Mitigated Negative Declaration

Montalvo Oaks Subdivision

General Plan Amendment, Prezone, Annexation, Subdivision, and Planned Development

May 2018
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

In compliance with the California Environmental Quality Act (CEQA), the City of Monte Sereno has undertaken environmental review for the proposed Montalvo Oaks Subdivision, and intends to adopt a Mitigated Negative Declaration. The City of Monte Sereno invites all interested persons and agencies to comment on the proposed project.

**Lead Agency:** City of Monte Sereno

**Project Location:** The 4.45-acre project site is located at 18840 Saratoga Los Gatos Road/State Route 9 (Highway 9) in unincorporated Santa Clara County and within the City of Monte Sereno’s sphere of influence.

**Project Description:**
- **General Plan Amendment:** The proposed project includes modifying the land use designation of the project site to Multi-Family Residential, up to nine dwelling units per acre.
- **Prezoning and Annexation:** The proposed project includes prezoning the project site to Planned Development, and annexation of the project site into the Monte Sereno city limits.
- **Subdivision:** The proposed project includes dividing the project site into 36 residential lots.
- **Planned Development:** The proposed project includes demolition of all existing structures, with the exception of the cell tower and associated communications building, and construction of 36 attached and detached homes.
- **Use Permit and Tree Removal Permit:** The proposed project includes a use permit and a tree removal permit for the removal of 66 trees.

**Public Review Period:**
- Begins– May 4, 2018
- Ends – June 4, 2018

**Proposed Mitigated Negative Declaration is Available for Public Review at these Locations:**
- City of Monte Sereno City Hall
  - 18041 Saratoga-Los Gatos Road
  - Monte Sereno, CA 95030

**Address Where Written Comments May be Sent:**
- Jeannie Hamilton, AICP, City Planner
  - City of Monte Sereno
  - 18041 Saratoga-Los Gatos Road
  - Monte Sereno, CA 95030

**Public Hearing:**
- Date: June 12, 2018
- Time: 7:00
- Monte Sereno City Council Chambers
MITIGATED NEGATIVE DECLARATION

Montalvo Oaks Subdivision
General Plan Amendment, Pre-zoning, Annexation and Planned Development
In Compliance with the California Environmental Quality Act (CEQA)

Lead Agency: City of Monte Sereno

Project Proponent: Russel Stanley
Hacienda Realty, LLC
18841 Saratoga-Los Gatos Road
Monte Sereno, CA 95030

Project Location: The 4.45-acre project site is located at 18840 Saratoga Los Gatos Road/State Route 9 in the unincorporated Santa Clara County, adjacent to the City of Monte Sereno.

Project Description: The proposed project is a general plan amendment, prezone, annexation, subdivision, and planned development.

General Plan Amendment: The proposed project includes modifying the land use designation of the project site to Multi-Family Residential, up to nine dwelling units per acre.

Prezoning and Annexation: The proposed project includes prezoning the project site to Planned Development, and annexation of the project site into the Monte Sereno city limits.

Subdivision: The proposed project includes dividing the project site into 36 residential lots.

Planned Development: The proposed project includes demolition of all existing structures, with the exception of the cell tower and associated communications building, and construction of 36 attached and detached homes.

Use Permit and Tree Removal Permit: The proposed project includes a use permit and a tree removal permit for the removal of 66 trees.
Public Review Period: Begins – May 4, 2018
                      Ends – June 5, 2018

Address Where Written Comments May be Sent:
Jeannie Hamilton, AICP, City Planner
City of Monte Sereno
18041 Saratoga-Los Gatos Road
Monte Sereno, CA 95030

Proposed Findings: The City of Monte Sereno is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based.

The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the lead agency (City of Monte Sereno) that the project, with mitigation measures incorporated, may have a significant effect on the environment. See the following project-specific mitigation measures:

Mitigation Measures

Air Quality

AQ-1. Future development of the site shall include applicable control measures from the air district’s current air quality plan. These control measures include, but are not limited to, the following:

a. Provision of internal bicycle facilities with connection to State Route 9;

b. Provision of sidewalks on internal streets with connections to sidewalks on State Route 9;

c. Incorporation of solar hot water or solar electricity in the homes;

d. Incorporation of “cool roofing” and “cool paving” technologies into the development; and

e. Inclusion of shade trees in landscaping plans.
AQ-2. The following basic construction mitigation measures shall be incorporated into project construction documents:

a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;

b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered;

c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;

d. All vehicle speeds on unpaved surfaces shall be limited to 15 mph;

e. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;

f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;

g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and

h. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The air district’s phone number shall also be visible to ensure compliance with applicable regulations.

Biological Resources

BIO-1. To avoid impacts to nesting birds, the removal of trees and shrubs shall be minimized to the greatest extent feasible. Construction activities that include any tree removal, pruning, grading, grubbing, or demolition shall be conducted outside of the bird nesting season (February through August). If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction. This survey shall be conducted
no more than seven (7) days prior to the initiation of disturbance activities during the early part of the nesting season (February through April) and no more than 30 days prior to the initiation of disturbance activities during the late part of the nesting season (May through August). If no active nests are present within 250 feet of construction, then activities can proceed as scheduled. However, if an active nest is detected during the survey within 250 feet of construction, then the establishment of a protective construction-free buffer zone from each active nest (typically 250 feet for raptors and 50-100 feet for other species) will be clearly delineated or fenced until the juvenile bird(s) have fledged (left the nest), unless the biologist determines that construction would not impact the active nest. Implementation of this mitigation measure will be the responsibility of project site developers.

BIO-2. To avoid impacting active pallid bat roosts, if present, all vacant buildings proposed for removal that are unoccupied and boarded up at the time of development approval (dark in the daytime) shall be opened in the winter months (prior to mid-March) to allow in light, making these areas non-suitable for use as maternity roosts. In addition, any mature trees removed due to project implementation shall be removed in two stages (with the limbs removed one day, and the main trunk removed on a subsequent day) to allow any potentially present day-roosting bats the opportunity to relocate. Implementation of this mitigation measure will be the responsibility of project site developers.

BIO-3. For the impacted portion of the oak woodland habitat, a qualified arborist shall develop a tree protection plan to include measures that must be taken before, during, and after construction to ensure that the majority of the woodland is not impacted during construction. The arborist shall also provide recommendations that shall be incorporated in the project landscaping phase to enhance the habitat value of the oak woodland. Examples of such measures include the removal or replacement of non-native understory growth and the removal of trash and other human disturbances.

During project construction in and adjacent to the oak woodland, the following measures shall be imposed:

a. Construction activities shall be restricted to daylight hours;

b. Elevated floodlights shall not be permitted; any exterior lighting shall be directed inward and not illuminate the oak woodland;

c. Dust control must be practiced during demolition and grading;
d. Fencing shall be installed to protect the oaks at a distance recommended by the qualified arborist, at a minimum of five (5) feet from the trunks of the retained trees;

e. Other protective measures recommended by the arborist’s report shall be implemented; and

f. Permanent exterior lighting shall be directed inward and not illuminate the oak woodland.

Implementation of this mitigation measure will be the responsibility of project site developers.

BIO-4. Prior to initiation of ground disturbance or construction activities that would impact the on-site drainage ditch, the appropriate project site developer shall retain a qualified biologist to determine the extent of the drainage ditch regulated by the U.S. Army Corps of Engineers and/or Regional Water Quality Control Board. The U.S. Army Corps of Engineers may issue a negative jurisdictional determination; however, if the U.S. Army Corps of Engineers claims jurisdiction, the project site developer shall retain a qualified biologist to obtain a Clean Water Act Section 404 Nationwide Permit. If the proposed ditch impact does not qualify for a Nationwide Permit, the project site developer shall proceed with the qualified biologist in obtaining an Individual Permit from the U.S. Army Corps of Engineers.

The project site developer shall then retain a qualified biologist to coordinate with the Regional Water Quality Control Board to obtain a Clean Water Act Section 401 Water Quality Certification, or obtain Regional Water Quality Control Board approval through project-specific post-construction requirements through design of the new site drainage system to protect water quality. The project site developer shall comply with any compensatory mitigation or other conditions of approval specified in U.S. Army Corps of Engineers and Regional Water Quality Control Board project permits/approvals. Implementation of this mitigation measure will be the responsibility of project site developers.

BIO-5. For each tree removed, the developer shall plant a California native tree species with at least a one-to-one replacement ratio on the project site, unless inconsistent with good forestry practices, and obtain a permit prior to removal of any tree, in compliance with the City of Monte Sereno’s Tree Preservation Ordinance and/or Subdivision Ordinance. A qualified arborist shall recommend the appropriate replacement ratio and also survey any trees to be preserved, including the trunk diameter, canopy spread, species, condition, and location,
and recommend specific steps that must be taken during construction to ensure that those trees are not impacted during construction. Implementation of this mitigation measure will be the responsibility of project site developers.

**Cultural Resources**

CR-1. Due to the possibility that significant buried prehistoric cultural resources might be found during construction activities, the following language shall be included in all construction documents associated with development of the project site:

“If prehistoric archaeological resources are discovered during construction, work shall be halted at a minimum of 200 feet from the find and the area shall be staked off. The city shall notify a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.”

Implementation of this mitigation measure will be the responsibility of project site developers.

CR-2. In the event of an accidental discovery or recognition of any human remains, the following language shall be included in all construction documents associated with redevelopment of the project site in accordance with CEQA Guidelines section 15064.5(e):

“If human remains are found during construction there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Santa Clara County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the City of Monte Sereno or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The City of Monte Sereno or its authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the City of Monte
Sereno or its authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner."

Implementation of this mitigation measure will be the responsibility of project site developers.

**Geology and Soils**

GEO-1. Prior to issuance of a grading permit, the applicant shall provide evidence that the recommendations in the April 24, 2018 project geotechnical report are included in the project grading and building plans.

GEO-2. Prior to issuance of a grading permit, the developer shall submit an erosion control plan to ensure that erosion is controlled during grading and construction activities and does not result in deposition of the soil off site.

**Noise**

N-1. Prior to issuance of a grading permit, the following measures shall be included in the grading and construction plans:

**Operational and Situational Controls**

a. All work on site should be restricted to 8:00 a.m. to 8:00 p.m. Weekdays, 9:00 a.m. to 8:00 p.m., Saturdays and no work allowed on Sundays and Federal Holidays.

b. All construction noise control measures currently imposed on the project shall be maintained unless the measures outlined herein are more restrictive.

c. All exterior stationary equipment shall be kept at least 100 ft. from neighboring residential property line unless acoustically shielded.

d. No material deliveries are allowed on Sundays or Federal Holidays.

e. Cranes shall be located at least 100 ft. from any neighboring residential property line with the exception of cranes or lifts necessary to dismantle scaffolding.

f. Minimize material movement along the south and west sides of the site.
g. Locate stockpiles adjacent to residential neighbors as much as possible to help shield residences from on-site noise generation.

h. Driveways and other vehicle travel paths shall be graded smooth to minimize vibration and “bangs” from vehicles traveling over rough surfaces.

i. Music shall not be audible off site.

j. Dirt berming and stockpiling materials whenever possible can also help reduce noise to sensitive receptor locations.

k. Place long-term stationary equipment as far away from the residential areas as possible.

l. Keep mobile equipment (haul trucks, concrete trucks, etc.) off of local streets near residences as much as possible.

m. Keep vehicle paths graded smooth as rough roads and paths can cause significant noise and vibration from trucks (particularly empty trucks) rolling over rough surfaces. Loud bangs and ground-borne vibration can occur.

n. Limit the extent of heavy diesel engine equipment work to less than 10 consecutive days when working within 40 feet of the east property line.

**Interior Work**

a. For interior work, the windows of the interior spaces facing neighboring residences where work is being performed shall be kept closed while work is proceeding.

b. Noise generating equipment indoors should be located within the building to utilize building elements as noise screens.

**Equipment**

a. Earth Removal: Use scrapers as much as possible for earth removal, rather than the noisier loaders and hauling trucks.

b. Backfilling: Use a backhoe for backfilling, as it is less costly and quieter than either dozers or loaders.
c. Ground Preparation: Use a motor grader rather than a bulldozer for final grading. Wheeled heavy equipment is less noisy than track equipment. Utilize wheeled equipment rather than track equipment whenever possible.

d. Building Construction: Nail guns should be used where possible as they are less noisy than manual hammering.

e. Generators and Compressors: Use generators, compressors and pumps that are housed in acoustical enclosures rather than weather enclosures or none at all.

f. Utilize temporary power service from the utility company in lieu of generators wherever possible.

g. All stationary equipment shall be rated no higher than 85 dBA @ 25 feet under the equipment’s most noisy condition.

h. Circular saws, miter/chop saws and radial arm saws shall be used no closer than 50 feet from any residential property line unless the saw is screened from view by any and all residences using an air-tight screen material of at least 2.0 lbs/square feet surface weight, such as ¾” plywood.

i. Use electrically powered tools rather than pneumatic tools whenever possible.

j. Mitigation of the construction phase noise at the site can be accomplished by using quiet or “new technology” equipment.

k. The greatest potential for noise abatement of current equipment should be the quieting of exhaust noises by use of improved mufflers.

l. It is recommended that all internal combustion engines used at the project site be equipped with a type of muffler recommended by the vehicle manufacturer.

m. All equipment should be in good mechanical condition so as to minimize noise created by faulty or poorly maintained engines, drive-trains and other components. Worn, lose or unbalanced parts or components shall be maintained or replaced to minimize noise and vibration.
n. Utilize wheeled equipment rather than tracked equipment whenever possible.

o. Diesel vibrating compaction equipment shall not be used within 100 feet of a residential structure.

**Noise Complaint Management**

a. Designate a noise complaint officer. The officer shall be available at all times during construction hours via both telephone and email. Signs shall be posted at site entries.

b. Notify, in writing, all residents within 300 feet of the site of construction. The notification shall contain the name, phone number and email address of the noise complaint officer. A flyer may be placed at the doors of the residences.

c. A log of all complaints shall be maintained. The logs shall contain the name and address of the complainant, the date and time of the complaint, the nature/description of the noise source, a description of the remediation attempt or the reason remediation could not be attempted.
INITIAL STUDY

MONTALVO OAKS SUBDIVISION

General Plan Amendment, Prezoning, Annexation, Planned Development

PREPARED FOR
City of Monte Sereno
18041 Saratoga-Los Gatos Road
Monte Sereno, CA  95030
Tel  408.354.7635

PREPARED BY
EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel  831.649.1799
Fax  831.649.8399
Teri Wissler Adam, Senior Principal
wissler@emcplanning.com
www.emcplanning.com

May 2018
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A. BACKGROUND

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<tr>
<th>Project Title</th>
<th>Montalvo Oaks Subdivision</th>
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<tbody>
<tr>
<td>Lead Agency Contact Person</td>
<td>Jeannie Hamilton, AICP, City Planner</td>
</tr>
<tr>
<td>and Phone Number</td>
<td>(408) 354-7635</td>
</tr>
<tr>
<td>Date Prepared</td>
<td>May 2018</td>
</tr>
<tr>
<td>Study Prepared by</td>
<td>EMC Planning Group Inc.</td>
</tr>
<tr>
<td></td>
<td>301 Lighthouse Avenue, Suite C</td>
</tr>
<tr>
<td></td>
<td>Monterey, CA 93940</td>
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<tr>
<td></td>
<td>Teri Wissler Adam, Senior Principal</td>
</tr>
<tr>
<td></td>
<td>Tanya Kalaskar, Assistant Planner</td>
</tr>
<tr>
<td></td>
<td>Andrea Edwards, Senior Biologist/Certified</td>
</tr>
<tr>
<td></td>
<td>Arborist</td>
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<td>Project Location</td>
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<td>Project Sponsor Name and Address</td>
<td>Hacienda Realty, LLC</td>
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<td>Russel Stanley</td>
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<td>Monte Sereno, CA 95030</td>
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<td>General Plan Designation</td>
<td>Existing: Multi-Family Residential</td>
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<td>3-9 D.U. per Acre</td>
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<td>Zoning</td>
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<td>(One Family Residence-Estate with</td>
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<td>Development (PD)</td>
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Setting

The 4.45-acre project site is located at 18840 Saratoga Los Gatos Road/State Route 9 (Highway 9) in unincorporated Santa Clara County and within the City of Monte Sereno’s sphere of influence. The project site is comprised of two parcels: Assessor’s parcel numbers 510-08-018 and 510-08-019. The project site is surrounded by residential neighborhoods to the north, south, and east, and a residential neighborhood and the Quito Fire Station, operated by the Santa Clara County Fire Department, immediately to the west.
The project site slopes from south to north, with elevations ranging from approximately 520 to 470 feet above sea level. Santa Clara County maps the project site within a landslide hazard zone, and partially located within a fault rupture zone and a liquefaction hazard zone (see Section 6, Geology and Soils). The southern portion of the property, approximately one acre, is covered in mixed oak woodland (see Section 4, Biological Resources).

The project site is developed with the former La Hacienda Restaurant and Inn, which was constructed in the early 20th century and has been significantly modified over the years. Nearly the entire site is developed with buildings and parking, with the exception of the one-acre mixed oak woodland and scattered landscaping. Current uses on the project site consist of the following:

- Two dwelling units and 18 rentals within the original buildings;
- A realty office;
- Jack Rose Libation House, primarily open for dinner and drinks; and
- Bramble & Bier, serving cocktails and beer Thursday through Sunday.

A flower vendor occasionally set up a flower cart near the project site entrance. Additionally, a cell tower and small communications building are located on the northwest corner of the site. Figure 1, Location Map, presents the regional and vicinity location of the project site in relation to the City of Monte Sereno. Figure 2, Aerial Photograph, presents an aerial view of the project site and immediate surroundings. Figure 3, Site Photographs, presents photographs taken at the project site in March 2018.

**History**

In 2013, the City of Monte Sereno processed a general plan amendment, zoning code amendment, and prezoning for the project site. The City prepared an EIR to evaluate the potential environmental impacts associated with development of the project site consistent with the proposed actions. The EIR evaluated an assumed buildout of the project site with 35 multi-family homes. The City Council certified the EIR on August 6, 2013.

**Description of Project**

The currently proposed project includes the following actions:

- General Plan Amendment;
- Prezoning;
- Annexation;
- Subdivision;
- Planned Development;
- Grading Permit; and
- Tree Removal Permit.
Each requested action is briefly discussed below.

**General Plan Amendment File No. GPA-18-01**

The existing *Monte Sereno General Plan* (2008) land use designation for the project site is Multi-Family Residential, Three Dwelling Units per Acre. The proposal includes modifying the land use designation to Multi-Family Residential, Up to Nine Dwelling Units per Acre. The propose text amendments are as follows, presented in underline format:

(1) **Multi-family Residential, 3-Up to 9 D.U./Acre (RM)**

This designation allows for the development of single-family and multi-family dwellings at a maximum density of three (3) dwelling units per acre, except where zoned PD Planned Development which allows a maximum density of nine (9) dwelling units per acre. The minimum lot area under this designation for three (3) dwelling units per acre is 14,520 square feet. For additional dwelling units per acre, the PD Planned Development will determine the minimum lot size. Additional uses that may be allowed include home occupation businesses, second units and other compatible uses identified in the Monte Sereno Municipal Code. Cluster Developments may be conditionally allowed.

(2) **Table LU-1 SUMMARY OF DESIGNATED LAND USES**

<table>
<thead>
<tr>
<th>Land Use Designation</th>
<th>Acreage in City Limits</th>
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<tbody>
<tr>
<td>Single-family Residential, 1 D.U/acre</td>
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<tr>
<td>Single-family Residential, 2 D.U/acre</td>
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<tr>
<td>Single-family Residential, 3-5 D.U/acre</td>
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<tr>
<td>Multi-family Residential, 3-9 D.U/acre*</td>
<td>4.5 (in City’s SOI)</td>
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<td>Public</td>
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<tr>
<td>Open Space and Conservation</td>
<td>38</td>
</tr>
</tbody>
</table>

* PD/Up to 9 D.U/acre

(3) **Policy LU-2.3** Permit the clustering of building sites to protect environmentally sensitive areas, avoid hazards, or create shared uses such as neighborhood recreation areas. However, in no case shall the number of lots allowed be greater than that permitted for a conventional subdivision with the exception of a Planned Development district which allows for flexible neighborhood design of varying densities, lot sizes and housing product types.
(4) Table HE-8 RESIDENTIAL LAND USE DESIGNATIONS

<table>
<thead>
<tr>
<th>Designation</th>
<th>Maximum Density</th>
</tr>
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<tbody>
<tr>
<td>Low Density Residential (R-1-44)</td>
<td>0 – 1 dwelling unit per acre</td>
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<tr>
<td>Medium Density Residential (R-1-20)</td>
<td>1 - 2 dwelling units per acre</td>
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<tr>
<td>Higher Density Residential (R-1-8)</td>
<td>3 - 5 dwelling units per acre</td>
</tr>
<tr>
<td>Multi-family Residential (RM)*</td>
<td>3 dwelling units per acre**</td>
</tr>
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</table>

* PD
** Up to 9 dwelling units per acre

(5) Table HE-9 “Residential Development Standards” of the General Plan shall be amended to include a note under RM designation to allow development standards specified on the PD application.

Prezoning File No. ZA-18-01

The applicant is requesting the City to prezone the project site Planned Development (PD), which shall reflect development of 36 residential units consisting of 15 detached multi-family units and 21 detached units with open space and development standards as shown on the site plan.

Annexation File No. ANX-18-01

The project site is located within the City of Monte Sereno’s existing sphere-of-influence. The applicant is requesting the City annex the project site into the Monte Sereno city limits.

Subdivision File No. VTM-18-01

The applicant is requesting subdivision of the project site and has submitted a vesting tentative subdivision map. The subdivision is presented in Figure 4, Site Plan, which is sheet 5.1 of the plan set. The entire plan set is included as Appendix A. A full-sized copy of the plan set is available for review at the City of Monte Sereno Planning Department.

The proposed map divides the property as follows:

- 36 residential lots (ranging in size from 1,162 to 8,238 square feet);
- Lots A, C and D – Private drive, public service easement, and emergency vehicle access easement;
- Lot B – Open space hillside area;
- Lot E and F - Existing cell tower and communications building and parking.
The project site currently is made up of 124,796 square feet of impervious surfaces (paving and building roof-tops) or 66 percent of the project site. The proposed project would reduce the amount of impervious surfaces, resulting in 99,916 square feet or 53 percent.

**Planned Development File No. PD-18-01**

The proposed project includes demolition of all existing structures, with the exception of the cell tower and associated communications building. The applicant proposes constructing 36 homes, a mix of both attached and detached homes.

**Grading Permit File No. GUP-18-01**

The project plans include a grading and drainage plan (Sheet 4-1). According to an email from Peter Smith with Charles W. Davidson Co. to Jeannie Hamilton, AICP, City Planner, on May 1, 2018, development of the proposed project would require earthwork quantities as follows: total cut is 6,044 cubic yards and total fill is 4,599 cubic yards, resulting in an export of 1,485 cubic yards. The plans include the following cross-sections:

- North side of the site facing State Route 9 would include a three-foot retaining wall with no fence.
- South side of the site the grading would include cutting into the existing hillside and include a one- to eight-foot retaining wall with no fence.
- East side of the site would include a two- to three-foot retaining wall, with a six-foot high wood fence.
- West side of the site would include a two- to seven-foot retaining wall, with a six-foot high wood fence.

**Tree Removal Permit**

The proposed project includes removing 66 trees on the project site, including 29 coast live oak (*Quercus agrifolia*), one coast redwood (*Sequoia semperviens*), and a variety of other trees including ornamental fruit trees, willows, deodar cedar, southern magnolia, Italian cypress, ash, and black acacia.

**Population**

According to the California Department of Finance, the population of the City of Monte Sereno as of January 1, 2017 was estimated at 3,501, with an estimated average of 2.521 persons per household. However, the existing rental units on the project site are small individual housing rooms and it is likely that the average population is less. For purposes of this initial study, 2.0 persons per rental unit are estimated.
Using this estimate, the current population on-site could be about 40 persons (20 units/rooms x 2.0). The proposed project could result in an estimated population of approximately 91 persons on site (36 units x 2.521), which is 51 more than existing conditions.

Table 1, Existing and Proposed Population, presents the existing residential population at the project site, the maximum under the existing general plan land use designation, and the proposed maximum under the proposed general plan land use designation.

### Table 1  Existing and Proposed Population

<table>
<thead>
<tr>
<th>Scenario</th>
<th># of Units</th>
<th>Persons per Household</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Setting</td>
<td>20</td>
<td>2.000</td>
<td>40</td>
</tr>
<tr>
<td>Current General Plan Designation (Multi-Family</td>
<td>13</td>
<td>2.521</td>
<td>33</td>
</tr>
<tr>
<td>Residential 3 D.U. per Acre)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proposed General Plan Designation (Multi-Family</td>
<td>36(^1)</td>
<td>2.521</td>
<td>91</td>
</tr>
<tr>
<td>Residential up to 9 D.U. per Acre)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NOTE:** 1. Project proposes 36 units.

**Other Public Agencies Whose Approval is Required**

None

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

The City of Monte Sereno has not received any requests for consultation from California Native American tribes.
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Figure 3

Site Photographs

Montalvo Oaks Subdivision Initial Study
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B. **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- ☐ Aesthetics
- ☐ Agriculture and Forestry Resources
- ☐ Air Quality
- ☐ Biological Resources
- ☐ Cultural Resources
- ☐ Geology/Soils
- ☐ Mandatory Findings of Significance
- ☐ Greenhouse Gas Emissions
- ☐ Hazards & Hazardous Materials
- ☐ Hydrology/Water Quality
- ☐ Land Use/Planning
- ☐ Mineral Resources
- ☐ Noise
- ☒ None

- ☐ Population/Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation/Traffic
- ☐ Tribal Cultural Resources
- ☐ Utilities/Service Systems
C. DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ 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.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ 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.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) 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.

__________________________________________________________  ________________________________
Jeannie Hamilton, AICP, City Planner                  Date
D. EVALUATION OF ENVIRONMENTAL IMPACTS

Notes

1. A brief explanation is provided for all answers except “No Impact” answers that are adequately supported by the information sources cited 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 is 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 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 it has been determined that a particular physical impact may occur, then the checklist answers 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. “Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-Than-Significant Impact.” The mitigation measures are described, along with a brief explanation of how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, “Earlier Analyses,” may be cross-referenced).

5. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier document or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:

   a. “Earlier Analysis Used” identifies and states where such document is available for review.

   b. “Impact Adequately Addressed” identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.

   c. “Mitigation Measures”—For effects that are “Less-Than-Significant Impact with Mitigation Measures Incorporated,” mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.

7. “Supporting Information Sources”—A source list is attached and other sources used or individuals contacted are cited in the discussion.

8. This is the format recommended in the CEQA Guidelines as amended January 2011.

9. The explanation of each issue identifies:
   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 significant.
1. **AESTHETICS**

Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Have a substantial adverse effect on a scenic vista? (1,2,3,12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (1,2,3,12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c. Substantially degrade the existing visual character or quality of the site and its surroundings? (1,2,3,12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1,2,3,12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
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</tr>
</tbody>
</table>

**Comments:**

a/b/c. The Monte Sereno General Plan does not designate specific scenic vistas (signed and accessible to the public) within the City or in the immediate unincorporated areas adjacent Monte Sereno. The general plan does state that many of the lots in the Loma Serena neighborhood (northern portion of the City) have views and vistas (page 21), but this neighborhood is located at a distance from the project site. The general plan does emphasize the value of scenic resources such as hillsides, natural resource areas, and open space. Monte Sereno General Plan Policy H-1.3 requires new residential development preserve valued scenic qualities such as hills, ridgelines and views and mitigate adverse visual impacts to the extent possible.

State Route 9 (also referred to as Highway 9 and Saratoga-Los Gatos Road) is officially designated a California State Scenic Highway in Monte Sereno. State scenic highways are roadway corridors of outstanding natural beauty that are subject to special regulations that preserve and enhance the scenic quality of the corridor. Highway 9 starts at Skyline Boulevard in Santa Cruz County and runs through a forested landscape, an abandoned pear-apple orchard farm, and later joins Saratoga-Los Gatos Road at Blaney Plaza in the City of Saratoga (general plan, page 72). Scenic resources are visible within and through the project site when viewed from the scenic highway. There are a significant number of trees on the project site, as well as the
crest of the El Sereno Open Space Preserve, located approximately 2.25 miles southwest of the project site at approximately 2,400 feet above sea level, which is approximately 2,000 feet higher in elevation than the project site.

At the request of City staff, the applicants submitted photos simulations of what the project would look like in one year, five years, and 10 years, from three locations. Figure 5, View Locations, present the three locations from which pictures were taken of the existing site setting. Figures 6 through 11 present the existing setting and the photo simulations representing vegetation growth over a 10-year period from the three view locations.

**Existing Views along State Route 9**

Existing land uses along State Route 9 in the project site vicinity are primarily low density residential, as well as limited governmental buildings including the adjacent fire house. Views from the highway consist of heavy vegetation with some views of fences, walls, homes, as well as the fire house. Views beyond the immediate vegetation and structures are not available.

The existing views into the project site are different than the average views along this stretch of the highway due to the existing lack of vegetation along the highway, the expansive parking lot, and the large setbacks for the existing commercial buildings. In addition to the project site’s existing parking lot, trees, and buildings, limited views of the upper elevations of the El Sereno Open Space Preserve, located approximately 2.25 miles southwest of the project site, are available, as presented in figures 6 and 8.

**View Locations**

**View Location 1**

Figure 6 presents the existing view and the proposed project after one year of landscaping growth at View Location 1. Figure 7 presents the proposed project after five years and ten years of vegetation growth.

View location 1 is from Austin Way at the intersection of State Route 9, facing south toward the project site. The existing foreground view includes State Route 9 pavement and striping. The middle ground view is of overhead utility lines, low-lying vegetation, the cell tower with associated landscaping, the parking lot, and the single-story commercial buildings. The background view is of trees on the site including those on the hillside, trees on the perimeter of the site, and the mountains beyond the site in the El Sereno Open Space Preserve southwest of the project site at approximately 2,400 above sea level, which is approximately 2,000 feet higher in elevation than the project site.
With construction of the project and one year of vegetation growth, the new homes are prominently visible with plentiful immature landscaping. Some of the hills in the background are visible beyond the entrance road to the project. With five years of vegetation growth, the homes are significantly screened and therefore, less visible. Some of the hills in the background are still visible. After ten years of vegetation growth, most of the homes are screened from view; however, glimpses of the hills in the background are still visible.

View Location 2

View location 2 is from westbound State Route 9, east of the project site entrance, facing southwest toward the project site. The existing foreground view includes State Route 9 pavement, median, and a median tree. The middle ground view consists of low-lying vegetation, the commercial business entry sign, parking lot, parking lot trees, and the existing single-story commercial buildings. The background view is of the El Sereno Open Space Preserve southwest of the project site at approximately 2,400 above sea level, which is approximately 2,000 feet higher in elevation than the project site.

With construction of the project and one year of vegetation growth, the new homes are prominently visible with plentiful immature landscaping. The hills in the background are visible above the roof tops and through the entrance road. With five years of vegetation growth, the homes are screened and therefore, less visible. Although the landscape trees are projected to rise above the hills in the background, much of the hills are still visible above the roof tops. After ten years of vegetation growth, most of the homes are screened from view; however, and glimpses of the hills in the background above the roof tops are still visible.

View Location 3

View location 3 is from eastbound State Route 9, west of the project site entrance, facing southeast toward to the project site. The existing foreground view includes state Route 9 pavement and overhead utility lines. The middle ground view include low-lying vegetation, mature on-site parking lot and cell tower lot trees, the commercial business entry sign, parking lot, and single-story commercial buildings. The background view consists mostly of off-site trees located southeast of the project site. No hills are visible from this location.

With construction of the project and one year of vegetation growth, the new homes are prominently visible with plentiful immature landscaping. The off-site trees forming the background are still visible above the roof tops. With five years of vegetation growth, the homes are screened and therefore, less visible. The off-site
trees forming the background are still visible above the roof tops. After ten years of vegetation growth, most of the homes are screened from view; however, glimpses of some of the off-site trees in the background are still visible.

**Project Impacts**
The proposed project would substantially change the existing views of the project site, as demonstrated in the visual simulations presented herein, primarily by changing the visual character of the site from a large expansive parking lot with commercial buildings and landscaping, to views of a residential neighborhood with significantly more landscaping. As presented in the analysis above, the proposed project would not have an adverse effect on a scenic vista, would not damage scenic resources, including trees, rock outcroppings, and historic buildings within a state scenic highway (Highway 9), nor would it degrade the existing visual character or quality of the site and its surroundings. Development of the project would have minimal effects on the limited views through the project site to the upper elevations of the El Sereno Open Space Preserve. Finally, the proposed project would result in views of development similar to the views along Highway 9 in the vicinity of the project site, typical for highly landscape residences. Therefore, visual impacts would not be considered significant and some viewers may find the changes to result in a beneficial visual impact.

d. The project site is currently developed and includes some night-time lighting associated with the commercial uses on site. Although no lighting plans are included in the project plans, the developer has indicated that they are not anticipating any street lights on the internal private loop street. This would be consistent with the character of surrounding neighborhoods in Monte Sereno, which do not have street lights. However, the applicant is considering adding bollard lights along common area pathways. Therefore, the proposed project would result in reduced night-time lighting when viewed from State Route 9. Additionally, the project is required to be consistent with the City of Monte Sereno Design Guidelines for residential developments, which requires any exterior lighting not be directed toward the street, the sky, or neighboring parcels; and light sources to not be visible from off site. No mitigation measures are necessary.
Figure 5

View Locations

Montalvo Oaks Subdivision Initial Study
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Figure 6
View Location 1 Existing and One-Year Growth
Montalvo Oaks Subdivision Initial Study

Source: Architectural Rendering, Virtual Reality & Visualization Company 2018
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Figure 9

View Location 2 Five- and Ten-Year Growth

Montalvo Oaks Subdivision Initial Study
View Location 3 Existing and One-Year Growth
Montalvo Oaks Subdivision Initial Study
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Figure 11

View Location 3 Five- and Ten-Year Growth

Montalvo Oaks Subdivision Initial Study
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2. **Agriculture and Forest Resources**

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<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 nonagricultural use? (1,12)</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1,12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (1,12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d. Result in the loss of forest land or conversion of forest land to non-forest use? (1,12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (1,12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
Comments:

a-e. The project site is currently developed with a facility previously known as La Hacienda Restaurant and Inn. Existing uses include two dwelling units and 18 rentals within the original buildings; a realty office; Jack Rose Libation House, primarily open for dinner and drinks; and Bramble & Bier, serving cocktails and beer Thursday through Sunday.

There are no Williamson Act parcels on or in the vicinity of the project site. There is no forest or agricultural land in the vicinity of the project site. Additionally, the surrounding properties are currently developed with public and residential uses. The Monte Sereno general plan also states that because of the developed nature of the City, there is no on-going agricultural or lumber production within the City. In addition, the State has not identified any important farmlands within the City that are in need of conservation (Monte Sereno general plan, page 110). Therefore, the proposed project would not conflict with the provisions of the Williamson Act or agricultural zoning, and no impacts to agricultural, forest land, or lands zoned for commercial timber, would occur as a result of the project.
3. **AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

<table>
<thead>
<tr>
<th>Conflict with or obstruct implementation of the applicable air quality plan? (2,3,5,6)</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
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<td>☐</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (2,3,5)</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (3,5)</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expose sensitive receptors to substantial pollutant concentrations? (2,3,5)</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Create objectionable odors affecting a substantial number of people? (3,5)</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
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</tbody>
</table>

**Comments:**

a. The City of Monte Sereno, including the project site, is within the Bay Area Air Quality Management District (hereinafter “air district”). Regional air districts must prepare air quality plans specifying how state air quality standards would be met. The air district’s most recent adopted plan is the Bay Area 2017 Clean Air Plan: Spare the Air, Cool the Climate (2017 CAP). The 2017 air district CEQA guidelines specify Clean Air Plan consistency methods for plan level evaluation only. Guidance for project-level analysis focuses on attainment of criteria air pollutant emissions thresholds and health risk standards. Development projects, such as the proposed project, are considered to be consistent with the 2017 CAP if emissions are within the screening thresholds presented in the 2017 air district CEQA guidelines.

The proposed project is below the air district’s thresholds for operational and construction air pollutant emissions and the air district’s standard dust emissions controls are included as mitigation (see “b” below).
The 2013 certified EIR included a mitigation measure to ensure development at the project site would be consistent with the Clean Air Plan. With implementation of this mitigation measure, as modified, the proposed project would not conflict with the 2017 CAP.

**Mitigation Measure**

AQ-1. Future development of the site shall include applicable control measures from the air district’s current air quality plan. These control measures include, but are not limited to, the following:

a. Provision of internal bicycle facilities with connection to State Route 9;

b. Provision of sidewalks on internal streets with connections to sidewalks on State Route 9;

c. Incorporation of solar hot water or solar electricity in the homes;

d. Incorporation of “cool roofing” and “cool paving” technologies into the development; and

e. Inclusion of shade trees in landscaping plans.

b. The air district is responsible for monitoring emissions and developing air quality plans for the San Francisco Bay area, including Santa Clara County and has published comprehensive guidance on evaluating, determining significance of, and mitigating air quality impacts of projects and plans in CEQA Air Quality Guidelines (“CEQA guidelines”). The CEQA guidelines were initially adopted in 1999 and subsequently updated in 2010, 2011, 2012, and 2017.

The 2017 Air District CEQA guidelines, Table 3-1 Criteria Air Pollutants and Precursors and GHG Screening Level Sizes, identifies land uses by size that are typically not expected to result in criteria pollutant emissions that would exceed the air district’s thresholds. Table 3-1 provides an indication of when a project’s construction and operational emissions should be quantified based on identified size criteria. Table 3-1, “Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes” on page 3-2 of the 2017 Air District CEQA guidelines contains the screening criteria. The screening threshold for single-family homes is 325 dwelling units and for condos/townhomes 451 dwelling units (Bay Area Air Quality Management District 2017a). The proposed project would include a total of 36 single-family homes and condos/townhomes. Therefore, the project would fall below the threshold and would have a less-than-significant impact operational impact on air quality.
Table 3-1 also contains screening criteria for construction impacts of new development projects. For single-family homes, construction emissions impacts are less than significant for projects of 114 dwelling units. For condos/townhomes, construction emissions are less than significant for projects of 240 dwelling units. The proposed project involves the construction of a total of 36 single-family homes and condos/townhomes and, therefore, would result in a less-than-significant impact from construction emissions. However, the air district recommends the implementation of the following mitigation measures for all proposed projects whether or not construction-related emissions exceed applicable thresholds of significance (Bay Area Air Quality Management District 2017a, p.8-4). The following mitigation measure will be implemented to ensure the proposed project’s contribution to construction-related air emissions would be less than significant.

**Mitigation Measure**

AQ-2. The following basic construction mitigation measures shall be incorporated into project construction documents:

a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;

b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered;

c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;

d. All vehicle speeds on unpaved surfaces shall be limited to 15 mph;

e. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;

f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;
g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and

h. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The air district’s phone number shall also be visible to ensure compliance with applicable regulations.

c. The 2017 air district CEQA guidelines considered the emission levels for which a project’s individual emissions would be cumulatively considerable in developing thresholds of significance for criteria pollutants. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region’s existing air quality conditions.

The proposed project is the construction of 36 single-family homes and condos/townhomes and does not exceed the air district’s thresholds for criteria air pollutants (see “b” above). Therefore, the proposed project will not result in cumulatively considerable impacts.

d. Operation of the residential development is not expected to cause any localized emissions that could expose sensitive receptors to unhealthy air pollutant levels, because no significant operational sources of pollutants are proposed onsite. Construction activities would result in localized emissions of dust and diesel exhaust that could result in temporary impacts to adjacent land uses that include sensitive receptors (residential uses). The short-term air quality effects during project construction would be avoided with implementation of the Mitigation Measure AQ-2 under checklist item “b” above. The proposed project would not result in localized, concentrated operational emissions that would expose sensitive receptors to unhealthy air pollutant levels.

e. The proposed project includes the construction of 36 residential units and would not result in any objectionable odors during the operational phase. During project construction, there may be nuisance diesel odors associated with operation of diesel construction equipment on-site (primarily during initial grading phases), but this effect would be localized, sporadic, and short-term in nature. Therefore, temporary impacts from nuisance diesel odors on adjacent residential receptors would be less than significant.
## 4. Biological Resources

Would the project:

<table>
<thead>
<tr>
<th>Would the project</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<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, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (19,20,21,22)</td>
<td>☐</td>
<td>☒</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, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (1,19,20)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c. Have a substantial adverse effect on 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? (19)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d. 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? (19)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1,19,23,24,37)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (15)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
Comments:

This analysis is based on a biological reconnaissance survey conducted by EMC Planning Group senior biologist and certified arborist Andrea Edwards on March 8, 2018; Ms. Edwards also conducted the June 19, 2012 survey to support the 2013 EIR analysis. The 4.45-acre project site ranges in elevation from about 470 to 520 feet. The majority of the site contains developed areas (buildings and paved parking lots) with interspersed ornamental landscaped vegetation composed of various non-native and native plants. Several native coast live oak (*Quercus agrifolia*) trees are present in the developed parking lots.

The site also contains a mixed oak woodland plant community on the hillside in the southern undeveloped portion of the site, which is dominated by a few large valley oaks (*Quercus lobata*), along with numerous coast live oaks and California bays (*Umbellularia californica*). The understory is highly disturbed by non-native plants including Himalayan blackberry (*Rubus armeniacus*), English ivy (*Hedera helix*), and French broom (*Genista monspessulana*), and contains abundant native western poison oak (*Toxicodendron diversilobum*).

Figure 12, Existing Trees and Drainage Feature, present representative photographs of existing site biological resources.

a. **Special-Status Species.** A search of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database was conducted for the Cupertino, San Jose West, Castle Rock Ridge, and Los Gatos U.S. Geological Survey (USGS) quadrangles in order to evaluate potentially occurring special-status species in the project vicinity. Records of occurrence for special-status plants were reviewed for those same USGS quadrangles in the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants. A U.S. Fish and Wildlife Service (USFWS) threatened and endangered species list was also generated for Santa Clara County.

Special-status species in this analysis are those listed as Endangered, Threatened, or Rare, and candidates for listing by the USFWS or CDFW under the state and/or federal Endangered Species Acts. The special-status designation also includes CDFW Species of Special Concern and Fully Protected species, CNPS Rare Plant Rank 1B and 2B species, and other locally rare species that meet the criteria for listing as described in Section 15380 of the CEQA Guidelines. Special-status species are generally rare, restricted in distribution, declining throughout their range, or have a critical, vulnerable stage in their life cycle that warrants monitoring.

Most special-status species known to occur in the project region are not expected to occur on the project site due to lack of suitable habitats. Nesting birds and special-status bats with potential to occur on the site are discussed below; these discussions and mitigation measures BIO-1 and BIO-2 are excerpted from the 2013 certified EIR.
Top of mixed oak woodland facing north

Top of mixed oak woodland facing east

Valley oak (tree #420) and mixed oak woodland

Drainage along base of mixed oak woodland facing east

Drainage along base of mixed oak woodland facing west

Oak tree in parking lot

Figure 12

Existing Trees and Drainage Feature

Montalvo Oaks Subdivision Initial Study

Source: Google Earth 2018
Photographs: EMC Planning Group, March 2018
**Nesting Birds.** Construction noise and/or tree removal associated with the proposed project have the potential to impact nesting birds (including raptors) protected under the federal Migratory Bird Treaty Act and California Fish and Game Code. The project site contains mixed oak woodland habitat in the undeveloped southern portion of the site, and mature native and non-native trees with potential to support nesting birds in the developed portion of the site. If protected species are nesting in or adjacent to the project site during the bird nesting season (February through August), then noise-generating and/or tree removal construction activities could result in the loss of fertile eggs or nestlings, or otherwise lead to the abandonment of nests. Implementation of the following mitigation measure would reduce potentially significant impacts to nesting birds to a less-than-significant level.

**Mitigation Measure**

**BIO-1**

To avoid impacts to nesting birds, the removal of trees and shrubs shall be minimized to the greatest extent feasible. Construction activities that include any tree removal, pruning, grading, grubbing, or demolition shall be conducted outside of the bird nesting season (February through August). If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction. This survey shall be conducted no more than seven (7) days prior to the initiation of disturbance activities during the early part of the nesting season (February through April) and no more than 30 days prior to the initiation of disturbance activities during the late part of the nesting season (May through August). If no active nests are present within 250 feet of construction, then activities can proceed as scheduled. However, if an active nest is detected during the survey within 250 feet of construction, then the establishment of a protective construction-free buffer zone from each active nest (typically 250 feet for raptors and 50-100 feet for other species) will be clearly delineated or fenced until the juvenile bird(s) have fledged (left the nest), unless the biologist determines that construction would not impact the active nest. Implementation of this mitigation measure will be the responsibility of project site developers.

**Special-Status Bats.** There is low potential that mature trees and developed structures on the project site provide roosting areas for a special-status bat species that occurs in the project vicinity. Marginally suitable roosting habitat is present on the project site for special-status pallid bat (*Antrozous pallidus*), which is a State Species of Special Concern. Therefore, proposed project development has a low potential to directly affect individual bats should they be roosting on the project site during construction.
activities. However, impacts to roosting, special-status bat species is considered a significant adverse environmental impact. The following mitigation measure would reduce this potential impact to a less-than-significant level.

**Mitigation Measure**

BIO-2 To avoid impacting active pallid bat roosts, if present, all vacant buildings proposed for removal that are unoccupied and boarded up at the time of development approval (dark in the daytime) shall be opened in the winter months (prior to mid-March) to allow in light, making these areas non-suitable for use as maternity roosts. In addition, any mature trees removed due to project implementation shall be removed in two stages (with the limbs removed one day, and the main trunk removed on a subsequent day) to allow any potentially present day-roosting bats the opportunity to relocate. Implementation of this mitigation measure will be the responsibility of project site developers.

b. **Sensitive Natural Communities.** Although the site does not contain riparian or wetland habitats, the proposed project will result in loss of the lower edge of the on-site mixed oak woodland, which may be considered a sensitive natural community by regulatory agencies. The remainder of the hillside will be preserved as a “Common Hillside Open Space.”

While the understory is disturbed by non-native plants and human activity, even in its present condition the oak woodland provides natural habitat and helps to reduce runoff and soil erosion. In addition, project construction near the oak woodland would result in increased levels of human activity, noise, lighting, and drifting dust, potentially disrupting the oak woodland habitat.

The City of Monte Sereno general plan calls for preserving and rehabilitating natural habitat areas that support wildlife, encouraging the retention and re-establishment of native vegetation in all private development projects, and minimizing the disturbance to or removal of existing trees to the extent possible. The loss of the lower edge of the oak woodland, including the removal of significant trees, is considered a significant, adverse environmental impact. Implementation of the following mitigation measure would reduce significant impacts to the mixed oak woodland to a less-than-significant level and ensure that development of the site is consistent with the City of Monte Sereno general plan.
Mitigation Measure

BIO-3 For the impacted portion of the oak woodland habitat, a qualified arborist shall develop a tree protection plan to include measures that must be taken before, during, and after construction to ensure that the majority of the woodland is not impacted during construction. The arborist shall also provide recommendations that shall be incorporated in the project landscaping phase to enhance the habitat value of the oak woodland. Examples of such measures include the removal or replacement of non-native understory growth and the removal of trash and other human disturbances.

During project construction in and adjacent to the oak woodland, the following measures shall be imposed:

a. Construction activities shall be restricted to daylight hours;

b. Elevated floodlights shall not be permitted; any exterior lighting shall be directed inward and not illuminate the oak woodland;

c. Dust control must be practiced during demolition and grading;

d. Fencing shall be installed to protect the oaks at a distance recommended by the qualified arborist, at a minimum of five (5) feet from the trunks of the retained trees;

e. Other protective measures recommended by the arborist’s report shall be implemented; and

f. Permanent exterior lighting shall be directed inward and not illuminate the oak woodland.

Implementation of this mitigation measure will be the responsibility of project site developers.

Wetlands and Waterways. A shallow and un-vegetated storm water drainage ditch built of concrete and 8-inch-wide pipe segments is present along the bottom of the hillside area in the southern portion of the site. It was not part of the impact area analyzed in the 2013 certified EIR, but is within the currently proposed impact area and would be removed by the project. It likely drains to the existing storm water drainage system. This ditch is likely under the jurisdiction of the Regional Water Quality Control Board, and possibly also under the jurisdiction of the U.S. Army Corps of Engineers; regulatory agency permits/approval may be necessary prior to
project activities that will affect the drainage ditch. Impacts to a potentially jurisdictional drainage feature would be significant; the following mitigation measure would reduce this impact to a less-than-significant level.

**Mitigation Measure**

**BIO-4** Prior to initiation of ground disturbance or construction activities that would impact the on-site drainage ditch, the appropriate project site developer shall retain a qualified biologist to determine the extent of the drainage ditch regulated by the U.S. Army Corps of Engineers and/or Regional Water Quality Control Board. The U.S. Army Corps of Engineers may issue a negative jurisdictional determination; however, if the U.S. Army Corps of Engineers claims jurisdiction, the project site developer shall retain a qualified biologist to obtain a Clean Water Act Section 404 Nationwide Permit. If the proposed ditch impact does not qualify for a Nationwide Permit, the project site developer shall proceed with the qualified biologist in obtaining an Individual Permit from the U.S. Army Corps of Engineers.

The project site developer shall then retain a qualified biologist to coordinate with the Regional Water Quality Control Board to obtain a Clean Water Act Section 401 Water Quality Certification, or obtain Regional Water Quality Control Board approval through project-specific post-construction requirements through design of the new site drainage system to protect water quality. The project site developer shall comply with any compensatory mitigation or other conditions of approval specified in U.S. Army Corps of Engineers and Regional Water Quality Control Board project permits/approvals. Implementation of this mitigation measure will be the responsibility of project site developers.

d. **Wildlife Movement.** Wildlife movement corridors provide connectivity between habitat areas, enhancing species richness and diversity, and usually also provide cover, water, food, and breeding sites. The small patch of disturbed mixed oak woodland in the southern portion of the site likely facilitates wildlife movement for commonly occurring, urban-adapted mammals such as Virginia opossum (*Didelphis virginiana*) and raccoon (*Procyon lotor*). Although this woodland will be mostly preserved in a “Common Hillside Open Space”, proposed construction could temporarily limit movement opportunities for common wildlife. The impact on wildlife movement is less than significant given its temporary nature, presence of
adjacent developed areas, and the common status of potentially affected species. Further, the project will not impede the use of native wildlife nursery sites as none were observed on the site.

e. **Local Policies or Ordinances.** The City’s Tree Preservation Ordinance (Chapter 10.15) requires an applicant to obtain a permit in order to remove significant trees, which are defined as: “those whose visual importance to the neighborhood is sufficient to justify special efforts to protect and preserve them and whose loss would be of irremediable adverse impact on the environment. Factors to be considered in determining the significance of trees are age, size, rarity and appearance. Notwithstanding the preceding, each of the following is declared to be a significant tree or trees:

A. Oaks or redwood trees having a circumference greater than twenty (20) inches measured at a height of four (4) feet above ground level.

B. Any tree having a circumference greater than twenty-five (25) inches measured at a height of four (4) feet above ground level.

C. Any three (3) or more trees proposed to be removed from any parcel of property within a twelve (12) month period.”

This ordinance requires that a protective fence be constructed at least five feet from the trunk of any retained significant tree during any construction being carried out near the tree. Trees removed must be replaced on at least a one-to-one basis, or, if this provides inadequate mitigation, a cash payment may be required.

The City’s Subdivision Ordinance (Chapter 13.04.030) requires hillside subdivisions and scenic corridor subdivision tentative maps include the following specific information related to trees:

1. The approximate location of all trees or groups of trees in the subdivision having a trunk diameter of six (6) inches or more as measured four (4) feet above ground level.

2. Those trees of the aforesaid size which are to be, or may be, removed.

The ordinance also requires City Council approval prior to removal of significant trees. Specifically, but not exclusively, no trees larger than six (6) inches in diameter may be removed without City Council approval.

Finally, the City’s general plan open space and conservation element includes the following urban tree canopy protection policies:
OSC-4.5 To the extent possible, encourage the retention and re-establishment of native vegetation in all private development projects and public facility construction projects.

OSC-5.1 Continue to require that development proposals minimize the disturbance to or removal of existing trees to the extent possible.

OSC-5.2 Require that removed trees be replaced with at least a one-to-one ratio, unless prohibited by good forestry practices.

OSC-5.3 Encourage the replacement of non-native trees with California native tree species.

OSC-5.4 Continue to preserve and protect California native trees while recognizing the need to allow for the gradual replacement of trees for on-going natural renewal.

OSC-5.5 Continue to enforce the Tree Removal Ordinance and require development proposals to provide adequate information to City staff to assess the project’s impact on existing trees.

OSC-5.6 Continue to preserve the quality of trees in public and private open space areas.

According to the March 27, 2018 report prepared by Richard Gessner of Monarch Consulting Arborists for the applicant, the site contains 138 inventoried on-site trees, plus 17 additional trees directly adjacent to the site, for a total of 155 inventoried trees, 96 of which are located on the undeveloped hillside. Overall, about 43 percent of the inventoried trees are coast live oaks, and about 21 percent are California bays. Valley oaks #420 and #379 are of unusual size and value; the proposed project would retain these two trees.

The plans submitted to the City of Monte Sereno on April 19, 2018, show the removal of 66 trees, all of which are considered significant by the City ordinance. Proposed tree removals will require compliance with the above-mentioned City ordinances and policies, a tree removal permit will be required by the City. The following mitigation measures will reduce tree removal impacts to a less-than-significant level.

**Mitigation Measure**

**BIO-5** For each tree removed, the developer shall plant a California native tree species with at least a one-to-one replacement ratio on the project site, unless inconsistent with good forestry practices, and obtain a permit prior to removal of any tree, in compliance with the City of
Monte Sereno’s Tree Preservation Ordinance and/or Subdivision Ordinance. A qualified arborist shall recommend the appropriate replacement ratio and also survey any trees to be preserved, including the trunk diameter, canopy spread, species, condition, and location, and recommend specific steps that must be taken during construction to ensure that those trees are not impacted during construction. Implementation of this mitigation measure will be the responsibility of project site developers.

f. **Habitat Conservation Plans.** The proposed project would not conflict with any adopted/approved habitat conservation plan, as it is located outside the Santa Clara Valley Habitat Plan permit area.
5. **CULTURAL RESOURCES**

Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5? (7,8)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (1,2)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d. Disturb any human remains, including those interred outside of dedicated cemeteries? (1,2)</td>
<td>☐</td>
<td>☒</td>
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</tr>
</tbody>
</table>

**Comments:**

a. A historic evaluation titled, Historic and Architectural Evaluation La Hacienda Restaurant and Inn Site, was conducted on March 31, 2008 by Archives & Architecture. The Archives & Architecture report evaluated the historic significance of the property against federal, state, county, and city guidelines.

A peer review of the historic evaluation was conducted in December 2012 by Carey & Co. The peer review made the following conclusions:

- Although the site is significant as an early health resort established in 1901 as Nippon Mura, years of alterations and additions have compromised its integrity to the point of losing all association with this original use and with its original Japanese style architecture.

- No significance can be established to the project site’s association with the Interurban Railway because research revealed the Interurban Railway was very short lived as one of the least successful lines in California and no remnants of the railway depot remain on site.
The Nippon Mura property on the project site does not appear eligible for listing in the National Register of Historic Places or the California Register of Historical Resources, nor is it eligible for the Santa Clara County Historic Resource Inventory or the City of Monte Sereno Inventory. Therefore, the proposed project would have no impact on a historical resource.

The City of Monte Sereno general plan states that archaeological resources may be present in the City in the alluvial areas near streams and other water bodies, although the City has no documented findings of such resources. Although no evidence of potentially sensitive cultural resources are associated with the project site, there is the possibility of an accidental discovery or recognition of archaeological resources or human remains during construction activities. The following mitigation measures would reduce the potential impact to a less than significant level.

**Mitigation Measures**

**CR-1.** Due to the possibility that significant buried prehistoric cultural resources might be found during construction activities, the following language shall be included in all construction documents associated with development of the project site:

“If prehistoric archaeological resources are discovered during construction, work shall be halted at a minimum of 200 feet from the find and the area shall be staked off. The city shall notify a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.”

Implementation of this mitigation measure will be the responsibility of project site developers.

**CR-2.** In the event of an accidental discovery or recognition of any human remains, the following language shall be included in all construction documents associated with redevelopment of the project site in accordance with CEQA Guidelines section 15064.5(e):

“If human remains are found during construction there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Santa Clara County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American the coroner shall...
contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the City of Monte Sereno or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The City of Monte Sereno or its authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the City of Monte Sereno or its authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.”

Implementation of this mitigation measure will be the responsibility of project site developers.

c. The City of Monte Sereno general plan does not identify the project site as paleontologically sensitive.
6. **GEOLOGY AND SOILS**

Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td>☐</td>
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</tr>
<tr>
<td>(1) 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? (34)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>(2) Strong seismic ground shaking? (34)</td>
<td>☐</td>
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<td>☐</td>
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<tr>
<td>(3) Seismic-related ground failure, including liquefaction? (34)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>(4) Landslides? (34)</td>
<td>☐</td>
<td>☐</td>
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<td>☐</td>
</tr>
<tr>
<td>b. Result in substantial soil erosion or the loss of topsoil? (2)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (34)</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>d. Be located on expansive soil, creating substantial risks to life or property? (34)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (3)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
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</tr>
</tbody>
</table>

**Comments:**

A geotechnical investigation report (geotechnical report) was prepared for the proposed project by Geocon Consultants and is included as Appendix B of this initial study. The report
presents the results of the geotechnical investigation to evaluate subsurface soil and geologic conditions in the area of planned development and provides recommendations pertaining to the geotechnical aspects of project design and construction.

a. Potential impacts from exposure to geologic risks are as follows:

(1) **Surface Fault Ruptures.** The project site is not within a currently established State of California Earthquake Fault Zone for surface fault rupture hazards. No active faults are known to pass directly beneath the project site.

The project site is mapped within a Santa Clara County-designated Fault Rupture Hazard Zone due to a suspected fault trace originally mapped by the California Department of Water Resources in 1975 on the basis of displacement found in buried stream channels offsite. However, subsequent geologic mapping by others did not observe evidence of faulting at the ground surface. In addition, excerpted GIS information provided by the County of Santa Clara does not indicate the presence of active or potentially active faults at the project site.

(2) **Ground Shaking.** Geologists and seismologists recognize the San Francisco Bay Area as one of the most seismically-active regions in the United States. The significant earthquakes that occur in the Bay Area are associated with crustal movements along well-defined active fault zones that generally trend in a northwesterly direction.

Faults are sources of potential ground motion. The geotechnical report tabulates the approximate distances to active faults in the project vicinity (Table 4.1, Regional Fault Summary). The closest fault to the project site is the Monte Vista Shannon fault, located approximately 1 ¾ mile from the project site. Implementation of the recommendations presented in Section 6 of the geotechnical report and attached as Exhibit A to this initial study, would reduce any adverse impacts associated with seismic shaking to less-than-significant.

**Mitigation Measure**

GEO-1 Prior to issuance of a grading permit, the applicant shall provide evidence that the recommendations in the April 24, 2018 project geotechnical report are included in the project grading and building plans.

(3) **Liquefaction.** The project site is located within a State of California Seismic Hazard Zone for liquefaction. Web-based mapping by the USGS indicated a high susceptibility to liquefaction for most of the project site. Liquefaction is a phenomenon in which saturated cohesion less soils are subject to a temporary loss of shear strength due to pore pressure buildup under the cyclic shear stresses associated with intense earthquakes.
The potential for liquefaction at the project site was assessed using the computer software program CLiq. Based on the liquefaction analysis, the potential for liquefaction-induced ground loss or fissures to occur in a seismic event is considered low.

(4) Landslides. There are no known landslides near the project site, nor is the project site in the path of any known landslides. Based on the soils conditions encountered in our exploratory borings and observed in the hillside at the southern margin of the site, and our slope stability analyses, the geotechnical engineers do not consider the potential for a landslide to be a significant hazard to the proposed project. The slope stability analyses considered the proposed cuts at the toe of the ascending slope at the southern margin of the site. The results of the analysis indicate acceptable factor of safety against deep-seated instability.

b. Construction activities such as grading and excavation could result in soil erosion or loss or topsoil. Additionally, erosion can be a natural process caused by wind, water, or gravitational forces, which can result in soil removal or erosion of soil from a site. The primary geological effects of erosion are loss of topsoil, rut formation, and potential destabilization of slopes. Subsequent deposition to another site is sedimentation.

The proposed project includes grading throughout the project site, including a portion of the hill at the southern portion of the site. Significant grading at the project site could result in substantial erosion. Implementation of the following mitigation measure would ensure erosion impacts would be less than significant.

**Mitigation Measure**

GEO-2 Prior to issuance of a grading permit, the developer shall submit an erosion control plan to ensure that erosion is controlled during grading and construction activities and does not result in deposition of the soil off site.

c. Consequences of liquefaction can include ground surface settlement, ground loss (sand boils) and lateral slope displacements (lateral spreading). Based on the limited potential for liquefaction, the geotechnical report concluded that the potential for lateral spreading to affect project site improvements is low.

d. The onsite soils are not considered expansive. Although project site soils are generally not expansive, cosmetic cracking in the concrete slabs can be further reduced as per the recommendations in Exhibit A, which are included in mitigation measure GEO-1 presented above.

e. The proposed project would not include septic tanks or alternative wastewater disposal systems.
7. **GREENHOUSE GAS EMISSIONS**

Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (2,3,5,9)</td>
<td>☒</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (3,5,9)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Comments:**

a. The previously signed AB 32, the California Global Warming Solutions Act of 2006, was amended by SB 32, which was signed in September 2016. SB 32 requires that the California Air Resources Board reaches the goal that statewide greenhouse gas emissions are reduced to 40 percent below the 1990 level by the end of the year 2030. The California Air Resources Board, along with other state agencies, is also in the process of preparing a Climate Change Scoping Plan.

The project site would create greenhouse gas emissions largely from the generation of electricity for the residential development and vehicle trips. Solid waste would make up a small amount of the total generation of greenhouse gas emissions.

The air district identifies screening levels for evaluation of operational GHG emissions based on project size as described in the Air Quality section of this initial study. The applicable land use category of the air district’s screening criteria tables for the project is “single-family” and “condo/townhome, general”. The screening size for operational impacts from GHG emissions is 56 dwelling units for single-family homes and 78 dwelling units for condos/townhomes. The project consists of a total of 36 single-family homes and condos/townhomes. The project is below the air district’s screening thresholds for such uses and would have a less than significant impact related to operational GHG emissions.

During site preparation and construction of the project, GHGs would be emitted through the operation of construction equipment and from worker/builder supply vehicles, which typically use fossil-based fuels to operate. Project excavation, grading, and construction would be temporary, occurring only over the construction period, and would not result in a permanent increase in GHG emissions. In addition, compliance with Mitigation Measure AQ-2 (described above in Section 3, Air Quality)
to limit air quality impacts during construction as required by air district (e.g. watering exposed areas, covering haul trucks carrying loose material, limiting speed in construction areas, minimizing idling times, etc.) would further reduce construction GHG emissions. The impact from construction emissions associated with the project, therefore, would be less than significant.

b. The City of Monte Sereno does not have an adopted greenhouse gas emissions reduction plan. The air district is the only regional agency that to date has developed a plan for GHG emissions reductions that can be utilized by the City. The air district has published comprehensive guidance on evaluating, determining significance of, and mitigating GHG impacts of projects and plans. The guidance is contained in the 2017 Air District CEQA Guidelines. The proposed project is below the screening criteria listed in the 2017 Air District CEQA guidelines, Table 3-1 Criteria Air Pollutants and Precursors and GHG Screening Level Sizes. The screening criteria are based on air district analysis of GHG reductions needed within its boundary to meet the intent of AB 32, the Global Warming Solutions Act. Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.
8. **HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

<table>
<thead>
<tr>
<th>Possible Hazards</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (3)</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</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? (3)</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</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? (3,4)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d. 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, create a significant hazard to the public or the environment? (10)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e. 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 a public-use airport, result in a safety hazard for people residing or working in the project area? (4)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area? (4)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1,3)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>h. 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 intermixed with wildlands? (1,3,11)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
Comments:

a/b. The proposed project is a 36-unit residential development that does not involve the routine transport, use, or disposal of hazardous waste. Nominal amounts of hazardous material in the form of fuels and other construction materials are routinely used during construction processes. These materials do not pose an elevated risk to public health and safety.

c. The project site is not within one-quarter mile of a school and the proposed residential use will not be a source of hazardous emissions; therefore, there is no impact.

d. Government Code Section 65962.5 requires that the Department of Toxic Substances Control compile and regularly update a list of hazardous waste facilities and sites. A search of the Envirostor website (Department of Toxic Substances Control 2018) revealed that the project site is not on the list and there are no listed hazardous sites within one half mile. Therefore, no impact would occur.

e/f. The project site is not within an airport land use plan, is not within two miles of a public airport, and is not near a private landing strip. The nearest airports are San Jose International Airport, eight miles to the north, and Reid-Hillview Airport, ten miles to the northeast.

g. The City participates in the Santa Clara County Operational Emergency Plan. The plan is an all hazards document describing the County’s Emergency Operations organization, compliance with relevant legal statutes, other guidelines, and critical components of the Emergency Response System. Development of the project site with 36 residential units would not impair the implementation of this plan.

h. According to Figure HS-1 of the County general plan, the project site is not located within a wildfire hazard zone; however, wildfire hazard zones are only identified for property that was within the city limits when the general plan was prepared. The Santa Clara County General Plan Relative Fire Hazard map (Figure 5N-1) indicates that the project site may be located on the border of an area of extreme fire hazard, although the mapping is not to scale.

The Quito Fire Station is located immediately to the west of the project site; therefore, emergency fire protection services would be provided more quickly than the average. Policy HS-1.8 of the general plan requires all new development to be constructed according to fire safety conformance standards and with all related regulations (City of Monte Sereno, general plan, page 141). In addition, the Monte Sereno Municipal
Code, Section NS-15, requires residents to remove and properly dispose of fire hazards from their property. Therefore, residential development on the project site is not expected to expose people or structures to a significant risk of loss, injury, or death involving wildland fires.
9. **HYDROLOGY AND WATER QUALITY**

Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures 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? (3)</td>
<td>☐</td>
<td>☐</td>
<td>☒</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., would the production rate of preexisting nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted? (1,12,13)</td>
<td>☐</td>
<td>☐</td>
<td>☒</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? (1,3,12)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>d. Substantially alter the existing drainage pattern 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 run-off in a manner which would result in flooding on- or off-site? (1,3,12)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>e. Create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off? (1,3)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>f. Otherwise substantially degrade water quality? (3)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>g. Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (1,14)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
a/f. Projects disturbing more than one acre of land during construction are required to file a notice of intent to be covered under the State NPDES Construction General Permit for discharges of storm water associated with construction activities. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that details how water quality would be protected during construction activities. The SWPPP must contain a site map(s) that shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography (both before and after construction), and drainage patterns across the project. Best Management Practices, which are detailed within each permit, are to be implemented to protect water quality.

The proposed project is the construction of 36 residential units on 4.45 acres and the developer would be required to obtain a State NPDES Construction General Permit. By complying with the Construction General Stormwater Permit requirements, the potential water quality impacts from construction phase activities would be minimized and the impact of excessive runoff water or polluted runoff will be less than significant.

b. The proposed project would utilize public water provided by the San Jose Water Company and would not use groundwater for any phase of the project. There are no existing wells on the site. Regarding surface water that recharges the groundwater, the project site is not located in a groundwater recharge area. Consequently, the project would have no impact on groundwater supplies or recharge other than its indirect impact on the use of groundwater by the San Jose Water Company. The water company receives water from Santa Clara Groundwater Basin supplied by the Santa Clara Valley Water District. According to the water district’s 2015 Urban Water Management Plan, there is adequate groundwater recharge within the Basin, and
groundwater elevations have been steadily on the rise for the past 40 years. Consequently, the proposed project would not deplete groundwater resources nor substantially interfere with groundwater recharge and the impact is less than significant.

c-e. The project site does not contain any streams or rivers; however, the site does contain one drainage feature at the base of the hill on the southern portion of the project site. It appears that this drainage feature drains off-site and to the drainage under State Route 9. See the additional discussion of this drainage feature in Section 4, Biological Resources.

The project site is currently developed with impervious surfaces on approximately 66 percent of the site. Surface runoff is either conveyed to Caltrans’ or the County’s existing storm water drainage system or infiltrates into the ground in the oak woodland or in the other scattered landscaped areas on the site. The proposed project would result in a decrease in existing impervious surfaces. With implementation of the proposed project, impervious surfaces would cover approximately 53 percent of the project site. However, the proposed project does include cutting into the hillside at the southern portion of the project site, which would increase erosion potential. Erosion impacts are also addressed earlier in Section 6, Geology and Soils.

The City uses a storm water collection system, in conjunction with the natural creek drainage system, to manage storm water runoff. Storm water collected through this system ultimately drains into the San Francisco Bay (City of Monte Sereno, general plan, page 121). Policy PS-31 of the general plan requires that developers or property owners pay for services and facilities for new development.

New development of the project site is required to comply with the Municipal Regional Stormwater Permit and the Construction General Stormwater Permit. The Municipal Regional Stormwater Permit and the Construction General Stormwater Permit require that any development on the project site incorporate Low Impact Design techniques, provide erosion control measures during construction, and ensure that runoff does not exceed the rate and duration of that existing runoff. Further, the required Low Impact Design techniques require pre-treatment of runoff before it enters the City’s or Caltrans’ storm water system. The proposed project plans include a conceptual storm water management plan (sheets 4.4 and 4.5 of the project plans in Appendix A). Storm water treatment control measures include tree well filters, self-retaining, self-treating, and bio retention. The storm water management plan will be reviewed by City staff to ensure it meets the City’s requirements for storm water management.
These requirements will ensure that the proposed project will have no impact on downstream flooding, including impacts on downstream creeks. These requirements will also ensure that the proposed project would not create or contribute substantial amounts of runoff water that would exceed the capacity of existing or planned storm water drainage systems.

g/h. Large scale flooding is not a significant hazard in the City (general plan, page 49). According to the Federal Emergency Management Agency (FEMA), the project site is not located within the 100-year flood plain and future development on the project site would not result in the placement of housing or structures within the 100-year flood hazard area.

i. The City of Monte Sereno General Plan does not mention dam failure as an issue of concern. Figure 5L-2 of the *Santa Clara County Draft 1994 General Plan EIR* shows the area in the vicinity of the project site to not be at risk of flooding from dam failure. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.

j. The project site is located inland and is not at risk of inundation by a tsunami. Seiches are large waves generated in enclosed bodies of water in response to ground shaking. No major water-retaining structures are located immediately up gradient from the project site. Flooding from a seismically-induced seiche is unlikely. The project site is located at the base of a hill. Mudflow is a flow of soil or fine-grained sediment mixed with water down a steep unstable slope. Mudflow is not addressed by either the City of Monte Sereno General Plan or the Santa Clara County General Plan. However, the hills above the project site are developed with single-family homes and are densely vegetated and therefore, the project site would not be subject to inundation by mudflow.
10. **LAND USE AND PLANNING**

Would the project:

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Physically divide an established community? (3,12)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Conflict with any applicable land-use plan, 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? (1,2,3)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (15)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Comments:**

a. The project site is currently developed with commercial uses. A fire station is located immediately north of the project site. The proposed project is the construction of 36 residential units and would not physically divide an established community.

b. The project site is currently developed with a facility previously known as La Hacienda Restaurant and Inn. Existing uses include two dwelling units and 18 rentals within the original buildings; a realty office; Jack Rose Libation House, primarily open for dinner and drinks; and Bramble & Bier, serving cocktails and beer Thursday through Sunday. The current land use designation for the project site is Multi-Family Residential, three dwelling units per acre. The proposed project includes a general plan amendment and zoning change to change the land use designation to Multi-Family Residential, three to nine dwelling units per acre and the zoning district to P-1 Planned Development.

Additionally, the proposed land use designation and zoning district changes would assist with implementing the City’s Housing Element Program H-3.10. The proposed project would satisfy the requirements of this program and would implement a program in the general plan. Although the project requires a change in the general plan, this does not constitute a significant impact unless the change may result in physical impacts that have a significant impact. This initial study demonstrates that the general plan change will not have significant environmental effects.
c. The project site is not located within the boundaries of an adopted Habitat Conservation Plan or Natural Community Conservation Plan. Therefore, no habitat conservation plan conflicts/impacts would occur.
## 11. Mineral Resources

Would the project:

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
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</tr>
</tbody>
</table>

**Comments:**

a-b. The City of Monte Sereno does not contain any designated important mineral resources that need to be protected pursuant to State law (Monte Sereno general plan, page 110). Therefore, the proposed project would not result in impacts to known mineral resources or result in the loss of availability of a locally important resource recovery site.
12. **Noise**

Would the project:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies? (33)</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b. Result in exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels? (33)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (33)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (33)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>e. 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, expose people residing or working in the project area to excessive noise levels? (4, 12)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>f. For a project located within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels? (4, 12)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Comments:**

The discussion below is based primarily on a noise assessment study prepared by Edward L. Pack Associates to assess the potential noise for the proposed project. The noise assessment is included in Appendix C.

a. The standards of the City of Monte Sereno General Plan Health and Safety Element utilize the Day-Night Level (DNL) noise descriptor. The Health and Safety Element of the General Plan references a noise exposure land use compatibility chart on Figure HS-5. However, Figure HS-5 is a noise contour map. The Health and Safety Element does not contain quantifiable standards for any type of land use. A conversation with
the City of Monte Sereno Planning Department revealed that 60 dB DNL is the normally acceptable exterior limit for residential land use. The dwelling unit interior noise exposures are limited to 45 dB DNL or lower.

The existing exterior noise exposure at the most impacted planned building setback from Saratoga-Los Gatos Road (Highway 9), 80 feet from the centerline, is 67 dB DNL. Under future traffic conditions, the noise exposure is predicted to increase to 68 dB DNL. The four duets (Lots 33/34 and 35/36) closest to Saratoga-Los Gatos Road will not have exterior areas for which an exterior noise evaluation can be performed. The most impacted exterior area is at Lot 32. The existing noise exposure at the most impacted rear yard closest to Saratoga-Los Gatos Road (Lot 32), 89 feet from the centerline is 59 dB DNL. Under future traffic conditions, the noise exposure is expected to increase to 60 dB DNL. Therefore, the noise exposures will be within the 60 dB DNL limit of the policies of the City of Monte Sereno.

To evaluate the interior noise exposures in project living spaces against the City of Monte Sereno Noise Element, a 25 dB reduction was applied to the exterior noise exposures to represent the attenuation provided by the building shell under a closed window condition. The interior noise exposures in the most impacted guest spaces of the project closest to Saratoga-Los Gatos Road will be up to 42 dB DNL under existing conditions and up to 43 dB DNL under future conditions. Therefore, the noise exposures will be within the 45 dB DNL limit of the City of Monte Sereno standards.

Therefore, the interior and exterior noise exposures will be within the limits of the City of Monte Sereno noise standards.

b. The proposed project would not result in ground-borne vibrations during the operational phase. The equipment expected to be used during demolition and construction associated with the project, will generate ground-borne vibration levels lower than the 0.20 in/sec criterion (Table III, Construction Equipment Vibration Levels, in/sec PPV). Therefore, the impacts will be less than significant.

c. The primary source of operational noise associated with the proposed project would be traffic noise. However, based on the traffic analysis (described below in Section 16, Transportation/Traffic), the proposed project would generate 71 fewer daily trips than the existing uses. Therefore, the proposed project would not contribute to an increase in traffic-generated noise in the project vicinity.

d. Short-term noise impacts may be created during demolition of existing structures on the site and construction of the proposed project. Demolition/construction noise levels range from 68 to 96 dBA at a distance of 50 feet from the source. The residences
to the west are as close as 16 feet from the project and the residence to the south is 85 feet from the project. Significant, but temporary noise excesses will occur at the homes that are adjacent to the site to the west and south during much of the demolition and construction, due to the close proximity of these homes to the site. Implementation of the following mitigation measure would ensure that the impact is less than significant.

**Mitigation Measure**

N-1 Prior to issuance of a grading permit, the following measures shall be included in the grading and construction plans:

**Operational and Situational Controls**

a. All work on site should be restricted to 8:00 a.m. to 8:00 p.m. Weekdays, 9:00 a.m. to 8:00 p.m., Saturdays and no work allowed on Sundays and Federal Holidays.

b. All construction noise control measures currently imposed on the project shall be maintained unless the measures outlined herein are more restrictive.

c. All exterior stationary equipment shall be kept at least 100 ft. from neighboring residential property line unless acoustically shielded.

d. No material deliveries are allowed on Sundays or Federal Holidays.

e. Cranes shall be located at least 100 ft. from any neighboring residential property line with the exception of cranes or lifts necessary to dismantle scaffolding.

f. Minimize material movement along the south and west sides of the site.

g. Locate stockpiles adjacent to residential neighbors as much as possible to help shield residences from on-site noise generation.

h. Driveways and other vehicle travel paths shall be graded smooth to minimize vibration and “bangs” from vehicles traveling over rough surfaces.
i. Music shall not be audible off site.

j. Dirt berming and stockpiling materials whenever possible can also help reduce noise to sensitive receptor locations.

k. Place long-term stationary equipment as far away from the residential areas as possible.

l. Keep mobile equipment (haul trucks, concrete trucks, etc.) off of local streets near residences as much as possible.

m. Keep vehicle paths graded smooth as rough roads and paths can cause significant noise and vibration from trucks (particularly empty trucks) rolling over rough surfaces. Loud bangs and ground-borne vibration can occur.

n. Limit the extent of heavy diesel engine equipment work to less than 10 consecutive days when working within 40 feet of the east property line.

*Interior Work*

a. For interior work, the windows of the interior spaces facing neighboring residences where work is being performed shall be kept closed while work is proceeding.

b. Noise generating equipment indoors should be located within the building to utilize building elements as noise screens.

*Equipment*

a. Earth Removal: Use scrapers as much as possible for earth removal, rather than the noisier loaders and hauling trucks.

b. Backfilling: Use a backhoe for backfilling, as it is less costly and quieter than either dozers or loaders.

c. Ground Preparation: Use a motor grader rather than a bulldozer for final grading. Wheeled heavy equipment is less noisy than track equipment. Utilize wheeled equipment rather than track equipment whenever possible.

 d. Building Construction: Nail guns should be used where possible as they are less noisy than manual hammering.
e. Generators and Compressors: Use generators, compressors and pumps that are housed in acoustical enclosures rather than weather enclosures or none at all.

f. Utilize temporary power service from the utility company in lieu of generators wherever possible.

g. All stationary equipment shall be rated no higher than 85 dBA @ 25 feet under the equipment’s most noisy condition.

h. Circular saws, miter/chop saws and radial arm saws shall be used no closer than 50 feet from any residential property line unless the saw is screened from view by any and all residences using an air-tight screen material of at least 2.0 lbs/square feet surface weight, such as ¾” plywood.

i. Use electrically powered tools rather than pneumatic tools whenever possible.

j. Mitigation of the construction phase noise at the site can be accomplished by using quiet or "new technology" equipment.

k. The greatest potential for noise abatement of current equipment should be the quieting of exhaust noises by use of improved mufflers.

l. It is recommended that all internal combustion engines used at the project site be equipped with a type of muffler recommended by the vehicle manufacturer.

m. All equipment should be in good mechanical condition so as to minimize noise created by faulty or poorly maintained engines, drive-trains and other components. Worn, lose or unbalanced parts or components shall be maintained or replaced to minimize noise and vibration.

n. Utilize wheeled equipment rather than tracked equipment whenever possible.

o. Diesel vibrating compaction equipment shall not be used within 100 feet of a residential structure.
Noise Complaint Management

a. Designate a noise complaint officer. The officer shall be available at all times during construction hours via both telephone and email. Signs shall be posted at site entries.

b. Notify, in writing, all residents within 300 feet of the site of construction. The notification shall contain the name, phone number and email address of the noise complaint officer. A flyer may be placed at the doors of the residences.

c. A log of all complaints shall be maintained. The logs shall contain the name and address of the complainant, the date and time of the complaint, the nature/description of the noise source, a description of the remediation attempt or the reason remediation could not be attempted.

e. The project site is not located within an airport land-use plan or within two miles of a public airport or public-use airport, and therefore, would not expose people residing in the project area to excessive noise levels.

f. The project site is not located within the vicinity of a private airstrip, and therefore, would not expose people residing in the project area to excessive noise levels.
13. **POPULATION AND HOUSING**

Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (2,3,12,25,35)</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>b.</td>
<td>Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (3,12,35)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c.</td>
<td>Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (3,12,35)</td>
<td>☐</td>
<td>☐</td>
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</tbody>
</table>

**Comments:**

a. Table 1, Existing and Proposed Population, presented in the Project Description portion of this initial study, summarizes population scenarios for the project site.

According to the California Department of Finance, the population of the City of Monte Sereno as of January 1, 2017 was estimated at 3,501, with an estimated average of 2.521 persons per household. However, the existing rental units on the project site are small individual housing rooms and it is likely that the average population is less. For purposes of this initial study, 2.0 persons per rental unit are estimated.

Using this estimate, the current population on-site could be about 40 persons (20 units/rooms x 2.0). The proposed project could result in an estimated population of approximately 91 persons on site (36 units x 2.521), which is 51 more than existing conditions.

The current land use designation for the project site is Multi-Family Residential, three dwelling units per acre. The proposed project includes a general plan amendment and zoning change to change the land use designation to Multi-Family Residential, three to nine dwelling units per acre and the zoning district to PD Planned Development.

Under the current land use designation, a total of 13 dwelling units could be developed, with a total population estimated as 33. Under the proposed land use designation, the project site could have up to 36 homes for a total population estimated as 91.
Therefore, the proposed project would result in a population increase of approximately 51 more people than currently live there. The environmental effects of this population increase are evaluated throughout this initial study. All impacts can be mitigated to a less than significant level.

b/c. The Hacienda Inn building on the project site is currently occupied with two dwelling units and 18 rental rooms. Although the proposed project would result in the demolition of the current rental rooms, it would allow for an increase in the amount of housing units on the project site from 2 to 36 (two dwelling units and 18 rental rooms to 36 dwelling units). Therefore, the proposed project would not necessitate the construction of replacement housing elsewhere.
14. **PUBLIC SERVICES**

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

<table>
<thead>
<tr>
<th>Public Service</th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>a. Fire protection? (1,2,3)</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b. Police protection? (1,2,3)</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c. Schools? (1,3,17,18)</td>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
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<tr>
<td>d. Parks? (1,3)</td>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
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<tr>
<td>e. Other public facilities? (3)</td>
<td>☒</td>
<td>☐</td>
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</table>

**Comments:**

a/b. The Santa Clara County Fire Department provides fire protection services to the City of Monte Sereno. The closest fire station to the project site is the Quito Fire Station at 18870 Saratoga-Los Gatos Road, directly adjacent to and west of the project site. The Los Gatos-Monte Sereno Police Department provides law enforcement services to the City, whose station is located at 110 East Main Street in the City of Los Gatos.

The proposed project includes a general plan amendment to change the land use designation from Multi-Family, three dwelling units per acre, to Multi-Family, nine dwelling units per acre. A higher-density development on the site would not hinder the ability of the Santa Clara County Fire Department and the Los Gatos-Monte Sereno Police Department to provide adequate levels of service to the site. New development on the project site is required to comply with general plan Policy PS-3.1 and would pay as necessary for any additional or new services or facilities needed to serve the new development. Therefore, the proposed project would not result in a substantial adverse physical impacts associated with the provision of or need for new or physically altered police or fire facility.

c. The project site is located within the Saratoga Union School District (grades K – 8) and the Los Gatos-Saratoga Union High School District (grades 9 – 12). Student generation rates were not available from the Saratoga Union School District, so the Los Gatos Union School District student generation rates were used. The student
generation rates for the Los Gatos Union School District for apartments are 0.086 (grades K-5) and 0.041 (grades 6-8) students per unit. The generation rates for single-family homes are 0.234 (grades K-5) and 0.131 (grades 6-8). The student generation rates for the Los Gatos-Saratoga Joint Union High School District are 0.075 students per unit for apartments and 0.208 students per unit for single-family homes.

Table 2, Student Generation, presents the approximate number of student under existing conditions, existing land use designation conditions, and proposed land use designation conditions.

**Table 2  Student Generation**

<table>
<thead>
<tr>
<th>Development Scenario</th>
<th>Saratoga Union School District (K-5)(^1)</th>
<th>Saratoga Union School District (6-8)(^1)</th>
<th>Los Gatos-Saratoga Union High School District (9-12)</th>
<th>Total Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Conditions</td>
<td>0.086(20) = 2</td>
<td>0.041(20) = 1</td>
<td>0.075(20) = 2</td>
<td>5</td>
</tr>
<tr>
<td>(20 rental units)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>0.086(12) = 1</td>
<td>0.041(12) = 1</td>
<td>0.075(12) = 1</td>
<td>3</td>
</tr>
<tr>
<td>Designation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(12 Multi-family</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>residential)</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Proposed Project</td>
<td>0.234(36) = 8</td>
<td>0.131(36) = 5</td>
<td>0.208(36) = 7</td>
<td>20</td>
</tr>
<tr>
<td>(36 Single-family</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>residential)</td>
<td></td>
<td></td>
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</tbody>
</table>

**SOURCE:** Town of Los Gatos 2020 General Plan Final EIR  
**NOTES:** Numbers are rounded  
\(^1\) Los Gatos Union School District student generation rates were used.

Project site developers would be required by law to pay development impact fees to each affected school district at the time of the building permit issuance. These fees are used by the school districts to mitigate impacts to school facilities with new development in accordance with State law. Pursuant to Section 65996(3)(h) of the California Government Code, payment of these fees “is deemed to be full and complete mitigation of impacts of any legislative or adjudicative act, or both, involving but not limited to, the planning, use, or development of real property, or any change in government organization or reorganization.” Therefore, with the payment of state-mandated impact fees, the environmental impacts associated with new students generated by the proposed project would be less than significant level.

d. The City does not own or manage public parkland. Instead, City residents utilize parks in neighboring Los Gatos and Saratoga, as well as Vasona Lake County Park, and the El Sereno Open Space Preserve (general plan, page 109). Policy OSC-2.1 of the general plan states that the City will work with other jurisdictions to provide parkland and recreational facilities for Monte Sereno residents, and Policy OSC-2.2
states that the City will continue to designate State Park funds to neighboring jurisdictions when these funds cannot be effectively used within the City, and the City will collaborate with the neighboring jurisdictions to come up with park and open space opportunities for Monte Sereno residents. Policy OSC-2.3 states that the City will maintain associations with the Bachman, Oak Meadow, Vasona and other local and regional parks or recreational facilities which serve the needs of the community of Monte Sereno, and Policy OSC-2.4 requires the review of future subdivision proposals for the opportunity to incorporate new recreational opportunities into the site design and/or require parkland in-lieu fees.

Development of the project site with 36 residential units would result in an increase in the City’s population using public parks. However, implementation of the above general plan policies and programs would result in less than significant physical impacts to park facilities.

e. The proposed project would not have an adverse physical impact on any other government facilities.
15. **RECREATION**

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<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? (2,3,25)</td>
<td>☐</td>
<td>☐</td>
<td>☒</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? (2,3,25)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Comments:**

a/b. Although the proposed project would result in an increase in population in the City by approximately 51 persons over existing conditions, and may result in an increase in the use of existing neighborhood and regional parks or other recreational facilities, the increase would be minimal and the impact on recreational facilities would be less than significant.
16. **Transportation/Traffic**

Would the project:

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
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</table>

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (32)

b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (32)

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (32)

d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (32)

e. Result in inadequate emergency access? (32)

f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decreased the performance or safety of such facilities? (32)
Comments:

a.-f. A transportation impact analysis was prepared to evaluate the transportation impacts of the proposed project. The impact analysis focuses on the change in vehicle trips under existing conditions versus proposed project conditions. The report is included as Appendix D. Please refer to this appendix for technical details.

Existing and Proposed Project Trip Estimates

Daily vehicle trip estimates and AM and PM peak hour vehicle trip estimates for both existing conditions and proposed project conditions are presented in Table 3, Project Trip Generation Estimates.

Table 3 Project Trip Generation Estimates

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Size</th>
<th>Unit</th>
<th>Daily Trip Rate</th>
<th>Daily Trips</th>
<th>AM Peak Hour Trip Rate</th>
<th>AM Peak Hour Trips</th>
<th>PM Peak Hour Trip Rate</th>
<th>PM Peak Hour Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Project</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Single Family and Townhome(^1)</td>
<td>36</td>
<td>unit</td>
<td>9.44</td>
<td>340</td>
<td>0.74</td>
<td>7</td>
<td>20</td>
<td>27</td>
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<tr>
<td>Existing Uses</td>
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<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Restaurant and Bar(^2)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-411</td>
<td>-</td>
<td>-12</td>
<td>-15</td>
<td>-27</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Project Trips</td>
<td>-71</td>
<td>-5</td>
<td>5</td>
<td>0</td>
<td></td>
<td>-7</td>
<td>-4</td>
<td>-11</td>
</tr>
</tbody>
</table>

Notes:
Trip rates are from Institute of Transportation Engineers, Trip Generation Manual, 10th Edition.
1. Average trip rates, in trips per unit, for Single-Family Detached Housing (Land Use 210) are used.
2. Peak-hour trip generation for the existing uses is based on driveway counts conducted on 3/7/2018. Daily trip generation is derived by multiplying the counted PM peak-hour trips by the ratio of ITE daily trip rate to the ITE PM peak-hour trip rate available in ITE Trip Generation Manual for Quality Restaurant (Land Use 931) and Drinking Place (Land Use 320).

Project trip generation was estimated by applying to the size and use of the proposed project the appropriate trip generation rates published by the Institute of Transportation Engineers (ITE) in Trip Generation, 10th edition (2017). After applying the ITE trip generation rates for single-family detached housing (Land Use 210) and existing use trip credits, the project would not generate new vehicle trips during either the AM or PM peak hours.

The project would generate 71 fewer daily trips and 11 fewer PM peak-hour trips than the existing uses. Therefore, the project’s impact on intersection level of service and traffic operations during the PM peak-hour was not further studied.

During the AM peak hour, although the project would not increase the total driveway trips, the project would add 5 outbound trips and reduce 5 inbound trips.
Therefore, the project’s impact on intersection level of service and traffic operations was evaluated for the AM peak hour.

**Intersection Levels of Service**

Traffic conditions at the study intersections were evaluated using a concept called “Level of Service” (LOS). Level of Service is a qualitative description of operating conditions ranging from LOS A, or freeflow conditions with little or no delay, to LOS F, or jammed conditions with excessive delays. Level of service standards for the cities of Monte Sereno and Saratoga, the Town of Los Gatos and Santa Clara County Congestion Management Agency are detailed in the traffic report, included as Appendix D. The results of the intersection level of service analysis (Table ES-1 in Appendix D) show that under existing plus project conditions, the N. Santa Cruz Avenue/Saratoga-Los Gatos Road intersection would continue to operate at LOS E during the AM peak hour, which is considered unacceptable measured against the Town of Los Gatos standard (LOS D) but is considered acceptable measured against the CMP standard (LOS E). At the intersection, although the project would slightly increase the eastbound traffic in the AM peak hour, the westbound traffic (peak travel direction) would be reduced slightly, and there would be no net traffic increase as a result of the project. Therefore, the increase in average delay (0.1 second per vehicle), average critical-movement delay (0 second), and critical-movement v/c (-0.001) at the intersection are negligible. Since the level of service would remain unchanged under existing plus project conditions and the project would not add any new trips, the project would not have a significant impact at the N. Santa Cruz Avenue/Saratoga-Los Gatos Road intersection.

At both unsignalized intersections, the level of service results show that the worst approaches would experience delays corresponding to LOS D or better, which is generally considered an acceptable level of delay. Because there would be no net traffic increase as a result of the project, the project would not cause a noticeable increase in vehicle delay for the northbound and southbound traffic on El Camino Grande, Austin Way, and the project driveway.

**Other Transportation Issues**

The two unsignalized study intersections operate well during the AM and PM peak hours, and the project is not expected to degrade the current traffic operations at these intersections. For the unsignalized study intersections, because Saratoga and Monte Sereno do not have a level of service standard for unsignalized intersections, this level of service results are presented for information purposes only. The level of service results show that the worst approaches (northbound or southbound stop-
controlled approach) at both unsignalized intersections are experiencing delays corresponding to LOS D or better, which is generally considered an acceptable level of delay. Field observations indicate that there are a sufficient number of gaps in traffic on Saratoga-Los Gatos Road for cars to make a turn from the minor streets.

The site plan shows adequate site access and on-site circulation, and no significant operational issues are expected to occur as a result of the project. The project would not have an adverse effect on the existing bicycle, pedestrian, transit facilities in the study area. Therefore, no project sponsored improvements would be necessary.
17. **TRIBAL CULTURAL RESOURCES**

Would the project:

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<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
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</table>

a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or ()

☐ ☐ ☐ ☒

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. ()

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**Comments:**

a. The City of Monte Sereno has not received any requests for consultation from California Native American tribes.
18. **Utilities and Services Systems**

Would the project:

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<th>Potential Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
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</table>

**Comments:**

a. Sanitary sewer services are provided by the West Valley Sanitation District. The district has adequate capacity to serve the site (see discussion below) and so the proposed project would not cause the district to exceed wastewater treatment requirements of the Regional Water Quality Control Board.
b/d/e. The Santa Clara County Valley Water District and San Jose Water Company provide water service to the City of Monte Sereno. The District is responsible for designing and building local water reservoirs and water distribution facilities and operating water treatment plants. The District then sells treated water to local water retail agencies that serve communities using their own distribution systems. San Jose Water Company is the water retailer that provides water to Monte Sereno residents.

The San Jose Water Company currently provides water to the existing uses on the project site (2 dwelling units, 18 rental rooms, an office, restaurant and inn). Jim Bariteau with the San Jose Water Company (telephone conversation, March 21, 2018) stated that the company will continue to provide water to the project site if redeveloped with 36 residential units.

Sanitary sewer services are provided to Monte Sereno, as well as to the existing uses on the project site by the West Valley Sanitation District. The district has the capacity to serve the redevelopment of the site with 36 residential units minus all existing uses (Alan Kam, West Valley Sanitation District, April 6, 2018).

c. The City uses a storm water collection system, in conjunction with the natural creek drainage system, to manage storm water runoff. Storm water collected through this system ultimately drains into the San Francisco Bay (general plan, page 121). Policy PS-31 of the general plan requires that services and facilities for new development are paid for by developers or property owners. Any redevelopment on the project site would implement the required general plan policies and would be required to install adequate storm water infrastructure. In addition, as discussed in Hydrology and Water Quality, the proposed development on the site will require a Municipal Regional Stormwater Permit and a Construction General Stormwater Permit that requires any new development on the site to incorporate Low Impact Design techniques and ensure that runoff does not exceed the rate and duration of that existing.

Therefore, the proposed project would not create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems and would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems and the impact would be less than significant.

f. Solid waste and recycling service is provided by West Valley Collection and Recycling (WVC&R). WVC&R is a joint venture between Green Team of San Jose and Green Waste. Solid waste is picked up Monday through Friday weekly, depending on the Monte Sereno neighborhood. Paper, plastic, metal, glass and green waste, such
as lawn trimmings, can be recycled. All recyclables collected are transmitted to the Material Recovery Facility located in San Jose, where they are sorted and processed into new materials. E-waste is not collected by WVC&R at this time but may be dropped off by residents at the Material Recovery Facility (general plan, pg. 121).

Solid waste and recycling service is currently provided to uses at the project site (rental rooms, restaurant, offices) and would continue with redevelopment of the project site consistent with the proposed project (36 residential units including 9 townhomes, 11 single-family detached homes, and 23 single-family court homes). The Guadalupe Sanitary Landfill has a remaining capacity of 11,055,000 cubic yards and is estimated to be in service until August 2048. Based upon the existing and proposed land uses, any increase in the solid waste and recycling materials would be minimal and could be accommodated by the service provider. Therefore, there is no impact because the proposed project would not require an increase in landfill capacity.

g. Solid waste and recycling service is currently provided to uses at the project site (rental rooms, restaurant, offices) and would continue with redevelopment of the project site consistent with the proposed project (36 residential units including 9 townhomes, 11 single-family detached homes, and 16 single-family court homes). Redevelopment of the project site with 36 residential units would be consistent with the proposed general plan and would need to comply with all federal and state regulations as well as any local goals and policies related to solid waste. Therefore, there is no impact because the proposed project would be required to comply with applicable regulations.
19. ENERGY
Would the project:

<table>
<thead>
<tr>
<th>Potential Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
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<td></td>
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<td>☐</td>
</tr>
</tbody>
</table>

Comments:

a. Implementation of the project would be considered to result in wasteful or inefficient consumption of energy if it failed to comply with applicable regulations/policies and failed to incorporate applicable, feasible energy demand reduction/efficiency measures.

The three primary sources of long-term energy consumption from new development and operations will be fuel use in vehicles traveling to and from the project, use of natural gas, and use of electricity. California Assembly Bill No. 1493 (“Pavley I Rule”) and Advanced Clean Cars program are the state regulations regarding fuel efficiency standards for vehicles in California, designed to reduce wasteful, unnecessary and inefficient use of energy for transportation. The California 2008 Energy Action Plan Update, California Code of Regulations (Title 24), Green Building Standards Code and the Energy Efficiency Act of 2006 are state regulations expected to reduce forecasted natural gas and electricity demand across the state. At the individual project level, the Green Building Standards Code and Title 24 energy standards would be implemented by the City through the building permit process. With required conformance to applicable energy conservation/efficiency regulations and standards that reduce energy consumption and by virtue of its scale and design, the proposed project would not result directly or indirectly result in inefficient, wasteful, and unnecessary consumption of energy.
20. **Mandatory Findings of Significance**

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less-than-Significant Impact with Mitigation Measures Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<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; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (1,2,7,8,15,19,20,21,22,24,27)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” 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) (2,3,5,6,15,19,20,21,22,24,27,33)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (3,5,6,10)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Comments:**

a. The proposed project would impact a small on-site mixed oak woodland and result in the removal of 52 trees, which are considered “Significant Trees” (including both native and non-native species) by the City of Monte Sereno. The project also has the potential to have an adverse effect on protected nesting birds and nesting bats. Mitigation measures are presented in Section 4, Biological Resources that would reduce significant and potentially significant impacts to a less than significant level.

There is no evidence to suggest that the proposed project has the potential to eliminate important examples of the major periods of California history or prehistory. However, during grading activities, there is always the potential to inadvertently disturb previously unknown historic and prehistoric resources. In the event this should occur, mitigation measures are included herein to ensure the impact would not be significant.
b. The proposed project’s impacts and potential impacts in the following areas have the potential to be cumulatively considerable: impacts to sensitive biological resources; and short-term construction related air quality and noise impacts. However, mitigation measures presented herein would ensure that the proposed project’s contribution to cumulative impacts is not considerable.

c. The proposed project is a housing development and does not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly. Although there is some potential for air quality impacts to nearby sensitive resources during construction activities, a mitigation measure has been included herein to ensure the impact is not substantial.
E. SOURCES


6. Bay Area Air Quality Management District. 2017 *Clean Air Plan: Spare the Air, Cool the Climate*. April 19, 2017


35. Applicant-submitted summary of existing uses on the project site.


All documents indicated with bold numbers are available for review at the City of Monte Sereno, 18041 Saratoga – Los Gatos Road, Monte Sereno, CA 95030, (408) 354-7635 during normal business hours.

All documents listed above are available for review at EMC Planning Group Inc., 301 Lighthouse Avenue, Suite C, Monterey, California 93940, (831) 649-1799 during normal business hours.
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EXHIBIT A

GEOTECHNICAL RECOMMENDATIONS
6. CONCLUSIONS AND RECOMMENDATIONS

6.1 General

6.1.1 No overriding geotechnical constraints were encountered during our investigation that would preclude the project as presently proposed. Primary geotechnical considerations are the potential for liquefaction-related settlements, site seismicity and the stability of the hillside that ascends the southern margin of the site.

6.1.2 The proposed project redevelops a site with past episodes of grading and construction. As such, unknown underground improvements and areas of undocumented fill materials (not discussed herein) may be present. If encountered, supplemental recommendations will be provided during site development.

6.1.3 As discussed in Section 4.3, the site is susceptible to liquefaction. Our analysis indicates that, if liquefaction and/or cyclic softening were to occur, total ground surface settlements on the order of ½ inch may result. In our experience, this amount of settlement should not require special structural design considerations or special mitigation measures. In addition to settlements from structural loading, the design of structures and site improvements should accommodate seismically-induced differential settlements of ½ inch over a horizontal distance of 50 feet.

6.1.4 Where shallow foundation systems are designed and constructed as recommended herein, post-construction settlement due to dead + live loads would be on the order of ¾ inch or less with differential settlements of approximately ½ inch across a horizontal distance of 50 feet.

6.1.5 Any changes in the design, location or elevation of the proposed improvements, as outlined in this report, should be reviewed by this office. Geocon should be contacted to determine the necessity for review and possible revision of this report.

6.1.6 All references to relative compaction and optimum moisture content in this report are based on ASTM D 1557 (latest edition).

6.2 Seismic Design Criteria

6.2.1 We understand that seismic structural design will be performed in accordance with the provisions of the 2016 CBC which is based on the American Society of Civil Engineers (ASCE) publication *Minimum Design Loads for Buildings and Other Structures* (ASCE 7-10). We used the USGS web-based application *US Seismic Design Maps* to evaluate site-specific seismic design parameters in accordance with the 2016 CBC and ASCE 7-10. Results are summarized in Table 6.2.1. The values presented are for the risk-targeted maximum considered earthquake (MCE_r).
Table 6.2.1 presents additional seismic design parameters for projects with Seismic Design Categories of D through F in accordance with ASCE 7-10 for the mapped maximum considered geometric mean (MCEG).

### Table 6.2.1

#### 2016 CBC Seismic Design Parameters

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Value</th>
<th>ASCE 7-10 Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Class</td>
<td>D</td>
<td>Section 1613.3.2/Table 20.3-1</td>
</tr>
<tr>
<td>MCE(g) Ground Motion Spectral Response Acceleration – Class B (short), (S_s)</td>
<td>2.706g</td>
<td>Figure 1613.3.1(1) / Figure 22-1</td>
</tr>
<tr>
<td>MCE(g) Ground Motion Spectral Response Acceleration – Class B (1 sec), (S_I)</td>
<td>1.009g</td>
<td>Figure 1613.3.1(2) / Figure 22-2</td>
</tr>
<tr>
<td>Site Coefficient, (F_A)</td>
<td>1.0</td>
<td>Table 1613.3.3(1) / Table 11.4-1</td>
</tr>
<tr>
<td>Site Coefficient, (F_v)</td>
<td>1.5</td>
<td>Table 1613.3.3(2) / Table 11.4-2</td>
</tr>
<tr>
<td>Site Class Modified MCE(g) Spectral Response Acceleration (short), (S_{SM})</td>
<td>2.706g</td>
<td>Eq. 16-37 / Eq. 11.4-1</td>
</tr>
<tr>
<td>Site Class Modified MCE(g) Spectral Response Acceleration (1 sec), (S_{SM})</td>
<td>1.513g</td>
<td>Eq. 16-38 / Eq. 11.4-2</td>
</tr>
<tr>
<td>5% Damped Design Spectral Response Acceleration (short), (S_{DS})</td>
<td>1.804g</td>
<td>Eq. 16-39 / Eq. 11.4-3</td>
</tr>
<tr>
<td>5% Damped Design Spectral Response Acceleration (1 sec), (S_{DI})</td>
<td>1.009g</td>
<td>Eq. 16-40 / Eq. 11.4-4</td>
</tr>
</tbody>
</table>

6.2.2 Table 6.2.2 presents additional seismic design parameters for projects with Seismic Design Categories of D through F in accordance with ASCE 7-10 for the mapped maximum considered geometric mean (MCE\(g\)).

### Table 6.2.2

#### 2016 CBC Site Acceleration Design Parameters

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Value</th>
<th>ASCE 7-10 Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mapped MCE(g) Peak Ground Acceleration, PGA</td>
<td>1.024g</td>
<td>Figure 22-7</td>
</tr>
<tr>
<td>Site Coefficient, (F_{PGA})</td>
<td>1.0</td>
<td>Table 11.8-1</td>
</tr>
<tr>
<td>Site Class Modified MCE(g) Peak Ground Acceleration, PGA(_{m})</td>
<td>1.024g</td>
<td>Section 11.8.3 (Eq. 11.8-1)</td>
</tr>
</tbody>
</table>

6.2.3 Conformance to the criteria presented in Tables 6.2.1 and 6.2.2 for seismic design does not constitute any kind of guarantee or assurance that significant structural damage or ground failure will not occur if a maximum level earthquake occurs. The primary goal of seismic design is to protect life and not to avoid structural damage, since such design may be economically prohibitive.

6.3 Soil and Excavation Characteristics

6.3.1 The onsite alluvial soils can be excavated with moderate effort using conventional excavation. We do not anticipate excavations in the native alluvium or Santa Clara Formation at the site will generate oversize material (greater than 6 inches in nominal dimension). However, unknown or
6.3.2 It is the responsibility of the contractor to ensure that all excavations and trenches are properly shored and maintained in accordance with applicable Occupational Safety and Health Administration (OSHA) rules and regulations to maintain safety and maintain the stability of adjacent existing improvements.

6.3.3 The soils encountered at in our soil borings are not considered “expansive” as defined by 2016 CBC based on our laboratory testing. The recommendations of this report assume proposed foundation systems will derive support in engineered fills or competent alluvium or Santa Clara Formation.

6.4 Materials for Fill

6.4.1 Soils generated from cut operations or foundation excavations at the site are suitable for use as engineered fill in structural areas provided they do not contain deleterious matter, organic material, or cementations larger than 6 inches in maximum dimension. Excavated soils may be wet and require drying prior to use and engineered fill.

6.4.2 Import fill material should be primarily granular with a “low” expansion potential (Expansion Index less than 50), a Plasticity Index less than 15, be free of organic material and construction debris, and not contain rock larger than 6 inches in greatest dimension.

6.4.3 Environmental characteristics and corrosion potential of import soil materials may also be considered. Proposed import materials should be sampled, tested, and approved by Geocon prior to its transportation to the site.

6.5 Grading

6.5.1 All clearing operations and earthwork (including over-excavation, scarification, and recompaction) should be observed and all fills tested for recommended compaction and moisture content by representatives of Geocon.

6.5.2 Structural areas should be considered as areas extending a minimum of 5 feet horizontally from a foundation or beyond the outside dimensions of buildings, including footings and overhangs carrying structural loads, and where not restricted by property boundaries.

6.5.3 A preconstruction conference should be held at the site prior to the beginning of grading operations with the owner, contractor, civil engineer and geotechnical engineer in attendance. Special soil handling requirements can be discussed at that time.

6.5.4 After complete demolition and removal of existing structures, site preparation should commence with the removal of all existing improvements from the area to be developed/graded. All active or inactive utilities within the construction area should be protected, relocated, or abandoned. Any pipelines to be abandoned that are greater than 2 inches and less than 18 inches in diameter should be removed or filled with sand-cement slurry. Utilities larger than 18 inches in diameter should be removed. Excavations or depressions resulting from site clearing operations, or other
existing excavations or depressions, should be restored with engineered fill in accordance with the recommendations of this report.

6.5.5 Existing soils in areas to receive fill or remain near current grades should be over-excavated at least one foot below existing grade, not including the thickness of existing pavement section components or slabs. The resultant over-excavation bottoms should then be scarified to a depth of approximately 1 foot, moisture conditioned to near to slightly above optimum moisture and recompacted to at least 90% relative compaction. Subgrade for building pads or exterior slabs should be scarified to a depth of approximately 1 foot, moisture conditioned to near to slightly above optimum and recompacted to at least 90% relative compaction. Subgrade in pavement areas should be scarified to a depth of approximately 1 foot, moisture conditioned to near to slightly above optimum moisture and recompacted to at least 95% relative compaction.

6.5.6 In general, over-excavated materials may be used for new engineered fill provided they do not contain deleterious matter, organic material, or cementations larger than 6 inches in maximum dimension. Over-excavations and the exposed bottom surfaces and bottom processing should be observed by our representatives. Supplemental recommendations may be provided based on site conditions during grading. Areas of deeper over-excavation may be required.

6.5.7 All structural fill and backfill should be placed in layers no thicker than will allow for adequate bonding and compaction (typically 8 to 12 inches). Fill soils should be placed and compacted to at least 90% relative compaction near to slightly above optimum moisture. Fill areas with in-place density tests showing moisture contents less than those recommended will require additional moisture conditioning prior to placing additional fill.

6.6 Shallow Foundation Recommendations

6.6.1 The proposed residential structures and ancillary site structures such as short retaining walls, screen walls, or trash enclosures may utilize conventional foundations consisting of continuous strip footings founded in competent native alluvial materials or properly compacted fill. The following recommendations are based on the assumption that the soils within 5 feet of finish grade will consist of low expansive materials (Expansion Index less than 50). Over-excavations may be required if soft or loose soils are encountered in footing excavations.

6.6.2 It is recommended that conventional continuous footings have a minimum embedment depth of 18 inches below lowest adjacent pad grade. The footings should be at least 12 inches wide.

6.6.3 Footings proportioned as recommended may be designed for an allowable soil bearing pressure of 3,000 pounds per square foot (psf). The allowable bearing pressure is for dead + live loads may be increased by up to one-third for transient loads due to wind or seismic forces.

6.6.4 The allowable passive pressure used to resist lateral movement of the footings may be assumed to be equal to a fluid weighing 300 pounds per cubic foot (pcf). Where not protected by pavement or flatwork, the upper one foot of soil should be ignored when calculating passive resistance. The allowable coefficient of friction to resist sliding is 0.30 for concrete against soil. Combined passive resistance and friction may be utilized for design provided that the frictional resistance is reduced by 50%.

6.6.5 Minimum reinforcement for continuous footings should consist of four No. 4 steel reinforcing bars; two placed near the top of the footing and two near the bottom.
6.6.6 The foundation dimensions and minimum reinforcement recommendations presented herein are based upon soil conditions only and are not intended to be used in lieu of those required for structural purposes.

6.6.7 Underground utilities running parallel to footings should not be constructed in the zone of influence of footings. The zone of influence may be taken to be the area beneath the footing and within a 1:1 plane extending out and down from the bottom edge of the footing.

6.6.8 The foundation subgrade should be sprinkled as necessary to maintain a moist condition without significant shrinkage cracks as would be expected in any concrete placement. Our representative should observe all footing excavations prior to placing reinforcing steel.

6.7 Post-Tensioned Foundation Recommendations

6.7.1 Post-tensioned foundations may be used to support the proposed residential structures and should be designed by a structural engineer experienced in post-tensioned slab design and design criteria of the Post-Tensioning Institute (PTI), Third Edition. The post-tensioned design should incorporate the geotechnical parameters presented on the table below. The parameters presented are based on the guidelines presented in the PTI, Third Edition design manual.

<table>
<thead>
<tr>
<th>Post-Tensioning Institute (PTI), Third Edition Design Parameters</th>
<th>Recommended Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equilibrium Suction</td>
<td>3.6</td>
</tr>
<tr>
<td>Edge Lift Moisture Variation Distance, $e_M$ (feet)</td>
<td>5.1</td>
</tr>
<tr>
<td>Edge Lift, $y_M$ (inches)</td>
<td>0.64</td>
</tr>
<tr>
<td>Center Lift Moisture Variation Distance, $e_M$ (feet)</td>
<td>9.0</td>
</tr>
<tr>
<td>Center Lift, $y_M$ (inches)</td>
<td>0.76</td>
</tr>
</tbody>
</table>

6.7.2 Post-tensioned foundations should be embedded in accordance with the recommendations of the structural engineer. If a post-tensioned mat foundation system is planned, the slab should possess a thickened edge with a minimum width of 12 inches. The thickened edge should extend below the crushed rock underlayment layer.

6.7.3 The thickness of post-tensioned foundation systems should be determined by the project structural engineer. Based on our experience with similar projects and soils conditions, we anticipate the post-tensioned slab thicknesses will be on the order of 10 to 12 inches.

6.7.4 Our experience indicates that post-tensioned slabs are susceptible to excessive edge lift, regardless of the underlying soil conditions. Placing reinforcing steel at the bottom of the perimeter footings and the interior stiffener beams may mitigate this potential. Current PTI design procedures primarily address the potential center lift of slabs but, because of the placement of the reinforcing tendons in the top of the slab, the resulting eccentricity after tensioning reduces the ability of the system to mitigate edge lift. The structural engineer should design the foundation system to reduce the potential of edge lift occurring for the proposed structures.
6.7.5 During the construction of the post-tension foundation system, the concrete should be placed monolithically. Under no circumstances should cold joints be allowed to form between the footings/grade beams and the slab during the construction of the post-tension foundation system.

6.7.6 The use of isolated footings, which are located beyond the perimeter of the building and support structural elements connected to the building, are not recommended. Where this condition cannot be avoided, the isolated footings should be connected and tied to the building foundation system with grade beams.

6.7.7 Consideration should be given to connecting patio slabs to the building foundation to reduce the potential for future separation to occur.

6.7.8 Post-tensioned slabs should be underlain by at least 3 inches of ½-inch or ¾-inch crushed rock with no more than 5 percent passing the No. 200 sieve to serve as a capillary break.

6.7.9 Subgrade for post-tensioned foundations should be tested immediately prior to placing underlayment materials (crushed rock and vapor barrier) to verify that subgrade moisture content is appropriate.

6.8 Temporary Excavations

6.8.1 The native alluvium and Santa Clara Formation can be considered a Type B soil in accordance with OSHA guidelines. If free water, sandy or cohesionless soils or undocumented fills are encountered the materials should be downgraded to Type C. The contractor should have a “competent person” as defined by OSHA evaluate all excavations. All onsite excavations must be conducted in such a manner that potential surcharges from existing structures, construction equipment, and vehicle loads are resisted. The surcharge area may be defined by a 1:1 projection down and away from the bottom of an existing foundation or vehicle load. Penetrations below this 1:1 projection will require special excavation measures such as sloping and possibly shoring.

6.8.2 It is the contractor’s responsibility to provide sufficient and safe excavation support as well as protecting nearby utilities, structures, and other improvements which may be damaged by earth movements.

6.9 Underground Utilities

6.9.1 Underground utility trenches should be backfilled with properly compacted material. The material excavated from the trenches should be adequate for use as backfill provided it does not contain deleterious matter, vegetation or rock larger than six inches in maximum dimension. Trench backfill should be placed in loose lifts not exceeding eight inches and should be compacted to at least 90% relative compaction at least 2% above optimum moisture content (near optimum where backfill materials are predominantly sands and gravels).

6.9.2 Bedding and pipe zone backfill typically extends from the bottom of the trench excavations to a minimum of 6 inches above the crown of the pipe. Pipe bedding material should consist of crushed aggregate, clean sand or similar open-graded material. Proposed bedding and pipe zone materials should be reviewed by Geocon prior to construction; open-graded materials such as ¾ inch drain rock may require wrapping with filter fabric to mitigate the potential for piping. Pipe bedding and backfill should also conform to the requirements of the governing utility agency.
6.10 Concrete Slabs-on-Grade

6.10.1 Exterior concrete slabs-on-grade subject to vehicle loading are considered pavements should be designed in accordance with the recommendations in Section 6.12 of this report.

6.10.2 Concrete slabs-on-grade for structures, not subject to vehicle loading, should be a minimum of 4 inches thick and minimum slab reinforcement should consist of No. 3 steel reinforcing bars placed 18 inches on center in both horizontal directions. Steel reinforcing should be positioned vertically near the slab midpoint.

6.10.3 Interior slabs or slabs in areas where moisture would be objectionable should be underlain by 4 inches of ½-inch or ¾-inch crushed rock with no more than 5% passing the No. 200 sieve to serve as a capillary break.

6.10.4 Exterior slabs, not subject to traffic loads, should be at least 4 inches thick and reinforced with No. 3 steel reinforcing bars placed 18 inches on center in both horizontal directions, positioned near the slab midpoint. Consideration may be given to providing at least four inches of Class 2 Aggregate Base (AB) compacted to at least 90% relative compaction below exterior concrete slabs to provide a more uniform support characteristic. Although site soils are generally not expansive, the provision of an underlying AB layer can reduce cosmetic cracking in the slabs. Prior to placing AB or rebar for the exterior slabs, the subgrade should be moisture conditioned to near optimum and properly compacted to at least 90% relative compaction.

6.10.5 In lieu of specific recommendations from the structural or civil engineer, we recommend that crack control joints be spaced at intervals not greater than 8 feet for 4-inch-thick slabs. Crack control joints should extend a minimum depth of one-fourth the slab thickness and should be constructed using saw-cuts or other methods as soon as practical after concrete placement. Construction joints should be designed by the project structural engineer.

6.10.6 The recommendations of this report are intended to reduce the potential for cracking of slabs due to soil movement. However, even with the incorporation of the recommendations presented herein, foundations, stucco walls, and slabs-on-grade may exhibit some cracking due to soil movement. The occurrence of concrete shrinkage cracks is independent of the supporting soil characteristics. Their occurrence may be reduced and/or controlled by limiting the slump of the concrete, proper concrete placement and curing, and by the placement of crack control joints at periodic intervals, in particular, where re-entrant slab corners occur.

6.11 Moisture Protection Considerations

6.11.1 A vapor barrier is not required beneath interior slabs-on-grade for geotechnical purposes. Further, the migration of moisture through concrete slabs or moisture otherwise released from slabs is not a geotechnical issue. However, for the convenience of the owner, we are providing the following general suggestions for consideration by the owner, architect, structural engineer, and contractor. The suggested procedures may reduce the potential for moisture-related floor covering failures on concrete slabs-on-grade, but moisture problems may still occur even if the procedures are followed. If more detailed recommendations are desired, we recommend consulting a specialist in this field. If a vapor barrier is used beneath mat slab foundations, friction between the mat slab and underlying substrate when evaluating lateral loading resistance.
6.11.2 A vapor barrier meeting ASTM E 1745-09 Class C requirements may be placed directly below the slab, without a sand cushion. To reduce the potential for punctures, a higher quality vapor barrier (15 mil, Class A or B) should be used. The vapor barrier, if used, should extend to the edges of the slab, and should be sealed at all seams and penetrations.

6.11.3 The concrete water/cement ratio should be as low as possible. The water/cement ratio should not exceed 0.45 for concrete placed directly on the vapor barrier. Midrange plasticizers could be used to facilitate concrete placement and workability.

6.11.4 Proper finishing, curing, and moisture vapor emission testing should be performed in accordance with the latest guidelines provided by the American Concrete Institute, Portland Cement Association, and ASTM.

6.12 Pavement Recommendations

6.12.1 The upper 12 inches of pavement subgrade should be scarified, moisture conditioned to near to slightly above optimum and compacted to at least 95% relative compaction. Prior to placing aggregate base, the finished subgrade should be proof-rolled with a laden water truck (or similar equipment with high contact pressure) to verify stability.

6.12.2 Sidewalk, curb, gutter, and driveway encroachments should be designed and constructed in accordance with City of Monte Sereno requirements, as applicable.

6.12.3 We recommend the following asphalt concrete (AC) pavement sections for design to establish subgrade elevations in pavement areas. The project civil engineer should determine the appropriate Traffic Index (TI) based on anticipated traffic conditions. The flexible pavement sections below are based on estimated design TIs and an assumed R-Value of 5 for the subgrade soils. We can provide additional sections based on other TIs if necessary. The project civil engineer should confirm the TIs estimated herein. Supplemental soil sampling and laboratory R-value testing could allow reductions in the section thicknesses tabulated below.

<table>
<thead>
<tr>
<th>Location</th>
<th>Estimated Traffic Index (TI)</th>
<th>AC Thickness (inches)</th>
<th>Class 2 AB Thickness (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Stalls</td>
<td>4.5</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>Driveways</td>
<td>6.0</td>
<td>3 ½</td>
<td>12 ½</td>
</tr>
<tr>
<td>Heavy-Duty</td>
<td>7.0</td>
<td>4</td>
<td>15 ½</td>
</tr>
</tbody>
</table>

Note: The recommended flexible pavement sections are based on the following assumptions:

1. AB: Class 2 AB with a minimum R-Value of 78 and meeting the requirements of Section 26 of the latest Caltrans Standard Specifications.
2. AB is compacted to 95% or higher relative compaction at or near optimum moisture content. Prior to placing AB, the subgrade should be proof-rolled with a loaded water truck to verify stability.
3. AC: Asphalt concrete conforming to local agency standards or Section 39 of the latest Caltrans Standard Specifications.
6.12.4 The AC sections in Table 6.12.3 are final, minimum thicknesses. If staged-pavements are used, the construction bottom AC lift should be at least 2 inches thick. Following construction, the finish top AC lift should be at least 1½ inches thick.

6.12.5 We understand that pervious asphalt pavements will be used in some areas of the project. The following pervious pavement sections were determined in general accordance with Caltrans’ design methodology. The sections below are based on estimated design TIs and an assumed R-Value of 5 for the subgrade soils. The project civil engineer should confirm the TIs estimated herein. We can provide additional sections based on other TIs if necessary.

TABLE 6.12.5
PERVIOUS ASPHALT PAVEMENT SECTION RECOMMENDATIONS

<table>
<thead>
<tr>
<th>Location</th>
<th>Estimated Traffic Index (TI)</th>
<th>OGFC Thickness (feet)</th>
<th>ATPB Thickness (feet)</th>
<th>Class 4 ASB Thickness (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Stalls</td>
<td>4.5</td>
<td>0.1</td>
<td>0.25</td>
<td>1.25</td>
</tr>
<tr>
<td>Driveways</td>
<td>6.0</td>
<td>0.1</td>
<td>0.40</td>
<td>1.50</td>
</tr>
</tbody>
</table>

Notes:

1. OGFC: Open Graded Friction Course per Section 39 of the latest Caltrans Standard Specifications.
2. ATPB: Asphalt Treated Permeable Base per Section 29 of the latest Caltrans Standard Specifications.
3. Class 4 ASB: Class 4 Aggregate Subbase per Section 25 of the latest Caltrans Standard Specifications. Class 4 ASB should be compacted to 95% or higher relative compaction at or near optimum moisture content.
4. The Class 4 ASB thicknesses in Table 6.12.5 are for structural support only and are not intended to represent minimum required thicknesses for reservoir storage, which should be determined by the project civil engineer.
5. Caltrans generally recommends that pervious pavements be used in cut areas, and not in areas where fills are required to attain subgrade elevation.
6. Pervious pavements should be designed and constructed per Caltrans requirements.

6.12.6 Unless specifically designed and evaluated by the project structural engineer, where concrete paving will be utilized for support of vehicles, we recommend the concrete be a minimum of 6 inches thick and reinforced with No. 3 steel reinforcing bars placed 18 inches on center in both horizontal directions. In addition, doweling, reinforcing steel or other load-transfer mechanism should be provided at joints if desired to reduce the potential for vertical offset. The concrete should have a minimum 28-day compressive strength of 3,500 psi. We should evaluate pavements to support heavy truck traffic on a case-by-case basis; supplemental recommendations may be provided.

6.12.7 We recommend that at least 6 inches of Class 2 Aggregate Base be used below rigid concrete pavements. The aggregate base should be compacted to at least 95% relative compaction near optimum moisture content.

6.12.8 In general, we recommend that concrete pavements be designed, constructed and maintained in accordance with industry standards such as those provided by the American Concrete Pavement Association.
6.12.9 Crack control joints should be spaced at intervals not greater than 12 feet and should be constructed using saw-cuts or other methods as soon as practical following concrete placement. Crack control joints should extend a minimum depth of one-fourth the slab thickness and should be constructed using saw-cuts or other methods as soon as practical after concrete placement. Construction joints should be designed by the project structural engineer.

6.12.10 The performance of pavements is highly dependent upon providing positive surface drainage away from the edge of pavements. Ponding of water on or adjacent to the pavement will likely result in saturation of the subgrade materials and subsequent cracking, subsidence and pavement distress. If planters are planned adjacent to paving, it is recommended that the perimeter curb be extended at least 6 inches below the bottom of the aggregate base to minimize the introduction of water beneath the paving. Alternatives such as plastic moisture cut-offs or modified drop-inlets may also be considered in lieu of deepened curbs.

6.13 Retaining Wall Design

6.13.1 Lateral earth pressures may be used in the design of retaining walls and buried structures. Lateral earth pressures against these facilities may be assumed to be equal to the pressure exerted by an equivalent fluid. The unit weight of the equivalent fluid depends on the design conditions. Table 6.13 summarizes the weights of the equivalent fluid based on the different design conditions.

<table>
<thead>
<tr>
<th>Condition</th>
<th>Equivalent Fluid Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active</td>
<td>40 pcf</td>
</tr>
<tr>
<td>At-Rest</td>
<td>60 pcf</td>
</tr>
</tbody>
</table>

6.13.2 Unrestrained walls should be designed using the active case. Unrestrained walls are those that are allowed to rotate more than 0.001H (where H is the height of the wall). Walls restrained from movement such as basement walls should be designed using the at-rest case. The above soil pressures assume level backfill under drained conditions within an area bounded by the wall and a 1:1 plane extending upward from the base of the wall and no surcharges within that same area. Where backfill surfaces will be inclined at 2:1 or flatter, an additional 15 pcf should be added to the equivalent fluid density values in Table 6.13.

6.13.3 Unless project-specific loading information is provided by the structural engineer, where vehicle loads are expected atop the wall backfill, an additional uniform surcharge pressure equivalent to 2 feet of backfill soil should be used for design. Where the vehicle loading will be limited to passenger cars, the additional uniform surcharge equivalent may be reduced to 1 foot of backfill soil.

6.13.4 Retaining walls greater than 2 feet tall (retained height) should be provided with a drainage system adequate to prevent the buildup of hydrostatic forces and should be waterproofed as required by the project architect. Positive drainage for retaining walls should consist of a vertical layer of permeable material positioned between the retaining wall and the soil backfill. The permeable material may be composed of a composite drainage geosynthetic or a natural
permeable material such as crushed gravel at least 12 inches thick and capped with at least 12 inches of native soil. A geosynthetic filter fabric should be placed between the gravel and the soil backfill. Provisions for removal of collected water should be provided for either system by installing a perforated drainage pipe along the bottom of the permeable material which leads to suitable drainage facilities.

6.13.5 We recommend that all retaining wall designs be reviewed by Geocon to confirm the incorporation of the recommendations provided herein. In particular, potential surcharges from adjacent structures and other improvements should be reviewed by Geocon.

6.14 Surface Drainage

6.14.1 Proper surface drainage is critical to the future performance of the project. Uncontrolled infiltration of irrigation excess and storm runoff into the soils can adversely affect the performance of the planned improvements. Saturation of a soil can cause it to lose internal shear strength and increase its compressibility, resulting in a change to important engineering properties. Proper drainage should be maintained at all times.

6.14.2 All site drainage should be collected and transferred in accordance with an engineered storm water management plan, or to facilities designed by the project civil engineer, in non-erosive drainage devices. Drainage should not be allowed to pond near any foundations or retaining walls. Drainage should not be allowed to flow uncontrolled over any descending slope. The proposed structures should be provided with roof gutters. Discharge from downspouts, roof drains and scuppers not permitted onto unprotected soils within five feet of the building perimeter. Planters which are located adjacent to foundations should be sealed or properly drained to prevent moisture intrusion into the materials providing foundation support. Landscape irrigation within five feet of the building perimeter footings should be kept to a minimum to just support vegetative life.

6.14.3 Positive site drainage should be provided away from structures, pavement, and the tops of slopes to swales or other controlled drainage structures. The building pad and pavement areas should be fine graded such that water is not allowed to pond. Final soil grade should slope a minimum of 2% away from structures.

6.14.4 We recommend implemented measures to reduce infiltrating surface water near buildings and slabs-on-grade. Such measures may include:

- Selecting drought-tolerant plants that require little or no irrigation, especially within 5 feet of buildings, slabs-on-grade, or pavements.
- Using drip irrigation or low-output sprinklers.
- Using automatic timers for irrigation systems.
- Appropriately spaced area drains.
- Hard-piping roof downspouts to appropriate collection facilities.
7. **FURTHER GEOTECHNICAL SERVICES**

7.1 **Plan and Specification Review**

7.1.1 We should review project plans and specifications prior to final design submittal to assess whether our recommendations have been properly implemented and evaluate if additional analysis and/or recommendations are required.

7.2 **Testing and Observation Services**

7.2.1 The recommendations provided in this report are based on the assumption that we will continue as Geotechnical Engineer of Record throughout the construction phase and provide compaction testing and observation services and foundation observations throughout the project. It is important to maintain continuity of geotechnical interpretation and confirm that field conditions encountered are similar to those anticipated during design. If we are not retained for these services, we cannot assume any responsibility for others interpretation of our recommendations, and therefore the future performance of the project.