File: PLN19-0068
Building Site Approval, Grading Approval and Design Review for a New Single-Family Residence.

Summary: Concurrent land use entitlement for a Building Site Approval, Grading Approval, and Design Review. The request includes the construction of a new 3,487 square foot single-family residence with a 480 square foot detached garage on a 0.33-acre underlying lot (APN 336-08-009). Associated site improvements include a new access driveway, removal of three (3) trees, and demolition of the existing single-family residence. Grading consists of 800 cubic yards of cut and 125 cubic yards of fill.

Owner: Alex Minkin
Applicant: Alex Minkin
Lot Size: 0.33 acre
APN: 336-08-009
Supervisory District: 5

Gen. Plan Designation: Los Altos
Zoning: R1E-20-n1
Address: 540 Valley View Drive
Present Land Use: Residential (SFR)
HCP: N/A

RECOMMENDED ACTIONS
A. Accept Categorical Exemptions, under Section 15303(a) of the CEQA Guidelines, Attachment A.

B. Grant Building Site Approval, Grading Approval, and Design Review, subject to conditions outlined in Attachment B.

ATTACHMENTS INCLUDED
Attachment A – Proposed CEQA Determination
Attachment B – Proposed Conditions of Approval
Attachment C – Location & Vicinity Map
Attachment D – Proposed Plans
PROJECT DESCRIPTION

The proposed project includes a request for a concurrent land use entitlement for a Building Site Approval, Grading Approval, and Design Review to allow construction of a 3,487 square-foot (sq. ft.) single-family residence with a 480 square foot detached garage. The proposed development also includes demolition of the existing residence, removal of an existing retaining wall, and construction of a new driveway. Pursuant to Zoning Ordinance Section 3.40.030(C)(1), the property is considered an “underlying lot” within the R1E-20-n1 combined zoning district of unincorporated Los Altos. Additionally, pursuant to Zoning Ordinance Section 3.40.030(C)(2)(a), the property is subject to a maximum floor area ratio of 25% of the net lot area, or 3,594 sq. ft. of total structure size. The proposed residence and the on-site improvements require 800 cubic yards of cut and 125 cubic yards of fill, for a total of 925 cubic yards of grading. The proposed project also requires the removal of three (3) non-native trees, two (2) of which, are ordinance-protected trees over 12 inches in diameter measured 4.5 feet from grade. The property is served by the City of Los Altos for water and sewer connection.

Setting/Location Information

The subject property has an existing single-family residence built in 1953, with a driveway located at the corner of Valley View Drive and Hillslope Place. Access to the subject property is provided via two public maintained roads, Valley View Drive and Hillslope Place. The property is located at the corner of Valley View Drive and Hillslope Place, in unincorporated Santa Clara County, within the City of Los Altos urban service area (USA). However, the property is not adjacent to, or abutting the City of Los Altos, and is beyond 300 feet from the nearest urban jurisdiction. For this reason, the subject property is not eligible for annexation.

The subject property has a dense mixture of trees and shrubs, with most of the trees fronting Valley View Drive. The average slope of the entire parcel is 19%, however, the project is utilizing part of the area of the existing residence as the building pad, and therefore, the project is located on a relatively flat site. The property is surrounded by similar, low density single-family residences that were built between the 1950s and 1960s, with homes that were rebuilt in the last decade. The neighborhood character consists of residences ranging in size from approximately 1,200 sq. ft. to 5,000 sq. ft., on properties less than (1) acre. The property is located near the Foothill Expressway, and is only 0.78 miles southeast of Highway 280.

The property is not located within the Santa Clara Valley Habitat Plan area and is not near any creeks, water course, and/or sensitive habitats.

REASONS FOR RECOMMENDATIONS

A. Environmental Review and Determination (CEQA)

The proposed project qualifies for a Categorical Exemption under Section 15303(a) of a new single-family residence. As such, an Initial Study and further analysis under the CEQA was not required.

B. Project/Proposal

1. General Plan: USA – Los Altos
2. **Building Site Approval**: Per County Ordinance Code Section C12-307, Building Site Approval (BSA) is required for new single-family or two-family dwellings, including any property within the R1E-20-n1 zoning district that is not a designated lot within an approved Parcel Map. The proposed project meets all development standards for the primary residence (minimum of 30 ft. at the front, minimum 25 ft. rear setback, minimum of 13 feet for side setback exception of Zoning Ordinance Section 4.20.110(C)(2), and a maximum height of 27 feet). An application for BSA was applied for on January 6, 2020 and will be approved simultaneously with the Design Review and Grading Approval analysis that is the subject of this application.

3. **Zoning Standards**: The Zoning Ordinance specifies the required development standards for R1E-20-n1 Zoning District, as summarized below, followed by a Table A, noting the project’s conformance with Section 3.40.030 “-n1” Combing District for underlying lots:

<table>
<thead>
<tr>
<th>Main Residence</th>
<th>CODE SECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Setback:</td>
<td>30 feet</td>
</tr>
<tr>
<td>Side Setbacks:</td>
<td>13 feet*</td>
</tr>
<tr>
<td>Rear Setback:</td>
<td>25 feet</td>
</tr>
<tr>
<td>Height:</td>
<td>27 feet</td>
</tr>
<tr>
<td>Stories:</td>
<td>2 stories</td>
</tr>
</tbody>
</table>

*Per Zoning Ordinance Section 4.20.110(C)(2) for side setback reduction exception based on a narrow lot of having an exceptionally large depth-to-width ratio.

**Table A: Compliance with Development Standards for -n1 Combining District**

<table>
<thead>
<tr>
<th>STANDARDS &amp; REQUIREMENTS</th>
<th>CODE SECTION</th>
<th>Meets Standard (Y/N)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor Area (F.A.R)</td>
<td>§ 3.40.30(C)(2)(a)</td>
<td>Y</td>
</tr>
<tr>
<td>Design Review - Neighborhood Compatibility Underlying Lot Finding</td>
<td>§ 3.40.30(C)(2)(b)</td>
<td>Y*</td>
</tr>
<tr>
<td>Accessory Structure (Less than 500 sq. ft.)</td>
<td>§ 3.40.30(C)(2)(c)</td>
<td>Y</td>
</tr>
</tbody>
</table>

*See Discussion in Design Review Finding for Underlying Lots in Section C below.

C. **Design Review Finding (-n1, Los Altos – Underlying Lot):**
Per Section 3.40.030(C)(2)(b), development of any individual underlying lot in a -n combining district shall require Design Review. “*The review shall emphasize general neighborhood compatibility and impacts on adjacent properties.*” The required finding is listed below in **bold** and an explanation of how the project complies with the finding follows in plain text.
1. Mitigation of any adverse visual impacts from proposed structures, grading, vegetation removal and landscaping.

The proposed design will not create any visual impacts as it is below the 27 ft. maximum height for the proposed dwelling. Additionally, the overall design of the residence is tiered and stepped to minimize disturbance to the natural landscape. Grading is balanced to create the grading that is necessary for the establishment of the residential use. Retaining walls proposed to the rear is to limit the grading and disturbance as much as feasible due to the lot’s natural topography, which descends near the rear of the lot. The property is also not in a visible area to the valley floor and, therefore, this finding can be made.

2. Compatibility with the natural environment;

The project proposes neutral and natural earth tones for the overall design of the residence which is consistent to the residential building colors of the neighborhood but also to the natural landscape. Additionally, the proposed grading is designed to contour to the natural topography to the maximum extent possible and the overall design of the residence is tiered and stepped to minimize disturbance to the natural environment. Therefore, this finding can be made.

3. Conformance with the “Design Review Guidelines,” adopted by the Board of Supervisors

Although -n1 properties are not subject to the Design Review Guidelines, as a requirement of underlying lots in the -n1 district, “the review shall emphasize general neighborhood compatibility and impacts on adjacent properties.” As mentioned in Finding Nos. 1 and 2, the proposed development will not have any visual impact to neighboring lots, as it is below the 27 ft. maximum height allowed for a dwelling, the overall size of the proposed residence is consistent to the housing sizes within the neighborhood, overall design of the residence is tiered and stepped to minimize disturbance to the natural landscape, and grading proposed is suitable and balanced to the minimal grading necessary to establish the single-family residential use. As such, this finding can be made with respect to the compatibility requirements for underlying lots in the -n combining district.

4. Compatibility with the neighborhood and adjacent development

The proposed project is a 3,487 square-foot residence with a 480 square-foot detached garage, located on a 14,374 square foot (0.33 acre) underlying lot. The neighborhood has a mixture of one to two story residences along Valley View Drive and Hillslope Place. Most of the homes located within the neighborhood (along Valley View Drive and Hillslope Place) range from 1,700 sq. ft. to more than 5,000 sq. ft. The proposed residence is compatible to neighboring properties, in terms of structure size, style and number of stories. The proposed residence is a two (2) story residence and is in keeping
with the average size of residences in the neighborhood, with a total structure size of 3,487 sq. ft. The project includes the construction of a basement, which is located below grade, with a wooden deck located in the rear, and a new retaining wall of less than 5 feet (also located in the rear of the property). It is important to note that the basement is not counted toward the total structure size for floor area calculation as it is below grade.

Like many of the neighboring properties, the proposed residence will include a modern-style home with the garage facing Hillslope Place. The proposed residence offers design relief by utilizing multiple roof lines, undulating facades and materials and colors that are commonly found within the immediate neighborhood. The applicant proposes earth-toned colors of beige, brown, and gray for the body of the house and colors of olive and dark brown for the accents and trims for the exterior façade. All proposed colors are neutral and are compatible to the existing color façade of the adjacent homes within the neighborhood. As such, this finding can be made.

5. **Compliance with applicable zoning district regulations.**

The property has R1E-20-n1 zoning district, which is Urban Residential with -n1 (Los Altos) combined zoning district. The development is compliant to the current zoning district as the project proposes a 3,487 square-foot residence with a 480 square-foot detached garage, located on a 14,374 square foot (0.33 acre) underlying lot. Per Section 3.40.030(C)(2)(a), the property is subject to a maximum floor area ratio of 25% of the net lot area, or 3,594 sq. ft. of total structure size. The proposed square footage of the residence is below the maximum floor area. The proposed basement would not be counted towards the floor area as it is completely below grade. The proposed residence has at minimum 30 ft. front setback, which is consistent to the minimum front setback requirement for the R1E-20-n1 zoning district. The side-setback for the proposed residence is reduced to a minimum of 13 ft. due to setback reduction exception based on a narrow lot of having an exceptionally large depth-to-width ratio, per Section 4.20.110(C)(2). Additionally, the proposed residence is below the maximum 27 ft. height and has a rear setback of more than 25 ft. to the rear of the property. Therefore, this finding can be made.

6. **Conformance with the general plan, any applicable specific plan, or any other applicable guidelines adopted by the Board of Supervisors or Planning Commission.**

The proposed project conforms to General Plan policy *R-GD 22* which requires that the project be appropriately designed and minimizes any unnecessary grading. The proposed residence has tiered rooflines, incorporate natural-toned colors (similar to neighboring homes), and uses undulating facades. The grading is minimized to establish a single-family residential use on the property that will provide a safe and stable foundation for the house, basement, patio, and detached garage. Like neighboring residences and properties, the current project is in keeping with the average size of residences in the neighborhood, with a total structure size of less than 3,500 square feet.
D. **Grading Approval:** Pursuant to Section C12-433 of the County Ordinance Code, all Grading Approvals are subject to specific findings. In the following discussion, the scope of review findings are listed in **bold**, and an explanation of how the project meets the required standard is in plain text below.

1. **The amount, design, location, and the nature of any proposed grading is necessary to establish or maintain a use presently permitted by law on the property.**

The project’s grading quantities are 800 cubic yards of cut and 125 cubic yards of fill. The proposed grading is necessary to establish the building pads for the residence (with a basement), detached garage, and a new driveway. These are allowable primary uses for the zoning district. Consequently, the amount, design, location and the nature of the proposed grading is necessary and appropriate to establish the single-family residential use, which is a permissible use in the R1E zoning district. As such, this finding can be made. For clarification, the breakdown of grading is quantified below.

<table>
<thead>
<tr>
<th>Type</th>
<th>Cut (CY)</th>
<th>Fill (CY)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Pads</td>
<td>625</td>
<td>75</td>
</tr>
<tr>
<td>Driveway</td>
<td>120</td>
<td>15</td>
</tr>
<tr>
<td>Hardscape</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Landscape</td>
<td>45</td>
<td>25</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>800</strong></td>
<td><strong>125</strong></td>
</tr>
</tbody>
</table>

2. **The grading will not endanger public and/or private property, endanger public health and safety, will not result in excessive deposition of debris or soil sediments on any public right-of-way, or impair any spring or existing watercourse.**

The proposed grading will not endanger public or private property. The grading is minimized to establish a single-family residential use on the property that will provide a safe and stable foundation for the house, basement, patio, and detached garage. All export will be deposited at an approved site. The Conditions of Approval of final grading plans will ensure that grading around the building pads and driveway will not result in slope instability or erosion. Land Development Engineering has specific erosion control standards to be implemented as part of the driveway and grading design. As such, this finding can be made.

3. **Grading will minimize impacts to the natural landscape, scenic, biological and aquatic resources, and minimize erosion impacts.**

The proposed grading has been designed to contour to the natural topography to the maximum extent possible and the overall design the residence is tiered and stepped to minimize disturbance to the natural landscape. Retaining walls proposed to the rear is
to limit the grading and disturbance as much as feasible due to the lot’s natural
topography, which descends near the rear of the lot. The project will require removal of
three (3) non-native trees, with two (2) trees that are ordinance-sized, the removal is
necessary for the installation of a driveway and access to the detached garage. All new
grading will utilize temporary erosion control measures during construction that will be
replace with long-term permanent erosion control measures in the form of natural
landscaping. As such, this finding can be made.

4. **For grading associated with a new building or development site, the subject site
shall be one that minimizes grading in comparison with other available
development sites, taking into consideration other development constraints and
regulations applicable to the project.**

The proposed location is suitable for a building site, as it utilizes the least amount of
grading required since it is part an existing building pad for the original residence. The
residence is located towards the front of Hillslope Place, with a driveway needed to
access the detached garage located near the rear half of the property. The total grading
quantities have been minimized to 800 cubic yards of cut and 125 cubic yards of fill to
achieve a basement, a driveway, and the overall design of the residence is tiered and
stepped to reduce bulk and massing. The project balances cut and fill to only utilize the
grading cut that is necessary for the project that is consistent to the County’s General
Plan (*R-GD 23*). In this case, the grading cut is justified for the construction of a
basement as part of the residential project. Unnecessary grading to the rear of property is
eliminated, which is consistent with the County’s Grading Findings and the County’s
General Plan (*R-GD 22*) of unnecessary grading on a property. In addition, the grading is
designed to follow the natural contours of the property to the maximum extent possible.
The proposed building site is the most suitable, as it minimizes the grading necessary
for establishment of the single-family residence and, as such, this finding can be made.

5. **Grading and associated improvements will conform with the natural terrain
and existing topography of the site as much as possible, and should not create a
significant visual scar.**

The majority of the grading is necessary to establish a basement as part of the
residential use and a driveway to access the detached garage to the rear half of the
property. Grading is minimized and limited to the establishment the primary use
(residential) of the lot, and will not disturb any hillside or create any visual scar.
Additionally, the project is utilizing part of the existing pad for the residence and is
conforming to the natural terrain of the property by locating the house to the front of
Hillslope Place and utilizing an existing building pad. As such, this finding can be
made.

6. **Grading conforms with any applicable general plan or specific plan; and**

The proposed grading is in conformance with specific findings and policies identified
in the County General Plan. For example, the total grading quantities have been
minimized by utilizing part of the existing building pad and the overall design of the
residence is tiered and stepped to reduce bulk and massing that is consistent with the County’s General Plan R-GD22 and R-GD23 (see Finding 4 above), which discourages unnecessary grading and encourage utilizing existing building pads as much as possible. As such, this finding can be made.

7. Grading substantially conforms with the adopted "Guidelines for Grading and Hillside Development" and other applicable guidelines adopted by the County.

The proposed grading is in conformance with the adopted “Guidelines for Grading and Hillside Development,” in particular, the specific guidelines for siting, building form, and design. The access driveway for the proposed residence is not required as the residence is utilizing Hillslope Place, which is an existing County maintained road. A driveway to access a detached garage is needed for vehicular accessibility. Additionally, the residence tiered with undulating facades to blend in with the natural terrain. The property is not visible from the valley floor, however, the owner is incorporating neutral colors and earth tones as part of the conformity to the natural landscape and neighborhood. Erosion control is conditioned with the County requirements of Land Development Engineering with final erosion control plans to be implemented with the final grading permit. As such, this finding can be made.

In conclusion, Staff recommends that the Zoning Administration Hearing Officer approve the concurrent land use entitlement for a Building Site Approval, Grading Approval, and Design Review. Per County Ordinance Section C12-307, Building Site Approval is required for a new single-family or two-family dwellings, including any property within the R1E-20-n1 zoning district that is not a lot within a Parcel Map or a numbered lot subdivision. The existing property is an underlying lot, and is part Lot 5 and Lot 6 within the Tract Map No. 248 of the “Summerhill Heights.” As noted throughout this Staff Report, the proposed project meets all development standards for the primary residence (minimum of 30 ft. for front setback, minimum of 13 feet to the side setback per §4.20.110(C)(2), minimum of 25 feet to the rear, and a maximum height of 35 feet) and all the findings for Grading Approval, and the Design Review compatibility finding for underlying lots within the -n1 combined zoning district.

BACKGROUND
On March 28, 2019, the property owner applied for Building Site Approval, Grading Approval, and Design Review for the demolition of an existing residence and construction of a new residence. The application is reviewed as a concurrent land use entitlement. The initial incomplete letter was issued on April 28, 2019, identifying incomplete items and issues of concern, primarily with the initial amount of excessive grading for the project.

Prior to a resubmittal, Planning Staff with the Zoning Administrator, had multiple meetings with the applicant to discuss grading issues of concern and recommended revisions to the project to bring the project into compliance with the County’s General Plan goals and polices, and findings. It is important to note that although the property owner had not installed the project development sign within the first month of the project submittal, the owner installed a project development...
sign on June 29, 2020. After several resubmittals, the project was deemed complete on September 22, 2020.

As part of the requirement for Early Public Outreach, the project was noticed on June 28, 2020 within a 300-foot radius and staff has not received any comments from the public. A public notice was also mailed to all property owners within a 300-foot radius of the project on October 29, 2020 and was also published in the Post Records on November 2, 2020 for the Zoning Administration Hearing date.

STAFF REPORT REVIEW
Prepared by: Lara Tran, Associate Planner
Reviewed by: Leza Mikhail, Zoning Administrator/Principal Planner
ATTACHMENT A
Proposed CEQA Determination
ATTACHMENT A

STATEMENT OF EXEMPTION
from the California Environmental Quality Act (CEQA)

<table>
<thead>
<tr>
<th>FILE NUMBER</th>
<th>APN(S)</th>
<th>PROJECT NAME</th>
<th>APPLICATION TYPE</th>
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<tbody>
<tr>
<td>PLN19-0068</td>
<td>336-08-009</td>
<td>Building Site Approval, Grading Approval, and Design Review; 540 Valley View Drive, Los Altos</td>
<td>Building Site Approval, Grading Approval, and Design Review</td>
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<table>
<thead>
<tr>
<th>OWNER</th>
<th>APPLICANT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alex Minkin</td>
<td>Alex Minkin</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>PROJECT LOCATION</th>
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</thead>
<tbody>
<tr>
<td>540 Valley View Drive, Los Altos</td>
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</tbody>
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<table>
<thead>
<tr>
<th>PROJECT DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Site Approval, Grading Approval, and Design Review for a 3,487 square foot single-family residence with a 480 square foot detached garage on a 0.33-acre lot. Associated improvements include access driveway, removal of three (3) trees, and demolition of the existing single-family residence. Grading consists of 800 cubic yards of cut and 125 cubic yards of fill.</td>
</tr>
</tbody>
</table>

All discretionary development permits processed by the County Planning Office must be evaluated for compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended). Projects which meet criteria listed under CEQA may be deemed exempt from environmental review. The project described above has been evaluated by Planning Staff under the provisions of CEQA and has been deemed to be exempt from further environmental review per the provision(s) listed below.

<table>
<thead>
<tr>
<th>CEQA (GUIDELINES) EXEMPTION SECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Categorically Exempt – Section 15303(a) of a new single-family residence with detached garage.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed removal of 3 (non-native) trees on the property due to development. Grading consists of 800 cubic yards of cut and 125 cubic yards of fill (total 925 cubic yards).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>APPROVED BY:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lara Tran, Associate Planner</td>
</tr>
<tr>
<td>Signature</td>
</tr>
</tbody>
</table>

Approved by: [Signature]

PLN19-0068
540 Valley View Drive, Los Altos

Zoning Administration Meeting
November 12, 2020 Item # 2
ATTACHMENT B
Proposed Conditions of Approval
ATTACHMENT B
PRELIMINARY CONDITIONS OF APPROVAL
BUILDING SITE APPROVAL, GRADING APPROVAL, AND DESIGN REVIEW

Date: November 12, 2020
Owner/Applicant: Alex Minkin
Location: Hillslope Place, Los Altos, CA (APN: 336-08-009)
File Number: PLN19-0068
CEQA: Categorically Exempt – Section 15303, Class 3(a).

Project Description: Concurrent land use entitlement for a Building Site Approval, Grading Approval, and Design Review for a 3,487 square foot single-family residence with a 480 square foot detached garage on a 0.33-acre underlying lot. Associated improvements include access driveway, removal of three (3) trees, and demolition of the existing single-family residence. Grading consists of 800 cubic yards of cut and 125 cubic yards of fill.

For any question regarding the following preliminary conditions of approval, contact the person listed for that agency. S/he represents a specialty and can provide details about the conditions of approval.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Name</th>
<th>Phone</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning</td>
<td>Lara Tran</td>
<td>(408) 299-5759</td>
<td><a href="mailto:lara.tran@pln.sccgov.org">lara.tran@pln.sccgov.org</a></td>
</tr>
<tr>
<td>Land Development</td>
<td>Ed Duazo</td>
<td>(408) 299-5733</td>
<td><a href="mailto:ed.duazo@pln.sccgov.org">ed.duazo@pln.sccgov.org</a></td>
</tr>
<tr>
<td>Engineering</td>
<td>Alex Goff</td>
<td>(408) 299-5763</td>
<td><a href="mailto:alex.goff@sccfd.org">alex.goff@sccfd.org</a></td>
</tr>
<tr>
<td>Fire Marshall</td>
<td>Darrin Lee</td>
<td>(408) 299-5748</td>
<td><a href="mailto:darrin.lee@cep.sccgov.org">darrin.lee@cep.sccgov.org</a></td>
</tr>
<tr>
<td>Environmental Health</td>
<td>Leo Camacho</td>
<td>(408) 573-2464</td>
<td><a href="mailto:leo.camacho@rda.sccgov.org">leo.camacho@rda.sccgov.org</a></td>
</tr>
<tr>
<td>Roads and Airport</td>
<td>Jim Baker</td>
<td>(408) 299-5774</td>
<td><a href="mailto:jim.baker@pln.sccgov.org">jim.baker@pln.sccgov.org</a></td>
</tr>
</tbody>
</table>

STANDARD CONDITIONS OF APPROVAL

Building Inspection
1. For detailed information about the requirements for a Building Permit, obtain a Building Permit Application Instruction handout from the Building Inspection Office or visit the website at www.sccbuilding.org.

Planning
2. Development must take place in substantial conformance with the approved civil plans, prepared by Clark Civil Engineering and architectural plans prepared by Rick Hartman, AIA, from Hometec Architecture Inc., submitted on August 20, 2020 and these Conditions of Approval. Any changes to the proposed project may result in additional
environmental review, pursuant to the California Environmental Quality Act, or additional Planning review and a public hearing.

3. The approval does not otherwise approve any unpermitted structures located on the property. All structures and grading located within Santa Clara County jurisdiction that require a permit are subject to compliance with and issuance of County permits.

4. Existing zoning is R1E-20-n1. Maintain the following minimum residential setbacks:

   - Front: 30 feet
   - Sides: 13 feet*
   - Rear: 25 feet
   - Height: 27 feet (maximum)
   - Stories: 2 (maximum)

   * Per Zoning Ordinance Section 4.20.110(C)(2) for side setback reduction exception based on a narrow lot of having an exceptionally large depth-to-width ratio.

5. Floor Area Ratio (F.A.R) is limited to a maximum of 3,594 sq. ft. (25% of net lot size per Section 3.40.30(C)(2)(a)). Any detached accessory structure over 500 sq. ft. shall be counted towards the F.A.R.

6. Grading consists of 800 cubic yards of cut and 125 cubic yards of fill (total 925 cubic yards) with a maximum vertical depth of 16 feet. Any increase in grading quantities, or modification to the grading design, is subject to further review and may require a Grading Approval and associated fees.

7. Any excess fill shall be taken off-site to an approved disposal location. A note of this requirement shall be incorporated into the civil plan.

8. Two (2) off-street parking spaces are required for the residence where one (1) must be covered.

9. Any detached accessory structures shall be in the rear half of the lot, or at least 75 ft. from the front property line or edge of right-of-way, per Sections 4.20.020(D). Rear yard coverage of cumulative detached accessory structures shall not be more than 30%, which excludes green houses or agricultural structures.

10. Any accessory structures shall not contain more than two (2) internal plumbing fixtures per Section 4.20.020(I)(1). Further review of a Special Permit and associated fees may be required if additional plumbing fixtures are proposed.

11. If archaeological resources or human skeletal remains are discovered during construction, work shall immediately stop, and the County Coroner’s Office notified. Upon determination that the remains are Native American, no further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs, in
accordance with state law and Chapter B6-18 of the County Ordinance Code.

**Land Development Engineering**

12. Property owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to adjoining property.

**Environmental Health**

13. All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays for the duration of construction.

**CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO BUILDING AND/OR GRADING PERMIT ISSUANCE**

**Planning**

14. Prior to issuance of any permits, the applicant shall pay all reasonable costs associated with the work by the Department of Planning and Development.

15. Prior to issuance of a building permit, and pursuant to Zoning Ordinance Section 5.20.125, record a Notice of Permit and Conditions with the County Office of Clerk-Recorder to ensure that successor property owners are aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided prior to building permit issuance.

16. Prior to issuance of a building permit, obtain a demolition permit to demolish the existing residence and retaining wall.

17. For all trees to be retained with a canopy in the development area or interfaces with the limits of any proposed development on-site, the trees shall be protected by the placement of 5-foot tall rigid tree protective fencing as shown on final building plans and must include the following:
   A. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees,
   B. The fencing should be maintained throughout the site during the entire construction period and should be inspected periodically for damage and proper functions,
   C. Fencing should be repaired, as necessary, to provide a physical barrier from construction activities,
   D. The following sign shall be placed on all tree protection fencing and must remain until final occupancy. The sign must read: “Warning. This fencing shall not be removed without permission from the Santa Clara County Planning Office. County of Santa Clara tree protection measures may be found at: http://www.sccplanning.gov, or call (408) 299-5770 for additional details.”

18. Prior to building permit issuance, provide a survey review letter for foundation to confirm the residential side setbacks are at a minimum of 13 feet.
19. **Prior building permit issuance**, provide a floor area ratio (F.A.R.) calculation based on the net lot area of the parcel. The calculation shall be calculated, verified, signed, and stamped by a registered civil engineer, a licensed architect, or a licensed land surveyor.

**Geology**

20. Submit a Plan Review Letter that confirms the plans conform with the recommendations presented in the approved report.

**Land Development Engineering (LDE)**

21. Obtain a Grading Permit from Land Development Engineering (LDE) prior to beginning any construction activities. Issuance of the grading permit is required prior to LDE clearance of the building permit (building and grading permits may be applied for concurrently). The process for obtaining a grading permit and the forms that are required can be found at the following web page:

www.sccgov.org > I Want to... > Apply for a Permit > Grading Permit.

If the County Roads and Airports Department provides a condition of approval to obtain an encroachment permit, for your convenience, the grading and encroachment permits will be processed concurrently under one set of improvement (grading) plans. Please contact LDE at (408) 299-5734 for additional information and timelines.

22. Final plans shall include a single sheet which contains the County standard notes and certificates as shown on County Standard Cover Sheet. Plans shall be neatly and accurately drawn, at an appropriate scale that will enable ready identification and recognition of submitted information.

23. Final improvement plans shall be prepared by a licensed civil engineer for review and approval by LDE and the scope of work shall be in substantial conformance with the conditionally approved preliminary plans on file with the Planning Office. Include plan, profile, typical sections, contour grading for all street, road, driveway, structures, and other improvements as appropriate for construction. The final design shall be in conformance with all currently adopted standards and ordinances. The following standards are available on-line:


24. Survey monuments shall be shown on the improvement plan to provide sufficient information to locate the proposed improvements and the property lines. Existing monuments must be exposed, verified and noted on the grading plans. Where existing monuments are below grade, they shall be field verified by the surveyor and the grade shall be restored and a temporary stake shall be placed identifying the location of the found monument. If existing survey monuments are not found, temporary staking
delineating the property line may be placed **prior to construction** and new monuments shall be set **prior to final acceptance of the improvements**. The permanent survey monuments shall be set pursuant to the State Land Surveyor’s Act. The Land Surveyor / Engineer in charge of the boundary survey shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.

25. The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period. Include the County’s Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set.

26. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.

27. Provide a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. The mean annual precipitation is available on the on-line property profile.

28. All new on-site utilities, mains and services shall be placed underground and extended to serve the proposed development. All extensions shall be included in the improvement plans. Off-site work should be coordinated with any other undergrounding to serve other properties in the immediate area.

29. Include one of the following site design measures in the project design: (a) direct hardscape and/or roof runoff onto vegetated areas, (b) collect roof runoff in cisterns or rain barrels for reuse, or (c) construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces. Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design. For additional information, please refer to the C.3 Stormwater Handbook (June 2016) available at the following website:

   [www.scvuurppp.org](http://www.scvuurppp.org) > Resources > reports and work products > New Development and Redevelopment >C.3 Stormwater Handbook (June 2016)

30. Submit one (1) copy of the signed and stamped of the geotechnical report for the project.

31. Submit a plan review letter by the Project Geotechnical Engineer certifying that the geotechnical recommendation in the above geotechnical report have been incorporated into the improvement plan.

**Environmental Health**

32. **Prior to issuance of a building permit**, obtain and provide a will serve letter from Los Altos Sanitary Sewer District.
33. **Prior to issuance of a building permit**, obtain and provide a water will serve letter from California Water Company.

**Fire Marshal’s Office**

34. **Prior to approval of the foundation**, fire protection water system shall be installed, functioning, and inspected. System shall be maintained in good working order and accessible throughout construction. A stop work order may be placed on the project if the required hydrant systems are not installed, accessible, and/or functioning.

35. The minimum fire-flow shall be 1,500 gpm at 20 psi. The hydrant is to be located within 250 ft. from the driveway.
   - **A. At the time of plan submittal for building permit**, provide written verification from the water company that this condition can be satisfied.
   - **B. The fire-flow may be adjusted depending upon the final size of the structure shown on the building permit set of drawings.**

36. Fire Department access are minimum Fire Marshal standards. Should the access standards conflict with any other local, State, or Federal requirements, the most restrictive shall apply.

37. All required access roads, driveways, turnarounds, and turnouts shall be installed, and serviceable prior to approval of the foundation, and shall be maintained throughout construction. A stop work order may be placed on the project if required driving surfaces are not installed, accessible, and/or always maintained.

38. Driveways (roads serving only one lot) shall comply with the following when the distance between the centerline of the access road and any portion of the structure exceeds 150 ft. (measured along the path of travel).
   - **A. Width:** Clear width of drivable surface of 14 ft.
   - **B. Vertical Clearance:** Minimum vertical clearance of 13 ft. 6 in. shall be maintained between the access road and the building site (trim or remove, tree limbs, electrical wires, structures, and similar improvements).
   - **C. Curve Radius:** Inside turn radius for curves shall be a minimum of 42 ft.
   - **D. Grade:** Maximum grade shall not exceed 15%. Grades exceeding 15% shall be paved in compliance with County Standard SD5.
   - **E. Surface:** All driving surfaces shall be all-weather and capable of sustaining 75,000 pounds gross vehicle weight.

**Roads and Airport**

39. **Prior to any work performed in the County Road Right of Way (ROW) and prior to Building Permit issuance**, obtain a Santa Clara County Roads and Airports Department (RAD) Encroachment Permit for the following required improvements:
   - **A. Improvement of the property’s Hillslope Place frontage to County Standard B/4A.**
B. Installation of the driveway approach to County Standard B/4.

C. Removal of any vegetation or other obstructions necessary to provide adequate line-of-sight at the driveway approach locations that will remain.

40. The process for obtaining an Encroachment Permit and the forms that are required can be found at: www.countyroads.org > Services > Apply for Permits > Encroachment Permit.

41. Demonstrate that the post-development maximum flow rate into the County Road right-of-way is equal-to or less than the pre-development corresponding storm event flow rate per the County Drainage Manual. Provide engineered plans and drainage calculations for any detention or retention system necessary to satisfy this requirement.

42. Obtain Tree Removal Approval prior to any tree removal, replacement, or relocation within the ROW. The process for obtaining approval for a tree removal and the forms that are required can be found at: www.countyroads.org > Services > Apply for Permits > Tree Removal from County Right-of-Way.

**CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO OCCUPANCY OR ONE YEAR FROM THE DATE OF THE LAND DEVELOPMENT AGREEMENT, WHICHEVER COMES FIRST.**

**Geology**

43. **Prior to final inspection**, submit a Construction Observations Letter that verifies the work was completed in accordance with the approved plans. (A note to that effect should be stamped on the plans.)

**Land Development Engineering**

44. Existing and set permanent survey monuments shall be verified by inspectors **prior to final acceptance of the improvements** by the County. Any permanent survey monuments damaged or missing shall be reset by a licensed land surveyor or registered civil engineer authorized to practice land surveying and they shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.

45. Construct all the improvements. Construction staking is required and shall be the responsibility of the developer.

**Fire Marshal’s Office**

46. **Prior to occupancy**, an approved residential fire sprinkler system complying with SP-6 shall be installed throughout the structure (including existing residences when square footage is added).

47. **Prior to occupancy**, the fire sprinkler system shall be installed and finaled by the Fire Marshal Office.

48. **Prior to installation**, a separate permit shall be obtained from Fire Marshal Office by a
state licensed C-16 contractor. Please allow for a minimum of 30 days for plan review of fire sprinkler plans by the Fire Marshal Office.

Roads and Airports
49. Construct all the improvements approved under the Encroachment Permit.

Environmental Health
50. Provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of Santa Clara County is mandatory.
ATTACHMENT C
Location & Vicinity Map
ATTACHMENT D
Proposed Plans
Construction Best Management Practices (BMPs)

Construction projects are required to implement the stormwater best management practices (BMP) on this page, as they apply to your project, all year long.

Materials & Waste Management
- Never burn or smolder wood, tar, dirt or other construction material with a strong when rain is forecast or if there is a chance of rain.
- Use an appropriate windbreak for dust control.

Equipment Management & Spill Control
- Never store or handle solvents, cleaners, grease, oil, or other chemicals in an area where there is a chance of rain.
- Keep equipment clean and in good working order.

Earthwork & Contaminated Soils
- Avoid parking and soil stirring in wet weather, or when rain is forecast.
- Cover any exposed soil or materials with a storm drain filter or silt fence.

Paving/Asphalt Work
- Avoid parking and soil stirring in wet weather, or when rain is forecast.
- Cover any exposed soil or materials with a storm drain filter or silt fence.

Concrete, Grout & Mortar Application
- Avoid parking and soil stirring in wet weather, or when rain is forecast.

Painting & Paint Removal
- Avoid parking and soil stirring in wet weather, or when rain is forecast.

Storm drain polluters may be liable for fines of up to $10,000 per day!
5. Fire Sprinkler/Smoke Alarms Required: A complete automatic fire sprinkler system shall be installed in one- and two-family dwellings as follows: in all new one- and two-family dwellings and in existing one- and two-family dwellings over additions are made that increase the building area to more than 5,000 square feet. The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the fire protection system and to determine if any modification or upgrade of the existing water system is required. The City water company may require the installation of a fire protection system. Existing one- and two-family dwellings must complete the permit application and proper fees to the department for review and approval prior to beginning their work. Section R301.2

2. Water Supply Requirement: Potable water supplies shall be protected from contamination caused by the protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the fire department and comply with the requirements of fire protection. Such requirements shall be incorporated into the design plans and specifications. All changes to the protection system, and/or the fire protection water supply systems or storage containers that may be physically connected in any manner to an appliance supplies of potable water shall be approved by the City's fire department. Section R320.2

4. Construction Site Fire Protection: All construction sites must comply with the applicable provisions of the California Building and Supervision of Pumps and/or Sprinklers Act (Univ. Code, Sec. 89800).