

**PLANNING COMMISSION – July 10, 2019**  
**CONDITIONS OF APPROVAL**

**15860-15894 Winchester Boulevard**  
**Architecture and Site Application S-19-026**  
**Subdivision Application M-19-006**

**Requesting approval for a time extension to demolish three existing single-family residences, remove an accessory dwelling unit, remove large protected trees, and merge four lots for the purpose of constructing a new two-story office building with below grade and at grade parking on property zoned O. APNs: 529-11-040, 529-11-039, & 529-11-038.**

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 listed below and in substantial compliance with the plans approved and noted as received by the Town on May 9, 2019. Any changes or modifications to the approved plans shall be approved by the Community Development Director, the Development Review Committee, the Planning Commission, or Town Council, depending on the scope of the changes.
2. EXPIRATION: The approval will expire on October 17, 2020, pursuant to Section 29.20.325 of the Town Code, unless the approval has been vested.
3. OUTDOOR LIGHTING: Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security. The lighting plan shall be reviewed during building plan check.
4. GENERAL: All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
5. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
6. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations made by Deborah Ellis, MS, identified in the Arborist reports, dated as received February 12, 2016, June 10, 2016, and July 22, 2016, respectively, on file in the Community Development Department. A Compliance Memorandum shall be prepared by the applicant and submitted with the building permit application detailing how the recommendations have or will be addressed. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.
7. TREE FENCING: Protective tree fencing shall be placed at the drip line of existing trees and shall remain through all phases of construction. 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.

8. REPLACEMENT TREES: New trees shall be planted to mitigate the loss of trees being removed. The number of trees and size of replacement trees shall be determined using the canopy replacement table in the Town Code. Town Code requires a minimum 24-inch box size replacement tree. New trees shall be double staked with rubber ties and shall be planted prior to final inspection and issuance of occupancy permits.
9. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan, including landscape and irrigation plans and calculations, shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. The final landscape plan shall be reviewed by the Town's consultant prior to issuance of building permits. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
10. STAIRWAY EXIT: The stairway exit to the underground garage shall be relocated from the exterior southern property line to an interior connection on the front elevation along Winchester Boulevard.
11. BUILDING HEIGHT: The maximum height of the building shall not exceed 35 feet in height.
12. PRIVACY: View glass shall be installed on the southern side of the building adjacent to the residential uses.
13. TREES: Town staff shall examine the appropriateness of additional trees on the north side of the building.
14. WALL HEIGHT: The height of the wall on the southern side of the building shall be six feet in height.
15. NORTH ELEVATION: There shall be a reduction in the second floor of the north elevation so that the existing view of the hillside when walking or driving north to south on Winchester Boulevard is preserved as much as possible.
16. SALVAGE OF BUILDING MATERIALS: Prior to the issuance of a demolition permit, the developer shall provide the Community Development Director with written notice of the company that will be recycling the building materials. All wood, metal, glass, and aluminum materials generated from the demolished structure shall be deposited to a company which will recycle the materials. Receipts from the company(s) accepting these materials, noting the type and weight of materials, shall be submitted to the Town prior to the Town's demolition inspection.
17. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
18. 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.
19. AIR QUALITY MITIGATION MEASURE AIR-1\*: BAAQMD-Recommend Basic Construction Mitigation Measures. 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 Mitigation Measures shall be included in the project's grading plan, building plans, and contract specifications:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
- b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
- c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
- d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
- e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
- f. All vehicle speeds on unpaved surfaces shall be limited to 15 mph.
- g. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- h. 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.
- i. 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.
- j. 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 NO<sub>x</sub> and PM<sub>10</sub>. The on-site field supervisor shall monitor construction emission levels within five feet of the property line of the adjacent residences for NO<sub>x</sub> and PM<sub>10</sub> using the appropriate air quality and/or particulate monitor.
- k. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- l. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.

- m. 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.
20. BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-1\*: Special-status and Migratory Bird Species. The following avoidance measures shall be required to avoid the project's potential effects on special-status and migratory bird species.
- a. If noise generation, ground disturbance, vegetation removal, or other construction activities begin during the nesting bird season (February 1 to August 31), or if construction activities are suspended for at least two weeks and recommence during the nesting bird season, then the project developer shall retain a qualified biologist to conduct a pre-construction survey for nesting birds. The survey shall be performed within suitable nesting areas on and adjacent to the site to ensure that no active nests would be disturbed during project implementation. This survey shall be conducted no more than two weeks prior to the initiation of construction activities. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist and submitted to the Town of Los Gatos for approval prior to initiation of construction activities. If no active bird nests are detected during the survey, then construction activities can proceed as scheduled. However, if an active bird nest of a native species is detected during the survey, then a plan for active bird nest avoidance shall be prepared to determine and clearly delineate a temporary protective buffer area around each active nest, with buffer area size depending on the nesting bird species, existing site conditions, and type of proposed construction activities. The protective buffer area around an active bird nest is typically 75-250 feet, determined at the discretion of the qualified biologist and in compliance with any applicable project permits. To ensure that no inadvertent impacts to an active bird nest will occur, no construction activities shall occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the qualified biologist.
21. BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-2: The applicant shall comply with the Town of Los Gatos Tree Protection Ordinance and a tree removal permit shall be obtained from the Town for the removal of any on-site trees that qualify as a protected tree. No new trees planted on site shall have a trunk diameter of less than 1.5 inches. Protective construction fencing shall be in place for all retained trees prior to the commencement of any site work. Any trenching within the dripline of existing trees shall be hand dug.
22. BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-3: The applicant shall comply with the recommendations in the arborist report prepared for the proposed project by Deborah Ellis on February 12, 2016, June 10, 2016, and July 22, 2016.
23. GEOLOGY AND SOILS MITIGATION MEASURE GEO-1: The applicant shall include the recommendations of the 2015 geotechnical report on all bid and construction documents to ensure that the recommended standards for development of foundations, subsurface improvements, etc. are incorporated into the project design and construction. All foundation and grading plans shall be reviewed by a licensed engineer and approved by

- the Town's engineer.
24. GREENHOUSE GAS EMISSIONS MITIGATION MEASURE GHG-1: The applicant shall include at least one reserved van-pool parking space; at least two reserved car-pool parking spaces, and at least four electric charging stations (one of which should be available to a handicapped space).
  25. GREENHOUSE GAS EMISSIONS MITIGATION MEASURE GHG-2: The applicant shall include solar energy or other alternative energy sources on project plans, providing 15 percent or more of the project's energy needs. Plans shall incorporate any combination of the following strategies to reduce heat gain for 50 percent of the non-roof impervious site landscape, which includes roads, sidewalks, courtyards, parking lots, and driveways: shaded within five years of occupancy; paving materials with a Solar Reflectance Index (SRI) of at least 29; open grid pavement system; and parking spaces underground, under deck, under roof, or under a building. Any roof used to shade or cover parking must have an SRI of at least 29 and/or have solar panels.
  26. HAZARDS AND HAZARDOUS EMISSIONS MITIGATION MEASURE HZ-1: Prior to the issuance of a demolition permit, the project applicant shall conduct sampling and testing of the existing building to determine the extent and presence of asbestos-containing building materials on the site. If measured levels exceed established thresholds, a work plan shall be developed and implemented to remove and dispose of the lead-containing materials in accordance with the established regulations.
  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 separate Building Permit will be required for the subterranean parking garage podium structure and a separate Building Permit shall be required for the two-story office building. The trash enclosure shall also be on a separate permit. These are combination permits including electrical, mechanical, and plumbing work as necessary.
29. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue-lined in full on the second 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.
30. SIZE OF PLANS: Four sets of construction plans, size 24" x 36" minimum, 30" x 42" maximum.
31. BUILDING ADDRESS: Submit requests for any building address changes or deletions to the Building Division prior to submitting for the building permit application process.
32. 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.
33. DEMOLITION REQUIREMENTS: Obtain Building Department Demolition Applications and Bay Area Air Quality Management District Applications from the Building Department

Service Counter. Once the Demolition Forms have been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, return the completed Forms to the Building Department Service Counter with the Air District's J# Certificate(s), 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. SHORING: Shoring plans and calculations will be required for all excavations which exceed four (4) 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 Cal/OSHA regulations.
35. 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 Walls
36. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed) onto a sheet of the plans.
37. 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.
38. FIRE ZONE: This project will require Class A Roof Assemblies.
39. 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, signed by all requested parties, and be blue-lined on the construction plans. Special Inspection forms are available from the Building Division Service Counter or online at [www.losgatosca.gov/building](http://www.losgatosca.gov/building)
40. NONPOINT SOURCE POLLUTION STANDARDS SHEET: The Town standard Santa Clara County Valley Nonpoint Source Pollution Control Program Sheet (or Clean Bay Sheet 24x36) shall be part of the plan submittal as the second or third page. The specification sheet is available at the Building Division Service Counter for a fee of \$2 or at San Jose Blue Print for a fee.
41. NPDES-C.3 DATA FORMS: Copies of the NPDES C.3 Data Forms (updated based on the final construction drawings) must be blue-lined in full onto the Plans. In the event that this

data differs significantly from any Planning approvals, the Town may require recertification of the project's storm water treatment facilities prior to release of the Building Permit.

42. GREEN BUILDING STANDARDS: This project must, at a minimum, be in compliance with the Nonresidential Mandatory Measures of the current California Green Building Standards Code (CGBSC) and all subsequent Amendments.
  - a. Bicycle Parking: Per CGBSC Section 5.106.4.1.1 provide twenty (20) permanently anchored bicycle racks (= 5% of motorized vehicle parking) for short-term bicycle parking or ten (10) two-bike capacity racks. Per CGBSC Section 5.106.4.2 provide secure bicycle lockers for twenty (20) bicycles (= 5% of motorized vehicle parking). Note: Providing showers, changing rooms, and clothes lockers in each building is a voluntary amenity to be considered.
  - b. Designated Parking: Per CGBSC Section 5.106.5.2 provide designated parking for any combination of low-emitting, fuel-efficient, and carpool/van pool vehicles as shown in Table 5.106.5.2 which equals 8% of the proposed parking or a minimum of 32 spaces.
  - c. Electric Vehicle Charging Stations: Per CGBSC Section 5.106.5.3, during construction provide electric vehicle supply equipment and electrical components as listed to facilitate the future installation of (or provide for during construction) electric vehicle charging stations. Per CGBSC Table 5.106.5.3.3, 12 electric vehicle charging stations spaces are required for this project or 3% of the total parking spaces.
43. 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.
44. 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.
45. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
  - a. Community Development/Planning Division: Jocelyn Shoopman at (408) 399-5706
  - b. Engineering/Parks & Public Works Department: Mike Weisz at 395-5340
  - c. Santa Clara County Fire Department: (408) 378-4010
  - d. West Valley Sanitation District: (408) 378-2407
  - e. Bay Area Air Quality Management District: (415) 771-6000
  - 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.
46. ADVISORY COMMENTS:
  - a. Allowable Area calculations shall be provided for the subterranean parking garage

podium structure and the two-story office building per California Building Code Chapter 5.

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

*Engineering Division*

47. 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 Developer'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 Developer's expense.
48. 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.
49. 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 Applicant/Developer 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.
50. FOR PLANTERS: The Applicant shall apply for an encroachment permit for the proposed planters within the public sidewalk and/or public right-of-way. The Applicant shall work with Parks and Public Works Department staff to arrive at a mutually agreeable solution that addresses safety and aesthetic issues. If no solution is reached, the vegetative screening requirement shall be waived. An indemnity agreement for private improvements in the public right-of-way (indemnity agreement) will be required if planters are proposed to be located on public land. A copy of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department prior to the issuance of any permit.
51. PUBLIC WORKS INSPECTIONS: The Developer or their representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in penalties and rejection of work that went on without inspection.



52. RESTORATION OF PUBLIC IMPROVEMENTS: The Developer shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Developer's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector, and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the Engineering Construction Inspector shall be completed before the issuance of a certificate of occupancy. The Developer shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
53. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
54. STREET/SIDEWALK CLOSURE: Any proposed blockage or partial closure of the street and/or sidewalk requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
55. PLAN CHECK FEES: Plan check fees associated with the Grading Permit shall be deposited with the Town prior to plan review at the Engineering Division of the Parks and Public Works Department.
56. INSPECTION FEES: Inspection fees shall be deposited with the Town prior to the issuance of any permits.
57. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The Owner, Applicant and/or Developer's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
58. PLANS AND STUDIES: All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the Town Engineer for review and approval. Additionally, any post-project traffic or parking counts, or other studies imposed by the Planning Commission or Town Council shall be funded by the Applicant.
59. 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). After the preceding Architecture and Site Application has been approved by the respective deciding body, 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/Developer'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 110 E. Main Street, is needed for grading within the building footprint.

60. DRIVEWAY: The driveway conforms to existing pavement on both Winchester Boulevard and Shelburne Way shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
61. PARKING RESTRICTIONS AT DRIVEWAYS: On-street parking shall be prohibited within 15 feet of the proposed driveways on both Winchester Boulevard and Shelburne Way to ensure adequate site distance.
62. DRAINAGE IMPROVEMENT: Prior to the issuance of any grading/improvement permits, whichever comes first, the 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.
63. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to the issuance of a grading permit/building permit.
64. 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.
65. 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.
66. RETAINING WALLS: A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
67. CERTIFICATE OF LOT MERGER: A Certificate of Lot Merger shall be recorded. Two (2) copies of the legal description for exterior boundary of the merged parcel and a plat map (8-½ in. X 11 in.) shall be submitted to the Engineering Division of the Parks and Public Works Department for review and approval. The submittal shall include closure calculations, title reports less than ninety (90) days old and the appropriate fee. The certificate shall be recorded before any permits may be issued.

68. DEDICATIONS: The following shall be dedicated by separate instrument. The dedication shall be recorded before any permits are issued:
  - a. Winchester Boulevard: A 7-foot width of right-of-way shall be dedicated in fee for street purposes.
  - b. Public Service Easement (PSE): A 10-foot wide easement may be required by the utility companies.
69. SOILS REPORT: One copy of the soils and geologic report shall be submitted with the application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
70. GEOLOGY AND SOILS MITIGATION MEASURE: A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. All recommendations of the investigation shall be incorporated into project plans.
71. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations and grading shall be inspected by the Applicant's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report, and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing shall be documented in an "as-built" letter/report prepared by the Applicant's soils engineer and submitted to the Town before final release of any occupancy permit is granted.
72. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the Preliminary Geotechnical Investigation by Cornerstone Earth Group, dated September 21, 2015, 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 Applicant.
73. SUBDIVISION IMPROVEMENTS AGREEMENT: The Applicant shall enter into an agreement to construct public improvements in accordance with Town Code Section 24.40.020. The Applicant shall supply suitable securities for all public improvements that are part of the development in a form acceptable to the Town in the amount of 100% performance and 100% labor and materials prior to issuance of any encroachment, grading or building permit. The Applicant shall provide two (2) copies of documents verifying the cost of the public improvements to the satisfaction of the Engineering Division of the Parks and Public Works Department. A copy of the executed agreement shall be submitted to the Engineering Division of the Parks and Public Works Department prior to the issuance of any permit.
74. JOINT TRENCH PLANS: Joint trench plans shall be reviewed and approved by the Town prior to recordation of a map. The joint trench plans shall include street and/or site lighting and associated photometrics. A letter shall be provided by PG&E stating that

public street light billing will be by Rule LS2A, and that private lights shall be metered with billing to the property owner. Pole numbers, assigned by PG&E, shall be clearly delineated on the plans.

75. WATER METER: The proposed water meters shall be constructed and installed within the property in question, directly behind the public right-of-way line.
76. ELECTRICAL CABINET: The existing electrical cabinet, currently located within the Winchester Boulevard right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line after the required street dedication. The 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.
77. ELECTRICAL VAULT: The existing electrical vault, currently located within the Winchester Boulevard right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line after the required street dedication. The 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.
78. SANITARY SEWER CLEANOUT: The sanitary sewer cleanout proposed along the project's Winchester Boulevard frontage shall be constructed and installed within the property in question, directly behind the public right-of-way line after the required street dedication.
79. PUBLIC IMPROVEMENTS: The following improvements shall be installed by the Developer. 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 a building permit 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. Winchester Boulevard: New curb, gutter, minimum 5-foot detached sidewalk, minimum 4-foot park strip, pavement, street lights, tie-in paving, signing striping, and 2-inch grind and overlay along the eastern half of Winchester Boulevard.
  - b. Shelburne Way: New curb, gutter, minimum 5-foot detached sidewalk, minimum 4-foot park strip, half-street pavement reconstruction along the southern half of the roadway, 2-inch grind and overlay along the northern half of the roadway, signing, and striping.
  - c. Bus stop: A new bus stop shall be provided along the project frontage on Winchester Boulevard. The developer shall coordinate with the Santa Clara Valley Transportation Authority (VTA) for the required improvements.
  - d. Bicycle lane: The project shall re-stripe Winchester Boulevard along the project frontage plus necessary conform transition for adding bicycle lanes. The roadway shall be re-surfaced prior to striping.
  - e. Pedestrian crosswalk: The project shall provide a corner bulb-out and a striped pedestrian crosswalk crossing Shelburne Way at Winchester Boulevard as directed by Town Engineer.
  - f. Street lights: A new Town standard street light shall be installed on Winchester Boulevard at the corner of Shelburne Way along the project frontage. A new Town standard street light shall be installed on Shelburne Way along the project frontage

replacing an existing PG&E street light across the project site. The developer shall coordinate with PG&E for the removal and installation.

80. FRONTAGE IMPROVEMENTS: The Applicant shall be required to improve the project's public frontage (right-of-way line to centerline and/or to limits per the direction of the Town Engineer) to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approaches, curb ramp, signs, street lighting (upgrade and/or repaint) etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
81. ADA COMPLIANCE: The Applicant shall be required to meet all ADA standards, which must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. This may require additional construction measures as directed by the Town.
82. UNDERGROUND PARKING GARAGE DRAINAGE: Water from the underground parking garage shall not be discharged onto the public street. The Applicant shall design a floor drainage system for the garage that collects all drainage and conveys runoff to the sanitary sewer system. Connecting said drainage system to the storm drain system is not permitted.
83. PARKING LOTS: Parking lots and other impervious areas shall be designed to drain stormwater runoff to vegetated drainage swales, filter strips, and/or other Low Impact Development (LID) treatment devices that can be integrated into required landscaping areas and traffic islands prior to discharge into the storm drain system and/or public right-of-way. The amount of impervious area associated with parking lots shall be minimized by utilizing design features such as providing compact car spaces, reducing stall dimensions, incorporating efficient parking lanes, and using permeable pavement where feasible, and adhering to the Town's Parking Development Standards. The use of permeable paving for parking surfaces is encouraged to reduce runoff from the site. Such paving shall meet Santa Clara County Fire Department requirements and be structurally appropriate for the location.
84. UTILITIES: The Developer shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. The 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.
85. TRENCHING MORATORIUM: Trenching within a newly paved street will be allowed subject to the following requirements:
  - a. The Town standard "T" trench detail shall be used.
  - b. A Town-approved colored controlled density backfill shall be used.
  - c. All necessary utility trenches and related pavement cuts shall be consolidated to minimize the impacted area of the roadway.
  - d. The total asphalt thickness shall be a minimum of three (3) inches, meet Town standards, or shall match the existing thickness, whichever is greater. The final lift

shall be 1.5-inches of one-half ( $\frac{1}{2}$ ) inch medium asphalt. The initial lift(s) shall be of three-quarter ( $\frac{3}{4}$ ) inch medium asphalt.

- e. The Contractor shall schedule a pre-paving meeting with the Town Engineering Construction Inspector the day the paving is to take place.
  - f. A slurry seal topping may be required by the construction inspector depending their assessment of the quality of the trench paving. If required, the slurry seal shall extend the full width of the street and shall extend five (5) feet beyond the longitudinal limits of trenching. Slurry seal materials shall be approved by the Town Engineering Construction Inspector prior to placement. Black sand may be required in the slurry mix. All existing striping and pavement markings shall be replaced upon completion of slurry seal operations. All pavement restorations shall be completed and approved by the Inspector before occupancy.
86. SIDEWALK REPAIR: The Developer shall repair and replace to existing Town standards any sidewalk damaged now or during construction of this project. All new and existing adjacent infrastructure must meet current ADA standards. Sidewalk repair shall match existing color, texture and design, and shall be constructed per Town Standard Details. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. The limits of sidewalk repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
87. CURB AND GUTTER REPAIR: The Developer shall repair and replace to existing Town standards any curb and gutter damaged now or during construction of this project. All new and existing adjacent infrastructure must meet Town standards. New curb and gutter shall be constructed per Town Standard Details. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. The limits of curb and gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
88. DRIVEWAY APPROACH: The Developer shall install two (2) Town standard commercial driveway approaches. The new driveway approaches 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.
89. CURB RAMPS: The Developer shall construct one (1) curb ramp in compliance with ADA Standards which 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.

90. 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.
91. FRONTAGE IMPROVEMENTS (TRAFFIC): The Applicant shall construct improvements including and may not be limited to signage, striping, curb/gutter/sidewalk, ADA ramps, pedestrian crosswalk, and street lights as directed by the Town Engineer. Plans for the improvements must be approved by the Town prior to the issuance of any grading or building permits. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
92. TRANSPORTATION MANAGEMENT PLAN (TDM): The developer shall prepare a Transportation Demand Management Plan for Town of Los Gatos approval prior to the issuance of a building permit. The TDM shall include the measures such as bicycle facility provisions, shower facilities, transit passes and subsidies, carpool incentive, designated car share parking, and other measures that may be required by Town Engineer. The TDM shall also include a TDM coordinator and identify the requirement for an annual TDM effectiveness report to Town of Los Gatos.
93. TRAFFIC STUDY: Any development of land use that generates greater traffic impacts than those assumed in the traffic study report may require an updated traffic study in accordance with the Town's traffic impact policy.
94. TRAFFIC IMPACT MITIGATION FEE: Prior to the issuance of any grading or building permits, the Developer shall pay the project's proportional share of transportation improvements needed to serve cumulative development within the Town of Los Gatos. The fee amount will be based upon the Town Council resolution in effect at the time the building permit is issued. The fee shall be paid before issuance of a building permit. The amount based on the current resolution is **\$273,306.00**. The final traffic impact mitigation fee for this project shall be calculated from the final plans using the current fee schedule and rate schedule in effect at the time the building permit is issued, using a comparison between the existing and proposed uses.
95. CONSTRUCTION STREET PARKING: No vehicle having a manufacture's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the Town Engineer.
96. CONSTRUCTION VEHICLE PARKING: No construction vehicles, trucks, equipment and worker vehicles shall be allowed to park on the portion of any public streets without written approval from Town Engineer.
97. TRAFFIC CONTROL PLAN: A traffic control plan is required and must be submitted and approved by the Town Engineer prior to issuance of an encroachment, grading or building permit. This plan shall include, but not be limited to, the following measures:
  - a. Construction activities shall be strategically timed and coordinated to minimize traffic disruption for schools, residents, businesses, special events, and other projects in the area. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.

- b. Flag persons shall be placed at locations necessary to control one-way traffic flow. All flag persons shall have the capability of communicating with each other to coordinate the operation.
  - c. Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation.
98. 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 Town Engineer prior to the issuance of an encroachment, grading or building permit.
99. ADVANCE NOTIFICATION: Advance notification of all affected residents and emergency services shall be made regarding parking restriction, lane closure or road closure, specify specification of dates and hours of operation.
100. SCHOL DROP-OFF AND PICK-UP: No construction activities affecting normal traffic flow shall be permitted during school drop-off and pick-up periods.
101. HAULING OF SOIL: Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of an encroachment, grading or building permit, the Developer 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 Developer to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
102. CONSTRUCTION HOURS: All subdivision improvements and site improvements 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 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.
103. 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.
104. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any permits, the Applicant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area,



materials storage area(s), construction trailer(s), concrete washout(s) and proposed outhouse location(s). Please refer to the Town's Construction Management Plan Guidelines document for additional information.

105. WVSD (West Valley Sanitation District): Sanitary sewer laterals are televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used. A Sanitary Sewer Clean-out is required for each property at the property line, or at a location specified by the Town.
106. 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.
107. STORMWATER MANAGEMENT: Construction activities including but not limited to clearing, stockpiling, grading or excavation of land, which disturbs one (1) acre or more which are part of a larger common plan of development which disturbs less than one (1) acre are required to obtain coverage under the construction general permit with the State Water Resources Control Board. The Applicant is required to provide proof of WDID# and keep a current copy of the storm water pollution prevention plan (SWPPP) on the construction site and shall be made available to the Town of Los Gatos Engineering Division of the Parks and Public Works Department and/or Building Department upon request.
108. BEST MANAGEMENT PRACTICES (BMPs): The 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.
109. STORMWATER DEVELOPMENT RUNOFF: All new development and redevelopment projects are subject to the stormwater development runoff requirements. Every Applicant shall submit a stormwater control plan and implement conditions of approval that reduce stormwater pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Increases in runoff volume and flows shall be managed in accordance with the development runoff requirements.

110. REGULATED PROJECT: The project is classified as a Regulated Project per Provision C.3.b.ii. and is required to implement LID source control, site design, and stormwater treatment on-site in accordance with Provisions C.3.c. and C.3.d.
111. LANDSCAPING: In finalizing the landscape plan for the biotreatment area(s), it is recommended that the landscape architect ensure that the characteristics of the selected plants are similar to those of the plants listed for use in bioretention areas in Appendix D of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) C.3 Stormwater Handbook.
112. LANDSCAPE MAINTENANCE AGREEMENT: The Developer shall enter into a Landscape Maintenance Agreement with the Town of Los Gatos in which the Developer agrees to maintain the vegetated areas along the project's Winchester Boulevard and Shelburne Way frontages located within the public right-of-way. The agreement must be completed and accepted by the Town Attorney prior to the issuance of any encroachment, grading or building permits.
113. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the San Francisco Bay Regional Water Quality Control Board for projects disturbing more than one (1) acre. A maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall be in compliance with applicable measures contained in the amended provisions C.3 and C.14 of most current Santa Clara County National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP). Monitoring for erosion and sediment control is required and shall be performed by the Qualified SWPPP Developer (QSD) or Qualified SWPPP Practitioner (QSP) as required by the Construction General Permit. Stormwater samples are required for all discharge locations and projects may not exceed limits set forth by the Construction General Permit Numeric Action Levels and/or Numeric Effluent Levels. A Rain Event Action Plan (REAP) must be developed forty-eight (48) hours prior to any likely precipitation event, defined by a fifty (50) percent or greater probability as determined by the National Oceanic and Atmospheric Administration (NOAA), and/or whenever rain is imminent. The QSD or QSP must print and save records of the precipitation forecast for the project location area from (<http://www.srh.noaa.gov/forecast>) which must accompany monitoring reports and sampling test data. A rain gauge is required on-site. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.

114. 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 (20) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.
115. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
  - b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
  - c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
  - d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
  - e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
  - f. All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
  - g. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

- i. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.
  - j. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
116. 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.
117. SITE DRAINAGE: No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
118. STORM WATER MANAGEMENT PLAN: A storm water management shall be included with the grading permit. The plan shall delineate source control measures and BMPs together with the sizing calculations. The plan shall be certified by a professional pre-qualified by the Town. In the event that the storm water measures proposed on the Planning approval differ significantly from those certified on the Building/Grading Permit, the Town may require a modification of the Planning approval prior to release of the Building Permit. The Applicant may elect to have the Planning submittal certified to avoid this possibility.
119. STORM WATER MANAGEMENT PLAN NOTES: The following note shall be added to the storm water management plan: "The biotreatment soil mix used in all stormwater treatment landscapes shall comply with the specifications in Attachment L of the MRP. Proof of compliance shall be submitted by the Contractor to the Town of Los Gatos a minimum of thirty (30) days prior to delivery of the material to the job site using the Biotreatment Soil Mix Supplier Certification Statement."
120. STORM WATER MANAGEMENT PLAN CERTIFICATION: Certification from the biotreatment soils provider is required and shall be given to Engineering Division Inspection staff a minimum of thirty (30) days prior to delivery of the material to the job site. Additionally, deliver tags from the soil mix shall also be provided to Engineering Division Inspection staff. Sample Certification can be found here:  
[http://www.scvurppp-w2k.com/nd\\_wp.shtml?zoom\\_highlight=BIOTREATMENT+SOIL](http://www.scvurppp-w2k.com/nd_wp.shtml?zoom_highlight=BIOTREATMENT+SOIL).
121. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS: The property owner shall enter into an agreement with the Town for maintenance of the stormwater filtration devices required to be installed on this project by the Town's Stormwater Discharge Permit and all current amendments or modifications. The agreement shall specify that certain routine maintenance shall be performed by the property owner and shall specify device maintenance reporting requirements. The agreement shall also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded, and a copy of the recorded

agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to the release of any occupancy permits.

122. 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.
123. OUTDOOR TRASH ENCLOSURES: Outdoor trash enclosures shall be covered and provided with area drains connected to the sanitary sewer per current NPDES requirements before a Certificate of Occupancy for any new building can be issued. Connecting said drainage system to the storm drain system is not permitted.
124. 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 Developer'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 Developer's expense.
125. NEIGHBORHOOD CONSTRUCTION COMMUNICATION PLAN: Prior to issuance of an encroachment, grading or building permit, the Applicant shall initiate a weekly neighborhood email notification program to provide project status updates. The email notices shall also be posted on a bulletin board placed in a prominent location along the project perimeter.
126. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

127. FIRE SPRINKLERS REQUIRED: Approved automatic sprinkler systems in new buildings and existing buildings and structures shall be provided in the locations described in this Section or Section 903.2.1 through 903.2.18 whichever is the more restrictive. For the purposes of this Section, firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations. 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 modifications or upgrade of the existing water service is required. A State of California licensed (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application, and appropriate fees to this department for review and approval prior to beginning their work. CFC Section 903.2 as adopted and amended by LGTC.
128. 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 that system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor are documented by that purveyor as having been met by the applicant(s). 2010 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.

129. HOSE VALVES/STANDPIPES REQUIRED: Hose valves/standpipes shall be installed as per the 2013 CFC Sec. 905, or where emergency access has been deemed minimal, shall be equipped with standpipes designed per NFPA Std. #14, and be equipped with 2-1/2" inch hose valves, located within the stair enclosure(s). Note specifically, within parking structure(s) at stairwells and on podium within courtyard. CFC Sec. 905 as adopted and amended by CUPMC.
130. FIRE ALARM REQUIREMENTS: A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists: The Group B load is more than 100 persons above or below the lowest level of exit discharge. Alarm systems shall comply with this code and with the currently adopted edition of NFPA 72 907.2.2 Group B.
131. EMERGENCY RESPONDER RADIO COVERAGE: Emergency responder radio coverage in new buildings. 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.
132. FIRE PROTECTION AND UTILITY EQUIPMENT IDENTIFICATION AND ACCESS: Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and vales, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location shall be constructed of durable materials, permanently installed and readily visible.
133. CONSTRUCTION FIRE SAFETY: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chapter 33.
134. ADDRESS IDENTIFICATION: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 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 signs or means shall be used to identify the structure. Address numbers shall be maintained. CFC Section 505.1