

PLANNING COMMISSION– July 10, 2019
CONDITIONS OF APPROVAL

16 Chestnut Avenue
Architecture and Site Application S-17-047

Consider an appeal of a Development Review Committee decision approving a request for demolition of an existing pre-1941 single-family residence and construction of a new single-family residence for removal of a condition requiring the installation of a town standard driveway approach on property zoned R-1:12. APN: 510-40-012.

PROPERTY OWNER: Kim Roper

APPLICANT/APPELANT: Bess Wiersema, Studio 3 Design

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.
4. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
5. EXISTING TREES: All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
6. TREE FENCING: Protective tree fencing and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
7. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
8. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
9. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations made by Katherine Naegele, identified in two Arborist's reports both dated February 12, 2019 and recommendations made by Monarch Consulting Arborists, LLC, identified in the Arborist's reports dated as March 27, 2019 and May 1, 2019 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.

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

Building Division

14. PERMITS REQUIRED: A Demolition Permit will be required for the demolition of the existing pre-1941 single family residence. A Building Permit will be required for the construction of a two-story single-family residence. Additional Building Permits may be required for any other structures modified or constructed on the property that are not part of this preliminary set of drawings. This would include retaining walls of any height that support a surcharge.
15. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2017, are the 2016 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12.
16. 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.
17. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
18. SIZE OF PLANS: Submit four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".
19. 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.
20. 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.
 21. 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.
 22. 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
 23. 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.
 24. TOWN RESIDENTIAL ACCESSIBILITY STANDARDS: New residential units shall be designed with adaptability features for single-family residences per Town Resolution 1994-61:
 - a. Wood backing (2" x 8" minimum) shall be provided in all bathroom walls, at water closets, showers, and bathtubs, located 34 inches from the floor to the center of the backing, suitable for the installation of grab bars if needed in the future.
 - b. All passage doors shall be at least 32 inch doors on the accessible floor level.
 - c. The primary entrance door shall be a 36 inch wide door including a 5'x 5' level landing, no more than 1 inch out of plane with the immediate interior floor level and with an 18 inch clearance at interior strike edge.
 - d. A door buzzer, bell or chime shall be hard wired at primary entrance.
 25. 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.
 26. TOWN FIREPLACE STANDARDS: New wood burning fireplaces shall be an EPA Phase II approved appliance or gas appliance per Town Ordinance 1905. Tree limbs shall be cut within 10 feet of chimneys.

27. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
28. WILDLAND-URBAN INTERFACE: This project is located in a Wildland-Urban Interface High Fire Area and must comply with Section R327 of the 2013 California Public Resources Code 4291 and California Government Code Section 51182.
29. PROVIDE DEFENSIBLE SPACE/FIRE BREAK LANDSCAPING PLAN: Prepared by a California licensed Landscape Architect in conformance with California Public Resources Code 4291 and California Government Code Section 51182.
30. PRIOR TO FINAL INSPECTION: Provide a letter from a California licensed Landscape Architect certifying the landscaping and vegetation clearance requirements have been completed per the California Public Resources Code 4291 and Government Code Section 51182.
31. 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.
32. BLUE PRINT 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 Blue Print for a fee or online at www.losgatosca.gov/building.
33. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
 - a. Community Development – Planning Division: (408) 354-6867
 - b. Engineering/Parks & Public Works Department: (408) 399-5771
 - c. Santa Clara County Fire Department: (408) 378-4010
 - d. West Valley Sanitation District: (408) 378-2407
 - e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

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

Engineering Division

34. 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 and/or Applicant'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, and/or Applicant's expense.

35. APPROVAL: This application shall be completed in accordance with all of 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 approvals shall be approved by the Town Engineer.
36. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the Owner and/or Applicant to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
37. 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 (existing shed, secondary dwelling unit, retaining walls, fences, mailboxes and columns; proposed decomposed granite walkway and permeable paver driveway surfacing) 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. Please note that this process may take approximately six to eight (6-8) weeks.
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 or Applicant 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 work that went on without inspection.
40. RESTORATION OF PUBLIC IMPROVEMENTS: The Owner, Applicant or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Owner, Applicant or their representative's operations. Improvements such as, but not limited to: curbs, gutters, 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 or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

41. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
42. STREET 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.
43. PLAN CHECK FEES: Plan check fees associated with a Grading Permit shall be deposited with the Town prior to plan review at the Engineering Division of the Parks and Public Works Department.
44. INSPECTION FEES: Inspection fees shall be deposited with the Town prior to the issuance of any grading or building permits.
45. 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 studies imposed by the Planning Commission or Town Council shall be funded by the Applicant.
46. GRADING PERMIT: 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). The grading permit application (with grading plans) shall be made to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location(s), driveway, utilities and interim erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). Prior to Engineering signing off and closing out on the issued grading permit, the Owner/Applicant'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. A separate building permit, issued by the Building Department on E. Main Street, is needed for grading within the building footprint.
47. DRIVEWAY: The driveway conform to existing pavement on Chestnut Avenue shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
48. DRAINAGE IMPROVEMENT: Prior to the issuance of any grading/improvement permits, whichever comes first, the Owner or Applicant shall: a) design provisions for surface drainage; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide a recorded copy of any required easements to the Town.
49. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to the issuance of a grading permit/building permit.

50. SURVEYING CONTROLS: Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
 - a. Retaining wall: top of wall elevations and locations.
 - b. Toe and top of cut and fill slopes.
51. PRECONSTRUCTION MEETING: Prior to issuance of any permit or the commencement of any site work, the general contractor shall:
 - a. Along with the project applicant, attend a pre-construction meeting with the Town Engineer 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.
52. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the project's design-level geotechnical/geological investigation as prepared by the Applicant'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 and/or Applicant.
53. WATER METER: The existing water meter, currently located within the Chestnut Avenue right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line. The Owner or Applicant shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity.
54. SANITARY SEWER CLEANOUT: The existing sanitary sewer cleanout, currently located within the Chestnut Avenue 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 or Applicant 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.
55. PUBLIC IMPROVEMENTS: The following improvements shall be installed by the Owner and/or Applicant. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, and guaranteed by contract, Faithful Performance Security and Labor & Materials Security before the issuance of any grading or building permits or the recordation of a map. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
 - a. Chestnut Avenue: Curb and gutter, tie-in paving, as well as signing, striping and storm drainage as required. The extents of the pavement replaced shall be at the direction of the Engineering Construction Inspector. Curb and gutter shall extend to end return on Hernandez Avenue. 2" overlay from the centerline to the existing location of the northwestern lip of gutter, or alternative pavement restoration measure as approved by the Town Engineer.

- b. Hernandez Avenue: 2" overlay from the centerline to the southern edge of pavement, or alternative pavement restoration measure as approved by the Town Engineer.
56. FRONTAGE IMPROVEMENTS: The Owner or Applicant shall be required to improve the project's public frontage to current Town Standards. These improvements may include but not limited to curb, gutter, driveway approach(es), signs, pavement, thermoplastic pavement markings, storm drain facilities, etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
 57. UTILITIES: The Owner or Applicant 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 or Applicant is required to obtain approval of all proposed utility alignments from any and 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.
 58. SIDEWALK IN-LIEU FEE: A sidewalk in-lieu fee of **\$14,400.00** shall be paid prior to issuance of a building permit. This fee is based on 900 square feet of 4.5-foot wide sidewalk at \$16/SF in accordance with Town policy and the Town's Fee Schedule. The final curb and sidewalk in-lieu fee for this project shall be calculated using the current fee schedule and rate schedule in effect at the time the fee is paid.
 59. DRIVEWAY APPROACH: The Owner or Applicant shall install one (1) Town standard residential driveway approach. The driveway shall meet the Town's Engineering Design Standards and be located on Chestnut Avenue at a minimum distance of 50 feet from the nearest curb return at the southwestern corner of Chestnut and Hernandez Avenues (see Section 2.21). The new driveway approach shall be constructed per Town Standard Plans and must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. 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.
 60. FENCING: Any fencing proposed within two hundred (200) feet of an intersection shall comply with Town Code Section §23.10.080.
 61. SIGHT TRIANGLE AND TRAFFIC VIEW AREA: Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Sections 23.10.080, 26.10.065, and 29.40.030.
 62. FENCES: 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 will need to be removed and replaced to the correct location of the boundary lines before a Certificate of Occupancy for any new building can be issued. Waiver of this condition will require signed and notarized letters from all affected neighbors.
 63. CONSTRUCTION VEHICLE PARKING: Construction vehicle parking within the public right-of-way will only be allowed if it does not cause access or safety problems as determined by the Town.

64. CONSTRUCTION TRAFFIC CONTROL: All construction traffic and related vehicular routes, traffic control plan, and applicable pedestrian or traffic detour plans shall be submitted for review and approval by the Town Engineer prior to the issuance of an encroachment, grading or building permit.
65. 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 a grading or building permit, the Owner or Applicant 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 of the project site. This may include, but is not limited to provisions for the Owner or Applicant 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.
66. CONSTRUCTION HOURS: All 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 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner or Applicant shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
67. CONSTRUCTION NOISE: Between the hours of 8:00 a.m. to 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays, 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.
68. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any permits, the Owner 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 Project Schedule, site security fencing, employee parking, construction staging area, materials storage area, concrete washout and proposed outhouse location. Please refer to the Town's [Construction Management Plan Guidelines](#) document for additional information.
69. WVSD (West Valley Sanitation District): A Sanitary Sewer Clean-out is required for the property at the property line, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town.
70. SANITARY SEWER BACKWATER VALVE: Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Building Official. The Town shall not incur any liability or responsibility for damage resulting from a sewer overflow where the property owner or

other person has failed to install a backwater valve as defined in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to the issuance of a building permit.

71. BEST MANAGEMENT PRACTICES (BMPs): The Owner or Applicant 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.
72. 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.
73. 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 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 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.
74. 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 soils 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 on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty-five (25) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.

75. **DETAILING OF STORMWATER MANAGEMENT FACILITIES:** Prior to the issuance of any permits, all pertinent details of any and all proposed stormwater management facilities, including, but not limited to, ditches, swales, pipes, bubble-ups, dry wells, outfalls, infiltration trenches, detention basins and energy dissipaters, shall be provided on submitted plans, reviewed by the Engineering Division of the Parks and Public Works Department, and approved for implementation.
76. **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.
77. **SITE DRAINAGE:** Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. 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. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
78. **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 on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
79. **GOOD HOUSEKEEPING:** Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Owner and/or Applicant'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.
80. **COVERED TRUCKS:** All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

81. **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.
82. **AUTOMATIC FIRE SPRINKLER SYSTEM REQUIRED.** An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: In all new one- and two-family dwellings and existing one- and two-family dwellings when additions are made

that increase the building area to more than 3,600 square feet. Exception: A one-time addition to an existing building that does not total more than 1,000 square feet of building area. NOTE: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. A State of California license (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application and appropriate fees to the Santa Clara County Fire Department for review and approval prior to beginning their work. CRC Sec. 313.2 as adopted and amended by LGTC. Per comment 3, the sprinkler system will need to be designed and installed per NFPA 13 as an alternate means of protection.

83. WATER SUPPLY REQUIREMENTS. Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by the Santa Clara County Fire Department until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2016 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.
84. CONSTRUCTION SITE FIRE SAFETY: All construction sites must comply with applicable provisions of the CFC Chapter 33 and Santa Clara County Fire Department Standard Detail and Specification S1-7. Provide notations on subsequent plan submittals, as appropriate to the project. CFC Ch. 33.
85. ADDRESS IDENTIFICATION: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by 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 (12.7mm). 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.
86. EMERGENCY GATE/ACCESS GATE REQUIREMENTS: Gate installations (if applicable) shall conform with Fire Department Standard Details and Specification G-1 and, when open shall not obstruct any portion of the required width for emergency 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 devices. If the gates are operated electrically, an approved Knox permit application and appropriate fees to this department for review and approval prior to beginning their work. CRC Sec. 313.2 as adopted and amended by LGTC.

87. WILDLAND-URBAN INTERFACE: This project is located within the designated Wildland-Urban Interface Fire Area. The building construction shall comply with the provisions of California Building Code (CBC) Chapter 7A. Note that vegetation clearance shall be in compliance with CBC Section 701A.3.2.4 prior to project final approval. Check with the Planning Department for related landscape plan requirements.
88. FIRE APPARATUS (ENGINE) ACCESS DRIVEWAY REQUIRED: Provide an access driveway with a paved all weather surface, a minimum unobstructed width of 12 feet, vertical clearance of 13 feet 6 inches, minimum circulating turning radius of 36 feet outside and 23 feet inside, and a maximum slope of 15%. Installations shall conform to Fire Department Standard.

***This Page
Intentionally
Left Blank***