

**DEVELOPMENT REVIEW COMMITTEE – February 03, 2026**  
**CONDITIONS OF APPROVAL**

**16805 Loma Street**  
**Architecture and Site Application S-25-043**

**Consider a Request for Approval to Demolish an Existing Single-Family Residence and to Construct a New Single-Family Residence with Site Improvements Requiring a Grading Permit on Property Zoned R-1:8. APN 532-07-101. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures.**

**PROPERTY OWNER: William Wundram.**

**APPLICANT: David Britt, Britt-Rowe.**

**PROJECT PLANNER: Samina Merchant.**

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 downward-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. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
5. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final plan shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
6. STORY POLES/PROJECT IDENTIFICATION SIGNAGE: Story poles and/or project identification signage on the project site shall be removed within 30 days of approval of the Architecture and Site application.
7. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement (“the Project”) from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers or employees related to an approval of the Project, including

without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant's sole cost and expense.

Applicant shall bear any and all losses, damages, injuries, liabilities, costs and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney's fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole discretion, determines appropriate, all the applicant's sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation.

8. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.
9. COA IN THE PLANSET: Include the conditions of approval outlined in the Conditions of Approval document on either the first or second page of the construction drawing plan set. All sheets in the construction drawings shall be the same size.

#### *Building Division*

10. PERMITS REQUIRED:
  - a. A Demolition Permit is required for the demolition of the existing single-family residence.
  - b. A Building Permit is required for the construction of the new single-family residence and attached garage.
  - c. A separate Building Permit will be required for the PV System and must be finalized prior to the issuance of the Certificate of Occupancy.
11. APPLICABLE CODES: Building Permit applications received after January 1, 2026, will be required to comply with the 2025 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, and locally adopted modifications.
12. CONDITIONS OF APPROVAL: The Conditions of Approval must be included on plan sheets within the construction plans. A Compliance Memorandum detailing how the conditions of approval will be addressed shall be prepared and submitted with the building permit application.
13. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
14. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
15. REQUIREMENTS FOR COMPLETE DEMOLITION OF STRUCTURE: Obtain a Building Department Demolition Application and a Bay Area Air Quality Management District

Application for the removal of each existing structure. Once the demolition form has been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, submit the completed form to the Building Department with the Air District's J# Certificate, PG&E verification, and site plans showing all existing structures, existing utility service lines such as water, sewer, and PG&E. No demolition work shall be done without first obtaining a permit from the Town.

16. **SOILS REPORT:** A Soils Report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with the Building Permit Application. This report shall be prepared by a licensed Civil Engineer specializing in soil mechanics.
17. **FOUNDATION INSPECTIONS:** A pad certificate prepared by a California-licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at the foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:
  - a. Building pad elevation
  - b. Finish floor elevation
  - c. Foundation corner locations
  - d. Retaining wall(s) locations and elevations
18. **TITLE 24 ENERGY COMPLIANCE:** All required California Title 24 Energy Compliance Forms must be directly printed onto a plan sheet.
19. **BACKWATER VALVE:** As required by Town Ordinance 6.40.020, provide details for any required sanitary sewer backwater valve on the plans and provide its location. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) require backwater valves on drainage piping serving fixtures that have flood level rims less than 12 inches above the elevation of the next upstream manhole.
20. **HAZARDOUS FIRE ZONE:** All projects in the Town of Los Gatos require Class A roof assemblies.
21. **SPECIAL INSPECTIONS:** When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval before issuance of the Building Permit. The Town Special Inspection form must be completely filled out and signed by all parties requested before the permit is issued. Special Inspection forms are available online at [www.losgatosca.gov/building](http://www.losgatosca.gov/building).
22. **CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs):** The Town standard West Valley Clean Water Authority Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal. The specification sheet is available online at [www.losgatosca.gov/building](http://www.losgatosca.gov/building).
23. **APPROVALS REQUIRED:** The project requires the following departments and agencies' approval before issuing a building permit:
  - a. Community Development – Planning Division: (408) 354-6874
  - b. Engineering/Parks & Public Works Department: (408) 399-5771

- c. Santa Clara County Fire Department: (408) 378-4010
- d. West Valley Sanitation District: (408) 378-2407
- e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

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

*Engineering Division*

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED OR NOTED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY BUILDING OR GRADING PERMIT, OR IF ANOTHER DEADLINE IS SPECIFIED IN A CONDITION, AT THAT TIME.

- 24. PAYMENT OF PARKS AND PUBLIC WORKS (“PPW”) ENGINEERING PLAN CHECK FEE AND INSPECTION FEE: At the time of the first construction submittal, the Applicant shall submit to the Town Engineer for approval a detailed construction project cost estimate prepared and stamped by the Applicant’s civil engineer. The cost estimate shall break out on-site and off-site improvements separately. This cost estimate will be used to determine the Engineering Plan Check Fee. A final construction cost estimate shall be provided once the project plans are approved. This cost estimate will be used to determine the Engineering Inspection Fee. The Engineering Inspection Fee must be paid prior to the issuance of any construction related permit.
- 25. STORM DRAINAGE FEE: The Applicant shall pay Storm Drainage Fees in accordance with the Town’s Adopted Schedule of Fees and Charges in effect at the date of application for the future construction of drainage facilities serving new buildings, improvements, or structures to be constructed which substantially impair the perviousness of the surface of land. The estimated fee, based on the increased impervious area of 3,261 SF, is **\$6,622**. This fee is only an estimate. The actual impact fee will be calculated based on building permit plans submitted, and the fees approved by the Town Council in place at the time of the building permit submittal. The Applicant shall pay this fee to PPW prior to issuance of the first building permit.
- 26. CONSTRUCTION ACTIVITIES MITIGATION FEE (ORDINANCE 2189): Per the Town’s Comprehensive Fee Schedule, the project is subject to the Town’s Construction Activities Mitigation Fee based on the square footage of new buildings. The fee is \$1.43 per square foot of new residential and non-residential building area. The fee shall be calculated based on the square footage total for all units shown on the construction plans to the approval of the Town Engineer. Payment of this fee shall be paid prior to issuance of the first building permit.
- 27. GRADING PERMIT: A grading permit is required for all site grading and drainage work that is outside the perimeter of a building, retaining wall footing, or other structure authorized by a valid building permit. The Applicant must submit a grading permit application after the appeal period of the entitlement approval process has passed. Submittals are accepted through Accela only. The grading permit application shall include detailed grading plans and associated required materials. Plan check fees are based on the scope of onsite work. Prior to approval of the grading permit, the

Applicant shall pay all fees due and provide faithful performance and payment securities for the performance of the work described and delineated on the approved grading plan, final erosion and sedimentation control plan, and interim erosion and sedimentation control plan (if required), in an amount to be set by the Town Engineer (but not to exceed one hundred (100) percent) of the approved estimated cost of the grading and erosion and sedimentation control measures. The form of security shall be one or a combination of the following to be determined by the Town Engineer and subject to the approval of the Town Attorney: (1) Bond or bonds issued by one or more duly authorized corporate sureties on a form approved by the Town; (2) Deposit with the Town, money, or negotiable bonds of the kind approved for securing deposits of public monies; or (3) other instrument of credit from one or more financial institutions subject to regulation by the State or Federal Government wherein such financial institution pledges funds are on deposit and guaranteed for payment. The grading permit shall be issued prior to the issuance of the building permit unless otherwise allowed by the Town Engineer. The permit shall be limited to work shown on the grading plans approved by the Town Engineer. In granting a permit, the Town Engineer may impose any condition deemed necessary to protect the health, safety, and welfare of the public, to prevent the creation of a nuisance or hazard to public or private property, and to assure proper completion of the grading including but not limited to: (1) Mitigation of adverse environmental impacts; (2) Improvement of any existing grading or correction of any existing grading violation to comply with Town Code; (3) Requirements for fencing or other protection of grading which would otherwise be hazardous; (4) Requirements for dust, erosion, sediment, and noise control, hours of operation and season of work, weather conditions, sequence of work, access roads, and haul routes; (5) Requirements for safeguarding watercourses from excessive deposition of sediment or debris in quantities exceeding natural levels; (6) Assurance that the land area in which grading is proposed and for which habitable structures are proposed is not subject to hazards of land slippage or significant settlement or erosion and that the hazards of seismic activity or flooding can be eliminated or adequately reduced; (7) Temporary and permanent landscape plans.

28. PUBLIC IMPROVEMENTS: Prior to the issuance of any building permit and prior to any work being done in the Town's right of way, the Applicant must submit a PPW encroachment permit application and include with that application the Public Improvement Plans for review and approval. All public improvements shall be made according to the Town's latest adopted Standard Plans, Standard Specifications, and Engineering Design Standards. The Applicant is required to confirm the location of existing utility lines along the project frontage by potholing. Prior to any potholing, Applicant shall submit an Encroachment Permit application with a pothole plan for Town review and approval. The Applicant shall provide the pothole results to the Town Engineer prior to final design. All existing public utilities shall be protected in place and, if necessary, relocated as approved by the Town Engineer. No private facilities are permitted within the Town right of way or within any easement unless otherwise approved by the Town Engineer. The Applicant shall have Public Improvement Plans prepared, stamped, and signed by a California licensed civil engineer.

- a. Once the Public Improvement Plans have been approved, the Applicant shall pull the encroachment permit as soon as necessary to complete the work. The Encroachment Permit requires the Applicant to post the required bonds and insurance and provide a one (1) year warranty for all work to be done in the Town's right of way or Town easement starting after the Town accepts the newly constructed improvements. New concrete shall be free of stamps, logos, names, graffiti, etc. Any new concrete installed that is damaged shall be removed and replaced at the Contractor's sole expense. Prior to issuance of the encroachment permit, the Applicant shall submit a temporary traffic control plan ("TTCP") inclusive of all modes of travel for any lane or sidewalk closures. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required. The TTCP shall comply with the State of California Manual of Uniform Traffic Control Devices ("MUTCD") and standard construction practices.
- b. The project engineer shall notify the Town Engineer in writing of any proposed changes. Any proposed changes to the approved plans shall be subject to the approval of the Town. The Applicant shall not commence any work deviating from the approved plans until such deviations are approved. Any approved and constructed changes shall be incorporated into the final "as-built" plans.
- c. Right-of-way improvements shall include, at a minimum, the following items:
  - i. STREET WIDENING: The Applicant shall widen Loma Street and relocate affected utilities in front of the applicant's parcel as necessary to tie in the newly constructed curb, gutter, and sidewalk from property line to property line. All work shall be shown on the required improvement plans and as directed by the Town Engineer.
  - ii. SIDEWALK: The Applicant shall install to Town standards sidewalk along the entire property frontage. The actual amount of sidewalk to be replaced shall be determined by the Public Works Construction Inspector in the field prior to construction. An in-lieu payment may be accepted at the Town Engineer's sole discretion.
  - iii. CURB AND GUTTER: The Applicant shall install to Town standards curb and gutter along the entire project frontage, tying into the existing curb and gutter on the west side of the project frontage. The actual amount of curb and gutter to be replaced shall be determined by the Public Works Construction Inspector in the field prior to construction. New curb and gutter shall be constructed per the Town Standard Drawing ST-210 (Vertical). A different type of curb or an in-lieu payment may be accepted at the Town Engineer's sole discretion.
  - iv. DRIVEWAY APPROACH(ES): The Applicant shall install one (1) Town Standard driveway approach(es) as shown on the approved plans. The new driveway approach shall be constructed per the Town Standard Drawing or as directed by the Town Engineer.
  - v. SEWER CLEAN-OUT - The Applicant shall install the sewer lateral clean-out on private property just behind the property line in accordance with the West Valley Sanitation District standards. Sewer clean-out(s) shall be constructed prior to occupancy of the first building.

- vi. WATER METER: The Applicant shall install the water meter on private property just behind the property line in accordance with the San Jose Water Company standards. Water meters shall be installed prior to occupancy of the first building.
- 29. TREE REMOVAL PERMIT: The Applicant shall apply and obtain a Tree Removal Permit from the Parks and Public Works Department for the removal of existing trees on-site or in the public right-of-way prior to the issuance of a building permit or demolition building permit, whichever is issued first. Tree removals shall be consistent with the arborist report and approved entitlement plans.
- 30. CONSTRUCTION PHASE PLAN SUBMITTAL REQUIREMENTS: The Grading Permit Plans and Public Improvement Plans (together referred to as "Improvement Plans") shall be submitted as a set to Parks and Public Works Department along with a title report dated no older than 30 days from the date the Improvement Plans are submitted. The Improvement Plans shall be submitted at the same time as the Building Plans are submitted to the Building Department. All improvements shall be designed and constructed in accordance with Federal law, State law, Los Gatos Town Code, and the Los Gatos Standard Specifications and Details.
  - a. Construction drawings shall comply with Section 1 (Construction Plan Requirements) of the Town's Engineering Design Standards, which are available for download from the Town's website. The Improvement Plans shall include:
  - b. A cover sheet with at least the proposed development vicinity map showing nearby and adjacent major streets and landmarks, property address, APN, scope of work, project manager and property owner, a "Table of Responsibilities" summarizing ownership, access rights, and maintenance responsibilities for each facility (streets, utilities, parks, landscaping, etc.), a sheet index including a sequential numeric page number for each sheet (i.e. "Sheet 1 of 54"), the lot size, required and proposed lot setbacks by type, proposed floor areas by type for each building, average slope, proposed maximum height, and required and proposed parking count and type.
  - c. The Approved Conditions of Approval printed within the plan set starting on the second sheet of the plan set.
  - d. An Existing Site Plan showing existing topography, bearing and distance information for all rights-of-way, easements, and boundaries, any existing easements proposed to be quit-claimed, existing hardscape, existing above ground utility features, and existing structures. The Improvement Plans shall identify the vertical elevation datum, date of survey, and surveyor responsible for the data presented.
  - e. A Proposed Site Plan showing proposed topography, boundaries, proposed and existing to remain easements, hardscape, above ground utility features (hydrants, transformers, control cabinets, communication nodes, etc.), and structures. Include top and bottom elevations of every inflection point of each wall. Show proposed public right-of-way improvements. Distinguish proposed linework from existing linework using heavier line type for proposed.
  - f. A Grading and Drainage Plan clearly showing existing onsite and adjacent topography using labeled contour lines, drainage direction arrows with slope value, and break lines. Proposed and existing to remain hardscape elevations must be provided in detail including slope arrows.

- g. A Utility Plan showing appropriate line types and labels to identify the different types of utilities and pipe sizes. Utility boxes, hydrants, backflow preventers, water meters, sanitary sewer cleanouts, etc. shall be located on private property unless otherwise approved by the Town Engineer.
- h. A Landscaping Plan for the project site and the full width of the public right-of-ways adjacent to the project. The plans shall clearly identify public and private utilities and points of demarcation between the two.
- i. General Notes found in the Town of Los Gatos General Guidelines.
- j. A statement in the general notes indicating the need to obtain a Caltrans Oversized/Overweight Vehicles Transportation Permit if oversized or overweight vehicles are expected to be used.

31. STANDARD PLAN COMPLIANCE: The project shall comply with the Town's Standard Plans to the approval of the Town Engineer. Street improvements, all street sections, the design of all off-site storm drainage facilities shall be in accordance with most current Town Standard Specifications and Standard Plans approved by the Town Engineer. Improvements deemed necessary by the Town Engineer shall be shown on the Improvement Plans.

32. EXISTING FACILITY PROTECTION AND REPAIR: All existing public utilities shall be either protected in place, relocated, or repaired. The Applicant shall repair or replace all existing improvements not designated for removal, and all new improvements that are damaged during construction or removed because of the Applicant's operations. This includes sidewalk, curb and gutter, streetlights, valley gutters, curb ramps, and any other existing improvements in the area that are not intended to be removed and replaced. The Applicant shall request a walk-through with the PPW construction Inspector before the start of construction to verify existing conditions. Said repairs shall be completed prior to issuance of the first certificate of occupancy of the project.

33. UNDERGROUND UTILITIES: All new services to the home shall be placed underground in accordance with the Town Code.

34. UTILITY RESPONSIBILITIES: The Applicant is responsible for the maintenance of existing stormwater drainage facilities, including piped and open channel stormwater conveyances in private areas. The Applicant is responsible for all expenses necessary to connect to the various utility providers. Currently, the public storm sewer system is owned and maintained by the Town of Los Gatos, the water system in Los Gatos is owned and maintained by San José Water Company, and the sanitary sewer system in Los Gatos is owned and maintained by West Valley Sanitation District. Any alterations of the approved utilities listed must be approved by the Town prior to any construction.

35. UTILITY COMPANY COORDINATION: The Applicant shall negotiate any necessary right-of-way or easements with the various utility companies in the area, subject to the review and approval by the Town Engineer and the utility companies. Prior to the approval of the site plan for construction, the Applicant shall submit "Will Serve" letters from PG&E, San José Water, West Valley Sanitation District, West Valley Collections and Recycling, and AT&T (or the current "Carrier of Last Resort") with a statement indicating either a list of improvements necessary to serve the project or a statement that the existing network is sufficient to accommodate the project. Coordination of the stormwater conveyance system will be addressed during the Grading Permit review.

36. DEVELOPER STORM WATER QUALITY RESPONSIBILITY: The Applicant is responsible for ensuring that all contractors including subcontractors are aware of all stormwater quality measures and implement such measures. The Applicant shall perform all construction activities in accordance with approved Improvement Plans, Los Gatos Town Code Chapter 12 – Grading, Erosion and Sediment Control, and the National Pollutant Discharge Elimination System (NPDES) General Permit. Failure to comply with these rules and regulations will result in the issuance of correction notices, citations, or a project stop order.
37. SITE DRAINAGE: Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drains (public or private) directly connected to public storm system shall be stenciled/signed with appropriate “NO DUMPING - Flows to Bay” NPDES required language using methods approved by the Town Engineer on all storm inlets surrounding and within the project parcel. Furthermore, storm drains shall be designed to serve exclusively stormwater. Dual-purpose storm drains that switch to sanitary sewer are not permitted in the Town of Los Gatos. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
38. OFF-SITE DRAINAGE: The Applicant shall not alter any existing drainage patterns without an approved Grading Permit.
39. GRADING & DRAINAGE WINTER MORATORIUM: All grading activity shall comply with the Municipal Regional Stormwater Permit and Chapter 12 of the Town Code. There shall be no earthwork disturbance or grading activities between October 15th and April 15th of each year unless approved by the Town Engineer. In order to be considered for approval, the Applicant must submit a Winterization Erosion Control Plan certified by a California certified QSD to the Town Engineer for review and approval. If grading is allowed during the rainy season, a maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on the exposed area. The submission of a certified plan does not guarantee approval. Any approved and executed plan must be kept on-site while the project is in construction.
40. EROSION CONTROL: The Applicant shall prepare and submit interim and final erosion control plans to the Town Engineer for review and approval. The interim erosion control plan(s) shall include measures carried out during construction before final landscaping is installed. Multiple phases of interim erosion control plans may be necessary depending on the complexity of the project. Interim erosion control best management practices may include silt fences, fiber rolls, erosion control blankets, Town approved seeding mixtures, filter berms, check dams, retention basins, etc. The Applicant shall install, maintain, and modify the erosion control measures as needed to continuously protect downstream water quality. In the event an emergency modification is deemed necessary, the Applicant must implement necessary measures to protect downstream waterways immediately and then submit the changes made within 24-hours to the Town Engineer for review and approval. The erosion control plans shall be in compliance with applicable measures contained in the most current Santa Clara County National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP). Any fees or penalties assessed against the Town in response to the Applicant’s failure to comply with the Permit must be paid by the Applicant. The Applicant must permit Town

staff onsite to conduct periodic NPDES inspections throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.

41. PRECONSTRUCTION MEETING: After the issuance of any Grading or Encroachment permit and before the commencement of any on or off-site work, the Applicant shall request a pre-construction meeting with the PPW Inspector to discuss the project conditions of approval, working hours, site maintenance, and other construction matters. At that meeting, the Applicant shall submit a letter acknowledging that:
  - a. They have read and understand these project Conditions of Approval;
  - b. They will require that all project sub-contractors read and understand these project Conditions of Approval; and,
  - c. They ensure a copy of these project Conditions of Approval will be posted on-site at all times during construction.
42. SITE LANDSCAPING COORDINATION: The Applicant shall coordinate the overall site landscaping and the stormwater treatment area landscaping. Stormwater treatment areas should be identified on the site first, and then site landscaping to make sure the correct plant material is identified for each area. Some site landscaping plant material may not be suitable in stormwater treatment areas due to the nature of the facility. Sanitary sewer facilities cannot be aligned through stormwater treatment facilities.

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO RELEASE OF UTILITIES, FINAL INSPECTION, OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY, WHICHEVER OCCURS FIRST, OR IF ANOTHER DEADLINE IS SPECIFIED IN A CONDITION, AT THAT TIME.

43. RECORD DRAWINGS: The Applicant shall submit a scanned PDF set of stamped record drawings and construction specifications for all off-site improvements to the Department of Parks and Public Works. All underground facilities shall be shown on the record drawings as constructed in the field. The Applicant shall also provide the Town with an electronic copy of the record drawings in the AutoCAD Version being used by the Town at the time of completion of the work. The Applicant shall also submit an AutoCAD drawing file of all consultants composite basemap linework showing all public improvements and utility layouts. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first.
44. RESTORATION OF PUBLIC IMPROVEMENTS: The Applicant shall repair or replace all existing improvements not designated for removal that are damaged or removed during construction. Improvements such as, but not limited to curbs, gutters, sidewalks, driveways, signs, streetlights, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired or replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Existing improvement to be repaired or replaced shall be at the direction of the PPW Inspector and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the PPW Inspector shall be completed before the issuance of a certificate of occupancy. The Applicant shall request a walk-through with the PPW Inspector before the start of construction to verify existing conditions.

45. PAVEMENT RESTORATION: Due to construction activities, new utility cuts along the project frontage, and the anticipated project's truck traffic, the Applicant shall grind and provide a 2.5" overlay with asphalt concrete the south side of Los Gatos-Saratoga Road along the entire property length between the center median island and the property frontage. Prior to overlay, any base failure repair or required dig-outs identified by the PPW Inspector shall be completed. The Town Engineer shall approve the roadway repair prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first.

THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT, OR IF ANOTHER DEADLINE IS SPECIFIED IN A CONDITION, AT THAT TIME

46. PROJECT CONSTRUCTION SETUP: All storage and office trailers will be kept off the public right-of-way.
47. PUBLIC WORKS CONSTRUCTION NOTICE: The contractor shall notify the PPW Inspector at least ten (10) working days prior to the start of any construction work. At that time, the Contractor shall provide an initial project construction schedule and a 24-hour emergency telephone number list.
48. PROJECT CONSTRUCTION SCHEDULE: The contractor shall submit the project schedule in a static PDF 11"x17" format and Microsoft Project, or an approved equal. The Contractor shall identify the scheduled critical path for the installation of improvements to the approval of the Town Engineer. The schedule shall be updated monthly and submitted to the PPW Inspector in the same formats as the original.
49. PROJECT CONSTRUCTION HANDOUT: The Contractor shall provide to the Town Engineer an approved construction information handout for the purpose of responding to questions the Town receives regarding the project construction.
50. PROJECT CONSTRUCTION SUPERVISION: The Contractor shall always provide a qualified supervisor on the job site during construction.
51. PUBLIC WORKS CONSTRUCTION INSPECTION: All work shown on the Improvement Plans shall be inspected to the approval of the Town Engineer. Uninspected work shall be removed as deemed appropriate by the Town Engineer.
52. PROJECT CONSTRUCTION HOURS: Construction activities related to the issuance of any PPW permit shall comply with Town Code Section 16.20.035 which restricts construction to the weekday between 8:00 a.m. and 6:00 p.m. and Saturday 9:00 a.m. to 4:00 p.m. No work shall be done on Sundays or on Town Holidays unless otherwise approved by the Town Engineer. Please note that no work shall be allowed to take place within the Town right-of-way after 5:00 p.m. Monday through Friday. In addition, no work being done under Encroachment Permit may be performed on the weekend unless prior approvals have been granted by the Town Engineer. The Town Engineer may apply additional construction period restrictions, as necessary, to accommodate standard commute traffic along arterial roadways and along school commute routes. Onsite project signage must state the project construction hours. The permitted construction hours may be modified if the Town Engineer finds that the following criteria is met:
  - a. Permitting extended hours of construction will decrease the total time needed to complete the project without an unreasonable impact to the neighborhood.

- b. Permitting extended hours of construction is required to accommodate a construction requirement such as a large concrete pour or major road closure. Such a need would be presented by the project's design engineer and require approval of the Town Engineer.
- c. An emergency situation exists where the construction work is necessary to correct an unsafe or dangerous condition resulting in obvious and eminent peril to public health and safety. If such a condition exists, the Town may waive any of the remaining requirements outlined below.
- d. The exemption will not conflict with any other condition of approval required by the Town to mitigate significant environmental impacts.
- e. The contractor or property owner will notify residential and commercial occupants of adjacent properties of the modified construction work hours. This notification must be provided three days prior to the start of the extended construction activity.
- f. The approved hours of construction activity will be posted at the construction site in a place and manner that can be easily viewed by any interested member of the public.
- g. The Town Engineer may revoke the extended work hours at any time if the contractor or owner of the property fails to abide by the conditions of extended work hours or if it is determined that the peace, comfort, and tranquility of the occupants of adjacent residential or commercial properties are impaired because of the location and nature of the construction.
- h. The waiver application must be submitted to the PPW Inspector ten (10) working days prior to the requested date of waiver.

53. PROJECT CONSTRUCTION BMPs: All construction activities shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinances, the project specific temporary erosion control plan, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.

54. PROJECT CONSTRUCTION EXCAVATION: The following provisions to control traffic congestion, noise, and dust shall be followed during site excavation, grading, and construction:

- a. All construction vehicles should be properly maintained and equipped with exhaust mufflers that meet State standards.
- b. Travel speeds on unpaved roads shall be limited to fifteen (15) miles per hour.
- c. Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible.
- d. Water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to ensure proper control of blowing dust for the duration of the project.
- e. Watering on public streets and wash down of dirt and debris into storm drain systems is prohibited. Streets will be cleaned by street sweepers or by hand as often

as deemed necessary by the PPW Inspector, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust. Recycled water shall be used for construction watering to manage dust control where possible, as determined by the Town Engineer. Where recycled water is not available potable water shall be used. All potable construction water from fire hydrants shall be coordinated with the San José Water Company.

- f. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Construction Inspector.
- g. Construction grading activity shall be discontinued in wind conditions in excess of 25 miles per hour, or that in the opinion of the PPW Inspector cause excessive neighborhood dust problems.
- h. Site dirt shall not be tracked into the public right-of-way and shall be cleaned immediately if tracked into the public right-of-way. Mud, silt, concrete and other construction debris shall not be washed into the Town's storm drains.
- i. Construction activities shall be scheduled so that paving and foundation placement begin immediately upon completion of grading operation.
- j. All aggregate materials transported to and from the site shall be covered in accordance with Section 23114 of the California Vehicle Code during transit to and from the site.
- k. Prior to issuance of any permit, the Applicant shall submit any applicable pedestrian or traffic detour plans to the satisfaction of the Town Engineer for any lane or sidewalk closures. The temporary traffic control plan shall be prepared by a licensed professional engineer with experience in preparing such plans and in accordance with the requirements of the latest edition of the California Manual on Uniform Traffic Control Devices (MUTCD) and standard construction practices. The Traffic Control Plan shall be approved prior to the commencement of any work within the public right-of-way.
- l. During construction, the Applicant shall make accessible any or all public and private utilities within the area impacted by construction, as directed by the Town Engineer.
- m. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The Applicant shall require the soils engineer submit to daily testing and sampling reports to the Town Engineer.

55. MATERIAL HAULING ROUTE AND PERMIT: For material delivery vehicles equal to, or larger than two-axle, six-tire single unit truck size as defined by FHWA Standards, the Applicant shall submit a truck hauling route that conforms to Town of Los Gatos Standards to Eric Christianson (Senior Land Development Engineer) for approval. Note that the Town requires a Haul Permit be issued for any hauling activities. The Applicant shall require contractors to prohibit trucks from using "compression release engine brakes" on residential streets. The haul route for this project unless otherwise approved by the Town Engineer, shall be: Highway 17 to Los Gatos-Saratoga Road to Los Gatos Boulevard, to Kennedy Road, to Ferris Avenue or Englewood Avenue to Loma Street. A letter from the Applicant confirming the intention to use the designated haul route shall

be submitted to the Town Engineer for review and approval prior to the issuance of any Town permits. All material hauling activities including but not limited to, adherence to the approved route, hours of operation, staging of materials, dust control and street maintenance shall be the responsibility of the Applicant. Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Town Engineer. The Applicant must provide an approved method of cleaning tires and trimming loads on site. All material hauling activities shall be done in accordance with applicable Town ordinances and conditions of approval.

56. HERITAGE TREE PROTECTION MEASURES: The Applicant shall submit a tree protection plan showing how all on- and off-site heritage trees will be protected during construction. All approved and installed Heritage Tree protection measures shall be installed prior to any site activities and maintained throughout the period of construction. The Project Arborist shall complete inspections on an as-needed basis during the construction period and shall submit a monthly report of findings in an email or letter to the Town Engineer and Town Planner assigned to this project.

57. PROJECT CLOSE-OUT: Prior to requesting a Final Inspection, the Applicant shall submit to the Town Engineer a letter indicating that all project conditions have been met, and all improvements are complete. All work must be completed to the satisfaction of the Planning Director and Town Engineer prior to the first occupancy. All public improvements, including the complete installation of all improvements relative to streets, fencing, storm drainage, underground utilities, etc., shall be completed and attested to by the Town Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, including those for water and sanitary sewer services, such installation shall be verified as having been completed and accepted by those agencies. In addition, the Applicant shall submit an itemized final quantities list of all public improvements constructed on-site and within the public right-of-way. The final quantities list shall be prepared by the project engineer and be to the approval of the Town Engineer. The final quantities list shall be broken out into on-site and off-site improvements based on the format provided by the Town. Until such time as all required improvements are fully completed and accepted by Town, the Applicant shall be responsible for the care, maintenance, and any damage to such improvements. Town shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss or damage, regardless of cause, happening or occurring to the work or improvements required for this project prior to the completion and acceptance of the work or Improvements. All such risks shall be the responsibility of and are hereby assumed by the Applicant.

58. CONSTRUCTION WORKER PARKING: The Applicant shall provide a Construction Parking Plan that minimizes the effect of construction worker parking in the neighborhood and shall include an estimate of the number of workers that will be present on the site during the various phases of construction and indicate where sufficient off-street parking will be utilized and identify any locations for off-site material deliveries. Said plan shall be approved by the Town Engineer prior to issuance of Town permits and shall be complied with at all times during construction. Failure to enforce the parking plan may result in suspension of the Town permits. No vehicle having a manufacturer's rated

gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the Town Engineer (§15.40.070).

59. SITE WATER DISCHARGE: In accordance with the Town Code, Prohibition of Illegal Discharges (Los Gatos Town Code Section 22.30.015), the Town Engineer may approve in coordination West Valley Sanitation District the discharge of uncontaminated pumped ground waters to the sanitary sewer only when such source is deemed unacceptable by State and Federal authorities for discharge to surface waters of the United States, whether pretreated or untreated, and for which no reasonable alternative method of disposal is available. Following the verification of the applicable local, state and/or federal approvals, a Discharge Plan will be approved and monitored by the Town Engineer.

**THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS ENTITLEMENT OCCUPIES THE PREMISES**

60. POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP): Post construction storm water pollution prevention requirements shall include:

- a. The Applicant shall be charged the cost of abatement for issues associated with, but not limited to, inspection of the private stormwater facilities, emergency maintenance needed to protect public health or watercourses, and facility replacement or repair if the treatment facility is no longer able to meet performance standards or has deteriorated. Any abatement activity performed on the Applicant's property by Town staff will be charged to the Applicant at the Town's adopted fully loaded hourly rates.
- b. Maintenance of the storm drain inlets "No Dumping – Drains to Bay" plaques to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain. Template ordering information is available at [www.flowsstobay.org](http://www.flowsstobay.org).
- c. All process equipment, oils, fuels, solvents, coolants, fertilizers, pesticides, and similar chemical products, as well as petroleum based wastes, tallow, and grease planned for storage outdoors shall be stored in covered containers at all times.
- d. All public outdoor spaces and trails shall include installation and upkeep of dog waste stations.
- e. Garbage and recycling receptacles and bins shall be designed and maintained with permanent covers to prevent exposure of trash to rain. Trash enclosure drains shall be connected to the sanitary sewer system.
- f. It is the responsibility of the property owner(s)/homeowners association to implement a plan for street sweeping of paved private roads and cleaning of all storm drain inlets.

**TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:**

61. FIRE SPRINKLERS REQUIRED: (As noted on sheet A0) Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.12 whichever is the more

restrictive and Sections 903.2.14 through 903.2.21. For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

62. REQUIRED FIRE FLOW: (Letter Received) The minimum required fireflow for this project is 500 Gallons Per Minute (GPM) at 20 psi residual pressure. This fireflow assumes installation of automatic fire sprinklers per CFC [903.3.1.3].
63. WATER SUPPLY REQUIREMENTS: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2022 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.
64. ADDRESS IDENTIFICATION: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 6 inches high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.
65. CONSTRUCTION SITE FIRE SAFETY: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.