# County of Santa Clara <br> Department of Planning and Development <br> County Government Center, East Wing, 7th Floor <br> 70 West Hedding Street <br> San Jose, CA 95110 <br> Phone: (408) 299-5700 <br> www.sccplandev.org 

# STAFF REPORT <br> Zoning Administration <br> March 2, 2023 

Staff Contact: Robert Cain
(408) 299-5706, robert.cain@pln.sccgov.org

## File: PLN21-205

## Building Site Approval, Grading Approval, and Special Permit for a new single-family residence with a detached garage in the front yard

Summary: Building Site Approval, Grading Approval, and Special Permit for the construction of a two-story, 2,202-square foot single-family residence, with a 1,469 -square foot basement (254 square feet exposed), 772-square foot attached accessory dwelling unit (ADU), and a detached 484 -square foot garage located in the front half of the lot on a 6,480 -square foot lot. Associated improvements include demolition of the existing swimming pool and creation of a new swimming pool. Grading consists of 890 cubic yards of cut ( 480 not including cut for structures) and 45 cubic yards of fill.

Owner: Albert G. Conrad Jr. \& Daniel Conrad Applicant: Studio 101 Designs
Address: 0 Spalding Ave, Los Altos Hills
Present Land Use: vacant
Supervisorial District: \#5

GP Designation: USA Los Altos Hills
Zoning: R1E-1Ac-n1
APN: 331-02-111
Lot Size: 6,534 square feet
HCP: Not in permit area

## RECOMMENDED ACTIONS

A. Accept Categorical Exemptions, under Section 15303(a) of the CEQA Guidelines, Attachment A; and,
B. Grant a concurrent land use permit for a Building Site Approval, Grading Approval, and Special Permit, subject to Conditions of Approval 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 is for Building Site Approval, Grading Approval, and Special Permit for a two-story, 2,202-square foot (sq. ft.) single-family residence, with a 1,469-sq. ft. basement ( 254 sq. ft. exposed), 772 -sq. ft. attached accessory dwelling unit (ADU), and a detached 484 -sq. ft. garage located in the front half of the lot on a $6,480-\mathrm{sq}$. ft. lot. Associated improvements include installation of a new driveway from Spalding Avenue, demolition of an existing and construction of a new swimming pool, and landscaping. Proposed grading consists of 890 cubic yards of cut ( 480 not including cut for structures) and 45 cubic yards of fill, with a maximum vertical depth of 10 feet. The proposal will remove 13 trees, including two oaks and one redwood. One oak tree is to remain. Due to size constraints of the lot, Staff recommends one (1) oak replacement tree to be planted.

## Setting/Location Information

The subject parcel is $6,480 \mathrm{sq}$. ft . and located on Spalding Avenue south (approximately 50 feet) of the intersection of Spalding Avenue and Par Avenue in the San Antonio Hills neighborhood of unincorporated Los Altos Hills. The property is approximately 310 feet from the Los Altos Hills city limits via public roads, and therefore an annexation referral is not required. Spalding Avenue is a County-maintained road. The site is surrounded by single-family residences that were built as early as the 1920's and 1930's and as recently as 2018. The neighborhood character consists of low-density homes of a variety of architectural styles. The subject parcel was not separately developed from 23994 Spalding Avenue prior to May 5, 1998. However, the two (2) parcels have been under different ownership at least since the early 1990's. The site is not located within the Santa Clara Valley Habitat Plan permit area, and a review of the California Natural Diversity Database did not reveal the known presence of any special-status species on site. According to a survey performed by Lea \& Braze Engineering, Inc., the average slope of the parcel is $24.51 \%$, with an 11-foot difference in elevation between the edge of pavement and a point 50 feet from the right-of-way.

## REASONS FOR RECOMMENDATIONS

## A. Environmental Review and Determination (CEQA)

The proposed project qualifies for a Categorical Exemption under Section 15303(a) of the California Environmental Quality Act (CEQA) for 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: Urban Service Area, Los Altos Hills
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-1Ac-n1 zoning district that is not a designated lot within an approved Parcel Map or a numbered lot on a qualifying Tract Map. The proposed project meets all development standards for the primary residence and ADU (see Special Permit Findings in Section D below for discussion of the detached garage). Application for BSA was applied on November 18, 2021, and will be approved simultaneously with the Grading Approval and Special Permit.
3. Zoning Standards: The Zoning Ordinance specifies the required development standards for R1E-1Ac-n1 Zoning District, as summarized below, followed by a table noting the project's conformance with Section 4.20.020 for accessory structures:

## Main Residence

Setbacks (R1E-1Ac-n1): 30 feet from the front property line and/or rights-ofway
25 feet from the rear property line
20 feet from side property lines, reduced to 8 feet*
27 feet maximum
2 stories maximum
Not to exceed 0.35 ( $2,268 \mathrm{sq} . \mathrm{ft}$.) ${ }^{* *}$

* The lot qualifies as for a special setback exception pursuant to § 4.20.110, subsection C , because it is less than 1 acre in size and smaller than the minimum lot size for the zoning district (also 1 acre). Such lots that are between 6,001 and $8,000 \mathrm{sq} . \mathrm{ft}$. in area are allowed reduced side setbacks of 8 feet.
** Up to 800 sq. ft. of area for an ADU shall not count towards the floor area. Any portion of the basement where the finished floor level immediately above is less than 4 feet above the finished grade shall not count towards floor area. All accessory buildings on a lot where the cumulative area of accessory buildings does not exceed 500 sq . ft . shall not count towards floor area.

Table A: Compliance with Development Standards for Accessory Structures

|  <br> REQUIREMENTS | CODE SECTION | Meets Standard <br> (Y/N)* |
| :--- | :--- | :---: |
| Located in Rear Yard or <br> Minimum 75 Feet from Front <br> Property Line | $\S 4.20 .020(\mathrm{E})(5)$ | $\mathrm{N}^{*}$ |
| Parking Structure on Sloping <br> Lots | $\S 4.20 .020(\mathrm{~F})(1)$ | $\mathrm{Y}^{*}$ |
| Height | $\S 4.20 .020(\mathrm{E})(1)$ | $\mathrm{Y}^{*}$ |
| Minimum Separation <br> Between Residence and <br> Accessory Structure | $\S 4.20 .020(\mathrm{E})(4)$ | Y |
| Rear Yard Coverage | $\S 4.20 .020(\mathrm{E})(5)$ |  |

*See a detailed discussion of these development standards within the body of the Special Permit Findings in Section D below
C. 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 890 cubic yards of cut ( 480 not including cut for structures) and 45 cubic yards of fill, with a maximum vertical depth of 10 feet. The proposed grading is necessary to establish the primary residence, accessory structure, swimming pool, landscaping, frontage improvements, and access driveway. The property is a relatively steep lot with an average slope of $24.51 \%$. Construction of the detached garage and swimming pool are allowed as accessory uses and ancillary to the primary residence. Given the size constraints of the lot, there are no alternative building sites, and locating the garage near the street (which requires a Special Permit) is one way that grading quantities are minimized. As such, this finding can be made.
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 maintain a single-family residential use on the property that will provide a safe and stable foundation for the residence and accessory structure proposed. All export will be deposited at an approved site. The Conditions of Approval require that the 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 is designed to contour to the natural topography to the maximum extent possible given the size constraints of the lot. This is, in part, achieved by building into the hillside, with the basement fully exposed at the front (north) of the property and completely underground at the rear (south) end of the property. There are no known biologic or aquatic impacts from this project as there are no watercourses on known occurrences of protected species. Land Development Engineering has specific erosion control standards to be implemented as part of the driveway and grading design which will minimize erosion impacts. 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.

Due to the size of the lot and required setbacks, there are no alternative building sites. The proposed grading is the minimum necessary for the residence, accessory structures, and driveway. Staff determined that the development is consistent to the County's General Plan (R-GD22, R-GD23) as it is the minimal grading needed to establish the single-family residential use. 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 for the foundation and basement of the home, the driveway, and the swimming pool, which is ancillary to the residential use. Additionally, due to the size of the lot and required setbacks, there are no alternative building sites. The site is not visible, so grading will not create a significant visual scar. 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. Due to the size of the lot and required setbacks, there are no alternative building sites, and establishing a single-family residence is an allowed use in this zoning district. The project is consistent with the County's General Plan RGD22 and R-GD24 (see Finding 4 above), which encourages only the minimal grading necessary to establish a single-family residence. 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 grading, siting, building form, and design. The overall grading design of the residence, accessory structure, and pool will not create any visual scarring to the property as the site is not visible, and the improvements are limited to their location by the setbacks for the house and the slope for the detached garage. There will not be any impact to biological resources as there is no indication of protected species on this parcel. Therefore, this finding can be made.
D. Special Permit: In addition to specific findings identified in Section B above, garages located in the front half of the lot are also subject to a Special Permit (Chapter 5.60). In the following discussion, the scope of review findings for a Special Permit are delineated in bold type, and an explanation of how the project meets the required findings is in plain text below. The Zoning Administrator is required to make these findings to approve the project.

Special Findings for Parking Structures on Sloping Lots: In addition to the Special Permit Findings of Section 5.60.030, two (2) additional findings shall be made by the Zoning Administration Hearing Officer. In the following discussion, the Special Findings are delineated in bold type, and an explanation of how the project meets the required findings is in plain text below.
a. There are no available, practical, or feasible alternative sites for a parking structure that would conform to setbacks;

Due to the narrow nature of the lot along with the steep slope, it would not be practical to locate the detached garage in the rear yard due to the large amount of
grading that would be required to extend the drive to the rear of the house and maintain an acceptable slope. Such a driveway to the rear yard would also greatly reduce the development area, which is already constrained due to the lot being a substandard size for this zoning district. Therefore, this finding can be made.
b. The garage location minimizes grading, or minimizes impacts to trees or other natural features;

Placing the garage near the right-of-way greatly reduces the required grading compared to a location in the rear yard, and the proposed location does not disturb a nearby 19 -inch oak tree. Therefore, this finding can be made.

1. The proposed use conforms with the general plan, with the zoning ordinance, and with all standards applicable to the proposed use that have been adopted by the Planning Commission or Board of Supervisors;

As identified from Table A, the proposed development meets all general plan and zoning ordinance standards applicable to residential use, except for location in the front yard (allowed via a Special Permit) and the height, discussed in more details below. The proposed detached garage is located on a slope which cuts across the frontage of the property. The proposed driveway is designed to connect to Spalding Avenue on the east side of the property, near the highest point of the frontage. The proposed driveway intersection is perpendicular to the road, and then swings 90 degrees to the west to where the garage is proposed to be located. At that point, the "front" (east-facing side) of the garage is proposed to be 10 feet, 5 inches tall above the driveway and finished grade facing the street. However, as the lot slopes downward to the west, with a flat roof the "rear" (west-facing side) of the garage is proposed to have a height of 13 feet, 8 inches. $\S 4.20 .020$, Subsection F of the Zoning Ordinance allows for a height exception when the parking structure is on land that slopes downward from the street. This lot does not "slope downward from the street" but does slope downward from the driveway. Staff postulates that the proposed design meets the intent of this requirement, and notes that the building height is less than 12 feet at the front (entry) portion of the building. Alternatively, there could be additional grading added to raise the finished grade at the rear of the garage, but that would evoke other issues related to minimizing grading. The applicant has already reduced the height of the roof and has stated that further reduction would impair the functionality of this garage. Additionally, as shown on the site plan the proposed garage is a minimum of six (6) feet in separation from the primary residence, is less than 600 sq. ft. in size, and The Roads and Airports Department did not note any impairment to sight clearance for traffic safety. Therefore, the above finding can be made.
2. The site is adequate for the proposed use, including but not limited to being of adequate size and shape to accommodate all facilities and development features to integrate the use into the surrounding area and to provide any necessary or appropriate buffers between the use and the surrounding area;

The site is adequate to accommodate the proposed detached garage. The subject site is approximately $6,480 \mathrm{sq}$. ft . and the proposed detached garage satisfies the requirements
for the special setbacks given the sloped nature of the lot. As such, the area of the property and the location of the proposed structure offers adequate separation and existing landscaping provides a buffer between the proposed use and the surrounding uses to the adjacent properties. Therefore, this finding can be made.
3. The proposed use will not be detrimental to the public health, safety, or general welfare. In this respect the zoning administrator shall further find, without limitation, that:
a. Adequate off-street parking, loading and unloading areas (if applicable) and handicapped access will be provided;

The property has ample space for off-street parking with proposed detached garage able to accommodate the required minimum one (1) covered parking space per County Zoning Ordinance Section 4.30.030. Therefore, this finding can be made.
b. Appropriately designed site access will be provided, including safe and adequate access for fire and emergency vehicles (including secondary access where deemed necessary by the fire marshal);

The driveway is less than 150 feet in length, and therefore does not require a firetruck turnaround or turnouts. Secondary access is not necessary as this property is located on a residential street grid and is not in the State Responsibility Area nor the Wildland Urban Interface. Fire sprinklers will be installed for the single-family residence and attached ADU during the Building Permit application phase as indicated on the submitted plans (Attachment D). The detached garage does not require fire sprinklers because it is less than 500 square feet in size and not a residential unit. As stated, this finding can be made.
c. The use will not adversely affect water quality. Adequate wastewater treatment, disposal and sanitation facilities will be provided and will satisfy all applicable local, state and federal requirements;

As a Condition of Approval (refer to Attachment C), the applicant will be required to obtain either a sewer will serve letter or provide a sewer connection permit from the City of Los Altos for the single-family residence and attached ADU. The detached garage will not have bathroom facilities and will not require a sewer connection. Therefore, this finding can be made.
d. The use will not be detrimental to the adjacent area because of excessive noise, odor, dust or bright lights;

The detached garage would not create noise, odor, dust, or excessive light impacts. Furthermore, residential, and accessory uses shall be subject to the County Noise Ordinance. Therefore, this finding can be made.
e. The use will not substantially worsen traffic congestion affecting the surrounding area;

The detached garage will not create any additional traffic as the use continues to be residential. Therefore, this finding can be made.

## f. Erosion will be adequately controlled; and

Standard conditions and BMP's will be required through building permit review. Therefore, this finding can be made.

## g. Adequate storm drainage management exists or will be provided and will comply with all applicable local, state and federal requirements.

The Special Permit by itself would not trigger the requirement of a Drainage Permit. However, the overall project has been reviewed and conditioned by Land Development Engineering to comply with all local, state, and federal requirements. Therefore, this finding can be made.

In conclusion, Staff recommends the Zoning Administration Hearing Officer to approve the concurrent land use entitlements for a Building Site Approval, Grading Approval, and Special Permit. As noted throughout the Staff Report, the proposed project meets all development standards for the single-family residence (as noted in the Zoning Standards above) and all the findings for Building Site Approval, Grading Approval, and Special Permit.

## BACKGROUND

On November 18, 2021, the applicant, Studio 101 Designs, applied for Building Site Approval, Grading Approval, and Special Permit to construct a two-story, single-family residence, with a basement, attached ADU, and a detached garage located in the front half of the lot on a 6,480square foot lot. The owner intends to demolish the existing pool and shed on the lot. The application was deemed incomplete on December 16, 2021, as there were missing items from the original submittal and staff also had comments related to the project. The applicant resubmitted on October 3, 2022, and was deemed complete on November 2, 2022. The Applicant and Staff mutually agreed to a one-time, 90-day extension under the Permit Streamlining Act on November 16, 2022, in order to allow the applicant time to address design concerns raised by Staff. As such, the Permit Streamlining Act deadline for a decision on this application is April 18, 2023.

A public notice was mailed to all property owners within a 300 -foot radius of the project on February 16, 2023, and published in the Post Records on February 17, 2023. As of writing this report no public comments have been received regarding this application.

## STAFF REPORT REVIEW

Prepared by: Robert Cain, Associate Planner
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Robent Cain
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Reviewed by: Lara Tran, Senior Planner $\underbrace{\text { Lara }}_{\text {Locusigned by: }}$
Reviewed and Approved by: Samuel Gutierrez, Principal Planner


## ATTACHMENT A

## Proposed CEQA Determination

County of Santa Clara<br>Department of Planning and Development<br>County Government Center, East Wing, 7th Floor<br>70 West Hedding Street<br>San Jose, CA 95110<br>Phone: (408) 299-5700<br>www.sccplandev.org



## STATEMENT OF EXEMPTION <br> from the California Environmental Quality Act (CEQA)

| FILE NUMBER | APN(S) | DATE |
| :--- | :--- | :--- |
| PLN21-205 | $742-02-006$ | $2 / 22 / 2023$ |
| PROJECT NAME | APPLICATION TYPE |  |
| Conrad Residence; <br> 0 Spalding Avenue, Los Altos Hills | BSA, Grading Approval, Special Permit |  |
| OWNER | APPLICANT |  |
| Albert G Conrad, Jr, Trustee \& et al | Scott Landry, Studio 101 Designs |  |
| PROJECT LOCATION |  |  |
| 0 Spalding Avenue, Los Altos Hills | PROJECT DESCRIPTION |  |
| Construction of a two-story, 2,202-square foot single-family residence, with a 1,469-square foot basement (254 <br> square feet exposed), 772-square foot attached accessory dwelling unit (ADU), and a detached 484-square foot <br> garage located in the front half of the lot on a 6,480-square foot lot. Associated improvements include demolition <br> of the existing swimming pool and creation of a new swimming pool. Grading consists of 890 cubic yards of cut <br> (480 not including cut for structures) and 45 cubic yards of fill. |  |  |
| All discretionary development permits processed by the County Planning Office must be evaluated for <br> compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended). Projects which meet <br> criteria listed under CEQA may be deemed exempt from environmental review. The project described above has <br> been evaluated by Planning Staff under the provisions of CEQA and has been deemed to be exempt from further <br> environmental review per the provision(s) listed below. |  |  |

## CEQA (GUIDELINES) EXEMPTION SECTION

Categorically Exempt - Section 15303(a) - for one single-family residence, with associated utility extensions and street improvements to serve this construction. This project plan is covered by the Habitat Conservation Plan (HCP), and therefore all onsite construction and offsite improvements to the bridge are included activities. The applicant will submit an HCP application and pay the appropriate fees, prior to building and grading permit issuance. This project conforms to the provisions of the County's Habitat Conservation Plan, as such and can be Categorically Excepted from CEQA understand section 15303(a)


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## ATTACHMENT B

Proposed Conditions of Approval

# Preliminary Conditions of Approval 

Owner/Applicant: Daniel Conrad/Studio 101 Designs
Location: $\quad 0$ Spalding Avenue (APN: 331-02-111)
File Number: PLN21-205
Project Description: Building Site Approval, Grading Approval, and Special Permit for the construction of a two-story, 2,202-square foot single-family residence, with a 1,469 -square foot basement ( 254 square feet exposed), 772 -square foot attached accessory dwelling unit (ADU), and a detached 484 -square foot garage located in the front half of the lot on a 6,480 -square foot lot. Associated improvements include demolition of the existing swimming pool and creation of a new swimming pool. Grading consists of 890 cubic yards of cut ( 480 not including cut for structures) and 45 cubic yards of fill. This project is located outside of the Santa Clara Valley Habitat Plan permit area.

| Agency | Name | Phone | E-mail |
| :--- | :--- | :--- | :--- |
| Planning | Robert Cain | $(408)$ 299-5706 | robert.cain@pln.sccgov.org |
| Land Development <br> Engineering | Darrell Wong | $(408)$ 299-5735 | darrell.wong@pln.sccgov.org |
| Environmental Health | Darrin Lee | $(408) 918-3435$ | darrin.lee@cep.sccgov.org |
| Fire Marshal's Office | Alex Goff | $(408) 299-5760$ | $\underline{\text { alex.soff@sccfd.org }}$ |
| Roads and Airports | Tom Esch | $(408) 573-2450$ | $\underline{\text { tom.esch@rda.sccgov.org }}$ |

## STANDARD CONDITIONS OF APPROVAL

## Building Inspection

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

## Planning

2. Development must take place according to approved architectural and grading plans prepared by Studio 101 Designs (dated February 14, 2023), and the Conditions of Approval.
3. Changes to the design or size of the house, detached garage, or to the grading quantities, may require a modification of this land use entitlement and/or additional environmental review under the California Environmental Quality Act, which may require a public hearing.
4. Existing zoning is R1E-1Ac-n1 (One-Family Residence - Estate district with one-acre lot size and Los Altos Neighborhood Preservation combining districts). Maintain the following minimum residential setbacks:

| Front: | 30 feet |
| :--- | :--- |
| Sides: | 20 feet |
| Rear: | 25 feet |
| Height: | 27 feet (maximum) |
| Stories: | 2 (maximum) |

Pursuant to Section 4.20 .110 of the County Zoning Ordinance (ZO), this property is allowed a reduced side yard setback of 8 feet based on the lot size.
5. This property is subject to a floor area ratio (FAR) maximum of 0.35 of the lot size, pursuant to Section 3.40.030 of the ZO. Floor area shall include:
a. The gross floor area (defined in Section 1.30 .030 of the ZO) of dwellings;
b. A cumulative total of 800 square feet for all accessory dwelling units (ADU) on a lot shall not count toward floor area.
c. Any exposed portions of basements where finish floor level immediately above is more than four (4) feet above grade. Window wells, as defined and required for egress by the California Building Code (CBC) or California Residential Code (CRC), shall be limited to $10 \%$ above the minimum dimensions required by the CBC and CRC, and;
d. All accessory buildings on any lot where the cumulative area of accessory buildings exceeds 500 square feet.
Floor area calculations shall be noted on building permit site plans. These computations must be calculated, verified, signed and stamped by a registered civil engineer, a licensed land surveyor, or a licensed architect.
6. Two (2) off-street parking spaces are required for the residence; one (1) must be covered pursuant to Section 4.30.030 of the ZO.
7. Any detached accessory structures, excepting a detached garage approved with a Special Permit, shall be in the rear half of the lot, or at least 75 feet from the front property line or edge of right-of-way, and shall not exceed 12 feet in height pursuant to Section 4.20.020(D) of the ZO. Rear yard coverage of cumulative detached accessory structures shall not be more than $30 \%$, which excludes green houses or agricultural structures.
8. Any accessory structures shall not contain more than two (2) internal plumbing fixtures per Section 4.20.020(I)(1) of the ZO. An application for a Special Permit and associated fees may be required if additional plumbing fixtures are proposed.
9. One ADU is allowed and shall be limited to 1,200 square feet in floor area pursuant to Section 4.10.015(D)(1) of the ZO; One Junior ADU is allowed and shall be contained
entirely within a single-family residence or a standard accessory dwelling unit, requires a deed restriction of owner occupancy on the property, and limited to 500 square feet in floor area pursuant to Section 4.10.015(F) of the ZO.
10. An ADU or Junior ADU shall not exceed 16 feet in height unless it complies with the residential setbacks noted in Condition No. 4 pursuant to Section 4.10.015 of the ZO.
11. An ADU shall have at least one (1) parking space, which does not need to be covered pursuant to Section 4.10.015(I) of the ZO.
12. 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

13. 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.

## Department of Environmental Health

14. 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.

## Fire Marshal's Office

15. Fire protection water system shall be installed, functioning and inspected prior to approval of the foundation. 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.

Roads and Airports
16. A Tree Removal Approval Board of Supervisor process is required prior to any tree removal, replacement, or relocation within the County right-of-way (ROW). A tree within the ROW requiring removal approval is any tree at least 20 feet in height or at least 12 inches in diameter measured 4.5 feet above grade. 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 DEVELOPMENT PERMIT ISSUANCE

## Planning

17. Prior to the issuance of any permits, the applicant shall pay all reasonable costs associates with the work by the Department of Planning and Development.
18. Prior to the issuance of a building permit, and pursuant to ZO 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 made aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided prior to building permit application.
19. LANDSCAPE PLAN: If landscaping of over 500 square feet is proposed, submit a landscape plan (including irrigation systems), prepared and stamped by a licensed landscape architect prior to issuance of the building permit. The landscape plan shall emphasize native plant species and shall be designed to meet the County's Model Water Efficient Landscape Ordinance (MWELO) requirements. A tree permit will be required for the removal of any trees within the County right-of-way (refer to Condition No. 16). Additionally, to replace the trees required to be removed on this property outside of the right-of-way, one native-species oak shall be planted and maintained on the property.
A. One tree (any native-species oak, 24 " box) must be included in the submitted landscaping plan and site plan. Should this tree be damaged or diseased, it shall be replaced like for like, or with a substitution approved by the County Planning Division.
B. The requirements of Division B33 of the County Ordinance Code (Water Conservation in Landscaping) shall apply. In particular:
i. Landscape water efficiency must be demonstrated by utilizing any one of the three options provided in Section B33-5: Demonstration of Landscape Water Efficiency.
ii. Landscape design must comply with all applicable standards and criteria of Section B33-6: Water-Efficient Design Elements.
iii. Landscape and irrigation plans must comply with all applicable standards and criteria of Section B33-8: Landscape and Irrigation Design Plans. The landscape ordinance and supporting information can be found on the Planning Office web site: www.sccplanning.org > Plans and Ordinances > Landscape Ordinance
C. Elective landscape, if any, shall consist of a variety of landscape material types (i.e. large/small trees, shrubs, forbs, vines/ivy, and ground cover) of varying species. Canopy trees shall, for the purposes of this condition, mean deciduous or evergreen trees of a species whose height and spread at maturity normally exceeds 35 feet, and shall not include palms (family Arecaceae or Palmae).
D. Soil must be capable of supporting the proposed installation and must have adequate water storage capacity. Soil characteristics, including structure, texture, percolation, pH ,
mineral content, and microbiology, shall be evaluated early in the design process. Soil amendments, such as compost or fertilizer, shall be added as appropriate.

## Land Development Engineering

20. 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 drainage 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:
https://plandev.sccgov.org/home > How to > Apply for a Development Permit or Planning Application > 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.
21. 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.
22. 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:
§ Standard Details Manual, September 1997, County of Santa Clara, Roads and Airports Department
https://countyroads.sccgov.org/home > Do Business with Us > County Standard Details, Specifications and Documents
§ March 1981 Standards and Policies Manual, Volume 1 (Land Development)
https://www.sccgov.org/sites/dpd/OrdinancesCodes/LDE/Pages/LDE.aspx
§ 2007 Santa Clara County Drainage Manual
https://www.sccgov.org/sites/dpd/DocsForms/Documents/DrainageManual_Final.pdf
23. 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 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.
24. 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.
25. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.
26. Provide landscaping and disturbed area quantities on the final plans along with water efficiency calculations to demonstrate compliance with water usage requirements.

## Drainage

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.

## Utilities

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.

## Stormwater Treatment - San Francisco Bay

29. Include one of the following site design measures per the 2015 Municipal Regional Permit 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.scvurppp.org $>$ Elements $>$ New Development and Redevelopment $>$ C. 3 Stormwater Handbook (June 2016)

## Soils and Geology

30. Submit one copy of the signed and stamped geotechnical report for the project.
31. Submit a plan review letter by the Project Geotechnical Engineer certifying that the geotechnical recommendations in the above geotechnical report have been incorporated into the improvement plan.

## Department of Environmental Health

32. For the proposed single-family dwelling and ADU, obtain either a sewer will serve letter or provide a sewer connection permit from the City of Los Altos.
33. For the proposed single-family dwelling and ADU, obtain and provide a water will serve letter from California Water Service, Los Altos District.

## Fire Marshal's Office

Fire-Flow
34. The minimum fire-flow shall be $1,750 \mathrm{gpm}$ at 20 psi . At the time of plan submittal for building permit, provide written verification from the water company that this condition can be satisfied.
NOTE: The fire-flow may be adjusted depending upon the final size of the structure shown on the building permit set of drawings to meet Appendix B of the CFC.

## Fire Department Access

35. These are minimum Fire Marshal standards. Should these standards conflict with any other local, state or federal requirement, the most restrictive shall apply.
36. 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 maintained at all times. Construction of access roads and driveways shall use good engineering practice.
37. Access Roads (roads serving more than two lots) Driveways (roads serving no more than two lots) for fire department access shall comply with the following:
A. Width: Access Roads to have a clear drivable width of 18 ft . plus a 3 ft . shoulder on each side per CFMO-A1. Driveways are to have a 12 ft . drivable width and a 3 ft . shoulder.
B. Vertical Clearance: Minimum vertical clearance of 15 ft . shall be maintained between the access road and the building site (trim or remove, tree limbs, electrical wires, structures, and similar improvements) for access roads and 13 ft .6 in for driveways.
C. Curve Radius: Inside turn radius for curves shall be a minimum of 42 ft .
D. Grade: Maximum grade shall not exceed $15 \%$.
E. Surface: All driving surfaces shall be all-weather and capable of sustaining 75,000pound gross vehicle weight
F. Gates: Gates shall not obstruct the required width or vertical clearance of the driveway and may require a Fire Department Lock Box/Gate Switch to allow for fire department access. Installation shall comply with CFMO-A3.
G. Address: Numbered address to be easily recognizable from the street.

## Roads and Airports

38. Obtain a Santa Clara County Roads and Airports Department Encroachment Permit for the following improvements:
a. Improvement of the property's frontage to achieve Spalding Avenue minimum 18' drivable width.
b. Utility connections.
c. Installation of the driveway approach to County Standard B/4.
d. Removal of the wood retaining wall.
e. Removal of any vegetation or other obstructions necessary to provide adequate line-of-sight at the driveway approach location.

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. building site.
39. Demonstrate that the post-development maximum flow rate into the County Road right-ofway 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.

## CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO FINAL INSPECTION

## Planning

40. Prior to final inspection, contact Robert Cain in the Planning Division, at least two (2) weeks in advance to schedule a site visit to verify the replacement tree has been installed as approved. Provide a receipt for the purchase of the tree.

## Land Development Engineering

41. 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.
42. Construct the improvements. Construction staking is required and shall be the responsibility of the developer.

Department of Environmental Health
43. 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.

## Fire Marshal's Office

44. An approved residential fire sprinkler system complying with CFMO-SP6 shall be installed throughout the structure.
NOTE: The fire sprinkler system shall be installed and finaled by this office prior to occupancy. A separate permit shall be obtained from this office by a state licensed C-16 contractor prior to installation. Please allow for a minimum of 30 days for plan review of fire sprinkler plans by the Fire Marshal's Office.

## Roads and Airports

45. Construct all the improvements approved under the Encroachment Permit.

## ATTACHMENT C

## Location \& Vicinity Map



## ATTACHMENT D

## Proposed Plans










## ENERAL CONDITION














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ITE PREPARATION (CLEARING AND GRUBBING)















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STORM DRANAGE AND STORMWATER MANAGEMENT


S-BUILT PLANS STATEMENT

DAE - SGOUNTI
 GEOTECHNICAL ENGINEER OBSERVATION



COUNTY LOCATION MAP

SURVEY MONUMENT PRESERVATION






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ENGINEER'S STATEMENT





SEE SHEET C-1.1 FOR LEGEND \& ABBREVIATIONS SCOPE OF WORK


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5 Geotextiles and Mats

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Best Management Practices and Erosion Control Details Sheet 2 County of Santa Clara


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    ONLY PRINT OUT PAGE 1 to provide to the public*

