

**RESOLUTION NO. HC 2025-XX**

**A RESOLUTION OF THE HISTORICAL COMMISSION OF THE CITY OF LOS ALTOS APPROVING A HISTORICAL ALTERATION PERMIT FOR A NEW LIBRARY COURTYARD AT 13 SOUTH SAN ANTONIO ROAD**

**WHEREAS**, the applicant, SSA Landscape Architects, submitted an application for an Historical Alteration Permit (H24-0003) for an outdoor courtyard at 13 South San Antonio Road (Los Altos Library), referred to herein as the “Project”; and

**WHEREAS**, said Project is located in the PCF Zoning District, which allows all uses of facilities owned, leased, or operated by the City and the County; and

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

**WHEREAS**, the proposed Project complies with the Secretary of the Interior’s Standards for Rehabilitation by preserving the historic orchard’s defining characteristics, including its layout, species composition, and spatial organization, while the Project not compromise its integrity. The work avoids adverse impacts to character-defining features and maintains compatibility with the orchard’s historic scale and function. The project ensures the orchard’s long-term preservation and significance as a cultural resource, with no significant adverse impacts to historic resources; and

**WHEREAS**, the Historical Commission held a duly noticed public hearing to consider the Project on February 6, 2025 and considered the written record and all public comment and approved the Historical Alteration Permit subject to the recommended findings and conditions of approval; 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 Historical 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 15301 (“Existing Facilities”) and Section 15303 (“New Construction and Conversion of Small Structures”) because it includes a minor alteration of an existing public facility consisting of the replacement of an existing patio with a new courtyard and the construction of an accessory courtyard for the existing Los Altos Library. Additionally, none of the circumstances under CEQA Guidelines Section 15300.2 apply.

**NOW, THEREFORE, BE IT RESOLVED**, that the Historical Commission of the City of Los Altos hereby approves Historical Alteration Permit No. H24-0003 for an outdoor courtyard at the Los Altos Library, 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**

With regard to the Historical Alteration Permit, the Historical Commission finds the following in accordance with Section 12.44.140 of the Municipal Code:

1. The project complies with all provisions of the Historic Preservation Ordinance (Chapter 12.44) due to the project not adversely affecting the physical integrity or the historic significance of the subject property, and the project being in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties; and the project does not adversely affect the physical integrity or historic significance of the Civic Center Apricot Orchard, one of the last active orchards in Los Altos. The Civic Center Orchard trees will be retained, and none will be removed. With the remaining orchard trees, the orchard conveys its historic significance and character. The proposed project is compliant with the Secretary of the Interior's Standards for Rehabilitation. The project is compliant with the applicable criteria listed in the Community Design and Historic Resources Elements.
2. The project complies with Standards 1-4 of the Secretary of the Interior's Standards for the Treatment of Historic Properties. It preserves the historic apricot orchard with minimal alterations, ensuring its defining characteristics remain intact (Standard 1). No character-defining features are removed, and new work is limited to unplanted areas, avoiding the removal of any orchard trees. The minor encroachment on the southern boundary does not affect the orchard's historic character, as its orthogonal rows, spacing, and overall organization remain intact (Standard 2). The project avoids adding conjectural historical features or architectural elements from other buildings, maintaining authenticity (Standard 3). Furthermore, no changes have been made to the orchard that have acquired historic significance, so none require retention or preservation (Standard 4).
3. The project complies with Standards 5-10 of the Secretary of the Interior's Standards for the Treatment of Historic Properties. The orchard's layout and species composition are preserved by replacing dead trees with Blenheim apricots, consistent with the original plantings. While seven potential planting sites would be lost, this does not diminish the orchard's historic significance, as its layout and existing trees remain (Standard 5). There is no chemical or physical treatment that would negatively impact the orchard's historic character (Standard 7). As there are no known archaeological resources in the orchard, Standard 8 is not applicable. The project preserves historic materials, features, and spatial relationships, and the project is clearly differentiated yet compatible with the historic size, scale, proportion, and massing of the orchard (Standard 9). Finally, while seven planting sites may be obstructed, the essential form and integrity of the orchard remain intact, and these sites could be reestablished in the future. Overall, the project does not result in a substantial adverse change to the significance of the Civic Center Orchard or the J. Gilbert Smith House (Standard 10).
4. The Project is categorically exempt from environmental review under Section 15301 (Existing Facilities) and Section 15303 (New Construction and Conversion of Small Structures) because it includes a minor alteration of an existing public facility consisting of the replacement of an existing patio with a new courtyard and the construction of an accessory courtyard for the

existing Los Altos Library. Additionally, none of the circumstances under 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 and support materials and technical reports approved as part of the application, except as modified by these conditions as specified below.
2. **Expiration:** This Permit is valid for a period of two (2) years from the date of final approval 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 approved plans 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. **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, except as modified by the conditions of approval herein. Details regarding all color and architectural details shall be provided in the building permit plan submittal and shall be subject to review and approval by the Development Services Director or their designee prior to the issuance of building permits.
7. **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.

8. **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.
9. **Landscaping:** Detailed landscape and irrigation plans 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.
10. **Utility Landscape Screening:** All utility meters, lines, transformers, backflow preventers, etc., must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the project design. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.
11. **Tree Removal Approved:** Trees Nos. 1 to 3 shown to be removed on plan Sheet L-1.1 of the approved set of plans are hereby approved for removal. Tree removal shall not occur until a building permit is submitted and shall only occur after issuance of a demolition permit or building permit. Exceptions to this condition may be granted by the Development Services Director.
12. **Replacement Trees:** The applicant shall offset the loss of each tree with one replacement tree, for a total of three replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as a replacement tree.
13. **Monthly Arborist Inspections:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division.
14. **Tree Protection Fencing:** The grading and landscape plans of the Building Permit submittal shall show the required tree protection fencing which shall be installed around the dripline(s), or as required by the project arborist, of all orchard trees. Tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.

15. **Orchard Irrigation System:** The landscape and irrigation plans of the building permit submittal shall show the existing orchard irrigation system and method for protection during construction to ensure continued irrigation system function.
16. **Orchard Sign Relocation:** The building permit submittal shall show the proposed location for the relocation of the existing orchard information sign. The proposed sign location shall be reviewed and approved by the Development Serviced Director and City Engineer prior to the issuance of building permit.
17. **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.
18. **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., staging areas, soil piles, and graded areas) shall be watered two times per day; (b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered; (c) 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. The use of dry power sweeping is prohibited; (d) All 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; (e) All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph; (f) All trucks and equipment, including their tires, shall be washed off prior to leaving the site; (g) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485, of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points; (h) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and (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 also be visible to ensure compliance with applicable regulations.
19. **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.

20. **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, handstones, 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.
21. **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 its 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.
22. **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.
23. **Preconstruction Nesting Bird Survey:** The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500 feet 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 feet for perching birds and 300 feet for raptors). The no-disturbance buffer shall remain in place until the biologist determines the nest is no longer active or the nesting season ends. The project applicant shall submit a report indicating the results of the nesting survey and any designated buffer zones to the Development Services Director or the Director's designee for review and approval prior to the issuance of any demolition, tree removal, or grading permit, whichever occurs earliest. If construction ceases for seven days or more and then resumes during the nesting season, an additional survey performed by a qualified biologist prior to construction resuming shall be completed to avoid impacts on active bird nests that may be present. The results of the additional nesting survey shall be submitted via a report to the Development Services Director or the Director's designee for review and approval prior to the restart of construction activities.

### **BUILDING DIVISION**

24. **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.
25. **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
26. **Payment of Impact and Development Fees:** The applicant shall pay all applicable development and impact fees in accordance with State Law and the City of Los Altos current adopted fee schedule. All impact fees not paid prior to building permit issuance shall be required to provide a bond equal to the required amount prior to issuance of the building permit.
27. **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 City observed 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.
28. **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 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.
29. **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.

### **ENGINEERING DIVISION**

30. **Construction Management Plan:** The applicant shall submit a construction management plan for review and approval by the Development Services 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. Sidewalks, parking and travel lanes along San Antonio Road and through the Civic Center campus shall not be closed for the full duration of the project. Closures will be reviewed and approved with Encroachment Permit submittals. The applicant shall be required to have a pre-construction meeting with all abutting property owners to discuss the project schedule and to prominently display a sign with the single point of contact the community should interface with for any construction related impacts from the project.
31. **Storm Water Management Plan:** The Applicant shall submit a Storm Water Management Plan (SWMP) in compliance with the City of Los Altos Municipal Regional Stormwater (MRP)NPDES Permit No. CA S612008, Order No. R2-2022-0018 dated May 11, 2022. The SWMP shall be reviewed and approved by a City approved third party consultant at the Applicant's expense. The recommendations from the Storm Water Management Plan (SWMP) shall be shown on the building permit plans.
32. **Pollution Prevention:** The improvement plans shall include the "Blueprint for a Clean Bay" plan sheet in all plan submittals.
33. **Storm Water Filtration Systems:** The applicant shall insure the design of all storm water filtration systems and devices are without standing water to avoid mosquito/insect infestation.
34. **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.

### **SANTA CLARA COUNTY FIRE DEPARTMENT**

35. **Knox Key Boxes/Locks Where Required for Access:** 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 of an approved type and shall contain keys to gain necessary access as required by the fire code official. An approved Knox Lock shall be installed on gates or similar barriers when required by the fire code. 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.