

PLANNING COMMISSION – August 13, 2025
DRAFT CONDITIONS OF APPROVAL

14595 Clearview Drive, 17400 Wedgewood Avenue, and 17445 Zena Avenue
Architecture and Site Application S-25-005

Consider a Request for a Grading Permit and Removal of Large Protected Trees Associated with a Comprehensive Redevelopment of the La Rinconada Golf Course on Property Zoned RC and R-1:20. APNs 409-18-008, -009, -010, and 409-31-001. Categorically Exempt Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15301: Existing Facilities, and 15302: Replacement or Reconstruction. Property Owner: Clearview Golf Associates LLC. Applicant: Andy Kimball.

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC 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. The lighting plan shall be reviewed during building plan check.
4. 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.
5. 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.
6. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations made by Trees 360 and Richard Gessner, identified in the Arborist reports, dated July 17, 2025, on file in the Community Development Department. A Compliance Memorandum shall be prepared by the applicant and submitted with the building permit application detailing how the recommendations have or will be addressed. 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 shall be installed in accordance with the approved landscape plans and as noted in the July 17, 2025, arborist report, unless as modified by the Planning Commission. A tree protection fencing plan shall be included with the construction plans.

8. **REPLACEMENT TREES:** New trees shall be planted to mitigate the loss of trees being removed. The number of trees and size of replacement trees shall be planted in accordance to the table below. New trees shall be double staked with rubber ties and shall be planted prior to final inspection and issuance of occupancy permits. In-lieu fees, pursuant to Town Code, shall be paid to mitigate the replacement of any trees not planted per Town Code.

Tree Size	Number	Ratio between 24" box
24"	25	1 to 1
36"	56	2 to 1
48"	66	3 to 1
60"	26	4 to 1

9. **ARBORIST MONITORING:** Anytime tree protection fencing and netting is to be constructed or moved, the project arborist shall be on-site to monitor the work and ensure compliance with tree protection plan. If plastic netting is approved in lieu of chain-link fencing, the project arborist shall inspect the fencing and submit a report to the Community Development Department monthly.
10. **TREE STAKING:** All newly planted trees shall be double-staked using rubber tree ties.
11. **WATER EFFICIENCY LANDSCAPE ORDINANCE:** The final landscape plan, including landscape and irrigation plans and calculations, shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. The final landscape plan shall be reviewed by the Town's consultant prior to issuance of building permits. 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. **PROPERTY FENCE:** All new fencing shall comply with Town Code Section 29.40.0315 at building permit stage, unless an exception is granted by the Community Development Director.
13. **STORY POLES:** The story poles and project signs on the project site shall be removed within 30 days of approval of the Architecture and Site application.
14. **BAAQMD MEASURES:** During any construction period ground disturbance, the applicant shall ensure that the project contractor implements measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less-than-significant level.
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud/dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as

practicable. Building pads shall be laid as soon as practicable after grading unless seeding or soil binders are used.

- f. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
 - g. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
 - h. Unpaved roads providing access to site located 100 feet or further from a paved road shall be treated with a six - to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
 - i. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall be visible to ensure compliance with applicable regulations.
15. CONSTRUCTION ACTIVITIES: To limit the presence of noise during construction, the following shall be complied with during any construction, grading, or tree removals.
- a. Construction activities shall be limited to the hours of 8:00 a.m. to 6:00 pm on weekdays and between the hours of 9:00 am and 4:00 pm on Saturdays. No construction is permitted on Sundays or holidays.
 - b. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
 - c. Prohibit unnecessary idling of internal combustion engines.
 - d. Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
 - e. Locate construction staging areas at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
 - f. Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
 - g. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.
16. CONSTRUCTION VIBRATION: To limit the presence of vibration during construction, the following shall be complied with during any construction, grading, or tree removals.
- a. Smaller equipment (less than 18,000 pounds) shall be used near the property lines adjacent to the residential buildings to minimize vibration levels. For example, a smaller vibratory roller similar to a Caterpillar model CP433E vibratory compactor could be used when compacting materials within 25 feet of vibration-sensitive

- buildings.
 - b. Small tractors/loaders/backhoes shall be used within 10 feet of vibration-sensitive buildings instead of excavators.
 - c. Designate a Disturbance Coordinator responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.
17. 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.
18. 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.

19. **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.
20. 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.

21. 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 to construct the new comfort station.
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 Energy Reach Codes.
24. CONDITIONS OF APPROVAL: The Conditions of Approval must be included on plan sheets within the construction plans. A Compliance Memorandum detailing how the conditions of approval will be addressed shall be prepared and submitted with the building permit application.
25. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
26. 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 soil mechanics.

27. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at the foundation inspection. This certificate shall certify compliance with the recommendations 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
28. BACKWATER VALVE: As required by Town Ordinance 6.40.020, provide details for any required sanitary sewer backwater valve on the plans and provide its location. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) require backwater valves on drainage piping serving fixtures with flood level rims less than 12 inches above the elevation of the next upstream manhole.
29. HAZARDOUS FIRE ZONE: All Town of Los Gatos projects require Class A roof assemblies.
30. 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 the 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.
31. CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs): The Town standard West Valley Clean Water Authority Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal. The specification sheet is available online at www.losgatosca.gov/building.
32. 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

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

Engineering Division

33. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner's expense.
34. PAYMENT OPTIONS:
 - a. All payments regarding fees and deposits can be mailed to:

Town of Los Gatos PPW – Attn: Engineering Dept
41 Miles Avenue
Los Gatos, CA 95030

Or hand deliver/drop off payment in engineering lock box
Checks made out to "Town of Los Gatos" and should mention address and application number on memo/note line.
35. APPROVAL: This application shall be completed in accordance with all the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approval shall be approved by the Town Engineer.
36. CONSTRUCTION PLAN REQUIREMENTS: 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.
37. CHANGE OF OCCUPANCY: Prior to initial occupancy and any subsequent change in use or occupancy of any non-residential condominium space, the buyer or the new or existing occupant shall apply to the Community Development Department and obtain approval for use determination and building permit and obtain inspection approval for any necessary work to establish the use and/or occupancy consistent with that intended.
38. GENERAL LIABILITY INSURANCE: The property owner shall provide proof of insurance to the Town on a yearly basis. In addition to general coverage, the policy must cover all elements encroaching into the Town's right-of-way.
39. PUBLIC WORKS INSPECTIONS: The Owner, Applicant and/or Developer or their representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in penalties and rejection of any work that occurred without inspection.

40. **FENCES:** Any fencing proposed within two hundred (200) feet of an intersection shall comply with Town Code Section §23.10.080. Fences between all adjacent parcels will need to be located on the property lines/boundary lines. Any existing fences that encroach into the neighbor's property need to be removed and/or relocated along boundary lines before a Certificate of Occupancy for any new building can be issued. Waivers of this condition will require signed and notarized letters from all affected neighbors
41. **RESTORATION OF PUBLIC IMPROVEMENTS:** The Owner, Applicant and/or Developer or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Owner, Applicant and/or Developer or their representative's operations. Improvements such as, but not limited to curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed, therefore. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the Engineering Construction Inspector shall be completed before the issuance of a certificate of occupancy. The Owner, Applicant and/or Developer or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
42. **PLAN CHECK FEES:** Plan check fees associated with the Grading Permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the commencement of plan check review.
43. **SITE SUPERVISION:** The General Contractor shall always provide qualified supervision on the job site during construction.
44. **INSPECTION FEES:** Inspection fees shall be deposited with the Town prior to the issuance of permits or recordation of maps.
45. **DESIGN CHANGES:** Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of all altered work. The Owner's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
46. **PLANS AND STUDIES:** All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California and submitted to the Town Engineer for review and approval. Additionally, any post-project traffic or parking counts, or other studies imposed by the Planning Commission or Town Council shall be funded by the Owner, Applicant and/or Developer.
47. **GRADING PERMIT DETERMINATION DURING CONSTRUCTION DRAWINGS:** All grading work taking place with this application and related applications/projects within a two-year period are considered eligible for the grading permit process and will be counted toward the quantities used in determining grading permit requirements. In the event that, during the production of construction drawings and/or during construction of the

plans approved with this application by the Town of Los Gatos, it is determined that a grading permit would be required as described in Chapter 12, Article II (Grading Permit) of the Town Code of the Town of Los Gatos, an Architecture and Site Application would need to be submitted by the Owner for review and approval by the Development Review Committee prior to applying for a grading permit.

48. GRADING: Any grading work, cut/fill, earthwork or combination thereof (completed or proposed on submitted plans) on the parcel over the upcoming two-year period are combined with regards to grading permit thresholds. This also applies to adjacent parcels with identical owners, applicants and or developers.
49. ILLEGAL GRADING: Per the Town's Comprehensive Fee Schedule, applications for work unlawfully completed shall be charged double the grading permit fee. As a result, the required grading permit fees associated with an application for grading will be charged accordingly.
50. DUST CONTROL: 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 soil as soon as possible. Further, 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 (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, 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 (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity, shall be cleaned and swept daily during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty (20) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered. For sites greater than four (4) acres in area:
 - a. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
 - b. Limit traffic speeds on unpaved roads to fifteen (15) miles per hour.
 - c. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - d. Replant vegetation in disturbed areas as quickly as possible.
 - e. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
51. CONSTRUCTION ACTIVITIES: All construction 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 ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.
52. SILT AND MUD IN PUBLIC RIGHT-OF-WAY: It is the responsibility of Contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up

- daily. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
53. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.
 54. GOOD HOUSEKEEPING: Good housekeeping practices shall be observed at all times during construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Owner's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Owner's expense.
 55. SITE DESIGN MEASURES: All projects shall incorporate at least one of the following measures:
 - a. Protect sensitive areas and minimize changes to the natural topography.
 - b. Minimize impervious surface areas.
 - c. Direct roof downspouts to vegetated areas.
 - d. Use porous or pervious pavement surfaces on the driveway, at a minimum.
 - e. Use landscaping to treat stormwater.
 56. CONSTRUCTION HOURS: All improvements and construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner, Applicant and/or Developer shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
 57. CONSTRUCTION NOISE: Between the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.
 58. DELAYED/DEFERRED REPORTS AND REVIEWS: TLGPPW strongly recommend that reports requiring a peer review be submitted and completed prior to committee approval/building permit stage. Note that these reviews may require a design change by the applicant and/or additional studies. Applicants who chose to defer assume risk that required changes may send project back to planning stage.
 59. UNLAWFUL DISCHARGES: It is unlawful to discharge any wastewater, or cause hazardous domestic waste materials to be deposited in such a manner or location as to constitute a threatened discharge, into storm drains, gutters, creeks or the San Francisco Bay. Unlawful discharges to storm drains include, but are not limited to: discharges from toilets, sinks, industrial processes, cooling systems, boilers, fabric cleaning, equipment cleaning or vehicle cleaning.
 60. GEOTECHNICAL/GEOLOGICAL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the project's design-level geotechnical/geological investigation as prepared by the Owner's engineer(s), and any

subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Owner, Applicant and/or Developer.

61. HAULING OF SOIL: 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 Director of Parks and Public Works. Prior to the issuance of an encroachment, grading or building permit, the Developer or their representative shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off the project site. This may include, but is not limited to provisions for the Developer to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
62. ON-SITE/OFF-SITE PARKING: Parking spaces shall be paved with a compacted base not less than four (4) inches thick, surfaced with asphaltic concrete or Portland cement concrete pavement or other surfacing (e.g.: permeable paving materials, interlocking pavers and ribbon strip driveways) approved by the Town Engineer.
63. WATER METER: Water meters currently in public right-of-way shall be relocated within the property in question, within 30" of the property line / the public right-of-way line. The Owner, Applicant and/or Developer shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
64. SANITARY SEWER CLEANOUT: Sanitary sewer cleanouts currently in public right-of-way shall be relocated within the property in question, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town. The Owner, Applicant and/or Developer shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
65. PRIVATE UTILITIES: Private utilities in town right of way is prohibited and should be located on parcel which it serves, unless otherwise allowed via easement.
66. PRECONSTRUCTION MEETING: Prior to issuance of any grading or building permits or the commencement of any site work, the general contractor shall:
 - a. Along with the Owner, Applicant and/or Developer, setup a pre-construction meeting with Eric Christianson, Senior Public Works Inspector echristianson@losgatosca.gov (408) 354-6824 to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
 - b. Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them as well prior to commencing any work, and that a copy of the project conditions of approval will be posted on-site at all times during construction.
67. CONSTRUCTION VEHICLE PARKING: No construction vehicles, trucks, equipment and worker vehicles shall be allowed to park on the portion of any public (Town) streets without written approval from the Town Engineer.
68. FOR PLANTERS: The Owner, Applicant and/or Developer shall apply for an

encroachment permit for the proposed planters within the public sidewalk and/or Town's right-of-way. The Owner, Applicant and/or Developer shall work with Parks and Public Works Department staff to arrive at a mutually agreeable solution that addresses safety and aesthetic issues. If no solution is reached, the vegetative screening requirement shall be waived. A Private Improvements in the Public Right-of-Way (formerly Indemnity) Agreement will be required if planters are proposed to be located within the Town's right-of-way. A copy of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department prior to the issuance of any grading or building permits.

69. PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY (INDEMNITY AGREEMENT): The property owner shall enter into an agreement with the Town for all existing and proposed private improvements within the Town's right-of-way. The Owner shall be solely responsible for maintaining the improvements in a good and safe condition at all times and shall indemnify the Town of Los Gatos. The agreement must be completed and accepted by the Director of Parks and Public Works, and subsequently recorded by the Town Clerk at the Santa Clara County Office of the Clerk-Recorder, prior to the issuance of any grading or building permits.
70. STREET/SIDEWALK CLOSURE: Any proposed blockage or partial closure of the street and/or sidewalk requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
71. GRADING PERMIT REQUIRED: A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). All grading work taking place with this application and related applications/projects within a two-year period are considered eligible for the grading permit process and will be counted toward the quantities used in determining grading permit requirements. After the preceding Architecture and Site Application has been approved by the respective deciding body and the appeal period has passed, the grading permit application with grading plans and associated required materials shall be submitted via email to the PPW engineer assigned to the A&S review. Permit fees (determined after initial submittal) are based on the values in the fee schedule in effect during the entitlement review, grading permit application submittal or approval, whichever is greater. Payment shall be sent to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. Prior to Engineering signing off and closing out on the issued grading permit, the Owner's soils engineer shall verify, with a stamped and signed letter, that the grading activities were completed per plans and per the requirements as noted in the soils report.
72. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to the issuance of a building permit. An arborist report may be necessary. Please contact Tammy Robnett-Illges, Engineering Administrative Assistant trobnett-illges@losgatosca.gov (408) 399-5771 for more information.
 - a. Retaining wall: top of wall elevations and locations.
 - b. Toe and top of cut and fill slopes.

- c. Public Service Easement (PSE): Ten (10) feet wide, next to the Street Name right-of-way.
 - d. Ingress-egress, storm drainage and sanitary sewer easements, as required.
 - e. Trail Easement: Ten (10) feet wide, as shown on the tentative map.
 - f. Emergency Access Easement: Twenty (20) feet wide, from the end of the public road to location.
73. ADA COMPLIANCE: The Owner, Applicant and/or Developer shall be required to meet all ADA standards, which must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. This may require additional construction measures as directed by the Town.
74. PARKING LOTS: Parking lots and other impervious areas shall be designed to drain stormwater runoff to vegetated drainage swales, filter strips, and/or other Low Impact Development (LID) treatment devices that can be integrated into required landscaping areas and traffic islands prior to discharge into the storm drain system and/or public right-of-way. The amount of impervious area associated with parking lots shall be minimized by utilizing design features such as providing compact car spaces, reducing stall dimensions, incorporating efficient parking lanes, using permeable pavement where feasible, and adhering to the Town's Parking Development Standards. The use of permeable paving for parking surfaces is encouraged to reduce runoff from the site. Such paving shall meet Santa Clara County Fire Department requirements and be structurally appropriate for the location.
75. UTILITIES: The Owner, Applicant and/or Developer shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. The Owner, Applicant and/or Developer is required to obtain approval of all proposed utility alignments from all utility service providers before a Certificate of Occupancy for any new building can be issued. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.
76. SIDEWALK REPAIR: The Owner, Applicant and/or Developer shall repair and replace to existing Town standards any sidewalk damaged now or during construction of this project. All new and existing adjacent infrastructure must meet current ADA standards. Sidewalk repair shall match existing color, texture and design, and shall be constructed per Town Standard Details. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. The limits of sidewalk repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
77. CURB AND GUTTER REPAIR: The Owner, Applicant and/or Developer shall repair and replace to existing Town standards any curb and gutter damaged now or during construction of this project. All new and existing adjacent infrastructure must meet Town standards. New curb and gutter shall be constructed per Town Standard Details.

New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. The limits of curb and gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.

78. VALLEY GUTTER REPAIR: The Owner/Applicant shall repair and replace to existing Town standards any valley gutter damaged now or during construction of this project. All new and existing adjacent infrastructure must meet Town standards. New valley gutter shall be constructed per Town Standard Details. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. The limits of valley gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
79. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any grading or building permits, the Owner and/or Applicant's design consultant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area, materials storage area(s), construction trailer(s), concrete washout(s) and proposed outhouse locations. Please refer to the Town's Construction Management Plan Guidelines document for additional information.
80. STORMWATER MANAGEMENT: Construction activities including but not limited to clearing, stockpiling, grading or excavation of land, which disturbs one (1) acre or more which are part of a larger common plan of development which disturbs less than one (1) acre are required to obtain coverage under the construction general permit with the State Water Resources Control Board. The Owner, Applicant and/or Developer is required to provide proof of WDID# and keep a current copy of the storm water pollution prevention plan (SWPPP) on the construction site and shall be made available to the Town of Los Gatos Engineering Division of the Parks and Public Works Department and/or Building Department upon request.
81. BEST MANAGEMENT PRACTICES (BMPs): The Owner, Applicant and/or Developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
82. REGULATED PROJECT: The project is classified as a Regulated Project per Provision C.3.b.ii. and is required to implement LID source control, site design, and stormwater treatment on-site in accordance with Provisions C.3.c. and C.3.d.

83. NPDES STORMWATER COMPLIANCE: In the event that, during the production of construction drawings for the plans approved with this application by the Town of Los Gatos, it is determined that the project will create and/or replace more than 2,500 square feet of impervious area, completion of the NPDES Stormwater Compliance Small Projects Worksheet and implementation of at least one of the six low impact development site design measures it specifies shall be completed and submitted to the Engineering Division before issuance of a grading/building permit.
84. BIORETENTION SYSTEM: The bioretention system(s) shall be designed to have a surface area no smaller than what is required to accommodate a 5 inches/hour stormwater runoff surface loading rate, infiltrate runoff through bioretention soil media at a minimum of 5 inches per hour, and maximize infiltration to the native soil during the life of the project. The soil media for bioretention system(s) shall be designed to sustain healthy, vigorous plant growth and maximize stormwater runoff retention and pollutant removal. Bioretention soil media that meets the minimum specifications set forth in Attachment L of Order No. R2-2022-0018 shall be used.
85. INFILTRATION TRENCHES: The following requirements apply to the proposed infiltration trenches:
- Prior to completion of the Final Stormwater Control Plan, a geotechnical engineer shall review the design of the infiltration trenches and retaining walls along the portion of the road within the property boundary and determine whether additional structural supports are needed to ensure stability of the road and the adjacent hillside during the wet season.
 - The assumed infiltration rate of 0.67 in/hour shall be verified with actual site-specific soils data prior to the Final Stormwater Control Plan for the road and development on each lot, and if the infiltration rate is lower than 0.67 in/hour, a hydrologic analysis shall be conducted to ensure that the proposed trench sizes are adequate.
 - If the lots are to be developed individually, each lot shall provide infiltration trenches consistent with the final stormwater control plan for the project, sized based on the actual amount of impervious surface to be created on the lot.
 - The road and infiltration trenches shall be protected from sediment generated during construction of homes on the lots. The proposed source control measures shall be indicated on the project plans.
 - Maintenance of stormwater treatment and the infiltration trenches shall be the responsibility of the property owner and/or future property owners. A maintenance agreement shall be prepared establishing the property owner or owners' responsibility.
86. LANDSCAPE MAINTENANCE AGREEMENT: The Developer shall enter into a Landscape Maintenance Agreement with the Town of Los Gatos in which the Developer agrees to maintain the vegetated areas along the project's Wedgewood Avenue frontage located within the public right-of-way. The agreement must be completed and accepted by the Town Attorney prior to the issuance of any encroachment, grading or building permits.
87. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the San Francisco Bay Regional Water Quality Control Board for projects

disturbing more than one (1) acre. A maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall comply with applicable measures contained in the amended provisions C.3 and C.14 of most current Santa Clara County National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP). Monitoring for erosion and sediment control is required and shall be performed by the Qualified SWPPP Developer (QSD) or Qualified SWPPP Practitioner (QSP) as required by the Construction General Permit. Stormwater samples are required for all discharge locations and projects may not exceed limits set forth by the Construction General Permit Numeric Action Levels and/or Numeric Effluent Levels. A Rain Event Action Plan (REAP) must be developed forty-eight (48) hours prior to any likely precipitation event, defined by a fifty (50) percent or greater probability as determined by the National Oceanic and Atmospheric Administration (NOAA), and/or whenever rain is imminent. The QSD or QSP must print and save records of the precipitation forecast for the project location area from (<http://www.srh.noaa.gov/forecast>) which must accompany monitoring reports and sampling test data. A rain gauge is required on-site. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.

88. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
 - b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
 - c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
 - d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
 - e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.

- f. All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
 - g. All driveways and sidewalks to be paved shall be completed as soon as possible.
Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Please provide the BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).
 - i. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.
 - j. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
89. SITE DRAINAGE: Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If stormwater treatment facilities are to be used they shall be placed a minimum of ten (10) feet from the adjacent property line and/or right-of-way. Alternatively, the facility(ies) may be located with an offset between 5 and 10 feet from the adjacent property and/or right-of-way line(s) if the responsible engineer in charge provides a stamped and signed letter that addresses infiltration and states how facilities, improvements and infrastructure within the Town's right-of-way (driveway approach, curb and gutter, etc.) and/or the adjacent property will not be adversely affected. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
90. OFF-SITE DRAINAGE: The Owner, Applicant and/or Developer shall construct and install a private on-site storm drain system that is adequately sized to collect and convey adjacent off-site tributary drainage. Hydraulic calculations for a 100-year storm event shall provide documentation that the proposed storm drain system can convey said off-site drainage as well as on-site drainage during this event over, within, through and off the site, and ultimately into the Town's storm drain system.
91. STORM WATER MANAGEMENT PLAN: A storm water management plan shall be included with the grading permit application for all Group 1 and Group 2 projects as defined in the amended provisions C.3 of the Municipal Regional Stormwater NPDES Permit, Order R2-2022-0018, NPDES Permit No. CAS612008. The plan shall delineate source control measures and BMPs together with the sizing calculations. The plan shall be certified by a professional pre-qualified by the Town. If the storm water measures proposed on the Planning approval differ significantly from those certified on the Building/Grading Permit, the Town may require a modification of the Planning approval prior to release of the Building Permit. The Owner, Applicant and/or Developer may

- elect to have the Planning submittal certified to avoid this possibility.
92. STORM WATER MANAGEMENT PLAN NOTES: The following note shall be added to the storm water management plan: "The biotreatment soil mix used in all stormwater treatment landscapes shall comply with the specifications in Attachment L of the MRP. Proof of compliance shall be submitted by the Contractor to the Town of Los Gatos a minimum of thirty (30) days prior to delivery of the material to the job site using the Biotreatment Soil Mix Supplier Certification Statement."
93. STORM WATER MANAGEMENT PLAN CERTIFICATION: Certification from the biotreatment soils provider is required and shall be given to Engineering Division Inspection staff a minimum of thirty (30) days prior to delivery of the material to the job site. Additionally deliver tags from the soil mix shall also be provided to Engineering Division Inspection staff. Sample Certification can be found here:
http://www.scvurppp-w2k.com/nd_wp.shtml?zoom_highlight=BIOTREATMENT+SOIL.
94. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS: The property owner/homeowner's association shall enter into an agreement with the Town for maintenance of the stormwater filtration devices required to be installed on this project by the Town's Stormwater Discharge Permit and all current amendments or modifications. The agreement shall specify that certain routine maintenance shall be performed by the property owner/homeowner's association and shall specify device maintenance reporting requirements. The agreement shall also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded, and an electronic copy (PDF) of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to the release of any occupancy permits.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

95. 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.
96. FIRE APPARATUS (ENGINE)ACCESS ROADWAY REQUIRED: (As Noted on Sheet C6.0) Provide an access roadway with a paved all-weather surface, a minimum unobstructed width of 20 feet, vertical clearance of 13 feet 6 inches, minimum circulating turning radius of 50 feet outside and 30 feet inside, and a maximum slope of 15%. Installations shall conform to Fire Department Standard Details and Specifications sheet A-1. CFC Sec. 503.
97. FIRE LANES REQUIRED: (As Noted on Sheet C-6.0) The minimum clear width of fire department access roads shall be 20 feet. Fire apparatus access roads shall be designated and marked as a fire lane as set forth in Section 22500.1 of the California Vehicle Code.
98. FIRE HYDRANT SYSTEMS REQUIRED: (Hydrant relocation shown on sheet C6.0) 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] On the building permit coversheet, make a note that hydrant relocation as a deferral submittal.

99. EMERGENCY GATE/ACCESS GATE REQUIREMENTS: (Knox switch for existing gate shown on sheet C6.0) Gate installations shall conform with Fire Department Standard Details and Specification G-1 and, when open shall not obstruct any portion of the required width of 20' for emergency access roadways or driveways. Locks, if provided, shall be fire department approved prior to installation. Gates across the emergency access roadways shall be equipped with an approved access device. If the gates are operated electrically, an approved Knox key switch shall be installed; if they are operated manually, then an approved Knox padlock shall be installed.

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