

**PLANNING COMMISSION – July 14, 2021**  
**CONDITIONS OF APPROVAL**

**15011 Los Gatos Boulevard**  
**Architecture and Site Application S-20-035**

**Consider Approval of a Request for Modification to an Existing Architecture and Site Application (S-13-090) to Relocate an Existing Pre-1941 Single-Family Residence from Property in the Northern Portion of the North Forty Specific Plan Area to a Property in the Approved First Phase of the North Forty Specific Plan Area with Additional Below Grade Square Footage, a Reduction of Parking Spaces, and the Removal of One Housing Unit on Property Zoned North Forty Specific Plan.**

**APN 424-56-019**

**PROPERTY OWNER: Yuki Family c/o Edward Morimoto**

**APPLICANT: Don Capobres, Harmonie Park Development**

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. OPEN SPACE: The required open space shall be maintained in accordance with the requirements of the N40 Specific Plan.
5. NOISE: The applicant shall comply with all recommendations provided by Charles M. Salter within the report dated January 20, 2016. The letter and/or recommendations shall be printed on the building permit plan set for all affected buildings.
6. MITIGATION MONITORING AND REPORTING PLAN: The applicant shall comply with all relevant mitigation measures included in the adopted mitigation monitoring and reporting plan prepared with the certified EIR.
7. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
8. TREES AND LANDSCAPING: The proposed new trees and landscaping shall be consistent with Chapter 3 Landscape Pallet of the N40 Specific Plan and Transition District Planting Palette per the N40 Phase 1 plans.
9. 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.

10. IRRIGATION: All newly planted landscaping shall be irrigated by an in-ground irrigation system. Special care shall be taken to avoid irrigation which will endanger existing native trees and shrubs.
11. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
12. SIGN PERMIT: A Sign Permit from the Los Gatos Community Development Department must be obtained prior to any changes to existing signs or installation of new signs. All proposed signage shall be in conformance with the North 40 Specific Plan (Section 3-5).
13. COMMERCIAL DISPLAY WINDOWS: Display windows must be periodically cleaned, maintained and changed. Display glass shall not be blacked-out or obscured in any way by any materials or objects affixed in any manner to the outside or inside surfaces of the glass, with the exception of the tenant's standard vinyl safety window logos and flyers for nonprofit organizations.
14. CERTIFICATE OF USE AND OCCUPANCY: A Certificate of Use and Occupancy must be obtained prior to commencement of commercial use.
15. BUSINESS LICENSE: A business license is required from the Town of Los Gatos Finance Department prior to commencement of commercial use.
16. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
17. 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.
18. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

#### *Building Division*

19. PERMITS REQUIRED: A Building Permit is required for the renovation of an existing single family residence into mixed use with office space on the first level and residential on the second level.
20. EASEMENT REQUIRED: A minimum 10' no-build easement will be required for the area between the proposed Gianandrea House and proposed Building A1 (Building A1 is not a part of this application) with the Town of Los Gatos and Santa Clara County Fire being named as interested parties.
21. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2020, are the 2019 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, including locally adopted Energy Reach Codes.
22. 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.

23. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
24. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
25. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
  - a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage shall be provided for construction workers at all access points.
  - b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. All non-road diesel construction equipment shall at a minimum meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112.
  - c. Developer shall designate an on-site field supervisor to provide written notification of construction schedule to adjacent residential property owners and tenants at least one week prior to commencement of demolition and one week prior to commencement of grading with a request that all windows remain closed during demolition, site grading, excavation, and building construction activities in order to minimize exposure to NOx and PM10. The on-site field supervisor shall monitor construction emission levels within five feet of the property line of the adjacent residences for NOx and PM10 using the appropriate air quality and/or particulate monitor.
26. SOILS REPORT: A Soils Report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with the Building Permit Application. This report shall be prepared by a licensed Civil Engineer specializing in soils mechanics.
27. 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.
28. 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

29. 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.
30. 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.
31. 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.
32. 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.
33. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
34. 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](http://www.losgatosca.gov/building).
35. 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](http://www.losgatosca.gov/building).
36. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
  - a. Community Development – Planning Division: (408) 354-6874
  - b. Engineering/Parks & Public Works Department: (408) 399-5771
  - c. Santa Clara County Fire Department: (408) 378-4010
  - d. West Valley Sanitation District: (408) 378-2407
  - e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

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

*Engineering Division*

37. GENERAL: 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.
38. APPROVAL: This application shall be completed in accordance with all the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
39. CONSTRUCTION PLAN REQUIREMENTS: Construction drawings shall comply with Section 1 (Construction Plan Requirements) of the Town's Engineering Design Standards, which are available for download from the Town's website.
40. PRIOR APPROVALS: All conditions per prior approvals (including Resolution 2017-045, the North 40 Specific Plan, etc.) shall be deemed in full force and affect for this approval.
41. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
42. 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 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.
43. PLANS AND STUDIES: Any post-project traffic or parking counts, or other studies imposed by the Planning Commission or Town Council shall be funded by the Developer.
44. 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 and associated required materials and plan check fees) 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 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, located at 110 E. Main Street, is needed for grading within the building footprint.

45. DRAINAGE IMPROVEMENT: Prior to the issuance of any grading/improvement permits, the Developer 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.
46. PRECONSTRUCTION MEETING: Prior to the commencement of any site work, the general contractor shall:
  - a. Along with the Developer, 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.
47. GENERAL: The Developer shall comply with all Town, County, State and Federal laws and regulations applicable to this land division. No other proposed development is included in this particular application of the subdivision map. Any subsequent development will be required to demonstrate compliance with the Town Development Standards and Codes.
48. PARCEL MAP: A parcel map shall be recorded. An electronic copy (in PDF format) of the parcel map and all associated materials shall be submitted to the Engineering Division of the Parks and Public Works Department for review and approval. Submittal shall include closure calculations, title reports and the appropriate fee. The map shall be recorded prior to the issuance of any grading or building permits. The Applicant/ Subdivider shall provide the Engineering Division with an electronic copy (in PDF format) of the signed recorded map along with a CAD drawing of the Parcel Map after it is recorded.
49. WEST VALLEY SANITATION DISTRICT: All sewer connection and treatment plant capacity fees shall be paid either immediately prior to the recordation of any subdivision or tract maps with respect to the subject property or properties or immediately prior to the issuance of a sewer connection permit, whichever event occurs first. Written confirmation of payment of these fees shall be provided prior to map recordation.
50. DEDICATIONS: The following shall be dedicated on the parcel map. The dedication shall be recorded before any grading or building permits are issued:
  - a. Ingress-egress, storm drainage and sanitary sewer easements, as required.
  - b. Public Access Easement(s) as required to provide access to the parking stalls and adjacent drive aisles encapsulated within the property boundary.
  - c. Emergency Access Easement: 1) Twenty-five (25) feet wide, between South Turner Street and Los Gatos Boulevard, correlating with the existing 25-foot Public Access and Public Service Easements; 2) Twenty-five (25) feet wide, between Curtis Drive and Walker Street, correlating with the proposed Public Access and Public Service Easements delineated on the Development Plans dated September 23, 2020s.
51. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations shall be inspected by the Developer'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 Developer's soils engineer and submitted to the Town before a certificate of occupancy is granted.

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 Developer'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 Developer.
53. 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 Developer 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.
54. 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.
55. TRAFFIC IMPACT MITIGATION FEE: Prior to the issuance of a/any building/grading permit(s), 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 of \$13,785.62 is based upon the Town Council resolution, using a comparison between the existing and proposed uses. The fee shall be paid before recordation of the Parcel Map.
56. PRECONSTRUCTION PAVEMENT SURVEY: Prior to issuance of any grading or building permit, the Developer shall complete a pavement condition survey documenting the extent of existing pavement defects using a smartphone video (in Landscape orientation only) or digital video camera. The survey shall extend the length of both Walker Street and South Turner Street. The results shall be documented in a report and submitted to the Town for review.
57. POSTCONSTRUCTION PAVEMENT SURVEY: The Developer shall complete a pavement condition survey to determine whether road damage occurred as a result of project construction and whether there were changes in pavement strength. Rehabilitation improvements required to restore the pavement to pre-construction condition. The results shall be documented in a report and submitted to the Town for review and approval before a Certificate of Occupancy for any new building can be issued. The Developer shall be responsible for completing any required road repairs prior to release of the faithful performance bond.
58. 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.

Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.

59. 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 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays, holidays excluded. The Town may authorize, on a case-by-case basis, alternate construction hours. The Developer shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
60. 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.
61. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any grading or building permits, the Owner and/or Applicant's design consultant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the 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.
62. SHARED PRIVATE STREET: The private streets accessing Project Site shall be kept open and in a safe, drive-able condition throughout construction. If temporary closure is needed, then formal written notice shall be provided at least one week in advance of closure.
63. PRIVATE STREET PAVEMENT RESTORATION: Prior to issuance of a Certificate of Occupancy for any new building, the Developer shall overlay to section of private street pavement immediately in front of/adjacent to the subject property, or alternative pavement restoration measure as approved by the Town Engineer.
64. TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN AND BICYCLE RACK: Prior to occupancy, the Owner/Applicant shall install a Town approved bicycle rack with capacity for at least two (2) bicycles as part of the relocation. Furthermore, the Owner/Applicant shall participate in the comprehensive TDM plan for the North 40 that is proposed and approved in the future.
65. 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, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town.
66. 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.

67. BEST MANAGEMENT PRACTICES (BMPs): The Developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
68. 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.
69. 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.
70. 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.

71. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
  - b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
  - c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
  - d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
  - e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
  - f. All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
  - g. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Please provide the BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).
  - i. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.
  - j. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
72. 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.
73. 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.

74. MAINTENANCE OF PRIVATE STREETS: It is the responsibility of the Developer to implement a plan for street sweeping of paved private roads and cleaning of all storm drain inlets.
75. SILT AND MUD IN PUBLIC RIGHT-OF-WAY: It is the responsibility of Contractor and Developer 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.
76. 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.
77. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

78. FIRE SPRINKLERS REQUIRED: *(As noted on Sheet G0)* Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.19.1.2 whichever is more restrictive. For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations. An automatic sprinkler system shall be provided throughout all new buildings and structures exceeding one thousand square feet.
79. FIRE APPARATUS (ENGINE) ACCESS REQUIRED: *(As noted on Sheet 1.22 Fire Access Plan)* Provide a site plan that includes fire apparatus access with a paved all weather surface, a minimum unobstructed width of 12 feet, vertical clearance of 13 feet 6 inches, and a maximum slope of 15%. Installations shall conform to the Fire Department Standard Details Specifications D-1 and CFC Section 503.
80. PUBLIC FIRE HYDRANT(S) REQUIRED: *(As noted on Sheet C3)* Provide a site plan that identifies all new and existing public fire hydrant(s) at location(s) to be determined jointly by the Fire Department and San Jose Water Company. Maximum hydrant spacing shall be 500 feet, with a minimum single hydrant flow of 1500 GPM at 20 psi, residual. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets. CFC Sec. 507, and Appendix B and associated Tables, and Appendix C.
81. WATER SUPPLY REQUIREMENTS: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be

physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.

82. ADDRESS IDENTIFICATION: *(As noted on Sheet A5.1)* New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.
83. CONSTRUCTION SITE FIRE SAFETY: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.