

County of Santa Clara
Department of Planning and Development
County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110



Code Enforcement Office
Phone: (408) 299-6723
CodeEnforcement@pln.sccgov.org

Certified Mail:

7018-1830-0001-6168-4482

Notice of Violation

(Via Standard and Certified U.S. Postal Mail)

August 10, 2021

Responsible Person:

Leland Stanford Jr. University Board of Trustees
C/O Laura Goldstein, Michelle DeWan, and
Karen Hong
415 Broadway St., 3rd Floor
Redwood City, CA. 94063

Violation Addresses:

338 Arguello Way
Stanford, CA. 94305

Serra St. and Campus Drive Intersection
Stanford, CA. 94305

Re: Violation Number: VIO21-0245, 3947-
16A, 8972-17A-17G (M1), 11171-17A-17G

316 Via Palou Mall
Stanford, CA. 94305

APN(s): 142-04-036, 142-05-054

Inspection Dates: Continual

Dear Leland Stanford Jr. University Board of Trustees:

During an inspection of the Violation Address, County of Santa Clara Department of Planning and Development (Planning Department) staff observed the following violations of the County Ordinance Code and County Zoning Ordinance. The violations are a public nuisance.

As the Violation Address owner representative, you are responsible for the violations. You must correct the violations as set out in Section II. If you do not do so, the consequences are set out in Section IV and include **fines of up to \$1,000 per day for each of the remaining violations until corrected.**

If you have any questions or reasons why you cannot complete the required corrections, please contact me at the number or email below.

I. VIOLATIONS:

Code Section	Description of Violation
Land Development and Engineering Violation	
Ord. Code § C12-499	Modification to approved plans: Failure to modify the approved plans for work that does not substantially conform to the approved plans prior to the work being performed in the field. A complete set of preliminary plans, including profiles, cross-sections, specifications, and erosion prevention and sediment control measures, shall be submitted to the County Planning Office with each application for a grading permit. (Via Ortega North project - DEV18-49468)
Zoning Violation	
County Code, Section C16-3	Unpermitted Tree Removal: Removal of a protected tree without a permit. The subject tree was not approved for removal under the Academic Advising and Rowing Centre (AARC) Architecture and Site Approval (ASA), effective date March 17, 2017, Planning Record No. 3947-16A The subject tree is a protected tree per County Ordinance Code Sec. C16-3(e) and the March 2017 ASA (Condition #13a).
County Code, Section C16-3	Unpermitted Tree Removal: Removal of two oak and seven non-oak protected trees without a permit. The subject nine trees were over 12 inches in diameter (measured at 4.5 feet above the ground), and not approved for removal under the Serra Roundabout Architecture and Site Approval (ASA) and Grading Approval Modification Project, effective date December 22, 2017, Planning Record No. 8972-17A(M1)-17G(M1). The subject trees were protected tree per County Ordinance Code Sec C16-3(e) and the December 2017 ASA and Grading Approval (Condition #9b).
Zoning Ord. § 5.40.010	Architecture and site approval (ASA): Architecture and site approval (ASA) is required as specified in the zoning ordinance and sections C12-350.1 through C12-350.7 of the County Ordinance Code. ASA is typically required in conjunction with commercial, institutional, office, industrial or multiple family residential uses. The purpose of ASA is to maintain the character and integrity of zoning districts by promoting quality development in harmony with the surrounding area, through consideration of all aspects of site configuration and design, and to generally promote the public health, safety and welfare. The procedure commonly augments the use permit process by providing a means for establishing detailed conditions on proposed developments. (11171-17A-17G)

II. REQUIRED CORRECTIONS:

1. **Immediately**, cease all illegal uses of the Subject Property in violation of the Ordinance Code and Zoning ordinance, including but not limited to grading and tree removal without permits.
2. **By September 13, 2021**, submit application with plans and other submittal requirements to the Planning Department, for a Tree Removal Permit to legalize removal of a protected oak tree on the AARC project site (PLN 3947-16A). See submittal requirements at <https://www.sccgov.org/sites/dpd/Iwantto/Permits/Pages/Tree-Removal.aspx>. A Tree Removal application (PLN21-042) to abate this work was submitted by Stanford on March 22, 2021, currently under review.

Please contact Charu Ahluwalia at (408) 299-5740, charu.ahluwalia@pln.sccgov.org for details about the Tree Removal Permit.

Per Section C16-17 of the County Code, you must replace each removed tree with at least 10 trees of like kinds and species where feasible. You will be required to propose this tree replacement with the AARC Tree Removal Permit application.

3. **By December 13, 2021**, obtain the required tree permits to abate the violation for the AARC project.
4. **By March 15, 2022**, complete all required work to abate the AARC tree removal violation in accordance with the approved abatement plans and permits and obtain a final clearance inspection from the County of Santa Clara Department of Planning and Development (Planning Department) to show that all required corrective work has been properly completed. Property Owner shall perform all work in a manner that is fully compliant with this Agreement and all applicable County Ordinances and State law.
5. **By September 13, 2021**, apply for a minor modification to the existing ASA and Grading Approval for the Serra Roundabout Project (PLN 8972-17A(M1)-17G(M1)) to legalize removal of two oak and seven non-oak protected trees, and the Via Ortega Project (11171-17A-17G) for legalization of the unpermitted work and any trees removed without permits.

Per Section C16-17 of the County Code, you must replace each removed tree with at least 10 trees of like kinds and species where feasible. You will be required to propose this tree replacement with the ASA and Grading Approval Minor Modification application for the Serra Roundabout Project (PLN 8972-17A(M1)-17G(M1) and Via Ortega Project (11171-17A-17G).

6. **By December 13, 2021**, obtain Conditions of Approval for the modified ASA and Grading Approval Applications.
7. **By January 12, 2022**, submit revised plans for plan check for the modified ASA and Grading Approval Applications.
8. **By March 15, 2022**, obtain revised Grading Permits.
9. **By August 9, 2022**, complete all required work to abate the Serra Roundabout tree removal violation and Via Ortega violation in compliance with the approved plans and

obtain a final clearance inspection from the Planning Department and Land Development and Engineering Division to show that all required corrective work has been properly completed. Contact me at the number or email below to schedule this inspection.

III. CHALLENGE VIOLATIONS

If you disagree that some or all the violations exist, you may contact the Code Enforcement Division within 30 days of this Notice to request a meeting to present your evidence to the Code Enforcement Officer, Building Official, and/or Grading Official, as applicable. **Contact the Code Enforcement office (408) 299-6723 or via email at codeenforcement@pln.sccgov.org**

IV. COSTS OF FAILURE TO CORRECT

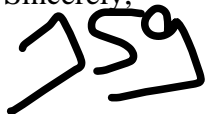
If you perform the required corrections by the deadlines above, the County will not impose fines or penalties or record notice of the violations on the property. But if you do not correct the violations by the deadlines above (or extended deadlines, if requested and granted) or challenge the violations and establish they do not exist, the County will:

1. Charge you any costs the County incurs in correcting the violations and public nuisance, including staff costs and attorneys' fees; and
2. Record notice of the violations against the Violation Address with the County Clerk-Recorder's Office; and/or
3. Impose administrative citations and/or administrative fines of up to \$1,000 per violation per day until the violations are corrected; and/or
4. Institute civil or criminal prosecution, with civil penalties of up to \$2,500 per violation per day.

Please complete the required corrections to avoid these costs.

We look forward to working with you.

Sincerely,



Tyson Green | Code Enforcement Officer II

Department of Planning and Development, County of Santa Clara
70 W. Hedding St., East Wing, 7th Floor

San Jose, CA. 95110

(Office) 408-299-5793

(Cell) 408-712-1852

Tyson.green@pln.sccgov.org

CC: Code Enforcement File
Planning File

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