

CONDITIONS OF APPROVAL

Lands of Duong – 24752 Olive Tree Lane – File# SD21-0096

PLANNING DEPARTMENT

1. Any further changes or modifications to the plans shall be first reviewed and approved by the Planning Director, prior to planting or commencement of work.
2. All required screening plantings shown on the plans shall be installed *prior to final inspection of the new residence*. All plantings shall be located outside of easements. All screening trees shall be 24-inch box minimum and all screening shrubs shall be 15-gallon minimum. All exposed areas must be treated for erosion control to the satisfaction of the Engineering Department *prior to final inspection*.
3. Exterior lighting is approved as shown on the plans. **All pathway light fixtures shall be a maximum of 200 lumens and 2,700 Kelvins.** Any changes to the approved lighting plan shall be approved by the Planning Department *prior to installation*. All exterior lighting fixtures shall be down directed, fully shielded, and non-movable fixtures. No lighting may be placed within setbacks except two driveway or entry lights.
4. **One 15-gallon evergreen tree shall be planted south of the new residence and shall be installed prior to final inspection of the new residence.**
5. **The property owner shall replace the Japanese Privet with evergreen trees. Refer to <https://www.losaltoshills.ca.gov/DocumentCenter/View/642/Landscape-Design-Guidelines-and-Regulations-PDF> or the selection of the evergreen trees.**
6. The property owner shall remove all Stinkwort (*Dittrichia graveolens*) plants from the entire property and in the road right-of-way by manual pulling or use of herbicide by October 1st of each year until the final approval of the project.
7. Pathways within setbacks shall not exceed four feet in width.
8. **The applicant shall work with Planning Staff on the final location of the proposed fence. Any additional or modified fencing or gates shall require review and approval by the Planning Department *prior to installation*.**
9. ***Prior to building final*, the property owner shall grant to the Town an Open Space Easement over that portion of the property below the 780-foot contour elevation. No structures, grading, or fill shall be permitted within this easement area. Only native vegetation may be planted within the easement; however, no irrigation or sprinkler systems are permitted. The property owner shall provide legal description and plat exhibits that are prepared by a licensed land surveyor and the Town shall prepare the grant document. The grant document shall be signed and notarized by the property owner and returned to the Town *prior to building final*.**

10. A Certificate of Completion shall be prepared by the project Landscape Architect, Irrigation Designer, or Landscape Contractor, provided to the Town, and include the following statement: "The landscape and irrigation system has been installed as specified in the landscape design plan and complies with the criteria of the Water Efficient Landscape Ordinance and the permit." The Certificate of Completion shall be submitted at completion of landscape installation (not required prior to final inspection).
11. A \$5,000 landscape maintenance and water usage deposit shall be paid to the Town *prior to final inspection of the new residence*. Two years after the project has been completed, staff will review the water usage for the property and conduct a site inspection to ensure installed landscape screening is still present and has been adequately maintained. Inadequate maintenance of installed landscape screening and/or water usage greater than the annual usage indicated on the approved parcel water budget worksheet, may result in complete forfeiture of this deposit.

ENGINEERING DEPARTMENT

12. Any revisions or additions to the approved grading and drainage plan shall be submitted for review by the Engineering Department. The plan shall be reviewed by the Engineering Department and approved prior to commencement of this project. The approved plan shall be stamped and signed by the project engineer and shall supersede the previously approved grading drainage plan.
13. No grading shall take place during the grading moratorium (October 1 and April 30) except with prior approval from the City Engineer. No grading shall take place within ten feet of any property line.
14. An encroachment permit shall be obtained from the Public Works Department for all work proposed in the public right-of-way. No work within the public right-of-way shall commence without an encroachment permit.
15. Any and all areas on the project site that have the native soil disturbed shall be protected for erosion control during the rainy season and shall be replanted *prior to final inspection*.
16. All irrigation systems must be located at least three feet from the Town's pathways and outside of the public right of way and public utility easements. The Town staff shall inspect the site and any deficiencies shall be corrected to the satisfaction of the Engineering Department *prior to final inspection*.

Project approval may be appealed if done so in writing within 14 days of the date of the approval.

Please refer to the Conditions of Project Approval set forth herein. If you believe that these Conditions impose any fees, dedications, reservation or other exactions under the California Government Code Section 66000, you are hereby notified that these Conditions constitute written notice of a statement of the amount of such fees, and/or a description of the dedications,

reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest such fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

Upon completion of the construction, a final inspection shall be required to be set with the Planning and Engineering Departments prior to final building inspection approval.

NOTE: The Site Development permit is valid for one year from the approval date (until May 17, 2023). All required building permits must be obtained within that year and work on items not requiring a building permit shall be commenced within one year and completed within two years.