

Town of Los Gatos
105 Newell Avenue
Planned Development Application PD-14-002
Initial Study and Mitigated Negative Declaration

May 31, 2016

Prepared for
Town of Los Gatos
Community Development Department
110 E. Main Street
Los Gatos, CA 95030



Prepared by
Kimley-Horn and Associates
100 West San Fernando Street, Suite 250
San Jose, CA 95113

Kimley»Horn

Table of Contents

Mitigated Negative Declaration	1
Initial Study	7
Environmental Setting	9
Environmental Checklist	9
Evaluation of Environmental Checklist Responses	18
Aesthetics	18
Agriculture and Forestry Resources	20
Air Quality	21
Biological Resources	27
Cultural Resources	29
Geology and Soils	31
Greenhouse Gas Emissions	33
Hazards and Hazardous Materials	36
Hydrology and Water Quality	38
Land Use and Planning	43
Mineral Resources	45
Noise	45
Population and Housing	51
Public Services	52
Recreation	54
Transportation/Traffic	55
Utilities and Service Systems	59
Mandatory Findings of Significance	63

Attachments

A Noise Study

List of Figures

Figure 1: Regional Map

Figure 2: Vicinity Map

Figure 3: Site Plan

Figure 4: Elevations of Proposed Houses

Figure 5A and 5B: Grading and Drainage Plan

Figure 6: Landscape Plan

Note: All figures are following the Initial Study Section.

List of Tables

Table 1: Summary of Existing Background Noise Measurement Data	47
Table 2: Predicted Future Traffic Noise Levels	47
Table 3: Predicted Future Traffic Noise Levels With Various Noise Barrier Heights	48

Mitigated Negative Declaration

Lead Agency

Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Contact

Jennifer Armer, AICP, Associate Planner
Town of Los Gatos
Community Development Department
110 E. Main Street
Los Gatos, CA 95030

(408) 399-5706
jarmer@losgatosca.gov

Project Applicant

Maurice Camargo, AIA, Architect
3953 Yolo Drive
San Jose, CA 95136

Property Owner

Tango Papa Development Co.
Attn: Michael Friesen
P.O. Box 1707
Los Altos, CA 94023

Project Location

The project site is located at 105 Newell Avenue in the Town of Los Gatos within Santa Clara County. The 1.4-acre site is located west of Winchester Boulevard/Lark Avenue intersection. Access to the site will be from the northernmost loop of Newell Avenue (Assessor's Parcel Number 409-024-026).

Name of Project

105 Newell Avenue Planned Development

Project Description

The project site is located in northern Los Gatos and is within Santa Clara County. The 1.4-acre site (Assessor's Parcel Number 409-024-026) is located west of Winchester Blvd, and south of the northernmost section of Newell Avenue. The project site is currently developed with an Elks Lodge that has been vacant for four years.

The project applicant is requesting approval of Planned Development to: (1) demolish and remove the existing assembly use structure, parking area, and corner access driveway; (2) subdivide one lot into four lots; and (3) construct four new single-family homes and a private street accessed from Newell Avenue. After subdivision, the size of the four lots would range from 14,268 square feet to 16,895 square feet. The approval of a Planned Development would change the existing zoning designation from R-1:12 to R-1:12:PD. No other changes to the existing zoning requirements are proposed.

Findings and Reasons

The Initial Study identified potentially significant effects on the environment. However, the proposed project has been mitigated (see Mitigation Measures below which avoid or mitigate the effects) to a point where the proposed project will not have the potential to significantly degrade the environment; will have no significant impact on long-term environmental goals; will have no significant cumulative effect upon the environment; and will not cause substantial adverse effects on human beings, either directly or indirectly.

The following reasons will support these findings:

1. Identified adverse impacts are proposed to be mitigated through implementation of mitigation measures incorporated herein.
2. The proposed project is consistent with the adopted goals and policies of the Los Gatos General Plan and the Los Gatos Municipal Code.
3. Town staff independently reviewed the Initial Study, and this Mitigated Negative Declaration reflects the independent judgment of the Town of Los Gatos.

Mitigation Measures

Mitigation Measures – Air Quality (AQ)

Mitigation Measure AQ-1: BAAQMD-Recommended Basic Construction Mitigation Measures

To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended Basic Construction Mitigation Measures shall be included in the project's grading plan, building plans, and contract specifications:

- 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. Recycled water should be used wherever feasible.
- b. All haul trucks transporting soil, sand, 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 roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five 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.
- h. The project contractor shall designate a "disturbance coordinator" responsible for responding to any local complaints regarding dust complaints. The project contractor will post a publicly visible sign with a contact telephone number for the disturbance coordinator. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

Mitigation Measures – Cultural Resources (CUL)

Mitigation Measure CUL-1: Discovery of Unknown Cultural Resources

In the event that archaeological traces are encountered, all construction within a 50-meter radius of the find will be halted, the Community Development Director will be notified, and an archaeologist will be retained to examine the find and make appropriate recommendations.

If the Community Development Director finds that the archaeological find is not a significant resource, work will resume only after the submittal of a preliminary archaeological report and after provisions for reburial and ongoing monitoring are accepted. Provisions for identifying descendants of a deceased Native American and for reburial will follow the protocol set forth in CEQA Guidelines Section 15064.5(e). If the site is found to be a significant archaeological site, a mitigation program will be prepared and submitted to the Community Development Director for consideration and approval, in conformance with the protocol set forth in Public Resources Code Section 21083.2.

A final report shall be prepared when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report will include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions.

Mitigation Measure CUL-2: Discovery of Human Remains

If human remains are discovered, the Santa Clara County Coroner will be notified. The Coroner will determine whether or not the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he will notify the Native

American Heritage Commission, who shall attempt to identify descendants of the deceased Native Americans.

Mitigation Measures – Geology and Soils (GEO)

Mitigation Measure GEO-1: Geotechnical Investigation

For the proposed roadway and each proposed residential unit, the project applicant(s) shall consult with a registered geotechnical engineer to prepare a design-level geotechnical investigation. The design-level geotechnical report shall address, but not be limited to, site preparation and grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the Town of Los Gatos. Recommendations from the design-level geotechnical report shall be incorporated into the final project design and construction documents.

Mitigation Measures – Noise (NOI)

Mitigation Measure NOI-1: Noise Attenuation Wall

Prior to the issuance of a grading permit or improvements plans, the applicant shall demonstrate to the Director of Community Development, that a noise attenuation wall is shown on the final landscape plans. The noise attenuation wall shall include the specifications:

- The noise attenuation wall shall be a minimum of six feet tall. The approximate location of the recommended noise barriers is shown on Figure 3 of the noise analysis report prepared for the project dated May 2, 2016.
- The noise attenuation wall shall be constructed of concrete masonry units (CMU), solid concrete panels, or earthen berm. The noise barriers may include the combination of earthen berm and CMU wall or concrete panels. Wood is not recommended due to eventual warping and degradation of acoustical performance. Other types of materials should be reviewed by an acoustical consultant prior to use.
- Air conditioning shall be included in all residences to allow occupants to close doors and windows as desired for acoustical isolation.

Mitigation Measure NOI-2: Construction Vibration

The construction contractor shall prohibit the use of vibratory rollers within 30 feet of existing residences. Plate compactors and smaller, rubber-tired equipment shall be utilized as feasible. The Town of Los Gatos Building Division shall ensure that this requirement is incorporated into construction documents prior to issuance of grading permits.

Mitigation Measure NOI-3: Construction Specifications to Reduce Noise

The project applicant and its successors shall ensure that the following practices are incorporated into the construction specification documents to be implemented by the project contractor:

- Provide enclosures and mufflers for stationary equipment, shrouding or shielding for impact tools, and barriers around particularly noisy operations, such as grading or use of concrete saws within 50 feet of an occupied sensitive land use.
- Use construction equipment with lower (less than 70 dB) noise emission ratings whenever possible, particularly air compressors and generators.
- Do not use equipment on which sound-control devices provided by the manufacturer have been altered to reduce noise control.
- Locate stationary equipment, material stockpiles, and vehicle staging areas as far as practicable from sensitive receptors.
- Prohibit unnecessary idling of internal combustion engines.
- Implement noise attenuation measures to the extent feasible (i.e., such that they do not impede efficient operation of equipment or dramatically slow production rates), which may include, but are not limited to, noise barriers or noise blankets. The placement of such attenuation measures shall be reviewed and approved by the Los Gatos Building Division prior to issuance of development permit for construction activities.

Mitigation Measures – Transportation and Circulation (TRANS)

Mitigation Measure TRANS-1: Traffic Control Plan

The project applicant shall work with the Engineering Division of the Town of Los Gatos's Parks and Public Works Department to devise a traffic control plan for incorporation into the construction bid documents (specifications) to ensure safe and efficient traffic flow during periods when soil is hauled off the project site. The plan shall include, but not be limited to, the following measures:

- Hauling and delivery activities and designated truck routes shall be strategically selected, timed and coordinated to minimize traffic disruption to schools, residents, businesses, special events, and other projects in the area. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.
- Flag persons shall be placed at locations as necessary. All flag persons shall have the capability of communicating with each other to coordinate the operation.
- Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation.

- Hauling of soil on or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.).

Mitigation Measure TRANS-2: Driveway Design

The applicant shall hire a registered traffic engineer to ensure appropriate driveway design for the new private access drive. A detailed sight distance evaluation for the project roadway shall be prepared for review and approval by the Parks and Public Works Department and the Community Development Director prior to approval of the Final Subdivision Map.

Initial Study

Background & Project Description

Project Title

105 Newell Avenue Planned Development

Lead Agency Name and Address

Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Contact Person and Phone Number

Jennifer Armer, AICP, Associate Planner
Town of Los Gatos
Community Development Department
110 E. Main Street
Los Gatos, CA 95030

(408) 399-5706
jarmer@losgatosca.gov

Project Location

The project site is located at 105 Newell Avenue in the Town of Los Gatos within Santa Clara County. The 1.4-acre site is located west of Winchester Boulevard/Lark Avenue intersection. Access to the site will from the northernmost loop of Newell Avenue (Assessor's Parcel Number 409-024-026). See Figure 1: *Regional Map* and Figure 2: *Vicinity Map*.

Project Applicant

Maurice Camargo, AIA, Architect
3953 Yolo Drive
San Jose, CA 95136

Property Owner

Tango Papa Development Co.
Attn: Michael Friesen
P.O. Box 1707
Los Altos, CA 94023

General Plan Designation

Low Density Residential, 0 to 5 Dwelling Units/Acre

Zoning

R-1:12 (Single-Family Residential, 12,000 square feet minimum lot size)

Project Description

The project applicant is requesting approval of Planned Development to: (1) demolish and remove the existing assembly use structure, parking area, and corner access driveway; (2) subdivide one lot into four lots; and (3) construct four new single-family homes and a private street accessed from Newell Avenue. After subdivision, each of the four residential lots would range from 14,268 square feet to 16,895 square feet. The proposed layout of the site is shown in Figure 3, *Site Plan*. The approval of a Planned Development would change the existing zoning designation from R-1:12 to R-1:12:PD. No other changes to the existing zoning requirements are proposed.

The four lots created by the project would be accessed through the addition of a private road off of Newell Avenue. This private shared access drive would extend onto the project site (from the middle of the project site's northern side), traverse the site, and terminate at the southern edge of the site. The proposed private access drive would be 40 feet wide, would include three on-street parking spaces, and would provide emergency vehicle access.

Three of the four proposed homes would be two stories and Lot 3 would be single story. The height of the homes would range from 20 – 25 feet. Views of the proposed building elevations are shown in Figure 4, *Elevations of the Proposed Homes*.

Grading for the proposed project would involve approximately 8,700 cubic yards of soil that would be cut from the higher elevations of the project site. Approximately 2,450 cubic yards of that soil would be spread in lower (eastern portion) of the site to create a flatter grade across the whole site. Approximately 5,900 cubic yards would be exported from the project site to a legal drop site where soils are disposed of or used for other development projects. The project includes retaining walls on each of the individual lots to minimize the amount of grading required for each lot. The walls will range in height from less than 1-foot on the east side of the property to approximately 9 feet on the western property boundary. The proposed grading for the site is shown in Figures 5A and 5B, *Grading and Drainage Plan*.

Stormwater from the project site will be collected in storm drain inlets to be constructed within the proposed private street and conveyed to the existing Town storm drain located within Newell Avenue. Each lot will have pervious areas where surface water will collect and infiltrate into the ground.

The proposed landscaping for the project is shown in Figure 6, *Landscape Plan*. The landscape plan includes planting ornamental trees along the property boundaries, particularly along Winchester Boulevard and Newell Avenue. Other improvements for the project site include

construction of a sidewalk along the project frontage of Newell Avenue to connect to the existing sidewalk on Winchester Boulevard. The project would require the relocation of a street light and irrigation backflow valve.

Environmental Setting

The 1.4-acre project site has been previously graded and developed and currently houses an elevated single story building that was formerly an Elks lodge and has a parking area for approximately 80 cars. Currently, access to the project site is from Newell Avenue on the north side of the property.

Newell Avenue currently has a U-shaped configuration with two access points on Winchester Boulevard, one approximately 130 feet north of the signalized Lark Avenue intersection and the second approximately 150 feet south of the same intersection. Newell Avenue also provides access to Brocastle Way, Elena Way and Newell Court; approximately 46 single family homes are located in this area.

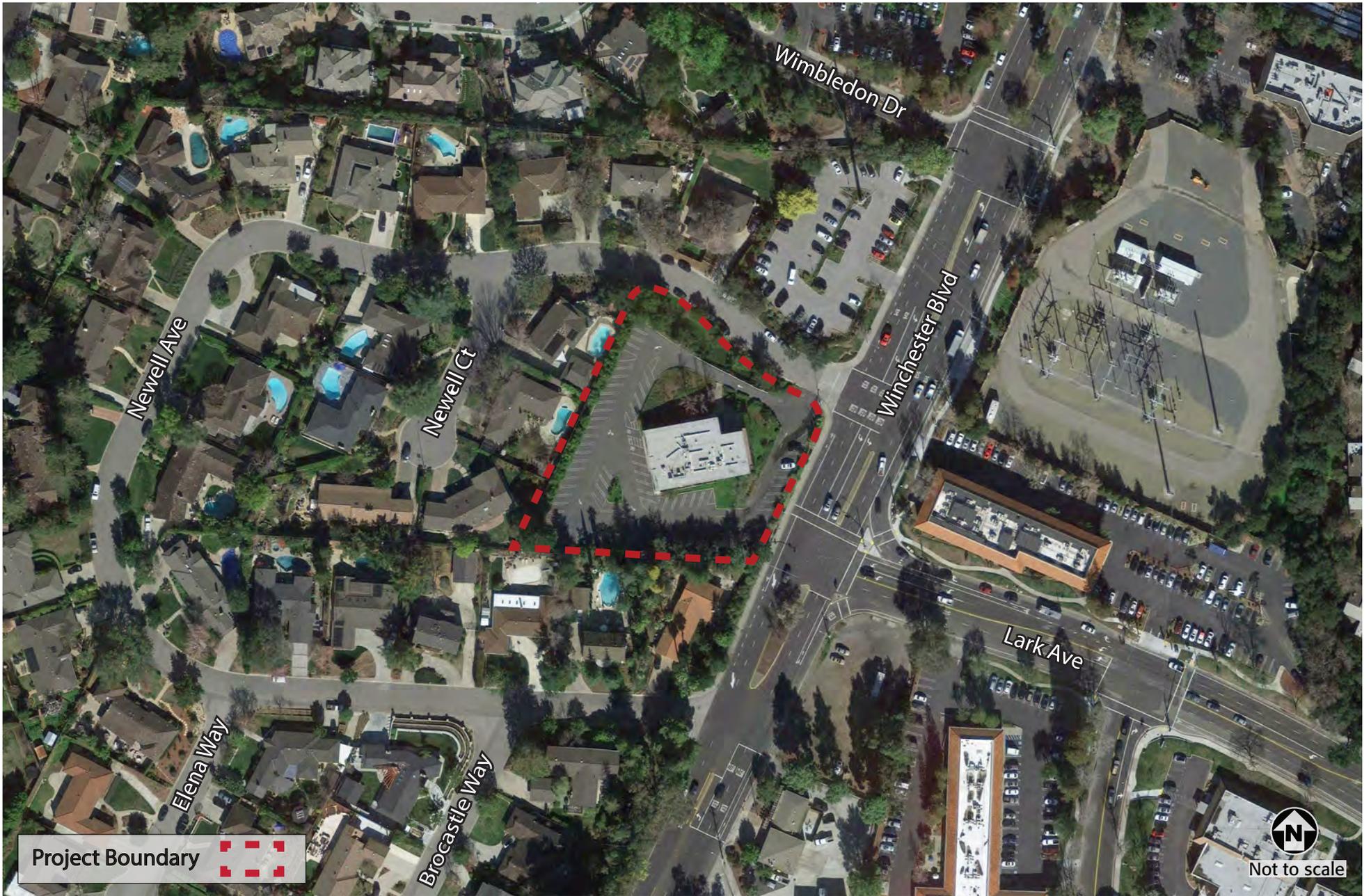
The project site and the contiguous parcels to the south and west of the site are located within the Town of Los Gatos. The six parcels contiguous to the project site's southern and western boundary are each developed with a single-family residence. The parcels located contiguous to the site's southern boundary (175, 179, and 183 Newell Ave) and western boundary (115, 119, and 123 Newell Avenue) are between 0.27 and 0.37 acres. The 0.8-acre parking lot north is comprised of three contiguous parcels. The parking lot and the residential areas are designated as Low Density Residential (0-5 unit/acre) in the Los Gatos General Plan and zoned as R-1:12 (12,000 sf minimum lot size).

Other public agencies whose approval is required

The project would also require approval from the Santa Clara County Fire Department, West Valley Sanitation District, and San José Water Company.

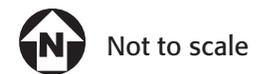


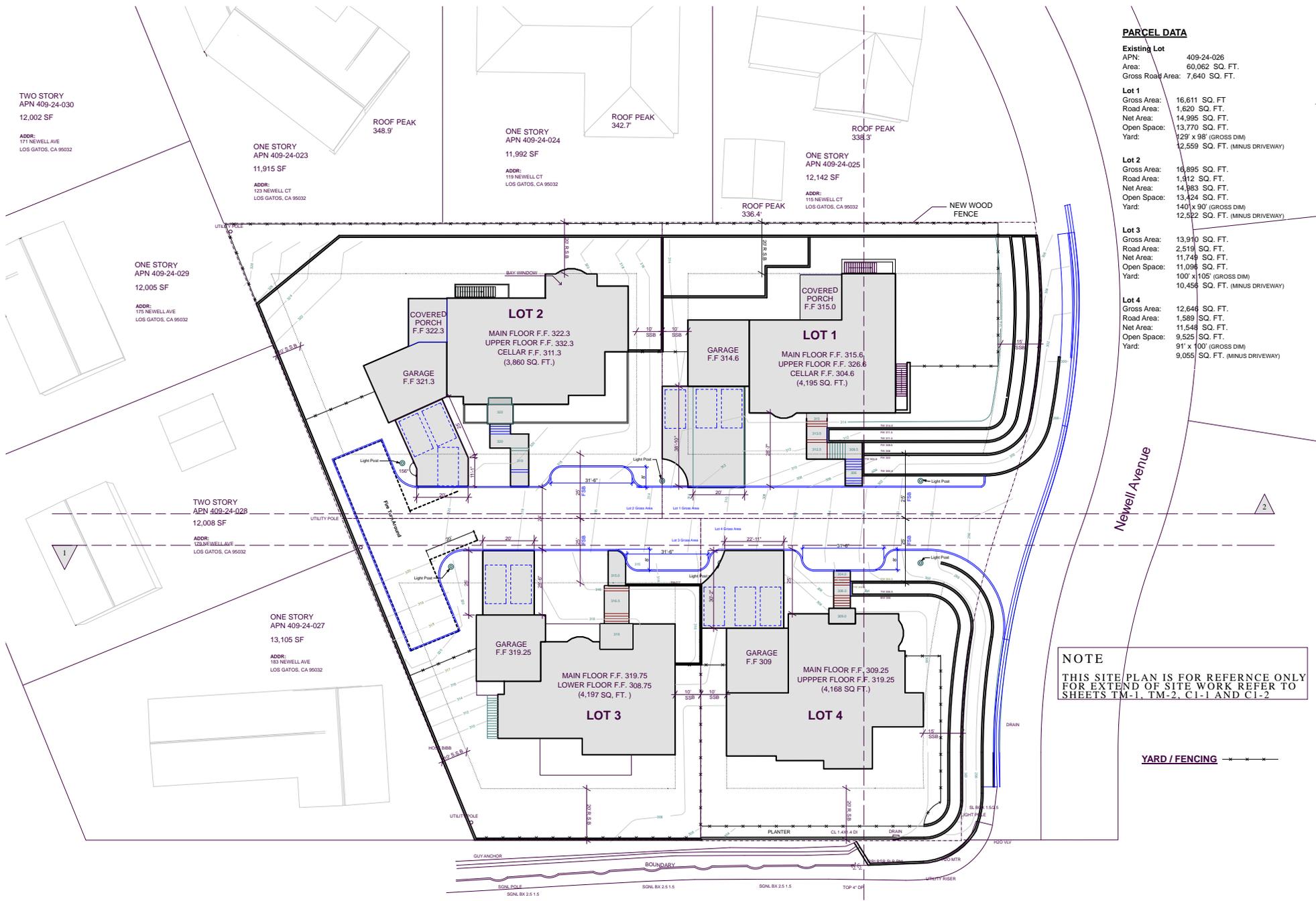
FIGURE 1: Regional Location Map
105 Newell Avenue: Initial Study
Town of Los Gatos



Source: Kimley-Horn, 2016

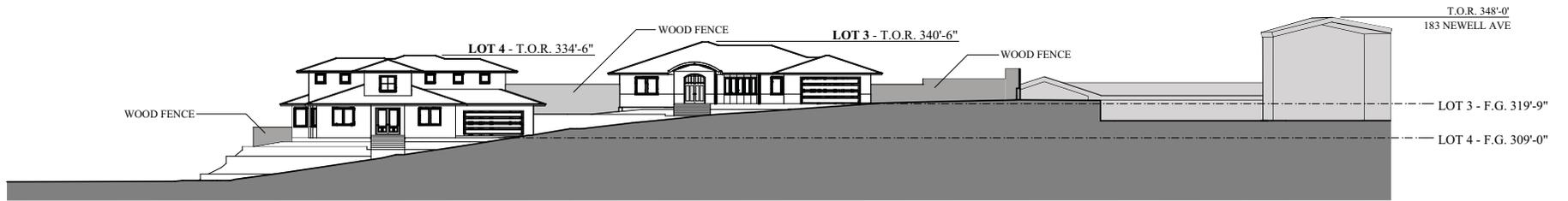
FIGURE 2: Vicinity Map
105 Newell Avenue: Initial Study
Town of Los Gatos





Source: Camargo + Associates, 2015

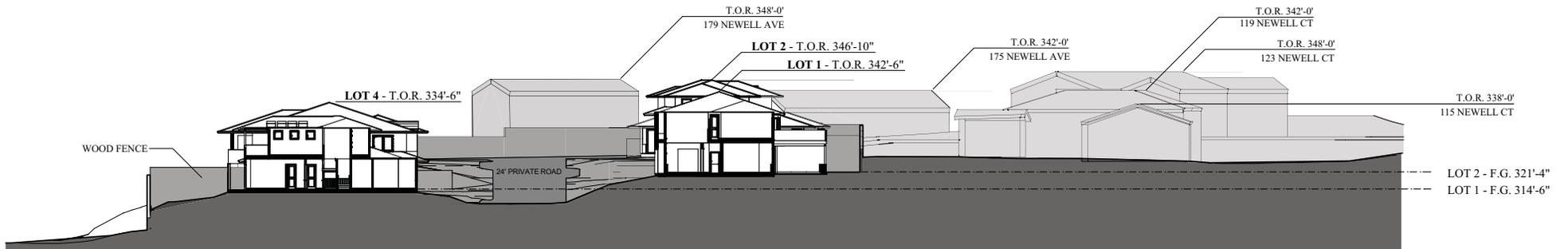
FIGURE 3: Site Plan
105 Newell Avenue: Initial Study
Town of Los Gatos



SECTION 1



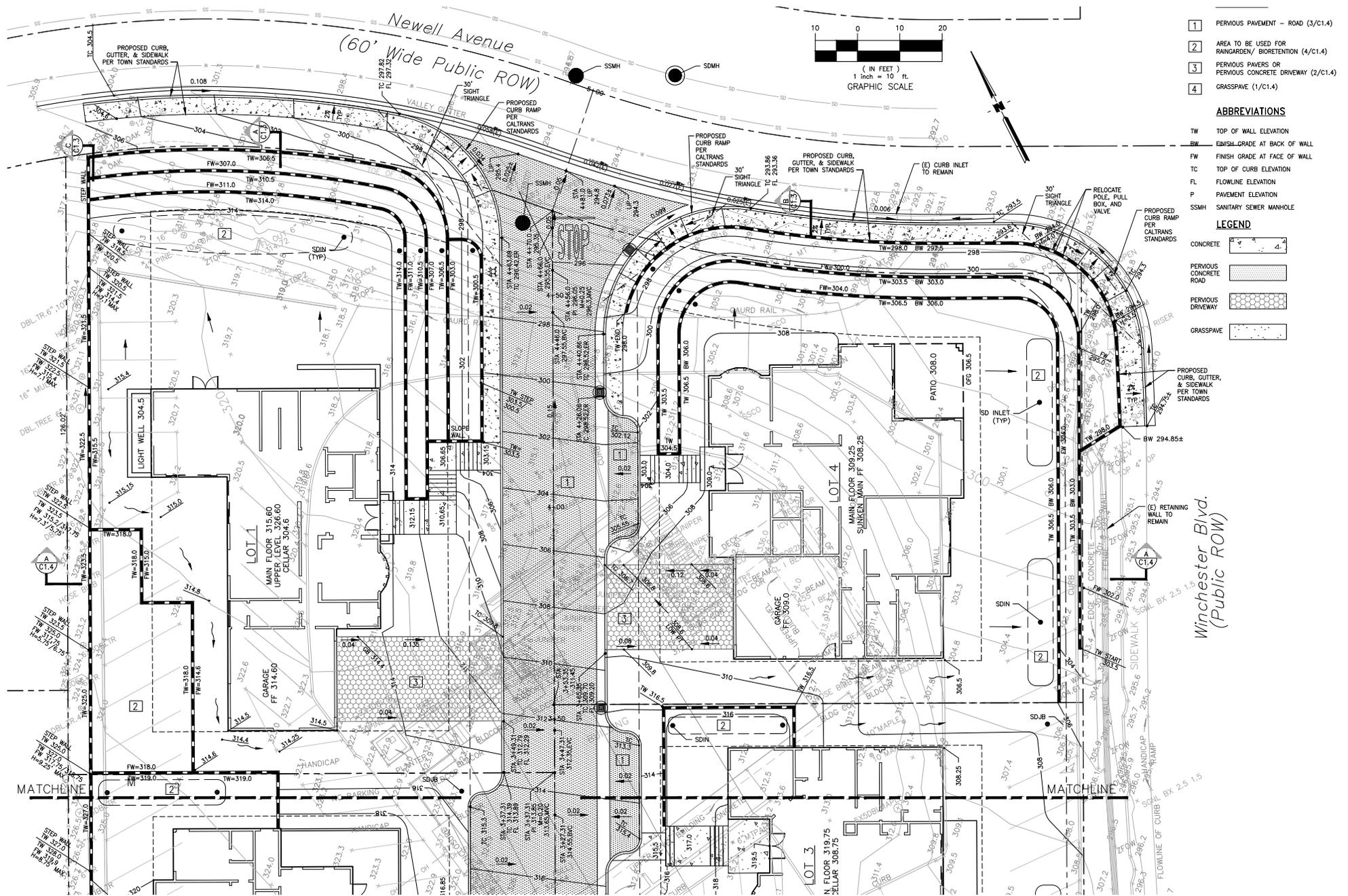
SECTION 2



SECTION 3

Source: Camargo + Associates, 2015

FIGURE 4: Elevations of Proposed Houses
 105 Newell Avenue: Initial Study
 Town of Los Gatos



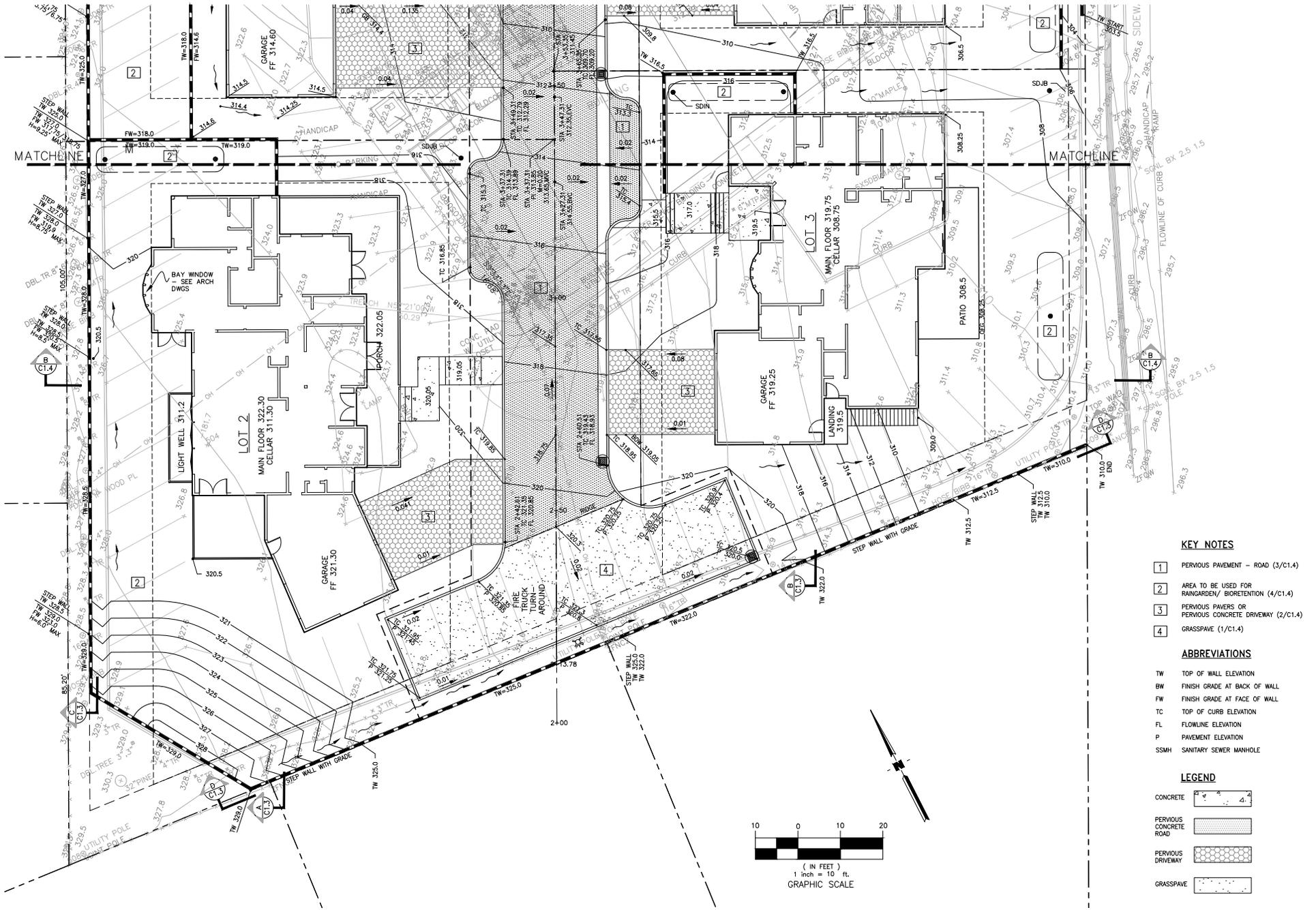
Source: Camargo + Associates, 2015

FIGURE 5A: Grading and Drainage Plan
 105 Newell Avenue: Initial Study
 Town of Los Gatos



Not to scale

Kimley-Horn



KEY NOTES

- 1 PERVIOUS PAVEMENT - ROAD (3/C1.4)
- 2 AREA TO BE USED FOR RAINGARDEN/ BIORETENTION (4/C1.4)
- 3 PERVIOUS PAVERS OR PERVIOUS CONCRETE DRIVEWAY (2/C1.4)
- 4 GRASSPAVE (1/C1.4)

ABBREVIATIONS

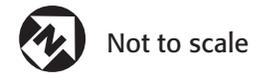
- TW TOP OF WALL ELEVATION
- BW FINISH GRADE AT BACK OF WALL
- FW FINISH GRADE AT FACE OF WALL
- TC TOP OF CURB ELEVATION
- FL FLOWLINE ELEVATION
- P PAVEMENT ELEVATION
- SSMH SANITARY SEWER MANHOLE

LEGEND

- CONCRETE
- PERVIOUS CONCRETE ROAD
- PERVIOUS DRIVEWAY
- GRASSPAVE

Source: Camargo + Associates, 2015

FIGURE 5B: Grading and Drainage Plan
 105 Newell Avenue: Initial Study
 Town of Los Gatos





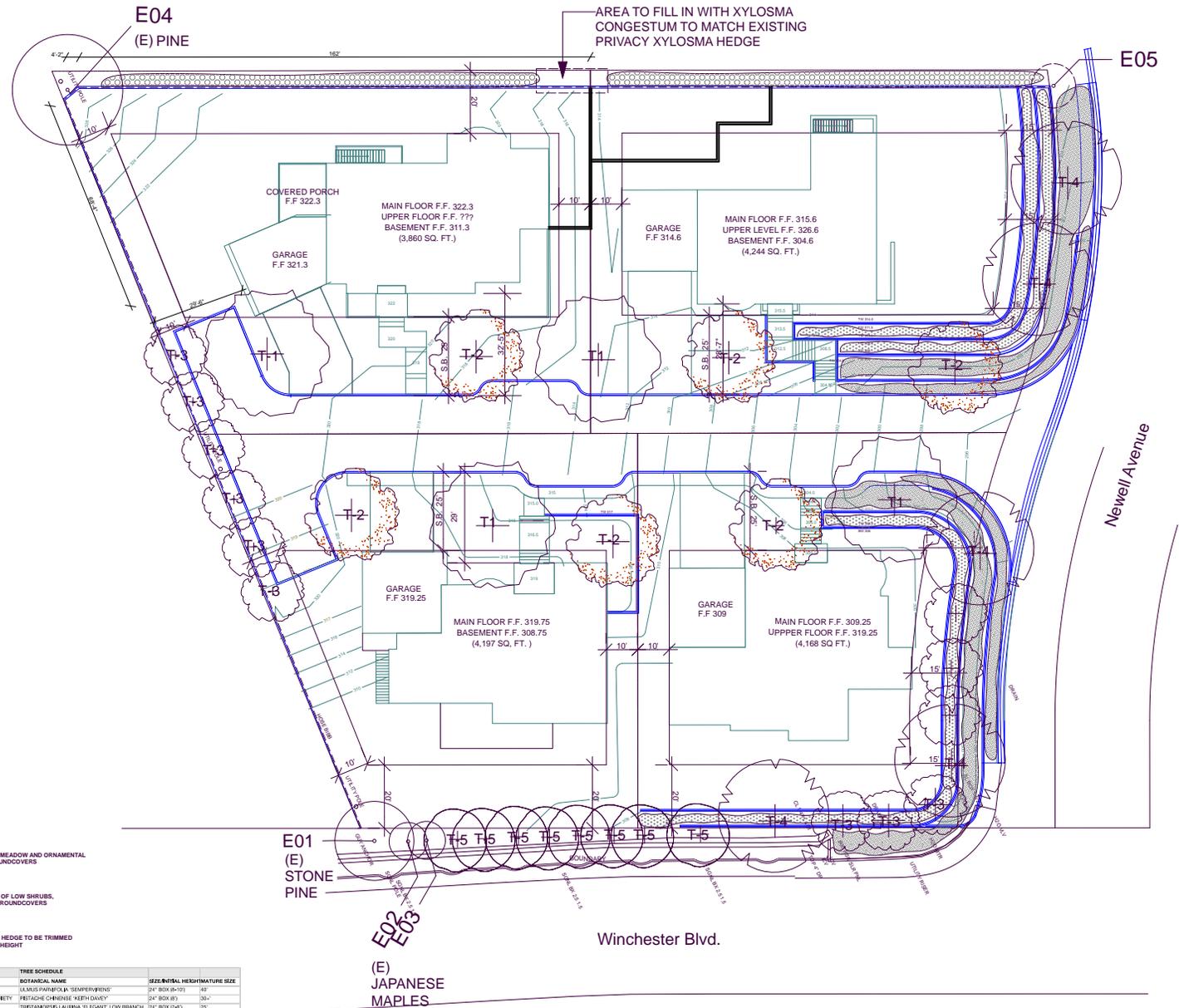
POURED IN PLACE STAINED CONCRETE SITE RETAINING WALL (TYP.)



TYPICAL HORIZONTAL WOOD FENCING

- = LOW EVERGREEN MEADOW AND ORNAMENTAL GRASSES AND GROUNDCOVERS
- = MIXED PLANTINGS OF LOW SHRUBS, PERENNIALS, AND GROUNDCOVERS
- = EXISTING PRIVACY HEDGE TO BE TRIMMED TO 2' ABOVE FENCE HEIGHT

SYMBOL	COUNT	COMMON NAME	BOTANICAL NAME	TREE SCHEDULE	SIZE/INITIAL HEIGHT/MATURE SIZE
T-1	4	CHINESE PISTACHE	PLATANUS CHINENSIS	SEMPERVIRENS	24" BOX (8-10)
T-2	6	CHINESE PISTACHE, MALE VARIETY	PLATANUS CHINENSIS 'MORPHY DAVEY'		24" BOX (8)
T-3	10	WINTER OLEUR	THEOPHYRANUS DAUNIPENSIS	SEMPERVIRENS	24" BOX (8-10)
T-4	1	WINTER BIRCH	BETULA NEGUNDA 'SUNRA HEAT'		24" BOX (8-10)
T-5	6	GALEOPHYT TREE	MELALEUCA CAURUCUENSIENSIS	MULTI TRUNK	24" BOX (10)
E-01		ITALIAN STONE PINE	PINUS PINEA	EXISTING	50'
E-02		JAPANESE MAPLE	ACER PALMATUM	EXISTING	30'
E-03		JAPANESE MAPLE	ACER PALMATUM	EXISTING	30'
E-04		ITALIAN STONE PINE	PINUS PINEA	EXISTING	50'



Source: Camargo + Associates, 2015

FIGURE 6: Landscape Plan
105 Newell Avenue: Initial Study
Town of Los Gatos



Not to scale

Kimley-Horn

Environmental Checklist

Environmental Factors Potentially Affected by the Project

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		Agricultural Resources	X	Air Quality
	Biological Resources	X	Cultural Resources	X	Geology / Soils
	Greenhouse Gas		Hazards & Hazardous Materials		Hydrology / Water Quality
	Land Use / Planning		Mineral Resources	X	Noise
	Population / Housing		Public Services		Recreation
X	Transportation / Traffic		Utilities / Service Systems		Mandatory Findings of Significance

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.	X
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 or a 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 (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Joel Paulson, AICP, Community Development Director Date

Evaluation of Environmental Checklist Responses

Aesthetics

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

(a, c) Scenic views and visual character

The project site is developed and has an average site slope of 14.4 percent. Mature street trees filter views of the project site from Newell Avenue. An approximately 10-foot wall and additional trees partially obstruct views of the project site from Winchester Boulevard. This lot also contains one high-voltage electrical transmission tower in the southeast corner of the project site. The electrical transmission tower is also partially obscured by the mature trees adjacent to Winchester Boulevard.

The principal views of the project site are from Winchester Boulevard, the adjoining single-family residences, and Newell Avenue. The proposed four new lots would be parallel to Winchester Boulevard, positioned two-by-two on the current lot. From Winchester Boulevard, viewers would observe the four residential buildings, set back 20 feet from the roadway. The four new lots would each be set back 5 feet from the new private roadway.

The views of the project site from the adjacent single-family residences south and west of the project site are currently screened by fences that line both residential-facing sides of the project site. Mature trees line both sides as well. Street trees would screen intermediate views of the project site along Newell Avenue and Winchester Boulevard. However, the project site overlooks Newell Avenue and Winchester Boulevard from a higher elevation such that the screening effects of the street trees may be somewhat reduced.

Views of the hills to the south and west of the project site would not be obscured by the project site, as the project site is north and east of the adjacent residential properties. Views of these hills from Winchester Boulevard and Newell Avenue are obscured by local topography and the existing grading of the project site. The project would not significantly alter views from public viewpoints, nor would it degrade public views of any ridgelines or other visual resources identified in the General Plan. As a result, the project would have a less-than-significant impact on scenic vistas.

The project would be compatible with existing residential uses adjacent to the project site. The visual character of the project site would not substantially change with the subdivision of the existing parcel into four residential parcels, and the project would not substantially degrade the existing visual character of the site or its surroundings. By applying an architectural aesthetic that complements surrounding structures, the proposed project would not substantially degrade the existing visual character or quality of the site or its surroundings. The project's impact on visual character would be less than significant.

(b) Scenic resources

The closest State Scenic Highway is Highway 9 in the City of Saratoga, approximately 2.3 miles southwest of the project site (Caltrans, 2016). Given the distance, proposed road development and future home development, including future tree removals, would not be discernible. Views from this highway of the site are also blocked by intervening trees, development, and topography.

In addition, there are no scenic resources such as historic buildings or rock outcroppings on the project site. Therefore, the proposed project would not affect scenic resources as defined by CEQA, which can include, but are not limited to, trees, rock outcroppings, and historic buildings within a State-designated scenic highway. Consequently, the project would have no impact on State scenic highway resources.

(d) Create a new source of substantial light or glare

The project site is currently developed with a single building which currently produces sources of light and glare. When future homes are eventually constructed, they would introduce new sources of indoor and outdoor lighting. The closest uses that would be most affected by nighttime lighting from project homes would be the residences adjacent to the project's western and southern boundaries. During Architecture & Site(A&S) review, proposed residential designs would be required to demonstrate project compliance with Town Code Section 29.10.09035, which prohibits the production of direct or reflected glare (such as that produced by floodlighting) onto any area outside of the boundaries of a given property. This requirement would also preclude project lighting spillover onto any area outside of the property boundary, thereby avoiding potential lighting impacts on the residences along adjacent streets. Therefore, potential impacts with regard to project lighting would be less than significant.

Source(s)

Caltrans. 2016. "California Scenic Highway Mapping System: Marin County." Accessed April 11, 2016. http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/

Agriculture and Forestry Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California 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:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
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))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X

(a–e) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (farmland); conflict with existing zoning for agricultural use or a Williamson Act contract; conflict with existing zoning for forest land; result in the loss of forest land, involve other changes resulting in a conversion of farmland or forest land

The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. It is designated as “Urban and Built-Up Land,” which is land with a building density of at least 1 unit to 1.5 acres (FMMP, 2014). In addition, the project site not subject to a Williamson Act contract, according to the Farmland Mapping and Monitoring service (DOC, 2016). In the Santa Clara County General Plan, the site is designated as Low Density Residential, and it is zoned for Single-Family Residential use in the Town of Los Gatos Zoning Map (Town of Los Gatos, 2016). Since the site is not in agricultural use, the project would not adversely affect any existing agricultural operations. The proposed project also would not conflict with existing zoning for forest land uses or result in the loss or conversion of forest land to non-forest use. As such, the project would not result in the conversion of mapped farmland, conflict with an existing Williamson Act contract, or conflict with existing zoning for agricultural use. As a result, the project would have no effect on agricultural or forest resources.

Source(s)

Town of Los Gatos. 2016. Planning Department: Interactive GIS Map. Accessed April 11, 2016. <http://www.losgatosca.gov/932/Look-Up-Property---Interactive-GIS-Map>

Department of Conservation (DOC). Santa Clara County Williamson Act FY 2013/2014. 2016.

Farmland Mapping and Monitoring Program (FMMP). Santa Clara County Important Farmland 2012. 2014.

Air Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute to an existing or projected air quality violation?		X		

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

(a) Consistent with air quality plans

The San Francisco Bay Area Air Basin is classified by the Bay Area Air Quality Management District (BAAQMD) as non-attainment for ozone and inhalable particulates (PM₁₀). To address these exceedances, BAAQMD, in cooperation with Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), prepared the Bay Area 2005 Ozone Strategy (BAOS) in September 2005 and Particulate Matter Implementation Schedule (PMIS) in November 2005. The PMIS discusses how BAAQMD implements the California Air Resources Board’s (CARB’s) 103 particulate matter control measures. BAAQMD adopted the 2010 Bay Area Clean Air Plan (CAP), which updates the BAOS. The consistency of the proposed project with the most recently adopted regional air quality plan, CAP, is determined by comparing the project’s consistency with the Los Gatos General Plan. Since the CAP is based on population projections of ABAG that are based on the Town’s General Plan in effect at the time the CAP was approved, consistency of the project with the General Plan would indicate consistency with the CAP. The project would be consistent with the use and density allowed on the project site by the Los Gatos General Plan, and therefore, the project would be consistent with the CAP. Impacts would be less than significant.

(b) Air quality standards

The Regulatory and Planning Framework

BAAQMD is responsible for attaining and/or maintaining air quality in the San Francisco Bay Area Air Basin (SFBAAB) within federal and state air quality standards. Specifically, BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the Basin and to develop and implement strategies to attain the applicable federal and state standards. In June 2010, BAAQMD adopted CEQA thresholds of significance and updated its CEQA Air Quality Guidelines, which provides guidance for assessing air quality impacts under CEQA. However, on

March 5, 2012, the Alameda County Superior Court issued a judgment finding that BAAQMD had failed to comply with CEQA when it adopted the thresholds. The court issued a writ of mandate ordering BAAQMD to set aside the Thresholds and cease dissemination of them until BAAQMD had complied with CEQA. On August 13, 2013, the California Court of Appeal reversed the Alameda County Superior Court judgment that invalidated BAAQMD's CEQA thresholds of significance. The Court directed that the Superior Court vacate the writ of mandate issued in March 2012, ordering BAAQMD to set aside its June 2010 resolution (Res. #2010-06) "Adopting Thresholds for Use in Determining the Significance of Projects' Environmental Effects Under the California Environmental Quality Act."

In December 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents, such as the effects of toxic air contaminants and fine particulate matter from existing sources on future residents or users of a project. Nevertheless, the Supreme Court stated that lead agencies still must evaluate existing environmental conditions in order to assess whether a project could exacerbate hazards that are already present. The Supreme Court did not apply a holding to reach a conclusion on the validity of BAAQMD's receptor thresholds. Instead, the Supreme Court remanded the case to the Court of Appeal to decide the question in light of the Court's opinion. As of the date of this document, BAAQMD has not formally re-instated the thresholds.

The air quality impact analysis below uses the previously-adopted 2011 thresholds of the BAAQMD to determine the potential impacts of the project. While the significance thresholds adopted by BAAQMD in May 2011 are not currently recommended by the BAAQMD, these thresholds are based on substantial evidence identified in BAAQMD's 2009 Justification Report (BAAQMD, 2009) and local agencies, such as the Town of Los Gatos, may rely on the BAAQMD thresholds.

Significance Thresholds

Exercising its own discretion as lead agency and similarly to multiple other San Francisco Bay Area jurisdictions, the Town of Los Gatos has decided to rely on the thresholds within the Options and Justification Report (dated October 2009) prepared by the BAAQMD. The BAAQMD Options and Justification Report establishes thresholds based on substantial evidence and are consistent with the thresholds outlined within the 2011 CEQA Air Quality Guidelines. Although BAAQMD failed to comply with CEQA before completing its 2010 recommendations, Town staff believes that these recommendations, which are listed as follows, still represent the best available science on the subject of what constitute significant air quality effects in the SFBAAB:

- NOX and ROG: 54 pounds/day
- PM10: 82 pounds/day
- PM2.5: 54 pounds/day

In addition to establishing the above significance thresholds for criteria pollutant emissions, the BAAQMD also recommended (BAAQMD, 2009) the following quantitative thresholds to

determine the significance of construction-related and operational emissions of toxic air contaminants from individual project and cumulative sources on cancer and non-cancer health risks:

- Increased cancer risk of >10.0 in a million for individual projects and >100 in a million (from all local sources) for cumulative sources;
- Increased non-cancer risk of >1.0 Hazard Index (Chronic or Acute) for individual projects and >10.0 Hazard Index (from all local sources) for cumulative sources; and
- Ambient PM_{2.5} increase: >0.3 µg/m³ annual average for individual projects and >0.8 µg/m³ annual average (from all local sources) for cumulative sources.

Project Emissions

BAAQMD prepared screening criteria in both the 1999 and 2011 BAAQMD CEQA Guidelines (BAAMD, 2011). These screening criteria were developed by BAAQMD to indicate the minimum development size (by land use category) at which air pollutant emissions could exceed the above significance thresholds and potentially significant air quality impacts could occur. The 1999 BAAQMD CEQA Guidelines indicated that a project with 320 single-family units as the project size which was likely to result in significant operational air quality impacts. The 2011 BAAQMD Guidelines included the following screening criteria for single-family residential use based on the above thresholds: 325 single-family units for operational emissions and 114 units for single-family residences for construction emissions. The 2011 BAAQMD Guidelines also specified that the project must also meet two other criteria: (1) the BAAQMD's Basic Construction Mitigation Measures must be implemented during construction; and (2) the project does not include demolition, simultaneous occurrence of more than two construction phases, simultaneous construction of more than one land use type; extensive site preparation; or extensive material transport (more than 10,000 cubic yards of soil). Although the project would include demolition, with implementation of **Mitigation Measure AIR-1**, the project would meet the intent of these criteria, and the project's impacts related to air quality standards would be less than significant.

(c) Cumulative air quality impacts

To address cumulative impacts on regional air quality, BAAQMD has established thresholds of significance for construction-related and operational criteria pollutants and precursor emissions. These thresholds represent the levels at which a project's individual emissions of criteria pollutants and precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions. If daily average or annual emissions exceed these thresholds, the project would result in a cumulatively significant impact. Given that the project's construction-related and operational criteria pollutant emissions would not exceed BAAQMD significance thresholds, the project's contribution would be less than cumulatively considerable and result in a less-than-significant impact.

(d) Exposure of sensitive receptors

CARB regulates vehicle fuels with the intent to reduce emissions. Diesel exhaust is a serious concern throughout California. CARB identified diesel engine particulate matter as a toxic air contaminant and human carcinogen. In 2005, CARB approved a regulatory measure to reduce emissions of toxic and criteria pollutants by limiting the idling of new heavy-duty diesel vehicles, which altered five sections of Title 13 of the California Code of Regulations. The changes relevant to the proposed project are in Section 2485, Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling, which limit idling of a vehicle's primary diesel engine for greater than five minutes in any location (with some exceptions) or operation of a diesel-fueled auxiliary power system within 100 feet of residential areas.

Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. Adjacent residences are considered to be the closest sensitive receptors to project construction. The EMQ Families First facility, a mental health treatment facility for children, youth and families, is located approximately 900 feet west of the proposed home site.

Operation of the proposed residences would not generate toxic air contaminants (TACs) that would pose a health risk to adjacent or nearby uses.

Construction of the project would result in short-term diesel exhaust emissions (DPM), which are defined as toxic air contaminants (TACs), from onsite heavy-duty equipment, as well as from soils-hauling activities. Exposure of sensitive receptors is the primary factor used to determine health risk. Exposure is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has with the substance.

The State Office of Environmental Health Hazard Assessment (OEHHA) recommends that districts assume a minimum of two years of exposure for health risk analysis (BAAQMD, 2010b). Construction of the proposed project would not result in two years of continuous operation of diesel equipment, and thus would not result in two years of continuous DPM and TAC exposure. As such, based on the BAAQMD screening criteria, the limited construction duration of these project components would be sufficient to avoid TAC health impacts to nearby sensitive receptors. Impacts would be less than significant.

(e) Odors

According to the BAAQMD CEQA Guidelines, land uses associated with odor complaints typically include wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. The project would not include any uses identified by the BAAQMD as being associated with odors. No new or unusual

sources of nuisance odors would be associated with the proposed residence. Therefore, the project's potential for nuisance odor problems would be less than significant.

During project construction, however, 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.

Mitigation Measures – Air Quality (AQ)

Mitigation Measure AQ-1: BAAQMD-Recommended Basic Construction Mitigation Measures

To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended Basic Construction Mitigation Measures shall be included in the project's grading plan, building plans, and contract specifications:

- 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. Recycled water should be used wherever feasible.
- b. All haul trucks transporting soil, sand, 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 roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five 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.
- h. The project contractor shall designate a "disturbance coordinator" responsible for responding to any local complaints regarding dust complaints. The project contractor will post a publicly visible sign with a contact telephone number for the disturbance coordinator. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

Source(s)

Bay Area Air Quality Management District, 2011. CEQA Air Quality Guidelines. Updated May 2011 and May 2012. Available online at <http://www.baagmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>.

Bay Area Air Quality Management District, 2009. Revised Draft Options and Justification Report. October. Available online at: <http://www.baagmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx>.

Biological Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
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?				X
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?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				X

Existing Setting. The subject property occupies approximately 1.4 acres of land with an average slope of 14.4 percent. The project site is developed with a parking lot and building from the previous use of the property. Vegetation on the site consists of landscape trees, shrubs, and groundcover along the site perimeter and around the existing building. Trees and shrubs along the southern and western boundaries of the site serve as an effective screening element for adjacent residential properties to the west and south on Newell Court and Newell Avenue. The habitat value of site vegetation is limited to urban-adapted species.

(a–d) Special-Status Species, Sensitive Communities and Wetlands, Fish and Wildlife Movement, Corridors, Nursery Sites

The project site is located in urban setting in central Los Gatos. Due to the nature of the project site’s location and history, the subject property is unlikely to provide suitable habitat for special-status species. No federally listed, state-listed, or other special-status plant or animal species are expected to occur on the subject property. There would be no impacts.

The site does not contain wetlands or riparian habitat, nor does the site contribute to the movement of migratory species. There would be no impact on wetlands or wildlife.

(e) Conflict with local policies or ordinance include tree preservation

Protected Trees. The Town of Los Gatos’s Tree Protection Ordinance regulates the removal of trees within the Town in order to retain as many trees as possible consistent with the reasonable use of private property. Prior to the removal of any protected tree, except under certain exceptions, a permit must be obtained from the Town. If protected trees must be removed, the Los Gatos Tree Protection Ordinance states that the preferred tree replacement is two or more trees of a species and size designated by the Director of Community Development. Tree replacement requirements are based on canopy size, which is defined in Table 3-1 of the Ordinance, *Tree Canopy – Replacement Standard*. Tree canopy replacement requirements range from two to ten 24-inch box size trees or two to five 36-inch box size trees, depending on the canopy size of the tree to be removed.

Future development of homes on the four project lots could result in the removal of additional protected trees. When specific development plans are submitted for these future homes, any proposed tree removals would be reviewed as part of the Architecture and Site review process and would require a tree removal permit. Therefore, impacts would be less than significant.

(f) Conflict with adopted habitat conservation or natural community conservation plans

There is no adopted habitat conservation plan or natural community plan that covers the project site. The proposed project would not conflict with any approved local, regional, or state habitat conservation plan. There would be no impact on habitat conservation or natural community conservation plans.

Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

(a) Historic resources

The project would involve the demolition of the existing building onsite. The project site has not been designated as a historic site on any local, state, or federal guidelines, and is not within the Towns designated historic district. As such, no historic resources would be affected, and so there will be no impact.

(b- d) Archaeological resources, paleontological/unique geological resources, and human remains

Portions of the area proposed for development were disturbed to allow for construction of the existing structure, and the potential for encountering intact archaeological resources would be

low due to this previous surface disturbance. There is no indication from the archival research results that any part of the project site has been used for human burial purposes in the recent or distant past. Given the project site's lack of open areas, there would be a low potential for encountering archaeological resources or human remains. Regardless, there remains a small possibility that buried prehistoric resources could be encountered or damaged, which would result in a potentially significant impact.

Paleontological resources are the fossilized remains of plants and animals, including vertebrates, invertebrates, and microscopic plants and animals. The age and abundance of fossils depend on the location, topographic setting, and particular geologic formation in which they are found. Fossil discoveries not only provide an historic record of past plant and animal life, but may assist geologists in dating rock formations. There are no known paleontological sites recorded in or adjacent to Los Gatos (Town of Los Gatos, 2010). The potential for encountering paleontological resources, however, cannot be completely eliminated.

Additionally, no unique geological features are present on the site. Therefore, development of the site would not result in significant impacts on unique geological features.

It is unlikely that archaeological resources or human remains would be encountered during construction of the proposed project. However, the possibility of inadvertent discovery cannot be entirely discounted, and would result in a potentially adverse impact. Implementation of **Mitigation Measure CUL-1 and CUL-2** would reduce this potential impact to a less-than-significant level.

Mitigation Measures – Cultural Resources (CUL)

CUL-1: In the event that archaeological traces are encountered, all construction within a 50-meter radius of the find will be halted, the Community Development Director will be notified, and an archaeologist will be retained to examine the find and make appropriate recommendations.

If the Community Development Director finds that the archaeological find is not a significant resource, work will resume only after the submittal of a preliminary archaeological report and after provisions for reburial and ongoing monitoring are accepted. Provisions for identifying descendants of a deceased Native American and for reburial will follow the protocol set forth in CEQA Guidelines Section 15064.5(e). If the site is found to be a significant archaeological site, a mitigation program will be prepared and submitted to the Community Development Director for consideration and approval, in conformance with the protocol set forth in Public Resources Code Section 21083.2.

A final report shall be prepared when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report will include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions.

CUL-2: If human remains are discovered, the Santa Clara County Coroner will be notified. The Coroner will determine whether or not the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he will notify the Native American Heritage Commission, who shall attempt to identify descendants of the deceased Native Americans.

Source(s)

Town of Los Gatos. 2010. 2020 General Plan Draft Environmental Impact Report. March 10.

Geology and Soils

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
6. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			X	
ii) Strong seismic ground shaking?		X		
iii) Seismic-related ground failure, including liquefaction?		X		
iv) Landslides?		X		
b) Result in substantial soil erosion or the loss of topsoil?			X	
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?		X		
d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X		
e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
water disposal systems where sewers are not available for the disposal of waste water?				

(a) Seismic hazards

The San Francisco Bay Area is an active seismic region with activity related to the San Andreas Fault system, which is a major rift in the earth’s crust that extends for at least 700 miles along the California Coast. The project site is located approximately 5 miles from the San Andreas Fault, 11 miles from the Hayward Fault, 15 miles from the Calaveras fault, and 20 miles from the San Gregorio fault. These four major faults have produced approximately 12 earthquakes per century strong enough to cause structural damage.

The project site is mapped just north of one of the traces of the Shannon fault (approximately 1,300 feet from the center of the project site), which is a component of the frontal thrust fault system along the eastern side of the Santa Cruz Mountains. There is no known active or potentially active faults on the project site. As such, the project would not result in hazards associated with fault rupture.

Regarding ground-shaking, ground failure, and landslides, the project applicant shall prepare a design-level geotechnical report prior to the issuance of building permit(s). This requirement has been included in **Mitigation Measure GEO-1**, would reduce this potential impact to a less-than-significant level.

(b) Erosion

As explained in the Hydrology and Water Quality analysis, below, the project would be subject to the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, which requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP). This plan would incorporate erosion control measures that would reduce construction erosion impacts. In addition, pursuant to Town of Los Gatos Code Section 12.20.050, an erosion and sediment control plan shall be required whenever the graded portion of a site includes more than 10,000 square feet having a slope greater than 5 percent. The plan would include an effective revegetation program to stabilize all disturbed areas which will not be otherwise protected. The plan shall include measures to prevent increased discharge of sediment at all stages of grading and development from initial disturbance of the ground to project completion. Therefore, with adherence to existing statewide and local regulations, erosion impacts would be less than significant.

(c–d) Soil stability

As indicated above, the possibility of shallow landslides at the project site cannot be excluded. Risks associated with those landslides would be reduced to a less-than-significant level through implementation of **Mitigation Measure GEO-1**.

(e) Soil capability to support septic tanks or alternative wastewater disposal systems where sewers are not available

The proposed project would not include installation of septic tanks. Therefore, the project would not result in the construction of septic tanks in soils inadequate to support such facilities.

Mitigation Measures – Geology and Soils (GEO)

Mitigation Measure GEO-1: Geotechnical Investigation

For the proposed roadway and each proposed residential unit, the project applicant(s) shall consult with a registered geotechnical engineer to prepare a design-level geotechnical investigation. The design-level geotechnical report shall address, but not be limited to, site preparation and grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the Town of Los Gatos. Recommendations from the design-level geotechnical report shall be incorporated into the final project design and construction documents.

Greenhouse Gas Emissions

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

As stated above in the discussion under Air Quality, the Town of Los Gatos relies upon on the thresholds within the Options and Justification Report (dated October 2009) prepared by BAAQMD. BAAQMD’s recommended thresholds are as follows:

- Compliance with a Qualified Climate Action Plan or
- Emissions below one of the following thresholds:

- 1,100 metric tons of carbon-dioxide equivalent emissions (MT CO₂e) per year; or
- 6.7 MT CO₂e per capita per year (residential) / 4.6 MT CO₂e per service population per year (mixed use)

For purposes of this report, project compliance with the 1,100 MT CO₂e/year threshold is used as the primary basis to determine significance. The project's consistency with operative goals and policies of the Sustainability Plan that are designed to avoid environmental impacts also are also analyzed.

(a) Generate greenhouse gas (GHG) emissions

Implementation of the proposed project would contribute to long-term increases in greenhouse gases (GHGs) from direct sources (traffic increases and minor secondary fuel combustion emissions from space heating). Development occurring as a result of the proposed project would also result in other indirect operational increases in GHG emissions as a result of electricity generation to meet project-related increases in energy demand. Electricity generation in California is mainly from natural gas-fired power plants. However, since California imports about 20 to 25 percent of its total electricity (mainly from the northwestern and southwestern states), GHG emissions associated with electricity generation could also occur outside of California. Space or water heating, water delivery, wastewater processing and solid waste disposal also generate GHG emissions. Short-term GHG emissions would also be generated by project-related construction activities.

The BAAQMD does not have a quantitative significance threshold for construction-related GHG emissions, but the project's construction-related emissions are expected to have a less-than-significant impact on global climate change based on the project's small size and GHG modeling results done for larger projects.¹ The proposed project would also be subject to the existing CARB regulation (Title 13 of the California Code of Regulations, Section 2485), which limits idling of diesel-fueled commercial motor vehicles, and compliance with this regulation would further reduce GHG emissions associated with project construction vehicles (compliance with idling limits is required under **Mitigation Measure AIR-1** in Section 3, Air Quality).

Operational GHG emissions associated with the proposed single-family residences is also expected to be less than significant given the project's small size and GHG modeling results

¹ GHG modeling completed in November 2013 for an 8-unit residential project on 0.75 acres located at 258 Union Avenue indicated that construction activities would generate up to approximately 63.3 metric tons of CO₂-equivalents (MT CO₂e), well below the BAAQMD's operational threshold of 1,100 MT CO₂e per year, indicating that the project's construction-related GHG emissions would be less than significant. (Source: Town of Los Gatos, 2011. *Initial Study, 258 Union Avenue, Los Gatos, California, Conditional Use Permit Application U-13-012, Negative Declaration ND-13-002*. November.)

done for larger projects.² In the 2011 BAAQMD CEQA Guidelines, the BAAQMD developed screening criteria to indicate the minimum development size (by land use category) at which GHG emissions could exceed the above thresholds and a potentially significant GHG impact could occur. In the 2011 Guidelines, the BAAQMD's operational GHG screening criterion for single-family residences was 56 units, and the proposed project would fall well below this criterion. Therefore, the project's operational GHG emissions are considered to be less than significant.

(b) Conflict with GHG plans or regulations

California has passed a number of bills related to GHG emissions and the Governor has signed at least three executive orders regarding greenhouse gases. The Governor's Office of Planning and Research has not yet established CEQA significance thresholds for GHG emissions. GHG statutes and executive orders (EO) include EO S-1-07, EO S-3-05, EO S-13-08, EO S-14-08, EO S-20-04, EO S-21-09, AB 32, AB 341, AB 1493, AB 3018, SB 97, SB375, SB 1078 and 107, SB 1368, and SB X12. AB 32 establishes regulatory, reporting, and market mechanisms to reduced statewide GHG emissions to 1990 levels by 2020. Pursuant to this requirement, the California Air Resources Board (CARB) adopted its Scoping Plan, which contains the main strategies to achieve required reductions by 2020.

The Town of Los Gatos Sustainability Plan, adopted in 2012, outlines communitywide GHG emission reduction measures necessary to reduce GHG emissions in Los Gatos. By 2020, the Sustainability Plan documents that GHG emissions would be reduced by approximately 15 percent from the business-as-usual (BAU) assumption. The Sustainability Plan does contain a number of binding GHG reduction measures. Most of the Sustainability Plan's GHG reduction measures, however, would apply to future home designs and each home's consistency with these measures would be evaluated during the required A&S application and building permit review to ensure compliance.

Source(s)

BAAQMD. 2009. Revised Draft Guidelines and Justification Report.

Town of Los Gatos. 2012. Los Gatos Sustainability Plan. Available online: <http://www.town.los-gatos.ca.us/DocumentCenter/View/8162>.

² GHG modeling completed in November 2013 for an 8-unit residential project on 0.75 acres located at 258 Union Avenue indicated that project operation would generate up to approximately 114 MT CO₂e, well below the BAAQMD's operational threshold of 1,100 MT CO₂e per year, indicating that the project's operational GHG emissions would be less than significant. (Source: Town of Los Gatos, 2011. *Initial Study, 258 Union Avenue, Los Gatos, California, Conditional Use Permit Application U-13-012, Negative Declaration ND-13-002*. November.)

Hazards and Hazardous Materials

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?				X
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, would it create a significant hazard to the public or the environment?				X
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, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
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?			X	

(a–d) Exposure to hazardous materials

Based upon a search of the Department of Toxic Substances Control's EnviroStor, the project site is not located within one mile of a known cleanup site or other hazardous materials site (DTSC, 2015). According to the State Water Resources Control Board's Geotracker, there are no leaking underground storage tanks (LUSTs) within a quarter-mile of the project site (SWRCB, 2015). Three LUSTs are located between 0.3 miles and 0.5 miles from the project site, on University Avenue, Zena Avenue, and Clearview Avenue. All of these cases have been closed, meaning that corrective actions have been completed and No Further Action letters have been issued by the County of Santa Clara Department of Environmental Health or the Santa Clara Valley Water District. Therefore, the project site is not located on or in proximity to Hazardous Wastes and Substances Sites List such that significant impacts related to hazardous materials would result.

The construction of the proposed project would require heavy equipment for earthwork activities as well as hazardous materials, including fuels, oils, solvents, glues and others. If not managed appropriately, construction activities could potentially expose construction workers or the environment to hazardous materials through inappropriate use, storage, handling, or disposal. Heavy equipment could require on-site refueling, which could also result in inadvertent releases either through poor management or upset and accidental conditions. However, project construction would require adherence to the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, which would necessitate the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP would include best management practices that cover the transport, use, and disposal of any hazardous materials used during construction that minimize the potential exposure to workers, the public, and the environment, as well as the potential for upset and accidental release conditions.

Regarding operations, the proposed project's residential uses may involve use and storage of some materials that are considered hazardous, although these materials are typically limited to everyday use solvents, paints, chemicals used for cleaning and building maintenance, and landscaping supplies. These materials would not be substantially different from household chemicals and solvents already in use throughout the town. Household hazardous wastes may be disposed of at one of the Santa Clara County household hazardous waste facilities by making an appointment with the County of Santa Clara Household Hazardous Waste program.

Regarding schools, the project site is not located within one-quarter mile of an existing school, so there would be no impact related to release of hazardous materials in proximity to schools.

(e–f) Proximity to a public or private airport

The project site is not located in proximity to a public or private airport or within the boundaries of an Airport Land Use Plan. Norman Y. Mineta San Jose International Airport and Reid Hillview Airport are located more than 10 miles to the north and northeast, respectively. There would be no impact.

(g) Impair implementation of an emergency response plan or emergency evacuation plan

The project site is not located within the area of or within the direct vicinity of an emergency response plan or emergency evacuation plan. The proposed project would result in the creation of a privately accessible roadway from Newell Avenue, with emergency access available via the new road. The proposed project would not physically change any public roads that are integral to emergency response or evacuation plans. Therefore, the impact associated with emergency response would be less than significant.

(h) Expose people or structures to wildland fires

The project site is located in an area designated as a Non-VHFHSZ (Very High Fire Hazard Severity Zone) by CalFIRE (2008). Plans for development of each lot would be reviewed by the Town during the A&S review process to ensure that the homes would be constructed within the Least Restrictive Development Areas (LRDA), which include slopes of less than 30 percent and areas that are not densely wooded. Impacts would be less than significant.

Source(s)

Cal FIRE. 2008. Santa Clara County Very High Fire Hazard Severity Zones in Local Responsibility Areas as Recommended by Cal FIRE. Available online:
http://frap.fire.ca.gov/webdata/maps/santa_clara/fhszl_map.43.pdf.

Department of Toxic Substances Control (DTSC). 2016. EnviroStor. Available online:
<http://www.envirostor.dtsc.ca.gov/public/>. Accessed April 11.

State Water Resources Control Board (SWRCB). 2015. GeoTracker. Available online:
<http://geotracker.waterboards.ca.gov/>. Accessed December 31st.

Hydrology and Water Quality

ENVIRONMENTAL IMPACTS Issues		Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
9. HYDROLOGY AND WATER QUALITY. Would the project:					
a)	Violate any water quality standards or waste discharge requirements?			X	
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 ground water table level (for example, the production rate of pre-existing nearby wells would drop			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
to a level which would not support existing land uses or planned uses for which permits have been granted)?				
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.			X	
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 runoff in a manner which would result in flooding on- or off-site.			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood-hazard area structures which would impede or redirect flood flows?				X
i) 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?				X
j) Inundation by seiche, tsunami, or mudflow?				X

(a) Violate water quality or waste discharge requirements

Construction

For project construction activities, projects which disturb one or more acres of soil or projects which disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for

Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ). Construction activity subject to this permit includes clearing, grading and disturbances to the ground (e.g., stockpiling or excavation). The permit does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. Construction activities for the proposed project would be subject to the provisions of the Construction General Permit.

A Notice of Intent must be filed with the Regional Water Quality Control Board (RWQCB), and the Construction General Permit requires that a SWPPP be prepared. The SWPPP must be consistent with the terms of the Santa Clara Valley Urban Runoff Pollution Prevention Program's recommended best management practices (BMPs) for construction activities. In addition, pursuant to Town of Los Gatos Code Section 12.20.050, an erosion and sediment control plan shall be required whenever the graded portion of a site includes more than 10,000 square feet having a slope greater than 5 percent. The SWPPP and erosion and sediment control plans would include erosion-control best management practices that would be expected to protect exposed soils from potential erosional forces. These erosion control measures may include: 1) a stabilized construction entrance/exit; 2) storm drain inlet protection; 3) building pad protection; 4) installation of fiber rolls; and 5) hydroseeding of disturbed areas) which would reduce potential erosion hazards to a less-than-significant level. The plan would include an effective revegetation program to stabilize all disturbed areas which will not be otherwise protected. The plan shall include measures to prevent increased discharge of sediment at all stages of grading and development from initial disturbance of the ground to project completion. Therefore, with adherence to existing statewide and local regulations, erosion impacts would be less than significant.

Operation

The Town of Los Gatos is a co-permittee under the National Pollution Discharge Elimination System (NPDES) permit program implemented by the California Regional Water Quality Control Board for the San Francisco Bay Region. The Municipal Regional Permit (MRP) was adopted in October 2009 (amended November 28, 2011) to implement the NPDES program at the local level. The MRP governs discharges from municipal storm drains operated by 76 local government entities, including those in the Town of Los Gatos.

MRP Provision C.3, New and Redevelopment Performance Standards, of Order No. R2-2009-0074 of the MRP requires site designs for new developments and redevelopments to minimize the area of new roofs and paving. The MRP also includes Site Design and Stormwater Treatment Requirements. Where feasible, pervious surfaces should be used instead of paving so that runoff can infiltrate to the underlying soil. Remaining runoff from impervious areas must be captured and used or treated using bioretention. In addition, project applicants must execute agreements to allow municipalities to verify that stormwater treatment and flow-control facilities are maintained in perpetuity.

Pursuant to MRP Provision C.3.c.i.2(v), the Town would require each residential unit constructed under the proposed project to implement at least one of six specified Low Impact Development (LID) Site Design measures. These include the following measures:

- Direct roof runoff into cisterns or rain barrels for reuse;
- Direct runoff onto vegetated areas;
- Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas;
- Direct runoff from driveways and/or uncovered parking lots onto vegetated areas;
- Construct sidewalks, walkways, and/or patios with permeable surfaces;
- Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

The incorporation of these site design measures and stormwater treatment measures (bioretention) as required by the Town would reduce the project's potential effects on stormwater quality to a less than significant level.

(b) Substantially deplete or interfere with groundwater supplies

All water used on the project site would be from the local public water supply provided by the San Jose Water Company, which consists of both surface water and groundwater. There are no existing groundwater wells on the property and none are proposed. Therefore, the project would have a less-than-significant impact on groundwater depletion beyond any impacts associated with the provision of water by the San Jose Water Company and the agencies from which it directly or indirectly receives water, including the Santa Clara Valley Water District, the U.S. Bureau of Reclamation, and the California Department of Water Resources. The project would likely result in a reduction in impervious surfaces, as the existing site is primarily occupied by the existing building and a parking lot that cover most of the property. The proposed project's four new residences would include setbacks of between 5 and 20 feet, including common landscape areas and other pervious areas. An incremental increase in local groundwater recharge is likely as a result of the proposed project. The impact on groundwater supplies would be less than significant.

(c–f) Substantially alter existing drainage patterns, exceed runoff capacity, or degrade water quality

The proposed project would not substantially alter the existing drainage patterns of the site or vicinity. The site does not include any streams or rivers, which could be altered by the proposed project resulting in substantial erosion and siltation on- or offsite. Onsite stormdrains and onsite sidewalk gutters convey accumulated drainage flows northward to Newell Street and the existing stormdrain system. Because the proposed project would not alter any existing streams or drainage patterns, and surface water runoff is controlled onsite, the project would have a less than significant impact on existing drainage patterns.

As stated under item (a), above, the proposed project's storm drainage design would incorporate one or more measures to ensure the control and retention of storm runoff on the

project site and preclude increased, untreated runoff discharges. Consequently, generation of storm runoff by the project would have a less-than-significant impact.

Runoff from the roof of the proposed residences and garages would collect in gutters and discharge via downspouts to splashblocks at the base of the residences. All surface flows would be directed away from buildings into drainage swales, storm drain inlets, and drainage systems.

This storm drainage methodology is consistent with requirements on similar properties and proposes to direct drainage to public facilities and limit impact on adjacent properties. Although runoff from the proposed project would be collected in a pipe system, storm flows would be discharged slowly into subsoils through the use of on-site infiltration areas, protecting surface water quality. Design and sizing of detention areas would be subject to review and approval by the Town, and such approval would reduce the potential for downstream flooding and erosion hazards. Therefore, potential impacts are considered less than significant.

As discussed in item (a) above, new, more stringent water quality regulations of the Clean Water Act have recently been triggered because the NPDES (National Pollution Discharge Elimination System) permit program has failed to protect beneficial uses of Santa Clara County's creeks and the South San Francisco Bay. Evidence includes violations of ambient water quality criteria, high concentrations of toxic substances, and fish consumption health advisories.

Future development plans for the four homes would be required to demonstrate that surface runoff is not directly discharged to the surface channel (e.g., provisions for on-site filtration) but rather diverted into landscaped areas and vegetated swales as well as provide stormwater treatment facilities on the site. Therefore, the mitigation measure required in the 2009 IS/MND is no longer required with project updates and the Town's standard conditions related to conformance with C.3 requirements. Impacts would be less than significant.

(g-i) Flood hazard

According to the 2020 Los Gatos General Plan, the project site is not within the 100-year floodplain. According to the Federal Emergency Management Agency's Flood Map Number 06085C0239H the project site is located in Zone X, which is an area outside of the 100-year and 500-year flood plains where flood risk is minimal. The project site is located at an approximate elevation of 321 feet above mean sea level (msl). Additionally, there are no natural drainages on the project site. Consequently, no significant flood hazard impacts would be anticipated.

(j) Inundation by seiche, tsunami, or mudflow

The project site is located at an elevation of approximately 321 feet msl, more than 12 miles south of the San Francisco Bay shoreline; therefore, there would be no risk associated with tsunamis, which are large sea waves. Seiches are standing waves caused by large-scale, short-duration phenomena (e.g. wind or atmospheric variations or seismic activity) that result from the oscillation of confined bodies of water (such as reservoirs and lakes) that may damage low-lying adjacent areas as a result of changes in the surface water elevation. The nearest large water body is Vasona Reservoir, located approximately half a mile to the south, at an

approximate elevation of 297 feet msl. Additionally, the area surrounding the project site has an elevation of approximately 300 feet msl. The project site would not be subject to mudflow or seiche as the project site is located at an elevation approximately 20 feet above the direct surrounding area and nearby reservoir. Impacts related to erosion are discussed above. Therefore, there would be no impact related to exposure of people or structures to significant risk of loss, injury, or death involving seiche, tsunami, or mudflow.

Sources

Federal Emergency Management Agency (FEMA). 2009. Flood Insurance Rate Map. Map No. 06085CO239H, effective May 18.

<https://msc.fema.gov/portal/search#searchresultsanchor>

Town of Los Gatos. 2010. 2020 General Plan. September 20.

Land Use and Planning

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
10. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				X
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?				X
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?				X

(a) Physically divide an established community

The proposed project would not include construction of a physical barrier (e.g., a freeway, levee, or railroad track) that would physically divide the existing neighborhoods surrounding the project site. The existing corner access driveway on the project site would be removed, and a private roadway would be constructed from Newell Avenue through the middle of the site. The proposed private shared access drive would provide emergency vehicle access, as well as access to the four new residential lots. As such, the project would not physically divide an established community. There would be no impact.

*(b) Consistency with land use plan or policy***General Plan**

The Los Gatos 2020 General Plan (adopted 2010) designates the project site as Low Density Residential. This designation allows for residential uses at densities of 0 to 5 unit per acre. The project would result in four residential units on 1.4 acres, which would be consistent with this density. The project would be generally consistent with the 2020 General Plan.

Zoning

The Town has zoned the project site as R-1:12 (Single-Family Residential, 12,000 square feet minimum lot size). The R-1:12 zone would permit subdivision of the project parcel into four lots of between 0.29 and 0.388 acres. The four houses built on the project site would be consistent with the zoning and General Plan. The project proposes to change the zoning to R-1:12:PD to be developed as a planned development. The Planned Development designation is a planning overlay zone that provides for alternative uses and developments more consistent with site characteristics than are allowed in other zones, with the intention of creating optimum quantity and use of open space and to encourage good design. Per Section 29.80.080 of the Town Code, “the PD zone permits establishment of a single use or the integration of several uses not ordinarily possible only if use and development is in compliance with a complete development plan showing relationships of the use or uses to each other, to the district as a whole, and to surrounding areas.” The Planned Development overlay would not conflict with the existing zoning requirements on any of the surrounding properties. The proposed project would not conflict with any existing land use plan or policy, and therefore, no impacts have been identified.

(c) Conflict with any applicable habitat conservation plan or natural community conservation plan

There is no adopted habitat conservation plan or natural community conservation plan applicable to the project site. Therefore, the proposed project would not conflict with any approved local, regional, or state habitat conservation plan, and there would be no impact.

Source(s)

Town of Los Gatos. 2010. 2020 General Plan. September 20.

Mineral Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
11. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

(a–b) Loss of availability of a known mineral resource or locally-important mineral resource recovery site

The Los Gatos General Plan does not identify any regionally or locally-important mineral resources on the project site or in its vicinity. The General Plan Open Space, Parks, and Recreation Element specifically states that mineral sources production areas are “not applicable to Los Gatos.” As such, there are no locally-important mineral resource recovery sites in the project site vicinity, and the project would have no impact to these resources. (Town of Los Gatos, 2010).

Source(s)

Town of Los Gatos. 2010. 2020 General Plan. September 20.

Noise

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
12. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?		X		

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?		X		
c) Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
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, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

(a, c) Exposure to, or generation of, permanent noise

The existing vacant structure on the on the project site currently produces minimal amounts of noise. The proposed four single-family residences would result in increased noise associated with residential use, such as operation of appliances and landscaping equipment. These noises would be similar to the noise generated at nearby residences and would not conflict with the existing noise environment.

A site specific noise analysis was prepared for the project site to evaluate potential impacts associated with traffic noise from Winchester Boulevard. The Noise analysis, dated May 2, 2016 and prepared by j.c. brennan and associates, is included as Appendix A.

j.c. brennan & associates, Inc. staff conducted a continuous 24-hour noise level measurement at the project site on Thursday, April 21st, 2016. The sound level meter was programmed to collect hourly noise level intervals during the survey. The maximum value (Lmax) represents the highest noise level measured during each one-hour period, the average value (Leq) represents the energy average of all of the noise measured during each one-hour period, and the median value (L50) represents the sound level exceeded 50 percent of the time during each one-hour period. Table 1, *Summary of Existing Background Noise Measurement Data*, shows the results of the noise level measurement.

Table 1
Summary of Existing Background Noise Measurement Data

Site	Location	Date	L _{dn}	Average Measured Hourly Noise Levels, dB					
				Daytime (7am-10pm)			Nighttime (10pm-7am)		
				Leq	L50	Lmax	Leq	L50	Lmax
<i>Continuous (24-hour) Noise Level Measurements</i>									
A	100 ft. west of Winchester Blvd.	Thursday 4/21/2016	64	63	60	79	55	49	69

Source: j.c. brennan & associates, Inc., 2015.

Measured noise levels shown in Table 1 were compared to the FHWA traffic noise prediction model to calibrate the model to existing site conditions. The FHWA model was found to under-predict traffic noise levels on the project site by 1 dBA over the full 24-hour period, as shown in Appendix C of Appendix A. Therefore, a + 1 dB adjustment was made to the model.

Future Traffic Noise Levels

To determine the future traffic noise levels on the project site, j.c. brennan & associates, Inc., utilized the calibrated FHWA traffic noise prediction model and future (2036) traffic forecasts by assuming a 1% per year growth rate over 2014 traffic volumes on Winchester Boulevard.

Table 2, Predicted Future Traffic Noise Levels, shows the predicted future traffic noise levels at the proposed residential units adjacent to SR-24. A complete listing of the FHWA Traffic Noise Prediction Model inputs is provided in Appendix D of Appendix A. It should be noted that the Table 2 data account for shielding from intervening builds which will shield outdoor areas of the project.

TABLE 2
Predicted Future Traffic Noise Levels

Location	Distance	Predicted Traffic Noise Levels, DNL
<i>Winchester Boulevard – 2036 ADT = 33,024</i>		
Lot 3/4 Backyard	100	65 dB
Lot 1/2 Backyard	200	56 dB

Sources: j.c. brennan & associates, Inc., and FHWA RD-77-108

Based upon the predicted future traffic noise levels shown in Table 2, the residential outdoor areas of Lots 3 and 4 will be exposed to future exterior traffic noise levels up to 65 dB Ldn. This would exceed the Town of Los Gatos 60 dB Ldn exterior noise level standard but would fall within the conditionally acceptable range of 60-70 dB Ldn. Exceeding the Town’s exterior noise

level standard would be a potentially significant impact and mitigation is required to reduced potential impacts to less than significant. Consistency with the Town’s exterior noise standards would be ensured through implementation of **Mitigation Measure NOI-1**.

In order to reduce future traffic exterior noise levels at these locations, noise reduction measures are required. The project noise study evaluated the effectiveness of a solid noise barrier for reducing future Winchester Boulevard traffic noise levels at the residential uses proposed adjacent to this roadway. A complete listing of the noise barrier effectiveness inputs and results is shown in Appendix E of Appendix A. The results of the barrier analysis are summarized in Table 3, Predicted Future Traffic Noise Levels with Various Noise Barrier Heights.

TABLE 3
Predicted Future Traffic Noise Levels With Various Noise Barrier Heights

Roadway	Location	Noise Level with Varying Property Line Barrier Heights, Ldn		
		6'	7'	8'
		Lot 3	58	56
Lot 4	56	55	54	

Sources: j.c. brennan & associates, Inc. with FHWA-RD-77-108
Barrier heights are relative to the proposed building pad elevations. Noise barrier reductions apply to first floor locations only.

The results of the barrier analysis shown in Table 3 indicate that the construction of a 6-foot tall solid noise barrier along Winchester Boulevard would result in compliance with the Town of Los Gatos normally acceptable exterior noise level standard of 60 dB L_{dn} at ground floor locations.

Noise barriers should be constructed of concrete masonry units (CMU), solid concrete panels, or earthen berms. Noise barriers may include the combination of earthen berm and CMU wall or concrete panels. Wood is not recommended due to eventual warping and degradation of acoustical performance. Other types of materials should be reviewed by an acoustical consultant prior to use. It should be noted that noise barriers are only effective for reducing traffic noise levels at first floor locations.

It should be noted that due to the grading of the site, noise barriers of practical heights cannot provide shielding to all areas of the project site, such as decks or balconies. However, exterior noise level at these locations are still predicted to fall within the Town’s conditionally acceptable exterior noise level range of 60-70 dB L_{dn}. The Town’s policy for conditionally acceptable noise levels are as follows:

New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice (Town of Los Gatos General Plan Noise Element, Table NOI-1).

Interior Traffic Noise Levels

Standard construction practices, consistent with the Uniform Building Code typically provide an exterior-to-interior noise level reduction of approximately 25 dB, assuming that air conditioning is included for each unit, which allows residents to close windows for the required acoustical isolation. Therefore, as long as exterior noise levels at the building facades do not exceed 70 dB L_{dn} , the interior noise levels will typically comply with the interior noise level standard of 45 dB L_{dn} .

First floor traffic noise exposure at Lots 3 and 4 is predicted to be less than 60 dB L_{dn} with the use of a property line noise barrier. Sound walls do not shield second floor building facades, additionally noise levels are typically 2-3 dB higher at second floor locations. Therefore, exterior noise levels at the second floor façade are predicted to be up to 69 dB L_{dn} at Lots 3 and 4. Based upon a typical exterior-to-interior noise level reduction of 25 dB, interior noise levels are predicted to be 44 dB L_{dn} , with windows closed. This would comply with the Town's standard of 45 dB L_{dn} . Therefore, no additional interior noise control measures would be required, assuming that air conditioning is included to allow occupants to close doors and windows as desired for acoustical isolation.

(b) Exposure to ground borne vibration or ground borne vibration

There are no adopted state or local policies for groundborne noise or vibration. The Federal Transit Administration (FTA) states that non-engineered timber and masonry buildings can be exposed to groundborne vibration levels of up to 0.2 inches per second (in/sec) without experiencing structural damage. Construction of the project features could involve the use of bulldozers and vibratory rollers, which may result in vibration of up to 0.089 in/sec and 0.210 in/sec, respectively, at 25 feet (FTA, 2006). Given existing residences are located within 25 feet from potential vibration-generating construction activities, these vibration levels would result in a significant impact. To ameliorate the impacts of vibration, FTA recommends avoiding the use of vibratory rollers in sensitive areas. This requirement has been incorporated into **Mitigation Measure NOI-2, Construction Vibration**. With implementation of this measure, vibration impacts would be less than significant.

(d) Substantial temporary noise increase

The Town of Los Gatos Municipal Code Chapter 16 restricts construction activities to the hours of 8:00 a.m. to 8:00 p.m. on weekdays and 9:00 a.m. to 7:00 p.m. on weekends and holidays. Construction noise is limited to 85 dBA at the property line (or 85 dBA at 25 feet if the activity occurs near the property line).

Construction noise would range from approximately 74 to 89 dBA at 50 feet, depending on the types of equipment that would be used in project construction (FTA, 2006). As such, without the use of acoustic shield or other noise-reduction measures, construction equipment would exceed the Town of Los Gatos noise standards. Consistency with the noise standards would be ensured through implementation of **Mitigation Measure NOI-3**.

(e-f) Excessive noise level near a public or private airport

The project site is not located in proximity to a public or private airport. Norman Y. Mineta San Jose International Airport and Reid Hillview Airport are located more than 10 miles to the north and northeast, respectively. There would be no impact related to airport noise.

*Mitigation Measures – Noise (NOI)***Mitigation Measure NOI-1: Noise Attenuation Wall**

Prior to the issuance of a grading permit or improvements plans, the applicant shall demonstrate to the Director of Community Development, that a noise attenuation wall is shown on the final landscape plans. The noise attenuation wall shall include the specifications:

- The noise attenuation wall shall be a minimum of six feet tall. The approximate location of the recommended noise barriers is shown on Figure 3 of the noise analysis report prepared for the project dated May 2, 2016.
- The noise attenuation wall shall be constructed of concrete masonry units (CMU), solid concrete panels, or earthen berm. The noise barriers may include the combination of earthen berm and CMU wall or concrete panels. Wood is not recommended due to eventual warping and degradation of acoustical performance. Other types of materials should be reviewed by an acoustical consultant prior to use.
- Air conditioning shall be included in all residences to allow occupants to close doors and windows as desired for acoustical isolation.

Mitigation Measure NOI-2: Construction Vibration

The construction contractor shall prohibit the use of vibratory rollers within 30 feet of existing residences. Plate compactors and smaller, rubber-tired equipment shall be utilized as feasible. The Town of Los Gatos Building Division shall ensure that this requirement is incorporated into construction documents prior to issuance of grading permits.

Mitigation Measure NOI-3: Construction Specifications to Reduce Noise

The project applicant and its successors shall ensure that the following practices are incorporated into the construction specification documents to be implemented by the project contractor:

- Provide enclosures and mufflers for stationary equipment, shrouding or shielding for impact tools, and barriers around particularly noisy operations, such as grading or use of concrete saws within 50 feet of an occupied sensitive land use.

- Use construction equipment with lower (less than 70 dB) noise emission ratings whenever possible, particularly air compressors and generators.
- Do not use equipment on which sound-control devices provided by the manufacturer have been altered to reduce noise control.
- Locate stationary equipment, material stockpiles, and vehicle staging areas as far as practicable from sensitive receptors.
- Prohibit unnecessary idling of internal combustion engines.
- Implement noise attenuation measures to the extent feasible (i.e., such that they do not impede efficient operation of equipment or dramatically slow production rates), which may include, but are not limited to, noise barriers or noise blankets. The placement of such attenuation measures shall be reviewed and approved by the Los Gatos Building Division prior to issuance of development permit for construction activities.

Source(s)

Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, available online: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf. May 2006.

Town of Los Gatos. 2010. 2020 General Plan. September 20.

Town of Los Gatos. 2015. Code of Ordinances. December 15.

Population and Housing

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
13. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

(a) Population growth

The Town of Los Gatos currently has a population of approximately 30,735 (U.S. Census, 2014). According to the 2020 General Plan, the population is expected to increase to 32,600 by 2020 (Town of Los Gatos, 2010).

Based upon the Los Gatos-average 2.39 residents per household, the proposed project’s four net residential units would result in 10 new residents. These 10 residents would not represent substantial population growth that would exceed the planned population increase by 2020. Therefore, the project would not directly induce substantial population growth.

Indirect population growth may be induced by the extension of infrastructure—such as roadways, water service, wastewater service, and other utilities—into greenfield or undeveloped areas. The proposed project would result in the construction of a private access drive through the middle of the project parcel. This parcel, however, is already developed, and the roadway would not result in any additional development in undeveloped areas. As such, the construction of the new private access drive would not indirectly induce substantial development or population growth. Impacts on population growth would be less than significant.

(b–c) Housing and resident displacement

The existing structure on the project site is the vacant building, used for non-residential uses. The project would not displace any people or housing units. The project would result in the construction of new housing. Therefore, no impact would occur.

Source(s)

Town of Los Gatos. 2010. 2020 General Plan. September 20.

US Census Bureau. 2014. Population Estimated.

Public Services

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical 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 public services:				
a) Fire protection?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

(a–e) Fire, police, schools, parks and other public facilities

Services are currently provided to the project site’s existing building as well as other residences in the project vicinity. The Los Gatos / Monte Sereno Police Department and the Santa Clara County Fire Department would provide emergency and public safety services to the project site. The project’s four residential units would not substantially increase demand for these services such that new or expanded fire or police protection services would be required.

Based on an average student yield factor of 0.386 per unit, the project would add approximately two new students to the Los Gatos Union School District, which encompasses grades K through 8. The District has grown from 2,587 students in the 2006–2007 school year to 3,345 students in the 2014–2015 school year, primarily caused by net migration of families with school-aged children (and not by new housing units) (LGUSD, 2015).

Based on an average student yield factor of 0.208 per unit, the project would add one student to the Los Gatos-Saratoga Joint Union High School District (Los Gatos, 2012). The District has grown from 3,153 students in the 2010 – 2011 school year to 3,302 students in the 2014 – 2015 school year (Ed-Data, 2016).

Students associated with the proposed project would contribute to the cumulative demand for educational services and result in enrollments that exceed current district capacities.

The proposed project would be required by law to pay development impact fees to each school district at the time of the building permit issuance. These fees are used by the school districts to mitigate impacts associated with long-term operation and maintenance of 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.” Any secondary environmental impacts resulting from the construction of new schools would be analyzed by each School District prior to construction of any new

schools. The three new students associated with the project would not drive the need for any such new construction. Therefore, with payment of development impact fees to each school district as required by law, the project’s impact on the schools attended by project students would be less-than-significant.

Impacts to parks are analyzed under “Recreation,” below. The proposed project would result in a less-than-significant impact on public services.

Source(s)

Education Data Partnership (Ed-Data). 2016. Los Gatos-Saratoga Joint Union High web page: <http://www.ed-data.org/district/Santa-Clara/Los-Gatos--Saratoga-Joint-Union-High>, accessed January 2, 2016.

Los Gatos. 2012. Memorandum: North 40 Advisory Committee Meeting Report. Community Development Department. August 17.

LGUSD. 2015. Framework & Positioning for Overcrowding. Draft. March 10.

Santa Clara County Fire Department (SCCFD). 2015. Development Review Comments: 15 0776.

Recreation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
15. RECREATION. Would the project:				
a) 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?			X	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

(a) Increase the use of existing recreation facilities

As stated above under Population and Housing, the proposed project would result in approximately 10 new residents in the Town of Los Gatos. Recreational space for these 10 residents would be provided by the common landscape areas, decks, yards, and setbacks that would be included in the proposed project.

Existing recreational facilities in close proximity to the project site include Vasona Lake County Park and Oak Meadow Park. Although it is likely that the 10 new residents would use existing recreational facilities in the Town of Los Gatos, their use would not be so substantial as to accelerate the physical deterioration of those facilities. Impacts would be less than significant.

(b) Include recreational facilities or the construction or expansion of recreational facilities

The proposed project does not include the provision of recreational facilities. As stated above, residents may use existing recreational facilities in the Town of Los Gatos. The approximately 10 new residents would not necessitate the construction or expansion of recreational facilities. Impacts related to recreational facilities would be less than significant.

Transportation/Traffic

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
16. TRANSPORTATION/TRAFFIC. Would the project:				
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?			X	
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?			X	
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?				X
d) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?		X		
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities,			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
or otherwise decrease the performance or safety of such facilities?				

(a–b, f) Conflict with applicable transportation plans or ordinances, including congestion management plans

In accordance with the Town of Los Gatos revised Traffic Impact Policy (approved August 19, 2014), projects that would generate 20 or more new peak-hour trips are required to complete a comprehensive traffic impact analysis report. Trip generation rates are based upon the most recent edition of the Institute of Traffic Engineers (ITE) *Trip Generation Manual*. Using those rates, the proposed project’s four net residential units would result in 3 trips in the AM peak hour and 4 trips in the PM peak hour, both of which are below the standards established in the Town’s Traffic Impact Policy. These net new peak hour trips would not substantially affect traffic operations or conflict with the Santa Clara Valley Transportation Authority (VTA) 2013 Congestion Management Program. Additionally, the new four-home subdivision would be compatible and consistent with the surrounding neighborhood (TJKM, 2015). Impacts would be less than significant.

The project is not anticipated to disrupt existing or planned bicycle or pedestrian facilities, or conflict with adopted City plans, guidelines, policies, or standards. Because the project is proposed to be accessed via the new private access drive, existing and envisioned bicycle and pedestrian facilities would be unaffected by the project. The project would also ensure that future curb ramps at the Newell Avenue and Winchester Boulevard intersection meet Americans with Disabilities Act (ADA) compliance and current City standards. Given the project’s small size and limited trip generation, the project would not conflict with plans related to alternative transportation modes. Impacts would be less than significant.

(c) Change in air traffic pattern

The proposed project would not result in a change in air traffic patterns. The nearest airport, Mineta San José International Airport, is located approximately ten miles to the northeast. There would be no impact.

(d) Substantially increase hazards due to a design feature

To accommodate the proposed houses and new roadway, soil would be excavated and hauled from the site during the construction phase. The export of 5,900 cubic yards of material off-site could generate up to 370 truckloads or a total of 740 one-way truck trips (assuming 12 cubic yards per haul truck). Since the Town will prohibit haul truck operations on local roads between

7 a.m. and 9 a.m. as well as 4 p.m. and 6 p.m., trucks operations would occur 6.5 to 7 hours per day. Pursuant to **Mitigation Measure TRANS-1**, the project applicant would be required to work with the Engineering Division of the Parks and Public Works Department to devise a traffic control plan to ensure safe and efficient traffic flow during periods when soil is hauled. Potential safety hazards during project construction would be less than significant with mitigation.

The existing corner access driveway on the project site would be removed pending project approval, and a private roadway would be constructed from Newell Avenue through the middle of the site. The proposed driveway serving the four-home subdivision will be located more than 100 feet from Winchester Boulevard. By comparison, the existing driveway is located close to the intersection. Given that the location of property access would change, access location and configuration of the new driveway would be designed to the satisfaction of the Public Works Department, as ensured by **Mitigation Measure TRANS-2**. Potential impacts would be reduced to less than significant.

(e) Result in inadequate emergency access

The proposed new private shared access drive would provide primary access to the project site. The new road would be 40 feet wide, include three on-street parking spaces, and provide adequate emergency vehicle access. Therefore, the proposed project's impact on emergency access would be less than significant.

Mitigation Measures – Transportation and Circulation (TRANS)

Mitigation Measure TRANS-1: Traffic Control Plan

The project applicant shall work with the Engineering Division of the Town of Los Gatos's Parks and Public Works Department to devise a traffic control plan for incorporation into the construction bid documents (specifications) to ensure safe and efficient traffic flow during periods when soil is hauled off the project site. The plan shall include, but not be limited to, the following measures:

- Hauling and delivery activities and designated truck routes shall be strategically selected, timed and coordinated to minimize traffic disruption to schools, residents, businesses, special events, and other projects in the area. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.
- Flag persons shall be placed at locations as necessary. All flag persons shall have the capability of communicating with each other to coordinate the operation.
- Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation.
- Hauling of soil on or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.).

Mitigation Measure TRANS-2: Driveway Design

The applicant shall hire a registered traffic engineer to ensure appropriate driveway design for the new private access drive. A detailed sight distance evaluation for the project roadway shall be prepared for review and approval by the Parks and Public Works Department and the Community Development Director prior to approval of the Final Subdivision Map.

Source(s)

Santa Clara County Fire Department (SCCFD). 2015. Development Review Comments: Review of a proposed revision of the Fire Department access for a proposed 5-lot development in the Wildland-Urban Interface Area. March 20.

TJKM. 2015. Technical Memorandum: Review of Proposed 4-Home Subdivision at 105 Newell. September 21.

Utilities and Service Systems

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
17. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction or which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project-projected demand in addition to the provider’s existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

(a, e) Wastewater treatment and requirements

Sanitary sewer service would be provided to the proposed project by West Valley Sanitation District (WVSD), which operates under the authority and regulations of the San Francisco Bay RWQCB. WVSD provides wastewater collection to an area of approximately 30 square miles and 109,000 people. Wastewater is collected and transported to the San Jose-Santa Clara Regional Wastewater Facility (RWF). The RWF treats an average of 110 million gallons per day (mgd) of wastewater, approximately 13 percent of which goes to the adjacent South Bay Water

Recycling pump station (RWF, 2014). The facility is permitted to treat up to 167 mgd, pursuant to its National Pollution Discharge Elimination System (NPDES) permit (RWQCB, 2014). As indicated under item (d) below, conservatively assuming the proposed project would result in water demand of 144 gallons per person per day, and all of that water exits the project site as wastewater, the proposed project would result in 1,440 gallons of wastewater per day (SJWC, 2011). This increased wastewater flow generated by the project would be accommodated within the RWF's remaining dry weather capacity of 57 mgd. The impact would be less than significant.

Regarding wet weather flow, stormwater from the project site would be directed to separate storm system, so the project would not substantially increase wet weather flow. The proposed project would not require the construction of new wastewater treatment facilities or the expansion of existing treatment facilities. Impacts would be less-than-significant.

Wastewater from the project would be directed to existing facilities, which would continue to comply with all provisions of the NPDES program, as enforced by the Regional Water Board. Therefore, the project would not result in an exceedance of wastewater treatment requirements and the impact is less than significant.

(b) Wastewater and water treatment facilities

Refer to Topics (a, e) for wastewater treatment, and Topic (d) for water treatment.

(c) Stormwater drainage

As stated in "Hydrology and Water Quality," above, the proposed project's storm drainage design would incorporate one or more measures to ensure the control and retention of storm runoff on the project site and preclude increased, untreated runoff discharges. The proposed stormdrain inlets on Elks Place would convey stormwater runoff from the project site to the existing stormdrain on Newell Avenue. The project, therefore, would not require new or expanded facilities, and would result in a less-than-significant impact on the storm drainage system.

(d) Water supply

The San Jose Water Company (SJWC) provides water to approximately one million residents through supplies from groundwater production wells, imported supplies from the Santa Clara Valley Water District, and local surface water from the Santa Cruz Mountains, the last of which is provided to the Town of Los Gatos and surrounding communities. Total deliveries in 2010 were approximately 123,000 acre-feet (AF) of water, of which approximately half went to single-family dwellings. In the 2010 Urban Water Management Plan, demand (based on service area Housing Elements) was projected to reach 132,000 AF by 2015 and 143,000 AF by 2035. Total supplies in 2010 were 133,000 AF, and supplies were projected to increase to 144,000 AF in 2015 and 159,000 AF in 2035 (SJWC, 2011).

SJWC's per capita water use is 144 gallons per person per day (gpd), which is targeted to reduce to 111 gpd by 2020 (SJWC, 2011). Conservatively assuming the project's 10 residents each

consume 144 gpd, the proposed project would result in a net new demand of 525,600 gallons, or 1.61 AF, per year. Assuming the residents consume 111 gpd, the proposed project would result in a net new demand of 405,150 gallons, or 1.24 AF.

Based on the most recent UWMP, water supply for 2015 was projected to be 405,580 AF, and total demand was project to be 375,720 AF, resulting in a surplus of 29,860 AF. The 1.61 AF/Year that would be required by the project would be accommodated by the remaining capacity. Sufficient water supply would be available from existing entitlements to serve the proposed project.

SJWC does have some concerns on the ability of the District to provide water in a six-year drought. As stated in the District's UWMP, the water supply available from the District during a drought is highly dependent on the groundwater basin level and semitropic water bank level at the start of the drought. A multiyear drought may require mandatory water conservation be enacted to meet the water demands required by all customers.

Sufficient water supply would be available from existing entitlements to serve the proposed project, and mandatory water conservation measures, if necessary, would ensure adequate supply during a drought. Impacts on water supply would be less than significant.

(f-g) Adequate landfill and compliance

West Valley Collection and Recycling is the Town's exclusive solid waste hauler, including for construction and demolition. Pursuant to AB 939, the Town has a per-resident disposal target of 6.0 pound per day (ppd), and an employee disposal target of 11.6 ppd. As of 2014, which is the most recent year for which data is available, the Town disposed of 3.9 ppd per resident and 7.5 ppd per employee, thereby meeting its target rates (CalRecycle, 2016a). In 2014, approximately 19,300 tons of solid waste from the Town was transported to Guadalupe Sanitary Landfill, which is the primary landfill receiving waste from the Town, and additional solid waste was dispersed among several other landfills in the region (CalRecycle, 2016b). The Guadalupe Sanitary Landfill is located in the City of San Jose. It can receive up to 3,650 tons per day of solid waste, and currently receives approximately 1,300 tons per day. The facility has 28.6 million cubic yards of capacity, of which approximately 11 million cubic yards remained in 2011. The landfill has a cease-operation date of 2048 (CalRecycle, 2016c).

The proposed project would result in a minor quantity of waste associated with demolition of the on-site structure, as well as waste associated with occupation of the four residences. Conservatively assuming a waste generation rate of 12.23 pounds per day, the four project residences would generate approximately 50 pounds of waste per day, or 9 tons per year. This waste generation would be accommodated within the permitted capacity of Guadalupe Sanitary Landfill.

West Valley Collection provides single stream recycling services, meaning that all recycling materials are placed in a single bin and do not need to be sorted by the customer. These materials are sorted at West Valley's Materials Recovery Facility in the City of San Jose. The

project residents would therefore comply with waste diversion requirements and solid waste regulations, and impacts related to solid waste would be less than significant.

Source(s)

CalRecycle. 2016a. Jurisdiction Diversion/Disposal Rate Summary. Available online:

<http://www.calrecycle.ca.gov/LGCentral/DataTools/Reports/DivDispRtSum.htm>.

Accessed January 2, 2016.

CalRecycle. 2016b. Jurisdiction Disposal by Facility. Available online:

<http://www.calrecycle.ca.gov/lgcentral/Reports/DRS/Destination/JurDspFa.aspx>.

Accessed January 2, 2016.

CalRecycle. 2016c. Facility/Site Summary Details: Guadalupe Sanitary Landfill (43-AN-0015).

Available online: <http://www.calrecycle.ca.gov/SWFacilities/Directory/43-AN-0015/Detail>. Accessed January 2, 2016.

Regional Wastewater Facility (RWF). 2014. Media Fact Sheet. Available online:

<https://www.sanjoseca.gov/DocumentCenter/View/34681>.

San Francisco Regional Water Quality Control Board (RWQCB). 2014. Order No. R2-2014-0034, NPDES No. CA0037842.

San Jose Water Company (SJWC). 2011. 2010 Urban Water Management Plan.

Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
18. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) 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 the past projects, the effects of other current projects, and the effects of probable future projects.)			X	
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

(a, c) Significant Impacts on the Natural and Man-Made Environments

The potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in the respective sections (Sections 4 and 5) of this checklist. In addition to project specific impacts, this evaluation considered the project’s potential for significant cumulative effects. There is no substantial evidence that there are biological or cultural resources that are affected or associated with this project.

The potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections 1. Aesthetics, 3. Air Quality, 6. Geology and Soils, 8. Hazards and Hazardous Materials, 9. Hydrology and Water Quality, 12. Noise, 13. Population and Housing, and 16. Transportation and Traffic. As a result of this evaluation, there is no

substantial evidence that there are adverse effects on human beings associated with this project.

Therefore, this project has been determined not to meet these Mandatory Findings of Significance.

(b) Cumulative Impacts

The geographic scope of cumulative impacts varies depending on impact category. Regardless, most project impacts would be confined to the project site or immediate surroundings. In general, the proposed project would result in relatively minor contributions to Town-wide or regional cumulative impacts. There are no known past, present, or reasonably foreseeable future projects that could combine with the proposed project (including identified project mitigation measures) to result in significant cumulative effects. No cumulative impacts resulting from the proposed development of four single family residences in combination of future remodels/additions to existing residences allowed by the Town's General Plan and Municipal Code requirements have been identified. As such, the project's contribution to cumulative effects would be less than cumulatively considerable. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

Attachment A
Noise Analysis



Newell Avenue Subdivision

Town of Los Gatos, California

May 2, 2016

jcb Project # 2016-130

Prepared for:

Kimley » Horn

Attn: Alex H. Jewell
Kimley-Horn
555 Capitol Mall, Suite 300
Sacramento, CA 95814

Prepared by:

j.c. brennan & associates, Inc.

Luke Saxelby, INCE Bd. Cert.
Vice President
Board Certified, Institute of Noise Control Engineering (INCE)

INTRODUCTION

The 105 Newell Avenue Subdivision project consists of a four-lot division of an existing 1.38 acre parcel for the construction of four single-family homes. The lot is adjacent to the west side of Winchester Boulevard immediately south of Newell Avenue. The project is located in the Town of Los Gatos, California.

Figure 1 shows the project site plan.

ENVIRONMENTAL SETTING

Fundamentals of Acoustics

Acoustics is the science of sound. Sound may be thought of as mechanical energy of a vibrating object transmitted by pressure waves through a medium to human (or animal) ears. If the pressure variations occur frequently enough (at least 20 times per second), then they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second or Hertz (Hz).

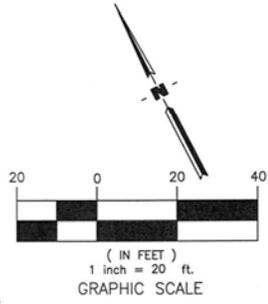
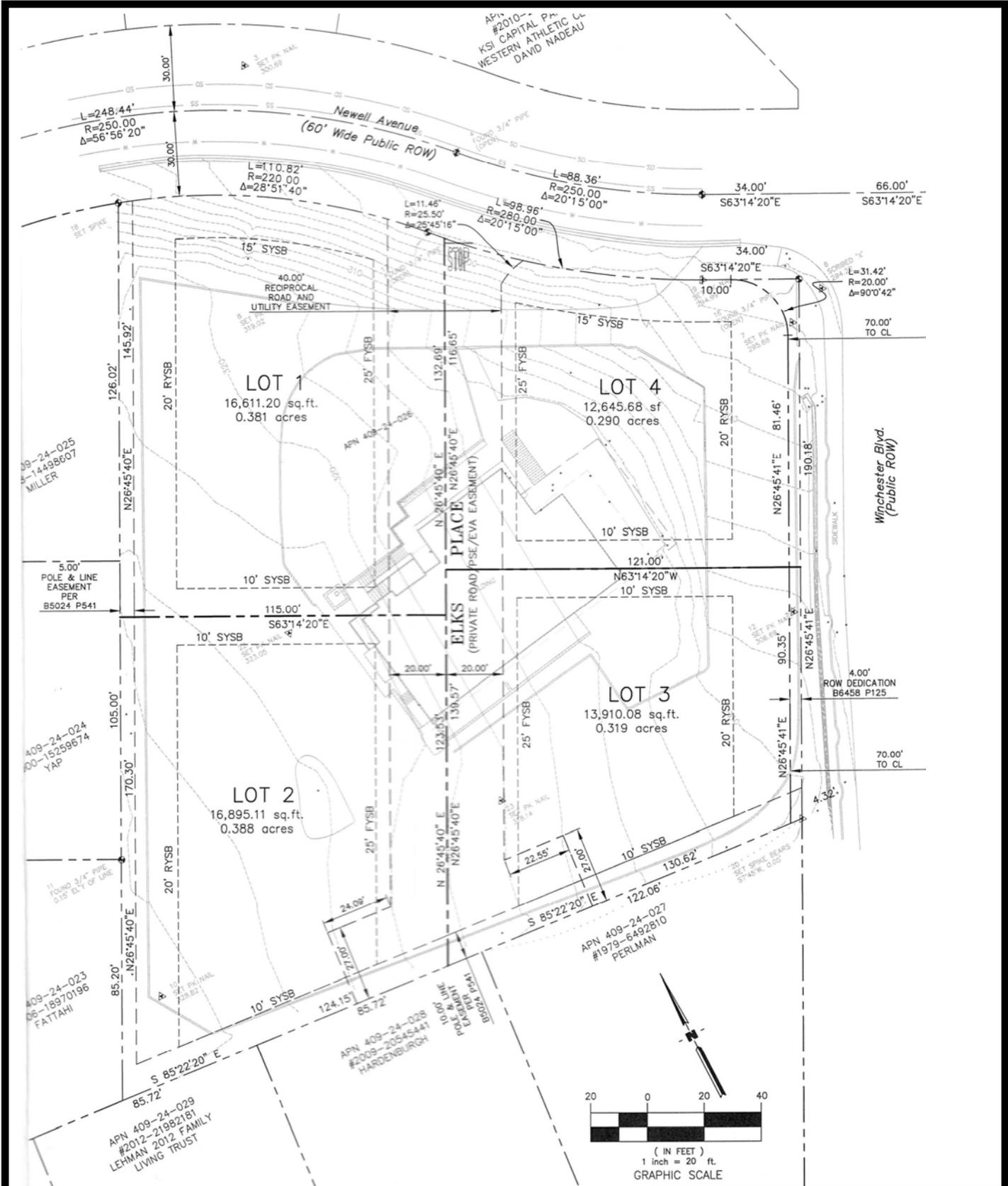
Noise is a subjective reaction to different types of sounds. Noise is typically defined as (airborne) sound that is loud, unpleasant, unexpected or undesired, and may therefore be classified as a more specific group of sounds. Perceptions of sound and noise are highly subjective from person to person.

Measuring sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid this, the decibel scale was devised. The decibel scale uses the hearing threshold (20 micropascals), as a point of reference, defined as 0 dB. Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels (dB) correspond closely to human perception of relative loudness.

The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by A-weighted sound levels. There is a strong correlation between A-weighted sound levels (expressed as dBA) and the way the human ear perceives sound. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment. All noise levels reported in this section are in terms of A-weighted levels, unless otherwise noted.

The decibel scale is logarithmic, not linear. In other words, two sound levels 10 dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic decibel is A-weighted, an increase of 10 dBA is generally perceived as a doubling in loudness. For example, a 70 dBA sound is half as loud as an 80 dBA sound, and twice as loud as a 60 dBA sound.

Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given environment. A common statistical tool is the average, or equivalent, sound level (L_{eq}), which corresponds to a steady-state A weighted sound level containing the same total energy as a time varying signal over a given time period (usually one hour). The L_{eq} is the foundation of the composite noise descriptor, L_{dn} , and shows very good correlation with community response to noise.



Newell Avenue Subdivision Figure 1: Project Site Plan	
	Figure Prepared: May 2016

The day/night average level (L_{dn} or DNL) is based upon the average noise level over a 24-hour day, with a +10 decibel weighing applied to noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{dn} represents a 24-hour average, it tends to disguise short-term variations in the noise environment.

Table 1 lists several examples of the noise levels associated with common situations. Appendix A provides a summary of acoustical terms used in this report.

**TABLE 1
TYPICAL NOISE LEVELS**

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	--110--	Rock Band
Jet Fly-over at 300 m (1,000 ft.)	--100--	
Gas Lawn Mower at 1 m (3 ft.)	--90--	
Diesel Truck at 15 m (50 ft.), at 80 km/hr. (50 mph)	--80--	Food Blender at 1 m (3 ft.) Garbage Disposal at 1 m (3 ft.)
Noisy Urban Area, Daytime Gas Lawn Mower, 30 m (100 ft.)	--70--	Vacuum Cleaner at 3 m (10 ft.)
Commercial Area Heavy Traffic at 90 m (300 ft.)	--60--	Normal Speech at 1 m (3 ft.)
Quiet Urban Daytime	--50--	Large Business Office Dishwasher in Next Room
Quiet Urban Nighttime	--40--	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime	--30--	Library
Quiet Rural Nighttime	--20--	Bedroom at Night, Concert Hall (Background)
	--10--	Broadcast/Recording Studio
Lowest Threshold of Human Hearing	--0--	Lowest Threshold of Human Hearing

Source: Caltrans, Technical Noise Supplement, Traffic Noise Analysis Protocol. November, 2009.

Effects of Noise on People

The effects of noise on people can be placed in three categories:

- Subjective effects of annoyance, nuisance, and dissatisfaction
- Interference with activities such as speech, sleep, and learning
- Physiological effects such as hearing loss or sudden startling

Environmental noise typically produces effects in the first two categories. Workers in industrial plants can experience noise in the last category. There is no completely satisfactory way to measure the subjective effects of noise or the corresponding reactions of annoyance and dissatisfaction. A wide variation in individual thresholds of annoyance exists and different tolerances to noise tend to develop based on an individual's past experiences with noise.

Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted: the so-called ambient noise level. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it.

With regard to increases in A-weighted noise level, the following relationships occur:

- Except in carefully controlled laboratory experiments, a change of 1 dBA cannot be perceived;
- Outside of the laboratory, a 3 dBA change is considered a just-perceivable difference;
- A change in level of at least 5 dBA is required before any noticeable change in human response would be expected; and
- A 10 dBA change is subjectively heard as approximately a doubling in loudness, and can cause an adverse response.

Stationary point sources of noise – including stationary mobile sources such as idling vehicles – attenuate (lessen) at a rate of approximately 6 dB per doubling of distance from the source, depending on environmental conditions (i.e. atmospheric conditions and either vegetative or manufactured noise barriers, etc.). Widely distributed noises, such as a large industrial facility spread over many acres, or a street with moving vehicles, would typically attenuate at a lower rate.

REGULATORY CONTEXT

Federal

There are no federal regulations related to noise that apply to the Proposed Project.

State

There are no state regulations related to noise that apply to the Proposed Project.

Town of Los Gatos General Plan Noise Element

The Town of Los Gatos General Plan establishes an acceptable exterior noise level of 60 dB L_{dn} for residential uses. An acceptable interior noise level standard of 45 dB L_{dn} is also established for all residential uses. Exterior noise levels of up to 70 dB L_{dn} are considered “conditionally acceptable” and require that a detailed analysis of interior noise levels be conducted to ensure that the project meets the Town’s interior noise level standard.

EVALUATION OF FUTURE TRAFFIC NOISE LEVELS AT THE PROJECT SITE

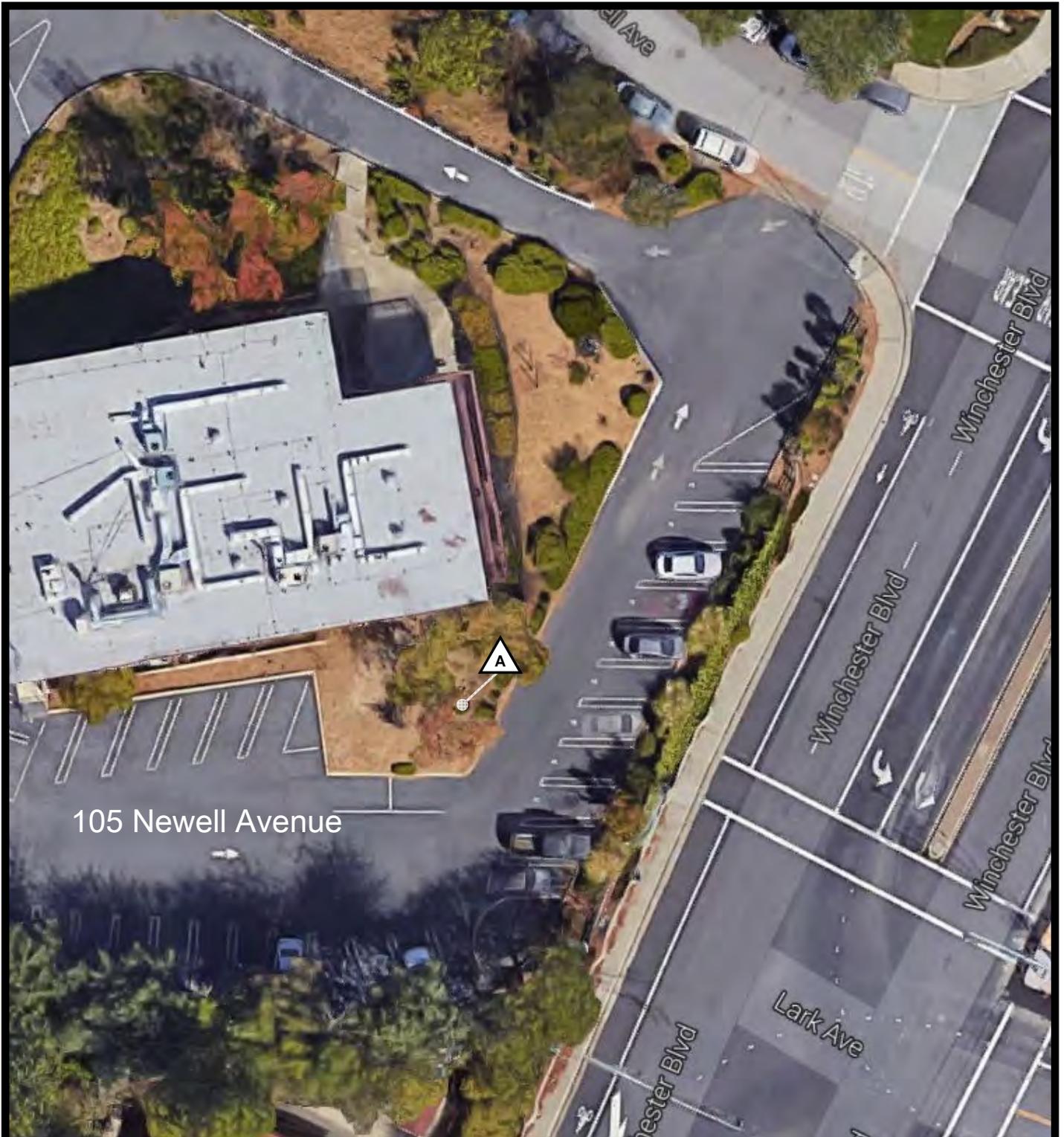
Existing Traffic Noise Levels

j.c. brennan & associates, Inc. staff conducted a continuous 24-hour noise level measurement at the project site on Thursday, April 21st 2016. See Figure 2 for noise measurement location.

A Larson Davis Laboratories (LDL) Model 820 precision integrating sound level meter was used for the ambient noise level measurement survey. The meter was calibrated before and after use with an LDL Model CAL200 acoustical calibrator to ensure the accuracy of the measurements. The equipment used meets all pertinent specifications of the American National Standards Institute for Type 1 sound level meters (ANSI S1.4).

The sound level meter was programmed to collect hourly noise level intervals during the survey. The maximum value (L_{max}) represents the highest noise level measured during each one-hour period, the average value (L_{eq}) represents the energy average of all of the noise measured during each one-hour period, and the median value (L_{50}) represents the sound level exceeded 50 percent of the time during each one-hour period.

The noise level measurement survey results are provided in Table 2. Appendix B provides the complete results of the continuous noise level measurement.



Newell Avenue Subdivision
Figure 2: Noise Measurement Locations



Legend

 : Continuous (24-hr) Noise Measurement Site

j.c. brennan & associates
consultants in acoustics

Figure Prepared:
 May 2016

**Table 2
Summary of Existing Background Noise Measurement Data**

Site	Location	Date	L _{dn}	Average Measured Hourly Noise Levels, dB					
				Daytime (7am-10pm)			Nighttime (10pm-7am)		
				L _{eq}	L ₅₀	L _{max}	L _{eq}	L ₅₀	L _{max}
Continuous (24-hour) Noise Level Measurements									
A	100 ft. west of Winchester Blvd.	Thursday 4/21/2016	64	63	60	79	55	49	69

Source: j.c. brennan & associates, Inc., 2015.

Measured noise levels shown in Table 2 were compared to the FHWA traffic noise prediction model to calibrate the model to existing site conditions. The FHWA model was found to under-predict traffic noise levels on the project site by 1 dBA over the full 24-hour period, as shown in Appendix C. Therefore, a + 1 dB adjustment was made to the model.

Future Traffic Noise Levels

To determine the future traffic noise levels on the project site, j.c. brennan & associates, Inc., utilized the calibrated FHWA traffic noise prediction model and future (2036) traffic forecasts by assuming a 1% per year growth rate over 2014 traffic volumes on Winchester Boulevard.

Table 3 shows the predicted future traffic noise levels at the proposed residential units adjacent to SR-24. A complete listing of the FHWA Traffic Noise Prediction Model inputs is provided in Appendix D. The Table 3 data account for shielding from intervening builds which will shield outdoor areas of the project.

**TABLE 3
PREDICTED FUTURE TRAFFIC NOISE LEVELS**

Location	Distance	Predicted Traffic Noise Levels, DNL
Winchester Boulevard – 2036 ADT = 33,024		
Lot 3/4 Backyard	100	65 dB
Lot 1/2 Backyard	200	56 dB

Sources: j.c. brennan & associates, Inc., and FHWA RD-77-108

Based upon the predicted future traffic noise levels shown in Table 3, the residential outdoor areas of Lots 3 and 4 will be exposed to future exterior traffic noise levels up to 65 dB L_{dn}. This would exceed the Town of Los Gatos 60 dB L_{dn} exterior noise level standard but would fall within the conditionally acceptable range of 60-70 dB L_{dn}.

In order to reduce future traffic exterior noise levels at these locations, noise reduction measures should be considered. j.c. brennan & associates, Inc. evaluated the effectiveness of a solid noise barrier for reducing future Winchester Boulevard traffic noise levels at the residential uses proposed adjacent to this roadway. A complete listing of the noise barrier effectiveness inputs and results is shown in Appendix E. The results of the barrier analysis are summarized in Table 4.

**TABLE 4
PREDICTED FUTURE TRAFFIC NOISE LEVELS WITH VARIOUS NOISE BARRIER HEIGHTS**

Roadway	Location	Noise Level with Varying Property Line Barrier Heights, L _{dn}		
		6'	7'	8'
	Lot 3	58	56	55
Lot 4	56	55	54	

Source: j.c. brennan & associates, Inc. with FHWA-RD-77-108
Barrier heights are relative to the proposed building pad elevations. Noise barrier reductions apply to first floor locations only.

The results of the barrier analysis shown in Table 4 indicate that the construction of a 6-foot tall solid noise barrier along Winchester Boulevard would result in compliance with the Town of Los Gatos normally acceptable exterior noise level standard of 60 dB L_{dn} at ground floor locations.

Figure 3 shows the locations of the recommended noise barriers for the proposed project. Noise barriers should be constructed of concrete masonry (CMU) units, solid concrete panels, or earthen berms. Noise barriers may include the combination of earthen berm and CMU wall or concrete panels. Wood is not recommended due to eventual warping and degradation of acoustical performance. Other types of materials should be reviewed by an acoustical consultant prior to use. It should be noted that noise barriers are only affective for reducing traffic noise levels at first floor locations.

It should be noted that due to the grading of the site, noise barriers of practical heights cannot provide shielding to all areas of the project site, such as decks or balconies. However, exterior noise level at these locations are still predicted to fall within the Town's conditionally acceptable exterior noise level range of 60-70 dB L_{dn}. The Town's policy for conditionally acceptable noise levels are as follows:

New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice (Town of Los Gatos General Plan Noise Element, Table NOI-1).

Interior Traffic Noise Levels:

Standard construction practices, consistent with the uniform building code typically provides an exterior-to-interior noise level reduction of approximately 25 dB, assuming that air conditioning is included for each unit, which allows residents to close windows for the required acoustical isolation. Therefore, as long as exterior noise levels at the building facades do not exceed 70 dB L_{dn} , the interior noise levels will typically comply with the interior noise level standard of 45 dB L_{dn} .

First floor traffic noise exposure at Lots 3 and 4 are predicted to be less than 60 dB L_{dn} with the use of a property line noise barrier. Sound walls do not shield second floor building facades, additionally noise levels are typically 2-3 dB higher at second floor locations. Therefore, exterior noise levels at the second floor façade are predicted to be up to 69 dB L_{dn} at Lots 3 and 4. Based upon a typical exterior-to-interior noise level reduction of 25 dB, interior noise levels are predicted to be 44 dB L_{dn} , with windows closed. This would comply with the Town's standard of 45 dB L_{dn} . Therefore, no additional interior noise control measures would be required, assuming that Air conditioning is included to allow occupants to close doors and windows as desired for acoustical isolation.

CONCLUSIONS

The proposed project is predicted to be exposed to transportation noise levels which could exceed the Town of Los Gatos exterior and interior noise level standards. Therefore, the following noise control measures would be required:

- A 6-foot tall noise barrier would be required to comply with the Town of Los Gatos 60 dB L_{dn} exterior noise level standard. The approximate location of the recommended noise barriers is shown on Figure 3. If a noise barrier is not considered practical due to site grading issues, the Town may at their discretion determine that conditionally acceptable noise levels are acceptable for this project. In this case, no exterior noise control measures would be warranted.

Sound walls should be constructed of concrete masonry (CMU) units, solid concrete panels, or earthen berm. Noise barriers may include the combination of earthen berm and CMU wall or concrete panels. Wood is not recommended due to eventual warping and degradation of acoustical performance. Other types of materials should be reviewed by an acoustical consultant prior to use.

- Air conditioning should be included in all residences to allow occupants to close doors and windows as desired for acoustical isolation.

Appendix A

Acoustical Terminology

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
Attenuation	The reduction of an acoustic signal.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound, A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
CNEL	Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.
Frequency	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz (Hz).
L_{dn}	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
L_{eq}	Equivalent or energy-averaged sound level.
L_{max}	The highest root-mean-square (RMS) sound level measured over a given period of time.
L_(n)	The sound level exceeded a described percentile over a measurement period. For instance, an hourly L ₅₀ is the sound level exceeded 50% of the time during the one hour period.
Loudness	A subjective term for the sensation of the magnitude of sound.
Noise	Unwanted sound.
NRC	Noise Reduction Coefficient. NRC is a single-number rating of the sound-absorption of a material equal to the arithmetic mean of the sound-absorption coefficients in the 250, 500, 1000, and 2,000 Hz octave frequency bands rounded to the nearest multiple of 0.05. It is a representation of the amount of sound energy absorbed upon striking a particular surface. An NRC of 0 indicates perfect reflection; an NRC of 1 indicates perfect absorption.
Peak Noise	The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the <i>Maximum</i> level, which is the highest RMS level.
RT₆₀	The time it takes reverberant sound to decay by 60 dB once the source has been removed.
Sabin	The unit of sound absorption. One square foot of material absorbing 100% of incident sound has an absorption of 1 Sabin.
SEL	Sound Exposure Level. SEL is a rating, in decibels, of a discrete event, such as an aircraft flyover or train passby, that compresses the total sound energy into a one-second event.
STC	Sound Transmission Class. STC is an integer rating of how well a building partition attenuates airborne sound. It is widely used to rate interior partitions, ceilings/floors, doors, windows and exterior wall configurations.
Threshold of Hearing	The lowest sound that can be perceived by the human auditory system, generally considered to be 0 dB for persons with perfect hearing.
Threshold of Pain	Approximately 120 dB above the threshold of hearing.
Impulsive	Sound of short duration, usually less than one second, with an abrupt onset and rapid decay.
Simple Tone	Any sound which can be judged as audible as a single pitch or set of single pitches.

Appendix B

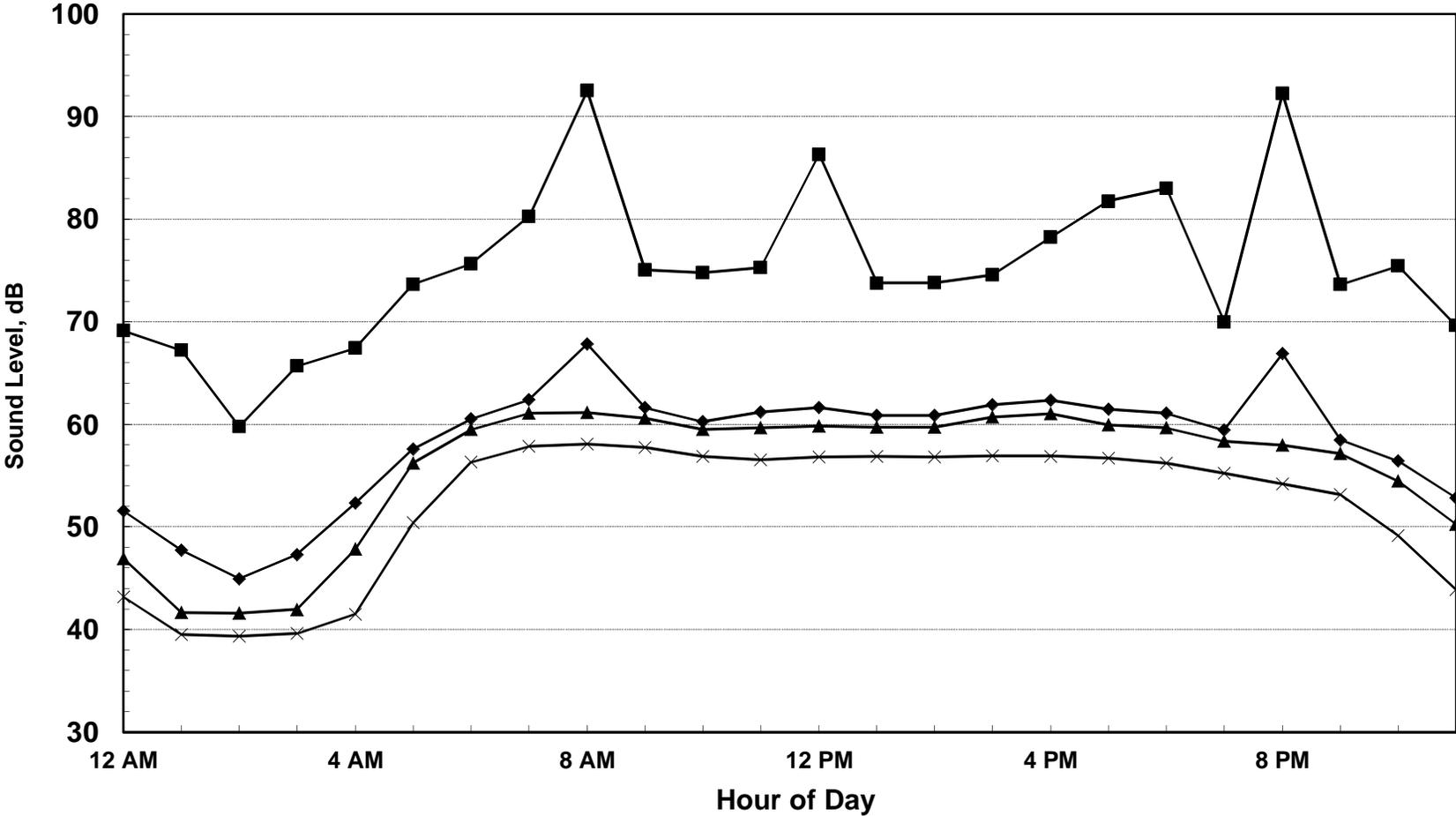
2016-130 Newell Avenue Subdivision
 24hr Continuous Noise Monitoring - Site A
 Thursday, April 21, 2016

Hour	Leq	Lmax	L50	L90
0:00:00	52	69	47	43
1:00:00	48	67	42	40
2:00:00	45	60	42	39
3:00:00	47	66	42	40
4:00:00	52	67	48	42
5:00:00	58	74	56	50
6:00:00	61	76	59	56
7:00:00	62	80	61	58
8:00:00	68	93	61	58
9:00:00	62	75	61	58
10:00:00	60	75	59	57
11:00:00	61	75	60	57
12:00:00	62	86	60	57
13:00:00	61	74	60	57
14:00:00	61	74	60	57
15:00:00	62	75	61	57
16:00:00	62	78	61	57
17:00:00	61	82	60	57
18:00:00	61	83	60	56
19:00:00	59	70	58	55
20:00:00	67	92	58	54
21:00:00	58	74	57	53
22:00:00	56	75	54	49
23:00:00	53	70	50	44

	Statistical Summary					
	Daytime (7 a.m. - 10 p.m.)			Nighttime (10 p.m. - 7 a.m.)		
	High	Low	Average	High	Low	Average
Leq (Average)	68	58	63	61	45	55
Lmax (Maximum)	93	70	79	76	60	69
L50 (Median)	61	57	60	59	42	49
L90 (Background)	58	53	56	56	39	45

Computed Ldn, dB	64
% Daytime Energy	91%
% Nighttime Energy	9%

Appendix B
 2016-130 Newell Avenue Subdivision
 24hr Continuous Noise Monitoring - Site A
 Thursday, April 21, 2016



L_{dn} = 64 dB



Appendix C

FHWA Traffic Noise Prediction Model (FHWA-RD-77-108)

Noise Prediction Worksheet

Project Information:

Job Number: 2016-130
 Project Name: Newell Avenue Subdivision
 Roadway Name: Winchester Blvd.

Traffic Data:

Year: Future
 Average Daily Traffic Volume: 33,024
 Percent Daytime Traffic: 91
 Percent Nighttime Traffic: 9
 Percent Medium Trucks (2 axle): 2
 Percent Heavy Trucks (3+ axle): 1
 Assumed Vehicle Speed (mph): 35
 Intervening Ground Type (hard/soft): **Soft**

Traffic Noise Levels:

Location:	Description	Distance	Offset (dB)	-----L _{dn} , dB-----			Total
				Autos	Medium Trucks	Heavy Trucks	
1	24-hr Measuremetn Site A	100	1	63	56	58	65
2	Lot 3/4 Backyard	100	1	63	56	58	65
3	Lot 3/4 Façade	100	4	66	59	61	68
4	Lot 1/2 Backyard	200	-4	54	47	49	56
5	Lot 1/2 Façade	200	4	62	55	57	64

Traffic Noise Contours (No Calibration Offset):

L _{dn} Contour, dB	Distance from Centerline, (ft)
75	19
70	41
65	88
60	190

Notes:



Appendix D

FHWA Traffic Noise Prediction Model (FHWA-RD-77-108)

Noise Prediction Worksheet

Project Information:

Job Number: 2016-130
 Project Name: Newell Avenue Subdivision
 Roadway Name: Winchester Blvd.

Traffic Data:

Year: Future
 Average Daily Traffic Volume: 33,024
 Percent Daytime Traffic: 91
 Percent Nighttime Traffic: 9
 Percent Medium Trucks (2 axle): 2
 Percent Heavy Trucks (3+ axle): 1
 Assumed Vehicle Speed (mph): 35
 Intervening Ground Type (hard/soft): **Soft**

Traffic Noise Levels:

Location:	Description	Distance	Offset (dB)	-----L _{dn} , dB-----			Total
				Autos	Medium Trucks	Heavy Trucks	
1	24-hr Measuremetn Site A	100	1	63	56	58	65
2	Lot 3/4 Backyard	100	1	63	56	58	65
3	Lot 3/4 Façade	100	4	66	59	61	68
4	Lot 1/2 Backyard	200	-4	54	47	49	56
5	Lot 1/2 Façade	200	4	62	55	57	64

Traffic Noise Contours (No Calibration Offset):

L _{dn} Contour, dB	Distance from Centerline, (ft)
75	19
70	41
65	88
60	190

Notes:



Appendix E-1

FHWA Traffic Noise Prediction Model (FHWA-RD-77-108)

Noise Barrier Effectiveness Prediction Worksheet

Project Information:

Job Number: 2016-130
 Project Name: Newell Avenue Subdivision
 Roadway Name: Winchester Blvd.
 Location(s): 2

Noise Level Data:

Year: Existing
 Auto L_{dn}, dB: 63
 Medium Truck L_{dn}, dB: 56
 Heavy Truck L_{dn}, dB: 58

Site Geometry:

Receiver Description: Lot 4 Backyard
 Centerline to Barrier Distance (C₁): 70
 Barrier to Receiver Distance (C₂): 15
 Automobile Elevation: 300
 Medium Truck Elevation: 302
 Heavy Truck Elevation: 308
 Pad/Ground Elevation at Receiver: 309.25
 Receiver Elevation¹: 314.25
 Base of Barrier Elevation: 309
 Starting Barrier Height 6

Barrier Effectiveness:

Top of Barrier Elevation (ft)	Barrier Height ² (ft)	----- L _{dn} , dB -----				Barrier Breaks Line of Sight to...		
		Autos	Medium Trucks	Heavy Trucks	Total	Autos?	Medium Trucks?	Heavy Trucks?
315	6	55	49	52	58	Yes	Yes	Yes
316	7	54	47	51	56	Yes	Yes	Yes
317	8	53	46	50	55	Yes	Yes	Yes
318	9	52	45	48	54	Yes	Yes	Yes
319	10	51	44	48	53	Yes	Yes	Yes
320	11	50	43	47	52	Yes	Yes	Yes
321	12	50	43	46	52	Yes	Yes	Yes
322	13	49	42	45	51	Yes	Yes	Yes
323	14	49	42	44	51	Yes	Yes	Yes

Notes: 1. Standard receiver elevation is five feet above grade/pad elevations at the receiver location(s)



Appendix E-2

FHWA Traffic Noise Prediction Model (FHWA-RD-77-108)

Noise Barrier Effectiveness Prediction Worksheet

Project Information:

Job Number: 2016-130
 Project Name: Newell Avenue Subdivision
 Roadway Name: Winchester Blvd.
 Location(s): 2

Noise Level Data:

Year: Future (2036)
 Auto L_{dn}, dB: 63
 Medium Truck L_{dn}, dB: 56
 Heavy Truck L_{dn}, dB: 58

Site Geometry:

Receiver Description: Lot 3 Backyard
 Centerline to Barrier Distance (C₁): 70
 Barrier to Receiver Distance (C₂): 15
 Automobile Elevation: 300
 Medium Truck Elevation: 302
 Heavy Truck Elevation: 308
 Pad/Ground Elevation at Receiver: 308.75
 Receiver Elevation¹: 313.75
 Base of Barrier Elevation: 310
 Starting Barrier Height 6

Barrier Effectiveness:

Top of Barrier Elevation (ft)	Barrier Height ² (ft)	----- L _{dn} , dB -----				Barrier Breaks Line of Sight to...		
		Autos	Medium Trucks	Heavy Trucks	Total	Autos?	Medium Trucks?	Heavy Trucks?
316	6	54	47	50	56	Yes	Yes	Yes
317	7	53	46	49	55	Yes	Yes	Yes
318	8	52	45	48	54	Yes	Yes	Yes
319	9	51	44	47	53	Yes	Yes	Yes
320	10	50	43	46	52	Yes	Yes	Yes
321	11	49	42	45	51	Yes	Yes	Yes
322	12	49	42	45	51	Yes	Yes	Yes
323	13	48	42	44	50	Yes	Yes	Yes
324	14	48	41	44	50	Yes	Yes	Yes

Notes: 1. Standard receiver elevation is five feet above grade/pad elevations at the receiver location(s)

