



ZONING ADMINISTRATOR AGENDA REPORT

TO: Nick Zornes, Zoning Administrator

FROM: Jia Liu, Associate Planner

SUBJECT: SC25-0005 – 709 Los Ninos Way

RECOMMENDATION

Approve Design Review application SC25-0005 for the construction of a new 3,566 square-foot, two-story residence subject to the listed findings and conditions of approval; and find the project categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures).

BACKGROUND

Project Description

- Project Location: Located on the east side of Los Ninos Way, between Marich Way and Alvarado Avenue
- Lot Size: 10,202 square feet
- General Plan Designation: Single-Family, Medium Lot (SF4)
- Zoning Designation: R1-10
- Current Site Conditions: One-story house

The proposed project includes the demolition of an existing one-story house and a detached accessory structure and replacement with a new two-story house (see Attachment 1 – Project Plans). The new house will feature an attached garage and an attached accessory dwelling unit, which will be reviewed ministerially as part of the building permit submittal. The home is designed in a transitional modern architectural style, incorporating high-quality materials including a standing seam metal roof, smooth cement plaster exterior finish with horizontal wood siding accents, wood soffit, and aluminum framed windows and steel framed doors.

There are 12 trees on the property, including one protected tree. No protected trees are proposed to be removed as part of the project.

ANALYSIS

The proposed home complies with the R1-10 district development standards found in LAMC Chapter 14.06, as demonstrated by the following table:

	Existing	Proposed	Allowed/Required
COVERAGE*:	2,616 square feet	2,590 square feet	3,061 square feet
FLOOR AREA*:			
First floor	2,462 square feet	2,284 square feet	
Second floor	----	1,282 square feet	
Total	2,462 square feet	3,566 square feet	3,571 square feet
SETBACKS:			
Front	24.83 feet	25.00 feet	25 feet
Rear	3.17 feet	52.5 feet	25 feet
Right side (1st/2nd)	30.00 feet/---- feet	10.58 feet/17.50 feet	10 feet/17.50 feet
Left side (1st/2nd)	14.83 feet/---- feet	10.25 feet/19.08 feet	10 feet/17.50 feet
HEIGHT:	13.33 feet	26 feet	27 feet

** The project includes an attached ADU, which will be reviewed ministerially as part of the building permit. Pursuant to Los Altos Municipal Code (LAMC) Section 14.14.060, the ADU has not been included in the floor area or lot coverage calculations for the site.*

Pursuant to Chapter 14.76 of the LAMC, new two-story residences shall be consistent with policies and implementation techniques described in the Single-Family Residential Design Guidelines (Design Guidelines). The surrounding neighborhood is considered a Consistent Character Neighborhood according to the Design Guidelines. The immediate neighborhood is comprised of one-story and two-story houses. Homes in the neighborhood exhibit similar front setback patterns, a combination of simple and complex roof forms, and consistent massing. The horizontal eave lines typically range from approximately eight to nine feet and six inches in height at the first floor and seven feet to eight feet at the second floor. Most of the homes in the neighborhood feature attached garages in the front yard facing the street.

The massing of the proposed new residence is compatible with the immediate neighborhood. The first story features one uniformed plate height of nine feet while the second story also has a consistent plate height of seven feet and 10 inches. The proposed residence retains key design attributes indicative of the neighborhood including pitched roof lines at the second story, traditional exterior materials such as cement plaster and wood siding, and maintains a moderate scale found in the neighborhood. All design considerations and alignments reflect a thoughtful approach to achieving a harmonious architectural composition within the neighborhood.

The proposed landscaping includes five new trees and 11 evergreen screening bushes along the south side property line and three evergreen screening bushes along with the rear property line which will be integrated with existing screening vegetation to remain. A variety of ground cover plants and low shrubs will also be placed on the project site. The landscaping plan will comply with the Water Efficient

Landscape Ordinance, which requires water-efficient landscaping for new residences with landscaping over 500 square feet.

The proposed project meets the development standards in the R1-10 zoning district and complies with the Single-Family Residential Design Guidelines because it is compatible with the character of the neighborhood as the design maintains an appropriate relationship with adjacent structures, minimizes bulk, preserves existing trees, and enhances landscaping to the extent possible.

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) because it involves the construction of a single-family dwelling in a residential zone.

PUBLIC NOTIFICATION AND COMMUNITY OUTREACH

A public meeting notice was mailed to property owners within a 300-foot radius and published in the newspaper. The applicant also posted a public notice sign on the property in conformance with the Planning Division posting requirements.

The applicant reached out to 11 neighbors in the immediate area either in person, with a letter, or by email for the community outreach. No comments from the public have been received by staff as of the writing of this report.

Attachment:

1. Project Plans

Cc: Bahi Oreizy, Applicant and Architect
Cen Ling & Yuanyuan Li, Property Owners

FINDINGS

SC25-0005 – 709 Los Ninos Way

With regard to the proposed new two-story residence, the Zoning Administrator finds the following in accordance with Section 14.76.060 of the Municipal Code:

- A. The proposed new two-story residence complies with all provisions of this chapter because the proposed residence is consistent with the development standards of the R1-10 zoning district and policies and implementation techniques described in the Single-Family Residential Design Guidelines.
- B. The height, elevations, and placement on the site of the proposed new house is compatible when considered with reference to the nature and location of residential structures on adjacent lots, and will consider the topographic and geologic constraints imposed by particular building site conditions as the proposed home maintains a similar finished floor elevation and orientation on the lot as the existing home and complies with the allowable floor area, lot coverage, maximum height, and daylight plane requirement pursuant to LAMC Chapter 14.06.
- C. The natural landscape will be preserved insofar as practicable by minimizing tree and soil removal. Grade changes shall be minimized because the existing site is relatively level and does not require substantial grading. There are 12 trees on the property, including one protected tree which will be preserved as part of the project.
- D. The orientation of the proposed new residence in relation to the immediate neighborhood will minimize the perception of excessive bulk and mass because the proposed structure incorporates architectural design features such as moderate scale, horizontal eave lines, building articulation, and roof forms that break up the massing and minimize excessive bulk.
- E. General architectural considerations, including the size and scale, the architectural relationship with the site and other buildings, building materials, and similar elements have been incorporated in order to ensure the compatibility of the development with its design concept and the character of adjacent buildings. The proposed home complies with the allowable floor area, lot coverage, and height maximums as well as the daylight plane requirement pursuant to LAMC Chapter 14.06 and the design of the home incorporates consistent and compatible features including standing seam metal roof, cement plaster exterior finish with horizontal wood siding accents, wood soffits, and aluminum framed windows and steel framed doors.
- F. The proposed new house has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection because the site is relatively flat and has incorporated softscape and hardscape surfaces into the plan and proposes a drainage plan to minimize off-site stormwater drainage.

CONDITIONS OF APPROVAL

SC25-0005 – 709 Los Ninos Way

PLANNING DIVISION

1. **Expiration:** The Design Review Approval will expire on May 21, 2027 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.
2. **Approved Plans:** The approval is based on the plans and materials received on March 21, 2025, except as modified by these conditions as specified below.
3. **Revisions to the Approved Project:** Minor revisions to the approved plans which are found to be in substantial compliance with the approval 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. **ADU Not Reviewed:** The proposed ADU included in the plan set is not part of this design review application. Prior to commencement of the ADU construction, a separate building permit issued by the Building Division shall be obtained.
7. **Protected Trees:** Trees No. T9 shall be protected under this application and cannot be removed without a Tree Removal Permit from the Development Services Director.
8. **Tree Protection Fencing:** The grading and tree or landscape plan 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 trees No. T9. Verification of installation of the fencing shall be submitted to the City prior to building permit issuance. 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.

9. **Tree Removal and Replacement in Public Right-of-Way:** Proposed removal and replacement of any trees located in the public right-of-way is not part of the design review approval. The applicant shall obtain the Public Work's Department approval prior to the tree removal.
10. **Landscaping:** The project shall be subject to the City's Water Efficient Landscape Ordinance (WELO) pursuant to Chapter 12.36 of the Municipal Code. Provide a landscape documentation package prepared by a licensed landscape professional showing how the project complies with the City's Water Efficient Landscape Regulations and include signed statements from the project's landscape professional and property owner.
11. **Landscaping Installation and Verification:** All landscaping materials, including plants or trees intended to provide privacy screening, as provided on the approved landscape plans shall be installed prior to final inspection. The applicant shall also provide a landscape Certificate of Completion, signed by the project's landscape professional and property owner, verifying that the trees, landscaping, and irrigation were installed per the approved landscape documentation package prior to final inspection.
12. **Mechanical Equipment:** Prior to issuance of a building permit, the applicant shall show the location of any mechanical equipment which complies with the requirements of Chapter 11.14 (Mechanical Equipment) and Chapter 6.16 (Noise Control) of the Los Altos City Code.

BUILDING DIVISION

13. **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.
14. **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 be found.
15. **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.
16. **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. Payments shall be made directly to the school districts.
17. **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.

18. **Swimming Pools, Water Features, and Outdoor Kitchens:** The proposed pool and associated equipment, water feature, and/or outdoor kitchen require a separate building permit and are subject to the City's standards pursuant to Section 14.06.120 and Chapter 14.15.
19. **New Fireplaces:** Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed in all new construction pursuant to Chapter 12.64 of the Municipal Code.
20. **Underground Utility and Fire Sprinkler Requirements:** New construction and additions exceeding fifty (50) percent of the existing living area (existing square footage calculations shall not include existing basements) and/or additions of 750 square feet or more shall trigger the undergrounding of utilities and new fire sprinklers. Additional square footage calculations shall include existing removed exterior footings and foundations being replaced and rebuilt. Any new utility service drops are pursuant to Chapter 12.68 of the Municipal Code.
21. **California Water Service Upgrades:** The applicant is 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.
22. **Green Building Standards:** Provide verification that the house will comply with the California Green Building Standards pursuant to Chapter 12.26 of the Municipal Code and provide a signature from the project's Qualified Green Building Professional Designer/Architect and property owner.
23. **Green Building Verification:** Prior to final inspection, submit verification that the house was built in compliance with the City's Green Building Ordinance (Chapter 12.26 of the Municipal Code).
24. **Underground Utility Location:** Show the location of underground utilities pursuant to Chapter 12.68 of the Municipal Code. Underground utility trenches shall avoid the driplines of all protected trees unless approved by the project arborist and the Planning Division.
25. **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.

ENGINEERING DIVISION

26. **Encroachment Permit:** An encroachment permit shall be obtained from the Engineering Division prior to doing any work within the public right-of-way including the street shoulder. All work

within the public street right-of-way shall be in compliance with the City's Shoulder Paving Policy.

27. **Public Utilities:** The applicant shall contact electric, gas, communication, and water utility companies regarding the installation of new utility services to the site.
28. **Sewer Lateral:** Any proposed sewer lateral connection shall be approved by the City Engineer. Only one sewer lateral per lot shall be installed. All existing unused sewer laterals shall be abandoned according to the City Standards, cut and cap 12" away from the main.
29. **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 City Engineer.
30. **Grading and Drainage Plan:** The applicant shall submit detailed plans for on-site and off-site grading and drainage plans that include drain swales, drain inlets, rough pad elevations, building envelopes, and grading elevations for review and approval by the City Engineer prior to the issuance of the building permit.
31. **Storm Water Management Plan:** The applicant shall submit a Storm Water Management Plan (SWMP) in compliance with the San Francisco Bay Region Municipal Regional Stormwater (MRP) *National Pollutant Discharge Elimination System (NPDES)* Permit No. CA S612008, Order R2-2022-0018, Provision C.3 dated May 11, 2022. All large single-family home projects that create and/or replace 10,000 sq. ft. or more of impervious surface on the project site and affected portions of the public right-of-way that are developed or redeveloped as part of the project must also complete a C.3. Data Form available on the City's Building Division website.
32. **Storm Water Filtration Systems:** Prior to the issuance of the building permit the applicant shall ensure the design of all storm water filtration systems and devices are without standing water to avoid mosquito/insect infestation. Storm water filtration measures shall be installed separately for each lot. All storm water runoff shall be treated onsite. Discharging storm water runoff to neighboring properties or public right-of-way and connections to existing underground storm water mains shall not be allowed.

FIRE DEPARTMENT

33. **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.
34. **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].

35. **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 Chapter. 33.
36. **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 903.2.12 whichever is the more restrictive and Sections 903.2.14 through 903.2.21. For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations (Sprinklers noted on sheet A0).
37. **Required Fire Flow:** The minimum required fire flow for this project is 1000 Gallons Per Minute (GPM) at 20 psi residual pressure. This fire flow assumes installation of automatic fire sprinklers per CFC [903.3.1.3]. Provide a fire flow letter from a local water purveyor confirming the required fire flow of 1000 GPM @ 20 psi residual from a fire hydrant located within 600' of the farthest exterior corner of the structure is required. Contact your local water purveyor (California Water) for details on how to obtain the fire flow letter.
38. **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 system, 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.
39. **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.