

RESOLUTION NO. PC 2024-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALTOS APPROVING A DESIGN REVIEW PERMIT FOR THE CONSTRUCTION OF A FOUR-STORY, MIXED-USE DEVELOPMENT WITH 20 RESIDENTIAL UNITS AND 1,495 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE WITH A STATE DENSITY BONUS WITH A CONCESSION AND WAIVERS AT 420 SOUTH SAN ANTONIO ROAD

WHEREAS, the applicant, Jan R. Hochhauser, submitted an application for a Design Review Application No. D22-0010 for a new mixed-use project including 20 multi-family units and 1,495 square feet of ground floor office space at 420 South San Antonio Road, referred to herein as the “Project”; and

WHEREAS, said Project is located in the CD Zoning District, which allows mixed-use projects including multi-family residential and non-residential commercial uses; and

WHEREAS, the Downtown Commercial Land Use Designation does not establish a maximum number of dwelling units per acre. The base density for the Project was determined through a hypothetical development that meets all applicable zoning and development standards, resulting in a base density of 56.5 dwelling units per acre, or a total of 16 base units. This calculation reflects the maximum density allowed under the General Plan and the zoning code for the subject property; and

WHEREAS, the Applicant’s proposed unit mix allocates 18.75 percent of the base units as affordable housing, including two moderate-income units and one very-low-income unit for sale as part of the Project. The provision of one very-low-income unit qualifies the Project for a 22.5 percent density bonus under state and local regulations, allowing the addition of four units, resulting in a total of 20 units on the project site. This affordable housing contribution supports the City’s housing goals and complies with the density bonus requirements outlined in Government Code Section 65915; and

WHEREAS, pursuant to Table E of Los Altos Municipal Code Section 14.28.054, a project that includes 6.25 percent very-low-income restricted units is eligible for one concession. The Applicant has requested a concession to increase the building height to 52 feet 8 inches, exceeding the 45-foot maximum allowed in the CD District under Section 14.50.090 of the LAMC. This height increase qualifies as an "on-menu" concession, which is eligible for ministerial approval as specified by the Municipal Code; and

WHEREAS, the Applicant has elected to utilize seven waivers under Government Code Section 65915(e) to allow deviations from: Rear Yard Setback Standard; Parking Space Width; Mechanical System Clearance Height; Upper Story Step Backs; Fourth Story Embedded Into Roof, Privacy and Line of Sight; and Cornice Projection; and

WHEREAS, said Project has been processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the Project was processed in accordance with the applicable provisions of the California Government Code and Los Altos Municipal Code; and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the Project on December 5, 2024 and considered the written record and all public comment; and

WHEREAS, all the requirements of the Public Resources Code, the State CEQA Guidelines, and the regulations and policies of the City of Los Altos have been satisfied or complied with by the City in connection with the Project; and

WHEREAS, the findings and conclusions made by the Planning Commission in this Resolution are based upon the oral and written evidence presented as well as the entirety of the administrative record for the proposed Project, which is incorporated herein by this reference. The findings are not based solely on the information provided in this Resolution; and

WHEREAS, approval of the Project would be categorically exempt from environmental review under Section 15332 (In-fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines because the 0.297 acre project site is considered an in-fill site that is substantially surrounded by urban uses and does not contain significant natural habitat for endangered, rare or threatened species; the proposed development is consistent with the General Plan and the CD Zoning District's Zoning Standards except as modified by Density Bonus Law and will not result in any significant impacts relating to traffic, noise, air quality, or water quality; the site can be served by all required utilities and public services; and none of the circumstances described in CEQA Guidelines Section 15300.2 apply.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Los Altos hereby approves Design Review Application No. D22-0010 for a mixed-use development including 20 multi-family units and 1,495 square feet of commercial, based on the following findings attached hereto as "Exhibit A" and conditions of approval attached hereto as "Exhibit B" and incorporated by this reference.

EXHIBIT A

Findings

Design Review

With regard to the design review for the Project, the Planning Commission finds the following pursuant to Section 14.78.060 of Los Altos Municipal Code (LAMC):

- A. The proposal meets the goals, policies and objectives of the general plan and any specific plan, objective design guidelines and ordinance design criteria adopted for the specific district or area because the project is consistent with the goals, policies, and objectives of the General Plan and complies with the applicable provisions of the objective design guidelines and ordinance criteria for the Commercial Thoroughfare (CT) Zoning District. It meets all zoning standards, except for 11 specific deviations, which are requested through one concession and 10 waivers in accordance with Government Code Section 65915 et seq. (Density Bonus Law).
- B. The proposal has architectural integrity and has an appropriate relationship with other structures in the immediate area in terms of height, bulk and design because the proposal shows architectural integrity while meeting most of the City's adopted design standards required by the CD zoning district. The objective design standards that are not met are requested and approved under eligible waiver and concession. The immediate area has structures that are 4-5 story tall structures similar in scale and proportion to the Project. The relationship of the Project with the neighboring structures will result in harmonious buildings within the neighborhood.
- C. Building mass is articulated to relate to the human scale, both horizontally and vertically. Building elevations have variation and depth and avoid large blank wall surfaces. Residential or mixed-use residential projects incorporate elements that signal habitation, such as identifiable entrances, stairs, porches, bays and balconies because the Project complies with the city's objective design standards, incorporating eligible concessions and waivers. The building's massing is scaled with architectural elements such as metal awnings, façade material separation into primary and secondary bays, and metal canopies at the first floor, all enhancing human scale. The first-floor landscaping and façade create an inviting, active space, while projecting decorative steel canopies and glass walls at entrances reinforce visual connectivity between indoor and outdoor spaces. The building's massing aligns with the CD zone design standards. Pedestrian and vehicular entrances are distinct, featuring canopies and façade treatments, and the building is organized into primary and secondary bays per the design guidelines.
- D. Exterior materials and finishes convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements such as base, body, parapets, bays, arcades and structural elements. Materials, finishes, and colors have been used in a manner that serves to reduce the perceived appearance of height, bulk and mass, and are harmonious with other structures in the immediate area. The Project incorporates high-quality materials to maintain consistency with the contemporary architecture and compatibility with the Downtown character. The first-story façade combines stone cladding, board-formed concrete, vertical hardwood panels, and a steel trellis, creating a textured base. The second to fourth stories feature a vertical hardwood rainscreen and weathered standing seam metal panels, adding an industrial touch, along with composite siding for variety. The building is finished with smooth troweled plaster for a clean, modern look. Steel pergolas, patios, and awnings enhance both function and design. The roof

includes gable forms with a standing seam metal roof, while flat sections use durable PVC, maintaining the overall contemporary aesthetic.

- E. Landscaping is generous and inviting, and landscape and hardscape features are designed to complement the building and parking areas, and to be integrated with the building architecture and the surrounding streetscape. Landscaping includes substantial street tree canopy, either in the public right-of-way or within the Project frontage. The Project's landscaping plan is designed to complement the building's architecture and integrate with the surrounding streetscape. Nine new trees will be planted, including three along South San Antonio frontage, one on the second-story terrace, and five on the fourth-floor roof patio. Ground-level improvements will include new sidewalks, gutters, and enhanced landscaping with shrubs, ferns, ornamental grasses, bamboo, and ground cover, integrated with infiltration devices along San Antonio Road and the west side of the property to comply with City Stormwater regulations.
- F. Signage is designed to complement the building architecture in terms of style, materials, colors and proportions because no signage is proposed with the submittal. If signage is introduced, it will be reviewed under Chapter 14.68 sign regulations to ensure compatibility with the building's architecture, including style, materials, colors, and proportions, to maintain architectural cohesion.
- G. Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing. The Project fully screens all mechanical equipment from public view with parapet walls that complement the building's design. These parapets, constructed from the same materials as the building, feature metal coping details that match the accent colors and finishes, ensuring a cohesive and integrated design.
- H. Service, trash and utility areas are screened from public view, or are enclosed in structures that are consistent with the building architecture in materials and detailing. The Project conceals service, trash, and utility areas within the building's design, keeping them out of public view. Trash, electrical, and service rooms are located internally, while a PG&E transformer is placed at the rear alley to minimize visibility from South San Antonio Road, preserving the architectural integrity of the facade.
- I. The Project is categorically exempt from environmental review under Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines because the 0.297 acre project site is considered an in-fill site that is substantially surrounded by urban uses and does not contain significant natural habitat for endangered, rare or threatened species; the proposed development is consistent with the General Plan and the CT Zoning District's Effective Zoning Standards except as modified by Density Bonus Law and will not result in any significant impacts relating to traffic, noise, air quality, or water quality; the site can be served by all required utilities and public services; and none of the circumstances described in CEQA Guidelines Section 15300.2 apply.

EXHIBIT B

CONDITIONS OF APPROVAL

PLANNING DIVISION

1. **Approved Plans:** The project shall be developed in substantial compliance with the design plans, support materials, and technical reports approved as part of Los Altos planning application D22-0010, except as modified by these conditions as specified below.
2. **Expiration:** This Permit is valid for a period of two years and will expire on December 5, 2026, unless prior to the date of expiration, a building permit is issued, or an extension is granted pursuant to the procedures and timeline for extensions in the Zoning Code.
3. **Revisions to the Approved Project:** Minor revisions to the approved plans which are found to be in substantial compliance with the overall approvals may be approved by the Development Services Director.
4. **Notice of Right to Protest:** The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day period in which you may protest these fees, dedications, reservations, and other exactions pursuant to Government Code Section 66020(a) began on the date of approval of this project. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.
5. **Indemnity and Hold Harmless:** The applicant/owner agrees to indemnify, defend, protect, and hold the City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of the City in connection with the City's defense of its actions in any proceedings brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project. The City may withhold final maps and/or permits, including temporary or final occupancy permits, for failure to pay all costs and expenses, including attorney's fees, incurred by the City in connection with the City's defense of its actions.
6. **Certification of Building Permit Plans:** In a letter, the project architect shall certify the architectural design shown in the building permit plans match the approved plans. Any changes or modifications must be clearly noted in writing and shown on redlined plan sheets. The project architect shall also certify the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Division.
7. **Affordable Housing Agreements:** All applicable affordable housing agreements for the project which include one (1) very low and two (2) moderate income ownership units shall be executed and recorded on a form provided by the City to the satisfaction of the Development Services Director and City Attorney prior to recordation of the final map.

8. **Single-Phase Development:** Construction of the project shall be done in a single phase and shall not be considered a multi-phased development.
9. **Roof Deck Operations:** The approved hours of operation for the rooftop common area shall be limited to 7:00 a.m. to 10:00 p.m. and shall not allow amplified music.
10. **Floor Area Ratio (Far) Diagram:** Building permit drawings must include a floor area ratio (FAR) diagram for each structure on-site, clearly identifying each level of the structure(s) and the gross area(s) which count toward floor area per required zoning calculations.
11. **Exterior Materials:** High-quality materials and finishes shall be used throughout the project and shall remain in compliance with the materials identified in the approved plans. Details regarding all color and architectural details shall be provided in the building permit plan submittal.
12. **Special Paving Materials:** The color, material, design, and product specifications for the special paving materials used on-site shall be submitted with the building permit drawings. Final paving design details shall be subject to review and approval by the Development Services Director or their designee prior to the issuance of building permits.
13. **Windows:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit in the building permit drawings for review and approval by the Development Services Director or their designee prior to the issuance of building permits.
14. **Paint Color-Coding:** Color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors, manufacturer, and color names shall be included in the building permit plans.
15. **Rooftop Equipment Screen:** All rooftop equipment must be concealed behind opaque (solid) screening designed to complement the building design such that rooftop equipment is not visible from any elevation. Details of the rooftop equipment and roof screens shall be included in the building permit drawings and shall be equal to, or taller than the equipment it is intended to screen.
16. **Fences and Walls:** All fencing and walls are to be shown on building plan drawings, including details on height, location, and material finish. No fence or wall shall exceed six feet in height, measured from adjacent grade to the top of the fence or wall. The design and location must be approved by the Development Services Director or their designee and comply with all setback and traffic visibility area requirements prior to building permit issuance.
17. **Accessory Structure(s):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
18. **Lighting Plan:** The applicant shall submit a lighting plan in building permit drawings. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will

be no glare and light spillover to surrounding properties, which is demonstrated with photometric contours extending beyond the project property lines. The lighting plan submitted with building permit drawings must be approved by the Development Services Director or their designee prior to building permit issuance.

- 19. Rooftop Deck Lighting:** Proposed lighting fixtures on the rooftop decks and courtyards shall not be visible from ground level on adjacent public streets. All string lighting shall be designed to include shades to avoid light spillover and be screened so they are not visible from off-site. Limited pedestrian-scale/building-mounted lighting along pathways may be permitted subject to review and approval of photometric lighting plan submitted as part of the building permit drawings.
- 20. Landscaping:** Detailed landscape plans encompassing on- and off-site plantable areas out to the street curb must be included in building permit drawings. Minimum plant sizes are flats or one-gallon containers for ground cover, five-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Development Services Director or their designee prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and shall comply with the City's Water Efficient Landscape Ordinance (WELO) pursuant to Chapter 12.36 of the Municipal Code. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
- 21. Landscape Screening:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.
- 22. Signage:** No signs are approved as part of this application. Any new signage will require separate planning and/or building permits and shall be designed in compliance with Chapter 14.68 of the Los Altos Municipal Code. Prior to the issuance of the building permit for the project, the applicant shall apply for and get approval of a Sign Permit from the Planning Division.
- 23. Parking Management Plan:** Prior to building permit issuance, the applicant shall develop a parking management plan describing parking allocation for residents, guests, and/or commercial uses on the project site, subject to administrative approval by the Development Services Director or their designee.
- 24. Construction Noise Reduction:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.

- 25. Pile Driving Noise Reduction:** The following measures shall be incorporated into construction plans and contractor specifications if pile driving is proposed: (a) multiple pile drivers shall be considered to expedite construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving would be reduced; and (b) temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the foundation pile holes as a standard construction noise control technique. Predrilling reduces the number of blows required to seat the pile.
- 26. Mechanical Equipment:** Prior to issuance of a building permit, the applicant shall show the location of any mechanical equipment and demonstrate compliance with the requirements of Chapter 11.14 (Mechanical Equipment) and Chapter 6.16 (Noise Control) of the Los Altos City Code.
- 27. Acoustical Report for Mechanical Equipment:** Prior to issuance of a building permit, the applicant shall submit a report from an acoustical engineer/consultant ensuring that the rooftop mechanical equipment meets the City's Noise Control Ordinance (Chapter 6.16).
- 28. Air Quality:** The applicant is required to secure a permit from the Bay Area Air Quality Management District or provide written assurance that no permit is required prior to issuance of a building permit.
- 29. Basic Air Quality Construction Measures:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; (f) all excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph; (g) all trucks and equipment, including their tires, shall be washed off prior to leaving the site; (h) Unpaved roads providing access to site located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted later of wood chips, mulch, or gravel; (i) publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall be visible to ensure compliance with applicable regulations.
- 30. Basic Air Quality Construction Equipment Particulate Matter Exhaust Emission Measures:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce DPM emissions by 60 percent such that increased cancer risk

and annual PM2.5 concentrations from construction. Emission reduction measures will include, at a minimum, the following measures:

- (a) All construction equipment between 25 or greater horsepower used at the site shall meet U.S. EPA Tier 4 interim emission standards for PM (PM10 and PM2.5), if feasible, otherwise,
 - If use of Tier 4 interim equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 60 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination).

- (a) All mobile off-road equipment (wheeled or tracked) greater than 50 horsepower used during construction activities shall meet the USEPA Tier 4 final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards. In the event of specialized equipment where Tier 4 Final equipment is not commercially available at the time of construction, the equipment shall meet Tier 3 standards at a minimum. Alternative Fuel (natural gas, propane, electric, etc.) construction equipment shall be incorporated where available for off-road equipment greater than 50 horsepower and for all offroad equipment less than 50 horsepower. These requirements shall be incorporated into the contract agreement with the construction contractor. A copy of the equipment's certification or model year specifications shall be available upon request for all equipment onsite. Electricity shall be supplied to the site from the existing power grid to support the electric construction equipment. If connection to the grid is determined to be infeasible for portions of the project, a non-diesel fueled generator shall be used.

- (b) Alternatively, the applicant may develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 60 percent or greater. Elements of the plan could include a combination of some of the following measures:
 - Implementation of No. 1 above to use Tier 4 interim engines or alternatively fueled equipment,
 - Installation of electric power lines during early construction phases to avoid use of diesel generators and compressors,
 - Use of electrically powered equipment,
 - Forklifts and aerial lifts used for exterior and interior building construction shall be electric or propane/natural gas powered,
 - Change in construction build-out plans to lengthen phases, and
 - Implementation of different building techniques that result in less diesel equipment usage.

31. Discovery of Contaminated Soils: If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) the contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) the contractor will monitor area around construction site for fugitive vapor emissions with

appropriate field screening instrumentation; (d) the contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) the contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) the contractor will cover the bottom of excavated areas with sheeting when work is not being performed.

- 32. Discovery of Archaeological Resources:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100' of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.
- 33. Discovery of Human Remains:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to their authority, the Coroner shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Development Services Director prior to the release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and their results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Development Services Director.
- 34. Discovery of Paleontological Resources:** In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.
- 35. Indoor Formaldehyde Reductions:** If the project utilizes composite wood materials (e.g., hardwood plywood, medium density fiberboard, particleboard) for interior finishes, then only composite wood materials that are made with CARB approved, no-added formaldehyde (NAF) resins, or ultra-low emitting formaldehyde (ULEF) resins shall be utilized (CARB,

Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products, 17 CCR Section 93120, *et seq.*, 2009-2013).

- 36. Preconstruction Nesting Bird Survey:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:

The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500' for active nests—with particular emphasis on nests of migratory birds—if construction (including site preparation) will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the applicant, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.

BUILDING DIVISION

- 37. Building Permit:** A building permit is required for the project and building design plans shall comply with the latest applicable adopted standards. The applicant shall submit supplemental application materials as required by the Building Division to demonstrate compliance.
- 38. Conditions of Approval:** Incorporate the conditions of approval into the Building Permit submittal plans and provide a letter which explains how each condition of approval has been satisfied and/or which sheet of the plans the information can found
- 39. Green Building Verification:** The applicant shall submit verification that the structure was built in compliance with the California Green Building Standards pursuant to Section 12.26 of the Municipal Code.
- 40. Reach Codes:** Building permit applications submitted on or after January 1, 2023, shall comply with specific amendments to the 2022 California Green Building Standards for Electric Vehicle Infrastructure and the 2022 California Energy Code as provided in Ordinances No 2022-487 which amended Chapter 12.22 Energy Code and Chapter 12.26 California Green Building Standards Code of the Los Altos Municipal Code. The building design plans shall comply with the standards and the applicant shall submit supplemental application materials as required by the Building Division to demonstrate compliance.
- 41. School Fee Payment:** In accordance with Section 65995 of the California Government Code, and as authorized under Section 17620 of the Education Code, the property owner shall pay the established school fee for each school district the property is located in and provide receipts to the Building Division. The City of Los Altos shall provide the property owner with the resulting increase in assessable space on a form approved by the school district. Payments shall be made directly to the school districts.

- 42. Payment of Impact and Development Fees:** The applicant shall pay all applicable development and impact fees prior to issuance of a building permit, including but not limited to Sanitary Sewer Connection fee, Transportation, Park and Recreation, Public Art, Public Safety, and General Government impact fees as required by the City of Los Altos Municipal Code and current adopted fee schedule.
- 43. Work Hours/Construction Site Signage:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 5:30 p.m., Monday through Friday, from 9 a.m. to 3 p.m. Saturday, and no work is permitted on Sunday or any holiday. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours and contact information, including an after-hours contact.
- 44. Disturbance Coordinator:** The applicant shall designate a “disturbance coordinator” who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
- 45. Change of Address:** A “Request for Address Assignment or Change” form must be submitted to the Building Division to correlate with the addition of any new units or tenant spaces on the property.
- 46. California Water Service Upgrades:** You are responsible for contacting and coordinating with the California Water Service Company any water service improvements including but not limited to relocation of water meters, increasing water meter sizing or the installation of fire hydrants. The City recommends consulting with California Water Service Company as early as possible to avoid construction or inspection delays.
- 47. Americans with Disabilities Act:** All improvements shall comply with Americans with Disabilities Act (ADA). The latest edition of Caltrans ADA requirements shall apply to all improvements in the public right-of-way. Compliance with all ADA requirements shall be shown on all building permit plans.
- 48. Public Utilities:** The applicant shall contact electric, gas, communication, and water utility companies regarding the installation of new utility services to the site.
- 49. Geotechnical Report:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City during building plan check, and the recommendations made in the geotechnical report will be implemented as part of the project and included in building permit drawings and civil drawings as needed. Recommendations may include considerations for design of permanent below-grade walls to

resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for back draining walls to prevent the build-up of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.

- 50. Off-Haul Excavated Soil:** The grading plan shall show specific grading cut and/or fill quantities. Cross section details showing the existing and proposed grading through at least two perpendicular portions of the site or more shall be provided to fully characterize the site. A note on the grading plans should state that all excess dirt shall be off hauled from the site and shall not be used as fill material unless approved by the Building and Planning Divisions.

ENGINEERING DIVISION

- 51. Encroachment Permit:** An encroachment permit, and/or an excavation permit shall be obtained prior to any work done within the public right-of-way and it shall be in accordance with plans to be approved by the City Engineer.
- 52. Public Utilities:** The applicant shall contact electric, gas, communication, and water utility companies regarding the installation of new utility services to the site.
- 53. Stormwater Management Plan:** Prior to issuance of building permit, the applicant shall submit a complete Stormwater Management Plan (SWMP) and a hydrology calculation showing that 100% of the site is being treated; is in compliance with the Municipal Regional Stormwater NPDES Permit (MRP). Applicant shall provide a hydrology and hydraulic study, and an infeasible/feasible comparison analysis to the City for review and approval for the purpose to verify that MRP requirements are met. The project shall comply with City of Los Altos Municipal Regional Stormwater (MRP)NPDES Permit No. CA S612008, Order No. R2-2022-0018 dated May 11, 2022.
- 54. Sewer Lateral:** Any new proposed sewer lateral connection shall be approved by the City Engineer.
- 55. Transportation Permit:** A Transportation Permit, per the requirements specified in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the construction site. The Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.
- 56. Pollution Prevention:** The improvement plans shall include the City approved “Blueprint for a Clean Bay” plan sheet in all plan submittals.
- 57. Civil Engineering Drawings:** The applicant shall submit civil engineering drawings which shows the traffic movement with the adjacent parking lot and that adequate vehicle movement in the adjacent parking lot is maintained with the project.
- 58. Storm Water Filtration Systems:** Prior to the issuance of the building permit the Applicant shall insure the design of all storm water treatment systems and devices are without standing water to avoid mosquito/insect infestation.

- 59. Cost Estimate and Performance Bonds:** Prior to the issuance of the building permit the applicant shall submit a cost estimate for the improvements in the public right-of-way and shall submit a 100 percent performance bond or cash deposit (to be held until acceptance of improvements) and a 50 percent labor and material bond (to be held 6 months after acceptance of improvements) for the work in the public right-of-way.
- 60. Grading and Drainage Plan:** Prior to the issuance of the building permit the Applicant shall submit on-site grading and drainage plans that include (i.e. drain swale, drain inlets, rough pad elevations, building envelopes, drip lines of major trees, elevations at property lines, all trees and screening to be saved) for approval by City Engineer. No grading or building pads are allowed within two-thirds of the drip line of trees unless authorized by a certified arborist and the Planning Department.
- 61. Sewage Capacity Study:** Prior to the issuance of the building permit the applicant shall submit calculations showing that the City's existing six-inch sewer line will not exceed two-thirds full due to the project's sewer loads. Calculations shall include the six-inch main from the property along First Street to the point where it connects to the eight-inch sewer line on San Antonio Rd. For any segment that is calculated to exceed two-thirds full for average daily flow or for any segment that the flow is surcharged in the main due to peak flow, the applicant shall replace the six-inch sewer line with an eight-inch sewer line.
- 62. Construction Management Plan:** Prior to the issuance of the building permit the Applicant shall submit a construction management plan for review and approval by the Community Development Director and the City Engineer. The construction management plan shall address any construction activities affecting the public right-of-way, including but not limited to excavation, traffic control, truck routing, pedestrian protection, material storage, earth retention and construction vehicle parking. The plan shall provide specific details with regards to how construction vehicle parking will be managed to minimize impacts on nearby single-family neighborhoods.
- 63. Solid Waste Ordinance Compliance:** Prior to the issuance of the building permit the Applicant shall be in compliance with the City's adopted Solid Waste Collection, Remove, Disposal, Processing & Recycling Ordinance (LAMC Chapter 6.12) which includes a mandatory requirement that all multi-family dwellings provide for recycling and organics collection programs.
- 64. Solid Waste and Recyclables Disposal Plan:** Prior to the issuance of the building permit the Applicant shall contact Mission Trail Waste Systems and submit a solid waste and recyclables disposal plan indicating the type, size and number of containers proposed, and the frequency of pick-up service subject to the approval of the Engineering Division. The Applicant shall also submit evidence that Mission Trail Waste Systems has reviewed and approved the size and location of the proposed trash enclosure. The enclosure shall be designed to prevent rainwater from mixing with the enclosure's contents and shall be drained into the City's sanitary sewer system. The enclosure's pad shall be designed to not drain outward, and the grade surrounding the enclosure designed to not drain into the enclosure. In addition, Applicant shall show on plans the proposed location of how the solid waste will be collected by the refusal company. Include the relevant garage clearance dimension and/or staging location with appropriate dimensioning on to plans.

65. **Condominium Map:** Prior to final occupancy the applicant shall record the condominium map as required by the City Engineer.
66. **Underground Utilities:** Prior to final occupancy the applicant shall be responsible for the removal/undergrounding of the existing power pole/overhead utilities at the alleyway, including the overhead utilities of the adjacent properties.
67. **Public Alleyway:** Prior to final occupancy the applicant shall improve the entire width of the alleyway along the rear of the project with the treatment approved by the City Engineer.
68. **Watch for Pedestrians Sign:** Prior to final occupancy the applicant shall install a “watch for pedestrians” sign at the parking garage driveway.
69. **Sidewalk in Public Right-of-Way:** Prior to final occupancy the Applicant shall remove and replace entire sidewalk and curb and gutter along the frontage of San Antonio Road as directed by the City Engineer.
70. **Street Trees in Public Right-of-Way**
Prior to final occupancy the applicant shall install new street trees and tree wells along the frontage of San Antonio Rd, from property line to property line, as determined by the City Engineer.
71. **Public Infrastructure Repairs:** Prior to final occupancy the Applicant shall repair any damaged right-of-way infrastructure and otherwise displaced curb, gutter and/or sidewalks and City’s storm drain inlet shall be removed and replaced as directed by the City Engineer or his designee. The Applicant is responsible to resurface (grind and overlay) half of the street along the frontage of San Antonio Road if determined to be damaged during construction, as directed by the City Engineer or his designee.
72. **Maintenance Bond:** Prior to final occupancy, a one-year, ten-percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way.
73. **SWMP Certification:** Prior to final occupancy the Applicant shall have a final inspection and certification done and submitted by the Engineer who designed the SWMP to ensure that the treatments were installed per design. The Applicant shall submit a maintenance agreement to City for review and approval for the stormwater treatment methods installed in accordance with the SWMP. Once approved, City shall record the agreement.
74. **Landscape and Irrigation Installation:** Prior to final occupancy, all on- and off-site landscaping and irrigation shall be installed and approved by the Development Services Director and the City Engineer.
75. **Label Catch Basin Inlets:** Prior to final occupancy the Applicant shall label all new or existing public and private catch basin inlets which are on or directly adjacent to the site with the “NO DUMPING - FLOWS TO ADOBE CREEK” logo as required by the City.

FIRE DEPARTMENT

- 76. Applicable Codes and Review:** The project shall comply with the California Fire (CFC) & Building (CBC) Code, 2022 edition, as adopted by the City of Los Altos Municipal Code (LAMC), California Code of Regulations (CCR) and Health & Safety Code 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 an application to, and receive from, the Building Department all applicable construction permits.
- 77. Violations:** 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].
- 78. Fire Sprinklers Required:** Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18 whichever is the more restrictive. For the purposes of this section, firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations. NOTE: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. A State of California licensed (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application and appropriate fees to this department for review and approval prior to beginning their work. CFC Sec. 903.
- 79. Fire Alarm System:** Required fire alarm system shall be designed and installed as required in the currently adopted edition of CFC Sec, 907, as adopted and amended by the City of Los Altos and referenced codes and Standards, including, but not limited to, NFPA 72.
- 80. 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 the distance requirement shall be 600 feet. For buildings 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].
- 81. Standpipes Required:** Standpipe systems shall be provided in new buildings and structures in accordance with this section. Fire hose threads used in connection with standpipe systems shall be approved and shall be compatible with fire department hose threads. The location of fire department hose connections shall be approved. Standpipes shall be manual wet type. In buildings used for high-piled combustible storage, fire hose protection shall be in accordance with Chapter 32. Installation standard. Standpipe systems shall be installed in accordance with this section and NFPA 14 as amended in Chapter 47. CFC Sec. 905.
- 82. Fire Department Connection:** The fire department connection (FDC) shall be installed at the street on the street address side of the building. It shall be located within 100 feet of a public

fire hydrant and within ten (10) feet of the main PIV (unless otherwise approved by the Chief due to practical difficulties). FDC's shall be equipped with a minimum of two (2), two-and-one-half (2- 1/2") inch national standard threaded inlet couplings. The orientation of the FDC shall be such that hose lines may be readily and conveniently attached to the inlets without interference. FDC's shall be painted safety yellow. [SCCFD, SP-2 Standard].

- 83. Required Fire Flow:** The minimum required fire flow for this project is 2625 Gallons Per Minute (GPM) at 20 psi residual pressure. This fire flow assumes installation of automatic fire sprinklers per CFC [903.3.1.3].
- 84. Buildings and Facilities Access:** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or with the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. [CFC, Section 503.1.1].
- 85. Required Aerial Access:** 1. Where required: Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. 2. Width: Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height. 3. Proximity to building: At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572) and a maximum of 30 feet (9144mm) from the building and shall be positioned parallel to one entire side of the building, as approved by the fire code official. SCCFD SD&S A-1.
- 86. Ground Ladder Access:** Ground-ladder rescue from second and third floor rooms shall be made possible for fire department operations. With the climbing angle of seventy-five degrees maintained, an approximate walkway width along either side of the building shall be no less than seven feet clear. Landscaping shall not be allowed to interfere with the required access. CFC Sec. 503 and 1030 NFPA 1932 Sec. 5.1.8 through 5.1.9.2.
- 87. Two-Way Communication System:** Two-way communication systems shall be designed and installed in accordance with NFPA 72 (2016 edition), the California Electrical Code (2013 edition), the California Fire Code (2016 edition), the California Building Code (2016 edition), and the city ordinances where two way system is being installed, policies, and standards. Other standards also contain design/installation criteria for specific life safety related equipment. These other standards are referred to in NFPA 72.
- 88. Emergency Responder Radio Coverage in New Buildings:** All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. CFC Sec. 510.1.

- 89. Knox Key Boxes/Locks:** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for lifesaving or firefighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The Knox Key Box shall be a of an approved type and shall contain keys to gain necessary access as required by the fire code official. Locks. An approved Knox Lock shall be installed on gates or similar barriers when required by the fire code official. Key box maintenance. The operator of the building shall immediately notify the fire code official and provide the new key when a lock is changed or re-keyed. The key to such lock shall be secured in the key box. [CFC Sec. 506].
- 90. 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.
- 91. 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.
- 92. 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.