



TOWN OF LOS GATOS
PLANNING COMMISSION STAFF REPORT
Meeting Date: December 9, 2015

ITEM NO: 6

PREPARED BY: Marni F. Moseley, Associate Planner
mmoseley@losgatosca.gov

APPLICATION NO: Architecture and Site Application S-15-063

LOCATION: **15735 Camino Del Cerro** (located at the southern terminus of the northern portion of Camino Del Cerro)

APPLICANT/
CONTACT PERSON: Tony Jeans

PROPERTY OWNER: JB Cahoon

APPLICATION SUMMARY: Requesting approval to demolish a single-family residence and construct a new single-family residence on property zoned R-1:8. APN 523-24-001.

DEEMED COMPLETE: November 11, 2015
FINAL DATE TO TAKE ACTION: May 11, 2016

RECOMMENDATION: Denial

PROJECT DATA:

General Plan Designation:	Low Density Residential
Zoning Designation:	R-1:8 – Single-Family Residential, 8,000-square foot lot minimum
Applicable Plans & Standards:	General Plan; Residential Design Guidelines;
Parcel Size:	28,728 gross square feet 24,500 net square feet
Surrounding Area:	

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:8
East	Residential	Low Density Residential	R-1:8
South	Residential	Low Density Residential	R-1:8
West	Residential	Santa Clara County	Pre-zoned R-1:8

CEQA: The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

FINDINGS:

- As required, pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, this project is Categorically Exempt, Section 15303: New Construction or Conversion of Small Structures.
- As required by Section 29.10.09030(e) of the Town Code for the demolition of a single-family residence.
- As required by the Residential Design Guidelines that the project complies with the Residential Design Guidelines.

CONSIDERATIONS:

- As required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

EXHIBITS:

1. Location Map
2. Findings
3. Recommended Conditions of Approval
4. Project Data Sheet (one page)
5. Applicant's letter of Justification, received November 11, 2015 (two pages)
6. Applicant's Arborist Report, received on August 5, 2015
7. Town's Consulting Arborist Report, received on May 27, 2015
8. Amended Consulting Arborist Report, received September 16, 2015
9. Revised report by Applicant's Arborist, received November 11, 2015
10. Original Development Plans (elevations only), received on August 5, 2015 and reviewed by the Town's Consulting Architect (three pages)
11. Town's Consulting Architect report, received September 10, 2015
12. Revised elevations, received September 30, 2015 (three pages)
13. Currently proposed Development Plans, received on November 11, 2015 (15 pages)

BACKGROUND:

The subject site is a flag lot located adjacent to Ross Creek at the southern terminus of the northern portion of Camino Del Cerro (see Exhibit 1). The lot is approximately 29,000 square feet (24,500 net square feet) with a 1,953-square foot single-story residence and a 660-square foot detached garage. The residence was effectively demolished by a prior property owner in that all of the exterior siding and interior sheetrock were removed. The house has been vacant for a number of years.

The project is being forwarded to the Planning Commission because the project would result in the largest house in the immediate area.

PROJECT DESCRIPTION:

A. Architecture and Site Application

The applicant is proposing a 4,428-square foot single-story residence with a 1,008-square foot garage. The project would have a maximum height of 23 feet, 11.5 inches. The proposed materials include: stucco siding, stone veneer, stone and wood trim, true divided lite wood windows, and a mission tile roof. A color and material board will be available at the Planning Commission meeting, and Exhibit 4 includes general project data.

B. Location and Surrounding Neighborhood

The project site is located at the southern terminus of the northern portion of Camino Del Cerro. Ross Creek runs along the southern border of the property and Camino Del Cerro continues to the south of Ross Creek (Exhibit 1). Surrounding properties contain single-family residences.

C. Zoning Compliance

The proposed project complies with the height and structure coverage limitations. The proposed project complies with setback requirements and all required parking is being provided on-site. The zoning permits a single-family residence.

ANALYSIS:

A. Floor Area

Based on Town and County records, the residences in the immediate area range in size from 1,100 square feet to 3,304 square feet. The floor area ratios (FAR) range from 0.13 FAR to 0.37 FAR. The proposed residence would be 4,428 square feet with a 0.18 FAR. Pursuant to Town Code, the maximum square footage for the lot size is 4,753 square feet.

The following Neighborhood Analysis table reflects current conditions of the immediate area.

ADDRESS	House	Garage	House and garage	Lot size	FAR
101 Sierra Morena Ct	2,889	475	3,364	10,043	0.29
105 Sierra Morena Ct	2,750	473	3,223	8,890	0.31
107 Sierra Morena Ct	2,579	600	3,179	9,112	0.28
109 Sierra Morena Ct	3,304	667	3,971	8,913	0.37
111 Sierra Morena Ct	2,704	473	3,177	8,510	0.32
115 Sierra Morena Ct	2,034	541	2,575	14,659	0.14
15735 Camino Del Cerro (Ex)	1,953	660	2,613	24,500	0.08
15735 Camino Del Cerro (P)	4,428	1008	5,436	24,500	0.18
15715 Camino Del Cerro	2,344	735	3,079	8,000	0.29
15705 Camino Del Cerro	2,417	734	3,151	9,100	0.27
305 Escobar Avenue	2,417	546	2,963	9,900	0.24
309 Escobar Avenue	2,487	810	3,297	11,340	0.22
311 Escobar Avenue	3,029	688	3,717	10,000	0.30
315 Escobar Avenue	2,417	734	3,151	11,550	0.21
317 Escobar Avenue	2,944	584	3,528	11,418	0.26
321 Escobar Avenue	3,029	688	3,717	10,200	0.30
15760 El Gato Lane	1,100	0	1,100	8,478	0.13
15770 El Gato Lane	1,790	399	2,189	8,424	0.21
15780 El Gato Lane	1,350	399	1,749	9,000	0.15

At 4,428 square feet, the proposed residence would be the largest home in the immediate area and due to the large lot, its FAR would be the fourth smallest.

The project was referred to the Planning Commission because it would result in the largest residence in the immediate area. The proposed residence would be significantly larger than those in the immediate area. The Residential Design Guidelines specify that residential development shall be similar in mass, bulk, and scale to the immediate neighborhood. The Guidelines also specify that consideration will be given to the existing FARs, residential square footages, and lot sizes in the neighborhood. The applicant provides justification for the proposed residence in Exhibit 5.

Even though the property is significantly larger, has limited visibility from the rear yards of the adjacent residences, and does not contribute to any adjacent streetscape, staff

recommends denial because the proposed home would be 1,100 square feet larger than the largest home in the immediate area.

B. Tree Impacts

The project site contains 27 trees (onsite and adjacent); 24 are protected trees and three are fruit or nut trees less than 12 inches in diameter. The applicant is proposing to remove 13 trees, ten of which are protected. The majority of the protected trees proposed for removal are large fruit or nut trees, but also include an 84-inch Blue Gum Eucalyptus, and a 30-inch Willow. The applicant provided an Arborist report for the site (Exhibit 6) which was reviewed by the Town's Consulting Arborist (Exhibits 7 and 8). The applicant's arborist incorporated the recommended changes from the Consulting Arborist into the applicant's final arborist report (Exhibit 9).

If the project is approved, tree protection measures would be implemented prior to and during construction. Replacement trees would be required to be planted pursuant to Town Code. Tree protection measures are incorporated as conditions of approval (Exhibit 3) to protect the trees to remain on the subject property and within the development area.

C. Creek Setback

The applicant is proposing a 15-foot setback from the top of bank, adjacent to the stream channel. The proposed setback conforms to the Guidelines and Standards for Land Use Near Streams which specify a 15-foot setback for streams contained in a concrete channel. All proposed improvements will be located outside the 15-foot setback (see Condition #10 in Exhibit 3).

D. Architectural Considerations

Staff requested that the Town's Architectural Consultant review the project (Exhibit 10) to provide recommendations regarding architecture and neighborhood compatibility. The consultant identified several recommended changes in order to bring the project into compliance with the Town's Residential Design Guidelines (Exhibit 11). The applicant made several changes to address the Consultant's recommendations and staff forwarded the revisions to the consultant for a second review (Exhibit 12). The second review by the Consultant had the following recommendations:

1. Go back to the partial gable end on the right side elevation and symmetrically mirror the partial gable on the left side of that main roof to provide a more balanced design.
2. Do something with the skylight structure. It is bulky and the stucco would stand in strong contrast to the slate roofing. A more refined form would be desirable.

Based on direction from the Consulting Architect and staff, the applicant made changes to simplify the massing of the roof and incorporated a flat skylight rather than the projecting skylight as originally proposed. The revisions are incorporated into the final development plans included in Exhibit 13.

E. Environmental Review

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

PUBLIC COMMENTS:

At this time, the Town has not received any public comment. The applicant has informed staff that they have met with the majority of the adjacent neighbors.

SUMMARY AND RECOMMENDATION:

A. Summary

As currently proposed, the project would create a residence that is approximately 1,100 square feet larger than the largest home in the immediate area. The applicant has worked with staff to address architectural concerns and to maintain the recommended setback from the creek. The property is well screened by existing vegetation and will have limited visibility from adjacent residences.

B. Recommendation

Staff recommends denial of the Architecture and Site application based on the size of the residence in comparison to those in the immediate area.

Alternatively, the Commission could:

1. Approve the application by taking the following actions:
 - a. Find that the proposed project is categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act as adopted by the Town (Exhibit 2); and
 - b. Make the required findings as required by Section 29.10.09030(e) of the Town Code for granting approval of a demolition of a single-family residence (Exhibit 2); and
 - c. Make the finding that the project complies with the Residential Design Guidelines (Exhibit 2); and

- d. Make the required considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture & Site application (Exhibit 2); and
 - e. Approve Architecture and Site Application S-15-063 with the conditions contained in Exhibit 3 and development plans attached as Exhibit 13.
2. Approve the application with additional and/or modified conditions.
 3. Continue the matter to a date certain with specific direction.



Prepared by:
Marni F. Moseley, AICP
Associate Planner



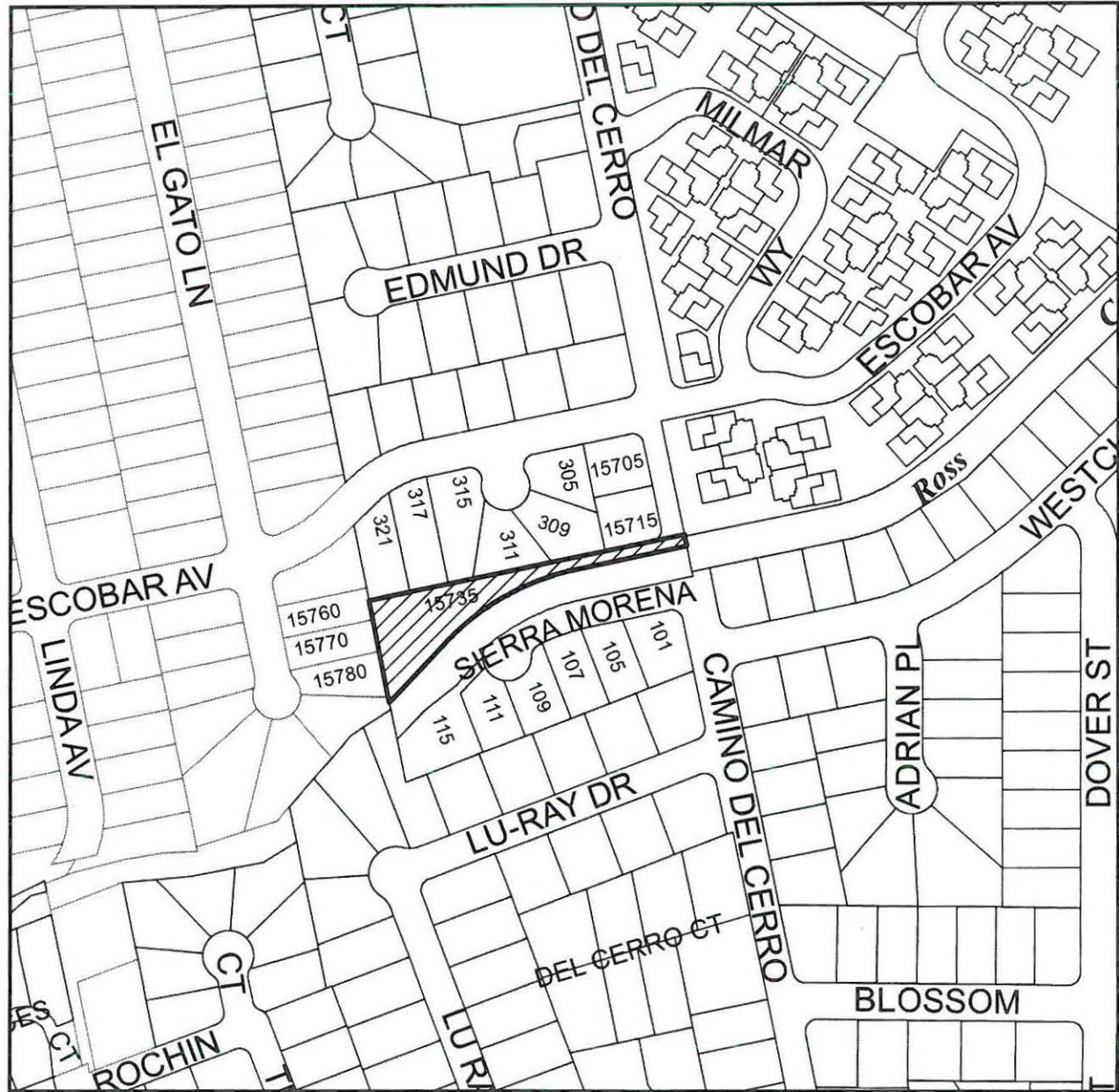
Approved by:
Laurel R. Prevetti
Town Manager/Community Development
Director

LRP:MFM:cg

cc: Tony Jeans, PO Box 1518, Los Gatos, CA 95031

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15735 Camino Del Cerro



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PLANNING COMMISSION – December 9, 2015
REQUIRED FINDINGS & CONSIDERATIONS FOR:

15735 Camino Del Cerro
Architecture and Site Application S-15-063

Requesting approval to demolish an existing single-family residence and construct a new single-family residence on property zoned R-1:8. APN 523-24-001.

PROPERTY OWNER: JB Cahoon

APPLICANT: Tony Jeans

FINDINGS

Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

Required finding for the demolition of a single-family residence:

- As required by Section 29.10.09030(e) of the Town Code for the demolition of a single-family residence:
 1. The Town's housing stock will be maintained as the single-family residence will be replaced.
 2. The existing structures have no architectural or historical significance, and are in poor condition.
 3. The property owner does not desire to maintain the structures as they exist; and
 4. The economic utility of the structures is limited due to the work done by a prior owner.

Required Compliance with the Residential Design Guidelines:

- The project is in compliance with the Residential Design Guidelines for single-family homes not in hillside residential areas.

CONSIDERATIONS

Required considerations in review of Architecture & Site applications:

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.

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PLANNING COMMISSION – December 9, 2015
CONDITIONS OF APPROVAL

15735 Camino Del Cerro
Architecture and Site Application S-15-063

Requesting approval to demolish an existing single-family residence and construct a new single-family residence on property zoned R-1:8. APN 523-24-001.

PROPERTY OWNER: JB Cahoon

APPLICANT: Tony Jeans

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. The lighting plan shall be reviewed during building plan check.
4. **GENERAL:** 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.
5. **TREE REMOVAL PERMIT:** A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
6. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations made by Deborah Ellis, identified in the Arborist's report dated as received September 16, 2015, and by Monarch Consulting Arborists, identified in the Arborist's report dated as received November 11, 2015, on file in the Community Development Department. 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. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.
7. **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. Refer to tree fencing requirements and other protection measures identified in the Arborist Reports prepared by Deborah Ellis dated as received September 16, 2015, and by Monarch Consulting Arborists identified in the dated as received November 11, 2015, on file in the Community Development Department. Include a tree protection plan with the construction plans.
8. **SALVAGE OF BUILDING MATERIALS:** Prior to the issuance of a demolition permit, the developer shall provide the Community Development Director with written notice of the company that will be recycling the building materials. All wood, metal, glass, and

aluminum materials generated from the demolished structure shall be deposited to a company which will recycle the materials. Receipts from the company(s) accepting these materials, noting the type and weight of materials, shall be submitted to the Town prior to the Town's demolition inspection.

9. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
10. ROSS CREEK: All improvements must maintain a 15-foot setback from the top of bank as shown on the approved plans.
11. 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.

Building Division

12. PERMITS REQUIRED: A Demolition Permit shall be required for the demolition of the existing single-family residence and detached garage and a Building Permit shall be required for the construction of the new single-family residence. Separate permits are required for electrical, mechanical, and plumbing work as necessary.
13. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue-lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
14. SIZE OF PLANS: Four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".
15. DEMOLITION REQUIREMENTS: Obtain a Building Department Demolition Application and a Bay Area Air Quality Management District Application from the Building Department Service Counter. Once the demolition form has been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, return the completed form to the Building Department Service Counter with the air District's J# Certificate, PG&E verification, and three (3) sets of 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 soils mechanics. As an alternate, the necessary foundation elements can be designed by a licensed Civil Engineer to the Minimum Requirements of Chapter 4 of the 2013 California Residential Code.
17. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project building inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the soils report, and that the building pad elevation 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 Walls
18. **RESIDENTIAL TOWN ACCESSIBILITY STANDARDS:** The residence shall be designed with adaptability features for single family residences per Town Resolution 1994-61:
- a. Wood backing (2" x 8" minimum) shall be provided in all bathroom walls at water closets, showers, and bathtubs, located 34-inches from the floor to the center of the backing, suitable for the installation of grab bars.
 - b. All passage doors shall be at least 32-inches wide on the accessible floor.
 - c. Primary entrance shall be a 36-inch wide door including a 5'x5' level landing, no more than 1/2-inch out of plane with the immediate interior floor level with an 18-inch clearance at interior strike edge.
 - d. Door buzzer, bell or chime shall be hard wired at primary entrance.
19. **TITLE 24 ENERGY COMPLIANCE:** All required California Title 24 Energy Compliance Forms must be blue-lined, i.e. directly printed, onto a plan sheet.
20. **BACKWATER VALVE:** The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12-inches above the elevation of the next upstream manhole.
21. **TOWN FIREPLACE STANDARDS:** New wood burning fireplaces shall be an EPA Phase II approved appliance as per Town Ordinance 1905. Tree limbs shall be cut within 10-feet of Chimney.
22. **HAZARDOUS FIRE ZONE:** The project requires a Class A Roof assembly.
23. **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 prior to issuance of the building permit. The Town Special Inspection form must be completely filled-out and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building
24. **BLUE PRINT FOR A CLEAN BAY SHEET:** The Town standard Santa Clara County Valley Nonpoint Source Pollution Control Program Sheet (24x36) shall be part of the plan submittal as the second page. The specification sheet is available at the Building Division Service Counter for a fee of \$2 or at ARC Blue Print for a fee or online at www.losgatosca.gov/building.
25. **APPROVALS REQUIRED:** The project requires the following departments and agencies approval before issuing a building permit:
- a. Community Development – Planning Division
 - b. Engineering/Parks & Public Works Department
 - c. Santa Clara County Fire Department
 - d. West Valley Sanitation District

- 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.
- f. Bay Area Air Quality Management District

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

Engineering Division

- 26. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Drawings and the Town Standard Specifications. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job related dirt and debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the Town performing the required maintenance at the developer's expense.
- 27. APPROVAL: This application shall be completed in accordance with all the conditions of approvals listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
- 28. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the applicant/developer to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation. Copies of any approvals or permits must be submitted to the Town Engineering Department prior to releasing any permit.
- 29. PUBLIC WORKS INSPECTIONS: The developer or his representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in rejection of work that went on without inspection.
- 30. RESTORATION OF PUBLIC IMPROVEMENTS: The developer shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the developer's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc. shall be repaired and replaced to a condition equal to or better than the original condition. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector, and shall comply with all Title 24 Disabled Access provisions. Developer shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
- 31. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
- 32. PLAN CHECK FEES: Plan check fees shall be deposited with the Town prior to plan review at the Engineering Division of the Parks and Public Works Department.

33. **INSPECTION FEES;** Inspection fees shall be deposited with the Town prior to issuance of any Permit or recordation of the Final Map.
34. **DESIGN CHANGES:** Any proposed changes to the approved plans shall be subject to the approval of the Town prior to altered work is started. The Applicant Project Engineer shall notify, in writing, the Town Engineer at least 72 hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
35. **GRADING PERMIT:** Grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of the Town Grading Ordinance. The grading permit application (with grading plans) shall be made to the Engineering Division of the Parks & Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location, driveway, utilities and interim erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). A separate building permit, issued by the Building Department on E. Main Street is needed for grading within the building footprint.
36. **TREE REMOVAL:** Copies of all necessary tree removal permits shall be provided prior to issuance of a grading permit/building permit.
37. **SURVEYING CONTROLS:** Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
 - a. Retaining wall: top of wall elevations and locations
 - b. Toe and top of cut and fill slopes
38. **PAD CERTIFICATION:** A letter from a licensed land surveyor shall be provided stating that the building foundation was constructed in accordance with the approved plans shall be provided subsequent to foundation construction and prior to construction on the structure. The pad certification shall address both vertical and horizontal foundation placement.
39. **PRECONSTRUCTION MEETING:** Prior to issuance of any permit or the commencement of any site work, the general contractor shall:
 - a. Along with the project applicant, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
 - b. Acknowledge in writing that they have read and understand the project conditions of approval, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.
40. **RETAINING WALLS:** A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
41. **DEDICATIONS:** The following shall be dedicated by separate instrument. The dedication shall be recorded before any permits are issued:
 - a. Camino Del Cerro: A half-street right-of-way shall be dedicated as an extension of the public right-of-way. This width will be determined upon further review of and revisions to plans.

42. **SOILS REPORT:** One copy of the soils and geologic report shall be submitted with the application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
43. **SOILS REVIEW:** Prior to issuance of any permit, the applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations. The applicant's soils engineer's approval shall then be conveyed to the Town either by letter or by signing the plans.
44. **SOILS ENGINEER CONSTRUCTION OBSERVATION:** During construction, all excavations and grading shall be inspected by the applicant's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report, and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing should be documented in an "as-built" letter/report prepared by the applicants' soils engineer and submitted to the Town before final release of any occupancy permit is granted.
45. **PUBLIC IMPROVEMENTS:** The following improvements shall be installed by the developer. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, and guaranteed by contract, Faithful Performance Security and Labor & Materials Security before the issuance of a building permit or the recordation of a map. The following improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued:
 - a. Camino Del Cerro: Curb, gutter, tie-in paving, signing, striping, as required.
46. **UTILITIES:** The Developer shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. Applicant is required to obtain approval of all proposed utility alignments from any and all utility service providers. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.
47. **SIDEWALK/CURB IN-LIEU FEE:** A curb and sidewalk in-lieu fee in an amount to be determined upon further review of and revisions to plans shall be paid prior to issuance of a building permit. This fee will be based on the unit costs of curb (\$64/LF) and 4.5-foot wide sidewalk (\$16/SF) in accordance with Town policy.
48. **CURB AND GUTTER:** The developer shall repair and replace to existing Town standards any curb and gutter damaged now or during construction of this project. New curb and gutter shall be constructed per Town Standard Details. The limits of curb and gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project.
49. **DRIVEWAY APPROACH:** The developer shall install one (1) Town standard driveway approach. The new driveway approach shall be constructed per Town Standard Details.
50. **FRONTAGE IMPROVEMENTS (STREET LIGHTS):** Replace the existing adjacent street light fixture with LED light fixture. Re-paint the existing street light pole.

51. STREET LIGHTS AND TRAFFIC SIGNAL INSPECTION FEES: Developer shall post a deposit of \$5,000 for Town's inspection of street lights and traffic signal related work installed by the applicant. The fees shall be due at time of building permit application.
52. CONSTRUCTION STREET PARKING: No vehicle having a manufacture'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 to approval from the Town Engineer.
53. CONSTRUCTION NOISE: Between the hours of 8:00 a.m. to 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.
54. WVSD (West Valley Sanitation District): Sanitary sewer laterals are televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used or reused. Sanitary Sewer Clean-out is required for each property at the property line or location specify by the Town.
55. SANITARY SEWER BACKWATER VALVE: Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Building Official. The Town shall not incur any liability or responsibility for damage resulting from a sewer overflow where the property owner or other person has failed to install a backwater valve as defined in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to issuance of a building permit.
56. BEST MANAGEMENT PRACTICES (BMPs): The applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
57. SITE DESIGN MEASURES: All projects shall incorporate the following measures:
 - a. Protect sensitive areas and minimize changes to the natural topography.
 - b. Minimize impervious surface areas.
 - c. Direct roof downspouts to vegetated areas.
 - d. Use permeable pavement surfaces on the driveway, at a minimum.
 - e. Use landscaping to treat stormwater.
58. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Department of the Parks & Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be

submitted to the San Francisco Bay Regional Water Quality Control Board for projects disturbing more than one acre. A maximum of two weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall be in compliance with applicable measures contained in the amended provisions C.3 and C.14 of most current Santa Clara County NPDES MRP Permit. Monitoring for erosion and sediment control is required and shall be performed by the QSD or QSP as required by the Construction General Permit. Stormwater samples are required for all discharge locations and projects may not exceed limits set forth by the Construction General Permit Numeric Action Levels and/or Numeric Effluent Levels. A Rain Event Action Plan is required when there is a 50% or greater forecast of rain within the 48 hours, by the National Weather Service or whenever rain is imminent. The QSD or QSP must print and save records of the precipitation forecast for the project location area from (<http://www.srh.noaa.gov/forecast>) and must accompany monitoring reports and sampling test data. A Rain gauge is required on site. The Town of Los Gatos Engineering and Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.

59. **DUST CONTROL:** 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. Further, 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 insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, 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. 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 Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed 25 MPH. All trucks hauling soil, sand, or other loose debris shall be covered.
60. **CONSTRUCTION ACTIVITIES:** All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the Town's grading and erosion control ordinance and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.

61. **SITE DRAINAGE:** Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If dry wells are to be used they shall be placed 10' minimum from adjacent property line and/or right of way.
62. **SILT AND MUD IN PUBLIC RIGHT-OF-WAY:** It is the responsibility of contractor and home owner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

63. **FIRE SPRINKLERS REQUIRED:** An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: In all new one- and two-family dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 square feet. Exception: A one-time addition to an existing building that does not total more than 1,000 square feet of building area. NOTE: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. A State of California licensed (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application and appropriate fees to this department for review and approval prior to beginning their work.
64. **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).
65. **CONSTRUCTION SITE FIRE SAFETY:** All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project.
66. **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. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) 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.

N:\DEV\CONDITIONS\2015\Camino Del Cerro-15735.docx

15725 Camino Del Cerro - PROJECT DATA			
	EXISTING CONDITIONS	PROPOSED PROJECT	REQUIRED/ PERMITTED
Zoning district	R-1:8	same	-
Land use	SFR	SFR	Single family residential
Lot size:			
\$ Square feet/acres	28,750	28,050 (DECK) (24500 NET)	8,000
Exterior materials:			
\$ siding	NONE	STUCCO/STONE	-
\$ trim	NONE	STONE & WOOD	-
\$ windows	VINYL	WOOD CLAD	-
\$ roofing	COMP	TILE (APC MISSION)	-
Building floor area:			
\$ first floor	2430	4428	
\$ second floor	-		
\$ garage	660	1028	
\$ cellar	-	-	-
Setbacks (ft.):			
\$ front	457	367' 9"	25 feet minimum
\$ rear	20'	43'	20 feet minimum
\$ side	32'	13'	8 feet minimum
R side Street	28'	8'	8 feet minimum
Maximum height (ft.)	20' 10"	23' 11 1/2"	30 feet maximum
Floor Area Ratio (%)			
\$ house	10% (NET LOT)	18% (NET LOT)	
\$ garage	2.7%	4%	
Parking	2+	2+	two spaces minimum
Sewer or Septic	Sewer	Same	-
Grading (cu. yds.)			
\$ house + CASASATRA		190	-
\$ driveway + PATIO		100	-
\$ landscape area + POOL		390	-

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T.H.I.S.
DESIGN & DEVELOPMENT
Box 1518, Los Gatos, CA 95031
Fax: 408.354.1823 Tel: 408.354.1863

RECEIVED

NOV 11 2015

TOWN OF LOS GATOS
PLANNING DIVISION

November 11TH, 2015

110 E. Main Street
Los Gatos, CA 95032
Attn: Planning Commission

New Construction at 15735 Camino Del Cerro.

Neighborhood Characteristics:

The "Immediate Neighborhood" comprises either 16 immediate neighbors, plus townhomes across the street; or none - as this property is isolated from the immediate neighborhood by a long driveway and is over 350 ft from the street. If you consider the 16 neighbors, there are 1960's single story homes [one with a second story addition] on one street at the rear; 1980's predominately 2 story homes that adjoin the right side of the property; and 1990's 1½ and 2 story homes immediately across the creek. There is no predominant styling,

What does appear to be consistent in the neighborhood is a consistent lot size of between 8,000 and 11,000 square feet. On the street behind [1960's neighborhood] the mainly single story homes exhibit large accessory buildings in the back yard, but these smaller homes have FARs in the 13 - 21% range. On the street to the right [north] of the property [the 1980's neighborhood] these 2,500 - 3,000 sq ft houses have FARs in the 25 - 30% range. Across the creek [the 1990's neighborhood] there are larger 2 story houses, up to 3,300 sq ft, on 9,000 sq ft lots exhibiting FARs between 30 - 37%.

In contrast, this lot is 2/3 acre and any house built on it will not be seen from Camino del Cerro. We have deducted the driveway for a Net Lot Size Of 24,500 square feet and an allowable 4,753 ft house. We are proposing 4,428 with an FAR of 18%. Max height will be 23 ft 11 ½".

Design Influences:

The houses to the north and west share common fences with 15735 Camino Del Cerro; but that is about all they share. They are elevated 3-4 ft higher and the bottom 10 ft of any structures built there will never be seen by these neighbors. We have chosen to build a single story home, and to slope the roof away from the property line with a hipped roof so that our project will not impact them once it is built. We chose a 2-piece mission tile roof over slate because it is more compatible with other homes in the area. We are fully aware that we are a "flag lot" as viewed from these homes and are trying to mitigate any sight, light, view-shed and privacy issues.

The homes across the creek on Sierra Morena Court will be more impacted by any development on 15735 Camino Del Cerro as this is the view they will see every day as they come and go either by car or by foot to or from their homes. Again, a single story home will be less impactful than will be a 2 story home and the 2/3 acre lot size will readily accommodate it.

Ultimately we chose to design a home with stucco and stone exterior, borrowing from the homes across the creek, and the contemporary ranch style exterior with the slate roof seemed more appropriate than traditional Mediterranean. Stone was incorporated into the design to break up the stucco appearance. All said and done, the owners are happy with the overall concept.

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The Project:

Our clients have 3 children and have frequent visitors who stay for brief periods, so they want a 5 bedroom home plus office. The key for them is an indoor/outdoor entertaining area with plenty of light so we have incorporated a commercial grade skylight to bring light into the center of the home. A cabana and pool in the rear yard will be well screened from the neighbors. Solar Photovoltaic panels are proposed at the roof of the cabana and covered patios [invisible from neighbors] are proposed.

The existing partially deconstructed home on the property is not economically viable to retain as a base for this project and would require a technical demolition in any event.

Driveway, Grading & Drainage:

The preliminary Grading Plan shows minimal grading; there is no Import or Export proposed. There are no significant grade changes - except to convey water runoff to Camino Del Cerro at the request of SCVWD, rather than allowing it to sheet-flow over the banks of Ross Creek. Dissipaters and splash-blocks will be used.

Because this is a flag lot with a depth of over 500 ft we have designed a Fire Truck Turnaround into the driveway, which will be a combination of Pavers and asphalt. There will be a curb along the creek side of the driveway.

Trees and Landscaping:

Six trees, which fall under the category of "Protected Trees", are planned for removal, but none is considered a significant contributor. Any replacement trees will conform to the new Town Tree Ordinance. They will be native and drought tolerant, but the species have yet to be finalized. Three are specifically denoted as Redwoods to replace the large Eucalyptus which is being removed. Screening trees will be placed along the right side and rear property lines, but ongoing discussions with neighbors will determine species. In this Application we are proposing a total of 24 replacement trees and 4 fruit trees. Drought tolerant vegetation is proposed project design, together with either decomposed granite or synthetic permeable turf in the rear yard. Only drip irrigation will be used for landscape irrigation.

Please call me at 408-354-1833 if you have any questions.

Yours truly,

T.H.I.S. Design & Development
per: A. T. Jeans

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**Tree Inventory, Assessment,
And
Protection**

**Camino Del Cerro
Los Gatos, CA 95032**

RECEIVED

AUG - 5 2015

**TOWN OF LOS GATOS
PLANNING DIVISION**

Prepared for:

**Tony Jeans
&
T.H.I.S. Design**

August 4, 2015

Prepared By:



Monarch Consulting Arborists LLC
P.O. Box 1010
Felton, CA 95018
831. 331. 8982

**ASCA - Registered Consulting Arborist ® #496
ISA - Board Certified Master Arborist® WE-4341B**

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Summary

The property located at the end of Camino Del Cerro and adjacent properties contain twenty-seven trees comprised of eleven different species. The most commonly found species in the inventory is coast live oak (*Quercus agrifolia*), most of which are located adjacent to the driveway along the top of the creek bank. The blue gum eucalyptus (*Eucalyptus globulus*) (887) is the only tree considered a "Large Protected Tree" as defined in section 29.10.0955 Definitions of the municipal code. Most of the trees are in either fair or good condition with fair or good suitability for preservation. Eleven trees will be highly affected by the project, four of which are not protected by the ordinance. The trees growing along the top of the creek bank will not be affected depending on the new driveway construction. The removal of seven protected trees will result in a replanting mitigation plan to account for lost canopy cover.

Introduction

Background

Tony Jeans of T.H.I.S. Design asked me to assess the site, trees, proposed footprint plan, and to provide a report with my findings and recommendations to help satisfy the Town of Los Gatos planning requirements.

Assignment

1. Provide an arborist's report that includes an assessment of the trees within the project area. The assessment is to include the species, size (trunk diameter), condition (health and structure), and suitability for preservation ratings.
2. Provide tree protection specifications and influence ratings for the trees that will be influenced by the project.
3. Provide canopy replacement requirements.

Limits of the assignment

1. The information in this report is limited to the condition of the trees during my inspection on July 31, 2015. No tree risk assessments were performed.
2. The plans reviewed for this assignment were as follows: Site Plan C2 and Grading and Drainage Plan C3 dated July 2015. No landscape or utility plan was reviewed.



Purpose and use of the report

The report is intended to identify all the trees within the plan area that could be affected by a project. The report is to be used by T.H.I.S. Design, the property owners, their agents, and the Town of Los Gatos as a reference for existing tree conditions to help satisfy the Town of Los Gatos planning requirements.

Observations

The property is a flag lot located at the end of Camino Del Cerro if you enter from the Los Gatos Almaden Road intersection (Image 1). The property is the last lot on the west side of the road where Ross Creek bisects Camino Del Cerro at the foot bridge. The lot and adjacent properties contain twenty-seven trees on or in close proximity to the property. Most of the trees are coast live oaks located along the driveway into the main portion of the property and are growing at the top of the creek bank on the other side of the cyclone fence. Within the property are three silk trees (*Albizia julibrissin*), a black walnut (*Juglans nigra*), willow, a few fruit trees and one large blue gum eucalyptus. The north side of the driveway is lined with oleander (*Nerium oleander*) growing under the high voltage utility lines.

The proposed new structure moved the main house east toward the central portion of the lot creating a larger backyard. The new structure footprint is over the two silk trees and orange.

The plan indicates a total of twenty-two 24-inch box and five 15-gallon replacement trees are to be planted around the site.



Image 1: The white online above indicated the approximate property boundary. Image courtesy of Google Maps, 2015.



Discussion

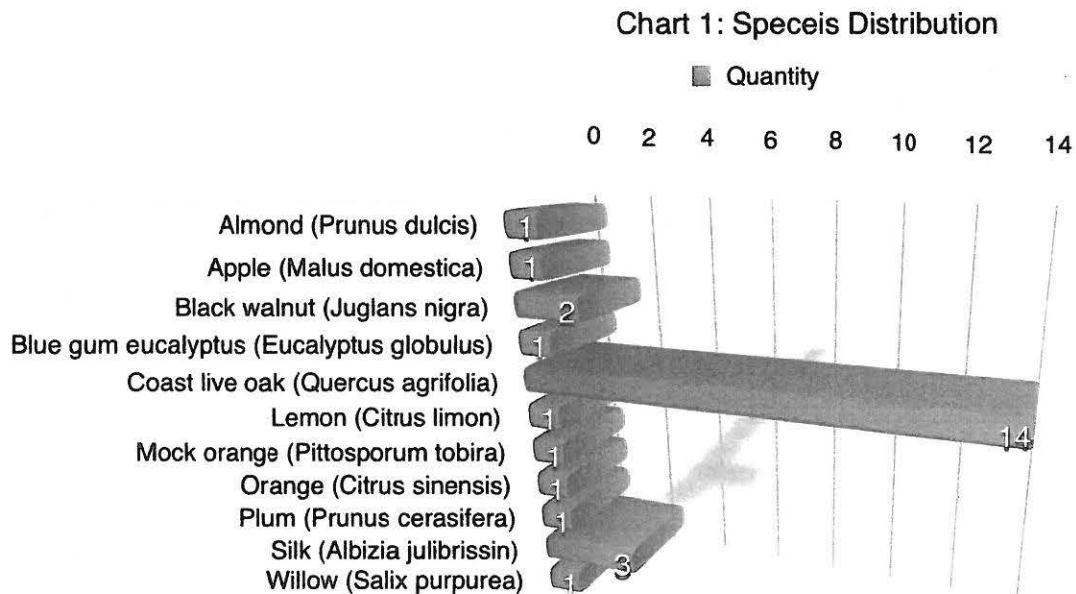
Tree Inventory

The tree inventory consists of trees protected by the Town of Los Gatos that are located on the site and those in close proximity on neighboring properties. The Town of Los Gatos protects all trees with a trunk diameter greater than (4) four inches at (54) fifty-four inches above grade on vacant or underdeveloped lots (Appendix A and B).

Aluminum tree tags have been affixed to all trees listed in the inventory except the two trees on the adjacent properties.

The property and adjacent properties contain twenty-seven trees comprised of eleven different species. The most commonly found species in the inventory is coast live oak, most of which are located adjacent to the driveway along the top of the creek bank. The trees within the property consist of the black walnut (889), blue gum eucalyptus (887), three silk (892, 893, and 895), with one willow (894) growing horizontal off the retaining wall, as well as some smaller trees (888, 890, 891, and 896). The blue gum eucalyptus (887) is considered a "Large Protected Tree" as defined in section 29.10.0955 Definitions of the municipal code.

The chart below lists the species and their relative quantity within the project area (Chart 1).



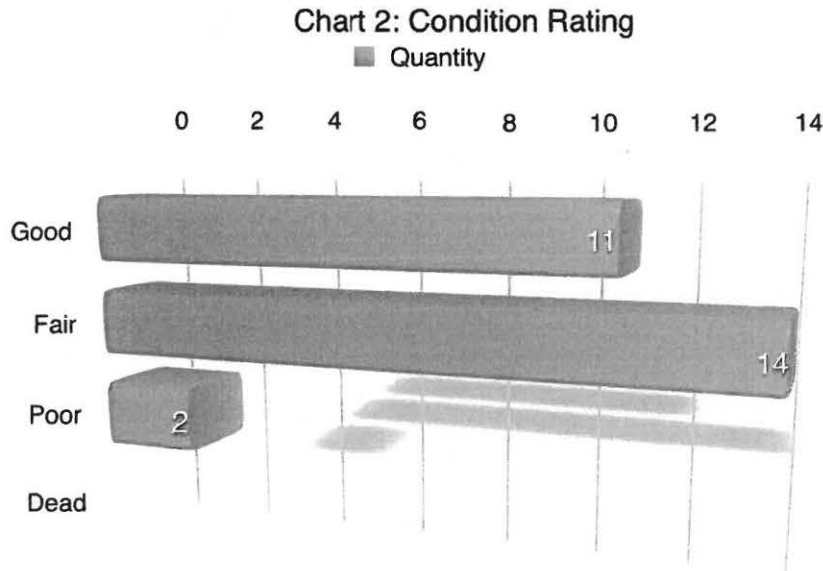
Condition Rating

A tree's condition is a determination of its overall health and structure based on five aspects: Roots, trunk, scaffold branches, twigs, and foliage. The assessment considered both the health and structure of the trees for a combined condition rating.

- Exceptional = Good health and structure with significant size, location or quality.
- Good = No apparent problems, good structure and health, good longevity for the site.
- Fair = Minor problems, at least one structural defect or health concern, problems can be mitigated through cultural practices such as pruning or a plant health care program.
- Poor = Major problems with multiple structural defects or declining health, not a good candidate for retention.
- Dead/Unstable = Extreme problems, irreversible decline, failing structure, or dead.

Most of the trees are in either fair or good condition, primarily because they are small volunteers that have not developed the same kinds of problems older trees develop. The willow (894) and silk (895) are both in poor shape and located along the north side of the driveway within the oleander hedge.

The chart below list the condition ratings and the relative quantity of each category (Chart 2).



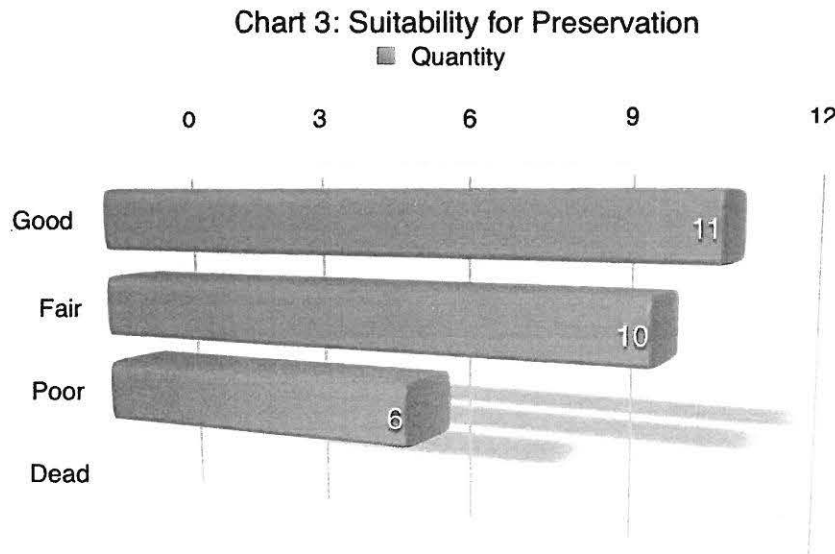
Suitability for Preservation

A tree's suitability for preservation is determined based on its health, structure, age, species characteristics, and longevity using a scale of good, fair, or poor. The following list defines the rating scale (Tree Care Industry Association, 2012):

- Good = Trees with good health, structural stability and longevity.
- Fair = Trees with fair health and/or structural defects that may be mitigated through treatment. These trees require more intense management and monitoring, and may have shorter life spans than those in the good category.
- Poor = Trees in poor health with significant structural defects that cannot be mitigated and will continue to decline regardless of treatment. The species or individual may possess characteristics that are incompatible or undesirable in landscape settings or unsuited for the intended use of the site.

Most of the trees have fair or good suitability for preservation and are small volunteers growing along the top of the creek bank adjacent to the existing driveway. In addition to the silk (895) and willow (894) I also considered the almond (885), black walnut (881) although it is on water district property, mock orange (896), and the blue gum eucalyptus (887) to be poorly suited for preservation. The black walnut (889) has fair suitability for preservation but the area near the tree would need to be left alone because the tree's tolerance to disturbance is poor.

The chart below list the condition ratings and the relative quantity of each category (Chart 3).



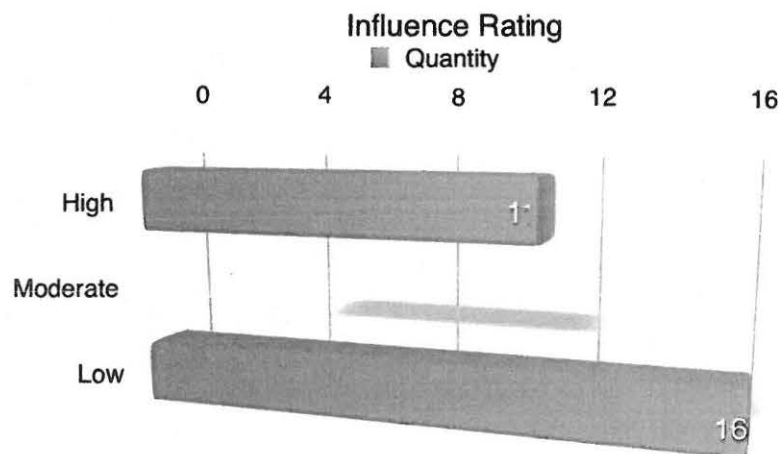
Influence Level

Influence level defines how a tree may be influenced by construction activity and proximity to the tree, and is described as low, moderate, or high. The following scale defines the impact rating:

- Low = The construction activity will have little influence on the tree.
- Moderate = The construction may cause future health or structural problems, and steps must be taken to protect the tree to reduce future problems.
- High = Tree structure and health will be compromised and removal is recommended, or other actions must be taken for the tree to remain. The tree is located in the building envelope.

Eleven trees will be highly affected by the project, four of which are not protected by the ordinance. The trees highly influenced are all the fruit trees and mock orange along with the three silk, black walnut (889), willow (894), and blue gum eucalyptus (887). The trees growing along the top of the creek bank will not be affected depending on the new driveway construction.

The chart below lists the trees and the development influence rating (Chart 4).



Tree Protection

Tree protection focuses on protecting trees from damage to the roots, trunk, or scaffold branches from heavy equipment (Appendix D).

The tree protection zone (TPZ) is the defined area in which certain activities are prohibited to minimize potential injury to the tree. The TPZ can be determined by a formula based on species tolerance, tree age, and diameter at breast height (DBH) (Matheny, N. and Clark, J. 1998) or as the drip line in some instances. The tree protection zones for this project should be located at the critical root zone distance of five times the trunk diameter because influence will only be on one side of any tree to remain. The fence along the driveway should remain in place during construction unless a new fence is to be erected prior to construction. This will protect the trees on the adjacent site and is a sufficient means of Type I tree protection.

Preventing mechanical damage to the main stems from equipment or hand tools can be accomplished by wrapping the main stem with straw wattle for Type II and Type III protection scenarios (Figure 2). The wattle will create a porous barrier around the trunk and prevent damage to the bark and vascular tissues underneath. No trees for this project will require trunk protection.

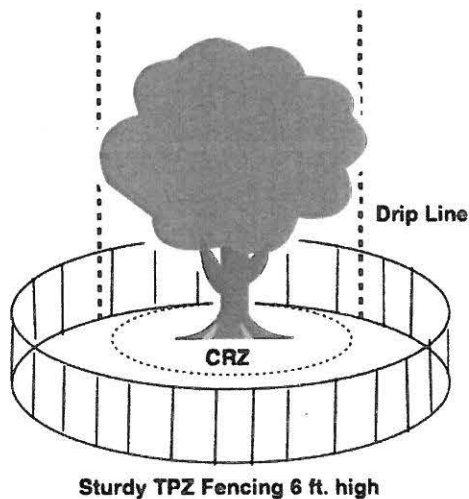


Figure 1: Tree protection distances

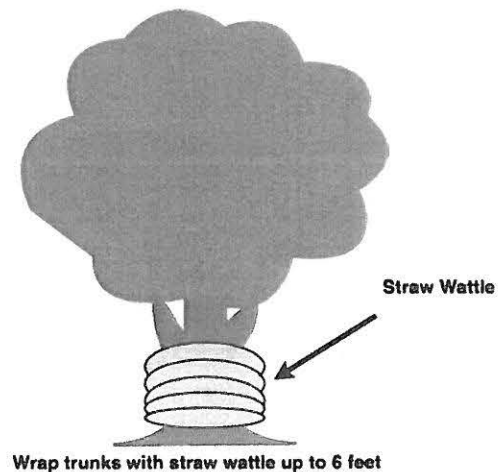


Figure 2: Trunk protection with straw wattle



Critical Root Zone

Because the trees will only be influenced on one side the CRZ will in effect be the TPZ for this project.

The critical root zone (CRZ) is the area of soil around the trunk of a tree where roots are located that provide stability and uptake of water and nutrients required for the tree's survival. The CRZ is the minimum distance from the trunk that trenching or root cutting can occur and will be defined by the trunk diameter as a distance of three times the DBH in feet, and preferably, five times (Smiley, E.T., Fraedrich, B. and Hendrickson, N. 2007). For example if the tree is two feet in diameter, the minimum CRZ distance would be six to ten feet from the stem on one side of the tree. The recommended maximum encroachment distance into the root zone of oaks on one side is five times the trunk diameter (Coate, B.)(Costello, L., Hagan, B., Jones, K. 2011)(Figure 3). Most of the trees that could be affected are located along the driveway at the top of the creek bank. New driveway construction will be the only impact on the trees.

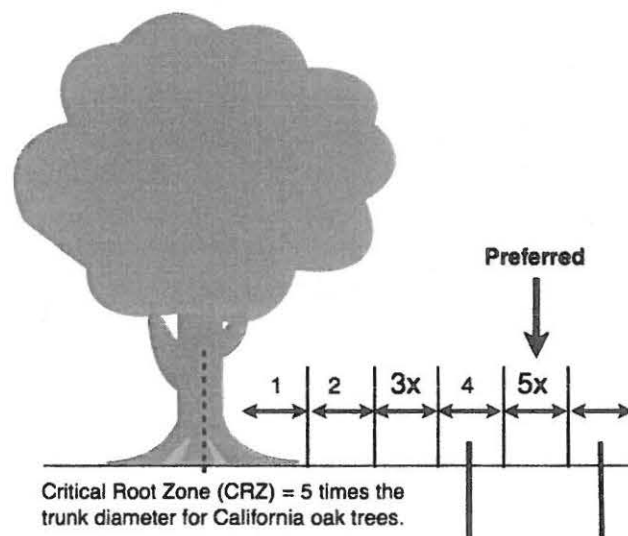


Figure 3: The image above depicts the preferred Critical Root Zone distance for oaks.



Conclusion

The property located at the end of Camino Del Cerro and adjacent properties contain twenty-seven trees comprised of eleven different species. The most commonly found species in the inventory is coast live oak, most of which are located adjacent to the driveway along the top of the creek bank. The blue gum eucalyptus (887) is the only tree considered a "Large Protected Tree" as defined in section 29.10.0955 Definitions of the municipal code. Most of the trees are in either fair or good condition, primarily because they are small volunteers that have not developed the same kinds of problems older trees develop. The willow (894) and silk (895) are both in poor shape and located along the north side of the driveway within the oleander hedge. The majority of trees have fair or good suitability for preservation and are small volunteers growing along the top of the creek bank adjacent to the existing driveway. In addition to the silk (895) and willow (894) I also considered the almond (885), black walnut (881) although it is on water district property, mock orange (896), and the blue gum eucalyptus (887) to be poorly suited for preservation. Eleven trees will be highly affected by the project, four of which are not protected by the ordinance. The trees highly influenced are all the fruit trees and mock orange along with the three silk, black walnut (889), willow (894), and blue gum eucalyptus (887). The trees growing along the top of the creek bank will not be affected depending on the new driveway construction. The fence along the driveway should remaining place during construction unless a new fence is to be erected prior to construction. This will protect the trees on the adjacent site. Most of the trees that could be affected are located along the driveway at the top of the creek bank. The removal of seven protected trees will result in a replanting mitigation plan to account for lost canopy cover. A total of twenty-five 24-inch box or a combination of five to seven 36-inch box in addition to ten or fourteen 24-inch specimens or would be required. The current plan indicates a total of twenty-two 24-inch box and five 15-gallon replacement trees are to be planted around the site.

Recommendations

1. Obtain all necessary permits prior to removing or significantly altering any trees.
2. Provide a replanting plant with the appropriate number and size of trees or mitigate the loss in canopy cover (Appendix F).
3. Maintain the current fence along the driveway to be used as tree protection or construct a new one prior to site development activity to be used as a Type I tree protection fence.
4. Construct the driveway out of porous materials and do not cut into the soil surface for sub-base treatment. Place new driveway on top of existing grade.



Bibliography

- American National Standard for Tree Care Operations: Tree, Shrub and Other Woody Plant Management : Standard Practices (Management of Trees and Shrubs During Site Planning, Site Development, and Construction)(Part 5). Londonderry, NH: Secretariat, Tree Care Industry Association, 2012. Print.
- ISA. *Glossary of Arboricultural Terms*. Champaign: International Society of Arboriculture, 2011. Print.
- Matheny, Nelda P. Trees and development: A technical guide to preservation of trees during land development. Bedminster, PA: International Society of Arboriculture, 1998.
- Smiley, E. Thomas, Fraedrich, Bruce R., and Hendrickson, Neil. *Tree Risk Management*. 2nd ed. Charlotte, NC: Bartlett Tree Research Laboratories, 2007.



Glossary of Terms

Defect: An imperfection, weakness, or lack of something necessary. In trees defects are injuries, growth patterns, decay, or other conditions that reduce the tree's structural strength.

Diameter at breast height (DBH): Measures at 1.4 meters (4.5 feet) above ground in the United States, Australia (arboriculture), New Zealand, and when using the Guide for Plant Appraisal, 9th edition; at 1.3 meters (4.3 feet) above ground in Australia (forestry), Canada, the European Union, and in UK forestry; and at 1.5 meters (5 feet) above ground in UK arboriculture.

Drip Line: Imaginary line defined by the branch spread or a single plant or group of plants.

Mechanical damage: Physical damage caused by outside forces such as cutting, chopping or any mechanized device that may strike the tree trunk, roots or branches.

Scaffold branches: Permanent or structural branches that form the scaffold architecture or structure of a tree.

Straw wattle: also known as straw worms, bio-logs, straw noodles, or straw tubes are man made cylinders of compressed, weed free straw (wheat or rice), 8 to 12 inches in diameter and 20 to 25 feet long. They are encased in jute, nylon, or other photo degradable materials, and have an average weight of 35 pounds.

Tree Protection Zone (TPZ): Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, especially during construction or development.

Tree Risk Assessment: Process of evaluating what unexpected things could happen, how likely it is, and what the likely outcomes are. In tree management, the systematic process to determine the level of risk posed by a tree, tree part, or group of trees.

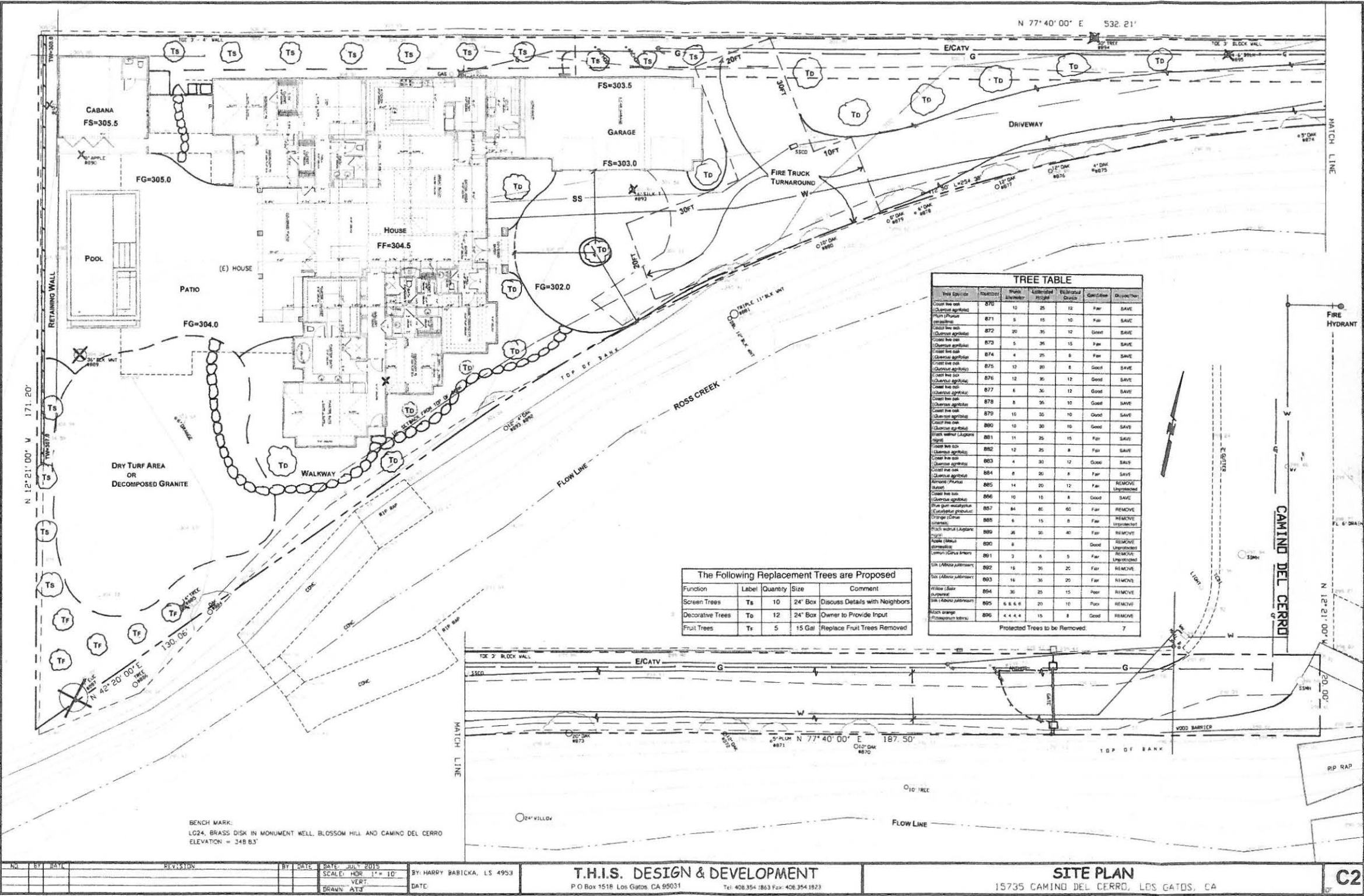
Trunk: Stem of a tree.

Volunteer: A tree, not planted by human hands, that begins to grow on residential or commercial property. Unlike trees that are brought in and installed on property, volunteer trees usually spring up on their own from seeds placed onto the ground by natural causes or accidental transport by people. Normally, volunteer trees are considered weeds and removed, but many desirable and attractive specimens have gone on to become permanent residents on many public and private grounds.

This Glossary of terms was adapted from the Glossary of Arboricultural Terms (ISA, 2011).



Appendix A: Tree Inventory and Site Map



Appendix B: Tree Inventory and Disposition Tables

Table 1: Tree Inventory, Assessment, Disposition

Tree Species	#	Trunk Diameter	~ Height	~ Crown Diameter	Condition	Suitability	Influence Level/ Remove or Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	870	10	25	12	Fair	Good	Low/ Retain	Protected
Plum (<i>Prunus cerasifera</i>)	871	5	15	10	Fair	Fair	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	872	20	35	12	Good	Good	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	873	5	35	15	Fair	Fair	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	874	4	25	8	Fair	Fair	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	875	12	20	8	Good	Good	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	876	12	35	12	Good	Good	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	877	6	35	12	Good	Good	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	878	8	35	10	Good	Good	Low/ Retain	Protected



Tree Species	#	Trunk Diameter	~ Height	~ Crown Diameter	Condition	Suitability	Influence Level/ Remove or Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	879	10	35	10	Good	Good	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	880	10	30	10	Good	Good	Low/ Retain	Protected
Black walnut (<i>Juglans nigra</i>)	881	11	25	15	Fair	Poor	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	882	12	25	8	Fair	Fair	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	883	4	30	12	Good	Good	Low/ Retain	Protected
Coast live oak (<i>Quercus agrifolia</i>)	884	8	20	8	Fair	Fair	Low/ Retain	Protected
Almond (<i>Prunus dulcis</i>)	885	14	20	12	Fair	Poor	High/ Remove	Not protected
Coast live oak (<i>Quercus agrifolia</i>)	886	10	15	8	Good	Good	Low/ Retain	Protected
Blue gum eucalyptus (<i>Eucalyptus globulus</i>)	887	84	80	60	Fair	Poor	High/ Remove	Protected
Orange (<i>Citrus sinensis</i>)	888	6	15	8	Fair	Fair	High/ Remove	Not protected

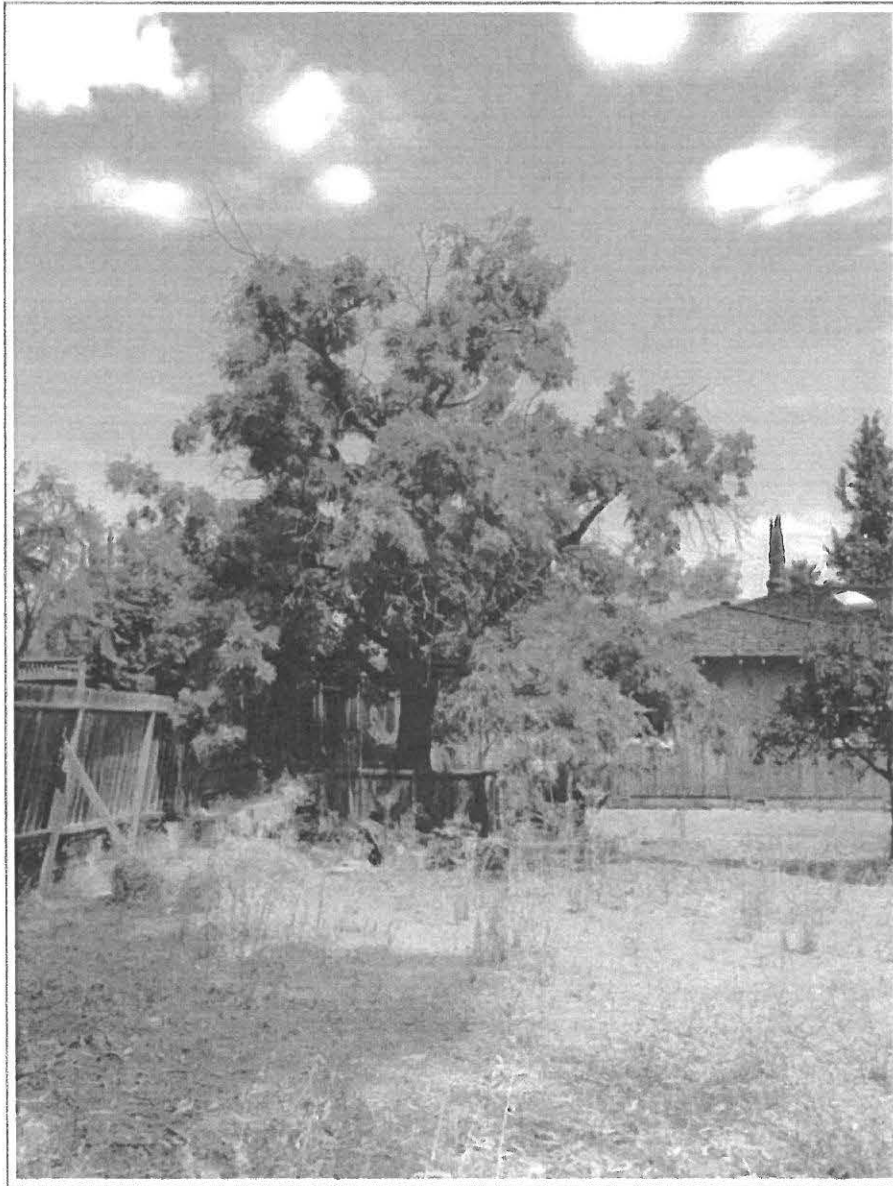


Tree Species	#	Trunk Diameter	~ Height	~ Crown Diameter	Condition	Suitability	Influence Level/ Remove or Retain	Protected
Black walnut (<i>Juglans nigra</i>)	889	36	35	40	Fair	Fair	High/ Remove	Protected
Apple (<i>Malus domestica</i>)	890	8	10	7	Good	Good	High/ Remove	Not protected
Lemon (<i>Citrus limon</i>)	891	3	6	5	Fair	Fair	High/ Remove	Not protected
Silk (<i>Albizia julibrissin</i>)	892	16	35	20	Fair	Fair	High/ Remove	Protected
Silk (<i>Albizia julibrissin</i>)	893	16	35	20	Fair	Fair	High/ Remove	Protected
Willow (<i>Salix purpurea</i>)	894	30	25	15	Poor	Poor	High/ Remove	Protected
Silk (<i>Albizia julibrissin</i>)	895	6, 6, 6, 6	20	10	Poor	Poor	High/ Remove	Protected
Mock orange (<i>Pittosporum tobira</i>)	896	4, 4, 4, 4	15	8	Good	Poor	High/ Remove	Not protected

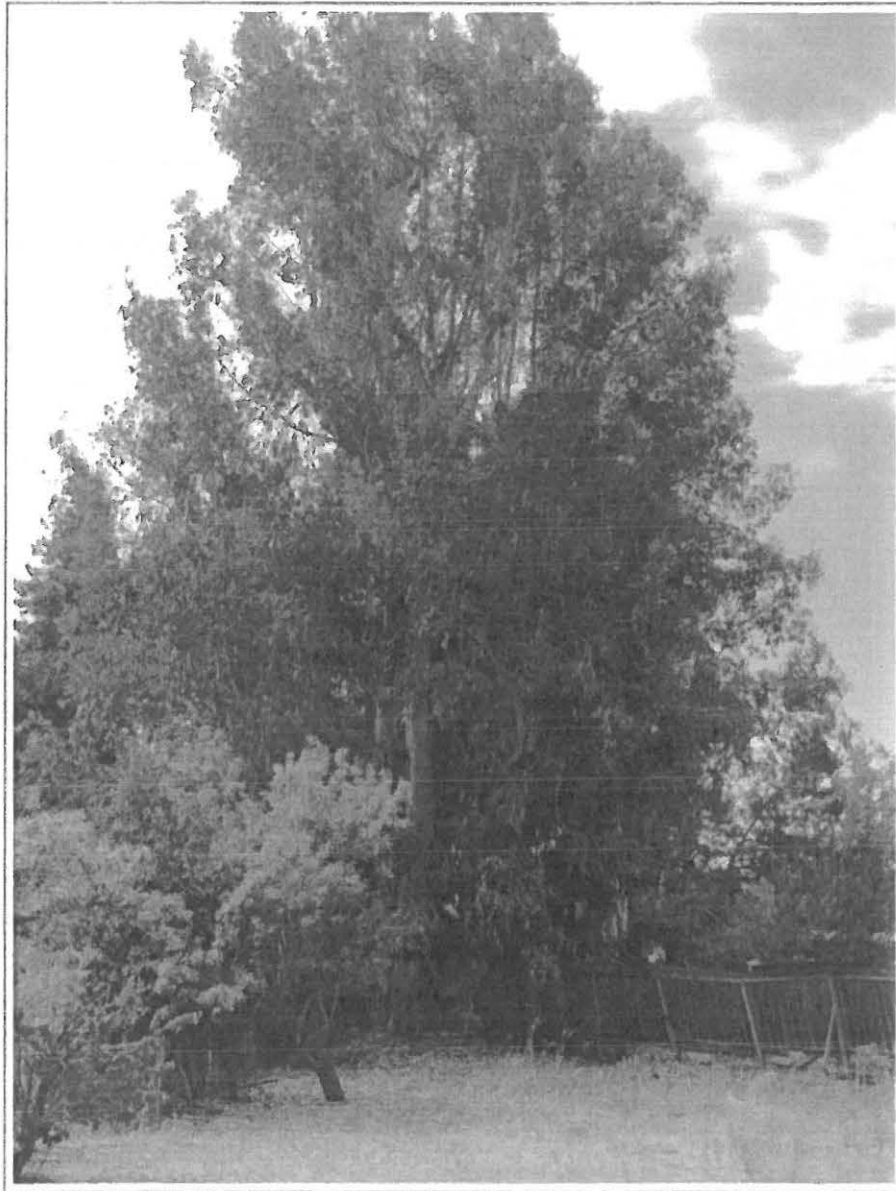


Appendix C: Photographs

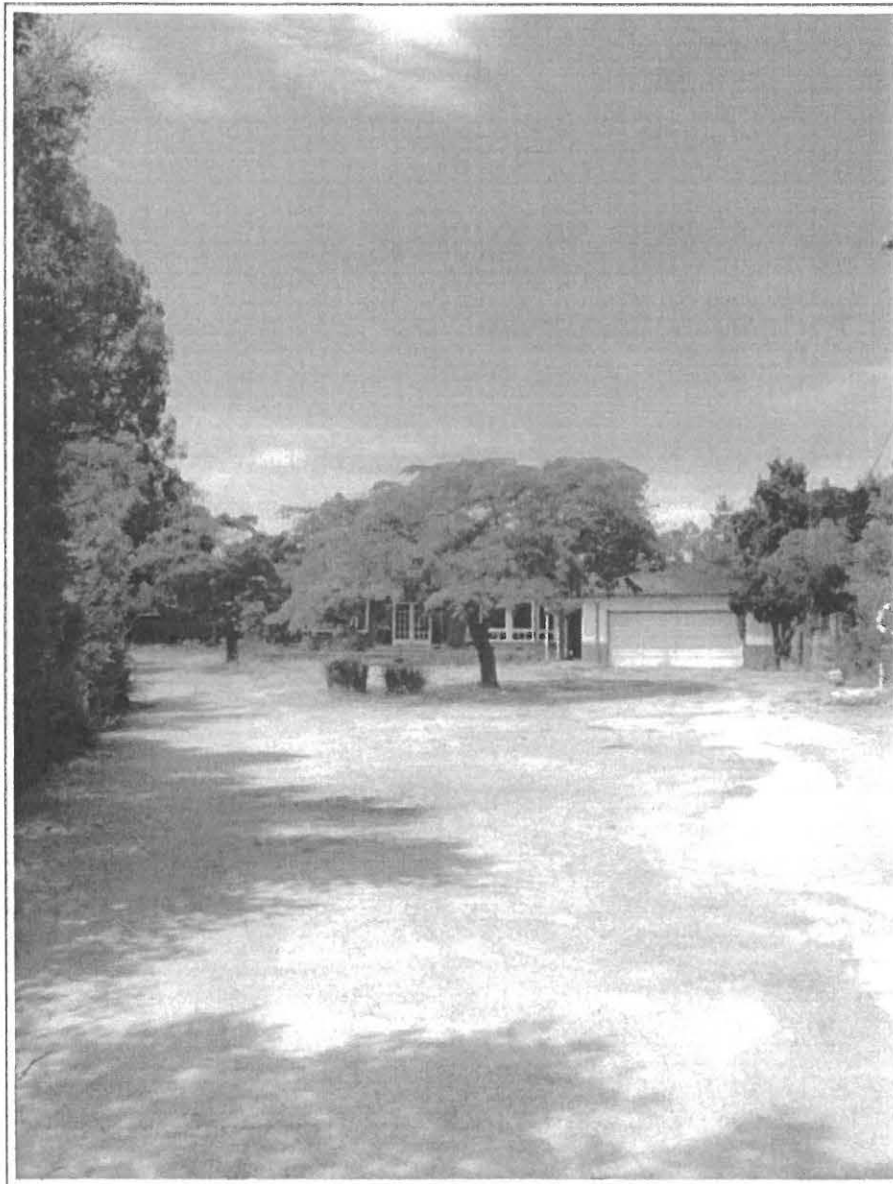
C1: black walnut 889



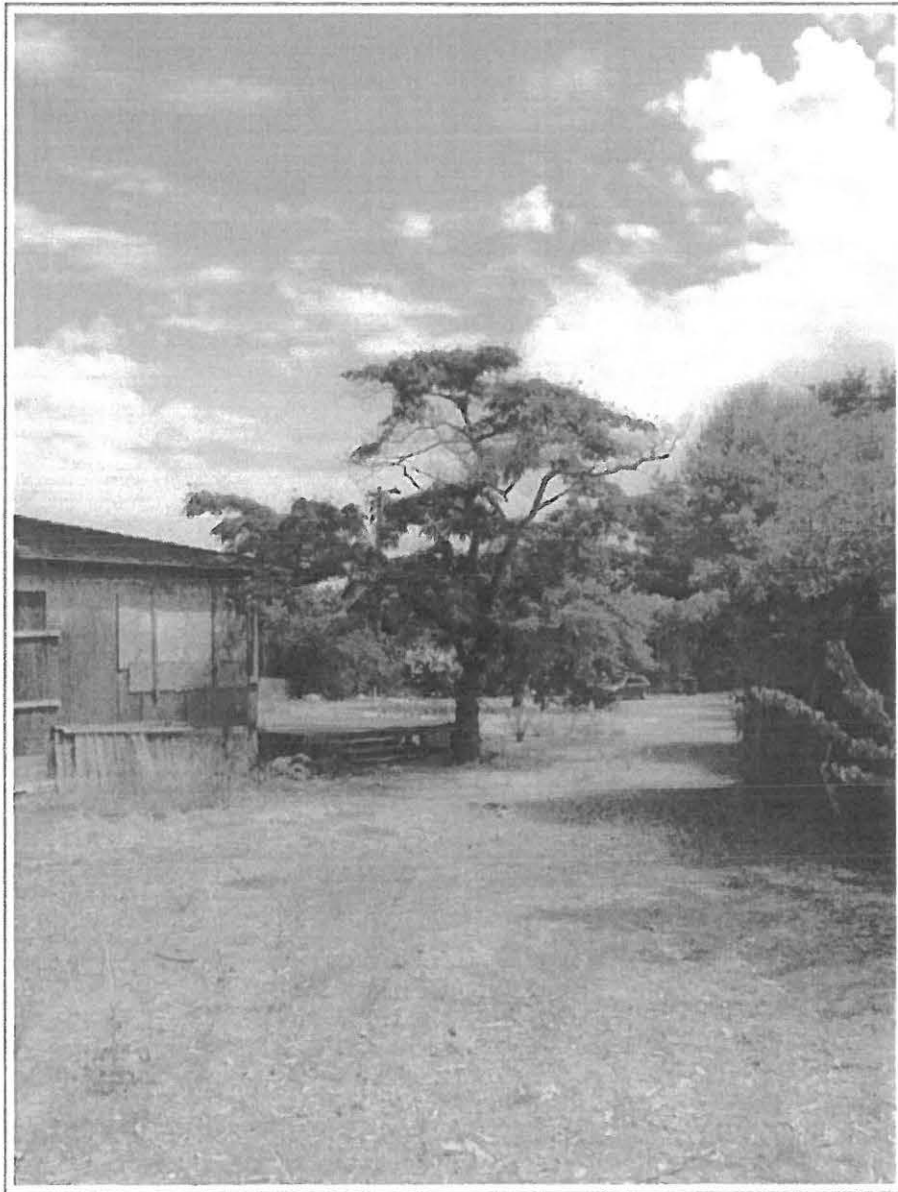
C2: Blue gum eucalyptus 887



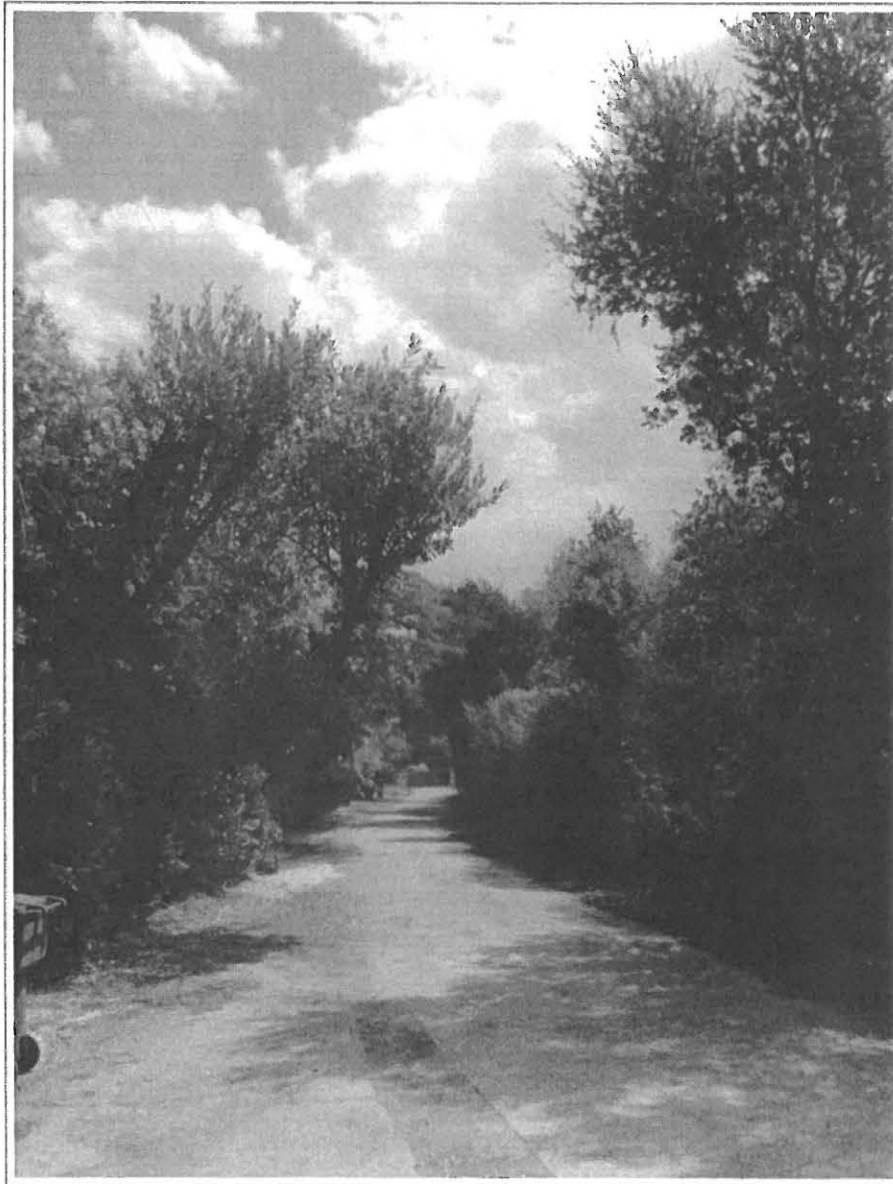
C3: Silk tree 893



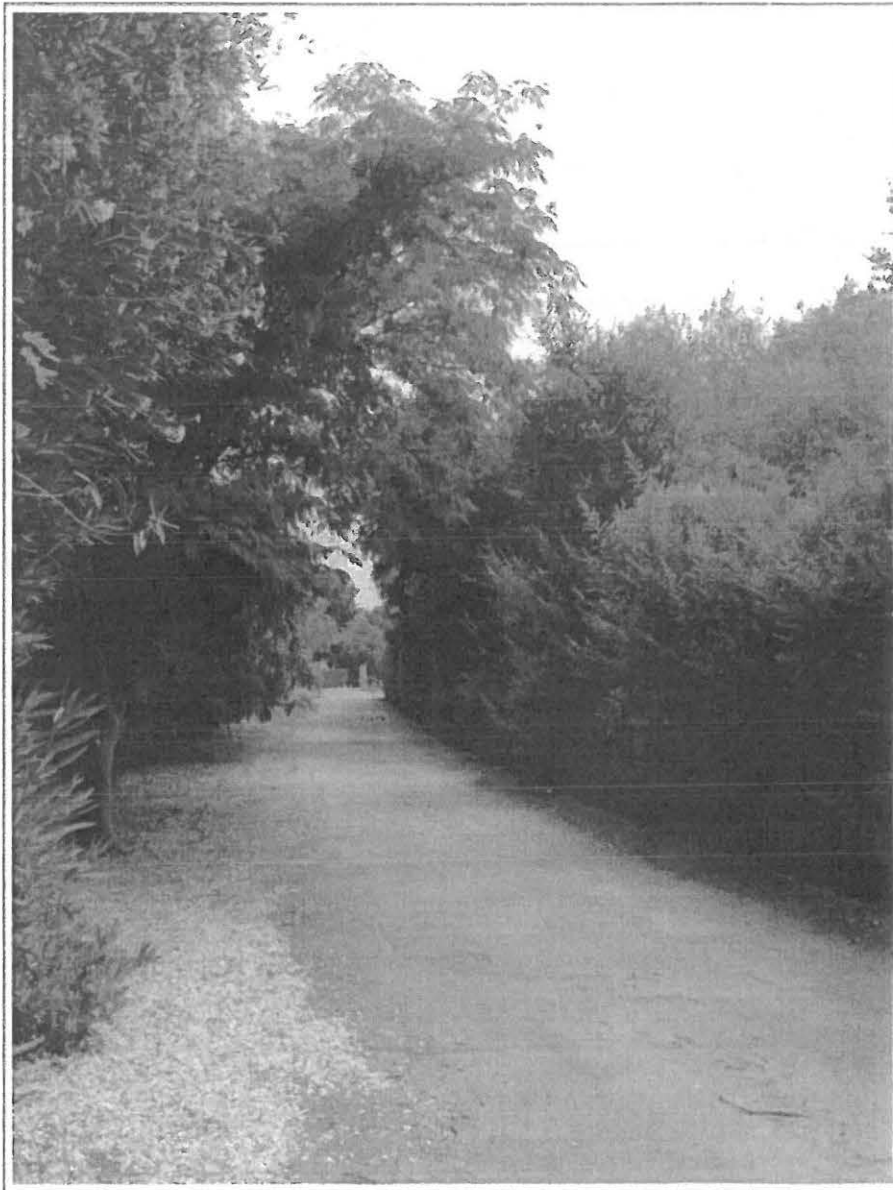
C4: Silk tree 892



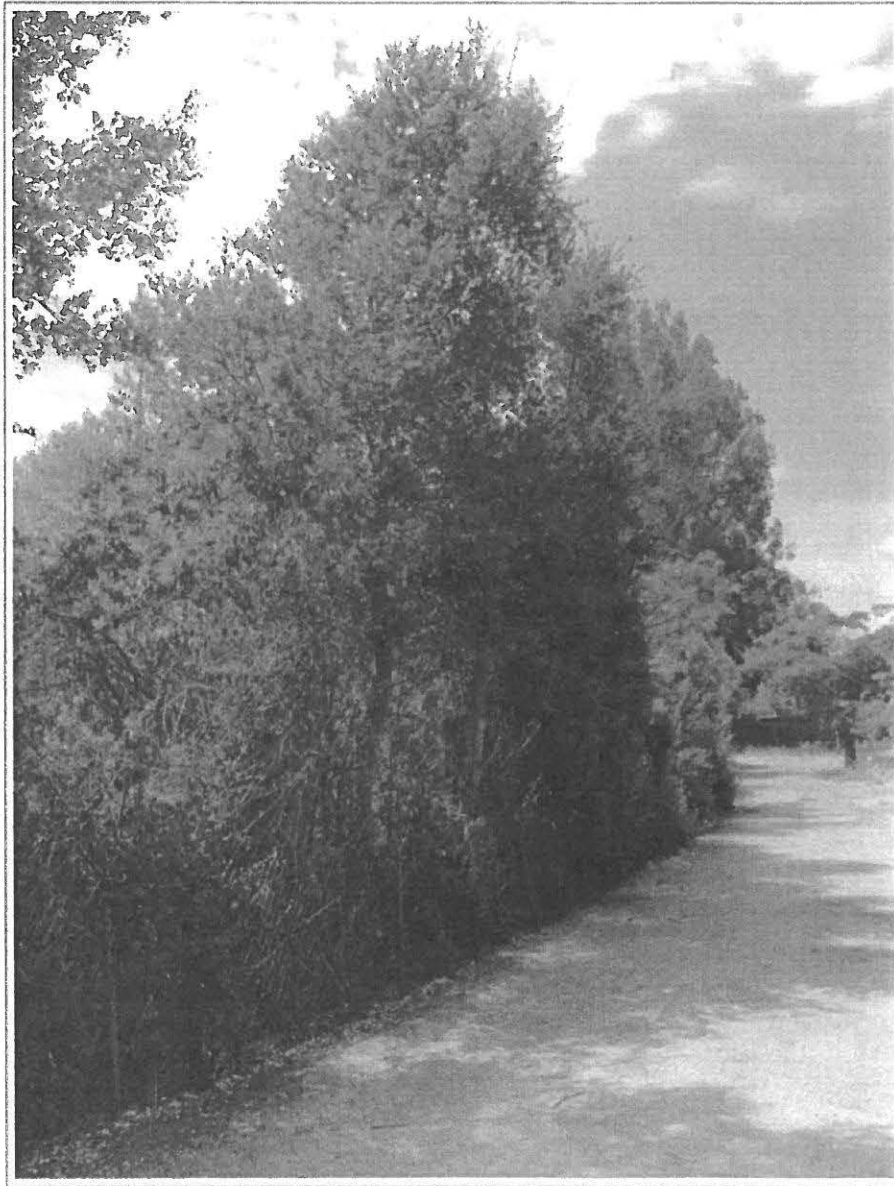
C5: Willow tree 894



C6: Silk tree 895



C7: Driveway



Appendix D: Tree protection specifications

Section 29.10.1005. - Protection of Trees During Construction states the following:

Tree Protection Zones and Fence Specifications

1. **Size and materials:** Six (6) foot high chain link fencing, mounted on two-inch diameter galvanized iron posts, shall be driven into the ground to a depth of at least two (2) feet at no more than ten-foot spacing. For paving area that will not be demolished and when stipulated in a tree preservation plan, posts may be supported by a concrete base.
2. **Area type to be fenced:** Type I: Enclosure with chain link fencing of either the entire dripline area or at the tree protection zone (TPZ), when specified by a certified or consulting arborist. Type II: Enclosure for street trees located in a planter strip: chain link fence around the entire planter strip to the outer branches. Type III: Protection for a tree located in a small planter cutout only (such as downtown): orange plastic fencing shall be wrapped around the trunk from the ground to the first branch with two-inch wooden boards bound securely on the outside. Caution shall be used to avoid damaging any bark or branches.
3. **Duration of Type I, II, III fencing:** Fencing shall be erected before demolition, grading or construction permits are issued and remain in place until the work is completed. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.
4. **Warning Sign:** Each tree fence shall have prominently displayed an eight and one-half-inch by eleven-inch sign stating: "Warning—Tree Protection Zone—This fence shall not be removed and is subject to penalty according to Town Code 29.10.1025." Text on the signs should be in both English and Spanish (Appendix E).

All persons, shall comply with the following precautions

1. Prior to the commencement of construction, install the fence at the dripline, or tree protection zone (TPZ) when specified in an approved arborist report, around any tree and/or vegetation to be retained which could be affected by the construction and prohibit any storage of construction materials or other materials, equipment cleaning, or parking of vehicles within the TPZ. The dripline shall not be altered in any way so as to increase the encroachment of the construction.
2. Prohibit all construction activities within the TPZ, including but not limited to: excavation, grading, drainage and leveling within the dripline of the tree unless approved by the Director.
3. Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the dripline of or in drainage channels, swales or areas that may lead to the dripline of a protected tree.
4. Prohibit the attachment of wires, signs or ropes to any protected tree.
5. Design utility services and irrigation lines to be located outside of the dripline when feasible.



6. Retain the services of a certified or consulting arborist who shall serve as the project arborist for periodic monitoring of the project site and the health of those trees to be preserved. The project arborist shall be present whenever activities occur which may pose a potential threat to the health of the trees to be preserved and shall document all site visits.
7. The Director and project arborist shall be notified of any damage that occurs to a protected tree during construction so that proper treatment may be administered.

Listed below are some additional tree protection measures:

Monitoring

Any trenching, construction or demolition that is expected to damage or encounter tree roots should be monitored by the project arborist or a qualified ISA Certified Arborist and should be documented.

The site should be evaluated by the project arborist or a qualified ISA Certified Arborist after construction is complete, and any necessary remedial work that needs to be performed should be noted.

Root Pruning

Roots greater than two inches in diameter shall not be cut. When roots over two inches in diameter are encountered and are authorized to be cut or removed, they should be pruned by hand with loppers, handsaw, reciprocating saw, or chain saw rather than left crushed or torn. Roots should be cut beyond sinker roots or outside root branch junctions and be supervised by the project arborist. When completed, exposed roots should be kept moist with burlap or backfilled within one hour.

Boring or Tunneling

Boring machines should be set up outside the drip line or established Tree Protection Zone. Boring may also be performed by digging a trench on both sides of the tree until roots one inch in diameter are encountered and then hand dug or excavated with an Air Spade® or similar air or water excavation tool. Bore holes should be adjacent to the trunk and never go directly under the main stem to avoid oblique (heart) roots. Bore holes should be a minimum of three feet deep.

Tree Pruning and Removal Operations

All tree pruning or removals should be performed by a qualified arborist with a C-61/D-49 California Contractors License. Treatment, including pruning, shall be specified according to ANSI A-300A standards and limitations and performed according to ISA Best Management Practices, and adhere to ANSI Z133.1 safety standards. Trees that need to be removed or pruned should be identified in the pre-construction walk through.



Appendix E: Tree Protection Signs

E1: English

Warning
Tree Protection Zone

This Fence Shall Not Be Removed
And Is Subject To Penalty According To
Town Code 29.10.1025



E2: Spanish

Cuidado Zona De Arbol Pretejido

**Esta valla no podrán ser sacados
Y está sujeta a sanción en función de
Código Ciudad del 29.101025**



Appendix F: Tree Removals and Mitigation

Tree Removal and Mitigation Requirements/Canopy Replacement

Species	#	Trunk Diameter	~ height	~ Crown Diameter	Disposition	Required Planting from table 3-1 §29.10.0985
Almond (<i>Prunus dulcis</i>)	885	14	20	12	Not protected/ Remove	N/A
Blue gum eucalyptus (<i>Eucalyptus globulus</i>)	887	84	80	60	Protected/ Remove	Ten 24 - inch box or Five-36 - inch box
Orange (<i>Citrus sinensis</i>)	888	6	15	8	Not protected/ Remove	N/A
Black walnut (<i>Juglans nigra</i>)	889	36	35	40	Protected/ Remove	Four 24 - inch box or Two - 36 inch box
Apple (<i>Malus domestica</i>)	890	8	10	7	Not protected/ Remove	N/A
Lemon (<i>Citrus limon</i>)	891	3	6	5	Not protected/ Remove	N/A
Silk (<i>Albizia julibrissin</i>)	892	16	35	20	Protected/ Remove	Three 24- inch box
Silk (<i>Albizia julibrissin</i>)	893	16	35	20	Protected/ Remove	Three 24- inch box
Willow (<i>Salix purpurea</i>)	894	30	25	15	Protected/ Remove	Three 24- inch box
Silk (<i>Albizia julibrissin</i>)	895	6, 6, 6, 6	20	10	Protected/ Remove	Two 24 -inch box
Mock orange (<i>Pittosporum tobira</i>)	896	4, 4, 4, 4	15	8	Not protected/ Remove	N/A



Qualifications, Assumptions, and Limiting Conditions

Any legal description provided to the consultant is assumed to be correct. Any titles or ownership of properties are assumed to be good and marketable. All property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

All property is presumed to be in conformance with applicable codes, ordinances, statutes, or other regulations.

Care has been taken to obtain information from reliable sources. However, the consultant cannot be responsible for the accuracy of information provided by others.

The consultant shall not be required to give testimony or attend meetings, hearings, conferences, mediations, arbitration, or trials by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

This report and any appraisal value expressed herein represent the opinion of the consultant, and the consultant's fee is not contingent upon the reporting of a specified appraisal value, a stipulated result, or the occurrence of a subsequent event.

Sketches, drawings, and photographs in this report are intended for use as visual aids, are not necessarily to scale, and should not be construed as engineering or architectural reports or surveys. The reproduction of information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is only for coordination and ease of reference. Inclusion of said information with any drawings or other documents does not constitute a representation as to the sufficiency or accuracy of said information.

Unless otherwise expressed: a) this report covers only examined items and their condition at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that structural problems or deficiencies of plants or property may not arise in the future.



Certification of Performance

I Richard Gessner, Certify:

That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and/or appraisal is stated in the attached report and Terms of Assignment;

That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That the analysis, opinions and conclusions stated herein are my own;

That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;

That no one provided significant professional assistance to the consultant, except as indicated within the report.

That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any other subsequent events;

I further certify that I am a Registered Consulting Arborist® with the American Society of Consulting Arborists, and that I acknowledge, accept and adhere to the ASCA Standards of Professional Practice. I am an International Society of Arboriculture Board Certified Master Arborist®. I have been involved with the practice of Arboriculture and the care and study of trees since 1998.

Richard J. Gessner



ASCA Registered Consulting Arborist® #496
ISA Board Certified Master Arborist® WE-4341B



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