

**PLANNING COMMISSION – January 14, 2026**

**DRAFT CONDITIONS OF APPROVAL:**

**140 Oakmont Way**

**Architecture and Site Application S-25-052**

**Consider a Request for Approval to Construct a New Second-Story Addition to an Existing Single-Family Residence on Property Zoned R-1:8. APN 424-18-023. Categorically Exempt Pursuant to the California Environmental Quality Act, Section 15301: Existing Facilities.**

**Property Owners: Marc and Marie Tagne**

**Applicant: Salar Safaei**

**Project Planner: Suray Nathan**

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

*Planning Division*

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, Development Review Committee, or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. OUTDOOR LIGHTING: Exterior lighting shall be kept to a minimum and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.
4. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
5. EXISTING TREES: All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
6. TREE FENCING: Protective tree fencing, and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
7. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
8. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
9. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.

10. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval and may be secured to the satisfaction of the Town Attorney.
11. DEMOLITION AFFIDAVIT: Prior to issuance of a building permit, a demolition affidavit must be submitted and signed by the property owner, project architect, project engineer and contractor.
12. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Minor Residential application.
13. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

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