

**TOWN COUNCIL – February 4, 2025
PERFORMANCE STANDARDS FOR:**

110 Wood Road

Planned Development Application PD-20-001

Environmental Impact Report EIR-21-002

Consider a Recommendation by the Planning Commission to Approve a Planned Development for Construction of a Senior Living Community, Removal of Large Protected Trees, and Site Improvements Requiring a Grading Permit on Property Zoned R:PD. APN 510-47-038. An Environmental Impact Report has been Prepared for the Project.

Applicant: Rockwood Pacific

Property Owner: Front Porch Communities

PERFORMANCE STANDARDS

The following performance standards must be complied with before issuance of any grading, or construction permits (mitigation measures are so noted and are flagged with an asterisk):

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. OFFICIAL DEVELOPMENT PLANS: The Official Development Plans provided are conceptual in nature. Final building footprints, building designs, colors, and materials shall be determined during the Architecture and Site approval process.
2. ARCHITECTURE AND SITE APPROVAL REQUIRED: A separate Architecture and Site application and approval is required for the project. The Architecture and Site application may be reviewed by the Development Review Committee.
3. 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.
4. ARBORIST REQUIREMENTS: All recommendations of the 2018 project arborist report and 2020 arborist report update (HortScience Bartlett Consulting) shall be followed
5. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for trees approved for removal prior to the issuance of demolition or grading permits.
6. REPLACEMENT TREES: New trees shall be planted to mitigate the loss of trees being removed. The number of trees shall be determined using the canopy replacement table

- in the Tree Protection Ordinance.
7. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties prior to final inspection and issuance of occupancy permits.
 8. TREE FENCING: Protective tree fencing shall be placed at the drip line of existing trees and shall remain through all phases of construction. Refer to the 2018 project arborist report and 2020 arborist report update (HortScience Bartlett Consulting) requirements. Fencing shall be six-foot high cyclone attached to two-inch diameter steel posts drive 18 inches into the ground and spaced no further than 10 feet apart. Include a tree protection fencing plan with the construction plans.
 9. 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.
 10. FINAL UTILITY LOCATIONS: The applicant shall submit plans showing the final locations and screening of all exterior utilities, including but not limited to, backflow preventers, Fire Department connections, transformers, utility boxes and utility meters. Utility devices shall be screened to the satisfaction of the Director of Community Development. The plans shall be submitted for review and approval prior to issuance of building permits for new construction.
 11. PLAN INCONSISTENCY: Any inconsistencies between sheets shall be limited to whichever is more restrictive.
 12. *AIR QUALITY MITIGATION MEASURE AQ-6-5a: During construction, the project contractor shall implement the following measures to reduce emissions of fugitive dust and engine exhaust DPM, subject to review and approval by the Community Development Director. These measures shall be included in the project plans, prior to issuance of a demolition permit:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered three (3) times per day and at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe;
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered;
 - c. Avoid tracking visible soil material on to public roadways by employing the following measures if necessary: (1) Site accesses to a distance of 100 feet from public paved roads shall be treated with a 6 to 12-inch compacted layer of wood chips, mulch, or gravel and (2) washing truck tires and construction equipment prior to leaving the site;
 - d. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;
 - e. All vehicle speeds on unpaved roads shall be limited to five (5) mph;
 - f. All roadways, 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;

- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;
 - h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation;
 - i. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph and visible dust extends beyond site boundaries;
 - j. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors. Wind breaks should have no greater than 50 percent air porosity;
 - k. 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;
 - l. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time; and
 - m. Post a publicly visible sign with the telephone number and person to contact at the Town of Los Gatos regarding dust complaints. This person shall respond and take corrective action within 48 hours. The air district's phone number shall also be visible to ensure compliance with applicable regulations.
13. *AIR QUALITY MITIGATION MEASURE AQ-6-5b: Prior to the issuance of the demolition permit, the project developer shall prepare, and the project contractor shall implement, a demolition and construction emissions avoidance and reduction plan demonstrating a 25 percent reduction of infant/child cancer risk and a 60 percent reduction of PM2.5 exposures at the MEI to meet the air district's risk thresholds. The plan shall be prepared prior to the issuance of a demolition permit and shall be reviewed and approved by the Community Development Director. The plan shall be accompanied by a letter signed by a qualified air quality specialist, verifying the equipment included in the plan meets the standards set forth in this mitigation measure. The plan shall include the following measures:
- a. All mobile diesel-powered off-road equipment operating on-site for more than two days and larger than 50 horsepower shall, at a minimum, meet U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier III engines or better. Prior to the issuance of any demolition permits, the project applicant shall submit specifications of the equipment to be used during construction and confirmation this requirement is met;

- b. Use alternatively fueled equipment or equipment with zero emissions (i.e., aerial lifts, forklifts, and air compressors, etc.), shall be either electrified or fueled by liquefied natural gas/propane);
 - c. Provide line power to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment, such as generators; and
 - d. Other demonstrable measures identified by the developer that reduce emissions and avoid or minimize exposures to the affected sensitive receptors.
14. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-7-2: Prior to issuance of a grading permit, a qualified biologist shall conduct pre-construction surveys for woodrat middens within the development footprint and fire defensible space. These surveys shall be conducted no more than 15 days prior to the start of construction. In the event that construction activities are suspended for 15 consecutive days or longer, these surveys shall be repeated. All woodrat middens shall be flagged for avoidance of direct construction impacts and fire defensible space where feasible. If impacts cannot be avoided, woodrat middens shall be dismantled no more than three days prior to construction activities starting at each midden location. All vegetation and duff materials shall be removed from three feet around the midden prior to dismantling so that the occupants do not attempt to rebuild. Middens are to be slowly dismantled by hand in order to allow any occupants to disperse.

Developers shall be responsible for implementation of this mitigation measure with oversight by the Town of Los Gatos. Compliance with this measure shall be documented by a qualified biologist and submitted to the Town, prior to issuance of a demolition and grading permit.

15. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-7-3: Within 14 days prior to tree removal or other construction activities such as a demolition, the project developer shall retain a qualified biologist to conduct a habitat assessment for bats and potential roosting sites in trees to be removed, within structures proposed for demolition, and in trees and structures within 50 feet of the development footprint. In the event that construction activities are suspended for 15 consecutive days or longer, these surveys shall be repeated. These surveys shall include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within and 50 feet around the project site. 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. Locations off the site to which access is not available may be surveyed from within the site or from public areas.

If no roosting sites or bats are found, a letter report confirming absence shall be submitted by the biologist to the Town of Los Gatos prior to issuance of tree removal and demolition permits and no further mitigation is required.

If bats or roosting sites are found, a letter report and supplemental documents shall be provided by the biologist to the Town of Los Gatos prior to issuance of tree removal and demolition permits and the following monitoring, exclusion, and habitat replacement measures shall be implemented:

- a. If bats are found roosting outside of the nursery season (May 1 through October 1), they shall be evicted as described under (b) below. If bats are found roosting during the nursery season, they shall 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 shall 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 California Department of Fish and Wildlife) shall be established around the roosting site within the nursery season.
- b. If a non-breeding bat hibernaculum is found in a tree or snag scheduled for removal or on any structures within 50 feet of project disturbance activities, the individuals shall be safely evicted, under the direction of a qualified bat biologist. If pre-construction surveys determine that there are bats present in any trees or structures 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 removal methods 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 within 50 feet of any structures shall be conducted no earlier than the following day (i.e., at least one night shall be provided between initial roost eviction disturbance and tree removal/disturbance activities). This action will allow bats to leave during dark hours, which increases their chance of finding new roosts with a minimum of potential predation.
- c. Bat Mitigation and Monitoring Plan. If roosting habitat is identified, a Bat Mitigation and Monitoring plan will be prepared and implemented to mitigate for the loss of roosting habitat. The plan will include information pertaining to the species of bat and location of the roost, compensatory mitigation for permanent impacts, including specific mitigation ratios and a location of the proposed mitigation area, and monitoring to assess bat use of mitigation areas. The plan will be submitted to CDFW for review and approval prior to the bat eviction activities or the removal of roosting habitat.

Developers shall be responsible for implementation of this mitigation measure with

oversight by the Town of Los Gatos. Compliance with this measure shall be documented and submitted to the Town, prior to issuance of grading and demolition permits.

16. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-7-4: Prior to issuance of tree removal, demolition, and grading permits, to avoid impacts to nesting birds during the nesting season (January 15 through September 15), construction activities within or adjacent to the project site boundary that include any tree or vegetation removal, demolition, or ground disturbance (such as grading or grubbing) shall be conducted between September 16 and January 14, which is outside of the bird nesting season. If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project activities.

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), or if construction activities are suspended for at least 14 days and recommence during the nesting season, a qualified biologist shall conduct nesting bird surveys.

- a. Two surveys for active bird nests shall occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are 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. Locations off the site to which access is not available may be surveyed from within the site or from public areas. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist prior to initiation of construction activities.
- b. 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.

Developers shall be responsible for implementation of this mitigation measure with oversight by the Town of Los Gatos. Compliance with this measure shall be documented and submitted to the Town, prior to issuance of tree removal, demolition, and grading permits.

17. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-7-5a: To avoid impacts to a the potentially jurisdictional drainage feature, a minimum 10-foot setback from the drainage shall be maintained during tree removal, demolition, and construction activities. The drainage and setback area shall be shown on all demolition and construction plans.
18. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-7-5b: If disturbance will occur within ten feet of the drainage, prior to issuance of a grading permit within the project boundary, the applicant shall retain a qualified biologist to determine the extent of potential wetlands and waterways regulated by the USACE, RWQCB, and CDFW. If the USACE claims jurisdiction, the applicant shall retain a qualified biologist to obtain a Clean Water Act Section 404 Nationwide Permit. If the impacts to the drainage features do not qualify for a Nationwide Permit, the applicant shall proceed with the qualified biologist in obtaining an Individual Permit from the USACE. The applicant shall then retain a qualified biologist to coordinate with the RWQCB to obtain a Clean Water Act Section 401 Water Quality Certification. If necessary, the applicant shall also retain a qualified biologist to coordinate with the CDFW to obtain a Streambed Alteration Agreement.

To compensate for temporary and/or permanent impacts to Waters of the U.S. that would be impacted as a result of the proposed project, mitigation shall be provided as required by the regulatory permits. Mitigation would be provided through one of the following mechanisms:

- a. A Wetland Mitigation and Monitoring Plan shall be developed that will outline mitigation and monitoring obligations for temporary impacts to wetlands and other waters as a result of construction activities. The Wetland Mitigation and Monitoring Plan would include thresholds of success, monitoring and reporting requirements, and site-specific plans to compensate for wetland losses resulting from the project. The Wetland Mitigation and Monitoring Plan shall be submitted to the appropriate regulatory agencies for review and approval during the permit application process.
 - b. To compensate for permanent impacts, the purchase and/or dedication of land to provide suitable wetland restoration or creation shall ensure a no net loss of wetland values or functions. If restoration is available and feasible, a minimum 1:1 mitigation to impact ratio would apply to projects for which mitigation is provided in advance.
19. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-7-6: Prior to issuance of a tree removal permit and/or a grading permit, developers shall retain a certified arborist to develop a site-specific tree protection plan for retained trees and supervise the implementation of all proposed tree preservation and protection measures during construction activities, including those measures specified in the 2018 project arborist report and 2020 arborist report update (HortScience Bartlett Consulting). Also, in accordance with the Town's Tree Protection Ordinance, the developer shall obtain a tree removal permit for proposed tree removals on each development lot prior to tree removals and shall install replacement trees in accordance with all mitigation,

maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the Town for project approvals.

20. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-7-8: On-site landscaping shall be limited to drought-tolerant species, fire-resistant species, and species capable of increasing soil stability; with preference to plant species endemic to Santa Clara County. Species from the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory (Cal-IPC 2020) shall be removed if present and not included in any new landscaping.

The plant palette used for on-site landscaping shall be reviewed and approved by the Town of Los Gatos to confirm no invasive species shall be planted. Evidence of compliance shall be submitted to the Town of Los Gatos prior to occupancy of the residential buildings.

21. *CULTURAL RESOURCES MITIGATION MEASURE CUL-8-2: The following measure shall be included in project plans, prior to issuance of a demolition permit:

If paleontological resources are uncovered during demolition, grading or other on-site excavation activities, construction shall stop until appropriate mitigation is implemented, to be approved by the Community Development Director.

22. *WILDFIRE HAZARDS MITIGATION MEASURE FIRE-12-1: In order to adequately address any potential conflicts with emergency access or evacuation routes during construction, the applicant shall prepare and implement a site-specific construction traffic management plan for any construction effort that would require work within existing roadways. The traffic management plan shall be prepared and submitted to the Town prior to issuance of demolition permit(s) and shall be prepared to the satisfaction of Town Public Works and County Fire Department staff.

23. *GEOLOGY AND SOILS RESOURCES MITIGATION MEASURE GEO-13-1: The applicant's geotechnical consultant shall review and approve all geotechnical aspects of the development plans, ground improvement plans, shoring design criteria from a geotechnical perspective, and supporting structural details and calculations (i.e., site preparation and grading, site drainage improvements and design parameters for foundations, etc.,) to ensure that their recommendations have been properly incorporated. The project geotechnical consultant should review and approve appropriate performance testing for proposed ground improvement measures.

The results of the geotechnical plan review should be summarized by the project geotechnical consultant in a letter and submitted to the Town Engineer prior to issuance of building permits.

24. *GEOLOGY AND SOILS RESOURCES MITIGATION MEASURE GEO-13-2: The geotechnical consultant shall inspect, test and approve all geotechnical aspects of the project construction. The inspections should include, but not necessarily be limited to:
- Site preparation and grading;
 - Ground improvement;
 - Shoring measures and design;
 - Site surface and subsurface drainage improvements; and

- Excavations for foundations prior to placement of steel and concrete.

In addition, the project engineering geologist shall inspect opened excavations to confirm bedrock conditions are consistent with those anticipated.

The results of these inspections and the as-built conditions of the project, including ground improvement measures and placement of engineered fill, should be described by the geotechnical consultant in a letter and submitted to the Town Engineer for review and approval prior to final (as-built) project approval.

Specialty/design-build consultants and contractors (shoring, ground improvement, etc.) shall also submit construction reports confirming satisfactory construction of the specific aspects of the project that they are responsible for.

25. *GEOLOGY AND SOILS RESOURCES MITIGATION MEASURE GEO-13-3: The applicant shall consult with Bay Area Air Quality Management District to determine permit requirements. Removal of asbestos-containing building materials is subject to Bay Area Air Quality Management District's Regulation 11, Rule 2: Asbestos Demolition, Renovation and Manufacturing. Release of lead into the atmosphere is subject to Bay Area Air Quality Management District's Regulation 11, Rule 1: Lead.

Prior to the commencement of demolition activities on the site, the applicant shall provide evidence of meeting the permitting requirements of the Bay Area Air Quality Management District, to the satisfaction of the Town of Los Gatos Community Development Department.

26. 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.

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

Building Division

28. PERMITS REQUIRED: A Demolition Permit is required for the demolition of each individual building of the existing senior living community. A separate Building Permit is required for the construction of each new building located within the site. An additional Building Permit will be required for the PV system of each building if required by the California Energy Code.
29. 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.
30. 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.
31. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
32. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
33. REQUIREMENTS FOR COMPLETE DEMOLITION OF STRUCTURE: Obtain a Building Department Demolition Application and a Bay Area Air Quality Management District Application from the Building Department Service Counter. Once the demolition form has been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, return the completed form to the Building Department Service Counter with the Air District's J# Certificate, PG&E verification, and three (3) sets of site plans showing all existing structures, existing utility service lines such as water, sewer, and PG&E. No demolition work shall be done without first obtaining a permit from the Town.
34. 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. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage shall be provided for construction workers at all access points.
 - b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. All non-road diesel construction

equipment shall at a minimum meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112.

- c. Developer shall designate an on-site field supervisor to provide written notification of construction schedule to adjacent residential property owners and tenants at least one week prior to commencement of demolition and one week prior to commencement of grading with a request that all windows remain closed during demolition, site grading, excavation, and building construction activities in order to minimize exposure to NOx and PM10. The on-site field supervisor shall monitor construction emission levels within five feet of the property line of the adjacent residences for NOx and PM10 using the appropriate air quality and/or particulate monitor.
35. 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.
36. 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 conform to the Cal/OSHA regulations.
37. 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
38. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a plan sheet.
39. SITE ACCESSIBILITY: At least one accessible route within the boundary of the site shall be provided from public transportation stops, accessible parking and accessible passenger loading zones and public streets or sidewalks to the accessible building entrance that they serve. The accessible route shall, to the maximum extent feasible, coincide with the route for the general public. At least one accessible route shall connect all accessible buildings, facilities, elements and spaces that are on the same site.
40. ACCESSIBLE PARKING: The parking lots, as well as the parking structure, where parking is provided for the public as clients, guests or employees, shall provide handicap accessible parking. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible

entrance. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

41. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. 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.
42. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
43. 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 from the Building Division Service Counter or online at www.losgatosca.gov/building.
44. 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 at the Building Division Service Counter for a fee of \$2 or at ARC Blueprint for a fee or online at www.losgatosca.gov/building.
45. 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. Santa Clara County Environmental Health Department: (408) 918-3479
 - f. 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

PPW Performance Standards to be inserted once they are provided.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

46. 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.

47. 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.
48. PRC 4290: This project deems compliance with the PRC 4290 requirements.
49. FIRE SPRINKLERS REQUIRED: (As noted on Cover Sheet) In other than residential buildings which require the installation of fire sprinklers for all new buildings according to the California Residential Code, an automatic sprinkler system shall be provided throughout all new buildings and structures. Note: Sprinklers are required for all structures and covered areas such as walkways and gazebos.
50. EMERGENCY RADIO RESPONDER COVERAGE: (As noted on Sheet C108). All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. Refer to CFC Sec. 510 for further requirements. Emergency Radio Responder Coverage requirements applies to all buildings. [SCCFD Standard Details & Specifications, C-2].
51. STANDPIPES REQUIRED: (AMMR-See note below) Standpipe systems shall be provided in new buildings and structures in accordance with this section. Fire hose threads used in connection with standpipe systems shall be approved and shall be compatible with fire department hose threads. The location of fire department hose connections shall be approved. Standpipes shall be manual wet type. In buildings used for high-piled combustible storage, fire hose protection shall be in accordance with Chapter 32. Installation standard. Standpipe systems shall be installed in accordance with this section and NFPA 14 as amended in Chapter 80. CFC Sec. 905. Locations of proposed interior standpipes and exterior terrace standpipes to comply with hose pull distances, are noted on Sheet C109.1 of the plans. Terrace hose valves are not allowed to be combined with automatic fire sprinkler systems for SCCFD. This review verified proposed locations. Further determination and validation of these locations will be reviewed upon submittal of the system plans.

- An AMMR request and associated drawings demonstrating terrace level exterior standpipe hose valves within 150-feet of all exterior portions of each structure, in lieu of apparatus access per CFC Sec. 503.1.1 and an associated fire flow letter, provided by San Jose Water (SJW) indicating that they will construct a new looped public 8" water main installation with four new 6" public hydrants to supply the site has been reviewed and approved by Chief Estrada on 09/14/21. SJW has indicated in their analysis that they will be able to provide 1,500 GPM at a minimum 20 psi. throughout the site, including from the most demanding location, approximately 405' N/N Wood Rd. at an elevation of 525'.
52. WATER SUPPLY REQUIREMENTS: (As noted on Sheet C108) 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.
53. PUBLIC FIRE HYDRANT(S) REQUIRED: (As noted on Sheet C106 and in SJW fire flow letter) Provide public fire hydrant(s) at location(s) to be determined jointly by the Fire Department and San Jose Water Company. Maximum hydrant spacing shall be 500 feet, with a minimum single hydrant flow of 1500 GPM at 20 psi, residual. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets. CFC Sec. 507, and Appendix B and associated Tables, and Appendix C. Hydrants are located on the complex side of the roadway and are immediately accessible (at road elevation) from the fire department access road. A fire flow letter, provided by San Jose Water (SJW) indicates that they will construct a new looped public 8" water main installation with four new 6" public hydrants to supply the site. SJW has indicated in their attached analysis that they will be able to provide 1,500 GPM at a minimum 20 psi. throughout the site, including from the most demanding location, approximately 405' N/N Wood Rd. at an elevation of 525'.
54. FIRE DEPARTMENT CONNECTION REQUIRED: (As noted on Sheet C109.1) An FDC is required for each building to support its sprinkler system. They shall not be attached to the buildings. The fire department connection (FDC) shall be installed at the street, on the street address side of the building. It shall not be on the opposite side of a roadway from the structure that it supplies. It shall be located within 100 feet of a public fire hydrant and within ten (10) feet of the main PIV (unless otherwise approved by the Chief due to practical difficulties). FDC's shall be equipped with a minimum of two (2), two-and-one-half (2- 1/2") inch national standard threaded inlet couplings. FDC's supplying private onsite fire hydrants shall have a minimum four (4) way inlet coupling. Orientation of the FDC shall be such that hose lines may be readily and conveniently attached to the inlets without interference. FDC's shall be painted safety yellow. [SCCFD,

SP-2 Standard]. Locations of all FDCs are noted on Sheet C109.1, as reference only. Construction details of the FDC supply to fire protection systems will be subject to review of design details at time of installation permit submittal. One FDC is required for support of each individual building, as currently noted on the plans. Fire Department Connections are located within 100' from an approved fire hydrant.

55. REQUIRED SECONDARY FIRE DEPARTMENT ACCESS: (As noted on Sheet C108)
Commercial and Industrial Developments 1. Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have a least two means of fire apparatus access for each structure. 2. Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 mm) shall be provided with two separate and approved fire apparatus access roads. Exception: Projects having a gross building area of up to 124,000 square feet (11520 mm) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems. Multi-Family Residential Developments (R-1 & R-2 occupancies) 1. Multi-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads. CFC Sec. Chp. 5. Two separate and approved fire apparatus access roads are required. Aerial access is required for 7 of the 8 buildings. A 26' wide fire lane is shown in the immediate vicinity of any building or portion of a building more than 30 feet in height above the lowest level of fire department access.
56. REQUIRED AERIAL ACCESS: Where required: 1. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. Roadways shall have a paved all weather surface, vertical clearance of 13 feet 6 inches, minimum circulating turning radius of 60 feet outside, a maximum slope of 15% and be able to withstand an imposed load of 75K pounds. 2. Width: Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height. 3. Proximity to building: At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572mm) and a maximum of 30 feet (9144mm) from the building, and shall be positioned parallel to one entire side of the building, as approved by the fire code official. CFC Ch. 5 and SCCFD SD&S A-1.

Aerial access is required for 7 of the 8 buildings. A 26' wide circulating fire lane is shown on the plans. Special consideration shall be taken to support aerial operations.

Aerial access demonstrated to the Villa parapets, and in turn to the roof decks via a structural ledge with permanently attached ladders is acknowledged and accepted. All aerial setup sections are noted to have a cross slope of no more than 2%. Approved AMMR application PC 24-2776 included in this project for Villa A aerial access.

57. **TURN RADIUS (CIRCULATING):** (AMMR-See note below) The minimum outside turning radius is 42 feet for required access roadways. Greater radius up to 60 feet may be required where the Fire Department determines that Ladder Truck access is required. Circulating refers to travel along a roadway without dead ends.

The turn at the entrance to the south of the arrival court has been revised and submitted with a Request for Variance. While this revision does improve the existing condition, and may now be accessible for a shorter wheel-based vehicle such as an ambulance, the cross slope at this location is still impassible for larger fire apparatus. Conforming turnaround noted in front of Villa B. Appropriate radii and angles of approach and departure are required throughout the fire access roadway. [CFC 503.2.8]. As aerial access is required throughout the site, all turns shall provide a 60' outside radius and all slope transitions and points of approach and departure shall be no greater than 5%. An application for Alternate Materials, Design or Methods of Construction for this turnaround has been submitted per CFC 104.9 for consideration. The alternate has been approved by SCCFD however, the request form requires Building Official signature, architect/engineers signed stamp/seal and subsequent inclusion on the project documents.

58. **FIRE APPARATUS ACCESS ROADS REQUIRED FOR BUILDINGS AND FACILITIES:** (As noted on Sheets C102 and C108) Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or with the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. [CFC, Section 503.1.1]. Compliant hose pull access routes leading to all portions of the exterior walls of the first story are shown on Sheet C109. Stair access from the Terrace level to the lowest level within each structure shown on Sheet C108. Proposed accessible paths for patient transfers between each villa and anticipated ambulance staging areas are noted on Sheet C108.

Several locations along the proposed fire department access roadway are within an existing tributary area, draining toward Broadway. Sheet C102 Pavement Design Note indicates that the roadway design shall support: 75K pound loading capacity, 2) Point loads for aerial apparatus outriggers, and 3) Drainage design sufficient to prevent roadway erosion.

59. **TWO-WAY COMMUNICATION SYSTEM:** (As noted on Sheet C108) Two-way communication systems shall be designed and installed in accordance with all current editions of NFPA 72, the California Electrical Code, the California Fire Code, the California Building Code, and the city or town ordinances, policies, and standards where a two-way system is being installed. [SCCFD Standard Details & Specifications, C-1]. Other standards also contain design/installation criteria for specific life safety related equipment. These other standards are referred to in NFPA 72.

60. ADDRESS IDENTIFICATION: (As noted on Sheet C108) New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.
61. CLOSURE OF FIRE APPARATUS ACCESS ROADWAYS: (As noted on Sheet C108) The installation of gates, or other barricades across required fire department access roads or driveways shall comply with Standard Details & Specifications, G-1. Detailed plans showing the location and method of the closure are required. Due to site access constraints, Broadway will be considered the primary emergency vehicle access route. Signage shall be provided indicating it is for emergency access only as indicated on Sheet C108 and no obstruction to this access shall be installed or constructed without additional fire department review and approval.
62. FIRE LANE MARKING REQUIRED: (As noted on Sheet C108) Provide marking for all roadways within the project. Markings shall be per fire department specifications. Installations shall also conform to Local Government Standards and Fire Department Standard Details and Specifications A-6. CFC Sec. 503.3.
63. PARKING: (As noted on Sheet C108) When parking is permitted on streets, in both residential/commercial applications, it shall conform to the following: Parking is permitted both sides of the street with street widths of 36 feet or more; Parking is permitted on one side of the street with street widths of 28 – 35 feet; No parking is permitted when street widths are less than 28 feet. NOTE: Rolled curbs can be part of the curb/sidewalk and used to increase the roadway width with approval from the fire code official. Additional requirements may apply for buildings 30 feet in height or greater. No parking shall be allowed along the access road. Fire Lane markings applied throughout.
64. REQUIRED FIRE FLOW: Previous approved AMMR PC 21-3638 requires minimum fireflow for this project as 1500 Gallons Per Minute (GPM) at 20 psi residual pressure. This fireflow assumes installation of automatic fire sprinklers per CFC [903.3.1.1]
65. 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]