

CONDITIONS OF APPROVAL – October 1, 2020

155 Belhaven

Minor Residential Application MR-20-004

Requesting approval for construction of an addition greater than 100 square feet to an existing second story of a single-family residence on property zoned R-1:10. APN 527-29-038.

PROPERTY OWNER: Philip Johnson

APPLICANT: Su-Ling Slaton

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. **APPROVAL:** This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. **EXPIRATION:** The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. **OUTDOOR LIGHTING:** Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.
4. **TREE REMOVAL PERMIT:** A Tree Removal Permit shall be obtained for any protected trees to be removed (having a four-inch or greater diameter when removal relates to a zoning approval), prior to the issuance of a building or grading permit.
5. **EXISTING TREES:** All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
6. **TREE FENCING:** Protective tree fencing and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
7. **TREE STAKING:** All newly planted trees shall be double-staked using rubber tree ties.
8. **ARBORIST REQUIREMENTS:** The owner shall implement, at their cost, all recommendations identified in the Arborist's report for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable. A Compliance Memorandum shall be prepared by the applicant and submitted with the building permit application detailing how the recommendations have or will be addressed.

9. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
10. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan shall meet the requirements of the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. Unless the project is exempt, submittal of a Landscape Documentation Package pursuant to WELO is required prior to issuance of a building permit. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review. A completed WELO Certificate of Completion is required prior to final inspection/certificate of occupancy.
11. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Minor Residential Development application.
12. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.
13. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.
14. DEMOLITION AFFIDAVIT: Prior to issuance of a building permit, a demolition affidavit must be submitted and signed by the property owner, project architect, project engineer and contractor.