



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 03/26/2025

ITEM NO: 2

DATE: March 21, 2025
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider a Request for Approval to Construct a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Vacant Property Zoned HR-1. **Located at 16497 S. Kennedy Road.** APN 532-17-038. Architecture and Site Application S-24-037. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction. Property Owner: Robert Nicol. Applicant: Chris Spaulding. Project Planner: Jocelyn Shoopman.

RECOMMENDATION:

Consider a request for approval to construct a new single-family residence with site improvements requiring a Grading Permit on vacant property zoned HR-1, located at 16497 S. Kennedy Road.

PROJECT DATA:

General Plan Designation: Hillside Residential
Zoning Designation: HR-1, Hillside Residential (40,000 square feet minimum)
Applicable Plans & Standards: General Plan; Hillside Development Standards and Guidelines; and Hillside Specific Plan
Parcel Size: 111,843 square feet (2.56 acres)
Surrounding Area:

| | Existing Land Use | General Plan | Zoning |
|-------|-------------------|-------------------------|--------|
| North | Residential | Low Density Residential | R-1:10 |
| South | Residential | Hillside Residential | HR-1 |
| East | Residential | Hillside Residential | HR-1 |
| West | Residential | Low Density Residential | R-1:10 |

PREPARED BY: Jocelyn Shoopman
Senior Planner

Reviewed by: Planning Manager, Community Development Director, and Town Attorney

CEQA:

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

FINDINGS:

- As required, the project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- As required, that other than the exceptions to grading depths, retaining wall heights, retaining wall length, and building located outside of the least restrictive development area (LRDA), the project complies with the Hillside Development Standards and Guidelines (HDS&G).
- As required, the project complies with the Hillside Specific Plan (HSP).

CONSIDERATIONS:

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

ACTION:

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

BACKGROUND:

The subject property is located south of Kennedy Road and accessed via Vivian Drive, a private road serving several lots east of the property (Exhibit 1). The subject property is vacant and approximately 2.56 acres (111,843 square feet) with an average slope of 45 percent.

On February 27, 2023, the Town approved a Senate Bill 9 (SB 9) Urban Lot Split (ULS) for the property located at 16491 S. Kennedy Road, submitted by the current applicant for this Architecture and Site application. The ULS divided a 4.276-acre lot into two parcels: a 74,531-square foot lot developed with a 6,189-square foot single-family residence and 1,170-square foot garage; and the subject property, a 111,843-square foot vacant lot. The subject property is zoned HR-1 and complies with the minimum lot area and lot width.

The Architecture and Site application has been referred to the Planning Commission based on the applicant's request for exceptions to grading depths, retaining wall heights, retaining wall length, and the LRDA.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located south of Kennedy Road and accessed via Vivian Drive, a private road serving several lots east of the property (Exhibit 1). Single-family residential development surrounds the property. Due to the existing topography of the site, the few areas of LRDA are concentrated in the southwest portion of the property, adjacent to existing easements.

B. Project Summary

The applicant proposes construction of a two-story residence with an attached two-car garage. The project includes areas of below-grade square footage that would not count toward the size of the residence. The proposed residence and attached garage would be located outside of the LRDA due to site and access constraints. The proposed residence would not be visible from any of the Town's established viewing platforms, pursuant to the HDS&G. The project requires a Grading Permit for site improvements for earthwork quantities exceeding 50 cubic yards. The project also requires exceptions to grading depths, retaining wall heights, retaining wall length, and LRDA.

C. Zoning Compliance

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

DISCUSSION:

A. Architecture and Site Analysis

The applicant proposes construction of a new 4,194.2-square foot, two-story residence with an attached two-car garage (Exhibit 13). The applicant has provided a Letter of Justification detailing the project and the requested exceptions to the requirements of the HDS&G (Exhibit 5). In addition to the 4,194.2 square feet of countable FAR, the residence includes 800.1 square feet of below-grade square footage. The residence also includes an attached 663.4-square foot garage. A summary of the floor area for the proposed residence is included in the table on the following page.

| | Proposed Square Footage | Counts Towards Floor Area |
|--------------------|------------------------------------|--------------------------------------|
| First Floor | 1,854.1 sf | 1,854.1 sf |
| Second Floor | 1,211.6 sf | 1,211.6 sf |
| Lower Floor * | 1,745.2 sf | 865.1 sf |
| Attached Garage ** | 663.4 sf | 263.4 sf |
| Total | 5,474.3 sf | 4,194.2 sf |

* Pursuant to Sec. 29.10.020, floor area means the entire enclosed area of all floors that are more than four feet above the proposed grade, measured from the outer face of exterior walls or in the case of party walls from the centerline.

** Pursuant to the HDS&G garages up to 400 square feet in area are not included in the floor area ratio calculation.

The proposed residence would be sited at the southernmost portion of the lot, adjacent to Vivian Drive (Exhibit 1). The residence and attached garage are proposed outside of the LRDA due to the existing topography and closest vehicular access to Vivian Drive, the private road providing access to the property. The maximum height of the proposed residence is 25 feet, where a maximum of 25 feet is allowed by the HDS&G for nonvisible homes. The maximum high-to-low height of the proposed residence is 34 feet, eight inches, where a maximum of 35 feet is allowed by the HDS&G for nonvisible homes. The project requires a Grading Permit for site improvements for earthwork quantities exceeding 50 cubic yards. The project also requires exceptions to grading depths, retaining wall heights, retaining wall length, and LRDA.

B. Building Design

The applicant proposes a traditional style residence with subdued colors to blend with the surrounding hillside environment. Proposed exterior materials include: a dark bronze standing seam metal roof; smooth coat stucco siding; wood clad windows; and painted metal railings (Exhibit 4). The proposed exterior materials comply with the HDS&G standard for nonvisible homes, each having a light reflectivity value (LRV) less than 30.

The Town's Consulting Architect reviewed the proposed residence and noted that the very constrained hillside parcel is surrounded by large homes on much larger parcels (Exhibit 6). The Consulting Architect identified two issues and concerns and provided two recommendations for changes. In response to these recommendations, the applicant made modifications to the design of the residence and submitted a letter responding to the recommendations (Exhibit 7). The Consulting Architect's issues and recommendations are provided below, followed by the applicant's response in *italics*.

1. Increase the roof overhang to provide a stronger eave shadow line to mitigate the two-story façade.

The eaves have been lengthened over the area with the two-story façade.

2. There may be two ways to address the issue of the two-story flat downhill façade section:
 - a. Leave it as proposed given the amount of downhill landscaping that is currently a buffer to views from the home below and the applicant's commitment to plant screen landscaping at the lower property line.
 - b. Extend the balcony across the façade connecting the currently proposed balcony and deck.

The middle floor has been cantilevered out 18 inches between the balconies to break up the two-story section.

C. Neighborhood Compatibility

Based on Town and County records, the residences in the immediate neighborhood range in size from 2,149 square feet to 5,978 square feet. The FAR ranges from 0.05 to 0.25. The applicant is proposing 4,194 square feet of countable FAR for the home on a 111,843-square foot parcel (0.04 FAR). Pursuant to the Town Code, the maximum allowable floor area for the subject property is 6,000 square feet for the residence and 400 square feet for the garage. The following table reflects the current conditions of the homes in the immediate area and the proposed project.

| Address | Zoning | House SF | Garage SF | Lot Size | House FAR | No. of Stories |
|---------------------------------|-------------|--------------|------------|----------------|-------------|----------------|
| 16515 S. Kennedy Rd. | HR-1 | 4,590 | 720 | 46,528 | 0.10 | 2 |
| 16505 S. Kennedy Rd. | HR-1 | 4,496 | 630 | 51,710 | 0.09 | 2 |
| 16491 S. Kennedy Rd. | HR-1 | 5,268 | 1,408 | 74,201 | 0.07 | 2 |
| 16575 Kennedy Rd. | HR-1 | 5,978 | 1,572 | 57,692 | 0.10 | 2 |
| 16565 Kennedy Rd. | HR-1 | 3,530 | 1,152 | 53,125 | 0.07 | 2 |
| 16555 Kennedy Rd. | HR-1 | 4,604 | 707 | 47,922 | 0.10 | 2 |
| 16450 Kennedy Rd. | HR-1 | 2,500 | 583 | 43,716 | 0.06 | 2 |
| 16510 Kennedy Rd. | HR-1 | 2,660 | 480 | 49,979 | 0.05 | 2 |
| 16566 Kennedy Rd. | R-1:10 | 2,149 | 460 | 14,914 | 0.14 | 1 |
| 16570 Kennedy Rd. | R-1:10 | 2,961 | 720 | 18,943 | 0.16 | 1 |
| 101 Bond Ct. | R-1:10 | 2,738 | 380 | 10,815 | 0.25 | 2 |
| 100 Pinta Ct. | R-1:10 | 2,424 | 504 | 12,043 | 0.20 | 1 |
| 101 Pinta Ct. | R-1:10 | 2,624 | 440 | 13,726 | 0.19 | 1 |
| 16497 S. Kennedy Rd. (P) | HR-1 | 4,194 | 663 | 111,843 | 0.04 | 2 |

D. Site Design

The vacant property is approximately 111,843 square feet, located south of Kennedy Road and accessed via Vivian Drive, a private road serving several lots east of the property (Exhibit 1).

The property has an average slope of 45 percent with steep topography and is encumbered with easements (Sheet A3, Exhibit 13). Due to the existing topography of the site, the few areas of LRDA are concentrated in the southwest portion of the property, adjacent to existing easements. The proposed residence and attached garage are located outside of the LRDA due to site constraints and placement of the proposed structure adjacent to the existing access off of Vivian drive. The front yard area includes the proposed driveway, guest parking spaces, and a firetruck turnaround. The required turnaround is located downslope of the residence and requires construction of retaining walls with a maximum height of 11 feet, five inches.

The proposed site design requires approval of several exceptions to the HDS&G, including:

- Grading depths shall not exceed four feet of cut and/or three feet of fill;
- Retaining wall heights should not be higher than five feet;
- Retaining walls should not run in a straight continuous direction for more than 50 feet without a break, offset, or planting pocket; and
- Buildings shall be located within the LRDA.

Grading Depths:

The HDS&G limits grading depths outside of the footprint of a primary residence to four feet of cut and three feet of fill. The proposed site work includes cut depths of four feet for the residence and up to 10 feet for the attached garage to bench the structure into the hillside. The required firetruck turnaround requires cut depths up to five feet to accommodate the proposed retaining walls. The proposed turnaround is required by the Santa Clara County Fire Department due to the configuration of the private road, Vivian Drive (Exhibit 1). The applicant also notes that due to the existing slope and limited areas of LRDA, there is no way for the proposal to comply with the HDS&G grading limits while also meeting the Santa Clara County Fire Department requirements (Exhibit 5).

This application has been reviewed and approved by the Town's Engineering Division and the Santa Clara County Fire Department.

The project also includes site improvements with grading quantities exceeding 50 cubic yards, which requires approval of a Grading Permit. The Town's Parks and Public Works Engineering staff have included a condition of approval requiring submittal and evaluation of a Grading Permit in parallel with the required Building Permits (Exhibit 3).

Retaining Wall Heights:

The HDS&G includes a guideline that retaining walls should not exceed a height of five feet and that when additional retained heights are needed due to extreme site conditions, the use of multiple terraced retaining walls is preferred. The proposed on-site firetruck turnaround is required for construction of the single-family residence. The Santa Clara

County Fire Department requires a fire engine turnaround area that does not exceed five percent slope. Due to the numerous constraints of the site and the dimension and slope requirements of a turnaround, the applicant proposes retaining walls on the north portion of the proposed driveway with approximate heights between seven feet, three inches and eight feet; and along the southern portion of the property driveway with approximate heights between five feet, two inches and 11 feet, five inches. There is limited space available to provide a turnaround due to existing easements; therefore, the use of terraced retaining walls is not feasible. The applicant's Letter of Justification describes the exception request and existing site constraints necessitating the request (Exhibit 5). The applicant proposes to paint the retaining walls a darker earth tone, consistent with the proposed residence to blend with the landscape. The landscape plans propose groundcover and plantings adjacent to the proposed retaining walls to provide screening and reduce the visual impact. These proposed plantings are located greater than 30 feet from residence and are required to be consistent with the HDS&G requirement that plant species in this zone be native and indigenous.

Retaining Wall Length:

The HDS&G includes a guideline that retaining walls should not run in a straight continuous direction for more than 50 feet without a break, offset, or planting pocket to break up the long flat horizontal surface. The applicant's Letter of Justification describes the exception request, stating that the retaining walls in excess of 50 feet are only being proposed to support the required firetruck turnaround and to provide access to the proposed residence with a driveway slope that complies with the HDS&G and Santa Clara County Fire Department requirements (Exhibit 5). The applicant proposes to paint the retaining walls a darker earth tone, consistent with the proposed residence to blend with the landscape. The landscape plans proposed groundcover and plantings adjacent to the proposed retaining walls to provide screening and reduce the visual impact. These proposed plantings are located greater than 30 feet from residence and are required to be consistent with the HDS&G requirement that plant species in this zone be native and indigenous.

Buildings Outside of the LRDA:

The HDS&G includes a standard requiring that buildings be located in the LRDA. Due to the existing topography of the site, the few areas of LRDA are concentrated in the southwest portion of the property, adjacent to existing easements (Sheet A3, Exhibit 13). The proposed residence and attached garage would be located outside of the LRDA due to site and access constraints. In their Letter of Justification, the applicant describes the limited LRDA and that there is not enough area to allow the construction of a new residence. Due to site constraints, the applicant requests an exception to allow the building to be located outside of the limited LRDA (Exhibit 5).

E. Tree Impacts

The development plans were reviewed by the Town's Consulting Arborist who inventoried 29 protected trees within the project area and made recommendations for their preservation (Exhibit 8). The project proposes removal of 17 protected trees to accommodate the new residence and driveway. Tree protection measures are included on Sheet A-2 of the development plans (Exhibit 13). In response to the Consulting Arborist's recommendations, the applicant adjusted the location of trenching and drainage facilities to minimize the impact on any existing trees to remain. The Landscape Plans indicate that 53, 24-inch box trees will be planted on site to offset the proposed tree removal. If the project is approved, tree protection measures would be implemented prior to construction and maintained for the duration of construction activity. Arborist recommendations for tree protection have been included in the Conditions of Approval to mitigate impacts to protected trees (Exhibit 3).

F. CEQA Determination

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

PUBLIC COMMENTS:

Story poles and project signage were installed on the site by February 21, 2025, in anticipation of the March 26, 2025, Planning Commission hearing. The applicant's neighborhood outreach is included in Exhibit 9. Public comments received by 11:00 a.m., Friday, March 21, 2025, are included as Exhibit 11. The applicant's response to public comments is included in Exhibit 12.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application to construct a new a single-family residence and site improvements requiring a Grading Permit on a vacant property. The residence is well designed and compatible with the immediate area. The project is consistent with the Zoning and General Plan Land Use Designation for the property. Due to the constraints of the site, the applicant is requesting exceptions to grading depths, retaining wall heights, retaining wall length, and LRDA, and has provided a Letter of Justification discussing these requested exceptions (Exhibit 5). Aside from the requested exceptions, the project complies with the Zoning Code, Hillside Development Standards and Guidelines, and Hillside Specific Plan.

B. Recommendation

Staff recommends that the Planning Commission consider the request and, if merit is found with the proposed project, take the following steps to approve the Architecture and Site application:

1. Make the finding that the proposed project is Categorically Exempt, pursuant to the adopted Guidelines for the implementation of the California Environmental Quality Act, Section 15303: New Construction (Exhibit 2);
2. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 2);
3. Make the finding that due to the constraints of the site, exceptions to grading depths, retaining wall heights, retaining wall length, and building located outside of the LRDA are appropriate, and the project is otherwise in compliance with the Hillside Development Standards and Guidelines (Exhibit 2);
4. Make the finding that the project complies with the Hillside Specific Plan (Exhibit 2);
5. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
6. Approve Architecture and Site Application S-24-037 with the conditions contained in Exhibit 3 and the development plans in Exhibit 13.

C. Alternatives

Alternatively, the Planning Commission can:

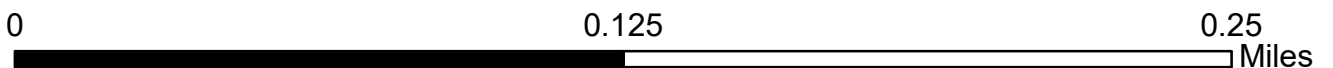
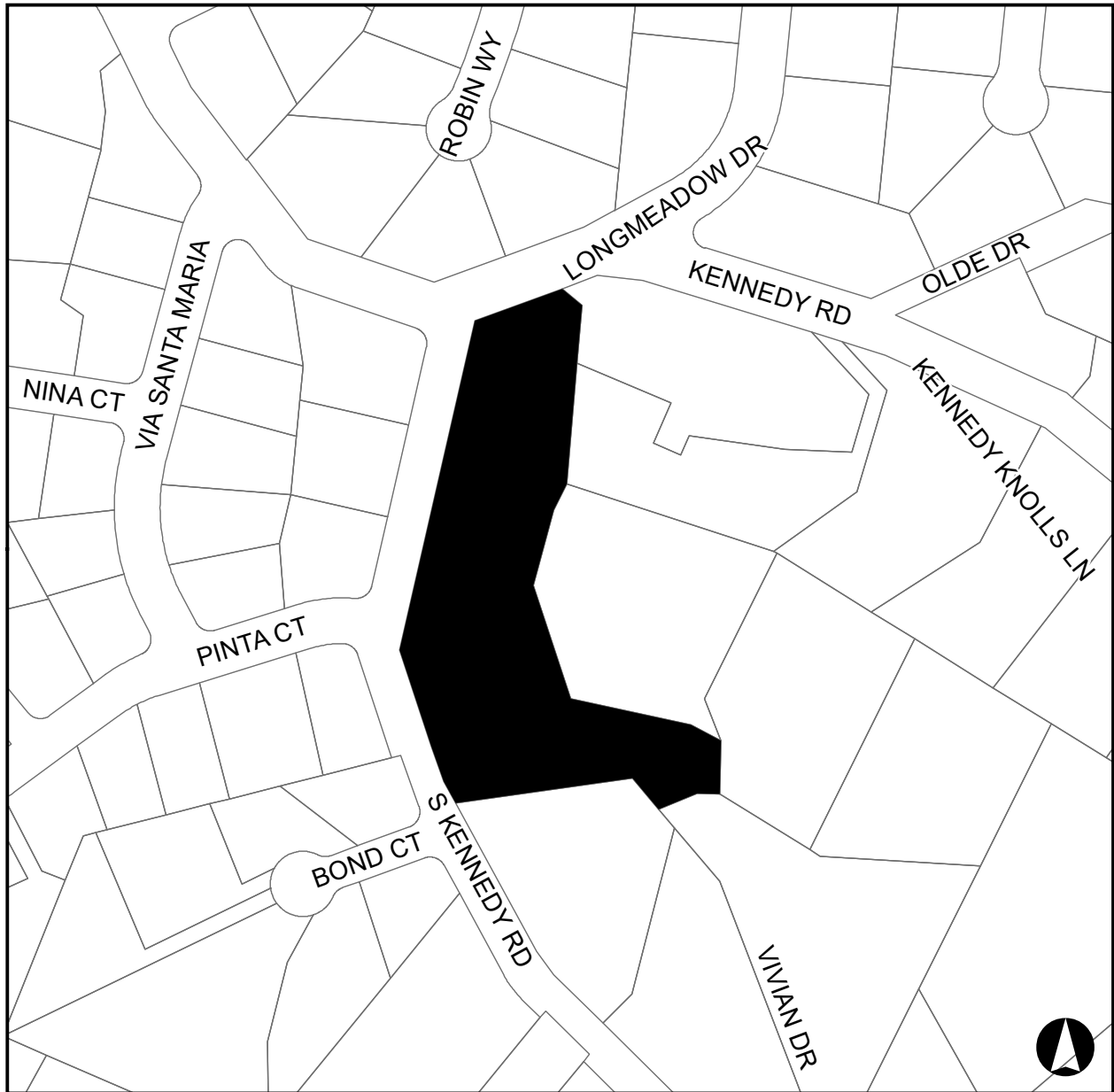
1. Continue the matter to a date certain with specific direction; or
2. Approve the application with additional and/or modified conditions; or
3. Deny the application.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Color and Materials Board
5. Letter of Justification
6. Consulting Architect's Report
7. Applicant's Response to Consulting Architect's Report
8. Consulting Arborist's Report
9. Applicant's Neighborhood Outreach
10. Site Photos
11. Public Comments Received by 11:00 a.m., Friday, March 21, 2025
12. Applicant's Response to Public Comments
13. Development Plans

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16497 S. Kennedy Road



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PLANNING COMMISSION – March 26, 2025
REQUIRED FINDINGS AND CONSIDERATIONS FOR:

16497 S. Kennedy Road
Architecture and Site Application S-24-037

Consider a Request for Approval to Construct a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Vacant Property Zoned HR-1. APN 532-17-038. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction.

Property Owner: Robert Nicol
Applicant: Chris Spaulding
Project Planner: Jocelyn Shoopman

FINDINGS

Required finding for CEQA:

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

Required compliance with the Zoning Regulations:

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

Required compliance with the Hillside Development Standards and Guidelines:

- The project complies with the Hillside Development Standards and Guidelines except for the exceptions to grading depths, retaining wall heights, retaining wall length, and buildings located outside of the least restrictive development area.

Required compliance with the Hillside Specific Plan:

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

CONSIDERATIONS

Required considerations in review of Architecture and Site applications:

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

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PLANNING COMMISSION – March 26, 2025
CONDITIONS OF APPROVAL

16497 S. Kennedy Road
Architecture and Site Application S-24-037

Consider a Request for Approval to Construct a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Vacant Property Zoned HR-1. APN 532-17-038. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction.

Property Owner: Robert Nicol
Applicant: Chris Spaulding
Project Planner: Jocelyn Shoopman

TO THE SATISFACTION OF THE COMMUNITY DEVELOPMENT DIRECTOR:

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. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations identified in the Arborist's report for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans and completed prior to issuance of a building permit where applicable.
7. TREE FENCING: Protective tree fencing and other protection measures consistent with Section 29.10.1005 of the Town Code shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
8. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
9. LANDSCAPE SPECIES: All landscape species to be consistent with the Hillside Development Standards and Guidelines.

10. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
11. 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.
12. STORY POLES/PROJECT IDENTIFICATION SIGNAGE: Story poles and/or project identification signage on the project site shall be removed within 30 days of approval of the Architecture & Site application.
13. EXTERIOR COLORS: The exterior colors of all structures shall comply with the Hillside Development Standards & Guidelines.
14. DEED RESTRICTION: Prior to the issuance of a building permit, a deed restriction shall be recorded by the applicant with the Santa Clara County Recorder's Office that requires all exterior materials be maintained in conformance with the Town's Hillside Development Standards & Guidelines.
15. MAINTENANCE AGREEMENT: Following the issuance of a certificate of occupancy, the property owner shall execute a five-year maintenance agreement with the Town that the property owner agrees to protect and maintain the trees shown to remain on the approved plans, trees planted as part of the tree replacement requirements, and guarantees that said trees will always be in a healthy condition during the term of the maintenance agreement.
16. NESTING BIRDS: To avoid impacts to nesting birds, the removal of trees and shrubs shall be minimized to the greatest extent feasible. Construction activities that include any tree removal, pruning, grading, grubbing, or demolition shall be conducted outside of the bird nesting season (January 15 through September 15) to the greatest extent feasible. If this type of construction starts, if work is scheduled to start or if work already occurring during the nesting season stops for at least two weeks and is scheduled to resume during the bird nesting season, then a qualified biologist shall conduct a pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project construction. If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys. Two surveys for active nests of such birds shall occur within 14 days prior to start of construction, with the second survey conducted with 48 hours prior to start of construction. Appropriate minimum survey radius surrounding each work area is typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The

qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active.

17. SPECIAL-STATUS BATS: Approximately 14 days prior to tree removal or structure demolition activities, a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees to be removed, in trees within 50 feet of the development footprint, and within and surrounding any structures that may be disturbed by the project. These surveys will include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an "Anabat" unit. Potential roosting features found during the survey shall be flagged or marked.

If no roosting sites or bats are found, a letter report confirming absence will be prepared and no further measures are required.

If bats or roosting sites are found, a letter report and supplemental documents will be prepared prior to grading permit issuance and the following monitoring, exclusion, and habitat replacement measures will be implemented:

- a. If bats are found roosting outside of the nursery season (May 1 through October 1), they will be evicted as described under (b) below. If bats are found roosting during the nursery season, they will be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. If the roost is determined to not be a maternal roost, then the bats will be evicted as described under (b) below. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if determined in consultation with the CDFW) will be established around the roosting site within which no construction activities including tree removal or structure disturbance will occur until after the nursery season.
- b. If a non-breeding bat hibernaculum is found in a tree or snag scheduled for removal or on any structures scheduled to be disturbed by project activities, the individuals will be safely evicted, under the direction of a qualified bat biologist. If pre-construction surveys determine that there are bats present in any trees to be removed, exclusion structures (e.g. one-way doors or similar methods) shall be installed by a qualified biologist. The exclusion structures shall not be placed until the time of year in which

young are able to fly, outside of the nursery season. Information on placement of exclusion structures shall be provided to the CDFW prior to construction.

If needed, other methods conducted under the direction of a qualified bat biologist could include: carefully opening the roosting area in a tree or snag by hand to expose the cavity and opening doors/windows on structures, or creating openings in walls to allow light into the structures. Removal of any trees or snags and disturbance of any structures will be conducted no earlier than the following day (i.e., at least one night will be provided between initial roost eviction disturbance and tree removal/structure disturbance). This action will allow bats to leave during dark hours, which increases their chance of finding new roosts with a minimum of potential predation.

18. ARCHAEOLOGICAL RESOURCES AND HUMAN REMAINS:

- a. In the event that archaeological traces are encountered, all construction within a 50-meter radius of the find will be halted, the Community Development Director will be notified, and an archaeologist will be retained to examine the find and make appropriate recommendations.
- b. If human remains are discovered, the Santa Clara County Coroner will be notified. The Coroner will determine whether or not the remains are Native American. If the Coroner determines the remains are not subject to his authority, he will notify the Native American Heritage Commission, who shall attempt to identify descendants of the deceased Native Americans.
- c. If the Community Development Director finds that the archaeological find is not a significant resource, work will resume only after the submittal of a preliminary archaeological report and after provisions for reburial and ongoing monitoring are accepted. Provisions for identifying descendants of a deceased Native American and for reburial will follow the protocol set forth in CEQA Guidelines Section 15064.5(e). If the site is found to be a significant archaeological site, a mitigation program will be prepared and submitted to the Community Development Director for consideration and approval, in conformance with the protocol set forth in Public Resources Code Section 21083.2.
- d. A final report shall be prepared when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report will include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions.

19. DUSKY-FOOTED WOODRATS: This project will implement the following standard measures to minimize impacts on woodrats and active woodrat nests on the project site.

- a. PRECONSTRUCTION SURVEY. A qualified biologist will conduct a preconstruction survey for San Francisco dusky-footed woodrat nests within 30 days of the start of work activities. If active woodrat nests are determined to be present in, or within 10 feet of the impact areas, the conditions below (Avoidance and/or Nest Relocation) will be implemented, as appropriate. If no active woodrat nests are present on or within 10 feet of impact areas, no further conditions are warranted.

- b. AVOIDANCE. Active woodrat nests that are detected within the work area will be avoided to the extent feasible. Ideally, a minimum 10-foot buffer will be maintained between project activities and woodrat nests to avoid disturbance. In some situations, a small buffer may be allowed if, in the opinion of a qualified biologist, nest relocation (below) would represent a greater disturbance to the woodrats than the adjacent work activities.
- c. NEST RELOCATION. If avoidance of active woodrat nests within and immediately adjacent to (within 10 feet of) the work areas is not feasible, then nest materials will be relocated to suitable habitat as close to the project site as possible (ideally, within or immediately adjacent to the project site).

Relocation efforts will avoid the peak nesting season (February-July) to the maximum extent feasible. Prior to the start of construction activities, a qualified biologist will disturb the woodrat nest to the degree that all woodrats leave the nest and seek refuge outside of the construction area. Disturbance of the woodrat nest will be initiated no earlier than one hour before dusk to prevent the exposure of woodrats to diurnal predators. Subsequently, the biologist will dismantle and relocate the nest material by hand. During the deconstruction process, the biologist will attempt to assess if there are juveniles in the nest. If immobile juveniles are observed, the deconstruction process will be discontinued until a time when the biologist believes the juveniles will be capable of independent survival (typically after 2 to 3 weeks). A no-disturbance buffer will be established around the nest until the juveniles are mobile. The nest may be dismantled once the biologist has determined that adverse impacts on the juveniles would not occur.

- 20. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement ("the Project") from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant's sole cost and expense.

Applicant shall bear any and all losses, damages, injuries, liabilities, costs and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney's fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole

discretion, determines appropriate, all the applicant's sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation.

21. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

22. PERMITS REQUIRED: A Building Permit is required for the construction of the new single-family residence and attached garage. An additional Building Permit will be required for the PV System required by the California Energy Code.
23. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2023, are the 2022 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, including locally adopted Reach Codes.
24. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
25. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
26. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
27. SOILS REPORT: A Soils Report, prepared to the satisfaction of the Building Official, containing foundation, and retaining wall design recommendations, shall be submitted with the Building Permit Application. This report shall be prepared by a licensed Civil Engineer specializing in soils mechanics.
28. SHORING: Shoring plans and calculations will be required for all excavations which exceed five (5) feet in depth, or which remove lateral support from any existing building, adjacent property, or the public right-of-way. Shoring plans and calculations shall be prepared by a California licensed engineer and shall confirm to the Cal/OSHA regulations.
29. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report, and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:
 - a. Building pad elevation
 - b. Finish floor elevation
 - c. Foundation corner locations
 - d. Retaining wall(s) locations and elevations
30. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be directly printed onto a plan sheet.
31. TOWN RESIDENTIAL ACCESSIBILITY STANDARDS: New residential units shall be designed with adaptability features for single-family residences per Town Resolution 1994-61:

- a. Wood backing (2" x 8" minimum) shall be provided in all bathroom walls, at water closets, showers, and bathtubs, located 34 inches from the floor to the center of the backing, suitable for the installation of grab bars if needed in the future.
 - b. All passage doors shall be at least 32-inch-wide doors on the accessible floor level.
 - c. The primary entrance door shall be a 36-inch-wide door including a 5'x 5' level landing, no more than 1 inch out of plane with the immediate interior floor level and with an 18-inch clearance at interior strike edge.
32. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.40.020. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12 inches above the elevation of the next upstream manhole.
33. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
34. WILDLAND-URBAN INTERFACE: This project is located in a Wildland-Urban Interface High Fire Area and must comply with Section R337 of the 2022 California Residential Code, Public Resources Code 4291 and California Government Code Section 51182.
35. PROVIDE DEFENSIBLE SPACE/FIRE BREAK LANDSCAPING PLAN: Prepared by a California licensed Landscape Architect in conformance with California Public Resources Code 4291 and California Government Code Section 51182.
36. PRIOR TO FINAL INSPECTION: Provide a letter from a California licensed Landscape Architect certifying the landscaping and vegetation clearance requirements have been completed per the California Public Resources Code 4291 and Government Code Section 51182.
37. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the Building Permit. The Town Special Inspection form must be completely filled-out and signed by all requested parties prior to permit issuance. Special Inspection forms are available online at www.losgatosca.gov/building.
38. BLUEPRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal as the second page. The specification sheet is available online at www.losgatosca.gov/building.
39. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
- a. Community Development – Planning Division: (408) 354-6874
 - b. Engineering/Parks & Public Works Department: (408) 399-5771
 - c. Santa Clara County Fire Department: (408) 378-4010
 - d. West Valley Sanitation District: (408) 378-2407
 - e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

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

Engineering Division

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED OR NOTED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY BUILDING OR GRADING PERMIT, OR IF ANOTHER DEADLINE IS SPECIFIED IN A CONDITION, AT THAT TIME.

40. PAYMENT OF PARKS AND PUBLIC WORKS ("PPW") ENGINEERING PLAN CHECK FEE AND INSPECTION FEE: At the time of the first construction submittal, the Applicant shall submit to the Town Engineer for approval a detailed construction project cost estimate prepared and stamped by the Applicant's civil engineer. The cost estimate shall break out on-site and off-site improvements separately. This cost estimate will be used to determine the Engineering Plan Check Fee. A final construction cost estimate shall be provided once the project plans are approved. This cost estimate will be used to determine the Engineering Inspection Fee. The Engineering Inspection Fee must be paid prior to the issuance of any construction related permit.
41. STORM DRAINAGE FEE: The Applicant shall pay Storm Drainage Fees in accordance with the Town's Adopted Schedule of Fees and Charges in effect at the date of application for the future construction of drainage facilities serving new buildings, improvements, or structures to be constructed which substantially impair the perviousness of the surface of land. The estimated fee, based on the site area of 4.28 acres, is **\$5,041.00**. This fee is only an estimate. The actual impact fee will be calculated based on building permit plans submitted, and the fees approved by the Town Council in place at the time of the building permit submittal. The Applicant shall pay this fee to PPW prior to issuance of the first building permit.
42. TRAFFIC IMPACT FEES: The project is subject to the Town's Traffic Impact Fee for the generation of an estimated 9.43 net new average daily trips based on the Institute of Transportation Engineers recommendations for trip generation. The Town's Fee Schedule currently in effect indicates a fee of \$1,104 per additional average daily trip. This results in an estimated total amount due of **\$10,410.72**. The actual fee due will be based on the fee schedule adopted at the time the fee is paid. Payment of this Impact Fee is required prior to the issuance of the first building permit issuance.
43. CONSTRUCTION ACTIVITIES MITIGATION FEE (ORDINANCE 2189): Per the Town's Comprehensive Fee Schedule, the project is subject to the Town's Construction Activities Mitigation Fee based on the square footage of new buildings. The fee is \$1.43 per square foot of new residential and non-residential building area. The fee shall be calculated based on the square footage total for all units shown on the construction plans to the approval of the Town Engineer. The plans indicate 5,074.3 SF of total square footage of the proposed new building. This results in an estimated total amount due of **\$7,256.25**. Payment of this fee shall be paid prior to issuance of the first building permit.
44. GRADING PERMIT: A grading permit is required for all site grading and drainage work that is outside the perimeter of a building, retaining wall footing, or other structure authorized by a valid building permit. The Applicant must submit a grading permit application after

the appeal period of the entitlement approval process has passed. Submittals are accepted through Accela only. The grading permit application shall include detailed grading plans and associated required materials. Plan check fees are based on the scope of onsite work. Prior to approval of the grading permit, the Applicant shall pay all fees due and provide faithful performance and payment securities for the performance of the work described and delineated on the approved grading plan, final erosion and sedimentation control plan, and interim erosion and sedimentation control plan (if required), in an amount to be set by the Town Engineer (but not to exceed one hundred (100) percent) of the approved estimated cost of the grading and erosion and sedimentation control measures. The form of security shall be one or a combination of the following to be determined by the Town Engineer and subject to the approval of the Town Attorney: (1) Bond or bonds issued by one or more duly authorized corporate sureties on a form approved by the Town; (2) Deposit with the Town, money, or negotiable bonds of the kind approved for securing deposits of public monies; or (3) other instrument of credit from one or more financial institutions subject to regulation by the State or Federal Government wherein such financial institution pledges funds are on deposit and guaranteed for payment. The grading permit shall be issued prior to the issuance of the building permit unless otherwise allowed by the Town Engineer. The permit shall be limited to work shown on the grading plans approved by the Town Engineer. In granting a permit, the Town Engineer may impose any condition deemed necessary to protect the health, safety, and welfare of the public, to prevent the creation of a nuisance or hazard to public or private property, and to assure proper completion of the grading including but not limited to: (1) Mitigation of adverse environmental impacts; (2) Improvement of any existing grading or correction of any existing grading violation to comply with Town Code; (3) Requirements for fencing or other protection of grading which would otherwise be hazardous; (4) Requirements for dust, erosion, sediment, and noise control, hours of operation and season of work, weather conditions, sequence of work, access roads, and haul routes; (5) Requirements for safeguarding watercourses from excessive deposition of sediment or debris in quantities exceeding natural levels; (6) Assurance that the land area in which grading is proposed and for which habitable structures are proposed is not subject to hazards of land slippage or significant settlement or erosion and that the hazards of seismic activity or flooding can be eliminated or adequately reduced; (7) Temporary and permanent landscape plans.

45. PUBLIC IMPROVEMENTS: Prior to the issuance of any building permit and prior to any work being done in the Town's right of way, the Applicant must submit Public Improvement Plans for review and approval. All public improvements shall be made according to the Town's latest adopted Standard Plans, Standard Specifications, and Engineering Design Standards. The Applicant is required to confirm the location of existing utility lines along the project frontage by potholing. Prior to any potholing, Applicant shall submit an Encroachment Permit application with a pothole plan for Town review and approval. The Applicant shall provide the pothole results to the Town Engineer prior to final design. All existing public utilities shall be protected in place and, if necessary, relocated as approved by the Town Engineer. No private facilities are permitted within the Town right of way or within any easement unless otherwise approved by the Town

Engineer. The Applicant shall have Public Improvement Plans prepared, stamped, and signed by a California licensed civil engineer.

- a. Once the Public Improvement Plans have been approved, the Applicant shall submit an application for an Encroachment Permit. The Encroachment Permit requires the Applicant to post the required bonds and insurance and provide a one (1) year warranty for all work to be done in the Town's right of way or Town easement. New concrete shall be free of stamps, logos, names, graffiti, etc. Any new concrete installed that is damaged shall be removed and replaced at the Contractor's sole expense. Prior to issuance of the encroachment permit, the Applicant shall submit a temporary traffic control plan ("TTCP") inclusive of all modes of travel for any lane or sidewalk closures. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required. The TTCP shall comply with the State of California Manual of Uniform Traffic Control Devices ("MUTCD") and standard construction practices.
 - b. The project engineer shall notify the Town Engineer in writing of any proposed changes. Any proposed changes to the approved plans shall be subject to the approval of the Town. The Applicant shall not commence any work deviating from the approved plans until such deviations are approved. Any approved and constructed changes shall be incorporated into the final "as-built" plans.
 - c. Right-of-way improvements shall include, at a minimum, the following items:
 - i. STREET WIDENING - The Applicant shall widen Vivian Drive as conceptually shown on the approved entitlement plans and ultimately as approved by the Town Engineer.
 - ii. STREET MARKINGS - The Applicant shall install necessary street markings of a material and design approved by the Town Engineer and replace any that are damaged during construction. These include but are not limited to all pavement markings, painted curbs, and handicap markings. All permanent pavement markings shall be thermoplastic and comply with Caltrans Standards. Color and location of painted curbs shall be shown on the plans and are subject to approval by the Town Engineer. Any existing painted curb or pavement markings no longer required shall be removed by grinding if thermoplastic, or sand blasting if in paint.
 - iii. SEWER CLEAN-OUT - The Applicant shall install a sewer lateral clean-out on private property just behind the property line in accordance with the West Valley Sanitation District standards. Sewer clean-out(s) shall be constructed prior to occupancy of the first building.
 - iv. WATER METER - The Applicant shall install the water meter on private property just behind the property line in accordance with the San Jose Water Company standards. Water meters shall be installed prior to occupancy of the first building.
46. TREE REMOVAL PERMIT: The Applicant shall apply and obtain a Tree Removal Permit from the Parks and Public Works Department for the removal of existing trees on-site or in the public right-of-way prior to the issuance of a building permit or demolition building permit, whichever is issued first. Tree removals shall be consistent with the arborist report and approved entitlement plans.
47. CONSTRUCTION PHASE PLAN SUBMITTAL REQUIREMENTS: The Grading Permit Plans and

Public Improvement Plans (together referred to as “Improvement Plans”) shall be submitted as a set to Parks and Public Works Department along with a title report dated no older than 30 days from the date the Improvement Plans are submitted. The Improvement Plans shall be submitted at the same time as the Building Plans are submitted to the Building Department. All improvements shall be designed and constructed in accordance with Federal law, State law, Los Gatos Town Code, and the Los Gatos Standard Specifications and Details.

- a. Construction drawings shall comply with Section 1 (Construction Plan Requirements) of the Town’s Engineering Design Standards, which are available for download from the Town’s website. The Improvement Plans shall include:
- b. A cover sheet with at least the proposed development vicinity map showing nearby and adjacent major streets and landmarks, property address, APN, scope of work, project manager and property owner, a “Table of Responsibilities” summarizing ownership, access rights, and maintenance responsibilities for each facility (streets, utilities, parks, landscaping, etc.), a sheet index including a sequential numeric page number for each sheet (i.e. “Sheet 1 of 54”), the lot size, required and proposed lot setbacks by type, proposed floor areas by type for each building, average slope, proposed maximum height, and required and proposed parking count and type.
- c. The Approved Conditions of Approval printed within the plan set starting on the second sheet of the plan set.
- d. An Existing Site Plan showing existing topography, bearing and distance information for all rights-of-way, easements, and boundaries, any existing easements proposed to be quit-claimed, existing hardscape, existing above ground utility features, and existing structures. The Improvement Plans shall identify the vertical elevation datum, date of survey, and surveyor responsible for the data presented.
- e. A Proposed Site Plan showing proposed topography, boundaries, proposed and existing to remain easements, hardscape, above ground utility features (hydrants, transformers, control cabinets, communication nodes, etc.), and structures. Include top and bottom elevations of every inflection point of each wall. Show proposed public right-of-way improvements. Distinguish proposed linework from existing linework using heavier line type for proposed.
- f. A Grading and Drainage Plan clearly showing existing onsite and adjacent topography using labeled contour lines, drainage direction arrows with slope value, and break lines. Proposed and existing to remain hardscape elevations must be provided in detail including slope arrows.
- g. A Utility Plan showing appropriate line types and labels to identify the different types of utilities and pipe sizes. Utility boxes, hydrants, backflow preventers, water meters, sanitary sewer cleanouts, etc. shall be located on private property unless
- h. A Landscaping Plan for the project site and the full width of the public right-of-ways adjacent to the project. The plans shall clearly identify public and private utilities and points of demarcation between the two.
- i. General Notes found in the Town of Los Gatos General Guidelines.

- j. A statement in the general notes indicating the need to obtain a Caltrans Oversized/Overweight Vehicles Transportation Permit if oversized or overweight vehicles are expected to be used

A statement that all utility boxes in vehicular pathways shall be traffic-rated.

- 48. STANDARD PLAN COMPLIANCE: The project shall comply with the Town's Standard Plans to the approval of the Town Engineer. Street improvements, all street sections, the design of all off-site storm drainage facilities shall be in accordance with most current Town Standard Specifications and Standard Plans approved by the Town Engineer. Improvements deemed necessary by the Town Engineer shall be shown on the Improvement Plans.
- 49. EXISTING FACILITY PROTECTION AND REPAIR: All existing public utilities shall be either protected in place, relocated, or repaired. The Applicant shall repair or replace all existing improvements not designated for removal, and all new improvements that are damaged during construction or removed because of the Applicant's operations. This includes sidewalk, curb and gutter, streetlights, valley gutters, curb ramps, and any other existing improvements in the area that are not intended to be removed and replaced. The Applicant shall request a walk-through with the PPW construction Inspector before the start of construction to verify existing conditions. Said repairs shall be completed prior to issuance of the first certificate of occupancy of the project.
- 50. UNDERGROUND UTILITIES: All new services to the development shall be placed underground in accordance with the various utility regulations. Underground utility plans must be submitted to the Town and approved by the Town Engineer prior to installation.
- 51. UTILITY RESPONSIBILITIES: The Applicant is responsible for the maintenance of existing stormwater drainage facilities, including piped and open channel stormwater conveyances in private areas. The Applicant is responsible for all expenses necessary to connect to the various utility providers. Currently, the public storm sewer system is owned and maintained by the Town of Los Gatos, the water system in Los Gatos is owned and maintained by San José Water Company, and the sanitary sewer system in Los Gatos is owned and maintained by West Valley Sanitation District. Any alterations of the approved utilities listed must be approved by the Town prior to any construction.
- 52. UTILITY COMPANY COORDINATION: The Applicant shall negotiate any necessary right-of-way or easements with the various utility companies in the area, subject to the review and approval by the Town Engineer and the utility companies. Prior to the approval of the site plan for construction, the Applicant shall submit "Will Serve" letters from PG&E, San José Water, West Valley Sanitation District, West Valley Collections and Recycling, and AT&T (or the current "Carrier of Last Resort") with a statement indicating either a list of improvements necessary to serve the project or a statement that the existing network is sufficient to accommodate the project. Coordination of the stormwater conveyance system will be addressed during the Grading Permit review.
- 53. DEVELOPER STORM WATER QUALITY RESPONSIBILITY: The Applicant is responsible for ensuring that all contractors including subcontractors are aware of all stormwater quality measures and implement such measures. The Applicant shall perform all construction activities in accordance with approved Improvement Plans, Los Gatos Town Code Chapter 12 – Grading, Erosion and Sediment Control, and the National Pollutant Discharge

Elimination System (NPDES) General Permit. Failure to comply with these rules and regulations will result in the issuance of correction notices, citations, or a project stop order.

54. **SITE DRAINAGE:** Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drains (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language using methods approved by the Town Engineer on all storm inlets surrounding and within the project parcel. Furthermore, storm drains shall be designed to serve exclusively stormwater. Dual-purpose storm drains that switch to sanitary sewer are not permitted in the Town of Los Gatos. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
55. **OFF-SITE DRAINAGE:** The Applicant shall not alter any existing drainage patterns without an approved Grading Permit.
56. **GRADING & DRAINAGE WINTER MORATORIUM:** All grading activity shall comply with the Municipal Regional Stormwater Permit and Chapter 12 of the Town Code. There shall be no earthwork disturbance or grading activities between October 15th and April 15th of each year unless approved by the Town Engineer. In order to be considered for approval, the Applicant must submit a Winterization Erosion Control Plan certified by a California certified QSD to the Town Engineer for review and approval. If grading is allowed during the rainy season, a maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on the exposed area. The submission of a certified plan does not guarantee approval. Any approved and executed plan must be kept on-site while the project is in construction.
57. **EROSION CONTROL:** The Applicant shall prepare and submit interim and final erosion control plans to the Town Engineer for review and approval. The interim erosion control plan(s) shall include measures carried out during construction before final landscaping is installed. Multiple phases of interim erosion control plans may be necessary depending on the complexity of the project. Interim erosion control best management practices may include silt fences, fiber rolls, erosion control blankets, Town approved seeding mixtures, filter berms, check dams, retention basins, etc. The Applicant shall install, maintain, and modify the erosion control measures as needed to continuously protect downstream water quality. In the event an emergency modification is deemed necessary, the Applicant must implement necessary measures to protect downstream waterways immediately and then submit the changes made within 24-hours to the Town Engineer for review and approval. The erosion control plans shall be in compliance with applicable measures contained in the most current Santa Clara County National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP). Any fees or penalties assessed against the Town in response to the Applicant's failure to comply with the Permit must be paid by the Applicant. The Applicant must permit Town staff onsite to conduct periodic NPDES inspections throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
58. **SITE TRIANGLE AND TRAFFIC VIEW AREA:** Fencing, landscaping, and permanent structures shall not visually obstruct line of sight between three-feet and 7.5-feet in height if located

within the driveway view area, traffic view area, or corner sight triangle. The driveway and intersection site triangles are represented on Town Standard Drawing ST-231. The traffic view area and corner sight triangle are shown on Town Standard Drawing ST-232. This includes all above ground obstructions including utility structures, for example electric transformers. The various clearance lines shall be shown on the site plan to demonstrate compliance.

59. GEOLOGICAL REVIEW: Prior to building permit issuance, the Applicant's Engineering Geologist registered in the State of California shall submit a geological report of the site, including a comprehensive landslide investigation evaluating the landslide hazard (including seismic) and associated risk to the proposed development. The Geologic Consultant shall characterize the existing landslide mapped at the site and elaborate on possible future landslide hazards in accordance with Special Publication 117A. The Geologic Consultant shall map and evaluate existing cut and fill slopes and provide an accurate characterization of the subsurface materials at the site including all bedrock exposures near the proposed development. The Geologic Consultant should prepare and submit a Geologic Map and Cross Section(s) through the landslide and proposed improvements. If potential landslide conditions exist or an estimated risk greater than "low" is identified, supplemental investigation and mitigation will be required. The Geologic Consultant should also evaluate the proposed drywell and infiltration structures and provide recommendations to ensure that downslope erosion and slope instability are not an issue.
60. SUPPLEMENTAL GEOTECHNICAL REQUIREMENTS: The Applicant's Geotechnical Consultant should review the Applicant's Geologic Investigation report. The Geotechnical Consultant should then address the following items:
 - a. The Geotechnical Consultant shall evaluate the feasibility of the proposed development given the results of the Geologic Investigation report, and if warranted, develop recommendations to mitigate the static and seismic landslide hazards. The mitigation should conform with the standards and practices in the Town. Potential solutions include supporting the landslide with a properly design retaining wall or removing the landslide.
 - b. The Geotechnical Consultant should discuss the proposed basement and provide suitable vehicle surcharge loading for the basement walls supporting cuts adjacent to the garage and driveway. The Geotechnical Consultant should provide foundation and drainage recommendations for the basement.
 - c. The Geotechnical Consultant shall provide temporary shoring recommendations related to the proposed deep cuts for the basement and driveway. The Geotechnical Consultant shall analyze the proposed site grading.
 - d. The Geotechnical Consultant should verify if the lot was previously developed with a single-family residence. The report will require a peer review by the Town's geological and geotechnical consultant. A deposit and fee for the peer review will be required per the Town's current fee schedule, unless there are any remaining deposit funds from the entitlement phase. Additional deposit and fees may become due. The Town will route the report to the Town's peer review consultant once the report is submitted and deposit and fee are available. Once approved, the Applicant's geotechnical engineer

shall review the grading and drainage plan and proposed pavement and foundation design to verify that the design is in accordance with their recommendations. The Applicant's Geotechnical Engineer's approval shall be conveyed to the Town either by letter or by signing and stamping the plans. All grading operations and soil compaction activities shall be per the approved project's design level geotechnical report. The Applicant shall add this condition to the general notes on the grading plan.

61. **GEOTECHNICAL ENGINEER OBSERVATION:** All grading activities shall be conducted under the observation of, and tested by, a licensed geotechnical engineer. A report shall be filed with the Town of Los Gatos for each phase of construction stating that all grading activities were performed in conformance with the requirements of the project's design level geotechnical report. The Applicant shall submit a Final Geotechnical Construction Observation and Testing Summary in an "as-built" letter/report prepared and submitted to the Town prior to issuance of the certificate of occupancy. The Applicant shall add this condition to the general notes on the grading plan.
62. **PRECONSTRUCTION MEETING:** After the issuance of any Grading or Encroachment permit and before the commencement of any on or off-site work, the Applicant shall request a pre-construction meeting with the PPW Inspector to discuss the project conditions of approval, working hours, site maintenance, and other construction matters. At that meeting, the Applicant shall submit a letter acknowledging that:
 - a. They have read and understand these project Conditions of Approval;
 - b. They will require that all project sub-contractors read and understand these project Conditions of Approval; and,
 - c. They ensure a copy of these project Conditions of Approval will be posted on-site at all times during construction.
63. **DRIVEWAY ACCESS EASEMENT:** The Applicant shall show proof that the proposed driveway and parking areas are completely within the recorded easement agreement area. If any of the proposed driveway is found to be outside of the easement agreement area, the Applicant shall acquire a new or modified easement agreement inclusive of all land used for such purposes. Said new or modified easement shall be approved by both affected property owners. The easements shall be approved by the Town Engineer, recorded with the County Recorder's Office, and a recorded copy of the document returned to the Town prior to the release of the first building permit. The easement may also be designated on any associated parcel or subdivision map.
64. **TEMPORARY CONSTRUCTION EASEMENT:** Prior to the issuance of a grading or building permit, it shall be the sole responsibility of the project to obtain any and all proposed or required easements and/or permissions necessary to perform any work on neighboring private property herein proposed. Proof of agreement/approval is required prior to the issuance of any Permit.
65. **RECORD DRAWINGS:** The Applicant shall submit a scanned PDF set of stamped record drawings and construction specifications for all off-site improvements to the Department of Parks and Public Works. All underground facilities shall be shown on the record drawings as constructed in the field. The Applicant shall also provide the Town with an electronic copy of the record drawings in the AutoCAD Version being used by the Town at the time of completion of the work. The Applicant shall also submit an AutoCAD drawing

file of all consultants composite basemap linework showing all public improvements and utility layouts. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first.

66. **RESTORATION OF PUBLIC IMPROVEMENTS:** The Applicant shall repair or replace all existing improvements not designated for removal that are damaged or removed during construction. Improvements such as, but not limited to curbs, gutters, sidewalks, driveways, signs, streetlights, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired or replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Existing improvement to be repaired or replaced shall be at the direction of the PPW Inspector and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the PPW Inspector shall be completed before the issuance of a certificate of occupancy. The Applicant shall request a walk-through with the PPW Inspector before the start of construction to verify existing conditions.
67. **PAVEMENT RESTORATION:** Due to construction activities, new utility cuts along the project frontage, and the anticipated project's truck traffic, the Applicant shall grind and provide a 2.5" overlay with asphalt concrete the south side of Los Gatos-Saratoga Road along the entire property length between the center median island and the property frontage. Prior to overlay, any base failure repair or required dig-outs identified by the PPW Inspector shall be completed. The Town Engineer shall approve the roadway repair prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first.

THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT, OR IF ANOTHER DEADLINE IS SPECIFIED IN A CONDITION, AT THAT TIME

68. **PROJECT CONSTRUCTION SETUP:** All storage and office trailers will be kept off the public right-of-way.
69. **PUBLIC WORKS CONSTRUCTION NOTICE:** The contractor shall notify the PPW Inspector at least ten (10) working days prior to the start of any construction work. At that time, the Contractor shall provide an initial project construction schedule and a 24-hour emergency telephone number list.
70. **PROJECT CONSTRUCTION SCHEDULE:** The contractor shall submit the project schedule in a static PDF 11"x17" format and Microsoft Project, or an approved equal. The Contractor shall identify the scheduled critical path for the installation of improvements to the approval of the Town Engineer. The schedule shall be updated monthly and submitted to the PPW Inspector in the same formats as the original.
71. **PROJECT CONSTRUCTION HANDOUT:** The Contractor shall provide to the Town Engineer an approved construction information handout for the purpose of responding to questions the Town receives regarding the project construction.
72. **PROJECT CONSTRUCTION SUPERVISION:** The Contractor shall always provide a qualified supervisor on the job site during construction.

73. PUBLIC WORKS CONSTRUCTION INSPECTION: All work shown on the Improvement Plans shall be inspected to the approval of the Town Engineer. Uninspected work shall be removed as deemed appropriate by the Town Engineer.
74. PROJECT CONSTRUCTION HOURS: Construction activities related to the issuance of any PPW permit shall comply with Town Code Section 16.20.035 which restricts construction to the weekday between 8:00 a.m. and 6:00 p.m. and Saturday 9:00 a.m. to 4:00 p.m. No work shall be done on Sundays or on Town Holidays unless otherwise approved by the Town Engineer. Please note that no work shall be allowed to take place within the Town right-of-way after 5:00 p.m. Monday through Friday. In addition, no work being done under Encroachment Permit may be performed on the weekend unless prior approvals have been granted by the Town Engineer. The Town Engineer may apply additional construction period restrictions, as necessary, to accommodate standard commute traffic along arterial roadways and along school commute routes. Onsite project signage must state the project construction hours. The permitted construction hours may be modified if the Town Engineer finds that the following criteria is met:
- a. Permitting extended hours of construction will decrease the total time needed to complete the project without an unreasonable impact to the neighborhood.
 - b. Permitting extended hours of construction is required to accommodate a construction requirement such as a large concrete pour or major road closure. Such a need would be presented by the project's design engineer and require approval of the Town Engineer.
 - c. An emergency situation exists where the construction work is necessary to correct an unsafe or dangerous condition resulting in obvious and eminent peril to public health and safety. If such a condition exists, the Town may waive any of the remaining requirements outlined below.
 - d. The exemption will not conflict with any other condition of approval required by the Town to mitigate significant environmental impacts.
 - e. The contractor or property owner will notify residential and commercial occupants of adjacent properties of the modified construction work hours. This notification must be provided three days prior to the start of the extended construction activity.
 - f. The approved hours of construction activity will be posted at the construction site in a place and manner that can be easily viewed by any interested member of the public.
 - g. The Town Engineer may revoke the extended work hours at any time if the contractor or owner of the property fails to abide by the conditions of extended work hours or if it is determined that the peace, comfort, and tranquility of the occupants of adjacent residential or commercial properties are impaired because of the location and nature of the construction.
 - h. The waiver application must be submitted to the PPW Inspector ten (10) working days prior to the requested date of waiver.
75. PROJECT CONSTRUCTION BMPs: All construction activities shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinances, the project specific temporary erosion control plan, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.

76. PROJECT CONSTRUCTION EXCAVATION: The following provisions to control traffic congestion, noise, and dust shall be followed during site excavation, grading, and construction:
- a. All construction vehicles should be properly maintained and equipped with exhaust mufflers that meet State standards.
 - b. Travel speeds on unpaved roads shall be limited to fifteen (15) miles per hour.
 - c. Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible.
 - d. Water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to ensure proper control of blowing dust for the duration of the project.
 - e. Watering on public streets and wash down of dirt and debris into storm drain systems is prohibited. Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the PPW Inspector, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust. Recycled water shall be used for construction watering to manage dust control where possible, as determined by the Town Engineer. Where recycled water is not available potable water shall be used. All potable construction water from fire hydrants shall be coordinated with the San José Water Company.
 - f. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Construction Inspector.
 - g. Construction grading activity shall be discontinued in wind conditions in excess of 25 miles per hour, or that in the opinion of the PPW Inspector cause excessive neighborhood dust problems.
 - h. Site dirt shall not be tracked into the public right-of-way and shall be cleaned immediately if tracked into the public right-of-way. Mud, silt, concrete and other construction debris shall not be washed into the Town's storm drains.
 - i. Construction activities shall be scheduled so that paving and foundation placement begin immediately upon completion of grading operation.
 - j. All aggregate materials transported to and from the site shall be covered in accordance with Section 23114 of the California Vehicle Code during transit to and from the site.
 - k. Prior to issuance of any permit, the Applicant shall submit any applicable pedestrian or traffic detour plans to the satisfaction of the Town Engineer for any lane or sidewalk closures. The temporary traffic control plan shall be prepared by a licensed professional engineer with experience in preparing such plans and in accordance with the requirements of the latest edition of the California Manual on Uniform Traffic Control Devices (MUTCD) and standard construction practices. The Traffic Control Plan shall be approved prior to the commencement of any work within the public right-of-way.

- l. During construction, the Applicant shall make accessible any or all public and private utilities within the area impacted by construction, as directed by the Town Engineer.
 - m. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The Applicant shall require the soils engineer submit to daily testing and sampling reports to the Town Engineer.
77. **MATERIAL HAULING ROUTE AND PERMIT:** For material delivery vehicles equal to, or larger than two-axle, six-tire single unit truck size as defined by FHWA Standards, the Applicant shall submit a truck hauling route that conforms to Town of Los Gatos Standards for approval. Note that the Town requires a Haul Permit be issued for any hauling activities. The Applicant shall require contractors to prohibit trucks from using “compression release engine brakes” on residential streets. The haul route for this project unless otherwise approved by the Town Engineer, shall be: Kennedy Rd to Los Gatos Blvd to Los Gatos-Saratoga Rd to Highway 17. A letter from the Applicant confirming the intention to use the designated haul route shall be submitted to the Town Engineer for review and approval prior to the issuance of any Town permits. All material hauling activities including but not limited to, adherence to the approved route, hours of operation, staging of materials, dust control and street maintenance shall be the responsibility of the Applicant. Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Town Engineer. The Applicant must provide an approved method of cleaning tires and trimming loads on site. All material hauling activities shall be done in accordance with applicable Town ordinances and conditions of approval.
78. **PROJECT CLOSE-OUT:** Prior to requesting a Final Inspection, the Applicant shall submit to the Town Engineer a letter indicating that all project conditions have been met, and all improvements are complete. All work must be completed to the satisfaction of the Planning Director and Town Engineer prior to the first occupancy. All public improvements, including the complete installation of all improvements relative to streets, fencing, storm drainage, underground utilities, etc., shall be completed and attested to by the Town Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, including those for water and sanitary sewer services, such installation shall be verified as having been completed and accepted by those agencies. In addition, the Applicant shall submit an itemized final quantities list of all public improvements constructed on-site and within the public right-of-way. The final quantities list shall be prepared by the project engineer and be to the approval of the Town Engineer. The final quantities list shall be broken out into on-site and off-site improvements based on the format provided by the Town. Until such time as all required improvements are fully completed and accepted by Town, the Applicant shall be responsible for the care, maintenance, and any damage to such improvements. Town shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss or damage, regardless of cause, happening or occurring to the work or improvements required for this project prior to the completion and acceptance of the work or Improvements. All such risks shall be the responsibility of and are hereby assumed by the Applicant.

79. **CONSTRUCTION WORKER PARKING:** The Applicant shall provide a Construction Parking Plan that minimizes the effect of construction worker parking in the neighborhood and shall include an estimate of the number of workers that will be present on the site during the various phases of construction and indicate where sufficient off-street parking will be utilized and identify any locations for off-site material deliveries. Said plan shall be approved by the Town Engineer prior to issuance of Town permits and shall be complied with at all times during construction. Failure to enforce the parking plan may result in suspension of the Town permits. No vehicle having a manufacturer's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the Town Engineer (§15.40.070).
80. **SITE WATER DISCHARGE:** In accordance with the Town Code, Prohibition of Illegal Discharges (Los Gatos Town Code Section 22.30.015), the Town Engineer may approve in coordination with West Valley Sanitation District the discharge of uncontaminated pumped ground waters to the sanitary sewer only when such source is deemed unacceptable by State and Federal authorities for discharge to surface waters of the United States, whether pretreated or untreated, and for which no reasonable alternative method of disposal is available. Following the verification of the applicable local, state and/or federal approvals, a Discharge Plan will be approved and monitored by the Town Engineer.

THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS ENTITLEMENT OCCUPIES THE PREMISES

81. **POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP):** Post construction storm water pollution prevention requirements shall include:
- a. The Applicant shall be charged the cost of abatement for issues associated with, but not limited to, inspection of the private stormwater facilities, emergency maintenance needed to protect public health or watercourses, and facility replacement or repair if the treatment facility is no longer able to meet performance standards or has deteriorated. Any abatement activity performed on the Applicant's property by Town staff will be charged to the Applicant at the Town's adopted fully-loaded hourly rates.
 - b. Maintenance of the storm drain inlets "No Dumping – Drains to Bay" plaques to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain. Template ordering information is available at www.flowstobay.org.
 - c. All process equipment, oils, fuels, solvents, coolants, fertilizers, pesticides, and similar chemical products, as well as petroleum based wastes, tallow, and grease planned for storage outdoors shall be stored in covered containers at all times.
 - d. All public outdoor spaces and trails shall include installation and upkeep of dog waste stations.
 - e. Garbage and recycling receptacles and bins shall be designed and maintained with permanent covers to prevent exposure of trash to rain. Trash enclosure drains shall be connected to the sanitary sewer system.

- f. It is the responsibility of the property owner(s)/homeowners association to implement a plan for street sweeping of paved private roads and cleaning of all storm drain inlets.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

82. GENERAL: Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.
83. NOTE: The subject property is located within the Very High Fire Hazard Severity Zone (VHFHSZ) of the Local Responsibility Area (LRA). Pursuant to California Public Resources Code (PRC) 4290, the California Board of Forestry and Fire Protection is required to "...adopt regulations implementing minimum fire safety standards related to defensible space" applicable to "the perimeters and access to all residential, commercial, and industrial building construction." In 2018, the Legislature passed and the Governor signed SB 901 (Dodd), which expanded the applicability of the regulations promulgated under PRC 4290 to land in the Local Responsibility Area (LRA) Very High Fire Hazard Severity Zone. All comments below that result from PRC 4290 are identified by **. Where a conflict exists between local & 4290 requirements, the more stringent requirement shall apply. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.08.
84. GRADES**: (a) At no point shall the grade for all roads and driveways exceed 16 percent. (b) The grade may exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, §1273.03. PRC 4290 request of exception approved #PC 24-4493. A copy of the PRC 4290 request of exception application form, with approval signature shall be made part of the building permit drawing set, to be routed to Santa Clara County Fire Department for final approval.
85. RADIUS**: (As noted on Sheet A1) (a) No road or road structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50 -100 feet radius; two (2) feet to those from 100-200 feet. (b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.04.
86. TURNAROUND**: (As Noted on Sheet A2) (a) Turnarounds are required on driveways and dead-end roads. (b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length. (c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart. (d) A

turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building. (d) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals. (e) Figure A. Turnarounds on roads with two ten-foot traffic lanes. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5, § 1273.05.

87. MODIFIED FIRE SPRINKLERS REQUIRED: (As Noted on Sheet A1 and enhanced NFPA 13D will be installed) 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. A copy of the Alternate Means/Methods application PC 24-4493, with approval signature shall be made part of the building permit drawing set, to be routed to Santa Clara County Fire Department for final approval.
88. FIRE DEPARTMENT (ENGINE) DRIVEWAY TURNAROUND REQUIRED: (As Noted on Sheet A2) Provide an approved fire department engine driveway turnaround with a minimum radius of 40 feet outside. Maximum grade in any direction shall be a maximum of 5%. Installations shall conform with Fire Department Standard Details and Specifications D-1. CFC Sec. 503.
89. FIRE HYDRANT SYSTEMS REQUIRED: (As Noted on Sheet A1 and private hydrant will be installed) Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, onsite fire hydrants and mains shall be provided where required by the fire code official. Exception: For Group R-3 and Group U occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more than 600 feet. [CFC, Section 507.5.1]
90. REQUIRED FIRE FLOW: (Letter received) The minimum require fireflow for this project is 1000 Gallons Per Minute (GPM) at 20 psi residual pressure. This fireflow assumes installation of automatic fire sprinklers per CFC [903.3.1.3]
91. 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.
92. 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 6 inches 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.

93. 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.
94. WILDLAND-URBAN INTERFACE: This project is located within the designated Wildland-Urban Interface Fire Area. The building construction shall comply with the provisions of California Building Code (CBC) Chapter 7A. Note that vegetation clearance shall be in compliance with CBC Section 701A.3.2.4 prior to project final approval. Check with the Planning Department for related landscape plan requirements.
95. FIRE APPARATUS (ENGINE) ACCESS DRIVEWAY REQUIRED: (As Noted on Geo letter) An access driveway shall be provided having an all-weather surface of either asphalt, concrete or other engineered surface capable of supporting 75,000 pounds and approved by a civil engineer. It shall have a minimum unobstructed width of 12 feet, vertical clearance of 13 feet 6 inches, minimum turning radius of 40 feet outside, and a maximum slope of 15%. Installations shall conform to Fire Department Standard Details and Specifications sheet D-1.
96. GENERAL: This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6].

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ROOFING & GUTTERS: TAYLOR METAL
PRODUCTS STANDING SEAM METAL ROOFING
COLOR: DARK BRONZE - LRV 22

WINDOW FRAMES
COLOR: BLACK



SMOOTH STUCCO SIDING
COLOR: SHERMAN WILLIAMS
'CHATURA GRAY'
LRV 30

METAL RAILINGS
COLOR: BLACK

FROM THE OFFICE OF
CHRIS SPAULDING
ARCHITECT

801 CAMELIA STREET, SUITE E
BERKELEY CA 94710

MATERIAL & COLOR BOARD
16497 S KENNEDY RD
LOS GATOS □ CALIFORNIA

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Letter of Justification: Proposed Residence at 16497 S. Kennedy Road

General: As is illustrated in the whole property LRDA plan (Sheet A3), there are only tiny areas that are within the building envelope that are not encumbered by easements, over 30% slope and/or heavily wooded. The building site identified in the Tentative Map process is the most appropriate location for the new residence, as it does not require cutting any significant trees, requires the least amount of retaining wall, and is the least visible location from any public way.

Retaining Walls:

The proposed retaining walls are all under 5' tall, except only at the required fire-apparatus turnaround. It is impossible to fit the required turnaround onto this property without larger walls. Furthermore, terraced walls are not possible, as the property or easement lines are within 2' of the walls at the both the uphill and downhill edges of the turnaround. It is important to note that the location of the turnaround on this site will not be visible from any public way, nor very visible from the private drive (Vivian Drive).

The proposed retaining walls conform to the HDS&G requirement to not run in a straight line for more than 50', except at the fire-apparatus turnaround, which is required to be 75' long. The walls will be painted a darker earth tone in order to better blend with the landscape.

As explained above, the retaining walls cannot meet both the HDS&G standards for combined cut and fill depths and the Fire Department requirements for access and turnaround. Instead, the proposed design meets the Fire Department requirements with the least length and height of wall that is possible.

Note that the total length of walls could be reduced if the requirements for four off-street parking spaces and three foot shoulders on the driveway were relaxed.

Grading Depths:

The required maximum combined cut / fill grading depths are only exceeded at the driveway and fire apparatus turnaround. Due to the slope and constricted site width at the turnaround location, there is no way to meet the HDS&G requirements while also meeting the Fire Department requirements.

Therefore, the Fire Department requirements are followed, using the smallest cut / fill depths as possible.

Decks & balconies:

The proposed decks and balconies look out to the west and north. There is only one adjacent residence to the west, and none to the north. The adjacent residence to the west is over 150 feet away and 30' lower than the proposed house, and there are considerable mature oak trees between the two homes. Furthermore, as shown in the Landscape Plans, considerable additional screen planting is proposed along the common property line between these two houses.

The undersides of the decks and balconies are proposed to be enclosed to the extent possible, and otherwise cantilevered without any support posts. The cantilevered balconies will be protected with fire-resistive construction as required by the new Wildland-Urban Interface Zone requirements.



July 5, 2024

Ms. Jocelyn Shoopman
Community Development Department
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

RE: 16497 South Kennedy Drive

I reviewed the drawings and evaluated the neighborhood context. My comments and recommendations on the design are as follows:

NEIGHBORHOOD CONTEXT

The site is located on a very constrained hillside parcel which is surrounded by large homes on much larger parcels. Photos of the site and its surrounding neighborhood are shown on the following page.





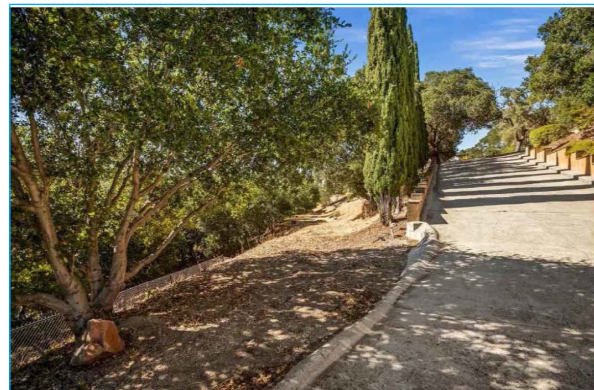
Aerial View of the Building Site



*Looking down at the Building Site
from Road Above*

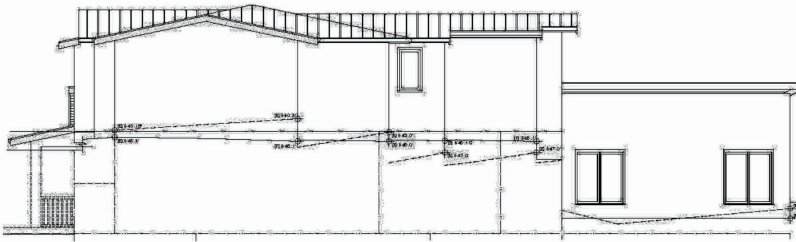


Looking down the new driveway entry



Looking up Vivian Drive at new driveway entrance

PROPOSED PROJECT



Proposed Vivian Drive Elevation



Proposed Elevation from below



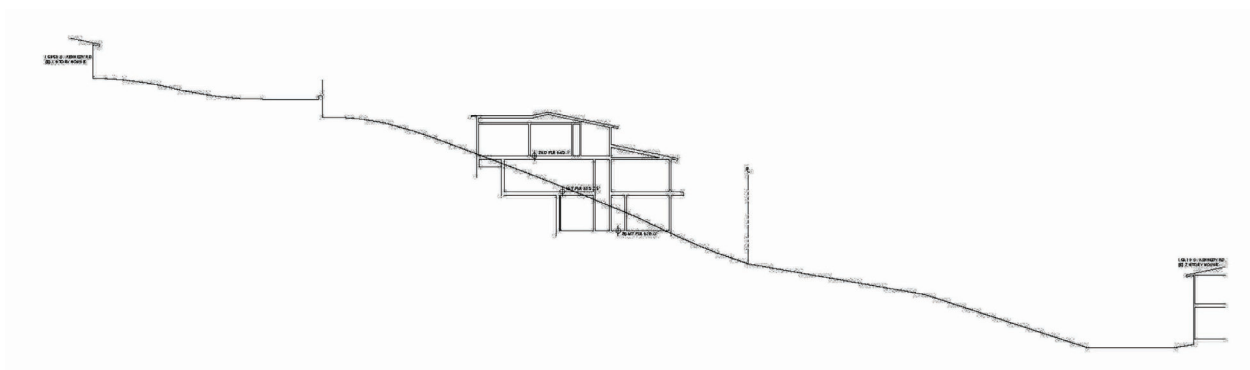
Proposed Side Elevation



Proposed Side Elevation

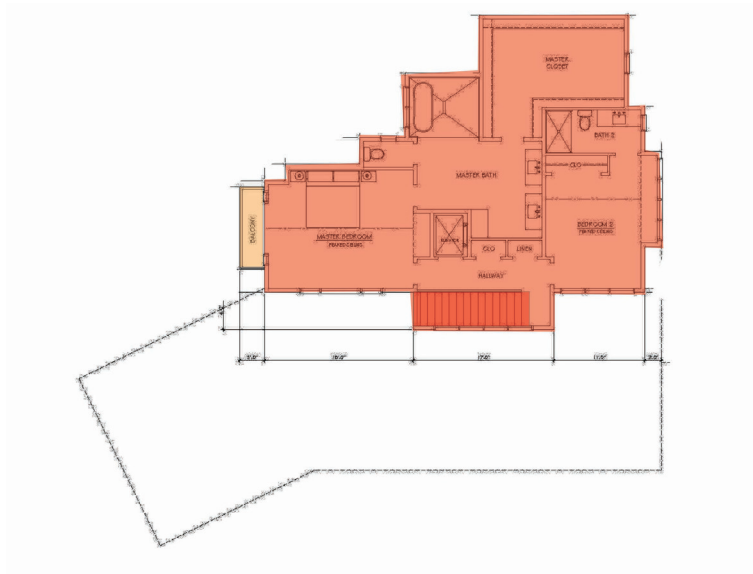
ISSUES AND CONCERNS

The proposed home is small in footprint compared to nearby homes. The living spaces are divided among three floors with the upper floor set back from the lower two floors in accordance with the Town's Hillside Development Standards and Design Guidelines. The main floor level is formed to follow the hillside profile, and the overall height of the structure, combined with a proposed low roof slope, allows it to fit into its hillside site without significant impacts on nearby neighbors.

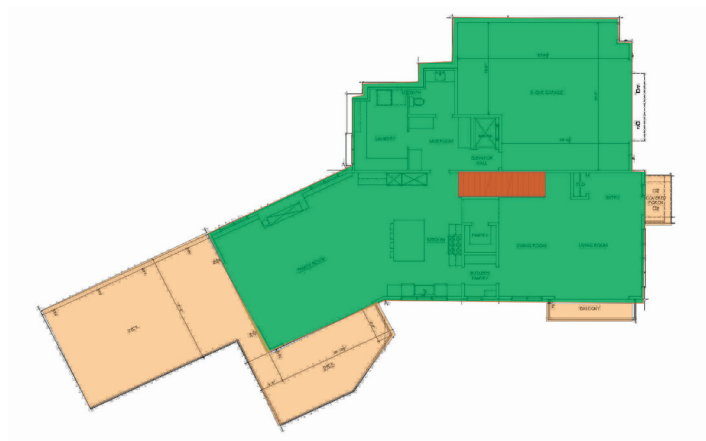


Site Cross Section

The plans are initially a little difficult to understand in terms of the building massing. The illustrations below show the extent of each level and their composite arrangement.



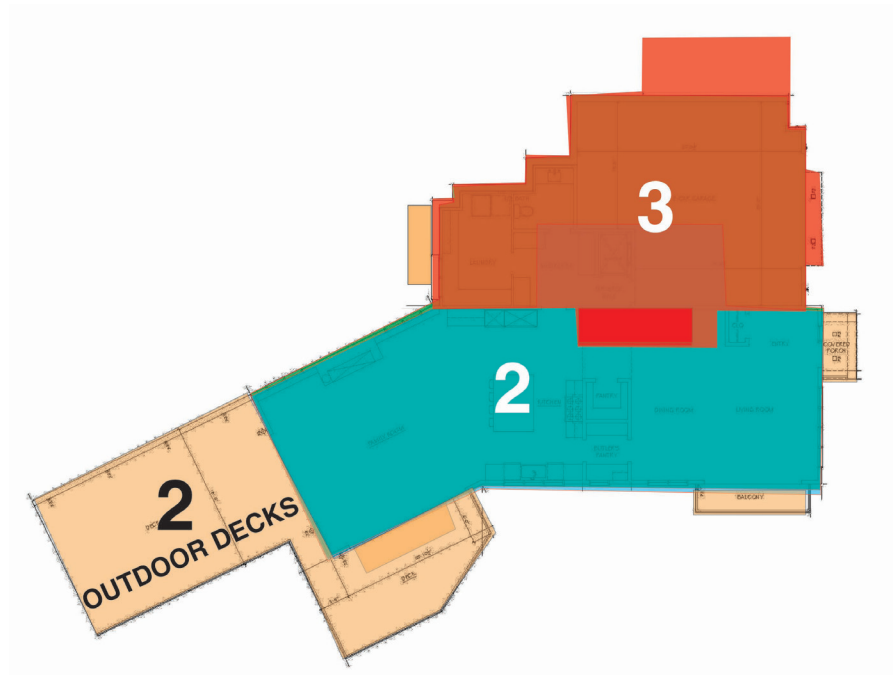
Upper Level Floor Plan



Main Living Level Floor Plan



Lower Level Floor Plan



COMPOSITE FLOOR PLAN

In my review I saw only two issues that staff may wish to explore further.

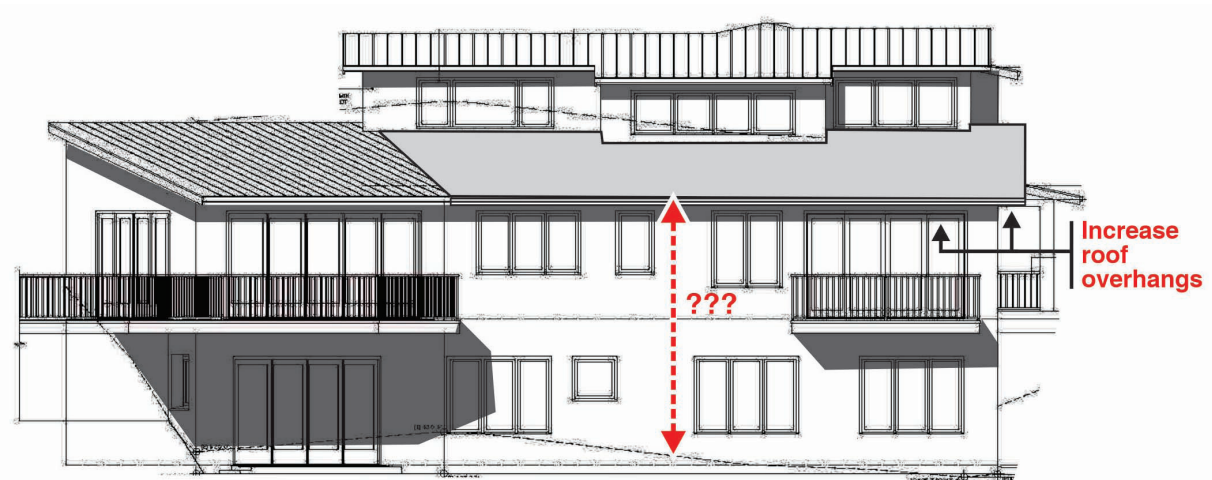
1. The roof overhangs at the second level are smaller than the upper level.
2. There is a portion of the southwest downhill facade that has a two story flat face which would appear to be inconsistent with both the Town's Hillside Development Standards and Design Guidelines and the Town's Single Family Residential Design Guidelines.



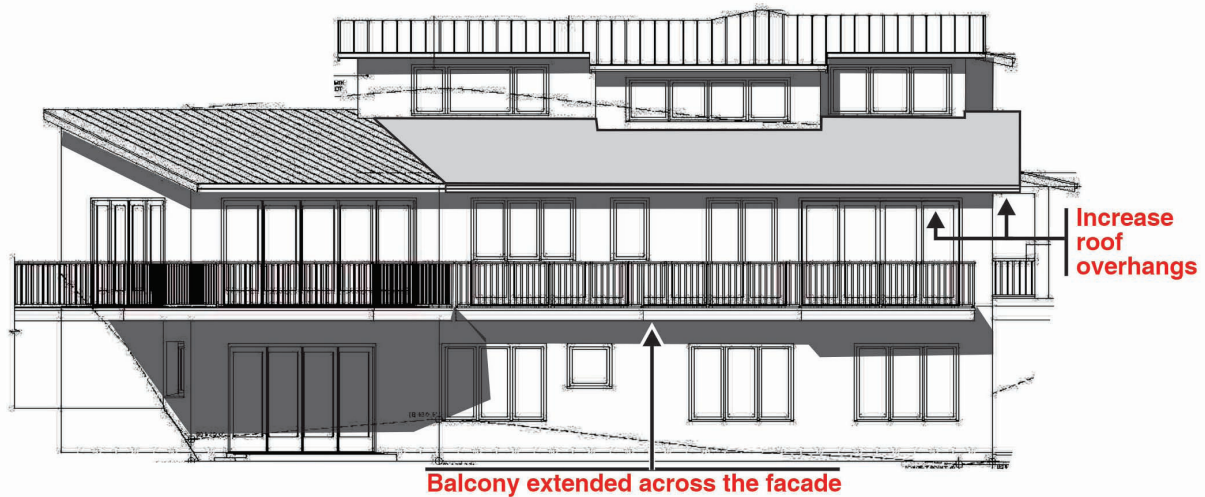
Two story wall segment would appear to not be consistent with both the Hillside Design Standards and Guidelines and the Town's Residential Design Guidelines

RECOMMENDATIONS

1. Increase the roof overhang to provide a stronger eave shadow line to mitigate the two story facade.
2. There may be two ways to address the issue of the two story flat downhill facade section:
 - A. Leave it as proposed given the amount of downhill landscaping that is currently a buffer to views from the home below and the applicant's commitment to plant screen landscaping at the lower property line.



- B. Extend the balcony across the facade connecting the currently proposed balcony and deck.

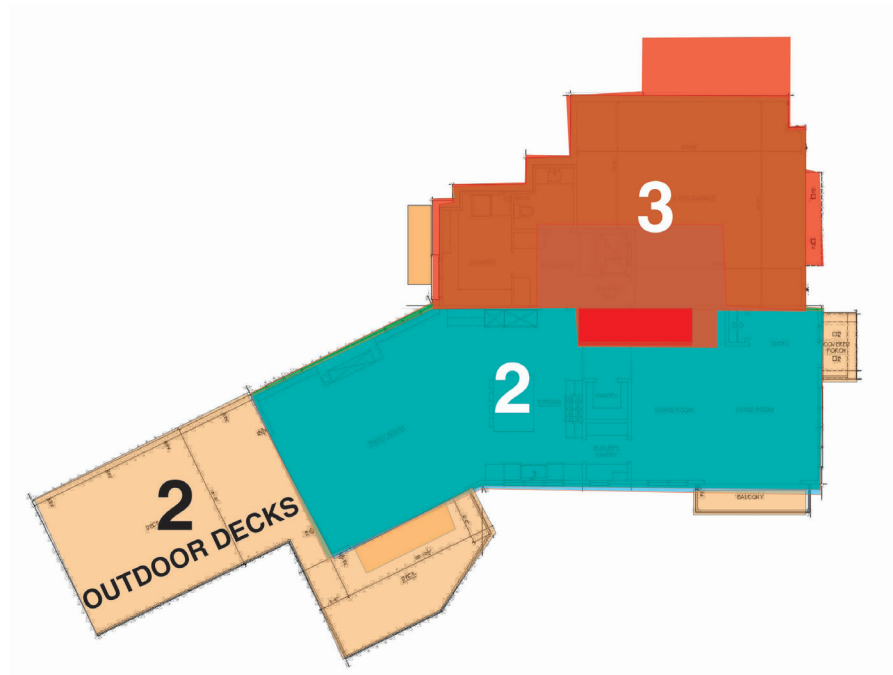


Jocelyn, please let me know if you have any questions or if there are any issues that I did not address.

Sincerely,
CANNON DESIGN GROUP

Larry L. Cannon

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COMPOSITE FLOOR PLAN

In my review I saw only two issues that staff may wish to explore further.

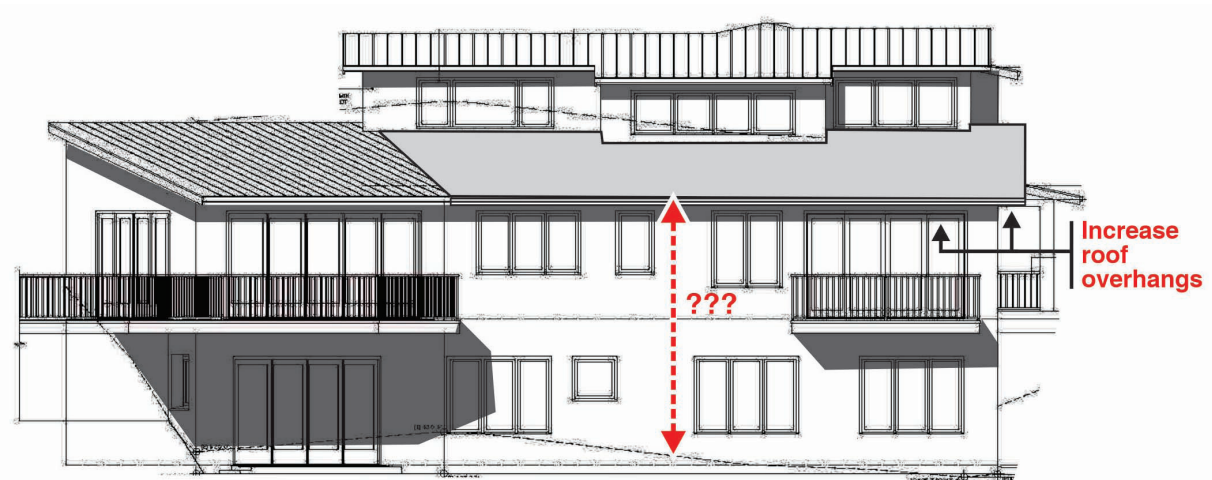
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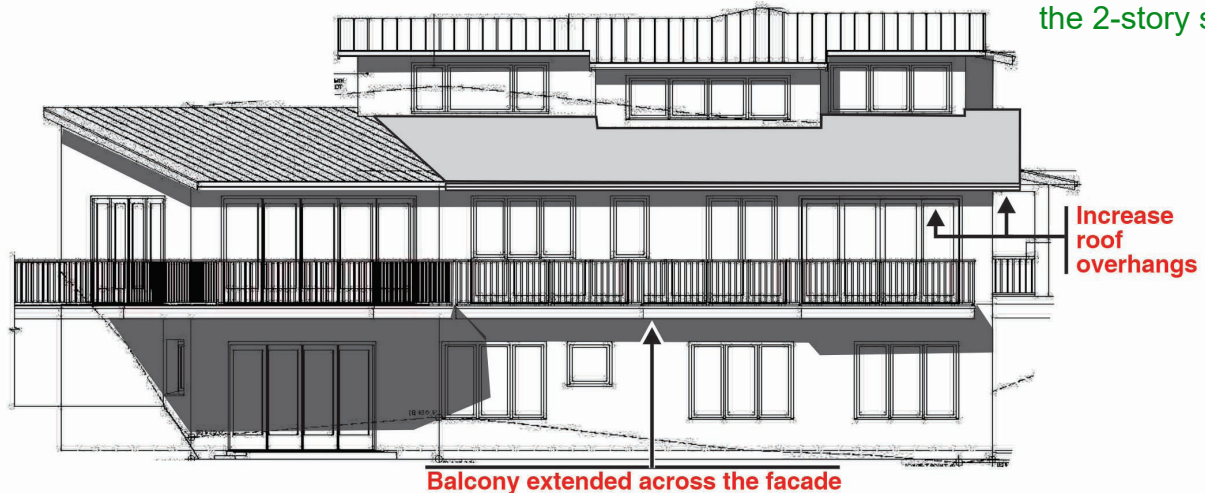
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RECOMMENDATIONS

1. Increase the roof overhang to provide a stronger eave shadow line to mitigate the two story facade.
The eaves have been lengthened over the area with the 2-story facade
2. There may be two ways to address the issue of the two story flat downhill facade section:
 - A. Leave it as proposed given the amount of downhill landscaping that is currently a buffer to views from the home below and the applicant's commitment to plant screen landscaping at the lower property line.



- B. Extend the balcony across the facade connecting the currently proposed balcony and deck.
The middle floor has been cantilevered out 18" to between the balconies to break up the 2-story section



Jocelyn, please let me know if you have any questions or if there are any issues that I did not address.

Sincerely,
CANNON DESIGN GROUP

Larry L. Cannon

**Assessment of Twenty-Nine (29) Protected-Size Trees
At and Adjacent to
16497 S. Kennedy Rd.
Los Gatos, California**

Prepared for:
Ms. Jocelyn Shoopman, Associate Planner
Town of Los Gatos Community Development Department
110 E. Main Street
Los Gatos, CA 95030

Field Visit:
Walter Levison, Contract Town Arborist (CTA)
7/18/2024

Report by CTA
8/5/2024

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1.0 Summary - Table and Paragraph Formats

- a. Below is a matrix style overview of protected-size trees (non-exempt species, 4-inches diameter at 4.5 feet above grade). In the table, the CTA (Contract Town Arborist) has outlined expected impacts to each tree, along with suggestions for adjustments to the plan set (if applicable) that will optimize tree survival over the long term.

Mitigation replacement rate and size is noted for each tree in the case that removal or damage to trees occurs.

Note: Only trees within relatively close proximity of proposed work are included in this tree study (e.g. tree trunks located between approximately zero and 30 linear feet of current proposed new grading, utility trenching, excavation, haul routes, landscaping, etc. as shown on proposed plans, and regulated species/size trees with canopy driplines that encroach over the applicant's property lot line.

Trees Located Off-Site

Large dimension canopy **native oak specimens #21 and #26** were for the purposes of this arborist report considered to be "off-site" specimens located outside of the various lot lines shown on tree map basis sheet A2 (applicant site plan proposed). The canopies of both of these trees extend far into the proposed project area, as is rendered by the light dashed clouding rendered by the applicant's architect (and as rendered by the CTA as heavy black clouding on the tree map markup included in this CTA arborist report). The ownership status of these trees is not verified at the time of writing, and actual ownership may be the project owner/applicant. Town Staff may want to verify tree ownership status of these two trees before the project moves forward into build phase.

All privet and fruit tree "exclusion" species specimens were excluded by the CTA from this study, as their mainstem diameters were not large enough to be considered protected-size specimens.

UNKNOWN ITEM / STORMWATER CONVEYANCE SYSTEM:

There is one "to be determined" item related to this proposed residential plan: the proposed storm drain pipe line trench and outfall, which is shown extending in a northwestward direction at the left end of sheet A2, with an indication of **"TO RETENTION AREA"** shown on the applicant plan sheet A2 at the end of the proposed storm drain alignment. There are multiple coast live oak specimens off-sheet beyond the area of forested site shown at the left edge of the applicant's sheet A2, and therefore it is possible that the proposed storm drain pipe line trench and associated outfall or rock dissipater area at the northwest end of the system could have significant or severe negative impacts on multiple regulated size coast live oak tree specimens that are outside of the scope of this initial arborist report (the CTA was directed to only assess trees within the immediate area of proposed new work, which limited the CTA's tree study to 29 trees in closest proximity to the proposed residence, deck, and driveway buildout areas). Town Planning Division Staff may want to query the applicant regarding the proposed storm drain pipe line extent and grading/excavation associated with any outfall/dissipater at the northwest end of the storm drain water conveyance system.

New Staff Protocols 2021 Onward / High Risk Trees & Extreme Risk Trees & Dead Trees

Per my communications with Town Planning Division Staff in 2021, all trees with a TRAQ risk rating of “high” or “extreme”, and all trees in “dead” (i.e. 0 to 5% overall condition ratings) are allowed to be removed as no-fee removals, without any canopy replacement fees or plantings required, when a site is undergoing entitlement review. The reference for this no-fee/no-replacement removal standard is tree ordinance section 29.10.0985.


Table 1.0(a) (REFER TO THE CTA’S TREE MAP MARKUP WHEN REVIEWING THIS MATRIX)

Note that there are zero (0) protected-size trees expected to be removed as part of the applicant’s site plan project work.

| Line Number | Tree Tag Number | Common Name | Large Protected Tree (LPT)? | Appraised Value | Site plan changes or restrictions required to reduce impacts to “less than significant” | Replacement Rate Per Canopy Lost | Replacement Size Tree |
|-------------|-----------------|------------------|-----------------------------|-----------------|--|----------------------------------|-----------------------|
| 1 | 1 | Coast live oak | YES | \$9400. | No changes necessary. Build as proposed, and keep chain link fencing erected per the CTA’s tree map markup at canopy dripline. | 4 | 24” box |
| 2 | 2 | European olive | | \$5,400. | No changes necessary. Build as proposed, and keep chain link fencing erected per the CTA’s tree map markup at canopy dripline. | 4 | 24” box |
| 3 | 3 | Coast live oak | | \$2,260. | No changes necessary. Build as proposed, and keep chain link fencing erected per the CTA’s tree map markup at canopy dripline. | 3 | 24” box |
| 4 | 4 | Coast live oak | | \$3,790. | No changes necessary. Build as proposed, and keep chain link fencing erected per the CTA’s tree map markup at canopy dripline. | 4 | 24” box |
| 5 | 5 | Coast live oak | | \$2,900. | No changes necessary. Build as proposed, and keep chain link fencing erected per the CTA’s tree map markup at canopy dripline. | 3 | 24” box |
| 6 | 6 | Coast live oak | | \$2,060. | No changes necessary. Build as proposed, and keep chain link fencing erected per the CTA’s tree map markup at canopy dripline. | 3 | 24” box |
| 7 | 7 | European olive | | \$11,100. | TO BE REMOVED PER APPLICANT’S PLAN. | 6 | 24” box |
| 8 | 8 | California toyon | | \$2,890. | TO BE REMOVED PER APPLICANT’S PLAN. | 3 | 24” box |
| 9 | 9 | Coast live oak | | \$980. | TO BE REMOVED PER APPLICANT’S PLAN. | 3 | 24” box |

| Line Number | Tree Tag Number | Common Name | Large Protected Tree (LPT)? | Appraised Value | Site plan changes or restrictions required to reduce impacts to "less than significant" | Replacement Rate Per Canopy Lost | Replacement Size Tree |
|-------------|-----------------|----------------|-----------------------------|-----------------|--|----------------------------------|-----------------------|
| 10 | 10 | Coast live oak | | \$2,070. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 11 | 11 | Coast live oak | | \$600. | TO BE REMOVED PER APPLICANT'S PLAN. | 2 | 24" box |
| 12 | 12 | European olive | | \$2,410. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 13 | 13 | Coast live oak | | \$700. | TO BE REMOVED PER APPLICANT'S PLAN. | 2 | 24" box |
| 14 | 14 | Coast live oak | | \$670. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 15 | 15 | Coast live oak | | \$940. | TO BE REMOVED PER APPLICANT'S PLAN. | 2 | 24" box |
| 16 | 16 | Coast live oak | | \$1,610. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 17 | 17 | Coast live oak | | 1,530. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 18 | 18 | Coast live oak | | \$1,050. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 19 | 19 | Coast live oak | | \$1,940. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 20 | 20 | Coast live oak | | \$1,700. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 21 | 21 | Coast live oak | YES | \$32,500. | No changes necessary. Build as proposed, and keep chain link fencing erected per the CTA's tree map markup at canopy dripline (i.e. tightlined along the proposed new driveway and retaining wall eastern edge). | 10 | 24" box |

| Line Number | Tree Tag Number | Common Name | Large Protected Tree (LPT)? | Appraised Value | Site plan changes or restrictions required to reduce impacts to "less than significant" | Replacement Rate Per Canopy Lost | Replacement Size Tree |
|-------------|-----------------|------------------|-----------------------------|-----------------|--|----------------------------------|-----------------------|
| 22 | 22 | California toyon | | \$1,070. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 23 | 23 | Coast live oak | | \$1,340. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 24 | 24 | Coast live oak | YES | \$12,500. | <p>Erect chain link fencing erected per the CTA's tree map markup at canopy dripline.</p> <p>Note the proposed driveway build will likely require greater vertical airspace clearance than current. The current canopy hangs to 10 feet above dirt road grade elevations. Pruning will likely be required to clear airspace between 10 feet and 18 feet (??) above grade to allow for tall machinery access onto the site (verify with build team). This work would not necessary harm the tree to a severe degree, and is expected to be only a moderate impact to overall tree health and structure.</p> <p>Note also the proposed road edge construction will be approximately 8 feet from the mainstem edge of tree #24: a location that is within the calculated 12 foot offset radius "critical root zone minimum offset distance" for construction on a single side of a tree root system, which means that proposed work as shown on sheet A2 will violate the suggested offset radius for new construction to some degree (i.e. new work will be 4 feet within the suggested CRZ offset).</p> <p>If possible, new roadway work should be pushed 4 to 6 additional feet westward from the locations as proposed on plan sheet A2, to allow for the entire CRZ of 12 feet radius to be fenced off and preserved entirely, during the road work.</p> | 6 | 24" box |

| Line Number | Tree Tag Number | Common Name | Large Protected Tree (LPT)? | Appraised Value | Site plan changes or restrictions required to reduce impacts to "less than significant" | Replacement Rate Per Canopy Lost | Replacement Size Tree |
|-------------|-----------------|-------------|-----------------------------|-----------------|---|----------------------------------|-----------------------|
| | | | | |  <p>Tree #24, looking northward down the existing dirt road which is roughly 10 feet vertical below the elevation of the lowest canopy live wood and foliage. Pruning to clear the canopy will likely be required to gain an additional +/- 6 to 8 feet of vertical airspace clearance to clear large machinery ingress/egress. Note also that the proposed roadway as currently shown will encroach to approximately 8 feet west of the mainstem edge: a location that is 4 feet inside of the suggested critical root zone offset radius minimum. Optimally, the roadway should be built at 4 to 6 additional feet west of the proposed roadway footprint edge indicated on sheet A2 currently being reviewed for this arborist report assignment.</p> | | |

| Line Number | Tree Tag Number | Common Name | Large Protected Tree (LPT)? | Appraised Value | Site plan changes or restrictions required to reduce impacts to "less than significant" | Replacement Rate Per Canopy Lost | Replacement Size Tree |
|-------------|-----------------|----------------|-----------------------------|-----------------|---|----------------------------------|-----------------------|
| 25 | 25 | Coast live oak | YES | \$4,200. | This tree is a large protected tree when the sum total of all multiple mainstems is derived (>24" diameter). Tree will be severely impacted by proposed roadway construction if the footprint is built out to the west edge of roadway as shown on sheet A2. Potentially severe root loss and required pruning to clear roadway footprint as currently shown on sheet A2 proposed site plan. | 3 | 24" box |
| 26 | 26 | Coast live oak | YES | \$25,600. | No changes necessary. Build as proposed, and keep chain link fencing erected per the CTA's tree map markup at canopy dripline. Note that this tree appears to be an off-site specimen that is not actually located on this private lot. Construction will skirt around the canopy dripline and fencing protection. | 6 | 24" box |
| 27 | 27 | Coast live oak | | \$1,000. | TO BE REMOVED PER APPLICANT'S PLAN. | 3 | 24" box |
| 28 | 28 | Coast live oak | | \$750. | No changes necessary. Build as proposed, and keep chain link fencing erected per the CTA's tree map markup at canopy dripline. | 2 | 24" box |
| 29 | 29 | Coast live oak | | \$1,110. | Proposed new driveway construction with associated baserock, edging, etc. appears to encroach to roughly 3 or 4 feet east of the tree mainstem edge: a location that is within the existing canopy dripline and within the suggested critical root zone CRZ of roughly 6 feet offset radius. Suggest use trunk buffer plus chain link fencing protection, and verify the lower elevation of proposed baserock base section excavation preparation in relation to existing grade (i.e. verify whether new work will involve excavation below existing soil grade elevations). Note: the current set of plans under review by the CTA does not show elevations for baserock base excavation for this roadway, and therefore the degree of root zone impacts to tree #29 from this work cannot be verified as of the date of writing until the applicant shows us a side cut detail of the access road work extent along this section of the property. | 3 | 24" box |

**2017 Town of Los Gatos In-lieu fee equivalent = \$250 per each required 24" box mitigation tree planting not installed on the site.
(This project is on a lot that is greater than 10,000 square feet, and is therefore not allowed to use 15 gallon size trees for on-site replacement plantings).**

1.0 (b) Summary of tree disposition and tree issues, based on the set of plans submitted to planning division:

1.0b (i) OVERVIEW

29 total trees #1 through #29 were assessed by the CTA in close proximity to proposed work.

Total value of all 29 study trees: \$136,070.

PROTECTION

12 trees are expected to be retained and protected in place (PIP): **#1, 2, 3, 4, 5, 6, 21, 24, 25, 26, 28, 29**. Trees #21 and #26 appear to be "off-site" trees, but may be on-site private trees.

Total value of these 12 trees being protected in place: \$102, 470.

REMOVAL

Value of 17 trees being removed: \$33,600.

MITIGATION FEES

Mitigation in-lieu fees required for **removal of 17 trees #7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 27** based on canopy spread:

Installation of fifty-one (51) 24" box size replacement tree plantings, or payment to Town of Los Gatos tree fund in the amount of

51 x (\$250/tree equivalency established by Town) = \$12,750. Town Staff and applicant team will need to discuss mitigation fees versus plantings.

1.0b (ii) IMPACTS TO TREES BEING PROTECTED IN PLACE / MITIGATION OF IMPACTS

- **DRIVEWAY VS. TREE #24:** Proposed driveway appears to encroach within the **tree #24** canopy dripline area and root zone radius. The roadway will encroach to 8 feet from mainstem edge, which is 4 feet beyond the recommended 12 foot offset radius minimum recommended area to be fenced off as a work exclusion zone. Pruning to clear airspace for motor vehicles and machinery will likely require removal of live wood and foliage between 10 feet elevation and +/- 16 to 18 feet elevation above existing soil grade. Overall impact of this clearance pruning is expected to be moderate only. The roadway is suggested to be adjusted to 12 feet offset radius from the mainstem edge, which will require moving the footprint 4 additional feet westward from its current location, or simply narrowing the roadway profile by 4 feet.
- **DRIVEWAY VS. TREES #25 AND #29:** Proposed driveway work will potentially cause severe damages to the root system and canopies of **trees #25 and #29**. Clearance pruning will necessarily be significant to severe. Actual loss of roots during road work will depend on whether baserock base section excavation is required to occur below existing soil grade or not (the applicant's proposed set of plans does not contain this information and does not show a side cut detail of the roadway area in question near this tree, and therefore the author cannot verify the degree of root zone impacts that would occur during road development. **Consult with the applicant's project team to determine bottom elevation of proposed baserock base section excavation in relation to existing road surface elevations alongside trees #25 and #29.**
- **UNKNOWN FACTOR / STORMWATER CONVEYANCE SYSTEM PROPOSED:** the westmost end of the proposed storm drain pipeline trench indicated on applicant sheet A2 as "to retention area" is an unknown factor.

Town Staff will need to query the applicant team regarding this item, given that the area west of the west edge of sheet A2 was not surveyed by the CTA (the CTA was directed by Town Staff to survey only those site areas in immediate vicinity of proposed work. Therefore, all existing native oak specimens west of trees #1 and #2 have not yet been assessed to determine impacts related to proposed site work, as of the date of this CTA arborist report writing).

It is likely that there is a proposed stormwater retention basin and/or proposed storm drain pipe outfall with rock dissipater not being shown on the applicant's set of plans as of the date of writing, proposed to be built in the (as yet unassessed) native oak forest area west of the west edge of plan sheet A2.

1.0b (iii)**SECURITY BONDING:**

The new 2015 iteration of the Town tree ordinance section 29.10.1000 (c)3 includes wordage that requires that all trees being retained on a development site need to be appraised for dollar value at the applicant's expense prior to building or grading permits being issued by the Town. Part 'f' of this same tree ordinance section states that the Town may condition a security bond prior to issuance of a permit, in the sum of \$5,000 per each tree being preserved, or \$25,000, whichever is less. In the case of this site, with 12 protected-size trees being retained on and off site ($12 \times \$5,000 = \$60,000$.), the **minimum \$25,000 bond amount** would kick in as the bond for this project.

2.0 Assignment & Background

Walter Levison, Contract Town Arborist (CTA) was directed to tag and assess all Protected-Size (4 inch diameter and greater) trees in relatively close proximity to the proposed site plan project.

The trees were tagged with numeric tags "1" through "29" by the CTA, affixed to the mainstem of each tree at roughly eye-level. These tag numbers are noted on the CTA's tree map markup attached to the end of this written report.

The CTA summarized the tree situation from a long-term site manager's perspective, both in table form and in written form above, in section 1.0.

Specific recommendations for tree maintenance and protection are outlined below in section 4.0.

Digital images of the trees archived by the CTA are included below in this report for reference of existing pre-project conditions.

The tree data table with detailed tree information based on the CTA's field assessment July, 2024 makes up section 11.0 of this report. The CTA used a forester's D-tape to determine trunk diameter at 4.5 feet above grade, or at a narrow point below a mainstem fork if the fork occurs at 4.5 feet above grade. The D-tape converts actual trunk circumference into diameter in inches and tenths of inches. Tree heights were measured using a digital Nikon forestry pro 550 hypsometer. Tree canopy spread was visually estimated.

The attached tree map mark-up prepared by the CTA was created using the applicant's site plan sheet A2 iteration 6/12/2024 received by the CTA in July, 2024. This tree map was marked up with various highlight coloration as discussed in section 12.0.

3.0 Town of Los Gatos – What Trees are Protected?

Per the most recent (2015) iteration of the Town of Los Gatos tree ordinance (Town Code Chapter 29 – Zoning Regulations, Article 1), the following regulations apply to all trees within the Town's jurisdiction (wordage adjusted):

1. All trees with at least a single mainstem measuring four (4) inches diameter or greater at 4.5 feet above grade are considered “**Protected Trees**” when removal relates to any development review.
2. 12 inch diameter (18 inch multistem total) trees on developed residential property not currently subject to development review.
3. 8 inch diameter (8 inch multistem total) blue oak (*Quercus douglasii*), black oak (*Quercus kelloggii*), California buckeye (*Aesculus californica*), and Pacific madrone (*Arbutus menziesii*) on developed residential lots not currently subject to development review.
4. 8 inch diameter (8 inch multistem total) trees on developed residential property not currently subject to development review, on lots in the designated **Hillside Area** per the official Town map.
5. All trees with a single mainstem or sum of multiple mainstems totaling 48 inches diameter or greater at 4.5 feet above grade are considered “**Large Protected Trees**” (LPT).
6. All oak species (*Quercus spp.*), California buckeye (*Aesculus californica*), and Pacific madrone (*Arbutus menziesii*) with one or more mainstems totaling 24 inches diameter or more at 4.5 feet above grade are considered “**Large Protected Trees**” (LPT).
7. Section 29.10.0965. Prohibitions: A **permit** is required to prune, trim, cut off, or perform any work, on a single occasion or cumulatively, over a three-year period, affecting 25% or more of any **Protected Tree** (including below ground root system).
8. Section 29.10.0965. Prohibitions: A **permit** is required to prune, trim, or cut any branch or root greater than four (4) inches in diameter of a **Large Protected Tree**.
9. Section 29.10.0965. Prohibitions: A permit is required to conduct severe pruning on any protected tree. Severe pruning is defined in section 29.10.0955 as “topping or removal of foliage or significant scaffold limbs or large diameter branches so as to cause permanent damage and/or disfigurement of a tree, and/or which does not meet specific pruning goals and objectives as set forth in the current version of the International Society of Arboriculture Best Management Practices-Tree Pruning and ANSI A300-Part 1 Tree, Shrub, and Other Woody Plant Management-Standard Practices, (Pruning).”
10. Exceptions:

Severe Pruning Exception in Town Code section 29.10.1010(3) “.....except for pollarding of fruitless mulberry (*Morus alba*) or other species approved by the Town Arborist....”.

Protected Tree Exceptions:

- a. Edible fruit or nut bearing trees less than 18 inches diameter (multistem total or single stem)
- b. *Acacia melanoxylon* (blackwood acacia) less than 24 inches (multistem total or single stem)
- c. *Liriodendron tulipifera* (tulip tree) less than 24 inches (multistem total or single stem)
- d. *Ailanthus altissima* (tree of heaven) less than 24 inches (multistem total or single stem)
- e. *Eucalyptus globulus* (Tasmanian blue gum) less than 24 inches (multistem total or single stem)
- f. *Eucalyptus camaldulensis* (River red gum) less than 24 inches (multistem total or single stem)
- g. *Other eucalyptus species* (E. spp.) not noted above, less than 24 inches (multistem total or single stem)

(REMOVAL O.K. ONLY AT HILLSIDE AREA LOCATIONS PER OFFICIAL TOWN MAP):

www.losgatosca.gov/documentcenter/view/176

- h. All palm species (except *Phoenix canariensis*) less than 24 inches (multistem total or single stem)
- i. *Ligustrum lucidum* (glossy privet) less than 24 inches (multistem total or single stem)

Note that per the exception in part 'a' above, fruiting olive trees with stems totaling less than 18 inches are considered non-protected.

4.0 Recommendations

1. Project Arborist ("PA"):

Initial Signoff

It is suggested that a third party ASCA registered consulting arborist or ISA Certified Arborist with good experience with tree protection during construction be retained by the applicant, to provide pre-project verification that tree protection and maintenance measures outlined in this section of the arborist report are adhered to. Periodic (e.g. monthly) inspections and summary reporting, if required as a project condition of approval, are suggested in order to verify contractor compliance with tree protection throughout the site plan project. This person will be referred to as the project arborist ("PA"). The PA should monitor soil moisture within the root protection zones of trees being retained, using a Lincoln soil moisture probe/meter or equivalent. If required, inspection reports shall be sent to Ms. Jocelyn Shoopman, Associate Planner, at:

jshoopman@losgatosca.gov

Sample wordage for a condition of approval regarding monitoring of tree protection and tree condition:

"The required protective fencing shall remain in place until final landscaping and inspection of the project. Project arborist approval must be obtained and documented in a monthly site activity report sent to the Town. A mandatory Monthly Tree Activity Report shall be sent at least once monthly to the Town planner associated with this project (jshoopman@losgatosca.gov) beginning with the initial tree protection verification approval letter".

The project arborist (PA) (not Walter Levison, Contract Town Arborist) is suggested to work with the project team to directly monitor a portion of the following items such as:

- 1a. Trenching for storm drain (SD) pipe line work and retention basin and/or outfall and rock energy dissipater work (the extent of which is not known as of the date of writing, shown at the lower left side (i.e. west end) of the applicant's sheet A2).
- 1b. Pruning of trees #24, 25, and #29 for vertical and horizontal airspace clearance (actual extent of pruning and sizes of trees to be pruned are "to be determined").

2. Project Team Pre-Project Clarifications or Changes Requested:

It is suggested that Town Staff request clarification from the applicant, or request special work methods, materials, and specifications for the following items that may reasonably be expected to occur as part of the applicant's planned site work:

2a. DRAINAGE PIPE / RETENTION BASIN / OUTFALL/ ENERGY DISSIPATER (ASSUMED): Verify with the applicant the full extent of any proposed stormwater conveyance systems, including all storm drain pipe trenching alignments and cut depths, the outfall location, and any energy dissipater and/or retention basins proposed at the end of the system. If the system encroaches to within 20 to 30 linear feet of any regulated size trees at the west end of the lot proposed to be developed, then the CTA may need to analyze impacts to those trees from proposed stormwater system development as a followup scope of work that is outside this initial arborist report preparation assignment.

2b. DRIVEWAY APPROACH VS. TREES #24, 25, 29: It is suggested that planning staff determine if there is any possibility of narrowing the width of the approach driveway such that trees #24, 25, and/or #29 canopies and root systems are impacted to a lesser degree than under the site plan as currently proposed (e.g. proposed plan as shown on applicant set of sheets will require that up to 50% of the canopies of trees #25 and #29 are pruned back to clear the road airspace, which may cause severe decline and/or death of the tree(s), and tree #24 root system may be severely impacted).

2c. DRIVEWAY APPROACH / CUT DEPTH VS. ROOT SYSTEMS OF TREES #24, 25, 29: It is suggested that planning staff verify with the applicant whether the proposed driveway approach build:

(a) will require scarification and recompaction of the existing soil driveway, such that the root systems of these three study trees may be negatively impacted to varying degrees between "moderate" and "severe", or

(b) will be built up entirely over existing grade, such that new baserock base section installation and asphalt or other surfacing installation will occur OVER existing soil grade, thereby allowing the existing root systems of these three study trees to remain protected in place without being severed or cut or damaged. Current plan set of sheets does not include a driveway build side cut detail, and therefore these details are "to be determined".

3. Security Bond:

It is suggested that Town Staff condition this project on receiving security bond monetary funds from the applicant in the amount of **\$25,000**, as a hedge against potential decline or death of one or more of the survey trees to remaining on-site or off-site in close proximity to the proposed site plan project. Staff may choose to reduce this fee to a lesser amount. See table 1.0(a) for individual tree appraised values.

4. Chain Link Fencing Type I and/or Type II Root Protection Zone (RPZ):

Prior to commencing site demolition, erect chain link fencing panels set on moveable concrete block footings. Wire the fence panels to iron layout stakes pounded 24 inches into the ground at the ends of each fence panel to keep the fence route stabilized and in its correct position. Do not wire the fence panels to the trunks of the trees.

Pre-construction fence:

Per the red dashed lines on the tree map mark-up in the CTA's arborist report (routes may be subject to change, depending on the finalized alignments of work items).

Protective fencing shall be at the farthest possible offset distances from trees being retained.

This fencing must be erected prior to any heavy machinery traffic or construction material arrival on site.

The protective fencing must not be temporarily moved during construction. No materials, tools, excavated soil, liquids, substances, etc. are to be placed or dumped, even temporarily, inside the root protection zone or "RPZ".

No storage, staging, work, or other activities will be allowed inside the RPZ except with PA monitoring.

Side Note: For the fencing around trees #3 and #4 at the steep slope section, use additional materials to make the RPZ fencing more robust. Silt fencing with the lower edge buried under soil, and straw wattles pinned down over the bottom edge of the silt fencing material using wooden dowels are typically the two materials used on steep slopes to "rigidify" the RPZ fence. See image at right for an example of how this was set up on a past project in Belmont.



5. Signage: The RPZ fencing shall have one sign affixed with UV-stabilized zip ties to the chain link at eye level for every 15 linear feet of fencing, minimum 8"X11" size each, plastic laminated, with wordage that includes the Town Code section that refers to tree fence protection requirements (wordage can be adjusted):

**TREE PROTECTION ZONE FENCE
ZONA DE PROTECCION PARA ARBOLES**

**-NO ENTRE SIN PERMISO-
-LLAME EL ARBOLISTA-**

**REMOVAL OF THIS FENCE IS
SUBJECT TO PENALTY ACCORDING TO
LOS GATOS TOWN CODE 29.10.1025**

**PROJECT ARBORIST:
TELEFONO CELL:**

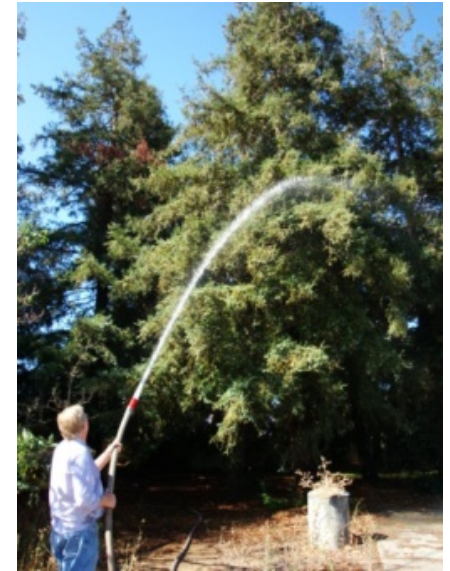
EMAIL:

NOTE: THE CTA IS NOT THE "PROJECT ARBORIST". The project arborist is a private arborist contracted by the applicant or applicant's team of professionals who then monitors the project and reports to Town of Los Gatos planning division on a monthly basis with tree condition and tree protection inspection reports.

6. Water Spray:

Spray off foliage of all trees **within 20 feet of construction** activity using a very high power garden hose or a pressure washer system set on low pressure to wash both the upper and lower surfaces of foliage. This helps keep the gas portals (stomata) unclogged for better gas exchange which is crucial for normal tree function.

Spray should be applied approximately **once-monthly**, or when ambient airborne dust concentration is unusually high.



7. Pruning / Above-Ground Clearance:

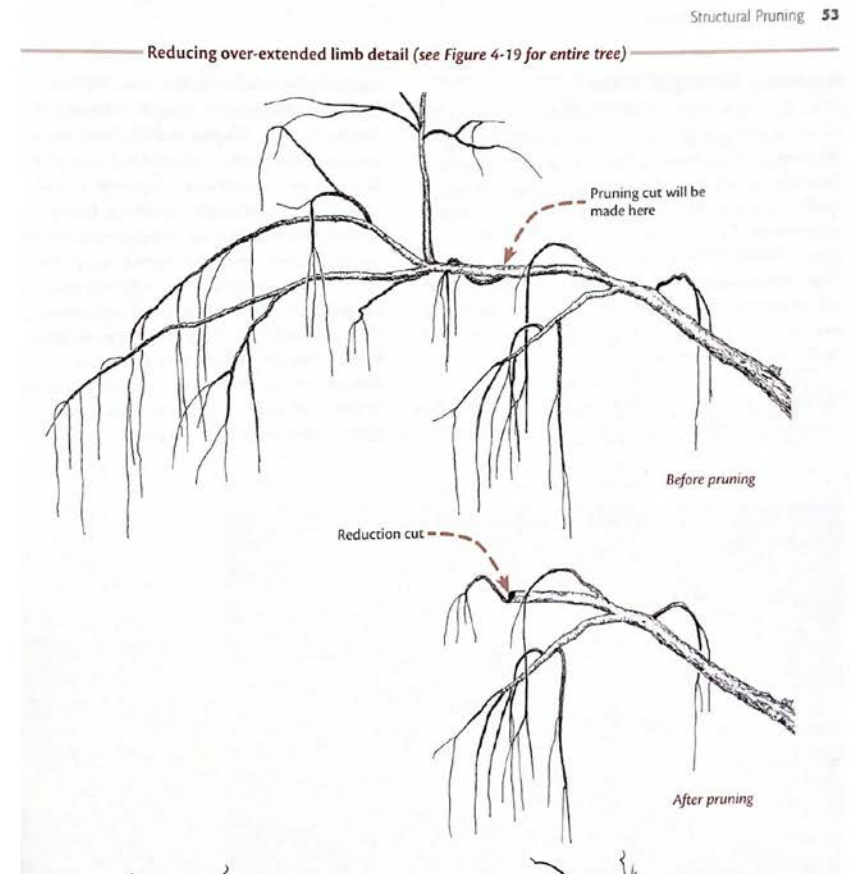
Retain an ISA certified arborist to perform or directly supervise pruning (on-site) per the following specifications and per all of the most current ANSI-A300 pruning standards:

7.1. Tree #24: Provide minimum vehicle airspace clearance as well as any additional clearance for ingress/egress of tall machinery and work vehicles. It is expected that at least 14' to 18' of total vertical airspace will be required to be achieved (to be determined). Perform length reduction pruning to remove outermost ends of branches and limbs, per the sample spec image at right (exerpted from Gilman, *Structural Pruning*).

Sizes of parts and actual extent of pruning is "to be determined" as indicated above.

7.2. Trees #25 and #29: Remove entire east sides of canopies (approx. 50% of canopy live wood and foliage) to clear proposed driveway approach airspace for both horizontal and vertical clearance. It is the Town's understanding that this work may cause severe decline in condition of and/or premature death of the trees, in which case the applicant will be responsible for additional tree removal fees and any associated "in lieu fees" per the standard canopy replacement table ratios indicated in this arborist report **summary section 1.0(a)**.

Alternatively, planning staff may choose to add either of these two trees to the list of "removals" and require that the applicant pay in lieu fees up front as part of the project conditions of approval, given that the extent of pruning required to clear the project buildout may be the cause of severe decline or premature death of the trees.



8. Tree Removal In-Lieu Fees:

As indicated in summary section 1.0 of this arborist report, the applicant is proposing to remove **17 trees #7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 27**. The total in lieu fee required for removal of these 17 regulated trees has been determined by the CTA in table 1.0(a) as 51 times \$250/tree not actually planted on site = $51 \times \$250 = \$12,750$.

If the applicant ends up installing new 24" box size native oaks on this property with irrigation system supplemental water, then Town planning staff may choose to reduce the required in-lieu fee total due to the Town accordingly.

Note that there are additional tree removal application permit fees, etc. that are also due in addition to the in-lieu fee calculation noted above (Town staff will determine these additional fees).

5.0 Tree Protection and Maintenance Directions per Town Code

The following is excerpted directly from the 2015 iteration of the Town of Los Gatos tree ordinance sections which provide specific tree protection directions and limitations on root pruning and above-ground pruning:

Sec. 29.10.1000. New property development.

(a) A tree survey shall be conducted prior to submittal of any development application proposing the removal of or impact to one or more protected trees. The development application shall include a Tree Survey Plan and Tree Preservation Report based on this survey. The tree survey inventory numbers shall correspond to a numbered metal tag placed on each tree on site during the tree survey. The tree survey plan shall be prepared by a certified or consulting arborist, and shall include the following information:

- (1) Location of all existing trees on the property as described in section 29.10.0995;
- (2) Identify all trees that could potentially be affected by the project (directly or indirectly- immediately or in long term), such as upslope grading or compaction outside of the dripline;
- (3) Notation of all trees classified as protected trees;
- (4) In addition, for trees four (4) inches in diameter or larger, the plan shall specify the precise location of the trunk and crown spread, and the species, size (diameter, height, crown spread) and condition of the tree.

(b) The tree survey plan shall be reviewed by the Town's consulting arborist who shall, after making a field visit to the property, indicate in writing or as shown on approved plans, which trees are recommended for preservation (based on a retention rating of high/moderate/low) using, as a minimum, the Standards of Review set forth in section 29.10.0990. This plan shall be made part of the staff report to the Town reviewing body upon its consideration of the application for new property development;

(c) When development impacts are within the dripline of or will affect any protected tree, the applicant shall provide a tree preservation report prepared by a certified or consulting arborist. The report, based on the findings of the tree survey plan and other relevant information, shall be used to determine the health and structure of existing trees, the effects of the proposed development and vegetation removal upon the trees, recommendations for specific precautions necessary for their preservation during all phases of development (demolition, grading, during construction, landscaping); and shall also indicate which trees are proposed for removal. The tree preservation report shall stipulate a required tree protection zone (TPZ) for trees to be

retained, including street trees, protected trees and trees whose canopies are hanging over the project site from adjacent properties. The TPZ shall be fenced as specified in section 29.10.1005:

- (1) The final approved tree preservation report shall be included in the building permit set of development plans and printed on a sheet titled: Tree Preservation Instructions (Sheet T-1). Sheet T-1 shall be referenced on all relevant sheets (civil, demolition, utility, landscape, irrigation) where tree impacts from improvements may be shown to occur;
- (2) The Town reviewing body through its site and design plan review shall endeavor to protect all trees recommended for preservation by the Town's consulting arborist. The Town reviewing body may determine if any of the trees recommended for preservation should be removed, if based upon the evidence submitted the reviewing body determines that due to special site grading or other unusual characteristics associated with the property, the preservation of the tree(s) would significantly preclude feasible development of the property as described in section 29.10.0990;
- (3) Approval of final site or landscape plans by the appropriate Town reviewing body shall comply with the following requirements and conditions of approval:
 - a. The applicant shall, within ninety (90) days of final approval or prior to issuance of a grading or building permit, whichever occurs first, secure an appraisal of the condition and value of all trees included in the tree report affected by the development that are required to remain within the development using the Tree Value Standard methodology as set forth in this Chapter. The appraisal of each tree shall recognize the location of the tree in the proposed development. The appraisal shall be performed in accordance with the current edition of the Guide for Plant Appraisal published by the Council of Tree and Landscape Appraisers (CTLA) and the Species and Group Classification Guide published by the Western Chapter of the International Society of Arboriculture. The appraisal shall be performed at the applicant's expense, and the appraisal shall be subject to the Director's approval.
 - b. The site or landscape plans shall indicate which trees are to be removed. However, the plans do not constitute approval to remove a tree until a separate permit is granted. The property owner or applicant shall obtain a protected tree removal permit, as outlined in section 29.10.0980, for each tree to be removed to satisfy the purpose of this division.

(d) Prior to acceptance of proposed development or subdivision improvements, the developer shall submit to the Director a final tree preservation report prepared by a certified or consulting arborist. This report shall consider all trees that were to remain within the development. The report shall note the trees' health in relation to the initially reported condition of the trees and shall note any changes in the trees' numbers or physical conditions. The applicant will then be responsible for the loss of any tree not previously approved for removal. For protected trees, which were removed, the developer shall pay a penalty in the amount of the appraised value of such tree in addition to replacement requirements contained in section 29.10.0985 of this Code. The applicant shall remain responsible for the health and survival of all trees within the development for a period of five (5) years following acceptance of the public improvements of the development or certificate of occupancy.

(e) Prior to issuance of any demolition, grading or building permit, the applicant or contractor shall submit to the Building Department a written statement and photographs verifying that the required tree protection fence is installed around street trees and protected trees in accordance with the tree preservation report.

(f) If required by the Director and conditioned as part of a discretionary approval, a security guarantee shall be provided to the Town. Prior to the issuance of any permit allowing construction to begin, the applicant shall post cash, bond or other security satisfactory to the Director, in the penal sum of five thousand dollars (\$5,000.00) for each tree required to be preserved, or twenty-five thousand dollars (\$25,000.00), whichever is less. The cash, bond or other security shall be retained for a period of one (1) year following acceptance of the public improvements for the development and shall be forfeited in an amount equal to five thousand dollars (\$5,000.00) per tree as a civil penalty in the event that a tree or trees required to be preserved

are removed, destroyed or severely damaged.

(g) An applicant with a proposed development which requires underground utilities shall avoid the installation of said utilities within the dripline of existing trees whenever possible. In the event that this is unavoidable, all trenching shall be done using directional boring, air-spade excavation or by hand, taking extreme caution to avoid damage to the root structure. Work within the dripline of existing trees shall be supervised at all times by a certified or consulting arborist.

(h) It shall be a violation of this division for any property owner or agent of the owner to fail to comply with any development approval condition concerning preservation, protection, and maintenance of any protected tree.

(Ord. No. 2114, §§ I, II, 8-4-03)

Sec. 29.10.1005. Protection of trees during construction.

(a) Protective tree fencing shall specify the following:

- (1) Size and materials. Six (6) foot high chain link fencing, mounted on two-inch diameter galvanized iron posts, shall be driven into the ground to a depth of at least two (2) feet at no more than 10-foot spacing. For paving area that will not be demolished and when stipulated in a tree preservation plan, posts may be supported by a concrete base.
- (2) Area type to be fenced. Type I: Enclosure with chain link fencing of either the entire dripline area or at the tree protection zone (TPZ), when specified by a certified or consulting arborist. Type II: Enclosure for street trees located in a planter strip: chain link fence around the entire planter strip to the outer branches. Type III: Protection for a tree located in a small planter cutout only (such as downtown): orange plastic fencing shall be wrapped around the trunk from the ground to the first branch with 2-inch wooden boards bound securely on the outside. Caution shall be used to avoid damaging any bark or branches.
- (3) Duration of Type I, II, III fencing. Fencing shall be erected before demolition, grading or construction permits are issued and remain in place until the work is completed. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.
- (4) Warning sign. Each tree fence shall have prominently displayed an 8.5 x 11-inch sign stating: "Warning—Tree Protection Zone-this fence shall not be removed and is subject to penalty according to Town Code 29.10.1025".

(b) All persons, shall comply with the following precautions:

- (1) Prior to the commencement of construction, install the fence at the dripline, or tree protection zone (TPZ) when specified in an approved arborist report, around any tree and/or vegetation to be retained which could be affected by the construction and prohibit any storage of construction materials or other materials, equipment cleaning, or parking of vehicles within the TPZ. The dripline shall not be altered in any way so as to increase the encroachment of the construction.
- (2) Prohibit all construction activities within the TPZ, including but not limited to: excavation, grading, drainage and leveling within the dripline of the tree unless approved by the Director.
- (3) Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the dripline of or in drainage channels, swales or areas that may lead to the dripline of a protected tree.
- (4) Prohibit the attachment of wires, signs or ropes to any protected tree.

- (5) Design utility services and irrigation lines to be located outside of the dripline when feasible.
 - (6) Retain the services of a certified or consulting arborist who shall serve as the project arborist for periodic monitoring of the project site and the health of those trees to be preserved. The project arborist shall be present whenever activities occur which may pose a potential threat to the health of the trees to be preserved and shall document all site visits.
 - (7) The Director and project arborist shall be notified of any damage that occurs to a protected tree during construction so that proper treatment may be administered.
- (Ord. No. 2114, §§ I, II, 8-4-03)

Sec. 29.10.1010. Pruning and maintenance.

All pruning shall be in accordance with the current version of the International Society of Arboriculture Best Management Practices—Tree Pruning and ANSI A300-Part 1 Tree, Shrub and Other Woody Plant Management—Standard Practices, (Pruning) and any special conditions as determined by the Director. For developments, which require a tree preservation report, a certified or consulting arborist shall be in reasonable charge of all activities involving protected trees, including pruning, cabling and any other work if specified.

- (1) Any public utility installing or maintaining any overhead wires or underground pipes or conduits in the vicinity of a protected tree shall obtain permission from the Director before performing any work, including pruning, which may cause injury to a protected tree. (e.g. cable TV/fiber optic trenching, gas, water, sewer trench, etc.).
- (2) Pruning for clearance of utility lines and energized conductors shall be performed in compliance with the current version of the American National Standards Institute (ANSI) A300 (Part 1)- Pruning, Section 5.9 Utility Pruning. Using spikes or gaffs when pruning, except where no other alternative is available, is prohibited.
- (3) No person shall prune, trim, cut off, or perform any work, on a single occasion or cumulatively, over a three-year period, affecting twenty-five percent or more of the crown of any protected tree without first obtaining a permit pursuant to this division except for pollarding of fruitless mulberry trees (*Morus alba*) or other species approved by the Town Arborist. Applications for a pruning permit shall include photographs indicating where pruning is proposed.
- (4) No person shall remove any Heritage tree or large protected tree branch or root through pruning or other method greater than four (4) inches in diameter (12.5" in circumference) without first obtaining a permit pursuant to this division.

(Ord. No. 2114, §§ I, II, 8-4-03)

6.0 Tree Replacement Standards – Los Gatos Town Code

(Excerpted from Town Code 29.10.0985 and 29.10.0987)

- (1) Two (2) or more replacement trees, of a species and size designated by the Director, shall be planted on the subject private property. Table 3-1 The Tree Canopy—Replacement Standard shall be used as a basis for this requirement. The person requesting the permit shall pay the cost of purchasing and planting the replacement trees.
- (2) If a tree or trees cannot be reasonably planted on the subject property, an in-lieu payment in an amount set forth by the Town Council by resolution shall be paid to the Town Tree Replacement Fund to:

- a. Add or replace trees on public property in the vicinity of the subject property; or
- b. Add or replace trees or landscaping on other Town property; or
- c. Support the Town's urban forestry management program. (Ord. No. 2114, §§ I, II, 8-4-03)

Table 3-1 - Tree Canopy - Replacement Standard

| Canopy Size of Removed Tree ¹ | (Staff is using 24" box size as the Replacement Standard for single family residential Projects as of 2016) ^{2,4} | Single Family Residential Replacement ^{3,4} |
|--|--|--|
| 10 feet or less | Two 24 inch box trees | Two 15 gallon trees |
| More than 10 feet to 25 feet | Three 24 inch box trees | Three 15 gallon trees |
| More than 25 feet to 40 feet | Four 24 inch box trees; or Two 36 inch box trees | Four 15 gallon trees |
| More than 40 feet to 55 feet | Six 24 inch box trees; or Three 36 inch box trees | Not Available |
| Greater than 55 feet | Ten 24 inch box trees; or Five 36 inch box trees | Not Available |

Notes

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

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

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

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

Sec. 29.10.0987. Special Provisions—Hillsides

The Town of Los Gatos recognizes its hillsides as an important natural resource and sensitive habitat which is also a key component of the Town's identity, character and charm. In order to maintain and encourage restoration of the hillside environment to its natural state, the Town has established the following special provisions for tree removal and replacement in the hillsides:

- (1) All protected trees located 30 or more feet from the primary residence that are removed shall be replaced with native trees listed in *Appendix A Recommended Native Trees for Hillside Areas of the Town of Los Gatos Hillside Development Standards and Guidelines* (HDS&G).
- (2) All protected trees located within 30 feet of the primary residence that are removed shall be replaced as follows:
 - (a) If the removed tree is a native tree listed in Appendix A of the HDS&G, it shall only be replaced with a native tree listed in Appendix A of the HDS&G.
 - (b) If the removed tree is not listed in Appendix A, it may be replaced with a tree listed in Appendix A, or replaced with another species of tree as approved by the Director.
 - (c) Replacement trees listed in Appendix A may be planted anywhere on the property.
 - (d) Replacement trees not listed in Appendix A may only be planted within 30 feet of the primary residence.
- (3) Replacement requirements shall comply with the requirements in Table 3-1 Tree Canopy Replacement Standard of this Code.
- (4) Property owners should be encouraged to retain dead or declining trees where they do not pose a safety or fire hazard, in order to foster wildlife habitat and the natural renewal of the hillside environment.

7.0 Author's Qualifications

- Continued education through The American Society of Consulting Arborists, The International Society of Arboriculture (Western Chapter), and various governmental and non-governmental entities.
- Contract Town Arborist, Town of Los Gatos, California
Community Development Department / Planning Division
2015-present
- Tree Risk Assessment Qualified (ISA TRAQ Course Graduate, Palo Alto, California)
- Millbrae Community Preservation Commission (Tree Board)
2001-2006
- ASCA Registered Consulting Arborist #401
- ASCA Arboriculture Consulting Academy graduate, class of 2000
- Associate Consulting Arborist
Barrie D. Coate and Associates
4/99-8/99
- Contract City Arborist, City of Belmont, California
Planning and Community Development Department
5/1999-5/2020 (21 years)
- ISA Certified Arborist #WE-3172A
- Peace Corps Soil and Water Conservation Extension Agent
Chiangmai Province, Thailand 1991-1993
- B.A. Environmental Studies/Soil and Water Resources
UC Santa Cruz, Santa Cruz, California 1990

UCSC Chancellor's Award, 1990

(My full curriculum vitae is available upon request)

8.0 Assumptions and Limiting Conditions

Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownership to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised and evaluated as through free and clean, under responsible ownership and competent management.

It is assumed that any property is not in violation of any applicable codes, ordinance, statutes, or other government regulations.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant/appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.

The consultant/appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.

Unless required by law otherwise, the possession of this report or a copy thereof does not imply right of publication or use for any other purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant/appraiser.

Unless required by law otherwise, neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales, or other media, without the prior expressed conclusions, identity of the consultant/appraiser, or any reference to any professional society or institute or to any initiated designation conferred upon the consultant/appraiser as stated in his qualifications.

This report and any values expressed herein represent the opinion of the consultant/appraiser, and the consultant's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

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

Unless expressed otherwise:

- a. information contained in this report covers only those items that were examined and reflects the conditions of those items at the time of inspection; and
- b. the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

Loss or alteration of any part of this report invalidates the entire report.

Arborist Disclosure Statement:

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborist cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate the trees.

9.0 Certification

I hereby certify that all the statements of fact in this report are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.



Signature of Consultant

DIGITAL BADGES:

ISA CERTIFIED ARBORIST CREDENTIAL:



https://certificates.isa-arbor.com/f1918723-df46-48cc-ace2-c12625530fec?record_view=true


ISA TREE RISK ASSESSMENT QUALIFIED (TRAQ):

https://certificates.isa-arbor.com/d180515f-ab75-440b-9c66-106005e3cf10?record_view=true#gs.hpb30w



10.0 Digital Images



WLCA archived new digital images of the trees in July, 2024

| Tree Tag | Image | Tree Tag | Image |
|----------|---|----------|---|
| 1 |  | 2 |  |

| Tree Tag | Image | Tree Tag | Image |
|----------|---|----------|------------|
| 3 |  | 4 | (No Image) |


| Tree Tag | Image | Tree Tag | Image |
|----------|---|----------|--|
| 5 |  | 6 |  |

| Tree Tag | Image | Tree Tag | Image |
|----------|--|----------|--|
| 7 |  | 8 |  |



| Tree Tag | Image | Tree Tag | Image |
|----------|---|----------|--|
| 9 |  | 10 |  |



| Tree Tag | Image | Tree Tag | Image |
|----------|---|----------|--|
| 11 |  | 12 |  |


| Tree Tag | Image | Tree Tag | Image |
|----------|---|----------|---|
| 13 |  | 14 to 18 |  |

| Tree Tag | Image | Tree Tag | Image |
|-------------|---|-------------|-------|
| |  | | |
| | 14 through 18 upper elevations | | |



| Tree Tag | Image | Tree Tag | Image |
|----------|---|----------|--|
| 19 |  | 20 |  |

| Tree Tag | Image | Tree Tag | Image |
|----------|--|----------|--|
| 21 |  | 22 |  |

| Tree Tag | Image | Tree Tag | Image |
|----------|--|----------|--|
| 23 |  | 24 |  |

| Tree Tag | Image | Tree Tag | Image |
|----------|---|----------|---|
| 24 |  | 25 |  |

| Tree Tag | Image | Tree Tag | Image |
|----------|---|----------|--|
| 26 |  | 27 |  |

| Tree Tag | Image | Tree Tag | Image |
|----------|--|----------|--|
| 28 |  | 29 |  <p>Tree 29 is the oak specimen with canopy covering the left 3/4 of the above image (foreground).</p> |

11.0 Tree Data Table

NOTE 1: Fruit and nut trees measuring less than 18" diameter (total of all mainstems) both on the site and on adjacent neighbor properties were excluded from this study as "exemption trees" per the Town tree ordinance.

NOTE 2: Tree Conservation suitability ratings (TCS) were determined using the applicant's **currently- proposed site plan layout**. If the site plan layout can be adjusted to provide greater offset distances between trees and work, the TCS ratings may improve compared to the TCS ratings stated in the below table.

| Tree Tag Number | Genus & Species | Common Name | Trunk1 Diameter | Trunk2 Diameter | Trunk3 Diameter | Sum of All Trunk Diameters | Height & Canopy Spread (Ft.) | Health & Structural Rating (100% Each) | Overall Condition Rating (0 to 100%) | (R)emove Tree | (S)ave Tree | (D)isposition Unclear | Tree Conservation Suitability Ratings (TCS) | Lopsided Canopy (note direction) | Trunk Lean (note direction) | Girdling Roots | Root Flares Buried in Fill Soil | Pests and Disease Presence, and Other Notes | SUGGESTED ROOT PROTECTION FENCE RADIUS (Ft.) | MAINTENANCE AND PROTECTION CODES |
|-----------------|--------------------------|----------------|-----------------|-----------------|-----------------|----------------------------|------------------------------|--|--------------------------------------|---------------|-------------|-----------------------|---|----------------------------------|-----------------------------|----------------|---------------------------------|--|--|----------------------------------|
| 1 | <i>Quercus agrifolia</i> | Coast live oak | Est. 33 | -- | -- | Est. 33 | 40/35 | 20/20 | 20% Very Poor | | X | | Poor | | | | | At least 90% of the tree's basal mainstem cross sectional area is visibly decayed. Tree may be categorized as a high risk of total tree failure and impact with residence (once the proposed residence is built out). Note the proposed stormwater conveyance pipe line trench and "retention area" noted at left side of applicant sheet A2. The extent of this proposed drainage work is not known. | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. Possible additional tree survey and analysis of impacts to trees from proposed stormwater conveyance work will be required, once applicant confirms the extent of their proposed water retention area buildout. | TPZ/RPZ |

| Tree Tag Number | Genus & Species | Common Name | Trunk1 Diameter | Trunk2 Diameter | Trunk3 Diameter | Sum of All Trunk Diameters | Height & Canopy Spread (Ft.) | Health & Structural Rating (100% Each) | Overall Condition Rating (0 to 100%) | (R)emove Tree | (S)ave Tree | (D)isposition Unclear | Tree Conservation Suitability Ratings (TCS) | Lopsided Canopy (note direction) | Trunk Lean (note direction) | Girdling Roots | Root Flares Buried in Fill Soil | Pests and Disease Presence, and Other Notes | SUGGESTED ROOT PROTECTION FENCE RADIUS (Ft.) | MAINTENANCE AND PROTECTION CODES |
|-----------------|--------------------------|----------------|-----------------|-----------------|-----------------|----------------------------|------------------------------|--|--------------------------------------|---------------|-------------|-----------------------|---|----------------------------------|-----------------------------|----------------|---------------------------------|---|---|----------------------------------|
| 2 | <i>Olea europaea</i> | European olive | 10 | 9 | 8 | Total of four stems 37" | 35/35 | 60/50 | 55% Fair | | X | | Mod | | | | | Same issue of the "unknown" extent of stormwater conveyance work proposed for this left side of site plan area (west end of property). Planning staff will need to query the applicant regarding this proposed work to verify the nature of what is proposed. | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. Possible additional tree impact analysis required, related to the applicant's proposed stormwater conveyance work. | TPZ/RPZ |
| 3 | <i>Quercus agrifolia</i> | Coast live oak | 11.0 | - | - | 11.0 | 28/15 | 70/55 | 62% Good | | X | | Mod | | | | | Severe sycamore bark moth larvae feeding damage. | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. | TPZ/RPZ |
| 4 | <i>Quercus agrifolia</i> | Coast live oak | 10.4 | 9.8 | - | 20.2 | 26/30 | 60/50 | 55% Fair | | X | | Mod | | | | | 6" diameter cavity at grade (non-significant issue). | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. | TPZ/RPZ |

| Tree Tag Number | Genus & Species | Common Name | Trunk1 Diameter | Trunk2 Diameter | Trunk3 Diameter | Sum of All Trunk Diameters | Height & Canopy Spread (Ft.) | Health & Structural Rating (100% Each) | Overall Condition Rating (0 to 100%) | (R)emove Tree | (S)ave Tree | (D)isposition Unclear | Tree Conservation Suitability Ratings (TCS) | Lopsided Canopy (note direction) | Trunk Lean (note direction) | Girdling Roots | Root Flares Buried in Fill Soil | Pests and Disease Presence, and Other Notes | SUGGESTED ROOT PROTECTION FENCE RADIUS (Ft.) | MAINTENANCE AND PROTECTION CODES |
|-----------------|--------------------------------|------------------|-----------------|-----------------|-----------------|----------------------------|------------------------------|--|--------------------------------------|---------------|-------------|-----------------------|---|----------------------------------|-----------------------------|----------------|---------------------------------|--|---|----------------------------------|
| 5 | <i>Quercus agrifolia</i> | Coast live oak | 11.6 | - | - | 11.6 | 35/20 | 85/60 | 74% Good | | X | | Good | | | | | | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. | TPZ/RPZ |
| 6 | <i>Quercus agrifolia</i> | Coast live oak | 11.0 | - | - | 11.0 | 29/16 | 50/50 | 50% Fair | | X | | Mod | South | | | | | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. | TPZ/RPZ |
| 7 | <i>Olea europaea</i> | European olive | 14 | 10 | 10 | Total 6 stems 52" | 30/45 | 75/65 | 70% Good | X | | | n/a | | | | | | n/a | n/a |
| 8 | <i>Heteromeles arbutifolia</i> | California toyon | 5 | 4 | 4 | Total 6 stems 23" | 20/13 | 65/45 | 53% Fair | X | | | n/a | | | | | Tree located on a slope that is almost vertical (extreme angle). | n/a | n/a |
| 9 | <i>Quercus agrifolia</i> | Coast live oak | 7.5 | - | - | 7.5 | 25/12 | 75/45 | 60% Fair | X | | | n/a | | | | | Bark inclusion fork (defect) at 5 feet above grade. | n/a | n/a |
| 10 | <i>Quercus agrifolia</i> | Coast live oak | 9.5 | - | - | 9.5 | 30/16 | 75/70 | 72% Good | X | | | n/a | | | | | | n/a | n/a |

| Tree Tag Number | Genus & Species | Common Name | Trunk1 Diameter | Trunk2 Diameter | Trunk3 Diameter | Sum of All Trunk Diameters | Height & Canopy Spread (Ft.) | Health & Structural Rating (100% Each) | Overall Condition Rating (0 to 100%) | (R)emove Tree | (S)ave Tree | (D)isposition Unclear | Tree Conservation Suitability Ratings (TCS) | Lopsided Canopy (note direction) | Trunk Lean (note direction) | Girdling Roots | Root Flares Buried in Fill Soil | Pests and Disease Presence, and Other Notes | SUGGESTED ROOT PROTECTION FENCE RADIUS (Ft.) | MAINTENANCE AND PROTECTION CODES |
|-----------------|--------------------------|----------------|-----------------|-----------------|-----------------|----------------------------|------------------------------|--|--------------------------------------|---------------|-------------|-----------------------|---|----------------------------------|-----------------------------|----------------|---------------------------------|---|--|----------------------------------|
| 11 | <i>Quercus agrifolia</i> | Coast live oak | 4.9 | - | - | 4.9 | 19/7 | 80/75 | 78% Good | X | | | n/a | | | | | | n/a | n/a |
| 12 | <i>Olea europaea</i> | European olive | 5 | 4 | 4 | Total 8 stems 26" | 23/25 | 80/70 | 75% Good | X | | | n/a | | | | | | n/a | n/a |
| 13 | <i>Quercus agrifolia</i> | Coast live oak | 4.4 | 3.3 | - | 7.7 | 17/10 | 65/65 | 65% Good | X | | | n/a | | | | | | n/a | n/a |
| 14 | <i>Quercus agrifolia</i> | Coast live oak | 6.5 | - | - | 6.5 | 26/11 | 65/55 | 60% Fair | X | | | n/a | | | | | | n/a | n/a |
| 15 | <i>Quercus agrifolia</i> | Coast live oak | 6.4 | 5.1 | - | 11.5 | 24/8 | 60/40 | 50% Fair | X | | | n/a | | | | | Bark inclusion fork (defect) at 4 feet. | n/a | n/a |
| 16 | <i>Quercus agrifolia</i> | Coast live oak | 8.1 | - | - | 8.1 | 25/13 | 75/75 | 75% Good | X | | | n/a | West | West | | | | n/a | n/a |
| 17 | <i>Quercus agrifolia</i> | Coast live oak | 9.2 | - | - | 9.2 | 24/12 | 75/45 | 60% Fair | X | | | n/a | West | West | | | | n/a | n/a |
| 18 | <i>Quercus agrifolia</i> | Coast live oak | 8.3 | - | - | 8.3 | 27/16 | 55/40 | 48% Fair | X | | | n/a | | | | | Bark inclusion fork (defect) at 5 feet. | n/a | n/a |

| Tree Tag Number | Genus & Species | Common Name | Trunk1 Diameter | Trunk2 Diameter | Trunk3 Diameter | Sum of All Trunk Diameters | Height & Canopy Spread (Ft.) | Health & Structural Rating (100% Each) | Overall Condition Rating (0 to 100%) | (R)emove Tree | (S)ave Tree | (D)isposition Unclear | Tree Conservation Suitability Ratings (TCS) | Lopsided Canopy (note direction) | Trunk Lean (note direction) | Girdling Roots | Root Flares Buried in Fill Soil | Pests and Disease Presence, and Other Notes | SUGGESTED ROOT PROTECTION FENCE RADIUS (Ft.) | MAINTENANCE AND PROTECTION CODES |
|-----------------|---|------------------|-----------------|-----------------|-----------------|----------------------------|------------------------------|--|--------------------------------------|---------------|-------------|-----------------------|---|----------------------------------|-----------------------------|----------------|---------------------------------|--|---|----------------------------------|
| 19 | <i>Quercus agrifolia</i> | Coast live oak | 9.3 | - | - | 9.3 | 27/15 | 75/65 | 70% Good | X | | | n/a | | | | | | n/a | n/a |
| 20 | <i>Quercus agrifolia</i> | Coast live oak | 8.7 | - | - | 8.7 | 28/17 | 80/65 | 75% Good | X | | | n/a | | | | | | n/a | n/a |
| 21 | <i>Quercus agrifolia</i> NEIGHBOR TREE | Coast live oak | 38.6 | - | - | 38.6 | 40/60 | 80/60 | 64% Good | | X | | Good | | | | | Bark inclusion fork at 2.5 to 4.5 feet elevation above grade (defect). Owner of this tree = unknown. | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. | TPZ/RPZ |
| 22 | <i>Heteromeles arbutifolia</i> | California toyon | 5.1 | - | - | 5.1 | 20/20 | 70/70 | 70% Good | X | | | n/a | | | | | S-trunk form. | n/a | n/a |
| 23 | <i>Quercus agrifolia</i> | Coast live oak | 7.5 | - | - | 7.5 | 25/20 | 80/70 | 75% Good | X | | | n/a | | | | | | n/a | n/a |

| Tree Tag Number | Genus & Species | Common Name | Trunk1 Diameter | Trunk2 Diameter | Trunk3 Diameter | Sum of All Trunk Diameters | Height & Canopy Spread (Ft.) | Health & Structural Rating (100% Each) | Overall Condition Rating (0 to 100%) | (R)emove Tree | (S)ave Tree | (D)isposition Unclear | Tree Conservation Suitability Ratings (TCS) | Lopsided Canopy (note direction) | Trunk Lean (note direction) | Girdling Roots | Root Flares Buried in Fill Soil | Pests and Disease Presence, and Other Notes | SUGGESTED ROOT PROTECTION FENCE RADIUS (Ft.) | MAINTENANCE AND PROTECTION CODES |
|-----------------|--------------------------|----------------|-----------------|-----------------|-----------------|----------------------------|------------------------------|--|--------------------------------------|---------------|-------------|-----------------------|---|----------------------------------|-----------------------------|----------------|---------------------------------|---|--|----------------------------------|
| 24 | <i>Quercus agrifolia</i> | Coast live oak | 24.5 | - | - | 24.5 | 35/45 | 60/60 | 60% Fair | | X | | Mod | | | | | Tree overhangs the roadway proposed footprint, with live wood and foliage hanging down to approx. 10 feet above grade elevation. Tree will require pruning to clear at least 16 to 18 vertical feet above the roadway (as airspace clearance for expected tall machinery ingress/ egress as necessary to perform planned construction | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. Prune out canopy as necessary to gain additional airspace clearance vertical feet, above the existing canopy height of 10 feet above soil grade elevations. | TPZ/RPZ, P. |

| Tree Tag Number | Genus & Species | Common Name | Trunk1 Diameter | Trunk2 Diameter | Trunk3 Diameter | Sum of All Trunk Diameters | Height & Canopy Spread (Ft.) | Health & Structural Rating (100% Each) | Overall Condition Rating (0 to 100%) | (R)emove Tree | (S)ave Tree | (D)isposition Unclear | Tree Conservation Suitability Ratings (TCS) | Lopsided Canopy (note direction) | Trunk Lean (note direction) | Girdling Roots | Root Flares Buried in Fill Soil | Pests and Disease Presence, and Other Notes | SUGGESTED ROOT PROTECTION FENCE RADIUS (Ft.) | MAINTENANCE AND PROTECTION CODES |
|-----------------|---|----------------|-----------------|-----------------|-----------------|----------------------------|------------------------------|--|--------------------------------------|---------------|-------------|-----------------------|---|----------------------------------|-----------------------------|----------------|---------------------------------|---|--|----------------------------------|
| 25 | <i>Quercus agrifolia</i> | Coast live oak | 6 | 6 | 6 | Total 7 stems 35" | 20/23 | 80/65 | 75% Good | | X | | Poor | | | | | Tree hangs down to 4 feet above grade over the proposed roadway asphalt and baserock base section plan area. The entire east side of canopy may need to be pruned out to clear the roadway. | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. Prune to clear roadway, with the understanding that this degree of pruning will be "severe" and may cause irreversible decline of tree vigor, and/or death. | TPZ/RPZ |
| 26 | <i>Quercus agrifolia</i> NEIGHBOR TREE | Coast live oak | 37.7 | - | - | 37.7 | 32/50 | 60/50 | 55% Fair | | X | | Mod or Good | | | | | Tree appears to be located "off-site" on a neighboring lot. No apparent conflicts between proposed work and the canopy, if fencing is erected per the CTA's tree map markup. | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. | TPZ/RPZ |
| 27 | <i>Quercus agrifolia</i> | Coast live oak | 7.5 | - | - | 7.5 | 21/12 | 80/45 | 60% Fair | X | | | n/a | | | | | Two codominant mainstems with bark inclusion fork at 5 feet (defect). | n/a | n/a |

| Tree Tag Number | Genus & Species | Common Name | Trunk1 Diameter | Trunk2 Diameter | Trunk3 Diameter | Sum of All Trunk Diameters | Height & Canopy Spread (Ft.) | Health & Structural Rating (100% Each) | Overall Condition Rating (0 to 100%) | (R)emove Tree | (S)ave Tree | (D)isposition Unclear | Tree Conservation Suitability Ratings (TCS) | Lopsided Canopy (note direction) | Trunk Lean (note direction) | Girdling Roots | Root Flares Buried in Fill Soil | Pests and Disease Presence, and Other Notes | SUGGESTED ROOT PROTECTION FENCE RADIUS (Ft.) | MAINTENANCE AND PROTECTION CODES |
|-----------------|--------------------------|----------------|-----------------|-----------------|-----------------|----------------------------|------------------------------|--|--------------------------------------|---------------|-------------|-----------------------|---|----------------------------------|-----------------------------|----------------|---------------------------------|--|--|----------------------------------|
| 28 | <i>Quercus agrifolia</i> | Coast live oak | 6.0 | - | - | 6.0 | 25/9 | 75/60 | 66% Good | | X | | Mod | | | | | | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. | TPZ/RPZ |
| 29 | <i>Quercus agrifolia</i> | Coast live oak | 6 | 4 | 4 | 14 | 20/16 | 80/40 | 46% Fair | | X | | Poor | | | | | Same situation as oak #25, which is that proposed roadway work will require that the entire east side of the canopy is pruned out to clear the roadway and any associated retaining wall and/or edging, etc. along the west side of the roadway (see applicant sheet A2, and see the CTA's tree map markup attached to this report). Note multiple bark inclusion forks in this mainstem system (structural defects). | Erect chain link root protection zone fencing along the red dashed lines per the CTA's tree map markup attached to this report. Prune to clear roadway, with the understanding that this degree of pruning will be "severe" and may cause irreversible decline of tree vigor, and/or death. | TPZ/RPZ |

Overall Tree Condition Ratings / Breakdown of Numeric Ranges

(New, Per *Guide for Plant Appraisal, 10th Edition*):

00 - 05% = Dead

06 - 20% = Very Poor

21 - 40% = Poor

41 - 60% = Fair

61 - 80% = Good

81 - 100% = Exceptional

Tree Conservation Suitability (TCS) Ratings¹

A tree's suitability for conservation is determined based on its health, structure, age, species and disturbance tolerances, proximity to proposed cutting and filling, proximity to proposed construction or demolition as shown on the most current plan sheet iterations, and potential longevity, using a scale of good, fair, or poor (Fite, K, and Smiley, E. T., 2016). The following list defines the rating scale. Note that if proposed site work can be offset to farther linear distances from a tree's trunk edge, a tree's TCS rating may be elevated by one rating tier, given that there would be a corresponding reduction in expected future root zone impacts.

| TCS Ratings | Range of values | |
|-----------------|-----------------|---|
| Good | 80-100 | Trees with good health, good structural stability and good expected longevity after construction. |
| Moderate | 60-79 | Trees with fair health and/or structural defects that may be mitigated through treatment. These trees require more intense management and monitoring, before, during, and after construction, and may have shorter life expectancy after development. |
| Poor | <59 | Trees are expected to decline during or after construction regardless of management. The species or individual may possess characteristics that are incompatible or undesirable in landscape settings or unsuited for the intended use of the site. |

TCS Ratings Worksheet Factors (Total Possible: 100 Points)

| |
|---|
| Health (1-15) |
| Root Cut/Fill Distance from Trunk (1-15) |
| Structure Defects (1-15) |
| Construction Tolerance of the tree species (1-15) |
| Age relative to typical species lifespan (1-10) |
| Location of construction activity (1-10) |
| Soil quality/characteristics (1-10) |
| Species desirability (1-10) |

¹ Derived from Fite and Smiley, 2016. *Best Management Practices: Managing Trees During Construction*, 2nd Edition. International Society of Arboriculture.

Tree Maintenance and Protection Codes Used in Data Table:

RPZ / TPZ: Root protection zone or "Tree Protection Zone" fence, chain link, with 2" diameter iron posts driven 24" into the ground, 6 to 8 feet on center max. spacing. Alternative material: chain link fence panels set over concrete block-type footings, with the fence panels wired to steel pins pounded 24 inches into the ground at both ends of each panel.

RB: Root buffer consisting of wood chip mulch lain over existing soil as a 12 inch thick layer, overlain with 1 inch or greater plywood strapped together with metal plates. This root buffer or soil buffer should be placed over the entire width of the construction corridor between tree trunks and construction.

RP: Root pruning. Prune woody roots measuring greater than or equal to 1 inch diameter by carefully back-digging into the soil around each root using small hand tools until an area is reached where the root is undamaged. Cleanly cut through the root at right angle to the root growth direction, using professional grade pruning equipment and/or a Sawzall with wood pruning blade. Backfill around the cut root immediately (same day), and thoroughly irrigate the area to saturate the uppermost 24 inches of the soil profile.

BDRP: Back-dig root pruning: Hand-dig around the broken root, digging horizontally into the open soil root zone until a clean, unbroken, unshattered section of the root is visible. Proceed as per 'root pruning'.

RCX: Root crown excavation. Retain an experienced ISA-Certified arborist to perform careful hand-digging using small trowels or other dull digging tools to uncover currently-buried buttress root flares. Digging shall occur between trunk edge and at least two (2) feet horizontal from trunk edge. The final soil elevation will be at a level such that the tree's buttress roots visibly flare out from the vertical trunk.

TB: Trunk buffer consists of 20-40 wraps of orange plastic snow fencing to create a 2 inch thick buffer over the lowest 8 feet of tree trunk (usually takes at least an entire roll of orange fencing per each tree). Lay 2X4 wood boards vertically, side by side, around the entire circumference of the trunk. Secure buffer using duct tape (not wires).

F: Fertilization with slow-release Greenbelt 22-14-14 tree formula, as a soil injection application using a fertilizer injection gun. This brand and formulation is commonly used by reputable tree care companies in the Bay Area. Apply at label rate and injection hole spacing.

M: 4-inch thick layer of chipper truck type natural wood chips (example source: Lyngso Garden Supply, self pick-up). Do not use bark chips or shredded redwood bark.

W: Irrigate using various methods to be determined through discussion with General Contractor. Irrigation frequency and duration to be determined through discussion and/or per directions in this report. Native oak species typically require 1x/month irrigation, while other tree species tend to prefer 2x/month or 4x/month moderate to heavy irrigation during construction.

P: Pruning per specifications noted elsewhere. All pruning must be performed only under direct site supervision of an ISA Certified Arborist, or performed directly by an ISA Certified Arborist, and shall conform to all current ANSI A300 standards.

MON: A Project Arborist must be present to monitor specific work as noted for each tree.

12.0 Attached: Tree Location & Protection Fence Map Mark-up

The CTA marked up the applicant's sheet A2, attached to this report.

The markups added to the applicant's document include:

- Trunk plot dots, enlarged, at approximate locations of the trees.
- Numeric tree tag numbers 1 through 29 noted in large font size (the CTA added additional trees to the plot sheet that were not originally identified on any of the applicant's plan sheets).
- Approximate canopy driplines shown in true scale, in relation to proposed new work, using "black clouding" (placed directly over the applicant architect's line dashed line rendering of canopy driplines, which were found to be roughly accurate when ground-truthed by the CTA).
- Red dashed heavy lines = the CTA's suggested root protection zone (RPZ) chain link fence routing for protection of horizontally-extended woody roots. Note that the routing around trees #24, #25, and #26 is tightlined along the assumed lot lines of this private property. The CTA assumed that fencing would not be allowed to be placed anywhere on the joint-use driveway right of way, and that the only locations available for fence erection would be the eastmost property lines where the private lot adjoins the existing joint-use roadway.
- NOTE: The area indicated by applicant as "to retention area" is highlighted in magenta. The extent of the applicant's proposed storm drain pipe trenching, and any associated rock dissipaters, outfalls, and retention area excavation is completely unknown as of the date of this CTA arborist report writing.

13.0 Attached: CTA Tree Appraisal Worksheet using 10th Edition of *Guide for Plant Appraisal* as basis

| GRADING & DRAINAGE NOTES |
|---|
| FINAL GRADING AND DRAINAGE PLANS TO BE PREPARED BY A CIVIL ENGINEER |
| ALL SITE DRAINAGE TO BE COLLECTED IN TIGHT LINES AND DISTRIBUTED THROUGH RETENTION DEVICES TO LANDSCAPED AREAS AT WESTERN PORTION OF THE SITE |

| T R E E T A B L E | | | |
|---------------------|------|---------|----------------|
| NUMBER | SIZE | SPECIES | REMOVED/REMAIN |
| 1 | | | TO REMAIN |
| 2 | | | TO REMAIN |
| 3 | | | TO REMAIN |
| 4 | | | TO REMAIN |
| 5 | | OAK | TO REMAIN |
| 6 | | OAK | TO REMAIN |
| 7 | | | TO BE REMOVED |
| 8 | | | TO BE REMOVED |
| 9 | 7" | OAK | TO BE REMOVED |
| 10 | 9" | OAK | TO BE REMOVED |
| 11 | 2" | | TO BE REMOVED |
| 12 | 8" | | TO BE REMOVED |
| 13 | 6" | OAK | TO BE REMOVED |
| 14 | 6" | | TO REMAIN |
| 15 | 8" | | TO BE REMOVED |
| 16 | 8" | | TO BE REMOVED |
| 17 | 8" | | TO BE REMOVED |
| 18 | 8" | | TO REMAIN |
| 19 | 10" | | TO BE REMOVED |
| 20 | 9" | | TO BE REMOVED |
| 21 | 34" | OAK | TO REMAIN |
| 22 | 8" | | TO BE REMOVED |
| 23 | 8" | | TO BE REMOVED |
| 24 | 25" | OAK | TO REMAIN |
| 25 | 15" | OAK | TO REMAIN |

DRAWINGS PREPARED BY

CHRIS SPAULDING
□ A R C H I T E C T □

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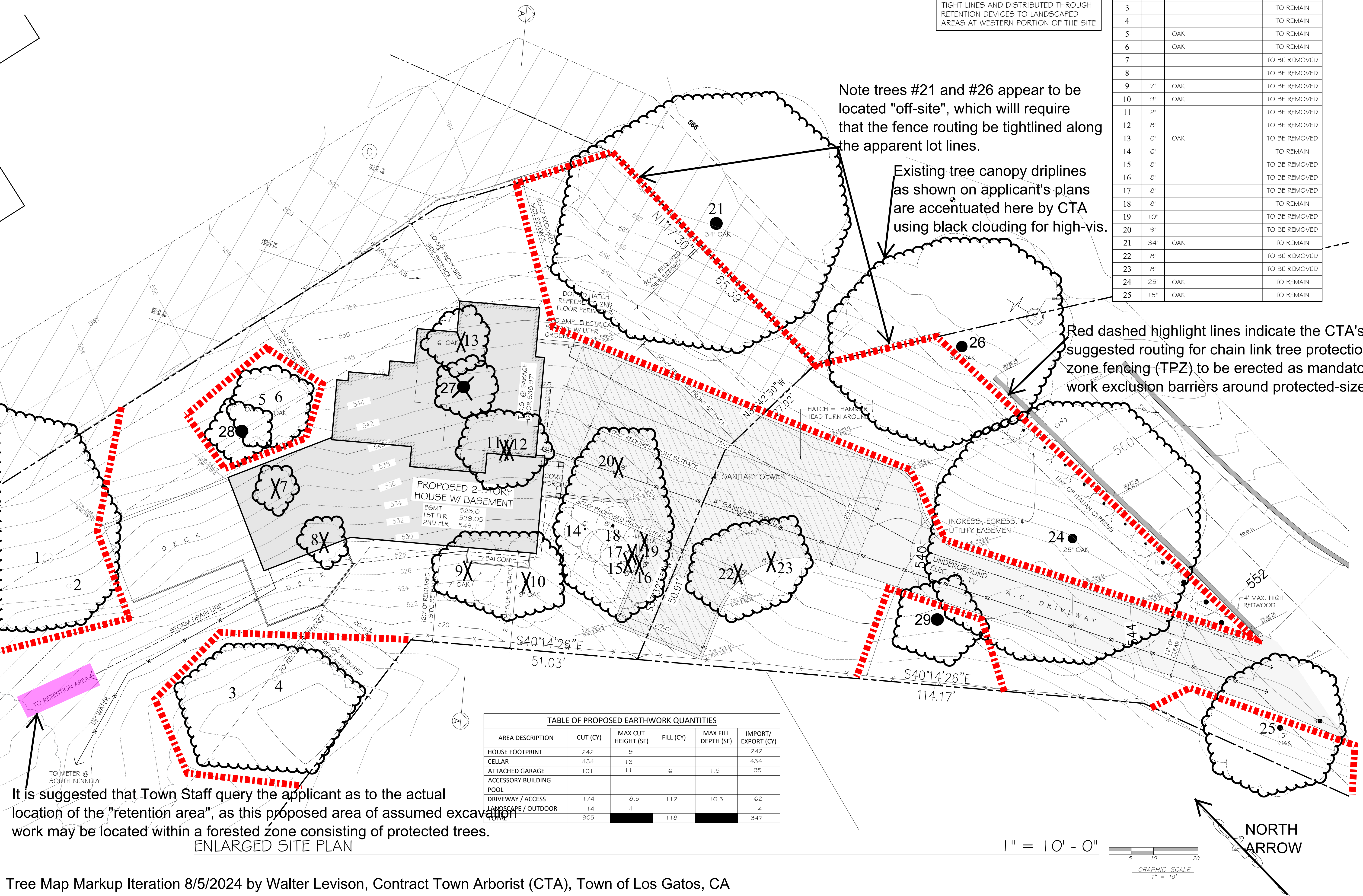
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| RELIMINARY SET | |
| DESIGN REVIEW SET | |
| PLAN CHECK SET | |
| PERMIT SET | |
| CONSTRUCTION SET | |

NICOL RESIDENCE
16497 S KENNEDY RD
 LOS GATOS ■ CALIFORNIA

| | |
|--------|-----------|
| DATE: | 6-12-2024 |
| SCALE: | AS NOTED |
| DRAWN: | CS/DB |
| JOB: | NICOL |
| SHEET | |

A2



Tree Map Markup Iteration 8/5/2024 by Walter Levison, Contract Town Arborist (CTA), Town of Los Gatos, CA
Tree canopy driplines shown as black clouding are to accentuate the dimensions indicated on applicant plan sheet A2.
Suggested tree protection zone fencing (chain link material, either hung on 2" diameter iron tube posts, or chain link prefabricated panels) are shown as red dashed lines.
Trees #26, 27, 28, 29 were added onto the tree study by the CTA as they were found to be protected size specimens in the immediate vicinity of the applicant's proposed work layout.



Valuation Appraisal Worksheet Based on *Guide for Plant Appraisal, 10th Edition*, 2nd Printing (2019)

"Functional Replacement Method / Trunk Formula Technique"

16497 S. Kennedy Rd, Los Gatos, California 8/5/2024

| Tree Tag # | Name (Initials) | WCISA Species Group Classification Booklet Page | Health (Weighted 0.15) | Structure (Weighted 0.70) | Form (Weighted 0.15) | Overall Condition Rating (OCR) "Weighted Method" | Diameter Inches at 4.5 ft. Above Grade | Depreciation Factors | | WCISA Species Group Number | Trunk Square Inches for Replacement-Size Specimen of This Species | Average SF Bay Area Cost of 24 Inch Box Tree (2019) | Line 9 (UTC) Unit Tree Cost per Sq Inch (M Divided by L) | Trunk Area (TA) ((dia. x dia.) x 0.785) | Line 10 Basic Functional Replacement Cost (BFRC) = (OxN) | Line 11 Depreciated Functional Replacement Cost (DFRC) = PxGxLxJ | Rounded-off Appraised Values |
|------------|-----------------|---|------------------------|---------------------------|----------------------|--|--|----------------------|-----|----------------------------|---|---|---|---|---|---|------------------------------|
| 1 | Qa | 30 | 0.2 | 0.2 | 0.6 | 26% | 33 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 854.87 | \$ 56,241 | \$ 9,359 | \$9,400 |
| 2 | Oe | 22 | 0.6 | 0.5 | 0.6 | 53% | multi stem total | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 240.00 | \$ 15,789 | \$ 5,356 | \$5,400 |
| 3 | Qa | 30 | 0.7 | 0.55 | 0.5 | 57% | 11 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 94.99 | \$ 6,249 | \$ 2,260 | \$2,260 |
| 4 | Qa | 30 | 0.6 | 0.5 | 0.6 | 53% | multi stem total | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 170.00 | \$ 11,184 | \$ 3,794 | \$3,790 |
| 5 | Qa | 30 | 0.85 | 0.6 | 0.7 | 65% | 11.6 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 105.63 | \$ 6,949 | \$ 2,902 | \$2,900 |
| 6 | Qa | 30 | 0.5 | 0.5 | 0.6 | 52% | 11 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 94.99 | \$ 6,249 | \$ 2,060 | \$2,060 |
| 7 | Oe | 22 | 0.75 | 0.65 | 0.65 | 67% | multi stem total | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 395.00 | \$ 25,987 | \$ 11,060 | \$11,100 |
| 8 | Ha | 18 | 0.65 | 0.45 | 0.6 | 50% | multi stem total | 80% | 80% | 1 | 2.09 | \$250.00 | \$119.62 | 75.00 | \$ 8,971 | \$ 2,885 | \$2,890 |
| 9 | Qa | 30 | 0.75 | 0.45 | 0.65 | 53% | 7.5 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 44.16 | \$ 2,905 | \$ 976 | \$980 |
| 10 | Qa | 30 | 0.75 | 0.7 | 0.6 | 69% | 9.5 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 70.85 | \$ 4,661 | \$ 2,066 | \$2,070 |
| 11 | Qa | 30 | 0.8 | 0.75 | 0.7 | 75% | 4.9 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 18.85 | \$ 1,240 | \$ 595 | \$600 |
| 12 | Oe | 22 | 0.8 | 0.7 | 0.7 | 72% | multi stem total | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 80.00 | \$ 5,263 | \$ 2,408 | \$2,410 |
| 13 | Qa | 30 | 0.65 | 0.65 | 0.75 | 67% | multi stem total | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 25.00 | \$ 1,645 | \$ 700 | \$700 |
| 14 | Qa | 30 | 0.65 | 0.55 | 0 | 48% | 6.5 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 33.17 | \$ 2,182 | \$ 674 | \$670 |
| 15 | Qa | 30 | 0.6 | 0.4 | 0.7 | 48% | multi stem total | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 47.00 | \$ 3,092 | \$ 940 | \$940 |
| 16 | Qa | 30 | 0.75 | 0.75 | 0.7 | 74% | 8.1 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 51.50 | \$ 3,388 | \$ 1,610 | \$1,610 |



Valuation Appraisal Worksheet Based on *Guide for Plant Appraisal, 10th Edition*, 2nd Printing (2019)

"Functional Replacement Method / Trunk Formula Technique"

16497 S. Kennedy Rd, Los Gatos, California 8/5/2024

| Tree Tag # | Name (Initials) | WCISA Species Group Classification Booklet Page | Health (Weighted 0.15) | Structure (Weighted 0.70) | Form (Weighted 0.15) | Overall Condition Rating (OCR) "Weighted Method" | Diameter Inches at 4.5 ft. Above Grade | Depreciation Factors | | WCISA Species Group Number | Trunk Square Inches for Replacement-Size Specimen of This Species | Average SF Bay Area Cost of 24 Inch Box Tree (2019) | Line 9 | Trunk Area (TA) ((dia. x dia.) x 0.785) | Line 10 | Line 11 | Rounded-off Appraised Values |
|------------|-----------------|---|------------------------|---------------------------|----------------------|--|--|------------------------|----------------------|----------------------------|---|---|---|---|---|--|------------------------------|
| | | | | | | | | Functional Limitations | External Limitations | | | | (UTC) Unit Tree Cost per Sq Inch (M Divided by L) | | Basic Functional Replacement Cost (BFR) = (OxN) | Depreciated Functional Replacement Cost (DFRC) = PxGxIxJ | |
| 17 | Qa | 30 | 0.75 | 0.45 | 0.8 | 55% | 9.2 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 66.44 | \$ 4,371 | \$ 1,532 | \$1,530 |
| 18 | Qa | 30 | 0.55 | 0.4 | 0.65 | 46% | 8.3 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 54.08 | \$ 3,558 | \$ 1,047 | \$1,050 |
| 19 | Qa | 30 | 0.75 | 0.65 | 0.75 | 68% | 9.3 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 67.89 | \$ 4,467 | \$ 1,944 | \$1,940 |
| 20 | Qa | 30 | 0.8 | 0.65 | 0.7 | 68% | 8.7 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 59.42 | \$ 3,909 | \$ 1,701 | \$1,700 |
| 21 | Qa | 30 | 0.8 | 0.6 | 0.8 | 66% | 38.6 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 1169.62 | \$ 76,949 | \$ 32,503 | \$32,500 |
| 22 | Ha | 18 | 0.7 | 0.7 | 0.6 | 69% | 5.1 | 80% | 80% | 1 | 2.09 | \$250.00 | \$119.62 | 20.42 | \$ 2,442 | \$ 1,071 | \$1,070 |
| 23 | Qa | 30 | 0.8 | 0.7 | 0.75 | 72% | 7.5 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 44.16 | \$ 2,905 | \$ 1,343 | \$1,340 |
| 24 | Qa | 30 | 0.6 | 0.6 | 0.8 | 63% | 24.5 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 471.20 | \$ 31,000 | \$ 12,499 | \$12,500 |
| 25 | Qa | 30 | 0.8 | 0.65 | 0.75 | 69% | multi stem total | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 145.00 | \$ 9,539 | \$ 4,197 | \$4,200 |
| 26 | Qa | 30 | 0.6 | 0.5 | 0.7 | 55% | 37.7 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 1115.71 | \$ 73,402 | \$ 25,603 | \$25,600 |
| 27 | Qa | 30 | 0.8 | 0.45 | 0.7 | 54% | 7.5 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 44.16 | \$ 2,905 | \$ 1,004 | \$1,000 |
| 28 | Qa | 30 | 0.75 | 0.6 | 0.65 | 63% | 6 | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 28.26 | \$ 1,859 | \$ 750 | \$750 |
| 29 | Qa | 30 | 0.8 | 0.4 | 0.6 | 49% | multi stem total | 80% | 80% | 3 | 3.8 | \$250.00 | \$65.79 | 54.00 | \$ 3,553 | \$ 1,114 | \$1,110 |



Valuation Appraisal Worksheet Based on *Guide for Plant Appraisal, 10th Edition* , 2nd Printing (2019)
"Functional Replacement Method / Trunk Formula Technique"
16497 S. Kennedy Rd, Los Gatos, California 8/5/2024

| Tree Tag # | Name (Initials) | WCISA Speces Group Classification Booklet Page | Health (Weighted 0.15) | Structure (Weighted 0.70) | Form (Weighted 0.15) | Overall Condition Rating (OCR) "Weighted Method" | Diameter Inches at 4.5 ft. Above Grade | Depreciation Factors | | WCISA Species Group Number | Trunk Square Inches for Replacement-Size Specimen of This Species | Average SF Bay Area Cost of 24 Inch Box Tree (2019) | Line 9 (UTC) Unit Tree Cost per Sq Inch (M Divided by L) | Trunk Area (TA) ((dia. x dia.) x 0.785) | Line 10 Basic Functional Replacement Cost (BFRC) = (OxN) | Line 11 Depreciated Functional Replacement Cost (DFRC) = PxGxIxJ | Rounded-off Appraised Values |
|---|-----------------|--|------------------------|---------------------------|----------------------|--|--|----------------------|--|----------------------------|---|---|---|---|--|---|------------------------------|
| Notes: 1. OVERALL CONDITION RATING RANGE per the new 10th edition, 2nd Printing, of <i>Guide for Plant Appraisal</i> (2019): Excellent: 81-100% Good: 61-80% Fair: 41-60% Poor: 21-40% Very Poor: 6-20% Dead: 0-5% 2. MULTI STEM TREES: For trees with multiple mainstems, the sum total of all mainstem cross sectional areas was used as the "trunk area" calculation. 3. NEIGHBOR TREES: For neighbor-owned trees that were not accessible by the CTA, the trunk diameter was estimated from a distance to the best of the CTA's ability. 4. CONDITION RATINGS / APPRAISAL TABLE VS. DATA TABLE: Because of the new appraisal methods outlined in the 2019 edition of the <i>Guide for Plant Appraisal, 10th edition 2nd printing</i> , the condition ratings calculated in the "Overall Condition Rating / Weighted Method" column, and the data noted in the health and structure columns of this spreadsheet (with calculations embedded), may in some cases be slightly different from data in the CTA's arborist report tree data table. 5. "APPARENTLY OFF-SITE" TREES INDICATED AS YELLOW HIGHLIGHT ALONG ENTIRE ROW (OWNERSHIP NOT VERIFIED. MAY BE ON-SITE OR OFF-SITE). | | | | | | | | | | | | | | | Total Appraised Value of the Study Trees Assessed by the CTA (Trees #1 Through #29). | \$136,070 | |

Hi Jocelyn,

Here is a summary of my neighborhood outreach.

16505 S Kennedy Rd.

I met with one of the [REDACTED] of the home owner of this property in mid January 2025. I described the scope of the project and I gave them a print out of the proposed plans.

16515 S Kennedy Rd.

I spoke with [REDACTED] in December 2024 about my plans on building a home on my property that is directly above her property. She was very supportive and wished me good luck building! Then, on January 27th I asked her for permission for my geologist to walk her property and she granted us access the following day. They have been given a printed set of plans as well.

16491 S Kennedy Rd.

I have spoken with [REDACTED] multiple times about my plans of building a home and he has been very understanding and supportive throughout the entire process.

16555 S Kennedy

I stopped by multiple times to [REDACTED] and they weren't home any of the times I tried to knock on their door. I believe they live in [REDACTED] most of the time.

16565 S Kennedy Rd.

I have spoken with [REDACTED] multiple times for several hours about all of his concerns. My General Contractor has answered many questions of his in detail. And I also offered to him to have my geologist provide his expert opinion about the stone wall in question that isn't on my property. And we agreed that there would be planting of trees near the stone wall to cover the exterior of my new proposed residence. He also was concerned with the height of the story poles and it blocking his view. So, I laid down on the road and demonstrated to him from laying on the pavement that I couldn't see the orange netting from the height of the pavement.

16575 S Kennedy Rd.

I spoke to [REDACTED] yesterday (3-20-25) and he was concerned about the size of the home and I explained to him that the proposed size was much less than the maximum allowed. And he was also concerned about the stone wall which I also explained wasn't on my property.

And that if construction from my property caused any damage to the wall I would repair the wall. He made it very clear he didn't want to see a home in that location from his property.



AERIAL VIEW OF BUILDING SITE



LOOKING UP VIVIAN DRIVE AT THE NEW DRIVEWAY ENTRANCE LOCATION

FROM THE OFFICE OF
CHRIS SPAULDING
ARCHITECT

CAMELIA STREET, SUITE E
BERKELEY CA 94710

PHOTO BOARD 1
16497 S KENNEDY RD
LOS GATOS CALIFORNIA



LOOKING DOWN VIVIAN DRIVE WHERE NEW DRIVEWAY WILL ENTER



LOOKING DOWN THE NEW DRIVEWAY ENTRY TOWARDS THE BUILDING SITE

FROM THE OFFICE OF
CHRIS SPAULDING
ARCHITECT
801 CAMELIA STREET, SUITE E
BERKELEY CA 94710

PHOTO BOARD 2
16497 S KENNEDY RD
LOS GATOS CALIFORNIA



FIRE APPARATUS TURN-AROUND LOCATION



LOOKING DOWN AT THE BUILDING SITE FROM THE ROAD ABOVE

FROM THE OFFICE OF
CHRIS SPAULDING
ARCHITECT
801 CAMELIA STREET, SUITE E
BERKELEY CA 94710

PHOTO BOARD 3
16497 S KENNEDY RD
LOS GATOS CALIFORNIA



THE FIRST HAIRPIN TURN ON THE OLD DRIVEWAY FROM KENNEDY ROAD

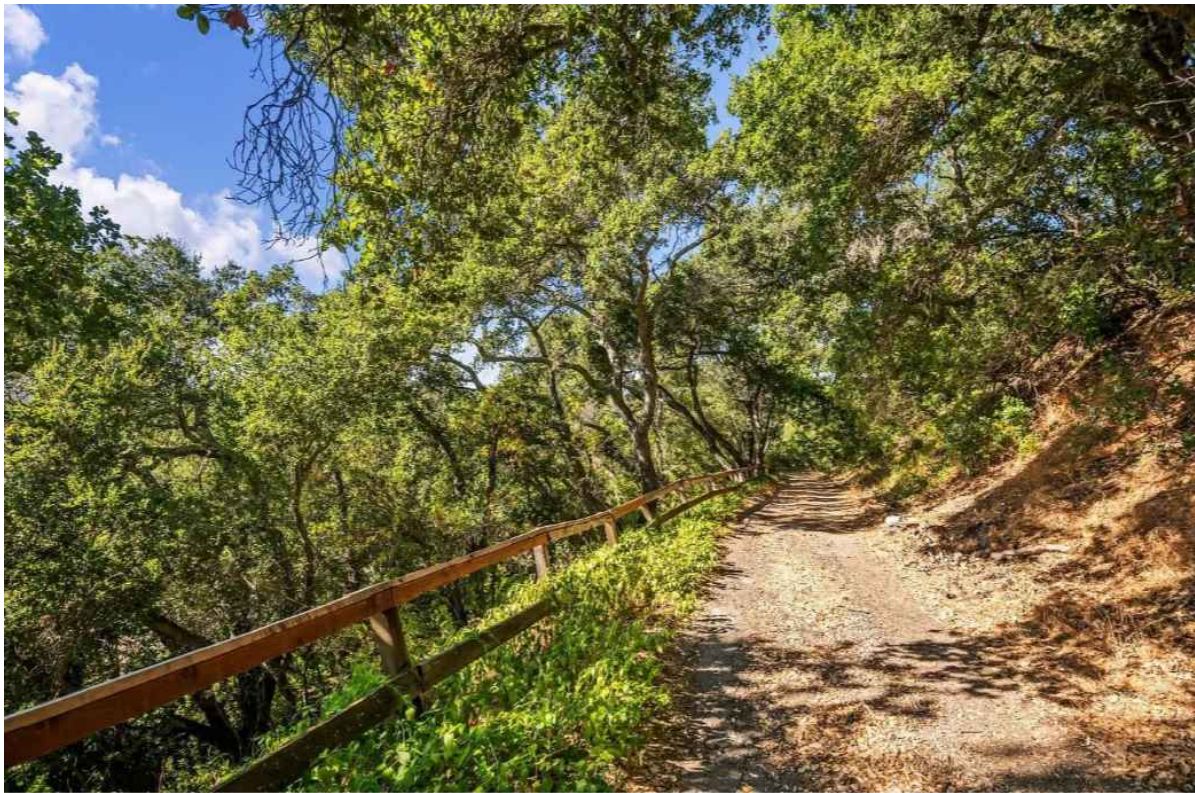


THE OLD DRIVEWAY FROM KENNEDY ROAD

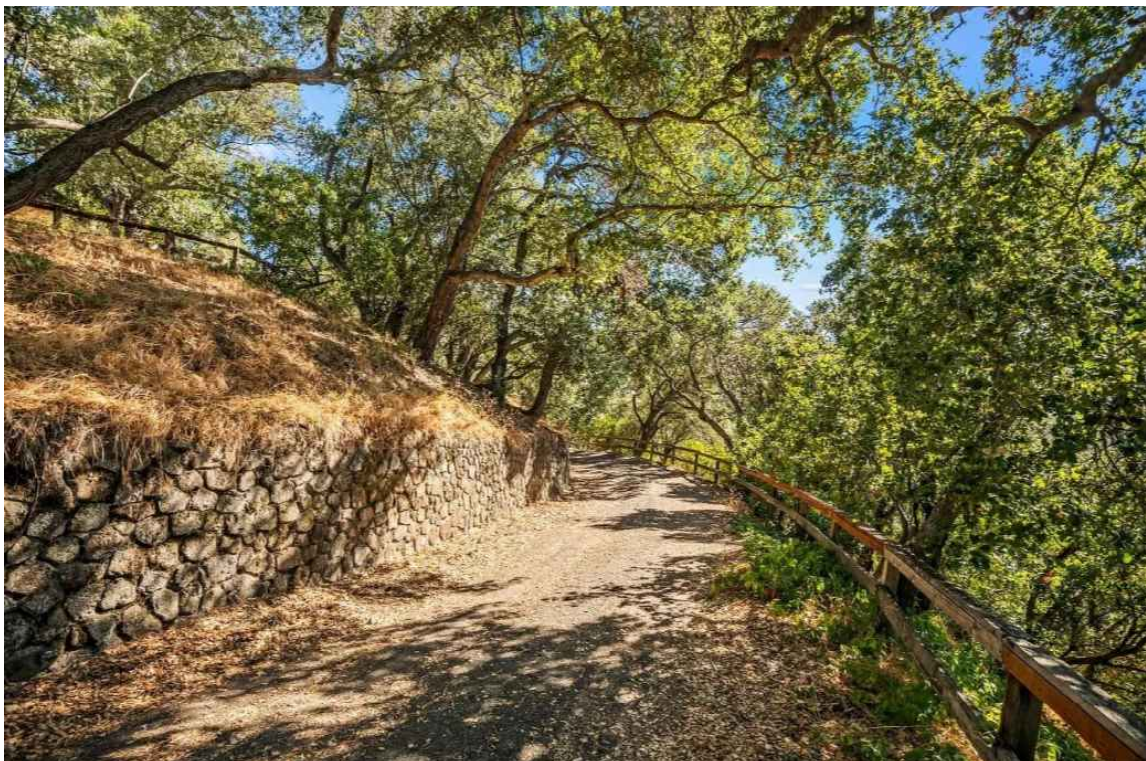
FROM THE OFFICE OF
CHRIS SPAULDING
ARCHITECT

801 CAMELIA STREET, SUITE E
BERKELEY CA 94710

PHOTO BOARD 4
16497 S KENNEDY RD
LOS GATOS CALIFORNIA



THE OLD DRIVEWAY FROM KENNEDY ROAD



THE OLD DRIVEWAY FROM KENNEDY ROAD

FROM THE OFFICE OF
CHRIS SPAULDING
ARCHITECT

801 CAMELIA STREET, SUITE E
BERKELEY CA 94710

PHOTO BOARD 5
16497 S KENNEDY RD
LOS GATOS CALIFORNIA

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From: Rohit Bakshi <[REDACTED]>
Sent: Thursday, March 20, 2025 9:50 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Cc: Apoorva Bakshi <[REDACTED]>
Subject: Re: Concerns Regarding Nicol Residence Project at 16497 South Kennedy Rd
Dear Jocelyn,

Sending you a consolidated draft as you are entering everything into record

Subject: Serious Privacy Concerns Regarding Proposed Development at [Project Address]

Dear Members of the Los Gatos Community Development Department,

I am writing on behalf of my family and neighbors to formally express our **serious concerns** regarding the proposed residential development Project at 16497 South Kennedy Rd adjacent to our property at [REDACTED]. This project presents **significant privacy intrusions**, which would have an extremely negative impact on our daily lives, privacy, and property value.

Major Privacy Concerns:

1. **Elevated Position & Direct Sightlines:** The proposed home is **substantially uphill** from our property, giving it an **unobstructed view into our backyards, swimming pool, master bedroom, and our daughter's bedroom**. This **violates our privacy** and creates an unacceptable level of intrusion.
2. **Second and Third-Story Windows & Balconies:** The architectural plans indicate **large, direct-facing second- and third-story windows, as well as multiple balconies**, all of which significantly **compromise our privacy** by allowing direct and continuous sightlines into our most private spaces.
3. **Grossly Inadequate Landscaping for Privacy Screening:**
 - o The landscape plan **fails to provide effective privacy** due to poor plant selection and placement.
 - o The **majority of trees are slow-growing (Coast Live Oak) or deciduous (Western Redbud, Toyon)**, meaning they will not provide immediate or year-round screening.
 - o **Shrubs and smaller plants are insufficient to block elevated second- and third-story sightlines** from the proposed home.
 - o The current design lacks a **continuous, dense tree buffer**, leaving open sightlines that **do not mitigate privacy concerns**.
 - o **No mature plantings** are specified in the plan, meaning privacy screening will take years to develop, if ever.

Requested Actions:

To address these concerns, we respectfully request the Planning Commission take the following actions before granting approval:

1. **Require significant modifications to the design** to reduce direct sightlines into our property. Specifically:

- Reposition or eliminate direct-facing second- and third-story windows that look into our private areas.
 - Reduce the proposed height of the project
 - Restrict balcony access or redesign the balconies to prevent direct views into our yard.
2. **Mandate an enhanced landscape screening plan** that includes:
- **Mature, fast-growing evergreen trees (e.g., Italian Cypress, Podocarpus, or similar species) of at least 14–16 feet at installation** to provide immediate and lasting privacy.
 - **Dense tree and hedge placement** along the property line to fully block sightlines.
 - **A privacy compliance requirement** ensuring screening remains in place and effective long-term, with required maintenance and replacement as necessary.
 - **Strategic tree placement specifically to block second- and third-story views** into our property, not just at ground level.
3. **Conduct a formal review of neighborhood compatibility** and evaluate whether the bulk and height of this project **violate the town’s privacy and neighborhood character guidelines**.

We urge the Planning Commission to carefully review this development **through the lens of neighborhood privacy protection** and require the necessary adjustments to safeguard our property and quality of life. This project, in its current form, is **fundamentally intrusive**, and without major modifications, will create **a permanent loss of privacy** for multiple adjacent properties.

We would appreciate the opportunity to discuss these concerns further in the upcoming hearing.

Sincerely,

Rohit and Apoorva Bakshi

I am Ken miller, a practicing physician in this community for 50 years.

My driveway begins at the corner of Kennedy and South Kennedy. There is a set of concrete pillars that guard the entrance of an old asphalt road that Mr. Nicols has suggested in the past would be best to have a gate. He claims this is a private road. By easement, it is not a private road. He should stop advertising it as a private road, and be reminded not to place a lock. Or have a future owner do either by recorded deed.

The workers, during construction of this project, should not use this one-way road in either direction. An exception to this would be only in the ascending direction when actively repairing the road, walls or for fire retardation.

The old stone walls are falling along this up driveway, and Mr. Nicols should repair the walls on his property. Multiple sites of collapse are evident, and threaten landslide, or falling rock to pedestrians below, motorists, and homes on South Kennedy. There already have been landslides, and fallen rock that has reached South Kennedy.

No heavy trucks are to use or park on the asphalt driveway above the project. Previously the old asphalt caved and rutted.

If a tractor is to be used on the asphalt, , it should have tires and not treads.

During construction, mature oak trees will be removed. We want mature oak trees replaced to shield the project from the homes above. These replacement trees should be the same height as the trees that would be killed. Their plantings should be far enough away from the old stone wall to have their root system not threaten the old stone walls, or the new home construction. It is possible the the developer will object to this screening condition, as it would reduce the size of the projected home. I am not objecting to the home. The developer chose to build a maximum size home not adequately considering the topography. This is an extremely narrow lot, on a steep hillside, on moving land that threatens the stability of the walls, the above embankment and the neighborhood. An objection to adequate screening to maintain the privacy feature, that includes the argument that screening needs to be minimal to squeeze this house onto the lot begs the question of how naive does he think this panel is? Adequate screening is a priority for all projects and all neighbors. The developer should have taken this into consideration when the project was conceived, not as a a trading piece to close a deal. If a smaller project with adequate screening is required, this obviously was as true when it was proposed as it is now. I think a smaller project fits screening requirements.

TH The wall above the project needs reenforcement, and a deed easement commitment to maintain these walls and roads at the financial cost to the developer or future owner under the

direction of the proper town enforcement department.

It is to be expected that during construction nails and screws etc. will scatter about the down driveway, Mr.Nichols should blow or sweep the driveway once a week during the construction period.

The driveway was heavily, extensively damaged during Mr. Nicols last development. Since all of that remodeling was initially done without permit, the homeowners did not have a formal opportunity to object to the damaged driveway. When he did get permits, the homeowners still were not able to object, not able to bring the damage to the authorities for remediation. This time the authorities should take him to task for past finagling and have him resurface the driveway with the same material he has damaged.

No existent trees on neighboring property, or their arbors, are to be cut by the developer or future owner, without written permission from the neighbors.

Continued open space is a priority to maintain the present wildlife habitation.

The property owners recent request for a further subdivision was denied. In deed form, the developer should stipulate that beyond this construction, there will be no further subdivision division and no more home construction on the remaining land so that it will forever be open space. This needs to be formally recorded.

From: Rohit Bakshi <[REDACTED]>
Sent: Thursday, March 20, 2025 3:23 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Cc: Apoorva Bakshi <[REDACTED]>
Subject: Re: Concerns Regarding Nicol Residence Project at 16497 South Kennedy Rd

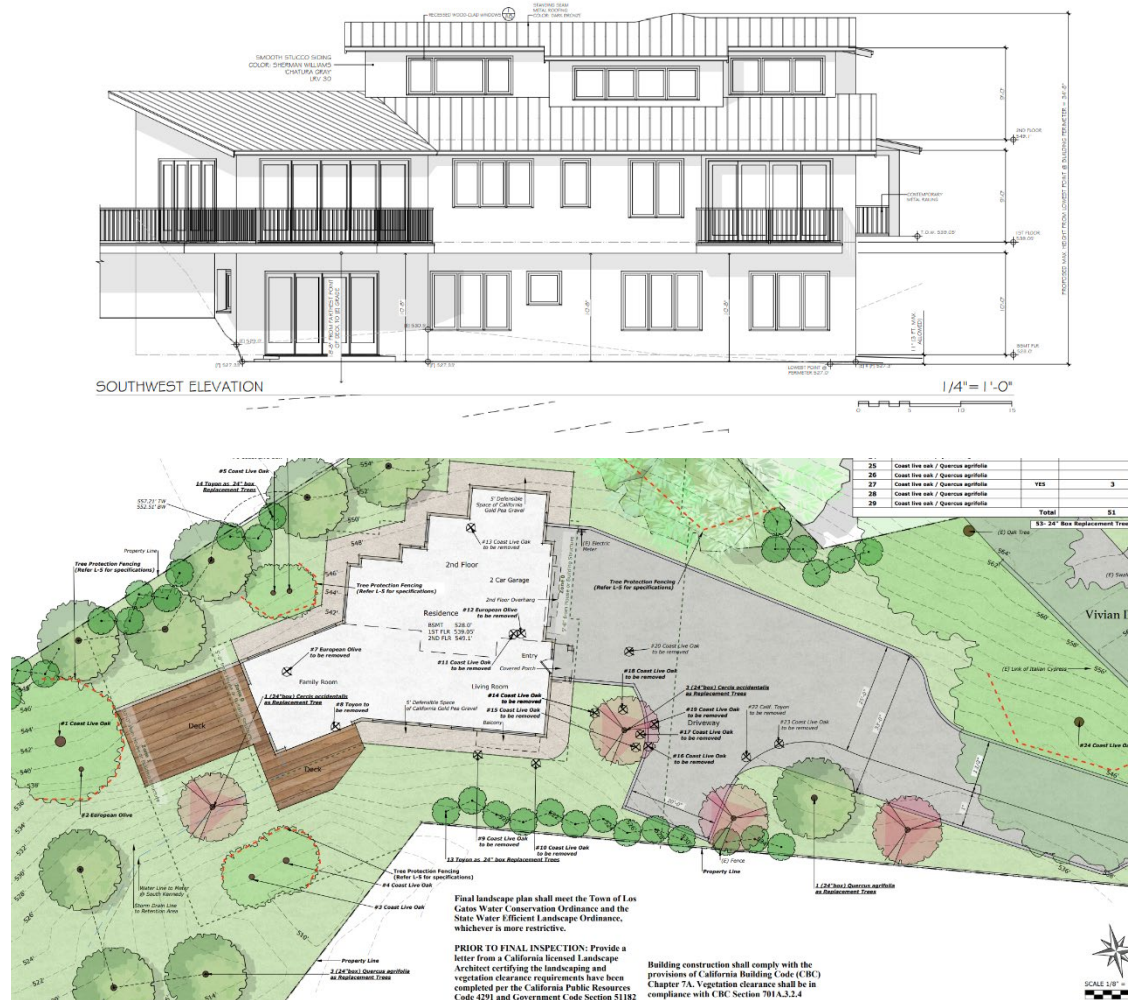
Hello Jocelyn,

It was a pleasure meeting you!

Thanks for taking the time today.

- I looked up the plans and my concerns are more elevated after that. I believe this entire face of the home (pic below) is looking downhill from our home . For most part they have huge windows , wall to ceiling sliding doors and balconies all overlooking our homes backyards , pool and our master bedroom

- From their landscaping plan it seems like all they will plant are Tyon plant , grossly insufficient to protect privacy . And for most of the periphery of the property there are no plans at all



Subject: Opposition to Proposed Development:

16497 Kennedy Rd Los Gatos, CA.- Regarding the impact of the potential risks to the safety and security of S. Kennedy Rd, private homes, and driveway accessibility.

Dear Planning Commission/Building Department,

I am writing to express my strong opposition to the proposed development project at 16497 Kennedy Rd. Los Gatos CA. This opposition and concern arises from the potential negative impacts regarding the safety and security of S. Kennedy Rd, private homes in the community and driveway access.

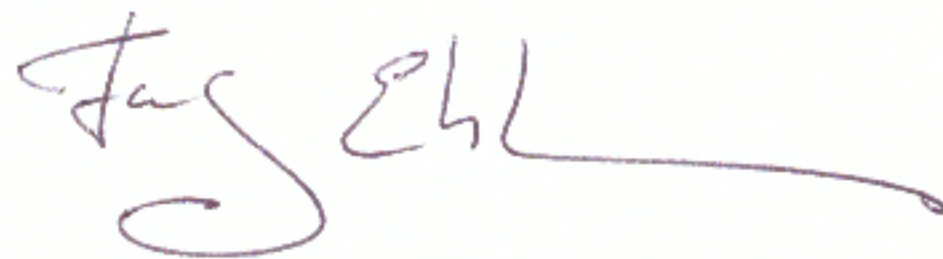
The proposed development will cause severe shifting in the earth and soil due to the excavation and grading processes that are implemented when building a home. These processes will cause potential risks to the current conditions on S. Kennedy Rd which in turn may lead to damages to the structure of S. Kennedy Rd, as well as the stone wall that is on the perimeter of S. Kennedy Rd. Unforeseen damages to the driveway and accessibility to our homes may occur; causing structural and financial damages. These potential damages will create structural and financial consequences that I am not wanting or willing to undertake at this time.

Furthermore, the proposed new home's elevation, building site, and size are unfitting to this down sloped lot. It will cause an unpleasant sight to me, my neighbors, and the community. As well as the disruption of the open space on S. Kennedy Rd. Los Gatos, CA

The proposed development at 16497 S. Kennedy Rd. Los Gatos, CA does not illustrate the continued safety and security of S. Kennedy Rd., private homes and driveway accessibility. Nor will it contribute to the aesthetics of the neighborhood. I urge you to prioritize projects that create safety, security and align with our community values.




Sincerely,

Fred Ebrahimi

A handwritten signature in dark ink, appearing to read 'Fred Ebrahimi', with a long horizontal flourish extending to the right.

Dear Jocelyn Shoopman,

We are here to support and represent the ownership of [REDACTED] as the sons of the owners. The property to be constructed in front of [REDACTED] which is 16497 South Kennedy Road is way too big. The plans call for a 4,844 sq ft structure along with a 663 sq ft garage totaling close to 5,500 sq ft. The structure is going to interfere with the general living experience of its neighbors. The building is going to destroy the wall which is historic alongside the current access road to the said property and destroy the embankment. There is a fire problem, mudslide problem and a flooding problem. The building is going to be a gigantic eye soar. It is not appropriately sized for the type of downslope lot and size of its lot .This lot is extremely sloped. There is a home below it , It is small, and can have grading issues which could create concern for its neighbors. . I urge you not to grant approval for such a massive non-conforming structure in what for over 100 years has been empty and what appears to be not suitable for such a huge unnecessary home.

| | | |
|----------------------|--|-----------|
| Matthew Ebrahimoon | <div>Signed by:  8B0EA725FAEA4CA...</div> | 3/17/2025 |
| Jonathan Ebrahimoon | <div>DocuSigned by:  817E8A9B2D484B0...</div> | 3/18/2025 |
| Nathaniel Ebrahimoon | <div>DocuSigned by:  249D7EB7D8244A6...</div> | 3/17/2025 |

From: Ken Miller <[REDACTED]>
Sent: Monday, March 17, 2025 12:35 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Subject:

Proposed Nichol residence at 16491 SOUTH KENNEDY RD.

With the threat of a fire on the hillside/wooded property, major insurance companies are refusing to renew fire insurance policies, or even offer a policy. When policies can be obtained, they are of limited coverages, or exorbitant rates.

Homeowners often are required to obtain fire insurance coverages, even though there is no reasonable risk. Hillside property in this semi-rural town setting is apparently deemed an unreasonable insurance risk. New homes, remodels and homes for resale may be reevaluated and deemed an unreasonable risk.

With fewer fire insurance policies issued, there is a negative wealth pressure. Homes without fire insurance leads to home sale price reduction, more expensive mortgages, and denial of reasonable mortgages. Self-insurance is problematic.

Flat landers, with homes possibly surrounding a hillside fire, should insist that fire abatement standards be required for all new homes. Think L.A.

I have a home in wooded San Mateo county. Clearing the land and notifying a county court was part of my building project. I have to notify the a county court twice a year, that part of my property is absent of combustible material.

For over 45 years, I alone have been tending to this problem on this rural hillside land at 16497 South Kennedy. Not including firewood, I have removed an average of 12.5 tons of combustible material every year. No longer.

I have been recently been told that months ago the fire department notified Mr. Nicols of the need for fire abatement. It is not apparent anything has been done. Failure to do so, the fire department may proceed, and present their bill.

This land is quite sprawling, and it is easy to forget responsibilities to protect the neighbors when the land extends along Kennedy road to Long meadow. I propose that owners of this land have yearly fire department evaluation, with reasonable recommendations. This should be included in deed form.

Future new homes on wooded hillside property should have this requirement. It is a county fire department, but a town planning commission. We live in new times, and we need to respond to different challenges.

Ken Miller, [REDACTED] Contact JShoopman@LosGatosCA.gov

The planning meeting is 3/26/25 7PM

From: Rohit Bakshi <[REDACTED]>
Sent: Friday, March 14, 2025 4:35 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Cc: Apoorva Bakshi <[REDACTED]>
Subject: Concerns Regarding Nicol Residence Project at 16497 South Kennedy Rd

Dear Jocelyn ,

I hope this email finds you well. My name is Rohit Bakshi, and along with my wife, Apoorva Bakshi, and our children, we reside at [REDACTED], Los Gatos. We are writing to express our concerns regarding the Nicol Residence project currently under review by the Los Gatos building department. We would also like to talk about our concerns at the planning meeting scheduled for Mar 26th and 7 pm

Concern 1 - Embankment Wall

The property's old stone walls show multiple structural issues, including cracks, missing stones, and prior repairs. A previous repair along the driveway was made years ago by the Stephen family and Mr. Athow, whom I recently spoke with. Despite these efforts, a new break has emerged and was temporarily fixed.

This wall is critical for hillside stability, and its deterioration threatens my home which is downhill from this property. To prevent collapse, the building department must enforce reinforcement to meet safety standards. The financial responsibility for maintaining the wall should be recorded in deed form and remain with the landowners under the department's supervision.

We believe the wall and embankment are at risk of sliding, potentially causing catastrophic damage to our home and family. Immediate action is necessary, and a recorded easement should hold present and future owners fully responsible for remediation, conducted under the Los Gatos building department's direction.

Concern 2 - Privacy

We also seek assurances regarding the preservation of privacy for our home. Several large oak and olive trees that currently provide privacy screening border the property. It is essential that these mature trees remain intact, especially those with overhanging arbors. Furthermore, we request that additional trees be planted to enhance privacy. The management of these trees and the broader landscape should be conducted under the oversight of the building department.

Additionally, the current size, orientation, and height of the proposed project present significant privacy concerns. The design of the structure directly overlooks our bedrooms and recreational spaces, including backyard pools and lounging areas. To mitigate these issues, we request the following measures:

- A reduction in the overall height of the building
- Maintenance of existing privacy screening vegetation
- Addition of new trees and other landscaping features to further protect the privacy of neighboring homes

We kindly request that these concerns be thoroughly reviewed and appropriately addressed as part of the approval process for the Nicol Residence project. We appreciate your attention to these matters and look forward to working collaboratively to ensure a safe and harmonious neighborhood environment.

Thank you for your time and consideration.

Best regards,

Rohit Bakshi and Apoorva Bakshi - [REDACTED] Los Gatos, CA

Nichol Residence at 16497 South Kennedy

The Nicol Residence project at 16497 South Kennedy Rd, Los Gatos is presently under review by the Los Gatos building department. There are six home owners that are adjacent to this project.

I am writing this e-mail to address our concerns. I am Kenneth Miller, along with my wife Susan Miller, and live at [REDACTED] Los Gatos. I have been in touch with the five other adjacent homeowners and we all are in agreement with the following concerns that affect them. Some home owners have additional concerns.

I suppose a beginning of our issues concerns the past history of this land use, and Mr. Nicols' past dealing with the planning department. His initial interaction occurred years ago during the remodeling of an adjoining property, his prior home at 16491 South Kennedy.

My understanding is that the 16491 project was halted by the building department for multiple infractions for an extended period of time. The planning department should make the planning commission aware of these problems as a beginning in understanding the methodology of the developer.

Most probably the developer stated recently that he notified all of the adjacent home owners and easement holders, when in fact this is false.

The concerns begin with the advertisement of this land containing a private road, beginning at the corner of Kennedy and South Kennedy, meandering up a hill and then back to South Kennedy.

In fact, this is also false. There are four other property owners that have multiple easements giving use to this road. Mr Nicols once suggested placing a gate at the pillars to restrict access. We want a stated deed restriction reminding Mr. Nichols , and future owners, that this is not a private road, has deeded easements, and will never have a lock that may restrict access.

This property has old stone walls. There are already breaks/cracks, loose and missing stones, and disruptions in the old wall. One can view a prior repair while inspecting the wall on the up driveway. The wall had collapsed and was repaired years ago by the Stephen family (they still live in town) and Mr. Athow, to whom I have recently spoken. A break has recently reappeared, and received a simple repair. This wall is temporarily holding up the hill. The present owner of the land and this wall needs to prevent a collapse of the hillside due to the lack of integrity of this wall which is threatening the homes and lives along South Kennedy. This can be done by reenforcing the wall to the building department standards. This integrity, and sole financial responsibility of the wall maintenance needs to be under the supervision of the building department, and recorded in deed form.

The condition of the section of the old stone wall in front of 16565 Kennedy and 16575 Kennedy is most alarming. I spoke with the general contractor, who was concerned about the integrity of this section of the wall. Knowing that construction can cause immediate and delayed damage, his remedy was to take pictures of the wall to demonstrate upon completion of the project no harm had been done.

Plainly, the wall is bending and dipping, showing severe stress. Stones are loose and falling out. Significant cracking has occurred. The driveway above the road is moving, in parallel with the movement of the retaining wall. In keeping with the developers pattern of behavior, perhaps the geologist was limited to his evaluation of the proposed building site, and not to the danger above.

We believe not only is this wall, and the embankment above, sliding down the hill, but a collapse may lead to a catastrophic event. With a collapse, the adjacent/adjoining homes, the integrity of the houses above and below the wall, and the embankment above will be endangered, as well as the lives of the occupants. This danger must be addressed, and a recorded easement be made, that in the event of collapse, the present and future owners are to be held fully liable and financially responsible for the remediation of the disaster. The remediation is to be under the direction of the Los Gatos building department.

When Mr. Nicols remodeled his home at 16941, he substantially injured the down concrete

driveway. He made no effort to repair the damage. There has been no significant project since Mr Nicols damaged the concrete driveway. Upon the completion of this house portion of the project, Mr. Nichols should be made to restore the concrete driveway to the pre-damaged state using the same materials under the supervision of the planning department.

There should be protection of the large oak and olive trees that border the property and give a modicum of privacy screening. Old oak trees (with their arbors) should remain on/or overhanging the property. More trees are needed for privacy. The plant management is to be under the direction of the building department.

The privacy of the homes below the project must be protected. The present size, orientation and height of the project looks directly into bedrooms, and down upon backyard pools and lounging area. Therefore, the height of the house should be lowered, any screening vegetation to be maintained, and additional tree screening added to protect the privacy of the neighboring homes.

This project is directly in front of the home entrance of 16575 Kennedy rd. The height should be lowered a few feet, and the shielding trees not disturbed. More tree screening is needed, but not to the detriment or risk to the integrity of the stone walls.

This is a meandering piece of land. This construction is essentially the largest project allowable, and squeezed into probably the only available space. This is a very narrow strip of land, and also being constructed on a steep hillside. The project should not move forward. If approval for this development persists, the project size needs to be revisited, keeping in mind the risks to the community and the semi-rural neighborhood.

At this time, Mr. Nicols is not allowed to further sub divide the property. This is a last remaining open space parcel in the area. We want it designated in deed form to remain an open space in easement form.

Thank you for considering our concerns.



Ken and Susan Miller

3/13/25

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Friday, February 28, 2025 2:35 PM

To: Planning <Planning@losgatosca.gov>

Subject: Online Form Submission #15627 for Community Development Contact Form

Community Development Contact Form

First Name Carol

Last Name Tinsley

Email Address (Required)

Phone Number

Tell Us About Your Inquiry (Required) Comment Regarding A Planning Project

Address/APN you are inquiring About (Required)

Message (Required)

I was just reviewing the pending building proposal for 16497 S. Kennedy Road. I live at [REDACTED] and share the driveway with this location and yet I am not listed as a neighbor. We certainly should be as we share the driveway and have access and utility easements to use the other access driveway pictured in the photos. Not sure how or why this happened, but can you make sure that it is rectified?

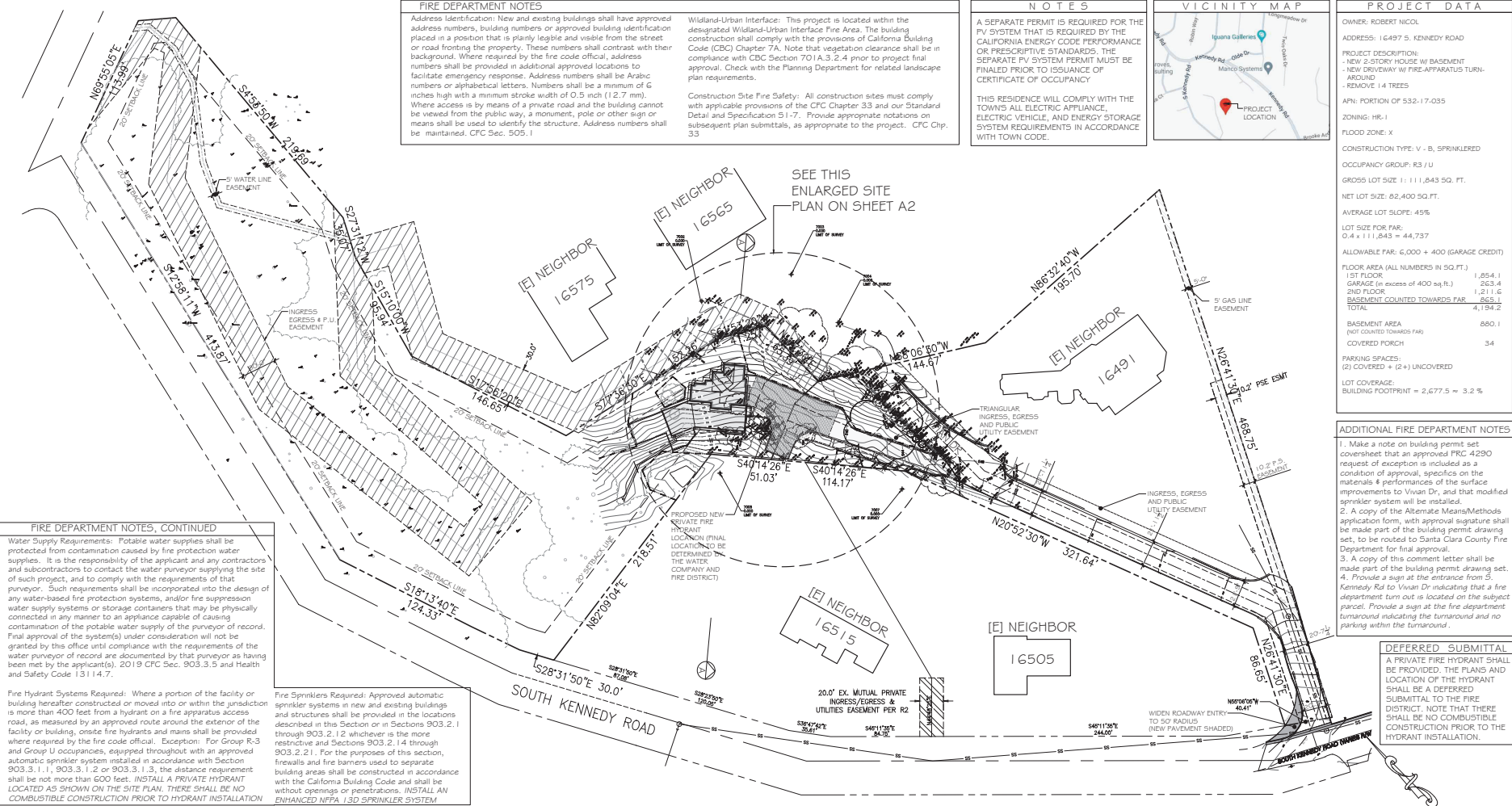
Add An Attachment if applicable

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Response letter to the neighborhood comments about 16497 S. Kennedy Rd.

1. The stone wall above the site is 20ft away from the proposed building site and it is on the neighbor's side of the property line. The construction of the new house will not involve any pile driving or other soil impacts. The biggest tremors will be caused by the trucks and excavators, which should be relatively minor. In the end, when the retaining walls and drainage are in place, the new house will actually shore up the hillside and reduce the long term creep that would endanger the stone wall. And, after having a discussion with the neighbors I have agreed that adding landscaping along the stone wall will be a compromise for the neighbors and myself. I will also take photos of the stone wall prior to beginning to construction and will repair it if construction from building my home causes the damage to the wall. As for the walls along the old road that comes up from the intersection of Kennedy Rd. and South Kennedy Rd, no construction traffic will be using that road, except perhaps to dig the trenches for the utilities.
2. The size of the house: It is not at the maximum allowed. A good portion of it is below grade, and is still counted as floor area.
3. The views: As is plainly evident by the story poles, the house does not block anyone's view.
4. Fire protection: The house will be built to the latest fire-resistant construction requirements, and you will be providing a private fire hydrant, which will provide extra protection for everyone on Vivian Drive. Also, the entrance to Vivian drive will be enlarged for fire apparatus access, and the lower portion of Vivian drive will be improved for better traction for the fire trucks. All of this benefits the neighbors at no cost to them.
5. Screening: The house is barely visible from Vivian Drive and will not be visible from South Kennedy (or any other public way). The house below is really the only house affected by the new house, and the new upper floor windows and balconies will be screened by the mature oak trees on the downhill neighbor's property (so they have control over the screening). For the lower level, there will be a line of screen trees planted to screen the gap between the ground and the underside of the oak canopy.



DRAWINGS PREPARED BY

CHRIS SPAULDING
ARCHITECT

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| REVISIONS | BY |
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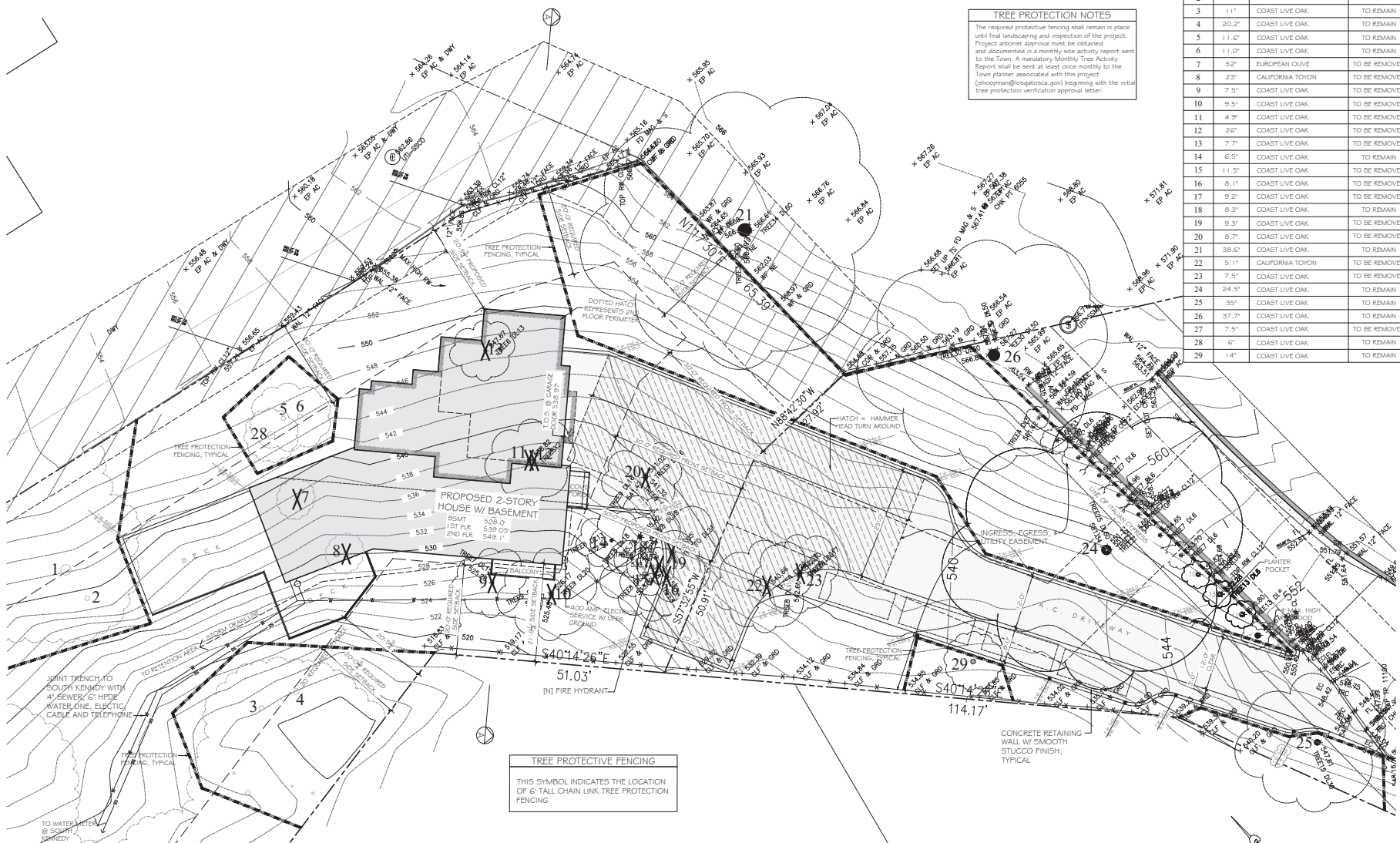
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DESIGN REVIEW SET
PLAN CHECK SET
PERMIT SET
CONSTRUCTION SET

A PROPOSED NEW HOME FOR
NICOL RESIDENCE
16497 S KENNEDY RD
LOS GATOS • CALIFORNIA

DATE: 6-C-2024
SCALE: AS NOTED
DRAWN: CSOB
JOB: NICOL
SHEET

A1
OF 29 SHEETS

EXHIBIT 13



GRADING & DRAINAGE NOTES
REFER TO THE GRADING & DRAINAGE
PLANS PREPARED BY LE ENGINEERING

TREE PROTECTION NOTES
The required protective fencing shall remain in place
until final landscaping and inspection of the project.
Project approval must be obtained
and documented in a monthly site activity report sent
to the Town. A mandatory Monthly Tree Activity
Report shall be sent at least once monthly to the
Town planner associated with this project.
(phooyman@longatosca.gov) beginning with the initial
tree protection verification approval letter.

| TREE TABLE | | | |
|------------|----------|------------------|----------------|
| NUMBER | SUM OF D | SPECIES | REMOVED/REMAIN |
| 1 | 32" | COAST LIVE OAK | TO REMAIN |
| 2 | 37" | EUROPEAN OLIVE | TO REMAIN |
| 3 | 11" | COAST LIVE OAK | TO REMAIN |
| 4 | 20.2" | COAST LIVE OAK | TO REMAIN |
| 5 | 11.6" | COAST LIVE OAK | TO REMAIN |
| 6 | 11.0" | COAST LIVE OAK | TO REMAIN |
| 7 | 52" | EUROPEAN OLIVE | TO BE REMOVED |
| 8 | 23" | CALIFORNIA TOYON | TO BE REMOVED |
| 9 | 7.5" | COAST LIVE OAK | TO BE REMOVED |
| 10 | 9.5" | COAST LIVE OAK | TO BE REMOVED |
| 11 | 4.9" | COAST LIVE OAK | TO BE REMOVED |
| 12 | 26" | COAST LIVE OAK | TO BE REMOVED |
| 13 | 7.7" | COAST LIVE OAK | TO BE REMOVED |
| 14 | 6.5" | COAST LIVE OAK | TO REMAIN |
| 15 | 11.5" | COAST LIVE OAK | TO BE REMOVED |
| 16 | 8.1" | COAST LIVE OAK | TO BE REMOVED |
| 17 | 9.2" | COAST LIVE OAK | TO BE REMOVED |
| 18 | 8.3" | COAST LIVE OAK | TO REMAIN |
| 19 | 9.3" | COAST LIVE OAK | TO BE REMOVED |
| 20 | 6.7" | COAST LIVE OAK | TO BE REMOVED |
| 21 | 36.6" | COAST LIVE OAK | TO REMAIN |
| 22 | 5.1" | CALIFORNIA TOYON | TO BE REMOVED |
| 23 | 7.5" | COAST LIVE OAK | TO BE REMOVED |
| 24 | 24.5" | COAST LIVE OAK | TO REMAIN |
| 25 | 35" | COAST LIVE OAK | TO REMAIN |
| 26 | 37.7" | COAST LIVE OAK | TO REMAIN |
| 27 | 7.5" | COAST LIVE OAK | TO BE REMOVED |
| 28 | 6" | COAST LIVE OAK | TO REMAIN |
| 29 | 14" | COAST LIVE OAK | TO REMAIN |

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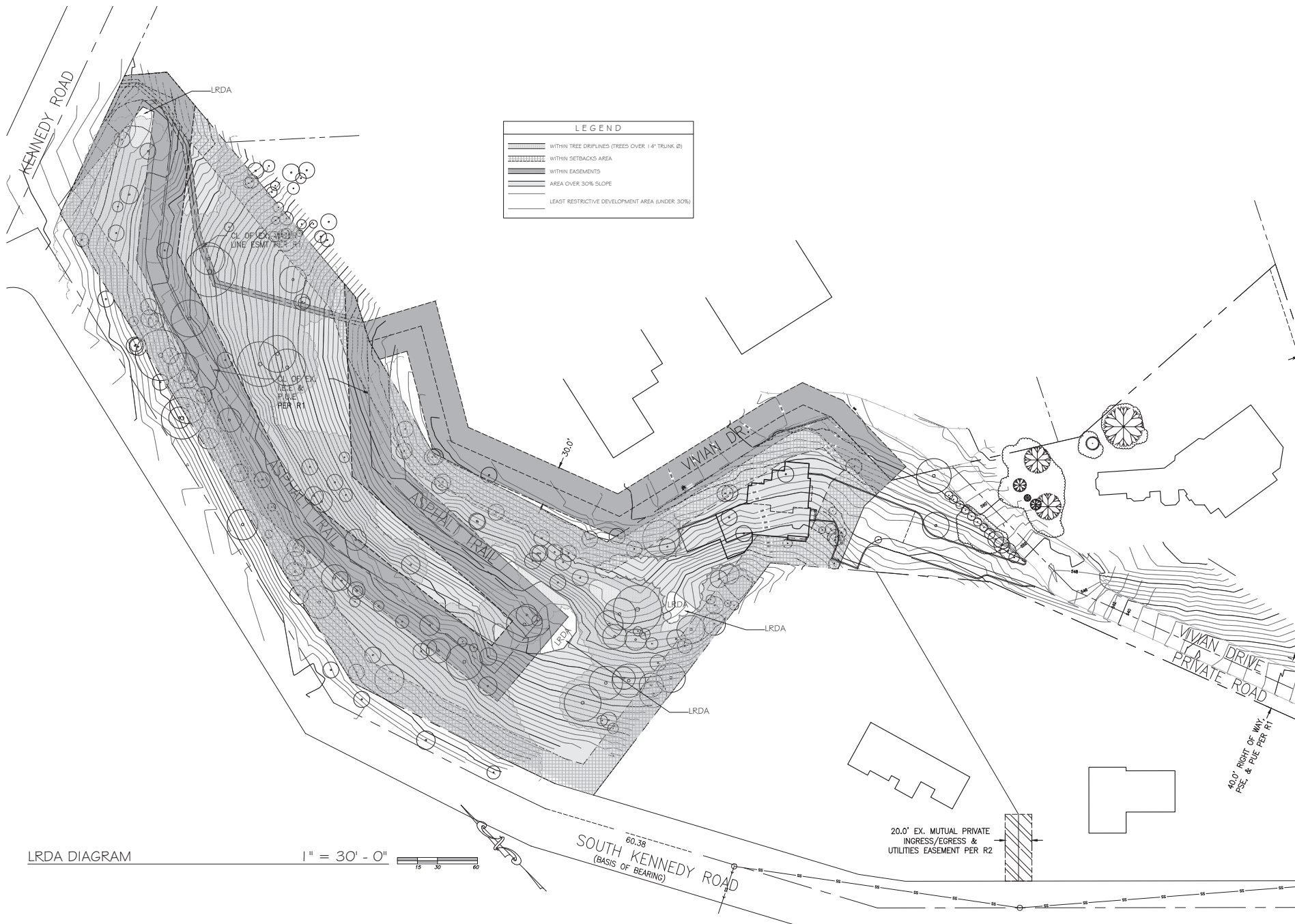
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A PROPOSED NEW HOME FOR
NICOL RESIDENCE
16497 S KENNEDY RD
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| DATE: | 6-C-2024 |
| SCALE: | AS NOTED |
| DRAWN: | CS06 |
| JOB: | NICOL |
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A2
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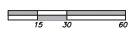
A PROPOSED NEW HOME FOR
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 16497 S KENNEDY RD
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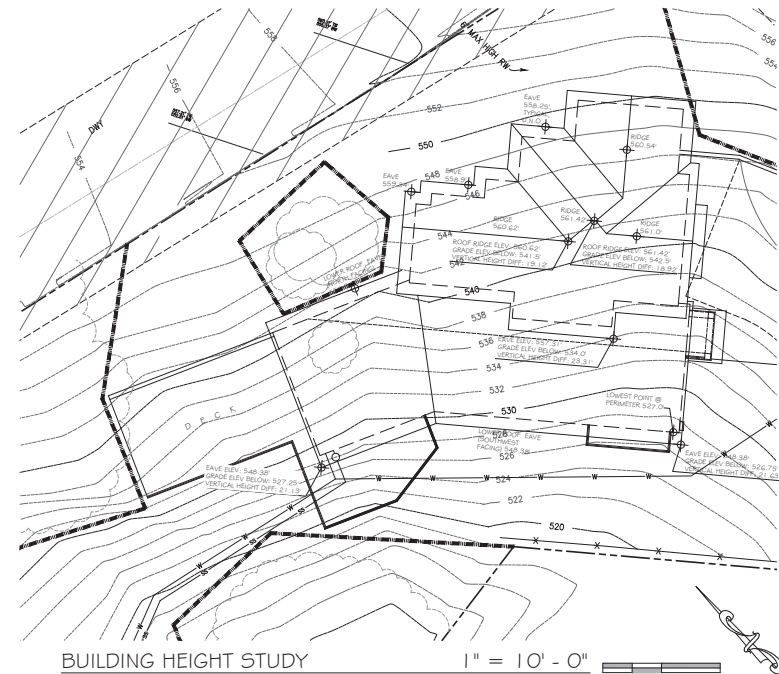
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| DATE: | 6-6-2024 |
| SCALE: | AS NOTED |
| DRAWN: | CSOB |
| JOB: | NICOL |
| SHEET | |

A3
 OF 29 SHEETS

LRDA DIAGRAM

1" = 30' - 0"





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A4
OF 29 SHEETS

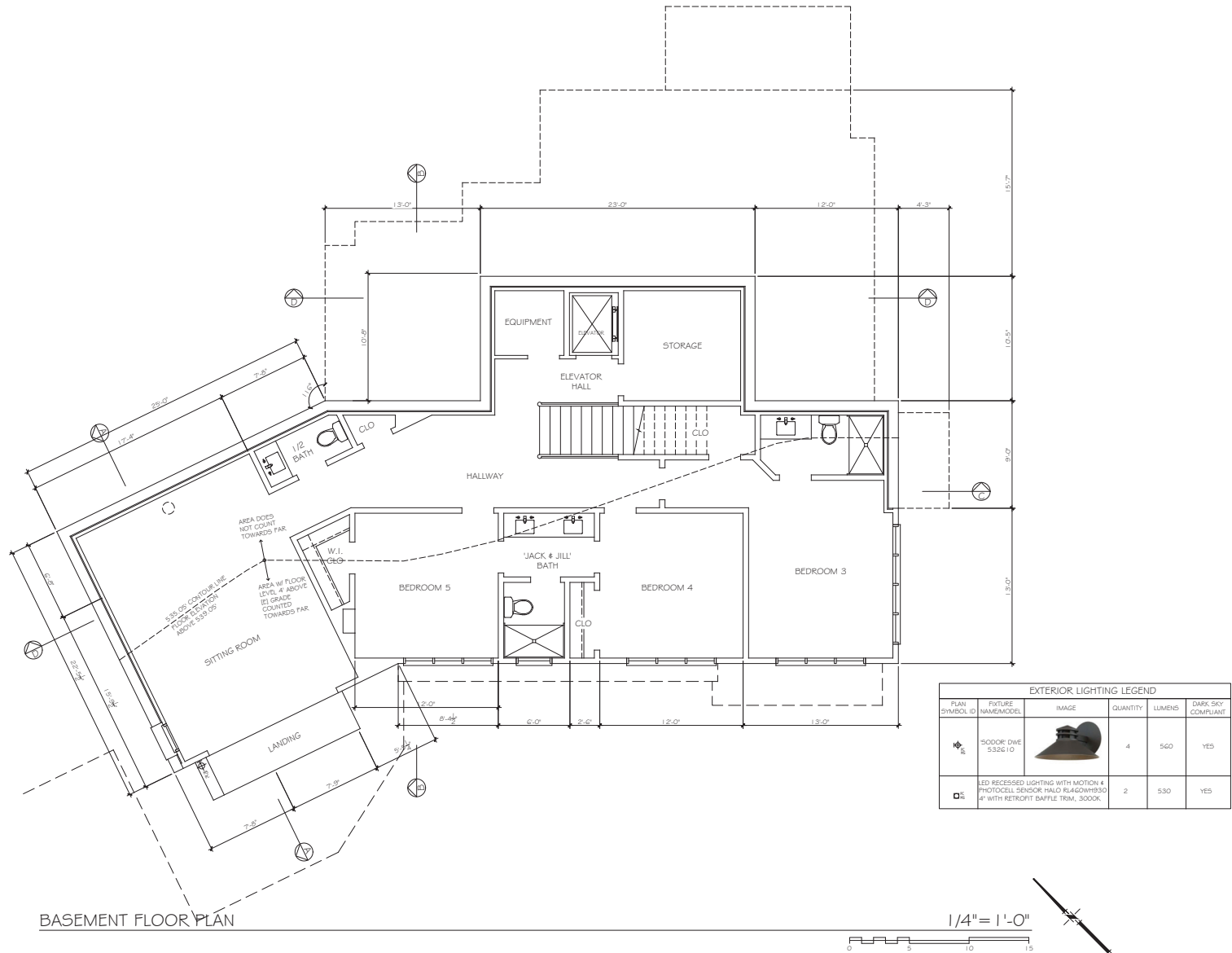
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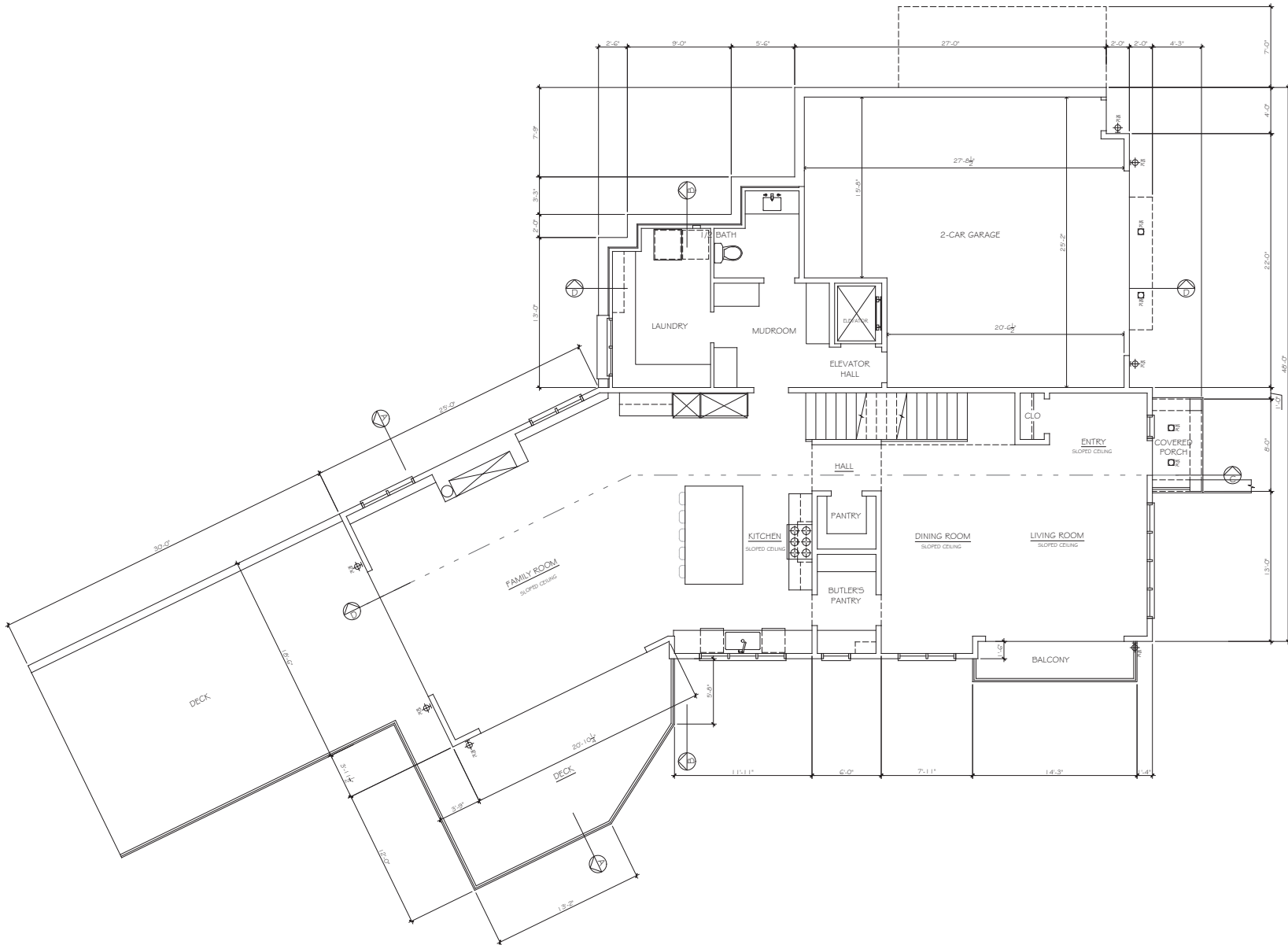
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LOS GATOS • CALIFORNIA

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| DATE: | 6-6-2024 |
| SCALE: | AS NOTED |
| DRAWN: | CS/DB |
| JOB: | NICOL |
| SHEET | |

A5
SHEETS





1ST FLOOR PLAN

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| DATE: | 6-6-2024 |
| SCALE: | AS NOTED |
| DRAWN: | CSDB |
| JOB: | NICOL |
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A6
OF 29 SHEETS

CHRIS SPAULDING
ARCHITECT

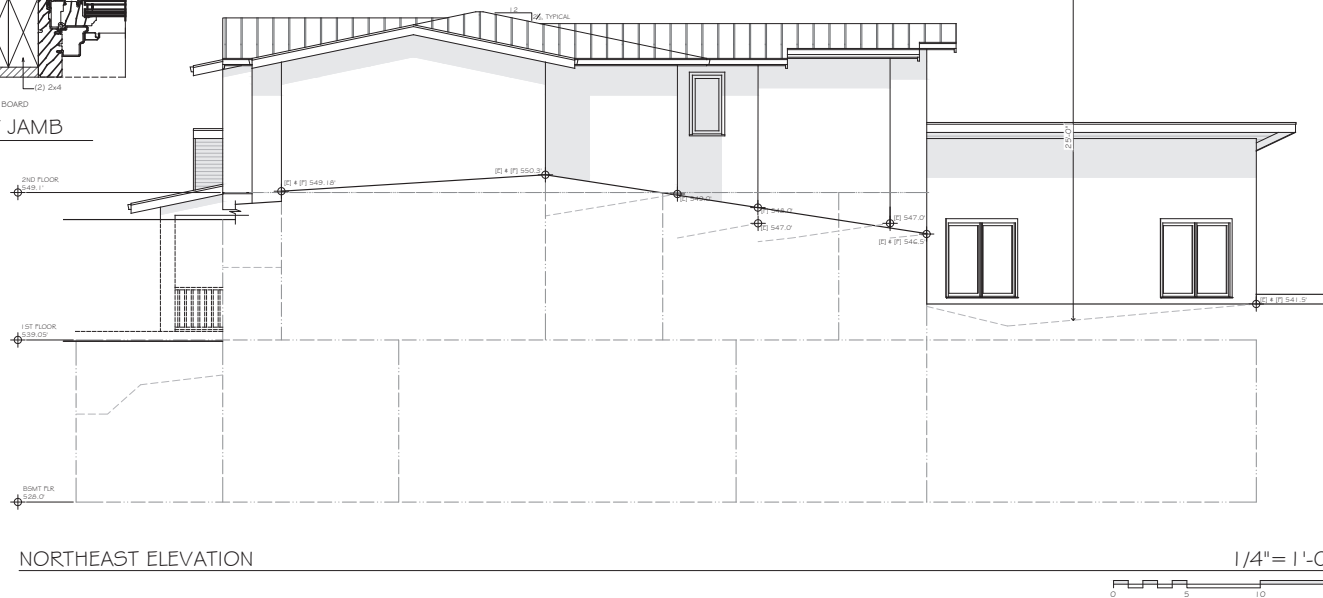
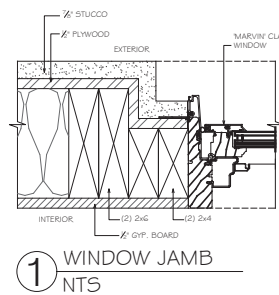
the 1990s, the number of people in the United States who are 65 years of age or older has increased by 50 percent. The number of people 75 years of age or older has increased by 100 percent. The number of people 85 years of age or older has increased by 200 percent. The number of people 95 years of age or older has increased by 400 percent. The number of people 100 years of age or older has increased by 800 percent. The number of people 105 years of age or older has increased by 1,600 percent. The number of people 110 years of age or older has increased by 3,200 percent. The number of people 115 years of age or older has increased by 6,400 percent. The number of people 120 years of age or older has increased by 12,800 percent. The number of people 125 years of age or older has increased by 25,600 percent. The number of people 130 years of age or older has increased by 51,200 percent. The number of people 135 years of age or older has increased by 102,400 percent. The number of people 140 years of age or older has increased by 204,800 percent. The number of people 145 years of age or older has increased by 409,600 percent. The number of people 150 years of age or older has increased by 819,200 percent. The number of people 155 years of age or older has increased by 1,638,400 percent. The number of people 160 years of age or older has increased by 3,276,800 percent. The number of people 165 years of age or older has increased by 6,553,600 percent. The number of people 170 years of age or older has increased by 13,107,200 percent. The number of people 175 years of age or older has increased by 26,214,400 percent. The number of people 180 years of age or older has increased by 52,428,800 percent. The number of people 185 years of age or older has increased by 104,857,600 percent. The number of people 190 years of age or older has increased by 209,715,200 percent. The number of people 195 years of age or older has increased by 419,430,400 percent. The number of people 200 years of age or older has increased by 838,860,800 percent. The number of people 205 years of age or older has increased by 1,677,721,600 percent. The number of people 210 years of age or older has increased by 3,355,443,200 percent. The number of people 215 years of age or older has increased by 6,710,886,400 percent. The number of people 220 years of age or older has increased by 13,421,772,800 percent. The number of people 225 years of age or older has increased by 26,843,545,600 percent. The number of people 230 years of age or older has increased by 53,687,091,200 percent. The number of people 235 years of age or older has increased by 107,374,182,400 percent. The number of people 240 years of age or older has increased by 214,748,364,800 percent. The number of people 245 years of age or older has increased by 429,496,729,600 percent. The number of people 250 years of age or older has increased by 858,993,459,200 percent. The number of people 255 years of age or older has increased by 1,717,986,918,400 percent. The number of people 260 years of age or older has increased by 3,435,973,836,800 percent. The number of people 265 years of age or older has increased by 6,871,947,673,600 percent. The number of people 270 years of age or older has increased by 13,743,895,347,200 percent. The number of people 275 years of age or older has increased by 27,487,790,694,400 percent. The number of people 280 years of age or older has increased by 54,975,581,388,800 percent. The number of people 285 years of age or older has increased by 109,951,162,777,600 percent. The number of people 290 years of age or older has increased by 219,902,325,555,200 percent. The number of people 295 years of age or older has increased by 439,804,651,110,400 percent. The number of people 300 years of age or older has increased by 879,609,302,220,800 percent. The number of people 305 years of age or older has increased by 1,759,218,604,441,600 percent. The number of people 310 years of age or older has increased by 3,518,437,208,883,200 percent. The number of people 315 years of age or older has increased by 7,036,874,417,766,400 percent. The number of people 320 years of age or older has increased by 14,073,748,835,532,800 percent. The number of people 325 years of age or older has increased by 28,147,497,671,065,600 percent. The number of people 330 years of age or older has increased by 56,294,995,342,131,200 percent. The number of people 335 years of age or older has increased by 112,589,990,684,262,400 percent. The number of people 340 years of age or older has increased by 225,179,981,368,524,800 percent. The number of people 345 years of age or older has increased by 450,359,962,737,049,600 percent. The number of people 350 years of age or older has increased by 900,719,925,474,099,200 percent. The number of people 355 years of age or older has increased by 1,801,439,850,948,198,400 percent. The number of people 360 years of age or older has increased by 3,602,879,701,896,396,800 percent. The number of people 365 years of age or older has increased by 7,205,759,403,792,793,600 percent. The number of people 370 years of age or older has increased by 14,411,518,807,585,587,200 percent. The number of people 375 years of age or older has increased by 28,823,037,615,171,174,400 percent. The number of people 380 years of age or older has increased by 57,646,075,230,342,348,800 percent. The number of people 385 years of age or older has increased by 115,292,150,460,684,697,600 percent. The number of people 390 years of age or older has increased by 230,584,300,921,369,395,200 percent. The number of people 395 years of age or older has increased by 461,168,601,842,738,790,400 percent. The number of people 400 years of age or older has increased by 922,337,203,685,477,580,800 percent. The number of people 405 years of age or older has increased by 1,844,674,407,370,955,161,600 percent. The number of people 410 years of age or older has increased by 3,689,348,814,741,910,323,200 percent. The number of people 415 years of age or older has increased by 7,378,697,629,483,820,646,400 percent. The number of people 420 years of age or older has increased by 14,757,395,258,967,641,292,800 percent. The number of people 425 years of age or older has increased by 29,514,790,517,935,282,585,600 percent. The number of people 430 years of age or older has increased by 59,029,581,035,870,565,171,200 percent. The number of people 435 years of age or older has increased by 118,059,162,071,741,130,342,400 percent. The number of people 440 years of age or older has increased by 236,118,324,143,482,260,684,800 percent. The number of people 445 years of age or older has increased by 472,236,648,286,964,521,369,600 percent. The number of people 450 years of age or older has increased by 944,473,296,573,929,042,739,200 percent. The number of people 455 years of age or older has increased by 1,888,946,593,147,858,085,478,400 percent. The number of people 460 years of age or older has increased by 3,777,893,186,295,716,170,956,800 percent. The number of people 465 years of age or older has increased by 7,555,786,372,591,432,341,913,600 percent. The number of people 470 years of age or older has increased by 15,111,572,745,182,864,683,827,200 percent. The number of people 475 years of age or older has increased by 30,223,145,490,365,729,367,654,400 percent. The number of people 480 years of age or older has increased by 60,446,290,980,731,458,735,308,800 percent. The number of people 485 years of age or older has increased by 120,892,581,961,462,917,470,617,600 percent. The number of people 490 years of age or older has increased by 241,785,163,922,925,834,941,235,200 percent. The number of people 495 years of age or older has increased by 483,570,327,845,851,669,882,470,400 percent. The number of people 500 years of age or older has increased by 967,140,655,691,703,339,764,940,800 percent. The number of people 505 years of age or older has increased by 1,934,281,311,383,406,679,529,881,600 percent. The number of people 510 years of age or older has increased by 3,868,562,622,766,813,359,059,763,200 percent. The number of people 515 years of age or older has increased by 7,737,125,245,533,626,718,119,526,400 percent. The number of people 520 years of age or older has increased by 15,474,250,491,067,253,436,239,052,800 percent. The number of people 525 years of age or older has increased by 30,948,500,982,134,506,872,478,105,600 percent. The number of people 530 years of age or older has increased by 61,897,001,964,269,013,744,956,211,200 percent. The number of people 535 years of age or older has increased by 123,794,003,928,538,027,489,912,422,400 percent. The number of people 540 years of age or older has increased by 247,588,007,857,076,054,979,824,844,800 percent. The number of people 545 years of age or older has increased by 495,176,015,714,152,109,959,649,689,600 percent. The number of people 550 years of age or older has increased by 990,352,031,428,304,219,919,299,379,200 percent. The number of people 555 years of age or older has increased by 1,980,704,062,856,608,439,838,598,758,400 percent. The number of people 560 years of age or older has increased by 3,961,408,125,713,216,879,677,197,516,800 percent. The number of people 565 years of age or older has increased by 7,922,816,251,426,433,759,354,395,033,600 percent. The number of people 570 years of age or older has increased by 15,845,632,502,852,867,518,708,790,067,200 percent. The number of people 575

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| CONSTRUCTION SET | |

A PROPOSED NEW HOME FOR
NICOL RESIDENCE
16497 S KENNEDY RD
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A7





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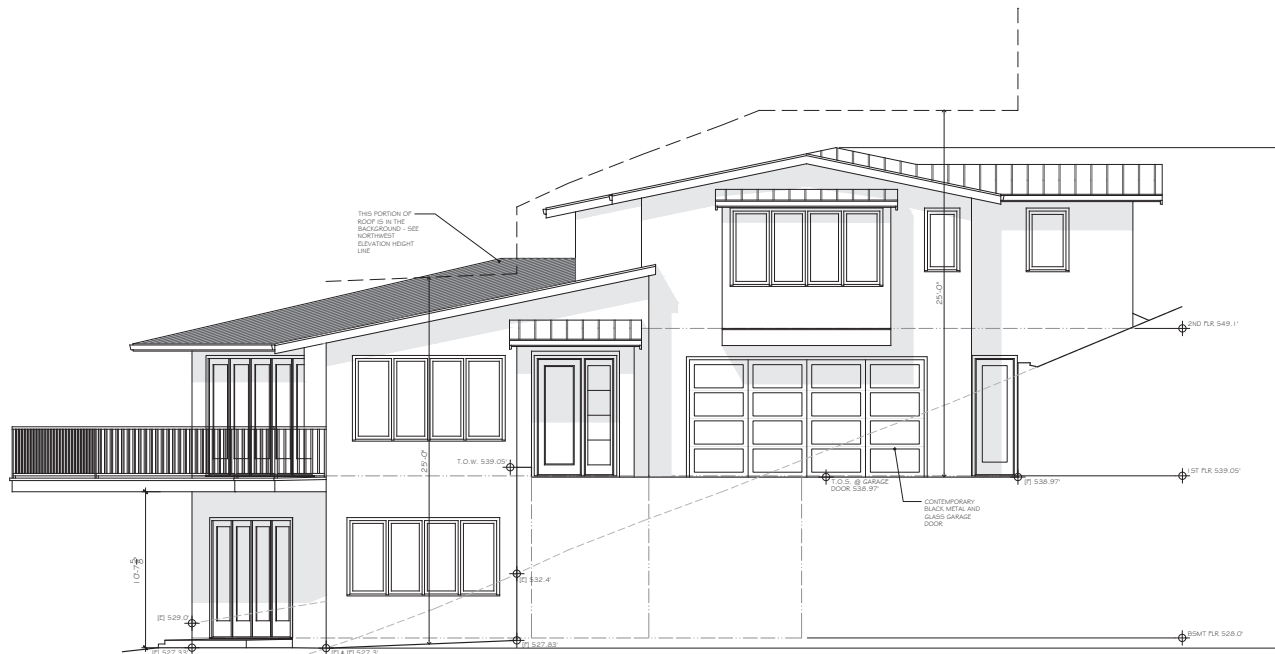
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LOS GATOS • CALIFORNIA

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| DATE | 6-6-2024 |
| SCALE | AS NOTED |
| DRAWN | CS/DB |
| JOB | NICOL |
| SHEET | |

A8
OF 29 SHEETS



SOUTHEAST ELEVATION

1/4" = 1'-0"



NORTHWEST ELEVATION

1/4" = 1'-0"

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| DRAWN: | CSDB |
| JOB: | NICOL |
| SHEET | |

A9

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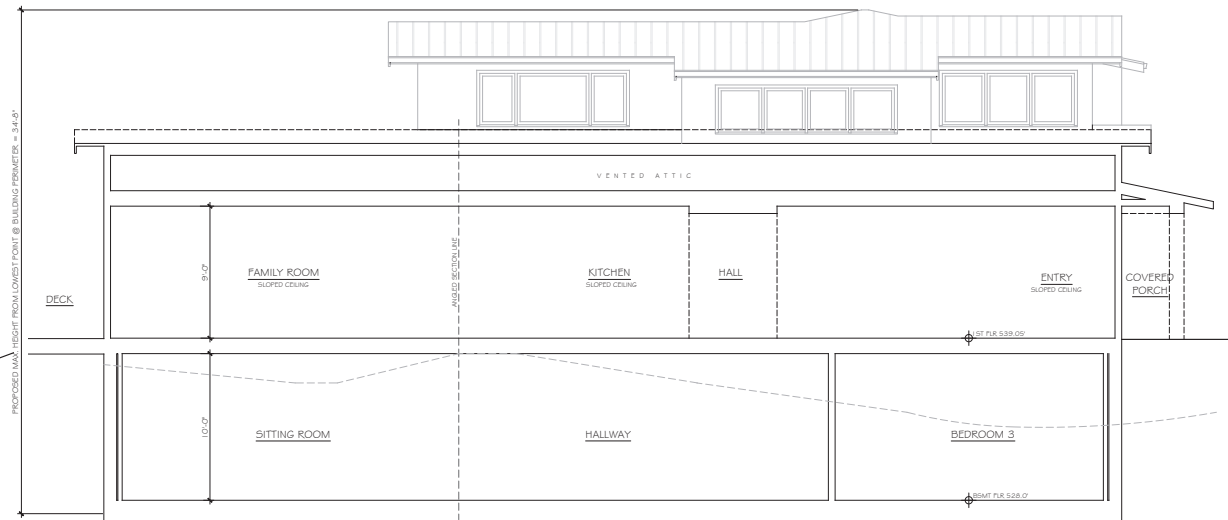
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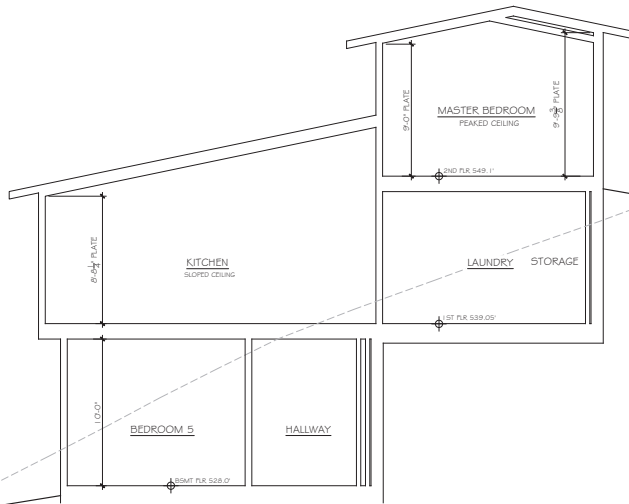
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A10
OF 29 SHEETS



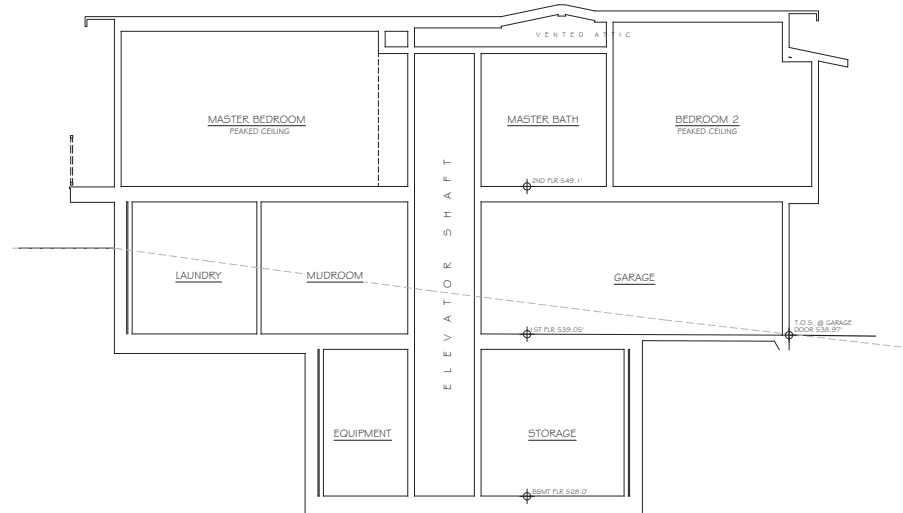
SECTION C-C

1/4" = 1'-0"



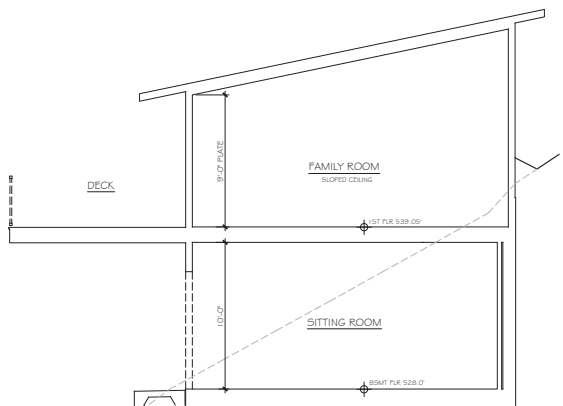
SECTION B-B

1/4" = 1'-0"



SECTION D-D

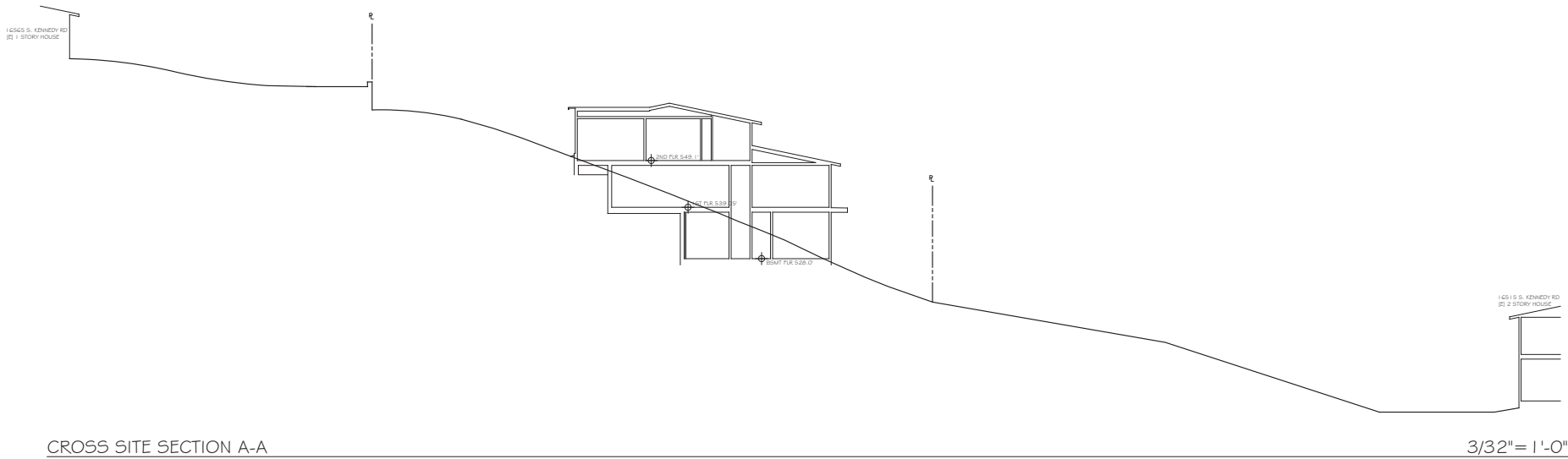
1/4" = 1'-0"



SECTION A-A

1/4" = 1'-0"





DRAWINGS PREPARED BY
CHRIS SPAULDING
ARCHITECT

801 CAMELIA STREET SUITE E
BERKELEY CALIFORNIA 94710
(510) 527-5997 FAX (510) 527-5999

| REVISIONS | BY |
|------------|----|
| 9-18-24 | |
| 11-18-2024 | |
| 12-18-2024 | |
| | |
| | |

| | |
|-------------------|--|
| PRELIMINARY SET | |
| DESIGN REVIEW SET | |
| PLAN CHECK SET | |
| PERMIT SET | |
| CONSTRUCTION SET | |

A PROPOSED NEW HOME FOR
NICOL RESIDENCE
16497 S KENNEDY RD
LOS GATOS • CALIFORNIA

| | |
|--------|----------|
| DATE: | 6-6-2024 |
| SCALE: | AS NOTED |
| DRAWN: | CS/DB |
| JOB: | NICOL |
| SHEET | |

A11
OF 29 SHEETS

PARCEL MAP

TWO (2) LOT SUBDIVISION
CONSISTING OF TWO (2) SHEETS

BEING A SURVEY OF THE LANDS OF ROBERT INGVALD NICOL, TRUSTEE
OF THE ROBERT INGVALD NICOL 2018 LIVING TRUST, AS DESCRIBED IN
TRUST TRANSFER DEED RECORDED MARCH 22, 2016, AS DOCUMENT
NO. 23251463 OF OFFICIAL RECORDS OF SANTA CLARA COUNTY,
LYING WITHIN THE TOWN OF LOS GATOS, COUNTY OF SANTA CLARA



A CALIFORNIA CORPORATION
CONSULTING CIVIL ENGINEERS & LAND SURVEYORS
6920 SANTA TERESA BLVD., #206, SAN JOSE, CALIFORNIA
MAY, 2023

BASIS OF BEARINGS

THE BEARING SOUTH 12°58'11" WEST OF THE CENTERLINE OF SOUTH KENNEDY ROAD AS SHOWN ON THAT PARCEL MAP FILED FOR RECORD IN BOOK 485 OF MAPS PAGE 13, SANTA CLARA COUNTY RECORDS, AND AS FOUND MONUMENTED, WAS TAKEN AS THE BASIS OF BEARING FOR THIS SURVEY.

NOTES:

1. THIS SURVEY IS BEING FILED PER THE MANDATORY FLING PROVISIONS OF SECTION 8762(B) OF THE PROFESSIONAL LAND SURVEYORS' ACT.
2. DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
3. THE DISTINCTIVE BORDER LINE DENOTES THE BOUNDARY.

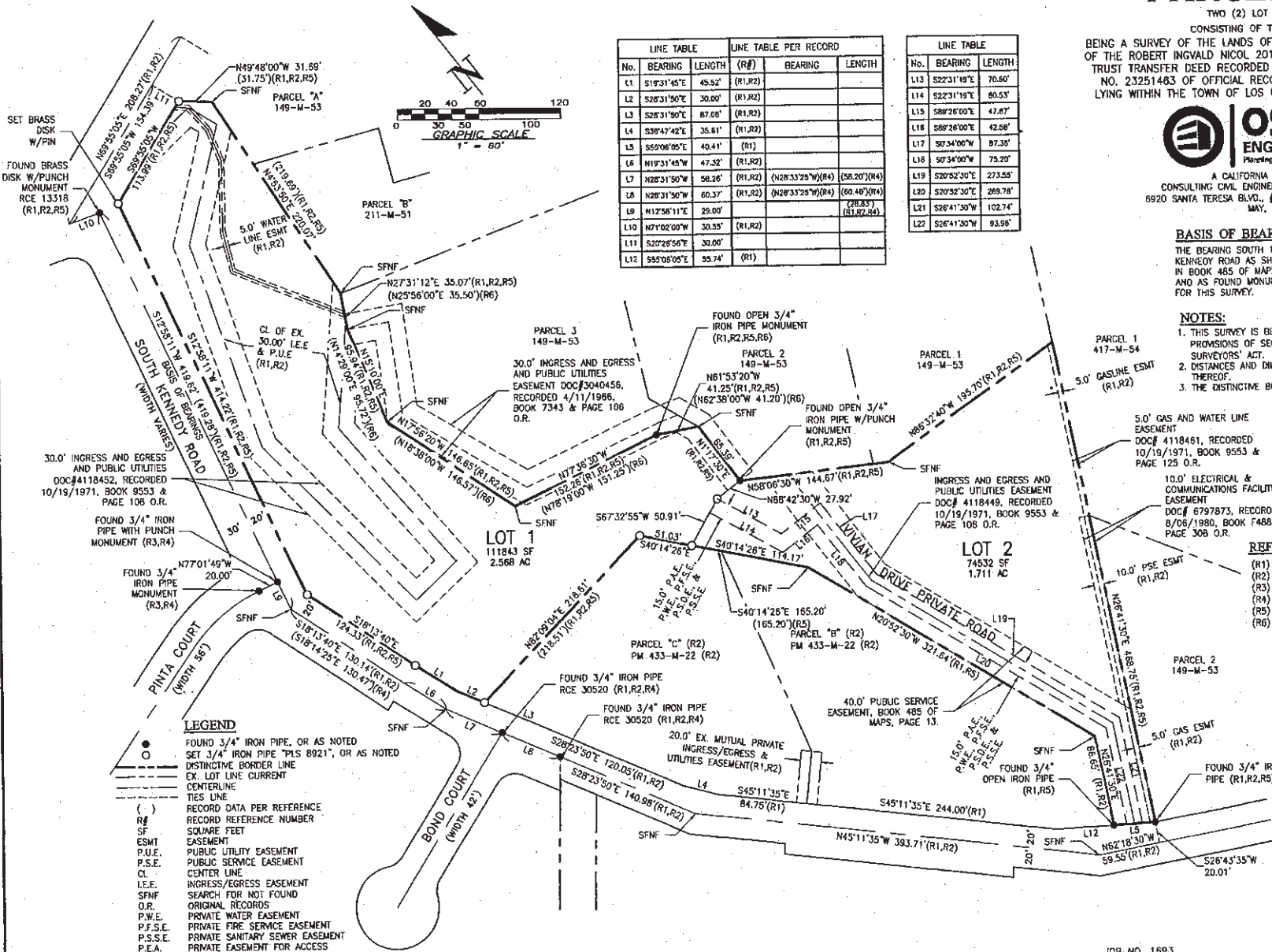
REFERENCES:

- (R1) PARCEL MAP
- (R2) PARCEL MAP
- (R3) TRACT NO. 3697
- (R4) TRACT NO. 5595
- (R5) CORNER RECORD
- (R6) CORNER RECORD

- 485-M-13
- 433-M-22
- 176-M-30
- 354-M-37
- NO. 553
- NO. 836

| LINE TABLE | | | LINE TABLE PER RECORD | | |
|------------|-------------|--------|-----------------------|------------------|---------------|
| No. | BEARING | LENGTH | (R#) | BEARING | LENGTH |
| L1 | S19°31'45"E | 45.52' | (R1,R2) | | |
| L2 | S28°31'50"E | 30.00' | (R1,R2) | | |
| L3 | S28°31'50"E | 87.08' | (R1,R2) | | |
| L4 | S38°47'42"E | 35.81' | (R1,R2) | | |
| L5 | S55°06'00"E | 40.41' | (R1) | | |
| L6 | N19°31'45"W | 47.32' | (R1,R2) | | |
| L7 | N28°31'50"W | 58.26' | (R1,R2) | N28°33'29"W (R4) | (58.20') (R4) |
| L8 | N28°31'50"W | 60.37' | (R1,R2) | N28°33'29"W (R4) | (60.40') (R4) |
| L9 | N12°56'11"E | 29.00' | (R1,R2) | | |
| L10 | N7°02'00"W | 30.35' | (R1,R2) | | |
| L11 | S20°26'56"E | 30.00' | (R1) | | |
| L12 | S55°05'05"E | 55.74' | (R1) | | |

| LINE TABLE | | |
|------------|-------------|---------|
| No. | BEARING | LENGTH |
| L13 | S22°31'19"E | 70.60' |
| L14 | S22°31'19"E | 80.53' |
| L15 | S88°26'00"E | 47.87' |
| L16 | S88°26'00"E | 62.58' |
| L17 | S0°34'00"W | 87.35' |
| L18 | S0°34'00"W | 75.20' |
| L19 | S20°32'30"E | 273.55' |
| L20 | S20°32'30"E | 289.78' |
| L21 | S28°41'30"W | 102.74' |
| L22 | S28°41'30"W | 93.98' |



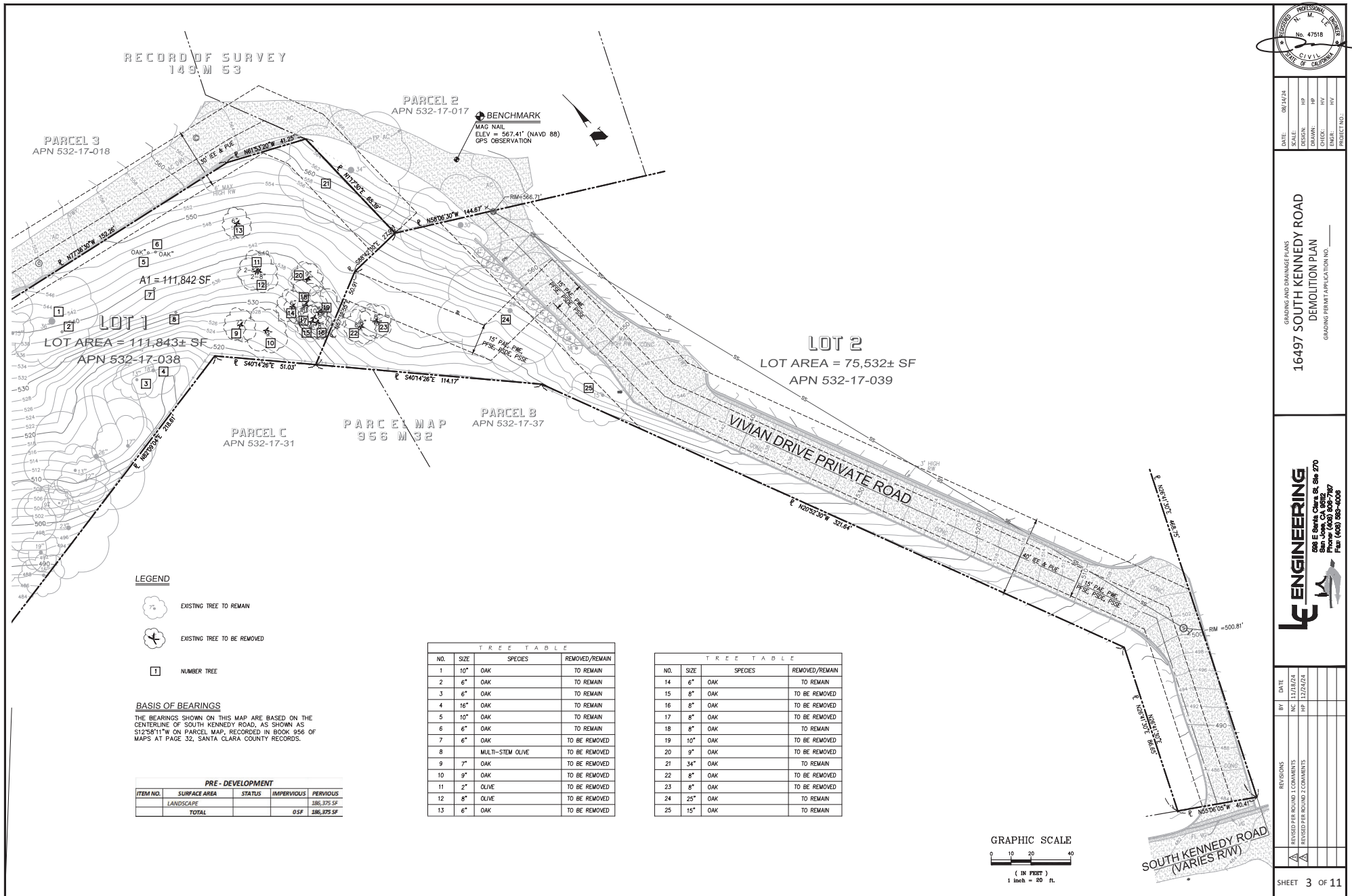
JOB NO. 1693

SHEET 2 OF 2 SHEETS

16491 S Kennedy Rd - GRADING - 2024-12-24

16491 S

CONTRACTOR'S NOTE: THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RECORDS FROM THE APPROPRIATE AGENCIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE APPROPRIATE AGENCIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE APPROPRIATE AGENCIES.



PROFESSIONAL SEAL
No. 47518
CIVIL ENGINEER
STATE OF CALIFORNIA

DATE: 08/24/24
SCALE: HP
DESIGN: HP
DRAWN: HP
CHECK: HP
ENGR: HP
PROJECT NO.:

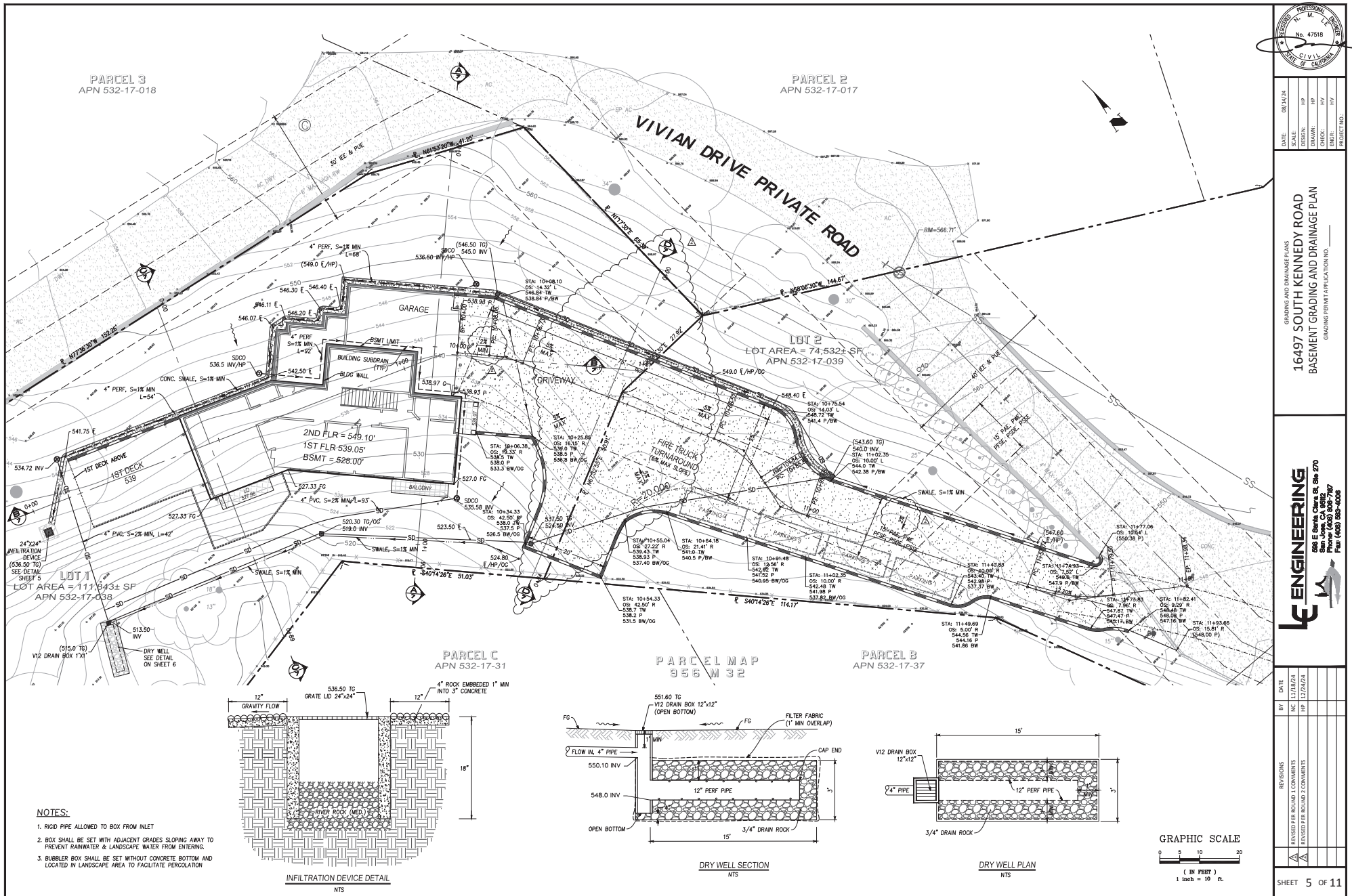
GRADING AND DRAINAGE PLANS
16497 SOUTH KENNEDY ROAD
DEMOLITION PLAN
GRADING PRINT APPLICATION NO. _____

LF ENGINEERING
208 E Santa Clara St., Ste 270
San Jose, CA 95131
Phone: (408) 588-4000
Fax: (408) 588-4008

BY: DATE:
REVISED FOR ROUND 1 COMMENTS: NC 11/18/24
REVISED FOR ROUND 2 COMMENTS: HP 12/24/24

SHEET 3 OF 11

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES.

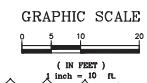
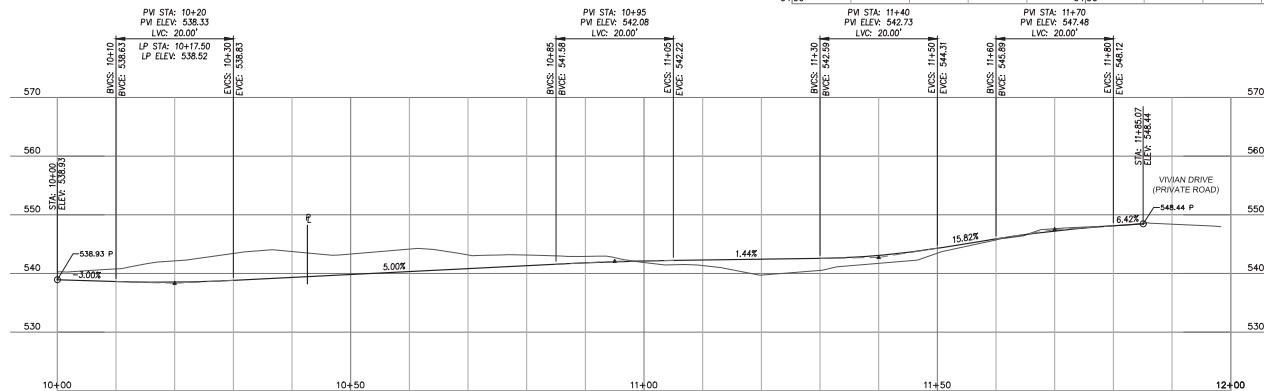
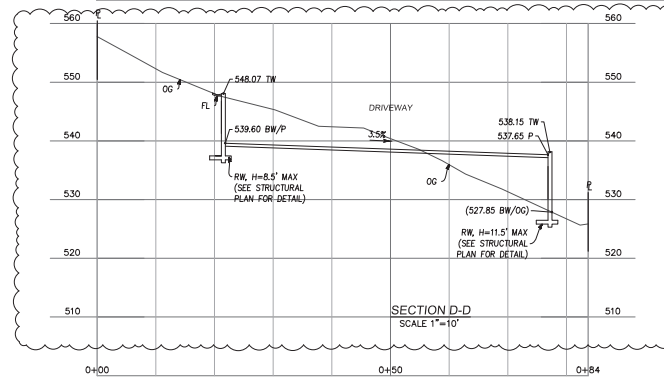
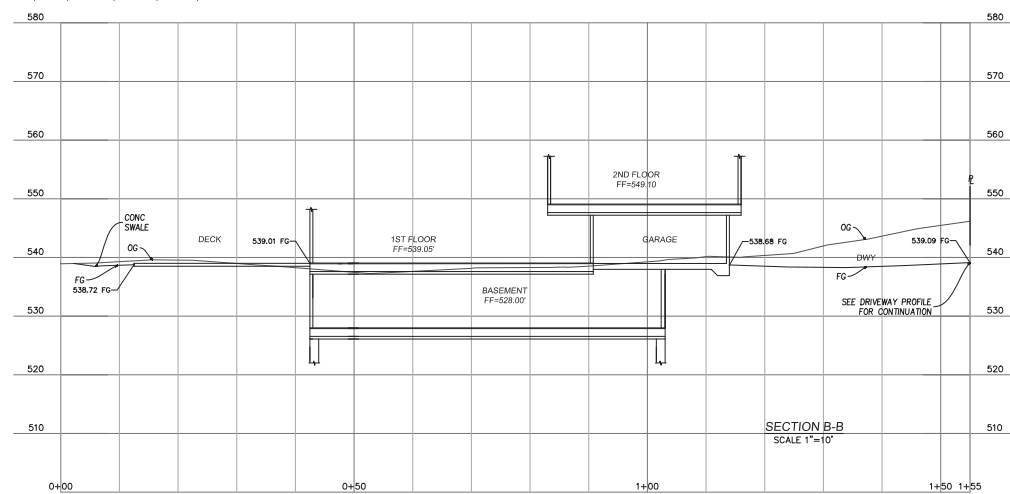
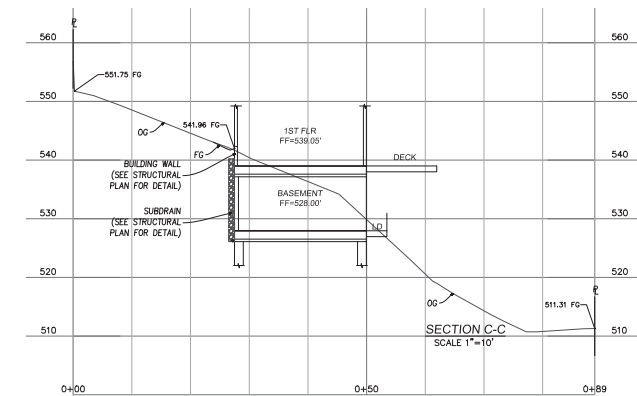
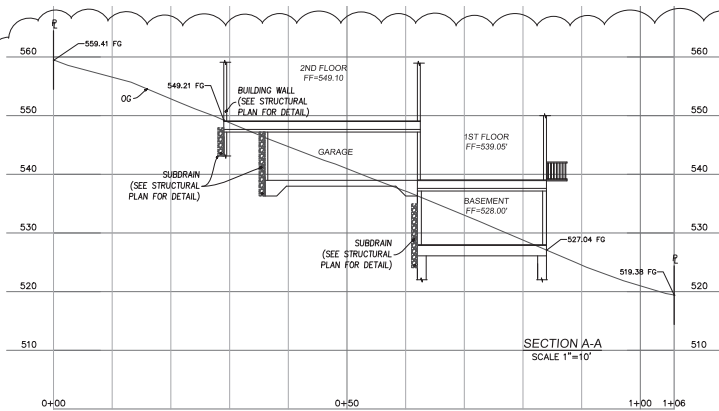


NOTES:

1. RIGID PIPE ALLOWED TO BOX FROM INLET
2. BOX SHALL BE SET WITH ADJACENT GRADES SLOPING AWAY TO PREVENT RAINWATER & LANDSCAPE WATER FROM ENTERING.
3. BUBBLER BOX SHALL BE SET WITHOUT CONCRETE BOTTOM AND LOCATED IN LANDSCAPE AREA TO FACILITATE PERCOLATION

| | |
|--|----------|
| <p>REGISTERED PROFESSIONAL ENGINEER No. 47518 CIVIL STATE OF CALIFORNIA</p> | |
| DATE: | 08/24/24 |
| SCALE: | HP |
| DESIGN: | HP |
| DRAWN: | HP |
| CHECK: | HP |
| INSP: | HP |
| PROJECT NO.: | |
| <p>GRADING AND DRAINAGE PLANS 16497 SOUTH KENNEDY ROAD BASEMENT GRADING AND DRAINAGE PLAN GRADING PERMIT APPLICATION NO.</p> | |
| <p>ENGINEERING 208 E Santa Clara St. Ste 270 San Jose, CA 95131 Tel: (408) 588-4009 Fax: (408) 588-4009</p> | |
| DATE: | 11/18/24 |
| BY: | NC |
| REVISIONS: | HP |
| REVISED FOR ROUND 1 COMMENTS: | |
| REVISED FOR ROUND 2 COMMENTS: | |
| <p>SHEET 5 OF 11</p> | |





| | |
|--------------|----------|
| DATE: | 08/24/24 |
| SCALE: | HP |
| DESIGN: | HP |
| DRAWN: | HP |
| CHECK: | HP |
| INCH: | HP |
| PROJECT NO.: | |

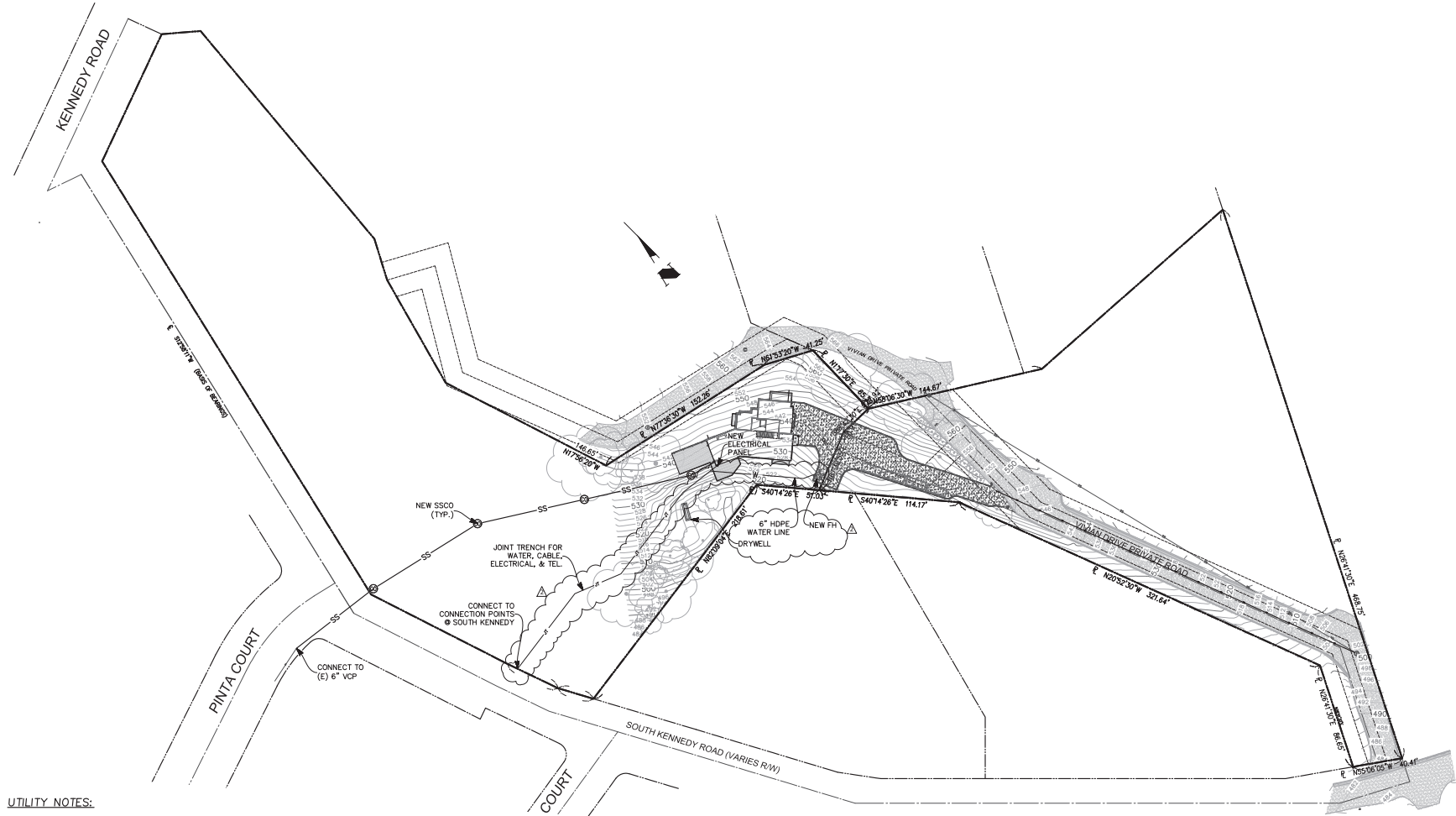
16497 SOUTH KENNEDY ROAD
BUILDING CROSSSECTION
GRADING PRINT APPLICATION NO. _____

ENGINEERING
208 E Santa Clara St. Ste 270
San Jose, CA 95131
Phone: (408) 588-4008
Fax: (408) 588-4008

| REVISIONS | DATE |
|------------------------------|-------------|
| REVISED FOR ROUND 1 COMMENTS | NC 11/7/24 |
| REVISED FOR ROUND 2 COMMENTS | HP 12/24/24 |

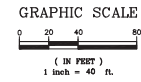
SHEET 7 OF 11

CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE UTILITY CONDITIONS SHOWN. THE COORDINATE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, SHALL BE LIMITED TO NORMAL WORKING LOCATIONS AND THAT THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PERFORMANCE OF WORK ON THE PROJECT, INCLUDING THE PERFORMANCE OF THE PROJECT, INCLUDING THE PERFORMANCE OF THE PROJECT, INCLUDING THE PERFORMANCE OF THE PROJECT.



UTILITY NOTES:

1. ALL NEW, RELOCATED, OR TEMPORARILY REMOVED UTILITY SERVICES, INCLUDING TELEPHONE, ELECTRIC POWER AND ALL OTHER COMMUNICATIONS LINES SHALL BE INSTALLED UNDERGROUND.
2. TOWN STRONGLY RECOMMENDS THE APPLICANTS COORDINATE WITH PG&E AS SOON AS POSSIBLE TO AVOID POTENTIAL SCHEDULE DELAYS.
3. SEWER TRENCH TO AVOID TREES AS DIRECTED BY THE PROJECT ARBORIST.



| | |
|--------------|----------|
| DATE: | 08/24/24 |
| SCALE: | HP |
| DESIGN: | HP |
| DRAWN: | HP |
| CHECK: | HP |
| INCH: | HP |
| PROJECT NO.: | |

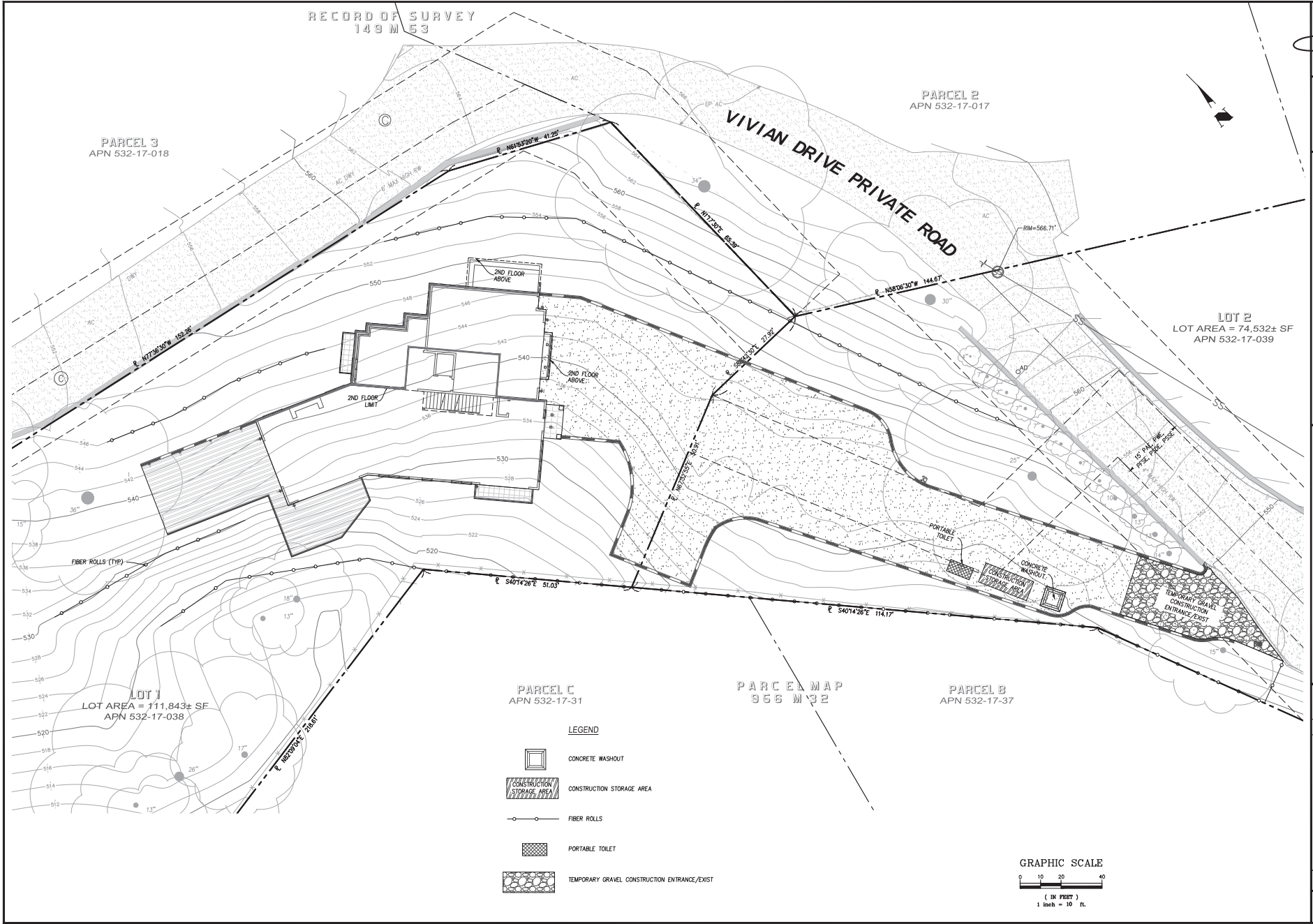
GRADING AND DRAINAGE PLANS
16497 SOUTH KENNEDY ROAD
UTILITY PLAN
GRADING PRINT APPLICATION NO. _____



| REVISIONS | BY | DATE |
|------------------------------|----|----------|
| REVISED FOR ROUND 1 COMMENTS | NC | 11/18/24 |
| REVISED FOR ROUND 2 COMMENTS | HP | 12/24/24 |

SHEET 8 OF 11

CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS PLAN. THE INFORMATION SHOWN ON THIS PLAN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE OF ANY KIND. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE PERFORMANCE OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND FOR THE PROTECTION OF THE ENVIRONMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND FOR THE PROTECTION OF THE ENVIRONMENT.



PROFESSIONAL SEAL
No. 47518
CIVIL ENGINEER
STATE OF CALIFORNIA

DATE: 08/24/24
SCALE: HP
DESIGN: HP
DRAWN: HP
CHECK: HP
INCH: HP
PROJECT NO.:

16497 SOUTH KENNEDY ROAD
EROSION CONTROL PLAN
GRADING PRINT APPLICATION NO.:

LF ENGINEERING
208 E Santa Clara St. Ste 270
San Jose, CA 95131
Phone: (408) 288-4000
Fax: (408) 288-4000

DATE: 11/24/24
BY: NC
REVISIONS:
REVISED FOR ROUND 1 COMMENTS
REVISED FOR ROUND 2 COMMENTS

SHEET 9 OF 11

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

GENERAL EROSION AND SEDIMENT CONTROL NOTES:

1. CONTRACTOR/OWNER: ROBERT NICOL
ADDRESS: 16491 S KENNEDY, LOS GATOS, CA 95030
PHONE NUMBER:
IT SHALL BE THE OWNER'S RESPONSIBILITY TO MAINTAIN CONTROL OF THE ENTIRE CONSTRUCTION OPERATION AND TO KEEP THE ENTIRE SITE IN COMPLIANCE WITH THE SOIL EROSION CONTROL PLAN.
2. CIVIL ENGINEER: LC ENGINEERING 598 E SANTA CLARA ST, SUITE #270,
SAN JOSE, CA 95112.
(408) 588-7187
3. CONTRACTOR: ROBERT NICOL
ADDRESS: 16491 S KENNEDY, LOS GATOS, CA 95030
24-HOUR PHONE NUMBER:
CONSTRUCTION SUPERINTENDENT: MELEAH GUILLARDO
ADDRESS: 212 THURSTON STREET, LOS GATOS, CA 95030
24-HOUR PHONE NUMBER:
4. THIS PLAN IS INTENDED TO BE USED FOR INTERIM EROSION AND SEDIMENT CONTROL ONLY AND IS NOT TO BE USED FOR FINAL ELEVATIONS OR PERMANENT IMPROVEMENTS.
5. DEVELOPER WILL SUBMIT TO THE COUNTY/CITY MONTHLY (AT THE FIRST OF EACH MONTH BETWEEN OCT 15TH AND APRIL 15TH) CERTIFICATIONS THAT ALL EROSION/SEDIMENT MEASURES IDENTIFIED ON THE APPROVED EROSION CONTROL PLAN ARE IN PLACE. IF MEASURES ARE NOT IN PLACE, DEVELOPER SHALL PROVIDE THE COUNTY/CITY WITH A WRITTEN EXPLANATION OF WHY THE MEASURE IS NOT IN PLACE AND WHAT WILL BE DONE TO REMEDY THIS SITUATION.
6. OWNER/CONTRACTOR SHALL BE RESPONSIBLE FOR MONITORING EROSION AND SEDIMENT CONTROL MEASURES PRIOR, DURING, AND AFTER STORM EVENTS.
7. REASONABLE CARE SHALL BE TAKEN WHEN HAULING ANY EARTH, SAND, GRAVEL, STONE, DEBRIS, PAPER OR ANY OTHER SUBSTANCE OVER ANY PUBLIC STREET, ALLEY, OR OTHER PUBLIC PLACE. SHOULD ANY BLOW, SPILL, OR TRACK OVER AND UPON SAID PUBLIC OR ADJACENT PRIVATE PROPERTY, IMMEDIATE REMEDY SHALL OCCUR.
8. SANITARY FACILITIES SHALL BE MAINTAINED ON THE SITE.
9. DURING THE RAINY SEASON, ALL PAVED AREAS SHALL BE KEPT CLEAR OF EARTH MATERIAL AND DEBRIS. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT LADEN RUNOFF TO ANY STORM DRAINAGE SYSTEM, INCLUDING EXISTING DRAINAGE SWALES AND WATER COURSES.
10. CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION AND WATER POLLUTION WILL BE MINIMIZED. STATE AND LOCAL LAWS CONCERNING POLLUTION ABATEMENT SHALL BE COMPLIED WITH.
11. CONTRACTOR SHALL PROVIDE DUST CONTROL AS REQUIRED BY THE APPROPRIATE FEDERAL, STATE AND LOCAL AGENCY REQUIREMENTS.

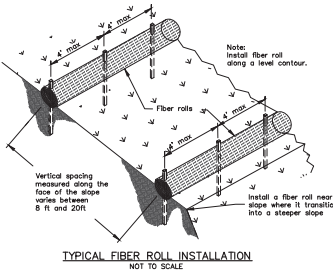
EROSION AND SEDIMENT CONTROL MEASURES

1. THE FACILITIES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL EROSION AND SEDIMENT DURING THE RAINY SEASON, OCTOBER 15 TO APRIL 15. FACILITIES ARE TO BE OPERABLE PRIOR TO EROSION 1 OF ANY YEAR. GRADING OPERATIONS DURING THE RAINY SEASON WHICH LEAVE EXPOSED SLOPES SHALL BE PROTECTED WITH EROSION CONTROL MEASURES IMMEDIATELY FOLLOWING GRADING ON THE SLOPES.
2. THIS PLAN COVERS ONLY THE FIRST WINTER FOLLOWING GRADING WITH ASSUMED SITE CONDITIONS AS SHOWN ON THE EROSION CONTROL PLAN. PRIOR TO SEPTEMBER 15, THE COMPLETION OF SITE IMPROVEMENT SHALL BE EVALUATED AND REVISIONS MADE TO THIS PLAN ARE NECESSARY WITH THE APPROVAL OF THE COUNTY/CITY ENGINEER. PLANS RESUBMITTED FOR THE COUNTY/CITY APPROVAL PRIOR TO SEPTEMBER 1 OF EACH SUBSEQUENT YEAR UNTIL ARE TO BESITE IMPROVEMENTS ARE ACCEPTED BY THE COUNTY/CITY.
3. CONSTRUCTION ENTRANCES SHALL BE INSTALL PRIOR TO COMMENCEMENT OF GRADING. ALL CONSTRUCTION TRAFFIC ENTERING ONTO THE PAVED ROADS MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE WAYS.
4. CONTRACTOR SHALL MAINTAIN STABILIZED ENTRANCE AT EACH VEHICLE ACCESS POINT TO EXISTING PAVED STREETS. ANY MUD OR DEBRIS TRACKED ON TO PUBLIC STREETS SHALL BE REMOVED DAILY AND AS REQUIRED BY THE COUNTY/CITY.
5. IF HYDROSEEDING IS NOT USED OR IS NOT EFFECTIVE BY 10/10, THEN OTHER IMMEDIATE METHODS SHALL BE IMPLEMENTED, SUCH AS EROSION CONTROL BLANKETS OR THREE-STEP APPLICATIONS OF 1) SEED, MULCH, FERTILIZER 2) BLOWN STRAW 3) TROCKIFIER AND MULCH.
6. INLET PROTECTION SHALL BE INSTALLED AT OPEN INLETS TO PREVENT SEDIMENT FROM ENTERING THE STORM DRAIN SYSTEM. INLETS NOT USED IN CONJUNCTION WITH EROSION CONTROL ARE TO BE BLOCKED TO PREVENT ENTRY OF
7. LOTS WITH HOUSES UNDER CONSTRUCTION WILL NOT BE HYDROSEED. EROSION PROTECTION FOR EACH LOT WITH A HOUSE UNDER CONSTRUCTION SHALL CONFORM TO THE TYPICAL LOT EROSION CONTROL DETAIL SHOWN ON THIS SHEET.
8. THIS EROSION AND SEDIMENT CONTROL PLAN MAY NOT COVER ALL THE SITUATIONS THAT MAY ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITION, VARIATIONS AND ADDITIONS MAY BE MADE TO THIS PLAN IN THE FIELD. NOTIFY THE REPRESENTATIVE OF ANY FIELD CHANGES.
9. GRADING WORK BETWEEN OCTOBER 15 AND APRIL 15 IS AT THE DISCRETION OF COUNTY/CITY.

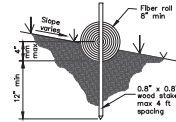
MAINTENANCE NOTES

1. MAINTENANCE IS TO BE PERFORMED AS FOLLOWS:
A. REPAIR DAMAGES CAUSED BY SOIL EROSION OR CONSTRUCTION AT THE END OF EACH WORKING DAY
B. SWALES SHALL BE INSPECTED PERIODICALLY AND MAINTAINED AS NEEDED.
C. SEDIMENT TRAPS, BERMING AND SWALES ARE TO BE INSPECTED AFTER EACH STORM AND REPAIRS MADE AS NEEDED.
D. SEDIMENT SHALL BE REMOVED AND SEDIMENT TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT HAS ACCUMULATED TO A DEPTH OF 1 FOOT.
E. SEDIMENT REMOVED FROM TRAP SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.
F. RILLS AND FULLES MUST BE REPAIRED.
2. SAND BAD INLET PROTECTION SHALL BE CLEANED OUT WHENEVER SEDIMENT DEPTH IS ONE HALF THE HEIGHT OF ONE SAND BAG.
3. EXPOSED SLOPE SHALL BE PROTECTED WITH JUTE NET AND/OR HYDROSEED. HYDROSEED SHALL BE A HOMOGENEOUSLY MIX OF SLURRY CONTAINING NOT LESS THAN 44 LBS OF ORGANIC MULCHING AMENDMENT PLUS FERTILIZER, CHEMICAL ADDITIVES AND SOLIDS FOR EACH 100 GALLONS OF WATER.

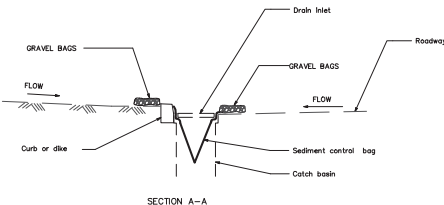
1 FIBER ROLLS
CASQA DETAIL SE-5



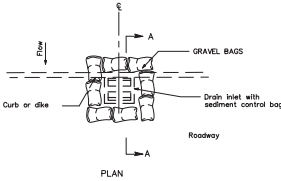
TYPICAL FIBER ROLL INSTALLATION
NOT TO SCALE



ENTRENCHMENT DETAIL
NOT TO SCALE

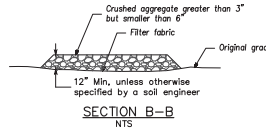


SECTION A-A

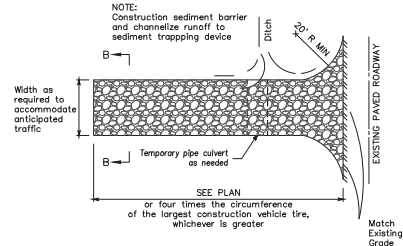


TEMPORARY DRAINAGE INLET PROTECTION
For paved areas exposed to traffic

3 STABILIZED CONSTRUCTION ENTRANCE/EXIT
CASQA Detail TC-1



SECTION B-B
NTS



| | |
|--------------|----------|
| DATE: | 08/24/24 |
| SCALE: | |
| DESIGN: | HP |
| DRAWN: | HP |
| CHECK: | HP |
| INCH: | |
| PROJECT NO.: | |

GRADING AND DRAINAGE PLANS
16497 SOUTH KENNEDY ROAD
EROSION CONTROL DETAILS
GRADING PRINT APPLICATION NO. _____



| REVISIONS | BY | DATE |
|------------------------------|----|----------|
| REVISED FOR ROUND 1 COMMENTS | NC | 11/18/24 |
| REVISED FOR ROUND 2 COMMENTS | HP | 12/24/24 |

RECORD OF SURVEY
149 M 53

PARCEL 3
APN 532-17-018

PARCEL 2
APN 532-17-017

VIVIAN DRIVE PRIVATE ROAD

LOT 2
LOT AREA = 74,532± SF
APN 532-17-039

LOT 1
LOT AREA = 111,843± SF
APN 532-17-038

PARCEL C
APN 532-17-31

PARCEL D MAP
956 M 32

PARCEL B
APN 532-17-37

LEGEND

- CONCRETE WASHOUT
- DEBRIS BOX
- CONSTRUCTION STORAGE AREA
- PORTABLE TOILET

RECORD OF SURVEY
149 M 53

PARCEL 3
APN 532-17-018

PARCEL 2
APN 532-17-017

VIVIAN DRIVE PRIVATE ROAD

LOT 2
LOT AREA = 74,532± SF
APN 532-17-039

LOT 1
LOT AREA = 111,843± SF
APN 532-17-038

PARCEL C
APN 532-17-31

PARCEL D
APN 532-17-37

PARCEL E
APN 532-17-37

LEGEND

- CONCRETE WASHOUT
- DEBRIS BOX
- CONSTRUCTION STORAGE AREA
- PORTABLE TOILET

CONCRETE WASHOUT

DEBRIS BOX

PORTABLE TOILET

CONSTRUCTION STORAGE AREA

TEMPORARY GRAVEL ENTRANCE EXIST

SECURITY FENCE (TYP)

| | |
|--------------|----------|
| DATE: | 08/14/24 |
| SCALE: | |
| DESIGN: | HP |
| DRAWN: | HP |
| CHECK: | HV |
| ENGR: | HV |
| PROJECT NO.: | |

ENGINEERING

508 E. Santa Clara St., Ste. 270
San Jose, CA 95128
Phone (408) 585-7987
Fax (408) 585-4008



SHEET 11 OF 11

Page 176

Recommendations
Pre-construction and Planning Phase

1. Place tree numbers and tree protection fence locations and guidelines on the plans including the grading, drainage, and utility plans. Create a separate plan sheet that includes all protection measures labeled "T-1 Tree Protection Plan."
2. Make sure all the plans have the existing trees and indicate the removals consistently throughout all drawings (civil, architectural, and landscape)
3. Place tree protection fence along the driveway adjacent to #170, #171, #172, #188, and #189 (Type I)
4. Place tree protection fence around coast live oak #1185 at the edge of the existing pool patio (Type I).
5. Place fence around #177 and #178 individually at the required radii (Type I).
6. Provide a landscape plan that accounts for the loss in tree canopy to include in tabular form the required replacements in accordance with the Town's Tree Canopy Replacement Standard.
7. All tree maintenance and care shall be performed by a qualified arborist with a C-61/D-49 California Contractors License. Tree maintenance and care shall be specified in writing according to American National Standard for Tree Care Operations: Tree, Shrub and Other Woody Plant Management: Standard Practices parts 1 through 10 and adhere to ANSI Z133.1 safety standards and local regulations. All maintenance is to be performed according to ISA Best Management Practices.
8. Provide a copy of this report to all contractors and project managers, including the architect, civil engineer, and landscape designer or architect. It is the responsibility of the owner to ensure all parties are familiar with this document.
9. Arrange a pre-construction meeting with the project arborist or landscape architect to verify tree protection is in place, with the correct materials, and at the proper distances.

| REPLACEMENT SPECIES CHART | | | | | |
|---------------------------|----------------|---------|-----|----------|----------------------|
| BOTANICAL | COMMON | SIZE | QTY | WATER | REMARKS |
| Tree | | | | | |
| Cercis occidentalis | Western Redbud | 24" box | 4 | Very Low | As Replacement Trees |
| Heteromeles arbutifolia | Toyon | 24" box | 39 | Low | As Replacement Trees |
| Quercus agrifolia | Coast Live Oak | 24" box | 10 | Very Low | As Replacement Trees |

| TREE REPLACEMENT TABLE | | | |
|------------------------|--|--------|------------------------------|
| Tree Tag # | Common Name | Remove | Replacement Ratio of 24" Box |
| 1 | Coast live oak / Quercus agrifolia | | |
| 2 | European olive / Olea europaea | | |
| 3 | Coast live oak / Quercus agrifolia | | |
| 4 | Coast live oak / Quercus agrifolia | | |
| 5 | Coast live oak / Quercus agrifolia | | |
| 6 | Coast live oak / Quercus agrifolia | | |
| 7 | European olive / Olea europaea | YES | 6 |
| 8 | California toyon / Heteromeles arbutifolia | YES | 3 |
| 9 | Coast live oak / Quercus agrifolia | YES | 3 |
| 10 | Coast live oak / Quercus agrifolia | YES | 3 |
| 11 | Coast live oak / Quercus agrifolia | YES | 2 |
| 12 | European olive / Olea europaea | YES | 3 |
| 13 | Coast live oak / Quercus agrifolia | YES | 2 |
| 14 | Coast live oak / Quercus agrifolia | YES | 3 |
| 15 | Coast live oak / Quercus agrifolia | YES | 2 |
| 16 | Coast live oak / Quercus agrifolia | YES | 3 |
| 17 | Coast live oak / Quercus agrifolia | YES | 3 |
| 18 | Coast live oak / Quercus agrifolia | YES | 3 |
| 19 | Coast live oak / Quercus agrifolia | YES | 3 |
| 20 | Coast live oak / Quercus agrifolia | YES | 3 |
| 21 | Coast live oak / Quercus agrifolia | | |
| 22 | California toyon / Heteromeles arbutifolia | YES | 3 |
| 23 | Coast live oak / Quercus agrifolia | YES | 3 |
| 24 | Coast live oak / Quercus agrifolia | | |
| 25 | Coast live oak / Quercus agrifolia | | |
| 26 | Coast live oak / Quercus agrifolia | | |
| 27 | Coast live oak / Quercus agrifolia | YES | 3 |
| 28 | Coast live oak / Quercus agrifolia | | |
| 29 | Coast live oak / Quercus agrifolia | | |
| Total | | | 51 |

REVISIONS BY

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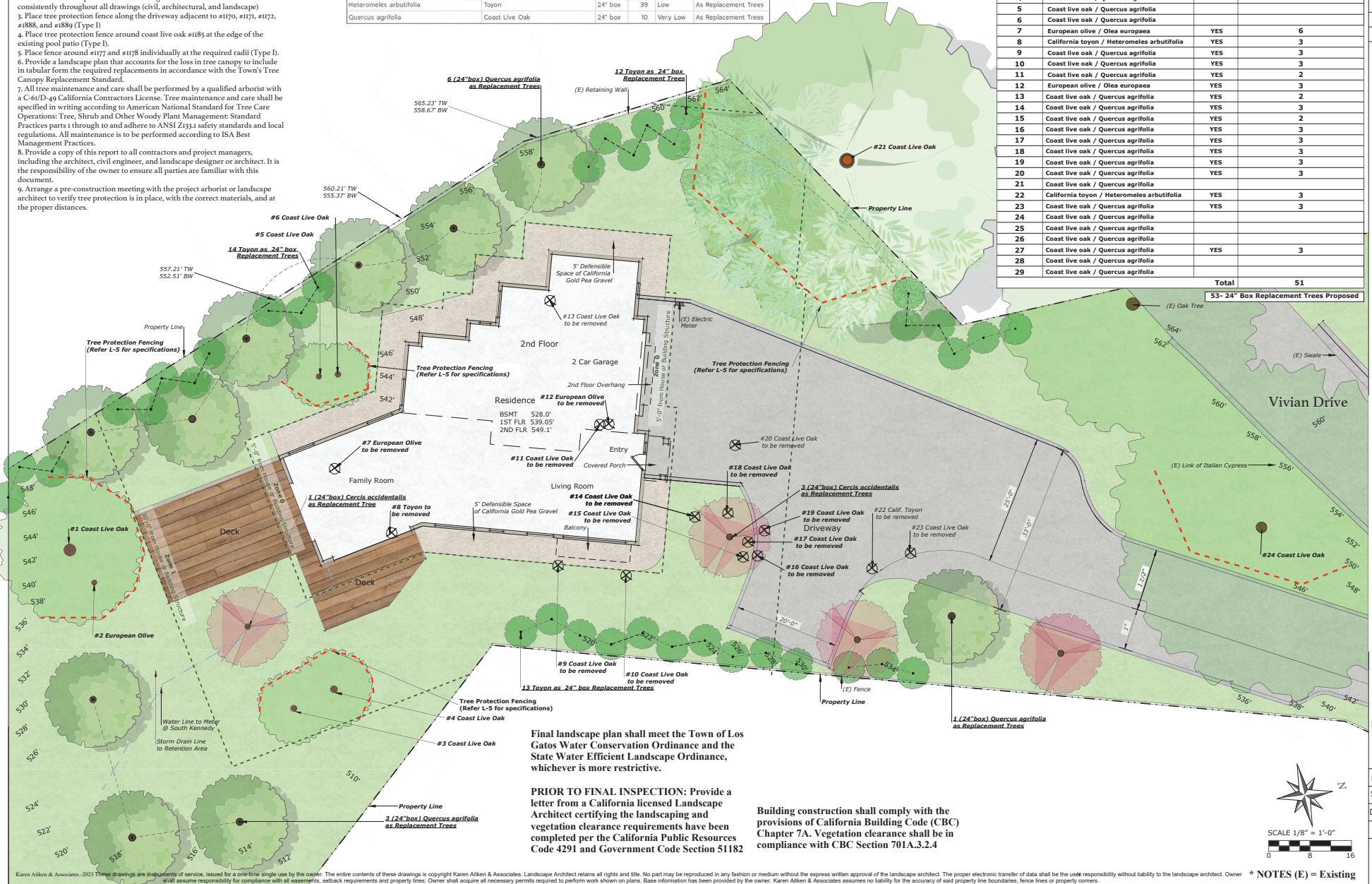
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NICOL RESIDENCE
16491 S Kennedy Rd, Los Gatos, CA.
TREE PROTECTION & REPLACEMENT PLAN



DATE 12-16-24
SCALE 1/8"=1'-0"
DRAWN IN
JOB NICOL

L-1





Prunus ilicifolia
Hollyleaf Cherry 5 Gal.
2'-2.5' x 18'-22" (Height x Width)
10-25' x 10-25' (At Maturity)
Growth Rate: Moderate

Myrica californica
Pacific Wax Myrtle 5 Gal.
15'-20' x 20'-24" (Height x Width)
20'-30' x 10'-20" (At Maturity)
Growth Rate: Moderate

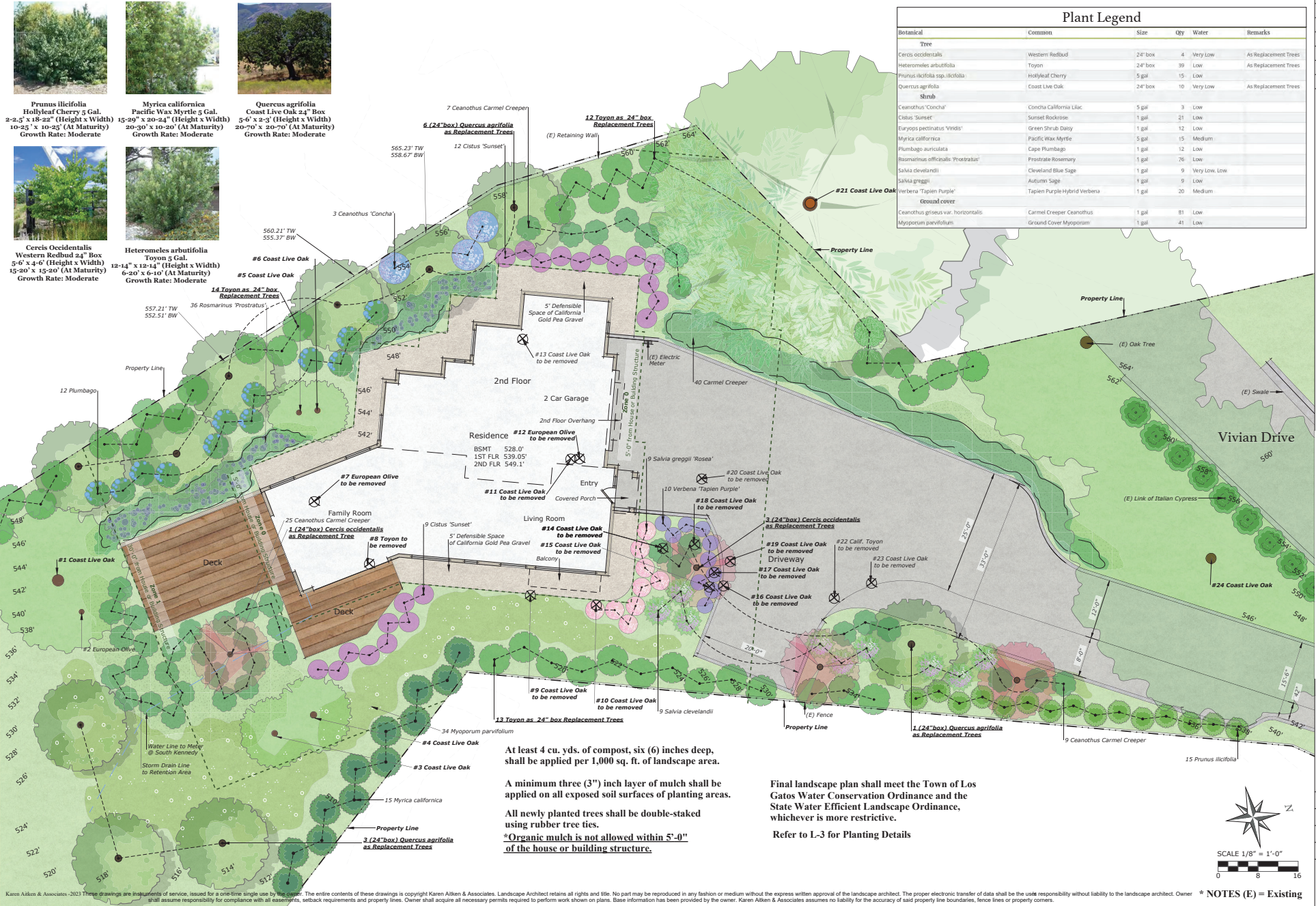
Quercus agrifolia
Coast Live Oak 24" Box
5'-6' x 2'-3' (Height x Width)
20'-70' x 20'-70' (At Maturity)
Growth Rate: Moderate



Cercis occidentalis
Western Redbud 24" Box
5'-6' x 4'-6' (Height x Width)
15'-20' x 15'-20' (At Maturity)
Growth Rate: Moderate



Heteromeles arbutifolia
Toyon 5 Gal.
12'-14" x 12'-14" (Height x Width)
6'-20' x 6'-10" (At Maturity)
Growth Rate: Moderate



| Plant Legend | | | | | |
|-------------------------------------|-------------------------------|---------|-----|---------------|---------------------|
| Botanical | Common | Size | Qty | Water | Remarks |
| Tree | | | | | |
| Cercis occidentalis | Western Redbud | 24" box | 4 | Very Low | As Replacement Tree |
| Heteromeles arbutifolia | Toyon | 24" box | 39 | Low | As Replacement Tree |
| Prunus ilicifolia ssp. ilicifolia | Hollyleaf Cherry | 5 gal | 15 | Low | |
| Quercus agrifolia | Coast Live Oak | 24" box | 10 | Very Low | As Replacement Tree |
| Shrub | | | | | |
| Ceanothus 'Concha' | Concha California Lilac | 5 gal | 3 | Low | |
| Cistus 'Sunset' | Sunset Rockrose | 1 gal | 21 | Low | |
| Euryops pectinatus 'Vindis' | Green Shrub Daisy | 1 gal | 12 | Low | |
| Myrica californica | Pacific Wax Myrtle | 5 gal | 15 | Medium | |
| Plumbago auriculata | Cape Plumbago | 1 gal | 12 | Low | |
| Rosmarinus officinalis 'Prostratus' | Prostrate Rosemary | 1 gal | 76 | Low | |
| Salvia clevelandii | Cleveland Blue Sage | 1 gal | 9 | Very Low, Low | |
| Salvia greggii | Autumn Sage | 1 gal | 9 | Low | |
| Verberna 'Tapini Purple' | Tapini Purple Hybrid Verberna | 1 gal | 20 | Medium | |
| Ground cover | | | | | |
| Ceanothus griseus var. horizontalis | Carmel Creeper Ceanothus | 1 gal | 81 | Low | |
| Myoporum parvifolium | Ground Cover Myoporum | 1 gal | 41 | Low | |

REVISIONS

BY

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NICOL RESIDENCE
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PLANTING PLAN
















LICENSED LANDSCAPE ARCHITECT
KAREN JONES AITKEN
No. 2339
Exp. 8-31-25
Seal of the State of California

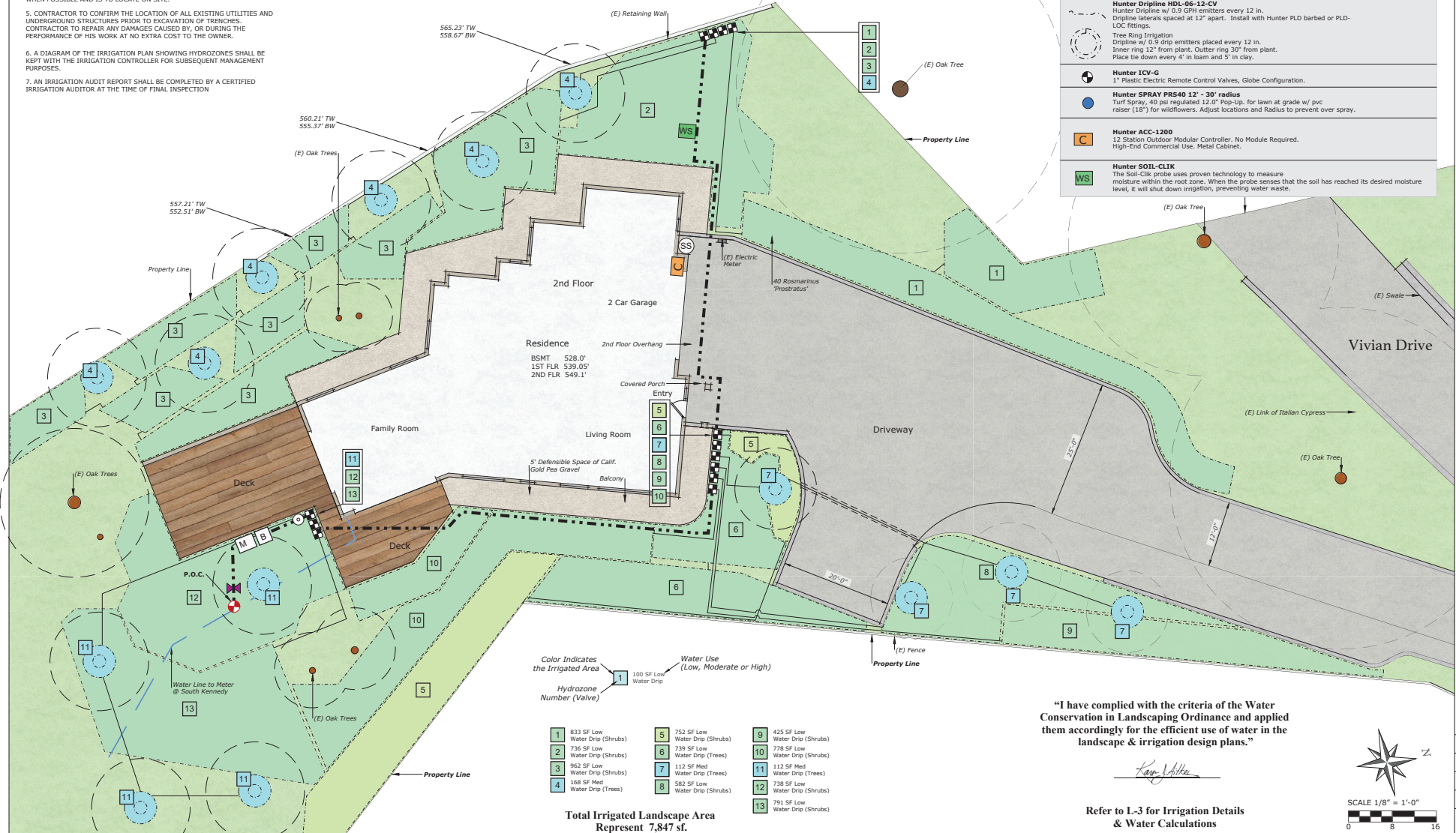
DATE 12-16-24
SCALE 1/8"=1'-0"
DRAWN PD
JOB NICOL

L-2

IRRIGATION NOTES

1. THE IRRIGATION SYSTEM IS TO BE INSTALLED IN CONFORMANCE WITH ALL LOCAL CODES.
2. THIS IRRIGATION DESIGN IS DIAGRAMMATIC IN NATURE AND DOES NOT REPRESENT AN EXACT LAYOUT. THE CONTRACTOR SHALL MAKE MINOR ADJUSTMENTS IN HEAD, VALVE, AND PIPING LAYOUT. FOR GRAPHIC CLARITY, PIPING MAY BE SHOWN OUTSIDE OF PLANTING AREAS BUT SHOULD BE INSTALLED IN BEDS WHENEVER POSSIBLE.
3. REMOTE CONTROL VALVES SHALL BE INSTALLED FLUSH WITH FINISH GRADE AND SHOULD BE INSTALLED IN PLANTING AREAS ONLY. USE EXISTING VALVE BOXES WHEN POSSIBLE.
4. WHERE PIPE PASSES UNDER DRIVING SURFACES, AND WALKS PROVIDE PVC SLEEVES AS NOTED ON PLANS. CONTRACTOR TO USE EXISTING SLEEVING WHEN POSSIBLE AND IS TO LOCATE ON SITE.
5. CONTRACTOR TO CONFIRM THE LOCATION OF ALL EXISTING UTILITIES AND UNDERGROUND STRUCTURES PRIOR TO EXCAVATION OF TRENCHES. CONTRACTOR TO REPAIR ANY DAMAGES CAUSED BY, OR DURING THE PERFORMANCE OF HIS WORK AT NO EXTRA COST TO THE OWNER.
6. A DIAGRAM OF THE IRRIGATION PLAN SHOWING HYDROZONES SHALL BE KEPT WITH THE IRRIGATION CONTROLLER FOR SUBSEQUENT MANAGEMENT PURPOSES.
7. AN IRRIGATION AUDIT REPORT SHALL BE COMPLETED BY A CERTIFIED IRRIGATION AUDITOR AT THE TIME OF FINAL INSPECTION

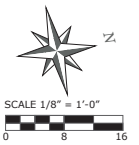
| IRRIGATION KEY | |
|---|--|
|  | Hunter Solar-Sync WSS-SEN Solar, rain freeze sensor with outdoor interface, connects to Hunter PCC, Pro-C, and I-Core Controllers, install as noted. Includes 10 year lithium battery and rubber module cover, and gutter mount brackets. Wireless. |
|  | Gate Valve - Insulation Shut off Valve |
|  | HUNTER HC FLOW METER 1" New Irrigation Water Meter |
|  | Wilkins 975 XL2 1" Lead-free Reduced Pressure Backflow Preventer |
|  | Irrigation Lateral Line: 1 in. PVC Class 200 |
|  | Irrigation Mainline: 1 in. PVC Schedule 40 |
|  | Pipe Sleeve: PVC Class 200 - Typical pipe sleeve for irrigation pipe. Pipe sleeve size shall allow for irrigation piping and their related couplings to easily slide through sleeving material. Extend sleeves 18 inches beyond edges of paving or construction. |
|  | Hunter ICZ-101-25-LF Drip Control Zone Kit. 1" ICV Globe Valve with 1" HY100 filter system. Pressure Regulation: 25psi. Flow Range: 5-15 GPM. 150 mesh stainless steel screen. |
|  | Hunter HFS-150 Flow Sensor for use with ACC controller, 1" Schedule 40 Sensor Body, 24 VAC, 2 amp. |
|  | Hunter Dripline HDL-06-12-CV Hunter Dripline w/ 0.9 GPH emitters every 12 in. Dripline laterals spaced at 12" apart. Install with Hunter PLD barbed or PLD-LOC fittings. |
|  | Tree Ring Irrigation Dripline w/ 0.9 drip emitters placed every 12 in. Inner ring 12" from plant. Outer ring 30" from plant. Place tie down every 4' in loam and 5' in clay. |
|  | Hunter ICV-G 1" Plastic Electric Remote Control Valves, Globe Configuration. |
|  | Hunter SPRAY PRS40 12' - 30' radius Turf Spray, 40 psi regulated 12.0" Pop-Up, for lawn at grade w/ pvc raiser (18") for wildflowers. Adjust locations and Radius to prevent over spray. |
|  | Hunter ACC-1200 12 Station Outdoor Modular Controller. No Module Required. High-End Commercial Use. Metal Cabinet. |
|  | Hunter SOIL-CLIK The Soil-CLIK probe uses proven technology to measure moisture within the root zone. When the probe senses that the soil has reached its desired moisture level, it will shut down irrigation, preventing water waste. |



"I have complied with the criteria of the Water Conservation in Landscaping Ordinance and applied them accordingly for the efficient use of water in the landscape & irrigation design plans."

Karen Aitken

Refer to L-3 for Irrigation Details & Water Calculations



| REVISIONS | BY |
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NICOL RESIDENCE
16491 S Kennedy Rd, Los Gatos, CA.
IRRIGATION PLAN



| | |
|-------|------------|
| DATE | 12-16-24 |
| SCALE | 1/8"=1'-0" |
| DRAWN | PD |
| JOB | NICOL |

L-3



LOS GATOS TOWN CODE
SEC. 29.10.1005. PROTECTION OF TREES
DURING CONSTRUCTION

(A) PROTECTIVE TREE FENCING SHALL SPECIFY THE FOLLOWING:

(1) SIZE AND MATERIALS. SIX (6) FOOT HIGH CHAIN LINK FENCING, MOUNTED ON TWO-INCH DIAMETER GALVANIZED IRON POSTS, SHALL BE DRIVEN INTO THE GROUND TO A DEPTH OF AT LEAST TWO (2) FEET AT NO MORE THAN TEN-FOOT SPACING, FOR PAVING AREA THAT WILL NOT BE DEMOLISHED AND WHEN STIPULATED IN A TREE PRESERVATION PLAN, POSTS MAY BE SUPPORTED BY A CONCRETE BASE.

(2) AREA TYPE TO BE FENCED. TYPE I: ENCLOSURE WITH CHAIN LINK FENCING OF EITHER THE ENTIRE DRIPLINE AREA OR AT THE TREE PROTECTION ZONE (TPZ), WHEN SPECIFIED BY A CERTIFIED OR CONSULTING ARBORIST; TYPE II: ENCLOSURE FOR STREET TREES LOCATED IN A PLANTER STRIP, CHAIN LINK FENCE AROUND THE ENTIRE PLANTER STRIP TO THE OUTER BRANCHES; TYPE III: PROTECTION FOR A TREE LOCATED IN A SMALL PLANTER CUTOUT ONLY (SUCH AS DOWNTOWN); ORANGE PLASTIC FENCING SHALL BE WRAPPED AROUND THE TRUNK FROM THE GROUND TO THE FIRST BRANCH WITH TWO-INCH WOODEN BOARDS BOUND SECURELY ON THE OUTSIDE. CAUTION SHALL BE USED TO AVOID DAMAGING ANY BARK OR BRANCHES.

(3) DURATION OF TYPE I, II, III FENCING. FENCING SHALL BE ERECTED BEFORE DEMOLITION, GRADING OR CONSTRUCTION PERMITS ARE ISSUED AND REMAIN IN PLACE UNTIL THE WORK IS COMPLETED. CONTRACTOR SHALL FIRST OBTAIN THE APPROVAL OF THE PROJECT ARBORIST ON RECORD PRIOR TO REMOVING A TREE PROTECTION FENCE.

(4) WARNING SIGN. EACH TREE FENCE SHALL HAVE PROMINENTLY DISPLAYED AN EIGHT AND ONE-HALF-INCH BY ELEVEN-INCH SIGN STATING: "WARNING-TREE PROTECTION ZONE-THIS FENCE SHALL NOT

(B) ALL PERSONS, SHALL COMPLY WITH THE FOLLOWING PRECAUTIONS:

(1) PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, INSTALL THE FENCE AT THE DRIPLINE, OR TREE PROTECTION ZONE (TPZ) WHEN SPECIFIED IN AN APPROVED ARBORIST REPORT, AROUND ANY TREE AND/OR VEGETATION TO BE RETAINED WHICH COULD BE AFFECTED BY THE CONSTRUCTION AND PROHIBIT ANY STORAGE OF CONSTRUCTION MATERIALS OR OTHER MATERIALS, EQUIPMENT CLEANING, OR PARKING OF VEHICLES WITHIN THE TPZ. THE DRIPLINE SHALL NOT BE ALTERED IN ANY WAY SO AS TO INCREASE THE ENCRoACHMENT OF THE CONSTRUCTION.

(2) PROHIBIT ALL CONSTRUCTION ACTIVITIES WITHIN THE TPZ, INCLUDING BUT NOT LIMITED TO: EXCAVATION, GRADING, DRAINAGE AND LEVELING WITHIN THE DRIPLINE OF THE TREE UNLESS APPROVED BY THE DIRECTOR.

(3) PROHIBIT DISPOSAL OR DEPOSITING OF OIL, GASOLINE, CHEMICALS OR OTHER HARMFUL MATERIALS WITHIN THE DRIPLINE OF OR IN DRAINAGE CHANNELS, SWALES OR AREAS THAT MAY LEAD TO THE DRIPLINE OF A PROTECTED TREE.

(4) PROHIBIT THE ATTACHMENT OF WIRES, SIGNS OR ROPES TO ANY PROTECTED TREE.

(5) DESIGN UTILITY SERVICES AND IRRIGATION LINES TO BE LOCATED OUTSIDE OF THE DRIPLINE WHEN FEASIBLE.

(6) RETAIN THE SERVICES OF A CERTIFIED OR CONSULTING ARBORIST WHO SHALL SERVE AS THE PROJECT ARBORIST FOR PERIODIC MONITORING OF THE PROJECT SITE AND THE HEALTH OF THOSE TREES TO BE PRESERVED. THE PROJECT ARBORIST SHALL BE PRESENT WHENEVER ACTIVITIES OCCUR WHICH MAY POSE A POTENTIAL THREAT TO THE HEALTH OF THE TREES TO BE PRESERVED AND SHALL DOCUMENT ALL SITE VISITS.

(7) THE DIRECTOR AND PROJECT ARBORIST SHALL BE NOTIFIED OF ANY DAMAGE THAT OCCURS TO A PROTECTED DURING CONSTRUCTION SO THAT PROPER TREATMENT MAY BE ADMINISTERED.

TREE PROTECTION NOTES.

FENCING AROUND TREES DURING CONSTRUCTION:
A TEMPORARY FENCE SHALL BE ERECTED AROUND EACH TREE TO BE RETAINED. THE FENCE SHOULD BE LOCATED AT THE DRIPLINE OR A MINIMUM OF 5' FROM THE TRUNK WHICH EVER IS GREATER. THE FENCE SHOULD BE ERECTED SO IT WILL NOT BE EASY FOR CONSTRUCTION WORKERS TO REMOVE OR RELOCATE.

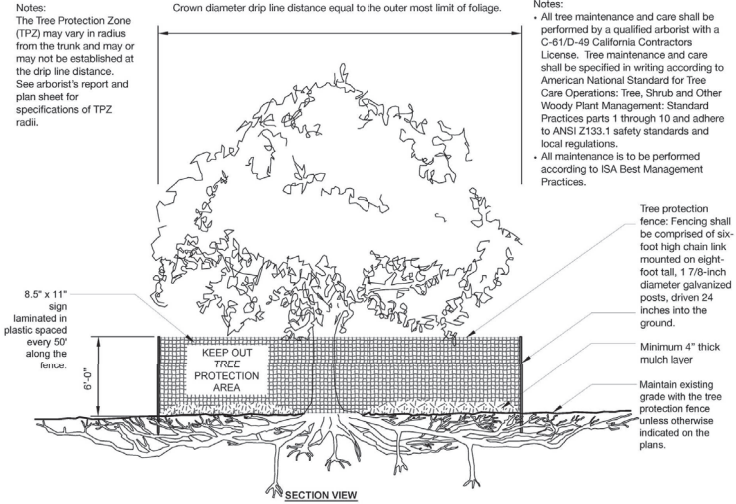
THIS FENCING MUST BE ERECTED BEFORE ANY CONSTRUCTION EQUIPMENT ENTERS THE SITE AND MUST NOT BE REMOVED UNTIL FINAL LANDSCAPE GRADING IS COMPLETE. SOIL COMPACTION AND TRENCHING THROUGH ROOT ZONES ARE THE MAJOR CAUSES OF TREE STRESS IN THE CONSTRUCTION PERIOD.

IT SHOULD BE EXPLAINED CLEARLY TO ALL CONTRACTORS AND WORKERS ON SITE THAT THESE FENCES ARE IMPORTANT AND ARE NOT TO BE REMOVED. TRENCHING OF ANY SORT AND FOR ANY REASON MUST BE PLANNED TO AVOID TRAVERSING AREAS WITHIN THE TREE DRIPLINE.

ALL TREE MAINTENANCE AND CARE SHALL BE PERFORMED BY A QUALIFIED ARBORIST WITH A C-61/D-49 CALIFORNIA CONTRACTORS LICENSE. TREE MAINTENANCE AND CARE SHALL BE SPECIFIED IN WRITING ACCORDING TO AMERICAN NATIONAL STANDARD FOR TREE CARE OPERATIONS: TREE, SHRUB AND OTHER WOODY PLANT MANAGEMENT: STANDARD PRACTICES PARTS 1 THROUGH 10 AND ADHERE TO ANSI Z133.1 SAFETY STANDARDS AND LOCAL REGULATIONS. ALL MAINTENANCE IS TO BE PERFORMED ACCORDING TO ISA BEST MANAGEMENT PRACTICES.

ALL TREE MAINTENANCE AND CARE SHALL BE PERFORMED BY A QUALIFIED ARBORIST WITH A C-61/D-49 CALIFORNIA CONTRACTORS LICENSE. TREE MAINTENANCE AND CARE SHALL BE SPECIFIED IN WRITING ACCORDING TO AMERICAN NATIONAL STANDARD FOR TREE CARE OPERATIONS: TREE, SHRUB AND OTHER WOODY PLANT MANAGEMENT: STANDARD PRACTICES PARTS 1 THROUGH 10 AND ADHERE TO ANSI Z133.1 SAFETY STANDARDS AND LOCAL REGULATIONS. ALL MAINTENANCE IS TO BE PERFORMED ACCORDING TO ISA BEST MANAGEMENT PRACTICES.

REFER TO TREE INVENTORY, ASSESSMENT AND PROTECTION REPORT PREPARED BY RICHARD GESSNER, AUGUST 26, 2020 ON SHEETS AR-1 TO AR-4.



TREE PROTECTION DETAIL (TYPE I)

Warning Tree Protection Zone

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

Cuidado Zona De Arbol Protejido

Esta valla no podrán ser sacados
Y está sujeta a sanción en función de
Código Ciudad del 29.10.1025

TREE PROTECTION SIGNS.

| REVISIONS | BY |
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16491 S Kennedy Rd, Los Gatos, CA.
TREE PROTECTION DETAILS



| | |
|-------|----------|
| DATE | 12-16-24 |
| SCALE | |
| DRAWN | IN |
| JOB | NICOL |

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