



## PLANNING & DEVELOPMENT SERVICES

CITY OF  
**PALO  
ALTO** 250 Hamilton Avenue, 5<sup>th</sup> Floor  
Palo Alto, CA 94301  
(650) 329-2441

## NOTICE OF EXEMPTION

**PROJECT TITLE:** 3606 El Camino Real Residential Project

**PROJECT LOCATION:** The 2.62-acre (113,907-Square-Foot) project site is located at 3508, 3516, 3626-3632 El Camino Real, and 524, 528, 530 Kendall Avenue (Assessor's Parcel Numbers 137-08-088, 137-08-016, 137-08-079, 137-08-080, 137-08-077, 137-08-070, 137-08-081) in the southwestern portion of the city of Palo Alto in Santa Clara County. The project site is on the western side of El Camino Real, north of Kendall Avenue.

**PROJECT DESCRIPTION:** The proposed project includes 321 residential rental units in a new building including two levels of above-grade parking, ground floor residential amenities, and a rooftop terrace facing El Camino Real. The project includes demolition of the existing uses, including 38 residential rental units, none of which are currently deed restricted, and approximately 12,572 square feet of commercial floor area across seven existing parcels located at 3508, 3516, 3626-3632 El Camino Real, and 524, 528, 530 Kendall Avenue. These seven parcels would be merged under the tentative map application to create a single 113,907-Square-Foot resulting parcel for the proposed development.

The project is proposed under the provisions of California Government Code 65589.5(d)(5) as a Builder's Remedy project. The project would include 37 affordable units, provided at a rate affordable to low-income households. This percentage is based on the total number of units allowed prior to the application of state density bonus (284 units).

The City evaluated the project for its eligibility under Assembly Bill (AB) 130 and found that the project is eligible under AB 130 [Public Resources Code Section 21080.66].

**NAME OF PUBLIC  
AGENCY APPROVING  
THE PROJECT:** City of Palo Alto

**NAME OF PERSON OR  
GROUP CARRYING OUT  
PROJECT:** Vittoria Management, Inc.

**EXEMPT STATUS**

(check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption:
- Statutory Exemption (Public Resources Code section 21080.66; AB 130)

**REASONS WHY PROJECT IS EXEMPT:**

This is to advise that the City of Palo Alto (Lead Agency) approved the project described above on April 13, 2026, through City Council action. As detailed in the attached document, the City determined that the project and project site satisfy all criteria set forth in Public Resources Code Section 21080.66 and therefore qualify for the AB 130 CEQA exemption.

This is to certify that the record of project approval, are available to the General Public online at <https://www.paloalto.gov/Departments/Planning-Development-Services/Current-Planning/Projects/2100-Geng-Road> and at:

*City of Palo Alto, Planning Division, 250 Hamilton Ave, Ground Floor, Palo Alto, California 94301*

**PROJECT PLANNER:** Steven Switzer

- IF FILED BY APPLICANT:**
1. Attach certified document of exemption finding.  Yes
  2. Declare if a Notice of Exemption has been filed by the public agency approving the project  N/A

*Steven Switzer*  
Steven Switzer (Apr 22, 2026 11:20:19 PDT)

Signature (Public Agency)

*Steven Switzer, Senior Historic Planner*

Title

22/04/2026

Date

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September 22, 2025

Palo Alto Planning Department  
285 Hamilton Avenue - 5th Floor  
Palo Alto, CA 94301

Re: **Formal Invocation of AB 130 CEQA Exemption for 3606 El Camino Real  
(Application No. 24PLN-00162)**

Dear All:

We represent Vittoria Management, Inc. (the “Applicant”) in connection with a housing development application for 335 multifamily residential units (the “Project”) at 3606 El Camino Real (the “Project Site”) in the City of Palo Alto (the “City”), California. This Project is a “housing development project” that is subject to the protections of the Housing Accountability Act (the “HAA”), inclusive of the “Builder’s Remedy.”<sup>1</sup> As noted in our April 25, 2025 correspondence, this is a “Builder’s Remedy 2.0” project proposed pursuant to Assembly Bill (“AB”) 1893.

We offer this letter to invoke the Project’s ability to proceed under the newly-enacted California Environmental Quality Act (“CEQA”) exemption pursuant to AB 130, which was adopted on June 30, 2025. By virtue of the Landowner formally notifying the City of its intent to utilize the AB 130 CEQA exemption, upon receipt of this letter the City shall have 14 days to commence the tribal consultation process required by that law.<sup>2</sup> The Project’s eligibility for the AB 130 CEQA exemption is demonstrated below.

## **I. Project Information**

The Project Site comprises approximately 2.6 acres and includes multiple parcels, identified as APNs: 137-08-088, 137-08-016, 137-08-079, 137-08-080, 137-08-081, 137-08-077, and 137-08-070. The proposed Builder’s Remedy 2.0 Project consists of 335 multifamily residential dwelling units; the Project is designed to address the City’s housing needs and meaningfully contribute to local housing supply.

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<sup>1</sup> See Gov. Code § 65589.5(f)(6), (h)(11).

<sup>2</sup> See Pub. Res. Code § 21080.66(b).

The Project Site is situated within an incorporated municipality and urban area, as defined by the United States Census Bureau. Existing uses on the site include commercial and residential buildings, as well as vacant lots, all of which are surrounded by urban uses. As noted in Table 2 below, there are no unique environmental conditions present on the Project Site that would warrant environmental review – this Project squarely qualifies for the AB 130 CEQA exemption.

## **II. Formal Invocation of AB 130 CEQA Exemption**

We hereby formally invoke the CEQA exemption established by AB 130 for the Builder’s Remedy Project at 3606 El Camino Real. Pursuant to Public Resources Code section 21080.66(b)(1)(A)(ii), the City is required to commence formal tribal notification and consultation to process the housing development application. Specifically, the City must:

- Notify California Native American tribes traditionally affiliated with the area within 14 days, using certified mail and email.
- Include required project information (site maps, description, studies, contact info, etc.)
- Conclude consultation in accordance with the timelines and procedures specified in the statute.

For ease of use, below is form language the City can use to initiate tribal consultation:

*This letter serves as notification from the City of Palo Alto (the “City”) pursuant to Public Resources Code Section 21080.66(b)(1)(A), that a development proponent has notified the City that its project is eligible for an exemption from the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code Section 21080.66. This notification is an “invitation to consult” regarding the development project’s potential effects on tribal cultural resources.*

*The project is a housing development application by Sares Regis Group (the “Applicant”) for 335 multifamily residential units under City Application 24PLN-00162 (the “Project”) at 3606 El Camino Real (the “Project Site”).*

*Within 60 days of this notification, you must notify the City regarding your acceptance of this invitation to consult. If you choose not to accept the invitation to consult, or do not notify the City of your decision within 60 days, the consultation shall be considered to have concluded.*

*Contact information for the Applicant and the City are as follows:*

*[Insert desired City contact]*

*Vittoria Management, Inc.*

*ATTN: Alex Giovannotto  
 P.O. Box 60177  
 Palo Alto, CA 94306*

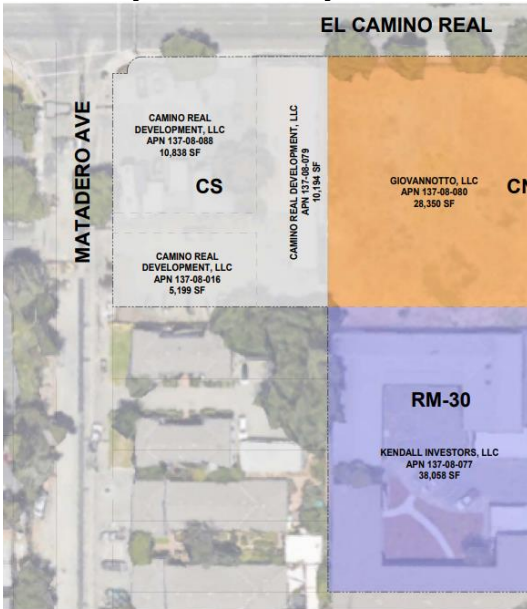
*Enclosed please find further Project details, including site maps, proposed project scope, and any known cultural resource studies.*

**III. Eligibility for AB 130 CEQA Exemption**


The Project and the Project Site meet all conditions required pursuant to Public Resources Code section 21080.66 to qualify for the AB 130 CEQA exemption, as demonstrated below:

<b>Table 1 – General Requirements</b>	
<b>Requirement</b>	<b>Analysis</b>
<p><b><u>21080.66(a)(1) – Lot Size</u></b></p> <p>A. Except as provided in subparagraph (B), the project site is not more than 20 acres.</p> <p>B. The project site or the parcel size for a builder’s remedy project, as defined in paragraph (11) of subdivision (h) of Section 65589.5 of the Government Code, or the project site or the parcel size for a project that applied pursuant to paragraph (5) of subdivision (d) of Section 65589.5 of the Government Code as it read before January 1, 2025, is not more than five acres.</p>	<p>This builder’s remedy Project Site is approx. 2.6 acres (113,907 sf) – this is fewer than the five acres allowed pursuant to subparagraph (B). Therefore, the Project is consistent with subparagraph (B).</p>
<p><b><u>21080.66(a)(2) – Project Location</u></b></p> <p>The project site meets either of the following criteria:</p> <p>A. Is located within the boundaries of an incorporated municipality.</p> <p>B. Is located within an urban area, as defined by the United States Census Bureau.</p>	<p>The Project Site is located within Palo Alto, which is an incorporated municipality and urban area, as defined by the United States Census Bureau.<sup>3</sup></p> <p>Therefore, the Project is consistent with subparagraph (A) and (B).</p>

<sup>3</sup> On December 29, 2022, the Bureau of the Census (Census Bureau) published a Federal Register Notice listing the areas that qualified as urban areas based on the results of the 2020 Census. This list includes San Jose, CA urban area, of which Palo alto is part of. Available at: <https://www.federalregister.gov/documents/2022/12/29/2022-28286/2020-census-qualifying-urban-areas-and-final-criteria-clarifications>

<p><b><u>21080.66(a)(3) – Infill Development Status</u></b></p> <p>The project site meets any of the following criteria:</p> <ul style="list-style-type: none"> <li>A. Has been previously developed with an urban use.<sup>4</sup></li> <li>B. At least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses.</li> <li>C. At least 75 percent of the area within one-quarter mile radius of the site is developed with urban uses.</li> <li>D. For sites with four sides, at least three out of four sides are developed with urban uses and at least two-thirds of the perimeter of the site adjoins parcels that are developed with urban uses.</li> </ul>	<p>The Project Site is comprised of 7 parcels, APNs: (i) 137-08-088, (ii) 137-08-016, (iii) 137-08-079 (iv) 137-08-080, (v) APN 137-08-081, (vii) 137-08-077, (vii) 137-08-070.</p> <p>The Project Site has been previously developed with an urban use as there are multiple existing commercial and residential buildings and vacant lots (137-08-080 and 137-08-016 ) which are entirely surrounded by urban uses.</p>  <p>The map shows an aerial view of the project site area. A vertical street on the left is labeled 'MATADERO AVE'. A horizontal street at the top is labeled 'EL CAMINO REAL'. The project site is divided into several colored parcels: a grey parcel (top-left) labeled 'CAMINO REAL DEVELOPMENT, LLC APN 137-08-088 10,838 SF' with zoning 'CS'; a smaller grey parcel (middle-left) labeled 'CAMINO REAL DEVELOPMENT, LLC APN 137-08-016 5,199 SF'; a vertical grey parcel (middle-right) labeled 'CAMINO REAL DEVELOPMENT, LLC APN 137-08-079 10,134 SF'; an orange parcel (top-right) labeled 'GIOVANNOTTO, LLC APN 137-08-080 28,350 SF' with zoning 'CN'; and a purple parcel (bottom-right) labeled 'KENDALL INVESTORS, LLC APN 137-08-077 38,068 SF' with zoning 'RM-30'. Other parcels are visible in the background.</p>
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<sup>4</sup> An “urban use” is defined by Pub. Res. Code section 21080.66(f)(3) to mean “any current or previous residential or commercial development, public institution, or public park that is surrounded by other urban uses, parking lot or structure, transit or transportation passenger facility, or retail use, or any combination of those uses.”

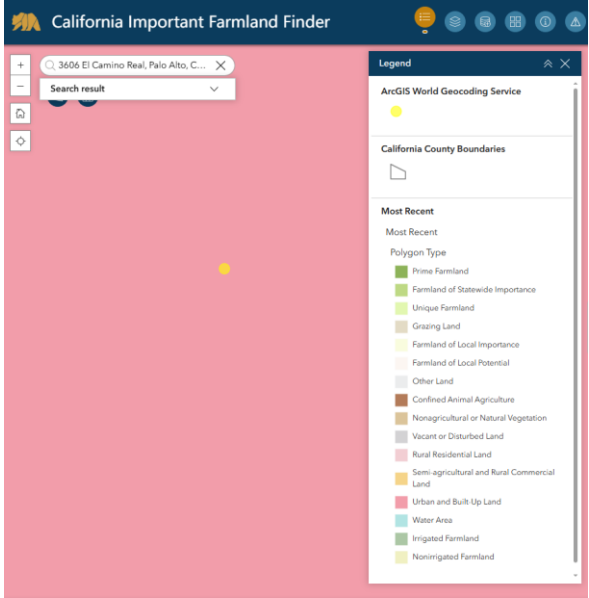
	 <p>Therefore, the Project is consistent with subparagraph A/B.</p>
<p><b><u>21080.66(a)(4) – GP/ZC Consistency</u></b></p> <p>A. The project is consistent with the applicable general plan and zoning ordinance, as well as any applicable local coastal program as defined in Section 30108.6.</p> <p>For purposes of this section, a housing development project shall be deemed consistent with the applicable general plan and zoning ordinance, and any applicable local coastal program, if there is substantial evidence that would allow a reasonable person to conclude that the housing development project is consistent.</p> <p>B. If the zoning and general plan are not consistent with one another, a project shall be deemed consistent with both if the project is consistent with one.</p> <p>C. The approval of a density bonus, incentives or concessions, waivers or reductions of development standards, and reduced parking</p>	<p>Government Code Section 65589.5(f)(6)(D)(iii) states that a builder’s remedy project “... shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, redevelopment plan and implementing instruments, or other similar provision <i>for all purposes</i>, and shall not be considered or treated as a nonconforming lot, use, or structure for any purpose.” By operation of law, the Project is consistent with the applicable general plan and zoning ordinance, therefore qualifying under PRC § 21080.66(a)(4). Moreover, AB 130 expressly provides that Builder’s Remedy projects can be subject to AB 130 if the project site is 5 acres or less.</p> <p>Even notwithstanding the passage of AB 1893, AB 130’s CEQA exemption only requires a project to be consistent “with the <i>applicable</i> general plan and</p>

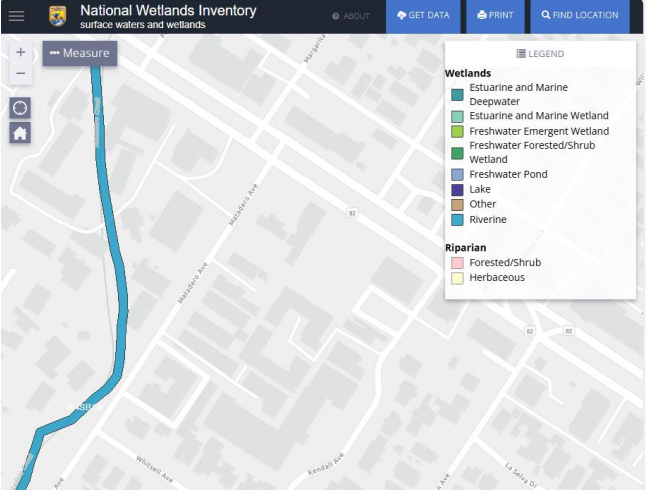
<p>ratios pursuant to Section 65915 of the Government Code shall not be grounds for determining that the project is inconsistent with the applicable general plan, zoning ordinance, or local coastal program.</p>	<p>zoning ordinance . . .” Pub. Res. Code § 21080.66(a)(4)(A) (emphasis added).</p>
<p><b><u>21080.66(a)(5) – Minimum Density Requirement</u></b></p> <p>The project will be at least one-half of the applicable density specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2 of the Government Code.</p>	<p>See <a href="#">Default Density Standard Option – 2020 Census Update</a> to determine the applicable density specified in Government Code section 65583.2(c)(3)(B). This is also known as the “Mullin density.”</p> <p>The applicable density specified in Government Code section 65583.2(c)(3)(B) is 30 du/ac. One-half of the applicable density specified in Government Code section 65583.2(c)(3)(B) is an applicable minimum of 15 du/ac. This Project complies with Section 21080.66(a)(5).</p>
<p><b><u>21080.66(a)(6) – SB 35 Environmental Criteria</u></b></p> <p>The project satisfies the requirements specified in paragraph (6) of subdivision (a) of Section 65913.4 of the Government Code. See <b>Table 2</b>.</p>	<p>See <b>Table 2</b>. The Project satisfies these criteria.</p>
<p><b><u>21080.66(a)(7) – Historic Resources</u></b></p> <p>The project does not require the demolition of a historic structure that was placed on a national, state, or local historic register before the date a preliminary application was submitted for the project pursuant to Section 65941.1 of the Government Code.</p>	<p>The Project does not require demolition of a historic structure that was placed on a national, state, or local register before the date a preliminary application was submitted for the project. Therefore, the Project complies with Section 21080.66(a)(7).</p>
<p><b><u>21080.66(a)(8) – Hotels Prohibited</u></b></p> <p>For a project that was deemed complete pursuant to paragraph (5) of subdivision (h) of Section 65589.5 of the Government Code on or after January 1, 2025, no portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging.</p>	<p>The Project is consistent with Section 21080.66(a)(8) because it does not propose a hotel, motel, bed and breakfast inn, or other transient lodging.</p>

<p>For purposes of this section, “other transient lodging” does not include either of the following:</p> <ul style="list-style-type: none"><li>A. A residential hotel, as defined in Section 50519 of the Health and Safety Code.</li><li>B. After the issuance of a certificate of occupancy, a resident’s use or marketing of a unit as short-term lodging, as defined in Section 17568.8 of the Business and Professions Code, in a manner consistent with local law.</li></ul>	
<p><b><u>21080.66(b) – Tribal Consultation Required</u></b></p> <p>The local government shall engage in formal notification and consultation with each California Native American tribe that is traditionally and culturally affiliated with the Project Site, pursuant to the various requirements of Government Code section 21080.66(b).</p>	<p>The City must comply. The Applicant would like to participate in any resulting consultation.</p>
<p><b><u>21080.66(c)(1) – Phase I ESA Required</u></b></p> <ul style="list-style-type: none"><li>A. The local government shall, as a condition of approval for the development, require the development proponent to <b>complete a Phase I Environmental Assessment</b>, as defined in Section 78090 of the Health and Safety Code.</li><li>B. If a recognized environmental condition is found, the development proponent shall complete a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.</li><li>C. If a release of a hazardous substance is found to exist on the site, the release shall be removed or any effects of the release shall be mitigated to</li></ul>	<p>The Applicant will comply as required.</p>

<p>levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.</p> <p>D. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.</p>	
<p><b><u>21080.66(c)(2) – Units Near Freeways</u></b> For any house on the site located within 500 feet of a freeway, all of the following shall apply:</p> <p>A. The building shall have a centralized heating, ventilation, and air-conditioning system.</p> <p>B. The outdoor air intakes for the heating, ventilation, and air-conditioning system shall face away from the freeway.</p> <p>C. The building shall provide air filtration media for outside and return air that provides a minimum efficiency reporting value of 16.</p> <p>D. The air filtration media shall be replaced at the manufacturer’s designated interval.</p> <p>E. The building shall not have any balconies facing the freeway.</p>	<p>This Project does not propose to construct a house within 500 feet of a freeway.</p> <p>Therefore, the Project is consistent with Section 21080.66(c)(2).</p>
<p><b><u>21080.66(d) – Labor Requirements</u></b></p>	<p>The Project will comply with these requirements to the extent applicable by law.</p>

<b>Table 2 – Environmental Factors Gov. Code § 65913.4(a)(6)</b>	
<b>The development is not located on a site that is any of the following:</b>	
<b>Requirement</b>	<b>Analysis</b>
<p><b>(A. – Coastal Zone)</b></p> <ul style="list-style-type: none"> <li>i. An area of the coastal zone subject to paragraph (1) or (2) of subdivision (a) of Section 30603 of the Public Resources Code.</li> <li>ii. An area of the coastal zone that is not subject to a certified local coastal program or a certified land use plan.</li> <li>iii. An area of the coastal zone that is vulnerable to five feet of sea level rise, as determined by the National Oceanic and Atmospheric Administration, the Ocean Protection Council, the United States Geological Survey, the University of California, or a local government’s coastal hazards vulnerability assessment.</li> <li>iv. In a parcel within the coastal zone that is not zoned for multifamily housing.</li> <li>v. In a parcel in the coastal zone and located on either of the following:             <ul style="list-style-type: none"> <li>I. On, or within a 100-foot radius of, a wetland, as defined in Section 30121 of the Public Resources Code.</li> <li>II. On prime agricultural land, as defined in Section</li> </ul> </li> </ul>	<p>See <a href="#">California Coastal Commission Coastal Zone Boundary map</a>.</p> <p>Pursuant to California Government Code Section 65913.4(6)(A), the Project site is not located in a coastal zone.</p>

<p>30113 and 30241 of the Public Resources Code.</p>	
<p><b>(B. – Prime Farmland)</b></p> <p>Either prime farmland or farmland of statewide importance, as defined pursuant to the United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.</p>	<p><a href="#">See California Department of Conservation Important Farmland Finder map.</a></p> <p>Pursuant to California Government Code Section 65913.4(6)(B), the Project site is not located on Prime Farmland or Farmland of Statewide Importance. The Project site and surrounding area are designated Urban and Built-Up Land.</p> 
<p><b>(C. – Wetlands)</b></p> <p>Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).</p>	<p><a href="#">See National Wetlands Inventory, Surface Waters and Wetlands.</a></p> <p>Pursuant to California Government Code Section 65913.4(6)(C), the Project site is not located on a wetland.</p>

	 <p>The screenshot shows the National Wetlands Inventory interface. The map displays a parcel with a blue line representing a riverine feature. The legend on the right lists various wetland types: Estuarine and Marine, Deepwater, Estuarine and Marine Wetland, Freshwater Emergent Wetland, Freshwater Forested/Shrub Wetland, Freshwater Pond, Lake, Other, Riverine, Riparian Forested/Shrub, and Riparian Herbaceous.</p>
<p><b>(D. – Very High Fire Hazard Severity Zone)</b></p> <p>Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within the state responsibility area, as defined in Section 4102 of the Public Resources Code. This subparagraph does not apply to sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development, including, but not limited to, standards established under all of the following or their successor provisions:</p> <ol style="list-style-type: none"> <li>i. Section 4291 of the Public Resources Code or Section 51182, as applicable.</li> <li>ii. Section 4290 of the Public Resources Code.</li> </ol>	<p><a href="#">See California Department of Forestry and Fire Protection's Fire and Resource Assessment Program FHSZ Viewer.</a></p> <p>The geographic center of this parcel is located in an area that the State Fire Marshal has identified as having no Fire Hazard Severity Zone in Local Responsibility Area, per Government Code section 51178.</p> <p>Pursuant to California Government Code Section 65913.4(6)(D), the Project site is not located within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within the state responsibility area, as defined in Section 4102 of the Public Resources Code</p>

<p>iii. Chapter 7A of the California Building Code (Title 24 of the California Code of Regulations).</p>	
<p><b>(E. – Hazardous Waste)</b></p> <p>A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply:</p> <p>i. The site is an underground storage tank site that received a uniform closure letter issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code based on closure criteria established by the State Water Resources Control Board for residential use or residential mixed uses. This section does not alter or change the conditions to remove a site from the list of hazardous waste sites listed pursuant to Section 65962.5.</p> <p>ii. The State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency making a</p>	<p>See <a href="#">CalEPA’s Cortese List Data Resources</a>.</p> <p>A portion of the Project Site (APN: 137-08-088, 3508 El Camino Real) was subject to a LUST Clean up case which was “completed [and the] case [was] closed as of 7/23/1997”<sup>5</sup> when the site received a case closure letter.<sup>6</sup> Pursuant to California Government Code Section 65913.4(6)(E), although a portion of the Project site is “Cortese” listed, it is not disqualified from use of AB 130, because it received a qualifying case closure letter for its LUST case. The case closure letter complies with the requirement in 65913.4(6)(E)(i) at left, because while the case closure letter was issued before the current version of Health and Safety Code section 25296.10 came into effect, it was instead issued pursuant to a predecessor of that code section, which the current section 25296.10 specifically incorporates as consistent with its requirements.<sup>7</sup></p>

<sup>5</sup> State Water Resources Control Board. GeoTracker. JOHN'S AUTOMOTIVE (T0608500266), 3508 EL CAMINO REAL, PALO ALTO, CA 94306, SANTA CLARA COUNTY, LUST CLEANUP SITE, COMPLETED - CASE CLOSED AS OF 7/23/1997. Available at:

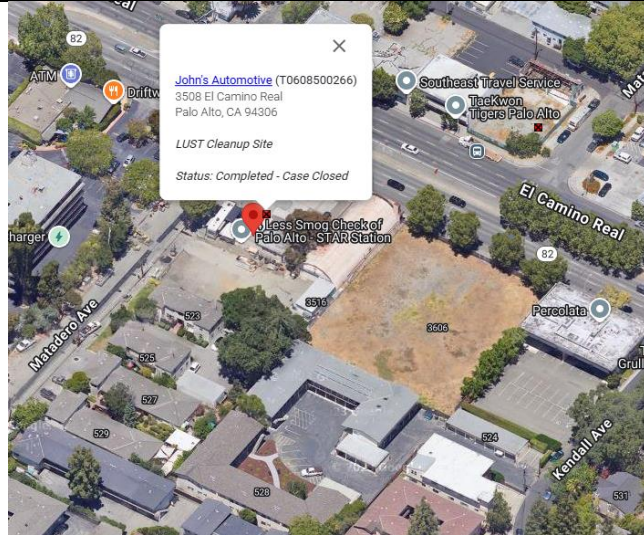
[https://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T0608500266](https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0608500266)

<sup>6</sup> Fuel Leak Site Case Closure – John’s Automotive, 3508 El Camino Real, Palo Alto, CA. Case No. 14-246 (July 13, 1997). Available at:

[https://documents.geotracker.waterboards.ca.gov/regulators/deliverable\\_documents/9143404901](https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/9143404901)

<sup>7</sup> Cal. Health and Safety Code Section 25296.10(h).

determination pursuant to subdivision (c) of Section 25296.10 of the Health and Safety Code, has otherwise determined that the site is suitable for residential use or residential mixed uses.

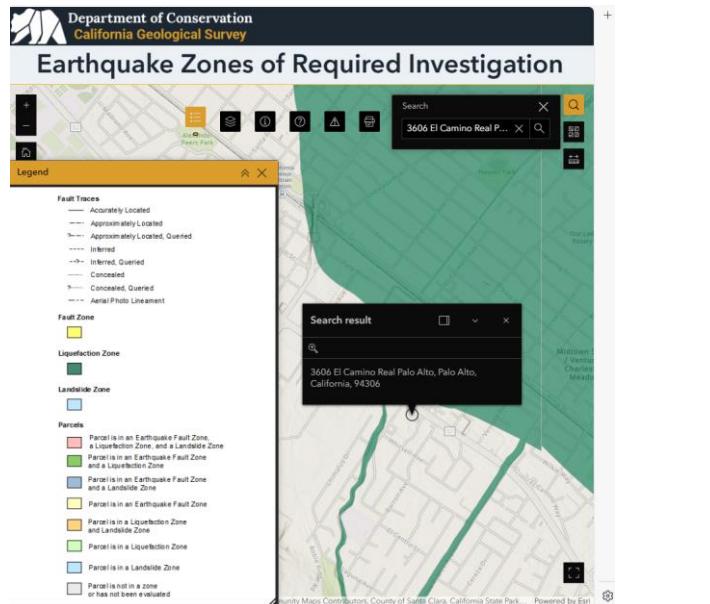


**(F. – Earthquake Fault Zones)**

Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

[See California Department of Conversation's EQZapp: California Earthquake Hazards Zone Application](#)

Pursuant to California Government Code Section 65913.4(6)(F), the Project site is not located within a delineated earthquake fault zone.



**(G.– Special Flood Hazard Area)**

[See FEMA Flood Map Service Center: Search By Address tool](#)

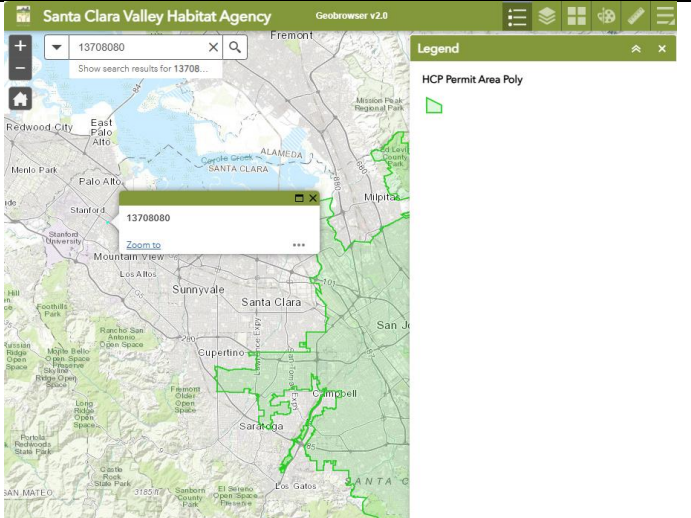
Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

- i. The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.
- ii. The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

Pursuant to California Government Code Section 65913.4(6)(G), the Project site is not located in a special flood hazard area subject to inundation by the one percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (“FEMA”). The Project site is located in Zone X, which is not considered a special flood hazard area.



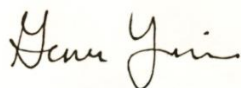
<p><b>(H. – Regulatory Floodway)</b></p> <p>Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.</p>	<p><u><a href="#">See FEMA Flood Map Service Center: Search By Address tool.</a></u></p> <p>Pursuant to California Government Code Section 65913.4(6)(H), the Project site is not located within a regulatory floodway as determined by FEMA. The Project site is located in Zone X, which is defined as an area of minimal flood hazard.</p>
<p><b>(I. Natural Community Conservation Plan/Habitat Conservation Plan)</b></p> <p>Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.</p>	<p><u><a href="#">See California Natural Community Conservation Plans.</a></u></p> <p>Even though in Santa Clara County, there is the Santa Clara Valley Habitat Plan (NCCP/HCP), the Project Site is located outside the Plan’s boundaries according to the <u><a href="#">Santa Clara Valley Habitat Agency Map.</a></u></p> <p>Pursuant to California Government Code Section 65913.4(6)(I), the Project site is not on land identified for conservation in an adopted natural community conservation plan.</p>

	
<p><b>(J. – Habitat for Protected Species)</b>          Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).</p>	<p><a href="#">See USFWS Critical Habitat Portal</a></p> <p>Pursuant to California Government Code Section 65913.4(6)(J), the Project site does not contain habitat for protected species identified as candidate, sensitive, or species of special status by State or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plant Protection Act.</p>
<p><b>(K. Conservation Easement)</b>          Lands under conservation easement.</p>	<p>Pursuant to California Government Code Section 65913.4(6)(K), the Project site does not have land under conservation easement.</p>

Thank you for your attention to this Project.

Sincerely,

HOLLAND & KNIGHT LLP



Palo Alto Planning Department  
September 22, 2025  
Page 17

Genna Yarkin  
Chelsea Maclean  
Luca Trumbull






# 3606 ECR NOE Combined

Final Audit Report

2026-04-22

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