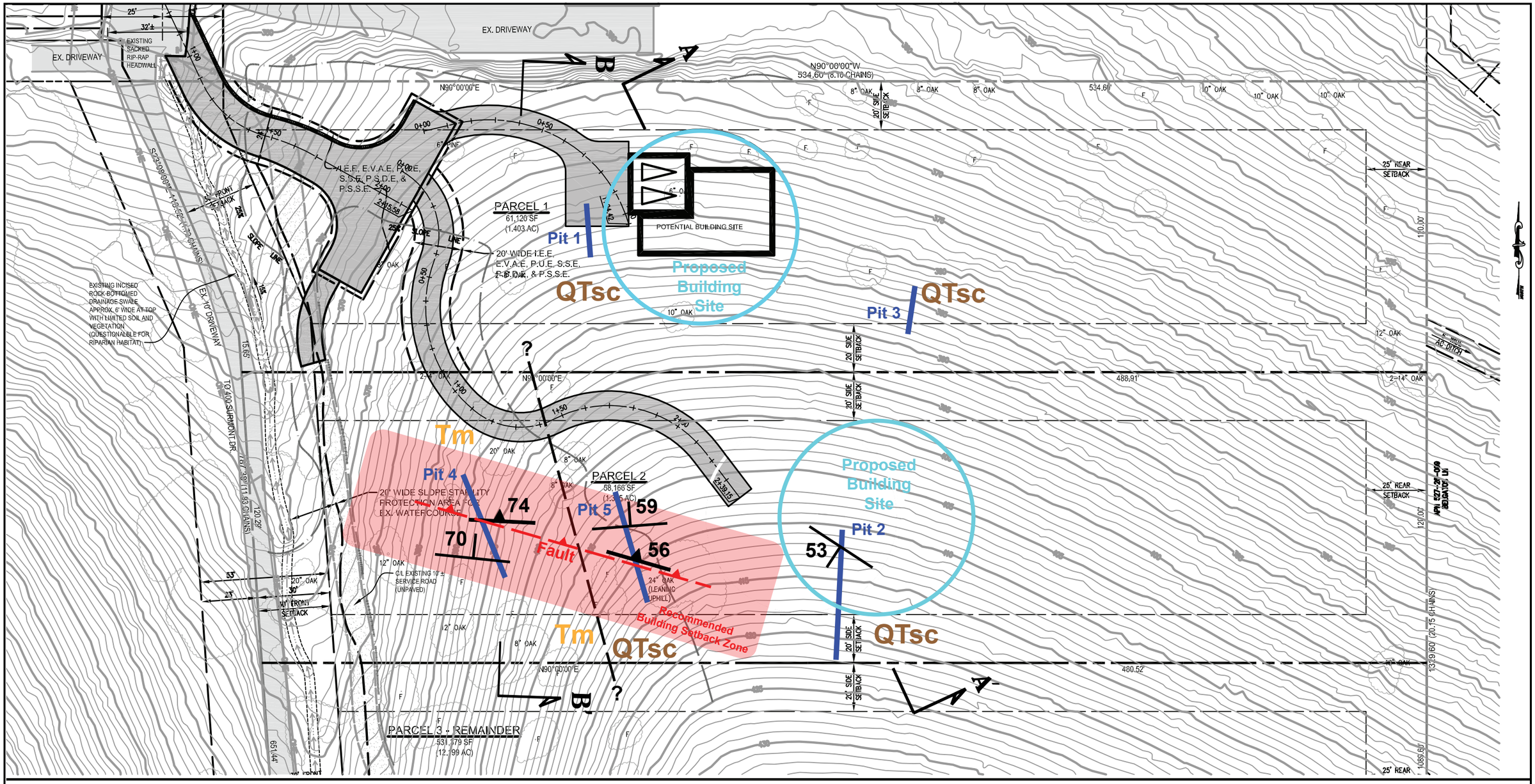
Project #	Scale	Date	Figure
1909	1 Inch = 1 Mile	5/18/19	8



EXPLANATION

- Pit 1 — Test Pit
- QTsc — Santa Clara Formation
- Tm — Monterey Formation
- Fault Trace
- Depositional Contact
- 46 — Strike and Dip of Bedding
- 56 — Trend and Plunge of Fault
- A A' — Geologic Cross-Section

Base: Lot Layout Plan by TS Civil Engineering, dated 3/13/19

Site Geologic Map	APN 527-20-003 400 Surmont Drive Los Gatos, California		
! "#$#%& '(&) * %%#++,-&)(#(. (			
Consulting in Engineering Geology			
Project #	Scale	Date	Figure
1909	1 Inch = 40 Feet	5/18/19	9

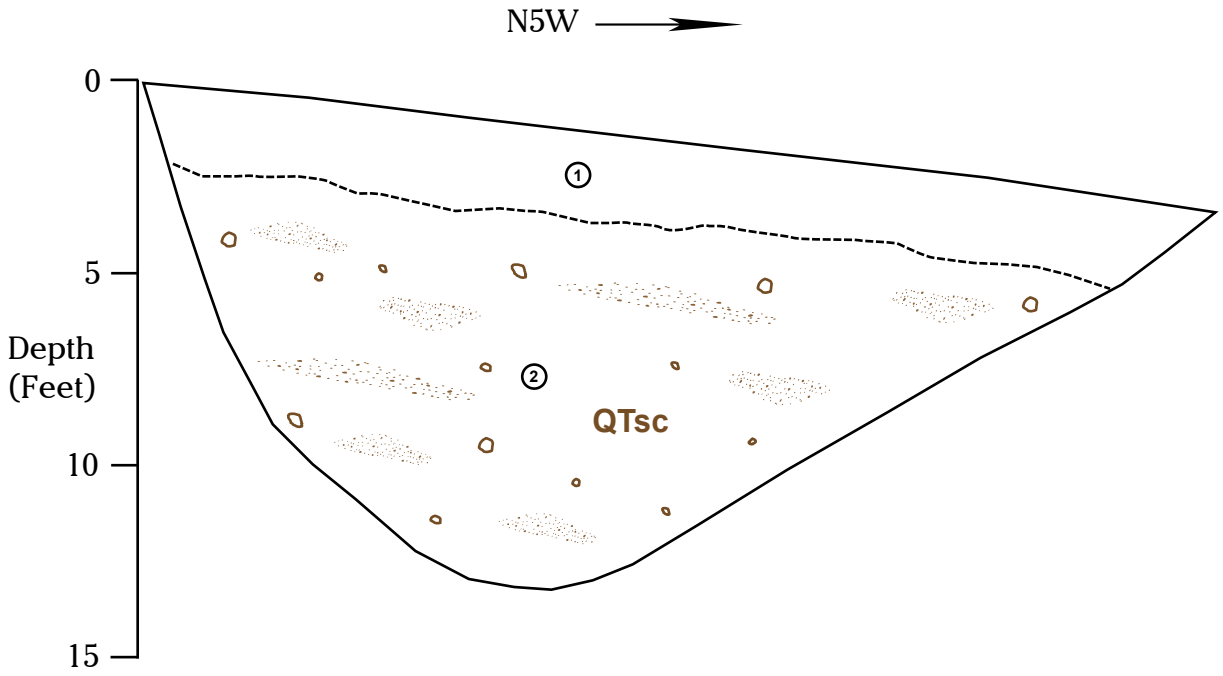
Symbols

gradational contact

relatively sharp contact

very sharp contact

N35W 9SW ▼ strike and dip of bedding or trend and plunge of shear surface



① brown, 10YR5/3, silty clay, moist, firm, highly plastic, some sand and subrounded gravel, some rootlets, CH (Colluvial Soil)

② yellowish brown, 10YR5/4, gravelly silty sand, slightly moist, dense to very dense with some subrounded cobbles and boulders, poorly cemented, poorly bedded (Weathered Bedrock, Santa Clara Formation)

Logged by Steven F. Connelly, C.E.G., 4/11/19

Log of Test Pit 1

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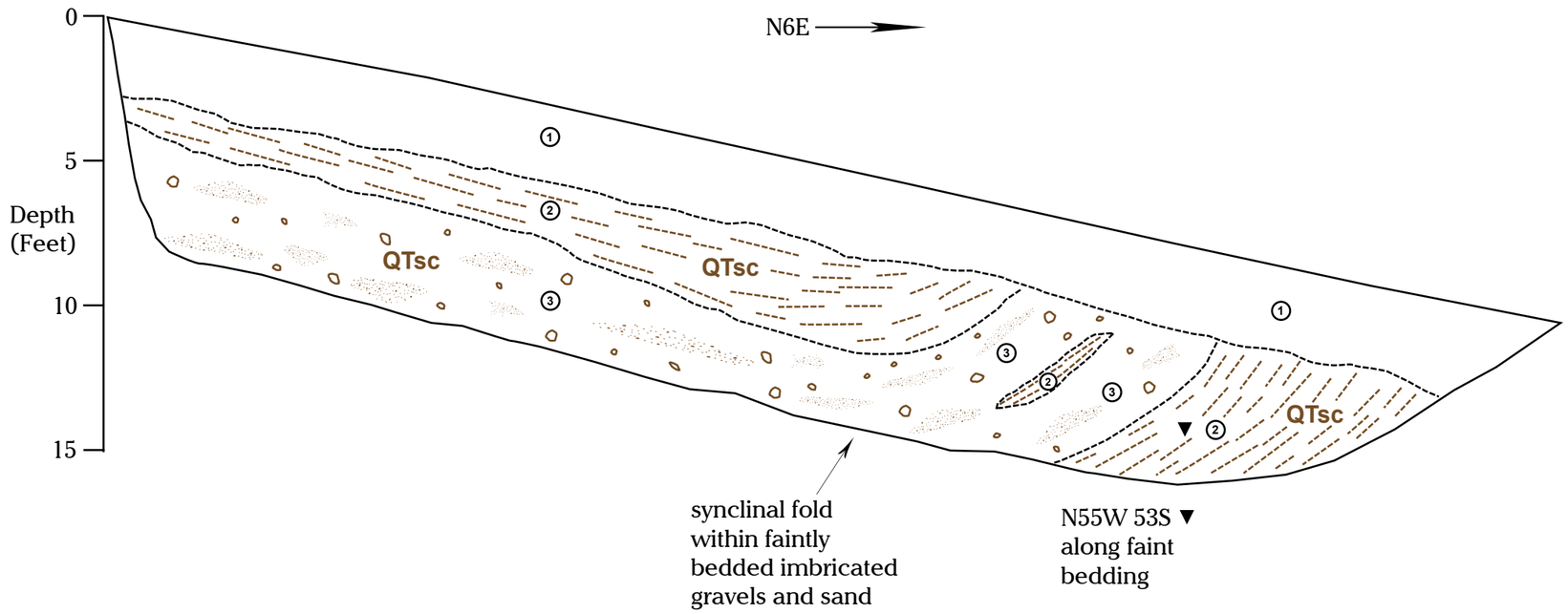
APN 527-20-003
400 Surmont Drive
Los Gatos, California

Project #	Scale	Date	Figure
1909	1 Inch = 5 Feet	5/18/19	10



① brown, 10YR5/3, silty clay, moist, firm, highly plastic, some sand and subrounded gravel, some rootlets, CH (Colluvial Soil)

② grayish brown, 10YR5/2, claystone (Weathered Bedrock, Santa Clara Formation)

③ yellowish brown, 10YR5/4, gravelly silty sand, slightly moist, dense to very dense with some subrounded cobbles and boulders up to 8 inches, trace clasts of Monterey shale, poorly cemented, poorly bedded (Weathered Bedrock, Santa Clara Formation)

..... gradational contact
– – – – relatively sharp contact

Logged by Steven F. Connelly, C.E.G., 5/2/19

Log of Test Pit 2	APN 527-20-003 400 Surmont Drive Los Gatos, California		
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Project #	Scale	Date	Figure
1909	1 Inch = 5 Feet	5/18/19	11

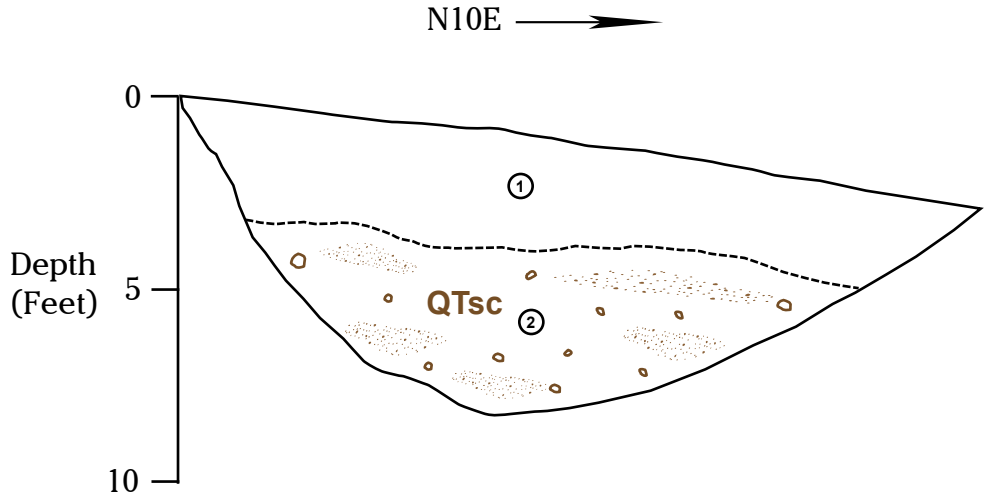
Symbols

gradational contact

relatively sharp contact

very sharp contact

N35W 9SW ▼ strike and dip of bedding or trend and plunge of shear surface



① brown, 10YR5/3, silty clay, moist, firm, highly plastic, some sand and subrounded gravel, some rootlets, CH (Colluvial Soil)

② yellowish brown, 10YR5/4, gravelly silty sand, slightly moist, dense to very dense with some subrounded cobbles and boulders, poorly cemented, poorly bedded (Weathered Bedrock, Santa Clara Formation)

Logged by Steven F. Connelly, C.E.G., 4/11/19

Log of Test Pit 3

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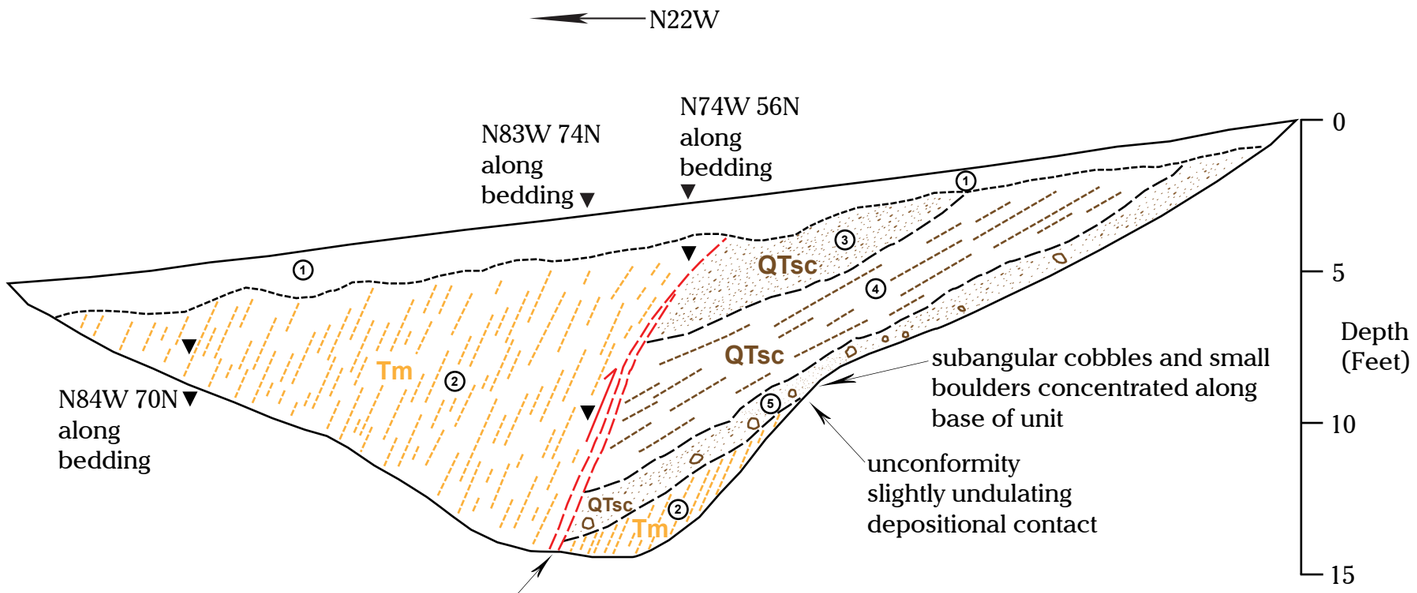
APN 527-20-003
400 Surmont Drive
Los Gatos, California

Project #	Scale	Date	Figure
1909	1 Inch = 5 Feet	5/xx/19	12



① brown, 10YR4/3, clayey silt, with some sand and gravel, slightly moist to moist, loose to firm, some rootlets, medium plasticity (Colluvial Soil)

② pale brown, 2.5Y7/3, siltstone, with yellow staining, moderately dense to dense, closely-bedded, some gypsum veins parallel to bedding (Weathered Bedrock, Monterey Shale)

③ light yellowish brown, 10YR6/4, gravelly sandy silt, sligthly moist, very stiff to hard, trace rootlets (Weathered Bedrock, Santa Clara Formation)

④ grayish brown, 10YR5/2, claystone (Weathered Bedrock, Santa Clara Formation)

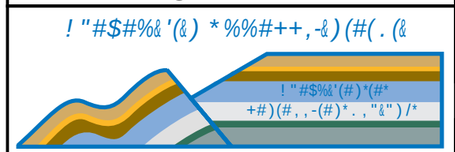
⑤ brownish yellow, 10YR6/6, gravelly sandy silt, with subrounded gravel and cobbles of sandstone, chert, volcanic rocks, and coarse-grained sandstone, with lenses of sandy silt, slightly moist, moderately hard to hard, friable (Weathered Bedrock, Santa Clara Formation)

..... gradational contact

– – – – relatively sharp contact

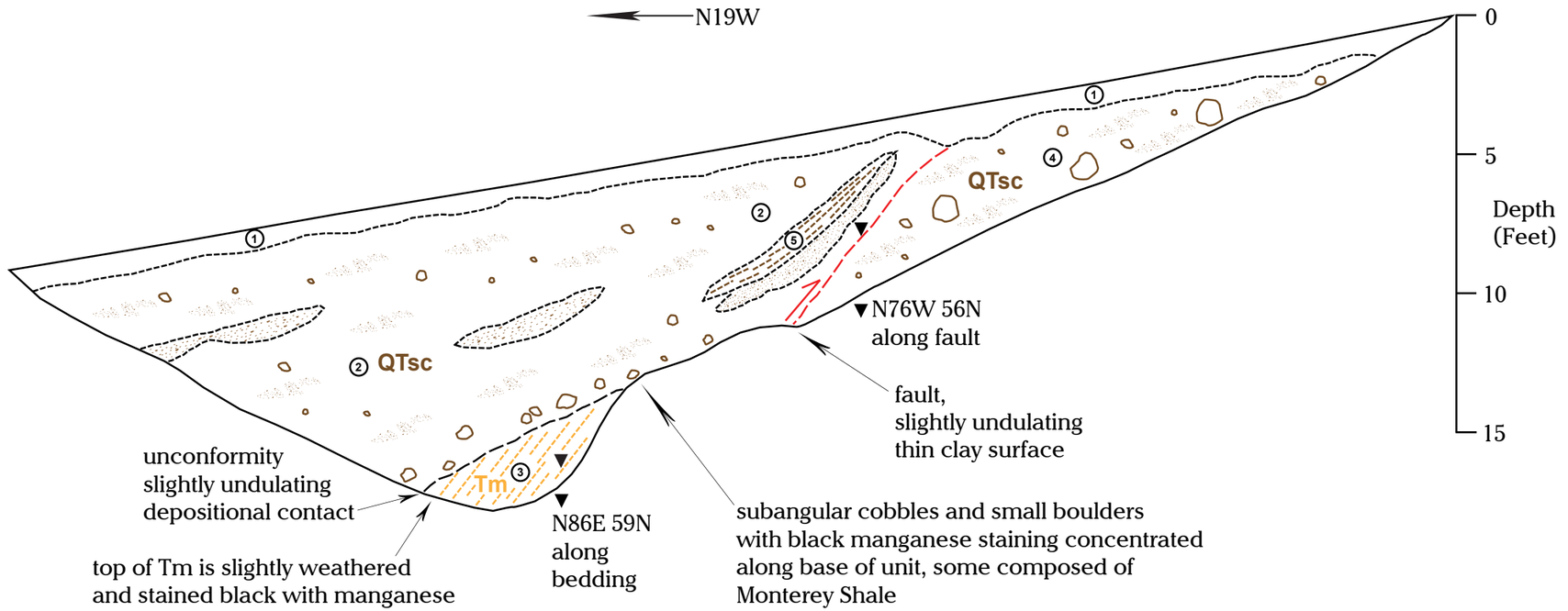
Logged by Steven F. Connelly, C.E.G., 4/18/19

Log of Test Pit 4



APN 527-20-003
400 Surmont Drive
Los Gatos, California

Project #	Scale	Date	Figure
1909	1 Inch = 5 Feet	5/18/19	13



① brown, 10YR4/3, clayey silt, with some sand and gravel, slightly moist to moist, loose to firm, some rootlets, medium plasticity (Colluvial Soil)

② brownish yellow, 10YR6/6, gravelly sandy silt, with subrounded gravel and cobbles of sandstone, chert, volcanic rocks, and coarse-grained sandstone, with lenses of sandy silt, slightly moist, moderately hard to hard, friable (Weathered Bedrock, Santa Clara Formation)

③ pale brown, 2.5Y7/3, siltstone, with yellow staining, moderately dense to dense, closely-bedded, some gypsum veins parallel to bedding (Weathered Bedrock, Monterey Shale)

④ brownish yellow, 10YR6/6, gravelly sandy silt, with subrounded gravel, cobbles, and boulders up to 1 foot in diameter of sandstone, chert, volcanic rocks, and coarse-grained sandstone, with lenses of sandy silt, slightly moist, moderately hard to hard, friable (Weathered Bedrock, Santa Clara Formation)

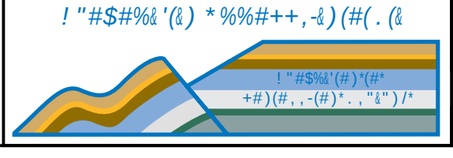
⑤ grayish brown, 10YR5/2, claystone (Weathered Bedrock, Santa Clara Formation)

..... gradational contact

– – – – relatively sharp contact

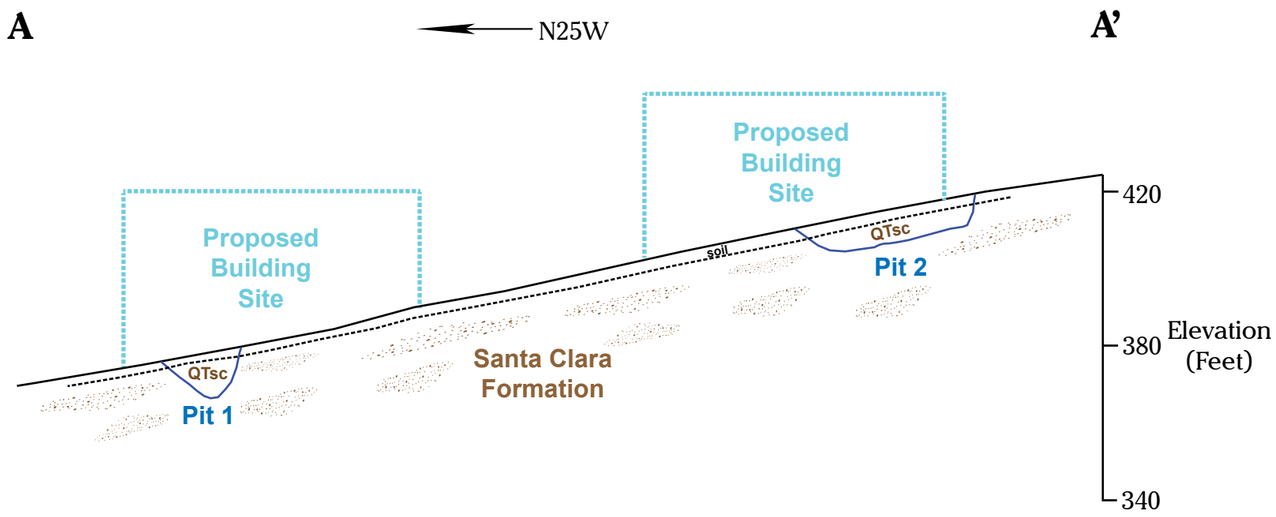
Logged by Steven F. Connelly, C.E.G., 4/18/19

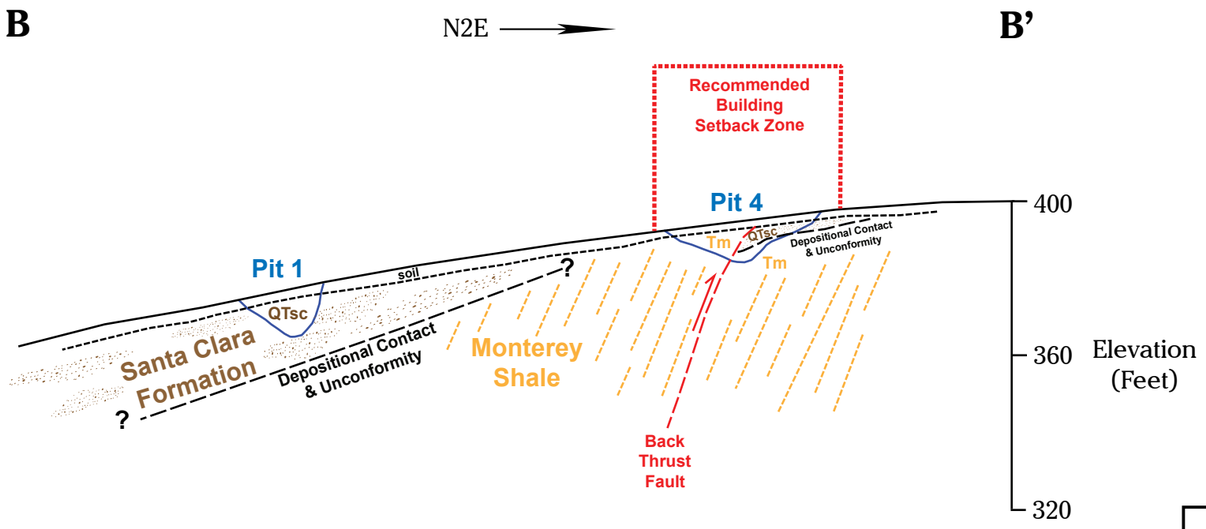
Log of Test Pit 5



APN 527-20-003
400 Surmont Drive
Los Gatos, California

Project #	Scale	Date	Figure
1909	1 Inch = 5 Feet	5/18/19	14





Slope profiles based on Lot Layout Plan by TS Civil Engineering, dated 3/13/19

Geologic Cross-Section A-A'

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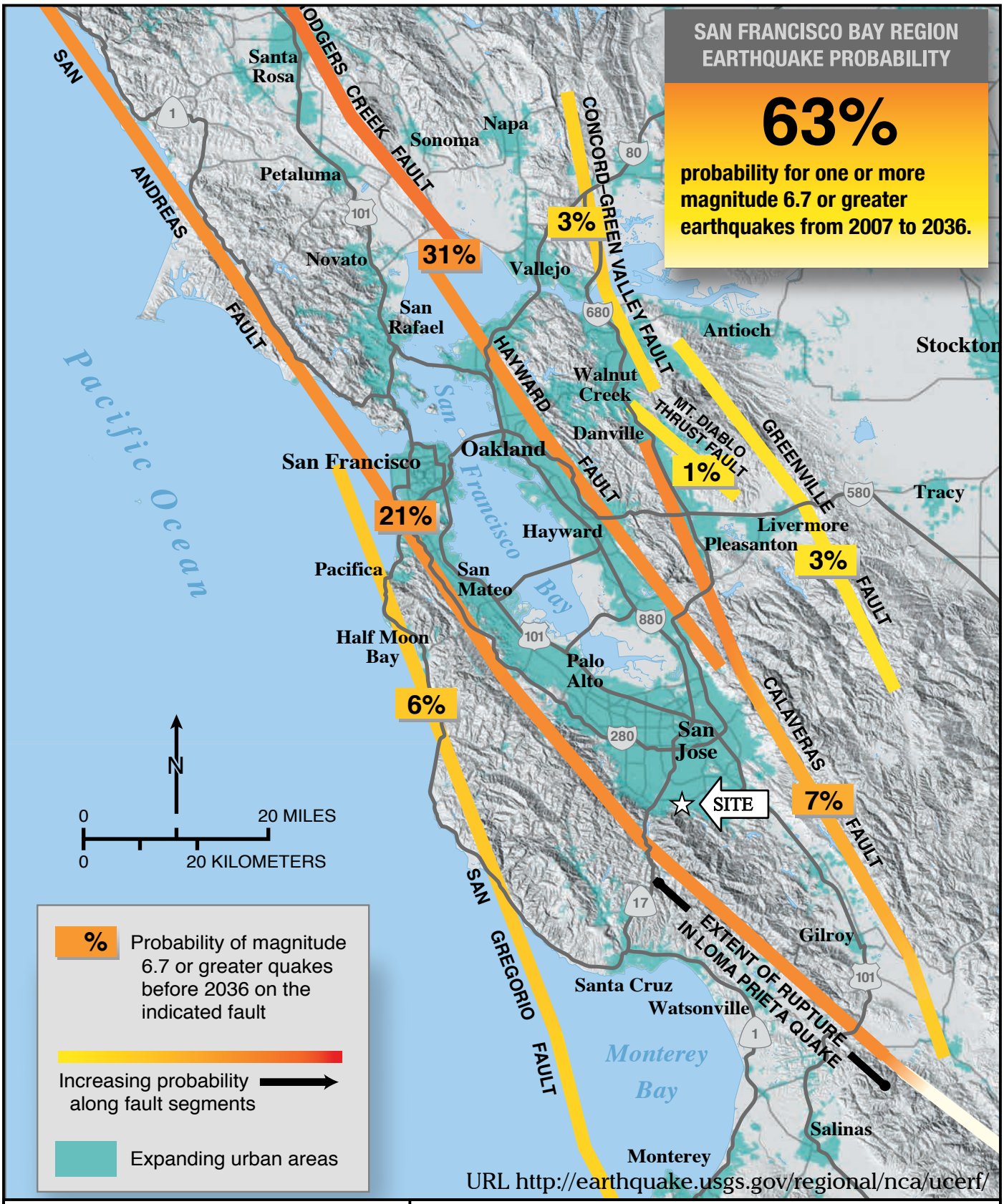
400 Surmont Drive
Los Gatos, California

Project #	Scale	Date	Figure
1909	1 Inch = 40 Feet	5/18/19	15



Earthquake Probability Map

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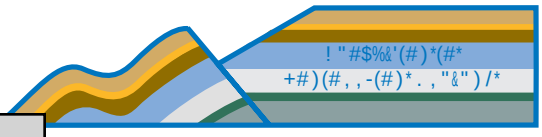

APN 527-20-003
400 Surmont Drive
Los Gatos, California

Project #	Scale	Date	Figure
1909	As Shown	5/18/19	16

Wood Environment & Infrastructure Solutions, Inc.
180 Grand Avenue, Suite 1100
Oakland, California 94612-3066
USA

T: (510) 663-4100
F: (510) 663-4141

www.woodplc.com

November 5, 2019

Project 0084492620

Mr. Mike Weisz, PE
Associate Engineer
Town of Los Gatos
41 Miles Avenue
Los Gatos, CA 95030

Subject: **Peer Review – 400 Surmont Drive, Los Gatos, California**

Geotechnical Investigation
Proposed Anderson Residences, 400 Surmont Drive Los Gatos California, prepared by Milstone Geotechnical (MG), dated June 12, 2019.

Engineering Geologic Investigation
Proposed Residences, 400 Surmont Drive, prepared by Steven F. Connelly C.E.G (SC), dated May 18, 2019.

Plans
TS Civil Engineering Inc., 5 Sheets, dated 4/29/19 and 8/21/19.

Dear Mr. Weisz:

At you request, Wood Environment & Infrastructure Solutions, Inc. preformed a peer review of the subject documents. In addition to reviewing the subject documents we review pertinent published and unpublished documents. We are familiar with the area but have not visited the site.

The proposed project consists of the construction of two new single-level, single-family residence, one each on adjoining undeveloped parcels off Surmont Drive in the Hillside area northeast of Downtown.

Reference 2 addresses the geologic and seismic conditions at the site and the potential geologic hazards. As discussed in Reference 2, no mapped faults traverse the parcels or are in close proximity. The closest mapped fault is a northwest-southeast trending trace of the Shannon fault zone located about 200 southwest. Monterey Shale bedrock is mapped underlying the parcels. The parcels are located in a zone of potential earthquake-induced landsliding on the State Seismic Hazards Zones Map, but no landslides are mapped on the parcels. SC considers the potential for earthquake-induced landsliding and ground deformation to be low.

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Five test pits were excavated on the parcels to evaluate subsurface conditions. Highly plastic colluvium up to about 3 feet thick was encountered in the test pits. Santa Clara Formation bedrock was encountered in all the test pits. Monterey Shale bedrock was encountered in Test Pits 4 and 5.

In Test Pit 4 (Figure 13), the Monterey Shale was mapped as thrust over the Santa Clara Formation along a fault. In Test Pit 5 (Figure14), the Santa Clara was mapped as in depositional contact overlying the Monterey Shale, but a fault was mapped cutting the Santa Clara Formation elsewhere in the test pit.

The relationships in Test Pits 4 and 5 are interpreted to define a northwest-southeast trending depositional contact between the Monterey Shale and overlying Santa Clara Formation, and a west-northwest-south-southeast trending, northeast-dipping thrust fault in the southwest corner of the Parcels (Figure 9). The mapped relationships indicate that Monterey Shale underlies the southwest corner of the parcels, and Santa Cara Formation underlies the remainder of the parcels, including the proposed building sites.

SC could not determine the age of faulting and concluded that the fault should be considered to be potentially active. Reference 2 recommends a building setback from the fault. In our judgment, the building setback should be a minimum of 50 feet from the fault, which is greater than the setback recommended in Reference 2. During construction, SC should carefully observe and document all grading for evidence of faulting and, if any is found, provide supplemental setback recommendations. The owner should be aware that in the event a fault is found closer to a residence under construction than 50 feet, the building may have to be redesigned or relocated.

The parcels will be subjected to very strong to violent ground shaking during a future large earthquake on the nearby San Andreas fault zone, or on one of the other large faults in the region. Seismic design criteria per the current CBC (2016) apply to the proposed project; Reference 2 cites the 2007.

In general, the geotechnical recommendations appear reasonable for the proposed projects. However, we have the following observations and comments which should be corrected and re-submitted for our review:

1. For seismic slope stability analyses MG used a Peak Ground Acceleration of 0.53 based on a probabilistic approach. However, the current California Building Code (2016 CBC), §1803.5.12, requires that a Peak Ground Acceleration be determined in accordance with §11.8.3 of ASCE 7-10. ASCE 7-10 indicates that the "*peak ground acceleration adjusted for site effects (PGAM) is used in this standard for evaluation of liquefaction, lateral spreading, seismic settlements, and other soil related issues*."

   Thus, the "PGAM" should be used for seismic slope stability and deformation evaluations. The PGAM is most-appropriately calculated using the SEAOC/OSHPD web application, which was used by MG for other seismic parameters, to be about 0.855 for a Site Class C at the project site, or about 1.64 times larger than the PGA value of 0.52 used by MG for their slope stability evaluation.

Therefore, we recommend MG re-evaluate the PGAM as required by the 2016 CBC, and then re-perform the seismic earth pressures, and the slope stability and deformation analyses, based on this revised PGAM. The evaluations, conclusions, and recommendations should then be modified as appropriate.

2. MG indicates they have applied a reduction factor of 0.48 to the PGA to achieve a deformation of 5 cm or less. We request MG cite the method used for this calculation, and the parameters used with the selected method.

We have the following comments that may be appropriate to respond to but do not need to be re-submitted for our review:

1. There appears to be a repeated typographical error in the presentation of "Equivalent Fluid Pressure as units of "pcf/f". We assume this is intended to be either "pcf" (pounds per cubic foot), or possibly "psf/f" (pounds per square foot per foot, as presented in the building code).
2. Page 12 of the MG report appropriately indicates fill placed on a slope should be provided with a keyway into the slope. However, Drawing Sheet C-2, detail "Typical Section, Shared Access Road," shows fill on a slope without a keyway. We assume fill will be keyed into the slope as recommended by MG.

MG should submit a revised / supplements report to the Town for our review which adequately addresses at least Comments 1 and 2 above

We trust that his provides you with the information you require at this time. Please call if you have any questions or require additional information.

Supplemental review of this project by Wood is required. A supplemental deposit may be required before further review is performed.

Sincerely,
Wood Environment & Infrastructure Solutions, Inc.

Robert H. Wright, Ph.D., PG, CEG
Principal Engineering Geologist

Jim French, PE, GE
Principal Geotechnical Engineer

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Wood Environment & Infrastructure Solutions, Inc.
180 Grand Avenue, Suite 1100
Oakland, California 94612-3066
USA

T: (510) 663-4100
F: (510) 663-4141

www.woodplc.com

January 28, 2020

Project 0084492620

Mr. Mike Weisz, PE
Associate Engineer
Town of Los Gatos
41 Miles Avenue
Los Gatos, CA 95030

Subject: Second Peer Review – 400 Surmont Drive, Los Gatos, California

Reference Documents:

1. **Geotechnical Investigation:** Proposed Anderson Residences, 400 Surmont Drive Los Gatos California, prepared by Milstone Geotechnical (MG), dated June 12, 2019.
2. **Engineering Geologic Investigation:** Proposed Residences, 400 Surmont Drive, prepared by Steven F. Connelly C.E.G (SC), dated May 18, 2019.
3. **Plans:** TS Civil Engineering Inc., 5 Sheets, dated April 29, 2019 and August 21, 2019.

Supplemental Reference Documents

4. **Response to Geotechnical Peer Review:** Proposed Anderson Residences; 400 Surmont Drive, Los Gatos, California; Prepared by Milstone Geotechnical (MG), dated November 19, 2019.
5. **400 Surmont Drive [E-mail]:** Prepared by Milstone Geotechnical (MG), dated December 20, 2019.
6. **Plan Review:** Proposed Residence, Parcel 2 APN 527-20-003; Prepared by Steven F. Connelly C.E.G. (SC) dated November 21, 2019.
7. **Plans:** TS Civil Engineering Inc.: Sheet C-2 dated May 23, 2019 [dated December 11, 2019, but latest revision date is May 23, 2019], and Sheet C-3 dated April 29, 2019.

Dear Mr. Weisz:

At you request, Wood Environment & Infrastructure Solutions, Inc. preformed a peer review of the supplemental documents listed above. We previously reviewed the initial documents and submitted our comments in our letter dated November 5, 2019. The recent documents have been submitted in response to the comments in our November 5, 2019 letter. We repeat the content of our November 5, 2019 letter for completeness, and provide our comments on the responses provided to our observation and comments in that letter.

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The proposed project consists of the construction of two new single-level, single-family residence, one each on adjoining undeveloped parcels off Surmont Drive in the Hillside area northeast of Downtown.

Reference 2 addresses the geologic and seismic conditions at the site and the potential geologic hazards. As discussed in Reference 2, no mapped faults traverse the parcels or are in close proximity. The closest mapped fault is a northwest-southeast trending trace of the Shannon fault zone located about 200 southwest. Monterey Shale bedrock is mapped underlying the parcels. The parcels are located in a zone of potential earthquake-induced land sliding on the State Seismic Hazards Zones Map, but no landslides are mapped on the parcels. SC considers the potential for earthquake-induced landsliding and ground deformation to be low.

Five test pits were excavated on the parcels to evaluate subsurface conditions. Highly plastic colluvium up to about 3 feet thick was encountered in the test pits. Santa Clara Formation bedrock was encountered in all the test pits. Monterey Shale bedrock was encountered in Test Pits 4 and 5.

In Test Pit 4 (Figure 13), the Monterey Shale was mapped as thrust over the Santa Clara Formation along a fault. In Test Pit 5 (Figure 14), the Santa Clara was mapped as in depositional contact overlying the Monterey Shale, but a fault was mapped cutting the Santa Clara Formation elsewhere in the test pit.

The relationships in Test Pits 4 and 5 are interpreted to define a northwest-southeast trending depositional contact between the Monterey Shale and overlying Santa Clara Formation, and a west-northwest-south-southeast trending, northeast-dipping thrust fault in the southwest corner of the Parcels (Figure 9). The mapped relationships indicate that Monterey Shale underlies the southwest corner of the parcels, and Santa Cara Formation underlies the remainder of the parcels, including the proposed building sites.

SC could not determine the age of faulting and concluded that the fault should be considered to be potentially active. Reference 2 recommends a building setback from the fault. In our judgment, the building setback should be a minimum of 50 feet from the fault, which is greater than the setback recommended in Reference 2. During construction, SC should carefully observe and document all grading for evidence of faulting and, if any is found, provide supplemental setback recommendations. The owner should be aware that in the event a fault is found closer to a residence under construction *than 50 feet, the building may have to be redesigned or relocated.*

The most recent Plans show that the proposed residence is a minimum of 50 feet from the fault.

The parcels will be subjected to very strong to violent ground shaking during a future large earthquake on the nearby San Andreas fault zone, or on one of the other large faults in the region. Seismic design criteria per the current CBC (2016) apply to the proposed project; Reference 2 cites the 2007 CBC.

In general, the geotechnical recommendations appear reasonable for the proposed projects. However, we have the following observations and comments which should be corrected and re-submitted for our review:

1. *For seismic slope stability analyses MG used a Peak Ground Acceleration of 0.53 based on a probabilistic approach. However, the current California Building Code (2016 CBC), §1803.5.12, requires that a Peak Ground Acceleration be determined in accordance with §11.8.3 of ASCE 7-10. ASCE 7-10 indicates that the "peak ground acceleration adjusted for site effects (PGAM) is used in this standard for evaluation of liquefaction, lateral spreading, seismic settlements, and other soil related issues."*

   Thus, the "PGAM" should be used for seismic slope stability and deformation evaluations. The PGAM is most-appropriately calculated using the SEAOC/OSHPD web application, which was used by MG for other seismic parameters, to be about 0.855 for a Site Class C at the project site, or about 1.64 times larger than the PGA value of 0.52 used by MG for their slope stability evaluation.

   Therefore, we recommend MG re-evaluate the PGAM as required by the 2016 CBC, and then re-perform the seismic earth pressures, and the slope stability and deformation analyses, based on this revised PGAM. The evaluations, conclusions, and recommendations should then be modified as appropriate.

The MG responses in Ref. 4 regarding the PGAM and related seismic slope stability and deformation considerations are reasonable and appropriate, and no further response is needed with respect to this topic. However, Ref. 4 did not address our previous request to evaluate whether the modified PGAM would affect their recommendations regarding seismic earth pressures. **We therefore request MG evaluate whether, in light of the revised PGAM, the previous seismic earth pressures are still appropriate or if they should be revised.**

2. *MG indicates they have applied a reduction factor of 0.48 to the PGA to achieve a deformation of 5 cm or less. We request MG cite the method used for this calculation, and the parameters used with the selected method.*

The MG responses in Ref. 4 regarding the seismic coefficient are reasonable and appropriate, and no further response is needed with respect to these.

We have the following comments that may be appropriate to respond to but do not need to be re-submitted for our review:

1. *There appears to be a repeated typographical error in the presentation of "Equivalent Fluid Pressure as units of "pcf/f". We assume this is intended to be either "pcf" (pounds per cubic foot), or possibly "psf/f" (pounds per square foot per foot, as presented in the building code).*

The MG response in Ref. 4 regarding this comment is reasonable and appropriate, and no further response is needed

2. *Page 12 of the MG report appropriately indicates fill placed on a slope should be provided with a keyway into the slope. However, Drawing Sheet C-2, detail "Typical Section, Shared Access Road," shows fill on a slope without a keyway. We assume fill will be keyed into the slope as recommended by MG.*

No change has been made to Sheet C-2. As stated previously, we assume fill will be keyed into the slope as recommended by MG, and that someone will be responsible that this recommendation is implemented.

RECOMMENDATIONS

As stated above, we request MG evaluate whether, in light of the revised PGAM, the previous seismic earth pressures are still appropriate or if they should be revised.

MG should review the final Plans to confirm that the Plans incorporate the geotechnical engineering design recommendations and submit a Plan Review letter to the Town prior to the issuance of permits. We suggest they comment at that time on the keying of fill into the slope, as they have recommended on page 12 of Ref. 1.

MG should provide observation and testing of the geotechnical elements of the project during construction. SC should observe grading and trenching for the project to confirm that a fault(s) is not encountered within 50 feet of the residence. An "as-built" letter should be submitted to the Town prior to project Final.

We trust that his provides you with the information you require at this time. Please call if you have any questions or require additional information. No further review by Wood is required for this project unless major changes are made.

Sincerely,
Wood Environment & Infrastructure Solutions, Inc.

Robert H. Wright, Ph.D., PG, CEG
Principal Engineering Geologist

James B. French, PE, GE
Principal Geotechnical Engineer

rhw/jf/smm
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August 9, 2022

Revised Letter of Justification and Description

400 Surmont Drive – Parcel 1

This project proposes the construction of a new, one-story, 3,683 SF, single-family residence (4 bedrooms, 3.5 bath) with a detached, 996 SF, 3-car garage with no basement. The house has no attic area over 7-feet. The project is under the allowable 5,700 SF allowable FAR (reduced for slope), as well as the max building height of 25-feet.

The property is in a semi-rural area and is a transitional parcel to a more suburban neighborhood. The proposed style of the home is best described as Mediterranean inspired, with shallow pitched hipped roofs and details such as thicker exposed roof tails at the eave, wrought iron accents, wood posts and corbels, clay attic gable vents, and a smooth handed stucco. Materials of caliber are used throughout and include green clad windows with a transitional mullion pattern, wood posts, a natural mission style clay roof tile, and wrought iron. The materials and colors selected meet the LRV requirements and rich wood tones are used on specific details to further enhance the character and tie to the natural landscape (see the attached materials palette page).

The home is designed to maintain as many trees on the property as possible and sited to protect the uphill neighbor's views to the valley floor as well as not to loom over or cast shadow on the downhill neighbor (see shadow study). The single-story structure also runs parallel to the contour lines and the footprint is adjusted to step around existing mature trees. The house is sited to navigate the difference between the footprint of the existing downhill home and proposed new uphill home. The overall bulk and mass of the home is broken up with a mix of materials that enhance the character, steps in the floorplan allowing the hipped roofs to set back and shift in certain places, and covered porches at both the front and rear. The garage structure is also attached, creating a friendly entry court, a sense of procession along the property, and further reduces grading. The larger garage is buried into the hillside and has a staggered set of doors to reduce its bulk and mass as well.

400 Surmont Drive – Parcel 2

This project proposes the construction of a new, one-story, 3,450 SF, single-family residence (4 bedrooms, 3.5 bath) with a detached, 671 SF, 3-car garage with no basement. The house has 713 SF of attic area over 7-feet for a total of 4,834 SF. The project is under the allowable 5,500 SF allowable FAR (reduced for slope), as well as the max building height of 25-feet.

The property is in a semi-rural area and is a transitional parcel to a more suburban neighborhood. The proposed style of the home is best described as Modern Farmhouse with natural / rustic touches, and richer paint colors, harkening to the more pastoral setting. The parcel immediately uphill from the project is a true ranch, with barns and rural character, therefore the proposed style is selected to transition between the ranch property and a more suburban neighborhood. Materials of caliber are used throughout and include board and batten, horizontal siding, belly bands to transition materials properly, clad windows with a transitional mullion pattern and painted wood trim, as well as natural stained wood wrapped posts, beams, and guard rails. The roof provides another natural element with a Class A treated wood shingled roof and complimenting matte black standing seam elements as an accent where appropriate, such as porches. The materials and colors selected meet the LRV requirements and natural wood tones are used on specific details to further enhance the character and tie into the landscape (see the attached materials palette page).

The home is designed to maintain as many trees on the property as possible and sited to protect the uphill neighbor's views to the valley floor as well as not to loom over or cast shadow on the downhill neighbor (see shadow study). The single-story structure also runs parallel to the contour lines and the footprint is adjusted to step around existing mature trees. The overall bulk and mass of the home is broken up with a mix of materials that enhance the character, roof planes that are not monotonous and are bound by lower slung porch roofs at the front and rear. The garage structure is also attached, creating a friendly entry court, and a sense of procession along the property, and further reduces grading, and overall massing.

Hillside Design Guidelines Justification – Parcel 1 + Parcel 2

Design guidelines for Hillside, as well as Town of Los Gatos, were considered and met in most aspects for these two proposed homes with a few exceptions justified by the civil engineer and noted on the plans (Parcel 1 sheets A3.2/Elevation 2, A4.4/Section C, Parcel 2 sheets A4.1/Section A + B, A4.2/Section C) and listed below under Exceptions Requested. The homes would add character to the existing neighborhood while maintaining the Town's standards and should be approved as submitted. While the homes are larger than its immediate neighbors, they are sited to reduce bulk and mass, single-story and site sensitive. The parcel locations have a radically different feel and size compared to the "neighborhood" as deemed by the Town, so proportionally are modest and work as transitional lots/buildings. While both parcels are "visible", they are minimally so- less than 50%, and combined with meeting the HDG for materials blend into the hillside significantly better that both older and newer adjacent homes. Privacy impacts with the neighbor at 200 Surmont have been minimized by angling the house to avoid being parallel with the adjacent properties. The landscape plans provide screening with shrubs and trees concentrated at the front porch and dining area. This house (parcel 1) is a single-story residence and window sizes are well proportioned to the style and size (no large

gable windows). The windows of the nook and great room are further from the property line and adjacent properties. Landscaping on both parcels conceal the home.

The roof pitches for both lots/homes have been reduced to meet the 25-foot height limit (lot 1 reduced from 5:12 to 4:12, and lot 2 reduced from 8:12 to 6:12), and sufficient landscaping has been added to provide screening to adjacent properties (uphill and downhill).

FAR (Floor Area Ratio)

Zoned HR-2.5

The immediate neighborhood for this project is a mix of zoning districts (HR-2.5, R-1:20 and R-1:10) and varying lot sizes (HR-2.5 ranging from 530,095 SF – 57, 840 SF, R-1 ranging from 21,228 SF – 10, 170 SF). The lots for these two projects (Parcel 1 + Parcel 2) are larger than the R1 properties yet significantly smaller than the others zoned HR-2.5. See diagram 1 + diagram 2.

Visibility Analysis

Addressed in separate letters by TS Civil Engineering (dated November 16, 2021) and S3 Design (dated March 21, 2022).

Attached Garage (vs Breezeway)

The garage attachment for both parcels have been redesigned (and are no longer breezeways).
Parcel 1 – The garage is attached to the house with an enclosed, non-conditioned hallway (no longer a breezeway since more than 50% of the perimeter (of the hallway) is enclosed).
Parcel 2 - Per multiple conversation with planning, the interpretation of breezeway is no longer met. The garage connection (covered walkway) to the house has been reduced. The garage is attached since the length of the connection is less than the width (6'-6" length and 7'-9" width).

See Additional Justification enclosed (excerpts from TS Civil Engineering).

Exceptions Requested

Parcel 1

1. Height of the lowest finished floor exceeds 3' above existing grade along the north elevation (roughly 5' - Sheets A3.1, A3.4, A4.2).
2. Cut to the rear of the residence for the yard area appears to be roughly 8' per sheet A3.2 and A4.4.
3. Roughly 9' cut behind the residence shown on Section D-D of Sheet C-8 (and 5' but above retaining wall – cut needs to measure down to base of retaining wall).
4. Earthwork summary:
   a. 5'cut for access road
   b. 4'fill for driveway

c. 6'cut for rear yard

Parcel 2

1. Height of lowest finished floor exceeds 3' above existing grade along the north elevation (roughly 6.5' – Sheet A3.1, A3.2, A3.4, A4.1)
2. Cut to the rear of the residence (appears to be roughly 9' per Sheet A4.1 and A4.2)
3. 6' retaining wall to the east of the garage (C-9)
4. 4' fill for driveway (Section A-A on C-9)
5. Roughly 9' cut behind the residence shown on Section B-b of sheet C-9 (and 5' but above retaining wall – cut needs to shown down to the base of retaining wall)
6. Earthwork Summary:
   a. 5' fill for turnaround
   b. 5' cut for rear yard

Best regards,

Bess Wiersema
Principal + Owner, Studio3

Address	Zoning	House	Garage	Total FAR (with garage credit)	Lot Size	FAR	No. of Stories	Year Built
Parcel 1 (Proposed)	HR-2.5	3,683	996	4,279	60,752	0.070	1	n/a
Parcel 2 (Proposed)	HR-2.5	4,163	671	4,434	57,840	0.077	1	n/a
400 Surmont Drive	HR-2.5	2,798	600	2,998	530,095	0.006	1	1929
401 Surmont Drive	HR-2.5	1,960	440	2,000	520,341	0.004	1	1961
200 Surmont Drive	HR-2.5	3,050	816	3,466	66,974	0.052	1	1980
303 Belgatos Lane	HR-2.5	3,250	615	3,465	123,389	0.028	1	2019
307 Belgatos Lane	HR-2.5	6,495	2430	**8,525**	464,785	0.018	2	1997
308 Belgatos Lane	HR-2.5	4,165	1349	**5,114**	84,070	0.061	2	1987
198 Surmont Ct	R-1:20	2,742	657	3,399	18,080	**0.152**	1	1965
180 Surmont Ct	R-1:20	**4,007**	1135	5,142	21,228	**0.189**	2	1965
197 Surmont Ct	R-1:10	3,474	720	4,194	10,170	**0.342**	2	1966
155 Surmont Dr	R-1:10	**4,340**	562	4,902	20,763	**0.209**	1	1961

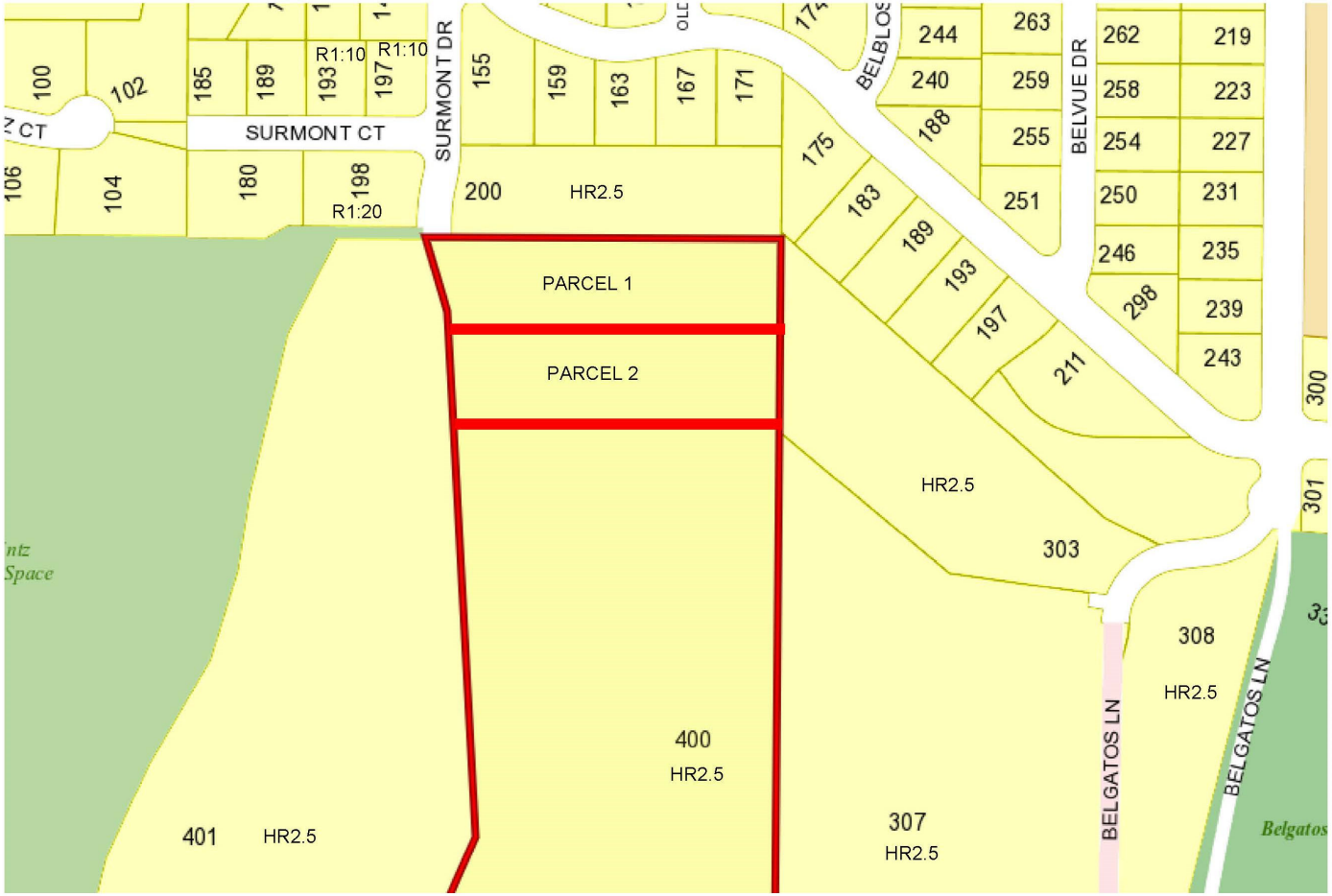
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DIAGRAM 2

April 29, 2022

Additional Justification (Excerpts for TS Civil Engineering)

Town of Los Gatos HDS & G

Parcel 1

1. Height of the lowest finished floor exceeds 3’ above existing grade along the north elevation (roughly 5’ - Sheets A3.1, A3.4, A4.2).
   One of the most frequent complaints of aging American homeowners is “too many stairs.” The Parcel 1 residence was anticipated as one-story and thus it has a wider footprint than a more visible two-story design. The house footprint sits across approximately 12’ of vertical grade differential while internal floor level changes absorb with approximately 5’ of height with short stairways from the garage to the external deck on the east. We have done our best to minimize the external grading that would be visible around the residence perimeter with the use of terraced walls at the rear yard and natural undulating slopes below the house. Along the north wall, we have included shallow fill slopes to mask the underfloor area and only 40’ of the 100’ length is at 5’ above existing grade. The complex matrix of grading depth, building height, and terraced retaining walls results in this exception which is the least significant within that hierarchy. An exception is respectfully requested.
2. Cut to the rear of the residence for the yard area appears to be roughly 8’ per sheet A3.2 and A4.4.
   We do believe that the allowed terraced wall detail within the HDS&G depicts an 8’ cut at the face of the first wall, to which we comply. However, again, given the multiple depth of grading constraints noted above, the terraced wall area has been compressed horizontally to minimize the amount and depth of grading to provide for a minimum safe perimeter pathway width of 6’. This allows for fire department ladder placement and a “wetband” of landscape for fire suppression. Finally, the highest top of retaining wall is at the roof eave level and as such, any and all of the rear yard grading is fully masked by the residence from off-site views. An exception is requested.
3. 8’ cut for detached garage (C-8)
   The architect has creatively redesigned the breezeway to the Town specifications for length and width and added half walls and railings to qualify the garage as “attached.” Consequently, the allowed excavation is 8’ deep. No exception is required.
4. Roughly 9’ cut behind the residence shown on Section D-D of Sheet C-8 (and 5’ but above retaining wall – cut needs to measure down to base of retaining wall).
   This is previously discussed in item 2 above where an exception is requested.
5. 6’ cut for detached garage (section C-C of C-8), and earthwork summary shows 8’.
   The garage is attached and a max cut of 8’ is allowed. The plan and table have been revised to show 7’ proposed cut.

Parcel 1 - Table 1
Maximum Graded Cuts and Fills

Site Element	Allowed Cut*	Proposed Cut	Allowed Fill*	Proposed Fill
House and attached garage	8'**	8’	3'	-
Driveways*	4'	5’	3'	4’
Other (decks, yards) *	4'	6’	3'	-

* Combined depths of cut plus fill for development other than the main residence shall be limited to 6 feet.

** Excludes below grade square footage pursuant to Section 29.40.072 of the Town Code.

6. Earthwork summary:

a. 5’cut for access road
We contend that the 4’ cut maximum is no longer valid now that as of April 2021, Santa Clara County Fire has significantly upsized their turnaround requirements and now requires the entire approach at 5% slope. The previous standard was that the “L- shape” of the turnaround was restricted to 5% slope and the approach driveway could be up to 20% slope. These standards surprisingly evolve with changes in personnel at Fire. They are also apparently the result of strict enforcements by CALFIRE of PRC 4290. Additionally, this is an access road that is subject to the policies for “design flexibility” within the Los Gatos Hillside Specific Plan and not governed by the HDS&G standards for driveways. The depth of cut non-conformance is limited to 160 SF at the interface of the lower FDT with the Parcel 2 driveway and does not result in a prominent visual scar on the hillsides. An exception is requested.

b. 4’fill for driveway
This occurs at the driveway where it intersects the parking area for the Parcel 1 garage. Note that we previously reduced the driveway width at this location due to a 5’ fill. We really can’t squeeze this any further, but have provided an undulating slope at the base of the retaining wall to mask this fill, resulting in a net wall height of 3’. An exception is requested.

c. 8’cut for detached garage
Pursuant to architectural revisions to the breezeway, the garage is now attached to the house.

d. 6’cut for rear yard
This is again the terraced wall condition with minimized fire ladder perimeter access around the rear of the house. The area that is non-compliant is 70’ x 3’ at the extreme southeast corner behind the house, which is virtually invisible to anyone. Exception requested.

Parcel 2

1. Height of lowest finished floor exceeds 3’ above existing grade along the north elevation (roughly 6.5’ – Sheet A3.1, A3.2, A3.4, A4.1)
   Again, similar to Parcel 1, a one-story residence has a slightly larger footprint but is obviously at least 10’-12’ shorter than a two-story residence design. So it is a matter of balance of visibility versus grading. To paraphrase the words of former Los Gatos Mayor, Randy Attoway, “I’d rather see a one time grading impact from foundation excavation for a week rather than stare at a 35’ tall building for more than 60 years.” Such is the case here as to underfloor clearance that is merely 5’ where 3’ maximum is recommended. We have marked 40’ of that length with a trapezoidal shaped short 3’ tall fill retaining wall below the house. There is a 30’ length that is non-compliant in a location that is invisible to any downslope neighborhood.
2. Cut to the rear of the residence (appears to be roughly 9’ per Sheet A4.1 and A4.2)
   While we are allowed an 8’ cut at the rear of the residence we could have buried the rear of the house against a retaining wall. This would have compromised the floor plan and the window placement on the rear wall. Extensive moisture protection for the a large retaining wall would also have been required. We might have created a long light well 10’ away from the house but that would result in a sterile concrete area devoid of any landscaping. We also looked at adding a third wall to the two terraced walls, but this proved to be more excavation to merely reduce the wall height. Our current proposal of two terraced walls with a fire ladder platform and landscape wetband around the residence is preferred for fire safety and aesthetics. The area of non-compliance is merely 70’ long by 7’ wide at the invisible southeast corner of the residence. <u>An exception is requested.</u>
3. 6’ retaining wall to the east of the garage (C-9)
   The attached garage is buried 8’ at the southeast corner and this is merely a 20’ long transition from the 8’ garage wall to the 4’ yard wall. <u>Exception requested for this minor variation.</u>
4. 4’ fill for driveway (Section A-A on C-9)
   This is required to balance the cut and fill across the massive 3600 SF Fire Department Turnaround which is the size of a 7-11 Convenience Store parking lot. We have done our best to mask the fill with that same trapezoidal wall used at the high crawl space. This is merely an area of 100 SF. <u>Exception requested</u>.
5. Roughly 9’ cut behind the residence shown on Section B-b of sheet C-9 (and 5’ but above retaining wall – cut needs to shown down to the base of retaining wall)
   Same as 2 above.
6. Earthwork Summary:

a. 5’ cut for driveway (this item was justified in the response letter, but this information needs to be included in the Letter of Justification).
   See prior item I Parcel 1-6.a

b. 5’ fill for turnaround
   This fire department turnaround sits diagonally across 80’ of slope varying from existing ground elevation of 396 to 412 or 16’ vertical. The strict 5% maximum slope imposed by Fire would reconcile only 80 x 5% = 4’ of the 16’ differential. We can absorb 7’ of the remaining 12’ which results in a 5’ fill on the downhill side of the FDT. The size and slope of the FDT are non-negotiable and you cannot help but wonder if Fire intends to dispatch the ladder truck to this site. However, with the current wildfire hazard caused by the worst 22 year drought period in the last 1200 years in California, there is no reason to skimp on fire protection standards. Exception requested.
c. 5’ cut for rear yard
   See previous discussion above.

Driveway + Grading

The HDS&G allows for 5’ high retaining walls, but only cuts of 4’ and fills of 3’. That has always seemed peculiar. In any event, we are requesting grading exceptions to Table 1 as follow:

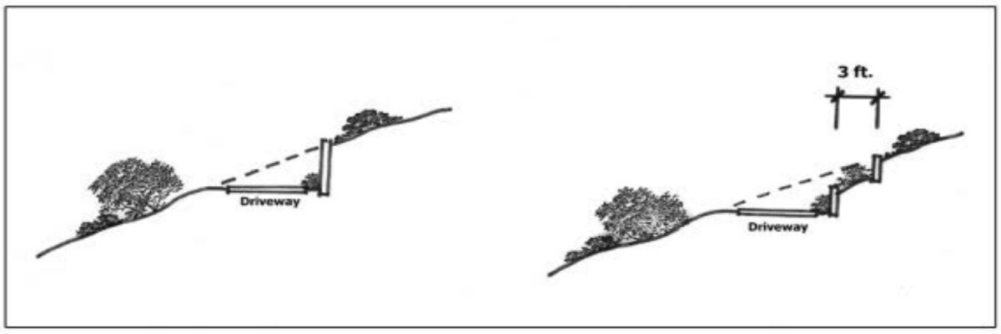
Table 1
Maximum Graded Cuts and Fills

Site Element	Cut*	Fill*
House and attached garage	8'**	3'
Accessory Building*	4'	3'
Tennis Court*	4'	3'
Pool*	4'***	3'
Driveways*	4'	3'
Other (decks, yards) *	4'	3'

* Combined depths of cut plus fill for development other than the main residence shall be limited to 6 feet.
** Excludes below grade square footage pursuant to Section 29.40.072 of the Town Code.
*** Excludes excavation for pool.

Lot 2 driveway cut depth exceeds 4’ due to the need to minimize overall grading. The 20% slope aids the reduction of grading, but the over 4’cut can’t be avoided over 5’ wide by a 35’ length (from 368 to 374) at the 3’ shoulder at the face of wall. This area is for drainage control and landscaping, Landscaping at walls is dictated by the HDS&G - Retaining Wall section.

We dispute that the cut depth at the rear yard is non-compliant as the grading exactly matches the HDS&G terraced wall detail pasted below:



The maximum fill depth of the Parcel 2 garage is 1.5' which is less than 3'. Any grading associated with the fire department turnarounds are simply off-limits for criticism as the 2004 HDS&G have not been updated since Santa Clara County Fire enlarged their FDT's on April 27, 2121. An 80' long turnaround within a 20% ground slope sits on a 16' grade differential. If the new surface is to be 5% that is merely a drop of 4', leaving 12' to reconcile. If the garage is cut 8' and the FDT slopes only 4', then there is an unresolved grade differential remaining of 4', which is non-compliant if filled. In summary, the FDT's are now massive flat areas within hillside settings. We suggest that FDT's should be allowed the same cut and fill standards.

Driveway

All visible grading at the access road and driveways are curvilinear and contoured to blend with the natural terrain. This is utilizing retaining walls under 5' tall. Lot 1 has undulating fill slopes, masking the underfloor area at the house. All slopes will be treated with erosion control and native grasses per the landscape plan. The only proposed slopes that might appear "manufactured" are in the invisible rear yards.

Access Road and Fire Department Hammerhead

Town Council direction at the CDAC Meeting in January 2019 suggested that an independent access road of limited width in-lieu of a public street would be preferable. We have followed that direction by designing a common access road serving only the two new lots. We have avoided impacts on the drainage swale and with the allowed narrowing to 12' of pavement at the end of Surmont Drive, we have now avoided impact on the juniper bushes (within the public right of way) at the Cosentino frontage at 200 Surmont Drive.

The amount of pavement is 50% of that which may have been required for a 30' wide public street. the 20% slope conforms perfectly for the initial 100' length of road to the fire department turnaround (FDT) with cuts and fills limited to 1' and 2' as directed by the Town HDS&G and LGHSP.

The FDT has fills of only 1’ (3’ allowed) and 3.9 cut at the southwest corner where 4’ is allowed in compliance with the HDS&G.

Parcel 1 -- Driveway
This driveway is only 130’ long from the FDT to the garage parking turnaround. Fills are limited to 3’ maximum depth and 5’ retaining wall. The turnaround is a full FDT with a slope of merely 1.5%.

Parcel 1 -- Garage & Residence
The parcel 1 garage has a maximum cut of 8’ in the southeast corner. The front northwest corner complies to grade with just 1’ of fill. The parcel 1 residence is oriented parallel to the existing contours ***(***that vary from 373 to 384, or 11’ differential***)***. The floor plan steps up 5’ from porch to master bedroom with two terraced 4’ walls in the rear yard that resolve the remaining 6’ vertical of the 11’ differential. Fills on Lot 1 are limited to a pasting on masking slopes at the entry and northeast decks to mask the underfloor clearance of 5’. The slope heights are merely 6’ tall and will be naturally undulated.

Lot 2 -- Driveway Grading
Again, this driveway is under 300’ long at 170’ from the shared FDT. The Santa Clara County Fire Marshal - Rob Campbell, has specifically allowed a 20% longitudinal slope due to the fully compliant FDT’s at either end of the driveway. The driveway meanders at 20% across the face of a natural 25% slope, cuts are limited to 4’ in depth and fills are 4’ deep. 70’ and 80’ long retaining walls of varying heights from 1.5’ to maximum 5’ for fill retention are designed on the north side of the driveway. These walls are virtually invisible to any public views from Surmont Drive and the neighborhood. Minimizing the wall length to 50’ maximum is not warranted.

The Lot 2 residence is also oriented parallel to the contours ***(***straddling the 401 to 414 contours, or 13’ differential***)***. The pad and floor levels in the residence absorbs 5’ of the grade change, while two rear yard terraced walls of 3.5’ height (and slope between) absorb the other 8’ of grade differential. The Lot 2 garage has a 7.5’ cut where 8’ is allowed and is a daylight design with front slab at existing grade ***(***of 406.5***)***.

The lot building sites and driveway routes were the initial consideration prior to lot design. The 30% slope line or LRDA has framed to possible building sites. The residences were oriented with their long axis slightly northwesterly and parallel to the existing terrain with minimized width in the north to south direction. As is always the case, the local fire department turnarounds generate the bulk of grading volume and elevation differential due to typical width of 40’ in 25% terrain, which results in a 10’ grade differential. Everyday vehicle access platform slopes 5% maximum which only resolves 2’ of the grade differential, while the remaining 8’ requires retaining walls and graded slopes.

HDS&G Section III-A-7 (grading techniques).
The exposed cut and fill slopes of the driveway shoulders will appear as natural due to the meandering alignment of the driveways. Retaining walls, where utilized, are under 5’ height and can be masked with undulating backfill as shown on plans. The fire truck wheel loads warrant retaining walls for slope stability purposes. The rear yard retaining walls are utilitarian and visible to only the homeowner**.** However, there are no aesthetic issues with these walls since they will be fully landscaped and not locally or regionally visible.

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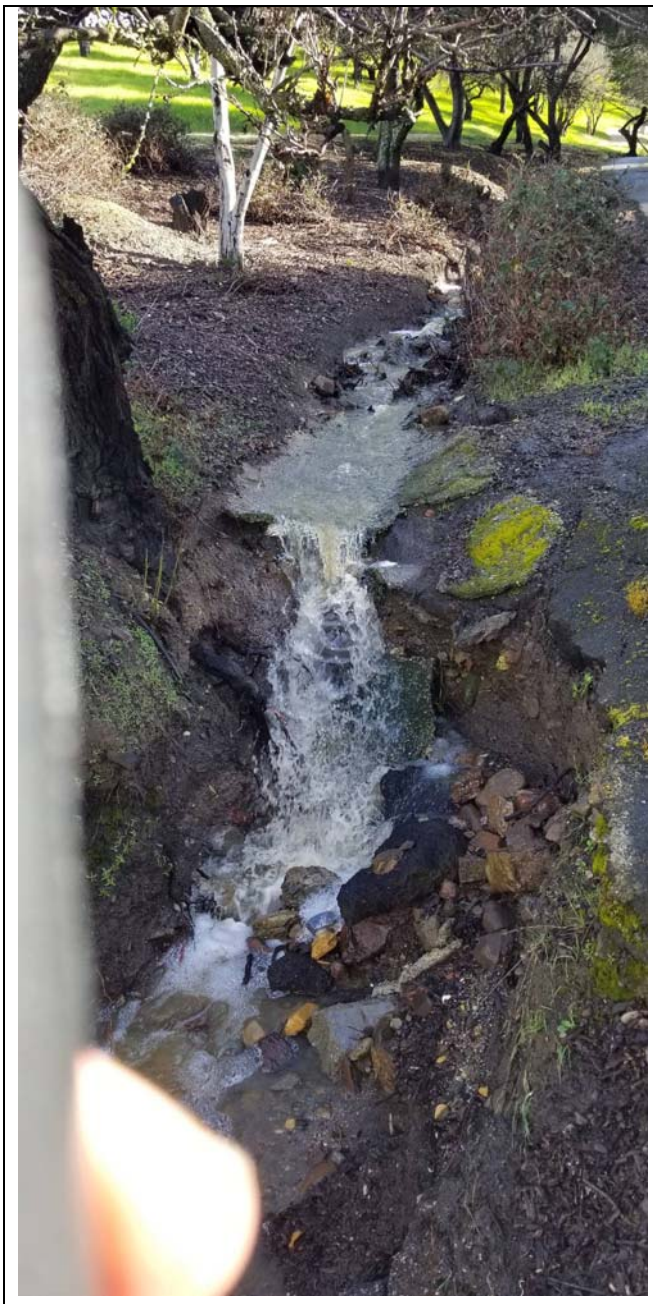
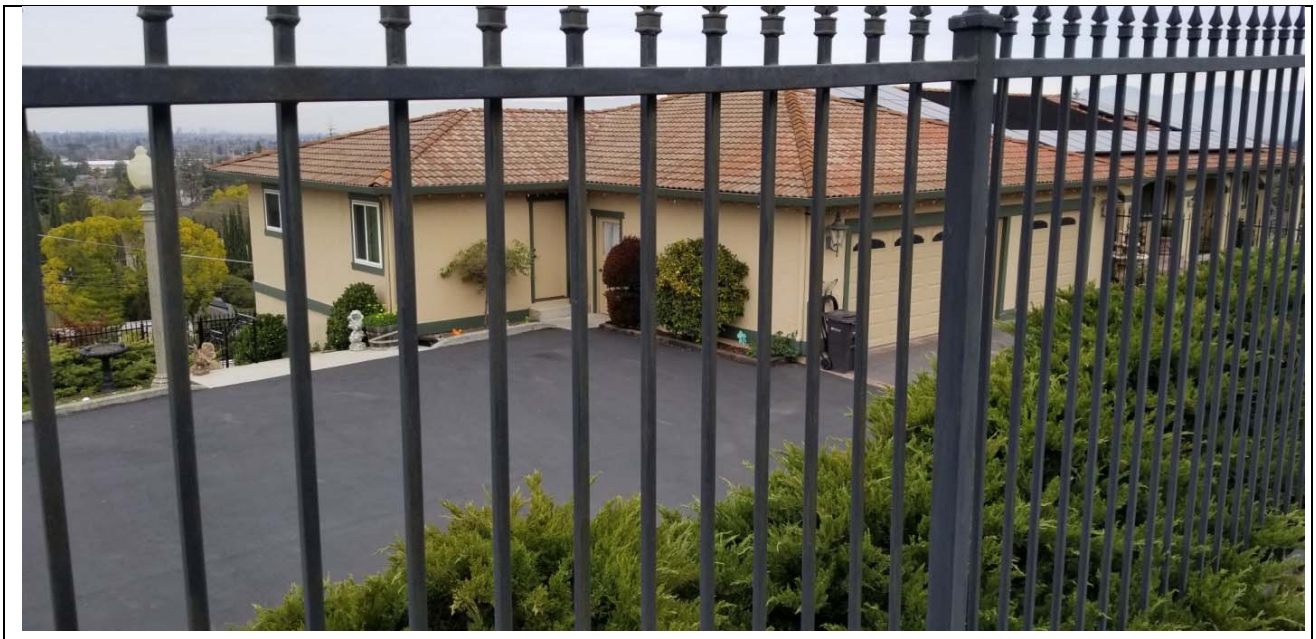


2. Minor Swale at Terminus of Surmont Drive

3. Drainage Headwall



4. Consentino Residence

5. Looking West Along LOT 1 - Consentino

6. Power Pole at LOT 1

7. Power Pole at LOT 1

8. Surmont Drive Looking North

9. Neighbor at Surmont Ct.

10. 9.5’ Wide Driveway to 400 Surmont Residence on Designated Remainder Parcel

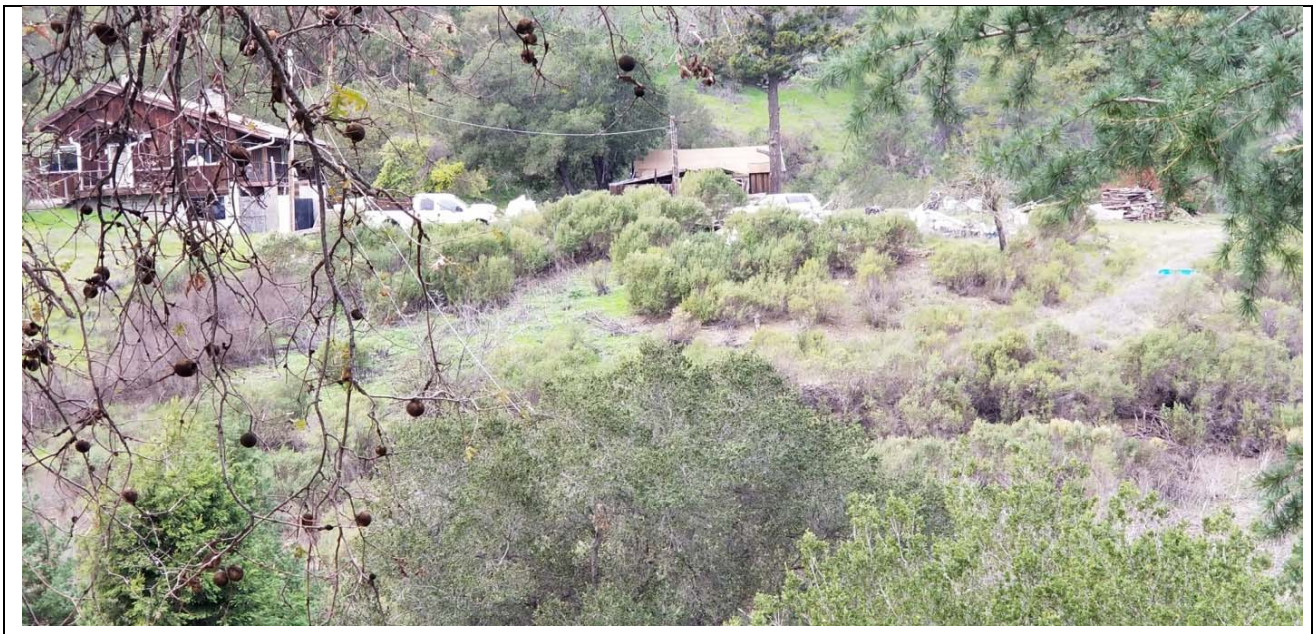
11. Residence on Designated Remainder

12. New Access Driveway Location

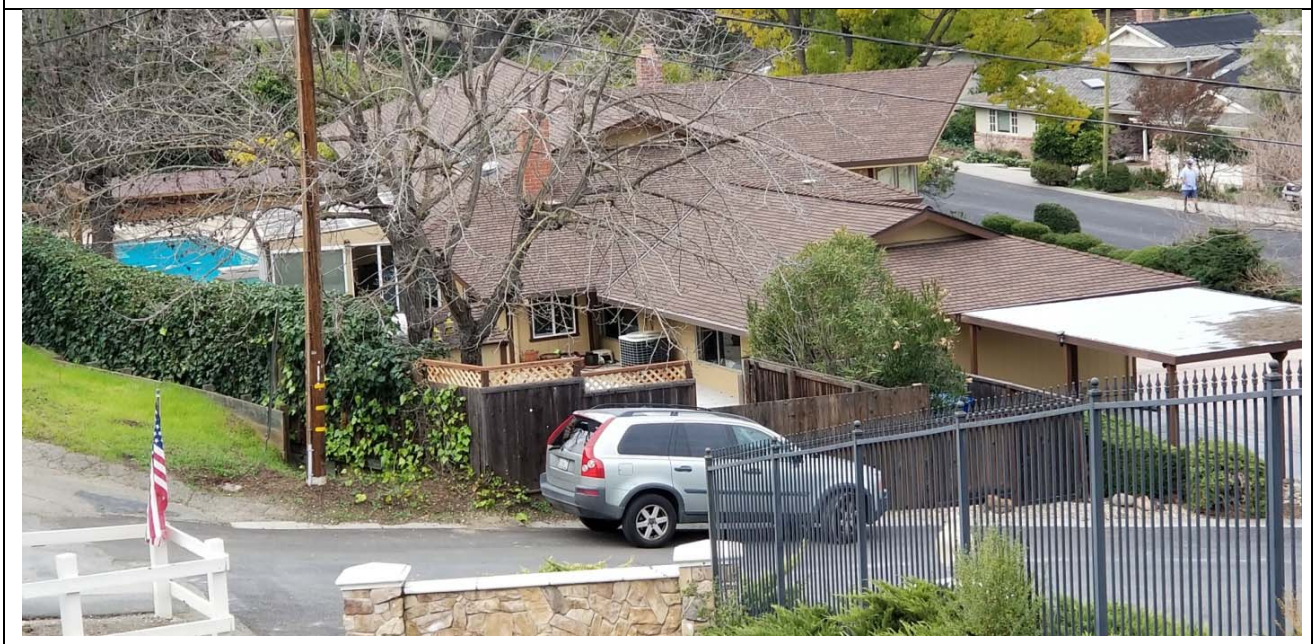
13. Town Barricade at Storm Headwall

14. 400 Surmont Driveway

15. Driveway to Uphill Neighbor



16. Uphill Westerly Neighbor: 401 Surmont Dr., Los Gatos, CA 95032



17. From Lot Looking Westerly

18. Parcel 1

19. Parcel 1 Looking South

20. Parcel 2 Looking East

21. Parcel 2 Looking East

22. Parcel 1 at Consentino Fence

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STUDIOTHREEDESIGN
638 University Avenue
Los Gatos, California . 95032
T 408.292.3252 F 253.399.1125

Stucco, Smooth finish,
Benjamin Moore 1078, Hillcrest Tan
(or approved equal)
LRV 23.89

Wrought Iron Guardrail
(similar design/style)

Wood Posts/Columns,
Dark Wood Stain
LRV 8.95

Clay Roof Tile,
MCA B330-R, Old Santa Barbara Blend
(or approved equal)
LRV 15.22

Kolbe Windows or
Approved EQ.
High Park Green Aluminum
Clad Exterior, Wood
Interior, Cast Stone Trim

LRV 29.27

EXHIBIT 7

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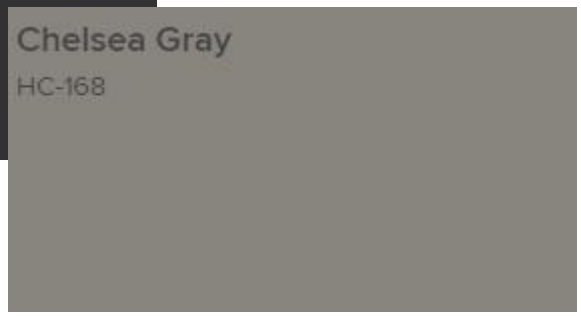
STUDIOTHREEDESIGN
638 University Avenue
Los Gatos, California . 95032
T 408.292.3252 F 253.399.1125

Wood Trim
Benjamin Moore HC-190,
Black
LRV 2.48



Board + Batten, Horizontal Siding
Benjamin Moore HC-168,
Chelsea Gray
LRV 22.16

Board + Batten

Horizontal Siding

Metal Standing Seam Roof,
Charcoal Gray
LRV 18.27

Wood Roof Shingles,
Treated
LRV 18.95

Kolbe Windows or
Approved EQ.
Black Aluminum Clad
Exterior, Wood Interior,
Painted Wood trim
LRV 2.48

Wood Posts/Columns,
Medium Wood Stain
LRV 19.95

EXHIBIT 8

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TS CIVIL ENGINEERING

Job No. 16-233
October 21, 2022(revised)

Ryan Safty - Associate Planner
Community Development Department
Town of Los Gatos
110 E. Main Street,
Los Gatos, CA 95030

Subject: Visibility of Two New Residences
400 Surmont Drive, Los Gatos

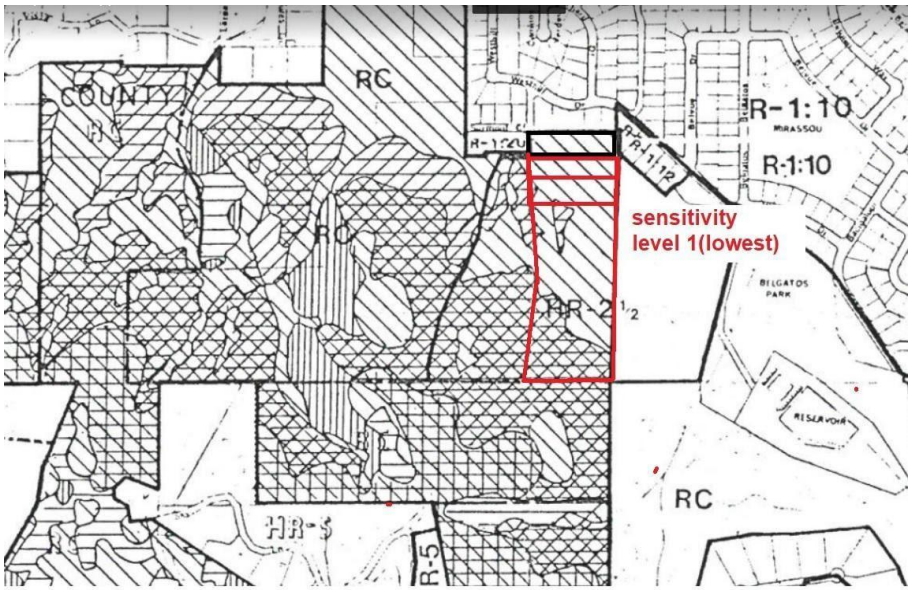
Dear Ryan:

We are submitting this update to the Visibility Analysis to reflect the now-installed story poles.

The subject property was included within the area of the 1990 "Comprehensive Open Space Study for Blossom Hill," as prepared by Tito Patri -- Landscape Architect. The Town Council at that time adopted the "Least Restricted Development Area (LRDA)" delineations and the Environmental Sensitivity criteria for the area encompassed by the study. There has been no subsequent action through the Hillside Specific Plan or the 2004 Hillside Standards & Design Guidelines to modify or rescind those standards.

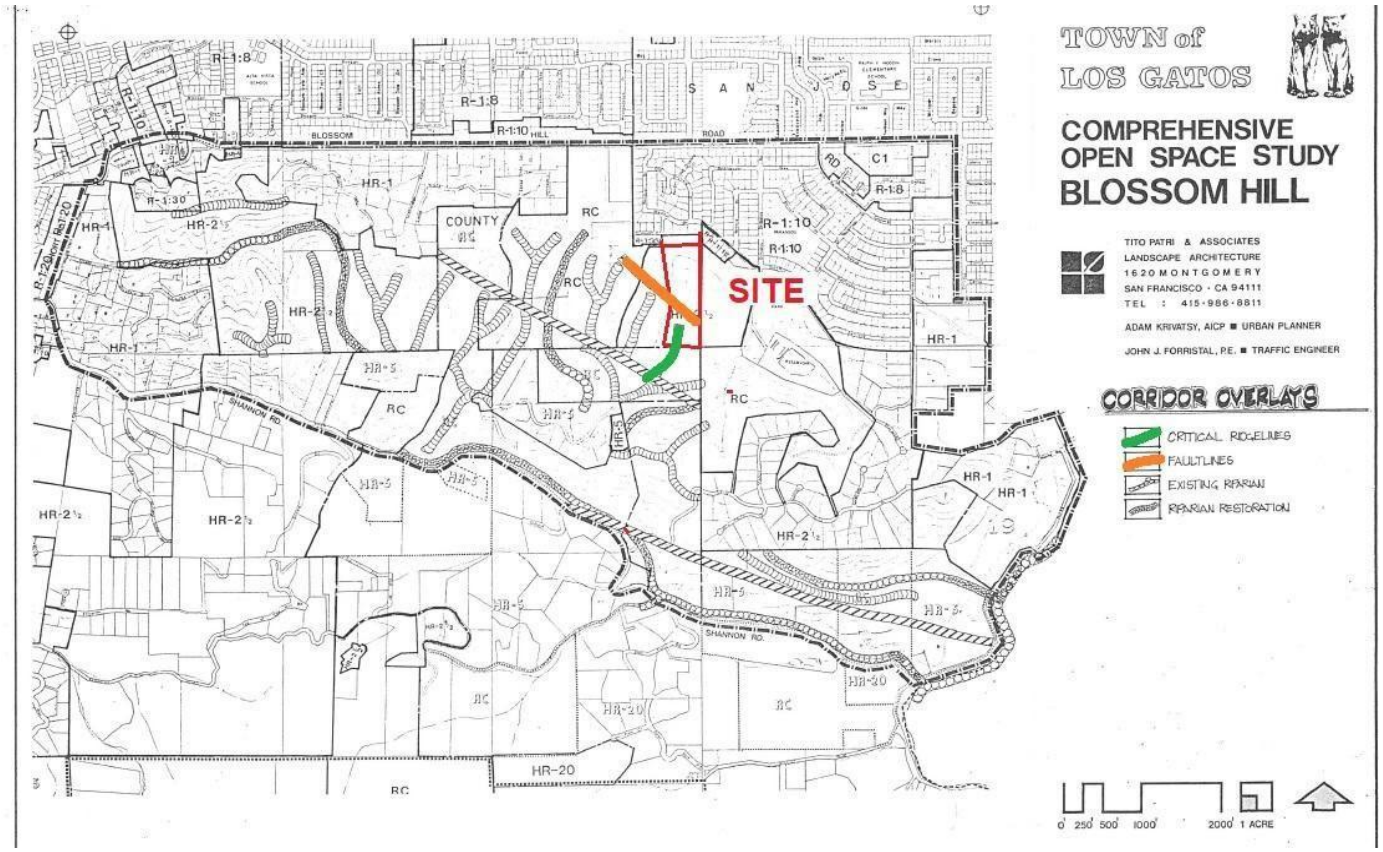
Blossom Hill Open Space Study

The study maps show a critically visible ridgeline, an earthquake corridor, and most importantly, Environmental Sensitivity - Level 1 for the two building sites proposed here. The Level 1 designation extends to elevation 500 while the Parcel 2 residence does not exceed a roof ridge of approximately 430'. The sites are fully 70 feet plus below the designated "critically visible slopes." Sensitivity Level 1 is the least constrained land on a scale of 1 to 10.



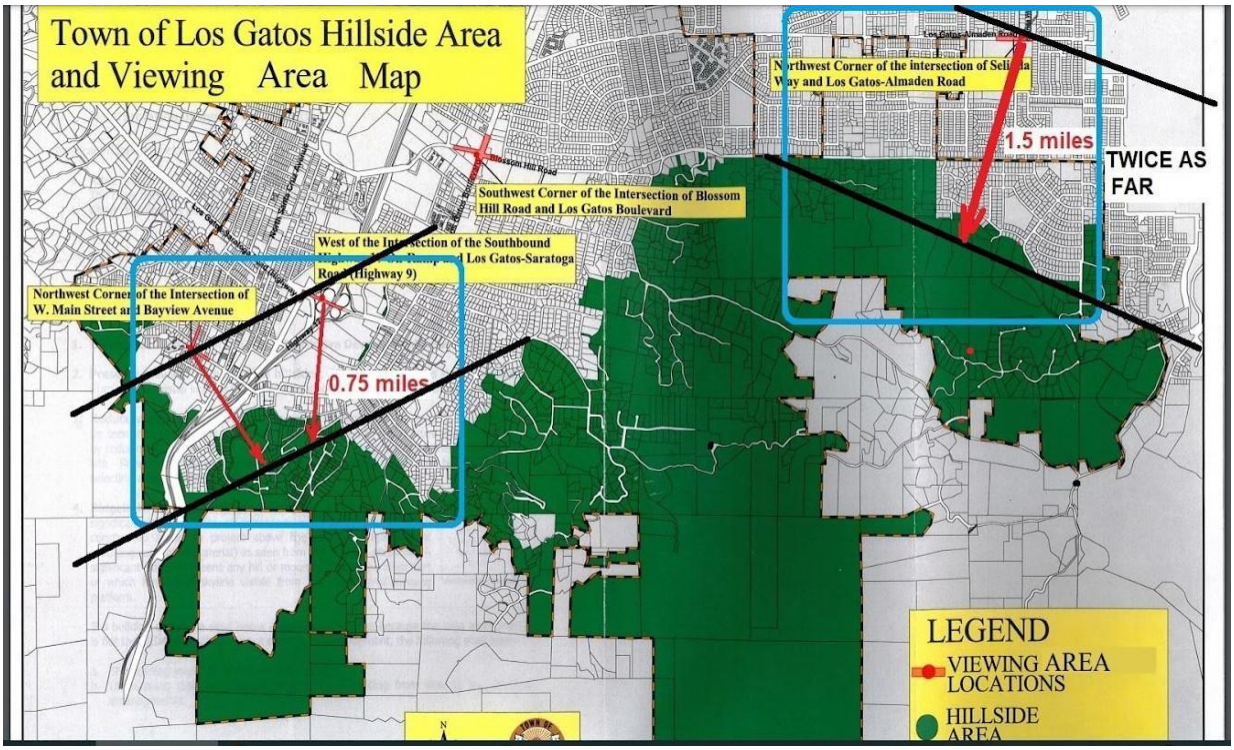
BLOSSOM HILL OPEN SPACE STUDY 1989-1990

EXHIBIT 9



New Neighboring Residence

The relatively new residence at 303 Belgatos was approved in 2017 without any discussion of regional visibility. The viewing platform for East Los Gatos is at the athletic fields at Leigh High School. The Selinda Way location is not even within the Town limits. This platform is 1.5 miles from the site and the mass and scale of the proposed residence can be measured in millimeters due to the excessive distance. The West Los Gatos viewing platforms are half the distance (0.75 miles) from the much steeper hillsides, where potential visibility takes on a completely different scale since new residences are perceived as towering above downtown and on full, detailed display. Please recall the recent story pole installation at 145 Wood Road regarding the overwhelming scale and closeness when viewed from the Penthouse Apartments.



Story Pole Installation & Viewing Area Visit

We enclose the required 50 and 300 mm lens photographs from the Selinda Way viewing area opposite Leigh High School. The story poles for Lot 1 fall below the series of fences at the school and are not visible. The Lot 2 story poles are blocked for 15% by a large palm tree, but otherwise fully visible (just above the chain link fence in the foreground) and diminished scale since the viewing area is 1.5 miles distant from the site. Additionally, we moved 500' east and west of Selinda and saw no significant difference.

Alta Vista Subdivision Backdrop

What we did see are large houses within the Alta Vista subdivision on Santa Rosa Drive. The existing Anderson residence and pool house on Parcel 3 of the subdivision can also be seen above the building sites, yet it is quite dark due to the weathered wood exterior. There are light reflections from the windows. The red balloons are highlighted in the enclosed photos.

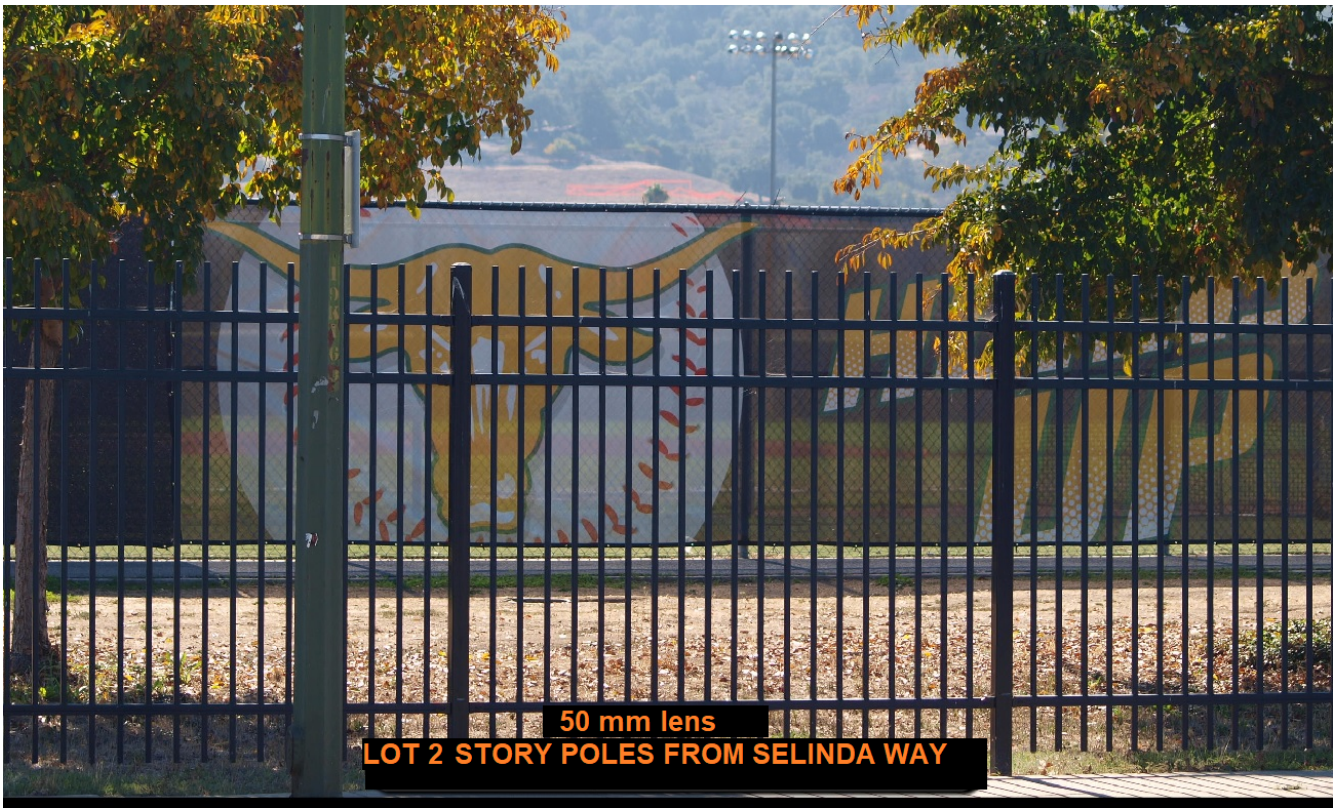
VISIBILITY BALLOONS AT EXTREME MAGNIFICATION FROM SELINDA WAY VIEWING AREA - 1.5 MILES NORTH

Summary

The Parcel 2 residence will be visible from the Selinda Way viewing platform except for that portion of the residence with a large palm tree at 255 Bellblossom Way. That palm tree blocks as much as 15% of the length of the residence.

The Parcel 1 residence is simply not visible from Selinda Way because it falls fully below the railings of multiple chain link fences at the Leigh High School athletic fields.

LOT 1 ROOF
300 mm lens
LOT 2 STORY POLES FROM SELINDA WAY



It should be noted that somehow the good intentions of the Hillside Specific Plan visibility policies related to only "ridgeline projection" have evolved over 40 years to now require "invisible residences," The proposed residences are neither unsightly nor obtrusive, and the original staff who developed these policies in the 1980s would be disappointed about the present illogical aberrations. The goals of reasonable architectural aesthetics that complement hillside preservation have become out of balance given the goal of invisibility.

Sincerely,

TS/CIVIL ENGINEERING, INC.
Terence J. Szewczyk, P.E. C35527
Principal Engineer

CDG
CANNON
DESIGN
GROUP

ARCHITECTURE PLANNING URBAN DESIGN

July 23, 2021

Mr. Ryan Safty
Community Development Department
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

RE: 400 Surmont Drive

Dear Ryan:

I reviewed the drawings, and evaluated the site context. My comments and recommendations are as follows:

NEIGHBORHOOD CONTEXT

The site is located on a large sloping site behind single family homes facing Westhill Drive. Other homes to rear and either side of the site are located quite some distance from the site. The site does not appear to be visible from Westhill Drive. The site is shown on the photos of the site and its surroundings on the following page.

700 LARKSPUR LANDING CIRCLE . SUITE 199 . LARKSPUR . CA . 94939

TEL: 415.331.3795
CDGPLAN@PACBELL.NET

Proposed homes in the neighborhood context

View to site from end of Surmont Drive

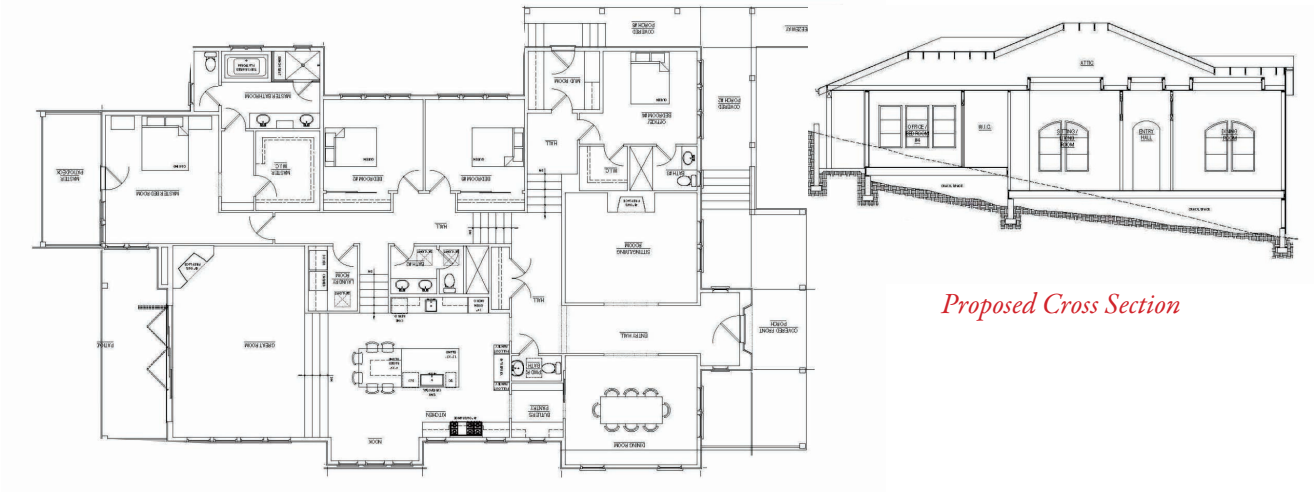
View from Westhill Drive

Home immediately below the site

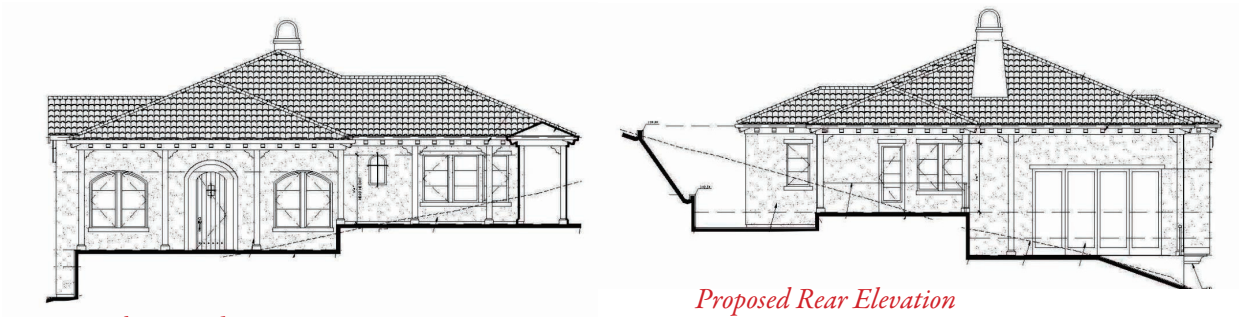
ISSUES AND CONCERNS

The proposed project includes two single family detached homes each designed in its own unique traditional style. The immediate neighborhood of homeS along Westhill Drive are located such that they have little direct influence on the design of these two new homes. Each proposed home is limited to one-story in height, and designed to blend into the natural topography of the site. They are well designed with substantial facade articulation and authentic architectural details carried consistently around all sides of the homes - see proposed plans, elevations and sections below and on the following page.

PARCEL 1

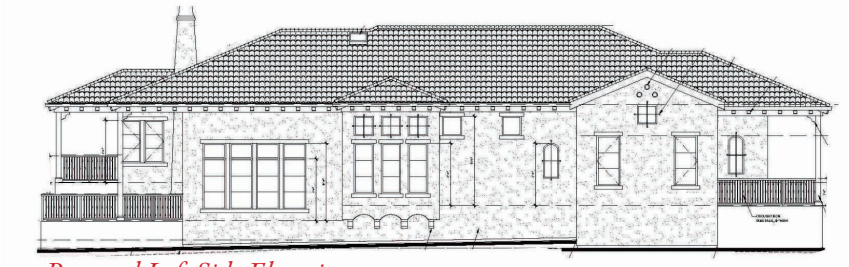


Proposed Cross Section

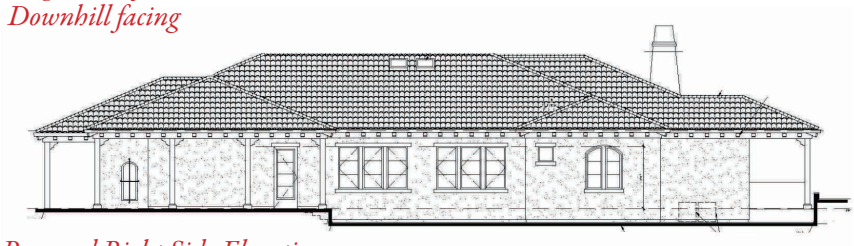


Proposed Front Elevation

Proposed Rear Elevation

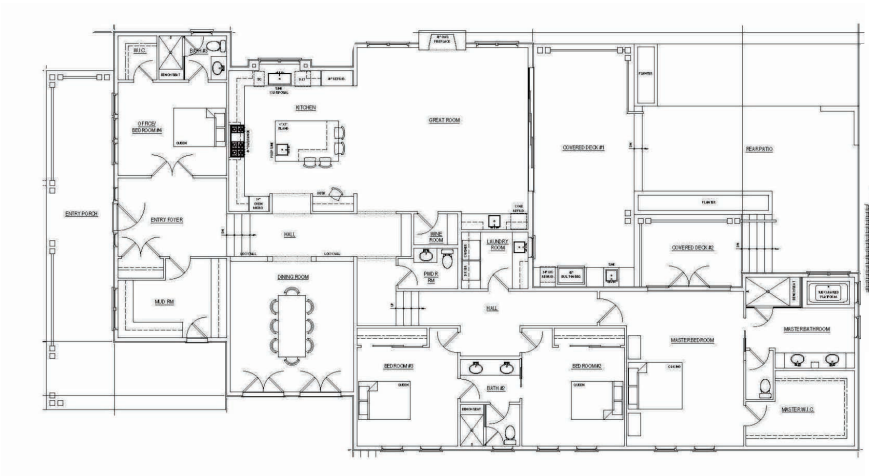


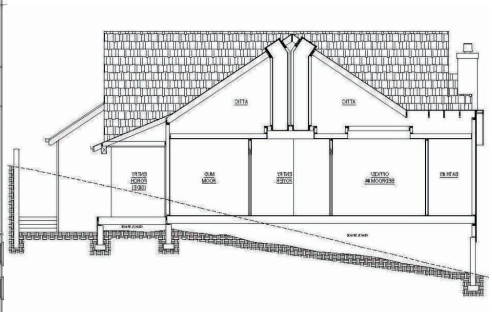
Proposed Left Side Elevation
Downhill facing



Proposed Right Side Elevation

PARCEL 2



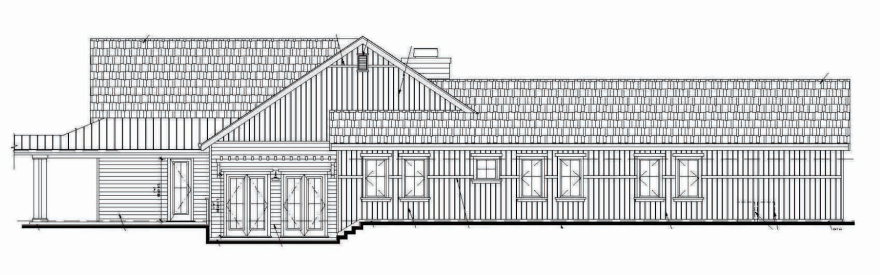


Proposed Cross Section

Proposed Front Elevation

Proposed Rear Elevation

Proposed Left Side Elevation
Downhill facing



Proposed Right Side Elevation

I was only able to identify a couple of minor concerns as follows.

Parcel 1 Windows

Window details are not provided, but viewing the building sections, it does not appear that the windows are adequately recessed for this architectural style without window trim. This would not be consistent with Residential Design Guideline 3.7.4.

3.7.4 Design the windows with attention to matching the traditional details of the architectural style

- *Wood trim is also encouraged on stucco houses unless the window frames are recessed at least 6 inches from the outside face of the wall. The use of stucco covered foam trim is strongly discouraged.*
- *Divided lights (i.e., larger window panes broken up into smaller pieces) are common in many home styles found in Los Gatos. Use either vertical or square proportions for the smaller window elements. Be consistent in the proportions (i.e., the ratio of the horizontal to the vertical dimension) of the smaller panes. Do not use snap in flat grids to simulate divided lights. Use either true divided lights or one of the newer window systems that have dimensional muntins on both the exterior and interior of the glass along with a spacer muntin between the panes of glass. Use consistently for windows on all sides of the house.*

Recommendations: Provide an adequate recess for all windows and assure that the size of the window head trim and sills are properly scaled for the size of the home.

Two examples of recessed windows are shown in the photos below.

True
Divided Lites

Simulated
Divided Lites

Parcel 2 Wall Base Material

This will be a judgement call for the architect and applicant, but using board form concrete at the exposed base for the walls may not be best solution for this architectural style. On the downhill elevation where a substantial amount of the wall base is exposed, the result may be visually appear to be a refined wall material sitting on a podium of concrete - see diagram below.

I noted that on the Parcel 1 home downhill elevation, the stucco wall surface would extend down the full height of the wall - see comparable downhill elevation below.

Recommendations: Reevaluate the Parcel 2 building base materials, details and potential buffer landscaping.

Ryan, I have no other recommendations for change.

Sincerely,
CANNON DESIGN GROUP

Larry L. Cannon

August 23, 2021

Compliance/Response Memorandum

Consulting Architect Report for 400 Surmont Drive
By: CDG Cannon Design Group

Compliance/Response Memorandum

Parcel 1 Windows

Window details are not provided, but viewing the building sections, it does not appear that the windows are adequately recessed for this architectural style without window trim. This would not be consistent withResidential Design Guideline 3.7.4.

> 3.7.4 Design the windows with attention to matching the traditional details of the architectural style

Recommendations: Provide an adequate recess for all windows and assure that the size of the window headtrim and sills are properly scaled for the size of the home.

Response: Windows for Parcel 1 will be set to the inside and will provide the desire look/detail. The floor plan has been revised to show the new window placement.

Parcel 2 Wall Base Material

This will be a judgement call for the architect and applicant, but using board form concrete at the exposed base for the walls may not be best solution for this architectural style. On the downhill elevation where a substantial amount of the wall base is exposed, the result may be visually appear to be a refined wall materialsitting on a podium of concrete - see diagram below.

I noted that on the Parcel 1 home downhill elevation, the stucco wall surface would extend down the fullheight of the wall - see comparable downhill elevation below.

Recommendations: Reevaluate the Parcel 2 building base materials, details and potential buffer landscaping.

Response: We will proceed with board form concrete and will provide a textural change, see image below for reference.

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Tree Inventory, Assessment, and Protection Report

400 Surmont Drive
Los Gatos, CA 95032

Prepared for:

Town of Los Gatos

September 27, 2019
Revised February 11, 2022

Prepared By:

Richard Gessner

ASCA - Registered Consulting Arborist ® #496
ISA - Board Certified Master Arborist® WE-4341B

Monarch Consulting Arborists

Richard Gessner
P.O. Box 1010 - Felton, CA 95018
1 831 331 8982
www.monarcharborists.com

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Certification of Performance.....30

Summary

The inventory contains 39 trees comprised of 6 different species. Two coast live oaks (*Quercus agrifolia*) are considered Large Protected, and sixteen fruit trees are Exempt. Eighteen trees are in good condition, eleven fair, nine in poor shape and one is dead. Eighteen trees are poorly suited for retention which are primarily fruit trees. Ten trees have fair suitability for preservation and the remaining eleven have good suitability. Sixteen trees will be highly impacted and are expected to be removed, four moderately affected and nineteen are not near the improvements. Seven of the sixteen trees expected to be highly impacted are Protected (#111, #127, #128, #129, #130, #700, and #896) while the remaining are Exempt fruit trees. Trees #131, #332, #133 and #894 are all located close to proposed construction and will require tree protection fence around them to help prevent damage. A total of 39 trees were appraised for a rounded depreciated value of $64,260.00 using the Trunk Formula Method.

Introduction

Background

The Town of Los Gatos asked me to assess the site, trees, and proposed footprint plan, and to provide a report with my findings and recommendations to help satisfy planning requirements.

Assignment

- Provide an arborist's report including an assessment of the trees within the project area and on the adjacent sites. The assessment is to include the species, size (trunk diameter), condition (health and structure), and suitability for preservation ratings. Affix aluminum number tags on the trees for reference on site and on plans.
- Provide tree protection specifications, guidelines, and impact ratings for trees that may be affected by the project.
- Provide appraised values.

Limits of the assignment

- The information in this report is limited to the condition of the trees during my inspection on May 20, 2019 and February 8, 2022. No tree risk assessments were performed.
- Tree heights and canopy diameters are estimates.
- The most recent *Guide to Plant Appraisal, Tenth Edition* was published in late 2018 by the ISA. The Guide is not functional at this time due to significant errors in the original printed version and gaps in information regarding regional species characteristics and nursery stock wholesale costs. Therefore the ninth edition and its supplemental publications was used for this assignment with the exception of the "condition ratings" assessment.

- The plans reviewed for this assignment were as follows (Table 1).

Table 1: Plans Reviewed Checklist

Plan	Date	Sheet	Reviewed	Source
Existing Site Topographic Map or A.L.T.A with tree locations				
Proposed Site Plan	Nov. 2021	A1.3 Parcel 1 and 2 and C2 Layout	Yes	Studio 3 Design TS Engineering
Demolition Plan				
Construction Staging				
Grading and Drainage		C3	Yes	TS Engineering
Utility Plan and Hook-up locations				
Exterior Elevations				
Landscape Plan				
Irrigation Plan				
T-1 Tree Protection Plan				

Purpose and use of the report

The report is intended to identify all the trees within the plan area that could be affected by a project. The report is to be used by the Town of Los Gatos and the property owners as a reference for existing tree conditions to help satisfy planning requirements.

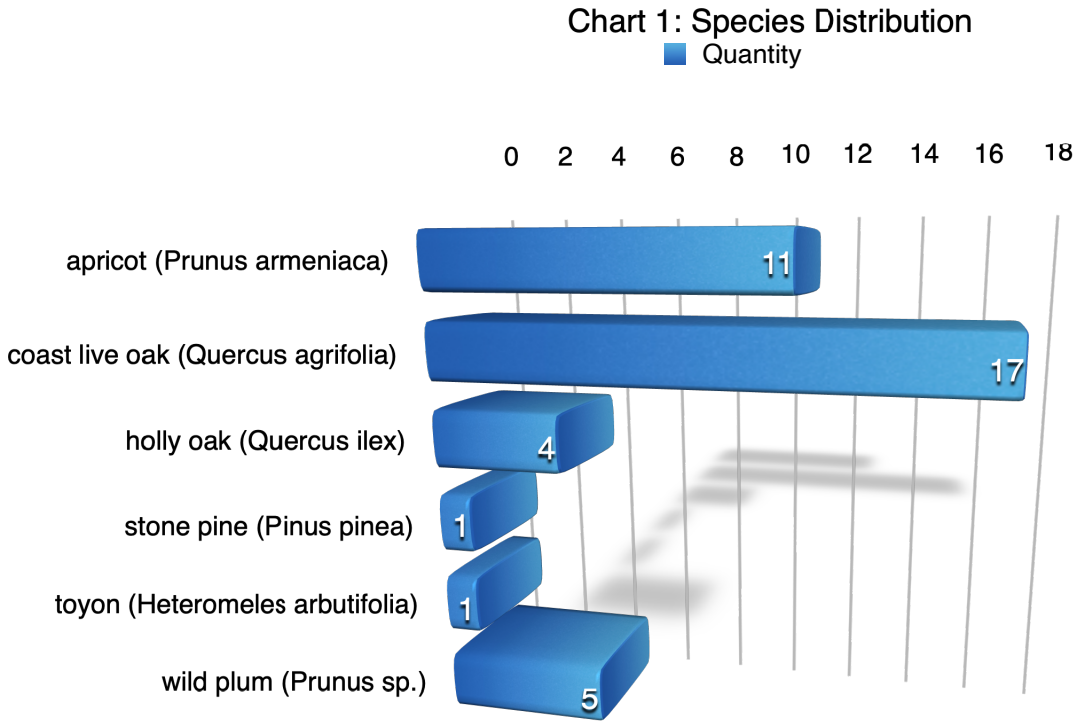
Observations

The plans provided indicated the proposed location of the driveway to the two lots and the house footprints. The topographic survey provided is not completely accurate and some features are gone and others exist on site not on the survey.

Tree Inventory

The inventory consists of trees protected by the Town of Los Gatos located on site and those in close proximity on neighboring properties. Sec. 29.10.0960. - Scope of protected trees. All trees which have a four-inch or greater diameter (twelve and one half-inch circumference) of any trunk, when removal relates to any review for which zoning approval or subdivision approval is required. (Appendix A and B). Los Gatos Town Ordinance 29.10.0970 Exceptions (1) states the following: “A fruit or nut tree that is less than eighteen (18) inches in diameter (fifty-seven-inch circumference).

The inventory contains 39 trees comprised of 6 different species. Two coast live oaks are considered Large Protected[1], and sixteen fruit trees are Exempt[2]. The chart below list the species and their relative quantities (Chart 1).



[1] Large protected tree means any oak (*Quercus spp.*), California buckeye (*Aesculus californica*), or Pacific madrone (*Arbutus menziesii*) which has a 24-inch or greater diameter (75-inch circumference); or any other species of tree with a 48-inch or greater diameter (150-inch circumference).

[2] A fruit or nut tree that is less than eighteen (18) inches in diameter (fifty-seven-inch circumference).

Analysis

Tree appraisal was performed according to the Council of Tree & Landscape Appraisers *Guide for Plant Appraisal 9th Edition, 2000* (CLTA) along with Western Chapter International Society of Arboriculture *Species Classification and Group Assignment, 2004*. The trees were appraised using the "Cost Approach" and more specifically the "Trunk Formula Method" (Appendix B).

"Trunk Formula Method" is calculated as follows: Basic Tree Cost = (Appraised tree trunk increase X Unit tree cost + Installed tree cost) Appraised Value = (Basic tree cost X Species % X Condition % X Location %).

The trunk formula valuations are based on four tree factors; species, size (trunk cross sectional area), condition, and location. There are two steps to determine the overall value. The first step is to determine the "Basic Tree Cost" based on size and species rating which is determined by the *Species Classification and Group Assignment, 2004 Western Chapter Regional Supplement*.

The second part is to depreciate the value according to the location and condition of the trees.

The condition assessment and percentages are defined in the "Condition Rating" section of this report. The condition ratings deviate from the Guide's condition assessment numerical rating system. The reason for this deviation is the Guide's assessment criteria fails to account for significant health or structural issues creating high percentages for tree with either significant structural defects or health problems that could ultimately lead to failure or irreversible decline.

Location rating is an average of three factors; site, contribution, and placement. Site is determined by the relative property value where the trees are planted. The residential site would be classified as "very high" value with a 90 percent rating compared to similar sites in the area (ISA, 2000).

Contribution and placement is determined by the function and aesthetics the trees provide for the site and their location on the property. The percent of contribution and placement can range from 10 to 100 percent depending on the trees influence to the value of the property. These percentages ranged from 0 to 90 percent in my assessment.

A total of 39 trees were appraised for a rounded depreciated value of $64,260.00 using the Trunk Formula Method (Appendix B).

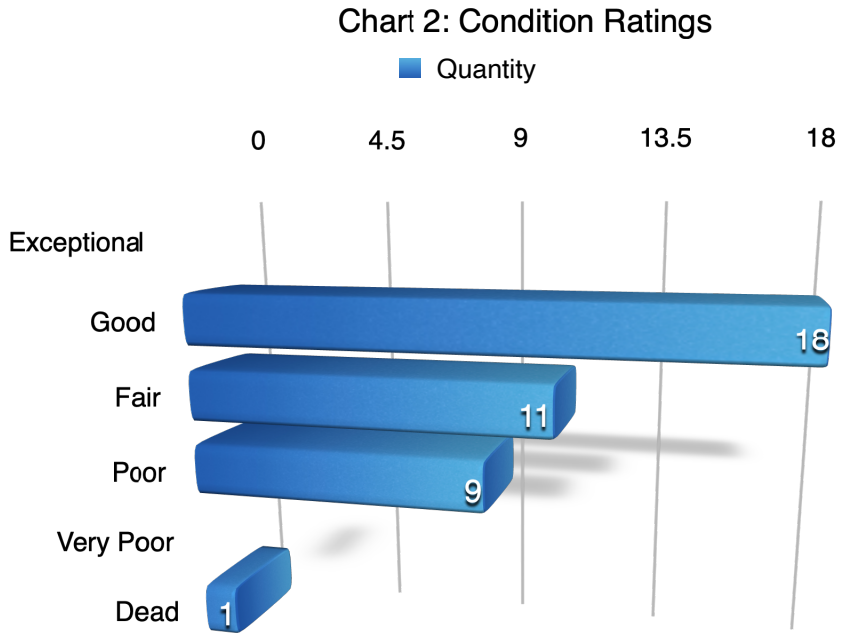
Discussion

Condition Rating

A tree's condition is a determination of its overall health, structure, and form. The assessment considered both the health and structure for a combined condition rating.

- 100% - Exceptional = Good health and structure with significant size, location or quality.
- 61-80% - Good = Normal vigor, well-developed structure, function and aesthetics not compromised with good longevity for the site.
- 41-60 % - Fair = Reduced vigor, damage, dieback, or pest problems, at least one significant structural problem or multiple moderate defects requiring treatment. Major asymmetry or deviation from the species normal habit, function and aesthetics compromised.
- 21-40% - Poor = Unhealthy and declining appearance with poor vigor, abnormal foliar color, size or density with potential irreversible decline. One serious structural defect or multiple significant defects that cannot be corrected and failure may occur at any time. Significant asymmetry and compromised aesthetics and intended use.
- 6-20% - Very Poor = Poor vigor and dying with little foliage in irreversible decline. Severe defects with the likelihood of failure being probable or imminent. Aesthetically poor with little or no function in the landscape.
- 0-5% - Dead/Unstable = Dead or imminently ready to fail.

Eighteen trees are in good condition, eleven fair, nine in poor shape and one is dead (Chart 2). Most of the trees in poor condition are remnant orchard trees. The best specimen in the building area is coast live oak #133.

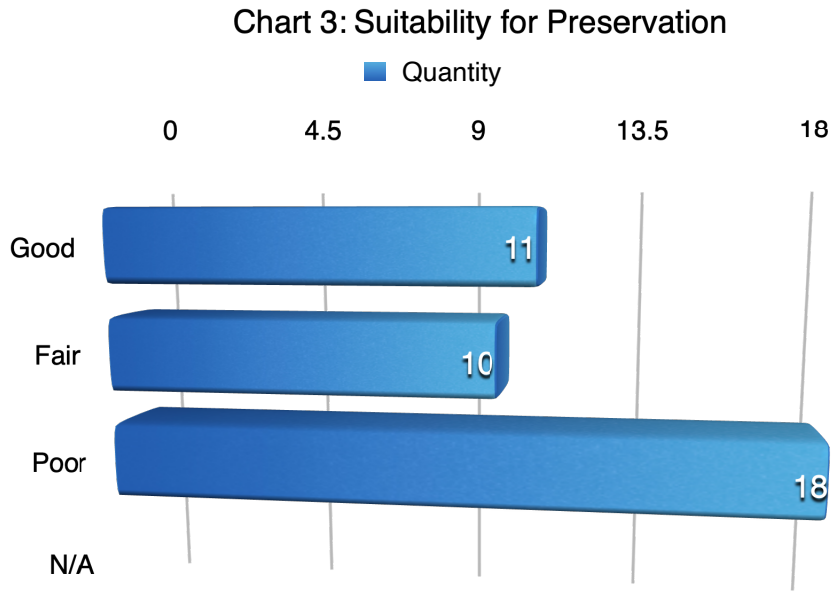


Suitability for Preservation

A tree's suitability for conservation is determined based on its health, structure, age, species and disturbance tolerances, proximity to cutting and filling, proximity to construction or demolition, and potential longevity using a scale of good, fair, or poor (Fite, K, and Smiley, E. T., 2016). Trees with good suitability have good vigor, structural stability, and potential longevity after construction.

- Good = Trees with good health, structural stability and longevity.
- Fair = Trees with fair health and/or structural defects that may be mitigated through treatment. These trees require more intense management and monitoring, and may have shorter life spans than those in the good category.
- Poor = Trees in poor health with significant structural defects that cannot be mitigated and will continue to decline regardless of treatment. The species or individual may possess characteristics that are incompatible or undesirable in landscape settings or unsuited for the intended use of the site.

Eighteen trees are poorly suited for retention which are primarily fruit trees (Chart 3). Ten trees have fair suitability for preservation. The remaining eleven have good suitability and primarily consist of naturally occurring coast live oaks or holly oaks.

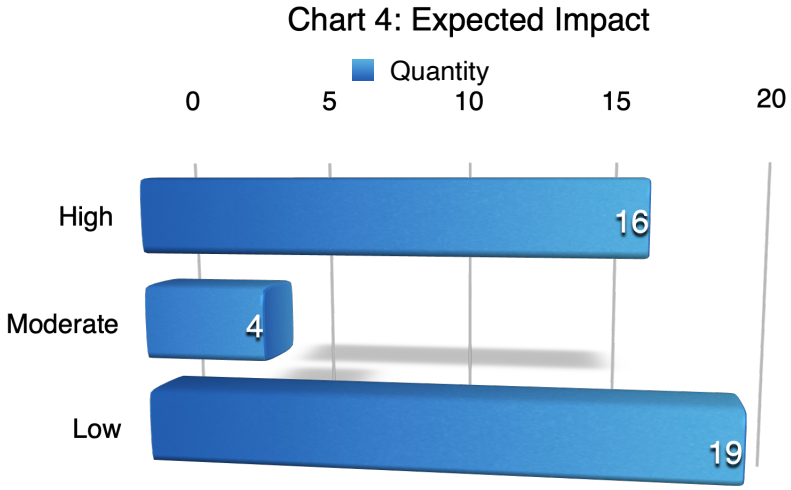


Expected Impact Level

Impact level defines how a tree may be affected by construction activity and proximity to the tree, and is described as low, moderate, or high. The following scale defines the impact rating:

- Low = The construction activity will have little influence on the tree.
- Moderate = The construction may cause future health or structural problems, and steps must be taken to protect the tree to reduce future problems.
- High = Tree structure and health will be compromised and removal is recommended, or other actions must be taken for the tree to remain. The tree is located in the building envelope.

Sixteen trees will be highly impacted and are expected to be removed, four moderately affected, and nineteen are not near the improvements (Appendix A and B). Seven of the sixteen trees expected to be highly impacted are Protected (#111, #127, #128, #129, #130, #700, and #896) while the remaining are Exempt fruit trees.



Mitigation for Removals

The table below indicates the recommended replacement values (Table 3). Seven trees will require replacements (#111, #127, #128, #129, #130, #700, and #896) resulting is twenty-one (21) 24 inch box specimens. Alternatively it may be possible to create an approved landscape plan or provide an in-lieu payment.

Table 3: Town of Los Gatos Tree Canopy - Replacement Standard

Canopy Size of Removed Tree (1)	Replacement Requirement (2)(4)	Single Family Residential Replacement
10 feet or less	Two 24 inch box	Two 15 gallon
More than 10 feet to 25	Three 24 inch box	Three 15 gallon
More than 25 feet to 40 feet	Four 24 inch box trees or two 36 inch	Four 15 gallon trees
More than 40 feet to 55 feet	Six 24 inch box trees; or three 36	Not available
Greater than 55 feet	Ten 24 inch box trees; or five 36 inch	Not available

[1]To measure an asymmetrical canopy of a tree, the widest measurement shall be used to determine canopy size.

[2]Often, it is not possible to replace a single large, older tree with an equivalent tree(s). In this case, the tree may be replaced with a combination of both the Tree Canopy Replacement Standard and in-lieu payment in an amount set forth by Town Council resolution paid to the Town Tree Replacement Fund.

[3]Single Family Residential Replacement Option is available for developed single family residential lots under 10,000 square feet that are not subject to the Town's Hillside Development Standards and Guidelines. All 15-gallon trees must be planted on-site. Any in-lieu fees for single family residential shall be based on 24" box tree rates as adopted by Town Council.

[4]Replacement Trees shall be approved by the Town Arborist and shall be of a species suited to the available planting location, proximity to structures, overhead clearances, soil type, compatibility with surrounding canopy and other relevant factors. Replacement with native species shall be strongly encouraged. Replacement requirements in the Hillsides shall comply with the Hillside Development Standards and Guidelines Appendix A and Section 29.10.0987 Special Provisions—Hillsides.

Tree Protection

Tree protection focuses on avoiding damage to the roots, trunk, or scaffold branches (Appendix D). The most current accepted method for determining the TPZ is to use a formula based on species tolerance, tree age/vigor, and trunk diameter (Matheny, N. and Clark, J. 1998) (Fite, K, and Smiley, E. T., 2016). Preventing mechanical damage to the trunk from equipment or hand tools can be accomplished by wrapping the main stem with straw wattle or using vertical timbers.

Trees #131, #332, #133 and #894 are all located close to proposed construction and will require tree protection fence around them to help prevent damage. There are four trees in close proximity to these including #134, #135, #892 and #893 which will be enclosed as a group with #131 and #132. Tree #133 will need a minimum of eighteen feet of protection radii to help ensure its survival. The remaining three trees are small and ten feet of protection radii would be ideal.

Conclusion

The inventory contains 39 trees comprised of 6 different species. Two coast live oaks are considered Large Protected, and sixteen fruit trees are Exempt. Eighteen trees are in good condition, eleven fair, nine in poor shape and one is dead. Most of the trees in poor condition are remnant orchard trees. The best specimen in the building area is coast live oak #133. Eighteen trees are poorly suited for retention which are primarily fruit trees. Ten trees have fair suitability for preservation and the remaining eleven have good suitability. Sixteen trees will be highly impacted and are expected to be removed, four moderately affected and nineteen are not near the improvements. Seven trees will require replacements (#111, #127, #128, #129, #130, #700, and #896) resulting is twenty-one (21) 24 inch box specimens.. Seven of the sixteen trees expected to be highly impacted are Protected (#111, #127, #128, #129, #130, #700, and #896) while the remaining are Exempt fruit trees. Trees #131, #332, #133 and #894 are all located close to proposed construction and will require tree protection fence around them to help prevent damage. There are four trees in close proximity to #131 and #132 including #134, #135, #892 and #893 which will be enclosed as a group. Tree #133 will need a minimum of eighteen feet of protection radii to help ensure its survival. The remaining three trees are small and ten feet of protection radii would be ideal. A total of 39 trees were appraised for a rounded depreciated value of $64,260.00 using the Trunk Formula Method.

Recommendations

1. Update the site plans and survey to show the current existing conditions and corrected locations (Appendix A) of the trees and their trunks, including those along the drainage and their associated numbers.

2. Place tree numbers and tree protection fence locations and guidelines on the plans including the grading, drainage, and utility plans. Create a separate plan sheet that includes all protection measures labeled “T-1 Tree Protection Plan.”

3. Place tree protection fence along the service road near the drainage outside the tree dip lines (#113, #114, #115, and #116), around #133 at eighteen feet (18’), and around #332, #133 (#134 and #135) and #894 (#892 and #893) at a radius of ten feet (10’).

4. Provide a landscape plan that accounts for the loss in tree canopy to include in tabular form the required replacements in accordance with the Town’s Tree Canopy Replacement Standard. Seven trees will require replacements (#111, #127, #128, #129, #130, #700, and #896) resulting is twenty-one (21) 24 inch box specimens..

5. All tree maintenance and care shall be performed by a qualified arborist with a C-61/D-49 California Contractors License. Tree maintenance and care shall be specified in writing according to American National Standard for Tree Care Operations: *Tree, Shrub and Other Woody Plant Management: Standard Practices* parts 1 through 10 and adhere to ANSI Z133.1 safety standards and local regulations. All maintenance is to be performed according to ISA Best Management Practices.

6. Refer to Appendix D for general tree protection guidelines including recommendations for arborist assistance while working under trees, trenching, or excavation within a trees drip line or designated TPZ/CRZ.

7. Provide a copy of this report to all contractors and project managers, including the architect, civil engineer, and landscape designer or architect. It is the responsibility of the owner to ensure all parties are familiar with this document.

8. Arrange a pre-construction meeting with the project arborist or landscape architect to verify tree protection is in place, with the correct materials, and at the proper distances.

Bibliography

American National Standard for Tree Care Operations: Tree, Shrub and Other Woody Plant Management : Standard Practices (Management of Trees and Shrubs During Site Planning, Site Development, and Construction)(Part 5). Londonderry, NH: Secretariat, Tree Care Industry Association, 2012. Print.

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Matheny, Nelda P., Clark, James R. Trees and development: A technical guide to preservation of trees during land development. Bedminster, PA: International Society of Arboriculture1998.

Smiley, E, Matheny, N, Lilly, S, ISA. *Best Management Practices: Tree Risk Assessment:* International Society of Arboriculture, 2017. Print

Glossary of Terms

Basic Tree Cost: The cost of replacement for a perfect specimen of a particular species and cross sectional area prior to location and condition depreciation.

Cost Approach: An indication of value by adding the land value to the depreciated value of improvements.

Defect: An imperfection, weakness, or lack of something necessary. In trees defects are injuries, growth patterns, decay, or other conditions that reduce the tree's structural strength.

Diameter at breast height (DBH): Measures at 1.4 meters (4.5 feet) above ground in the United States, Australia (arboriculture), New Zealand, and when using the Guide for Plant Appraisal, 9th edition; at 1.3 meters (4.3 feet) above ground in Australia (forestry), Canada, the European Union, and in UK forestry; and at 1.5 meters (5 feet) above ground in UK arboriculture.

Drip Line: Imaginary line defined by the branch spread or a single plant or group of plants. The outer extent of the tree crown.

Form: describes a plant's habit, shape or silhouette defined by its genetics, environment, or management.

Health: Assessment is based on the overall appearance of the tree, its leaf and twig growth, and the presence and severity of insects or disease.

Mechanical damage: Physical damage caused by outside forces such as cutting, chopping or any mechanized device that may strike the tree trunk, roots or branches.

Scaffold branches: Permanent or structural branches that for the scaffold architecture or structure of a tree.

Straw wattle: also known as straw worms, bio-logs, straw noodles, or straw tubes are man made cylinders of compressed, weed free straw (wheat or rice), 8 to 12 inches in diameter and 20 to 25 feet long. They are encased in jute, nylon, or other photo degradable materials,
and have an average weight of 35 pounds.

Structural evaluation: focused on the crown, trunk, trunk flare, above ground roots and the site conditions contributing to conditions and/or defects that may contribute to failure.

Tree Protection Zone (TPZ): Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, especially during construction or development.

Tree Risk Assessment: Process of evaluating what unexpected things could happen, how likely it is, and what the likely outcomes are. In tree management, the systematic process to determine the level of risk posed by a tree, tree part, or group of trees.

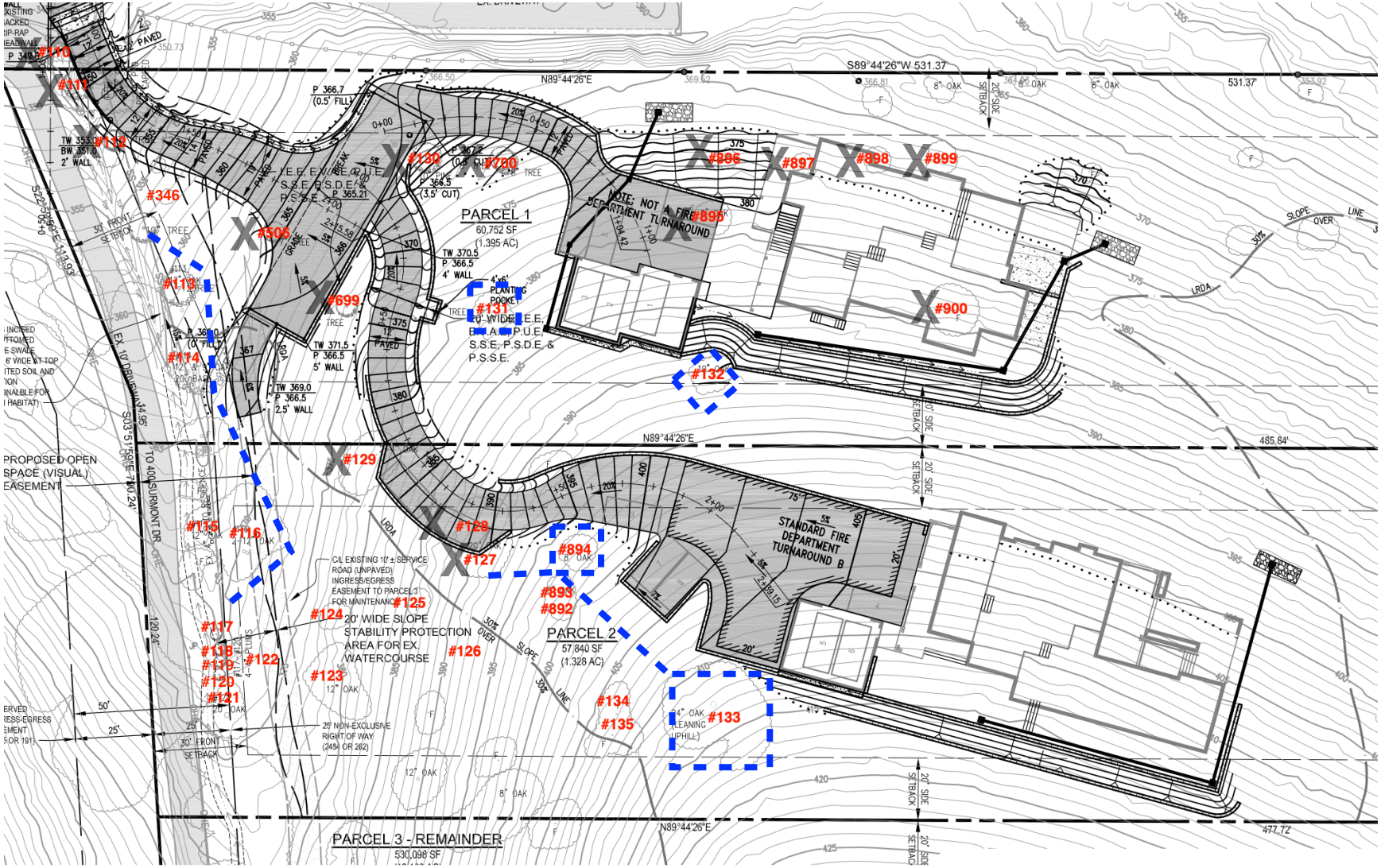
Trunk: Stem of a tree.

Trunk Formula Method: Method to appraise the monetary value of trees considered too large to be replaced with nursery or field grown stock. Based on developing a representative unit cost for replacement with the same or comparable species of the same size and in the same place, subject to depreciation for various factors. Contrast with replacement cost method.

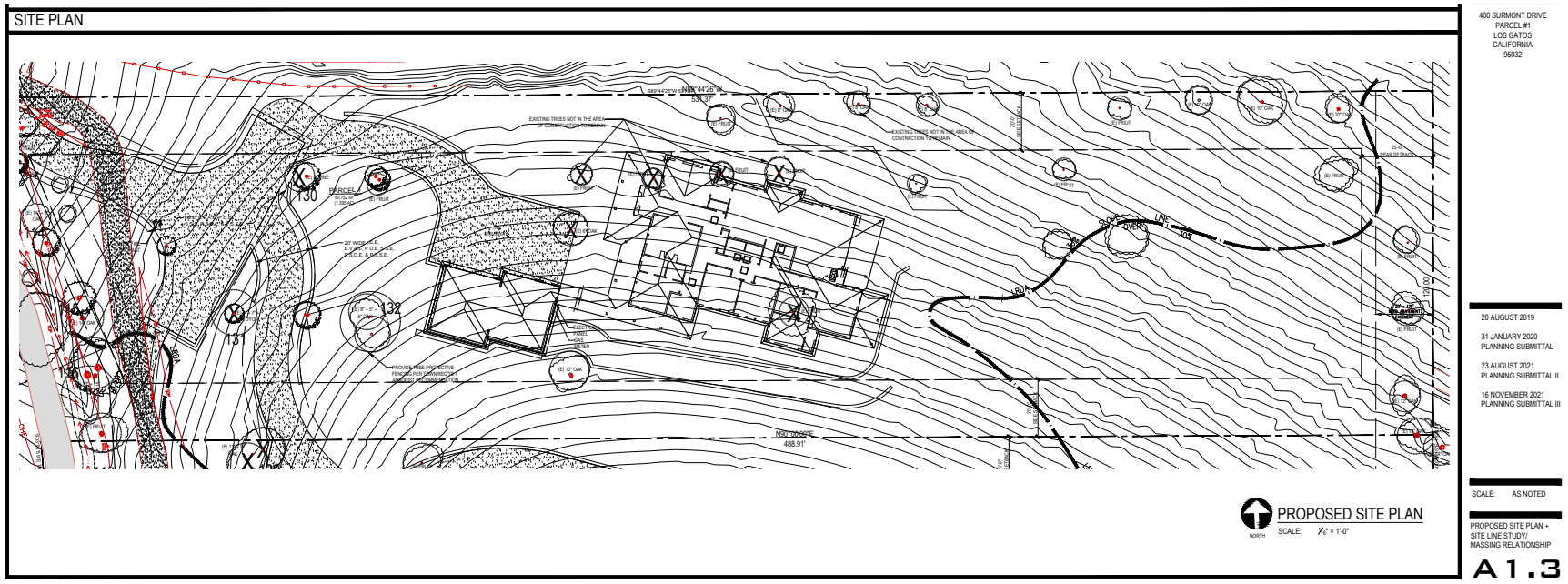
Volunteer: A tree, not planted by human hands, that begins to grow on residential or commercial property. Unlike trees that are brought in and installed on property, volunteer trees usually spring up on their own from seeds placed onto the ground by natural causes or accidental transport by people. Normally, volunteer trees are considered weeds and removed, but many desirable and attractive specimens have gone on to become permanent residents on many public and private grounds.

Appendix A: Site Plan and Tree Locations

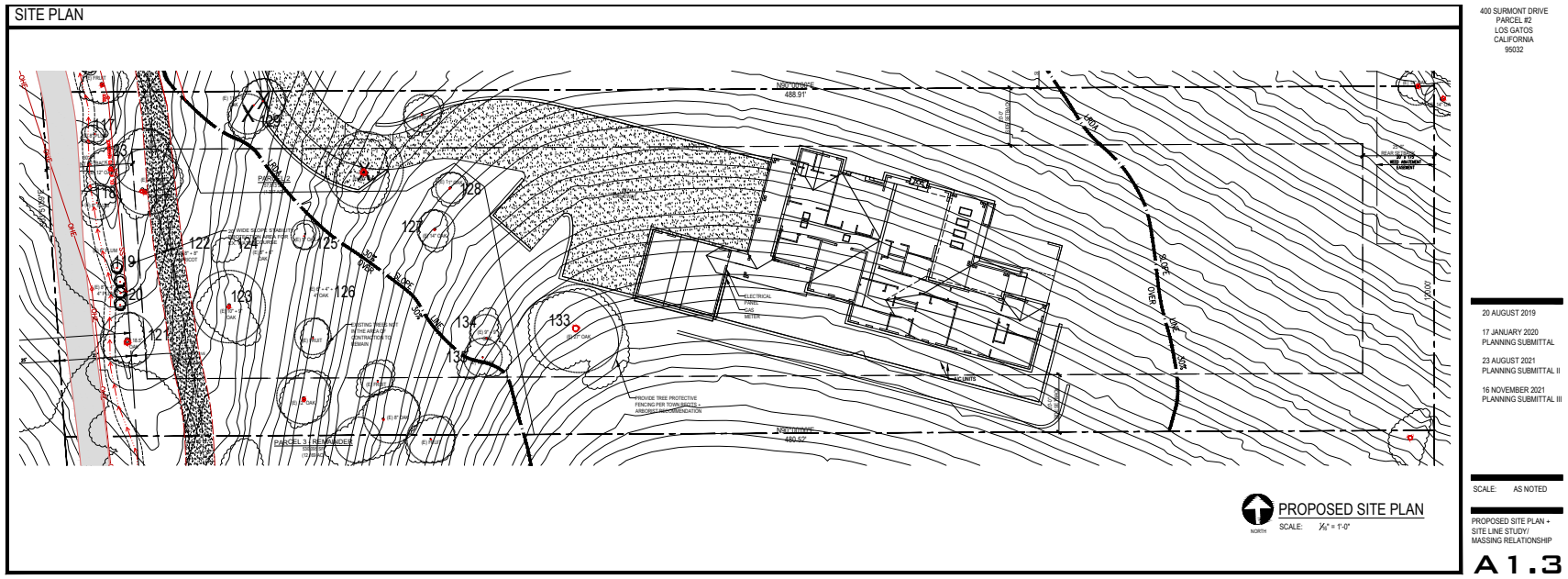
Site plan not to scale. Trees with an 'X' next to them are highly impacted. The blue dash represents the tree protection fence.



A1: Site Plan Parcel 1



A2: Site Plan Parcel 2



Appendix B: Tree Inventory and Assessment Tables

Table 2: Inventory Summary

Tree Species	I.D. Number	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Condition	Suitability for Preservation	Expected Impact	Rounded Value	Status
apricot (*Prunus armeniaca*)	110	8	10	15	Poor	Poor	High	$470.00	Exempt
coast live oak (*Quercus agrifolia*)	111	6, 5	15	15	Fair	Fair	High	$750.00	Protected
apricot (*Prunus armeniaca*)	112	7, 7	15	15	Poor	Poor	High	$710.00	Exempt
holly oak (*Quercus ilex*)	113	13	30	30	Fair	Fair	Low	$2,340.00	Protected
coast live oak (*Quercus agrifolia*)	114	14, 9	35	30	Fair	Fair	Low	$2,700.00	Protected
coast live oak (*Quercus agrifolia*)	115	14	35	35	Good	Good	Low	$1,380.00	Protected
coast live oak (*Quercus agrifolia*)	116	13, 15	35	35	Fair	Fair	Low	$2,090.00	Large Protected
wild plum (*Prunus sp.*)	117	8	25	25	Good	Poor	Low	$620.00	Exempt
wild plum (*Prunus sp.*)	118	8	25	25	Good	Poor	Low	$620.00	Exempt
wild plum (*Prunus sp.*)	119	6	25	25	Good	Poor	Low	$390.00	Exempt
wild plum (*Prunus sp.*)	120	8, 4, 3	25	25	Good	Poor	Low	$770.00	Exempt
coast live oak (*Quercus agrifolia*)	121	18.5	35	35	Good	Good	Low	$5,400.00	Protected
apricot (*Prunus armeniaca*)	122	8, 8	15	15	Fair	Poor	Low	$1,700.00	Exempt

Tree Species	I.D. Number	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Condition	Suitability for Preservation	Expected Impact	Rounded Value	Status
coast live oak (*Quercus agrifolia*)	123	10, 9	35	35	Fair	Fair	Low	$1,820.00	Protected
holly oak (*Quercus ilex*)	124	8, 6	25	25	Fair	Fair	Low	$1,420.00	Protected
holly oak (*Quercus ilex*)	125	5	20	20	Good	Good	Low	$620.00	Protected
holly oak (*Quercus ilex*)	126	6, 4, 4	20	20	Fair	Fair	Low	$940.00	Protected
coast live oak (*Quercus agrifolia*)	127	14	30	30	Good	Good	High	$3,140.00	Protected
coast live oak (*Quercus agrifolia*)	128	11	30	30	Good	Good	High	$1,990.00	Protected
coast live oak (*Quercus agrifolia*)	129	11, 9	25	25	Good	Good	High	$3,140.00	Protected
stone pine (*Pinus pinea*)	130	9	25	15	Good	Poor	High	$880.00	Protected
toyon (*Heteromeles arbutifolia*)	131	7, 7, 7	25	25	Fair	Fair	Moderate	$2,150.00	Protected
coast live oak (*Quercus agrifolia*)	132	8, 5, 5	30	30	Fair	Fair	Moderate	$1,120.00	Protected
coast live oak (*Quercus agrifolia*)	133	27	55	55	Good	Good	Moderate	$11,300.00	Large Protected
coast live oak (*Quercus agrifolia*)	134	9, 9	25	25	Good	Good	Low	$2,730.00	Protected
coast live oak (*Quercus agrifolia*)	135	13	25	25	Good	Good	Low	$2,730.00	Protected
wild plum (*Prunus sp.*)	346	4, 4, 4, 4	10	8	Good	Poor	Low	$930.00	Exempt

Tree Species	I.D. Number	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Condition	Suitability for Preservation	Expected Impact	Rounded Value	Status
apricot (*Prunus armeniaca*)	506	3, 3, 3,	10	8	Good	Poor	High	$1,100.00	Exempt
apricot (*Prunus armeniaca*)	699	7, 7	10	8	Poor	Poor	High	$710.00	Exempt
coast live oak (*Quercus agrifolia*)	700	6	15	10	Fair	Fair	High	$460.00	Protected
apricot (*Prunus armeniaca*)	892	4, 4, 4, 6	10	8	Dead	Poor	Low	$0.00	Exempt
coast live oak (*Quercus agrifolia*)	893	13	25	15	Good	Good	Low	$2,730.00	Protected
coast live oak (*Quercus agrifolia*)	894	9	15	10	Good	Good	Moderate	$1,380.00	Protected
apricot (*Prunus armeniaca*)	895	6,4, 3	10	8	Poor	Poor	High	$470.00	Exempt
coast live oak (*Quercus agrifolia*)	896	6	15	10	Poor	Poor	High	$230.00	Protected
apricot (*Prunus armeniaca*)	897	4	10	8	Poor	Poor	High	$150.00	Exempt
apricot (*Prunus armeniaca*)	898	10	10	8	Poor	Poor	High	$710.00	Exempt
apricot (*Prunus armeniaca*)	899	8	10	8	Poor	Poor	High	$470.00	Exempt
apricot (*Prunus armeniaca*)	900	12	10	8	Poor	Poor	High	$1,000.00	Exempt

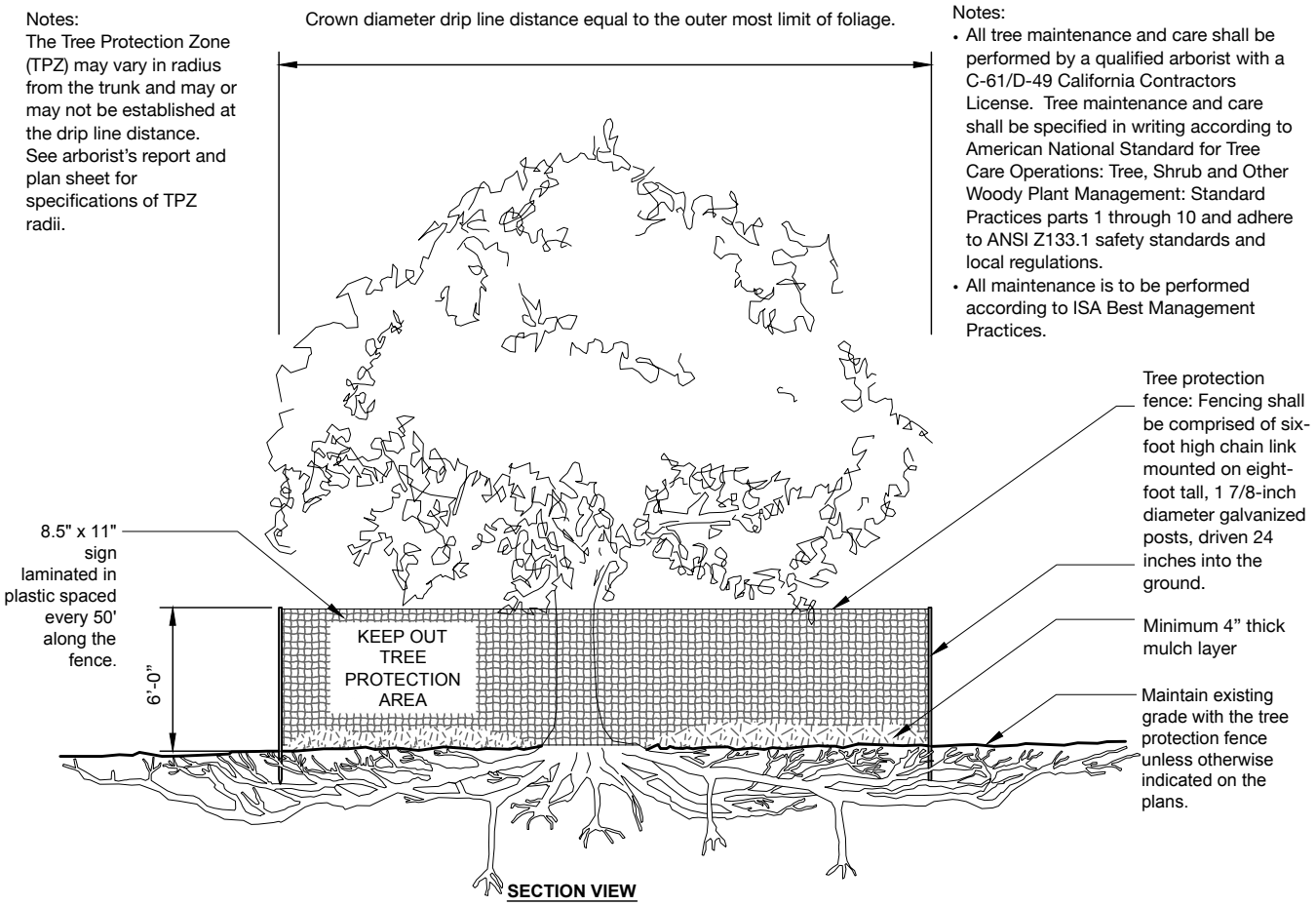
Appendix C: Photographs

C1: Existing service road and oaks

C2: Parcel 1 driveway entrance

Appendix D: Tree Protection Guidelines

D1: Fence Specifications



S-X TREE PROTECTION

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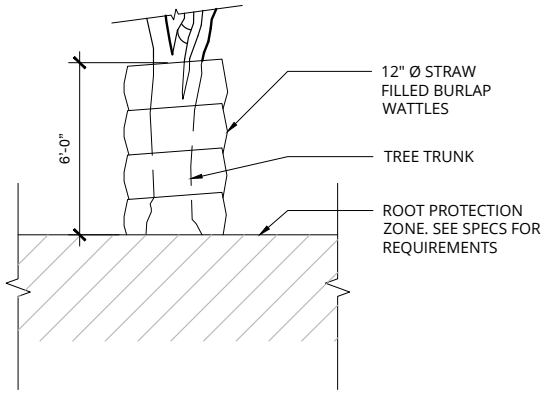
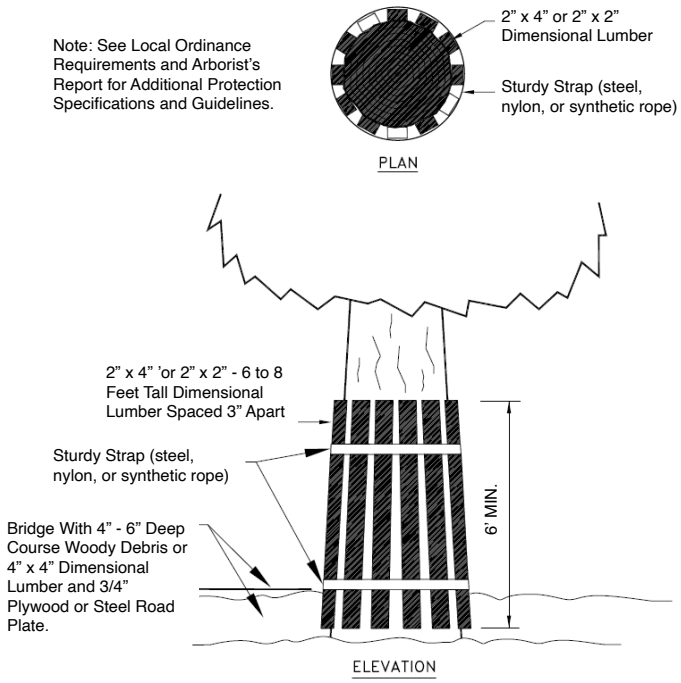
D2: Trunk Protection Specifications



SECTION VIEW

S-Y TRUNK PROTECTION WITH WATTLE



Trunk Protection Vertical Timber Detail

Section 29.10.1005. - Protection of Trees During Construction

Tree Protection Zones and Fence Specifications

1. **Size and materials:** Six (6) foot high chain link fencing, mounted on two-inch diameter galvanized iron posts, shall be driven into the ground to a depth of at least two (2) feet at no more than ten-foot spacing. For paving area that will not be demolished and when stipulated in a tree preservation plan, posts may be supported by a concrete base.
2. **Area type to be fenced:** Type I: Enclosure with chain link fencing of either the entire dripline area or at the tree protection zone (TPZ), when specified by a certified or consulting arborist. Type II: Enclosure for street trees located in a planter strip: chain link fence around the entire planter strip to the outer branches. Type III: Protection for a tree located in a small planter cutout only (such as downtown): orange plastic fencing shall be wrapped around the trunk from the ground to the first branch with two-inch wooden boards bound securely on the outside. Caution shall be used to avoid damaging any bark or branches.
3. **Duration of Type I, II, III fencing:** Fencing shall be erected before demolition, grading or construction permits are issued and remain in place until the work is completed. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.
4. **Warning Sign:** Each tree fence shall have prominently displayed an eight and one-half-inch by eleven-inch sign stating: "Warning —Tree Protection Zone—This fence shall not be removed and is subject to penalty according to Town Code 29.10.1025.” Text on the signs should be in both English and Spanish (Appendix E).

All persons, shall comply with the following precautions

1. Prior to the commencement of construction, install the fence at the dripline, or tree protection zone (TPZ) when specified in an approved arborist report, around any tree and/or vegetation to be retained which could be affected by the construction and prohibit any storage of construction materials or other materials, equipment cleaning, or parking of vehicles within the TPZ. The dripline shall not be altered in any way so as to increase the encroachment of the construction.
2. Prohibit all construction activities within the TPZ, including but not limited to: excavation, grading, drainage and leveling within the dripline of the tree unless approved by the Director.
3. Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the dripline of or in drainage channels, swales or areas that may lead to the dripline of a protected tree.
4. Prohibit the attachment of wires, signs or ropes to any protected tree.
5. Design utility services and irrigation lines to be located outside of the dripline when feasible.
6. Retain the services of a certified or consulting arborist who shall serve as the project arborist for periodic monitoring of the project site and the health of those trees to be preserved. The project arborist shall be present whenever activities occur which may pose a potential threat to the health of the trees to be preserved and shall document all site visits.
7. The Director and project arborist shall be notified of any damage that occurs to a protected tree during construction so that proper treatment may be administered.

Monitoring

Any trenching, construction or demolition that is expected to damage or encounter tree roots should be monitored by the project arborist or a qualified ISA Certified Arborist and should be documented.

The site should be evaluated by the project arborist or a qualified ISA Certified Arborist after construction is complete, and any necessary remedial work that needs to be performed should be noted.

Root Pruning

Roots greater than two inches in diameter shall not be cut. When roots over two inches in diameter are encountered and are authorized to be cut or removed, they should be pruned by hand with loppers, handsaw, reciprocating saw, or chain saw rather than left crushed or torn. Roots should be cut beyond sinker roots or outside root branch junctions and be supervised by the project arborist. When completed, exposed roots should be kept moist with burlap or backfilled within one hour.

Boring or Tunneling

Boring machines should be set up outside the drip line or established Tree Protection Zone. Boring may also be performed by digging a trench on both sides of the tree until roots one inch in diameter are encountered and then hand dug or excavated with an Air Spade® or similar air or water excavation tool. Bore holes should be adjacent to the trunk and never go directly under the main stem to avoid oblique (heart) roots. Bore holes should be a minimum of three feet deep.

Tree Pruning and Removal Operations

All tree pruning or removals should be performed by a qualified arborist with a C-61/D-49 California Contractors License. Treatment, including pruning, shall be specified in writing according to the most recent ANSI A-300A Standards and Limitations and performed according to ISA Best Management Practices while adhering to ANSI Z133.1 safety standards. Trees that need to be removed or pruned should be identified in the pre-construction walk through.

Appendix E: Tree Protection Signs
E1: English

Warning
Tree Protection Zone

This Fence Shall Not Be Removed
And Is Subject To Penalty According To
Town Code 29.10.1025

E2: Spanish

Cuidado
Zona De Arbol Pretejido

Esta valla no podrán ser sacados
Y está sujeta a sanción en función de
Código Ciudad del 29.101025

Qualifications, Assumptions, and Limiting Conditions

Any legal description provided to the consultant is assumed to be correct. Any titles or ownership of properties are assumed to be good and marketable. All property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

All property is presumed to be in conformance with applicable codes, ordinances, statutes, or other regulations.

Care has been taken to obtain information from reliable sources. However, the consultant cannot be responsible for the accuracy of information provided by others.

The consultant shall not be required to give testimony or attend meetings, hearings, conferences, mediations, arbitration, or trials by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

This report and any appraisal value expressed herein represent the opinion of the consultant, and the consultant's fee is not contingent upon the reporting of a specified appraisal value, a stipulated result, or the occurrence of a subsequent event.

Sketches, drawings, and photographs in this report are intended for use as visual aids, are not necessarily to scale, and should not be construed as engineering or architectural reports or surveys. The reproduction of information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is only for coordination and ease of reference. Inclusion of said information with any drawings or other documents does not constitute a representation as to the sufficiency or accuracy of said information.

Unless otherwise expressed: a) this report covers only examined items and their condition at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that structural problems or deficiencies of plants or property may not arise in the future.

Certification of Performance

I Richard Gessner, Certify:

That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and/or appraisal is stated in the attached report and Terms of Assignment;

That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That the analysis, opinions and conclusions stated herein are my own;

That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;

That no one provided significant professional assistance to the consultant, except as indicated within the report.

That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any other subsequent events;

I further certify that I am a Registered Consulting Arborist® with the American Society of Consulting Arborists, and that I acknowledge, accept and adhere to the ASCA Standards of Professional Practice. I am an International Society of Arboriculture Board Certified Master Arborist®. I have been involved with the practice of Arboriculture and the care and study of trees since 1998.

Richard J. Gessner

ASCA Registered Consulting Arborist® #496
ISA Board Certified Master Arborist® WE-4341B

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March 21, 2022

Compliance/Response Memorandum –
Tree Inventory Assessment + Protection Report
September 27, 2019, Revised February 11, 2022

Re: 400 Surmont Drive
Architecture and Site Application S-21-023

Requesting approval for construction of a new single-family residence and attached garage.

Recommendations:

1. Update the site plans and survey to show the current existing conditions and corrected locations (Appendix A) of the trees andtheir trunks, including those along the drainage and their associated numbers.
   Response: Site plans revised per revised Inventory Assessment and Protection Report.
2. Place tree numbers and tree protection fence locations and guidelines on the plans including the grading, drainage, and utilityplans. Create a separate plan sheet that includes all protection measures labeled "T-1 Tree Protection Plan."
   Response: Plans revised, and T-1 sheet added to the planning set.
3. Place tree protection fence along the service road near the drainage outside the tree dip lines (#113, #114, #115, and #116), around#133 at eighteen feet (18'), and around #332, #133 (#134 and #135) and #894 (#892 and #893) at a radius of ten feet (10').
   Response: Tree protection added to the plans per recommendations.
4. Provide a landscape plan that accounts for the loss in tree canopy to include in tabular form the required replacements in accordance with the Town's Tree Canopy Replacement Standard. Seven trees will require replacements (#111, #127, #128, #129,#130, #700, and #896) resulting is twenty-one (21) 24 inch box specimens.
   Response: Landscape plans revised and added to the planning set.
5. All tree maintenance and care shall be performed by a qualified arborist with a C-61/D-49 California Contractors License. Tree maintenance and care shall be specified in writing according to American National Standard for Tree Care Operations: *Tree, Shruband Other Woody Plant Management: Standard Practices* parts 1 through 10 and adhere to ANSI Z133.1 safety standards and local regulations. All maintenance is to be performed according to ISA Best Management Practices.
   Response: Noted.

6. Refer to Appendix D for general tree protection guidelines including recommendations for arborist assistance while working undertrees, trenching, or excavation within a trees drip line or designated TPZ/CRZ.
   Response: Noted.
7. Provide a copy of this report to all contractors and project managers, including the architect, civil engineer, and landscape designeror architect. It is the responsibility of the owner to ensure all parties are familiar with this document.
   Response: Noted.
8. Arrange a pre-construction meeting with the project arborist or landscape architect to verify tree protection is in place, with thecorrect materials, and at the proper distances.
   Response: Noted.

End of response/compliance memorandum.

THE BUILDING WORKS
A CORPORATION

A TRADITION OF QUALITY AND VALUE.
CA. LIC. #442850

December 28, 2021

TO: RYAN SAFTY
Associate Planner
Community Development Department
Planning Division

FROM: Robert O. Hughes

SUBJECT: ARCHITECTURAL AND SITE APPLICATION – S-21-004 and S-21-023

This Memorandum is written in response to your Second Review Comments dated October 20, 2021, under General Comments, Item #2 relating to an effort to speak with our neighbors regarding the proposed project.

As you know this pending project has been a contentious project with some of our neighbors, and more directly with the neighbor to the north of the pending project, the Cosintino family. I last spoke and/or communicated with the neighbors in May 2021, and more specifically on May 3, 2021 via e-mail. A copy of that communication is attached to refresh your memory of my stance at that time. Subsequent to that date, I received additional contact information for more of the concerned neighbors from a list provided by Paul Cosintino. The letter was again sent to include this new contact information.

In the interim of the May communication, no further communication to or from any of the neighbors on the subject of this pending project has taken place. It has been my preference that I communicate again with them once I have Staff Approval of the pending project and am given permission to erect Story Poles on the subject sites. That is, I want to communicate with them once I have something firm to bring to them for discussion.

It is to be understood that I am not ignoring them or underestimating their concerns with the project, but more to the fact I prefer to have something final and specific for those discussions, hoping that minds can be changed once the close reality of the project is at hand. I also understand that as discussed in my e-mail to them that they have the right to several appeals and/or litigation of an initial approval of the pending project.

It is to be noted that no effort was made to contact me during the process of the balloon placement on the subject lots, and those balloons stayed in place for five (5) days.

2730 UNION AVENUE, SUITE B, SAN JOSE, CALIFORNIA 95124 | P. 408.559.8850 | F. 408.559.3075 EXHIBIT 14
www.thebuildingworks.net

Thanks for your continued courtesy, cooperation, and assistance in processing this project through your Department over the past several months.

Respectfully Submitted
THE BUILDNG WORKS

ROH/bs

Robert O. Hughes
President

From: bldngworks@aol.com,
To: pcosentino@msn.com, davidthegrocerydude@gmail.com,
Cc: terry@tscivil.com, rsafty@losgatosca.gov, szarnowitz@losgatosca.gov, jpaulson@losgatosca.gov, mweisz@losgatosca.gov, wbc@clayton-mcevoy.com, mzolli@gmail.com,
Subject: SURMONT SUBDIVISION - 400 Surmont Drive- Access Road Alternative Alignment
Date: Mon, May 3, 2021 10:05 am
Attachments: 400 Surmont Entrance rev 4.29.2021 .jpg (4745K), 6240-01 Parcel Map.pdf (998K)

Hi Paul and David

I am writing this e-mail to you in response to your recent objections to my development of the proposed two (2) single family homes at the end of Surmont Drive.

In early January 2021, I received a letter from William Clayton, Esquire stating you had retained his services regarding this proposed development in an effort to seek some resolution to issues concerning your family. It states in part that your family "is resigned to loss of privacy at this point but wish to mitigate it through planting of vegetation to shield the back of their home." The letter goes on to state, that as a result of my survey it has been determined the southwest corner of your property lands in the middle of the existing dirt road. The letter further states that with that realization the access road to the proposed development design changes had been discussed to move the access road toward the waterway to avoid the encroachment on your property. Lastly it states"The Cosentinos have discussed a solution which could included the use that corner of the property allowing the trajectory to be straightened over alternative approaches. They would, however like to assure the continued access to their own property and the existing fence if they agree to allow the proposed development to cross their property". He offers a meeting to discuss this potential resolution and other issues pertaining to the proposed development.

Understanding this was a seemingly amicable approach to resolving the issues, in early January 2021, I contacted Mr. Clayton via e-mail and received no response. I called his office and left messages on his voice mail, and received no response. These efforts at contacting Mr. Clayton continued for the remainder of January 2021 and through February 2021, all with no response. I was aware of your on-going discussions with Ryan Safty in the Town's Panning Department, and your letter dated March 8, 2021, addressed to several staff members of the Town's Planning Department. I again reached out to Mr. Clayton to arrange for a meeting. Subsequently a meeting was arranged for March 19th at the site.

That meeting was held as scheduled and attended by my Civil Engineer, Terry Szewczyk, Mr. Clayton, David, you, and I. We discussed the the majority of the concerns cited in your March 8th letter to the Planning Department, but much of the conversation centered on the access road to the proposed development. You expressed your desire to move the headwall of the storm drain south a few feet to allow the access road to the development to take a different approach, and further away from the/your juniper bushes that are growing in the Town's Right of Way. After discussion back and forth, I instructed Terry to make contact with the Planning Department to determine the Town's position on this effort to appease your desire to relocate the access road to the proposed development. Mr. Clayton, David, and you all received a copy of Terry's e-mail communication to Ryan Safty.

In April, we received a response to Terry's letter, which is inserted in this e-mail below for your review. The response by Ryan basically points out that if we change the proposed access to the

development to appease your concerns we would have to update our NOE and associated technical reports. The response went on to cite several parts of the various reports that support our efforts to avoid any work to or on the ephemeral drainage feature.

Tues. 30 March, 2021

Good afternoon,

If the proposed project changes, the NOE and associated technical reports may need to be updated. The NOE and associated reports concluded that the previously proposed project would not have a significant impact on the environment, specifically referencing the location of the driveway and retaining wall outside of the top of bank.

Please see specific references below.

Page 4 of the NOE CEQA Memorandum states the following, *"As noted in Attachment A, the proposed driveway would be located adjacent to an ephemeral drainage feature, which is potentially a jurisdictional drainage feature. Portions of the proposed driveway would be located within the required 20-foot slope stability protection area for the ephemeral drainage feature on the site (Santa Clara Valley Water District's Guidelines and Standards for Land Use Near Streams). To prevent indirect impacts on water quality within the drainage and in the downslope watershed, the project will construct a two-foot tall retaining wall in between the driveway and the drainage feature for the 30-foot portion of the driveway closest to the drainage feature. The retaining wall will be constructed just above the top of bank to protect the bank and avoid any erosion from the construction of the driveway into the ephemeral drainage feature. No project work will be inside the bed and bank of the ephemeral drainage feature. A slope stability analysis was also conducted and peer reviewed for the for the proposed site work encroaching into the slope stability protection area (Attachment C). However, as detailed in Attachment A, with implementation of the Town's standard conditions of approval for water quality, the project would not have a significant effect on any jurisdictional waters or on water quality."*

Page 16 of the NOE packet, page 4 of HT Harvey & Associates Bio Report, states the following, *"It is our understanding that the project will maintain a 20-foot setback from the ephemeral drainage feature for avoidance purposes, with the exception of a driveway that will be constructed adjacent to the drainage. As a result, the project will not result in direct impacts on jurisdictional wetlands or waters."*

Page 17 of the NOE packet, page 5 of HT Harvey & Associates Bio Report, states the following, *"All project work will be outside the bed and bank of ephemeral drainage feature on the project site, though the proposed driveway will be directly adjacent and immediately outside the top of bank at its downslope end. The project proposed a 30-foot long by 2-foot tall retaining wall to be constructed just above the top of bank to protect the bank and avoid any erosion from construction of the driveway into the ephemeral drainage. In addition, the project will implement the following conditions to minimize impacts on water quality within the ephemeral drainage.*

- *All construction activities in the ephemeral drainage shall be avoided. Within the Slope Stability Protection, grading will be minimized to the extent necessary and existing contours and slopes shall be maintained."*

Page 35 of the NOE packet, page 23 of HT Harvey & Associates Bio Report, states the following, *"The ephemeral drainage that is located along the boundary of the project site has potential to be considered a jurisdictional drainage by the USACE and/or RWQCB based on the fact that it is a channel with a bed and bank morphology (and therefore containing an ordinary high water mark), and at least seasonal flow, and is hydrologically connected via the storm drain system north of the project site to Ross Creek approximately 1 mile to the north.*
In summary, the only sensitive or regulated habitat on the project site is the ephemeral drainage located along the site boundary."

Page 39 of the NOE packet, page 26 of HT Harvey & Associates Bio Report, states the following, *"To prevent indirect impacts on water quality within the drainage and in the downslope watershed, the project will construct a 30-foot-long by 2-foot-tall retaining wall in between the driveway and the drainage. The retaining wall will be constructed just above the top of bank to protect the bank and avoid any erosion from construction of the driveway into the ephemeral drainage. In addition, the project will implement the conditions to minimize impacts on water quality within the ephemeral drainage as described in Section 1.2.4. With the use of the proposed setback, the retaining wall, and the avoidance and minimization measures that will be part of the project, the project will not result in direct impacts on jurisdictional wetlands or waters."*

Page 44 of the NOE packet, page 2 of the Live Oak Associates 2/13/20 report, states the following, *"In this case, the wall is proposed to be built outside of the bed and bank of the ephemeral swale feature and therefore will result in no impacts to waters regulated by USACE, CDFW or RWQCB."*

Condition of Approval #9 for the subdivision application M-19-003 states the following, *"The project will implement the following conditions to minimize impacts on water quality within the ephemeral drainage (...).*

- *All construction activities in the ephemeral drainage shall be avoided. Within the Slope Stability Protection Area, grading will be minimized to the extent necessary and existing contours and slopes shall be maintained."*

Respectfully,

Ryan Safty • Associate Planner
Community Development Department • 110 E. Main Street, Los Gatos CA 95030
Ph: 408.354.6802 • rsafty@losgatosca.gov
www.losgatosca.gov • https://www.facebook.com/losgatosca

On March 31, 2021, you arranged a meeting with Matt of West Valley Collection and Recycling to address your concern about where the Owners of the new homes would place their trash cans, an issues raised in your May 8th letter. This meeting was attended by Jacob Dreyband, Ed Laveroni, Chris Tamimoto, James Zellinger, the two of you, and myself. You had noted that with the new homes the potential trash can placement on Surmont Drive would be overwhelming. Matt advised us that the new homeowners could place their trash cans on the required Fire Department Turn Around on the project site, and West Valley Collection and Recycling would pick up the trash at that location. As a result, the proposed development would not result in any impact on Surmont Drive on trash day.

To address other concerns noted in your letter of March 8, 2021, along with others discussed at our

site meeting on March 31, 2021, see my comments below:

- Letter of March 8, 2021, Page 1:
  - *The mouth of the proposed driveway would be an encroachment in front of our property* - Terry recently approached the Fire Department about decreasing the size of the driveway to the proposed development to 12' for a distance at least past the Town's Right a Way and the corner of your property before it widens again. That proposal was approved by Rob Campbell, Sr. Fire Protection Engineer with the Santa Clara County Fire Department; see that communication inserted below. Basically this moves the driveway approach away from the junipers bushes planted in the Town's Right a Way and further away from your property corner.

Terry,
Thank you for the follow up. As we discussed the 12 foot width is acceptable for access to no more than 2 single family dwellings. It is understood that the third access of the south end of the hammerhead turnaround is secondary, maintenance access to a parcel with primary access direct from Surmont Road. Should that become required access to a third dwelling, additional width will be required to the first turnaround.

Thank you,

Rob.

Robert L. Campbell, PE
Sr. Fire Protection Engineer
Santa Clara County Fire Department
rob.campbell@sccfd.org

  - *As it is designed now, the proposed driveway would cause a considerable amount of congestion, creating unsafe driving conditions at the top of Surmont Drive* - The "safe-stopping-site" distances are exactly similar to the current driveways that serves the Bates property and the Anderson property. There has never been congestion on Surmont Drive as a result of this configuration even when the homes on the Bates property were occupied.

  - *There will be two (and according to the proposed drawings, potentially three) additional homes sharing this tight space* - The proposed development is for two (2) homes. The third home you are referring to is the current existing Anderson residence that has its own driveway. No further development can be achieved on the total property. Only two homes will be sharing this proposed driveway.

  - *When asked about the driveway's dangerous proximity to the existing storm drain during the virtual call, we were told that a 2' wide retaining will be built* - Your father built the storm drain in the late 70's, and to my knowledge and research no one has driven into or through the barricade that was erected around the storm drain despite its close proximity to the Anderson driveway. I am proposing to construct a 2' (1' exposed) retaining wall around the entire storm drain and construct a wood barricade on top of that wall. This retaining wall will actually make the existing driveway to the Anderson residence and the new driveway to the proposed new homes safer than it is now.

- Letter of March 8, 2021, Page 2:
  - *Where will the mailboxes go* - I have no choice on where the mailboxes will be located. That is the responsibility of the local Postmaster based on their specifications. From my experience with the development of new homes I would expect the mail boxes will be located adjacent to the driveways of the proposed new homes at the edge of the Fire Department Turn Around.
  - *A forth private driveway at the top of the dead-end street, servicing two or potentially 3 more homes would overwhelm a street like Surmont Drive* - The proposed driveway will serve only the future two new homes. As stated elsewhere in this communication the the third home you are referring to is the Anderson property which has it own existing driveway. There can be no further development of the Anderson property.
  - *Further still, and of more immediate concern is the issue of the garbage cans* - The garbage can concerned has been resolved as noted above at the meeting on March 31, 2021.
- *March 31st meeting:*
  - *Comment made about the need to upgrade and move the existing storm drain head south a few feet from it current location* - The existing storm drain head wall functions fine and has since it was installed in the late 70's.
  - *Comment made that the existing storm drain is subject to overflowing and flooding the neighborhood* - There is no evidence to support a claim of flooding at the headwall. There have been numerous 10-year intensity storm events in the 40 plus years since 1979 with no resulting flooding. Furthermore, storm drainage systems in public streets are designed to fail when a100 year intensity storm occurs. Surmont Drive will simply become a broad drainage channel that will convey/carry surface run-off down the street to the intersection of Westhill Drive.
  - *Comment was made about the negative affect leaving the storm drain in its current location and not changing the access to the new homes will have on my ability to sell the homes* - I was Vice President of Sales and Marketing for a major home builder headquartered in San Jose in the late 60's and the 70's, and during that time I learned to pay attention to all detail and never build anything one cannot sell. Since then I have successfully built and sold single family homes in the Los Gatos areas, including some subdivisions, all of which sold quickly in a variety of different market conditions because of the attention I pay to my product and its surroundings. I have no concern that not moving the storm drain and maintaining the access road at the location that has been discussed in this communication will effect my ability to market the homes, adversely effect the market value or salability of the homes, or negatively affect the market value of your home, neighboring homes, or Sandra Anderson's home and remaining property.

It is also important to note that Sandy and I live on this special property, and would do nothing to jeopardize it's rural curb appeal or safety as you approach the driveways from Westhill Drive. See attached modified photo (insertion of the new driveway) looking toward the end of Surmont Drive when approaching from Westhill Drive.

- *Comment was made questioning the survey work of TS Civil Engineering* - The full

extent of the boundary survey to determine our mutual property line and corner included going down to street monuments on Blossom Hill Road and back up the hill to the section line at the back of the Anderson property--- that line, in particular, is about a half-mile or 2644'. The Land Surveyor found good accuracy with that line versus historical maps and easily derived and set the critical point that falls within the existing dirt driveway. See draft of Parcel Map attached for survey information. Further you were advised that you had every right to retain the services of your own engineer to conduct a survey of your own to confirm or dispute the survey work completed.

I also received a letter dated March 23, 2021, from James Zellinger, which was pretty much a reiteration of your letter dated March 8th, The issues raised by James in his letter have effectively been addressed in my response to your letter. He is included as receiving a copy of this e-mail because he provided me with his e-mail address. I reached out to you for the email address for Ed, Chris, and Jacob, but I did not hear back from you. I trust you will share this response with them, so they are fully informed of these matters.

In conclusion, based on the above information provided, changes made, comments made, and consultation with other professionals in related fields, I have decided to move forward with the proposed development without moving the existing head of the storm drain from its current location. I base this decision on reading between the lines of the Ryan's response to Terry's letter wherein I interpret what is said in those reports supporting our efforts would quickly go against the project if, in fact, we submitted with a desire to move or change the ephemeral drainage feature. Things have changed environmentally since your Dad was requested to construct the existing structure in 1979. I have instructed Terry to proceed accordingly with his responses to the Tech Review comments we received, and I expect his submittal to be made soon. I understand you have the opportunity and right to appeal any approval we might receive at the DRC meeting (soon to be scheduled) to the Planning Commission, and then the Town Council, and a final effort to disrupt the project by litigation. I am hopeful that you will be accepting of my desire to develop this property and participate favorably in my efforts to achieve the goals contemplated with my submittal.

Respectfully submitted

Bob

Robert O. Hughes
THE BUILDING WORKS
A CORPORATION
License No. 442850
2730 Union Avenue; Suite B
San Jose, CA 95124

(408) 559-8850 - Office
(408) 559-3075 - Fax

www.thebuildingworks.net

SCC FIRE DEPARTMENT NOTES

1. Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.

2. Fire Sprinklers Required: An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: 1) In all new one- and two-family dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 SF whether by increasing the area of the primary residence or by creation of an attached Accessory Dwelling Unit. 2) In all new basements and in existing basements that are expanded by more than 50%. 3) In all attached ADUs, additions or alterations to an existing one- and two-family dwelling that have an existing fire sprinkler system. **Please indicate on the cover sheet that an automatic fire sprinkler system shall be provided and installed per NFPA 13D.**

3. Fire Apparatus (Engine) Access Driveways Required: Provide an access driveway with a paved all weather surface, a minimum unobstructed width of 12 feet, vertical clearance of 13 feet 6 inches, minimum outside turning radius of 36-feet and a maximum slope of 15%. Installations shall conform to the Fire Department Standard Details Specifications D-1 and CFC Section 503.

4. Fire Department (Engine) Driveway Turnaround Required: Provide an approved fire department engine driveway turnaround with a minimum radius of 36 feet outside and 23 feet inside. **Maximum grade in any direction shall be a maximum of 5%.** Installations shall conform with Fire Department Standard Details and Specifications D-1. CFC Sec. 503 Driving surface shall be capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34050 kg).

5. Fire Hydrant Systems Required: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, onsite fire hydrants and mains shall be provided where required by the fire code official. Exception: For Group R-3 and Group U occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement *shall be not more than 600 feet.* [CFC, Section 507.5.1].

6. Water Supply Requirements: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.

7. Address identification: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.

8. Construction Site Fire Safety: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.

WATER FLOW LETTER

SAN JOSE WATER

1265 S. Bascom Avenue
San Jose, CA 95128-3514

Writer's Direct Line: (408) 279-7821
Email: marty.henderson@sjwater.com

April 23, 2021

Northern California Fire Protection Services, Inc.
16480 Joleen Way, Building A
Morgan Hill, CA 95037

Attention: Rocci Cetani III, CET

Subject: 400 Surmont Dr., Los Gatos, CA

Dear Mr. Cetani:

On April 22, 2021, you requested fire protection water supply from a single outlet. Based on the information that was supplied by you, the table below provides the results of a water supply computer simulation at the location indicated. These results are valid for one year from the date of the simulation. Flow data is from the water distribution main, not from the meter connection. Elevations are interpolated from United States Geological Survey contours.

Flow Location:	**Surmont Dr., approx. 165' S/S Surmont Ct.**
Main Size:	**Proposed 8 in.**
Elevation:	**364 ft.**
Date of Computer Simulation:	**April 23, 2021**
Static Pressure:	**82 psi**
Residual Pressure:	**75 psi**
Simulation Discharge:	**750 gpm**

Determining the size of a Private Fire Protection Service or adequacy of a private fire protection system from the information provided herein is the responsibility of those qualified to do so. San Jose Water Company undertakes to supply only such water at such pressure as may be available any time through the normal operation of its system. Section 774 of the Public Utilities Code limits the liability of the utility resulting from a claim regarding the provision or maintenance of an adequate water supply, water pressure, equipment or other fire protection facility or service.

Sincerely,

Marty Henderson
Engineering Support Supervisor

For additional information
Backflow: 408-279-7872
Map requests: 408-918-7360
Static water pressure: 408-918-7361
Water meter sizing: 408-279-7839

MH:mh
400 Surmont Dr.doc
cc: Fire Flow File

PROJECT DATA

PROJECT ADDRESS:	**400 SURMONT DRIVE** *(CROSS STREET, WESTHILL DRIVE)*
A.P.N. :	**527-20-003**
LOT AREA (FROM COUNTY RECORD)	60,752 SF (1.395 AC)
ZONING =	HR-2.5
LAND USE =	HILLSIDE RESIDENTIAL
FLOOD ZONE =	ZONE X
HISTORIC ZONE =	NO
FIRE SPRINKLERS =	YES
OCCUPANCY =	R3/U (SINGLE FAMILY DWELLING / UTILITY)
WUI FIRE AREA =	YES (WILDLAND URBAN INTERFACE)
HAZARD ZONE =	COUNTY FAULT RUPTURE HAZARD ZONE
CONSTRUCTION TYPE=	V-B
REQUIRED PARKING:	2 OFF STREET SPACES

SETBACKS	**ALLOWED**
FRONT:	30'
SIDE (INTERIOR):	20'
REAR:	25'

BUILDING HEIGHT	**ALLOWED**	**PROPOSED**
HOUSE:	25' - 0" (MAX.)	± 25'-0"

FLOOR AREA RATIO (FAR) CALCULATION

Gross Lot Size: 60,752 SF
Ave. Slope: 27.3%
Net Lot Size: 60,752 SF x (1-30% + 3% x 7) OR 60,752 x 49% = 29,768 SF

Reduction of net site area on sloping lots
Average lot slope: 20.01 - 30%

Percentage of net lot area to be deducted (30% = 3% for each 1% of slope over 20%)
As Los Gatos IV Development Intensity Table 2, FAR = 19%
Allowable Floor Area = 29,768 x 19% = 5,700SF

FLOOR AREA RATIO	**ALLOWED**	**PROPOSED**
HABITABLE HOUSE	5,700 SF	**3,683 SF**
ATTIC AREA OVER 7-FEET		**N/A**
GARAGE:		
GARAGE		996 SF
COVERED WALKWAY		106 SF
TOTAL	5,700 SF	4,785 SF

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A1.2 Tree Preservation Req'ts + GreenPoint Checklist
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A2.1 Proposed Floor Plan
A2.2 Proposed Roof Plan
A2.3 Proposed Garage Floor + Roof Plans
A3.1 Proposed Exterior Elevations
A3.2 Proposed Exterior Elevations
A3.3 Proposed Exterior Elevations (Garage)
A3.4 Proposed Exterior Elevations
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A4.3 Building Sections
A4.4 Building Sections

Landscape Plans
L1 Cover Sheet
L2 Frontage + Driveway Proposed Tree + Planting Parcel 1 + 2
L3 Parcel 1 Proposed Trees + Planting
L4 Parcel 2 Proposed Trees + Planting
L5 Tree Table

Civil Plans
C-0 Cover Sheet
C-1 Tentative Map (Previously Approved)
C-2 Access Road Plan + Profile
C-3 Utility Plan
C-4 (Not included in this Submission)
C-5 Access Road Plan + Profile
C-6 Erosion Control Plan
C-7 Erosion Control + Construction Details
C-8 Parcel 1 Site Plan

PROJECT INFO.

Owner:
Sandra K. Anderson, Trustee
400 Surmont Drive
Los Gatos, CA 95032
C/O Bob Hughes (408) 559-8850

Designer:
Studio 3 Design
Contact: Bess Wiersema
bess@studio-three.com
638 University Avenue
Los Gatos, California 95032
ph: (408) 292-3252
fax: (253) 399-1125

Civil Engineer:
TS/Civil Engineering
Contact: Terrance J. Szewczyk
terry@tscivil.com
1776 Technology Drive
San Jose, California 95110
ph: (408) 452-9300 EXT 220

Contractor:
The Building Works
Contact: Robert O. Hughes
bldngworks@aol.com
2730 Union Avenue; Suite B
San Jose, California 95124
ph: (408) 559-8850
fax: (408) 559-3075

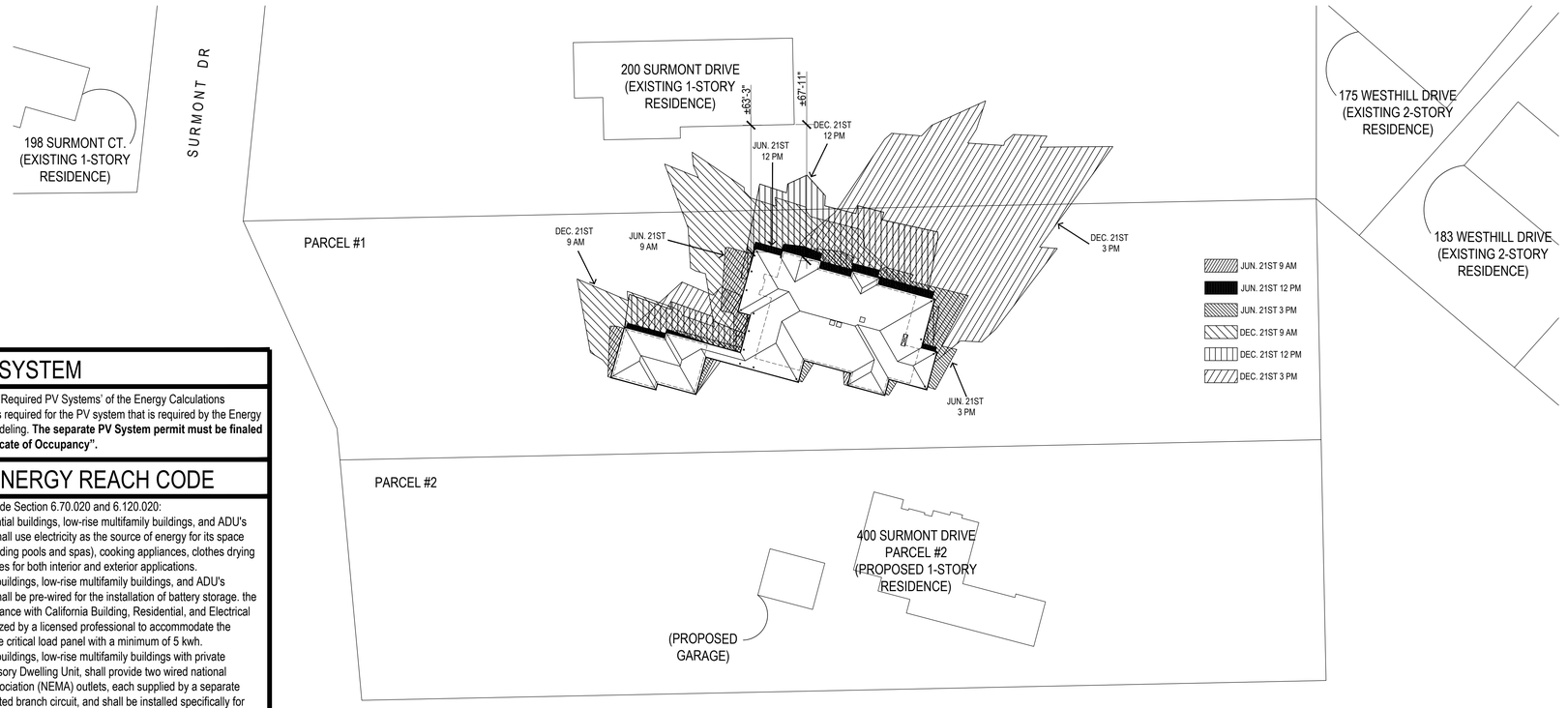
Landscape Architect:
Alyson Flynn
Landscape Architect & Associates
Contact: Alyson Flynn
50 San Tropez Drive
Hollister, California 95023
ph: (408) 274-4114

CODES USED

The following codes are currently in effect:

2019 California Building Code
2019 California Residential Code
2019 California Electrical Code
2019 California Mechanical Code
2019 California Plumbing Code
2019 California Energy Code
2019 California Fire Code
2019 California Existing Building Code
2018 International Existing Building Code
2019 California Green Building Standards Code
Town of Los Gatos New Energy Reach Codes

SHADOW STUDY



REQUIRED PV SYSTEM

1. PV System 2.53 kWdc" is a 'Required PV Systems' of the Energy Calculations
2. A separate building permit is required for the PV system that is required by the Energy Calculations compliance modeling. **The separate PV System permit must be finaled prior to issuance of Certificate of Occupancy".**

TOWN OF LG ENERGY REACH CODE

In accordance with the Town Code Section 6.70.020 and 6.120.020:

1. All new single-family residential buildings, low-rise multifamily buildings, and ADU's (Accessory Dwelling Unit) shall use electricity as the source of energy for its space heating, water heating (including pools and spas), cooking appliances, clothes drying appliances, and other features for both interior and exterior applications.
2. All single-family residential buildings, low-rise multifamily buildings, and ADU's (Accessory Dwelling Unit) shall be pre-wired for the installation of battery storage. the pre-wiring shall be in accordance with California Building, Residential, and Electrical Codes and be adequately sized by a licensed professional to accommodate the back-up loads installed in the critical load panel with a minimum of 5 kwh.
3. All single-family residential buildings, low-rise multifamily buildings with private garages, and ADU's (Accessory Dwelling Unit, shall provide two wired national electrical manufacturers association (NEMA) outlets, each supplied by a separate 40-ampere minimum dedicated branch circuit, and shall be installed specifically for supplying electrical power to an electric vehicle charger. One outlet shall be installed inside the garage and the other outlet shall be installed outside the garage.

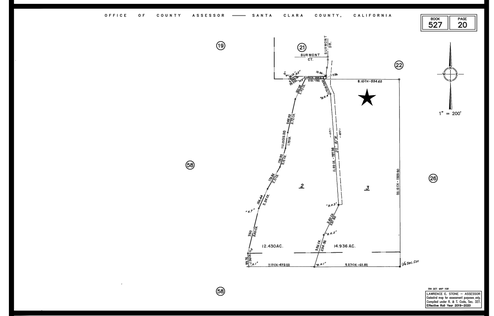
PROJECT DESCRIPTION

This project is a new, one-story, single-family residence with an attached garage (connected via partially enclosed, covered walkway).

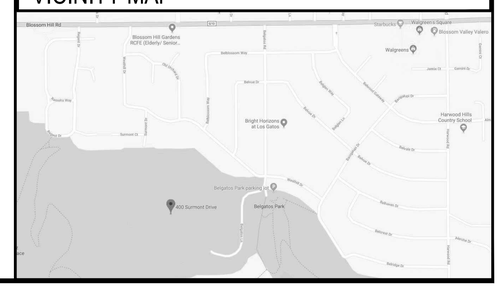
DEFERRED SUBMITTAL(S)

- FIRE HYDRANT *(PC 19-2053)* - Hydrant installation shall occur prior to the commencement of combustible construction.
- AUTOMATIC FIRE SPRINKLER SYSTEM - PROVIDED + INSTALLED PER NFPA 13D

PARCEL MAP



VICINITY MAP



STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE
LOS GATOS
CALIFORNIA
95032

T 408.292.3252
F 253.399.1125

400 SURMONT DRIVE
PARCEL #1
LOS GATOS
CALIFORNIA
95032

20 AUGUST 2019

31 JANUARY 2020
PLANNING SUBMITTAL

23 AUGUST 2021
PLANNING SUBMITTAL II

16 NOVEMBER 2021
PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

08 JULY 2022
PLANNING SUBMITTAL V

SCALE: N/A

COVER SHEET

A1.1

TREE PRESERVATION INSTRUCTIONS

The Los Gatos Town Code requires a tree removal permit in order to remove any tree designated as a Protected Tree under the Town Code. The Town Code also requires a permit to prune more than 25% of a Protected Tree within a 3-year period, or to remove or cut any branch or root greater than 4 inches in diameter of any Large Protected Tree or Heritage Tree (see definitions below). Property owners may be subject to significant fines and civil actions by the Town if removal or pruning requiring a permit is done without first obtaining a permit.

Protected Tree(s)

Protected Trees are defined in the Town Code as any of the following:

1. All trees which have a 12 inch or greater diameter on developed residential property.
2. All trees which have an 8 inch or greater diameter on developed Hillside residential property
3. All trees of the following species which have an 8 inch or greater diameter located on any developed residential property:
   a- Blue Oak (*Quercus douglasii*)
   b- Black Oak (*Quercus kellogii*)
   c- California Buckeye (*Aesculus californica*)
   d- Pacific Madrone (*Arbutus menziesii*)
4. All trees which have a 4 inch or greater diameter on vacant or non-residential property.
5. All trees which have a 4 inch or greater diameter when removal relates to any development review.
6. Any tree that was required to be planted or retained by the terms and conditions of a development approval, building permit, tree removal permit or code enforcement action.

Large Protected Tree(s) or a Heritage Tree (s)

A *Large Protected Tree* is any tree with a diameter of 48 inches or more. In addition, all Oak, California Buckeye, and Pacific Madrone with a diameter of 24 inches or more are considered Large Protected Trees.

A *Heritage Tree* is a tree specifically designated by action of the Town Council which possesses exceptional aesthetic, biological, cultural, or historic value to the community.

Diameter of a Tree(s)

Diameter is measured at a height of 4.5 feet above the average natural grade. For multi-trunked trees, diameter is the sum of all trunk diameters measured at 4.5 feet above the average natural grade.

A permit is not required for removal or major pruning of any of the following trees:

1. A fruit or nut tree less than 18 inches in diameter.
2. Any of the following trees that are less than 24 inches in diameter:
   - Black Acacia (Acacia *melanoxylon*)
   - Tulip Tree (Liriodendron *tulipifera*)
   - Tree of Heaven (Ailanthus *altissima*)
   - Blue Gum Eucalyptus (E. *globulus*)
   - Red Gum Eucalyptus (E. *camaldulensis*)
   - Other Eucalyptus (E. spp.)--**Hillsides only**
   - Palm (except Phoenix *canariensis*)
   - Privet (Ligustrum *lucidum)*

Dangerous Tree(s)

A tree may be removed or severely pruned without a permit when there is an imminent danger to life, property, utilities or essential transportation facilities. Property owners are still required to notify the Town prior to any removal or pruning and must receive approval from the Town before taking any emergency action. Contact the Parks and Public Works Department at (408) 399-5770 Monday through Friday between the hours of 7:00 a.m. to 4:00 p.m. or the Police Department at (408) 354-8600 after hours or on weekends to report a dangerous tree and request approval for removal or pruning without a permit. Within 72 hours following removal or pruning, photos and a description of the emergency action taken must be submitted to the Department of Parks and Public Works.

Requirements for a Removal or Pruning Permit *

The following items are required to apply for a tree removal or pruning permit:

1. A completed application signed by the property owner. Applications are available online at http://www.losgatosca.gov/DocumentCenter/View/14925 or at the Parks and Public Works Department, Monday through Friday between the hours of 8:00 a.m. and 1:00 p.m.
2. Photos and/or a site plan of the tree(s) proposed for removal or pruning (for pruning, proposed cuts should be indicated on photo).
3. A completed tree replacement worksheet (located on the reverse side of the application).
4. Inspect trees prior to removal or major pruning to confirm the absence of active bird nests, particularly during the spring/summer nesting season (February 1 through August 31).
5. If required by the Town Arborist following initial inspection, a certified or consulting arborist's written report.
6. If part of a development application, a copy of the associated tree report.
7. If structural damage to a building, major landscape feature or utilities is the basis for the request, a report from a licensed architect or engineer may be required describing what modifications to buildings, structures, improvements or utilities would be necessary to mitigate the damages caused by the tree.
8. For Large Protected Tree or Heritage Tree removal or pruning permits, notification will be sent to neighboring residents and property owners prior to issuance by the Parks and Public Works Department (more information on noticing is provided on page 4 of this FAQ).
9. Payment of a permit fees, as established by Town resolution. The current fee is $130 for one tree, plus $65 for each additional tree included in the same application.

**Pruning or root pruning must be supervised by an ISA-certified arborist or an ASCA-Registered Arborist. See Section 29.10.1010 of the Town Code for specifications to determine if a pruning permit is required.*

Tree Protection Zone

The tree protection zone (TPZ) means the area of a temporary fenced tree enclosure at or beyond the tree's dripline or as specified in a report prepared by a certified or consulting arborist. The TPZ is a restricted activity zone before and after construction where no soil disturbance is permitted unless approved and supervised by the certified or consulting arborist.

Tree Protection Fencing Requirements*

1. Six-foot high chain link fencing mounted on two-inch diameter galvanized iron posts shall be driven into the ground at least two-feet deep at no more than ten-foot spacing. When stipulated, for existing paving areas that will not be demolished, posts may be supported by concrete base.
2. Posted eight and one-half-inch by eleven-inch sign on each tree fence stating: "Warning - Tree Protection Zone - This fence shall not be removed and is subject to penalty according to Town Code 29.10.1025"
3. Labeled photographs of the installed fencing shall be emailed to the project planner prior to issuance of permits.
4. Tree protection fencing is required to remain in place throughout construction.

**Any protected tree on-site will require replacement according to its appraised value if it is damaged beyond repair as a result of construction.*

Sec. 29.10.0985. - Determination and conditions of permit.

The Director shall determine whether to grant a permit. The Director may consult with other Town departments or outside agencies at his/her discretion. When a development application for any zoning approval, or subdivision of land, including lot line adjustment, is under consideration by the Planning Commission, the determination on the tree removal permit shall be made concurrently by the Planning Commission with the related matter. The Director or the deciding body shall impose, except when removal is permitted if the tree is dead or a Tree Risk Rating of Extreme or High is present, as a condition on which a protected tree removal permit is granted that two (2) or more replacement trees of a species and a size designated by the Director or designee, shall be planted in the following order of preference:

(1) Two (2) or more replacement trees, of a species and size designated by the Director, shall be planted on the subject private property. Table 3-1, Tree Canopy-Replacement Standard shall be used as a basis for this requirement. The person requesting the permit shall pay the cost of purchasing and planting the replacement trees.

(2) If a tree or trees cannot be reasonably planted on the subject property, an in-lieu payment in an amount set forth by the Town Council by resolution shall be paid to the Town Tree Replacement Fund to:

a. Add or replace trees on public property in the vicinity of the subject property; or

b. Add or replace trees or landscaping on other Town property; or

c. Support the Town's urban forestry management program.

Canopy Size of Removed Tree [1]	Replacement Requirement [2, 4]	Single Family Residential Replacement Option [3, 4]
10 feet or less	Two 24-inch box trees	Two 15-gallon trees
More than 10 feet to 25 feet	Three 24-inch box trees	Three 15-gallon trees
More than 25 feet to 40 feet	Four 24-inch box trees; or Two 36-inch box trees	Four 15-gallon trees
More than 40 feet to 55 feet	Six 24-inch box trees; or Three 36-inch box trees	Not Available
Greater than 55 feet	Ten 24-inch box trees; or Five 36-inch box trees	Not Available

Notes

1 To measure an asymmetrical canopy of a tree, the widest measurement shall be used to determine canopy size.

2 Often, it is not possible to replace a single large, older tree with an equivalent tree(s). In this case, the tree may be replaced with a combination of both the Tree Canopy Replacement Standard and in-lieu payment in an amount set forth by Town Council resolution paid to the Town Tree Replacement Fund.

3 Single Family Residential Replacement Option is available for developed single family residential lots under n thousand (10,000) square feet that are not subject to the Town's Hillside Development Standards and Guidelines. All fifteen-gallon trees must be planted on-site. Any in-lieu fees for single family residential shall be based on twenty-four-inch box tree rates as adopted by Town Council.

4 Replacement Trees shall be approved by the Town Arborist and shall be of a species suited to the available planting location, proximity to structures, overhead clearances, soil type, compatibility with surrounding canopy and other relevant factors. Replacement with native species shall be strongly encouraged. Replacement requirements in the Hillsides shall comply with the Hillside Development Standards and Guidelines Appendix A and section 29.10.0987 Special Provisions--Hillsides.

Replacement with native species is strongly encouraged. Most fruit and nut trees, palm trees, or "nuisance" species (see section 29.10.0970(2) of the Town Code) are generally not considered suitable replacement trees. If a tree or trees cannot be reasonably replanted on the subject property, the Town Arborist may approve a full or partial in-lieu fee payment. Where the payment of in-lieu fees are approved, permits will not be issued until all in-lieu fees are paid in full. If approved by the Town Arborist, in-lieu fees are as follows: 24 inch box tree = $250, 36 inch box tree = $500

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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29 APRIL 2022
PLANNING SUBMITTAL IV

SCALE: N/A

TREE PRESERVATION INSTRUCTIONS + GREENPOINT CHECKLIST

A1.2

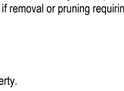
GREENPOINT CHECKLIST

Single Family GreenPoint Checklist

date: _____

Build It Green — Smart Solutions From The Ground Up

The GreenPoint Checklist is based on the various green features incorporated into the home and is the basis for the GreenPoint Rated program. A home can be considered green if it fulfills the prerequisites, earns at least 50 points, and meets the minimum points per category: Energy (35), Indoor Air Quality/Health (5), Resources (6), and Water (9). Please contact Build It Green for a list of qualified GreenPoint Raters if you are interested in pursuing third-party verification.
The green building practices listed below are described in the New Home Construction Green Building Guidelines, available at www.builditgreen.org



400 Surmont Drive - Parcel 1

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
A. SITE			Points Available Per Measure				
☐	**1. Protect Topsoil and Minimize Disruption of Existing Plants & Trees**						
☐	a. Protect Topsoil from Erosion and Reuse after Construction	0	1				1
☐	b. Limit and Delineate Construction Footprint for Maximum Protection	0					1
☐	**2. Deconstruct Instead of Demolishing Existing Buildings On Site**	0				3	
☐	**3. Recycle Job Site Construction Waste (Including Green Waste)**						
☑	a. *Minimum 50% Waste Diversion by Weight (Recycling or Reuse) - Required*	0				R	
☐	b. Minimum 65% Diversion by Weight (Recycling or Reuse)	0				2	
☐	c. Minimum 80% Diversion by Weight (Recycling or Reuse)	0				2	
☐	**4. Use Recycled Content Aggregate (Minimum 25%)**						
☑	a. Walkway and Driveway	1				1	
☑	b. Roadway Base	1				1	
	Total Points Available in Site = 12	2					
B. FOUNDATION			Points Available Per Measure				
☐	**1. Replace Portland Cement in Concrete with Recycled Flyash or Slag**						
☐	a. Minimum 20% Flyash or Slag	0				1	
☐	b. Minimum 25% Flyash or Slag	0				1	
☐	**2. Use Frost-Protected Shallow Foundation In Cold Areas (C.E.C. Climate Zone 16)**	0				3	
☐	**3. Use Radon Resistant Construction (In At-Risk Locations Only)**	0			1		
☐	**4. Design and Build Structural Pest Controls**						
☐	a. Install Termite Shields & Separate All Exterior Wood-to-Concrete Connections by Metal or Plastic Fasteners/Dividers	0				1	
☐	b. All New Plants Have Trunk, Base, or Stem Located At Least 36 Inches from Foundation	0				1	
	Total Points Available in Foundation = 8	0					
C. LANDSCAPING			Points Available Per Measure				
☐	**1. Construct Resource-Efficient Landscapes**						
☐	a. No Invasive Species Listed by Cal-IPC Are Planted	1					1
☐	b. No Plant Species Will Require Hedging	0				1	
☐	c. 75% of Plants Are Drought-tolerant California Natives, Mediterranean, or Other Appropriate Species	0					3
☐	**2. Use Fire-Safe Landscaping Techniques**	3	1				
☐	**3. Minimize Turf Areas in Landscape Installed by Builder**						
☐	a. All Turf Will Have a Water Requirement Less than or Equal to Tall Fescue (ø3.8 plant factor)	0					2
☐	b. Turf Shall Not Be Installed on Slopes Exceeding 10% or in Areas Less than 8 Feet Wide	0					2
☐	c. Turf is ≤33% of Landscaped Area (total 2 points)	0					2
☐	d. Turf is ≤10% of Landscaped Area (total 4 points)	0					2
☑	**4. Plant Shade Trees**	3					3
☑	**5. Group Plants by Water Needs (Hydrozoning)**	2					2
☐	**6. Install High-Efficiency Irrigation Systems**						
☐	a. System Uses Only Low-Flow Drip, Bubblers, or Low-flow Sprinklers	0					2
☐	b. System Has Smart Controllers	0					3
☐	**7. Incorporate Two Inches of Compost in the Top 6 to 12 Inches of Soil**	0					3
☐	**8. Mulch All Planting Beds to the Greater of 2 Inches or Local Water Ordinance Requirement**	0					2
☐	**9. Use 95% Salvaged or Recycled-Content Materials for 50% of Non-Plant Landscape Elements**	0				1	
☑	**10. Reduce Light Pollution by Shielding Fixtures and/or Directing Light Downward**	1	1				
	Total Points Available in Landscaping = 31	6					
D. STRUCTURAL FRAME & BUILDING ENVELOPE			Points Available Per Measure				
☐	**1. Apply Optimal Value Engineering**						
☐	a. Place Rafters and Studs at 24-Inch On Center Framing	0				1	
☐	b. Size Door and Window Headers for Load	0				1	
☐	c. Use Only Jack and Cripple Studs Required for Load	0				1	
☐	**2. Use Engineered Lumber**						
☐	a. Beams and Headers	0				1	
☐	b. Insulated Engineered Headers	0		1			
☑	c. Wood I-Joists or Web Trusses for Floors	1				1	
☐	d. Wood I-Joists for Roof Rafters	0				1	
☐	e. Engineered or Finger-Jointed Studs for Vertical Applications	0				1	
☐	f. Oriented Strand Board for Subfloor	0				1	
☐	g. Oriented Strand Board for Wall and Roof Sheathing	0				1	
☐	**3. Use FSC-Certified Wood**						
☐	a. Dimensional Lumber, Studs and Timber: Minimum 40%	0				2	
☐	b. Dimensional Lumber, Studs and Timber: Minimum 70%	0				2	
☐	c. Panel Products: Minimum 40%	0				1	
☐	c. Panel Products: Minimum 70%	0				1	

400 Surmont Drive - Parcel 1

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
☐	**4. Use Solid Wall Systems (Includes ISPs, ICFs, & Any Non-Stick Frame Assembly)**						
☐	a. Floors	0		2		2	
☐	b. Walls	0		2		2	
☐	c. Roofs	0		2		2	
☐	**5. Reduce Pollution Entering the Home from the Garage**						
☐	a. Tightly Seal the Air Barrier between Garage and Living Area	0			1		
☐	b. Install Garage Exhaust Fan OR Build a Detached Garage	1			1		
☐	**6. Design Energy Heels on Trusses (75% of ASIc Insulation Height at Outside Edge of Exterior Wall)**	0		1			
☐	**7. Design Roof Trusses to Accommodate Ductwork**	0		1			
☐	**8. Use Recycled-Content Steel Studs for 95% of Interior Wall Framing**	0				1	
☐	**9. Thermal Mass Walls: 5/8-inch Drywall on All Interior Walls or Walls Weighing more than 40 lb/cu.ft.**	0		1			
☐	**10. Install Overhangs and Gutters**						
☐	a. Minimum 16-Inch Overhangs and Gutters	0				1	
☐	b. Minimum 24-Inch Overhangs and Gutters	0		1			
	Total Points Available in Structural Building Frame and Envelope = 36	2					
E. EXTERIOR FINISH			Points Available Per Measure				
☐	**1. Use Recycled-Content (No Virgin Plastic) or FSC-Certified Wood Decking**	0				2	
☐	**2. Install a Rain Screen Wall System**	0				2	
☑	**3. Use Durable and Noncombustible Siding Materials**	1				1	
☑	**4. Select Durable and Noncombustible Roofing Materials**	2				2	
	Total Points Available in Exterior Finish = 7	3					
F. INSULATION			Points Available Per Measure				
☐	**1. Install Insulation with 75% Recycled Content**						
☐	a. Walls and/or Floors	0				1	
☐	b. Ceilings	0				1	
☐	**2. Install Insulation that is Low-Emitting (Certified Section 01350)**						
☐	a. Walls and/or Floors	0			1		
☐	b. Ceilings	0			1		
☐	**3. Inspect Quality of Insulation Installation before Applying Drywall**	0		1			
	Total Points Available in Insulation = 5	0					
G. PLUMBING			Points Available Per Measure				
☑	**1. Distribute Domestic Hot Water Efficiently (Maximum 7 Points)**						
☑	a. Insulate Hot Water Pipes from Water Heater to Kitchen	2		1			1
☑	b. Insulate All Hot Water Pipes	2		1			1
☐	c. Use Engineered Parallel Piping	0					1
☐	d. Use Engineered Parallel Piping with Demand Controlled Circulation Loop	0					1
☐	e. Use Structured Plumbing with Demand Controlled Circulation Loop	0		1			2
☐	f. Use Central Core Plumbing	0		1		1	2
☑	**2. Install Only High Efficiency Toilets (Dual-Flush or ≤1.28 gpf)**	4					4
	Total Points Available in Plumbing = Total 12	8					
H. HEATING, VENTILATION & AIR CONDITIONING			Points Available Per Measure				
☐	**1. Design and Install HVAC System to ACCA Manual J, D, and S Recommendations**	0		4			
☐	**2. Install Sealed Combustion Units**						
☐	a. Furnaces	0			2		
☐	b. Water Heaters	0			2		
☐	**3. Install Zoned, Hydronic Radiant Heating with Slab Edge Insulation**	0		1	1		
☐	**4. Install High Efficiency Air Conditioning with Environmentally Responsible Refrigerants**	0	1				
☐	**5. Design and Install Effective Ductwork**						
☐	a. Install HVAC Unit and Ductwork within Conditioned Space	0		3			
☐	b. Use Duct Mastic on All Duct Joints and Seams	0		1			
☐	c. Install Ductwork under Attic Insulation (Buried Ducts)	0		1			
☐	d. Pressure Balance the Ductwork System	0		1			
☐	e. Protect Ducts during Construction and Clean All Ducts before Occupancy	0		1			
☐	**6. Install High Efficiency HVAC Filter (MERV 6+)**	0			1		
☐	**7. Don't Install Fireplace or Install Sealed Gas Fireplaces with Efficiency Rating Not Less Than 60% using CSA Standards**	0			1		
	8. Install Effective Exhaust Systems in Bathrooms and Kitchens						
☑	a. Install ENERGY STAR Bathroom Fans Vented to the Outside	1			1		
☑	b. All Bathroom Fans Are on Timer or Humidistat	1			1		
☑	c. Install Kitchen Range Hood Vented to the Outside	1			1		
	9. Install Mechanical Ventilation System for Cooling (Maximum 4 Points)						
☐	a. Install ENERGY STAR Ceiling Fans & Light Kits in Living Areas & Bedrooms	0		1			
☐	b. Install Whole House Fan with Variable Speeds	1		1			
☐	c. Automatically Controlled Integrated System	0		2			
☐	d. Automatically Controlled Integrated System with Variable Speed Control	0		3			
☐	**10. Install Mechanical Fresh Air Ventilation System (Maximum 3 Points)**						
☐	a. Any Whole House Ventilation System That Meets ASHRAE 62.2	0			2		
☐	b. Install An Air-Air Heat Exchanger that meets ASHRAE 62.2	0			1	2	
☑	**11. Install Carbon Monoxide Alarm(s)**	1			1		
	Total Points Available in Heating, Ventilation and Air Conditioning = 30	5					
I. RENEWABLE ENERGY			Points Available Per Measure				
☐	**1. Pre-Plumb for Solar Hot Water Heating**	0		4			

400 Surmont Drive - Parcel 1

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
☐	**2. Install Solar Water Heating System**	0		10			
☐	**3. Install Wiring Conduit for Future Photovoltaic Installation & Provide 200 ft² of South-Facing Roof**	0		2			
	4. Install Photovoltaic (PV) Panels						
☐	a. 30% of electric needs OR 1.2 kW (total 6 points)	0		6			
☐	b. 60% of electric needs OR 2.4kW (total 12 points)	0		6			
☐	c. 90% of electric need OR 3.6 kW (total 18 points)	0		6			
	Total Available Points in Renewable Energy = 28	0					
J. BUILDING PERFORMANCE			Points Available Per Measure				
	1. Diagnostic Evaluations						
☐	a. House Passes Blower Door Test	0		1			
☐	b. House Passes Combustion Safety Backdraft Test	0			1		
15%	**2. Design and Build High Performance Homes - % above Title 24 - minimum 15% *Required***	30		≥30			
☐	**3. House Obtains ENERGY STAR with Indoor Air Package Certification - *Pilot Measure* (Total 45 points; read comment)**	0			5	2	
	Total Available Points in Building Performance = 36	30					
K. FINISHES			Points Available Per Measure				
☐	**1. Design Entryways to Reduce Tracked in Contaminants**	0			1		
	2. Use Low-VOC or Zero-VOC Paint (Maximum 3 Points)						
☐	a. Low-VOC Interior Wall/Ceiling Paints (<50 gpl VOCs (Flat) and <150 gpl VOCs (Non-Flat))	0			1		
☐	b. Zero-VOC Interior Wall/Ceiling Paints (<5 gpl VOCs (Flat))	0			3		
☐	**3. Use Low VOC, Water-Based Wood Finishes (<250 gpl VOCs)**	0			2		
☐	**4. Use Low-VOC Caulk and Construction Adhesives (<75 gpl VOCs) for All Adhesives**	0			2		
☐	**5. Use Recycled-Content Paint**	0				1	
	6. Use Environmentally Preferable Materials for Interior Finish: A) FSC-Certified Wood, B) Reclaimed, C) Rapidly Renewable, D) Recycled-Content or E) Finger-Jointed						
☐	a. Cabinets (50% Minimum)	0				1	
☐	b. Interior Trim (50% Minimum)	0				1	
☐	c. Shelving (50% Minimum)	0				1	
☐	c. Doors (50% Minimum)	0				1	
☐	e. Countertops (50% Minimum)	0				1	
	7. Reduce Formaldehyde in Interior Finish (CA Section 01350)						
☐	a. Subfloor & Stair Treads (50% Minimum)	0			1		
☐	b. Cabinets & Countertops (50% Minimum)	0			1		
☐	c. Interior Trim (50% Minimum)	0			1		
☐	d. Shelving (50% Minimum)	0			1		
☐	**8. After Installation of Finishes, Test of Indoor Air Shows Formaldehyde Level <27ppb**	0			3		
	Total Available Points in Finishes = 21	0					
L. FLOORING			Points Available Per Measure				
	1. Use Environmentally Preferable Flooring: A) FSC-Certified Wood, B) Reclaimed or Refinished, C) Rapidly Renewable, D) Recycled-Content, E) Exposed Concrete. *Flooring Adhesives Must Have <50 gpl VOCs.*						
☐	a. Minimum 15% of Floor Area	0				1	
☐	b. Minimum 30% of Floor Area	0				1	
☐	c. Minimum 50% of Floor Area	0				1	
☐	d. Minimum 75% of Floor Area	0				1	
☐	**2. Thermal Mass Floors: Floor Covering Other than Carpet on 50% or More of Concrete Floors**	0	1				
☐	**3. Flooring Meets Section 01350 or CRI Green Label Plus Requirements (50% Minimum)**	0			2		
	Total Available Points in Flooring = 7	0					
M. APPLIANCES AND LIGHTING			Points Available Per Measure				
	1. Install Water and Energy Efficient Dishwasher						
☑	a. ENERGY STAR (total 1 point)	1		1			
☐	b. Dishwasher Uses No More than 6.5 Gallons/Cycle (total 2 points)	0					1
	2. Install ENERGY STAR Clothes Washing Machine with Water Factor of 6 or Less						
☐	a. Meets Energy Star and CEE Tier 2 requirements (modified energy factor 2.0, Water Factor 6.0) (total 3 points)	0		1			2
☐	b. Meets Energy Star and CEE Tier 3 requirements (modified energy factor 2.2, Water Factor 4.5 or less) (total 5 points)	0					2
	3. Install ENERGY STAR Refrigerator						
☐	a. ENERGY STAR Qualified & < 25 Cubic Feet Capacity	0		1			
☐	b. ENERGY STAR Qualified & < 20 Cubic Feet Capacity	0		1			
	4 Install Built-In Recycling Center	0					
☐	a. Built-In Recycling Center	0				2	
☐	b. Built-In Composting Center	0				1	
	Total Available Points in Appliances and Lighting = 12	1					
N. OTHER			Points Available Per Measure				
☑	**1. Incorporate GreenPoint Rated Checklist in Blueprints -** *Required*	0				R	
☐	**2. Develop Homeowner Manual of Green Features/Benefits**	0		1	1		1
	3. Community Design Measures & Local Priorities: See the Community Planning & Design section in Chapter 4 of the New Home Guidelines for measures. Maximum of 20 points for suggested measures. Local requirements may also be listed here.						
☐	Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Enter description here, and enter points available for measure in appropriate categories to the right.	0	0		0	0	0

400 Surmont Drive - Parcel 1

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
☐	Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
	4. Innovation: List innovative measures that meet the green building objectives of the Guidelines. Enter up to a maximum combined total of 20 pts. See Innovation Checklist for suggested measures, using the link to the right.		Build It Green Checklists and Guidelines				
☐	Innovation in **Community**: Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Innovation in **Energy**: Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Innovation in **IAQ/Health**: Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Innovation in **Resources**: Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Innovation in **Water**: Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
	Total Available Points in Other = 43	0	0	0	0	0	0

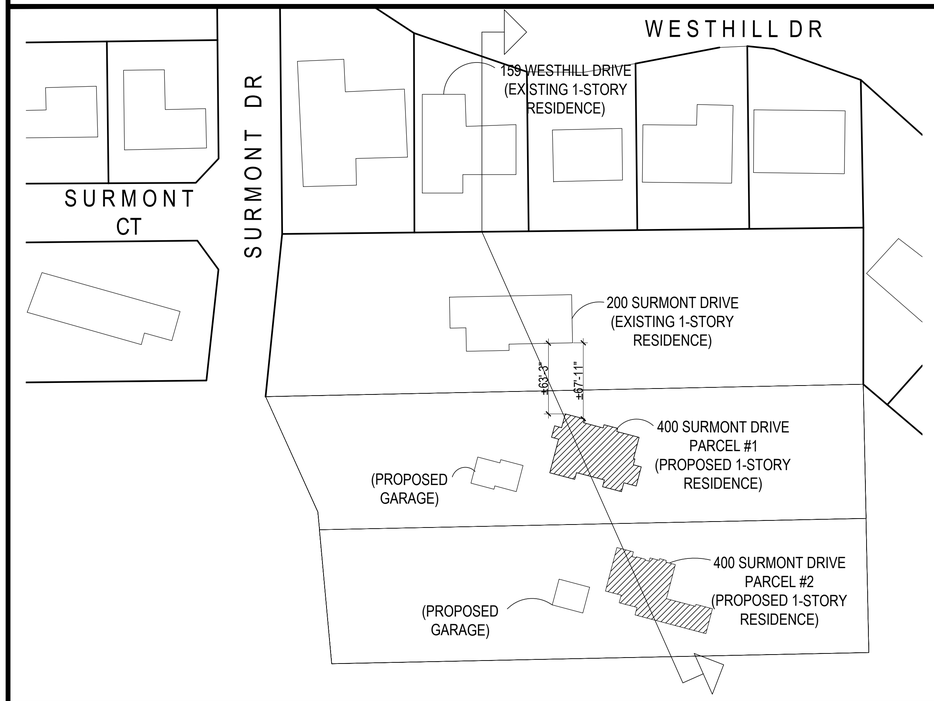
Summary

	4+	95+	42+	66+	43+
Total Available Points in Specific Categories*					
Minimum Points Required in Specific Categories	0	30	5	6	9
Total Points Achieved	59	2	34	5	6	12

Project has not yet met the following recommended minimum requirements:

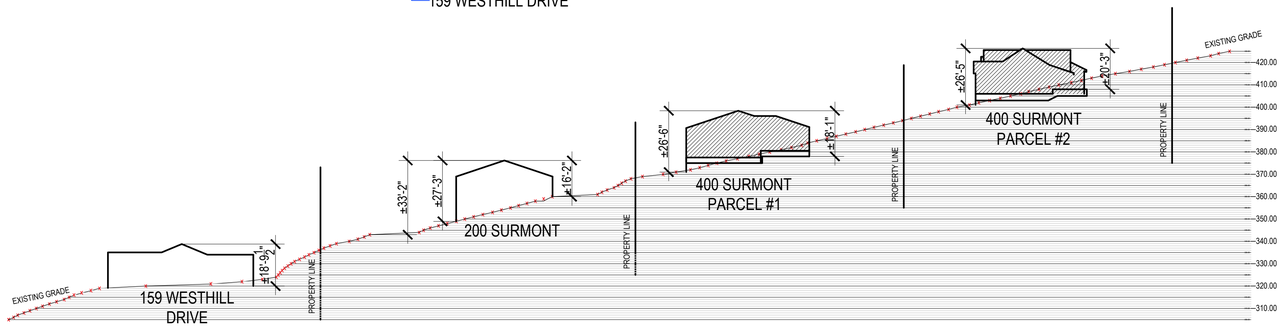
- *Total Project Score of At Least 50 Points*

SITE LINE STUDY / MASSING RELATIONSHIP

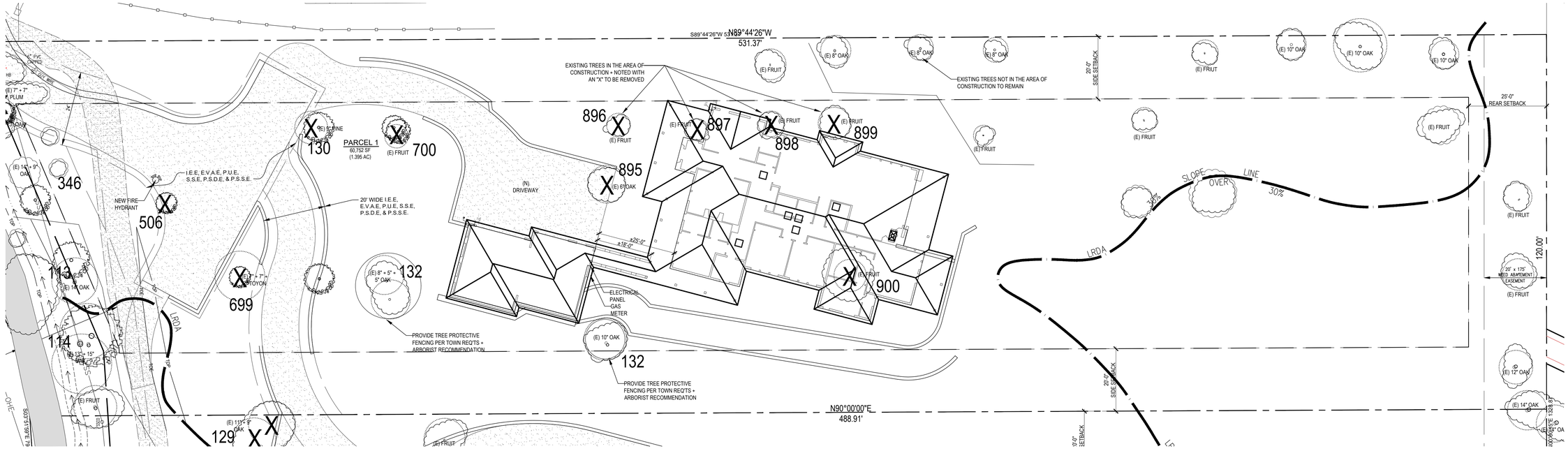


GOOGLE EARTH IMAGE 1

GOOGLE EARTH IMAGE 2



SITE PLAN



PROPOSED SITE PLAN

NORTH

SCALE: 1/16" = 1'-0"

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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PLANNING SUBMITTAL IV

SCALE: AS NOTED

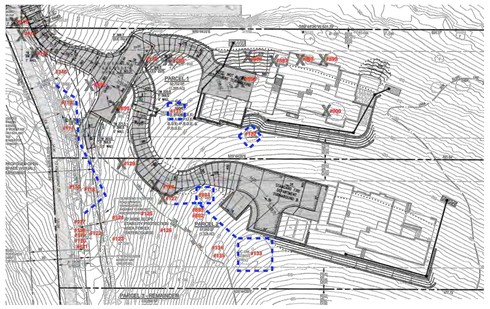
PROPOSED SITE PLAN +
SITE LINE STUDY/
MASSING RELATIONSHIP

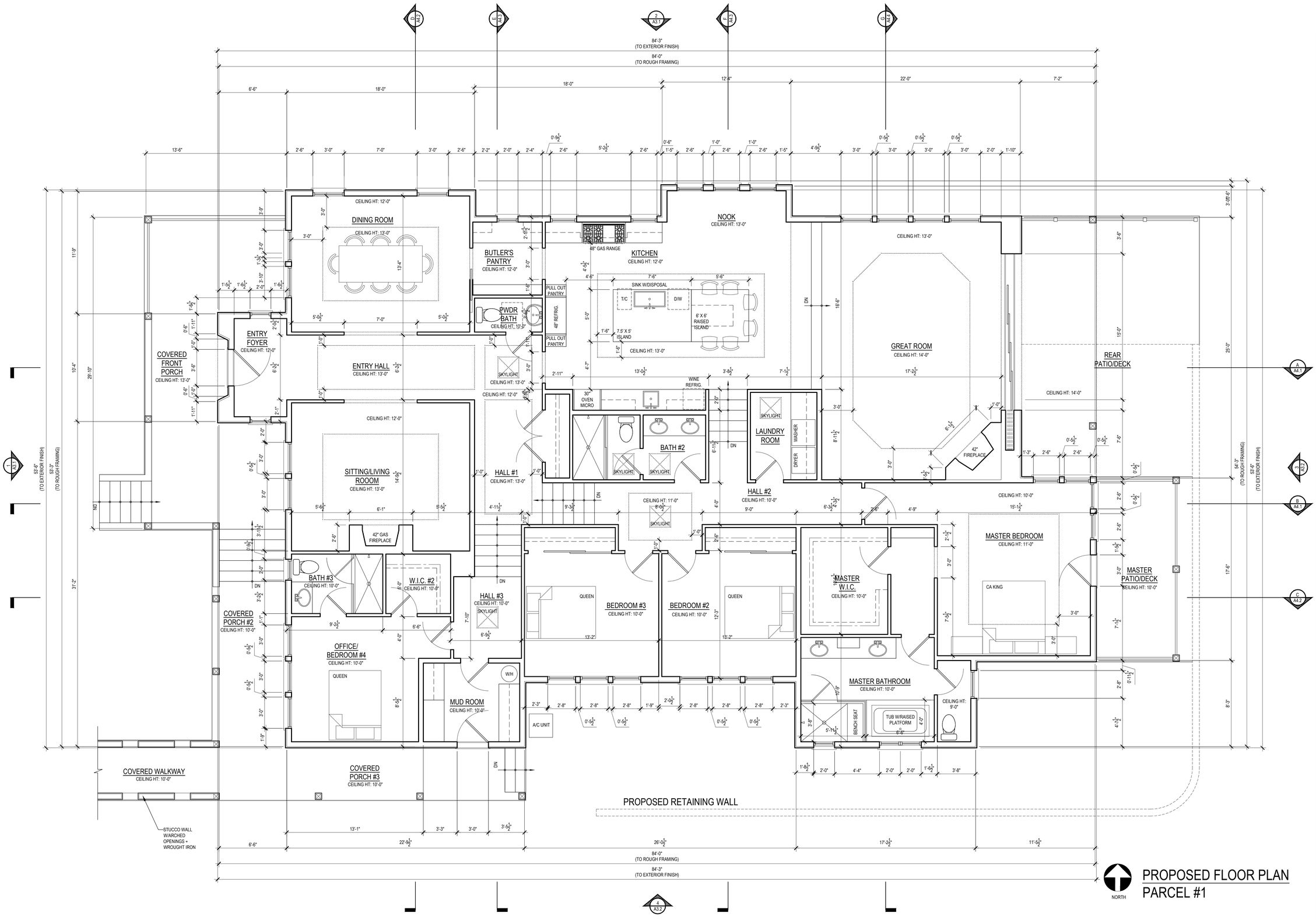
A1.3

APPENDIX A, B, D + DETAILS

Appendix A: Site Plan and Tree Locations

Site plan not to scale. Trees with an 'X' next to them are highly impacted. The blue dash represents the tree protection fence.





NORTH

PROPOSED FLOOR PLAN
PARCEL #1

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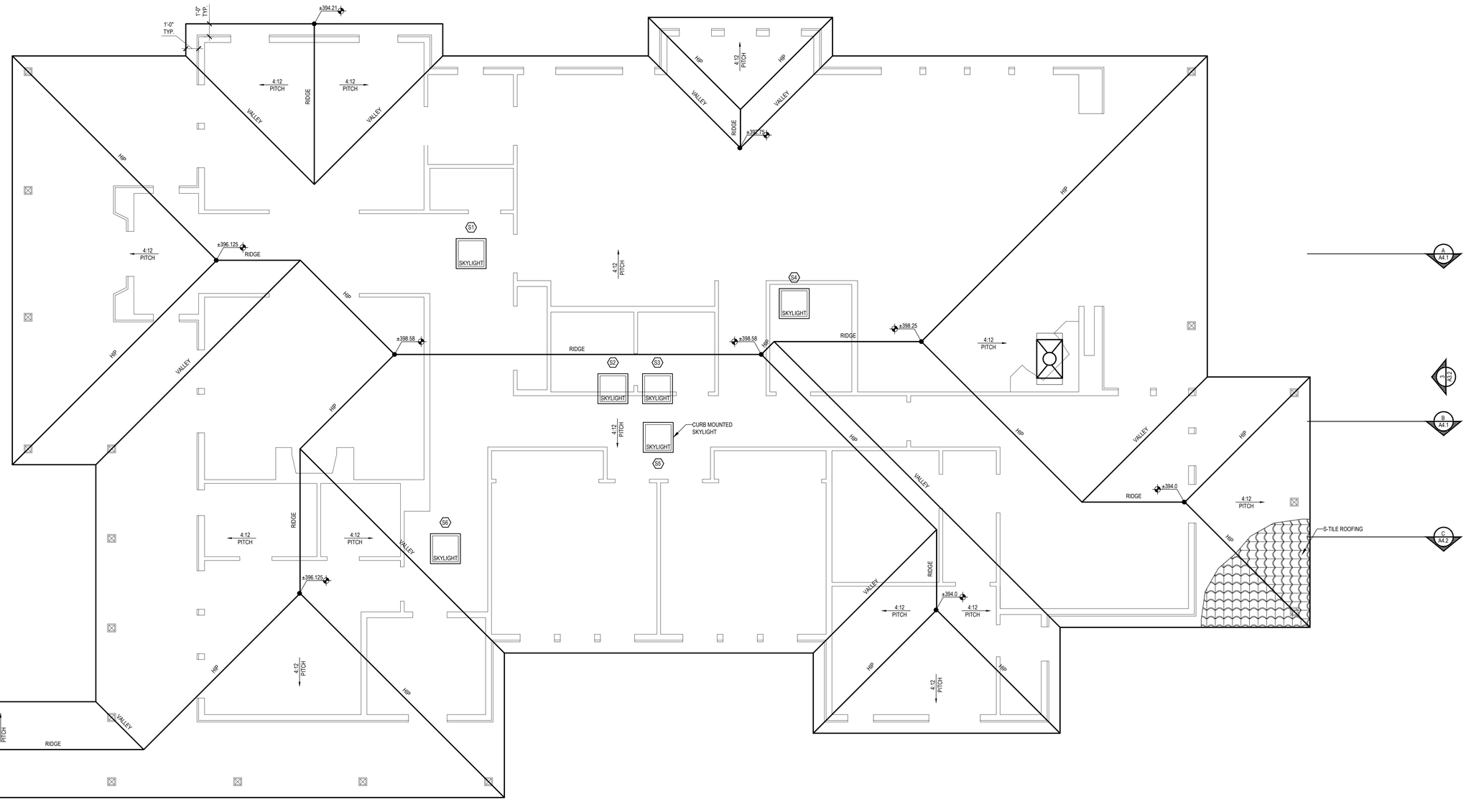
SCALE: ⅛" = 1'-0"

PROPOSED FLOOR PLAN

A2.1



NORTH

PROPOSED ROOF PLAN
PARCEL #1

STUDIO ..... DESIGN

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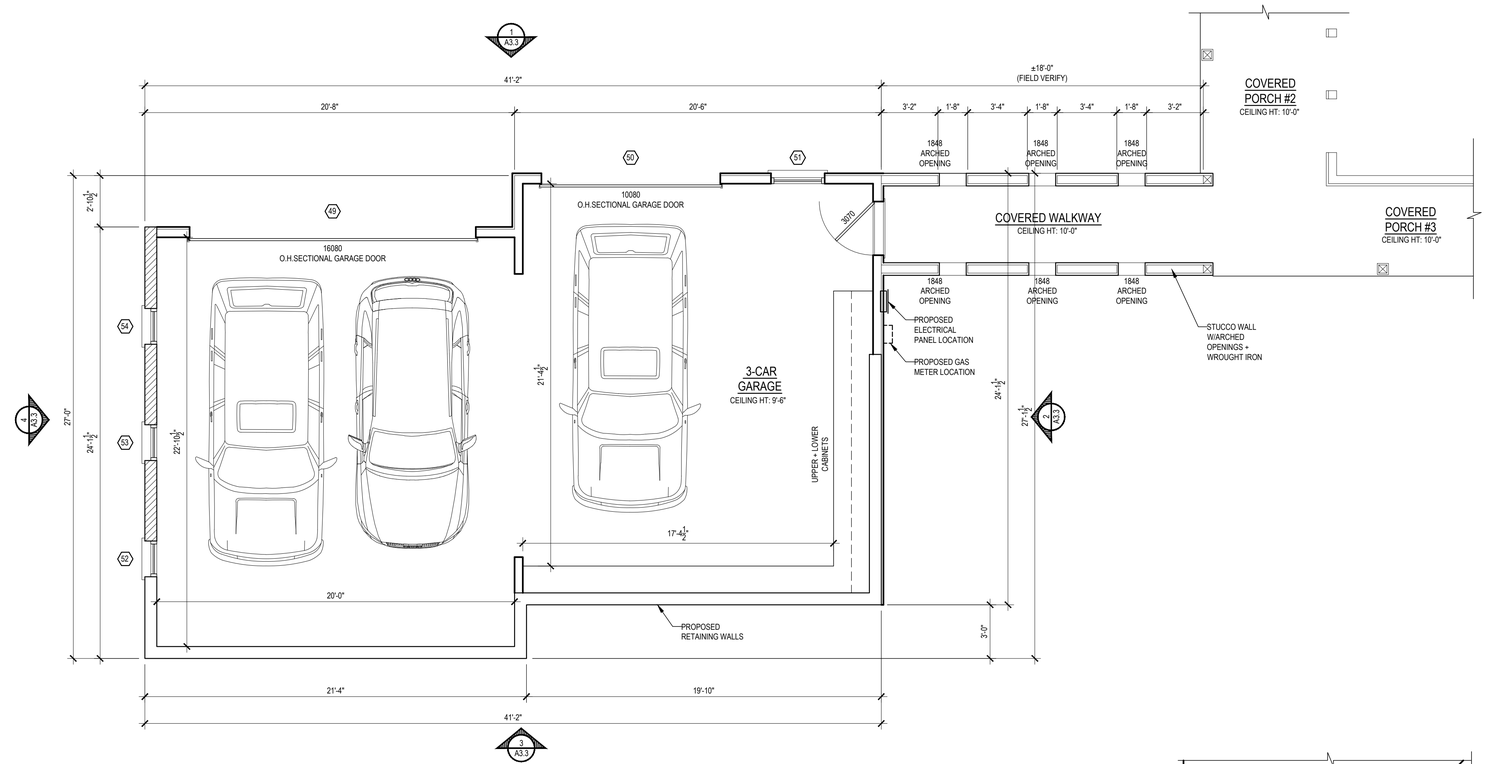
SCALE: ¼" = 1'-0"

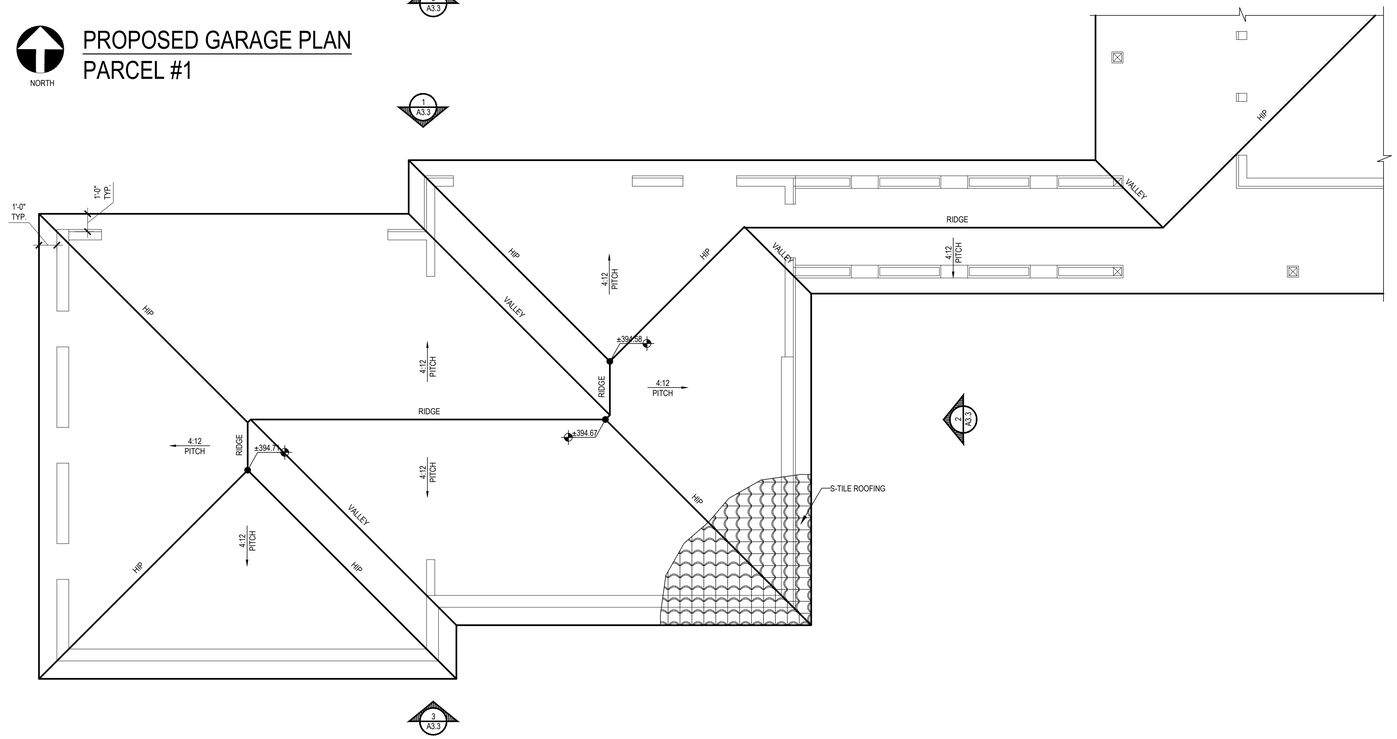
PROPOSED ROOF PLAN

A2.2



NORTH

PROPOSED GARAGE PLAN
PARCEL #1



NORTH

PROPOSED GARAGE ROOF PLAN
PARCEL #1

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SCALE: ½" = 1'-0"

PROPOSED GARAGE
FLOOR + ROOF PLANs

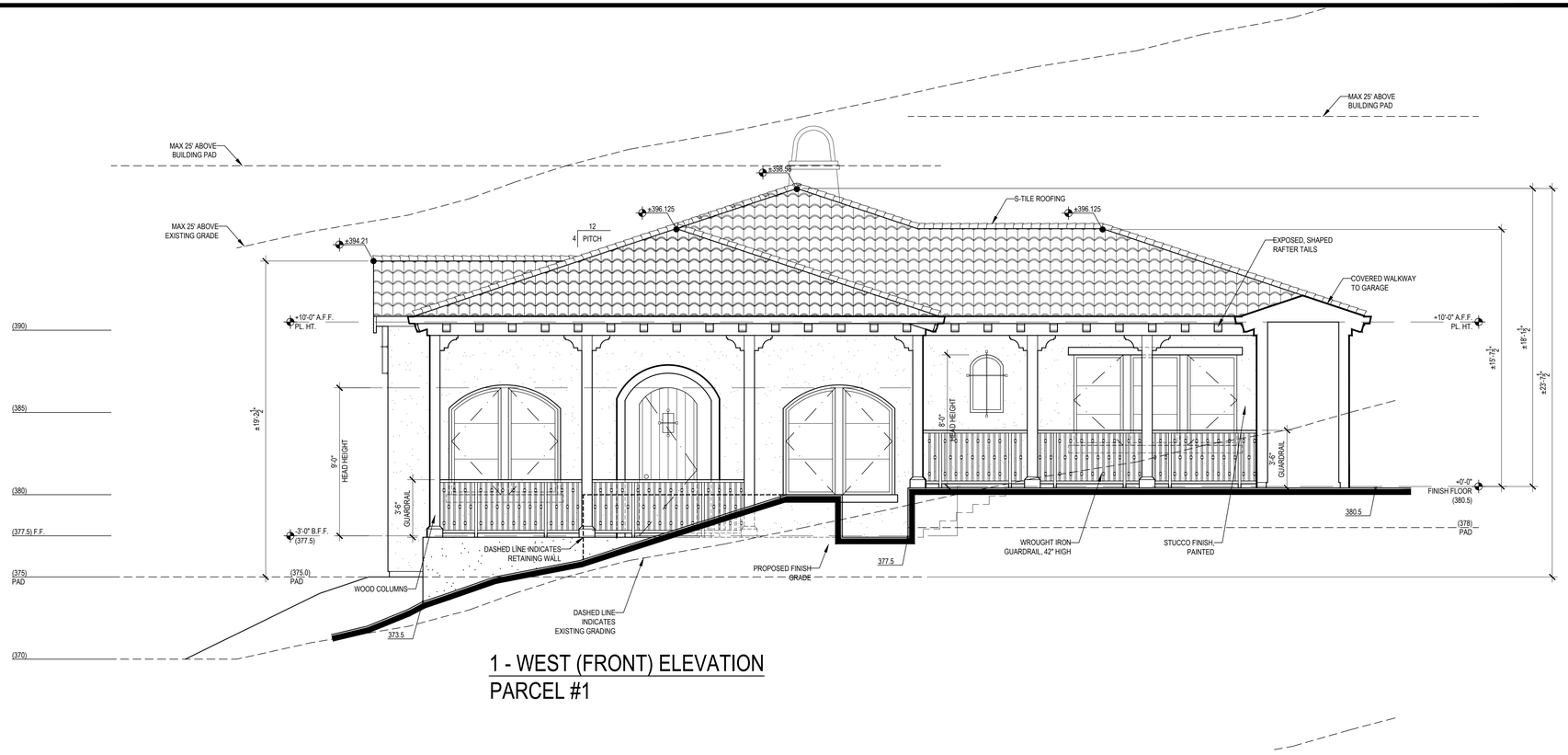
A2.3

PROPOSED MATERIALS

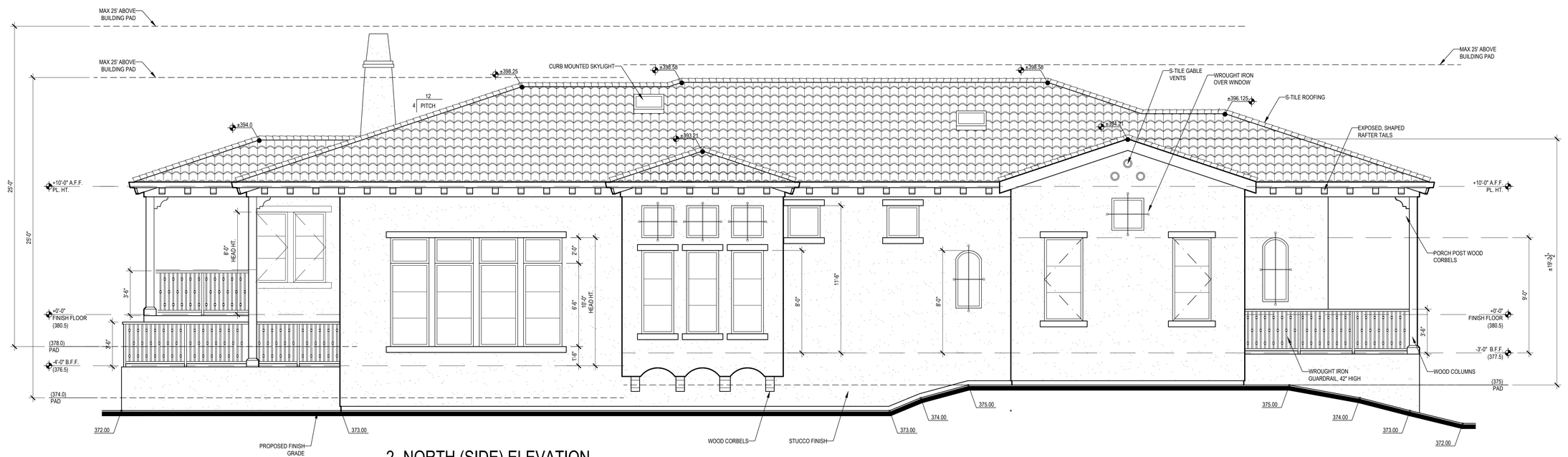
WINDOWS:	KOLBE, OR APPROVED EQ. GREEN TEA LEAF ALUMINUM CLAD EXTERIOR, WOOD INTERIOR
WINDOW TRIM:	CAST STONE
ROOFING MATERIAL:	CLAY ROOF TILE, MCA B330-R, OLD SANTA BARBARA BLEND, OR APPROVED EQ.
STUCCO:	SMOOTH FINISH, BENJAMIN MOORE HC-25, QUINCY TAN, OR APPROVED EQ.
WOOD COLUMNS:	DARK WOOD STAIN
RETAINING WALLS:	STUCCO FINISH O/CONCRETE (POURED IN PLACE)

TOWN NOTES:

1. ALL EXTERIOR FIXTURES WILL COMPLY WITH TOWN REQUIREMENTS TO BE DOWNWARD DIRECTED AND SHIELDED FROM NEIGHBOR'S VIEW.
2. ALL EXTERIOR FIXTURES, LOCATIONS, TYPE AND NUMBER WILL COMPLY WITH TOWN REQUIREMENTS.



1 - WEST (FRONT) ELEVATION
PARCEL #1



2- NORTH (SIDE) ELEVATION
PARCEL #1

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29 APRIL 2022
PLANNING SUBMITTAL IV

SCALE: ⅛" = 1'-0"

EXTERIOR ELEVATIONS

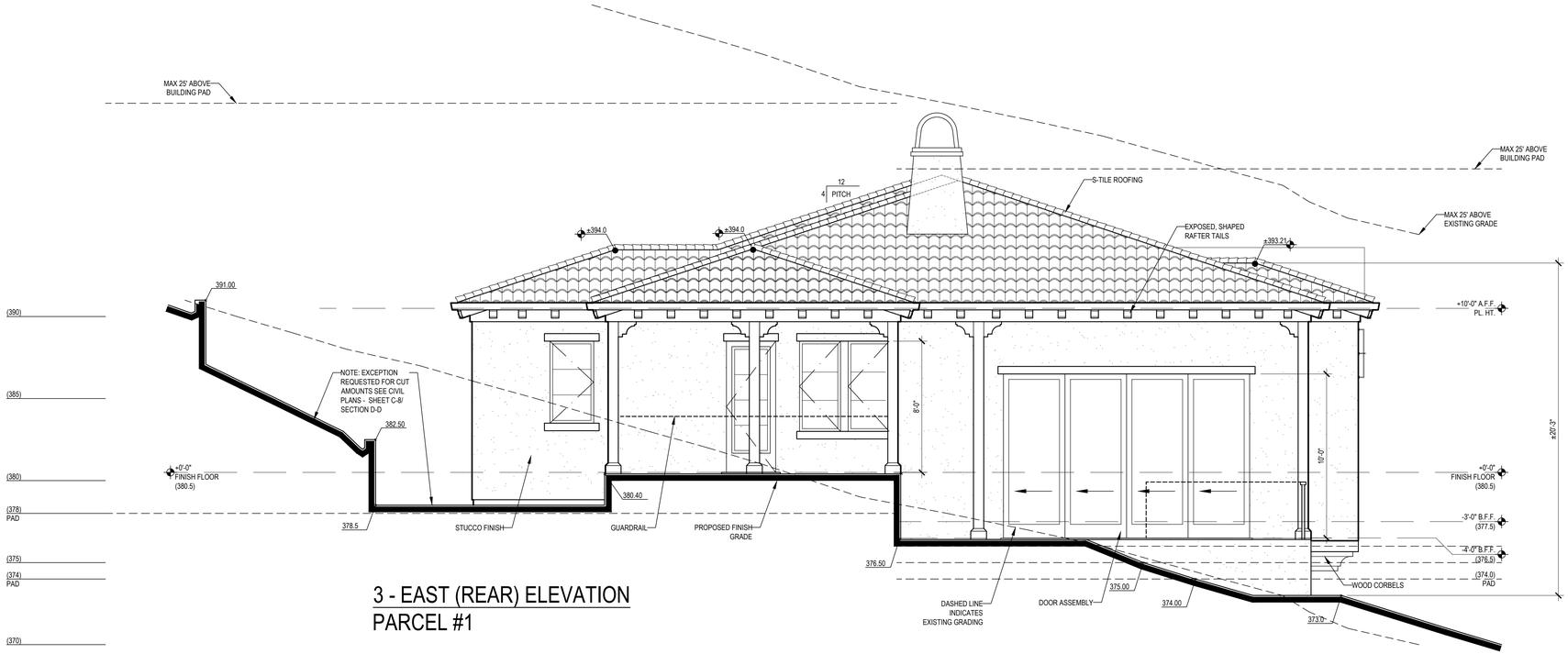
A3.1

PROPOSED MATERIALS

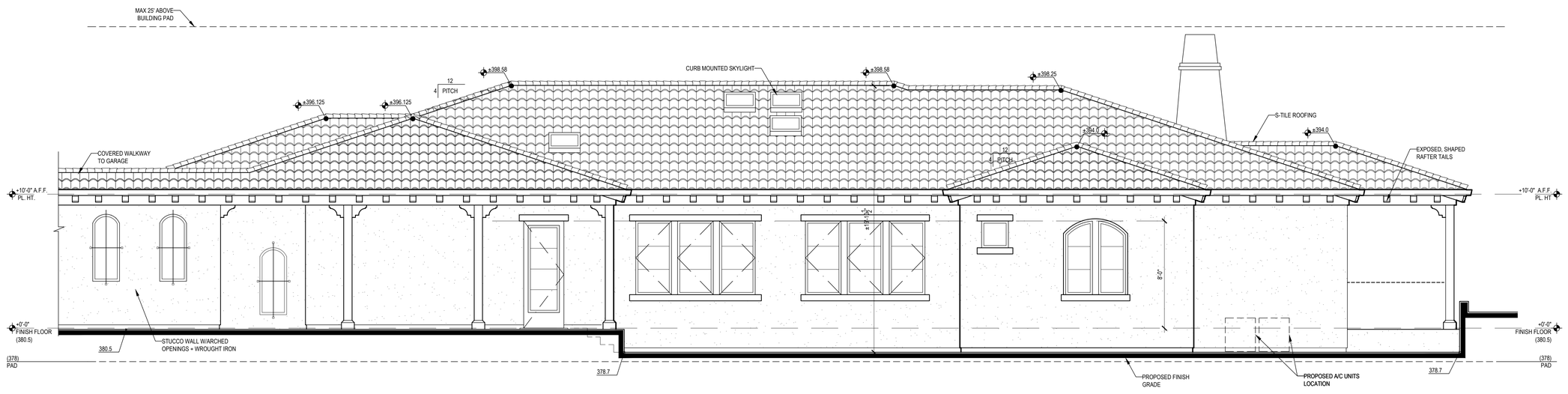
WINDOWS:	KOLBE, OR APPROVED EQ. GREEN TEA LEAF ALUMINUM CLAD EXTERIOR, WOOD INTERIOR
WINDOW TRIM:	CAST STONE
ROOFING MATERIAL:	CLAY ROOF TILE, MCA B330-R, OLD SANTA BARBARA BLEND, OR APPROVED EQ.
STUCCO:	SMOOTH FINISH, BENJAMIN MOORE HC-25, QUINCY TAN, OR APPROVED EQ.
WOOD COLUMNS:	DARK WOOD STAIN
RETAINING WALLS:	STUCCO FINISH O/CONCRETE (POURED IN PLACE)

TOWN NOTES:

1. ALL EXTERIOR FIXTURES WILL COMPLY WITH TOWN REQUIREMENTS TO BE DOWNWARD DIRECTED AND SHIELDED FROM NEIGHBOR'S VIEW.
2. ALL EXTERIOR FIXTURES, LOCATIONS, TYPE AND NUMBER WILL COMPLY WITH TOWN REQUIREMENTS.



3 - EAST (REAR) ELEVATION
PARCEL #1



4- SOUTH (SIDE) ELEVATION
PARCEL #1

STUDIO ..... DESIGN

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PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

08 JULY 2022
PLANNING SUBMITTAL V

SCALE: ½" = 1'-0"

EXTERIOR ELEVATIONS

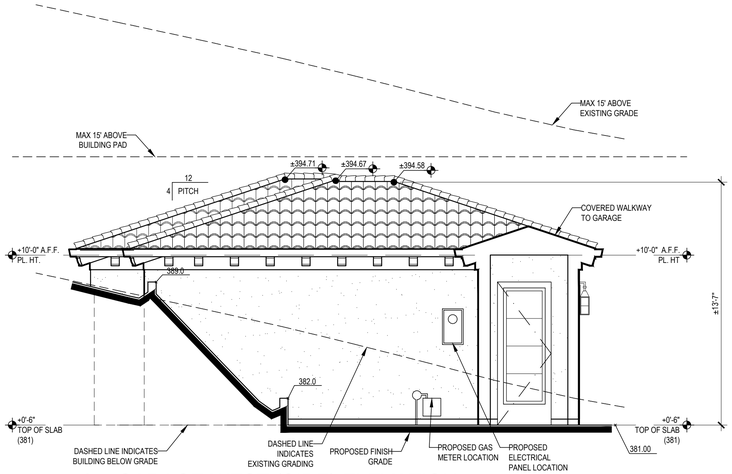
A3.2

PROPOSED MATERIALS

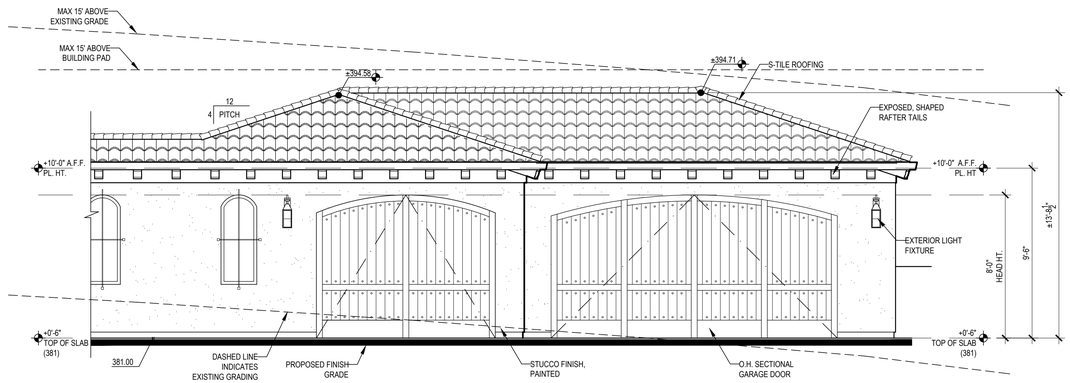
WINDOWS:	KOLBE, OR APPROVED EQ. GREEN TEA LEAF ALUMINUM CLAD EXTERIOR, WOOD INTERIOR
WINDOW TRIM:	CAST STONE
ROOFING MATERIAL:	CLAY ROOF TILE, MCA B330-R, OLD SANTA BARBARA BLEND, OR APPROVED EQ.
STUCCO:	SMOOTH FINISH, BENJAMIN MOORE HC-25, QUINCY TAN, OR APPROVED EQ.
WOOD COLUMNS:	DARK WOOD STAIN
RETAINING WALLS:	STUCCO FINISH O/CONCRETE (POURED IN PLACE)

TOWN NOTES:

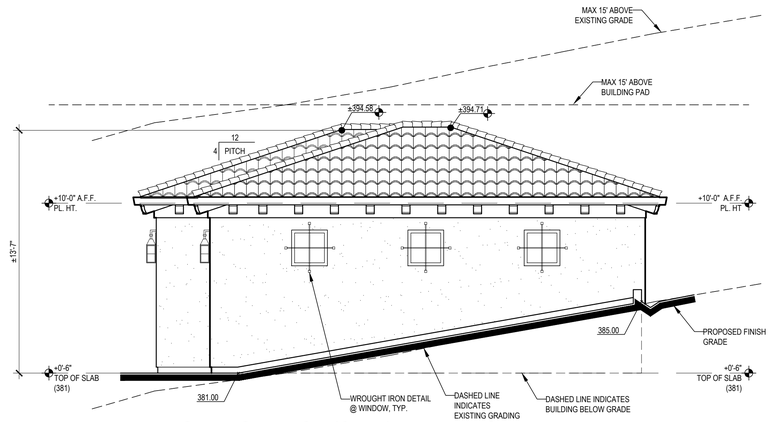
1. ALL EXTERIOR FIXTURES WILL COMPLY WITH TOWN REQUIREMENTS TO BE DOWNWARD DIRECTED AND SHIELDED FROM NEIGHBOR'S VIEW.
2. ALL EXTERIOR FIXTURES, LOCATIONS, TYPE AND NUMBER WILL COMPLY WITH TOWN REQUIREMENTS.



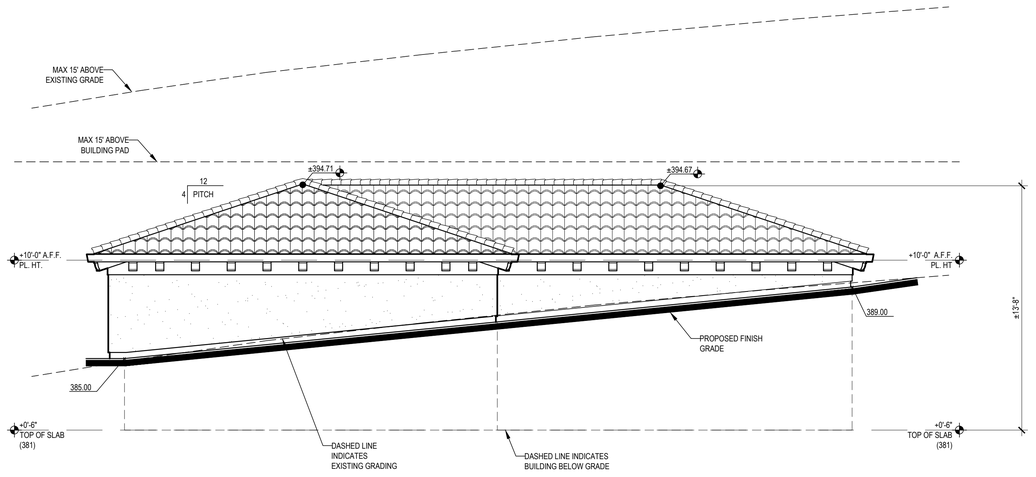
2 - GARAGE WEST (SIDE) ELEVATION
PARCEL #1



1- GARAGE NORTH (FRONT) ELEVATION
PARCEL #1



4 - GARAGE EAST (SIDE) ELEVATION
PARCEL #1



3 - GARAGE SOUTH (REAR) ELEVATION
PARCEL #1

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE
LOS GATOS
CALIFORNIA
95032

T 408.292.3252
F 253.399.1125

400 SURMONT DRIVE
PARCEL #1
LOS GATOS
CALIFORNIA
95032

20 AUGUST 2019

31 JANUARY 2020
PLANNING SUBMITTAL

23 AUGUST 2021
PLANNING SUBMITTAL II

16 NOVEMBER 2021
PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

SCALE: ¼" = 1'-0"

EXTERIOR ELEVATIONS (GARAGE)

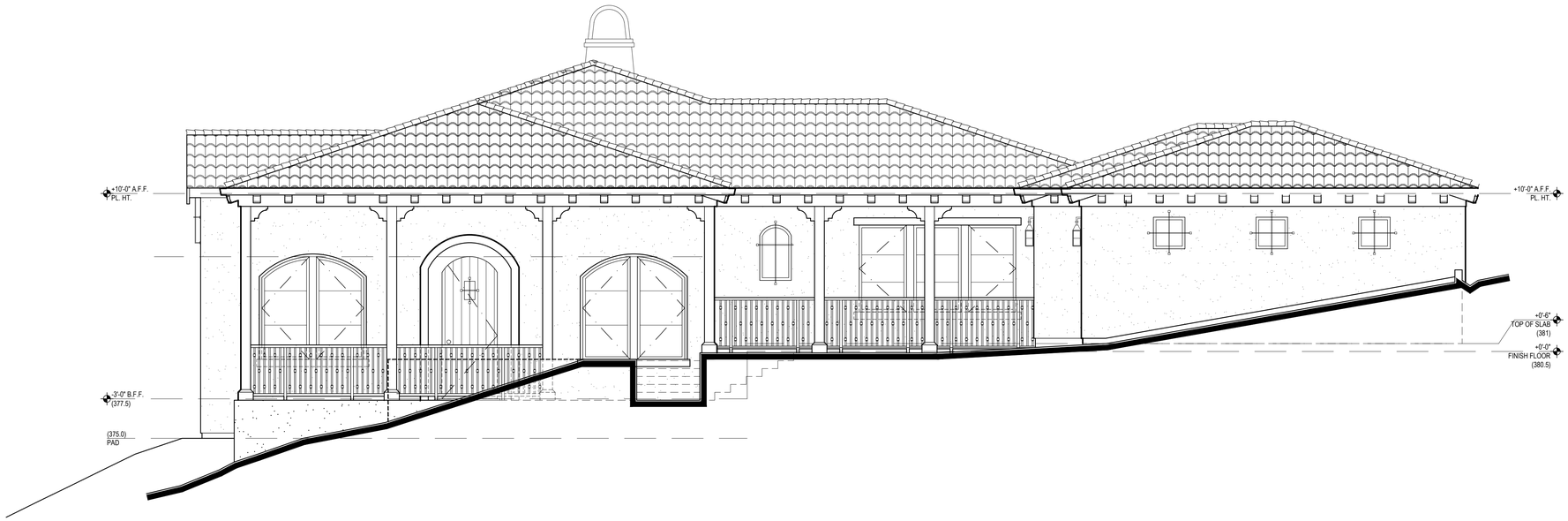
A3.3

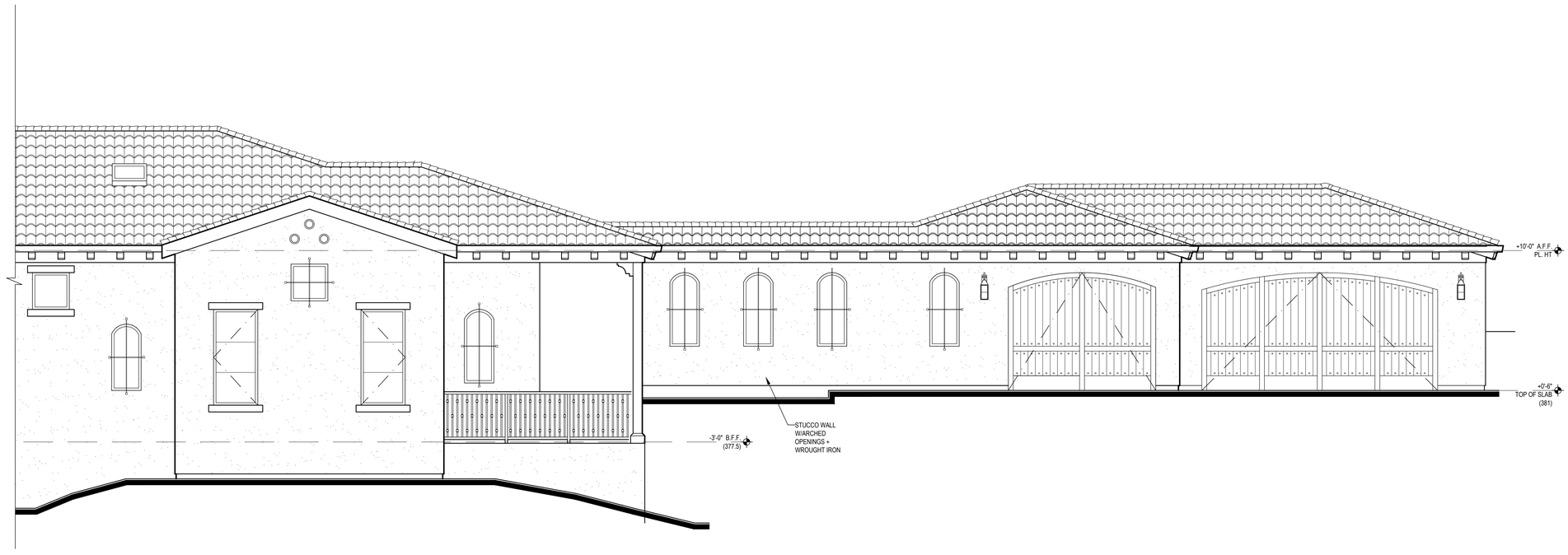
PROPOSED MATERIALS

WINDOWS:	KOLBE, OR APPROVED EQ. GREEN TEA LEAF ALUMINUM CLAD EXTERIOR, WOOD INTERIOR
WINDOW TRIM:	CAST STONE
ROOFING MATERIAL:	CLAY ROOF TILE, MCA B330-R, OLD SANTA BARBARA BLEND, OR APPROVED EQ.
STUCCO:	SMOOTH FINISH, BENJAMIN MOORE HC-25, QUINCY TAN, OR APPROVED EQ.
WOOD COLUMNS:	DARK WOOD STAIN
RETAINING WALLS:	STUCCO FINISH O/CONCRETE (POURED IN PLACE)

TOWN NOTES:

1. ALL EXTERIOR FIXTURES WILL COMPLY WITH TOWN REQUIREMENTS TO BE DOWNWARD DIRECTED AND SHIELDED FROM NEIGHBOR'S VIEW.
2. ALL EXTERIOR FIXTURES, LOCATIONS, TYPE AND NUMBER WILL COMPLY WITH TOWN REQUIREMENTS.





STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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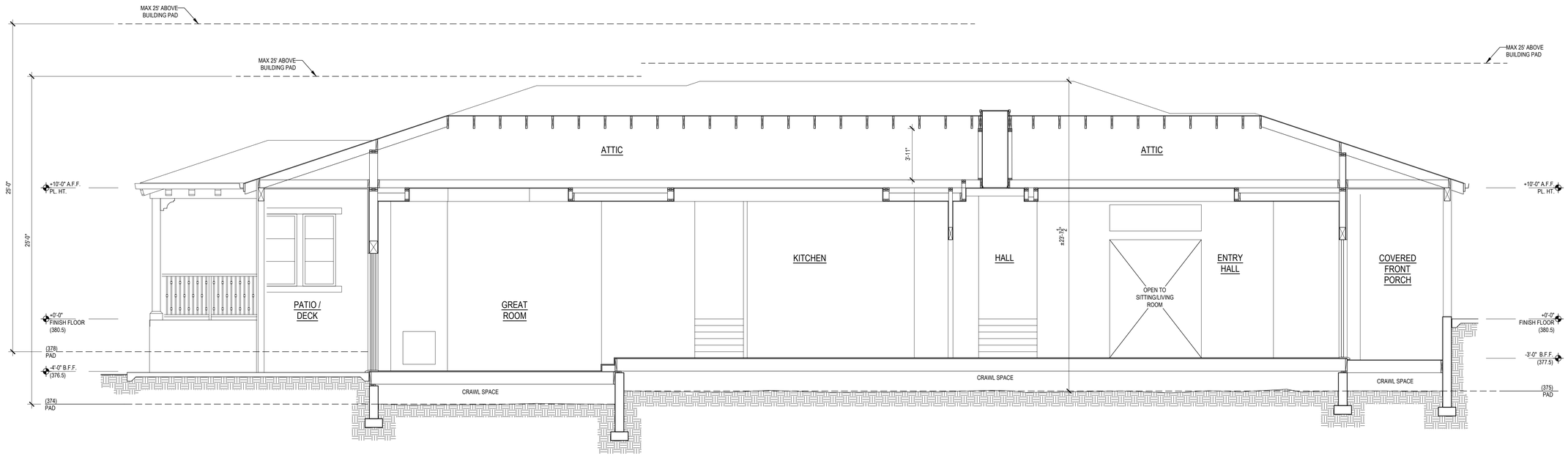
PLANNING SUBMITTAL IV

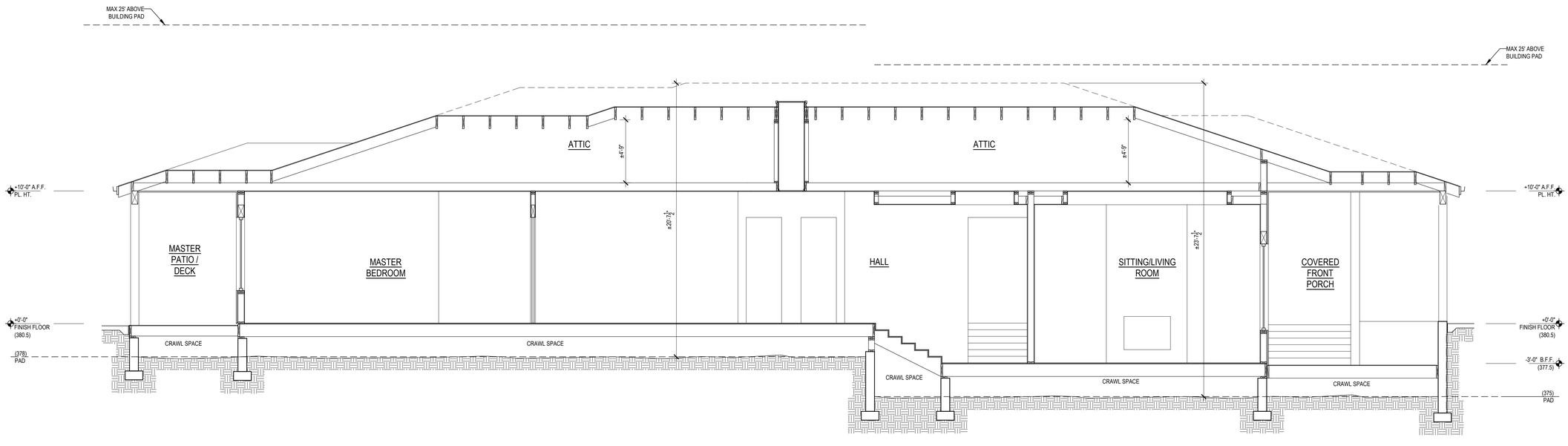
SCALE: ½" = 1'-0"

EXTERIOR ELEVATIONS

A3.4



A - BUILDING SECTION



B - BUILDING SECTION

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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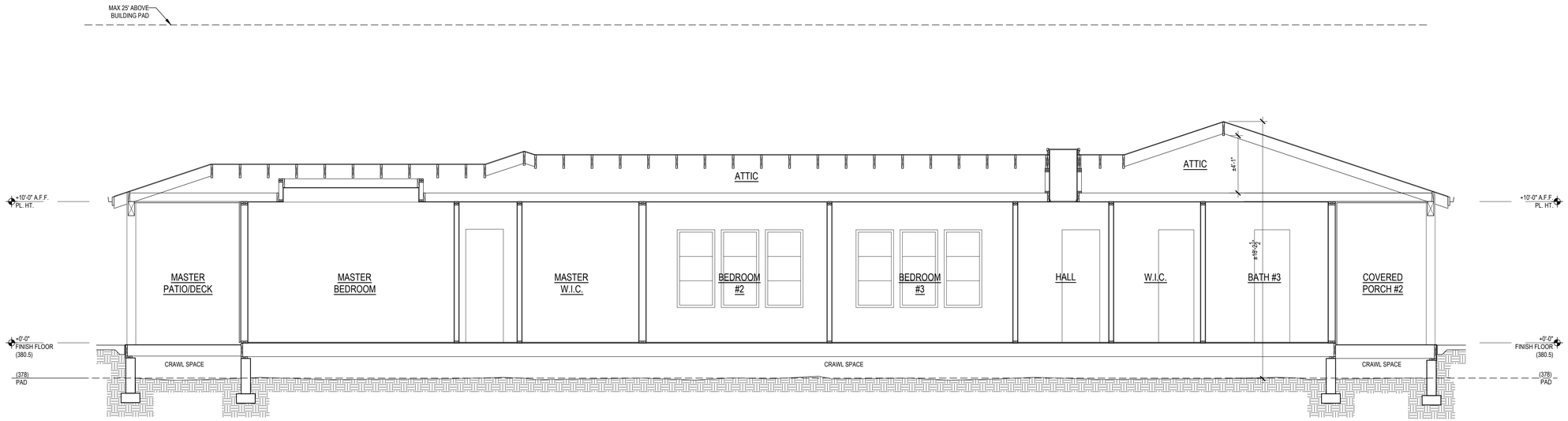
PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

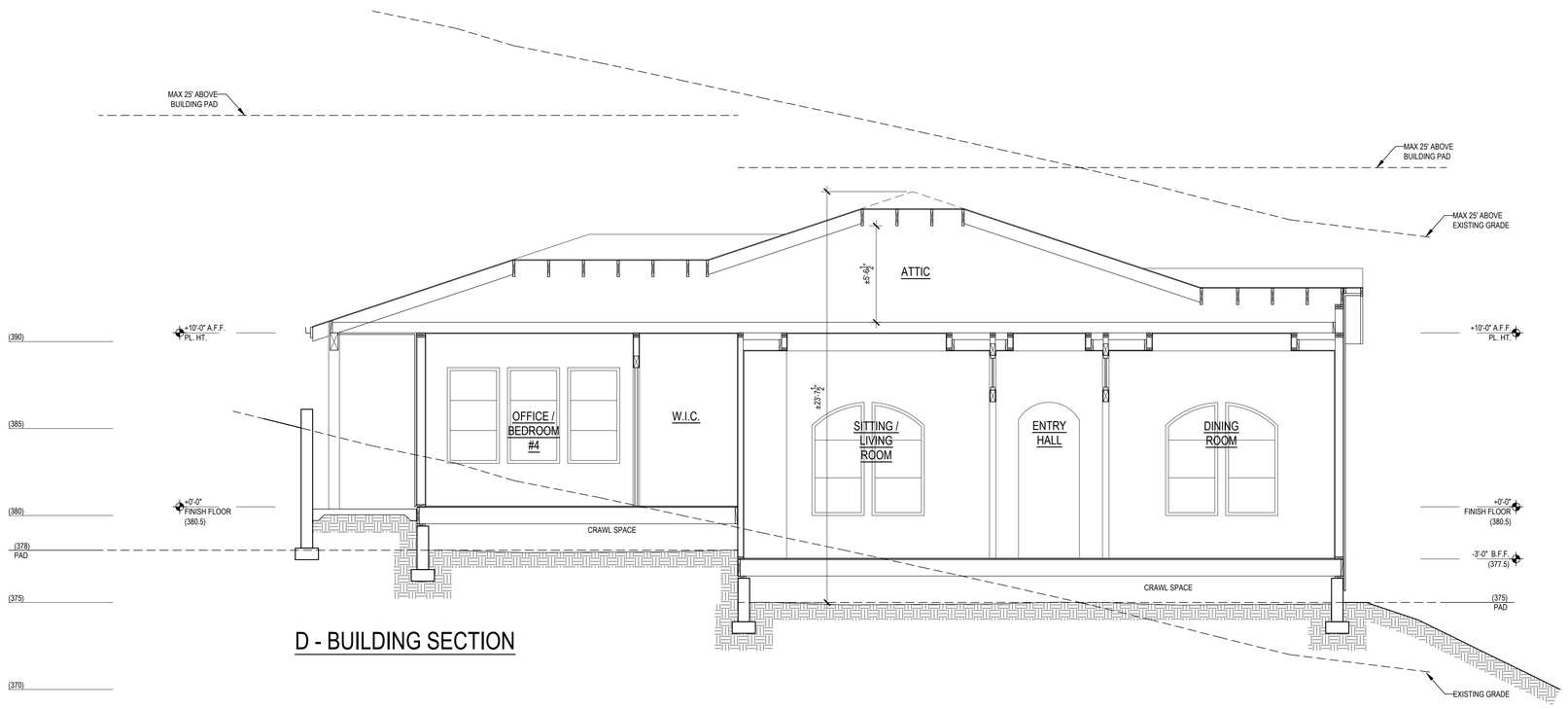
SCALE: ½" = 1'-0"

BUILDING SECTIONS

A4.1



C - BUILDING SECTION



D - BUILDING SECTION

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE
LOS GATOS
CALIFORNIA
95032

T 408.292.3252
F 253.399.1125

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31 JANUARY 2020
PLANNING SUBMITTAL

23 AUGUST 2021
PLANNING SUBMITTAL II

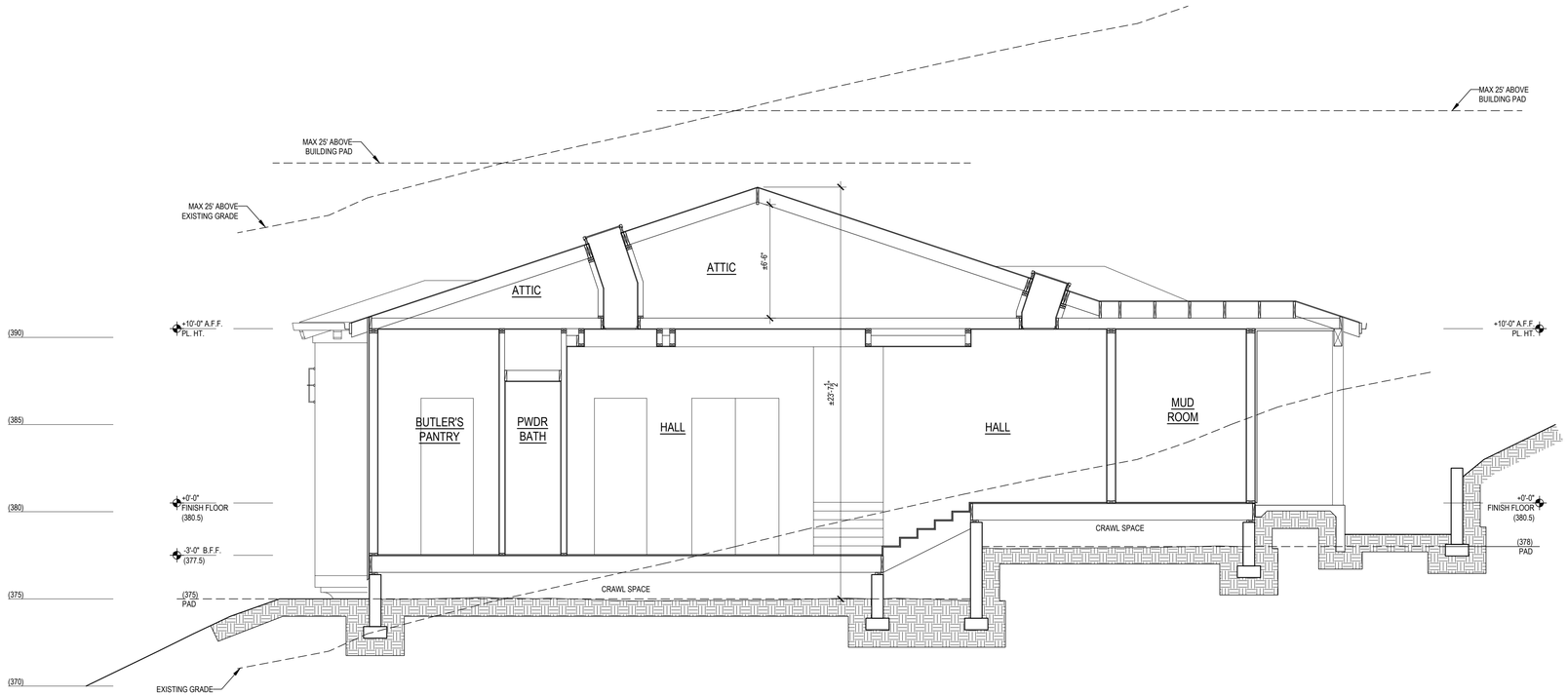
16 NOVEMBER 2021
PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

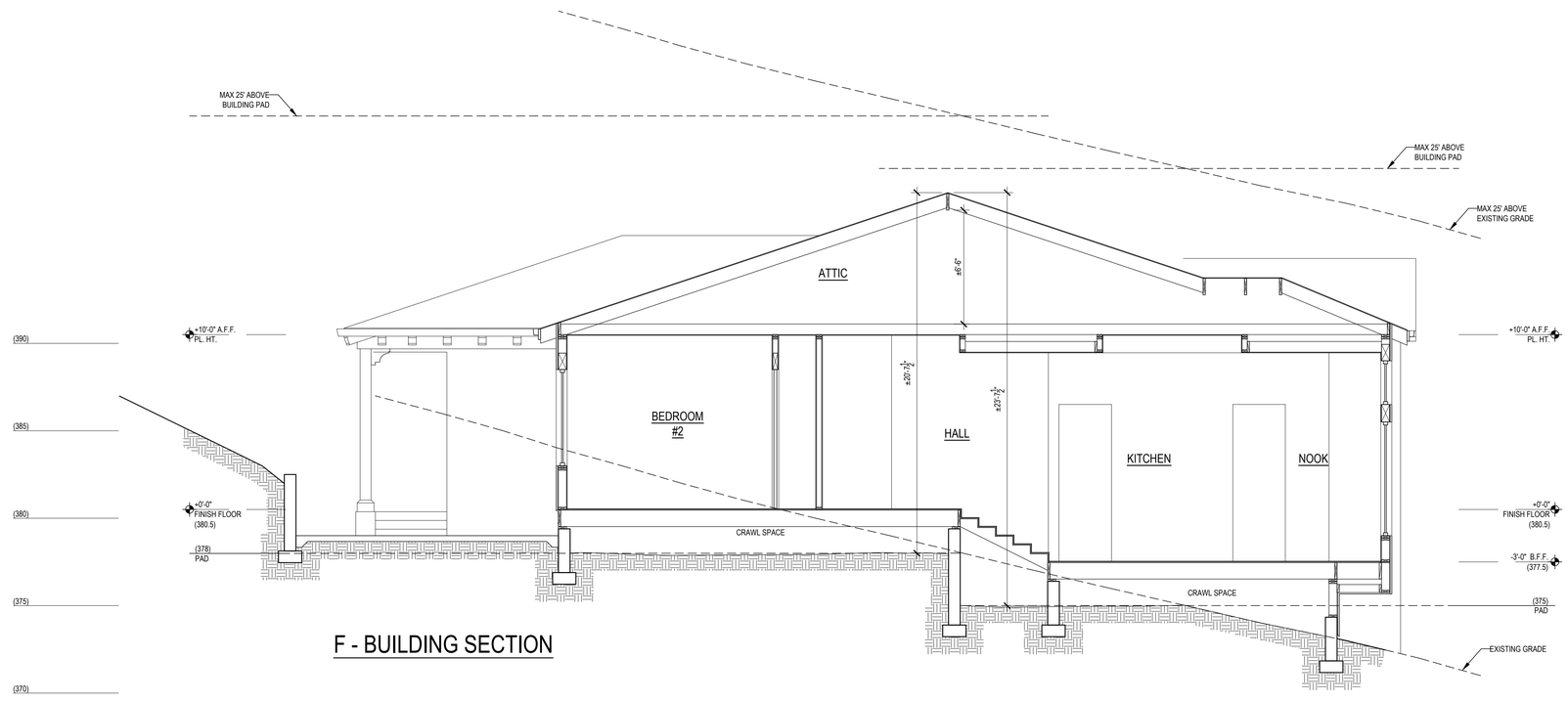
SCALE: ½" = 1'-0"

BUILDING SECTIONS

A4.2



E - BUILDING SECTION



F - BUILDING SECTION

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE
LOS GATOS
CALIFORNIA
95032

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400 SURMONT DRIVE
PARCEL #1
LOS GATOS
CALIFORNIA
95032

20 AUGUST 2019

31 JANUARY 2020
PLANNING SUBMITTAL

23 AUGUST 2021
PLANNING SUBMITTAL II

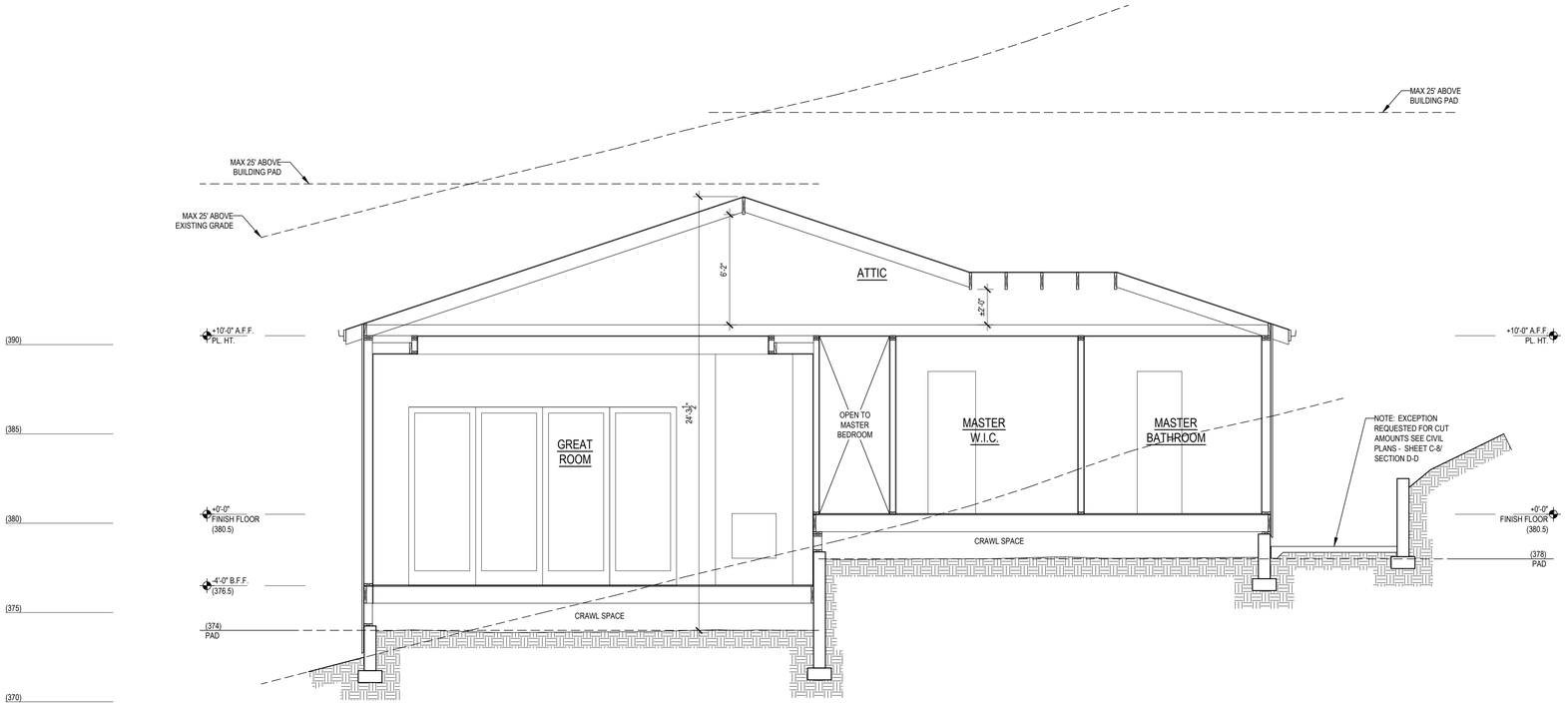
16 NOVEMBER 2021
PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

SCALE: ½" = 1'-0"

BUILDING SECTIONS

A4.3



G - BUILDING SECTION

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE
LOS GATOS
CALIFORNIA
95032

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F 253.399.1125

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PARCEL #1
LOS GATOS
CALIFORNIA
95032

20 AUGUST 2019

31 JANUARY 2020
PLANNING SUBMITTAL

23 AUGUST 2021
PLANNING SUBMITTAL II

16 NOVEMBER 2021
PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

08 JULY 2022
PLANNING SUBMITTAL V

SCALE: ½" = 1'-0"

BUILDING SECTIONS

A4.4

PROJECT ADDRESS

400 SURMONT DRIVE, LOS GATOS, CA 95032

A.P.N. : 527-20-003

PARCEL 1 AND 2

INDEX

L1 Cover Sheet

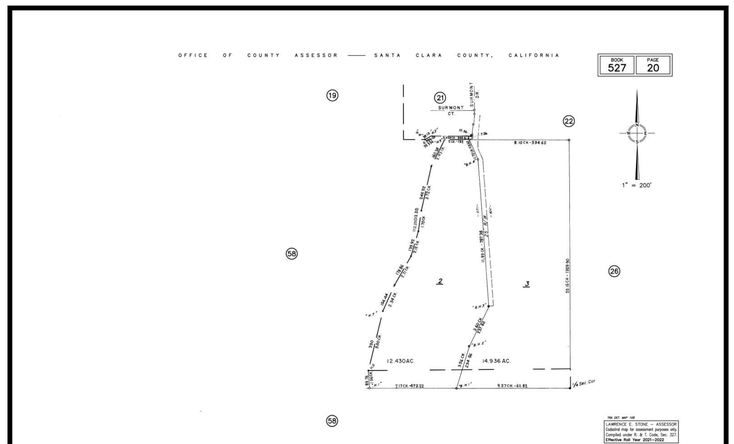
L2 Frontage and Driveway Proposed Trees and Planting Parcel 1 and 2

L3 Parcel 1 Proposed Trees and Planting

L4 Parcel 2 Proposed Trees and Planting

L5 Tree Table

PARCEL MAP



SUMMARY/AMENDMENTS

*Proposed Planting Pocket Shown on L2, L3, and L4

*Tree Table, Showing Existing and Proposed Trees

*Trees Numbered Per Arborist Report

*Tree and Plant Species Adjacent to The Driveway Approach off of Surmont Are Native.

*All Plants and Trees Used Are Native of California

*Fire Defensible Space Zones.

*All Proposed Trees Are 30' Away From Residence

*All Proposed Trees and Shrubs Are Native.

ALYSON FLYNN
LANDSCAPE ARCHITECT & ASSOCIATES
50 San Tropez Drive
Hollister, CA 95023
Phone (408) 274-4114
Landscape Architect No. 3074

Driveway
400 Surmont Drive
Los Gatos, CA 95032
APN 527-20-003

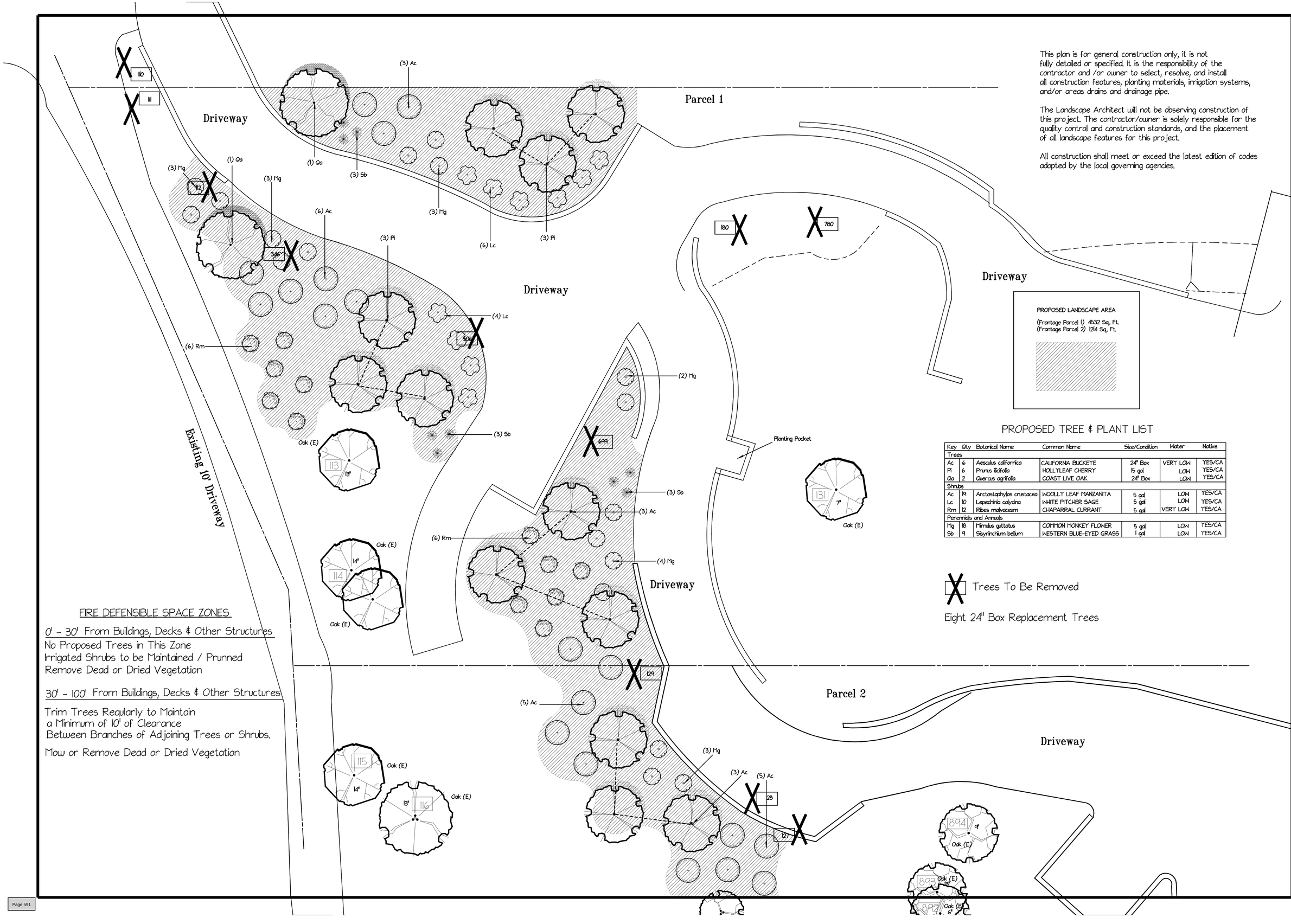
Date Aug. 08, 2021

Scale 1/8" = 1'0"

Drawn AF

Sheet L 1

of Sheets



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The Landscape Architect will not be observing construction of this project. The contractor/owner is solely responsible for the quality control and construction standards, and the placement of all landscape features for this project.

All construction shall meet or exceed the latest edition of codes adopted by the local governing agencies.

PROPOSED LANDSCAPE AREA

(Frontage Parcel 1) 4532 Sq. Ft.
(Frontage Parcel 2) 1214 Sq. Ft.

PROPOSED TREE & PLANT LIST

Key	Qty	Botanical Name	Common Name	Size/Condition	Water	Native
Trees						
Ac	6	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Pl	6	Prunus ilicifolia	HOLLYLEAF CHERRY	15 gal	LOW	YES/CA
Qa	2	Quercus agrifolia	COAST LIVE OAK	24" Box	LOW	YES/CA
Shrubs						
Ac	19	Arctostaphylos crustacea	WOOLLY LEAF MANZANITA	5 gal	LOW	YES/CA
Lc	10	Lepechinia calycina	WHITE PITCHER SAGE	5 gal	LOW	YES/CA
Rm	12	Ribes malvaceum	CHAPARRAL CURRANT	5 gal	VERY LOW	YES/CA
Perennials and Annuals						
Mg	18	Mimulus guttatus	COMMON MONKEY FLOWER	5 gal	LOW	YES/CA
Sb	9	Sisyrinchium bellum	WESTERN BLUE-EYED GRASS	1 gal	LOW	YES/CA

Trees To Be Removed

Eight 24" Box Replacement Trees

FIRE DEFENSIBLE SPACE ZONES

0' - 30' From Buildings, Decks & Other Structures

No Proposed Trees in This Zone
Irrigated Shrubs to be Maintained / Prunned
Remove Dead or Dried Vegetation

30' - 100' From Buildings, Decks & Other Structures

Trim Trees Regularly to Maintain
a Minimum of 10' of Clearance
Between Branches of Adjoining Trees or Shrubs.

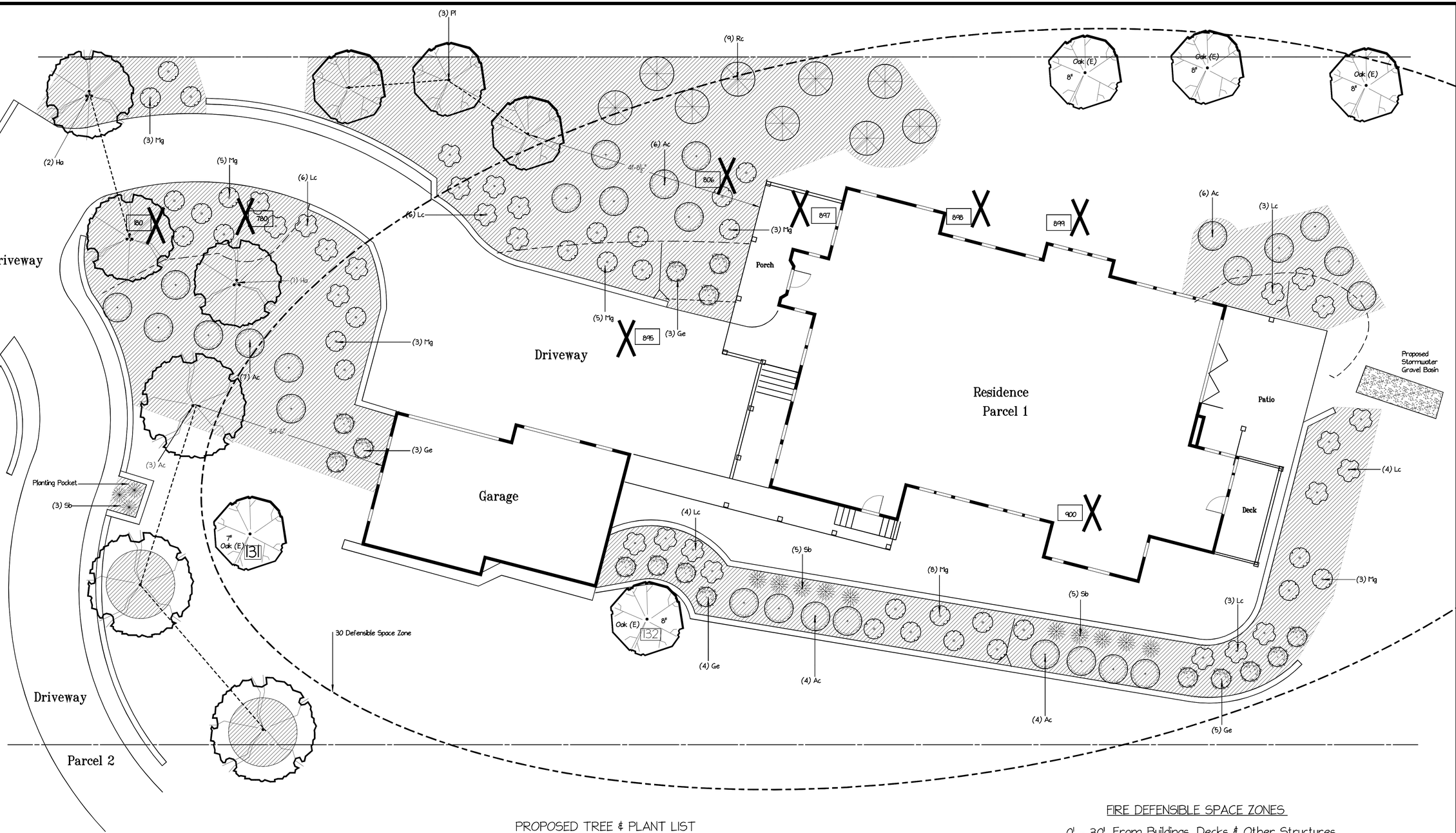
Mow or Remove Dead or Dried Vegetation

Revisions	By
March 19, 2022	CLL
July 20, 2022	CLL

ALYSON FLYNN & ASSOCIATES
50 San Tropez Drive
Hollister, CA 95023
Phone (408) 271-4114

Driveway
400 Surmont Drive
Los Gatos, CA 95032
APN 527-20-003

Date Jun. 18, 2020
Scale 1/8" = 1'0"
Drawn AF
Sheet L 2
of Sheets



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PROPOSED TREE & PLANT LIST

Key	Qty	Botanical Name	Common Name	Size	Water	Native
Trees						
Ac	3	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Ha	3	Heteromeles arbutifolia	CHRISTMAS BERRY	24" Box	LOW	YES/CA
Pl	3	Prunus ilicifolia	HOLLYLEAF CHERRY	24" Box	LOW	YES/CA
Shrubs						
Ac	27	Arctostaphylos crustacea	WOOLLY LEAF MANZANITA	5 gal	LOW	YES/CA
Ge	15	Garrya elliptica	SILK TASSEL	5 gal	LOW	YES/CA
Lc	26	Lepechinia calycina	WHITE PITCHER SAGE	5 gal	LOW	YES/CA
Rc	9	Rhamnus californica	CALIFORNIA COFFEEBERRY	5 gal	LOW	YES/CA
Perennials and Annuals						
Mg	30	Mimulus guttatus	COMMON MONKEY FLOWER	5 gal	LOW	YES/CA
Sb	13	Sisyrinchium bellum	BLUE-EYED GRASS	1 gal	VERY LOW	YES/CA

Four Trees to Be Removed Requiring Replacement
#111, #130, #700, #896 - See Arborist Report
Plan Includes 9 Replacement Trees

Trees To Be Removed

PROPOSED LANDSCAPE AREA
6495 Sq. Ft.

FIRE DEFENSIBLE SPACE ZONES

0' - 30' From Buildings, Decks & Other Structures
No Proposed Trees in This Zone
Irrigated Shrubs to be Maintained / Prunned
Remove Dead or Dried Vegetation

30' - 100' From Buildings, Decks & Other Structures
Trim Trees Regularly to Maintain
a Minimum of 10' of Clearance
Between Branches of Adjoining Trees or Shrubs.
Mow or Remove Dead or Dried Vegetation

Revisions	By
Aug. 23, 2021	CLL
March 19, 2022	CLL
July 20, 2022	CLL

ALYSON FLYNN & ASSOCIATES
50 San Tropez Drive
Hollister, CA 95023
Phone (408) 274-4114

Parcel 1 Landscape Plan
400 Surmont Drive
Los Gatos, CA 95032
APN 527-20-003

Date Jun. 18, 2020
Scale 1/8" = 1'-0"
Drawn AF
Sheet L 3
of Sheets

PROPOSED LANDSCAPE AREA
5,612 Sq. Ft.

PROPOSED TREE & PLANT LIST

Key	Qty	Botanical Name	Common Name	Size	Water	Native
Trees						
Ac	3	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Pl	1	Prunus ilicifolia	HOLLYLEAF CHERRY	24" Box	LOW	YES/CA
Shrubs						
Ac	23	Arctostaphylos crustacea	WOLLY LEAF MANZANITA	5 gal	LOW	YES/CA
CDS	9	Ceanothus x 'Dark Star'	DARK STAR CEANOTHUS	5 gal	LOW	YES/CA
Cs	3	Calandrinia spectabilis	CALANDRINIA SPECTABILLIS	5 gal	LOW	YES/CA
Lc	21	Lepechinia calycina	WHITE PITCHER SAGE	5 gal	LOW	YES/CA
Rm	15	Ribes malvaceum	CHAPARRAL CURRANT	5 gal	VERY LOW	YES/CA
Perennials and Annuals						
Am	5	Achillea millefolium	YARROW	1 gal	LOW	YES/CA
Mg	17	Mimulus guttatus	COMMON MONKEY FLOWER	5 gal	LOW	YES/CA

Three Trees to Be Removed Requiring Replacement
#127, #128, #129 - See Arborist Report
Plan Includes Four Replacement Trees

FIRE DEFENSIBLE SPACE ZONES

0' - 30' From Buildings, Decks & Other Structures
No Proposed Trees in This Zone
Irrigated Shrubs to be Maintained / Prunned
Remove Dead or Dried Vegetation

30' - 100' From Buildings, Decks & Other Structures
Trim Trees Regularly to Maintain
a Minimum of 10' of Clearance
Between Branches of Adjoining Trees or Shrubs.
Mow or Remove Dead or Dried Vegetation

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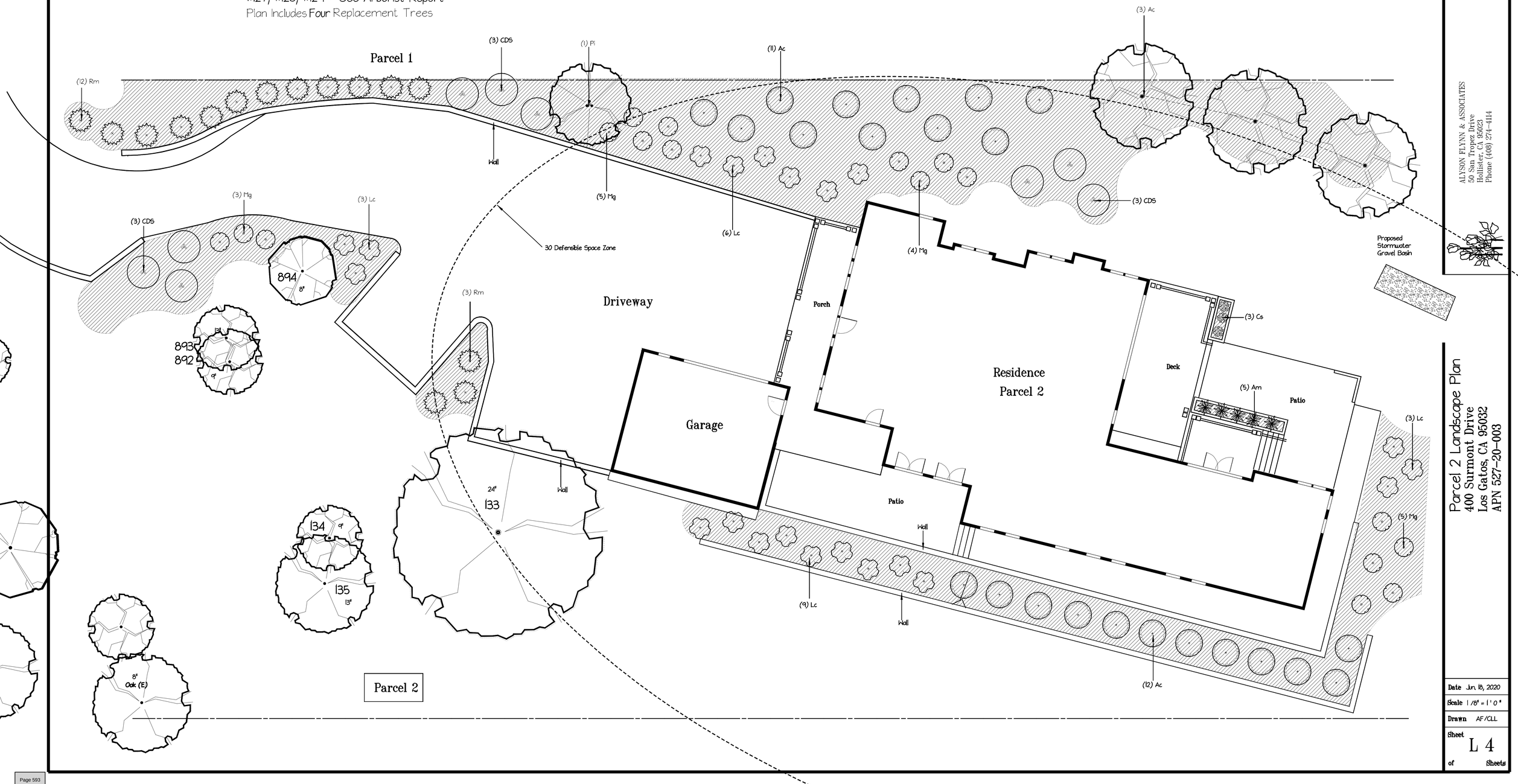
Revisions	By
Jan. 31, 2022	CLL
March 19, 2022	CLL



ALYSON FLYNN & ASSOCIATES
50 San Tropez Drive
Hollister, CA 95023
Phone (408) 274-4114

Parcel 2 Landscape Plan
400 Surmont Drive
Los Gatos, CA 95032
APN 527-20-003

Date Jan. 18, 2020
Scale 1/8" = 1'0"
Drawn AF/CLL
Sheet L 4
of Sheets

TREE LOCATIONS - ARBORIST REPORT

400 Surmont Drive, Los Gatos | Tree Inventory and Assessment | September 27, 2019 Revised February 11, 2022

Appendix A: Site Plan and Tree Locations

Site plan not to scale. Trees with an 'X' next to them are highly impacted. The blue dash represents the tree protection fence.

X Trees To Be Removed

EXISTING TREE INVENTORY

Appendix B: Tree Inventory and Assessment Tables

Table 2: Inventory Summary

Tree Species	I.D. Number	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Condition	Suitability for Preservation	Expected Impact	Rounded Value	Status
apricot (*Prunus armeniaca*)	110	8	10	15	Poor	Poor	High	$470.00	Exempt
coast live oak (*Quercus agrifolia*)	111	6, 5	15	15	Fair	Fair	High	$750.00	Protected
apricot (*Prunus armeniaca*)	112	7, 7	15	15	Poor	Poor	High	$710.00	Exempt
holly oak (*Quercus ilex*)	113	13	30	30	Fair	Fair	Low	$2,340.00	Protected
coast live oak (*Quercus agrifolia*)	114	14, 9	35	30	Fair	Fair	Low	$2,700.00	Protected
coast live oak (*Quercus agrifolia*)	115	14	35	35	Good	Good	Low	$1,380.00	Protected
coast live oak (*Quercus agrifolia*)	116	13, 15	35	35	Fair	Fair	Low	$2,090.00	Large Protected
wild plum (*Prunus sp.*)	117	8	25	25	Good	Poor	Low	$620.00	Exempt
wild plum (*Prunus sp.*)	118	8	25	25	Good	Poor	Low	$620.00	Exempt
wild plum (*Prunus sp.*)	119	6	25	25	Good	Poor	Low	$390.00	Exempt
wild plum (*Prunus sp.*)	120	8, 4, 3	25	25	Good	Poor	Low	$770.00	Exempt
coast live oak (*Quercus agrifolia*)	121	18.5	35	35	Good	Good	Low	$5,400.00	Protected
apricot (*Prunus armeniaca*)	122	8, 8	15	15	Fair	Poor	Low	$1,700.00	Exempt

EXISTING TREE INVENTORY

Tree Species	I.D. Number	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Condition	Suitability for Preservation	Expected Impact	Rounded Value	Status
coast live oak (*Quercus agrifolia*)	123	10, 9	35	35	Fair	Fair	Low	$1,820.00	Protected
holly oak (*Quercus ilex*)	124	8, 6	25	25	Fair	Fair	Low	$1,420.00	Protected
holly oak (*Quercus ilex*)	125	5	20	20	Good	Good	Low	$620.00	Protected
holly oak (*Quercus ilex*)	126	6, 4, 4	20	20	Fair	Fair	Low	$940.00	Protected
coast live oak (*Quercus agrifolia*)	127	14	30	30	Good	Good	High	$3,140.00	Protected
coast live oak (*Quercus agrifolia*)	128	11	30	30	Good	Good	High	$1,990.00	Protected
coast live oak (*Quercus agrifolia*)	129	11, 9	25	25	Good	Good	High	$3,140.00	Protected
stone pine (*Pinus pinea*)	130	9	25	15	Good	Poor	High	$880.00	Protected
toyon (*Heteromeles arbutifolia*)	131	7, 7, 7	25	25	Fair	Fair	Moderate	$2,150.00	Protected
coast live oak (*Quercus agrifolia*)	132	8, 5, 5	30	30	Fair	Fair	Moderate	$1,120.00	Protected
coast live oak (*Quercus agrifolia*)	133	27	55	55	Good	Good	Moderate	$11,300.00	Large Protected
coast live oak (*Quercus agrifolia*)	134	9, 9	25	25	Good	Good	Low	$2,730.00	Protected
coast live oak (*Quercus agrifolia*)	135	13	25	25	Good	Good	Low	$2,730.00	Protected
wild plum (*Prunus sp.*)	346	4, 4, 4, 4	10	8	Good	Poor	Low	$930.00	Exempt

EXISTING TREE INVENTORY

Tree Species	I.D. Number	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Condition	Suitability for Preservation	Expected Impact	Rounded Value	Status
apricot (*Prunus armeniaca*)	506	3, 3, 3,	10	8	Good	Poor	High	$1,100.00	Exempt
apricot (*Prunus armeniaca*)	699	7, 7	10	8	Poor	Poor	High	$710.00	Exempt
coast live oak (*Quercus agrifolia*)	700	6	15	10	Fair	Fair	High	$460.00	Protected
apricot (*Prunus armeniaca*)	892	4, 4, 4, 6	10	8	Dead	Poor	Low	$0.00	Exempt
coast live oak (*Quercus agrifolia*)	893	13	25	15	Good	Good	Low	$2,730.00	Protected
coast live oak (*Quercus agrifolia*)	894	9	15	10	Good	Good	Moderate	$1,380.00	Protected
apricot (*Prunus armeniaca*)	895	6,4, 3	10	8	Poor	Poor	High	$470.00	Exempt
coast live oak (*Quercus agrifolia*)	896	6	15	10	Poor	Poor	High	$230.00	Protected
apricot (*Prunus armeniaca*)	897	4	10	8	Poor	Poor	High	$150.00	Exempt
apricot (*Prunus armeniaca*)	898	10	10	8	Poor	Poor	High	$710.00	Exempt
apricot (*Prunus armeniaca*)	899	8	10	8	Poor	Poor	High	$470.00	Exempt
apricot (*Prunus armeniaca*)	900	12	10	8	Poor	Poor	High	$1,000.00	Exempt

EXISTING TREE INVENTORY FROM ARBORIST REPORT

TREE TABLE

This plan is for general construction only, it is not fully detailed or specified. It is the responsibility of the contractor and /or owner to select, resolve, and install all construction features, planting materials, irrigation systems, and/or areas drains and drainage pipe.

The Landscape Architect will not be observing construction of this project. The contractor/owner is solely responsible for the quality control and construction standards, and the placement of all landscape features for this project.

All construction shall meet or exceed the latest edition of codes adopted by the local governing agencies.

TREES TO BE REMOVED REQUIRING REPLACEMENTS

ID #	Tree Species	Canopy Size	Replacement Requirement
111	Coast Live Oak	15	All Require 3 - 24" Box
127	Coast Live Oak	30	
128	Coast Live Oak	30	
129	Coast Live Oak	25	
130	Stone Pine	15	
700	Coast Live Oak	10	
896	Coast Live Oak	10	

PROPOSED TREES

Key	Qty	Botanical Name	Common Name	Size/Condition	Water	Native
Trees (L2 Frontage)						
Ac	6	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Pi	6	Prunus ilicifolia	HOLLYLEAF CHERRY	15 gal	LOW	YES/CA
Qa	2	Quercus agrifolia	COAST LIVE OAK	24" Box	LOW	YES/CA
Trees (L3 Parcel 1)						
Ac	3	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Ha	3	Heteromeles arbutifolia	CHRISTMAS BERRY	24" Box	LOW	YES/CA
Pi	3	Prunus ilicifolia	HOLLYLEAF CHERRY	24" Box	LOW	YES/CA
Trees (L4 Parcel 2)						
Ac	3	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Pi	1	Prunus ilicifolia	HOLLYLEAF CHERRY	24" Box	LOW	YES/CA

ALYSON FLYNN & ASSOCIATES
50 San Tropez Drive
Hollister, CA 95023
Phone (408) 274-4114

400 Surmont Drive
Los Gatos, CA 95032
APN 527-20-003

Date March 22, 2022
Scale 1/8" = 1'0"
Drawn CLL
Sheet L 5
of Sheets

0 5 10 20
SCALE IN FEET

PLANS FOR THE CONSTRUCTION OF TWO NEW HOMES

400 SURMONT DRIVE

LOS GATOS, CALIFORNIA

ARCHITECTURE AND SITE APPLICATION

TOWN OF LOS GATOS STANDARD GRADING NOTES

1. ALL WORK SHALL CONFORM TO CHAPTER 12 OF THE CODE OF THE TOWN OF LOS GATOS, THE ADOPTED CALIFORNIA BUILDING CODE AND THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION EXCEPT AS SPECIFIED OTHERWISE ON THESE PLANS AND DETAILS.

2. NO WORK MAY BE STARTED ON--SITE WITHOUT AN APPROVED GRADING PERMIT ISSUED BY THE TOWN OF LOS GATOS, PARKS AND PUBLIC WORKS DEPARTMENT LOCATED AT 41 MILES AVENUE. LOS GATOS. CA 95030.

3. A PRE--JOB MEETING SHALL BE FIELD WITH THE TOWN ENGINEERING INSPECTOR FROM THE PARKS AND PUBLIC WORKS DEPARTMENT PRIOR TO ANY WORK BEING DONE. THE CONTRACTOR SHALL CALL THE INSPECTIONS LINE AT (408)399-5771 AT LEAST FORTY--EIGHT (48) HOURS PRIOR TO ANY GRADING OR ONSITE WORK. THIS MEETING SHALL INCLUDE:
   a.) A DISCUSSION OF THE PROJECT CONDITIONS OF APPROVAL WORKING HOURS, SITE MAINTENANCE AND OTHER CONSTRUCTION MATTERS.
   b.) ACKNOWLEDGEMENT IN WRITING THAT CONTRACTOR AND APPUCANT HAVE READ AND UNDERSTAND THE PROJECT CONDITIONS OF APPROVAL AND WILL MAKE CERTAIN THAT ALL PROJECT SUB-CONTRACTORS HAVE READ AND UNDERSTAND THEM PRIOR TO COMMENCING WORK AND THAT A 'COPY OF THE PROJECT CONDITIONS OF APPROVAL WILL BE POSTED ON SITE AT ALL TIMES DURING CONSTRUCTION.

4. APPROVAL OF PLANS DOES NOT RELEASE THE DEVELOPER OF THE RESPONSIBILITY FOR CORRECTION OF MISTAKES, ERRORS, OR OMISSIONS CONTAINED THEREIN. IF DURING THE COURSE OF CONSTRUCTION OF THE IMPROVEMENTS, PUBLIC INTEREST AND SAFETY REQUIRES A MODIFICATION OR :DEPARTURE FROM THE TOWN SPECIFICATIONS OR THESE IMPROVEMENT PLANS, THE TOWN ENGINEER SHALL HAVE FULL AUTHORTIY TO REQUIRE SUCH MODIFICATION OR DEPARTURE AND TO SPECIFY THE MANNER IN WHICH THE SAME IS TO BE MADE.

5. APPROVAL OF THIS PLAN APPLIES ONLY TO ME GRADING. EXCAVATION, PLACEMENT, AND COMPACTION OF NATURAL EARTH MATERIALS. THIS APPROVAL DOES NOT CONFER ANY RIGHTS OF ENTRY RO EITHER PUBLIC PROPERTY OR PRIVATE PROPERTY OF OTHERS AND DOES NOT CONSTITUTE APPROVAL OF ANY OTHER IMPROVEMENTS.

6. EXCAVATED MATERIAL SHALL BE PLACED IN THE FILL AREAS DESIGNATED OR SHALL BE HAULED AWAY FROM THE SITE TO BE DISPOSED OF AT APPROVED LOCATION(S).

7. IT SHALL BE THE RESPONSIBILITY OF THE PERMITTEE OR CONTRACTOR TO IDENTIFY, LOCATE AND PROTECT ALL UNDERGROUND FACILITIES. PERMITEE OR CONTRACTOR SHALL NOTIFY USA (UNDERGROUND SERVICE ALERT) AT 1-800-227-2600 A MINIMUM OF FORTY-EIGHT (48) HOURS BUT NOT MORE THAN FOURTEEN (14) DAYS PRIOR TO COMMENCING ALL WORK.

8. ALL GRADING SHALL BE PERFORMED IN SUCH A MANNER AS TO COMPLY WITH THE STANDARDS ESTABUSHED BY THE AIR DUALITY MANAGEMENT DISTRICT FOR AIR BORN PARTICULATES.

9. THE CONTRACTOR SHALL WITH ALL LOCAL, STATE AND FEDERAL LAWS. CODES, RULES AND REGULATIONS GOVERNING THE WORK IDENTIFIED ON THESE PLANS. THESE SHALL INCLUDE, WITHOUT LIMITATION, SAFETY AND HEALTH RULES AND REGULATIONS ESTABLISHED BY OR PURSUANT TO THE OCCUPATIONAL SAFETY AND HEALTH ACT OR ANY OTHER APPLICABLE PUBLIC AUTHORITY.

10. THE GENERAL CONTRACTOR SHALL PROVIDE OUAUFIED SUPERVISION ON THE JOB SITE AT ALL TIMES DURING CONSTRUCTION.

11. HORIZONTAL AND VERTICAL CONTROLS SHALL BE SET AND CERTIFIED BY A LICENSED SURVEYOR OR REGISTERED CIVIL ENGINEER QUALIFIED TO PRACTICE LAND SURVEYING, FOR THE FOLLOWING ITEMS: a.) RETAINING WALL: TOP OF WALL ELEVATIONS AND LOCATIONS (ALL WALLS TO BE PERMITTED SEPARATELY ADN APPLIED FOR AT THE TOWN OF LOS GATOS BUILDING DIVISION) b.) TOE AND TOP OF FILL SLOPES.

12. PRIOR TO ISSUANCE OF ANY PERMIT, THE APPUCANT'S SOILS ENGINEER SHALL REVIEW THE FINAL GRADING AND DRAINAGE PLANS TO ENSURE THE DESIGNS FOR FOUNDATIONS, RETAINING WALLS, SITE GRADING, AND SITE DRAINAGE ARE IN ACCORDANCE WITH THEIR RECOMMENDATIONS AND THE PEER REVIEW COMMENTS. THE APPLICANT'S SOILS ENGINEER'S APPROVAL SHALL THEN BE CONVEYED TO THE TOWN EITHER BY LETTER OR BY SIGNING THE PLANS.
    SOILS ENGINEER: EARTHSYSTEMS PACIFIC, BILL ZEHFBACH, REFERENCE REPORT NUMBER SH-11172SA, DATED MARCH 10, 2010
    LETTER NUMBER 303158, DATED MAY 24, 2019, SHALL BE THOROUGHLY COMPLIED WITH.
    BOTH THE MENTIONENED REPORT AND ALL UPDATES/ADDENDUMS/LETTERS ARE HEREBY APPENEDED AND MADE A PART OF THIS GRADING PLAN.

13. DURING CONSTRUCTION, ALL EXCVATIONS AND GRADING SHALL BE INSPECTED BY THE APPLICANT'S SOILS ENGINEER. THE SHALL BE NOTIFIED AT LEAST FORTY--EIGHT (48) HOURS BEFORE BEGINNING ANY GRADING. THE ENGINEER SHALL BE ONSITE TO VERIFY THAT THE ACTUAL CONDITONS ARE AS ANTICIPATED IN THE DESIGN--LEVEL CEO TECHNICAL REPORT AND/OR PROVIDE APPROPRIATE CHANGES TO THE REPORT RECOMIAENDAIONS AS NECESSARY. ALL UNOBSERVED AND/OR UNAPPROVED GRADING SHALL BE REMOVED AND REPLACED UNDER SOILS ENGINEER OBSERVNCE (THE TOWN INSPECTOR SHALL BE MADE AWARE Or ANY REQUIRED CHANGES PRIOR TO PRIOR TO WORK BEING PERFORMED).

14. THE RESULTS OF THE CONSTRUCTION OBSERVATION ADN TESTING SHOULD BE DOCUMENTED IN AN "AS--BUILT" LETTER/REPORT PREPARED BY THE APPLICANTS' SOILS ENGINEER AND SUBMITTED FOR THE TOWN'S REVIEW/ AND ACCEPTANCE BEFORE FINAL RELEASE OF ANY OCCUPANCY PERMIT IS GRANTED.

15. ALL PRIVATE AN PUBLIC STREETS ACCESSING PROJECT SITE SHALL BE KEPT IN A SAFE, DRIVABLE CONDITION THROUGHOUT CONSTRUCTION. IF TEMPORARY CLOSURE IS NEEDED. THEN FORMAL WRITTEN NOTICE TO THE ADJACENT NEIGHBORS AND TOWN OF LOS GATOS PARKS AND PUBLIC WORKS DEPARTMENT SHALL BE PROVIDED AT LEAST ONE (1) WEEK IN ADVANCE OF CLOSURE ANO NO CLOSURE SHALL BE GRANTED WITHOUT EXPRESS WRITTEN APPROVAL OF THE TOWN. NO MATERIAL OR EQUIPMENT SHALL BE STORED IN THE PUBLIC OR PRIVATE RIGHT-OF-WAY.

16. THE CONTRACTOR SHALL INSTALL AND MAINTAIN FENCES. BARRIERS, LIGHTS. AND SIGNS THAT ARE NECESSARY TO GIVE ADEQUATE WARNING AND/PROTECTION TO THE PUBLIC AT ALL TIMES.

17. APPLICANT: SANDRA ANDERSON PHONE: (408) 559-8850

18. GENERAL CONTRACTOR: THE BUILDING WORKS PHONE: (408) 391-8130

19. GRADING CONTRACTOR: TBD PHONE:

20. a) CUT: 2,432 CY EXPORT: 1833 CY (SEE SHEET C-8)
    b) FILL: 599 CY IMPORT: 0 CY

21. WATER SHALL BE AVAILABLE ON SITE AT ALL TIMES DURING GRADING OPERATIONS TO PROPERLY MAINTAIN DUST CONTROL.

22. THIS PLAN DOES NOT APPROVE THE REMOVAL OF TREES. APPROPRIATE TREE REMOVAL PERMITS AND METHODS OF TREE PRESERVATION SHALL BE REQUIRED. TREE REMOVAL PERMITS ARE REQUIRED PRIOR TO APPROVAL OF ALL PLANS.

23. A TOWN ENCROACHMENT PERMIT IS REQUIRED FOR ANY WORK WITHIN THE PUBUC RIGHT-OF-WAY. A STATE ENCROACHMENT PERMIT IS REQUIRED FOR ANY WORK WITHIN STATE RIGHT-OF-WAY (IF APPUCAEILE), THE PERMITTEE AND/OR CONTRACTOR SHALL BE RESPONSIBLE COORDINATING INSPECTION PERFORMED BY OTHER GOVERNMENT AGENCIES.

24. NO CROSS-LOT DRAINAGE WILL BE PERMITTED WITHOUT SATISFACTORY STORMWATER ACCEPTANCE DEED/FACILITIES. ALL DRAINAGE SHALL BE DIRECTED TO THE STREET OR OTHER ACCEPTABLE DRAINAGE FACILITY VIA A NON-EROSIVE ME1HOE AD APPROVED BY THE TOWN ENGINEER.

25. IT IS THE RESPONSIBIUTY OF THE CONTRACTOR AND/OR OWNER TO MAKE SURE THAT ALL DIRT TRACKED INTO NE PUBLIC RIGHT-OF-WAY IS CLEANED UP ON A DAILIY BASIS. MUD, SILT. CONCRETE AND OTHER CONSTRUCTION DEBRIS SHALL NOT BE WASHED INTO THE TOWN'S STORM DRAINS.

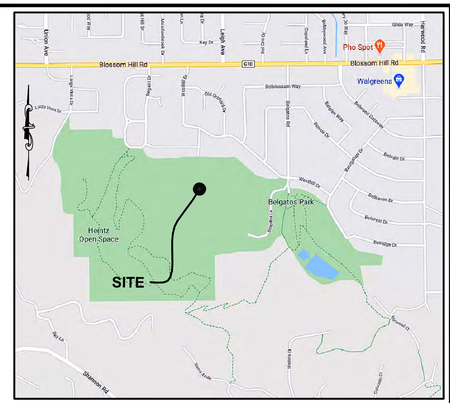
26. GOOD HOUSEKEEPING PRACTICES SHALL BE OBSERVED AT ALL TIMES DURING THE COURSE OF CONSTRUCTION. SUPERINTENDENCE OF CONSTRUCTION SHALL BE DILIGENTLY PERFORMED BY A PERSON OF PERSONS AUTHORIZED TO DO SO AT ALL TIMES DURING WORKING HOURS. THE STORING OF GOODS AND/OR MATERIALS ON THE SIDEWALK AND/OR STREET WILL NOT BE ALLOWEDUNLESS A SPECIAL PERMIT IS ISSUED BY THE ENGINEERING DIVISION. THE ADJACENT PUBLIC RIGHT-OF-WAY SHALL BE KEPT CLEAR OF ALL JOB RELATED DIRT AND DEBRIS AT THE END OF THE DAY. FAILURE TO MAINTAIN THE PUBLIC RIGHT-OF-WAY ACCORDING TO THIS CONDITION MAY RESULT IN PENALTIES AND/OR THE TOWN PERFORMING THE REQUIRED MAINTENANCE AT THE DEVELOPER'S EXPENCE

27. GRADING SHALL BE UNDERTAKEN IN ACCORDANCE WITH CONDITIONS AND REQUIREMENTS OF THE PROJECT STORM WATER POLLUTION CONTROL PLAN AND/OR STOR1A WATER POLLUTION PREVENTION PLAN (SWPPP), THE TOWN OF LOS GATOS STORM WATER QUALITY MANAGEMENT PROGRAM, NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) AND ANY OTHER PERMITS/REQUIREMENTS ISSUED BY THE STATE OF CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD. PLAN (INCLUDING ALL UPDATES) SHALL BE ON-SITE AT ALL TIMES. NO DIRECT STORMWATER DISCHARGES FROM THE DEVELOPMENT WILL BE ALLOWEDONTO TOWN STREETS OR INTO THE PUBUC STORM DRAIN SYSTEM WITHOUT TREATME11.I BY AN APPROVED STORM WATER POLLUTION PREVENTION DEVICE OR OTHER APPROVED METHODS. MAINTENANCE OF PRIVATE STORMWATER POLLUTION PREVENTION DEVICES SHALL BE THE SOLE RESPONSIBIUTY OF THE OWNER. DISCHARGES OR CONNECTION WITHOUT TREATMENT BY AN APPROVED AN ADQUATELY OPERATING STORMWATER POLLUTION PREVENTION DEVICE OR OTHER APPROVED METHOD SHALL BE CONSIDERED A VIOLATION OF THE ABOVE REFERENCED PERMIT AND THE TOWN OF LOS GATOS STORMWATER ORDINANCE.

LEGEND

DESCRIPTION	EXISTING	PROPOSED
PROPERTY LINE		
ADJACENT PROPERTY LINE		
STREET CENTER LINE		
BUILDING SETBACK LINES		
EASEMENT		
DIRT ROAD		
ROAD/PAVEMENT		
CURB		
CURB AND GUTTER		
CONCRETE		
CONTOUR MAJOR	530	530
CONTOUR MINOR	534	534
LIMIT OF GRADING		
BLOCK RETAINING WALL		
ROCK RETAINING WALL		
DRIVEWAY		
BUILDING		
BUILDING 2nd FLOOR		

DESCRIPTION	EXISTING	PROPOSED
AC BERM		
TOP OF BANK	TOP	TOP
TOE OF BANK	TOE	TOE
WIRE FENCE	x x x	x x x
CHAIN LINK FENCE	o o o	o o o
WOOD FENCE	o o o	o o o
SANITARY SEWER LINE	SS	SS
PERFORATED SEPTIC LINE		
ELECTRIC LINE	E	E
GAS LINE	G	G
STORM DRAIN LINE		
WATER LINE	W W	W W
OVERHEAD WIRE	OH	OH
SWALE/FLOWLINE		
PROP. GRASSY SWALE		
LEAST RESTRICTIVE DEVELOPMENT AREA		LRDA



VICINITY MAP
N.T.S.

ABBREVIATIONS

AB	–	AGGREGATE BASE
AC	–	ASPHALTIC CONCRETE
AD	–	AREA DRAIN
APT	–	ANGLE POINT
AS	–	AGGREGATE SUBBASE
BC	–	BEGINNING OF CURVE
BFP	–	BACK FLOW PREVENTOR
BOW	–	BOTTOM OF WALL
BVC	–	BEGIN VERTICAL CURVE
BW	–	BACK OF WALK
C	–	CONCRETE
COL	–	COLUMN
CY	–	CUBIC YARD
CB	–	CATCH BASIN
C&G	–	CURB AND GUTTER
CI	–	CURB INLET
CIP	–	CAST IRON PIPE
CL	–	CENTER LINE OR CLASS
CLF	–	CHAIN LINK FENCE
CO	–	CLEANOUT
CMP	–	CORRUGATED METAL PIPE
CONC	–	CONCRETE
CONST	–	CONSTRUCTION OR CONSTRUCT
CPAU	–	CITY OF PALO ALTO UTILITIES
D	–	DOOR
DI	–	DROP INLET
DIP	–	DUCTILE IRON PIPE
DOM	–	DOMESTIC
DW	–	DOMESTIC WATER
DWG	–	DRAWING
E	–	EAST
EC	–	END OF CURVE
EP	–	EDGE OF PAVEMENT
ER	–	END OF RETURN
EVC	–	END VERTICAL CURVE
ELEV	–	ELEVATION
EX, EXIST	–	EXISTING
FDC	–	FIRE DEPARTMENT CONNECTION
FC	–	FACE OF CURB
FF	–	FINISHED FLOOR
FG	–	FINISHED GRADE
FH	–	FIRE HYDRANT
FL	–	FLOW LINE
FOUND	–	FOUNDATION
FS	–	FINISHED SURFACE
FT	–	FOOT
FW	–	FIRE WATER
GB	–	GRADE BREAK
GV	–	GATE VALVE
HC	–	HANDICAP
HP	–	HIGH POINT
INV	–	INVERT ELEVATION
JP	–	JOINT POLE
MAX	–	MAXIMUM
MIN	–	MINIMUM
MPVC	–	MIDPOINT OF VERTICAL CURVE
MH	–	MANHOLE
N	–	NORTH
NO	–	NUMBER
OH	–	OVERHANG
OHE	–	OVERHEAD ELECTRIC
NTS	–	NOT TO SCALE
P	–	PAVEMENT ELEVATION
PCC	–	PORTLAND CEMENT CONCRETE
PIV	–	POST INDICATOR VALVE
PL	–	PROPERTY LINE
PMH	–	POWER MANHOLE
PP	–	POWER POLE
PVC	–	POLYVINYL CHLORIDE PIPE
R	–	RADIUS
RC	–	RELATIVE COMPACTION
RCP	–	REINFORCED CONCRETE PIPE
R/W	–	RIGHT OF WAY
SW	–	SIDEWALK
S	–	SLOPE OR SOUTH
SB	–	SEDIMENT BASIN
SD	–	STORM DRAIN
SDDI	–	STORM DRAIN DROP INLET
SF	–	SILT FENCE
S.L.D.	–	SEE LANDSCAPE DRAWINGS
SMH	–	SIGNAL MANHOLE
SS	–	SANITARY SEWER
STA	–	STATION
STD	–	STANDARD
TYP	–	TYPICAL
TC	–	TOP OF CURB
TPZ	–	TREE PROTECTION ZONE
TS	–	TOP OF SLAB
TOW	–	TOP OF WALL
U/G	–	UNDERGROUND
UON	–	UNLESS OTHERWISE NOTED
VC	–	VERTICAL CURVE
W	–	WEST
WELL T	–	TREE WELL
WGW	–	WATER, GAS, WASTEWATER
WM	–	WATER METER
WV	–	WATER VALVE
WWF	–	WELDED WIRE FABRIC
W/	–	WITH

BENCHMARK

ELEVATIONS WERE DERIVED FROM GPS OBSERVATIONS
AND ARE BASED ON DAVD88

SHEET INDEX

C-0	COVER SHEET
C-1	TENTATIVE MAP (PREVIOUSLY APPROVED)
C-2	ACCESS ROAD PLAN AND PROFILE
C-3	UTILITY PLAN
C-4	(NOT INCLUDED IN THIS SUBMISSION)
C-5	ACCESS ROAD PLAN AND PROFILE
C-6	EROSION CONTROL PLAN
C-7	EROSION CONTROL AND CONSTRUCTION DETAILS
C-8	PARCEL 1 SITE PLAN

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER
TERENCE J. SZEWCZYK
NO. 35527
EXP. 9-30-23
STATE OF CALIFORNIA

8-3-22

TERENCE J. SZEWCZYK, P.E. NO. 35527
EXPIRATION DATE: 09/30/23

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

TS/CIVIL ENGINEERING

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 1
GRADING AND SITE
IMPROVEMENT

COVER SHEET
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

	DATE	REVISIONS	BY
6			
5			
4			
3			
2			
1			

DATE:	8-3-22
SCALE:	AS NOTED
DRAWN BY:	DKH
SURVEYED BY:	JMS
PROJ ENGR:	TJS
CHECK BY:	TJS

SHEET NO.
C-0
OF 8 SHEETS

JOB NO.
16-233

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08/05/2022 9:07pm – N:\2016 JOBS\16-233\DWG\16-233_P1 CO COVER SHEET.DWG – CO

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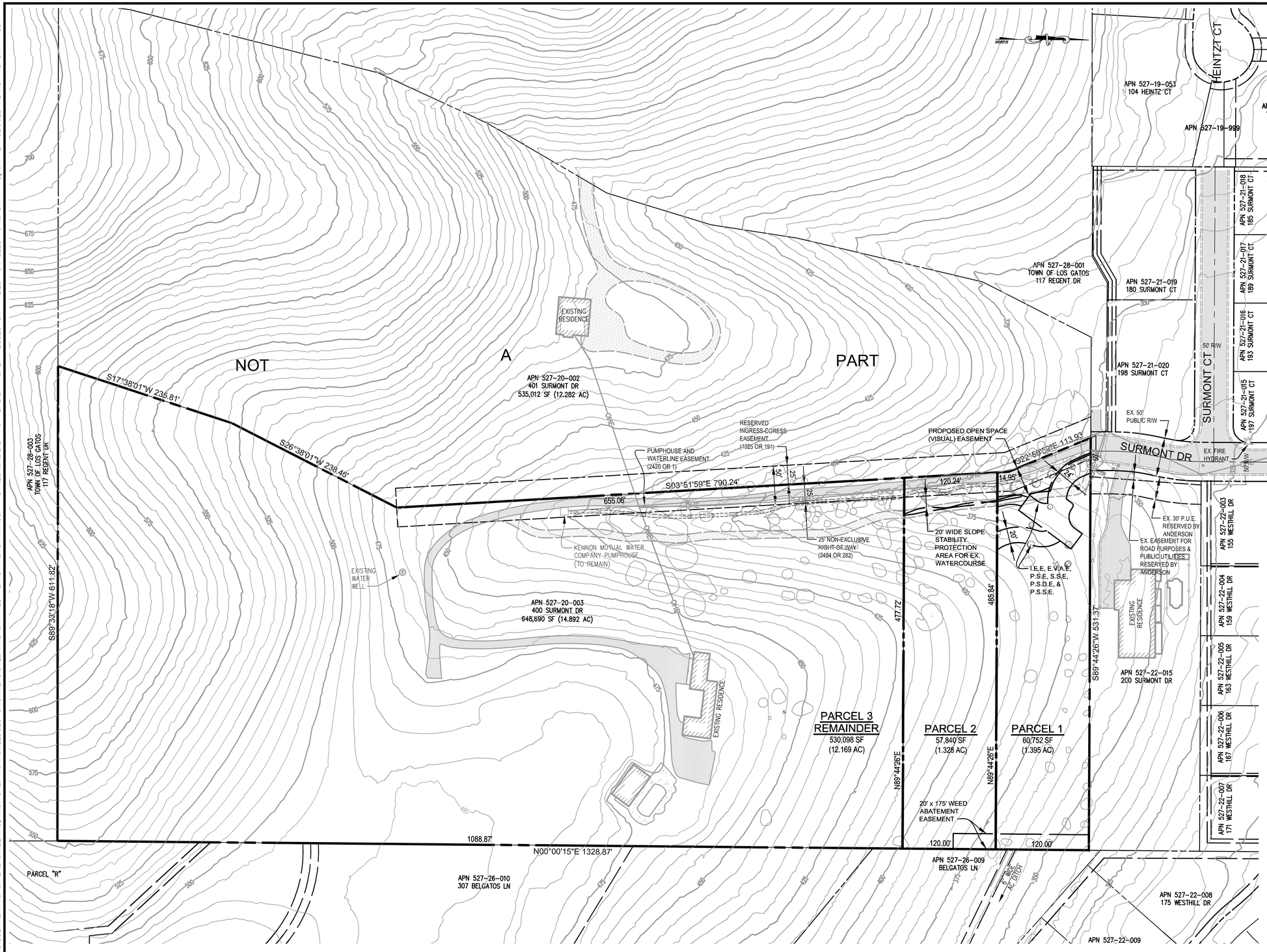

TENTATIVE MAP NOTES

TRACT NAME:	400 SURMONT DRIVE MINOR SUBDIVISION 2 PARCELS AND DESIGNATED REMAINDER
OWNER:	SANDRA K. ANDERSON, TRUSTEE 400 SURMONT DRIVE LOS GATOS, CA 85032 C/O BOB HUGHES (408) 559-8850
CIVIL ENGINEER:	TERENCE J. SZEWCZYK TS/CIVIL ENGINEERING, INC. 1776 TECHNOLOGY DRIVE SAN JOSE, CA 95110 (408) 452-9300 EXT 220
APN:	527-20-003
GROSS AREA:	648,690 SF (14.892 ACRES)
ZONING:	HR-2.5
AVERAGE SLOPE:	27.3%
LOT YIELD:	14.89 AC / 2.72 AC/DU = 5.5 DU'S OR LOTS
PROPOSED LOTS:	2 + DESIGNATED REMAINDER
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
WATER SUPPLY:	SAN JOSE WATER COMPANY
SEWAGE DISPOSAL:	WEST VALLEY SANITATION DISTRICT
GAS & ELECTRIC:	PG&E

LEGEND

- EX. PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- BUILDING SETBACK LINES
- EX. EASEMENT
- EX. ROAD
- 530 EX. CONTOUR MAJOR
- 534 EX. CONTOUR MINOR
- EX. DRIVEWAY
- 530 PROP. PROPERTY LINE
- 534 PROP. CONTOUR MAJOR
- PROP. CONTOUR MINOR
- PROP. DRIVEWAY
- PROP. BUILDING
- PROP. CONCRETE
- (SFR) SINGLE FAMILY RESIDENTIAL USE

AREA CHART

PARCEL 1	60,752 SF (1.395 AC)
PARCEL 2	57,840 SF (1.328 AC)
PARCEL 3 (REMAINDER)	530,098 SF (12.169 AC)
TOTAL	648,690 SF (14.892 AC)

GRAPHIC SCALE
60 0 30 60 120
(IN FEET)
1" = 60'

DESIGNED UNDER THE SUPERVISION OF:
REGISTERED PROFESSIONAL ENGINEER
TERENCE J. SZEWCZYK
NO. 35527
EXP. 9-30-23
STATE OF CALIFORNIA
8-3-22
TERENCE J. SZEWCZYK, P.E. NO. 35527
EXPIRATION DATE: 09/30/23

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550
CIVIL ENGINEERING

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 1
GRADING AND SITE
IMPROVEMENT

TENTATIVE MAP
(PREVIOUSLY APPROVED)
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

BY	REVISIONS	DATE
1		
2		
3		
4		
5		
6		

DATE:	8-3-22
SCALE:	1"=60'
DRAWN BY:	DKH
SURVEYED BY:	
PROJ ENGR:	TJS
CHECK BY:	TJS

SHEET NO.
C-1
OF 8 SHEETS

JOB NO.
16-233

08/05/2022 9:07pm – N:\2016 JOBS\16-233\DWG\16-233_P1 C1 TENTATIVE MAP.DWG – C1

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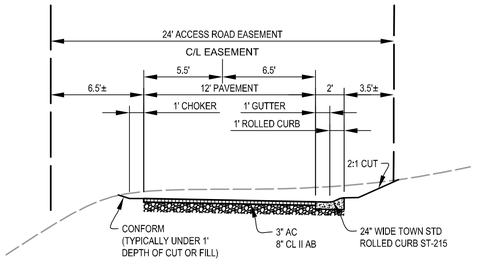
EX. DRIVEWAY
EX. 50' PUBLIC R/W
EX. 30' P.U.E. RESERVED BY ANDERSON
EX. EASEMENT FOR ROAD PURPOSES & PUBLIC UTILITIES RESERVED BY ANDERSON
EX. DRIVEWAY
NOTE: REPLACE WHITE WOOD BARRICADE WITH PIPE RAILING. ALSO INSTALL ATOP NEW 2' RETAINING WALL AT SWALE. SEE DETAIL ON C-7)
TW 350.0 BW 348.0 2' WALL
EXISTING SACKED RIP-RAP HEADWALL
P 346.5
P 347.0
SET 3/4" IP LS 7735
BEGIN WALL TW 361.0 BW 361.0
END WALL TW 363.0 BW 363.0
SET HUB W/DIMPLE
P 366.7 (0.5' FILL)
P 366.0 (2.0' FILL)
P 366.0 (1.0' CUT)
I.E.E., E.V.A.E., P.U.E., S.S.E., P.S.D.E. & P.S.S.E.
TW 353.0 BW 351.0 2' WALL
TW 355.0 BW 353.5 1.5' WALL
END WALL TW 357.5 BW 357.5
30' FRONT SETBACK
PARCEL 1
60,752 SF
(1.395 AC)
NOTE: NOT A FIRE DEPARTMENT TURNAROUND
4'x6' PLANTING POCKET
20' WIDE I.E.E., E.V.A.E., P.U.E., S.S.E., P.S.D.E. & P.S.S.E.
TW 366.5 P 365.5 1' WALL
TW 369.0 P 366.5 2.5' WALL
EXISTING INCISED ROCK-BOTTOMED DRAINAGE SWALE APPROX. 6' WIDE AT TOP WITH LIMITED SOIL AND VEGETATION (QUESTIONABLE FOR RIPARIAN HABITAT)
EX. 10' DRIVEWAY EASEMENT
PROPOSED OPEN SPACE (VISUAL) EASEMENT
TO 400 SURMONT DR
C/L EXISTING 10'± SERVICE ROAD (UNPAVED) INGRESS/EGRESS EASEMENT TO PARCEL 3 FOR MAINTENANCE
20' WIDE SLOPE STABILITY PROTECTION AREA FOR EX. WATERCOURSE
PARCEL 2
57,840 SF
(1.328 AC)
RESERVED INGRESS-EGRESS EASEMENT (1325 OR 191)
25' NON-EXCLUSIVE RIGHT OF WAY (248 OR 282)
30' FRONT SETBACK
PARCEL 3 - REMAINDER
530,098 SF
(12.169 AC)
S89°44'26"W 531.37'
N89°44'26"E
SET GINNIE PL
FD 3/4 IP TAG ILL
SET HUB W/DIMPLE
SET 3/4" IP LS 7735
531.37'
485.84'
477.72'
N00°00'15"E 1328.87'
20' SIDE SETBACK
25' REAR SETBACK
120.00'
6' WIDE A.C. DITCH
20' x 175' WEED ABATEMENT EASEMENT
APN 527-26-009 BELGATOS LN
STANDARD FIRE DEPARTMENT TURNAROUND B
LRDA
SLOPE OVER LINE
30%
5%
2:39.15
2:1 CUT
24" OAK (LEANING UPHILL)
12" OAK
10" OAK
8" OAK
6" OAK
2" OAK
TREE



ACCESS ROAD TYPICAL SECTION (LOOKING NORTH)

1" = 5'

IMPERVIOUS COVERAGE			
	PARCEL 1 (SF)	PARCEL 2 (SF)	TOTAL (SF)
ACCESS ROAD	7,950	900	8,850
DRIVEWAY	600	1,520	2,120
DRIVEWAY (IN LOT 1)		900	900
TURNAROUND	1,350		1,350
F.D. TURNAROUND		2,150	2,150
HOUSE AND GARAGE	5600	5,100	10,700
IMPERVIOUS TOTAL	15,500	9,670	25,170
DISTURBED AREA	19,750	12,020	31,770

TOTAL DISTURBED AREA: 31,770 SF < 1 ACRE

TS CIVIL ENGINEERING

September 29, 2021
Job No 16-233

Robert L. Campbell, PE ; Sr. Fire Protection Engineer
Santa Clara County Fire Department
14700 Winchester Blvd
Los Gatos, CA 95035

Subject: Justification For 20% Sloped Driveways
Architecture & Site Application for Grading S-21-004
400 Surmont Drive, Los Gatos

Dear Mr. Campbell,

Pursuant to the Staff technical review comments and the Architecture & Site Approval Application (S-21-004) we are submitting the following additional justification for the access road and individual lot driveways for slopes over 15% and design at a maximum of 20%

A. The Town Hillside Specific Plan (HSP) is the paramount authority as it is both legislative zoning and general plan document adopted by the Town Council and the Santa Clara County Board of Supervisors.

The HSP provides for 20% sloped driveways to minimize grading and the proliferation of roadways through shared use driveways. The specific terrain of this site development area is under 25% slope, which is an unofficial threshold adopted by the Town in 2014 per the Hillside Similar Bulk Design Guidelines(HSBDG). (Note that the Town has never properly ratified these 20/4 modifications with the partner agency- Santa Clara County, as such the authority here is dubious). Regardless, the use of 15% driveways versus 20% would have the following site impacts.

- The current 430 combined driveway length for 20% would increase to 573 at 15% resulting in an additional impervious area of 1716 SF (plus 30%) and increased earthwork volume to 320 CY of grading (plus 30%)

B. The County Fire Department Specification for the Driveway Requirements, Section III (attached) allow for driveways up to 20% provided they are no ... longer than 300'.

We have taken our previous "Fire service vs mix on-site parking" exhibit and highlighted it in green and numbered each route to restate the previous justification. Furthermore,

17A TECHNOLOGY DRIVE, SAN JOSE, CA 95110
408-452-9300 MAIN 408-837-7550 FACSIMILE
WWW.TSCIVIL.COM

Rob Campbell
Job No 16-233
Page 2 of 2
September 29, 2021

from a logistics and operational overview, we are providing two large conforming fire department turnarounds with a new public fire hydrant within 320' of all combustible building construction.

The 20% driveways will be score marked for traction and the alignments utilize larger than minimum inside turn radii of 40' minimum. The three driveways at 20% are 165', 65' & 200' respectively which are easily less than 300' and represent moderate climbs of 33', 13' &40' in elevation, respectively. The point is that on this low fuel (grasses and fruit tree) hillside of moderate slope (29%), we are not creating a dangerously remote and elevated fire risk for these structures, adjacent residences, or firefighters. The Parcel 2 fire department turnaround provides an excellent staging location for both residences.

Finally, both residences will be equipped with full fire sprinklers inside the residences which exceed the current standards of which every other existing residence within the immediate neighborhood.

Should you require additional information please contact me by email te-cvl@tscivil.com or cell phone at (650) 816-5696.

TS/CIVIL ENGINEERING, INC.
Terence J. Szewczyk, P.E. C35527
Principal Engineer

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DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER
TERENCE J. SZEWCZYK
NO. 35527
EXP. 9-30-23
STATE OF CALIFORNIA
8-3-22

TERENCE J. SZEWCZYK, P.E. LIC. NO. 35527
EXPIRATION DATE: 09/30/23

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1" = 20'

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

TS CIVIL ENGINEERING

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 1
GRADING AND SITE
IMPROVEMENT

LOT LAYOUT PLAN AND ACCESS ROAD PLAN AND PROFILE
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

BY	REVISIONS	DATE
1		
2		
3		
4		
5		
6		

DATE: 8-3-22
SCALE: 1"=20'
DRAWN BY: DKH
SURVEYED BY:
PROJ ENGR: TJS
CHECK BY: TJS
SHEET NO.
C-2
OF 8 SHEETS
JOB NO.
16-233

08/05/2022 9:07pm - N:\2016 JOBS\16-233\DWG\16-233_P1 C2 ACCESS ROAD.DWG - C2

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SURMONT DR

EX. 54' PUBLIC R/W

EX. CB RIM 343.75 INV 340.85

16"-12" RCP @S=2.0%

EX. 6" SS TO REMAIN

EX. 30' EASEMENT FOR ROAD PURPOSES & PUBLIC UTILITIES RESERVED BY ANDERSON

EX. EASEMENT FOR ROAD PURPOSES & PUBLIC UTILITIES RESERVED BY ANDERSON

SAVE AND PROTECT EXISTING JUNIPER BUSHES WITHIN PUBLIC STREET RIGHT OF WAY

NEW RISER

GUY WIRE

DI RIM 346.0 INV 342.0

INSTALL SS VERT RISER RIM 346.0 INV 341.0± EXPOSE AND VERIFY

REMOVE SECTION OF EX. SS LINE

SSCO RIM 351.0 INV 346.0

0.5%

4' 5' 12' PAVED 5' 4'

5.6'

55'

50'

6" PVC SS

SSCO RIM 354.0 INV 349.0

39' – 4" SS @S=17.9%

DI RIM 359.5 INV 356.5

10'x20' STORMWATER GRAVEL BASIN

13'-12" PVC @S=19.2%

DI RIM 363.5 INV 359.0

4" PVC SS @ 2% MIN. (TYP.)

SSCO RIM 366.0 INV 361.0

SSCO RIM 368.0 INV 363.0

SSCO RIM 370.0 INV 365.0

SSCO

UTIL XING SD INV 369.67 SS INV 368.34

23'-6" PVC @ 39.1%

RIM 371.0 INV 367.0

6'x15' STORMWATER GRAVEL BASIN

SSCO RIM 375.0 INV 370.0

4" PVC SS

2" WATER

12' PAVED

DI RIM 379.5 INV 376.0

NOTE: NOT A FIRE DEPARTMENT TURNAROUND

29'-6" PVC @ S=2.0%

46.62'

NEW SPLICE BOX

24' EASEMENT

I.E.E, E.V.A.E, P.U.E, S.S.E, P.S.D.E, & P.S.S.E.

PARCEL 1

60,752 SF

(1.395 AC)

RIM 367.5 INV 363.0

20' WIDE I.E.E, E.V.A.E, P.U.E, S.S.E, P.S.D.E, & P.S.S.E.

RIM 354 INV 348.0± EXPOSE AND VERIFY

8" WATER

2" WATER

BLOW OFF

60

30' FRONT SETBACK

NEW WATER METER

NEW FH

54' – 4" PVC SS @S=7.5%

RIM 359.0 INV 354.0

RIM 364.0 INV 359.0

DI RIM 380.6 INV 376.6

28'-6" PVC S=17.5%

DI RIM 384.5 INV 381.5

DI RIM 378.4 INV 376.3

80'-6" PVC @ S=1.0%

CONCRETE J-DITCH

12" PAVED

4" PVC SS

2" WATER

PROPOSED OPEN SPACE (VISUAL) EASEMENT

NEW SS @ 20% GRADIENT 5' DEEP TO INVERT

8' TAPER

PARCEL 2

57,840 SF

(1.328 AC)

8'x35' PASSENGER CAR TURNOUT

8' TAPER

EX. 4" SS TO RESIDENCE

#115 2" OAK

#116 2-12" OAK

20' WIDE SLOPE STABILITY PROTECTION AREA FOR EX. WATERCOURSE

STANDARD FIRE DEPARTMENT TURNAROUND B

75'

20'

NEW SPLICE BOX

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER TERENCE J. SZEWCZYK NO. 35527 EXP. 9-30-23 STATE OF CALIFORNIA

8-3-22

TERENCE J. SZEWCZYK, P.E. NO. 35527

EXPIRATION DATE: 09/30/23

GRAPHIC SCALE

10 0 5 10 20

(IN FEET)

1" = 10'

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 1
GRADING AND SITE
IMPROVEMENT

UTILITY PLAN

400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

6		
5		
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2		
1	REVISIONS	DATE
BY		

DATE:	8-3-22
SCALE:	1"=10'
DRAWN BY:	DKH
SURVEYED BY:	
PROJ ENGR:	TJS
CHECK BY:	TJS

SHEET NO.

C-3

OF 8 SHEETS

JOB NO.

16-233

08/05/2022 9:07pm – N:\2016 JOBS\16-233\DWG\16-233_P1 C3 UTILITY PLAN.DWG – C3

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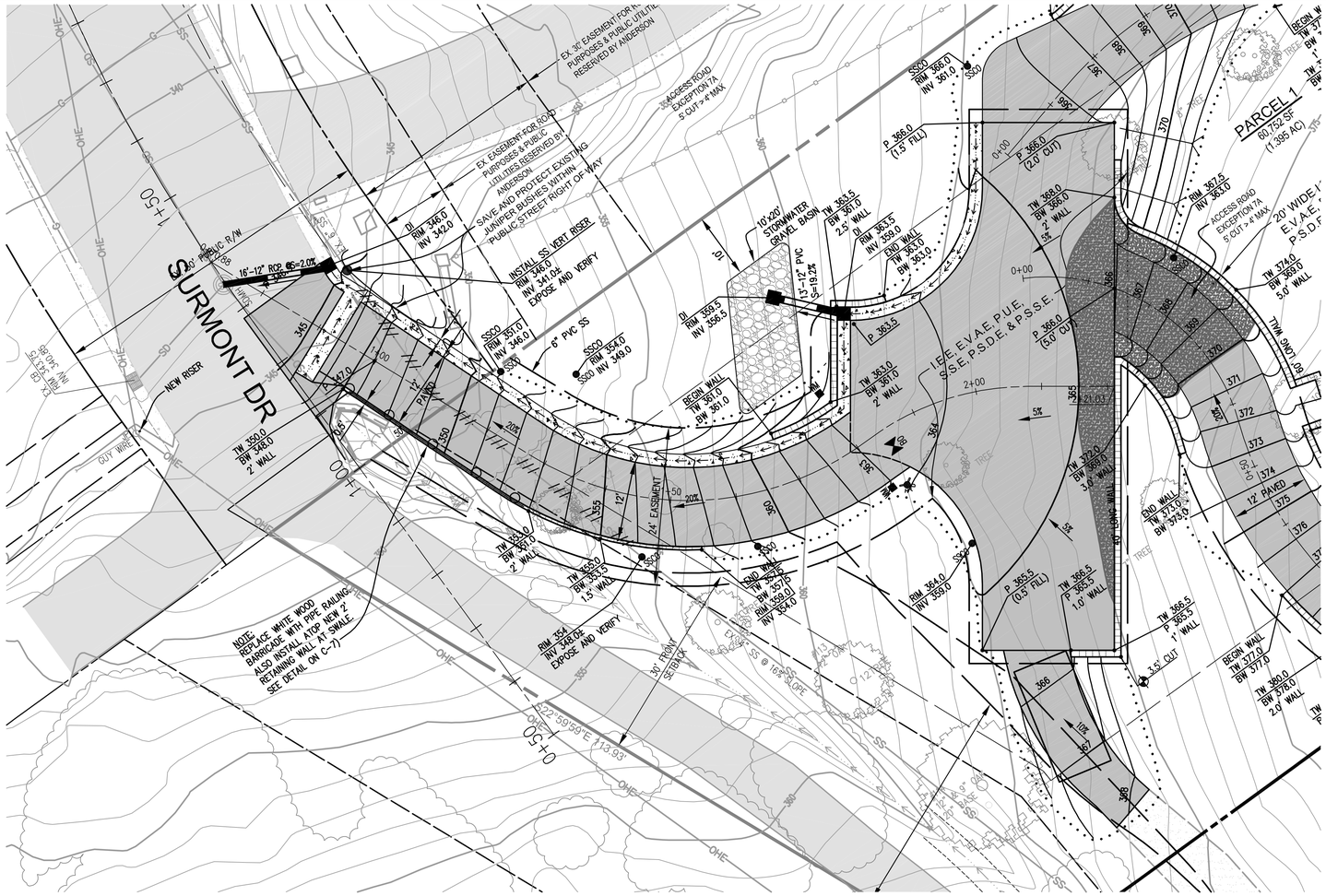
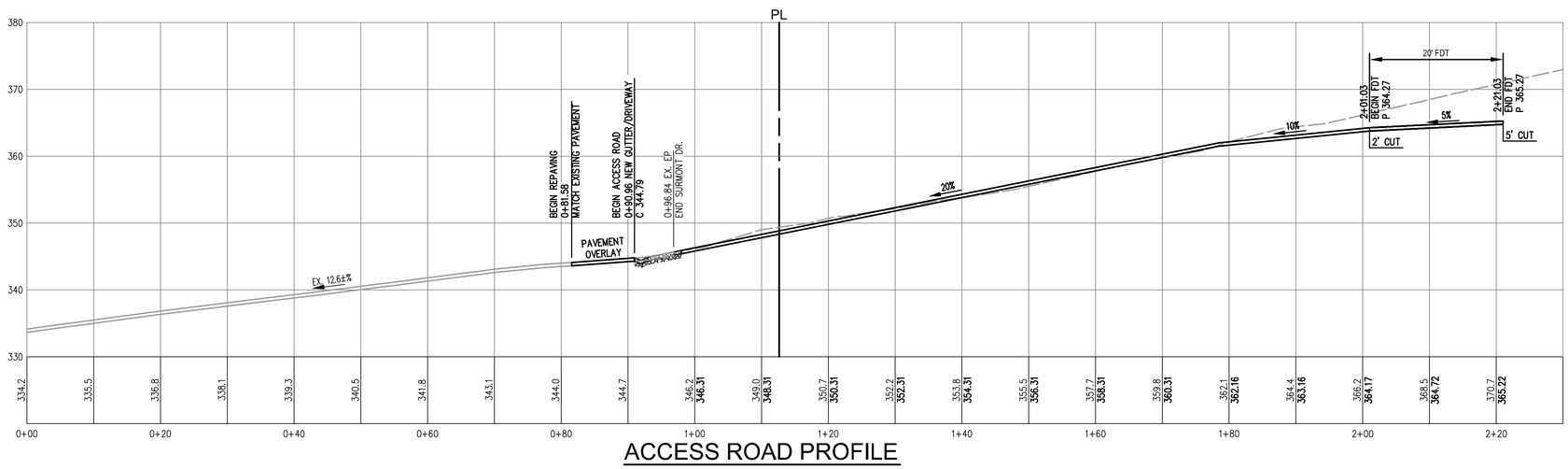


ACCESS ROAD PLAN

1"=10'



ACCESS ROAD PROFILE

1"=10'

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER
TERENCE J. SZEWCZYK
NO. 35527
EXP. 9-30-23
STATE OF CALIFORNIA

8-3-22

TERENCE J. SZEWCZYK, P.E. 35527
EXPIRATION DATE: 09/30/23

GRAPHIC SCALE
10 0 5 10 20
(IN FEET)
1" = 10'

ACCESS ROAD
PLAN AND PROFILE
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

6			
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BY	REVISIONS	DATE	

DATE: 8-3-22
SCALE: AS NOTED
DRAWN BY: DKH
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PROJ ENGR: TJS
CHECK BY: TJS

SHEET NO.
C-5
OF 8 SHEETS

JOB NO.
16-233

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 1
GRADING AND SITE
IMPROVEMENT

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

CIVIL ENGINEERING

08/05/2022 9:07pm – N:\2016 JOBS\16-233\DWG\16-233_P1 C5 ACCESS ROAD PLAN AND PROFILE.DWG – C3

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TREE REMOVAL TABLE

PARCEL 1

#130	9" STONE PINE AT HAMMERHEAD
#131	3-7" TOYON AT HAMMERHEAD
#111	6" & 9" LIVE OAK AT ACCESS ROAD NEAR SURMONT

PARCEL 2

# 129	9" & 11" LIVE OAK UPHILL FROM DRIVEWAY

NOTES:

1. THERE ARE MERELY 4 PROTECTED REMOVALS
2. ALL OTHER TREES ARE UNPROTECTED FRUIT TREES, GENERALLY IN POOR HEALTH

EROSION CONTROL LEGEND

- GRAVEL CONSTRUCTION ENTRANCE
- CONCRETE TRUCK WASH-OUT BASIN
- STRAW BALES
- CONSTRUCTION FENCE
- TREE PROTECTION FENCE
- EXISTING TREE TO BE REMOVED INCLUDING ASSOCIATED ROOT BALL.
- CHAIN LINK FENCE WITH SILT FENCE (CL/SF)
- SILT FENCE
- STRAW WATTLES
- INLET PROTECTION
- PORT-O-POTTY
- LIMIT OF WORK

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER TERENCE J. SZEWCZYK NO. 35527 EXP. 9-30-23 STATE OF CALIFORNIA

8-3-22

TERENCE J. SZEWCZYK, P.E. NO. 35527
EXPIRATION DATE: 09/30/23

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1" = 20'

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SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

CIVIL ENGINEERING

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 1
GRADING AND SITE IMPROVEMENT

TREE PROTECTION AND EROSION CONTROL PLAN
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

NO.	BY	REVISIONS	DATE
1			
2			
3			
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DATE: 8-3-22
SCALE: 1"=20'
DRAWN BY: DKH
SURVEYED BY:
PROJ ENGR: TJS
CHECK BY: TJS

SHEET NO.
C-6
OF 8 SHEETS

JOB NO.
16-233

08/05/2022 9:08pm - N:\2016 JOBS\16-233\DWG\16-233_P1 C6 EROSION CONTROL PLAN.DWG - C6

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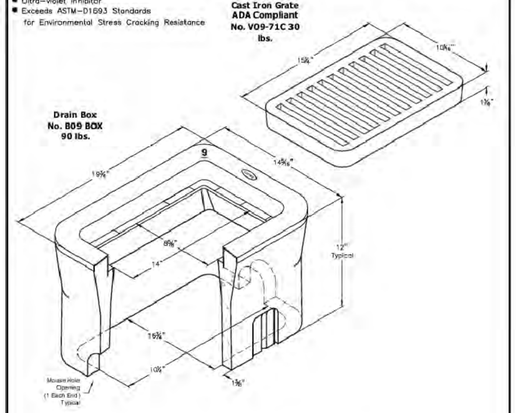
- Etched polypropylene face
- Face anchored in concrete
- Ultra-Violet Inhibitor
- Exceeds ASTM-D1693 Standards for Environmental Stress Cracking Resistance

Cast Iron Grate
ADA Compliant
No. V09-71C 30
lbs.

Drain Box
No. B09 BOX
90 lbs.

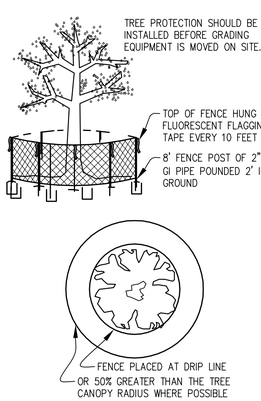


A curb type reinforced box for use in light drainage installations. Approximate dimensions and weight shown.

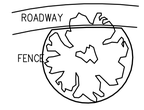
Oldcastle Ordering Code	Item	Approx. Shipping Weight	Description
B09BOX	BOX	90 lbs.	B09 Drain Box (10⅜" x 16⅝") – 28 per pallet
V09-71C	LID	30 lbs.	Cast Iron Grate - ADA Compliant
B09X12	EXTENSION	87 lbs.	12" Reinforced Concrete Box Extension – 28 per pallet
B09SL	SLAB	32 lbs.	Reinforced Concrete Slab (1 3/4" x 19 3/4")

Oldcastle Enclosure Solutions
Phone: (800) 735-3566 Fax: (800) 486 6806
Copyright© 2017 Oldcastle, Inc.

V09 BOX	V09 DRAIN BOX 10-1/4" x 16-3/4"
FILE NAME: V09_150	CHRISTY
ISSUE DATE: January, 2011	
OldcastleEnclosures.com	

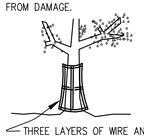


WHERE CONSTRUCTION IS TO TAKE PLACE UNDER THE CANOPY, THE FENCE SHOULD BE CONSTRUCTED 2 TO 3 FEET FROM THE LIMIT OF WORK BUT IN FRONT OF THE TRUNK.



ONLY IF APPROVED BY CITY ARBORIST

IF DRIP LINE FENCING IS NOT PRACTICAL, SNOW FENCING SHOULD BE USED TO PROTECT TRUNKS FROM DAMAGE.



TREE PROTECTIVE NOTES:

1.) TREE PROTECTIVE FENCING SHALL BE INSTALLED AS SHOWN ON THE PLAN AND ESTABLISHED PRIOR TO THE ARRIVAL OF CONSTRUCTION EQUIPMENT OR MATERIALS ON SITE. IT SHALL BE COMPRISED OF SIX-FOOT HIGH CHAIN LINK FENCING MOUNTED ON EIGHT-FOOT TALL, TWO-INCH DIAMETER GALVANIZED POSTS, DRIVEN 24 INCHES INTO THE GROUND AND SPACED NO MORE THAN 10 FEET APART. ONCE ESTABLISHED, THE FENCING MUST REMAIN UNDISTURBED AND BE MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS UNTIL FINAL INSPECTION

2.) UNLESS OTHERWISE APPROVED, ALL CONSTRUCTION ACTIVITES MUST BE CONDUCTED OUTSIDE THE DESIGNATED FENCED AREA (EVEN AFTER FENCING IS REMOVED). THESE ACTIVITIES INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, THE FOLLOWING: DEMOLTION, GRADING, TRENCHING, EQUIPMENT CLEANING, STOCKPILING, AND DUMPING MATERIALS (INCLUDING SOIL FILL), AND EQUIPMENT/VEHICLE OPERATION AND PARKING.

3.) ANY APPROVED GRADING OR TRENCHING BENEATH THE TREES' CANOPIES SHALL BE MANUALLY PERFORMED USING SHOVELS.

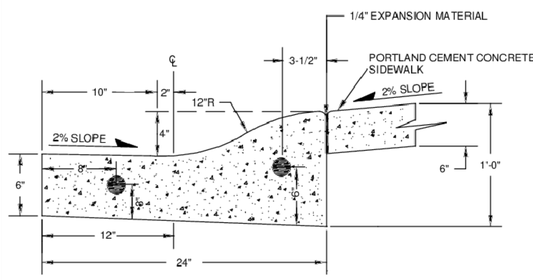
4.) ANY PRUNING OF TREES ON SITE MUST BE PERFORMED UNDER THE SUPERVISION OF AN ISA CERTIFIED ARBORIST AND ACCORDING TO ISA STANDARDS.

5.) THE DISPOSAL OF HARMFUL PRODUCTS (SUCH AS CHEMICALS, OIL AND GASOLINE) IS PROHIBITED BENEATH TREE CANOPIES OR ANYWHERE ON SITE THAT ALLOWS DRAINAGE BENEATH TREE CANOPIES. ADDITIONALLY, FUEL SHALL NOT BE STORED NOR SHALL ANY REFUELING OR MAINTENANCE OF EQUIPMENT OCCUR WITHIN 20 FEET OF THE TREES' TRUNKS.

6.) HERBICIDES SHALL NOT BE APPLIED BENEATH THE TREE CANOPIES. WHERE USED ON SITE, THEY MUST BE LABELED FOR SAFE USE NEAR TREES.

TREE PROTECTION DETAIL

NOT TO SCALE



NOTES:

1. CONTRACTION JOINTS OF ONE OF THESE TYPES SHOWN ABOVE TO BE PLACED 10' C/C. COMPLETELY SEVER THE STRUCTURE TO THE POINTS SHOWN. JOINTS MAY BE MADE BY INSERTING MIN. 3/16" BITUMINOUS FILLER DUMMY JOINTS. JOINTS SHALL BE CLEANED AND EDGED.
2. FINISHED WORK SHALL NOT VARY MORE THAN 1/8" IN GRADE AND 1/4" IN ALIGNMENT.
3. EXPOSED SURFACES SHALL BE LIGHT BROOM FINISH.
4. SIDEWALKS BEHIND ROLLED CURBS SHALL BE A MINIMUM OF 6" THICK.
5. CONCRETE SHALL INCLUDE ONE (1) POUND OF LAMP BLACK PER CUBIC YARD OF CONCRETE.
6. #4 REBAR SHALL BE EXTENDED ALONG LENGTH OF GUTTER.

NOT TO SCALE

APPROVED BY	DATE		CONCRETE ROLLED CURB	STD. PLAN NO.
Project #16.813.0021 TOWN ENGINEER	NOVEMBER 2010	TOWN OF LOS GATOS	Project Specific Detail 11	ST-215

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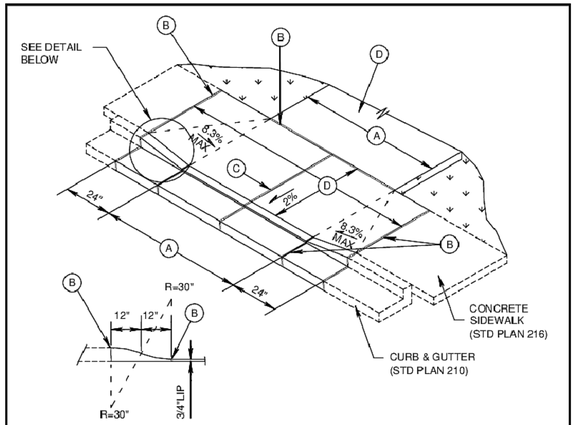

CURB TRANSITION DETAIL

(A) EQUALS WIDTH OF DRIVEWAY AT PROPERTY LINE. MINIMUM WIDTH = 14'.

(B) 1/2" WIDE FULL DEPTH EXPANSION JOINT.

(C) FULL DEPTH EXPANSION JOINT IF (A) IS 15' OR GREATER.

(D) DRIVEWAY TO BE SURFACED WITH ASPHALT OR CONCRETE.

(E) DRIVEWAY CONCRETE SHALL BE A MIN. OF 6" THICK FOR RESIDENTIAL AND 8" THICK FOR COMMERCIAL AND IS TO BE PLACED ON A MINIMUM OF 6" CLASS II AGGREGATE BASE 95% MAXIMUM COMPACTION ASTM D1557, OVER COMPACTED SUBGRADE.

(F) ALL CONCRETE SHALL BE CLASS A, PER CALTRANS SPECS, WITH 1 LB. (MIN.) LAMP BLACK PER CUBIC YARD.

(G) ALL WORK SHALL COMFORM TO CURRENT ADA REQUIREMENTS.

NOT TO SCALE

APPROVED BY	DATE		CONCRETE DRIVEWAY WITHOUT PLANTER	STD. PLAN NO.
Project #16.813.0021 TOWN ENGINEER	NOVEMBER 2010	TOWN OF LOS GATOS	Project Specific Detail 23	ST-219

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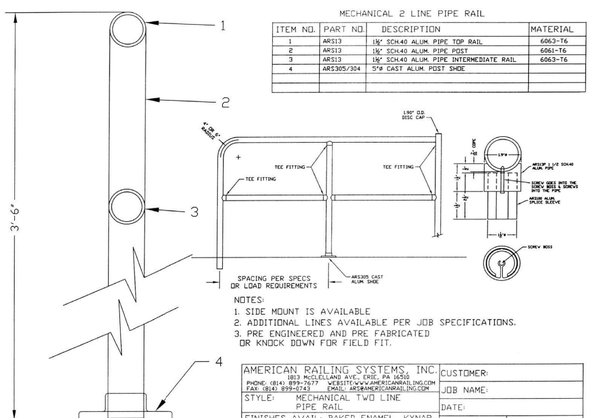
"J" DITCH DETAIL

NOT TO SCALE

BIORETENTION SWALE DETAIL

NOT TO SCALE



PLAN

SECTION A - A

GRAVEL BASIN DETAIL

NOT TO SCALE

STRAW WATTELS MUST BE PLACED ALONG SLOPE CONTOURS

STRAW WATTLE DETAIL

NOT TO SCALE

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER — TERENCE J. SZEWCZYK — NO. 35527, EXP. 9-30-23 — STATE OF CALIFORNIA

8-3-22

TERENCE J. SZEWCZYK, P.E. NO. 35527
EXPIRATION DATE: 09/30/23

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550
TS/CIVIL ENGINEERING

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 1
GRADING AND SITE IMPROVEMENT

EROSION CONTROL AND CONSTRUCTION DETAILS
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

BY	REVISIONS	DATE
6		
5		
4		
3		
2		
1		

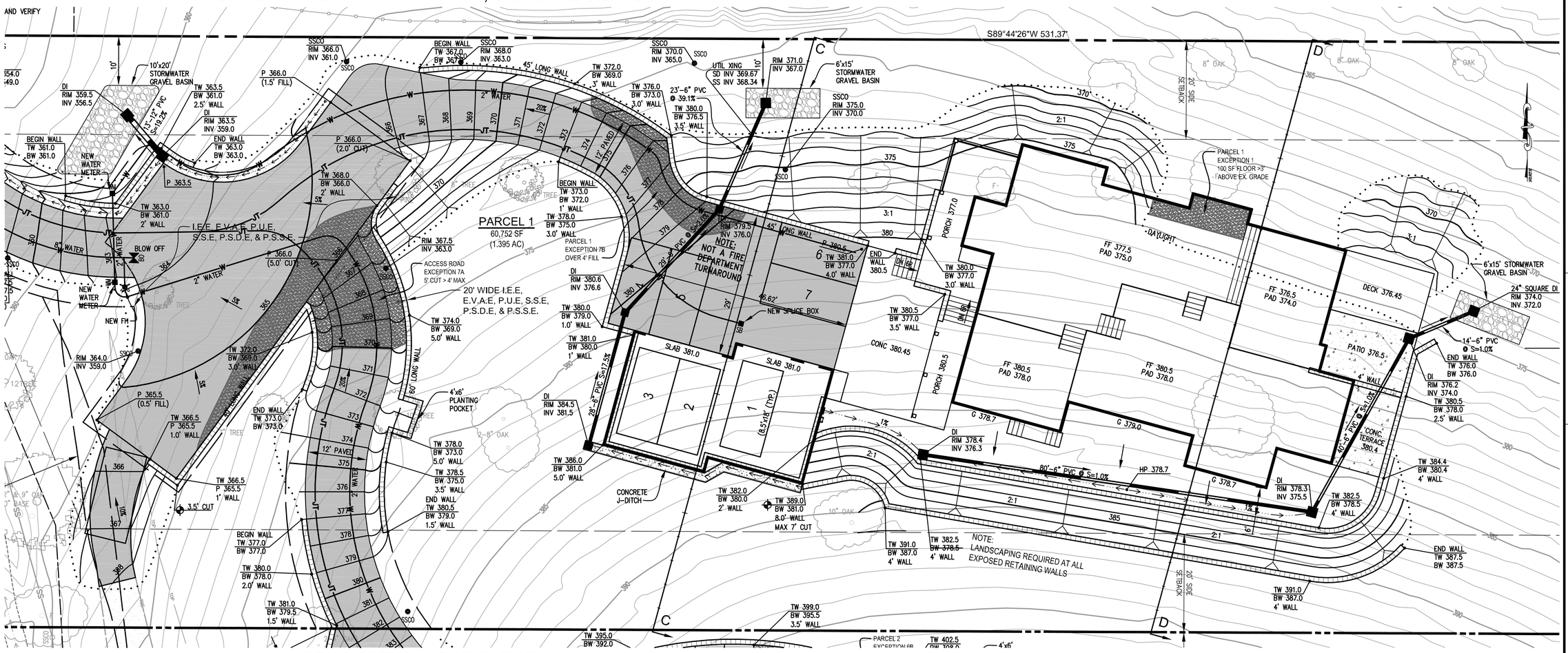
DATE: 8-3-22
SCALE: AS NOTED
DRAWN BY: DKH
SURVEYED BY:
PROJ ENGR: TJS
CHECK BY: TJS

SHEET NO.
C-7
OF 8 SHEETS

JOB NO.
16-233

08/05/2022 9:08pm - N:\2016 JOBS\16-233\DWG\16-233_P1 C7 EROSION CONTROL DETAILS.DWG - C7

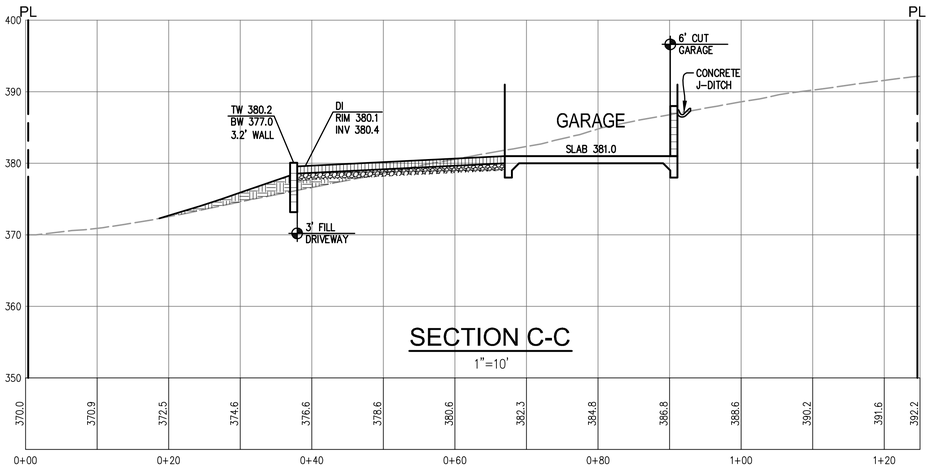
DISCLAIMER: TS CIVIL ENGINEERING, INC. ONLY ACKNOWLEDGES ORIGINAL SIGNED AND STAMPED PLANS AND DRAWINGS. NO RESPONSIBILITY OR LIABILITY IS EXPRESSED OR IMPLIED FOR ELECTRONIC DATA AND/OR REPRODUCED PLANS AND DRAWINGS.

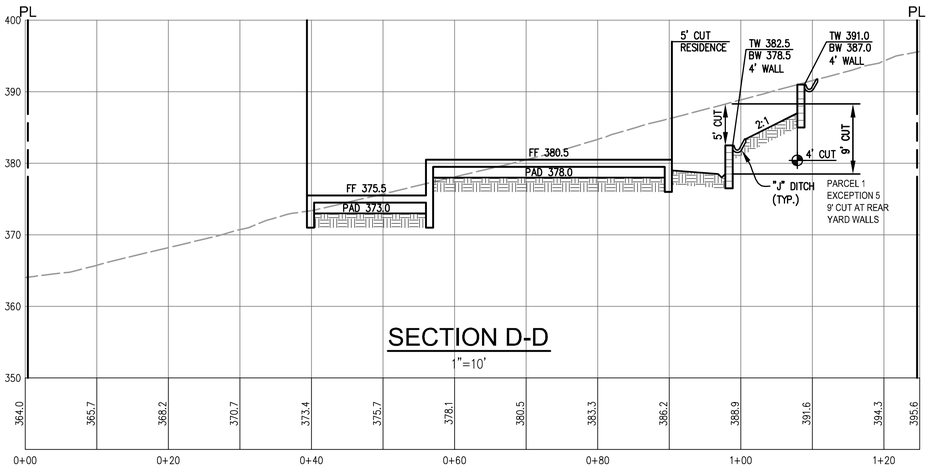


SEE SHEET C-9 FOR PARCEL 2

NOTE:

WALKWAYS AND PATIOS ARE REQUIRED TO BE CONSTRUCTED OF PERVIOUS MATERIALS





EARTHWORK SUMMARY				
	CUT (CY)	MAX DEPTH	FILL (CY)	MAX DEPTH
ACCESS ROAD	74	5'	40	2'
DRIVEWAY	80	4'	218	4'
RESIDENCE	589	8'	100	4'
GARAGE	192	7'	0	0
REAR YARD	320	6'	0	0
TOTAL	1,255		358	

897 CY TO BE HAULED OFF SITE

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER
TERENCE J. SZEWCZYK
NO. 35527
EXP. 9-30-23
STATE OF CALIFORNIA
8-3-22

TERENCE J. SZEWCZYK, R.C.E. 35527
EXPIRATION DATE: 09/30/23

GRAPHIC SCALE
10 0 5 10 20
(IN FEET)
1" = 10'

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 1
GRADING AND SITE IMPROVEMENT

PARCEL 1 SITE PLAN
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

NO.	REVISIONS	DATE	BY
6			
5			
4			
3			
2			
1			

DATE: 8-3-22
SCALE: 1"=10'
DRAWN BY: DKH
SURVEYED BY:
PROJ ENGR: TJS
CHECK BY: TJS
SHEET NO.
C-8
OF 8 SHEETS
JOB NO.
16-233

08/05/2022 9:08pm – N:\2016 JOBS\16-233\DWG\16-233_P1 C8 PARCEL 1 SITE PLAN.DWG – C8

SCC FIRE DEPARTMENT NOTES

1. Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.

2. Fire Sprinklers Required: An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: 1) In all new one- and two-family dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 SF whether by increasing the area of the primary residence or by creation of an attached Accessory Dwelling Unit. 2) In all new basements and in existing basements that are expanded by more than 50%. 3) In all attached ADUs, additions or alterations to an existing one- and two-family dwelling that have an existing fire sprinkler system. **Please indicate on the cover sheet that an automatic fire sprinkler system shall be provided and installed per NFPA 13D.**

3. Fire Apparatus (Engine) Access Driveways Required: Provide an access driveway with a paved all weather surface, a minimum unobstructed width of 12 feet, vertical clearance of 13 feet 6 inches, minimum outside turning radius of 36-feet and a maximum slope of 15%. Installations shall conform to the Fire Department Standard Details Specifications D-1 and CFC Section 503.

4. Fire Department (Engine) Driveway Turnaround Required: Provide an approved fire department engine driveway turnaround with a minimum radius of 36 feet outside and 23 feet inside. **Maximum grade in any direction shall be a maximum of 5%.** Installations shall conform with Fire Department Standard Details and Specifications D-1. CFC Sec. 503 Driving surface shall be capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34050 kg).

5. Fire Hydrant Systems Required: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, onsite fire hydrants and mains shall be provided where required by the fire code official. Exception: For Group R-3 and Group U occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement *shall be not more than 600 feet.* [CFC, Section 507.5.1].

6. Water Supply Requirements: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.

7. Address identification: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.

8. Construction Site Fire Safety: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.

WATER FLOW LETTER

SAN JOSE WATER
1265 S. Bascom Avenue
San Jose, CA 95128-3514

Writer's Direct Line: (408) 279-7821
Email: marty.henderson@sjwater.com

April 23, 2021

Northern California Fire Protection Services, Inc.
16480 Joleen Way, Building A
Morgan Hill, CA 95037

Attention: Rocci Cetani III, CET

Subject: 400 Surmont Dr., Los Gatos, CA

Dear Mr. Cetani:

On April 22, 2021, you requested fire protection water supply from a single outlet. Based on the information that was supplied by you, the table below provides the results of a water supply computer simulation at the location indicated. These results are valid for one year from the date of the simulation. Flow data is from the water distribution main, not from the meter connection. Elevations are interpolated from United States Geological Survey contours.

Flow Location:	**Surmont Dr., approx. 165' S/S Surmont Ct.**
Main Size:	**Proposed 8 in.**
Elevation:	**364 ft.**
Date of Computer Simulation:	**April 23, 2021**
Static Pressure:	**82 psi**
Residual Pressure:	**75 psi**
Simulation Discharge:	**750 gpm**

Determining the size of a Private Fire Protection Service or adequacy of a private fire protection system from the information provided herein is the responsibility of those qualified to do so. San Jose Water Company undertakes to supply only such water at such pressure as may be available any time through the normal operation of its system. Section 774 of the Public Utilities Code limits the liability of the utility resulting from a claim regarding the provision or maintenance of an adequate water supply, water pressure, equipment or other fire protection facility or service.

Sincerely,

Marty Henderson
Engineering Support Supervisor

For additional information
Backflow: 408-279-7872
Map requests: 408-918-7360
Static water pressure: 408-918-7361
Water meter sizing: 408-279-7839

MH:mh
400 Surmont Dr.doc
cc: Fire Flow File

PROJECT DATA

PROJECT ADDRESS:	**400 SURMONT DRIVE, PARCEL #2**
A.P.N. :	**527-20-003**
LOT AREA (FROM COUNTY RECORD)	57,840 SF (1.328 AC)
ZONING =	HR-2.5
FLOOD ZONE =	ZONE X
HISTORIC ZONE =	NO
OCCUPANCY =	R3/U (SINGLE FAMILY DWELLING / UTILITY)
WUI FIRE AREA =	YES
HAZARD ZONE =	COUNTY FAULT RUPTURE HAZARD ZONE
CONSTRUCTION TYPE=	V-B
REQUIRED PARKING:	2 OFF STREET SPACES

SETBACKS	**ALLOWED**
FRONT:	30'
SIDE (INTERIOR):	20'
REAR:	25'

BUILDING HEIGHT	**ALLOWED**	**PROPOSED**
HOUSE:	25'-0" (MAX.)	± 25'-0"

FLOOR AREA RATIO (FAR) CALCULATION

Gross Lot Size: 57,840 SF
Ave. Slope: 27.3%
Net Lot Size: 57,840 SF x (1-30% + 3% x 7) OR 57,840 x 49% = 28,342 SF

Reduction of net site area on sloping lots
Average lot slope: 20.01 - 30%

Percentage of net lot area to be deducted (30% = 3% for each 1% of slope over 20%)
As Los Gatos IV Devlopment Intensity Table 2, FAR = 19%
Allowable Floor Area = 28,342 x 19% = 5,500 SF

FLOOR AREA RATIO	**ALLOWED**	**PROPOSED**
HABITABLE HOUSE	5,500 SF	**3,450 SF**
ATTIC AREA OVER 7-FEET		**713 SF**
GARAGE:		671 SF
TOTAL	5,500 SF	4,834 SF

INDEX

Architectural Plans
A1.1 Cover Sheet
A1.2 Tree Preservation Req'ts + GreenPoint Checklist
A1.3 Proposed Site Plan + Site Line Study
T-1 Tree Protection Requirements
A2.1 Proposed Floor Plan
A2.2 Proposed Roof Plan
A2.3 Proposed Garage Floor + Roof Plans
A3.1 Proposed Exterior Elevations
A3.2 Proposed Exterior Elevations
A3.3 Proposed Exterior Elevations (Garage)
A3.4 Proposed Exterior Elevations
A4.1 Building Sections
A4.2 Building Sections
A4.3 Building Sections

Landscape Plans
L1 Cover Sheet
L2 Frontage + Driveway Proposed Tree + Planting Parcel 1 + 2
L3 Parcel 1 Proposed Trees + Planting
L4 Parcel 2 Proposed Trees + Planting
L5 Tree Table

Civil Plans
C-0 Cover Sheet
C-1 Tentative Map (Previously Approved)
C-2 Access Road Plan + Profile
C-3 Utility Plan
C-4 (Not included in this Submission)
C-5 Access Road Plan + Profile
C-6 Erosion Control Plan
C-7 Erosion Control + Construction Details
C-8 Parcel 1 Site Plan
C-9 Parcel 2 Site Plan

CODES USED

The following codes are currently in effect:

2019 California Building Code
2019 California Residential Code
2019 California Electrical Code
2019 California Mechanical Code
2019 California Plumbing Code
2019 California Energy Code
2019 California Fire Code
2019 California Existing Building Code
2018 International Existing Building Code
2019 California Green Building Standards Code
Town of Los Gatos New Energy Reach Codes

PROJECT INFO.

Owner:
Sandra K. Anderson, Trustee
400 Surmont Drive
Los Gatos, CA 95032
C/O Bob Hughes (408) 559-8850

Designer:
Studio 3 Design
Contact: Bess Wiersema
bess@studio-three.com
638 University Avenue
Los Gatos, California 95032
ph: (408) 292-3252
fax: (253) 399-1125

Civil Engineer:
TS/Civil Engineering
Contact: Terrance J. Szewczyk
terry@tscivil.com
1776 Technology Drive
San Jose, California 95110
ph: (408) 452-9300 EXT 220

Contractor:
The Building Works
Contact: Robert O. Hughes
bldngworks@aol.com
2730 Union Avenue; Suite B
San Jose, California 95124
ph: (408) 559-8850
fax: (408) 559-3075

Landscape Architect:
Alyson Flynn
Landscape Architect & Associates
Contact: Alyson Flynn
50 San Tropez Drive
Hollister, California 95023
ph: (408) 274-4114

STUDIO ..... DESIGN

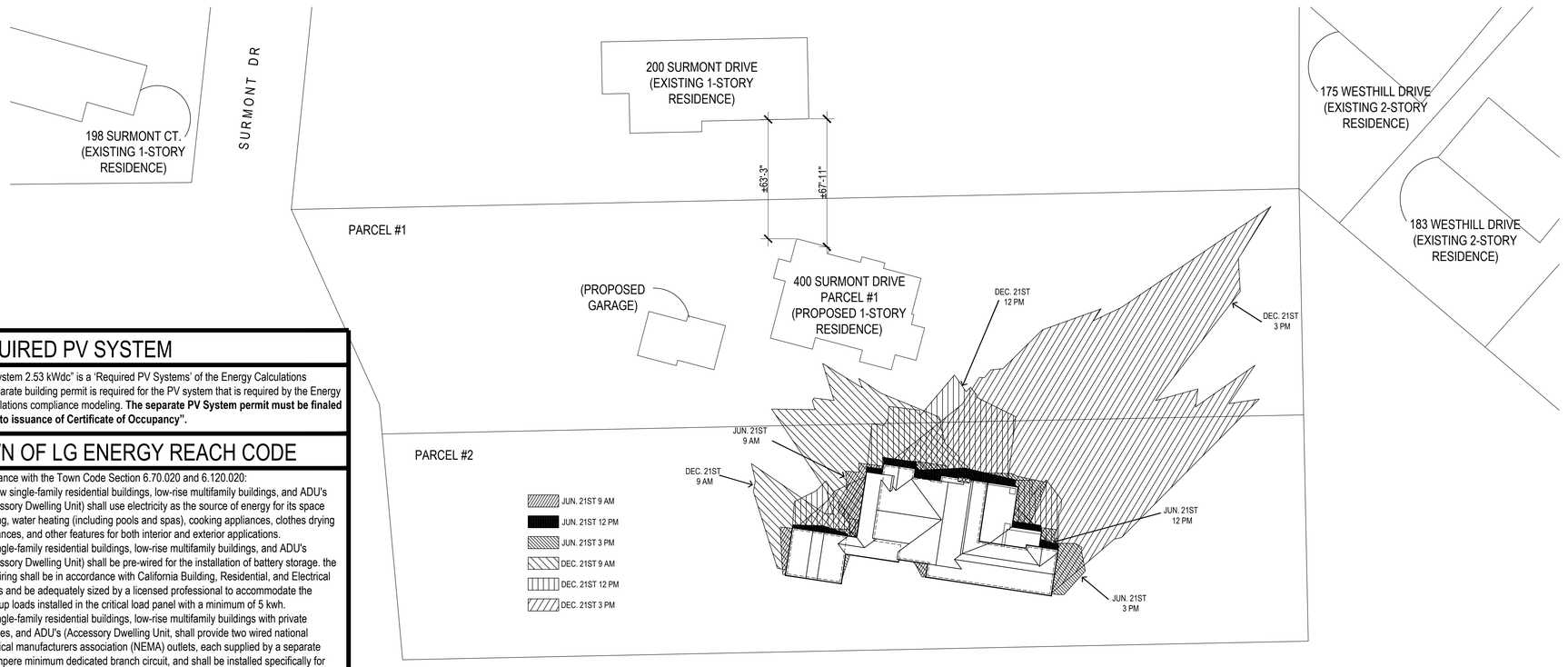
INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE
LOS GATOS
CALIFORNIA
95032

T 408.292.3252
F 253.399.1125

400 SURMONT DRIVE
PARCEL #2
LOS GATOS
CALIFORNIA
95032

SHADOW STUDY



REQUIRED PV SYSTEM

1. PV System 2.53 kWdc" is a 'Required PV Systems' of the Energy Calculations
2. A separate building permit is required for the PV system that is required by the Energy Calculations compliance modeling. **The separate PV System permit must be finaled prior to issuance of Certificate of Occupancy".**

TOWN OF LG ENERGY REACH CODE

In accordance with the Town Code Section 6.70.020 and 6.120.020:

1. All new single-family residential buildings, low-rise multifamily buildings, and ADU's (Accessory Dwelling Unit) shall use electricity as the source of energy for its space heating, water heating (including pools and spas), cooking appliances, clothes drying appliances, and other features for both interior and exterior applications.
2. All single-family residential buildings, low-rise multifamily buildings, and ADU's (Accessory Dwelling Unit) shall be pre-wired for the installation of battery storage. the pre-wiring shall be in accordance with California Building, Residential, and Electrical Codes and be adequately sized by a licensed professional to accommodate the back-up loads installed in the critical load panel with a minimum of 5 kwh.
3. All single-family residential buildings, low-rise multifamily buildings with private garages, and ADU's (Accessory Dwelling Unit, shall provide two wired national electrical manufacturers association (NEMA) outlets, each supplied by a separate 40-ampere minimum dedicated branch circuit, and shall be installed specifically for supplying electrical power to an electric vehicle charger. One outlet shall be installed inside the garage and the other outlet shall be installed outside the garage.

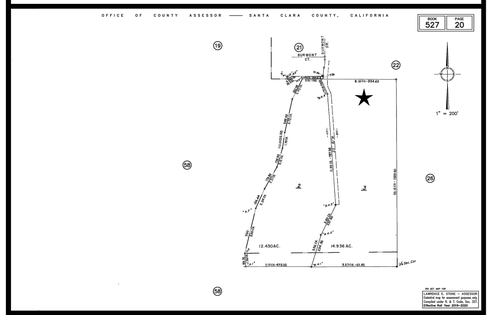
PROJECT DESCRIPTION

This project is a new, one-story, single-family residence with a attached garage.

DEFERRED SUBMITTAL(S)

- FIRE HYDRANT *(PC 19-2053)* - Hydrant installation shall occur prior to the commencement of combustible construction.
- AUTOMATIC FIRE SPRINKLER SYSTEM - PROVIDED + INSTALLED PER NFPA 13D

PARCEL MAP



VICINITY MAP

20 AUGUST 2019

17 JANUARY 2020
PLANNING SUBMITTAL

23 AUGUST 2021
PLANNING SUBMITTAL II

16 NOVEMBER 2021
PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

08 JULY 2022
PLANNING SUBMITTAL V

SCALE: N/A

COVER SHEET

A1.1
EXHIBIT 16

TREE PRESERVATION INSTRUCTIONS

The Los Gatos Town Code requires a tree removal permit in order to remove any tree designated as a Protected Tree under the Town Code. The Town Code also requires a permit to prune more than 25% of a Protected Tree within a 3-year period, or to remove or cut any branch or root greater than 4 inches in diameter of any Large Protected Tree or Heritage Tree (see definitions below). Property owners may be subject to significant fines and civil actions by the Town if removal or pruning requiring a permit is done without first obtaining a permit.

Protected Tree(s)

Protected Trees are defined in the Town Code as any of the following:

1. All trees which have a 12 inch or greater diameter on developed residential property.
2. All trees which have an 8 inch or greater diameter on developed Hillside residential property
3. All trees of the following species which have an 8 inch or greater diameter located on any developed residential property:
   - a- Blue Oak (*Quercus douglasii*)
   - b- Black Oak (*Quercus kellogii*)
   - c- California Buckeye (*Aesculus californica*)
   - d- Pacific Madrone (*Arbutus menziesii*)
4. All trees which have a 4 inch or greater diameter on vacant or non-residential property.
5. All trees which have a 4 inch or greater diameter when removal relates to any development review.
6. Any tree that was required to be planted or retained by the terms and conditions of a development approval, building permit, tree removal permit or code enforcement action.

Large Protected Tree(s) or a Heritage Tree (s)

A *Large Protected Tree* is any tree with a diameter of 48 inches or more. In addition, all Oak, California Buckeye, and Pacific Madrone with a diameter of 24 inches or more are considered Large Protected Trees.

A *Heritage Tree* is a tree specifically designated by action of the Town Council which possesses exceptional aesthetic, biological, cultural, or historic value to the community.

Diameter of a Tree(s)

Diameter is measured at a height of 4.5 feet above the average natural grade. For multi-trunked trees, diameter is the sum of all trunk diameters measured at 4.5 feet above the average natural grade.

A permit is not required for removal or major pruning of any of the following trees:

1. A fruit or nut tree less than 18 inches in diameter.
2. Any of the following trees that are less than 24 inches in diameter:
   - Black Acacia (Acacia *melanoxylon*)
   - Tulip Tree (Liriodendron *tulipifera*)
   - Tree of Heaven (Ailanthus *altissima*)
   - Blue Gum Eucalyptus (E. *globulus*)
   - Red Gum Eucalyptus (E. *camaldulensis*)
   - Other Eucalyptus (E. spp.)--**Hillsides only**
   - Palm (except Phoenix *canariensis*)
   - Privet (Ligustrum *lucidum)*

Dangerous Tree(s)

A tree may be removed or severely pruned without a permit when there is an imminent danger to life, property, utilities or essential transportation facilities. Property owners are still required to notify the Town prior to any removal or pruning and must receive approval from the Town before taking any emergency action. Contact the Parks and Public Works Department at (408) 399-5770 Monday through Friday between the hours of 7:00 a.m. to 4:00 p.m. or the Police Department at (408) 354-8600 after hours or on weekends to report a dangerous tree and request approval for removal or pruning without a permit. Within 72 hours following removal or pruning, photos and a description of the emergency action taken must be submitted to the Department of Parks and Public Works.

Requirements for a Removal or Pruning Permit *

The following items are required to apply for a tree removal or pruning permit:

1. A completed application signed by the property owner. Applications are available online at http://www.losgatosca.gov/DocumentCenter/View/14925 or at the Parks and Public Works Department, Monday through Friday between the hours of 8:00 a.m. and 1:00 p.m.
2. Photos and/or a site plan of the tree(s) proposed for removal or pruning (for pruning, proposed cuts should be indicated on photo).
3. A completed tree replacement worksheet (located on the reverse side of the application).
4. Inspect trees prior to removal or major pruning to confirm the absence of active bird nests, particularly during the spring/summer nesting season (February 1 through August 31).
5. If required by the Town Arborist following initial inspection, a certified or consulting arborist's written report.
6. If part of a development application, a copy of the associated tree report.
7. If structural damage to a building, major landscape feature or utilities is the basis for the request, a report from a licensed architect or engineer may be required describing what modifications to buildings, structures, improvements or utilities would be necessary to mitigate the damages caused by the tree.
8. For Large Protected Tree or Heritage Tree removal or pruning permits, notification will be sent to neighboring residents and property owners prior to issuance by the Parks and Public Works Department (more information on noticing is provided on page 4 of this FAQ).
9. Payment of a permit fees, as established by Town resolution. The current fee is $130 for one tree, plus $65 for each additional tree included in the same application.

**Pruning or root pruning must be supervised by an ISA-certified arborist or an ASCA-Registered Arborist. See Section 29.10.1010 of the Town Code for specifications to determine if a pruning permit is required.*

Tree Protection Zone

The tree protection zone (TPZ) means the area of a temporary fenced tree enclosure at or beyond the tree's dripline or as specified in a report prepared by a certified or consulting arborist. The TPZ is a restricted activity zone before and after construction where no soil disturbance is permitted unless approved and supervised by the certified or consulting arborist.

Tree Protection Fencing Requirements*

1. Six-foot high chain link fencing mounted on two-inch diameter galvanized iron posts shall be driven into the ground at least two-feet deep at no more than ten-foot spacing. When stipulated, for existing paving areas that will not be demolished, posts may be supported by concrete base.
2. Posted eight and one-half-inch by eleven-inch sign on each tree fence stating: "Warning - Tree Protection Zone - This fence shall not be removed and is subject to penalty according to Town Code 29.10.1025"
3. Labeled photographs of the installed fencing shall be emailed to the project planner prior to issuance of permits.
4. Tree protection fencing is required to remain in place throughout construction.

**Any protected tree on-site will require replacement according to its appraised value if it is damaged beyond repair as a result of construction.*

Sec. 29.10.0985. - Determination and conditions of permit.

The Director shall determine whether to grant a permit. The Director may consult with other Town departments or outside agencies at his/her discretion. When a development application for any zoning approval, or subdivision of land, including lot line adjustment, is under consideration by the Planning Commission, the determination on the tree removal permit shall be made concurrently by the Planning Commission with the related matter. The Director or the deciding body shall impose, except when removal is permitted if the tree is dead or a Tree Risk Rating of Extreme or High is present, as a condition on which a protected tree removal permit is granted that two (2) or more replacement trees of a species and a size designated by the Director or designee, shall be planted in the following order of preference:

(1) Two (2) or more replacement trees, of a species and size designated by the Director, shall be planted on the subject private property. Table 3-1, Tree Canopy-Replacement Standard shall be used as a basis for this requirement. The person requesting the permit shall pay the cost of purchasing and planting the replacement trees.

(2) If a tree or trees cannot be reasonably planted on the subject property, an in-lieu payment in an amount set forth by the Town Council by resolution shall be paid to the Town Tree Replacement Fund to:

a. Add or replace trees on public property in the vicinity of the subject property; or

b. Add or replace trees or landscaping on other Town property; or

c. Support the Town's urban forestry management program.

Canopy Size of Removed Tree [1]	Replacement Requirement [2, 4]	Single Family Residential Replacement Option [3, 4]
10 feet or less	Two 24-inch box trees	Two 15-gallon trees
More than 10 feet to 25 feet	Three 24-inch box trees	Three 15-gallon trees
More than 25 feet to 40 feet	Four 24-inch box trees; or Two 36-inch box trees	Four 15-gallon trees
More than 40 feet to 55 feet	Six 24-inch box trees; or Three 36-inch box trees	Not Available
Greater than 55 feet	Ten 24-inch box trees; or Five 36-inch box trees	Not Available

Notes

1 To measure an asymmetrical canopy of a tree, the widest measurement shall be used to determine canopy size.

2 Often, it is not possible to replace a single large, older tree with an equivalent tree(s). In this case, the tree may be replaced with a combination of both the Tree Canopy Replacement Standard and in-lieu payment in an amount set forth by Town Council resolution paid to the Town Tree Replacement Fund.

3 Single Family Residential Replacement Option is available for developed single family residential lots under n thousand (10,000) square feet that are not subject to the Town's Hillside Development Standards and Guidelines. All fifteen-gallon trees must be planted on-site. Any in-lieu fees for single family residential shall be based on twenty-four-inch box tree rates as adopted by Town Council.

4 Replacement Trees shall be approved by the Town Arborist and shall be of a species suited to the available planting location, proximity to structures, overhead clearances, soil type, compatibility with surrounding canopy and other relevant factors. Replacement with native species shall be strongly encouraged. Replacement requirements in the Hillsides shall comply with the Hillside Development Standards and Guidelines Appendix A and section 29.10.0987 Special Provisions--Hillsides.

Replacement with native species is strongly encouraged. Most fruit and nut trees, palm trees, or "nuisance" species (see section 29.10.0970(2) of the Town Code) are generally not considered suitable replacement trees. If a tree or trees cannot be reasonably replanted on the subject property, the Town Arborist may approve a full or partial in-lieu fee payment. Where the payment of in-lieu fees are approved, permits will not be issued until all in-lieu fees are paid in full. If approved by the Town Arborist, in-lieu fees are as follows: 24 inch box tree = $250, 36 inch box tree = $500

STUDIO THREE DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE
LOS GATOS
CALIFORNIA
95032

T 408.292.3252
F 253.399.1125

400 SURMONT DRIVE
PARCEL #2
LOS GATOS
CALIFORNIA
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20 AUGUST 2019

17 JANUARY 2020
PLANNING SUBMITTAL

23 AUGUST 2021
PLANNING SUBMITTAL II

16 NOVEMBER 2021
PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

SCALE: N/A

TREE PRESERVATION INSTRUCTIONS + GREENPOINT CHECKLIST

A1.2

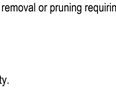
GREENPOINT CHECKLIST

Single Family GreenPoint Checklist

date: _____

Build It Green — Smart Solutions From The Ground Up

The GreenPoint Checklist is based on the various green features incorporated into the home and is the basis for the GreenPoint Rated program. A home can be considered green if it fulfills the prerequisites, earns at least 50 points, and meets the minimum points per category: Energy (35), Indoor Air Quality/ Health (5), Resources (6), and Water (9). Please contact Build It Green for a list of qualified GreenPoint Raters if you are interested in pursuing third-party verification.
The green building practices listed below are described in the New Home Construction Green Building Guidelines, available at www.builditgreen.org



400 Surmont Drive - Parcel 2

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
A. SITE			Points Available Per Measure				
☐	1. Protect Topsoil and Minimize Disruption of Existing Plants & Trees						
☐	a. Protect Topsoil from Erosion and Reuse after Construction	0	1				1
☐	b. Limit and Delineate Construction Footprint for Maximum Protection	0					1
☐	2. Deconstruct Instead of Demolishing Existing Buildings On Site	0				3	
☐	3. Recycle Job Site Construction Waste (Including Green Waste)						
☐	a. *Minimum 50% Waste Diversion by Weight (Recycling or Reuse) - Required*	0				R	
☐	b. Minimum 65% Diversion by Weight (Recycling or Reuse)	0				2	
☐	c. Minimum 80% Diversion by Weight (Recycling or Reuse)	0				2	
☐	4. Use Recycled Content Aggregate (Minimum 25%)						
☑	a. Walkway and Driveway	1				1	
☑	b. Roadway Base	1				1	
	Total Points Available in Site = 12	2					
B. FOUNDATION			Points Available Per Measure				
☐	1. Replace Portland Cement in Concrete with Recycled Flyash or Slag						
☐	a. Minimum 20% Flyash or Slag	0				1	
☐	b. Minimum 25% Flyash or Slag	0				1	
☐	2. Use Frost-Protected Shallow Foundation In Cold Areas (C.E.C. Climate Zone 16)	0				3	
☐	3. Use Radon Resistant Construction (In At-Risk Locations Only)	0			1		
☐	4. Design and Build Structural Pest Controls						
☐	a. Install Termite Shields & Separate All Exterior Wood-to-Concrete Connections by Metal or Plastic Fasteners/Dividers	0				1	
☐	b. All New Plants Have Trunk, Base, or Stem Located At Least 36 Inches from Foundation	0				1	
	Total Points Available in Foundation = 8	0					
C. LANDSCAPING			Points Available Per Measure				
☐	1. Construct Resource-Efficient Landscapes						
☐	a. No Invasive Species Listed by Cal-IPC Are Planted	1					1
☐	b. No Plant Species Will Require Hedging	0				1	
☐	c. 75% of Plants Are Drought-tolerant California Natives, Mediterranean, or Other Appropriate Species	0					3
☐	2. Use Fire-Safe Landscaping Techniques	0	1				
☐	3. Minimize Turf Areas in Landscape Installed by Builder						
☐	a. All Turf Will Have a Water Requirement Less than or Equal to Tall Fescue (ø3.8 plant factor)	0					2
☐	b. Turf Shall Not Be Installed on Slopes Exceeding 10% or in Areas Less than 8 Feet Wide	0					2
☐	c. Turf is ≤33% of Landscaped Area (total 2 points)	0					2
☐	d. Turf is ≤10% of Landscaped Area (total 4 points)	0					2
☑	4. Plant Shade Trees	3					3
☑	5. Group Plants by Water Needs (Hydrozoning)	2					2
☐	6. Install High-Efficiency Irrigation Systems						
☐	a. System Uses Only Low-Flow Drip, Bubblers, or Low-flow Sprinklers	0					2
☐	b. System Has Smart Controllers	0					3
☐	7. Incorporate Two Inches of Compost in the Top 6 to 12 Inches of Soil	0					3
☐	8. Mulch All Planting Beds to the Greater of 2 Inches or Local Water Ordinance Requirement	0					2
☐	9. Use 95% Salvaged or Recycled-Content Materials for 50% of Non-Plant Landscape Elements	0				1	
☑	10. Reduce Light Pollution by Shielding Fixtures and/or Directing Light Downward	1	1				
	Total Points Available in Landscaping = 31	7					
D. STRUCTURAL FRAME & BUILDING ENVELOPE			Points Available Per Measure				
☐	1. Apply Optimal Value Engineering						
☐	a. Place Rafters and Studs at 24-Inch On Center Framing	0				1	
☐	b. Size Door and Window Headers for Load	0				1	
☐	c. Use Only Jack and Cripple Studs Required for Load	0				1	
☐	2. Use Engineered Lumber						
☐	a. Beams and Headers	0				1	
☐	b. Insulated Engineered Headers	0		1			
☑	c. Wood I-Joists or Web Trusses for Floors	1				1	
☑	d. Wood I-Joists for Roof Rafters	1				1	
☐	e. Engineered or Finger-Jointed Studs for Vertical Applications	0				1	
☐	f. Oriented Strand Board for Subfloor	0				1	
☐	g. Oriented Strand Board for Wall and Roof Sheathing	0				1	
☐	3. Use FSC-Certified Wood						
☐	a. Dimensional Lumber, Studs and Timber: Minimum 40%	0				2	
☐	b. Dimensional Lumber, Studs and Timber: Minimum 70%	0				2	
☐	c. Panel Products: Minimum 40%	0				1	
☐	c. Panel Products: Minimum 70%	0				1	

400 Surmont Drive - Parcel 2

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
☐	4. Use Solid Wall Systems (Includes ISPs, ICFs, & Any Non-Stick Frame Assembly)						
☐	a. Floors	0		2		2	
☐	b. Walls	0		2		2	
☐	c. Roofs	0		2		2	
☐	5. Reduce Pollution Entering the Home from the Garage						
☐	a. Tightly Seal the Air Barrier between Garage and Living Area	0			1		
☐	b. Install Garage Exhaust Fan OR Build a Detached Garage	1			1		
☐	6. Design Energy Heels on Trusses (75% of Attic Insulation Height at Outside Edge of Exterior Wall)	0		1			
☐	7. Design Roof Trusses to Accommodate Ductwork	0		1			
☐	8. Use Recycled-Content Steel Studs for 90% of Interior Wall Framing	0				1	
☐	9. Thermal Mass Walls: 5/8-inch Drywall on All Interior Walls or Walls Weighing more than 40 lb/cu.ft.	0		1			
☐	10. Install Overhangs and Gutters						
☐	a. Minimum 16-Inch Overhangs and Gutters	0				1	
☐	b. Minimum 24-Inch Overhangs and Gutters	0		1			
	Total Points Available in Structural Building Frame and Envelope = 36	3					
E. EXTERIOR FINISH			Points Available Per Measure				
☐	1. Use Recycled-Content (No Virgin Plastic) or FSC-Certified Wood Decking	0				2	
☐	2. Install a Rain Screen Wall System	0				2	
☑	3. Use Durable and Noncombustible Siding Materials	1				1	
☑	4. Select Durable and Noncombustible Roofing Materials	2				2	
	Total Points Available in Exterior Finish = 7	3					
F. INSULATION			Points Available Per Measure				
☐	1. Install Insulation with 75% Recycled Content						
☐	a. Walls and/or Floors	0				1	
☐	b. Ceilings	0				1	
☐	2. Install Insulation that is Low-Emitting (Certified Section 01350)						
☐	a. Walls and/or Floors	0			1		
☐	b. Ceilings	0			1		
☐	3. Inspect Quality of Insulation Installation before Applying Drywall	0		1			
	Total Points Available in Insulation = 5	0					
G. PLUMBING			Points Available Per Measure				
☑	1. Distribute Domestic Hot Water Efficiently (Maximum 7 Points)						
☑	a. Insulate Hot Water Pipes from Water Heater to Kitchen	2		1			1
☑	b. Insulate All Hot Water Pipes	2		1			1
☐	c. Use Engineered Parallel Piping	0					1
☐	d. Use Engineered Parallel Piping with Demand Controlled Circulation Loop	0					1
☐	e. Use Structured Plumbing with Demand Controlled Circulation Loop	0		1			2
☐	f. Use Central Core Plumbing	0		1		1	2
☑	2. Install Only High Efficiency Toilets (Dual-Flush or ≤1.28 gpf)	4					4
	Total Points Available in Plumbing = Total 12	8					
H. HEATING, VENTILATION & AIR CONDITIONING			Points Available Per Measure				
☐	1. Design and Install HVAC System to ACCA Manual J, D, and S Recommendations	0		4			
☐	2. Install Sealed Combustion Units						
☐	a. Furnaces	0			2		
☐	b. Water Heaters	0			2		
☐	3. Install Zoned, Hydronic Radiant Heating with Slab Edge Insulation	0		1	1		
☐	4. Install High Efficiency Air Conditioning with Environmentally Responsible Refrigerants	0	1				
☐	5. Design and Install Effective Ductwork						
☐	a. Install HVAC Unit and Ductwork within Conditioned Space	0		3			
☐	b. Use Duct Mastic on All Duct Joints and Seams	0		1			
☐	c. Install Ductwork under Attic Insulation (Buried Ducts)	0		1			
☐	d. Pressure Balance the Ductwork System	0		1			
☐	e. Protect Ducts during Construction and Clean All Ducts before Occupancy	0		1			
☐	6. Install High Efficiency HVAC Filter (MERV 6+)	0			1		
☐	7. Don't Install Fireplace or Install Sealed Gas Fireplaces with Efficiency Rating Not Less Than 60% using CSA Standards	0			1		
	8. Install Effective Exhaust Systems in Bathrooms and Kitchens						
☑	a. Install ENERGY STAR Bathroom Fans Vented to the Outside	1			1		
☑	b. All Bathroom Fans Are on Timer or Humidistat	1			1		
☑	c. Install Kitchen Range Hood Vented to the Outside	1			1		
☐	9. Install Mechanical Ventilation System for Cooling (Maximum 4 Points)						
☐	a. Install ENERGY STAR Ceiling Fans & Light Kits in Living Areas & Bedrooms	0		1			
☐	b. Install Whole House Fan with Variable Speeds	1		1			
☐	c. Automatically Controlled Integrated System	0		2			
☐	d. Automatically Controlled Integrated System with Variable Speed Control	0		3			
☐	10. Install Mechanical Fresh Air Ventilation System (Maximum 3 Points)						
☐	a. Any Whole House Ventilation System That Meets ASHRAE 62.2	0			2		
☐	b. Install An Air-Air Heat Exchanger that meets ASHRAE 62.2	0			1	2	
☑	11. Install Carbon Monoxide Alarm(s)	1				1	
	Total Points Available in Heating, Ventilation and Air Conditioning = 30	5					
I. RENEWABLE ENERGY			Points Available Per Measure				
☐	1. Pre-Plumb for Solar Hot Water Heating	0		4			

400 Surmont Drive - Parcel 2

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
☐	2. Install Solar Water Heating System	0		10			
☐	3. Install Wiring Conduit for Future Photovoltaic Installation & Provide 200 ft² of South-Facing Roof	0		2			
	4. Install Photovoltaic (PV) Panels						
☐	a. 30% of electric needs OR 1.2 kW (total 6 points)	0		6			
☐	b. 60% of electric needs OR 2.4kW (total 12 points)	0		6			
☐	c. 90% of electric need OR 3.6 kW (total 18 points)	0		6			
	Total Available Points in Renewable Energy = 28	0					
J. BUILDING PERFORMANCE			Points Available Per Measure				
	1. Diagnostic Evaluations						
☐	a. House Passes Blower Door Test	0		1			
☐	b. House Passes Combustion Safety Backdraft Test	0			1		
15%	2. Design and Build High Performance Homes - % above Title 24 - minimum 15% *Required*	30		≥30			
☐	3. House Obtains ENERGY STAR with Indoor Air Package Certification - *Pilot Measure* (Total 45 points; read comment)	0			5	2	
	Total Available Points in Building Performance = 36	30					
K. FINISHES			Points Available Per Measure				
☐	1. Design Entryways to Reduce Tracked in Contaminants	0			1		
☐	2. Use Low-VOC or Zero-VOC Paint (Maximum 3 Points)						
☐	a. Low-VOC Interior Wall/Ceiling Paints (<50 gpl VOCs (Flat) and <150 gpl VOCs (Non-Flat))	0			1		
☐	b. Zero-VOC Interior Wall/Ceiling Paints (<5 gpl VOCs (Flat))	0			3		
☐	3. Use Low VOC, Water-Based Wood Finishes (<250 gpl VOCs)	0			2		
☐	4. Use Low-VOC Caulk and Construction Adhesives (<75 gpl VOCs) for All Adhesives	0			2		
☐	5. Use Recycled-Content Paint	0				1	
☐	6. Use Environmentally Preferable Materials for Interior Finish: A) FSC-Certified Wood, B) Reclaimed, C) Rapidly Renewable, D) Recycled-Content or E) Finger-Jointed						
☐	a. Cabinets (50% Minimum)	0				1	
☐	b. Interior Trim (50% Minimum)	0				1	
☐	c. Shelving (50% Minimum)	0				1	
☐	c. Doors (50% Minimum)	0				1	
☐	e. Countertops (50% Minimum)	0				1	
☐	7. Reduce Formaldehyde in Interior Finish (CA Section 01350)						
☐	a. Subfloor & Stair Treads (50% Minimum)	0			1		
☐	b. Cabinets & Countertops (50% Minimum)	0			1		
☐	c. Interior Trim (50% Minimum)	0			1		
☐	d. Shelving (50% Minimum)	0			1		
☐	8. After Installation of Finishes, Test of Indoor Air Shows Formaldehyde Level <27ppb	0			3		
	Total Available Points in Finishes = 21	0					
L. FLOORING			Points Available Per Measure				
☐	1. Use Environmentally Preferable Flooring: A) FSC-Certified Wood, B) Reclaimed or Refinished, C) Rapidly Renewable, D) Recycled-Content, E) Exposed Concrete. *Flooring Adhesives Must Have <50 gpl VOCs.*						
☐	a. Minimum 15% of Floor Area	0				1	
☐	b. Minimum 30% of Floor Area	0				1	
☐	c. Minimum 50% of Floor Area	0				1	
☐	d. Minimum 75% of Floor Area	0				1	
☐	2. Thermal Mass Floors: Floor Covering Other than Carpet on 50% or More of Concrete Floors	0	1				
☐	3. Flooring Meets Section 01350 or CRI Green Label Plus Requirements (50% Minimum)	0			2		
	Total Available Points in Flooring = 7	0					
M. APPLIANCES AND LIGHTING			Points Available Per Measure				
	1. Install Water and Energy Efficient Dishwasher						
☑	a. ENERGY STAR (total 1 point)	1		1			
☐	b. Dishwasher Uses No More than 6.5 Gallons/Cycle (total 2 points)	0					1
	2. Install ENERGY STAR Clothes Washing Machine with Water Factor of 6 or Less						
☐	a. Meets Energy Star and CEE Tier 2 requirements (modified energy factor 2.0, Water Factor 6.0) (total 3 points)	0		1			2
☐	b. Meets Energy Star and CEE Tier 3 requirements (modified energy factor 2.2, Water Factor 4.5 or less) (total 5 points)	0					2
	3. Install ENERGY STAR Refrigerator						
☐	a. ENERGY STAR Qualified & < 25 Cubic Feet Capacity	0		1			
☐	b. ENERGY STAR Qualified & < 20 Cubic Feet Capacity	0		1			
	4 Install Built-In Recycling Center	0					
☐	a. Built-In Recycling Center	0				2	
☐	b. Built-In Composting Center	0				1	
	Total Available Points in Appliances and Lighting = 12	1					
N. OTHER			Points Available Per Measure				
☑	1. Incorporate GreenPoint Rated Checklist in Blueprints - *Required*	0				R	
☐	2. Develop Homeowner Manual of Green Features/Benefits	0		1	1		1
	3. Community Design Measures & Local Priorities: See the Community Planning & Design section in Chapter 4 of the New Home Guidelines for measures. Maximum of 20 points for suggested measures. Local requirements may also be listed here.						
☐	Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Enter description here, and enter points available for measure in appropriate categories to the right.	0	0		0	0	0

400 Surmont Drive - Parcel 2

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
☐	Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
	4. Innovation: List innovative measures that meet the green building objectives of the Guidelines. Enter up to a maximum combined total of 20 pts. See Innovation Checklist for suggested measures, using the link to the right.		Build It Green Checklists and Guidelines				
☐	Innovation in **Community**: Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Innovation in **Energy**: Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Innovation in **IAQ/Health**: Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Innovation in **Resources**: Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
☐	Innovation in **Water**: Enter description here, and enter points available for measure in appropriate categories to the right.	0	0	0	0	0	0
	Total Available Points in Other = 43	0					

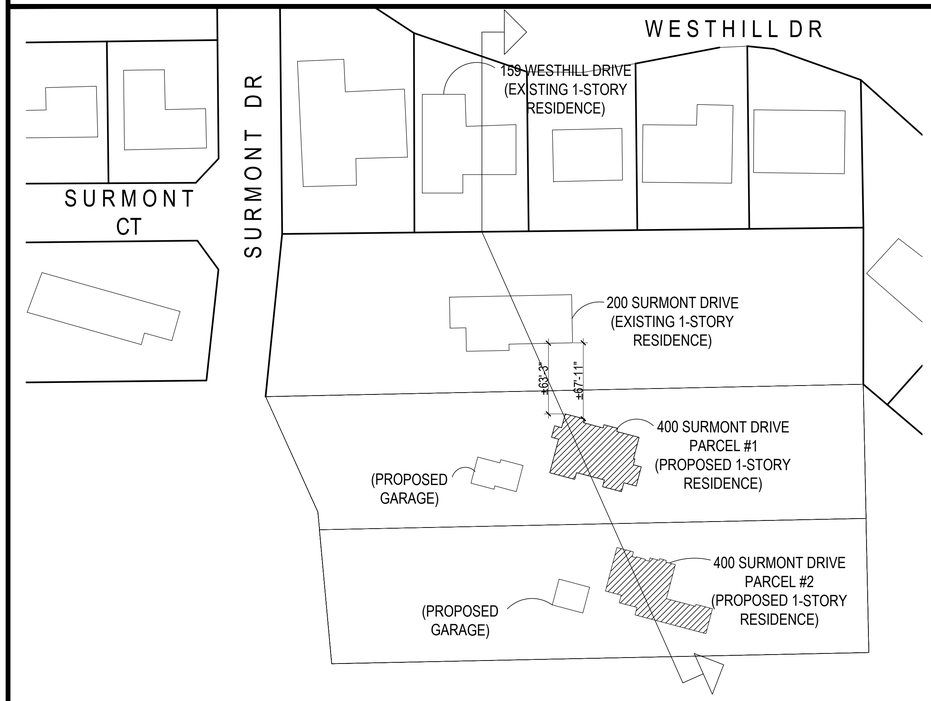
Summary

	4+	95+	42+	66+	43+
Total Available Points in Specific Categories*					
Minimum Points Required in Specific Categories	0	30	5	6	9
Total Points Achieved	59	1	34	5	7	12

Project has not yet met the following recommended minimum requirements:

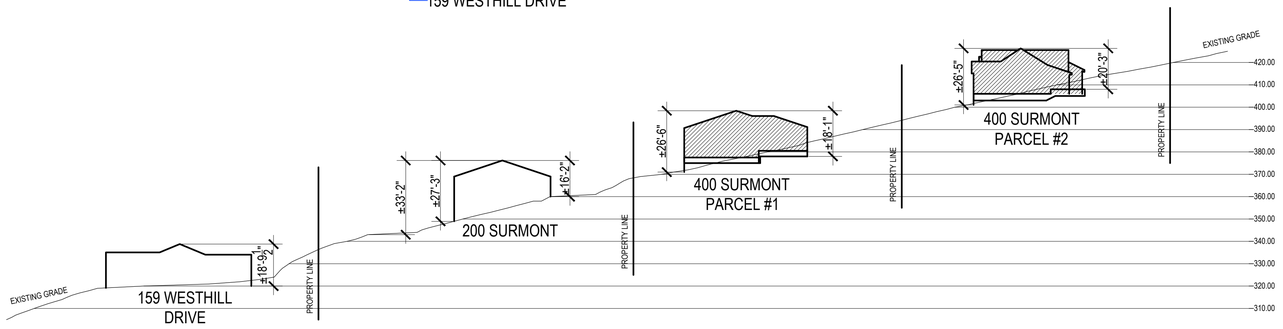
- Total Project Score of At Least 50 Points

SITE LINE STUDY / MASSING RELATIONSHIP

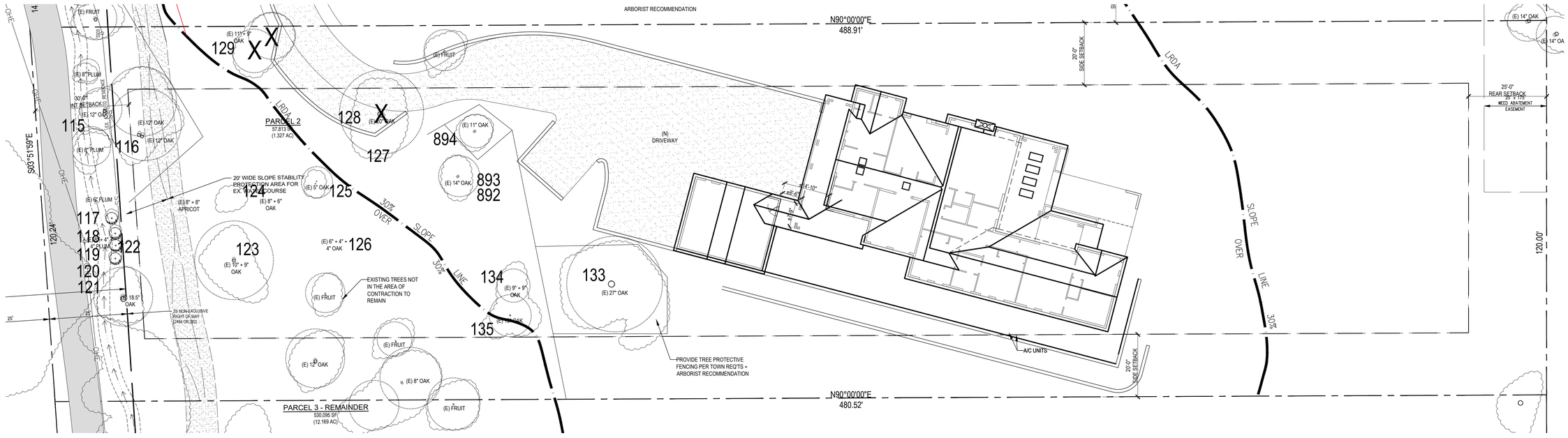


GOOGLE EARTH IMAGE 1

GOOGLE EARTH IMAGE 2



SITE PLAN



PROPOSED SITE PLAN

NORTH SCALE: 1/16" = 1'-0"

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE
LOS GATOS
CALIFORNIA
95032

T 408.292.3252
F 253.399.1125

400 SURMONT DRIVE
PARCEL #2
LOS GATOS
CALIFORNIA
95032

20 AUGUST 2019

17 JANUARY 2020
PLANNING SUBMITTAL

23 AUGUST 2021
PLANNING SUBMITTAL II

16 NOVEMBER 2021
PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

SCALE: AS NOTED

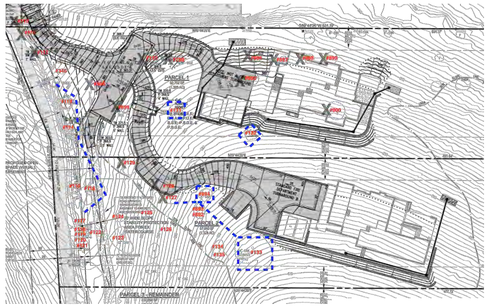
PROPOSED SITE PLAN +
SITE LINE STUDY/
MASSING RELATIONSHIP

A1.3

APPENDIX A, B, D + DETAILS

Appendix A: Site Plan and Tree Locations

Site plan not to scale. Trees with an 'X' next to them are highly impacted. The blue dash represents the tree protection fence.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EXISTING TWO STORY RESIDENCE (DEMOLISHED)
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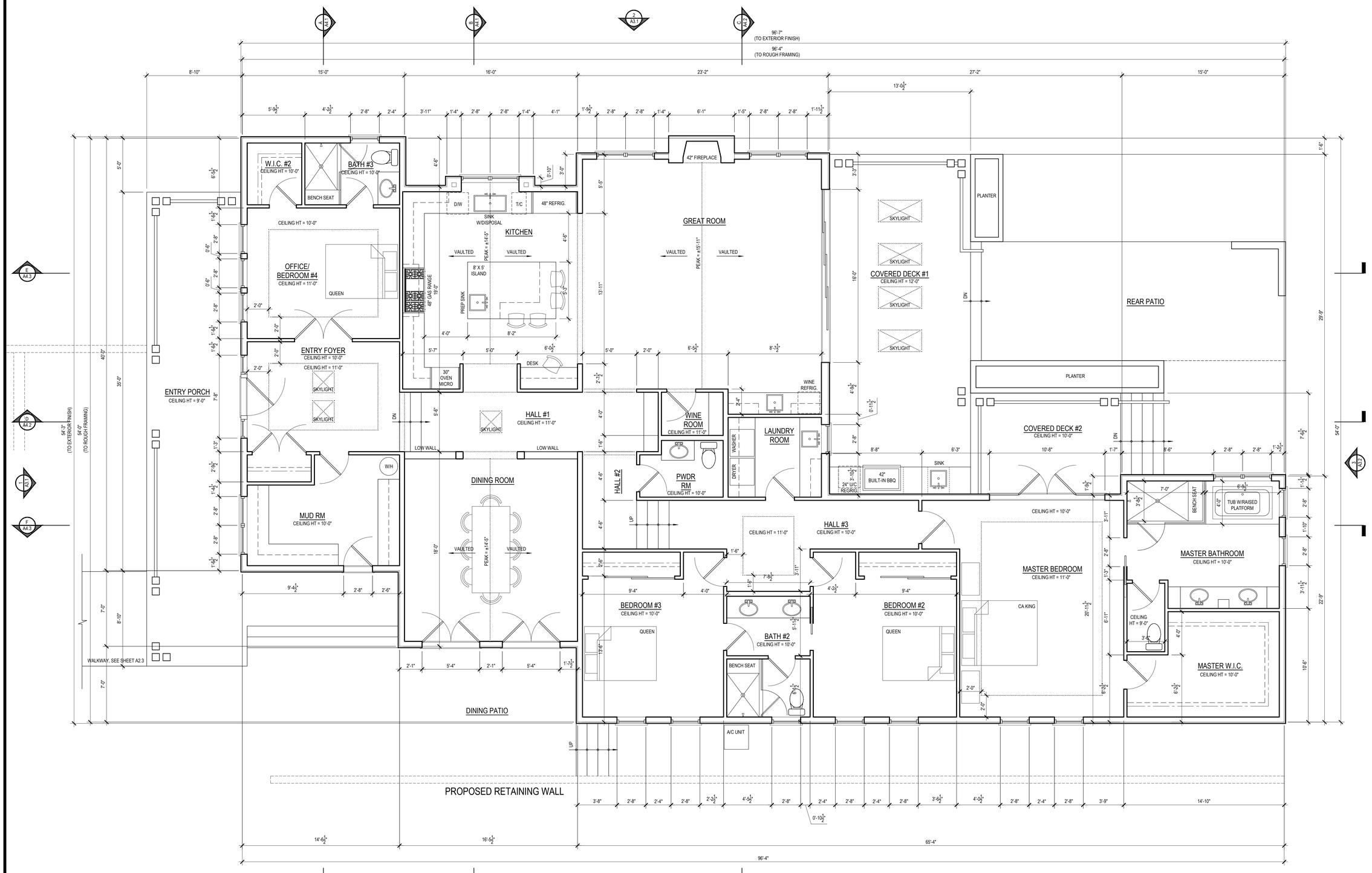
EXISTING ONE STORY RESIDENCE (DEMOLISHED)
EXISTING ONE STORY RESIDENCE (DEMOLISHED



PROPOSED FLOOR PLAN
PARCEL #2

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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PARCEL #2
LOS GATOS
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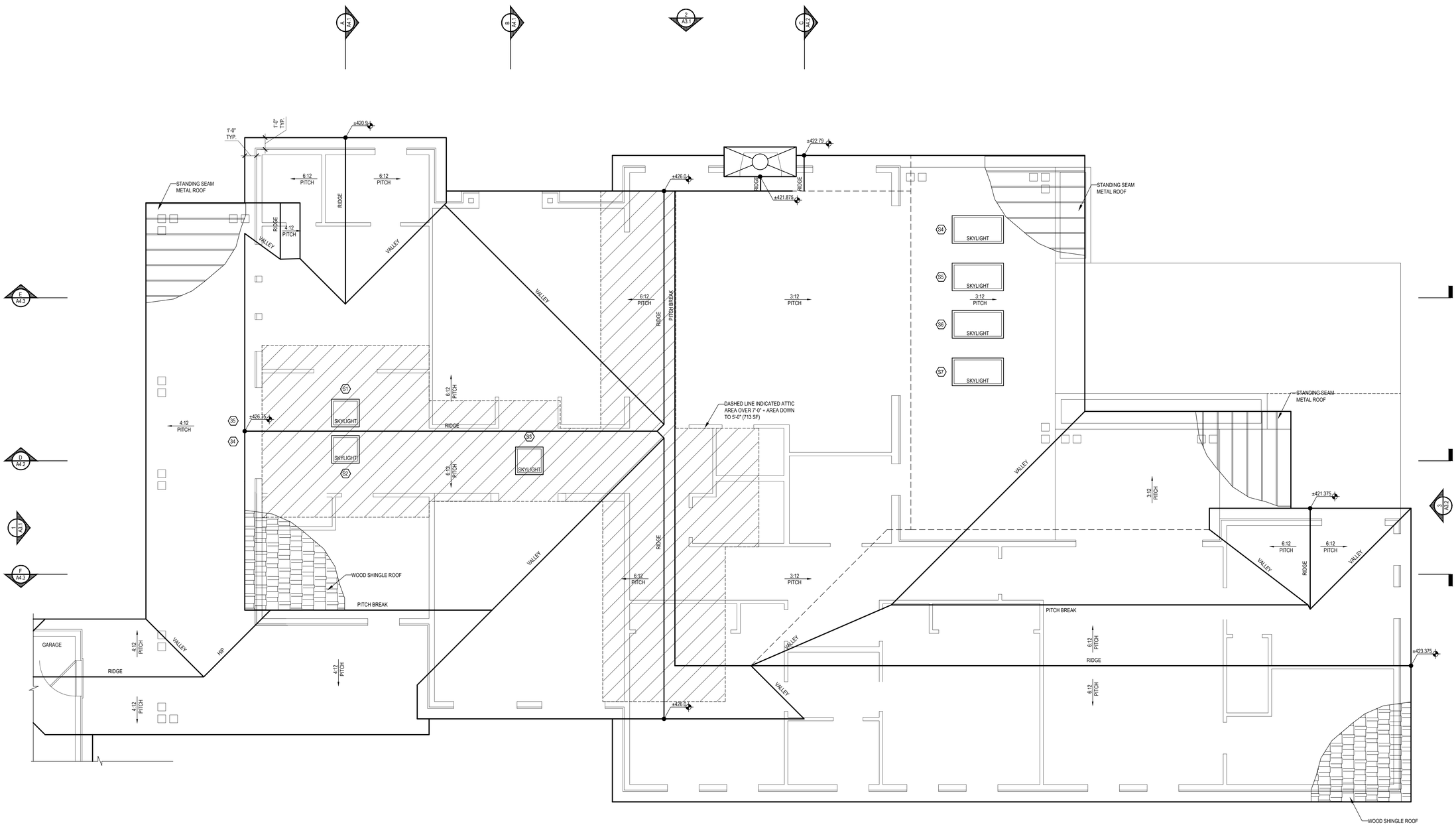
29 APRIL 2022
PLANNING SUBMITTAL IV

SCALE: 1/4" = 1'-0"

PROPOSED FLOOR PLAN

A2.1



PROPOSED ROOF PLAN
PARCEL #2

NORTH

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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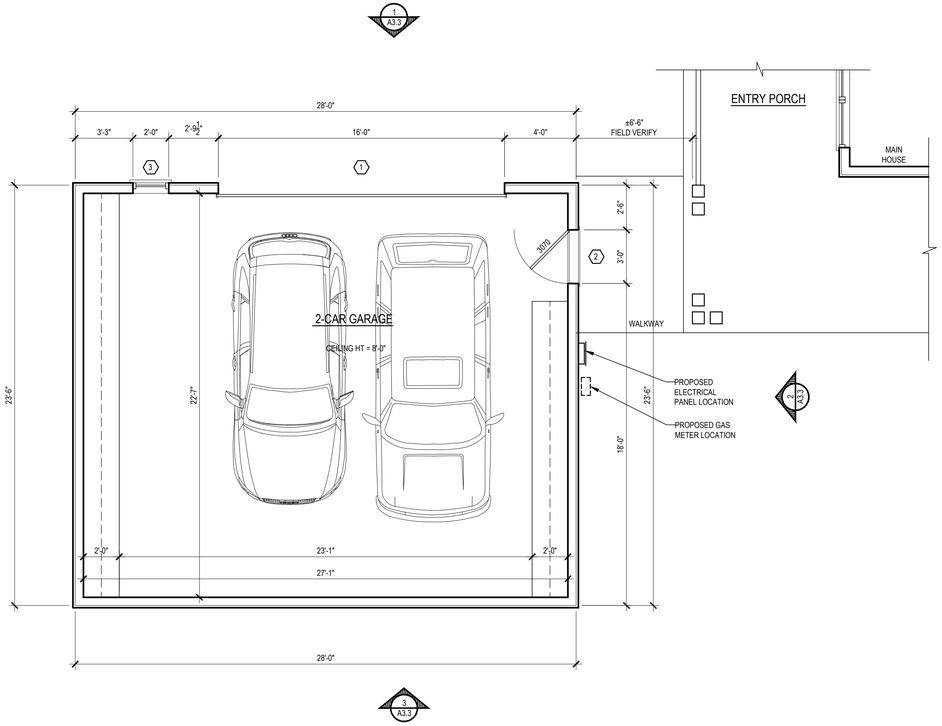
SCALE: ½" = 1'-0"

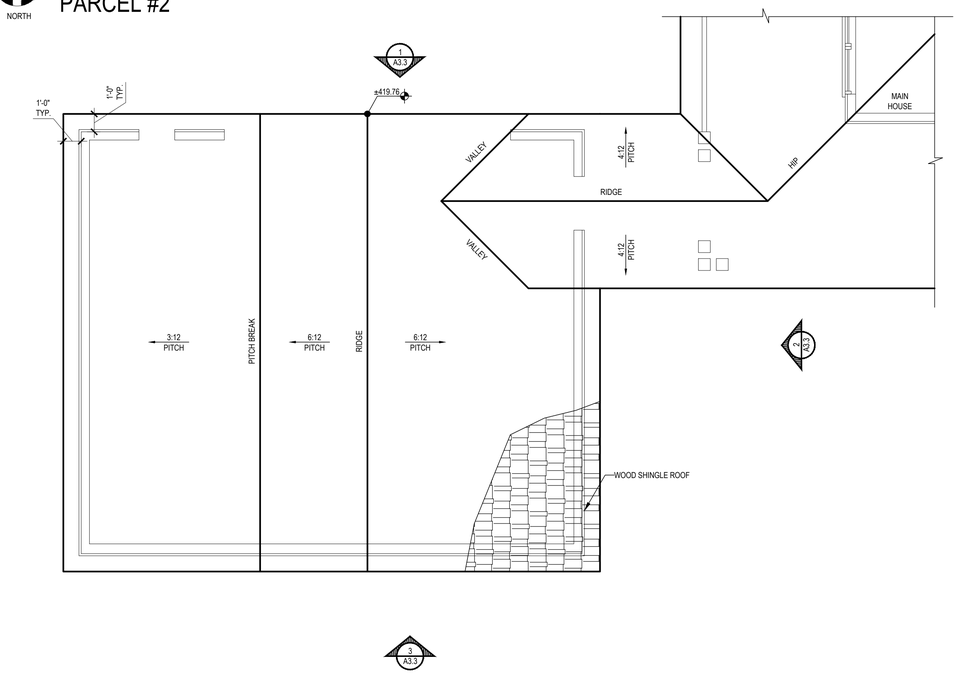
PROPOSED ROOF PLAN

A2.2



NORTH

PROPOSED GARAGE PLAN
PARCEL #2



NORTH

PROPOSED GARAGE ROOF PLAN
PARCEL #2

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
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SCALE: ¼" = 1'-0"

PROPOSED GARAGE
FLOOR + ROOF PLANS

A2.3

PROPOSED MATERIALS

WINDOWS:	KOLBE, OR APPROVED EQ. BLACK ALUMINUM CLAD EXTERIOR, WOOD INTERIOR
WINDOW TRIM:	PAINTED WOOD, BENJAMIN MOORE HC-190, BLACK
ROOFING MATERIAL:	METAL STANDING SEAM ROOF, CHARCOAL GRAY; WOOD ROOF SHINGLES, TREATED
SIDING:	BOARD + BATTEN VERTICAL SIDING, HORIZONTAL SIDING, BENJAMIN MOORE HC-168, CHELSEA GRAY
WOOD COLUMNS:	DARK WOOD STAIN
RETAINING WALLS:	BOARD FORM FINISH

TOWN NOTES:

1. ALL EXTERIOR FIXTURES WILL COMPLY WITH TOWN REQUIREMENTS TO BE DOWNWARD DIRECTED AND SHIELDED FROM NEIGHBOR'S VIEW.
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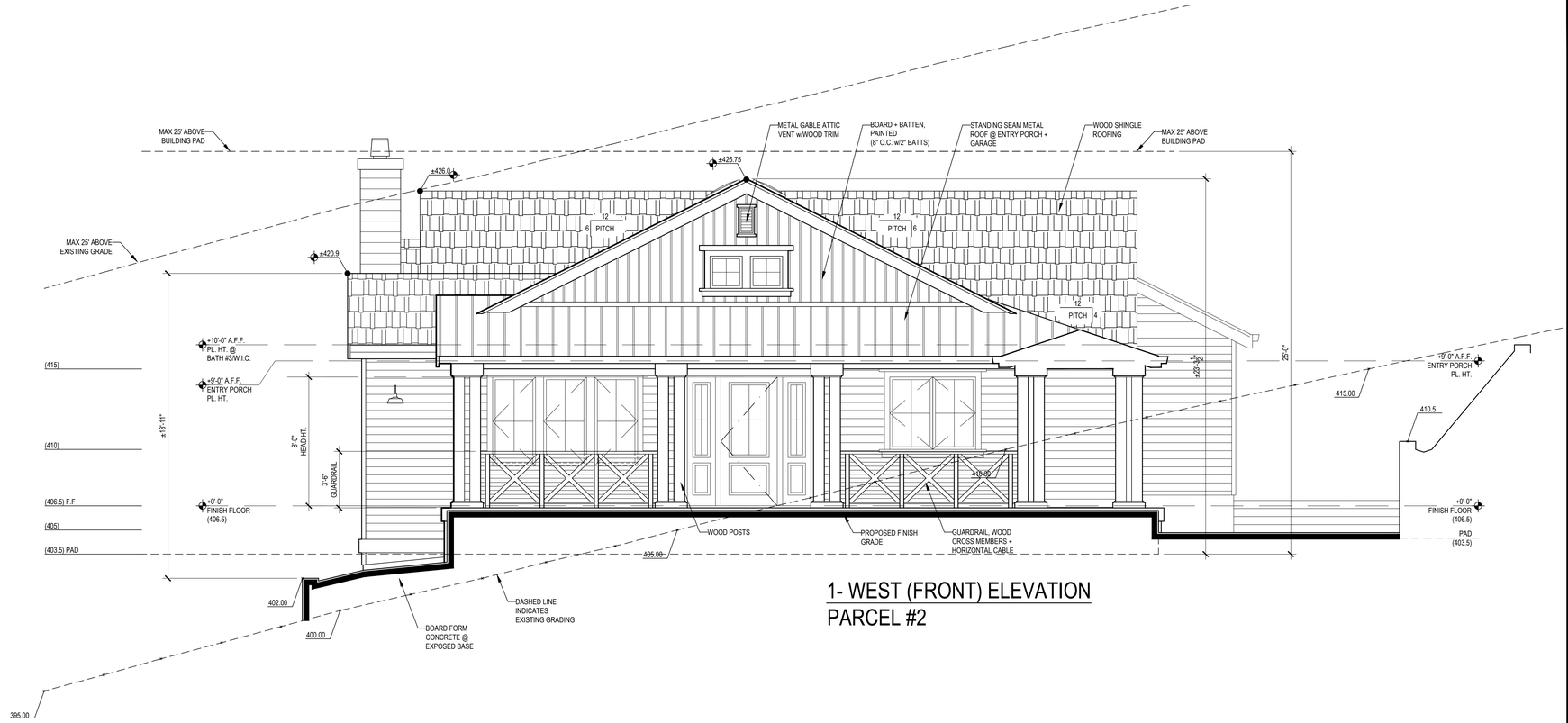
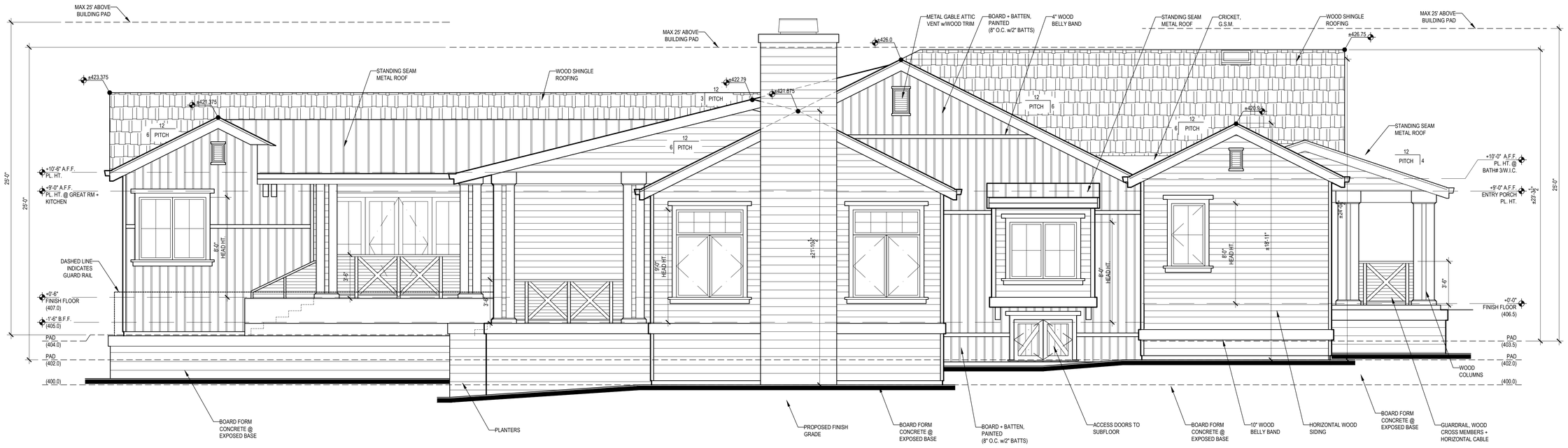


1- WEST (FRONT) ELEVATION
PARCEL #2



2- NORTH (SIDE) ELEVATION
PARCEL #2

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
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SCALE: ⅛" = 1'-0"

EXTERIOR ELEVATIONS

A3.1

PROPOSED MATERIALS

WINDOWS:	KOLBE, OR APPROVED EQ. BLACK ALUMINUM CLAD EXTERIOR, WOOD INTERIOR
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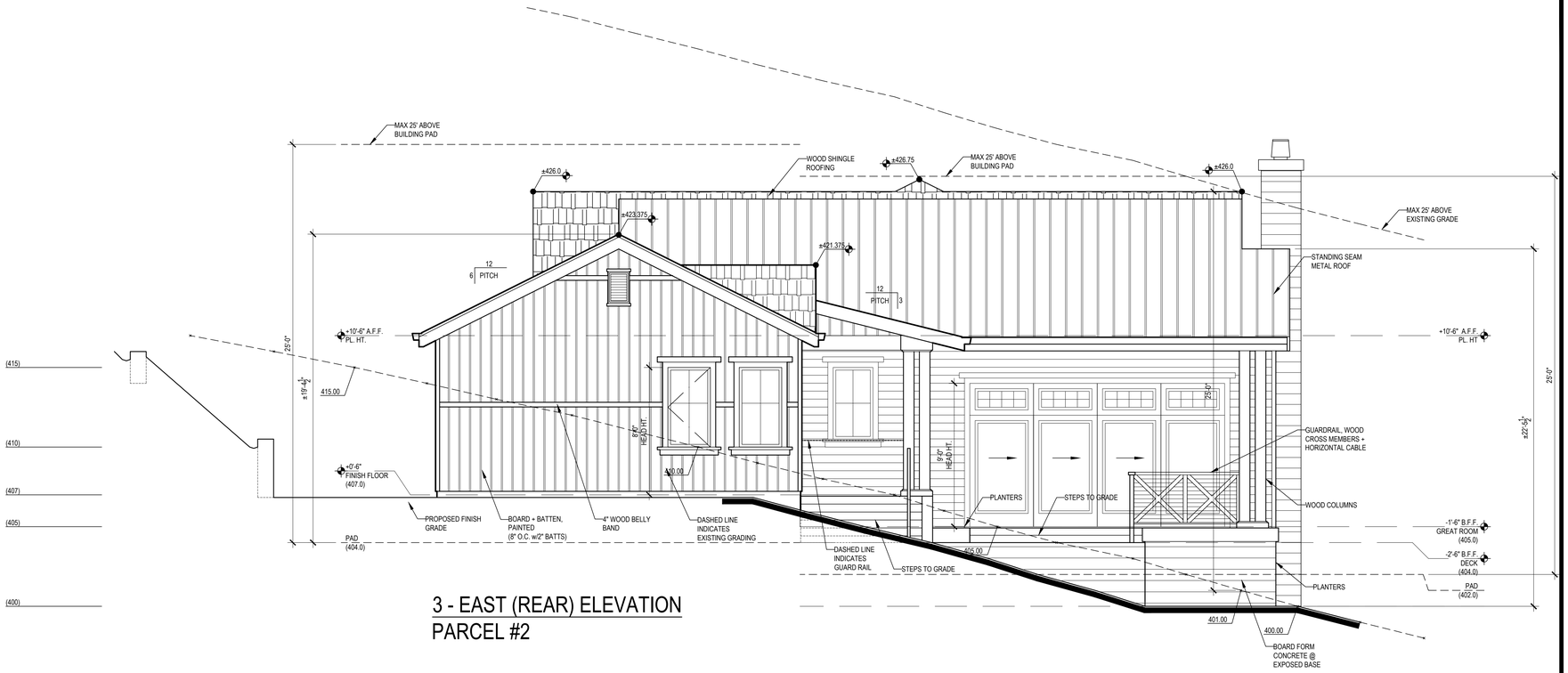
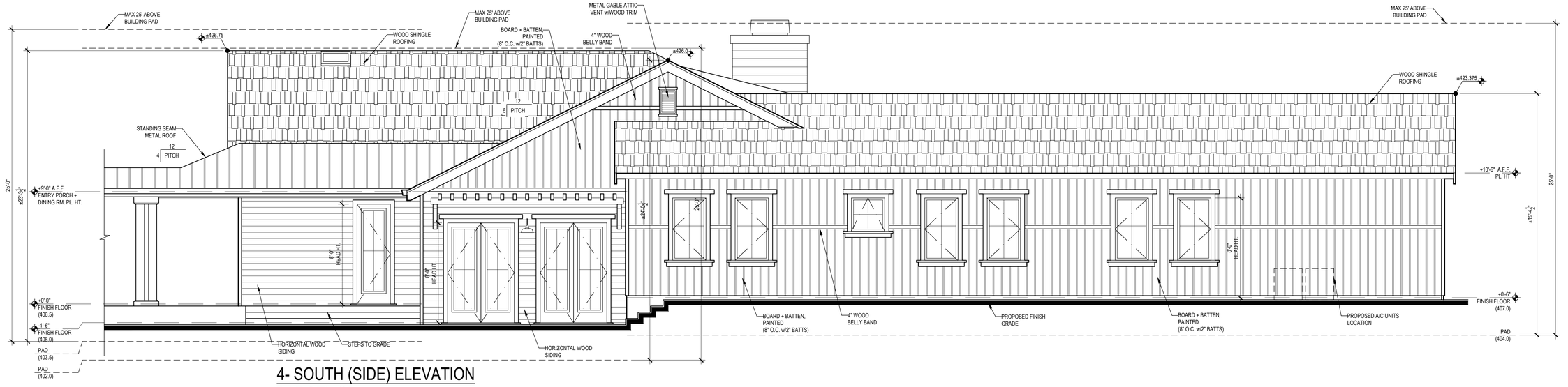


3 - EAST (REAR) ELEVATION
PARCEL #2



4- SOUTH (SIDE) ELEVATION
PARCEL #2

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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PLANNING SUBMITTAL IV

SCALE: ½" = 1'-0"

EXTERIOR ELEVATIONS

A3.2

PROPOSED MATERIALS

WINDOWS:	KOLBE, OR APPROVED EQ. BLACK ALUMINUM CLAD EXTERIOR, WOOD INTERIOR
WINDOW TRIM:	PAINTED WOOD, BENJAMIN MOORE HC-190, BLACK
ROOFING MATERIAL:	METAL STANDING SEAM ROOF, CHARCOAL GRAY; WOOD ROOF SHINGLES, TREATED
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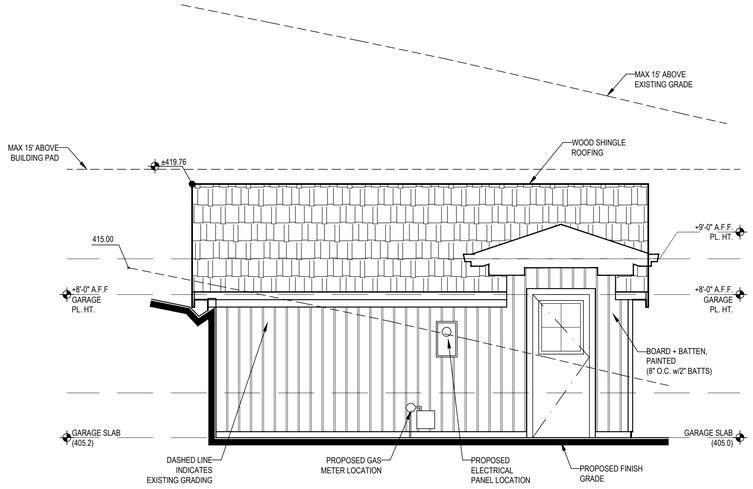
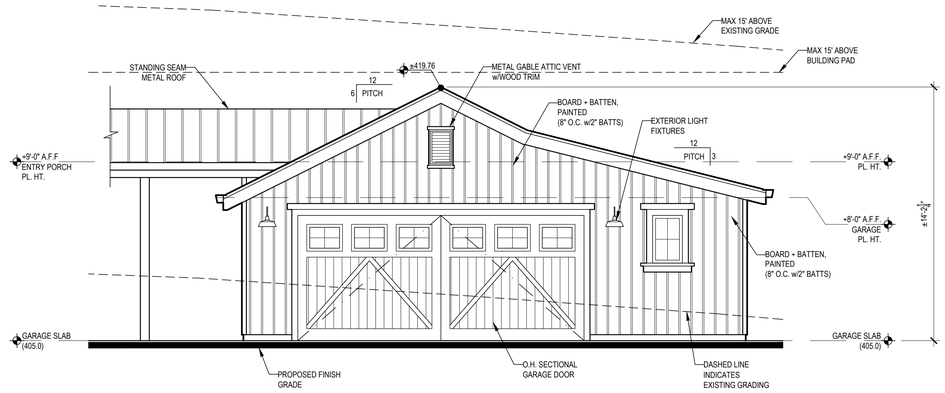
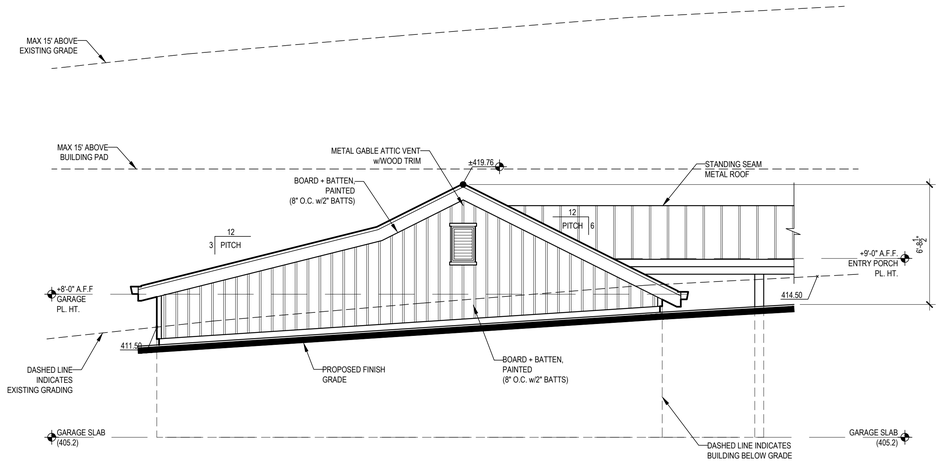


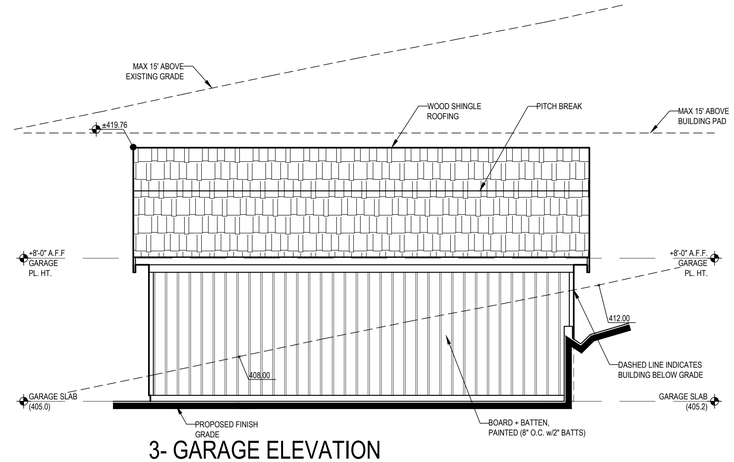
2- GARAGE ELEVATION
PARCEL #2



1- GARAGE ELEVATION
PARCEL #2



4- GARAGE ELEVATION
PARCEL #2



3- GARAGE ELEVATION
PARCEL #2

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
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SCALE: ½" = 1'-0"

EXTERIOR ELEVATIONS (GARAGE)

A3.3

PROPOSED MATERIALS

WINDOWS:	KOLBE, OR APPROVED EQ. BLACK ALUMINUM CLAD EXTERIOR, WOOD INTERIOR
WINDOW TRIM:	PAINTED WOOD, BENJAMIN MOORE HC-190, BLACK
ROOFING MATERIAL:	METAL STANDING SEAM ROOF, CHARCOAL GRAY; WOOD ROOF SHINGLES, TREATED
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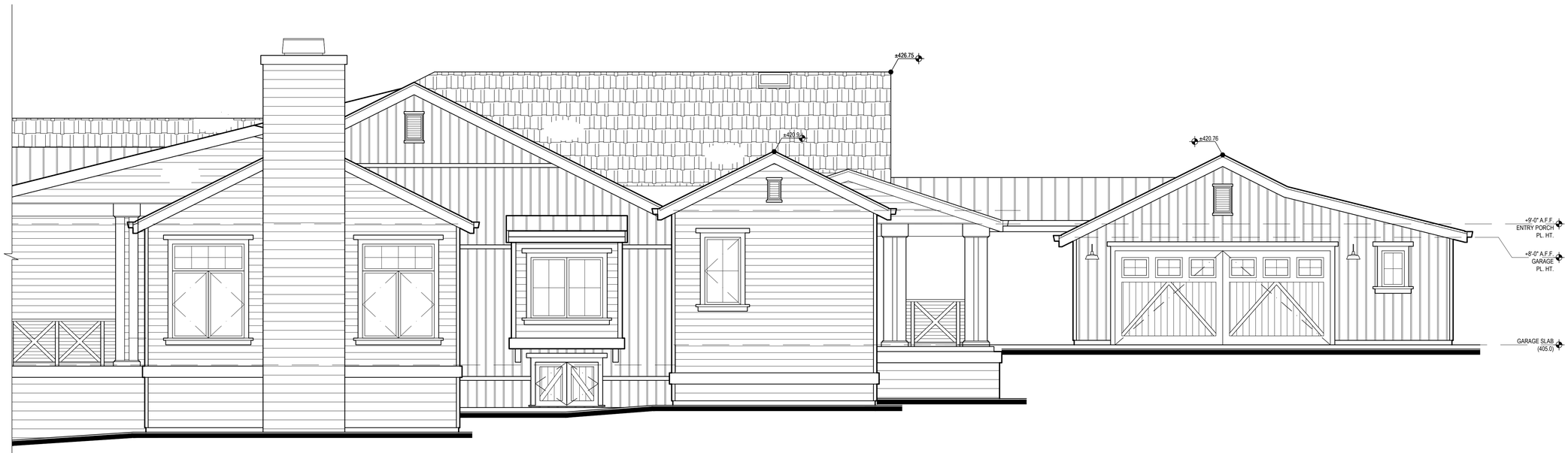
1a- WEST (FRONT) ELEVATION W/GARAGE
PARCEL #2



2a- NORTH (SIDE) ELEVATION W/GARAGE
PARCEL #2

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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PARCEL #2
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PLANNING SUBMITTAL II

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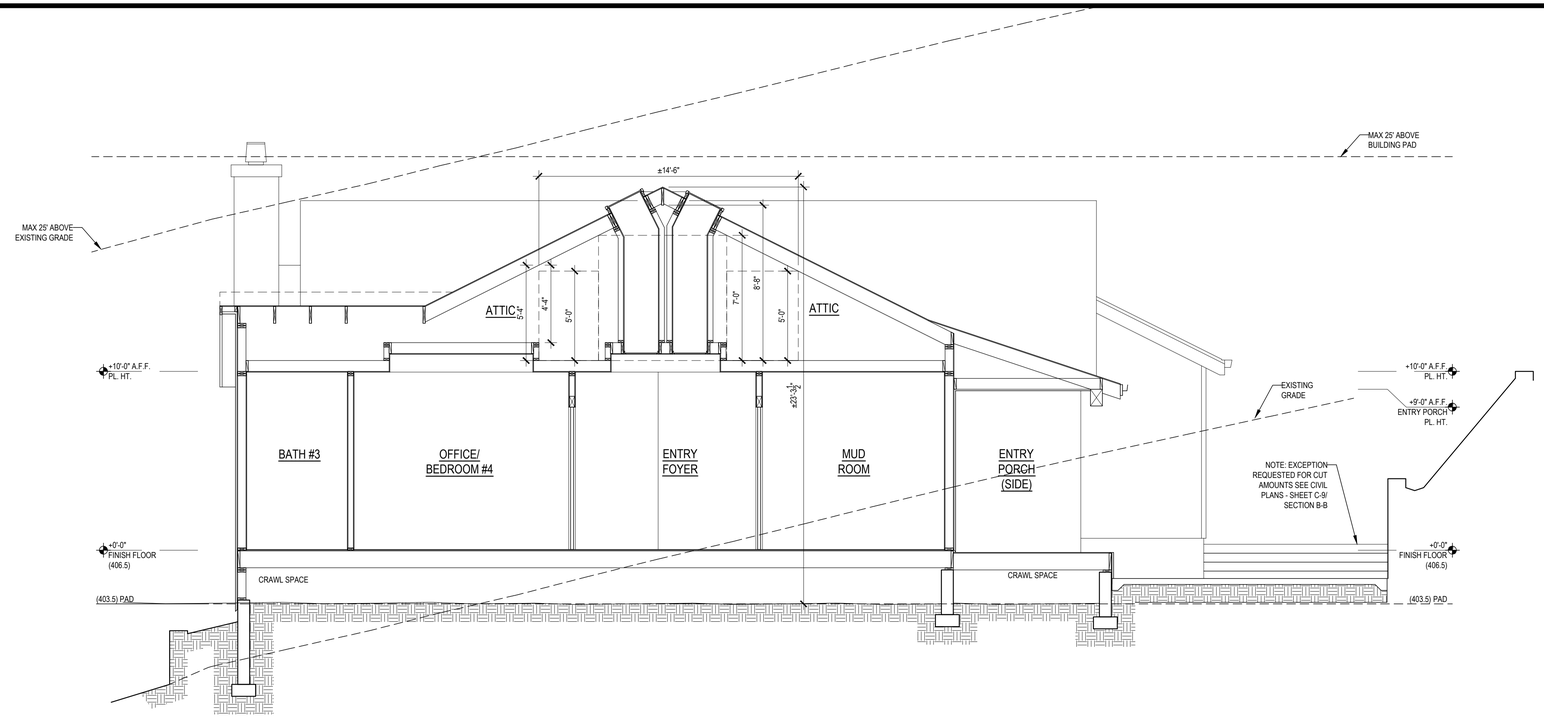
PLANNING SUBMITTAL III

29 APRIL 2022
PLANNING SUBMITTAL IV

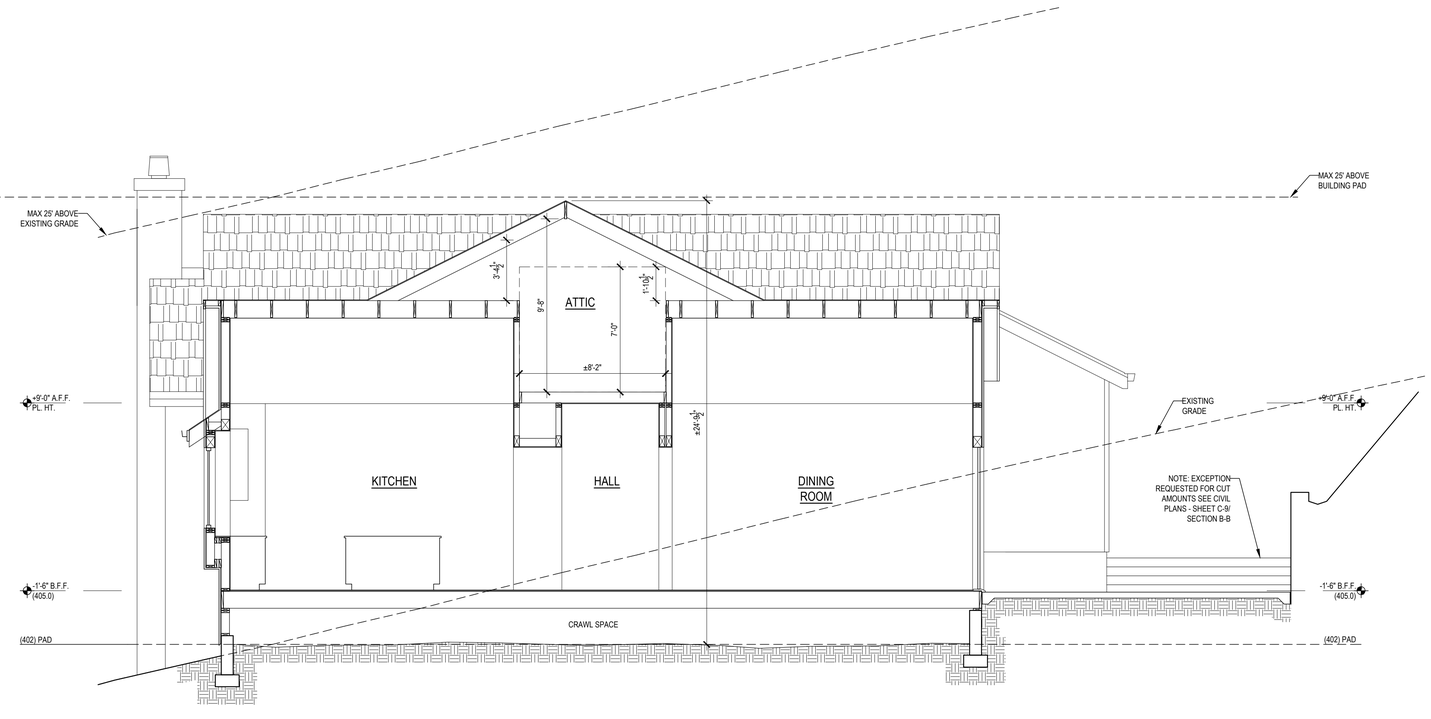
SCALE: ½" = 1'-0"

EXTERIOR ELEVATIONS

A3.4



A - BUILDING SECTION



B - BUILDING SECTION

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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95032

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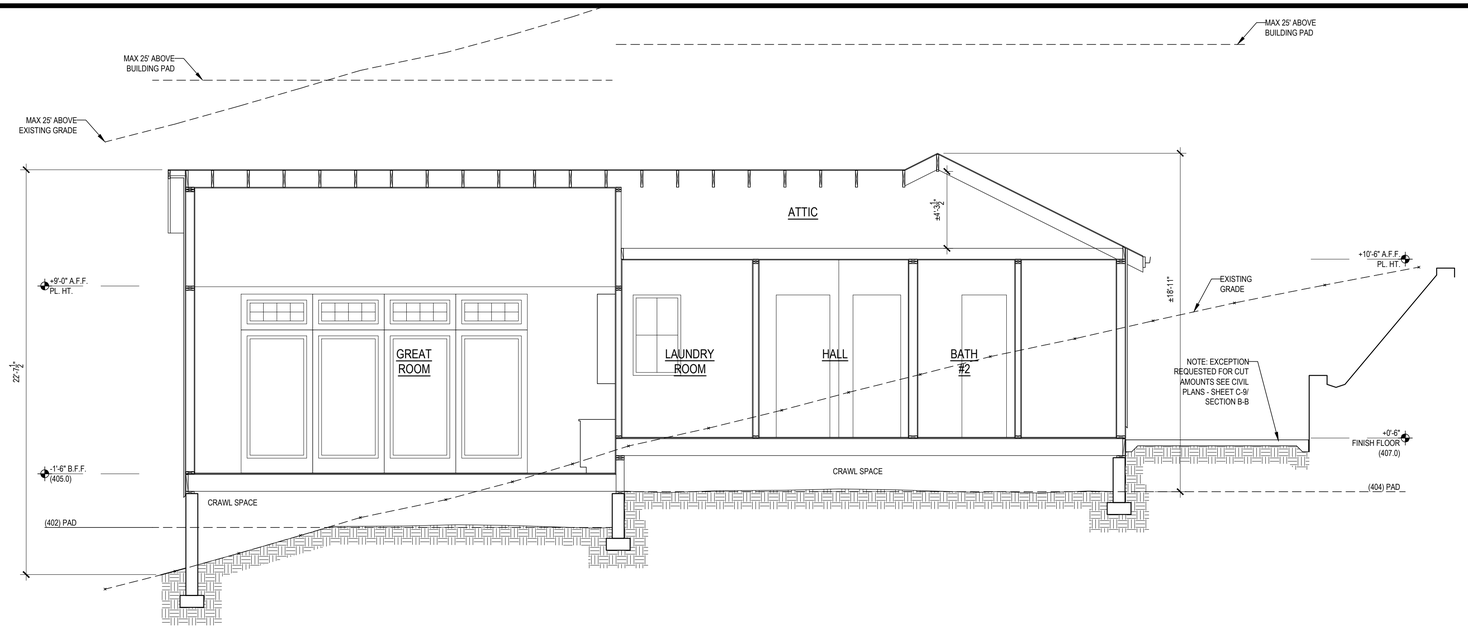
29 APRIL 2022
PLANNING SUBMITTAL IV

08 JULY 2022
PLANNING SUBMITTAL V

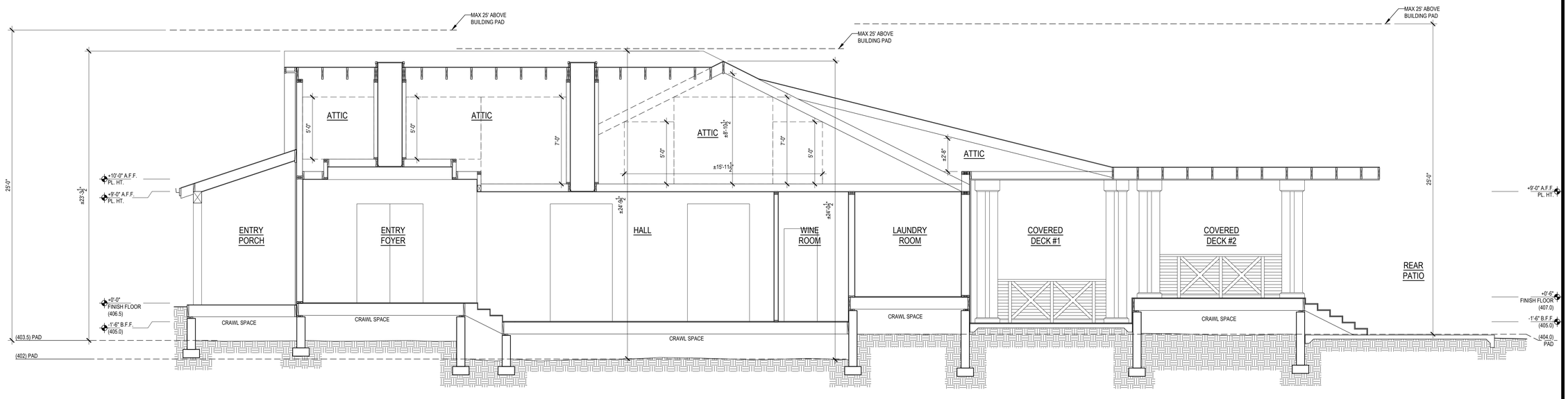
SCALE: ½" = 1'-0"

BUILDING SECTIONS

A4.1



C - BUILDING SECTION



D - BUILDING SECTION

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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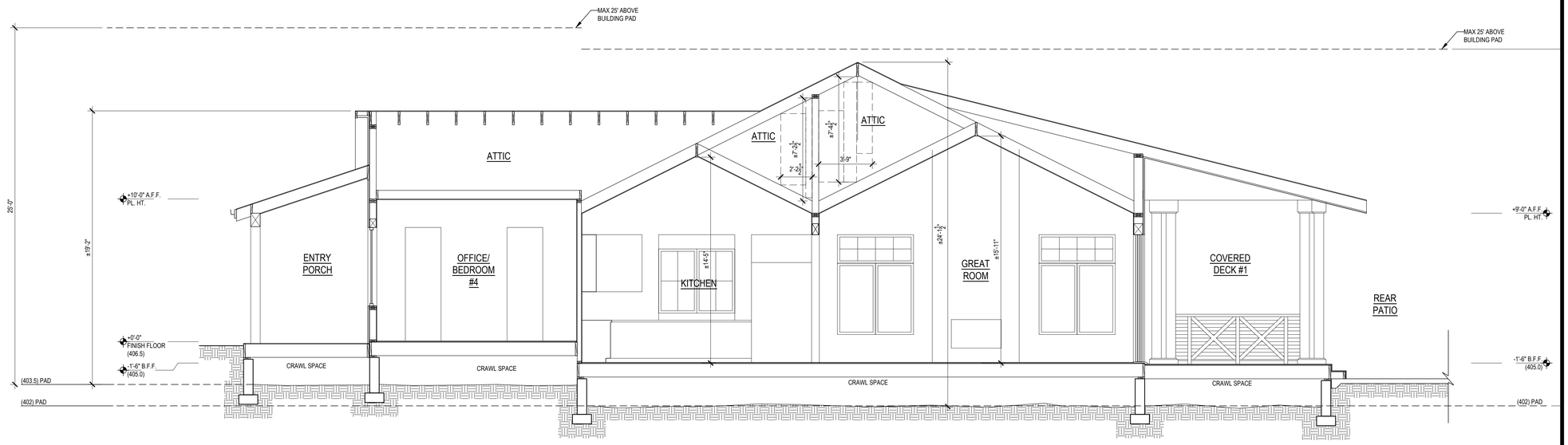
08 JULY 2022
PLANNING SUBMITTAL V

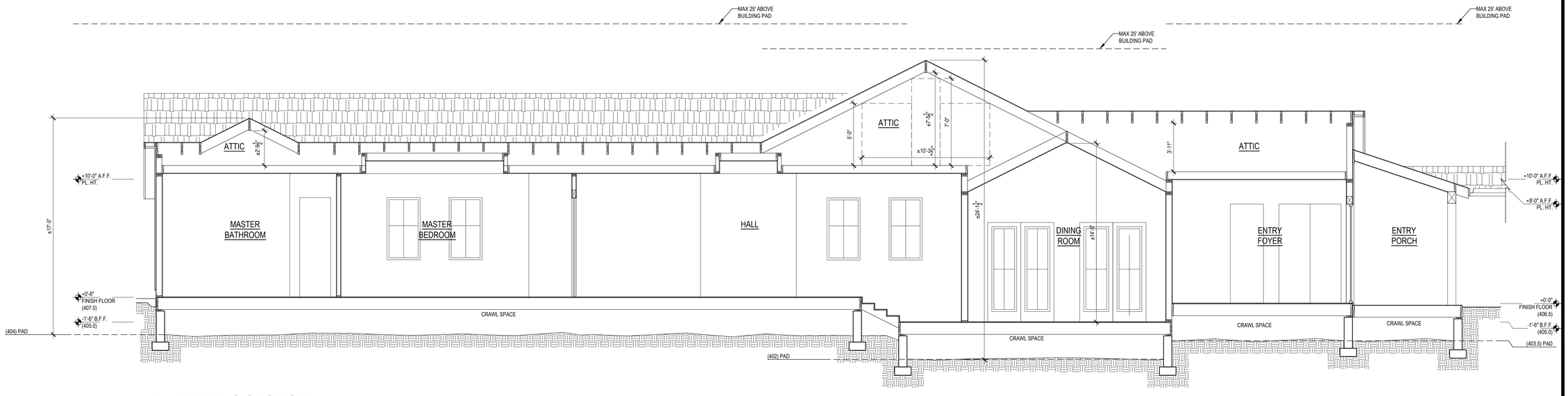
SCALE: ½" = 1'-0"

BUILDING SECTIONS

A4.2



E - BUILDING SECTION



F - BUILDING SECTION

STUDIO ..... DESIGN

INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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PLANNING SUBMITTAL IV

SCALE: ½" = 1'-0"

BUILDING SECTIONS

A4.3

PROJECT ADDRESS

400 SURMONT DRIVE, LOS GATOS, CA 95032

A.P.N. : 527-20-003

PARCEL 1 AND 2

INDEX

L1 Cover Sheet

L2 Frontage and Driveway Proposed Trees and Planting Parcel 1 and 2

L3 Parcel 1 Proposed Trees and Planting

L4 Parcel 2 Proposed Trees and Planting

L5 Tree Table

SUMMARY/AMENDMENTS

*Proposed Planting Pocket Shown on L2, L3, and L4

*Tree Table, Showing Existing and Proposed Trees

*Trees Numbered Per Arborist Report

*Tree and Plant Species Adjacent to The Driveway Approach off of Surmont Are Native.

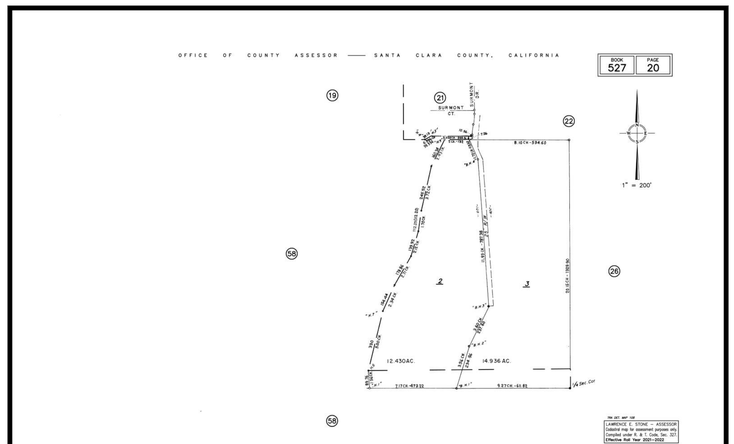
*All Plants and Trees Used Are Native of California

*Fire Defensible Space Zones.

*All Proposed Trees Are 30' Away From Residence

*All Proposed Trees and Shrubs Are Native.

PARCEL MAP



ALYSON FLYNN
LANDSCAPE ARCHITECT & ASSOCIATES
50 San Tropez Drive
Hollister, CA 95023
Phone (408) 274-4114
Landscape Architect No. 3074

Driveway
400 Surmont Drive
Los Gatos, CA 95032
APN 527-20-003

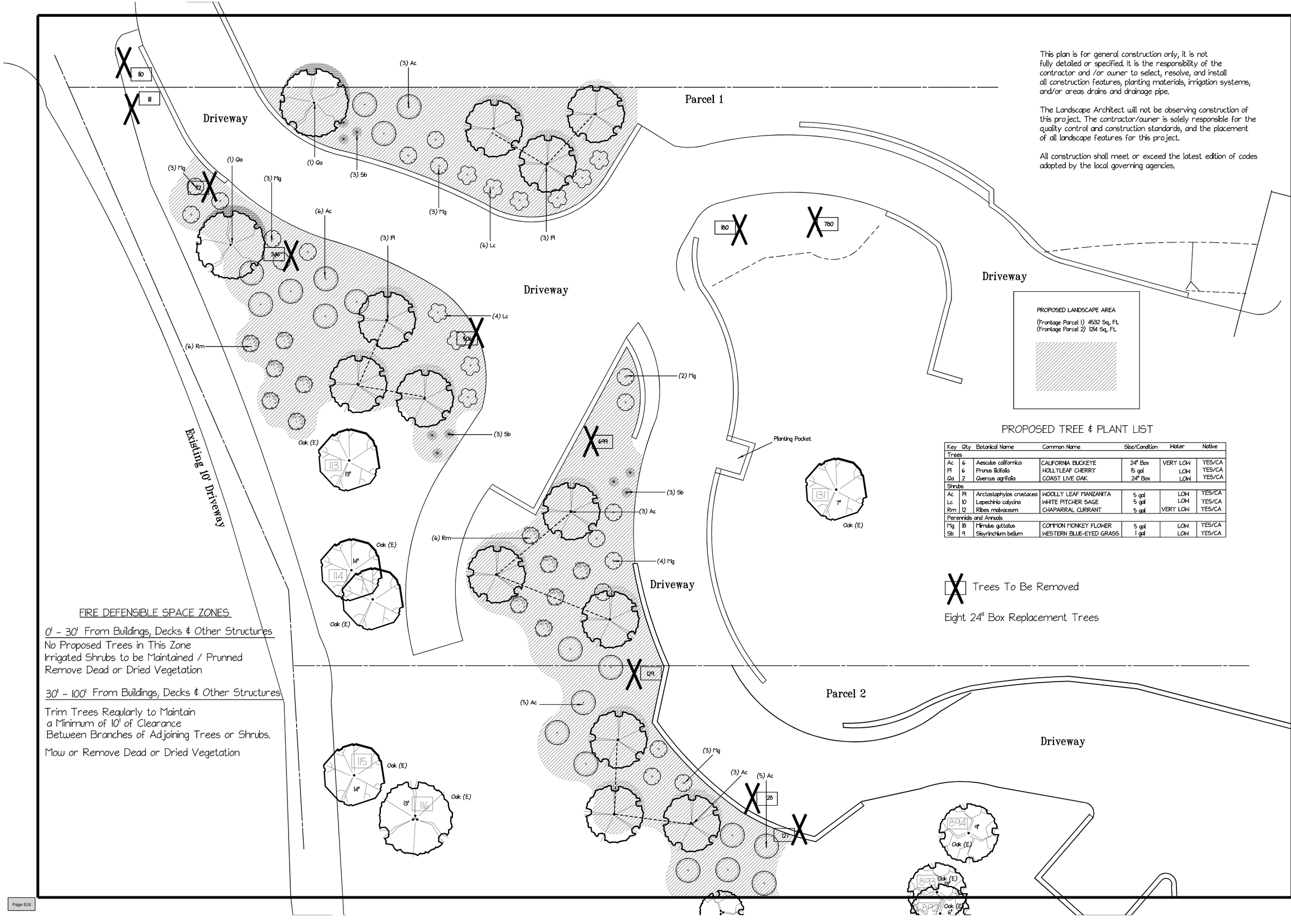
Date Aug. 08, 2021

Scale 1/8" = 1'0"

Drawn AF

Sheet L 1

of Sheets



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PROPOSED LANDSCAPE AREA

(Frontage Parcel 1) 4532 Sq. Ft.
(Frontage Parcel 2) 1214 Sq. Ft.

PROPOSED TREE & PLANT LIST

Key	Qty	Botanical Name	Common Name	Size/Condition	Water	Native
Trees						
Ac	6	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Pl	6	Prunus ilicifolia	HOLLYLEAF CHERRY	15 gal	LOW	YES/CA
Qa	2	Quercus agrifolia	COAST LIVE OAK	24" Box	LOW	YES/CA
Shrubs						
Ac	19	Arctostaphylos crustacea	WOOLLY LEAF MANZANITA	5 gal	LOW	YES/CA
Lc	10	Lepechinia calycina	WHITE PITCHER SAGE	5 gal	LOW	YES/CA
Rm	12	Ribes malvaceum	CHAPARRAL CURRANT	5 gal	VERY LOW	YES/CA
Perennials and Annuals						
Mg	18	Mimulus guttatus	COMMON MONKEY FLOWER	5 gal	LOW	YES/CA
Sb	9	Sisyrinchium bellum	WESTERN BLUE-EYED GRASS	1 gal	LOW	YES/CA

Trees To Be Removed

Eight 24" Box Replacement Trees

FIRE DEFENSIBLE SPACE ZONES

0' - 30' From Buildings, Decks & Other Structures

No Proposed Trees in This Zone
Irrigated Shrubs to be Maintained / Prunned
Remove Dead or Dried Vegetation

30' - 100' From Buildings, Decks & Other Structures

Trim Trees Regularly to Maintain
a Minimum of 10' of Clearance
Between Branches of Adjoining Trees or Shrubs.

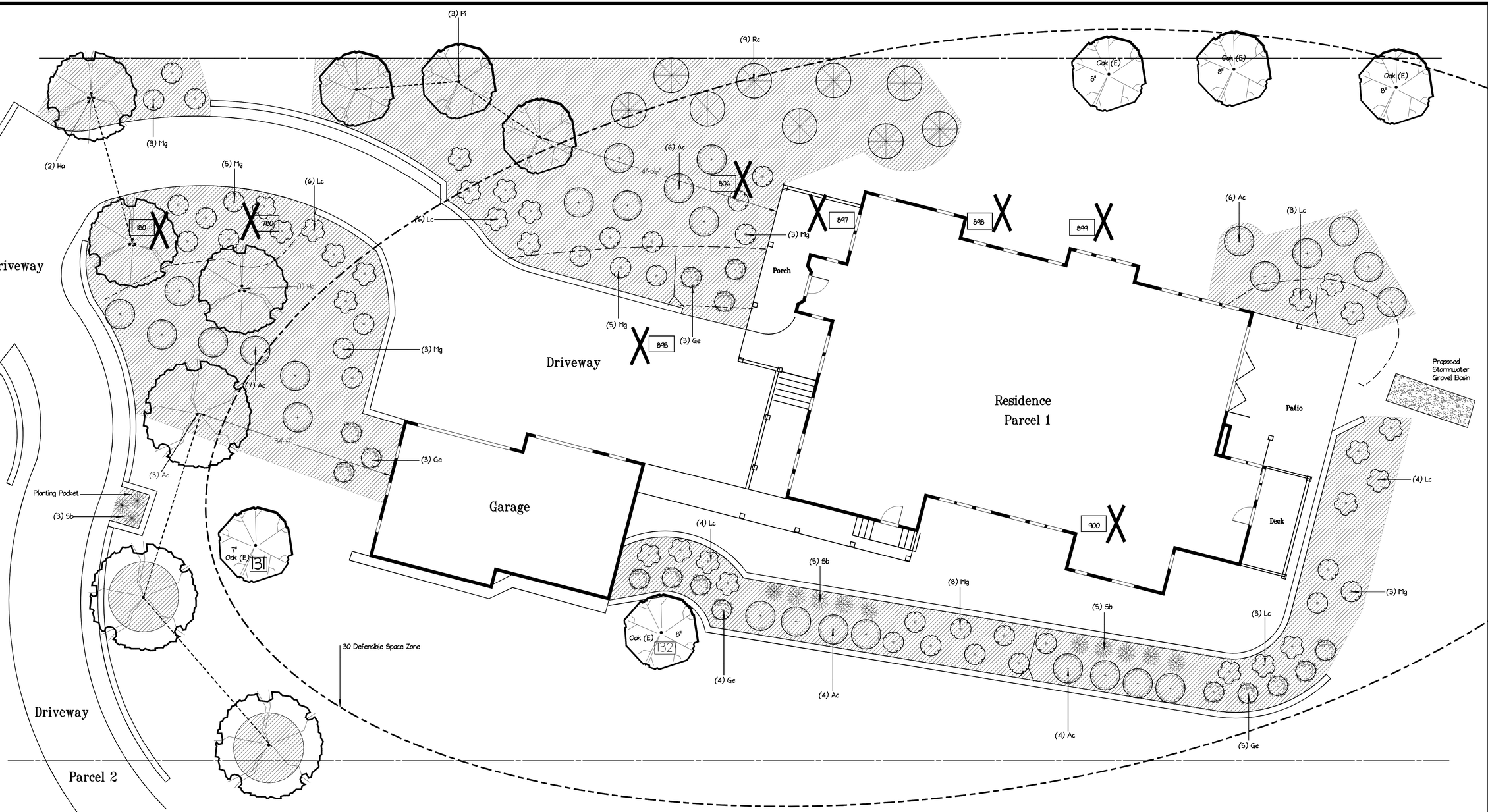
Mow or Remove Dead or Dried Vegetation

Revisions	By
March 19, 2022	CLL
July 20, 2022	CLL

ALYSON FLYNN & ASSOCIATES
50 San Tropez Drive
Hollister, CA 95023
Phone (408) 271-4114

Driveway
400 Surmont Drive
Los Gatos, CA 95032
APN 527-20-003

Date Jun. 18, 2020
Scale 1/8" = 1'0"
Drawn AF
Sheet L 2
of Sheets



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PROPOSED TREE & PLANT LIST

Key	Qty	Botanical Name	Common Name	Size	Water	Native
Trees						
Ac	3	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Ha	3	Heteromeles arbutifolia	CHRISTMAS BERRY	24" Box	LOW	YES/CA
Pl	3	Prunus ilicifolia	HOLLYLEAF CHERRY	24" Box	LOW	YES/CA
Shrubs						
Ac	27	Arctostaphylos crustacea	WOOLLY LEAF MANZANITA	5 gal	LOW	YES/CA
Ge	15	Garrya elliptica	SILK TASSEL	5 gal	LOW	YES/CA
Lc	26	Lepechinia calycina	WHITE PITCHER SAGE	5 gal	LOW	YES/CA
Rc	9	Rhamnus californica	CALIFORNIA COFFEEBERRY	5 gal	LOW	YES/CA
Perennials and Annuals						
Mg	30	Mimulus guttatus	COMMON MONKEY FLOWER	5 gal	LOW	YES/CA
Sb	13	Sisyrinchium bellum	BLUE-EYED GRASS	1 gal	VERY LOW	YES/CA

Four Trees to Be Removed Requiring Replacement
#111, #130, #700, #896 - See Arborist Report
Plan Includes 9 Replacement Trees

Trees To Be Removed

PROPOSED LANDSCAPE AREA
6495 Sq. Ft.

FIRE DEFENSIBLE SPACE ZONES

0' - 30' From Buildings, Decks & Other Structures
No Proposed Trees in This Zone
Irrigated Shrubs to be Maintained / Prunned
Remove Dead or Dried Vegetation

30' - 100' From Buildings, Decks & Other Structures
Trim Trees Regularly to Maintain
a Minimum of 10' of Clearance
Between Branches of Adjoining Trees or Shrubs.
Mow or Remove Dead or Dried Vegetation

Revisions	By
Aug. 23, 2021	CLL
March 19, 2022	CLL
July 20, 2022	CLL

ALYSON FLYNN & ASSOCIATES
50 San Tropez Drive
Hollister, CA 95023
Phone (408) 274-4114

Parcel 1 Landscape Plan
400 Surmont Drive
Los Gatos, CA 95032
APN 527-20-003

Date Jun. 18, 2020
Scale 1/8" = 1'-0"
Drawn AF
Sheet L 3
of Sheets

PROPOSED LANDSCAPE AREA
5,612 Sq. Ft.

PROPOSED TREE & PLANT LIST

Key	Qty	Botanical Name	Common Name	Size	Water	Native
Trees						
Ac	3	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Pl	1	Prunus ilicifolia	HOLLYLEAF CHERRY	24" Box	LOW	YES/CA
Shrubs						
Ac	23	Arctostaphylos crustacea	WOLLY LEAF MANZANITA	5 gal	LOW	YES/CA
CDS	9	Ceanothus x 'Dark Star'	DARK STAR CEANOTHUS	5 gal	LOW	YES/CA
Cs	3	Calandrinia spectabilis	CALANDRINA SPECTABILLIS	5 gal	LOW	YES/CA
Lc	21	Lepechinia calycina	WHITE PITCHER SAGE	5 gal	LOW	YES/CA
Rm	15	Ribes malvaceum	CHAPARRAL CURRANT	5 gal	VERY LOW	YES/CA
Perennials and Annuals						
Am	5	Achillea millefolium	YARROW	1 gal	LOW	YES/CA
Mg	17	Mimulus guttatus	COMMON MONKEY FLOWER	5 gal	LOW	YES/CA

Three Trees to Be Removed Requiring Replacement
#127, #128, #129 - See Arborist Report
Plan Includes Four Replacement Trees

FIRE DEFENSIBLE SPACE ZONES

0' - 30' From Buildings, Decks & Other Structures
No Proposed Trees in This Zone
Irrigated Shrubs to be Maintained / Prunned
Remove Dead or Dried Vegetation

30' - 100' From Buildings, Decks & Other Structures
Trim Trees Regularly to Maintain
a Minimum of 10' of Clearance
Between Branches of Adjoining Trees or Shrubs.
Mow or Remove Dead or Dried Vegetation

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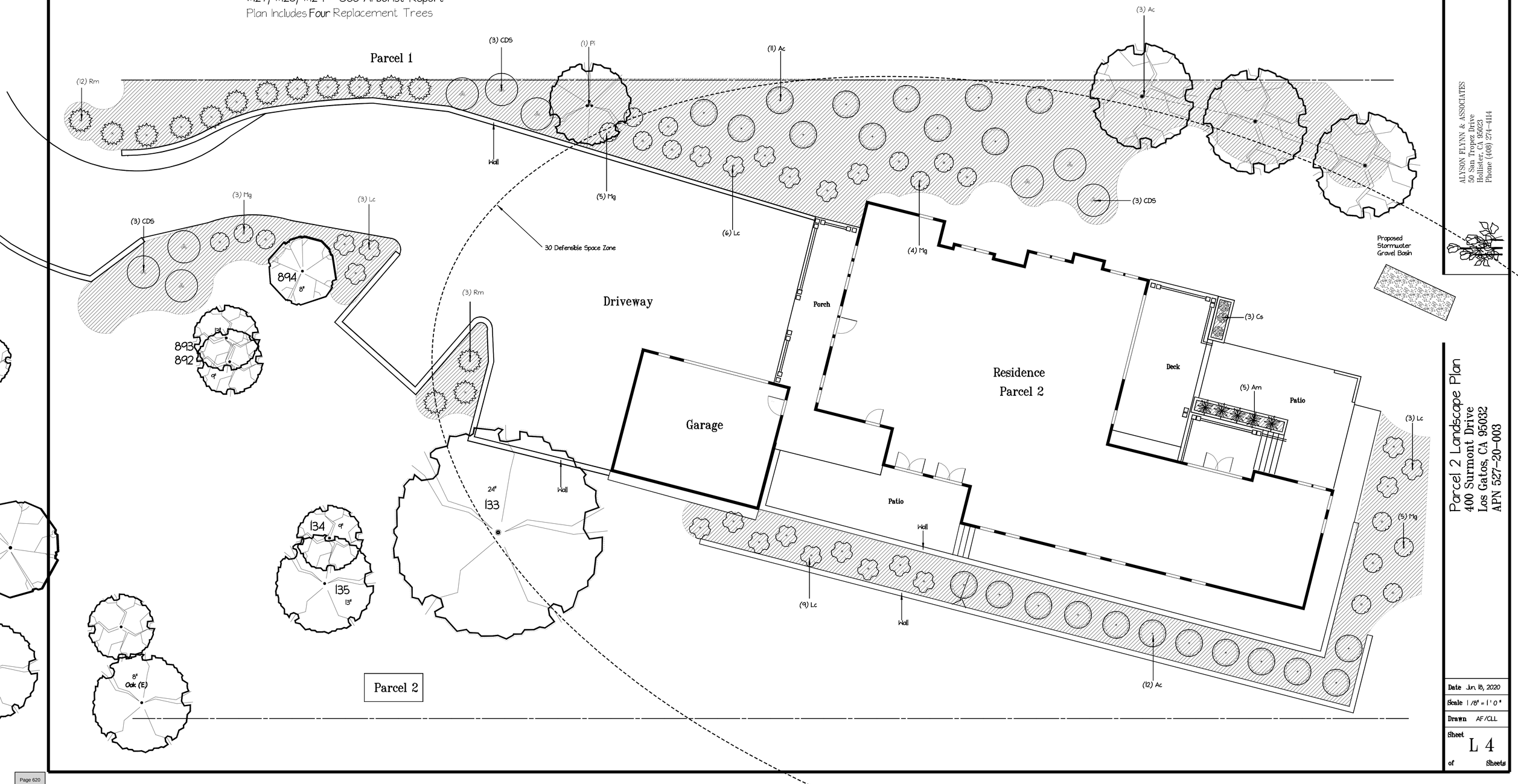
Revisions	By
Jan. 31, 2022	CLL
March 19, 2022	CLL



ALYSON FLYNN & ASSOCIATES
50 San Tropez Drive
Hollister, CA 95023
Phone (408) 274-4114

Parcel 2 Landscape Plan
400 Surmont Drive
Los Gatos, CA 95032
APN 527-20-003

Date Jan. 18, 2020
Scale 1/8" = 1'0"
Drawn AF/CLL
Sheet L 4
of Sheets

TREE LOCATIONS - ARBORIST REPORT

400 Surmont Drive, Los Gatos | Tree Inventory and Assessment | September 27, 2019 Revised February 11, 2022

Appendix A: Site Plan and Tree Locations

Site plan not to scale. Trees with an 'X' next to them are highly impacted. The blue dash represents the tree protection fence.

X Trees To Be Removed

EXISTING TREE INVENTORY

400 Surmont Drive, Los Gatos | Tree Inventory and Assessment | September 27, 2019 Revised February 11, 2022

Appendix B: Tree Inventory and Assessment Tables

Table 2: Inventory Summary

Tree Species	I.D. Number	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Condition	Suitability for Preservation	Expected Impact	Rounded Value	Status
apricot (*Prunus armeniaca*)	110	8	10	15	Poor	Poor	High	$470.00	Exempt
coast live oak (*Quercus agrifolia*)	111	6, 5	15	15	Fair	Fair	High	$750.00	Protected
apricot (*Prunus armeniaca*)	112	7, 7	15	15	Poor	Poor	High	$710.00	Exempt
holly oak (*Quercus ilex*)	113	13	30	30	Fair	Fair	Low	$2,340.00	Protected
coast live oak (*Quercus agrifolia*)	114	14, 9	35	30	Fair	Fair	Low	$2,700.00	Protected
coast live oak (*Quercus agrifolia*)	115	14	35	35	Good	Good	Low	$1,380.00	Protected
coast live oak (*Quercus agrifolia*)	116	13, 15	35	35	Fair	Fair	Low	$2,090.00	Large Protected
wild plum (*Prunus sp.*)	117	8	25	25	Good	Poor	Low	$620.00	Exempt
wild plum (*Prunus sp.*)	118	8	25	25	Good	Poor	Low	$620.00	Exempt
wild plum (*Prunus sp.*)	119	6	25	25	Good	Poor	Low	$390.00	Exempt
wild plum (*Prunus sp.*)	120	8, 4, 3	25	25	Good	Poor	Low	$770.00	Exempt
coast live oak (*Quercus agrifolia*)	121	18.5	35	35	Good	Good	Low	$5,400.00	Protected
apricot (*Prunus armeniaca*)	122	8, 8	15	15	Fair	Poor	Low	$1,700.00	Exempt

EXISTING TREE INVENTORY

400 Surmont Drive, Los Gatos | Tree Inventory and Assessment | September 27, 2019 Revised February 11, 2022

Tree Species	I.D. Number	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Condition	Suitability for Preservation	Expected Impact	Rounded Value	Status
coast live oak (*Quercus agrifolia*)	123	10, 9	35	35	Fair	Fair	Low	$1,820.00	Protected
holly oak (*Quercus ilex*)	124	8, 6	25	25	Fair	Fair	Low	$1,420.00	Protected
holly oak (*Quercus ilex*)	125	5	20	20	Good	Good	Low	$620.00	Protected
holly oak (*Quercus ilex*)	126	6, 4, 4	20	20	Fair	Fair	Low	$940.00	Protected
coast live oak (*Quercus agrifolia*)	127	14	30	30	Good	Good	High	$3,140.00	Protected
coast live oak (*Quercus agrifolia*)	128	11	30	30	Good	Good	High	$1,990.00	Protected
coast live oak (*Quercus agrifolia*)	129	11, 9	25	25	Good	Good	High	$3,140.00	Protected
stone pine (*Pinus pinea*)	130	9	25	15	Good	Poor	High	$880.00	Protected
toyon (*Heteromeles arbutifolia*)	131	7, 7, 7	25	25	Fair	Fair	Moderate	$2,150.00	Protected
coast live oak (*Quercus agrifolia*)	132	8, 5, 5	30	30	Fair	Fair	Moderate	$1,120.00	Protected
coast live oak (*Quercus agrifolia*)	133	27	55	55	Good	Good	Moderate	$11,300.00	Large Protected
coast live oak (*Quercus agrifolia*)	134	9, 9	25	25	Good	Good	Low	$2,730.00	Protected
coast live oak (*Quercus agrifolia*)	135	13	25	25	Good	Good	Low	$2,730.00	Protected
wild plum (*Prunus sp.*)	346	4, 4, 4, 4	10	8	Good	Poor	Low	$930.00	Exempt

EXISTING TREE INVENTORY

400 Surmont Drive, Los Gatos | Tree Inventory and Assessment | September 27, 2019 Revised February 11, 2022

Tree Species	I.D. Number	Trunk Diameter (in.)	~ Height (ft.)	~ Canopy Diameter (ft.)	Condition	Suitability for Preservation	Expected Impact	Rounded Value	Status
apricot (*Prunus armeniaca*)	506	3, 3, 3,	10	8	Good	Poor	High	$1,100.00	Exempt
apricot (*Prunus armeniaca*)	699	7, 7	10	8	Poor	Poor	High	$710.00	Exempt
coast live oak (*Quercus agrifolia*)	700	6	15	10	Fair	Fair	High	$460.00	Protected
apricot (*Prunus armeniaca*)	892	4, 4, 4, 6	10	8	Dead	Poor	Low	$0.00	Exempt
coast live oak (*Quercus agrifolia*)	893	13	25	15	Good	Good	Low	$2,730.00	Protected
coast live oak (*Quercus agrifolia*)	894	9	15	10	Good	Good	Moderate	$1,380.00	Protected
apricot (*Prunus armeniaca*)	895	6,4, 3	10	8	Poor	Poor	High	$470.00	Exempt
coast live oak (*Quercus agrifolia*)	896	6	15	10	Poor	Poor	High	$230.00	Protected
apricot (*Prunus armeniaca*)	897	4	10	8	Poor	Poor	High	$150.00	Exempt
apricot (*Prunus armeniaca*)	898	10	10	8	Poor	Poor	High	$710.00	Exempt
apricot (*Prunus armeniaca*)	899	8	10	8	Poor	Poor	High	$470.00	Exempt
apricot (*Prunus armeniaca*)	900	12	10	8	Poor	Poor	High	$1,000.00	Exempt

EXISTING TREE INVENTORY FROM ARBORIST REPORT

TREE TABLE

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TREES TO BE REMOVED REQUIRING REPLACEMENTS

ID #	Tree Species	Canopy Size	Replacement Requirement
111	Coast Live Oak	15	All Require 3 - 24" Box
127	Coast Live Oak	30	
128	Coast Live Oak	30	
129	Coast Live Oak	25	
130	Stone Pine	15	
700	Coast Live Oak	10	
896	Coast Live Oak	10	

PROPOSED TREES

Key	Qty	Botanical Name	Common Name	Size/Condition	Water	Native
Trees (L2 Frontage)						
Ac	6	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Pi	6	Prunus ilicifolia	HOLLYLEAF CHERRY	15 gal	LOW	YES/CA
Qa	2	Quercus agrifolia	COAST LIVE OAK	24" Box	LOW	YES/CA
Trees (L3 Parcel 1)						
Ac	3	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Ha	3	Heteromeles arbutifolia	CHRISTMAS BERRY	24" Box	LOW	YES/CA
Pi	3	Prunus ilicifolia	HOLLYLEAF CHERRY	24" Box	LOW	YES/CA
Trees (L4 Parcel 2)						
Ac	3	Aesculus californica	CALIFORNIA BUCKEYE	24" Box	VERY LOW	YES/CA
Pi	1	Prunus ilicifolia	HOLLYLEAF CHERRY	24" Box	LOW	YES/CA

ALYSON FLYNN & ASSOCIATES
50 San Tropez Drive
Hollister, CA 95023
Phone (408) 274-4114

400 Surmont Drive
Los Gatos, CA 95032
APN 527-20-003

Date March 22, 2022
Scale 1/8" = 1'0"
Drawn CLL
Sheet L 5
of Sheets

0 5 10 20
SCALE IN FEET

PLANS FOR THE CONSTRUCTION OF TWO NEW HOMES

400 SURMONT DRIVE

LOS GATOS, CALIFORNIA

ARCHITECTURE AND SITE APPLICATION

TOWN OF LOS GATOS STANDARD GRADING NOTES

1. ALL WORK SHALL CONFORM TO CHAPTER 12 OF THE CODE OF THE TOWN OF LOS GATOS, THE ADOPTED CALIFORNIA BUILDING CODE AND THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION EXCEPT AS SPECIFIED OTHERWISE ON THESE PLANS AND DETAILS.

2. NO WORK MAY BE STARTED ON--SITE WITHOUT AN APPROVED GRADING PERMIT ISSUED BY THE TOWN OF LOS GATOS, PARKS AND PUBLIC WORKS DEPARTMENT LOCATED AT 41 MILES AVENUE. LOS GATOS. CA 95030.

3. A PRE--JOB MEETING SHALL BE FIELD WITH THE TOWN ENGINEERING INSPECTOR FROM THE PARKS AND PUBLIC WORKS DEPARTMENT PRIOR TO ANY WORK BEING DONE. THE CONTRACTOR SHALL CALL THE INSPECTIONS LINE AT (408)399-5771 AT LEAST FORTY--EIGHT (48) HOURS PRIOR TO ANY GRADING OR ONSITE WORK. THIS MEETING SHALL INCLUDE:
   a.) A DISCUSSION OF THE PROJECT CONDITIONS OF APPROVAL WORKING HOURS, SITE MAINTENANCE AND OTHER CONSTRUCTION MATTERS.
   b.) ACKNOWLEDGEMENT IN WRITING THAT CONTRACTOR AND APPUCANT HAVE READ AND UNDERSTAND THE PROJECT CONDITIONS OF APPROVAL AND WILL MAKE CERTAIN THAT ALL PROJECT SUB-CONTRACTORS HAVE READ AND UNDERSTAND THEM PRIOR TO COMMENCING WORK AND THAT A 'COPY OF THE PROJECT CONDITIONS OF APPROVAL WILL BE POSTED ON SITE AT ALL TIMES DURING CONSTRUCTION.

4. APPROVAL OF PLANS DOES NOT RELEASE THE DEVELOPER OF THE RESPONSIBILITY FOR CORRECTION OF MISTAKES, ERRORS, OR OMISSIONS CONTAINED THEREIN. IF DURING THE COURSE OF CONSTRUCTION OF THE IMPROVEMENTS, PUBLIC INTEREST AND SAFETY REQUIRES A MODIFICATION OR :DEPARTURE FROM THE TOWN SPECIFICATIONS OR THESE IMPROVEMENT PLANS, THE TOWN ENGINEER SHALL HAVE FULL AUTHORTIY TO REQUIRE SUCH MODIFICATION OR DEPARTURE AND TO SPECIFY THE MANNER IN WHICH THE SAME IS TO BE MADE.

5. APPROVAL OF THIS PLAN APPLIES ONLY TO ME GRADING. EXCAVATION, PLACEMENT, AND COMPACTION OF NATURAL EARTH MATERIALS. THIS APPROVAL DOES NOT CONFER ANY RIGHTS OF ENTRY RO EITHER PUBLIC PROPERTY OR PRIVATE PROPERTY OF OTHERS AND DOES NOT CONSTITUTE APPROVAL OF ANY OTHER IMPROVEMENTS.

6. EXCAVATED MATERIAL SHALL BE PLACED IN THE FILL AREAS DESIGNATED OR SHALL BE HAULED AWAY FROM THE SITE TO BE DISPOSED OF AT APPROVED LOCATION(S).

7. IT SHALL BE THE RESPONSIBILITY OF THE PERMITTEE OR CONTRACTOR TO IDENTIFY, LOCATE AND PROTECT ALL UNDERGROUND FACILITIES. PERMITEE OR CONTRACTOR SHALL NOTIFY USA (UNDERGROUND SERVICE ALERT) AT 1-800-227-2600 A MINIMUM OF FORTY-EIGHT (48) HOURS BUT NOT MORE THAN FOURTEEN (14) DAYS PRIOR TO COMMENCING ALL WORK.

8. ALL GRADING SHALL BE PERFORMED IN SUCH A MANNER AS TO COMPLY WITH THE STANDARDS ESTABUSHED BY THE AIR DUALITY MANAGEMENT DISTRICT FOR AIR BORN PARTICULATES.

9. THE CONTRACTOR SHALL WITH ALL LOCAL, STATE AND FEDERAL LAWS. CODES, RULES AND REGULATIONS GOVERNING THE WORK IDENTIFIED ON THESE PLANS. THESE SHALL INCLUDE, WITHOUT LIMITATION, SAFETY AND HEALTH RULES AND REGULATIONS ESTABLISHED BY OR PURSUANT TO THE OCCUPATIONAL SAFETY AND HEALTH ACT OR ANY OTHER APPLICABLE PUBLIC AUTHORITY.

10. THE GENERAL CONTRACTOR SHALL PROVIDE OUAUFIED SUPERVISION ON THE JOB SITE AT ALL TIMES DURING CONSTRUCTION.

11. HORIZONTAL AND VERTICAL CONTROLS SHALL BE SET AND CERTIFIED BY A LICENSED SURVEYOR OR REGISTERED CIVIL ENGINEER QUALIFIED TO PRACTICE LAND SURVEYING, FOR THE FOLLOWING ITEMS: a.) RETAINING WALL: TOP OF WALL ELEVATIONS AND LOCATIONS (ALL WALLS TO BE PERMITTED SEPARATELY ADN APPLIED FOR AT THE TOWN OF LOS GATOS BUILDING DIVISION) b.) TOE AND TOP OF FILL SLOPES.

12. PRIOR TO ISSUANCE OF ANY PERMIT, THE APPUCANT'S SOILS ENGINEER SHALL REVIEW THE FINAL GRADING AND DRAINAGE PLANS TO ENSURE THE DESIGNS FOR FOUNDATIONS, RETAINING WALLS, SITE GRADING, AND SITE DRAINAGE ARE IN ACCORDANCE WITH THEIR RECOMMENDATIONS AND THE PEER REVIEW COMMENTS. THE APPLICANT'S SOILS ENGINEER'S APPROVAL SHALL THEN BE CONVEYED TO THE TOWN EITHER BY LETTER OR BY SIGNING THE PLANS.
    SOILS ENGINEER: EARTHSYSTEMS PACIFIC, BILL ZEHFBACH, REFERENCE REPORT NUMBER SH-11172SA, DATED MARCH 10, 2010
    LETTER NUMBER 303158, DATED MAY 24, 2019, SHALL BE THOROUGHLY COMPLIED WITH.
    BOTH THE MENTIONENED REPORT AND ALL UPDATES/ADDENDUMS/LETTERS ARE HEREBY APPENEDED AND MADE A PART OF THIS GRADING PLAN.

13. DURING CONSTRUCTION, ALL EXCVATIONS AND GRADING SHALL BE INSPECTED BY THE APPLICANT'S SOILS ENGINEER. THE SHALL BE NOTIFIED AT LEAST FORTY--EIGHT (48) HOURS BEFORE BEGINNING ANY GRADING. THE ENGINEER SHALL BE ONSITE TO VERIFY THAT THE ACTUAL CONDITONS ARE AS ANTICIPATED IN THE DESIGN--LEVEL CEO TECHNICAL REPORT AND/OR PROVIDE APPROPRIATE CHANGES TO THE REPORT RECOMIAENDAIONS AS NECESSARY. ALL UNOBSERVED AND/OR UNAPPROVED GRADING SHALL BE REMOVED AND REPLACED UNDER SOILS ENGINEER OBSERVNCE (THE TOWN INSPECTOR SHALL BE MADE AWARE Or ANY REQUIRED CHANGES PRIOR TO PRIOR TO WORK BEING PERFORMED).

14. THE RESULTS OF THE CONSTRUCTION OBSERVATION ADN TESTING SHOULD BE DOCUMENTED IN AN "AS--BUILT" LETTER/REPORT PREPARED BY THE APPLICANTS' SOILS ENGINEER AND SUBMITTED FOR THE TOWN'S REVIEW/ AND ACCEPTANCE BEFORE FINAL RELEASE OF ANY OCCUPANCY PERMIT IS GRANTED.

15. ALL PRIVATE AN PUBLIC STREETS ACCESSING PROJECT SITE SHALL BE KEPT IN A SAFE, DRIVABLE CONDITION THROUGHOUT CONSTRUCTION. IF TEMPORARY CLOSURE IS NEEDED. THEN FORMAL WRITTEN NOTICE TO THE ADJACENT NEIGHBORS AND TOWN OF LOS GATOS PARKS AND PUBLIC WORKS DEPARTMENT SHALL BE PROVIDED AT LEAST ONE (1) WEEK IN ADVANCE OF CLOSURE ANO NO CLOSURE SHALL BE GRANTED WITHOUT EXPRESS WRITTEN APPROVAL OF THE TOWN. NO MATERIAL OR EQUIPMENT SHALL BE STORED IN THE PUBLIC OR PRIVATE RIGHT-OF-WAY.

16. THE CONTRACTOR SHALL INSTALL AND MAINTAIN FENCES. BARRIERS, LIGHTS. AND SIGNS THAT ARE NECESSARY TO GIVE ADEQUATE WARNING AND/PROTECTION TO THE PUBLIC AT ALL TIMES.

17. APPLICANT: SANDRA ANDERSON PHONE: (408) 559-8850

18. GENERAL CONTRACTOR: THE BUILDING WORKS PHONE: (408) 391-8130

19. GRADING CONTRACTOR: TBD PHONE:

20. a) CUT: 2,432 CY EXPORT: 1833 CY (SEE SHEETS C-8 & C-9)
    b) FILL: 599 CY IMPORT: 0 CY

21. WATER SHALL BE AVAILABLE ON SITE AT ALL TIMES DURING GRADING OPERATIONS TO PROPERLY MAINTAIN DUST CONTROL.

22. THIS PLAN DOES NOT APPROVE THE REMOVAL OF TREES. APPROPRIATE TREE REMOVAL PERMITS AND METHODS OF TREE PRESERVATION SHALL BE REOUIRED. TREE REMOVAL PERMITS ARE REQUIRED PRIOR TO APPROVAL OF ALL PLANS.

23. A TOWN ENCROACHMENT PERMIT IS REQUIRED FOR ANY WORK WITHIN THE PUBUC RIGHT-OF-WAY. A STATE ENCROACHMENT PERMIT IS REQUIRED FOR ANY WORK WITHIN STATE RIGHT-OF-WAY (IF APPUCAEILE), THE PERMITTEE AND/OR CONTRACTOR SHALL BE RESPONSIBLE COORDINATING INSPECTION PERFORMED BY OTHER GOVERNMENT AGENCIES.

24. NO CROSS-LOT DRAINAGE WILL BE PERMITTED WITHOUT SATISFACTORY STORMWATER ACCEPTANCE DEED/FACILITIES. ALL DRAINAGE SHALL BE DIRECTED TO THE STREET OR OTHER ACCEPTABLE DRAINAGE FACILITY VIA A NON-EROSIVE ME1HOE AD APPROVED BY THE TOWN ENGINEER.

25. IT IS THE RESPONSIBIUTY OF THE CONTRACTOR AND/OR OWNER TO MAKE SURE THAT ALL DIRT TRACKED INTO NE PUBLIC RIGHT-OF-WAY IS CLEANED UP ON A DAILIY BASIS. MUD, SILT. CONCRETE AND OTHER CONSTRUCTION DEBRIS SHALL NOT BE WASHED INTO THE TOWN'S STORM DRAINS.

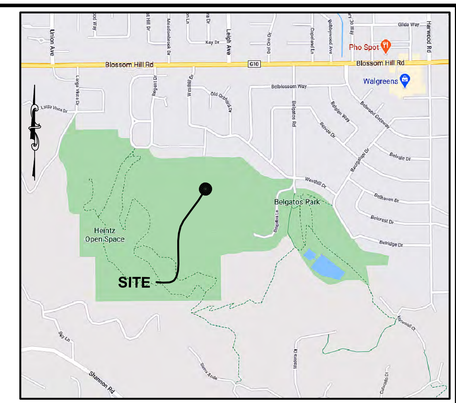
26. GOOD HOUSEKEEPING PRACTICES SHALL BE OBSERVED AT ALL TIMES DURING THE COURSE OF CONSTRUCTION. SUPERINTENDENCE OF CONSTRUCTION SHALL BE DILIGENTLY PERFORMED BY A PERSON OF PERSONS AUTHORIZED TO DO SO AT ALL TIMES DURING WORKING HOURS. THE STORING OF GOODS AND/OR MATERIALS ON THE SIDEWALK AND/OR STREET WILL NOT BE ALLOWEDUNLESS A SPECIAL PERMIT IS ISSUED BY THE ENGINEERING DIVISION. THE ADJACENT PUBLIC RIGHT-OF-WAY SHALL BE KEPT CLEAR OF ALL JOB RELATED DIRT AND DEBRIS AT THE END OF THE DAY. FAILURE TO MAINTAIN THE PUBLIC RIGHT-OF-WAY ACCORDING TO THIS CONDITION MAY RESULT IN PENALTIES AND/OR THE TOWN PERFORMING THE REOUIRED MAINTENANCE AT THE DEVELOPER'S EXPENCE

27. GRADING SHALL BE UNDERTAKEN IN ACCORDANCE WITH CONDITIONS AND REQUIREMENTS OF THE PROJECT STORM WATER POLLUTION CONTROL PLAN AND/OR STOR1A WATER POLLUTION PREVENTION PLAN (SWPPP), THE TOWN OF LOS GATOS STORM WATER QUALITY MANAGEMENT PROGRAM, NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) AND ANY OTHER PERMITS/REQUIREMENTS ISSUED BY THE STATE OF CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD. PLAN (INCLUDING ALL UPDATES) SHALL BE ON-SITE AT ALL TIMES. NO DIRECT STORMWATER DISCHARGES FROM THE DEVELOPMENT WILL BE ALLOWEDONTO TOWN STREETS OR INTO THE PUBUC STORM DRAIN SYSTEM WITHOUT TREATME11.I BY AN APPROVED STORM WATER POLLUTION PREVENTION DEVICE OR OTHER APPROVED METHODS. MAINTENANCE OF PRIVATE STORMWATER POLLUTION PREVENTION DEVICES SHALL BE THE SOLE RESPONSIBIUTY OF THE OWNER. DISCHARGES OR CONNECTION WITHOUT TREATMENT BY AN APPROVED AN ADQUATELY OPERATING STORMWATER POLLUTION PREVENTION DEVICE OR OTHER APPROVED METHOD SHALL BE CONSIDERED A VIOLATION OF THE ABOVE REFERENCED PERMIT AND THE TOWN OF LOS GATOS STORMWATER ORDINANCE.

LEGEND

DESCRIPTION	EXISTING	PROPOSED
PROPERTY LINE		
ADJACENT PROPERTY LINE		
STREET CENTER LINE		
BUILDING SETBACK LINES		
EASEMENT		
DIRT ROAD		
ROAD/PAVEMENT		
CURB		
CURB AND GUTTER		
CONCRETE		
CONTOUR MAJOR	530	530
CONTOUR MINOR	534	534
LIMIT OF GRADING		
BLOCK RETAINING WALL		
ROCK RETAINING WALL		
DRIVEWAY		
BUILDING		
BUILDING 2nd FLOOR		

DESCRIPTION	EXISTING	PROPOSED
AC BERM		
TOP OF BANK	TOP	TOP
TOE OF BANK	TOE	TOE
WIRE FENCE	-x-x-x-	-x-x-x-
CHAIN LINK FENCE	-o-o-o-	-o-o-o-
WOOD FENCE	-o-o-o-	-o-o-o-
SANITARY SEWER LINE	SS	SS
PERFORATED SEPTIC LINE		
ELECTRIC LINE	E	E
GAS LINE	G	G
STORM DRAIN LINE		
WATER LINE	W W	W W
OVERHEAD WIRE	OH	OH
SWALE/FLOWLINE		
PROP. GRASSY SWALE		
LEAST RESTRICTIVE DEVELOPMENT AREA		LRDA



VICINITY MAP
N.T.S.

ABBREVIATIONS

AB	AGGREGATE BASE	JP	JOINT POLE
AC	ASPHALTIC CONCRETE	MAX	MAXIMUM
AD	AREA DRAIN	MIN	MINIMUM
APT	ANGLE POINT	MPVC	MIDPOINT OF VERTICAL CURVE
AS	AGGREGATE SUBBASE	MH	MANHOLE
BC	BEGINNING OF CURVE	N	NORTH
BFP	BACK FLOW PREVENTOR	NO	NUMBER
BOW	BOTTOM OF WALL	OH	OVERHANG
BVC	BEGIN VERTICAL CURVE	OHE	OVERHEAD ELECTRIC
BW	BACK OF WALK	NTS	NOT TO SCALE
C	CONCRETE	P	PAVEMENT ELEVATION
COL	COLUMN	PCC	PORTLAND CEMENT CONCRETE
CY	CUBIC YARD	PIV	POST INDICATOR VALVE
CB	CATCH BASIN	PL	PROPERTY LINE
C&G	CURB AND GUTTER	PMH	POWER MANHOLE
CI	CURB INLET	PP	POWER POLE
CIP	CAST IRON PIPE	PVC	POLYVINYL CHLORIDE PIPE
CL	CENTER LINE OR CLASS	R	RADIUS
CLF	CHAIN LINK FENCE	RC	RELATIVE COMPACTION
CO	CLEANOUT	RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE	R/W	RIGHT OF WAY
CONC	CONCRETE	SW	SIDEWALK
CONST	CONSTRUCTION OR CONSTRUCT	S	SLOPE OR SOUTH
CPAU	CITY OF PALO ALTO UTILITIES	SB	SEDIMENT BASIN
D	DOOR	SD	STORM DRAIN
DI	DROP INLET	SDDI	STORM DRAIN DROP INLET
DIP	DUCTILE IRON PIPE	SF	SILT FENCE
DOM	DOMESTIC	S.L.D.	SEE LANDSCAPE DRAWINGS
DW	DOMESTIC WATER	SMH	SIGNAL MANHOLE
DWG	DRAWING	SS	SANITARY SEWER
E	EAST	STA	STATION
EC	END OF CURVE	STD	STANDARD
EP	EDGE OF PAVEMENT	TYP	TYPICAL
ER	END OF RETURN	TC	TOP OF CURB
EVC	END VERTICAL CURVE	TPZ	TREE PROTECTION ZONE
ELEV	ELEVATION	TS	TOP OF SLAB
EX, EXIST	EXISTING	TOW	TOP OF WALL
FDC	FIRE DEPARTMENT CONNECTION	U/G	UNDERGROUND
FC	FACE OF CURB	UON	UNLESS OTHERWISE NOTED
FF	FINISHED FLOOR	VC	VERTICAL CURVE
FG	FINISHED GRADE	W	WEST
FH	FIRE HYDRANT	WELL T	TREE WELL
FL	FLOW LINE	WGW	WATER, GAS, WASTEWATER
FOUND	FOUNDATION	WM	WATER METER
FS	FINISHED SURFACE	WV	WATER VALVE
FT	FOOT	WWF	WELDED WIRE FABRIC
FW	FIRE WATER	W/	WITH
GB	GRADE BREAK		
GV	GATE VALVE		
HC	HANDICAP		
HP	HIGH POINT		
INV	INVERT ELEVATION		

BENCHMARK

ELEVATIONS WERE DERIVED FROM GPS OBSERVATIONS
AND ARE BASED ON DAVD88

SHEET INDEX

C-0 COVER SHEET
C-1 TENTATIVE MAP (PREVIOUSLY APPROVED)
C-2 ACCESS ROAD PLAN AND PROFILE
C-3 UTILITY PLAN
C-4 (NOT INCLUDED IN THIS SUBMISSION)
C-5 ACCESS ROAD PLAN AND PROFILE
C-6 EROSION CONTROL PLAN
C-7 EROSION CONTROL AND CONSTRUCTION DETAILS
C-8 PARCEL 1 SITE PLAN
C-9 PARCEL 2 SITE PLAN

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER
TERENCE J. SZEWCZYK
NO. 35527
EXP. 9-30-23
STATE OF CALIFORNIA

8-3-22

TERENCE J. SZEWCZYK, P.E. 35527
EXPIRATION DATE: 09/30/23

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 2
GRADING AND SITE
IMPROVEMENT

COVER SHEET
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

BY	REVISIONS	DATE
1		
2		
3		
4		
5		
6		

DATE: 8-3-22
SCALE: AS NOTED
DRAWN BY: DKH
SURVEYED BY: JMS
PROJ ENGR: TJS
CHECK BY: TJS

SHEET NO.
C-0
OF 9 SHEETS

JOB NO.
16-233

08/05/2022 9:04pm - N:\2016 JOBS\16-233\DWG\16-233_P2 CO COVER SHEET.DWG - C0

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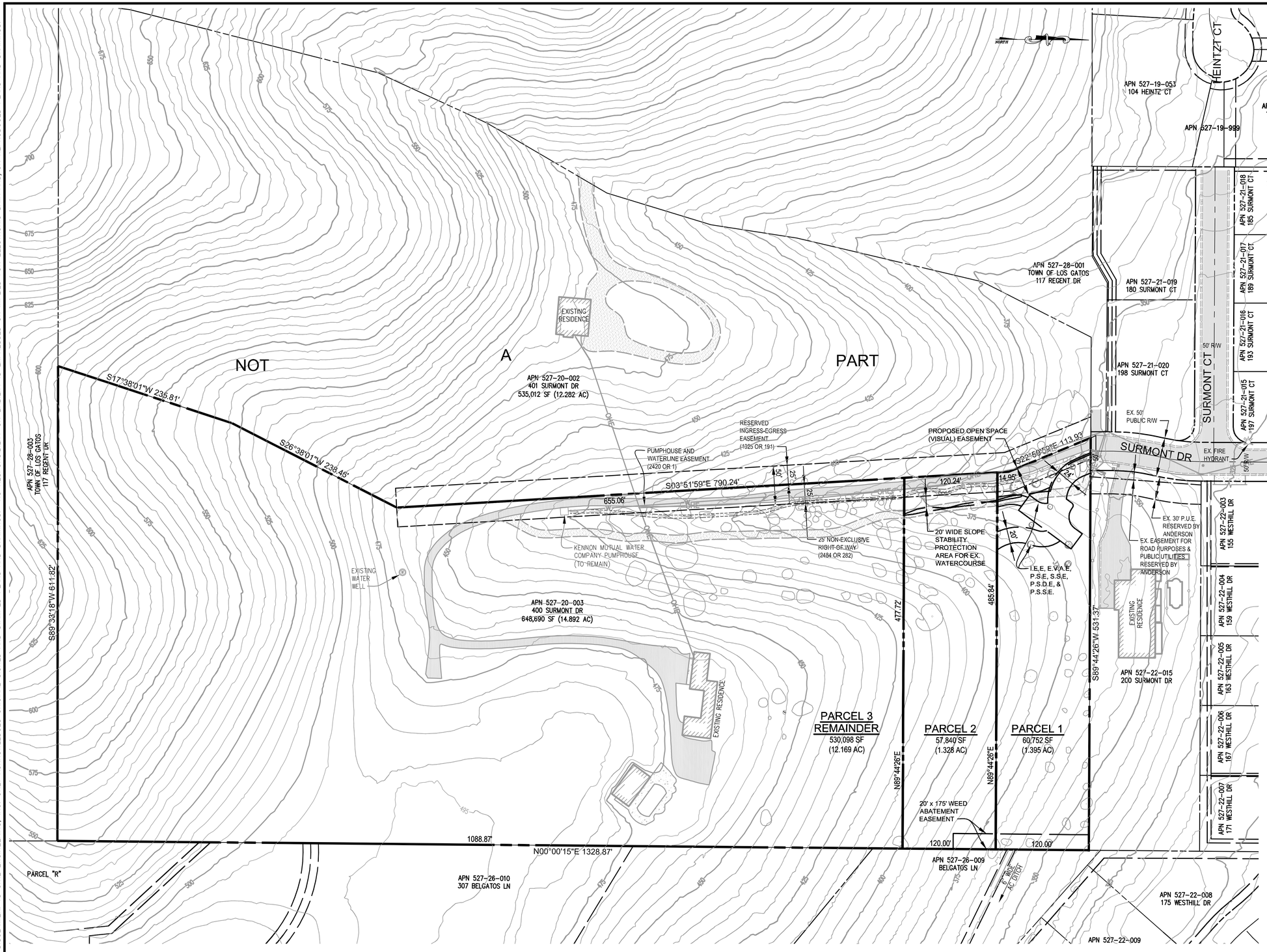

TENTATIVE MAP NOTES

TRACT NAME:	400 SURMONT DRIVE MINOR SUBDIVISION 2 PARCELS AND DESIGNATED REMAINDER
OWNER:	SANDRA K. ANDERSON, TRUSTEE 400 SURMONT DRIVE LOS GATOS, CA 85032 C/O BOB HUGHES (408) 559-8850
CIVIL ENGINEER:	TERENCE J. SZEWCZYK TS/CIVIL ENGINEERING, INC. 1776 TECHNOLOGY DRIVE SAN JOSE, CA 95110 (408) 452-9300 EXT 220
APN:	527-20-003
GROSS AREA:	648,690 SF (14.892 ACRES)
ZONING:	HR-2.5
AVERAGE SLOPE:	27.3%
LOT YIELD:	14.89 AC / 2.72 AC/DU = 5.5 DU'S OR LOTS
PROPOSED LOTS:	2 + DESIGNATED REMAINDER
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
WATER SUPPLY:	SAN JOSE WATER COMPANY
SEWAGE DISPOSAL:	WEST VALLEY SANITATION DISTRICT
GAS & ELECTRIC:	PG&E

LEGEND

- EX. PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- BUILDING SETBACK LINES
- EX. EASEMENT
- EX. ROAD
- 530 EX. CONTOUR MAJOR
- 534 EX. CONTOUR MINOR
- EX. DRIVEWAY
- 530 PROP. PROPERTY LINE
- 534 PROP. CONTOUR MAJOR
- PROP. CONTOUR MINOR
- PROP. DRIVEWAY
- PROP. BUILDING
- PROP. CONCRETE
- SINGLE FAMILY RESIDENTIAL USE (SFR)

AREA CHART

PARCEL 1	60,752 SF (1.395 AC)
PARCEL 2	57,840 SF (1.328 AC)
PARCEL 3 (REMAINDER)	530,098 SF (12.169 AC)
TOTAL	648,690 SF (14.892 AC)

GRAPHIC SCALE
60 0 30 60 120
(IN FEET)
1" = 60'

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NO. 35527
EXP. 9-30-23
STATE OF CALIFORNIA
8-3-22
TERENCE J. SZEWCZYK, P.E. NO. 35527
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SAN JOSE, CA 95110
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TS/CIVIL ENGINEERING

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 2
GRADING AND SITE
IMPROVEMENT

TENTATIVE MAP
(PREVIOUSLY APPROVED)
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

6	5	4	3	2	1	BY	REVISIONS	DATE

DATE:	8-3-22
SCALE:	1"=60'
DRAWN BY:	DKH
SURVEYED BY:	
PROJ ENGR:	TJS
CHECK BY:	TJS

SHEET NO.
C-1
OF 9 SHEETS

JOB NO.
16-233

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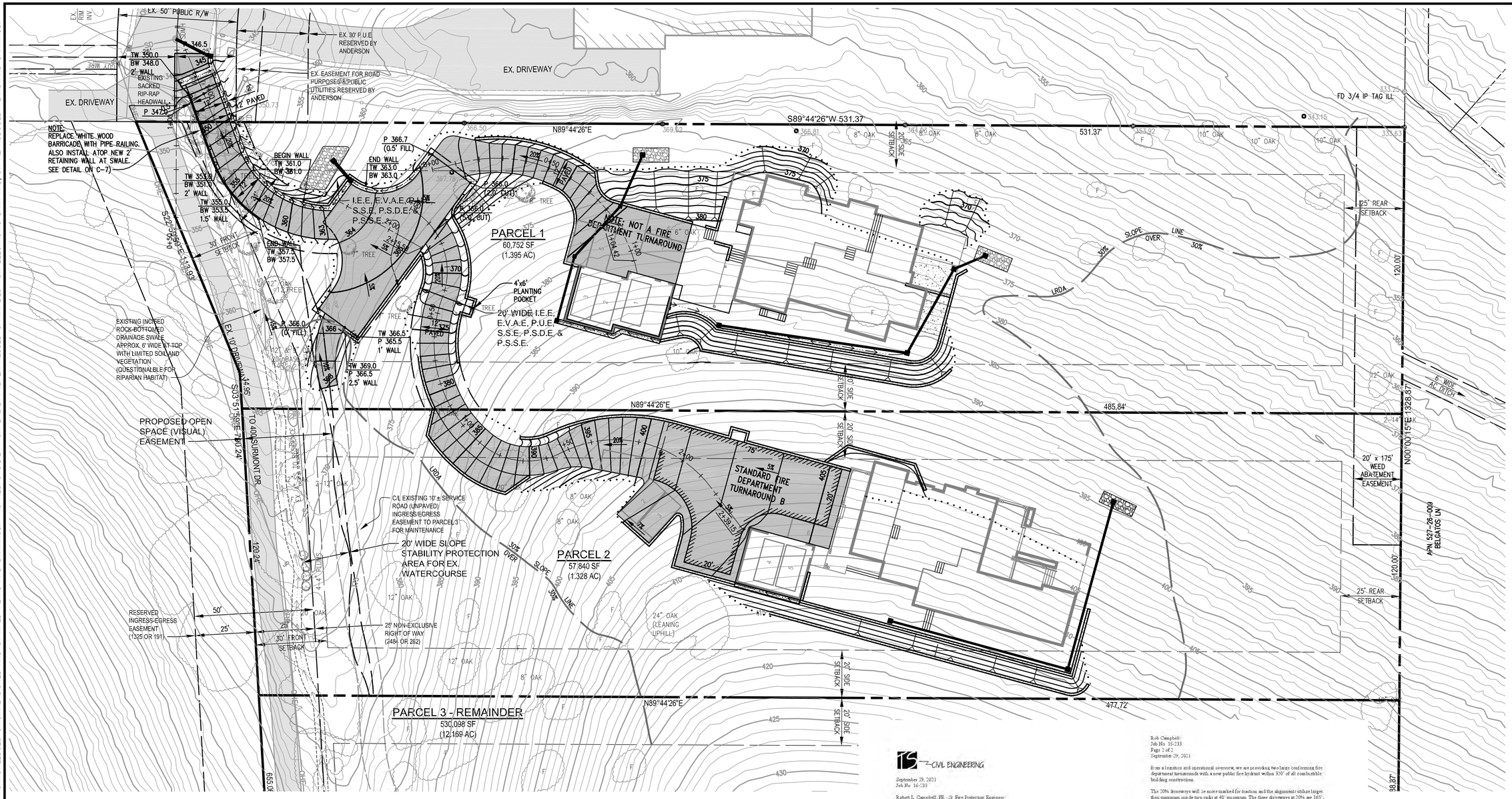

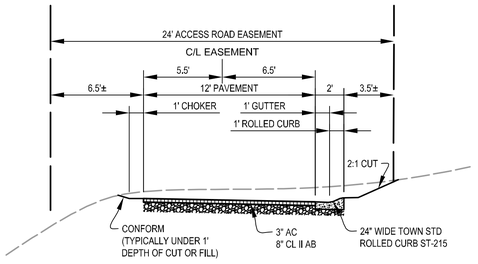

ACCESS ROAD TYPICAL SECTION (LOOKING NORTH)

1" = 5'

IMPERVIOUS COVERAGE			
	PARCEL 1 (SF)	PARCEL 2 (SF)	TOTAL (SF)
ACCESS ROAD	7,950	900	8,850
DRIVEWAY	600	1,520	2,120
DRIVEWAY (IN LOT 1)		900	900
TURNAROUND	1,350		1,350
F.D. TURNAROUND		2,150	2,150
HOUSE AND GARAGE	5600	5,100	10,700
IMPERVIOUS TOTAL	15,500	9,670	25,170
DISTURBED AREA	19,750	12,020	31,770

TOTAL DISTURBED AREA: 31,770 SF < 1 ACRE

TS CIVIL ENGINEERING

September 29, 2021
Job No 16-233

Robert L. Campbell, FE - Sr Fire Protection Engineer
Santa Clara County Fire Department
14700 Winchester Blvd
Los Gatos, CA 95035

Subject: Justification For 20% Sloped Driveways
Architecture & Site Application for Grading 2-21-004
400 Surmont Drive, Los Gatos

Dear Mr Campbell,

Pursuant to the Staff technical review comments and the Architecture & Site Approval Application (S-21-004) we are submitting the following additional justification for the access road and individual lot driveways for slopes over 15% and design at a maximum of 20%

A. **The Town Hillside Specific Plan (HSP) is the paramount authority as it is both legislative zoning and general plan document adopted by the Town Council and the Santa Clara County Board of Supervisors.**

The HSP provides for 20% sloped driveways to minimize grading and the proliferation of roadways through shared use driveways. The specific terms of this site development area is under 25% slope, which is an unofficial threshold adopted by the Town in 2014 per the Hillside Standards & Design Guidelines (HSDG). Note that the Town has never properly ratified these 2014 modifications with the partner agency- Santa Clara County, as such the authority here is dubious). Regardless the use of 15% driveways versus 20% would have the following site impacts.

- The current 490 combined driveway length for 20% would increase to 573 at 15% resulting in an additional improvement area of 1716 SF (plus 10%) and increased earthwork volume to 320 CY of grading (plus 30%).

B. **The County Fire Department Specification for the Driveway Requirements, Section III (attached) allow for driveways up to 20% provided they are no ... longer than 300'.**

We have taken our previous "Fire service versus on-site parking" exhibit and highlighted it in green and numbered each issue to restate the previous justification. Furthermore,

17771 EL CAMINO REAL SAN JOSE, CA 95110
408.432.9300 MAIN 408.337.7550 FACSIMILE
WWW.TSCIVIL.COM

Rob Campbell
Job No 16-233
Page 2 of 2
September 29, 2021

from a location and operational overview, we are providing two large conforming fire department turnarounds with a new public fire hydrant within 330' of all combustible building construction.

The 20% driveways will be score marked for traction and the alignment utilize larger than minimum radii for curves at 40' minimum. The three driveways at 20% are 165', 65' & 200' respectively which are easily less than 300' and represent moderate climbs of 33', 13' &40' in elevation, respectively. The point is that on this low fuel (grasses and fruit trees) hillside of moderate slope (20%), we are not creating a dangerously remote and elevated fire risk for these structures adjacent residences, or firefighters. The Parcel 2 fire department turnaround provides an excellent staging location for both residences.

Finally, both residences will be equipped with full fire sprinklers inside the residences which exceed the current standards of which every other existing residence within the immediate neighborhood.

Should you require additional information please contact me by email terry@tscivil.com or cell phone at (408) 316-3696

Terence J. Szewczyk

TSCIVIL ENGINEERING, INC.
Terence J. Szewczyk, P.E. C35527
Principal Engineer

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NO. 35527
EXP. 9-30-23
STATE OF CALIFORNIA
8-3-22

TERENCE J. SZEWCZYK, P.E. NO. 35527
EXPIRATION DATE: 09/30/23

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1" = 20'

TS CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 2
GRADING AND SITE IMPROVEMENT

LOT LAYOUT PLAN AND ACCESS ROAD PLAN AND PROFILE
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

BY	REVISIONS	DATE
1		
2		
3		
4		
5		
6		

DATE: 8-3-22
SCALE: 1"=20'
DRAWN BY: DKH
SURVEYED BY:
PROJ ENGR: TJS
CHECK BY: TJS

SHEET NO.
C-2
OF 9 SHEETS

JOB NO.
16-233

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SURMONT DR

EX. 54' PUBLIC R/W

EX. CB RIM 343.75 INV 340.85

16'-12" RCP @S=2.0%

REL 6" SS TO REMAIN

NEW RISER

GUY WIRE

EX. 30' EASEMENT FOR ROAD PURPOSES & PUBLIC UTILITIES RESERVED BY ANDERSON

EX. EASEMENT FOR ROAD PURPOSES & PUBLIC UTILITIES RESERVED BY ANDERSON

SAVE AND PROTECT EXISTING JUNIPER BUSHES WITHIN PUBLIC STREET RIGHT OF WAY

DI RIM 346.0 INV 342.0

INSTALL SS VERT RISER RIM 346.0 INV 341.0± EXPOSE AND VERIFY

REMOVE SECTION OF EX. SS LINE

SSCO RIM 351.0 INV 346.0

0.5% 4' 5' 12' PAVED 5.6' 5' 55'

6" PVC SS

SSCO RIM 354.0 INV 349.0

39' – 4" SS @S=17.9%

DI RIM 359.5 INV 356.5

10'x20' STORMWATER GRAVEL BASIN

13'-12" PVC @S=19.2%

DI RIM 363.5 INV 359.0

4" PVC SS @ 2% MIN. (TYP.)

SSCO RIM 366.0 INV 361.0

SSCO RIM 368.0 INV 363.0

SSCO RIM 370.0 INV 365.0

SSCO

UTIL XING SD INV 369.67 SS INV 368.34

23'–6" PVC @ 39.1%

RIM 371.0 INV 367.0

6'x15' STORMWATER GRAVEL BASIN

SSCO RIM 375.0 INV 370.0

4" PVC SS

2" WATER

12' PAVED

DI RIM 379.5 INV 376.0

NOTE: NOT A FIRE DEPARTMENT TURNAROUND

29'–6" PVC @ S=2.0%

46.62'

NEW SPLICE BOX

SB

24' EASEMENT

I.E.E. E.V.A.E. P.U.E. S.S.E. P.S.D.E. & P.S.S.E.

PARCEL 1

60,752 SF (1.395 AC)

RIM 367.5 INV 363.0

DI RIM 380.6 INV 376.6

20' WIDE I.E.E. E.V.A.E. P.U.E. S.S.E. P.S.D.E. & P.S.S.E.

RIM 354 INV 348.0± EXPOSE AND VERIFY

8" WATER

2" WATER

BLOW OFF

30' FRONT SETBACK

RIM 359.0 INV 354.0

NEW WATER METER

NEW FH

54' – 4" PVC SS @S=7.5%

RIM 364.0 INV 359.0

DI RIM 384.5 INV 381.5

28'–6" PVC S=17.5%

DI RIM 378.4 INV 376.3

80'–6" PVC @ S=1.0%

CONCRETE J-DITCH

12' PAVED

4" PVC SS

2" WATER

PROPOSED OPEN SPACE (VISUAL) EASEMENT

NEW SS @ 20% GRADIENT 5' DEEP TO INVERT

8' TAPER

8'x35' PASSENGER CAR TURNOUT

PARCEL 2

57,840 SF (1.328 AC)

8' TAPER

EX. 4" SS TO RESIDENCE

20' WIDE SLOPE STABILITY PROTECTION AREA FOR EX. WATERCOURSE

STANDARD FIRE DEPARTMENT TURNAROUND B

75'

20'

NEW SPLICE BOX

SSCO

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER TERENCE J. SZEWCZYK NO. 35527 EXP. 9-30-23 STATE OF CALIFORNIA

8-3-22

TERENCE J. SZEWCZYK, P.E. NO. 35527
EXPIRATION DATE: 09/30/23

GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
1" = 10'

TS CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 2
GRADING AND SITE IMPROVEMENT

UTILITY PLAN

400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

NO.	BY	REVISIONS	DATE
6			
5			
4			
3			
2			
1			

DATE:	8-3-22
SCALE:	1"=10'
DRAWN BY:	DKH
SURVEYED BY:	
PROJ ENGR:	TJS
CHECK BY:	TJS

SHEET NO.
C-3
OF 9 SHEETS

JOB NO.
16-233

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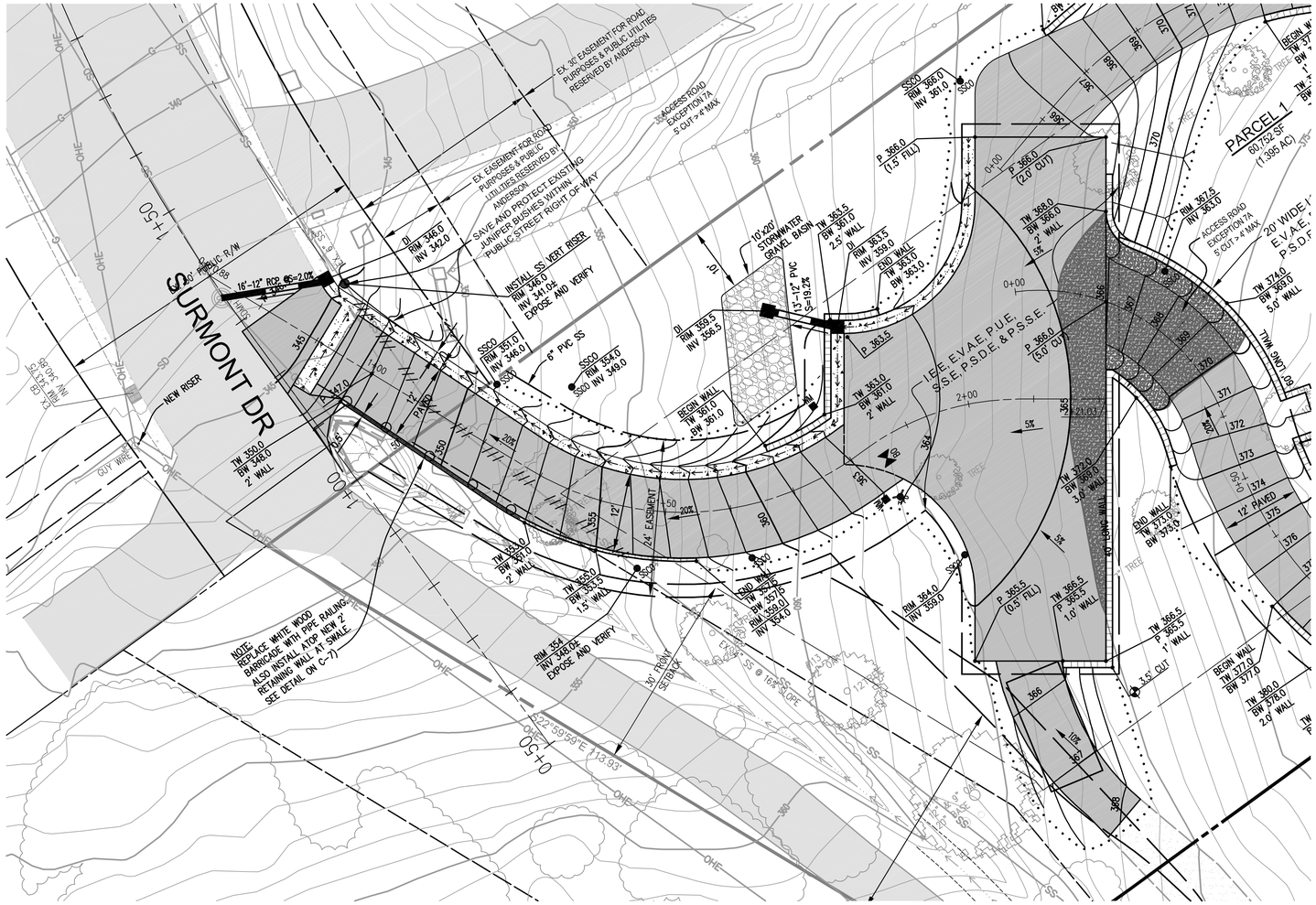
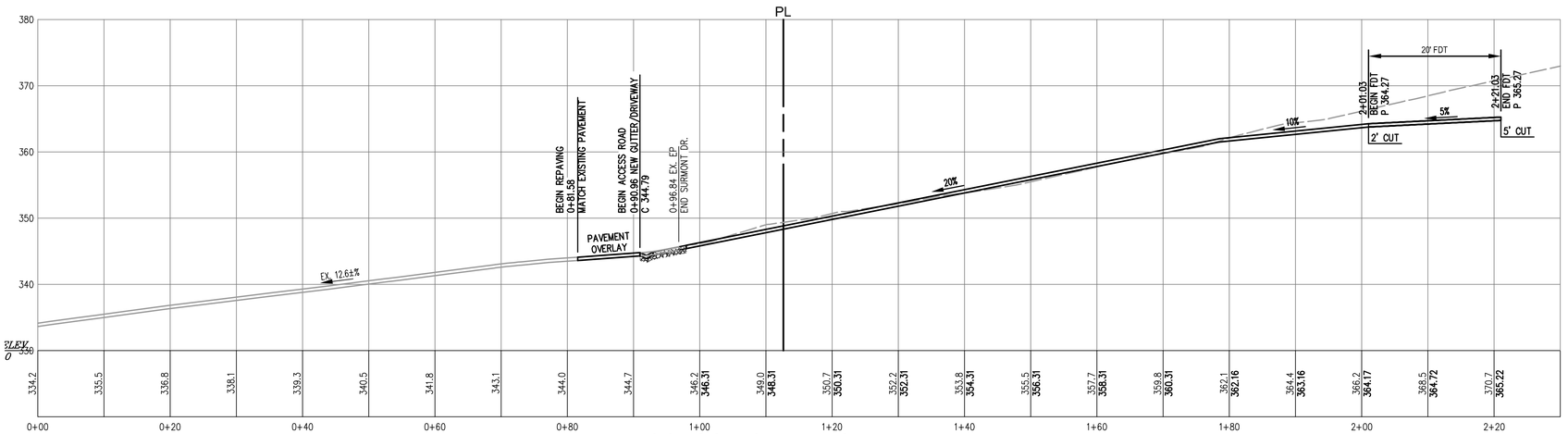


ACCESS ROAD PLAN
1"=10'



ACCESS ROAD PROFILE
1"=10'

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GRAPHIC SCALE
10 0 5 10 20
(IN FEET)
1" = 10'

ACCESS ROAD
PLAN AND PROFILE
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

BY	REVISIONS	DATE
1		
2		
3		
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DATE:	8-3-22
SCALE:	AS NOTED
DRAWN BY:	DKH
SURVEYED BY:	
PROJ ENGR:	TJS
CHECK BY:	TJS

SHEET NO.
C-5
OF 9 SHEETS

JOB NO.
16-233

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1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

CIVIL ENGINEERING

08/05/2022 9:05pm – N:\2016 JOBS\16-233\DWG\16-233_P2 C5 ACCESS ROAD PLAN AND PROFILE.DWG – C5

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TREE REMOVAL TABLE

PARCEL 1

#130	9" STONE PINE AT HAMMERHEAD
#131	3-7" TOYON AT HAMMERHEAD
#111	6" & 9" LIVE OAK AT ACCESS ROAD NEAR SURMONT

PARCEL 2

# 129	9" & 11" LIVE OAK UPHILL FROM DRIVEWAY

NOTES:

1. THERE ARE MERELY 4 PROTECTED REMOVALS
2. ALL OTHER TREES ARE UNPROTECTED FRUIT TREES, GENERALLY IN POOR HEALTH

EROSION CONTROL LEGEND

- GRAVEL CONSTRUCTION ENTRANCE
- CONCRETE TRUCK WASH-OUT BASIN
- STRAW BALES
- CONSTRUCTION FENCE
- TREE PROTECTION FENCE
- EXISTING TREE TO BE REMOVED INCLUDING ASSOCIATED ROOT BALL.
- CHAIN LINK FENCE WITH SILT FENCE (CL/SF)
- SILT FENCE
- STRAW WATTLES
- INLET PROTECTION
- PORT-O-POTTY
- LIMIT OF WORK

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER TERENCE J. SZEWCZYK NO. 35527 EXP. 9-30-23 STATE OF CALIFORNIA

8-3-22

TERENCE J. SZEWCZYK, P.E. NO. 35527
EXPIRATION DATE: 09/30/23

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1" = 20'

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 2
GRADING AND SITE IMPROVEMENT

TREE PROTECTION AND EROSION CONTROL PLAN
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

	BY	REVISIONS	DATE
6			
5			
4			
3			
2			
1			

DATE:	8-3-22
SCALE:	1"=20'
DRAWN BY:	DKH
SURVEYED BY:	
PROJ ENGR:	TJS
CHECK BY:	TJS

SHEET NO.
C-6
OF 9 SHEETS

JOB NO.
16-233

08/05/2022 9:05pm - N:\2016 JOBS\16-233\DWG\16-233_P2 C6 EROSION CONTROL PLAN.DWG - C6

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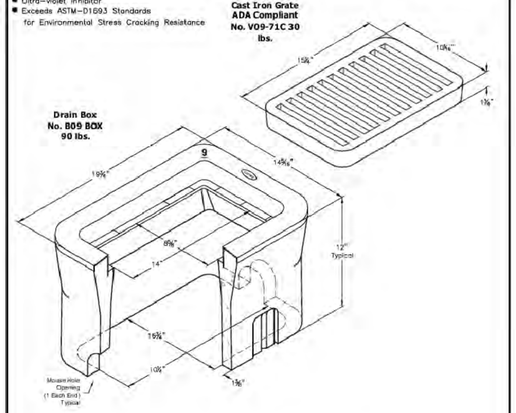
- Etched polypropylene face
- Face anchored in concrete
- Ultra-Violet Inhibitor
- Exceeds ASTM-D1693 Standards for Environmental Stress Cracking Resistance

Cast Iron Grate
ADA Compliant
No. V09-71C 30
lbs.

Drain Box
No. B09 BOX
90 lbs.

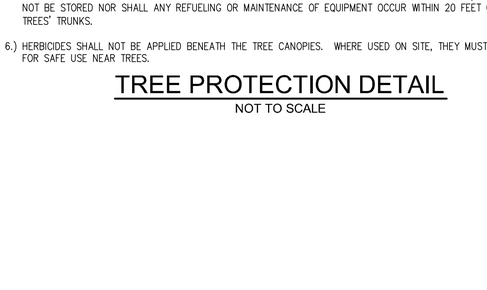


A curb type reinforced box for use in light drainage installations. Approximate dimensions and weight shown.

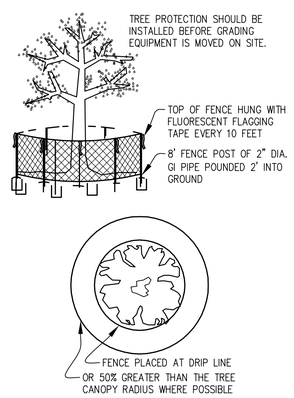
Oldcastle Ordering Code	Item	Approx. Shipping Weight	Description
B09BOX	BOX	90 lbs.	B09 Drain Box (10⅜" x 16⅝") – 28 per pallet
V09-71C	LID	30. lbs.	Cast Iron Grate - ADA Compliant
B09X12	EXTENSION	87 lbs.	12" Reinforced Concrete Box Extension – 28 per pallet
B09SL	SLAB	32 lbs.	Reinforced Concrete Slab (1 3/4" x 19 3/4")

Oldcastle Enclosure Solutions
Phone: (800) 735-3566 Fax: (800) 486 6806
Copyright© 2017 Oldcastle, Inc.

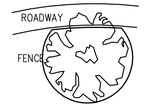
V09 BOX	V09 DRAIN BOX 10-1/4" x 16-3/4"
FILE NAME: V09_150	CHRISTY
ISSUE DATE: January, 2011	
OldcastleEnclosures.com	



"J" DITCH DETAIL
NOT TO SCALE

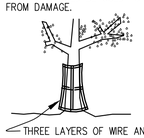


WHERE CONSTRUCTION IS TO TAKE PLACE UNDER THE CANOPY, THE FENCE SHOULD BE CONSTRUCTED 2 TO 3 FEET FROM THE LIMIT OF WORK BUT IN FRONT OF THE TRUNK.



ONLY IF APPROVED BY CITY ARBORIST

IF DRIP LINE FENCING IS NOT PRACTICAL, SNOW FENCING SHOULD BE USED TO PROTECT TRUNKS FROM DAMAGE.



TREE PROTECTIVE NOTES:

1.) TREE PROTECTIVE FENCING SHALL BE INSTALLED AS SHOWN ON THE PLAN AND ESTABLISHED PRIOR TO THE ARRIVAL OF CONSTRUCTION EQUIPMENT OR MATERIALS ON SITE. IT SHALL BE COMPRISED OF SIX-FOOT HIGH CHAIN LINK FENCING MOUNTED ON EIGHT-FOOT TALL, TWO-INCH DIAMETER GALVANIZED POSTS, DRIVEN 24 INCHES INTO THE GROUND AND SPACED NO MORE THAN 10 FEET APART. ONCE ESTABLISHED, THE FENCING MUST REMAIN UNDISTURBED AND BE MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS UNTIL FINAL INSPECTION

2.) UNLESS OTHERWISE APPROVED, ALL CONSTRUCTION ACTIVITES MUST BE CONDUCTED OUTSIDE THE DESIGNATED FENCED AREA (EVEN AFTER FENCING IS REMOVED). THESE ACTIVITIES INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, THE FOLLOWING: DEMOLTION, GRADING, TRENCHING, EQUIPMENT CLEANING, STOCKPILING, AND DUMPING MATERIALS (INCLUDING SOIL FILL), AND EQUIPMENT/VEHICLE OPERATION AND PARKING.

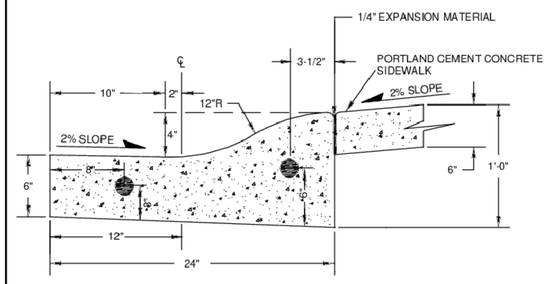
3.) ANY APPROVED GRADING OR TRENCHING BENEATH THE TREES' CANOPIES SHALL BE MANUALLY PERFORMED USING SHOVELS.

4.) ANY PRUNING OF TREES ON SITE MUST BE PERFORMED UNDER THE SUPERVISION OF AN ISA CERTIFIED ARBORIST AND ACCORDING TO ISA STANDARDS.

5.) THE DISPOSAL OF HARMFUL PRODUCTS (SUCH AS CHEMICALS, OIL AND GASOLINE) IS PROHIBITED BENEATH TREE CANOPIES OR ANYWHERE ON SITE THAT ALLOWS DRAINAGE BENEATH TREE CANOPIES. ADDITIONALLY, FUEL SHALL NOT BE STORED NOR SHALL ANY REFUELING OR MAINTENANCE OF EQUIPMENT OCCUR WITHIN 20 FEET OF THE TREES' TRUNKS.

6.) HERBICIDES SHALL NOT BE APPLIED BENEATH THE TREE CANOPIES. WHERE USED ON SITE, THEY MUST BE LABELED FOR SAFE USE NEAR TREES.

TREE PROTECTION DETAIL
NOT TO SCALE



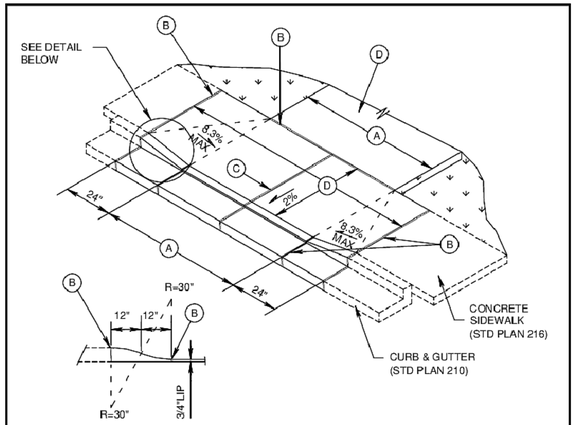
NOTES:

1. CONTRACTION JOINTS OF ONE OF THESE TYPES SHOWN ABOVE TO BE PLACED 10' C/C. COMPLETELY SEVER THE STRUCTURE TO THE POINTS SHOWN. JOINTS MAY BE MADE BY INSERTING MIN. 3/16" BITUMINOUS FILLER DUMMY JOINTS. JOINTS SHALL BE CLEANED AND EDGED.
2. FINISHED WORK SHALL NOT VARY MORE THAN 1/8" IN GRADE AND 1/4" IN ALIGNMENT.
3. EXPOSED SURFACES SHALL BE LIGHT BROOM FINISH.
4. SIDEWALKS BEHIND ROLLED CURBS SHALL BE A MINIMUM OF 6" THICK.
5. CONCRETE SHALL INCLUDE ONE (1) POUND OF LAMP BLACK PER CUBIC YARD OF CONCRETE.
6. #4 REBAR SHALL BE EXTENDED ALONG LENGTH OF GUTTER.

NOT TO SCALE

APPROVED BY	DATE		CONCRETE ROLLED CURB	STD. PLAN NO.
Project #16.813-0921 TOWN ENGINEER	NOVEMBER 2010	TOWN OF LOS GATOS	Project Specifications	ST-215

T:\GIS\PPW\TLG GENERAL\Standard Details\ST-215.dwg



CURB TRANSITION DETAIL

(A) EQUALS WIDTH OF DRIVEWAY AT PROPERTY LINE. MINIMUM WIDTH = 14'.

(B) 1/2" WIDE FULL DEPTH EXPANSION JOINT.

(C) FULL DEPTH EXPANSION JOINT IF (A) IS 15' OR GREATER.

(D) DRIVEWAY TO BE SURFACED WITH ASPHALT OR CONCRETE.

(E) DRIVEWAY CONCRETE SHALL BE A MIN. OF 6" THICK FOR RESIDENTIAL AND 8" THICK FOR COMMERCIAL AND IS TO BE PLACED ON A MINIMUM OF 6" CLASS II AGGREGATE BASE 95% MAXIMUM COMPACTION ASTM D1557, OVER COMPACTED SUBGRADE.

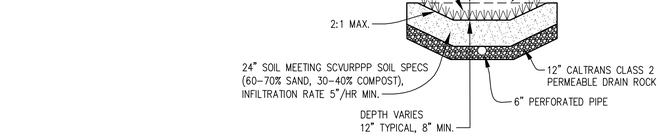
(F) ALL CONCRETE SHALL BE CLASS A, PER CALTRANS SPECS, WITH 1 LB. (MIN.) LAMP BLACK PER CUBIC YARD.

(G) ALL WORK SHALL COMFORM TO CURRENT ADA REQUIREMENTS.

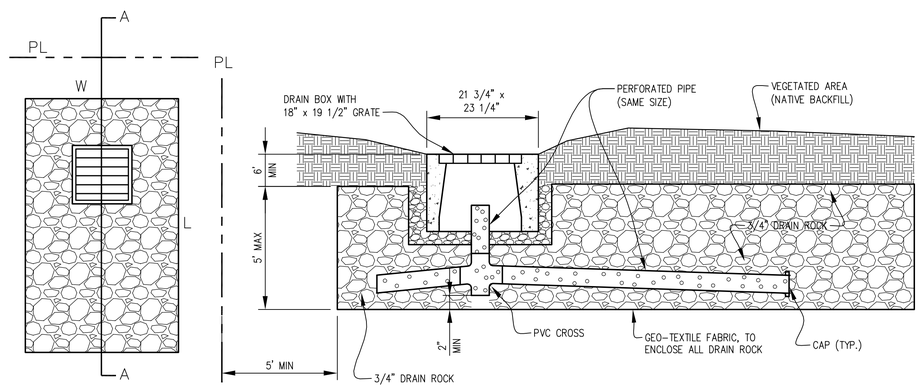
NOT TO SCALE

APPROVED BY	DATE		CONCRETE DRIVEWAY WITHOUT PLANTER	STD. PLAN NO.
Project #16.813-0921 TOWN ENGINEER	NOVEMBER 2010	TOWN OF LOS GATOS	Project Specifications	ST-219

T:\GIS\PPW\TLG GENERAL\Standard Details\ST-219.dwg



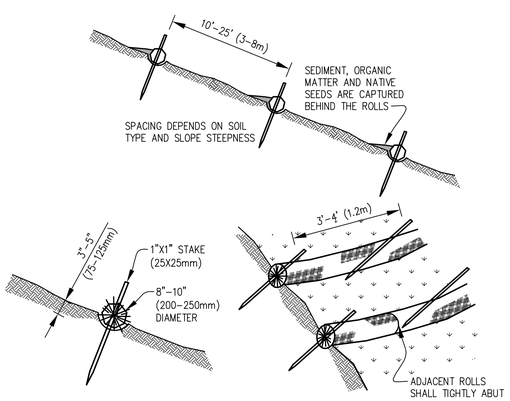
BIORETENTION SWALE DETAIL
NOT TO SCALE



PLAN

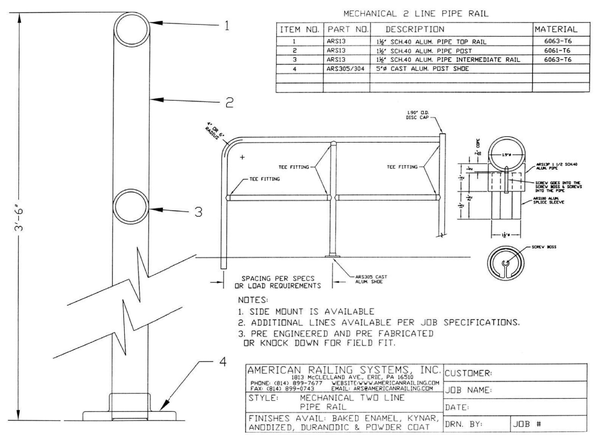
SECTION A - A

GRAVEL BASIN DETAIL
NOT TO SCALE



STRAW WATTELS MUST BE PLACED ALONG SLOPE CONTOURS

STRAW WATTLE DETAIL
NOT TO SCALE



ITEM NO.	PART NO.	DESCRIPTION	MATERIAL
1	AR513	1½" SCH.40 ALUM. PIPE TOP RAIL	6063-T6
2	AR513	1½" SCH.40 ALUM. PIPE POST	6061-T6
3	AR513	1½" SCH.40 ALUM. PIPE INTERMEDIATE RAIL	6063-T6
4	AR5305/304	5" Ø CAST ALUM. POST SHOE	

AMERICAN RAILING SYSTEMS, INC.	CUSTOMER:
1803 McCLELLAND AVE., ERIE, PA 16510 PHONE: (814) 899-7677 WEBSITE: WWW.AMERICANRAILINGS.COM FAX: (814) 899-0704 E-MAIL: INFO@AMERICANRAILINGS.COM	JOB NAME:
STYLE: MECHANICAL TWO LINE PIPE RAIL	DATE:
FINISHES AVAIL: BAKED ENAMEL, KYNAR, ANODIZED, DURANODIC & POWDER COAT	DRN. BY: / JOB #

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER — TERENCE J. SZEWCZYK — NO. 35527 EXP. 9-30-23 — STATE OF CALIFORNIA — 8-3-22

TERENCE J. SZEWCZYK, P.E. NO. 35527
EXPIRATION DATE: 09/30/23

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

TS CIVIL ENGINEERING

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 2
GRADING AND SITE IMPROVEMENT

EROSION CONTROL AND CONSTRUCTION DETAILS
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

BY	REVISIONS	DATE
6		
5		
4		
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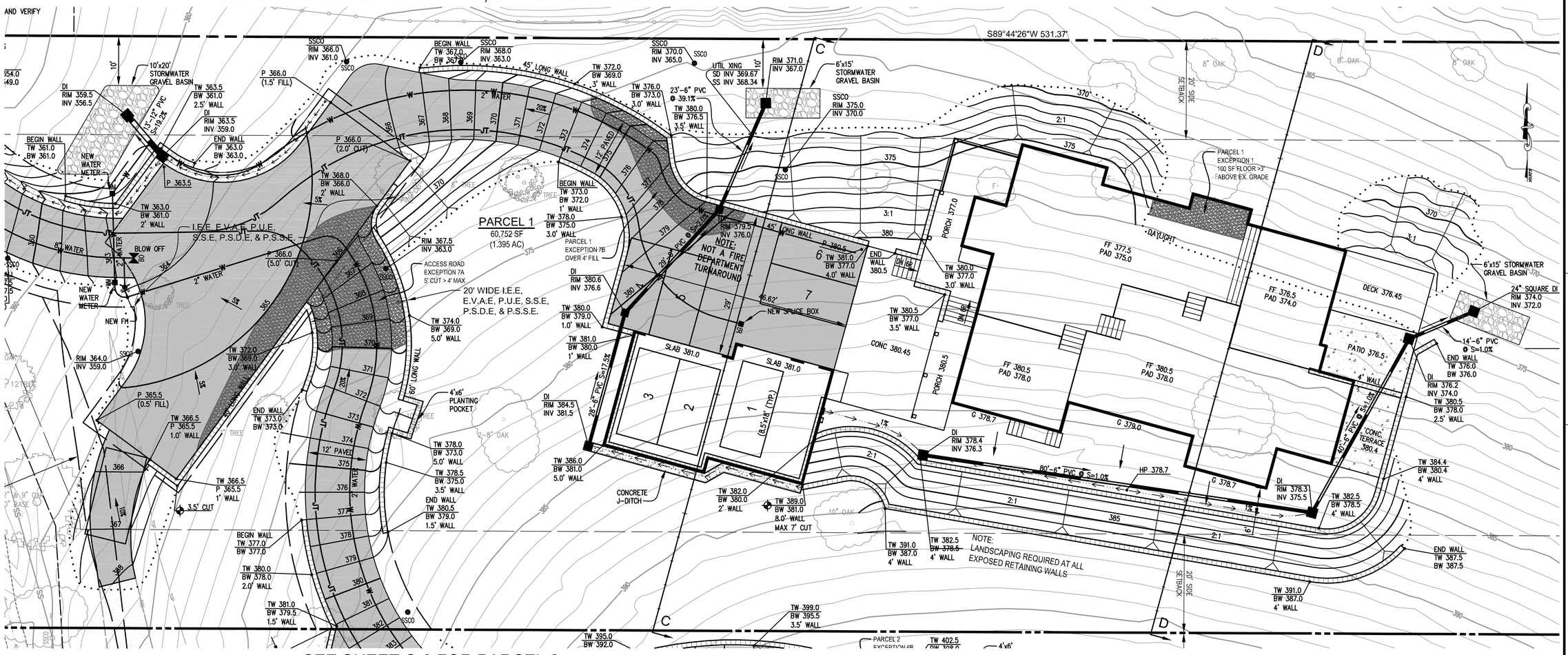
1		

DATE:	8-3-22
SCALE:	AS NOTED
DRAWN BY:	DKH
SURVEYED BY:	
PROJ ENGR:	TJS
CHECK BY:	TJS
SHEET NO.	C-7
	OF 9 SHEETS
JOB NO.	16-233

08/05/2022 9:05pm - N:\2016 JOBS\16-233\DWG\16-233_P2 C7 EROSION CONTROL DETAILS.DWG - C7

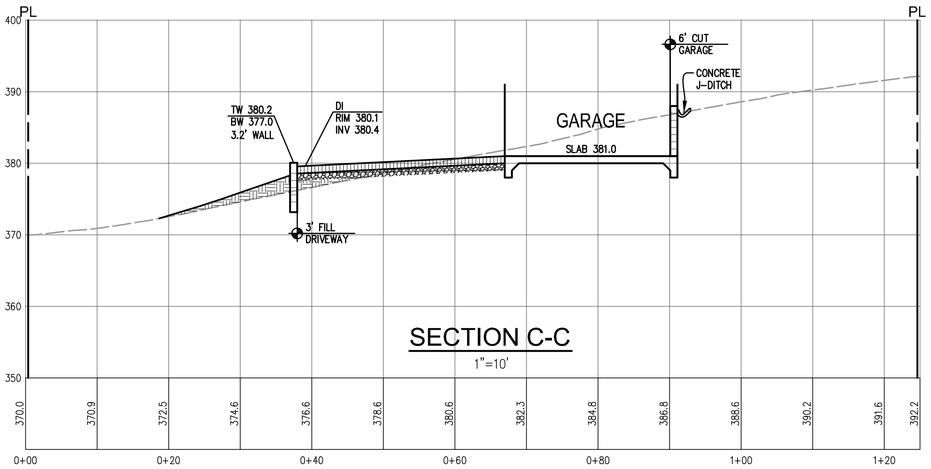
SEE SHEET C-2 FOR DRIVEWAY, C-3 FOR UTILITIES

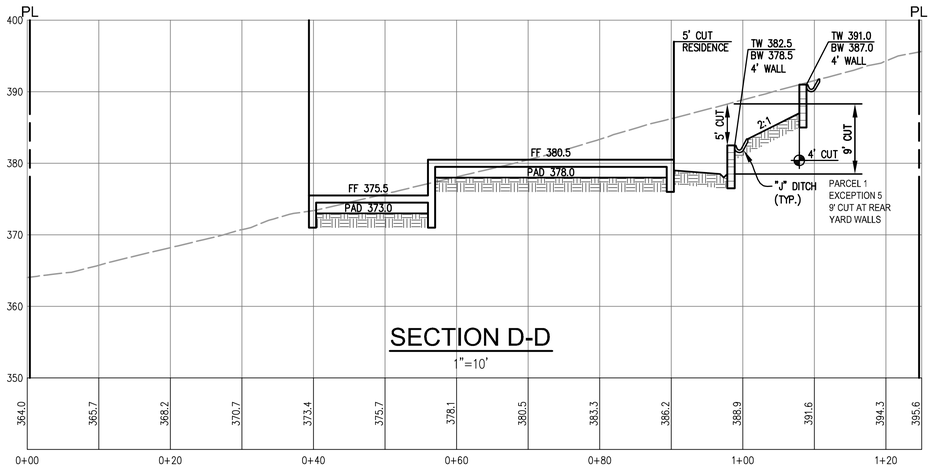


SEE SHEET C-9 FOR PARCEL 2

NOTE:

WALKWAYS AND PATIOS ARE REQUIRED TO BE CONSTRUCTED OF PERVIOUS MATERIALS





EARTHWORK SUMMARY				
	CUT (CY)	MAX DEPTH	FILL (CY)	MAX DEPTH
ACCESS ROAD	74	5'	40	2'
DRIVEWAY	80	4'	218	4'
RESIDENCE	589	8'	100	4'
GARAGE	192	7'	0	0
REAR YARD	320	6'	0	0
TOTAL	1,255		358	

897 CY TO BE HAULED OFF SITE

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER
TERENCE J. SZEWCZYK
NO. 35527
EXP. 9-30-23
STATE OF CALIFORNIA
8-3-22

TERENCE J. SZEWCZYK, R.C.E. 35527
EXPIRATION DATE: 09/30/23

GRAPHIC SCALE
10 0 5 10 20
(IN FEET)
1" = 10'

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 2
GRADING AND SITE IMPROVEMENT

PARCEL 1 SITE PLAN
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

NO.	REVISIONS	BY	DATE
1			
2			
3			
4			
5			
6			

DATE: 8-3-22
SCALE: 1"=10'
DRAWN BY: DKH
SURVEYED BY:
PROJ ENGR: TJS
CHECK BY: TJS

SHEET NO.
C-8
OF 9 SHEETS

JOB NO.
16-233

08/05/2022 9:06pm – N:\2016 JOBS\16-233\DWG\16-233_P2 C8 PARCEL 1 SITE PLAN.DWG – C8

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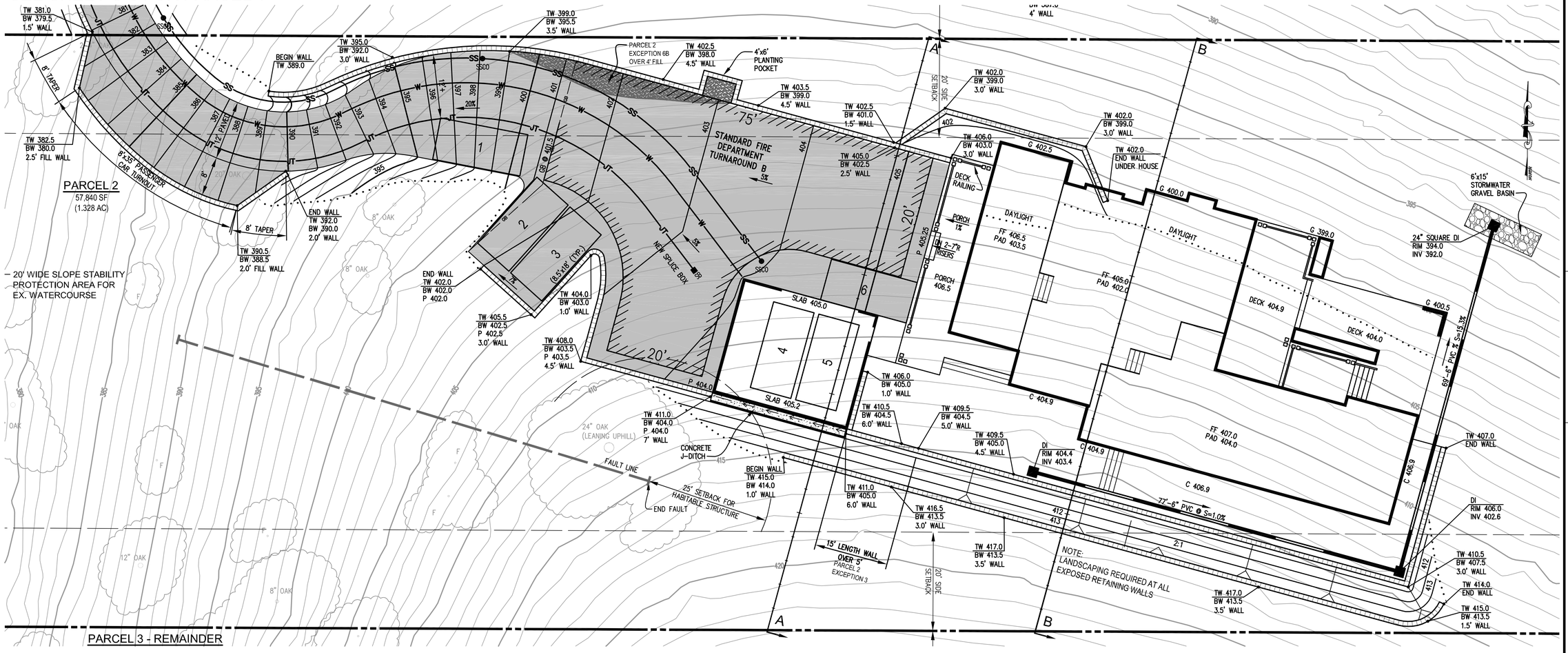
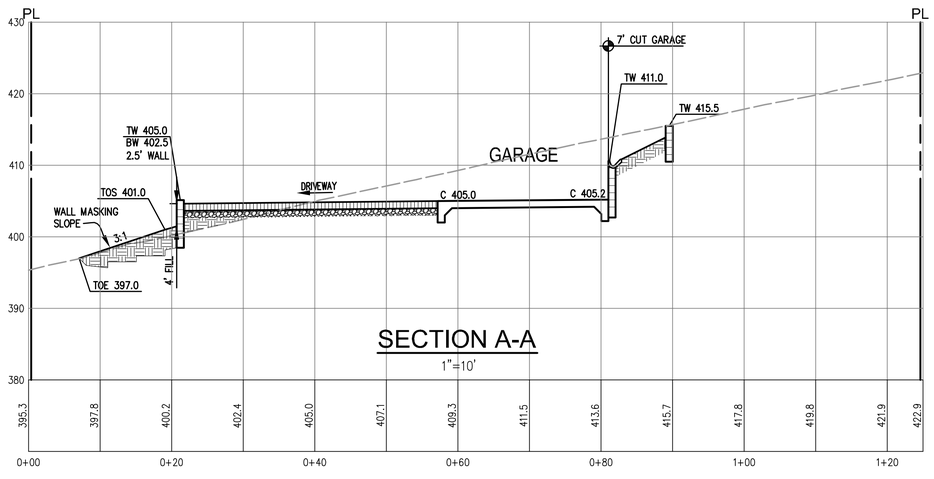
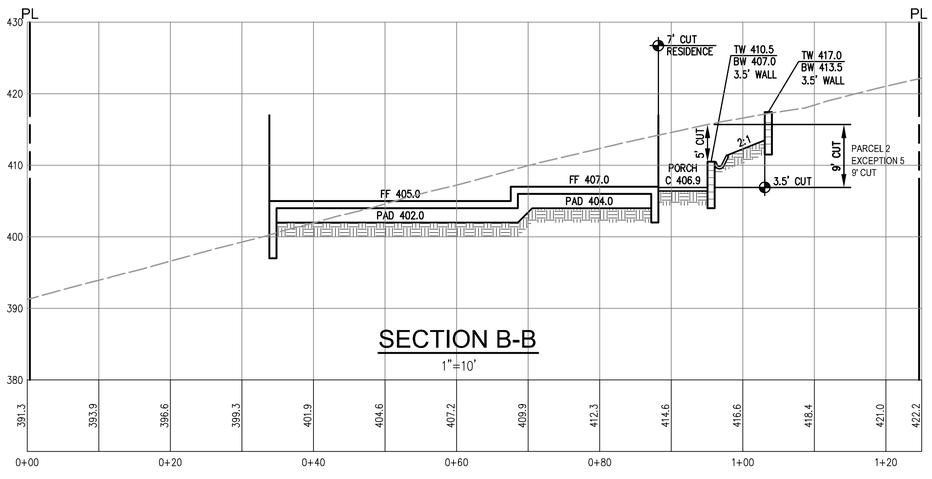
SEE SHEET C-8 FOR PARCEL 1



NOTE:

WALKWAYS AND PATIOS ARE REQUIRED TO BE CONSTRUCTED OF PERVIOUS MATERIALS





EARTHWORK SUMMARY				
	CUT (CY)	MAX DEPTH	FILL (CY)	MAX DEPTH
DRIVEWAY	205	5'	75	3'
RESIDENCE	525	8'	-	-
TURNAROUND	-	-	166	5'
GARAGE	162	7.3'	-	-
REAR YARD	285	5'	-	-
TOTAL	1,177		241	

863 CY TO BE HAULED OFF SITE

DESIGNED UNDER THE SUPERVISION OF:

REGISTERED PROFESSIONAL ENGINEER
TERENCE J. SZEWCZYK
NO. 35527
EXP. 9-30-23
STATE OF CALIFORNIA
8-3-22

TERENCE J. SZEWCZYK, P.E. NO. 35527
EXPIRATION DATE: 09/30/23

GRAPHIC SCALE
10 0 5 10 20
(IN FEET)
1" = 10'

TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
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FAX: 408.837.7550

LANDS OF ANDERSON
400 SURMONT DRIVE
PARCEL 2
GRADING AND SITE IMPROVEMENT

PARCEL 2 SITE PLAN
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

BY	REVISIONS	DATE
1		
2		
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4		
5		
6		

DATE: 8-3-22
SCALE: 1"=10'
DRAWN BY: DKH
SURVEYED BY:
PROJ ENGR: TJS
CHECK BY: TJS

SHEET NO.
C-9
OF 9 SHEETS

JOB NO.
16-233

08/05/2022 9:04pm – N:\2016 JOBS\16-233\DWG\16-233_P2 C9 PARCEL 2 SITE PLAN.DWG – C9

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-----Original Message-----
From: Diane Michaelis
Sent: Monday, October 24, 2022 11:12 AM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: 400 Surmont Drive

EXTERNAL SENDER

Hi Jennifer,
Please forward this letter to the appropriate planner for the development project at 400 Surmont Drive. We did not receive any notice that this project was about to begin. Upon seeing the orange netting for only the lower home, it is clear both houses will greatly affect our view and privacy.
When we built our personal residence in 2017, at [redacted], we carefully followed all guidelines to not disturb the beautiful open space of our hillside. Our home is not visible from the "view" platform, is one level and is less than 3500 square feet.
These large new homes at 400 Surmont Drive will clearly be visible and definitely change the character of the open space.
We believe there should be netting to illustrate both proposed homes' locations for transparency.
Thank you,
Diane and Mike Michaelis
[redacted]

To the Planning Commission of the Town of Los Gatos,

I hope this finds you all doing well.

As you know, Story Poles for the housing development on Surmont Drive are up, and I would like to invite you to come up to the front of our home to see them.

I encourage you to view these proposed houses from our perspective – from our front porch, in relation to the home we've lived in for over 43 years. And we would like you to seriously consider the following issues when voting on the plans for this development:

1. Absolute Minimums

   The Story Poles erected last month show that the proposed 4,700+ square foot house would be built at the **absolute minimum distance** allowed by the town: exactly 20 feet from our property. This is one of the main reasons I am inviting you to come and stand at our front porch to see and feel how uncomfortably close this house would be. Further, and more critically, with the increase in wild fires in California, we ask that the town consider the Defensible Space ordinance to keep all homes safe before allowing houses of this size to be built in such close proximity.

2. Major Exception

   Each of these proposed houses exceeds the maximum height requirement for the town's limits for hillside homes which, as you know, is 18 feet. These houses range from approx. 22 to 24 feet at their highest point.

   We are opposed to this major exception to the town's height requirement as it would over power the front of our home and create an overbearing presence to the neighborhood. (see attached pics taken from Leigh Ave & Blossom Hill Rd)

3. The Storm Drain

   After conducting a property survey of our own, we learned that the proposed driveway will actually be ON our property. This, as we understand it, is as a result of a refusal on the developer's part to move forward with the original plan to extend Surmont Drive and build a cul-de-sac that would properly service these new houses. Instead, they plan just to leave the old existing storm drain in the middle of active driveways. When we asked why the cul-de-sac is no longer being considered, we were told by the developer that you, the town counsel of Los Gatos, had voted against it. I checked with Ryan Safty for documentation on this, and this was his reply:

   > Hi Paul,
   >
   > Please see attached for the CDAC report and meeting minutes. The plans that went before CDAC showed the cul-de-sac bulb. The meeting minutes state the following:
   >
   > • *The Committee did not express concerns with the proposed cul-de-sac and lot configuration.*

Respectfully,

Ryan Safty ● Associate Planner
Community Development Department ● 110 E. Main Street, Los Gatos CA 95030

We respectfully ask the town to address why the cul-de-sac plans have been abandoned, and why Surmont Drive is not being extended to allow proper access to private driveways to service these new houses.

The existing storm drain is a serious safety concern, and needs to be reconsidered. If left in its current location, this development would restrict access to fire and sanitation vehicles, which brings me to the last concern:

4. The Garbage Can issue has not yet been resolved.

In my letter to the town in March of 2021, I raised concerns about the number of garbage cans there would be if these houses were built. The following is, in part, what I wrote:

"At our house, we have 5 garbage cans. In the heavier growing season, we have 7. Sandy has 5 generally, but sometimes 8. And she brings them down from her property and places them in front of our house, as that is the only place on Surmont Drive for them. Her property has no curb space for garbage cans. Neither does the Bates' property. Currently, every Thursday/Friday, along with the other 3 homes that share road space for cans, somewhere between 16 and 21 garbage cans are placed on Surmont Drive.

"Each of the two approved subdivisions is ~1.3 acres, so they could potentially have 5-7 cans each as we do, which would mean 10-14 more garbage cans. (15-21 if a third home is built). Where are these 34-45 cans going to go? Not at the top (hammer head) of this proposed driveway. And, contrary to what the developer has stated, West Valley Collection & Recycling will NOT guarantee that they will send a smaller garbage truck up the private driveway except for an "on-site prem" (disabled) provision. "The cans must be curb-side"

I have called West Valley Collection & Recycling several times to talk with Matt Chapa, the supervisor who came out to Surmont Drive earlier last year to talk with us about garbage removal for this development, and he told me that, in fact, they will not guarantee (in writing or otherwise) that they will send a smaller garbage truck up a private driveway. I followed up this past week and spoke with an employee named Eddie, and he actually said to me, "We don't even *have* small trucks!"

Again, I encourage each of you to come up to view the Story Poles, the Storm Drain, and the proximity of the proposed driveway to our property before the next public hearing. (perhaps on a Thurs or Fri when all the garbage cans are out!)

Please call or text me to set up a date/time.

Thank you for your consideration in these matters.

Respectfully,

Paul Cosentino
[redacted]

From: Karyn Meadows
Sent: Saturday, November 12, 2022 11:40 AM
To: Planning <Planning@losgatosca.gov>
Subject: Homes to be built on Surmont Court

EXTERNAL SENDER

Hi, I want to officially protest the size and height of the prospective homes that are to be built up on Surmont Court off Surmont Drive/Westhill Drive in east Los Gatos. The homes are HUGE...we can see them no matter where we look up there on the hill. And they are over the approved height for the foothills. That right there is NOT OK. Please knock them down to approved limits. And let me know how to 'officially' protest the size.

best, Karyn

From: Diane Michaelis [redacted]
Sent: Monday, November 14, 2022 8:36 AM
To: Ryan Safty <RSafty@losgatosca.gov>
Subject: 400 Surmont Drive

EXTERNAL SENDER

Hi Ryan,

In our previous letter to you, we requested to see orange netting for both proposed homes. Thank you. I have attached pictures that were taken from the adjacent hillside open space easement on our property. You can see how the homes clearly interfere with the natural hillside setting. It appears the homes will dominate, rather than blend in with the scenic appearance of the hillside and the environment. There will be a significant visual impact to us, especially the bulky upper home, as it blocks our views across the open hillside to the west.

In the developer's original proposal to neighbors, it was stated that "the homes would be one story with generous setbacks and floor plans that nestle into the hillside terrain". The orange netting suggests something other. How does this look from the view platform?

Please feel free to view the netting from our open space easement - (in the subdivision that created our parcel, this easement was mandated by the town to preserve the open space character and natural scenic backdrop of the hillsides).

Thank you,
Diane and Mike Michaelis
[redacted]
Los Gatos

Date: November 17, 2022
To: Planning Commission
Re: 400 Surmont Dr. Development Request For Approval

Dear Commissioners,

I am the homeowner located at [redacted]. (Corner of Surmont Dr. & [redacted]). From the very first CDAC meeting that I attended in 2019, I stated that I do not object with the property owner's legal right to developing the two SFR's. I do object to approving any exceptions to be requested by the developer. The Town's hill-side guide lines should be strictly enforced. The only exception(s) to approve is if it relates to a threat to health, and/or safety.

My understanding is that the reason why this project is going before the Planning Commission is to approve exceptions. I request that the Commission reject any and all of the exceptions, especially the request for the height exception.

In addition, the homeowner, Paul Cosentino, the property most affected by this project, has requested consideration to relocate the storm drain and to resolve the garbage cans matter. Please consider addressing these issues for resolution before approval of this development.

Thank you,
Chris Tanimoto
[redacted] Los Gatos, CA 95032

From: Terry Negendank [redacted]
Sent: Thursday, November 17, 2022 5:10 PM
To: Ryan Safty <RSafty@losgatosca.gov>
Subject: Surmont development

EXTERNAL SENDER

I am writing to voice my concern over the height of the two proposed residences.

Each of the two proposed houses exceeds the maximum height requirement for the town's limits for hillside homes which is 18 feet. These houses range from approx. 22 to 24 feet at their highest point.

I am opposed to this, as the homes as proposed would overpower the neighborhood.

I ask that you vote against allowing there to be hillside homes of this height.

Terry Negendank
[redacted]
Los Gatos, CA 95032

From: Suzanne Hutchins [redacted]
Sent: Friday, November 18, 2022 8:54 AM
To: Planning Comment <PlanningComment@losgatosca.gov>
Subject: 400 Surmont Drive Planning item 11/21/22

EXTERNAL SENDER

We are residents on [redacted] and have a view of the hillside where the proposed project will be built.

Please do not make an exception to allow for the proposed new residences to exceed the maximum height for visible homes in the hillsides. The point of having a maximum height restriction for visible homes is to reduce the obstruction it imposes on others owning properties in the neighborhood. Making an exception to the height restriction will result in two more houses taking away from the beauty of the current view the neighborhood has of the hillside and all of the nature that lives around it.

Again, please do not allow the proposed residences to exceed the maximum height for visible homes in the hillsides.

Thanks,

Darren and Suzanne Hutchins

Hi Mike and Diane

I received a copy of your e-mail to Jennifer Armer from Ryan Safty, our Project Planner, and I am responding to same with hopefully some helpful information.

As now know, the story poles for both homes are up, so our plans are now clear and transparent as you request. To clarify, the home on Lot #1, the lower of the two homes, is a one story home with 3,685 square feet. Lot #2, the upper one of the two homes, is a one story home with 3,450 square feet. Both homes, like yours, are smaller than allowed to be constructed on the sites. Lot #1 is not visible from the viewing platform in San Jose. Lot #2 is over 25% visible from the viewing area so we will be looking to the Planning Commission to direct us on ways to mediate this minor exception to the Hillside Development Standards, such as adding some tree screening.

Please let me know if I can provide you further clarification for our project relative to a potential impact on your home.

Thanks

Bob

Robert O. Hughes
THE BUILDING WORKS

Hello Paul

Ryan forwarded your attached letter to the Planning Commission for my review and comment as needed. On review of your letter, I have deemed that a meaningful response is necessary to avoid confusion to those that might read your letter during this process. To follow the points of your letter, I offer the following:

1) ABSOLUTE MINIMUMS:

First let me provide the actual details of the proposed homes. The project signs posted state the home on Lot #1 is 4,785 square feet broken down as 3,683 square feet in the Main Home, 996 square feet in the Garage, and 106 feet in a covered walkway. The home on Lot #2 is 4,834 square feet broken down as 3,450 square feet in the Main Home, 671 square feet in the Garage, and 713 square feet in non-habitable attic space over 7' tall. These are not monster homes by any means, and are comparable to homes in the neighborhood.

You are correct that the set back from property line is the required 20 feet minimum. The homes were plotted several times in an effort to minimize the impact on your home by shifting the homes to the East, beyond a direct impact on your front door. The front corner of the home closest to your home is 20' off your property line and the rear corner is 40' off your property line as another effort to lessen the impact at your property.

I can understand you concern for change to what you have lived with for 43 years. I suspect what you are feeling is probably the same as the then neighbors North of your parent's parcel at the time they proposed building a home directly above their home. A lot of anxiety during the process, but in the end things usually work out and settle down. It did for your parents and that neighbor, and I suspect you will experience the same result over time.

As for your concern for the potential fire as a result of these homes being built, I believe it is an unfounded concern. Both proposed homes are in Wildfire Urban

Interface High Fire Area meaning the homes must be built to specific fire prevention specifications in the Building Code (Section R337 of the 2019 California Residential

Code). Additionally, both homes will have the required fire sprinkles, and defensible space and fire break Landscaping in accordance with plans and specifications prepared by a licensed Landscape Architect.

2) MAJOR EXCEPTION:

The Hillside Specific Plan does not specifically state the maximum height for a home is 18'. It does state that the maximum height is 25', and both homes are proposed within that maximum height restriction.

The Hillside Specific Plan does state that if the homes are more than 25% visible from the viewing platform at Los Gatos Almaden Road and Selinda Way, across the street from Leigh High baseball field, then it could be required to lower the ridge height to 18'.

It is understood that this height is an issue that requires an exception, and this request had been made. The Planning Commission will ultimately decide this issue with a response ranging from lowering the home to 18' or mitigate the height issue with additional landscaping around the homes amongst other possible mitigation possibilities.

It is important to keep in mind the Story Poles are a bright orange color, making it obviously standout from the viewing point and from various points in the neighborhoods below the project site. The homes have been designed with colors that will blend into the surrounding foliage and be less visible than the story poles.

3) THE STORM DRAIN:

It is not true that the proposed access road will be on your property Paul. Your survey clearly shows a 30' access and utility easement across the front of your property that is to the benefit of the subject development parcel . It is important to note that this 30' easement is in addition to the Public Right Away reserved by the Town of Los Gatos. To put it bluntly, access to this project could be to proceed

up your driveway and make a sharp right hand turn onto the subject property, all within the easements.

When this project was first contemplated we had a meeting with your attorney at which time access to the property using the same “utility road” that has existed long before your home was built was offered to us. In exchange you requested that you would have continual access across a portion of the subject property to facilitate landscape maintenance between the wrought iron fence your Father built well onto your property and the boundary line for the proposed home to be built on the lot closest to your home. We agreed that was a doable situation, but subsequently when I inquired about moving forward with that proposal by contacting your attorney, I was told he was no longer retained by you, and that the “offer” was no longer valid. Since then we have been diligently working to gain approval of an access road to the project that meets the requirements of all development departments in the Town, while avoiding any encroachment onto the public right away that you allege is your property. And that is where we stand today.

I am not certain if you have reviewed the latest plans that depict the conditions I note above, so I will drop off a full size civil plan set to your home in the next day or so. By the same token, it is important that you realize property in the Town Right-Away is not your property.

Yes, the original proposal presented to the Conceptual Development Advisory Committee meeting on January 9, 2019, did propose a cul-se-sac. You attended that meeting, and there were comments made at that meeting suggesting that we needed the cooperation of the neighbor to the west of the subject property to be able to make the proposed cul-de-sac work. That neighbor was represented at that meeting, and he stated that they had no interest in participating in the widening of our driveway to accommodate the proposed access road. I subsequently contacted the Owner of the property, and she reiterated what her representative said in that meeting.

The existing driveway is 9.5 to 10.0 wide depending on where you measure it. The right side of the driveway (as you drive up) pretty much designates the common property line between the 2 properties. I understand it is deceiving because the

area (about 20' wide) to the right of the property is maintained by Sandy Anderson, the Owner of the subject property, for "curb" appeal to her home.

By using the driveway as the access to the development, that road would be serving three (3) homes at which time the requirement of the Santa Clara County Fire Department for the driveway width becomes 20'. Twenty feet cannot be achieved between the property line and the creek, which is environmentally protected.

That leaves the proposed access to the project as the only viable one for consideration.

The existing storm drain is addressed in the improvement plans I will be dropping off at your home in the next day or so. The railing around the storm drain will be rebuilt to Cal Trans specifications as requested by the Town of Los Gatos Public Works Department.

The proposed access road to the project has been approved by the Santa Clara County Fire Department.

The four (4) "driveways" (yours, the new development access road Anderson, and Bates) that will come off the existing rural end of Surmont Drive are separated to the required cul-de-sac spacing in accordance with the Town of Los Gatos Public Works Department specifications.

As for the trash can collection, I think you have somewhat been over dramatic regarding the situation. Yes, Anderson does bring her five (5) trash cans down to Surmont Drive to facilitate the weekly trash pick. They are brought down late Thursday, and picked up a little afternoon on Friday, assuming the trash pickup has been done by then. You are correct, the trash cans are placed at curb side at the far south of your property frontage so as to not interfere with the placement of your trash cans. I have to stand by the documented comments Matt Chapa made when we all met on March 31, 2021, that trash for the two proposed homes can be picked up on the hammerhead portion of the development.

My team looks forward to discussing these items of concern with you at the Planning Commission Meeting on Monday, November 21, 2022.

Respectively submitted
THE BUILDNG WORKS

Robert O. Hughes

ROH/BS

Robert O. Hughes, President
2730 Union Avenue; Suite B
San Jose, CA 95124
Robert O. Hughes
400 Surmont Drive
Los Gatos, CA 95032

To the Planning Commission of the Town of Los Gatos,

I hope this finds you all doing well.

As you know, Story Poles for the housing development on Surmont Drive are up, and I would like to invite you to come up to the front of our home to see them.

I encourage you to view these proposed houses from our perspective – from our front porch, in relation to the home we've lived in for over 43 years. And we would like you to seriously consider the following issues when voting on the plans for this development:

1. Absolute Minimums

   The Story Poles erected last month show that the proposed 4,700+ square foot house would be built at the **absolute minimum distance** allowed by the town: exactly 20 feet from our property. This is one of the main reasons I am inviting you to come and stand at our front porch to see and feel how uncomfortably close this house would be. Further, and more critically, with the increase in wild fires in California, we ask that the town consider the Defensible Space ordinance to keep all homes safe before allowing houses of this size to be built in such close proximity.

2. Major Exception

   Each of these proposed houses exceeds the maximum height requirement for the town's limits for hillside homes which, as you know, is 18 feet. These houses range from approx. 22 to 24 feet at their highest point.

   We are opposed to this major exception to the town's height requirement as it would over power the front of our home and create an overbearing presence to the neighborhood. (see attached pics taken from Leigh Ave & Blossom Hill Rd)

3. The Storm Drain

   After conducting a property survey of our own, we learned that the proposed driveway will actually be ON our property. This, as we understand it, is as a result of a refusal on the developer's part to move forward with the original plan to extend Surmont Drive and build a cul-de-sac that would properly service these new houses. Instead, they plan just to leave the old existing storm drain in the middle of active driveways. When we asked why the cul-de-sac is no longer being considered, we were told by the developer that you, the town counsel of Los Gatos, had voted against it. I checked with Ryan Safty for documentation on this, and this was his reply:

   > Hi Paul,
   >
   > Please see attached for the CDAC report and meeting minutes. The plans that went before CDAC showed the cul-de-sac bulb. The meeting minutes state the following:
   >
   > • *The Committee did not express concerns with the proposed cul-de-sac and lot configuration.*

Respectfully,

Ryan Safty • Associate Planner
Community Development Department • 110 E. Main Street, Los Gatos CA 95030

We respectfully ask the town to address why the cul-de-sac plans have been abandoned, and why Surmont Drive is not being extended to allow proper access to private driveways to service these new houses.

The existing storm drain is a serious safety concern, and needs to be reconsidered. If left in its current location, this development would restrict access to fire and sanitation vehicles, which brings me to the last concern:

4. The Garbage Can issue has not yet been resolved.

In my letter to the town in March of 2021, I raised concerns about the number of garbage cans there would be if these houses were built. The following is, in part, what I wrote:

"At our house, we have 5 garbage cans. In the heavier growing season, we have 7. Sandy has 5 generally, but sometimes 8. And she brings them down from her property and places them in front of our house, as that is the only place on Surmont Drive for them. Her property has no curb space for garbage cans. Neither does the Bates' property. Currently, every Thursday/Friday, along with the other 3 homes that share road space for cans, somewhere between 16 and 21 garbage cans are placed on Surmont Drive.

"Each of the two approved subdivisions is ~1.3 acres, so they could potentially have 5-7 cans each as we do, which would mean 10-14 more garbage cans. (15-21 if a third home is built). Where are these 34-45 cans going to go? Not at the top (hammer head) of this proposed driveway. And, contrary to what the developer has stated, West Valley Collection & Recycling will NOT guarantee that they will send a smaller garbage truck up the private driveway except for an "on-site prem" (disabled) provision. "The cans must be curb-side"

I have called West Valley Collection & Recycling several times to talk with Matt Chapa, the supervisor who came out to Surmont Drive earlier last year to talk with us about garbage removal for this development, and he told me that, in fact, they will not guarantee (in writing or otherwise) that they will send a smaller garbage truck up a private driveway. I followed up this past week and spoke with an employee named Eddie, and he actually said to me, "We don't even *have* small trucks!"

Again, I encourage each of you to come up to view the Story Poles, the Storm Drain, and the proximity of the proposed driveway to our property before the next public hearing. (perhaps on a Thurs or Fri when all the garbage cans are out!)

Please call or text me to set up a date/time.

Thank you for your consideration in these matters.

Respectfully,

Paul Cosentino
[redacted]

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TOWN OF LOS GATOS
PLANNING COMMISSION
SPECIAL MEETING REPORT

MEETING DATE: 11/21/2022

ITEM NO: 2

DESK ITEM

DATE: November 21, 2022

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Requesting Approval for Construction of a Shared Driveway, Two New Single-Family Residences to Exceed the Maximum Height for Visible Homes in the Hillsides, and Site Work Requiring a Grading Permit on Vacant Property Zoned HR-2½. **Located at 400 Surmont Drive.** APN 527-20-003. Architecture and Site Applications S-21-004 and S-21-023. PROPERTY OWNER: Sandra K. Anderson, TTE. APPLICANT: Studio 3 Design. PROJECT PLANNER: Ryan Safty.

REMARKS:

Exhibit 19 includes public comment received between 11:01 a.m., Friday, November 18, 2022, and 11:00 a.m., Monday, November 21, 2022. Exhibit 20 includes applicant responses to public comments included in Exhibit 17.

EXHIBITS:

Previously received with the November 18, 2022 Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Subdivision Notice of Exemption
5. Project Description/Letter of Justification
6. Property Photos
7. Color and Materials Board – Parcel 1
8. Color and Materials Board – Parcel 2
9. Visibility Analysis
10. Consulting Architect's Report
11. Applicant's Response to Consulting Architect's Report
12. Consulting Arborist's Report

PREPARED BY: Ryan Safty
Associate Planner

Reviewed by: Planning Manager and Community Development Director

EXHIBITS (continued):

13. Applicant's Response to Consulting Arborist's Report
14. Neighbor Outreach Summary
15. Development Plans – Parcel 1
16. Development Plans – Parcel 2
17. Public Comments
18. Applicant's Response to Public Comments

Received with this Desk Item Report:

19. Public Comment received between 11:01 a.m., Friday November 18, 2022, and 11:00 a.m., Monday, November 21, 2022
20. Applicant's Response to Public Comments in Exhibit 17

From: Diane Michaelis [redacted]
Sent: Friday, November 18, 2022 2:45 PM
To: Planning Comment <PlanningComment@losgatosca.gov>
Cc: Ryan Safty <RSafty@losgatosca.gov>
Subject: 400 Surmont Dr - Planning Commission Meeting 11-21-2022

EXTERNAL SENDER

Dear Planning Commissioners,

It has come to our attention that the permit application presented to the Town is grossly inaccurate in several areas, including its description of the visibility analysis. The newly proposed houses violate the very intent of the Los Gatos Town Hillside Specific Standards and Guidelines. As the recently erected story poles and netting reveal, both of the houses are extremely visible from the view platform, referenced in the Constraints Analysis and Site Selection. The houses dominate, rather than blend in with the scenic appearance of the open hillside. As neighbors, our views and privacy will be significantly impacted, especially by the large, bulky upper house.

The proposed development does not maximize a contiguous open space, but rather would interfere and abruptly end the Open Space Easement that exists on our adjacent property. This easement, which was dictated by the Town of Los Gatos, when our property was created by a 1985 subdivision, prohibits any development on the hillside. The proposed development would essentially negate the intent of that open space easement, which sought to preserve the continuous natural scenic hillside beauty, as described in the current hillside standards.

All new hillside construction should be required to adhere to the Los Gatos Town Hillside Specific Standards and Guidelines, which were established in order to protect the views of the hillsides from adverse visual impacts, to maintain the natural appearance of the hillsides from all vantage points, to maintain the character of the hillsides and maximize the contiguous natural open space and to ensure that the development does not dominate, but rather visually blends and achieves harmony with the natural environment. It should be clear that, in order to achieve this objective, those seeking to develop within this environment are required to recognize and respect the constraints associated with hillside development.

Diane Michaelis

EXHIBIT 19

The following is for public record for the town of Los Gatos, to document specific and formal objections to the proposed development at 400 Surmont Drive that are being presented at the Planning Commission Public Hearing on Monday, November 21st, 2022 at 7pm.

To Ryan Safty and members of the Town of Los Gatos Planning Commission, I hope this

finds you all doing well.

As you know, Story Poles for the housing development on Surmont Drive are up, and I would like to invite you to come up to the front of our home to see them.

I encourage you to view these proposed houses from our perspective – from our front porch, in relation to the home we've lived in for over 43 years – and in doing so, to seriously consider the following issues:

1. Absolute Minimums

   The Story Poles erected last month show that the proposed 4,700+ square foot house closest to us would be the **absolute minimum distance** allowed by the town: exactly 20 feet from our property. This is one of the main reasons I invite you to come and stand by our front porch to see and to feel just how uncomfortably close this house would be.

PHOTO TAKEN FROM OUR PORCH

In the original subdivision proposal for 400 Surmont Drive, it states: “both houses are planned to be one-story with generous setbacks and floor plans that nestle into the hillside terrain.” These proposed houses are FAR from nestled into the hillside; they are all on top of one another! Further, and more critically, with the increase in wildfires in California, we ask that the town consider the Defensible Space and Open Space Easement ordinances to **keep all homes safe** (not just ours) before allowing houses of this size to be built in such close proximity.

The proposed Shared Driveway for this development is also at the absolute minimum: just 12 feet wide. (More about this driveway below.)

2. A Major Exception

Each of the two proposed houses exceeds the maximum height allowance for the town’s limits for hillside homes which, as you know, is 18 feet. These houses range from approx. 22 to 24 feet at their highest point.

We are opposed to this, as it would overpower the front of our home. And with TWO houses of this size, it would create an overbearing presence in the neighborhood. (See photos below)

Photo taken from Leigh Ave & Blossom Hill Rd

Photo from viewing platform at Los Gatos-Almaden Road and Selinda Way

Thus, as the Hillside Specific Plan states, if a house is more than 25% visible from the viewing platform at Los Gatos Almaden Road and Selinda Way, then it could be required to lower the ridge height to 18'.

3. The Storm Drain/Culvert

After hiring our own land surveyor, we learned that the proposed Shared Driveway for this development will be so close to our property that we decided to put up a low-lying barrier along the southwest corner of our property so the developers would not come onto our property during construction, as it would be a liability for us. This, as we understand it, is because the developers refuse to move forward with the original plan to extend Surmont Drive and build a cul-de-sac that would properly service these new houses. Instead, they plan just to leave the old existing storm drain in the middle of three active driveways. When we asked why the cul- de-sac was no longer being considered, we were told by the developer that the town of Los Gatos had voted against it. I asked Ryan Safty for documentation on this, and this was his reply on 3/16/22:

Hi Paul,

Please see attached the CDAC report and meeting minutes. The plans that went before CDAC showed the cul-de-sac bulb. The meeting minutes state the following:

• *The Committee did not express concerns with the proposed cul-de-sac and lot configuration.*

Respectfully,
Ryan Safty ● Associate Planner

We respectfully ask the town to reject the Requested Approval for Construction of a Shared Driveway and to inquire as to why the cul-de-sac plans have been abandoned, and why the developer is not building **proper and safe** access to private driveways for hillside houses. There is nothing in the environmental report that states that the current storm drain cannot or

should not be moved further up Surmont Drive and a sounder and more appropriate culvert be constructed.
The existing culvert is a serious safety issue and needs to be reconsidered before any development is done. Although the town recently came out and replaced the wood around it, this did nothing to reinforce its banks. It is crumbling on both sides, and now, after the workers were here, the main pipe is filled halfway with dirt.

And it will continue to crumble deteriorate as numerous vehicles, workers, machinery and equipment disturb the land as they develop around it.

We would ask that it be relocated several yards up the hill to a safer area so that three driveways are not in direct line with it, and the new private driveway is not encroaching on our own driveway and property.

If left in its current location and two acres of land are bulldozed, this development would not only change the entire flow of water coming off the hill, but it would also restrict access to Fire and Sanitation Vehicles, which brings me to the last concern:

4. The Garbage Can issue.

In my letter to the town in March of 2021, I raised concerns about the number of garbage cans there would be if these houses were built. The following is, in part, what I wrote:

> "At our house, we have 5 garbage cans. In the heavier growing season, we have 7. Sandy has 5 generally, but sometimes 8. And she brings them down from her property and places them in front of our house, as that is the only place on Surmont Drive for them. Her property has no curb space for garbage cans. Neither does the Bates' property [redacted]). Currently, every Thursday/Friday, along with the other 3 homes that share road space for cans, somewhere between 16 and 21 garbage cans are placed on Surmont Drive.
> "Each of the two approved subdivisions is ~1.3 acres, so they could potentially have 5-7 cans each as we do, which would mean 10-14 more garbage cans. (15-21 if a third home is built). Where are these 34-45 cans going to go? Not at the top (hammer head) of this proposed Shared Driveway. And, contrary to what the developer has stated, West Valley Collection & Recycling will NOT guarantee that they will send a smaller garbage truck up the private driveway except for an "on-site prem" (disabled) provision. "The cans must be curb- side"

I have called West Valley Collection & Recycling several times to talk with Matt Chapa, the supervisor who came out to Surmont Drive earlier last year to talk with us about garbage removal for this development, and he told me that, in fact, they CANNOT guarantee (in writing or otherwise) that they will send a smaller garbage truck up a private driveway. I followed up this past week (11/9/22) and spoke with an employee named Eddie, and he said to me, "We don't even *have* small trucks!"

Given the above four issues, we ask that the town reject the requests for approval for Construction of a Shared Driveway, Two New Single-Family Residences to Exceed the Maximum Height for Visible Homes in the Hillsides, and Site Work Requiring a Grading Permit on Vacant Property Zoned HR-2 ½.

Again, I hope and encourage each of you to come up to view the Story Poles, the Storm Drain, and the proximity of the proposed driveway to our property. You have my permission and the permission of my entire family to walk up our driveway to get a closer look and feel at what is being asked of you to vote on.

Thank you for your time.

Paul Cosentino
[redacted]

From: Todd Osborne [redacted]
Sent: Sunday, November 20, 2022 8:11 PM
To: Planning Comment <PlanningComment@losgatosca.gov>
Cc: Todd Osborne [redacted]
Subject: Osborne Family Public Comment Document Submission: For 400 Surmont Court PLANNING COMMISSION Hearing on Monday 11/21/22 at 7PM

EXTERNAL SENDER

To: Mr. Ryan Safty and Town of Los Gatos Planning Commission,

Fm: Todd Osborne and Cindy Osborne Family
[redacted], Los Gatos, CA 95032

Re: Public Comment Submission for Public Record, Hearing About 400 Surmont Drive, Monday 11/21/22 at 7pm

Please find the attached .pdf format document with the public comments from our family, a neighbor to the 400 Surmont Drive project being considered at the Planning Commission hearing.

Thank you for placing this in the public record as you review the proposal and agenda items as defined in the hearing notice we received via mail.

Sincerely,

Todd Osborne and Cindy Osborne Family
Sunday 11/20/22

PS. Due to a work commitment, it is unlikely that we can attend the 7pm hearing in person via Zoom. Please received and present our public comments. Thank you.

Todd and Cindy Osborne Family

[redacted], Los Gatos, CA 95032

Los Gatos Planning Commission Members

Attn: Mr. Ryan Safty, Project Planner, Town of Los Gatos

RE: 400 Surmont Drive Development, Public Hearing Scheduled for November 21, 2002

DELIVERED SUNDAY 11/20/2022 VIA EMAIL: PLANNINGCOMMENT@LOSGATOSCA.GOV

NOTE: DEADLINE FOR SUBMISSION PER GREEN MEETING NOTICE IS MONDAY 11.21.22 11AM

TO: Mr. Ryan Safty and Members of the Town of Los Gatos Planning Commission;

We are writing to place into the public record our family's PUBLIC COMMENTS. Please see the following letter delivered via email to the PLANNING COMMISSION for consideration at the public hearing on Monday, November 21st, 2022 at 7pm.

Specifically, we believe the developer's plans for 400 Surmont Drive do not align with the requirements, objectives, and goals of the ***Town of Los Gatos Hillside Development Standards & Guidelines*** approved by the Town Council in 2004.

We also believe the developer's actual plan, as defined by Story Poles now in place and described in the ***Updated Revised Letter of Justification and Description*** dated August 9, 2022, is highly inconsistent with what was communicated to neighbors dating back to August 2020. The current plan and elements under consideration by the PLANNING COMMISSION should be rejected, included the 3 items listed here:

1. Construction of Shared Driveway
2. Two New Single-Family Residences to Exceed Maximum Height for Visible Homes in the Hillsides
3. Grading Permit on Vacant Property Zoned HR-2 ½, APN 527-20-003

We support a fair minded, reasonable development, but only a plan that meets the town's baseline and is safe and appropriate, matching or exceeding existing standards and guidelines without exception.

Overview Details:

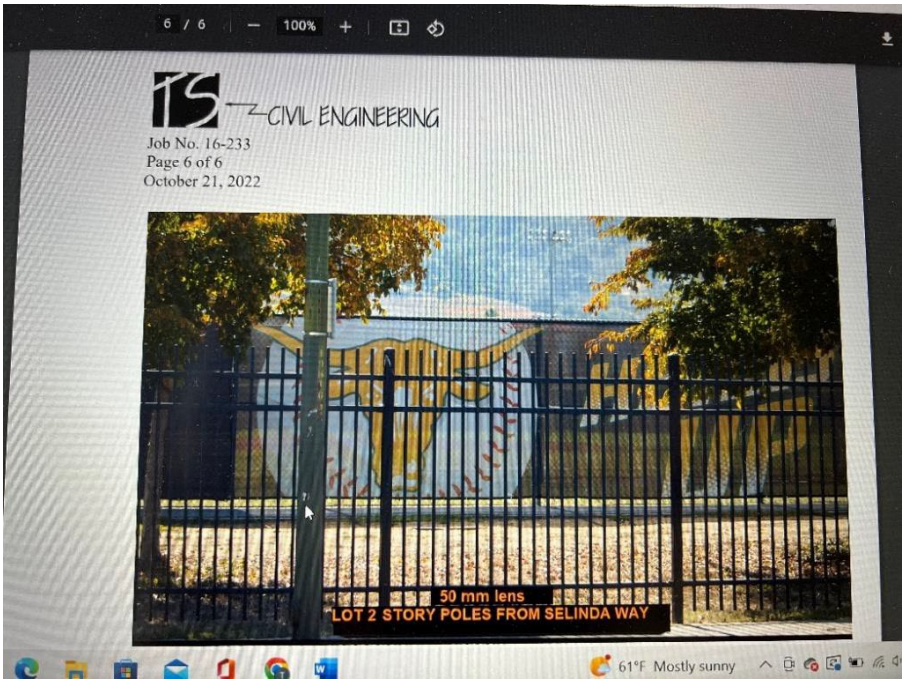
After reviewing the materials provided by the developer by mail (August 2000) to our family as a "neighbor" and then reviewing additional documents subsequently uploaded by the developer and 3rd parties working on behalf of the developer, we find that many of the original promised attributes/details of the development have changed for the worse and ask the Planning Commission to review/reject all of the proposal elements and waivers until changes are made by the developer for reasons that include:

1. Open Space Views and Requirements Not Supported by Home Locations/Designs
2. Change from Single Story to Multi Story Requiring Waiver on Maximum Height
3. Safety and Access Hazards Due to Lack of Promised Generous Setbacks

The developer's new waiver/permit requests demonstrate that the project DOES NOT meet a baseline standard to move forward and should not be given any waivers or exceptions to the town's standards and guidelines for hillside development.

An immediate example that negatively impacts public good at large and the Town of Los Gatos can be seen in the photo below, taken from the defined town Viewing Platform, of the installed Story Poles. Homes stand out and are obvious to the naked eye (photo in 50mm focal length), with one entire home is 100% visible and the second at least 80% visible.

Oddly, the photo in the Visibility Study provided by TS Civil Engineering in the ***Updated Visibility Study*** document purported to be taken from the town's Viewing Platform does not represent the reality of the scene. The photo (50mm focal length from LG-Almaden and Selinda Way) is not from Viewing Platform and camera is directed at the ground rather than the hillside Story Pole locations. This is clear case of incorrect documentation.



Additionally, it's particularly problematic to us that the civil engineer report(s)

devalue the Town of Los Gatos Hillside Standards and Guidelines, stating/implying they are archaic, bogus, and should be invalidated, using the term "illogical aberrations" and apparently not worthy of the developer's consideration or concern. See actual final paragraph:

"It should be noted that somehow the good intentions of the Hillside Specific Plan visibility policies related to only "ridgeline projection" have evolved over 40 years to now require "invisible residences," The proposed residences are neither unsightly nor obtrusive, and the original staff who developed these policies in the 1980s would be disappointed about the present illogical aberrations…"

The developer and civil engineer should not be permitted to submit false or misleading information to fit their preferred narrative while disregarding the Town of Los Gatos Hillside Standards and Guidelines (which exist for all residents and the public good at large).

Additional Concerns:

HILLSIDE STABILITY AND DRAINAGE: Additional impacts to the public good and the neighborhood directly below 400 Surmont Drive that we believe should be addressed by the Planning Commission include changes of hillside integrity and stability. New grading permit for this development will absolutely affect changes to existing hillside open space. Unintended consequences that include potential for change to water runoff, altered drainage flow, increased chance of mudslide and instability, and even expanding possibility of flash flood (especially if/when the minimal existing drainage areas / culvert become blocked or collapse).

WILD FIRE DANGER AND DRIVEWAY ACCESS: We believe the proposed home locations and development of this hillside open space property as currently designed, increase the chance of major fire events and reduce the ability of emergency first responders to access and fight wildfire. The proposed shared driveway is a specific concern as the maximum space available is apparently limited to only 12 feet width and required fire equipment turning radius appear uncertain from plans (with construction of driveway between proposed walls, drainage culvert, and property line). Should the driveway be blocked by parked vehicle(s) there is no chance that fire engine could access up the hillside or even as far as the two proposed homes. That inability to fight a fire means a far greater chance that a fire will spread to the neighborhoods below 400 Surmont Drive and beyond.

WILDLIFE HABITAT AND INVASIVE AFFECTS: The positive aspects of wildlife in our neighborhood have already been impacted by hillside development activities. And unintended consequences have appeared including present in prior 24 months of dangerous animals being pushed into existing neighborhood because of development work. Rattlesnakes are now commonplace despite fact we've never seen a rattlesnake on our

property before August 2020.
Rodents too have infiltrated down the hillside and become problematic for the first time in over 20 years.

PROBLEMATIC LOGISTICS OF GARBAGE COLLECTION: The existing street design creates a significant amount of garbage can congestion two days a week (Thursday and Friday) when a large number of family homes place their garbage cans (organic, recycling, and regular garbage) in a very small area at and near the intersection of Surmont Drive and Surmont Court. Because existing and proposed hillside homes have no curbside, the existing access and visual nuisance will be made worse with large volume of new cans.

HILLSIDE VIEW TO RIDGELINE FROM [redacted]: As final photo submission confirms, our family loses a significant portion of the ridgeline view we've enjoyed in the 23 years we've lived in our home. Height waiver should not be granted for this reason as well.

Photo above taken from deck at 50mm focal length from [redacted].

Thank you for your attention and consideration to the issues we've raised in this letter.

Sincerely,
Todd and Cindy Osborne
[redacted]
Los Gatos, CA 95032

From: Carol Muser <[redacted]
Sent: Monday, November 21, 2022 9:38 AM
To: Planning <Planning@losgatosca.gov>
Subject: SPECIAL MEETING AGENDA NOVEMBER 21, 2022

EXTERNAL SENDER

To the Town of Los Gatos Planning Commission,

Thank you for strongly encouraging my active participation in the public process.
In regard to the agenda of today's meeting,
I am writing to express my belief that State Minimum Fire Safe Regulations should be upheld without this exception.
I am also writing to express my belief that Maximum Height for Visible Homes in the Hillsides should not be exceeded.

Regards,

Carol Muser

[redacted]
Los Gatos, CA 95032
[redacted]

TOWN OF LOS GATOS
PLANNING COMMISSION - SPECIAL MEETING AGENDA NOVEMBER 21, 2022
110 EAST MAIN STREET
LOS GATOS, CA

The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy.

1. Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit and an Appeal of a Santa Clara County Fire Department Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations on Property Zoned HR-1. Located at 17121 Crescent Avenue. APN 532-21-007. Architecture and Site Application S-21-021. PROPERTY OWNERS/APPLICANTS: Eric and Lee Ann Wade.

PROJECT PLANNER: Sean Mullin.

2. Requesting Approval for Construction of a Shared Driveway, Two New Single-Family Residences to Exceed the Maximum Height for Visible Homes in the Hillsides, and Site Work Requiring a Grading Permit on Vacant Property Zoned HR-2½. Located at 400 Surmont Drive. APN 527-20- 003. Architecture and Site Applications S-21-004 and S-21-023. PROPERTY OWNER: Sandra K. Anderson, TTE. APPLICANT: Studio 3 Design. PROJECT PLANNER: Ryan Safty.

https://mccmeetings.blob.core.usgovcloudapi.net/losgatos-pubu/MEET-Agenda-7653826a7a76470f8a5d67303af1bfc1.pdf

From:
Sent: Monday, November 21, 2022 9:33 AM
To: Ryan Safty <RSafty@losgatosca.gov>
Cc: Jennifer Armer **Subject:** SURMONT SUBDIVISION

Hi Ryan

At the time I wrote my rebuttal to Paul's comments to the Planning Commission, I had not been able to make contact with Matt Chapa with West Valley Collection. This morning I was able to talk with Matt, and he assured me that West Valley will pick up trash cans in the hammerhead of the project based on the plans I provided him when we met (Paul, Matt, miscellaneous neighbors, and I) earlier this year at the project site.

Thanks

Bob

Robert O. Hughes
THE BUILDING WORKS

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