At its meeting of _____, 2008, the Council of the City of Palo Alto approved the Site and Design Review for modifications to residential property at 810 Los Trancos Road in the City’s Open Space District ("the Property"), making the following findings, determination and declarations:

SECTION 1. Background. The City Council of the City of Palo Alto ("City Council") finds, determines, and declares as follows:

A. Bockholt Architecture, on behalf of Mr. Tim Brady and Ms. Kelly McGowan, property owners, have requested the City’s approval for a new 895 square foot accessory structure on the Property ("the Project.")

B. Following Staff review, the Planning and Transportation Commission reviewed the Project and recommended approval on February 27, 2008. The Planning and Transportation Commissions recommendations are contained in CMR:____:08 and the attachments to it.

SECTION 2. Environmental Review

The City as the lead agency for the Project has determined that the project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA) under Guideline section 15070, Decision to Prepare a Negative or Mitigated Negative Declaration. An environmental impact assessment was prepared for the project and it was determined that, with the implementation of mitigation measures, no potentially adverse impacts would result from the development, therefore, the project would have a less than significant impact on the environment. The Mitigated Negative Declaration was made available for public review beginning January 23, 2008 through February 15, 2008. The Environmental Impact Assessment and Mitigated Negative Declaration are contained in CMR: ____:03.

SECTION 3. Site and Design Review Findings

1. To ensure construction and operation of the use in a manner that will be orderly, harmonious, and compatible with existing or potential uses of adjoining or nearby sites.
City standards and regulations will help to ensure that the use, or operation, of the site will be conducted in a manner that is compatible with the single-family uses located in the immediate area. During construction, it is expected that there will be temporary impacts to the area in terms of construction-related noise, dust/debris and traffic. These impacts will be offset by applicable City construction standards, such as restrictions on hours of construction, the City's noise ordinance, and the mitigation measures found in the Mitigated Negative Declaration.

2. To ensure the desirability of investment, or the conduct of business, research, or educational activities, or other authorized occupations, in the same or adjacent areas.

As this site is located in, and surrounded by, single-family uses, the addition of a small accessory structure should not reduce the overall desirability of the immediate area. Accessory facilities and uses are expressly permitted in the Palo Alto Municipal Code, and can be found on other nearby open space (OS) properties, such as 610 Los Trancos Road.

3. To ensure that sound principles of environmental design and ecological balance shall be observed.

This application was subject to an environmental impact assessment (EIA), and it was determined that with appropriate mitigation measures, there will be no significant environmental impacts associated with the proposed development.

4. To ensure that the use will be in accord with the Palo Alto Comprehensive Plan.

This project will be in compliance with the intent of the Palo Alto Comprehensive Plan and applicable Open Space policies as they relate to development in the Open Space areas of the City.

SECTION 4. Site and Design Approvals Granted

Site and Design Approval is granted by the City Council under Palo Alto Municipal Code Section 18.30(G).070 for application 07PLN-00319, subject to the conditions of approval in Section 6 of this Record.

SECTION 5. Plan Approval

The plans submitted for Building Permit shall be in substantial conformance with those plans prepared by Bockholt Architecture titled "Brady/McGowan Guest House", consisting of 12 pages, dated October 15, 2007, revised October 22, 2007, January
31, 2008, and received February 5, 2008, except as modified to incorporate these conditions of approval. A copy of these plans is on file in the Department of Planning and Community Development. These conditions of approval shall be printed on the cover sheet of the plan set submitted with the Building Permit application.

SECTION 6. Conditions of Approval

Department of Planning and Community Environment

Planning and Transportation Division

1. The plans submitted for Building Permit shall be in substantial conformance with plans received on February 5, 2008, except as modified to incorporate the following conditions of approval and any additional conditions placed on the project by the Planning Commission or City Council. The following conditions of approval shall be printed on the cover sheet of the plan set submitted with the Building Permit application.

2. The approved building materials and color scheme shall be shown on the building permit drawings for all buildings, patios, fences, utilitarian enclosures and other landscape features.

3. Any proposed exterior lighting shall be shown on the final construction drawings and shall be subject to the review and approval of the Palo Alto Planning Division. All lighting shall be minimal and shall direct light down and shield light away from the surrounding residences and open space lands.

4. All new windows and glass doors shall be of a non-reflective material.

5. If during grading and construction activities, any archaeological or human remains are encountered, construction shall cease and a qualified archaeologist shall visit the site to address the find. The Santa Clara County Medical Examiner's office shall be notified to provide proper direction on how to proceed. If any Native American resources are encountered during construction, construction shall cease immediately until a Native American descendant, appointed by the Native American Heritage Commission of the State of California, is able to evaluate the site and make further recommendations and be involved in mitigation planning.

6. Ordinance Tree and Woodland Protection. The project proposes activity near the dripline of ordinance size oak trees, and requires mitigation to be consistent with Policy N-7 of the Palo Alto Comprehensive Plan. As a mitigation measure, all oaks and
adjacent trees surrounding the project shall be protected with Type I temporary fencing.

7. The final Plans submitted for building permit shall include the following notes on the relevant sheets:

   a. Sheet T-1 Tree Protection-it's Part of the Plan (http://www.cityofpaloalto.org/environment/urban_canopy.asp), complete the Tree Disclosure Statement and Inspection(s) #1-5 shall be checked.

   b. A note shall be applied to the site plan stating, "All measures identified in the Tree Protection Report on Sheet T-1 and the approved plans shall be implemented, including inspections and required watering of trees.

   c. Protective Tree Fencing Type. Delineate on grading plans, irrigation plans, site plans and utility plans, Type I fencing around Protected/Designated trees as a bold dashed line enclosing the Tree Protection Zone (per the approved Tree Preservation Report) as shown on Detail #605, Sheet T-1, and the City Tree Technical Manual, Section 6.35-Site Plans.

   d. All civil plans, grading plans, irrigation plans, site plans and utility plans civil and plan sheets shall include a note applying to the trees to be protected: "Regulated Tree--before working in this area contact the Project Site Arborist at 650-__________". Any variance from this procedure requires City Arborist approval, please call (650) 329-2441."

   e. Utility plan sheets shall include the following note: "Utility trenching shall not occur within the TPZ of a protected tree. Contractor shall be responsible for ensuring that no trenching occurs within the TPZ of the protected tree by the City crew or other contractors."

8. Mandatory tree protection practices during construction apply as follows:

   a. Tree Protection Statement. A written statement from the contractor verifying that the required protective fencing is in place shall be submitted to the Building Inspections Division prior to demolition, grading or building permit issuance. The fencing shall contain required warning sign and remain in place until final inspection of the project. Tree fencing shall be adjusted after demolition if necessary to increase the tree protection zone as required by the project arborist.

   b. The applicant shall be responsible for the repair or replacement of any publicly owned trees that are
damaged during the course of construction, pursuant to Section 8.04.070 of the Palo Alto Municipal Code.

c. The following general tree preservation measures apply to all trees to be retained: No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.

9. A Grassland & Oak Woodland Plan shall be implemented and perpetually maintained as follows:

a. Hydroseed grasses. Re-vegetate all soil areas that are disturbed and not a part of the formal landscape areas near the buildings with the City approved Hydroseed Mix for the Los Trancos Watershed Area before late November of the year. A soil building forbs shall be planted to build thin soils, where appropriate. The landscape plan shall reflect the respective areas of planting.

b. Sudden Oak Death Best Management Practices (SOD-BMP’s) shall be implemented during construction and perpetually thereafter. This area is under quarantine by the County of Santa Clara. The SOD-BMP’s shall be provided to current and future landscape or property maintenance contractors working on the property. [Link](http://www.city.palo-alto.ca.us/environment/default.asp).

10. Perimeter fencing shall be designed to not restrict wildlife movement through the project site. Planning Staff shall review and approve the proposed perimeter fence design prior to issuance of a building permit.

11. All site lighting changes associated with this approval, including the any footpath lighting, must be reviewed and approved by Planning Staff prior to issuance of Building permits.

12. Final color and material details must be submitted to Planning Staff for review and approval prior to issuance of Building permits. This is to include a revised color and material board that will be kept with the project file until completion of construction.

13. Prior to issuance of Building permits, the applicant shall submit a landscape preservation and maintenance plan for review and approval by the Planning Arborist. This plan should detail the protection measures to be employed during construction, how materials/equipment will reach the project site, and which landscaping will need to be replaced upon completion of construction.
Department of Public Works

Engineering Division

14. A grading permit will be required if the work includes more than 100 cubic yards of cut and/or fill outside of the building footprint. Include a table on the site plan showing the quantities of cut and fill.

15. The plan set must include a grading & drainage plan prepared by a licensed professional that includes existing and proposed spot elevations and drainage flow arrows to demonstrate proper drainage of the site. Adjacent grades must slope away from the house a minimum of 2%. Downspouts and splashblocks should be shown on this plan, as well as any site drainage features such as swales, inlets and outlets.

16. The City's full-sized "Pollution Prevention - It's Part of the Plan" sheet must be included in the plan set. Copies are available from Public Works at the Development Center or on our website.

17. The project will be creating or replacing 500 square feet or more of impervious surface. Accordingly, the applicant shall provide calculations of the existing and proposed impervious surface areas with the building permit application. The Impervious Area Worksheet for Land Developments form and instructions are available at the Development Center or on our website.

Recycling Division

18. Prior to issuance of building permit, project must submit Debris Management Plan to comply with PAMC Chapter 5.24- Requirement of salvage for reuse and recycling of construction and demolition debris. Salvaging building materials for reuse, prior to demolition, is required.

Fire Department

19. A fire sprinkler system shall be provided which meets the requirements of NFPA Standard No. 13, 2002 Edition. (PAMC15.04.160).

20. All mitigation measures identified by the Fire Department to address fire hazards on this site must be incorporated into the design.

Utilities Department

Electrical Engineering
21. Applicant/Developer must notify Utilities Engineering (Electric) if the proposed renovation/change of use has any impact on the existing electrical service size, voltage, or location. If there are any changes, the Utilities will provide comments and/or conditions along with any applicable fees and cost estimate.

Water, Gas, Wastewater

Prior to Submittal for Building Permits

22. The applicant shall submit a completed Utilities Application/Load Sheet for each unit for City of Palo Alto Utilities. The applicant must provide all the information requested for utility service demands (water in g.p.m.).

23. The applicant shall submit improvement plans for utility construction. The plans must show the size and location of all underground utilities within the development and the public right of way including meters, and any other required utilities.

Prior to Issuance of Building Permits

24. For contractor installed water mains or services, the applicant shall submit to the WGW engineering section of the Utilities Department two copies of the installation plans of water utilities The contractor shall also submit a complete schedule of work, method of construction and the manufacture's literature on the materials to be used for approval by the utilities engineering section. The applicant's contractor will not be allowed to begin work until the improvement plan and other submittals have been approved by the water, gas and wastewater engineering section.

25. The applicant shall pay the capacity fees and connection fees associated with the installation of the new utility service/s to be installed by the City of Palo Alto Utilities. The approved relocation of services, meters, hydrants, or other facilities will be performed at the cost of the person/entity requesting the relocation.

26. Each unit, parcel or place of business shall have its own water meter shown on the plans.

27. An approved double detector check valve shall be installed for the existing or new water connections for the fire system to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive. Double check detector check valves shall be installed on the owner's property adjacent to the property line. Show the location of the double detector check assembly on the plans. Inspection by the utilities
cross connection inspector is required for the supply pipe between the City connection and the assembly.

28. All utility installations shall be in accordance with the City of Palo Alto utility standards for water, gas & wastewater.

SECTION 7. Term of Approval

Site and Design Approval. In the event actual construction of the project is not commenced within two years of the date of City Council approval, the approvals shall expire and be of no further force or effect, pursuant to Palo Alto Municipal Code Section 18.30(G).080.

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST: APPROVED:

City Clerk

Director of Planning and
Community Environment

APPROVED AS TO FORM:

Senior Asst. City Attorney

PLANS AND DRAWINGS REFERENCED:

ENVIRONMENTAL CHECKLIST FORM
City of Palo Alto
Department of Planning and Community Environment

PROJECT DESCRIPTION  Request for Site and Design review of a new 895 square foot second-
dwelling unit. Zone District: OS.

1.  PROJECT TITLE

Brady/McGowan Guest House
810 Los Trancos Road
Palo Alto, California

2.  LEAD AGENCY NAME AND ADDRESS

City of Palo Alto
Department of Planning and Community Environment
250 Hamilton Ave.
Palo Alto, CA 94303

3.  CONTACT PERSON AND PHONE NUMBER

Paul Mennega
Planner, City of Palo Alto
650-617-3137

4.  PROJECT SPONSOR’S NAME AND ADDRESS

Lori Bockholt
1091 Peralta Dr
Albany, CA 94706

5.  APPLICATION NUMBER

07PLN-00319.

6.  PROJECT LOCATION

810 Los Trancos Road
Palo Alto, CA

Parcel Numbers: 182-36-029

The project site is located in the foothills of the Santa Cruz Mountains in the west of the City of Palo Alto, in the northern part of Santa Clara County, west of Interstate 280. This property is accessed via frontage onto Los Trancos Road.
7. **GENERAL PLAN DESIGNATION**

The General Plan designation is Open Space/ Controlled Development, per the Palo Alto 1998 - 2010 Comprehensive Plan. The proposed project, which includes the addition of an 895 square foot second-dwelling unit to a lot containing an existing single-family home, is consistent with the land use designation which allows for second-dwelling units when accessory to a single-family dwelling.

8. **ZONING**

810 Los Trancos is in the Open Space District (OS), regulated by the Palo Alto Municipal Code (PAMC) Chapter 18.28. The OS district is intended to: protect the public health, safety, and welfare; protect and preserve open space land as a limited and valuable resource; permit the reasonable use of open space land, while at the same time preserving and protecting its inherent open space characteristics to assure its continued availability for the following: as agricultural land, scenic land, recreation land, conservation or natural resource land; for the containment of urban sprawl and the structuring of urban development; and for the retention of land in its natural or near-natural state, and to protect life and property in the community from the hazards of fire, flood, and seismic activity; and; coordinate with and carry out federal, state, regional, county, and city open space plans. Single-family uses with associated second-dwelling units are a permitted use in this zone district.

9. **PROJECT DESCRIPTION**

The proposed project includes the addition of a single-story, 895 square foot second dwelling unit or ‘guest home’ to the 413,195 square foot site, already occupied by a 14 year old home with impervious coverage of 13,138 square feet. The guest home will consist of a great room, two bedrooms, one bath and associated external patios and landscaping. The location of the guest home was chosen to minimize the impacts of the development to the site with respect to grading and existing landscaping/screening elements. No trees are proposed to be removed during construction, and minimal grading will be needed as the chosen site area for the proposed structure is primarily a relatively flat garden. Materials and color have been chosen to reflect the natural surroundings of the site, and will be compatible with the existing on-site improvements.

10. **SURROUNDING LAND USES AND SETTING**

The 10 acre project site is located in the Palo Alto Foothills. The site is located amid areas predominately characterized by publicly and privately owned open space. The property is bordered by the Town of Portola Valley to the West, 820 Los Trancos Road to the East and South, and 856 Los Trancos Road to the North. The existing site contains a large single-family home on a relatively flat portion of the property. The proposed structure will occupy an adjacent relatively flat area that is currently being used as a private garden. Views from the portion of the site to be improved and constructed are to the West towards Portola Valley, specifically the valley occupied by Alpine Road. The site, along with 820 and 830 Los Trancos Road, is accessed from a private shared access lane that tracks east off of Los Trancos Road and climbs up to the three sites.

11. **OTHER PUBLIC AGENCIES**

- County of Santa Clara, Office of the County Clerk-Recorder
ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. [A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).]

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

4) “(Mitigated) Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, “Earlier Analysis,” may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (C)(3) (D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:
   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.
DISCUSSION OF IMPACTS

The following Environmental Checklist was used to identify environmental impacts, which could occur if the proposed project is implemented. The left-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of the checklist. Discussions of the basis for each answer and a discussion of mitigation measures that are proposed to reduce potential significant impacts are included.

A. AESTHE TICS

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>a) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>1,2,5</td>
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<td>X</td>
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<tr>
<td>b) Have a substantial adverse effect on a public view or view corridor?</td>
<td>1,2-MapL4,5</td>
<td></td>
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<td>X</td>
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<tr>
<td>c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td>1,2-MapL4</td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>d) Violate existing Comprehensive Plan policies regarding visual resources?</td>
<td>2,5</td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>e) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td>1,2,5</td>
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<td>X</td>
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</tr>
<tr>
<td>f) Substantially shadow public open space (other than public streets and adjacent sidewalks) between 9:00 a.m. and 3:00 p.m. from September 21 to March 21?</td>
<td>1,2,5</td>
<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

DISCUSSION:
The project site is located in the northwest portion of Santa Clara County on the eastern slope of the Santa Cruz Mountains in the City of Palo Alto. The topography of the site consists of relatively steep slopes with the site sloping upwards from the Los Trancos Road adjacent property line to the top, or rear of the property, accessed via the shared private lane. The site is heavily vegetated with oak woodland.

The site is a single parcel developed with a single family home. The new secondary unit will be directly to the West of the existing home, and will not incorporate any new driveway paving.

The proposed structure will be seen from Alpine Road in Portola Valley. Site development will occur on the upper portion of the site, which has a natural slope down and away from the structure, so development will be potentially visible from the opposite side of the valley occupied by Los Trancos Road. Taking advantage of an existing terraced and improved area of the site, the proposed structure will require minimal new grading, using moderate cut and fill techniques to attempt to minimize the height, visibility and impact of the structure relative to its surroundings.

The building materials will blend with the surroundings and the existing structures. Natural stone (Chief Clifton) will be used for the retaining walls that are to be added. Muted, natural colors have been chosen for both the
siding and stucco that will constitute the majority of the wall areas that may be visible from both on and off-site. A non-reflective roofing material, 'barkwood' composite shingles have been chosen to help negate any sun reflection issues that may naturally arise at given times during the daylight hours. All materials have been chosen to ensure consistency in the choice of materials with the existing single-family home.

Very little new hardscape is being proposed with this project as this second unit will be accessed from the main home by an existing permeable footpath. A small amount of impervious paving will be added, mainly for required access landings and the front entry. Overall, the project will not exceed the maximum impervious area permitted in this zone district (see section I, Land Use Planning).

Substantial vegetation, including native Oak trees, surrounds the project and helps to screen the building and minimal hardscape as viewed from off site. No trees or any other natural screening will be removed in association with this development. In addition to the vegetation, the structure will be sited on an existing flat area, helping to maximize the natural screening.

The development of the site may result in light and glare generated from within the building and glazing on the building. With the City’s standard condition of approval, the light and glare impacts of the project will not be significant. A detailed lighting plan that is sensitive to adjacent land use will be required as a condition of approval. The conditions of approval will require the shielding of lighting such that the light does not extend beyond the site, the lighting will be directional, and that the source of light in not directly visible.

The project submittal includes full architectural and landscaping plans, site sections, color palette, material samples, and story poles erected on site. The project will be reviewed by the Planning Commission and City Council to ensure that the potential aesthetic impacts will be mitigated by the projects screening features which include large mature trees, such as Oaks, and a minimal presentation to the valley below.

Mitigation Measures:

Mitigation Measure A-1: The project will be reviewed by the Planning Commission and City Council to ensure that the potential aesthetic impacts will be mitigated.

Mitigation Measure A-2: All new windows and glass doors shall be of a non-reflective material.

Mitigation Measure A-3: Any proposed exterior lighting shall be shown on the final construction drawings and shall be subject to the review and approval of the Palo Alto Planning Division. All lighting shall be minimal and shall direct light down and shield light away from the surrounding residences and open space lands.

Significance after Mitigation:

Less than significant.

B. AGRICULTURAL RESOURCES
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.
<table>
<thead>
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<td>Would the project:</td>
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<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td>1,10</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td>1,2-Map L9,11</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?</td>
<td>1,2</td>
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<td></td>
<td>X</td>
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</tbody>
</table>

**DISCUSSION:**

The site is not located in a “Prime Farmland”, “Unique Farmland”, or “Farmland of Statewide Importance” area, as shown on the maps prepared for the Farmland Mapping and Monitoring Program of the California Resources Agency. The site is not zoned for agricultural use, and is regulated by the Williamson Act.

**Mitigation Measures:**

None required.

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**C. AIR QUALITY**

<table>
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<td>a) Conflict with or obstruct with implementation of the applicable air quality plan (1982 Bay Area Air Quality Plan &amp; 2000 Clean Air Plan)?</td>
<td>1,2</td>
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<td></td>
<td>X</td>
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<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation indicated by the following:</td>
<td>1,2</td>
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<td>X</td>
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<tr>
<td>i. Direct and/or indirect operational emissions that exceed the Bay Area Air Quality Management District (BAAQMD) criteria air pollutants of 80 pounds per day and/or 15 tons per year for nitrogen oxides (NO), reactive organic gases (ROG), and fine particulate matter of less than 10 microns in diameter (PM$_{10}$);</td>
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<td>X</td>
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<tr>
<td>ii. Contribute to carbon monoxide (CO) concentrations exceeding the State Ambient Air Quality Standard of nine parts per million (ppm) averaged over eight hours or 20 ppm for one hour( as demonstrated by CALINE4 modeling,</td>
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<td>X</td>
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<td>which would be performed when a) project CO emissions exceed 550 pounds per day or 100 tons per year; or b) project traffic would impact intersections or roadway links operating at Level of Service (LOS) D, E or F or would cause LOS to decline to D, E or F; or c) project would increase traffic volumes on nearby roadways by 10% or more?</td>
<td></td>
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</tr>
<tr>
<td>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
<td>1,2,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial levels of toxic air contaminants?</td>
<td>1,2,12</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>i. Probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds 10 in one million</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>ii. Ground-level concentrations of non-carcinogenic TACs would result in a hazard index greater than one (1) for the MEI</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>g) Not implement all applicable construction emission control measures recommended in the Bay Area Air Quality Management District CEQA Guidelines?</td>
<td>1,2,3</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**
The City of Palo Alto uses the Bay Area Air Quality Management District's (BAAQMD) thresholds of significance for air quality impacts, as follows:

**Construction Impacts:** The proposed project will involve grading, paving, and landscaping which has the potential to cause localized dust related impacts resulting in increases in airborne particulate matter. Dust related impacts are considered potentially significant but can be mitigated with the application of standard dust control measures.

**Long Term Impacts:** Long-term and operational project emissions would stem primarily from motor vehicles associated with the proposed project. The project is not expected to result in a significant number of new vehicle trips. Therefore, long-term air-quality impacts related to motor vehicle operation are expected to be less than significant.

Sensitive receptors are defined as children, elderly, or ill people who can be adversely affected by air quality problems. The project is on 10 acres and is not immediately adjacent to dense housing or other sensitive receptors. The project is not expected to have a significant impact.
The proposed project, a residential use, does not typically create objectionable odors affecting a substantial number of people. The project is not expected to not create objectionable odors when the project is complete. The project would be subject to the following City’s standard conditions of approval:

The following controls shall be implemented for the duration of project construction to minimize dust related construction impacts:
- All active construction areas shall be watered at least twice daily.
- All trucks hauling soil, sand, and loose materials shall be covered or shall retain at least two feet of freeboard.
- All paved access roads, parking areas, and staging areas at the construction site shall be swept and watered daily.
- Submit a plan for the recovery/recycling of demolition waste and debris before the issuance of a demolition permit.
- Sweep streets daily if visible soil material is carried onto adjacent public streets.

Mitigation Measures:

None required.

D. BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
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<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td>1,2-MapN1</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, including federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td>1,2-MapN1</td>
<td></td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>c) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td>1,2-MapN1</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or as defined by the City of Palo Alto’s Tree Preservation Ordinance (Municipal Code Section 8.10)?</td>
<td>1,2,5,9,1 2</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Issues and Supporting Information Resources</td>
<td>Sources</td>
<td>Potentially Significant Issues</td>
<td>Potentially Significant Unless Mitigation Incorporated</td>
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<td>No Impact</td>
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<tr>
<td>Would the project:</td>
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<tr>
<td>e) Conflict with any applicable Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

While the project site is within a rural area that generally supports sensitive habitat, the project site does not include wetlands or riparian habitat, nor is the site adjacent to any wetlands, waterway, or other sensitive habitat. In fact, the project site is a small area directly adjacent to a previously approved home that is currently occupied by a planted garden with associated terracing. As this area is currently improved and used as a garden, and thus is not an area that would be considered as in a ‘natural’ state, it is not expected that any local flora and fauna would be negatively affected by the proposed development.

The proposed project is not expected to remove any of the existing trees as a result of construction. A standard condition of approval would ensure the project meets the City’s tree protection requirements. Chapter 8.10.050(b) of the Palo Alto Municipal Code states that protected trees shall not be removed from a single family residential lot (not in connection with a subdivision) unless the trunk or basal flare of the protected tree is touching or within the building footprint. However, if removal is allowed because the tree trunk or basal flare is located in the building footprint; the tree removed shall be replaced in accordance with the standards in the Tree Technical Manual.

**Mitigation Measures:**

**Mitigation Measure D-1:** Ordinance Tree and Woodland Protection. The project proposes activity near the dripline of ordinance size oak trees, and requires mitigation to be consistent with Policy N-7 of the Palo Alto Comprehensive Plan. As a mitigation measure, all oaks and adjacent trees surrounding the project shall be protected with Type I temporary fencing and the following measures.

**Mitigation Measure D-2:** The final Plans submitted for building permit shall include the following notes on the relevant sheets:

a. Sheet T-1. Tree Protection-it's Part of the Plan (http://www.cityofpaloalto.org/environment/urban_canopy.asp), complete the Tree Disclosure Statement and Inspection(s) #1-5 shall be checked.

b. A note shall be applied to the site plan stating, "All measures identified in the Tree Protection Report on Sheet T-1 and the approved plans shall be implemented, including inspections and required watering of trees.

c. Protective Tree Fencing Type. Delineate on grading plans, irrigation plans, site plans and utility plans, Type I fencing around Protected/Designated trees as a bold dashed line enclosing the Tree Protection Zone (per the approved Tree Preservation Report) as shown on Detail #605, Sheet T-1, and the City Tree Technical Manual, Section 6.35-Site Plans.

d. All civil plans, grading plans, irrigation plans, site plans and utility plans civil and plan sheets shall include a note applying to the trees to be protected: "Regulated Tree--before working in this area contact the Project Site Arborist at 650-_________”. Any variance from this procedure requires City Arborist approval, please call (650) 329-2441.”
e. Utility plan sheets shall include the following note: “Utility trenching shall not occur within the TPZ of a protected tree. Contractor shall be responsible for ensuring that no trenching occurs within the TPZ of the protected tree by the City crew or other contractors.”

Mitigation Measure D-3: Mandatory tree protection practices during construction apply as follows:

a. Tree Protection Statement. A written statement from the contractor verifying that the required protective fencing is in place shall be submitted to the Building Inspections Division prior to demolition, grading or building permit issuance. The fencing shall contain required warning sign and remain in place until final inspection of the project. Tree fencing shall be adjusted after demolition if necessary to increase the tree protection zone as required by the project arborist.

b. The applicant shall be responsible for the repair or replacement of any publicly owned trees that are damaged during the course of construction, pursuant to Section 8.04.070 of the Palo Alto Municipal Code.

c. The following general tree preservation measures apply to all trees to be retained: No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.

Mitigation Measure D-4: A Grassland & Oak Woodland Plan shall be implemented and perpetually maintained as follows:

a. Hydroseed grasses. Re-vegetate all soil areas that are disturbed and not a part of the formal landscape areas near the buildings with the City approved Hydroseed Mix for the Los Trancos Watershed Area before late November-of the year. A soil building forbs shall be planted to build thin soils, where appropriate. The landscape plan shall reflect the respective areas of planting.

b. Sudden Oak Death Best Management Practices (SOD-BMP’s) shall be implemented during construction and perpetually thereafter. This area is under quarantine by the County of Santa Clara. The SOD-BMP’s shall be provided to current and future landscape or property maintenance contractors working on the property. http://www.city.palo-alto.ca.us/environment/default.asp.

Mitigation Measure D-5: Perimeter fencing shall be designed to not restrict wildlife movement through the project site. Planning Staff shall review and approve the proposed perimeter fence design prior to issuance of a building permit.

Significance after Mitigation:

Less than significant.

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### E. CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources Would the project:</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Directly or indirectly destroy a local cultural resource that is recognized by City Council resolution?</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?</td>
<td>1,2-MapL8</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique</td>
<td>1,2-MapL8</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

810 Los Trancos Road 07PLN-00319 Page 10 Mitigated Negative Declaration
<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
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<th>No Impact</th>
</tr>
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<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>geologic feature?</td>
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</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>1,2-MapL8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Adversely affect a historic resource listed or eligible for listing on the National and/or California Register, or listed on the City’s Historic Inventory?</td>
<td>1,2 MapL7</td>
<td></td>
<td></td>
<td>X</td>
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</tr>
<tr>
<td>f) Eliminate important examples of major periods of California history or prehistory?</td>
<td>1</td>
<td></td>
<td></td>
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<td>X</td>
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</tbody>
</table>

**DISCUSSION:**

The Comprehensive Plan indicates that the site is in a moderate archaeological resource sensitivity zone. Although existing and historic development has altered the native landscape, the potential exists that now-buried Native American sites could be uncovered in future planning area construction.

**Mitigation Measures:**

**Mitigation Measure E-1:** If during grading and construction activities, any archaeological or human remains are encountered, construction shall cease and a qualified archaeologist shall visit the site to address the find. The Santa Clara County Medical Examiner’s office shall be notified to provide proper direction on how to proceed. If any Native American resources are encountered during construction, construction shall cease immediately until a Native American descendant, appointed by the Native American Heritage Commission of the State of California, is able to evaluate the site and make further recommendations and be involved in mitigation planning.

**Significance after Mitigation:**

Less than significant.

<table>
<thead>
<tr>
<th>F. GEOLOGY, SOILS AND SEISMICITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issues and Supporting Information Resources</td>
</tr>
<tr>
<td>Would the project:</td>
</tr>
<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
</tr>
<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
</tr>
</tbody>
</table>
DISCUSSION:
Construction of the new building and site improvements will require extensive grading and will increase the amount of impervious surface area. The Geotechnical Investigation Report prepared in May, 1998 for the area of proposed construction on the project site has been certified by the original author of this report as being applicable to the current project. Conditions of approval will require the submittal of this report with all applicable building permit applications.

The entire state of California is in a seismically active area and the site is located in a strong seismic risk area, subject to strong ground shaking in the event of an earthquake. Seismic ground failure, including liquefaction and subsidence of the land are possible, but not likely at the site. No known faults cross the project site, therefore fault rupture at the site is very unlikely, but theoretically possible. All new construction will be required to comply with the provisions of the most current Uniform Building Code (UBC), portions of which are directed at minimizing seismic risk and preventing loss of life and property in the event of an earthquake.

The City’s required standard conditions of approval ensure that potential impacts on erosion and soil will not be significant. Project conditions of approval will require the applicant to submit a final grading and drainage plan subject to review by the Department of Public Works prior to issuance of any grading and building permits.

Mitigation Measures:

**Mitigation Measure F-1:** Implementation of the construction techniques and erosion control measures required by the City of Palo Alto Public Works Department, would reduce the geotechnical impacts to a less than significant level. Such measures include:

- A grading permit will be required if the work includes more than 100 cubic yards of cut and/or fill outside of the building footprint. Include a table on the site plan showing the quantities of cut and fill.
- The plan set must include a grading & drainage plan prepared by a licensed professional that includes existing and proposed spot elevations and drainage flow arrows to demonstrate proper drainage of the site. Adjacent grades must slope away from the house a minimum of 2%. Downspouts and splashblocks should be shown on this plan, as well as any site drainage features such as swales, inlets and outlets.

**Significance after Mitigation:**

Less than significant.

---

### G. HAZARDS AND HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routing transport, use, or disposal of hazardous materials?</td>
<td>5</td>
<td></td>
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<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>1,2,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Construct a school on a property that is subject to hazards from hazardous materials contamination, emissions or accidental release?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td>1,2, MapN9</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>g) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working the project area?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>h) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>1,2, MapN7</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>i) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are</td>
<td>2-MapN7</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>k) Create a significant hazard to the public or the environment from existing hazardous materials contamination by exposing future occupants or users of the site to contamination in excess of soil and ground water cleanup goals developed for the site?</td>
<td>1,5,12</td>
<td></td>
<td>X</td>
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</tbody>
</table>

**DISCUSSION:**

The project is within a high fire danger area due to the dense vegetation in the area. To help mitigate the risks of exposure to wildland fires, a mitigation measure, detailed below, has been included requiring that the structure be sprinkled for fire protection.

No known hazardous materials are currently being used, stored, or disposed of on or adjacent to the project site. In addition, the land has not been previously used for agriculture or any other operations that would require the use, storage or disposal of hazardous materials on the site.

**Mitigation Measures:**

**Mitigation Measure G-1:** A fire sprinkler system shall be provided which meets the requirements of NFPA Standard No. 13, 2002 Edition. (PAMC15.04.160)

**Mitigation Measure G-2:** All mitigation measures identified by the Fire Department to address fire hazards on this site must be incorporated into the design.

**Significance after Mitigation:**

Less than significant.

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### H. HYDROLOGY AND WATER QUALITY

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources Would the project:</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>1,2,5,12</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
<td>2-MapN2</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
<td>1,2,5,6,12</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d) Substantially alter the existing drainage pattern</td>
<td>1,5,12</td>
<td></td>
<td></td>
<td>X</td>
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</tr>
</tbody>
</table>
of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

i) Expose people or structures to a significant risk of loss, injury or death involve flooding, including flooding as a result of the failure of a levee or dam or being located within a 100-year flood hazard area?

j) Inundation by seiche, tsunami, or mudflow?

k) Result in stream bank instability?

DISCUSSION:
Groundwater was not encountered in the exploratory borehole that was drilled to a maximum depth of 25.5 feet by GeoForensics. However, groundwater conditions at other locations or other times, or different weather conditions may differ from those encountered in the test borehole. Groundwater seepage may exist within the zone penetrated by the boring, especially at shallow depths during periods of heavy rain or late in the winter. Based on the information to date, construction during the dry season is not expected to adversely affect (or be affected by) groundwater. Additionally, City of Palo Alto Public Works requirements, which will be implemented prior to issuance of the Building Permit (included in section F of this declaration as mitigation measure F-1), will help to negate negative impacts of the development on existing drainage patterns. Therefore, expected impacts will be less than significant.

Mitigation Measures:

None required.

I. LAND USE AND PLANNING

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>a) Physically divide an established community?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Conflict with any applicable land use plan,</td>
<td>1,2,3,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Issues and Supporting Information Resources</td>
<td>Sources</td>
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<tr>
<td>Would the project:</td>
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<tr>
<td>policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Substantially adversely change the type or intensity of existing or planned land use in the area?</td>
<td>1,2,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) Conflict with established residential, recreational, educational, religious, or scientific uses of an area?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>g) Convert prime farmland, unique farmland, or farmland of statewide importance (farmland) to non-agricultural use?</td>
<td>1,10</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

DISCUSSION:

The Comprehensive Plan designation for this site is Open Space/Controlled Development and the Zoning Designation is OS (Open Space). Single family dwellings and second-dwelling units are a permitted use in the OS District. Immediately surrounding land uses are residential uses on large parcels. Given the proposed design of the project, which minimizes potential effects to the surrounding uses (residential), it is compatible with all adjacent development. The project is consistent with Comprehensive Plan Policies and land use designation of Open Space.

The proposed architectural and site changes comply with the Site and Design development regulations and conform to the intent of the Open Space zone district. The design is consistent and compatible with applicable elements of the Palo Alto Comprehensive Plan in that the design promotes the following policies for development in the Open Space, including: Policy N-6: Through implementation of the Site and Design process and the Open Space zone district regulations (PAMC 18.28), minimize impacts of any new development on views of the hillsides, on the open space character, and the natural ecology of the hillsides.

The Comprehensive Plan Open Space Development Criteria, Policy N-7, will be used by the Planning and Transportation Commission, Architecture Review Board and City Council to evaluate the proposed project. The project is consistent with the thirteen City of Palo Alto Open Space Development Criteria as follows:

- The development should not be visually intrusive from public roadways and public parklands. As much as possible, development should be sited so it is hidden from view. The proposed construction will not be visible from any identified viewsheds (map L-4 of the Palo Alto Comprehensive Plan). The project is located directly above Los Trancos Road, and due to the slope of the property up and away from Los Trancos Road, as well as the significant natural landscaping, visibility from Los Trancos Road should be minimal. Significant screening vegetation, including many mature trees, will remain on the down-slope
portion of the site, which should also help to minimize visibility from Alpine Road. It is not expected that this project will be visible from any public parklands.

- **Development should be located away from hilltops and designed to not extend above the nearest ridge line.** The footprint of the home is not located on top of the knoll nor on top of the ridge.

- **Site and structure design should take into consideration impacts on privacy and views of neighboring properties.** Given the proposed location towards the side of the property away from the neighboring properties, the slope of the hill, and the native existing vegetation, there will be no impacts on the surrounding properties in terms of privacy or views.

- **Development should be clustered, or closely grouped, in relation to the area surrounding it to make it less conspicuous, minimize access roads, and reduce fragmentation of natural habitats.** The project will utilize an existing access road that serves the single-family home located on-site, as well as two neighboring properties. The site location was chosen primarily due to two factors; first, the existing site grading, which will allow for construction with only minor grade improvements, and second, to help minimize visibility of the structure from off-site. While it may have been possible to locate the structure closer to the existing single-family home, the trade-off with the factors mentioned above led to the current choice of location.

- **Built forms and landscape forms should mimic the natural topography. Building lines should follow the lines of the terrain, and trees and bushes should appear natural from a distance.** The landscape plan calls for leaving all existing natural landscaping and trees to remain. The project proposes minor grading to provide terraces that will roughly follow the contours of the site. The simple roof forms follow the natural topography, and the house steps back in the direction of the slope.

- **Existing trees with a circumference of 37.5 inches, measured 4.5 feet above the ground level, should be preserved and integrated into the site design. Existing vegetation should be retained as much as possible.** No trees or groundcover will be removed during construction. The applicant will be required to work with City staff, including the City Arborist, to ensure that existing trees and landscaping are maintained and that new landscaping will be consistent with the existing.

- **Cut is encouraged when it is necessary for geotechnical stability and to enable the development to blend into the natural topography. Fill is generally discouraged and should never be distributed within the driplines of existing trees. Locate development to minimize the need for grading.** The project involves making use of an existing hill cut, performed in 1998 to help mitigate a slope instability issue, at approximately 112'. Additional cut will be performed to lower the finished floor of the project to 109', which will help mitigate visibility of the new structure as well as minimizing the amount of fill needed at the down slope end of the structure. The project takes advantage of existing retaining walls that were previously installed to help ensure geotechnical stability of the slope. The proposed retaining wall enhancements are designed to complement and re-enforce these previous improvements. The applicant will work closely with the project arborist and City Arborist to ensure that the grading will not impact any existing trees on and off the site.

- **To reduce the need for cut and fill and to reduce potential runoff, large, flat expanses of impervious surfaces should be avoided.** There are no large expansive areas of impervious surface proposed with this project. Impervious surfaces will be mainly used for retaining walls, required landings and concrete steps. Semi-pervious surfaces are proposed for the terraces. The project utilizes existing paths and does not propose any major impervious additions other than the structure itself.
• Buildings should use natural materials and earth tone or subdued colors. Natural building materials in earth tones are proposed. All proposed building materials are natural, in earth tone colors that will blend with the surroundings. The project also includes a non-reflective roofing material.

• Landscaping should be native species that require little or no irrigation. Immediately adjacent to structures, fire retardant plants should be used as a fire prevention technique. The proposed landscaping incorporates a large number of native species plantings which will minimize the need for irrigation. The conditions of future approval will ensure the use of fire retardant plants in the final landscape design.

• Exterior lighting should be low-intensity and shielded from view so it is not directly visible from off-site. The exterior lighting will be reviewed by the Planning Commission and City Council to ensure that off-site lighting impacts are minimized.

• Access roads should be of a rural rather than urban character. (Standard curb, gutter, and concrete sidewalk are usually inconsistent with the foothills environment.) The project will not involve the addition of any access road.

Impervious Coverage:

Section 18.28.050 of the Palo Alto Municipal Code (PAMC) limits impervious area and building coverage in the OS zone district to 3.5% of the project site. The project site is 413,195 square feet allowing for 14,462 square feet of impervious area. The impervious coverage of the existing residence including the driveway is as follows:

Existing Coverage:

<table>
<thead>
<tr>
<th>Footprint &amp; Hardscape</th>
<th>12,826 square feet</th>
</tr>
</thead>
</table>

The new project would add the following impervious area to the site:

New Coverage:

<table>
<thead>
<tr>
<th>Footprint</th>
<th>895.1 square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hardscape</td>
<td>710.5 square feet</td>
</tr>
<tr>
<td>Existing</td>
<td>12,826 square feet</td>
</tr>
</tbody>
</table>

| Total       | 14,431.5 square feet |

The project as proposed meets all applicable zoning and comprehensive plan regulation, and will thus have no impact.

Mitigation Measures:

None required.

<table>
<thead>
<tr>
<th>J. MINERAL RESOURCES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issues and Supporting Information Resources</td>
</tr>
<tr>
<td>Would the project:</td>
</tr>
<tr>
<td>Issues and Supporting Information Resources</td>
</tr>
<tr>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Would the project:</td>
</tr>
<tr>
<td>mineral resource that would be of value to the region and the residents of the state?</td>
</tr>
<tr>
<td>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
</tr>
</tbody>
</table>

DISCUSSION:

The City of Palo Alto has been classified by the California Department of Conservation (DOC), Division of Mines and Geology (DMG) as a Mineral Resource Zone 1 (MRZ-1). This designation signifies that there are no aggregate resources in the area. The DMG has not classified the City for other resources. There is no indication in the 2010 Comprehensive Plan that there are locally or regionally valuable mineral resources within the City of Palo Alto.

Mitigation Measures:

None required.

K. NOISE

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>1,2,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive ground borne vibrations or ground borne noise levels?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>1,3,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>g) Cause the average 24 hour noise level (Ldn) to increase by 5.0 decibels (dB) or more in an</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Issues and Supporting Information Resources</td>
<td>Sources</td>
<td>Potentially Significant Issues</td>
<td>Potentially Significant Unless Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
<td>No Impact</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>---------</td>
<td>--------------------------------</td>
<td>------------------------------------------------------</td>
<td>-----------------------------</td>
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</tr>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>existing residential area, even if the Ldn would remain below 60 dB?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h) Cause the Ldn to increase by 3.0 dB or more in an existing residential area, thereby causing the Ldn in the area to exceed 60 dB?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>i) Cause an increase of 3.0 dB or more in an existing residential area where the Ldn currently exceeds 60 dB?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>j) Result in indoor noise levels for residential development to exceed an Ldn of 45 dB?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>k) Result in instantaneous noise levels of greater than 50 dB in bedrooms or 55 dB in other rooms in areas with an exterior Ldn of 60 dB or greater?</td>
<td>1,2-Map N3, 5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>l) Generate construction noise exceeding the daytime background Leq at sensitive receptors by 10 dBA or more?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

The project site is located within a rural area and is not adjacent to any urban noise sources. The proposed project, once complete, would not increase existing noise levels over the established threshold for the area. In addition, the area is not within any public or private airport zone. The construction of the project would temporarily increase current noise levels in the vicinity of the project site. Typical noise sources would include mechanical equipment associated with excavation and grading and noise of constructing the building. Such noise will be short in duration.

Once completed, long-term noise associated with the new building would be within acceptable noise limits and no impacts are anticipated. Proper implementation of and compliance with Chapter 9.10 (Noise) of the PAMC (limiting construction between the hours of eight a.m. and six p.m. Monday – Friday, nine a.m. and six p.m. on Saturday, and construction hours prohibited Sundays and Holidays) would reduce construction-related noise impacts to less than significant levels. The project would be subject to the City’s standard conditions of approval regarding noise.

The location of the project within a rural area, setback from any particular sensitive use as well as Los Trancos Road via the existing shared driveway, and project noticing requirements should prevent construction noise from exceeding nuisance levels. Project related traffic would not cause a noticeable increase in noise on any public streets over what is currently experienced, especially on the nearby Alpine Drive which would be the most likely access road to Los Trancos Road from nearby Interstate 280.

**Mitigation Measures:**

None required.

**L. POPULATION AND HOUSING**
<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td>1,2,5</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Create a substantial imbalance between employed residents and jobs?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Cumulatively exceed regional or local population projections?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

The project will add a second-dwelling unit to a lot containing an existing single-family home. State Housing Element law requires that localities provide their “fair share” of the region’s housing needs. The Association of Bay Area Governments (ABAG) has determined that Palo Alto will need to add significant numbers of housing units to meet State laws and to help reduce the imbalance between jobs and housing.

This project, which involves the addition of a small housing unit, will have a slightly positive effect on both the City’s imbalance between jobs and housing and on density. This project is expected to have a less than significant impact, and is supported by the City of Palo Alto Comprehensive Plan, Policy H-2:

"Policy H-2: Identify and implement a variety of strategies to increase housing density and diversity in appropriate locations. Emphasize and encourage the development of affordable and attainable housing."

The expansion of infrastructure to this site will not induce substantial growth in the project area because it is limited by current zoning.

**Mitigation Measures:**

None required.

---

**M. PUBLIC SERVICES**

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

810 Los Trancos Road 07PLN-00319
Page 21
Mitigated Negative Declaration
<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire protection?</td>
<td>1,2,12</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Police protection?</td>
<td>1,2</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Schools?</td>
<td>1,2</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Parks?</td>
<td>1,2</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Other public facilities?</td>
<td>1,2</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**DISCUSSION:**

Adherence to codes will minimize the potential damage and risk from fire and other hazards. However, existing laws represent minimum standards and do not safeguard against all hazards. The development on the site is likely to increase the demand for fire and police service by an incremental amount. However, the police and fire departments have sufficient resources to accommodate moderate growth within the City. In addition, local schools will not see a measurable increase in demand as a result of this project. Therefore, the increased demand will not result in the need to expand existing facilities or construct new facilities.

**Mitigation Measures:**

None required.

---

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td>1,2,3</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td>1,2,3</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**
The proposed, adding a small second-dwelling unit, should have a less than significant impact on existing parks, nor include or require construction of recreational facilities. Furthermore, the undeveloped portions of the property would remain as private open space.

To help ensure that the impacts of the additional living unit to the City’s housing stock will be less than significant, the City collects Development Impact Fees for parks, libraries and community centers, totaling an estimated $3000.00, $780.00 and $269.00 respectively. The final Development Impact Fee calculation will be performed at the time of building permit issuance.

As these fees are standard with any increase in density, and will apply here, no project specific mitigation is required.

Mitigation Measures:

None required.

<table>
<thead>
<tr>
<th>O. TRANSPORTATION AND TRAFFIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issues and Supporting Information Resources</td>
</tr>
<tr>
<td>Would the project:</td>
</tr>
<tr>
<td>a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?</td>
</tr>
<tr>
<td>b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?</td>
</tr>
<tr>
<td>c) Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
</tr>
<tr>
<td>f) Result in inadequate parking capacity?</td>
</tr>
<tr>
<td>g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian, transit &amp; bicycle facilities)?</td>
</tr>
<tr>
<td>h) Cause a local (City of Palo Alto) intersection to deteriorate below Level of Service (LOS) D and cause an increase in the average stopped delay for the critical movements by four seconds or more and the critical volume/capacity ratio (V/C) value to increase</td>
</tr>
<tr>
<td>Issues and Supporting Information Resources</td>
</tr>
<tr>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>Would the project:</td>
</tr>
<tr>
<td>by 0.01 or more?</td>
</tr>
<tr>
<td>i) Cause a local intersection already operating at LOS E or F to deteriorate in the average stopped delay for the critical movements by four seconds or more?</td>
</tr>
<tr>
<td>j) Cause a regional intersection to deteriorate from an LOS E or better to LOS F or cause critical movement delay at such an intersection already operating at LOS F to increase by four seconds or more and the critical V/C value to increase by 0.01 or more?</td>
</tr>
<tr>
<td>k) Cause a freeway segment to operate at LOS F or contribute traffic in excess of 1% of segment capacity to a freeway segment already operating at LOS F?</td>
</tr>
<tr>
<td>l) Cause any change in traffic that would increase the Traffic Infusion on Residential Environment (TIRE) index by 0.1 or more?</td>
</tr>
<tr>
<td>m) Cause queuing impacts based on a comparative analysis between the design queue length and the available queue storage capacity? Queuing impacts include, but are not limited to, spillback queues at project access locations; queues at turn lanes at intersections that block through traffic; queues at lane drops; queues at one intersection that extend back to impact other intersections, and spillback queues on ramps.</td>
</tr>
<tr>
<td>n) Impede the development or function of planned pedestrian or bicycle facilities?</td>
</tr>
<tr>
<td>o) Impede the operation of a transit system as a result of congestion?</td>
</tr>
<tr>
<td>p) Create an operational safety hazard?</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

The project site is not located on a designated emergency route. Located on a shared ‘spur’ strive of of Los Trancos, the site is relatively difficult to locate, but should not introduce any new direct impacts (i.e. a new driveway) onto Los Trancos Road. In addition, the project will not generate air or significant automobile traffic and will not cause or contribute to known traffic hazards.

Given the location of the site in a rural area, emergency access is limited. The proposed new second-dwelling unit will be accessed via a footpath from the main dwelling unit, and will utilize the existing driveway and garage structure currently used by the main dwelling unit, a zoning code requirement. This addition is not expected to either increase or decrease the accessibility of the site.

Implementation of the proposed project will result in truck trips to haul excavated materials off site. Construction crews and equipment will also increase the daily trips on Los Trancos Road and Page Mill Road. Construction traffic impacts would be temporary and truck trips would generally occur during off-peak hours.
Residual Impact:

The proposed project will not significantly increase traffic in the local area. However, construction of the project would result in localized congestion due to truck traffic associated with construction. Construction traffic impacts would be temporary and are not anticipated to substantially disrupt peak traffic hours. (Less than significant impact)

Mitigation Measures:

None required.

<table>
<thead>
<tr>
<th>P. UTILITIES AND SERVICE SYSTEMS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Issues and Supporting Information Resources</strong></td>
</tr>
<tr>
<td>Would the project:</td>
</tr>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
</tr>
<tr>
<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
</tr>
<tr>
<td>c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
</tr>
<tr>
<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
</tr>
<tr>
<td>e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
</tr>
<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
</tr>
<tr>
<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
</tr>
<tr>
<td>h) Result in a substantial physical deterioration of a public facility due to increased use as a result of the project?</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

The proposed project would not significantly increase the demand on existing utilities and service systems, or use resources in a wasteful or inefficient manner, as it will be utilizing the on-site existing services. Standard
conditions of approval require the applicant to submit calculations by a registered civil engineer to show that the on-site and off-site water, sewer and fire systems are capable of serving the needs of the development and adjacent properties during peak flow demands.

Trash and recycling facilities that currently serve the existing single-family residence would be shared for use by the proposed second-dwelling, which would not be expected to cause a significant impact.

**Mitigation Measures:**

None Required.

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<table>
<thead>
<tr>
<th>Q. MANDATORY FINDINGS OF SIGNIFICANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issues and Supporting Information Resources</td>
</tr>
<tr>
<td>Would the project:</td>
</tr>
<tr>
<td>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
</tr>
<tr>
<td>b) Does the project have impacts that are individually limited, but cumulatively considerable? (&quot;Cumulatively considerable&quot; means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</td>
</tr>
<tr>
<td>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
</tr>
</tbody>
</table>

**DISCUSSION:**
The proposed new residence will not substantially degrade the surrounding environment, impact protected trees, impact wildlife species or their habitat, or eliminate important examples of cultural history or prehistory. The project would create less than significant impacts on the quality of the environment. When considered with other current projects and reasonably foreseeable future projects, the project is not anticipated to result in cumulatively significant impacts.

**SOURCE REFERENCES:**

1. Project Planner's knowledge of the site and the proposed project
2. Palo Alto Comprehensive Plan, 1998-2010
3. Palo Alto Municipal Code, Title 18 – Zoning Ordinance
4. The Uniform Building Code (UBC) Standards
6. Geotechnical Investigation for Proposed Slope Mitigation Work, 810 Los Trancos Road, prepared by GeoForensics, May 1998
8. Alquist-Priolo Earthquake Fault Zoning Map
12. City of Palo Alto Departmental Review.

PREPARED BY

Paul Mennega, Planner
DETERMINATION

On the basis of this initial evaluation:

<table>
<thead>
<tr>
<th>I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.</th>
</tr>
</thead>
<tbody>
<tr>
<td>I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.</td>
</tr>
<tr>
<td>X</td>
</tr>
<tr>
<td>I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.</td>
</tr>
<tr>
<td>I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.</td>
</tr>
<tr>
<td>I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.</td>
</tr>
</tbody>
</table>

Project Planner

Date

Director of Planning and Community Environment

Date
ATTACHMENT D
OPEN SPACE DEVELOPMENT CRITERIA
810 Los Trancos Road / 07PLN-00319

Section 18.28.070(o) of the Palo Alto Municipal Code (PAMC) requires that the Open Space Development Criteria be used by the Planning and Transportation Commission and City Council to evaluate the proposed project. These criteria are set forth below, followed by analyses of the project’s compliance with them:

1. The development should not be visually intrusive from public roadways and public parklands. As much as possible, development should be sited so it is hidden from view. The proposed construction will not be visible from any identified viewsheds (map L-4 of the Palo Alto Comprehensive Plan). The project is located directly above Los Trancos Road, and due to the slope of the property up and away from Los Trancos Road, as well as the significant natural landscaping, visibility from Los Trancos Road should be minimal. Significant screening vegetation, including many mature trees, will remain on the down-slope portion of the site, which should also help to minimize visibility from Alpine Road. It is not expected that this project will be visible from any public parklands.

2. Development should be located away from hilltops and designed to not extend above the nearest ridge line. The proposed accessory structure is not located on top of a knoll nor on top of a ridge.

3. Site and structure design should take into consideration impacts on privacy and views of neighboring properties. Given the proposed location towards the side of the property away from the neighboring properties, the slope of the hill, and the native existing vegetation, there will be no impacts on the surrounding properties in terms of privacy or views.

4. Development should be clustered, or closely grouped, in relation to the area surrounding it to make it less conspicuous, minimize access roads, and reduce fragmentation of natural habitats. The project will utilize an existing access road that serves the single-family home located on-site, as well as two neighboring properties. The site location, given the existing site grading, will allow for construction with only minor grade improvements, and will help minimize visibility of the structure from off-site. While it may have been possible to locate the structure closer to the existing single-family home, the trade-off with the factors mentioned above led to the current choice of location.

5. Built forms and landscape forms should mimic the natural topography. Building lines should follow the lines of the terrain, and trees and bushes should appear natural from a distance. The landscape plan calls for leaving all existing natural landscaping and trees to remain. The project proposes minor grading to provide terraces that will roughly follow the contours of the site. The simple roof forms follow the natural topography, and the house steps back in the direction of the slope.
6. Existing trees with a circumference of 37.5 inches, measured 4.5 feet above the ground level, should be preserved and integrated into the site design. Existing vegetation should be retained as much as possible. No trees or groundcover will be removed during construction. The applicant will be required to work with City staff, including the City Arborist, to ensure that existing trees and landscaping are maintained and that new landscaping will be consistent with the existing.

7. Cut is encouraged when it is necessary for geotechnical stability and to enable the development to blend into the natural topography. Fill is generally discouraged and should never be distributed within the driplines of existing trees. Locate development to minimize the need for grading. The project involves making use of an existing hill cut, performed in 1998 to help mitigate a slope instability issue, at approximately the 112' contour. Additional cut will be performed to lower the finished floor of the project to 109', which will help mitigate visibility of the new structure as well as minimizing the amount of fill needed at the down slope end of the structure. The project takes advantage of existing retaining walls that were previously installed to help ensure geotechnical stability of the slope. The proposed retaining wall enhancements are designed to complement and re-enforce these previous improvements. The applicant will work closely with the project arborist and City Arborist to ensure that the grading will not impact any existing trees on and off the site.

8. To reduce the need for cut and fill and to reduce potential runoff, large, flat expanses of impervious surfaces should be avoided. There are no large expansive areas of impervious surface proposed with this project. Impervious surfaces will be mainly used for the building footprint, retaining walls, required landings and concrete steps. Semi-pervious surfaces are proposed for the terraces. The project utilizes existing paths and does not propose any major impervious additions other than the structure itself.

9. Buildings should use natural materials and earth tone or subdued colors. Natural building materials in earth tones are proposed. All proposed building materials are natural, in earth tone colors that will blend with the surroundings. The project also includes a non-reflective roofing material.

10. Landscaping should be native species that require little or no irrigation. Immediately adjacent to structures, fire retardant plants should be used as a fire prevention technique. The proposed landscaping incorporates a large number of native species plantings which will minimize the need for irrigation. The conditions of future approval will ensure the use of fire retardant plants in the final landscape design.

11. Exterior lighting should be low-intensity and shielded from view so it is not directly visible from off-site. The exterior lighting will be reviewed by the Planning Commission and City Council to ensure that off-site lighting impacts are minimized.

12. Access roads should be of a rural rather than urban character. (Standard curb, gutter, and concrete sidewalk are usually inconsistent with the foothills environment.) The project will not involve the addition of any access road.
PLANNING & TRANSPORTATION DIVISION

TO: PLANNING & TRANSPORTATION COMMISSION

FROM: Paul Mennega, Planner

DEPARTMENT: Planning and Community Environment

AGENDA DATE: February 27, 2008

SUBJECT: 810 Los Trancos Road [07PLN-00319]*: Request for Site and Design review of a new 895 square foot accessory structure. Environmental Review: An Initial Study has been completed and a Draft Mitigated Negative Declaration has been prepared for this project in accordance with the California Environmental Quality Act (CEQA) requirements. Zone District: Open Space (OS).

RECOMMENDATION
Staff recommends that the Planning and Transportation Commission recommend that the City Council approve the Mitigated Negative Declaration (Attachment C) and approve the Site and Design Review application for a new accessory structure in the OS (Open Space) Zone District based upon the Open Space Design Criteria in Attachment D, the Site and Design findings in Attachment E and subject to the recommended conditions of approval in the Record of Land Use Action (Attachment B).

BACKGROUND
Site Information
The 9.5 acre project site is located in the Palo Alto Foothills. The site was originally created in 1979 as part of a larger subdivision that created three lots totaling 29.6 acres. These lots, located at 820 Los Trancos Road, 830 Los Trancos Road, and the subject site, 810 Los Trancos Road, can be seen on the attached location map (Attachment A). The subdivision was approved by City Council with exceptions allowing for the creation of the three lots that are all under the minimum required lot size of 10 acres in the Open Space (OS) district, as well as exceptions allowing for a shared private access road so that the 820 and 830 Los Trancos Road sites can access Los Trancos Road itself.

The site is located amid areas predominately characterized by publicly and privately owned open
space. The property is bordered by the Town of Portola Valley to the West, 820 Los Trancos Road to the East and South, and 856 Los Trancos Road to the North. The existing site contains a large single-family home on a relatively flat portion of the property. The proposed accessory structure will occupy an adjacent relatively flat area that is currently being used as a private garden. Views from the portion of the site to be improved and constructed are to the West towards Portola Valley, specifically the valley occupied by Alpine Road. The site, along with 820 and 830 Los Trancos Road, is accessed from a private shared access lane that tracks east off of Los Trancos Road and climbs up to the three sites.

**Project Description**

The proposed project includes the construction of a single-story, 895 square foot accessory structure to the 413,195 square foot site, already occupied by a 14 year old home with total existing impervious coverage (including building footprint, driveway, walkways and other areas) of 12,856 square feet (see Attachment G, page A1.3). The accessory structure will consist of a great room, two bedrooms, one bath and associated external patios and landscaping. The location of the guest home was chosen to minimize the impacts of the development to the site with respect to grading and existing landscaping/screening elements. No trees are proposed to be removed during construction, and minimal grading will be needed as the chosen site area for the proposed structure is primarily a relatively flat garden. Materials and color have been chosen to reflect the natural surroundings of the site, and will be compatible with the existing on-site improvements.

**Accessory Facilities**

When determining the use classification of a detached structure on a residential property, such as the subject Open Space site, Planning Staff have used the existence of cooking facilities to determine whether a structure is considered a full ‘second dwelling’ unit versus a simple structure that is accessory to the main dwelling. A facility that does not contain cooking facilities would be incompatible with permanent dwelling, and such a structure would have significantly less impact on the immediate site and surroundings when compared to a full second-dwelling unit.

As proposed, the 895 square foot structure is considered ‘accessory’ to the existing single-family home, as it lacks a cooking facility. While not required to meet the second dwelling unit zoning regulations found in 18.28.070(a), an analysis has been completed showing that the accessory structure will substantially meet the zoning regulations that would apply to a more intensive second-dwelling unit (Attachment F, table 2).

**SUMMARY OF KEY ISSUES**

**Development Visibility**

Site development will occur on the upper portion of the site, which has a natural slope down and away from the structure, so development will be potentially visible from the upper reaches on the opposite side of the valley occupied by Los Trancos Road. There should be minimal visibility of any new development from off-site (see Attachment G, sheet A1.2). The project takes advantage of an existing terraced and improved area of the site, and of the natural contours of the site and landscaping. The existing single-family home is located in an area that effectively blocks most of the proposed accessory structure from direct line of sight. The proposed accessory structure
will require minimal new grading, using moderate cut and fill techniques to attempt to minimize the height, visibility and impact of the structure relative to its surroundings.

The building materials and colors will blend with the surroundings and the existing structures. Natural stone (Chief Clifton) will be used for the retaining walls that are to be added. Muted, natural colors have been chosen for both the siding and stucco that will constitute the majority of the wall areas that may be visible from both on and off-site. A non-reflective roofing material, ‘barkwood’ composite shingles have been chosen to help negate any sun reflection issues that may naturally arise at given times during the daylight hours. While not required for accessory structures, the materials chosen appear to ensure consistency with the materials on the existing single-family home.

Impervious Areas
Very little new hardscape, other than the footprint of the building, is being proposed with this project, as the accessory structure will be accessed from the main home by an existing permeable footpath that currently runs to the garden area (see Attachment G, sheet A1.1). A small amount of impervious paving will be added, mainly for required access landings and the front entry. A detailed break-down of impervious areas (both existing and proposed) can be found on sheet A1.3 of Attachment G. Overall, the project will not exceed the maximum impervious area permitted in this zone district and the project will comply with all applicable zoning regulations (Attachment F).

Open Space Development Criteria
Section 18.28.070(o) of the Palo Alto Municipal Code (PAMC) requires that the Open Space Development Criteria be used by the Planning and Transportation Commission and City Council to evaluate the proposed project. These criteria are set forth below, followed by analyses of the project’s compliance with them:

1. The development should not be visually intrusive from public roadways and public parklands. As much as possible, development should be sited so it is hidden from view. The proposed construction will not be visible from any identified viewsheds (map L-4 of the Palo Alto Comprehensive Plan). The project is located directly above Los Trancos Road, and due to the slope of the property up and away from Los Trancos Road, as well as the significant natural landscaping, visibility from Los Trancos Road should be minimal. Significant screening vegetation, including many mature trees, will remain on the down-slope portion of the site, which should also help to minimize visibility from Alpine Road. It is not expected that this project will be visible from any public parklands.

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12. Access roads should be of a rural rather than urban character. (Standard curb, gutter, and concrete sidewalk are usually inconsistent with the foothills environment.) The project will not involve the addition of any access road.

A copy of these criteria can also be found attached as Attachment D.

Site and Design Findings
Section 18.030(G).060 of the PAMC requires the Commission to review the project and recommend approval or changes such that the project is compatible with the following Site and Design findings:

1. To ensure construction and operation of the use in a manner that will be orderly, harmonious, and compatible with existing or potential uses of adjoining or nearby sites. City standards and regulations will help to ensure that the use, or operation, of the site will be conducted in a manner that is compatible with the single-family uses located in the immediate area. During construction, it is expected that there will be temporary impacts to the area in terms of construction-related noise, dust/debris and traffic. These impacts will be offset by applicable City construction standards, such as restrictions on hours of construction, the City’s noise ordinance, and the mitigation measures found in the attached draft Mitigated Negative Declaration (Attachment C).

2. To ensure the desirability of investment, or the conduct of business, research, or educational activities, or other authorized occupations, in the same or adjacent areas. As this site is located in, and surrounded by, single-family uses, the addition of a small accessory structure should not reduce the overall desirability of the immediate area. Accessory facilities and uses are expressly permitted in the Palo Alto Municipal Code, and can be found on other nearby open space (OS) properties, such as 610 Los Trancos Road.

3. To ensure that sound principles of environmental design and ecological balance shall be
observed. This application was subject to an environmental impact assessment (EIA), and it was determined that with appropriate mitigation measures, detailed in the attached Mitigated Negative Declaration (Attachment C), there will be no significant environmental impacts associated with the proposed development.

4. To ensure that the use will be in accord with the Palo Alto Comprehensive Plan. Per the above discussion this project will be in compliance with the intent of the Palo Alto Comprehensive Plan and applicable Open Space policies as they relate to development in the Open Space areas of the City.

A copy of these findings can also be found attached in Attachment E.

POLICY IMPLICATIONS
Comprehensive Plan
The General Plan designation is Open Space/Controlled Development, per the Palo Alto 1998-2010 Comprehensive Plan. The proposed project, which includes the addition of an 895 square foot accessory structure to a lot containing an existing single-family home, is consistent with the land use designation.

Zoning
810 Los Trancos is in the Open Space District (OS), regulated by the Palo Alto Municipal Code (PAMC) Chapter 18.28. The OS district is intended to: protect the public health, safety, and welfare; protect and preserve open space land as a limited and valuable resource; permit the reasonable use of open space land, while at the same time preserving and protecting its inherent open space characteristics to assure its continued availability for the following: as agricultural land, scenic land, recreation land, conservation or natural resource land; for the containment of urban sprawl and the structuring of urban development; and for the retention of land in its natural or near-natural state, and to protect life and property in the community from the hazards of fire, flood, and seismic activity; and; coordinate with and carry out federal, state, regional, county, and city open space plans. Single-family uses with accessory facilities and uses are permitted in this zone district and the project would maintain open space characteristics of the site.

Zoning compliance tables are attached to this report as Attachment F.

TIMELINE
If the Commission recommends approval or approval with conditions, the project application will be forwarded to the City Council for final action. Architectural Review Board (ARB) approval is not required for developing single-family residences (or accessory facilities) in the Open Space district.

ENVIRONMENTAL REVIEW
The project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). An environmental impact assessment was prepared for the project and staff determined that, with the implementation of mitigation measures, no potentially adverse impacts would result from the development, and therefore, the project would have a less than significant impact on the environment. The Mitigated Negative Declaration was made available for public
review beginning January 23, 2008 through February 15, 2008, and is attached to this staff report (Attachment C). Summarized below are the mitigation measures, which can be found in the Mitigated Negative Declaration in sections A through G:

Mitigation Measure A-1: The project will be reviewed by the Planning Commission and City Council to ensure that the potential aesthetic impacts will be mitigated.

Mitigation Measure A-2: All new windows and glass doors shall be of a non-reflective material.

Mitigation Measure A-3: Any proposed exterior lighting shall be shown on the final construction drawings and shall be subject to the review and approval of the Palo Alto Planning Division. All lighting shall be minimal and shall direct light down and shield light away from the surrounding residences and open space lands.

Mitigation Measure D-1: Ordinance Tree and Woodland Protection. The project proposes activity near the dripline of ordinance size oak trees, and requires mitigation to be consistent with Policy N-7 of the Palo Alto Comprehensive Plan. As a mitigation measure, all oaks and adjacent trees surrounding the project shall be protected with Type I temporary fencing.

Mitigation Measure D-2: The final Plans submitted for building permit shall include the following notes on the relevant sheets:
  a. Sheet T-1_Tree Protection-it's Part of the Plan (http://www.cityofpaloalto.org/environment/urban_canopy.asp), complete the Tree Disclosure Statement and Inspection(s) #1-5 shall be checked.
  b. A note shall be applied to the site plan stating, "All measures identified in the Tree Protection Report on Sheet T-1 and the approved plans shall be implemented, including inspections and required watering of trees.
  c. Protective Tree Fencing Type. Delineate on grading plans, irrigation plans, site plans and utility plans, Type I fencing around Protected/Designated trees as a bold dashed line enclosing the Tree Protection Zone (per the approved Tree Preservation Report) as shown on Detail #605, Sheet T-1, and the City Tree Technical Manual, Section 6.35-Site Plans.
  d. All civil plans, grading plans, irrigation plans, site plans and utility plans civil and plan sheets shall include a note applying to the trees to be protected: "Regulated Tree--before working in this area contact the Project Site Arborist at 650-329-2441." Any variance from this procedure requires City Arborist approval, please call (650) 329-2441.”
  e. Utility plan sheets shall include the following note: “Utility trenching shall not occur within the TPZ of a protected tree. Contractor shall be responsible for ensuring that no trenching occurs within the TPZ of the protected tree by the City crew or other contractors.”

Mitigation Measure D-3: Mandatory tree protection practices during construction apply as follows:
a. Tree Protection Statement. A written statement from the contractor verifying that the required protective fencing is in place shall be submitted to the Building Inspections Division prior to demolition, grading or building permit issuance. The fencing shall contain required warning sign and remain in place until final inspection of the project. Tree fencing shall be adjusted after demolition if necessary to increase the tree protection zone as required by the project arborist.

b. The applicant shall be responsible for the repair or replacement of any publicly owned trees that are damaged during the course of construction, pursuant to Section 8.04.070 of the Palo Alto Municipal Code.

c. The following general tree preservation measures apply to all trees to be retained: No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.

Mitigation Measure D-4: A Grassland & Oak Woodland Plan shall be implemented and perpetually maintained as follows:

a. Hydroseed grasses. Re-vegetate all soil areas that are disturbed and not a part of the formal landscape areas near the buildings with the City approved Hydroseed Mix for the Los Trancos Watershed Area before late November of the year. A soil building forbs shall be planted to build thin soils, where appropriate. The landscape plan shall reflect the respective areas of planting.

b. Sudden Oak Death Best Management Practices (SOD-BMP’s) shall be implemented during construction and perpetually thereafter. This area is under quarantine by the County of Santa Clara. The SOD-BMP’s shall be provided to current and future landscape or property maintenance contractors working on the property. http://www.city.palo-alto.ca.us/environment/default.asp.

Mitigation Measure D-5: Perimeter fencing shall be designed to not restrict wildlife movement through the project site. Planning Staff shall review and approve the proposed perimeter fence design prior to issuance of a building permit.

Mitigation Measure E-1: If during grading and construction activities, any archaeological or human remains are encountered, construction shall cease and a qualified archaeologist shall visit the site to address the find. The Santa Clara County Medical Examiner’s office shall be notified to provide proper direction on how to proceed. If any Native American resources are encountered during construction, construction shall cease immediately until a Native American descendant, appointed by the Native American Heritage Commission of the State of California, is able to evaluate the site and make further recommendations and be involved in mitigation planning.

Mitigation Measure F-1: Implementation of the construction techniques and erosion control measures required by the City of Palo Alto Public Works Department, would reduce the geotechnical impacts to a less than significant level. Such measures include:
• A grading permit will be required if the work includes more than 100 cubic yards of cut and/or fill outside of the building footprint. Include a table on the site plan showing the quantities of cut and fill.
• The plan set must include a grading & drainage plan prepared by a licensed professional that includes existing and proposed spot elevations and drainage flow arrows to demonstrate proper drainage of the site. Adjacent grades must slope away from the house a minimum of 2%. Downspouts and splashblocks should be shown on this plan, as well as any site drainage features such as swales, inlets and outlets.

Mitigation Measure G-1: A fire sprinkler system shall be provided which meets the requirements of NFPA Standard No. 13, 2002 Edition. (PAMC15.04.160)

Mitigation Measure G-2: All mitigation measures identified by the Fire Department to address fire hazards on this site must be incorporated into the design.

ATTACHMENTS:
Attachment A: Location Map
Attachment B: Draft Record of Land Use
Attachment C: Mitigated Negative Declaration
Attachment D: Open Space Design Criteria
Attachment E: Site and Design Findings
Attachment F: Zoning Compliance Table
Attachment G: Site Plans (Commissioners only)*

*Prepared by Applicant; all other attachments prepared by Staff

COURTESY COPIES:
Lori Bockhout, applicant
Tim Brady & Kelly McGown, Property Owner

PREPARED BY: Paul Mennega, Planner

REVIEWED BY: Amy French, Manager of Current Planning

DEPARTMENT/DIVISION HEAD APPROVAL: Curtis Williams, Assistant Director
Planning and Transportation Commission
Verbatim Minutes
February 27, 2008
Excerpt

810 Los Trancos Road*: 07PLN-00319 - Request for Site and Design review of a new 895 square foot second-dwelling unit. Environmental Review: An Initial Study has been completed and a Draft Mitigated Negative Declaration has been prepared for this project in accordance with the California Environmental Quality Act (CEQA) requirements. Zone District: Open Space (OS).

Mr. Paul Mennega, Planner: Yes we do. Good evening. First let me quickly say congratulations to Commissioner Fineberg on your appointment. It is a pleasure to bring this project before you this evening.

This application involves the Site and Design review of new 895 square foot accessory structure located on nine and one-half acre site at 810 Los Trancos Road. Site and Design is required for this project due to the site’s location in the City’s Open Space or OS District.

Just to clarify for both the Commission and any interested members of the public there is a minor error in the Mitigated Negative Declaration that indicates the site is ten acres in size, which is not the case.

If I could take a minute to direct the Commission to the documents provided at places this evening starting with the digital photos. I have labeled them as A. You can see here in photo one I have tried to outline the area. This is a photo taken from Los Trancos Road and I was able to zoom in with the digital photo and find the story poles, just the very tops of the western side of the site story poles. This was only view that I was able to actually see the proposed structure anywhere from offsite on publicly accessible areas offsite.

If you go to photo number two it shows the view of the site from the shared driveway that 810, 820, and 830 Los Trancos Road use. That is looking down towards the sites and you can see Dave Dockter there.

Photo three on the next page shows the view from the top of the proposed site. I have climbed down the hill here and am looking back up towards the shared drive. You can see that the hill continues further up towards the ridge and there is ample screening in this direction.

Photo number four shows the view again from the same spot just rotating around facing west now. You can see again there is significant screening looking westward and then down the slope. I am not sure you can see any other structures along the far ridge there from the site.

Chair Holman: In number four where are the story poles?

Mr. Mennega: The story poles would be to my right. I am standing at the top of the proposed area essentially so I am standing just to the side of the story poles.
Then the final photo again just rotating around and you can see a couple of the story poles there on the right hand side of the photo. This is looking again I guess you would call this direction probably northeast. This is looking toward the primary residence. Again you can see the significant screening from the primary residence over towards the right as well as you get a sense for the contours of the land here as it drops away and then picks back up where the primary residence is located. That is it for the photos.

The second detail that I have there that isn’t labeled, I would have labeled it B if I had remembered to, is the light fixture. I know there was a question from Commission about the five lights that are the exterior lighting of the structure. They are shown on site plan or sheet A3.1 of the plans for your reference. You can see that the light fixture that has been chosen is the top light fixture there and it is directing the light completely down. So hopefully this will not allow any light to be projected offsite from these small external illuminations.

The final at places document is again more information, it is hopefully labeled C for you, is the City of Palo Alto permit activity for 810 Los Trancos Road just giving you a little background. The original single family home that is currently located there was built in 1992. It is the top highlighted item. The lower item that I have highlighted there is the 1998 grading permit and retaining wall that was done in the area where this accessory structure is proposed to be located.

In terms of the environmental review a Mitigated Negative Declaration, which examined the impacts of this development, was circulated for a 20-day public review period as required by the California Environmental Quality Act. The public review period ended February 15 of this year and no comments were received.

Finally, this application has been reviewed by the necessary City departments to ensure compatibility with the Comprehensive Plan and compliance with all applicable regulations. City Staff requests that the Planning and Transportation Commission recommend approval of the Mitigated Negative Declaration as well as the Site and Design based on Open Space criteria and Site and Design findings found in the provided Staff Report. Thank you.

Chair Holman: Thank you. Commissioners, are there clarifying questions? Commissioner Sandas.

Commissioner Sandas: Yes. Paul, I just have one clarifying question for you. What is the difference between the Staff Report that came in our packet and your revised one that was at our places? What changed?

Mr. Mennega: There shouldn’t be a revised one.

Commissioner Sandas: I’m sorry. Never mind. We will ask that question of the next person.

Chair Holman: Commissioner Fineberg.
Commissioner Fineberg: Paul, on the handout at places, 2A, item number four, if I understood you correctly you said you are standing with the story poles to your right. So this is the view of what they would see but it is also the view of who is seeing the site, is that correct?

Mr. Mennega: I am trying to describe it as best I can.

Vice-Chair Garber: Perhaps looking at A1.3 might help her.

Mr. Mennega: Yes.

Commissioner Fineberg: I guess what I am wondering is what is that hill with those trees in a straight line? If you are standing there is that who would be looking back and seeing the site?

Mr. Mennega: Correct. As Commissioner Garber pointed out on sheet A1.3 if you look there imagine me standing where it mentions rear patio landing/stair. I am standing right in that area so to the right of me is the proposed site and straight ahead you can see some of the screening that exists onsite. Then that hill that you can see in the distance that is the other side of the valley that is below that Los Trancos Road is in and there doesn’t appear to be any development over there but as you mentioned there what looks like neatly planted landscaping or some kind of grove of trees over there. So this would be looking offsite. This would be looking from the proposed structure offsite...So it is hypothetically possible someone obviously on the hill with binoculars looking back would see me there taking a picture. So that is the view.

Chair Holman: Commissioner Tuma, clarifying question?

Commissioner Tuma: Is there a material board or color board?

Mr. Mennega: I apologize I forgot to mention that. I made a note and didn’t even read it. There are material samples and colors as well available here. If you could just pass those down that would be great.

Chair Holman: While that is happening I have a clarifying question too. Sheet five of your 2A. Not to get picky here but I do have a question. What we are looking at here looks like to me fence posts and then to the right is a very thin what I presume is story pole. Is the one to the right the story pole?

Mr. Mennega: Correct. When you walk down from the shared drive there is a fence there, a good neighbor fence or a fence to maybe keep animals from eating the garden that is currently located where the flat area that this proposed structure is going in. The poles that you see there, the thin poles to the right, the taller poles, those are the leading edge of the story poles that will be the most northeasterly corner of the structure. Those are the poles that you see.

Chair Holman: So I guess my question is if you were looking at this from a little bit of a distance these look like to me they would be indeed very, very difficult to see. So when you are taking your photographs and in the first page I think it was you are outlining where the story
poles are, were you confident that that is what you could see? In other words, this is not obvious
and a building is going to be more obvious than what these indicated.

Mr. Mennega: Of course. I did take a number of photos. There were only certain areas where
the main dwelling was even visible. So I based my photos primarily on can I see the main
dwelling and can I see the area where story poles should be. I took a number of photos and then
I was able like you said to zoom in on those with great magnification and I really could see the
story poles on the photo that I provided. On the other photos you can kind of make it out from
this picture number five. You can see there is a gap in the trees here to the right and to the left it
is complete coverage but there is this gap. So everywhere that I could see that visible gap from
Los Trancos was where I tried to take pictures from and was only able to get the one shot of
them. It is of course possible you could see this from another angle. I didn't spend hours
checking.

Chair Holman: That is helpful, thank you. Commissioner Lippert. Okay, Commissioner Keller
do you have a clarifying question?

Commissioner Keller: Yes just a follow up to what Chair Holman said. Does it make sense to in
the future for story poles to put some multi-colored flag at the top of them so it would be easier
to identify them and distinguishing from the background foliage?

Mr. Mennega: I believe we do have some flexibility in our requirement for the story poles so
that could something we could consider in the future.

Commissioner Keller: Thank you. I think that would be helpful.

Chair Holman: Any other clarifying questions? Seeing none do we have an applicant here to
make a presentation? I have no card. Would you go ahead and introduce yourself and speak and
you will have 15 minutes. Then you will need to fill out a card for the Secretary, please. Thank
you.

Ms. Lory Bockholt, Architect, Albany, CA: Just to clarify a little bit farther along the viewpoints
along Los Trancos and Alpine Road. Those roads are covered with or lined with trees on each
side. So really you only get...I have driven up and down and I think I found three spots where
there is a driveway or a tennis court or a parking lot along those lanes but it is just right at these
very minute places along those two roads where you do get those views from the photograph. I
just wanted to be clear about that.

We did choose this site because it was a flat site, which was nice for us. We didn’t have to do a
lot of cut and fill. We didn’t have to disturb the natural vegetation. We didn’t have to remove
any trees. We also chose it for the privacy and the low visibility from the main roads. Then
when we did the accessory structure on the site we attempted to integrate it very well with the
natural hillside. So as you can see in the sections and the elevations the house is sited low and
then there are additional terraces that step down and follow the contours of the site itself.
So hopefully what the idea was that these would be planted with natural vegetation covered with the chief Clifton, which you have a sample of, and then over time that would weather and it would fill in and it would integrate itself with the site very easily and integrate the structure into the site as well.

We were aware of all the design guidelines in Open Space and we are aware that a lot of care needs to be taken in this zoning area. So we attempted to follow every guideline that was given to us and tried to minimize the impact of the site by choosing the site, by choosing the size, by how we sited it. We kept it as far back to those existing retaining walls as possible with still trying to get some natural southern light from that end. I think that is it for my presentation.

Chair Holman: Vice-Chair Garber, question for the architect?

Vice-Chair Garber: In the photo with the story poles there is a string attached. Does the string represent the E blind or at the top of poles?

Ms. Bockholt: We chose the elevation of the ridge and then made the walls the height of the ridge. So it would be actually even lower at the wall.

Vice-Chair Garber: What is the pitch of the roof?

Ms. Bockholt: It is four and 12.

Vice-Chair Garber: So it might be as much as four feet?

Ms. Bockholt: Three or four feet lower at where the story poles are, yes.

Vice-Chair Garber: Thank you.

Chair Holman: Commissioner Tuma.

Commissioner Tuma: One of the things that you had mentioned was you chose this site in order to minimize impact on the existing site. I was wondering given the location of this particular portion of the site within the context of the whole site has a plan been devised as to how they are going to do the construction itself without impacting the property? The access to this site is down a small little winding pathway or possibly from the street above but it looked like it was kind of somewhat isolated. It was unclear to me as to how you were going to get building materials and trucks in there.

Ms. Bockholt: They have talked to a contractor and he says that he can lower down equipment and machinery down from the main driveway. So it is not that far off from that shared driveway. They feel that is how they are going to – that is their plan to access it that direction not along the footpath.

Vice-Chair Garber: Lower by crane.
Ms. Bockholt: Not by crane but hitch it to something up there and bring it down onto the site. That is what they said.

Vice-Chair Garber: Slide it down?

Ms. Bockholt: Yes, thank you.

Chair Holman: Commissioner Sandas.

Commissioner Sandas: Just to clarify on that a little bit more. So when they are sliding stuff down, big pieces of equipment and lumber, etc., how much of the landscape are they taking out to do that? I think the question that we are trying to get at is whether or not the building of this little accessory building will impact the landscape during the building process.

Ms. Bockholt: I haven't clarified that with the contractor so it is hard for me to answer that. I know there are no mature trees that we would have to pull out or disturb the roots of those. I honestly don't know how much it is going to impact.

Chair Holman: Curtis, did you have something to add?

Mr. Williams: I just wanted to say these are good questions. I don't know if there is something like this already but we could add a condition to develop a construction plan to run through us to show how that access occurs, and to minimize vegetation impacts in particular, or any kind of erosion or something, and to require the restoration of that area after they are finished. It would certainly be an appropriate thing to do.

Chair Holman: Commissioner Keller.

Commissioner Keller: Thank you. I am looking at drawing A1.3. It looks like your access to the site that you are talking about is approximately where the arrow says four-foot wood fence. Is that what you are talking about?

Ms. Bockholt: Yes.

Commissioner Keller: To the left of where it says side yard stepping stones there is a dot with a circle and I am wondering what that is.

Ms. Bockholt: It is a tree.

Chair Holman: It probably would be helpful if we could put the plan on the overhead if that is not too much trouble. Then we can all be on the same page.

Commissioner Keller: I am wondering are you planning to do things to protect that particular tree when you are doing the construction and the lowering?
Ms. Bockholt: We haven’t and it seems like we can stay far enough away from the drip line. We are protecting some trees that we are doing some work near, some live oaks. If you look to the right of that same note we are showing a fence around a grouping of three trees that we are required to protect.

Commissioner Keller: I think that is reasonable.

Ms. Bockholt: I think we could stay sufficiently away from that one tree. We wouldn’t have any reason to get close to that one.

Commissioner Keller: Would you have any objection to a protective tree fencing around that particular tree so as to ensure no problems during the construction?

Ms. Bockholt: If we are required to do so, sure.

Commissioner Keller: Could you also tell me a little bit more about the distance involved? It is sort of hard for me to tell the distance from that label that says four-foot wood fence and the left most part of the construction you are talking about. I don’t know the scale of this drawing.

Ms. Bockholt: It should be a 16th inch scale and I haven’t measured it.

Commissioner Keller: It looks like it is about 20 feet, roughly.

Chair Holman: Can you indicate for the rest of us which tree you are referring to?

Commissioner Keller: Yes.

Ms. Bockholt: It seems like it extends far enough up, I guess westward away.

Commissioner Keller: What kind of drop is that? It is hard for me to see this drop.

Ms. Bockholt: It is fairly steep. I don’t know the percentage.

Commissioner Keller: It looks like it is 133 feet is the top of that.

Ms. Bockholt: Fourteen feet from that one tree.

Commissioner Keller: And it comes down to about 119 feet or so at the edge. Is my math right? So it is about 14 feet over about a span of 20 feet?

Mr. Mennega: That is correct. It is relatively steep. I slid down there.

Ms. Bockholt: It would be hard to walk down.

Commissioner Keller: So then there is a potential issue when doing the construction of soil stability under where the stuff was slid down that steep slope has some concerns.
Ms. Bockholt: Sure, yes. I believe that there are soil erosion requirements. Am I right?

Commissioner Keller: Yes there is.

Ms. Bockholt: That are in place and the contractor would be required to adhere by, is that true?

Mr. Mennega: That is correct.

Commissioner Keller: Is there anything about when the construction would take place so it doesn’t occur during a rainy season so that before the soil erosion forbs were put in that you wouldn’t have erosion during a rainstorm?

Mr. Mennega: I don’t believe there is a condition in the Record of Land Use that indicates the timeframe when construction should be permitted. I think that would fall into the similar category to the condition or the question that came up earlier leading to how the construction is actually going to take place in terms of locating materials and equipment onsite. So I think that could probably be rolled into a similar plan that would be reviewed by Public Works.

Commissioner Keller: Not only the plan for construction but also the timing of the construction.

Mr. Mennega: Correct.

Commissioner Keller: Thank you.

Mr. Williams: If I could just add to what Paul said also as far as that tree goes. It is shown on page A1.2 that is a seven inch oak tree and we do have while it is not a size that would be automatically protected under the ordinance we do have conditions of approval that require trees that are shown on the plan to be retained, to be protected, and not dump trash on within a drip line and all that kind of stuff. So there are already some tree protection conditions that will help as well. If we have a condition related to construction we can call that out specifically.

Chair Holman: I have two questions for you. On sheet A1.3 under proposed it says obviously proposed but then it has an ‘e’ in front of both building structures and in front of paved paths and walkways. Is that an error?

Ms. Bockholt: That is an error. That is my error.

Chair Holman: Okay. Then on other minor one just so we are looking at the same thing here. Proposed says 886 square foot accessory unit and this Staff Report says 895. It is a minor point but records like this should be consistent and I don’t know which is accurate.

Ms. Bockholt: I believe this is correct but I don’t know if Paul has calculated it different.

Chair Holman: It is really insignificant it is just a matter of consistency. Then I have one other question for you. The Swiss coffee trim is that the same color the existing house is painted?
Ms. Bockholt: As close as we can get, yes.

Chair Holman: So the City Attorney knows where I am going. Bear with me for just a minute. Is the existing house since it was built 14 years ago or so is it near needing a new paint job? The reason I am asking is because I am not quite sure what the criteria was when that color was approved but it isn't the criteria and the standards that we apply currently and haven't for quite some time. So the reason I am bringing it up is for one I would not approve this trim color for the accessory structure and I don't want this to be painted on the accessory structure and then that being used as an impetus to then repaint the house the same kind of color. Then we are just continuing the nonconformance to the environment. Does that make sense?

Ms. Bockholt: Yes. I hopefully am not going to make it worse by saying this but there are lots of other items on the site that are painted that color. It is not just the main house. There are the trellises and the detached garage. It is definitely the color pallet that has been chosen for the groupings of buildings and that is why we chose it for the guesthouse.

Chair Holman: Okay, Commissioners, any other questions? Commissioner Garber, a question for the architect?

Vice-Chair Garber: No, actually Staff.

Chair Holman: Commissioner Tuma, question for the architect?

Commissioner Tuma: I wanted to look at a couple of different pages of the plans in conjunction with each other. On A2.1 there is shown on the left hand side a great room, the bar sink, and some other things but I can't tell what is there. What is planned for that space?

Ms. Bockholt: For the bar?

Commissioner Tuma: Where it says bar with sink.

Ms. Bockholt: It is a table and then a sink.

Commissioner Tuma: Okay. On the next page on A3.1 on the exterior elevation one at the top there is a notation that there is a kitchen terrace there.

Ms. Bockholt: Yes.

Commissioner Tuma: Is there a kitchen planned for this unit?

Ms. Bockholt: No there is not. We originally had a kitchen until we realized that our site was nonconforming. So we took it out. So there is no kitchen planned.

Commissioner Tuma: Okay.
Chair Holman: Commissioner Keller, a question for the architect?

Commissioner Keller: Yes. First I would like to ask a question of Staff and then follow up with the architect because understanding the question of Staff will allow me to properly ask the question of the architect. The question of Staff is for an accessory structure what are the limits on the number of plumbing fixtures allowed?

Mr. Mennega: There are no limitations in the Open Space District. In some other districts in the city depending on the location if it is in a setback area for instance there are restrictions on the number of fixtures. In this district there are no restrictions on the numbers.

Commissioner Keller: I remember some districts have a limitation of two plumbing fixtures but I am not sure where that is.

Mr. Mennega: Correct, in the R-1 District if you are in a setback area and if the structure is under or over a certain size there are different criteria but you are right there is a two plumbing fixture limitation in some cases in the R-1.

Commissioner Keller: But that does not apply for this?

Mr. Mennega: That is correct.

Commissioner Keller: Okay, then I don’t have a question for the applicant.

Chair Holman: Okay. I think we have asked you all the questions we are going to. Questions for Staff, Vice-Chair Garber.

Vice-Chair Garber: Were there any comments or conditions of approval that the City Arborist has made for this project that we are aware of?

Mr. Mennega: Let me double check here. I am sure there were conditions included in the Record of Land Use. Yes, if you have it there you can see on page 3 of the Record of Land Use starting at Condition 6 through Condition 10 are from the Planning Arborist with the City.

Chair Holman: Commissioner Lippert.

Commissioner Lippert: In the Staff Report it says that this doesn’t go forward to the Architectural Review Board. The last project we did in the open space did go before the Architectural Review Board. Can you just explain why that one went for architectural review and this one doesn’t?

Ms. Amy French, Current Planning Manager: Yes, the Alexis Drive property that you are referring to I believe is three parcels, three homes technically in the Open Space District would go to ARB. Now that one didn’t have three homes however, it gone under previous rules where only two homes triggered ARB to the ARB and Planning and Council. So in our wisdom we
thought that it would make sense to send it back to the ARB because it was a change to an
approved Site and Design and that is actually in the code.

Commissioner Lippert: Okay. Then one other question. This is building on Commissioner
Keller’s question. Palo Alto doesn’t have a moratorium in terms of during the winter months?

Mr. Mennega: No, no there is nothing codified in terms of limiting development during the
winter months that I am aware of.

Ms. French: Well, for grading there have to be between ……right?

Mr. Mennega: A condition of the approval or a condition in the Record of Land Use is that a
grading permit be applied for and approved by the Public Works Department. I know they have
very stringent restrictions in terms of when they will approve the permit and when it would be
valid for. So that may well cover or address Commissioner Keller’s previous concern in terms of
the months that this would be applicable because the grading permit would be needed before a
permit for construction can even be approved in this case.

Commissioner Lippert: That is my understanding. Both Portola Valley and Los Altos Hills have
similar regulations where I believe if you don’t get your grading done before I think it is October
that is usually the cutoff, then it is considered in the rainy season and you can’t begin until April.
If you are able to do your grading prior to that then you are all set and you can do your
construction through the winter months.

Ms. French: That is my understanding from past practice and regulations. So I imagine what
Paul said is it is covered under that standard condition.

Chair Holman: Commissioner Fineberg.

Commissioner Fineberg: I have two questions. Does the Open Space regulation or code speak
at all to the number of accessory structures on a property? I am seeing the main house and also the
garage and the gym. So this is a second accessory structure. Do we get any guidance on
that?

Mr. Mennega: That is correct, there is a second detached structure onsite the garage in this case.
There is no restriction on the number of structures or even square footage in the Open Space.
There are restrictions on the key real metric is the permeable surface or the impervious area is
how it is termed. All of these structures as you start adding more and more structures it would
add to this impervious area so you would run up against a ceiling or you have no more
impervious area available for structures. That is really the only limiting factor.

Commissioner Fineberg: Okay. My second question is at the risk of sounding a bit suspicious I
am looking at the plans where there is a sink and counter area with a generous amount of open
space around it and the designation of a formerly noted kitchen terrace. Without seeing
engineering plans is there anything that would lead you to believe that there is a kitchen planned
for the future or are there any restrictions that can be set as conditions of approval that there not
be a kitchen added in the future?

Mr. Mennega: Basically adding a kitchen to the structure would require electrical and gas
permits, other permits like that that would have to go through the Planning and Building
Divisions. That would come to a Planner for review and the Planner would look at the Open
Space requirements and realize that a kitchen in this case would not be permitted in this
structure, as the Open Space Zoning is currently constituted. So the zoning itself restricts a
kitchen being placed in this structure in the future.

Commissioner Fineberg: So is there 220 being run in the vicinity anywhere near the bar and the
sink?

Mr. Mennega: We don’t have those kinds of details at this level. Those would be coming in on
a building permit. We can’t say for a fact that there isn’t at this point although there would be no
need for obviously without a kitchen.

Commissioner Fineberg: So there is no way of knowing that the existing plans that we would be
approving would allow for someone to come in and plug in a frig, plug in an oven, and you
effectively have a kitchen.

Mr. Mennega: Theoretically if you enlist someone to do work without permits that is possible
but because they will have to come in for permits to get the electrical done and to add the
components that would make a kitchen usable that would be caught by the Building and
Planning Divisions during the permit review.

Commissioner Fineberg: I am sorry I don’t mean to belabor this but you can’t tell me that there
is no 220 outlet in that kitchen now so….

Mr. Mennega: No, you have the plans set there.

Commissioner Fineberg: So why would they need a permit if there is and the architect might
know that there isn’t but if there is a 220 you wouldn’t need to come back for permit.

Mr. Mennega: Assuming approval of some project it will be required to come back for building
permit for everything, for all of the electrical, structural, and everything like that with full plans
that will include all of the electrical details, which would show the 220 running to the kitchen
area that you are referring to. So at that point the Planner reviewing the plans would see that. I
will be reviewing the plans and would realize that there is no need for 220 to be run to the
kitchen so that is when it would be caught. It will be shown at some point if they are trying to
get that in there but at this stage they are not showing any of those details because it is not a
requirement yet.

Ms. French: Also I would just like to add that the threshold for what is considered a kitchen is
when there are cooking facilities. So you can have a wet bar with a full refrigerator at any point.
It is when you start to put gas for the oven and that sort of thing.
Commissioner Fineberg: Electric oven.

Ms. French: I live in the foothills we do gas.

Chair Holman: Commissioner Tuma, questions?

Commissioner Tuma: Yes. Given that there was a hill slide here before and they have retained it and they have some more retaining work here that is going to be done. Is there any concern that this is just simply a bad portion of the site to build on because of its vulnerability?

Mr. Mennega: I am not an expert on the subject matter. I was over to the site a number of times and the retaining wall is substantial. Also, a topic that came up in discussion when I was out there with another member of Staff and they indicated that this slide was during the El Nino in 1998 when you had an inordinate amount of rain in this area. The geotechnical report that was prepared at the time and the work that was done with the grading and the improvements with the retaining wall was designed and reviewed by an expert to stop any of this sliding from happening in the future. So we would assume...

Mr. Williams: The Building Department requires soils reports for the building and that should include, if it is in an area like this, some geotechnical support as to being sure that it is not an area that is prone to slide or that they have remediated it in some way or that the retaining wall has acted effectively to do that. If necessary we could have them do that before submitting to Building but I believe that is a standard requirement of Building anyway.

Chair Holman: Commissioner Tuma.

Commissioner Tuma: I just wanted to follow up to that because as I understand it in the back portion of the pad where they intend to build there is a cut that needs to happen. So they are going to cut into that hillside to make it level with the part that is level now in order to put the home in there, in the exact spot where the slide was before. Again, presumably this will all be caught at some point. I just wanted to raise the concern as I was standing there and looking at the spot and where the cut was going to go back, you are cutting right back into where the slide was. So it is substantial.

Mr. Mennega: Just a clarification. The understanding and confirming with the applicant is that the existing retaining wall that you are referring to at the back of the site, at the upslope portion of the site that is going to remain. That is going to be the wall and they are going to actually be continuing that kind of wrapping around the site and then doing some fill at the front on the down slope side. The upslope side there shouldn’t be any additional cut required into the slope.

Commissioner Tuma: Okay. That is not what the applicant told me this afternoon. Maybe he was wrong. It looked like a really bad place for a cut.

Mr. Mennega: The plans as constituted don’t call for an additional cut to the rear.
Chair Holman: If you would come to the microphone please.

Ms. Bockholt: I think what he might have been referring to is there is an existing retaining wall. It wraps around so we have to remove just the end little section of that retaining wall and then we are going to extend the retaining wall out. So if you were standing inside that space he might have pointed behind a retaining wall. Is that what you are asking?

Commissioner Tuma: I don’t want to belabor the point because I think it will get caught but we were standing and I was just observing looking and we were standing on a flat point where it comes down and there is a flat portion of the garden. He said this will be the floor so they are going to take all that dirt out behind me. That is what he said to me.

Ms. Bockholt: Oh, we are going to cut within the flat area. I think that is at 112 and the finished floor is at 109 so we are going to cut down a bit to bring the house even lower into the site. There is a terrace behind the house that will bring it back up to the 112. So possibly you are stepping down on there is a series of small retaining walls on the site so possibly you were standing on one of the lower terraces and that was approximately the height of the floor.

Commissioner Tuma: Okay.

Chair Holman: Commissioner Tuma, do I hear you disclosing that you had a conversation with the owner?

Commissioner Tuma: Yes, that is a good point. I was out there this afternoon, visited the site. I was there simply to observe and he did make some comments to me along the lines of what I just said. The other comment he made to me was explaining what a couple of the buildings were off in the distance as you were looking back to the site. They were all described as single-family residences.

Chair Holman: Thank you. While I am at it are there any other disclosures that anybody needs to make? Okay. Commissioner Keller, questions.

Commissioner Keller: Thank you. I believe redundancy is our friend. So I am wondering whether Staff would have any objection an explicit condition of approval that there be no cooking facilities in this particular accessory building?

Mr. Mennen: That would be something that we would be open to, definitely.

Commissioner Keller: Okay. Is there any issue in terms of drainage to the site? This is a downhill portion with a fairly steep slope, is there any concern about water running off down that steep slope and entering this region?

Mr. Mennen: Yes there is and that would be addressed in the Public Works condition for a grading and drainage permit. They would want to see the proposed improvements and how the drainage issues that you are mentioning would be properly addressed to meet all the regulations applicable in this case.
Commissioner Keller: Okay. Which condition of approval would indicate that an updated
geotechnical survey would be needed?

Mr. Williams: We can look but I don’t think it is in the conditions of approval. I think it is a
standard Building Department requirement but I we don’t have any problem with adding that to
be explicit again in the interest of redundancy.

Commissioner Keller: so you wouldn’t have a problem with adding that as a condition just to be
clear?

Mr. Williams: Right.

Commissioner Keller: Thank you.

Mr. Williams: Prior to Building Permit review.

Mr. Mennega: There was one question that came up earlier that I found the answer to that was a
minor detail, the 895 square feet versus the 886. The original plan submitted did indicate the
structure to be 895 but the ones before you tonight are 886. So that is what we would be moving
forward with.

Chair Holman: Thank you. I have one question. The pads that run to the future guesthouse are
those already lit or will they be proposed to be lit because we have no lighting indication for
those?

Mr. Mennega: They are not currently lit. At this time my understanding is there is no proposal
to do any substantial lighting but the applicant may be able to speak to that.

Chair Holman: Would you answer that question, please?

Ms. Bockholt: They would like to do some low-level lighting. Nothing up higher than just to
light the path itself, along the path to get access to it at night, but nothing that would shine up.

Chair Holman: Thank you. Commissioners, if there are no other questions for the architect I
will close the public hearing. Okay. Comments Commissioners? Vice-Chair Garber.

Vice-Chair Garber: Relative to the concerns of the soils I don’t have any problems including in
the motion that would be creating of including the requirement for the geotechnical report
however it is redundant because it will be required. That building foundation simply can’t be
designed without it.

Relative to the kitchen I am happy to include it although the code is very effective in describing
what that is so I find it redundant but that wouldn’t keep me from including it in the motion.

Chair Holman: Commissioner Lippert.
Commissioner Lippert: I am in agreement with Commissioner Garber’s comments as well. In reviewing this I am pretty much in support of what I see here. I think it is a very discreet, very small project. In fact, if you look at the site it is sited I think appropriately where all the development is kept to a corner of the site. It is not on the ridge. It is not happening above the ridgeline. It is kept below the ridgeline and in fact the cut that is currently there and the fill area help stabilize that area quite a bit. What it is doing is basically building a platform on which the house can be placed.

I guess when the Open Space Ordinance was written in terms of the development I don’t believe it was meant that houses in the Open Space be “camouflaged” we want them to fit in with the environment and it is not that we shouldn’t see houses there, we shouldn’t see an overabundance of development there. So by having a small groupings of buildings that fit into the landscape you actually reduce the amount of mass that would be built on any one site and break it up into very distinct pieces that would be very subtle and you wouldn’t wind up with a bit monster home out there. So this is basically functioning as a guesthouse of some kind or an accessory building that would be used as a studio or something like that.

With regard to color, again, I don’t think it was meant that the buildings be camouflaged and hidden in the site by color but that we not have jarring colors like orange and purple. So I don’t have a problem with the colors that are being selected, and I don’t have a problem with the color that the original house was painted either. I think that buildings can have their own identity and that is defined architecturally as well as by color.

I guess finally just in closing with regard to I guess houses being built in the Open Space, I have only done one house in what we would consider Open Space, and the foundations for them are fairly rigorous. Generally they are what is called pure and great beam in which the house is basically built as though they were toothpicks in a cake and the house is built on a platform that is supported by these toothpicks. The cake has some stability to it, as you know cake crumbles very easily. By following the geotechnical guidelines, which the architect and structural engineer have to follow, a building can be successfully built without impacting the natural habitat.

Chair Holman: Commissioner Sandas.

Commissioner Sandas: Thanks. I am in agreement with the suggestions that have been made so far in terms of the motion being made. I just want to add one other condition that we talked about very early in our discussion this evening and that was to minimize the landscape damage and restore it after whatever is being slid in gets slid in.

Additionally, when I was reading this report I was wondering to myself what is wrong? What is the problem here? I couldn’t really find any problems. I think you answered all the questions right up front and it appears that the applicant has been very sensitive to and worked very carefully with what the Open Space District rules are. So that is very much appreciated in the recommendation process.
Chair Holman: Commissioner Tuma.

Commissioner Tuma: At this point about the only concern I have is minimizing damage to the landscaping and restoration of what is destroyed. I just don't see how they do this job without destroying a fair amount of that hillside, at least the vegetation and things like that.

I was having a conversation earlier with other folks about what it meant to restore damaged vegetation in the Open Space and I think it is a bit vague and a bit open to interpretation. So I think some real thought needs to be given because they are going to do some damage to that hillside as far as the vegetation goes in doing this project. There is just no other way around it. So in the conditions I would like to see something that addresses that. Maybe it is a specific new planting plan or something when we know more about how they are going to do this. Unless they have magic cranes from the sky it is going to pretty tricky in there.

Mr. Williams: Madam Chair, I don’t know that you need to add it to the condition but I wanted to let you know that Dave Dockter has done this on more than one Open Space site where there has had to be a restoration plan developed. So I think we would certainly turn it over to Dave to work on that and try to develop a similar approach here.

Chair Holman: Just to comment on that, one of the conditions of approval that I was going to suggest adding and it was part of the longer list than what we currently have as part of our standing list of conditions of approval was that the City Arborist is to approve construction staging plans. We have used that before and perhaps that would solve this. Commissioner Keller.

Commissioner Keller: Unless anybody has any further comments I would like to make a motion.

Chair Holman: Commissioner Fineberg, do you have a question?

Commissioner Fineberg: Thank you. A question about if you do have conditions of approval for construction staging how would one consider the impacts and the access to the adjoining properties while that private driveway is being used for construction?

Mr. Mennega: Those issues definitely would have to be addressed. In terms of the logistics of how that would happen that would be better covered probably by the actual logistic plan itself in terms of the contractor would know better than I would at this stage in terms of what kind of space they would need to take up with materials and equipment and things like that. So at this point it is difficult to know what kind of amount of interference that is going to have on the neighboring properties. The logistic plan would cover that.

Chair Holman: Commissioner Tuma, you have another question?

Commissioner Tuma: Yes in the interest of trying to simplify what sounds like a motion that is about to happen I do have a question in regards to the kitchen issue. Is it possible to say what would be the result of an enforcement action after the fact? In other words, if a kitchen was put in and that was discovered what is the consequence of that?
Mr. Williams: It would probably be removal of the stove or whatever and there may be some fine associated with it depending on sort of the nature of it and how long it existed and that kind of thing.

Commissioner Tuma: Adding the language to the motion or a specific requirement in the conditions of approval wouldn’t in any way enhance that enforcement capability or would it?

Mr. Williams: The City Attorney says she thinks it would help.

Ms. Melissa Tronquet, Assistant City Attorney: I think it would be an additional violation because it would be a violation of the conditions of approval.

Chair Holman: If I could ask a question too along those lines. Having it in the conditions of approval does that not simplify it for reference by an owner?

Ms. Tronquet: Certainly.

Chair Holman: Okay. Commissioner Keller.

MOTION

Commissioner Keller: I move the Staff recommendation with the following additional conditions of approval. One is that the subject accessory structure never have any cooking facilities. Second that prior to the building permit being issued there be a geotechnical study be done and that study specifically with respect to the adjacent slope between the subject accessory structure and the entrance driveway. Third that a construction plan including timing and also indicating how the materials will be going from the entrance driveway to the site will be done, in particular this will be done in such a way as to minimize landscape damage to the hillside and restore planting of plan with an approval by the Planning Arborist of a construction staging plan and assuming no objection by neighbors of blockage of the driveway in a way that prevents neighbors from effective use of that access to their properties.

Chair Holman: City Attorney.

Ms. Tronquet: My recommendation would be to not condition it on approval of neighbors. I think that you have a condition related to the staging plans and logistics. Say provide attention to the timing, accessibility, something like that.

Commissioner Keller: Okay, let me revise that to provide attention to the access through that driveway of the properties for which that driveway is access and that neighbors be notified of the plan so that they can be provide appropriate input to Staff.

Ms. Tronquet: We don’t typically provide notice of a plan like that to the neighbors. There is nothing that would prohibit us from doing it but...
Mr. Williams: I don’t think we want to get into a sort of public process with that plan. If we say that the plans needs to address preserving access to them that is generally sufficient. I am not aware that we have had any cases where that has become a problem.

Commissioner Keller: Okay, that’s fine. I will go with the suggestions of Curtis and the attorney with respect to that. The fourth thing is that tree protective fencing be applied to the tree on plan A1.3 that is to the left of where it says ‘side yard stepping stones’ and is the one that is nearest the main driveway. Number five is that the path lighting be specified and approved by Planning Staff prior to building permit issuance.

SECOND

Commissioner Tuma: Second.

Chair Holman: Curtis.

Mr. Williams: I just wanted to suggest one possible change here. You said cooking facilities never on the site or something like that. I think it should say no cooking facilities unless subsequent approval is granted by the City because there is always potential that regulations change and you don’t want to have the condition in there sort of forever. As long as it is something that comes through a process and is approved then I am not comfortable precluding that.

Ms. Tronquet: If you did add that to the kitchen condition you could say that if you did not have approval you would still have a violation and a code enforcement case if we found a kitchen that wasn’t approved.

Commissioner Keller: I am happy to revise that to no cooking facilities unless specifically approved and allowed by zoning regulations.

Mr. Williams: You might even say specifically approved in conformance with the OS district regulations.

Commissioner Keller: I am fine with that amendment.

Commissioner Tuma: As am I.

Chair Holman: Commissioner Tuma, would you care to speak to your second?

Commissioner Tuma: No.

Chair Holman: Commissioners, comments or addition conditions of approval? Commissioner Lippert.

Commissioner Lippert: I just wanted to say with regard to the shared driveway in a deed of trust for the properties in that area there would probably be an easement with what they call and
ingress/egress easement for driveway purposes. In there it describes specifically what the
subservient and dominant tenant of that easement are, subservient is the one who owns it on their
property and the dominant is the one that has the right to use it. In there it describes that
easement, if it is in fact a driveway easement, can’t be blocked and has to be there for the use of
the other property owners. So I think that pretty much takes care of your concern with regard to
it being blocked during the construction period. They would have to make some sort of
provisions for people to be able to still use that driveway. So I just wanted to clarify that for you.

Chair Holman: Other Commissioners have comments? I have one that I hope will be accepted.
I agree with pretty much everything that has been said this evening by other Commissioners with
one exception. I find if you look at sheet A0.2 and if you look at the photo in the upper right
hand of that sheet I find that structure jarring in the Open Space District. So what I am going to
ask is that the Swiss coffee on our sample board here not be approved, that the revised color be
returned to Staff, that is a number of shades darker to be more compatible with the environment.
While this is a small structure it has been stated by the architect that there is a continuance here.
This color was chosen because it is consistent essentially with the other buildings on the site. So
if we continue that pattern when the house get repainted we can’t condition this, I am sure the
City Attorney would say there is not a nexus, we can’t condition that the house will be a different
color and something darker. I don’t want to continue the pattern of this light color in the Open
Space District. I for one find this building very jarring from Los Trancos Road. So I am hoping
that the maker and second-er of the motion will accept a change to that trim color. Commissioner
Keller.

Commissioner Keller: Do we have any comments from Staff on that?

Mr. Williams: I think that is fine.

Commissioner Keller: Then I will accept that amendment.

Chair Holman: Commissioner Tuma.

Commissioner Tuma: It is acceptable to me as well.

Chair Holman: Thank you very much. Any other comments? The public hearing is closed I’m
afraid. You could probably address a question to Staff later that they could answer.

Commissioner Fineberg.

Commissioner Fineberg: A clarifying question for Chair Holman. If there was a condition that
the color be something consistent with the current Open Space ordinances again, sorry it is that
suspicious side of me, is there anything that then prevents the current owner or a subsequent
owners from repainting it the Swiss white again?

Chair Holman: That is a good point I look to Staff. Typically what we have is that the condition
would be that the colors used be consistent with the sample boards provided. We are changing
that sample board so I guess I would look to Staff to see how best to condition that.
Mr. Williams: I think that your language was fine as far as changing the trim to be a darker tone that is more compatible with the Open Space area. The question about subsequently what happens to that again it becomes a potential code violation if they are not complying with what they have specified in these plans. Unless somebody sees it, which they may not on this, you might not know. They need to paint it that color to get final inspection. What happens three years or five years from now unless somebody sees it and tells us or something?

Chair Holman: Might I suggest this as an amendment to my amendment? That the applicant submit a revised color board and that consistency with that would be the condition of approval so at least that would be the color board of record. Would that be helpful? It would be the same thing, somebody would have to notice it and complain but if that would be more agreeable?

Commissioner Keller: Fine with me.

Commissioner Tuma: I may be out of order on this but could I ask the indulgence of the other members of this body to hear what the architect had to say regarding the color issue? This may streamline things here.

Chair Holman: Okay, we could reopen the public hearing I assume so okay.

Ms. Bockholt: I guess I am a bit unclear of why this is being an issue considering the guesthouse is virtually not visible from any public point.

Chair Holman: Because it goes to my line of questions earlier. This color was chosen because it is as close as you could determine to the other structures including the main house. So I don’t want this to be a continuation of that color scheme and then be used as rationale for continuing that again when there is repainting of the other structures on the site.

Ms. Bockholt: I guess I feel like we are done. They have reached their limit of impervious area so they won’t be building additional new structures. I find it doubtful that they would repaint the rest of their entire house and site based on an 895 square foot guesthouse that they can’t even see. So it would be a different color but it would not influence what they paint their housing in the future. Also, the main house has a lot of railing because there is a wraparound porch around the entire house. The proposed structure does have a trellis that runs in front of the main area of the house, of the great room but would not be seen. So really from the vantage points that you do see the house briefly you see a small amount of fascia board and small amount of window trim and door trim it wouldn’t be as jarring in your words from the main road. I guess I would like to repeat that it is not going to influence what they paint the house. Something so small would not influence such a large change.

Chair Holman: It may not and yet it is a message that I would like this Commission to send. I think it is an appropriate one. Your rationale, your logic is good logic. Again, it is the rationale and the precedent that I would like to change and reverse here. Commissioner Tuma.

Commissioner Tuma: Thank you for your comments. I will go ahead and support the addition of the amendment. Thank you.
MOTION PASSED (5-2-0-0, Commissioners Garber and Lippert voted no):