

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing, 7th Floor

70 West Hedding Street

San Jose, CA 95110

Phone: (408) 299-5700

www.sccplandev.org



STAFF REPORT

Zoning Administration Special Hearing

February 8, 2024

Item #1

Staff Contact: Robert Cain

(408) 299-5706, robert.cain@pln.sccgov.org

File: PLN18-8580

Building Site Approval on Slopes Exceeding 30%, Grading Approval, and Variance for one new Single-Family Residence

Summary: Building Site Approval on slopes exceeding 30%, Grading Approval, and Variance to construct a new single-family residence on APN 517-37-003 with a slope of developed area at approximately 66.8%, with Variance to reduce front (west) setback from 30 feet to 8 feet, and the north and south side setbacks from 30 feet to 0 feet due to the existing access easement and required new easement for the fire truck turnaround. The project also includes grading for a common access driveway with retaining walls improvements and legalization of a previous landslide repair. The grading associated with the development of APN: 517-37-003, the access that passes through APNs 517-37-002, -004, and -006, and necessary access through APNs 517-37-001 and -003 for the construction of the onsite wastewater treatment and to resolve existing grading violations on both lots. One Grading Permit is proposed with estimated grading quantities that include 6,123 cubic yards of cut and 1,547 cubic yards of fill.

Owner: Emmanuel “Manny” Bagnas, Marilyn Ingles-Bagnas

Applicant: Ekundayo Sowunmi

Gen. Plan Designation: Hillside

Address: 16501/16503 Sanborn Road, Saratoga

Zoning: HS

APN: 517-37-003, 517-37-001, 517-37-002, 517-37-004, 517-37-006

Lot Size: 4 acres (517-37-003)

Present Land Use: Undeveloped

Supervisory District: #5

HCP: Not in HCP area

RECOMMENDED ACTIONS

- A. Accept Mitigated Negative Declaration.
- B. Grant Building Site Approval on Slopes Exceeding 30%, Grading Approval, and Variance, subject to conditions outlined in Attachment B.

Attachments Included

- Attachment A – Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND),
Revised Initial Study / MND, Response to Comments
- Attachment B – Proposed Conditions of Approval
- Attachment C – Vicinity Map
- Attachment D – Proposed Plans
- Attachment E – Public Comments

PROJECT DESCRIPTION

The proposed project is for a Building Site Approval on Slopes and 30% and Grading Authorization to construct a single-family residence on Parcel A (APN 517-31-003), where the slope in the development area is approximately 66.8%. The proposed project includes a two-story, single-family residence with an attached garage of approximately 5,549 square feet in size. Included in the project is also a Variance request to reduce the front (west) setback from 30-feet to 8-feet and north and south side setbacks from 30-feet to 0-feet. Estimated grading quantities including onsite developments on APN: 517-37-003, common driveway improvements, legalization of landslide repair work, and restoration of previous work to a pre-violation state on APNs: 517-37-001 and 517-37-003. Estimated grading quantities are 6,123 cubic yards of cut and 1,547 cubic yards of fill. The common access road and bridge are on several neighboring parcels directly off Sanborn Rd. / Ambrose Rd. leading to the subject property (APNs 517-37-006, 517-37-004, and 517-37-002) via an existing access easement.

This is a modification to an expired approval. Access driveway improvements were changed to eliminate encroachment onto an existing access easement – which reduced approximately 22 cubic yards of cut of the grading for the project. The expired approval allotted for 6,055 cubic yards of cut, and 133 cubic yards of fill. Additional modifications include relocation of the required fire truck turnaround to meet current County and CAL FIRE requirements. Originally, both APNs 517-37-001 and 517-37-003 (under common ownership) were approved in the expired land use entitlements, however no development is proposed on 517-37-001 at this time other than its use as access to develop the onsite wastewater treatment system and to restore an existing grading violation to pre-violation conditions.

Setting/Location Information

The subject parcels are currently undeveloped apart from a storage shed near the northeast corner of the lot. The parcel is located off Sanborn and Ambrose Roads within the Saratoga foothills, within unincorporated Saratoga. The development area has an average building slope of 66.8% with retaining walls up to 45 feet high on a 4-acre lot.

The entire project area is heavily forested with many native oak trees and riparian habitat surrounding Sanborn Creek and its unnamed tributary. Surrounding land uses include open space, Sanborn County Park, and low-density single-family homes on similarly sized lots.

REASONS FOR RECOMMENDATIONS

A. Environmental Review and Determination (CEQA)

The environmental impacts of the proposed project have been evaluated in the Mitigated Negative Declaration (MND) prepared by Staff for the project (refer to Attachment A). The MND concluded that while the project has the potential to significantly impact the environment, the inclusion of certain mitigations would reduce these impacts to less than significant. a prior CEQA Document with the original approval (Mitigated Negative Declaration adopted by ASA Committee on August 11, 2011). Mitigation measures such as tree replanting and lighting design are required to mitigate for aesthetic impacts, biologic surveys, buffers, tree replanting, and relocation of species for biological impacts, home hardening and water supply for wildfire impacts, drainage and creek protection for hydrologic impacts, tribal observation for cultural and tribal resource impacts, and construction monitoring and design for geologic impacts of the project. The Notice of Completion was publicly circulated for thirty days from January 5th to February 4th, 2024. Comments received during this period are included in Attachment A.

B. Project/Proposal

1. General Plan: Hillsides

2. **Building Site Approval:** Per County Ordinance Code Section C12-307, Building Site Approval (BSA) is required for new single-family or two-family dwellings, including any property within the HS zoning district that is not a designated lot within an approved Parcel Map or a numbered lot on a qualifying Tract Map. The proposed project meets all development standards for the primary residence and ADU. Application for BSA was applied in 2018 and will be approved simultaneously with the Grading Approval and Variance.

3. **Zoning Standards:** The Zoning Ordinance specifies the required development standards for HS Zoning District, as summarized below:

Main Residence

Setbacks (HS):	30 feet from all property lines and/or rights-of-way
Height:	35 feet maximum
Stories:	3 stories maximum
Floor Area Ratio:	Not applicable

Note: this proposal meets all standards except for setbacks, for which a Variance has been requested, as discussed in a following section.

C. Building Site on Slopes Exceeding 30% Approval Findings

All Building Site Approval applications (on slopes exceeding 30%) are subject to the Scope of Review (Findings), as listed in Section C12-350.5 of the County Ordinance. The overall purpose of Division C12, Chapter II, Article 5 of the County Ordinance is to discourage development on slopes of 30 percent or more due to the additional site constraints and

challenges typically occurring in such hillside environments, including but not limited to steep terrain, geologic and seismic hazards, difficulties in designing and constructing safe and sustainable onsite wastewater systems, meeting access standards for regular and emergency vehicles, potentially significant tree removal, and the need for significant grading, terrain alteration, and retaining walls. Consequently, building site approval on slopes 30 percent or more shall only be granted where the parcel has no feasible alternative location for development on slopes less than 30 percent, all necessary health and safety issues are adequately addressed, and the resulting visual impacts of such development are addressed or mitigated through appropriate conditions.

By establishing these additional review and regulatory standards for the development of parcels on areas of 30 percent slope or more, the intent of this Article is to ensure that such development conforms to the County General Plan policies, demonstrates maximum health and safety protection, and preservation of the natural environment, ensures that development does not result in unsafe or unsustainable conditions, and avoids or mitigates potentially significant environmental impacts. If all of the findings cannot be made, the application shall be denied. In the following discussion, the scope of the review finding is in **bold**, and an explanation of how the project meets the required finding is in plain text below.

1. The project meets or exceeds the requirements of any applicable County agency or other affected public agency and conforms to all applicable development standards;

The proposed single-family residence meets or exceeds development requirements of most standards, including access to the residence from Sanborn Road which meets or exceeds requirements of the County Fire Marshal and CAL FIRE, including fire truck turnaround, an onsite wastewater treatment system (OWTS) which satisfies the Department of Environmental Health requirements, and water supply for both domestic consumption and fire suppression which meets all three standards. The project is removed from the unnamed tributary of Sanborn Creek to meet requirements for riparian area protections. Proposed conditions of approval and mitigations further protect the riparian area and other potentially impacted species. The designs of all improvements are subject to review by the County Geologist to ensure that the project meets County and State requirements. Proposed conditions of approval also ensure the project will comply with building and defensible space requirements for residences in the wildland urban interface (WUI) and fire hazard severity areas. The project does not fully comply with the fire access requirements in that Sanborn Road, a County-maintained road, does not meet all of the requirements of Public Resources Code 4290, and there is no secondary egress from the property. However, the County has determined that requiring such access improvements would be considered a taking, and the Department will only require improvements to meet the State Minimum Fire Safe Regulations limited to the area on the subject property and within the easement from Sanborn Road to the property. The proposed project also does not meet the required residential setbacks for this zoning district, for which the applicant has requested a Variance as discussed below in that section of this report. patterns in the neighborhood.

One single-family residence is proposed, with a garage, and the driveway meets County standards. Therefore, this finding can be made if the Variance is granted.

2. The project integrates design solutions to all site or development constraints satisfying the requirements and standards for all reviewing and responsible agencies;

The design of the home was previously approved and determined to fit in with the character of the surrounding neighborhood. The project would be conditioned to have muted paint colors of (LRV less than 45), vegetative screening, and exterior lights to be of full cut off shrouded design to ensure that no direct offsite spill of light or glare will occur or impact nighttime views or the neighboring parcels. Therefore, this finding can be made.

3. The project cannot be located on portions of the lot with less than 30% slope;

The parcel has a calculated average slope of 60.3% and a maximum slope of 98.8%. The flattest areas of the parcel are the southeastern corner, where the OWTS is proposed to be located, and the northwestern corner, which includes the riparian area. Moving the development into the riparian area would be less desirable. Moving the residence to the southeastern corner would complicate finding a suitable OWTS location, and would not significantly reduce the overall development average slope as the driveway would have to climb the steepest portions of the lot to reach it. The current location is proposed to be as close to the access easement as possible, including a Variance request to limit development in the steepest areas as much as possible. The inclusion of the required fire truck turnaround has also increased the average slope of the development area. Therefore, this finding can be made.

4. The overall site design, including but not limited to access roads and driveways, retaining walls, architectural quality, landscaping, tree preservation, grading and erosion control, and landscaping, is in harmony with the natural landscape and environment and topography, demonstrates efficiency in terms of the extent and nature of proposed access or other improvements, minimizes overall grading and terrain alteration, and reasonably mitigates the visual impacts of development.

Per the conditions of approval and mitigation measures, new landscaping (trees) is required to surround the homes and driveways for both visual screening and tree replacement purposes. Adding additional landscaping to the site will enhance the natural setting of the surrounding area. Grading is minimized as much as possible by siting the residence as close to the access easement as possible, and using large retaining walls behind the home where they will not detract from the visual aesthetics as seen from public vantage points. Therefore, this finding can be made.

D. Grading Findings:

Pursuant to Section C12-433, all Grading Approvals are subject to specific findings. In the following discussion, the scope of review findings are listed in **bold**, and an explanation of how the project meets the required standard is in plain text below.

1. The amount, design, location, and the nature of any proposed grading is necessary to establish or maintain a use presently permitted by law on the property.

The project’s grading quantities are 6,123 cubic yards of cut and 1,547 cubic yards of fill. This grading would be necessary to establish the access, building pad for the residence with an attached garage, access driveway with fire truck turnaround area, and legalizing repair of a landslide. In addition, as a result of revising the design of the residence, grading has been substantially reduced. The design of grading has been modified to eliminate access into a shared easement and add a fire truck turnaround area reducing the slope of the driveway overall. Consequently, the amount, design, location and the nature of proposed grading is necessary and appropriate to establish the single-family residential use, which is a permissible use in the HS zoning district. As such, this finding can be made. The breakdown of grading is quantified below.

Type	Cut	Fill	Max Cut	Max Fill
Access Road	2,251	922	24	7
Fire Truck Turnaround	2,685	0	45	0
Residence	239	0	19	0
Garage	24	0	18	0
Area Behind House	924	625	5	0
Landslide Repair	584	435	7.5	9.5
Total	6,707	1,982		

2. The grading will not endanger public and/or private property, endanger public health and safety, will not result in excessive deposition of debris or soil sediments on any public right-of-way, or impair any spring or existing watercourse.

The proposed grading will not endanger public or private property. The grading is the minimum necessary to establish the use. All export will be deposited at an approved site. The Conditions of Approval and Mitigation Measure requirements of final grading plans will ensure that grading around the building pad and driveway will not result in slope instability or erosion. Land Development Engineering has specific erosion control standards to be implemented as part of the driveway and grading design. All mitigation measures shall be implemented to protect Sanborn Creek and the natural habitat on-site. As such, this finding can be made. As such, this finding can be made.

3. Grading will minimize impacts to the natural landscape, scenic, biological and aquatic resources, and minimize erosion impacts.

The proposed grading has been designed to contour to the natural topography to the maximum extent possible, with the residence sited on the most suitable building area feasible. The majority of the proposed grading is for the access driveway and required fire truck turnaround. Conditions of Approval and the Mitigation Measures require new tree replanting for visual screening and tree replanting for biological impacts. Endangered Species pre-construction surveys and nesting raptor surveys are required prior to development as required in the Environmental Assessment conditions incorporated into the project. As such, this finding can be made.

4. For grading associated with a new building or development site, the subject site shall be one that minimizes grading in comparison with other available development sites, taking into consideration other development constraints and regulations applicable to the project.

Other alternative site locations further away on-site would require more extensive grading and cutting off of the hillsides in conflict with the Grading Ordinance findings. Furthermore, the proposed site locations were already previously determined to be the best site location per the prior expired approvals. As such, this finding can be made.

5. Grading and associated improvements will conform with the natural terrain and existing topography of the site as much as possible, and should not create a significant visual scar.

With the new landscaping (tree replanting) required along with maintenance with many of the forested trees on-site the grading will blend in with the natural terrain and screen the new development visually. As such, this finding can be made.

6. Grading conforms with any applicable general plan or specific plan policies; and

The proposed grading is in conformance with specific findings and policies identified in the County General Plan. The proposed grading is designed to follow the natural terrain, to minimize grading and to reduce visual impacts from hillside development in keeping with General Plan policies R-GD 20- 27, which require that grading be the minimum necessary for the use, with no significant visual scar or impact the environment. As such, this finding can be made.

7. Grading substantially conforms with the adopted "Guidelines for Grading and Hillside Development" and other applicable guidelines adopted by the County.

The proposed grading is in conformance with the adopted "*Guidelines for Grading and Hillside Development,*" in particular, the specific guidelines for siting, road design, building form and design. The proposed driveway and wall design will be maintained to

establish access to the proposed home. Flat pads in the residence location are maintained and the size of the homes are comparable to other neighboring homes in the area. Building mass and bulk is minimal with the surrounding landscaping and established pad area. Tiered walls, and varied roof heights help blend the home into the existing environment. As such, this finding can be made.

E. Variance Findings:

Pursuant to Section 5.70.020 of the County Zoning Ordinance, all Variance Approvals are subject to specific findings. In the following discussion, the scope of review findings are listed in **bold**, and an explanation of how the project meets the required standard is in plain text below.

With this proposal, the property owner proposes a Variance to reduce the required front setback of 30 feet to 8 feet, measured from the edge of the driveway connecting from Sanborn/Ambrose Road, and to reduce the side setbacks from the required 30 feet to 0 feet measured from the existing 20 feet ingress/egress easement on the south of the property, and the proposed ingress/egress easement to encompass the driveway and fire truck turnaround.

1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other properties in the vicinity and under identical zoning classification; and

The property is approximately 4 acres in size and is characterized by steep terrain, and environmental constraints. Sanborn Creek and its riparian corridor to the north, a 20 feet wide ingress/egress easement along the west and south property lines, and steep hillside exceeding 80% slope for the central 2-acre portion. In addition, with a riparian setback of 25 feet from the top bank of the creek, room for the development is limited.

The request to reduce the front and side setbacks would provide more flexibility in designing a residence within the constrained area. The subject site does not front directly on Sanborn Road, and as a result, the area where the front setback is reduced will not result in any visual impact to the neighboring parcels.

With the reduced setback, the front setback would locate the proposed residence 8 feet from the driveway. The side setback reduction would place the proposed residence 0 feet from the ingress/egress easements. The applicant is required to extend the existing ingress/egress easement as far as the required fire truck turnaround.

2. **The grant of the variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the zoning district in which the subject property is located.**

The granting of the Variance would allow the property owner additional flexibility in locating a single-family residence on a steep hillside area. It would not constitute a special privilege that is inconsistent with other development in the vicinity.

In summary, staff recommends the approval of the requested Variance in consistency with the prior approvals to reduce the front and west side setbacks for Parcel A as the site is characterized by steep topography and creek setbacks that limit development options.

F. Staff Recommendation

In conclusion, Staff recommends the Zoning Administration Hearing Officer to approve the concurrent land use entitlements for a Building Site Approval over 30%, Grading Approval, and request for a Variance. The residence and OWTS have been sited in the most logical locations on this highly constrained lot, and the project proposes a number of features to mitigate for environmental impacts and natural hazards as possible. Additional requirements in the Conditions of Approval and the Mitigations under CEQA will further reduce the impacts of this project. As noted throughout the Staff Report, the proposed project meets all development standards for the single-family residence (as noted in the Zoning Standards above and in combination with the Variance) and all the findings for Building Site Approval over 30%, Grading Approval, and conditions exist on the property that warrant approval of the Variance request.

BACKGROUND

This project includes the abatement of previous grading work which was in violation of County Ordinances. The Applicant has entered into a Compliance Agreement with the County to ensure the necessary work is completed on a mutually agreed upon schedule.

The following is a timeline of the application:

- 1) On May 12, 2003, the applicants submitted concurrently for Building Site Approval on Slopes Exceeding 30%, Grading Approval, and Environmental Assessment for this parcel and the neighboring parcel (APN 517-37-001).
- 2) After several rounds of review, the original project was deemed complete on March 27, 2006, and tentatively scheduled for a hearing by the Architecture and Site Approval Committee. The applicant contested the complete determination, and requested that the project not go to a hearing in order to modify the project. This application was deemed expired in correspondence between the applicant and the County in October 2008.
- 3) On August 11, 2008, both parcels received Grading Violations for not restoring areas graded for temporary access and performance of soils and percolation testing.

- 4) On October 19, 2010 a new application was submitted for this project. On August 11, 2011 the 2nd proposal was approved by the ASA Committee for Building Site Approval on Slopes Exceeding 30%, Grading Approval and Variance.
- 5) On August 8, 2013 an Extension of Time was granted for the Building Site on Slopes Exceeding 30%, Grading Approval and Variance by the ASA Committee. With this extension of time, the approvals expired on August 26, 2015 without building permits having been issued. Grading permits were issued, one of the conditions of approval required notarized agreement with a neighbor for work outside of the ingress/egress easement. This notarized agreement was never obtained.
- 6) A third new submittal was received on March 9, 2018.
- 7) On May 22, 2018, LDE issues a stop work order due to lack of neighbor agreement. A second stop work order is issued on December 10, 2019 related to stormwater violation. LDE confirmed both the stormwater violation and the existence of fil on the neighbors' property on December 17, 2019.
- 8) The project was deemed complete on November 25, 2019, and scheduled to go to the Zoning Administration meeting on January 16, 2020. However, due to the existing grading violations, the Zoning Administrator decided to continue the item, and the ZA and applicant mutually agreed to a 90-day extension to allow the applicant to modify their project and address the grading violations as part of their proposal. Neighboring parcel owners attended and spoke against the project, specifically citing concerns about impacts to their own properties.
- 9) On February 20, 2020, applicants submitted their major modification. During this review process, CAL FIRE provided comments that the project did not meet the standards set forth in PRC 4290. On August 12, 2021, the applicants requested an exception from CAL FIRE, which was denied on August 17, 2021. The applicant appealed this decision to the County on August 22, 2021, and the matter was heard by the Fire Marshal's Office on December 9, 2021, where the exception denial was upheld. On October 31, 2022, the County limited the application of the State Minimum Fire Safe Regulations to the subject property and within the access easement from Sanborn Road to the property.
- 10) On March 30, 2022, the owner's attorney filed an appeal of a recent incomplete determination. This appeal was heard by the Planning Commission on May 26, 2022, and was denied.
- 11) On April 6, 2022, the County determined that the application was complete, but required review under CEQA. An Initial Study was prepared recommending a Mitigated Negative Declaration. The MND was circulated for public comment between January 5, 2023, and February 4, 2023. The only comment received was from the Muwekme Ohlone Tribe,

requesting observation of the excavation on site to ensure that if tribal artifacts are uncovered, that they are properly handled.

A public notice was mailed to all property owners within a 300-foot radius, and the interested parties mailing list on January 30, 2024 and was also published in the [San Jose Post-Record](#) on January 31, 2024.

STAFF REPORT REVIEW

Prepared by: Robert Cain, Senior Planner

DocuSigned by:

Robert Cain

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Reviewed by: Samuel Gutierrez, Principal Planner

DocuSigned by:

[Signature]

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ATTACHMENT A

California Environmental Quality Act

A1 – CEQA Filing of Notice of Intent

A2 – Notice of Intent

A3 – Initial Study

A4 – Staff Response to Public Comment

A5 – Public Comment Letter



SANTA CLARA COUNTY CLERK
CEQA FILING COVER SHEET

Santa Clara County - Clerk-Recorder Office
State of California

File Number: ENV24945

ENVIRONMENTAL FILING

No. of Pages: 5

Total Fees: \$0.00

File Date: 01/05/2024

Expires: 02/04/2024

REGINA ALCOMENDRAS, Clerk-Recorder

By: Ronald Nguyen, Deputy Clerk-Recorder

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Check Document being Filed:

- Environmental Impact Report (EIR)
- Filing Fee (new project)
 - Previously Paid F&W (must attach F&W receipt and project titles must match)
 - No Effect Determination (F&W letter must be attached)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Filing Fee (new project)
 - Previously Paid F&W (must attach F&W receipt and project titles must match)
 - No Effect Determination (F&W letter must be attached)
- Notice of Exemption (NOE)
- Other (Please fill in type):
Notice of Intent to adopt a CEQA determination

1. LEAD AGENCY: County of Santa Clara Department of Planning and Development
2. LEAD AGENCY EMAIL: robert.cain@pln.sccgov.org
3. PROJECT TITLE: Bagnas Residence
4. APPLICANT NAME: Ekundayo Sowunmi, P.E., QSD/QSP, Ackland International, Inc. PHONE: (510) 564-4284
5. APPLICANT EMAIL: ekundayo.sowunmi@gmail.com
6. APPLICANT ADDRESS: 333 Hegenburger Rd, Ste 206, Oakland, CA 94621
7. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
8. NOTICE TO BE POSTED FOR 30 DAYS.

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

County of Santa Clara
Department of Planning and Development
 County Government Center, East Wing, 7th Floor
 70 West Hedding Street
 San Jose, CA 95110
 Phone: (408) 299-5700
 www.sccplandev.org



Notice of Intent to Adopt a Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project will not have a significant effect on the environment.

File Number	TAZ	APN(s)	Date
PLN18-8580	1329	517-37-001, 2, 3, 4, 6	1/5/2024
Project Name		Project Type	
Bagnas Residence		New single-family residence and improvements	
Person or Agency Carrying Out Project		Address	Phone Number
Ekundayo Sowunmi, P.E., QSD/QSP Ackland International, Inc.		333 Hegenburger Rd, Ste 206 Oakland, CA 94621	(510) 564-4284
Name of Applicant		Address	Phone Number
Ekundayo Sowunmi, P.E., QSD/QSP Ackland International, Inc.		333 Hegenburger Rd, Ste 206 Oakland, CA 94621	(510) 564-4284

Project Location

APN 517-37-003 with grading in co-owned parcel or within easement at APNs 517-37-001, 2, 4, and 6. The property is on the east side of the terminus of Sanborn Road, unincorporated Saratoga. 37.228 N 122.051 W.

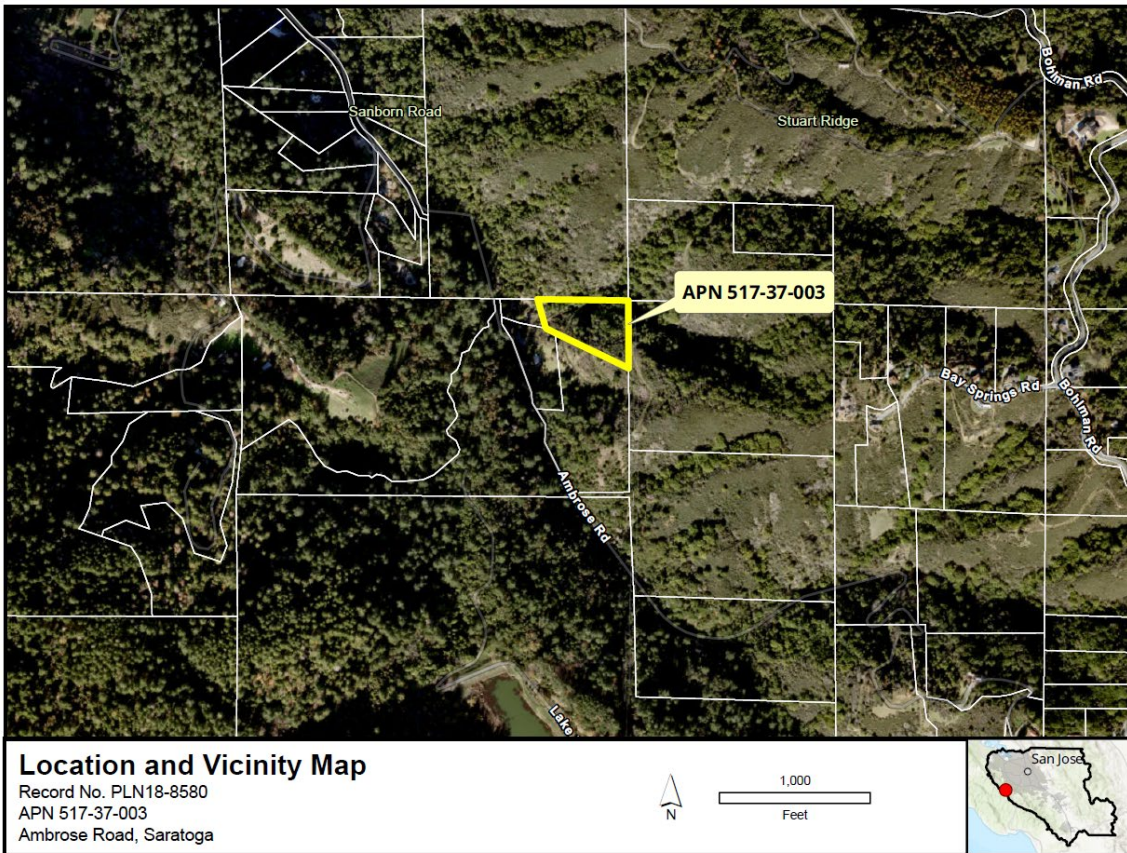


Figure 1 - Location Map

Project Description

The project is a Building Site approval and Grading Authorization to construct a single-family residence and related improvements on a 4-acre parcel, including grading on neighboring parcels necessary for this project, and a Variance to reduce setbacks. The proposed house size is 5,950 sq. ft., with 3 stories. Total estimated grading quantities for all improvements is 6,123 cubic yards of cut and 1,547 cubic yards of fill. Sixteen (16) coast live oak trees ranging from 8 to 18 inches in diameter are proposed to be removed. No trees within the riparian setback area are proposed to be removed with the project.

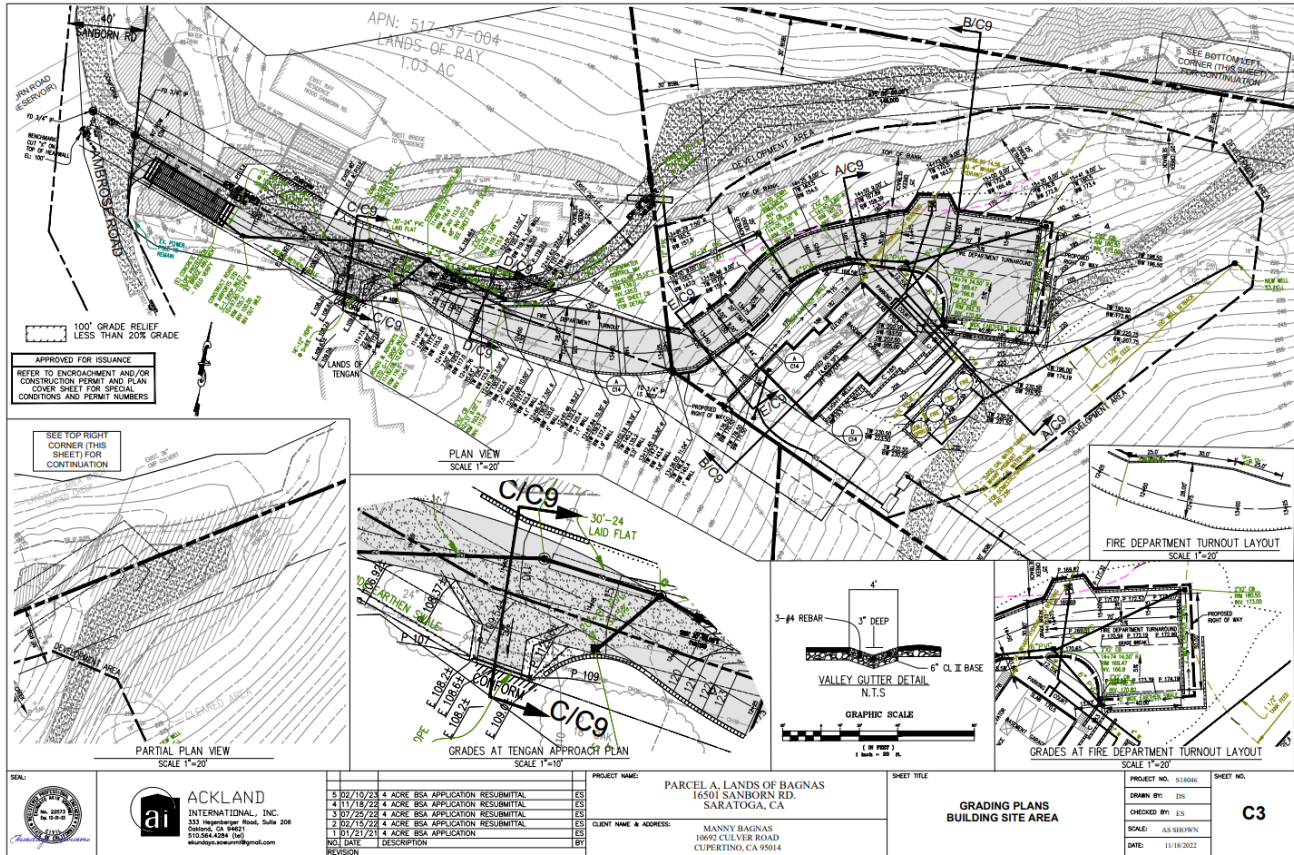


Figure 2 - Site Plan

Purpose of Notice

The purpose of this notice is to inform you that the County Planning Staff has recommended that a Mitigated Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, **finds that although the proposed project could initially have a significant effect on the environment, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur.** The project site is not on a list of hazardous material sites as described by Government Code 65962.5 (Cortese List).

It should be noted that the approval of a Mitigated Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.

Public Review Period: 30 **Begins: 1/5/2024** **Ends: 2/5/2024**

Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the above date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the attention of Robert Cain at the **County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel:**

<p>(408) 299-5700. Comments may also be emailed to robert.cain@pln.sccgov.org. A file containing additional information on this project may be reviewed at the Planning Office or online at https://plandev.sccgov.org/development-projects/current-projects under the file number appearing at the top of this form. For additional information regarding this project and the Negative Declaration, please contact Robert Cain at (408) 299-5706 or robert.cain@pln.sccgov.org.</p>	
<p>The Mitigated Negative Declaration and Initial Study may be viewed at the following locations:</p>	
<p>(1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110 (2) Planning & Development website www.sccgov.org/sites/dpd (under “Development Projects” > “Current Projects”)</p>	
<p>Responsible Agencies sent a copy of this document</p>	
<p>Santa Clara County Department of Parks and Recreation, California Department of Fish and Wildlife, California Department of Forestry and Fire Protection, The California Native American Heritage Commission</p>	
<p>Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:</p>	
AES-MIT 1	Requires vegetative screening.
AES-MIT 2	Requires lighting design to not adversely affect nighttime views.
BIO-MIT 1	Requires workers environmental training.
BIO-MIT 2	Requires avoidance of impacts to watercourses.
BIO-MIT 3	Requires construction monitoring by a qualified biologist.
BIO-MIT 4	Details required actions concerning special status amphibian species.
BIO-MIT 5	Details required actions concerning any riparian impacts.
BIO-MIT 6	Details protection of water quality requirements.
BIO-MIT 7	Requires preconstruction surveys for the San Francisco dusky-footed woodrat.
BIO-MIT 8	Details required actions concerning the San Francisco dusky-footed woodrat.
BIO-MIT 9	Requires preconstruction surveys for the American badger.
BIO-MIT 10	Details required actions concerning the American badger.
BIO-MIT 11	Requires construction envelope perimeter fencing.
BIO-MIT 12	Details required actions concerning nesting raptors and other nesting migratory birds.
BIO-MIT 13	Details required actions concerning roosting bats.
BIO-MIT 14	Details oak tree replacement requirements.
BIO-MIT 15	Restricts construction to daytime.
BIO-MIT 16	Requires lighting design to not adversely impact nocturnal species.
GEO-MIT 1	Requires construction monitoring by a qualified geotechnical firm.
GEO-MIT 2	Requires seismic building design measures.
GEO-MIT 3	Details grading operations requirements.
GEO-MIT 4	Requires the minimization of grading.
GEO-MIT 5	Details cut and fill of slopes requirements.
GEO-MIT 6	Details retaining walls requirements.
GEO-MIT 7	Details drainage requirement (landslide prevention).
HWC-MIT 1	Details drainage requirements (water quality protection).
HWC-MIT 2	Details creek protection requirements.
WF-MIT 1	Details project siting requirements.
WF-MIT 2	Details defensible space requirements.
WF-MIT 3	Details utilities requirements.
WF-MIT 4	Details home hardening requirements.
WF-MIT 5	Details parking restrictions (emergency vehicle access and evacuation).
WF-MIT 6	Details fire water supply requirements.

A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

Prepared by:

Robert Cain, Senior Planner

DocuSigned by:

Robert Cain

1/5/2024

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Signature

Date

Approved by:

Samuel Gutierrez, Principal Planner

DocuSigned by:

[Signature]

1/5/2024

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Signature

Date

INITIAL STUDY

Environmental Checklist and Evaluation for the County of Santa Clara

File Number:	PLN18-8580	Date: February 2, 2024
Project Type:	Building Site Approval, Grading Authorization, and Variance for a new single-family residence, related improvements, and restoration of land.	APN(s): 517-37-003; Grading work includes 517-37-001, 517-37-002, 517-37-004, 517-37-006
Project Location / Address:	16501 Sanborn Road, Saratoga	GP Designation: Hillsides
Owner's Name:	Emmanuel S. Bagnas and Marilyn Ingles-Bagnas	Zoning: HS
Applicant's Name:	Ekundayo Sowunmi	Urban Service Area: None
Project Description		
<p>The subject application includes Building Site approval and Grading Authorization to construct a single-family residence and related improvements on a 4-acre parcel (APN 517-37-003). The project site has a steeply-sloped, heavily-wooded terrain, east of Sanborn Creek and north of Sanborn County Park. The parcel is surrounded by other heavily forested and sloped parcels that consist of low-density single-family homes and open space, which are all within unincorporated Santa Clara County. The project site is mostly vacant with the exemption of an existing shed (approximately 80 square feet). The applicant proposes to construct a single-family residence with an attached garage, a fire truck turnaround and corresponding easement extension, four 5,000-gallon water tanks, septic tank and leach field, well, wharf hydrant, and stormwater control measures. The project also includes grading and retaining walls necessary to create access to the property over an easement, to construct the home and related improvements, to improve the shared common access road, to legalize grading work previously done for a landslide repair, and to restore land used for testing and construction access. The existing shed will be demolished prior to the completion of the project. The stormwater control measures involve underground water detention system (piping) that will mitigate the projected drainage flows so as to not exceed the existing peak levels. In addition, the project will include stormwater treatment measures designed to reduce and mitigate pollutants in stormwater runoff generated because of the project. The applicant also requests a Variance to reduce the front, rear, and side setbacks.</p> <p>The total estimated grading quantities for all improvements is 6,707 cubic yards of cut and 1,982 cubic yards of fill. The proposed house size is 5,950 sq. ft., with 3 stories. A Variance is proposed to reduce the front (northwest) setback to 8 feet, the side setbacks to 0 feet due to the physical constraints of the lot and the location of an access easement that currently occupies the southernmost portion of the lot. The easement must be further extended onto the property to encompass the new fire truck turnaround.</p> <p>Domestic water is proposed to be provided by an approved individual water system well, and an on-site wastewater treatment system must be installed. Retaining walls of 2 feet to 45 feet in elevation are proposed along the common access road, driveway, fire truck turnaround, and adjoining the new residence.</p>		

Project Description (continued)

The new common access road and a previously-constructed bridge are on several neighboring parcels directly off Sanborn Rd./Ambrose Rd. leading to the subject parcel (APNs 517 37-002, 517-37-004, 517-37-006) within an existing 40 ft. access easement. An access road to the leach field area was graded through APN 517-37-001, and will be necessary for the construction of the onsite wastewater treatment system; it will be restored to its previously permitted state, including repair to a landslide area on that parcel, which is currently under common ownership with APN 517 37-003.

Sixteen (16) coast live oak trees ranging from 8 to 18 inches in diameter are proposed to be removed. No trees within the riparian setback area are proposed to be removed with the project.

Environmental Setting and Surrounding Land Uses

The proposed building site is located within the rural unincorporated area of Santa Clara County, off Sanborn and Ambrose Roads, within the Santa Cruz Mountains above the Saratoga foothills. The access road and bridge are located directly off of Ambrose Road near where Sanborn Road ends (on neighboring parcels next to the home site). The project has an average building site slope of 66.8% with retaining walls up to 22 feet high on a 4-acre lot.

The entire project area is heavily forested. The subject property has a General Plan designation of Hillside, a resource conservation district intended to protect the natural environment and limit development in areas with a high risk of natural disasters, such as wildfires and geological hazards. According to the County of Santa Clara Geographic Information System (GIS) data, the property includes coast live oak woodlands and riparian woodland along Sanborn Creek and its tributary. Surrounding land uses include open space, Sanborn County Park, and low-density single-family homes on similarly sized lots.

There are no records of special status species on the parcel in the California Natural Diversity Database (CNDDDB). Eleven special status species (plants and animals) were identified by biotic assessment to occur in the vicinity and have the potential to occur on the project site. Most of these species were found to be absent or unlikely to occur, and only the San Francisco dusky-footed woodrat was determined to be present. However, the following species were noted as “possible” to exist on the project site: California red-legged frog, foothill yellow-legged frog, western pond turtle, loggerhead shrike, California yellow warbler, black swift, Vaux’s swift, Townsend’s big-eared bat, California mastiff bat, pallid bat, ringtail, Santa Cruz black salamander, California giant salamander, and the American Badger. Over 50 additional animal species, in addition to a variety of raptors and other predators, and nearly 60 additional plant species are also expected to occur in this habitat.

The property is located within the Board of Forestry and Fire Protection identified State Responsibility Area, State Seismic Hazard Zone, County Landslide Hazard Zone, and FEMA flood zone D. The property is currently classified (under Cal Fire’s 2007 maps) as a High Fire Hazard Severity Zone; however, as of 2023, Cal Fire is proposing to classify this area as a Very High Fire Hazard Severity Zone.

Other agencies sent a copy of this document:

- Santa Clara County Parks
- California Department of Fish and Wildlife
- California Department of Forestry and Fire Protection
- California Native American Heritage Commission

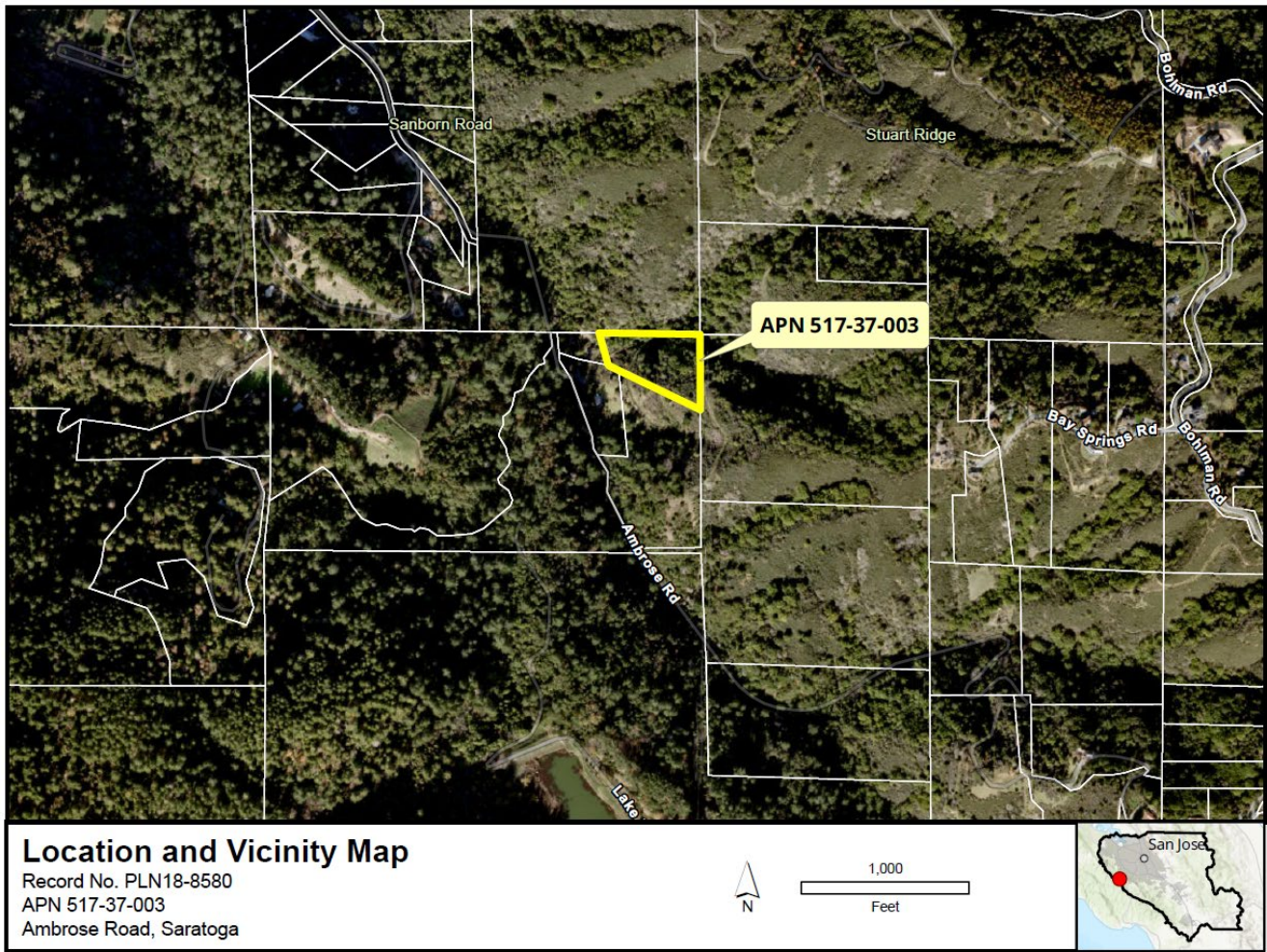


Figure 1 - Location Map

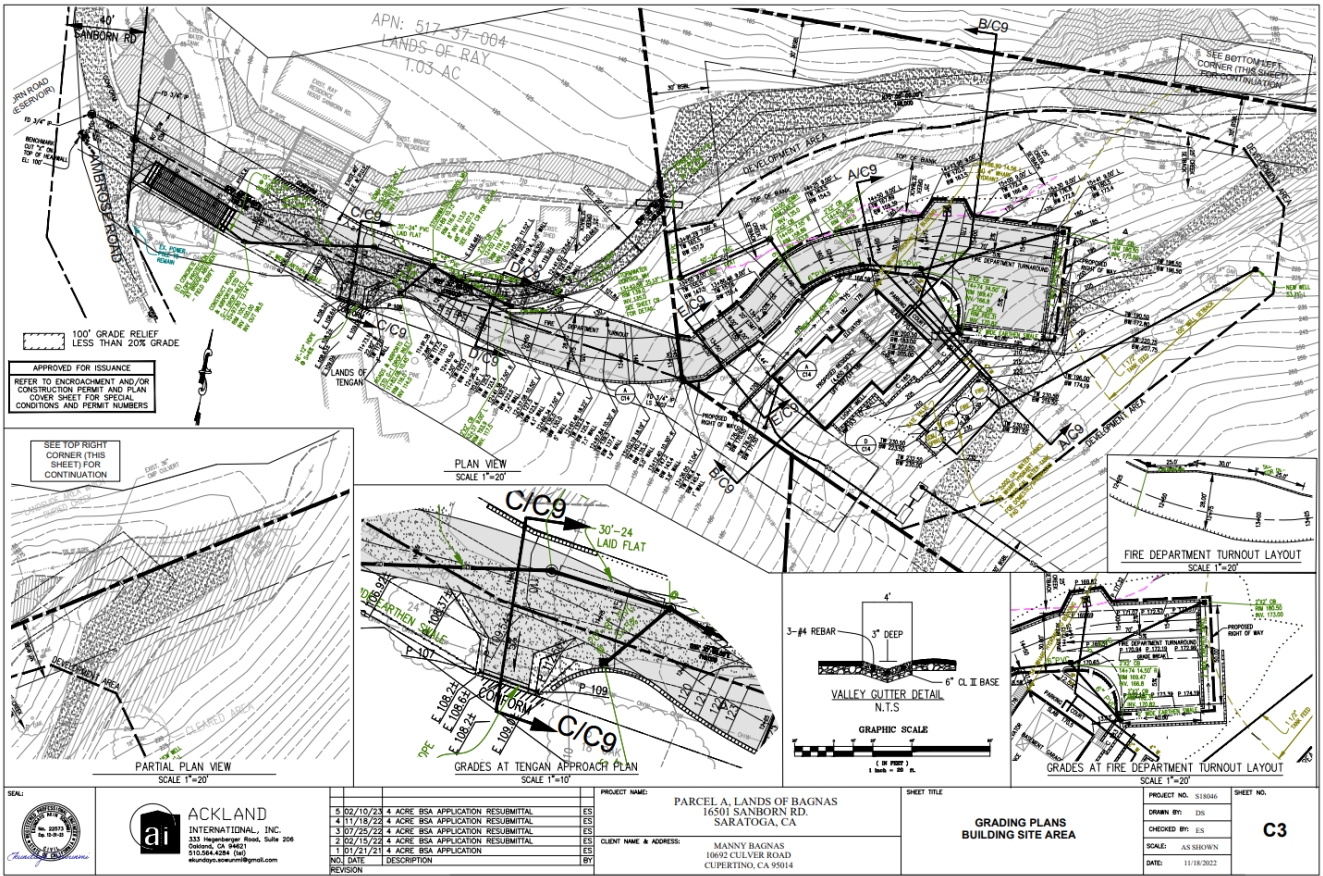


Figure 2 - Site Plan

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.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The proposed project could potentially result in one or more environmental effects in the following areas:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture / Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resource | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that 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.
- I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.



Signature

February 2, 2024

Date

Robert Cain, Senior Planner
Printed name

Department of Planning and
Development, Santa Clara County

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS					
Except as provided in Public Resources Code section 21099, would the project:	IMPACT				SOURCE
	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 4, 6, 17f
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, along a designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 6, 7, 17f
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2, 3
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 4

SETTING:

The subject property is 4 acres in size and is characterized as a steeply-sloped, heavily-wooded property east of Sanborn Creek and north of Sanborn County Park. The parcel is surrounded by other heavily forested parcels which include low-density single-family homes and open space, which are all within unincorporated Santa Clara County. The proposed development area of the residence is located in an area classified as chaparral, but is surrounded on the remainder of the parcel by oak woodland, riparian, and coniferous trees. The proposed development is approximately 300 feet east of Ambrose Road, down an access easement from the end of Sanborn Road.

The subject property is not located within a scenic vista recognized by the County of Santa Clara General Plan and Zoning Ordinance. Located in a valley created by Sanborn Creek and one of its tributaries between ridgelines, the property is not visible to Saratoga to the east or Santa Cruz County to the west. The wooded terrain also helps to block views from neighboring parcels, including Sanborn County Park. The proposed single-family house will not be visible from publicly accessible vantage points, but could be visible from neighboring properties.

The subject property has a General Plan designation of Hillside with a Hillside zoning designation, which does not carry with it any design mitigation requirements. The property is accessed via an easement off of Sanborn Road near where it becomes Ambrose Road; neither is a County scenic road.

The project includes a landscape plan identifying which trees must be removed for the project, and replacement trees as required mitigation under the Biological Resources section of this report (BIO-MIT 14) are located so as to have the additional benefit of providing vegetative screening; all other trees will be protected through a condition of approval requiring County approval to remove additional trees. No trees within 25 feet of the top of bank are proposed to be removed, and like all trees not proposed for removal shall be protected during construction. Mitigations will also require full cut off

lighting design to ensure there is no direct offsite spill of light or glare which is included in both this section and the Biological Resources section.

DISCUSSION:

a & b) No Impact – The proposed project parcel is 300 feet down an access easement from the end of Sanborn Road (Sanborn Road continues as Ambrose Road through Sanborn County Park, but it is a steep, dirt road not open to driving for the public). The property is not located in a designated scenic vista nor along a designated scenic highway. Furthermore, the location in a steeply-sloped, densely wooded area in a valley between two ridgelines further obscures any development on this parcel from view.

c & d) Less Than Significant with Mitigation Incorporated – This site is currently heavily forested with trees and other vegetation, and the undeveloped portions of the parcel will remain in that state. The new residence is unlikely to be visible from the public road or nearby Sanborn County Park. However, it will create visual impacts to the neighboring properties unless properly mitigated. There is also the potential to create impacts to nighttime views due to lighting and glare. Additionally, new landscaping is proposed surrounding the new residences, driveways, and access road. Preliminary landscape plans submitted with the Building Site Approvals and Grading application includes planting of thirty-nine (39) oak trees on parcel 517-37-003, some of which are required replacement trees for trees to be removed. The location in a steeply-sloped, densely wooded area in a valley between two ridgelines further obscures any development on this parcel from view. Any tree not required to be removed to construct the project shall be conditioned to remain. As the property is located within an area with existing residences on parcels surrounding the property, the project is consistent with the surrounding visual character and would not substantially degrade the visual setting of the area. Full cut-off lighting will ensure no direct offsite spill of light or glare will occur to obscure nighttime views in the area.

MITIGATION:

- **AES-MIT 1: Vegetative Screening**. A final landscape plan shall be submitted for approval prior to final grading permit issuance which incorporates the tree replacement requirements as detailed in the Biological Resources Sections. Landscaping is required to be planted surrounding the residence and associated driveway and access road for the site. No additional trees beyond those identified on the project plans are authorized to be removed without prior County approval and necessary mitigation measures. Prior to issuance of the certificate of occupancy, but after the roof framing is complete, the County Department of Planning and Development will inspect the site. Should the residence be visible from the public right-of-way or accessible County Park lands, the applicant shall plant additional fast-growing evergreen trees (36-inch box) for visual screening to mitigate this impact.
- **AES-MIT 2: Lighting**. A lighting plan shall be submitted for approval prior to building permit issuance. Any new outdoor lighting shall not adversely affect nighttime views. Lighting shall be of full cut off shrouded design to ensure that no direct offsite spill of light or glare will occur.

B. AGRICULTURE / FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
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 Natural Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 23, 24, 26
b) Conflict with existing zoning for agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9, 21a
c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 28
d) 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 17, 32
e) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17, 32
f) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 4, 17, 26

SETTING:

The subject property is located in an area with a General Plan designation of Hillside which is in this instance is designated as forest land. Allowable uses for this General Plan designation include “very low density residential development.” While the standard within the General Plan is one dwelling unit per 160 acres, that is applicable to new parcel creation. This four-acre parcel was created prior to the 1995 (current) General Plan adoption.

According to GIS maps using data from the U.S. Department of Agriculture, the project area consists of Sanikara-Mouser Rock outcrop complex soil with 50 to 75% slope, and Ben Lomond Casrock complex soil with 30 to 50% slope. Both these soil types are non-prime agricultural soil that are also not designated as unique farmland or farmland of state-wide importance. According to the GIS maps using data from the U.S. Department of Forestry and the California Department of Forestry and Fire Protection, the project area has a mix of oak woodland, evergreen forest, riparian woodland, mixed forest, shrubs, and open space. According to 2023 update to the 2011 Biotic Assessment, the proposed residence is largely sited in an area determined to be “chapparal,” while the access road and driveway are largely in areas determined to be “ruderal/developed” and the onsite wastewater treatment system is largely located in an area determined to be “mixed woodland.” Portions of the project extend into the “California bay woodland” which surrounds the primary development area. Sixteen (16) coast live oak

trees are to be removed as part of this project and 39 new 24-inch box oak trees are to be planted in replacement. The site is not subject to an existing Williamson Act Contract.

DISCUSSION:

a, b, c, d, & f) No Impact – The property does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance according to the 2020 Farmland Mapping and Monitoring Program (FMMP) maps developed by the California Department of Conservation. The County’s existing zoning allows for a single-family residence ‘by-right’ in a Hillsides zoning district. The property is not encumbered by a Williamson Act contract, and therefore the proposed development would not conflict with County Williamson Act Guidelines or the County’s Williamson Act Ordinance.

e) Less Than Significant with Mitigation Incorporated – Sixteen (16) coast live oak trees are proposed for removal, and the property is within a forestland area. None of the trees proposed for removal are within the 25-foot riparian buffer. The proposed project includes the planting of 39 24-inch box oak trees as replacement trees, exceeding the 32 trees required by the County’s tree protection guidelines. A 25-foot setback from the top of bank is required to be maintained and will preserve the riparian woodland on the property.

MITIGATION: Refer to BIO-MIT 14.

C. AIR QUALITY

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

WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 29, 30
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 29, 30
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 29, 30
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 29, 30

SETTING:

Surrounding land uses immediately adjacent to the building site are single-family homes and open space. Sanborn County Park is to the south of the property. The proposed project is located within the San Francisco Bay Area Air Quality Management District (BAAQMD), which regulates air pollutants, including those generated by construction and operation of development projects. These criteria pollutants include reactive organic gases, carbon monoxide, nitrogen dioxide, and particulate matter (PM). BAAQMD also regulates toxic air contaminants (fine particulate matter), long-term exposure to which is linked with respiratory conditions and increased risk of cancer. The operational criteria pollutant screening size for evaluating air quality impacts for single-family residential projects established by BAAQMD is 421 dwelling units, and the construction-related screening size for single-family residential projects is 254 dwelling units. Emissions generated from the proposed single-family residence is below the BAAQMD operational-related emissions and construction emission thresholds.

DISCUSSION:

a, b, c & d) No Impact – The project is not expected to have any impacts to air quality except during the construction period, which may generate some temporary impacts. Dust would be created during the construction of the proposed structures and site improvements. However, dust emissions would be controlled through standard Best Management Practices (BMPs) dust control measures that would be a condition of the project. Per the BAAQMD screening criteria, for single-family residential uses, construction emissions impacts are less than significant for projects of 114 dwelling units or less. The proposed project involves the construction of one single-family residence. The proposed residential use would not expose sensitive receptors (such as children, elderly, or people with illness) to substantial pollutant concentrations or involve criteria pollutants emissions. Minimal addition of residences and a nominal increase in population would not significantly increase the regional population growth, nor would it cause significant changes in daily vehicle travel. Based on BAAQMD GIS data, the project site is assessed to be below the single and cumulative threshold for carcinogen air hazards.

As such, the proposed development would not conflict with or obstruct implementation of an applicable air quality plan, result in a cumulatively considerable net increase of any criteria pollutant

for which the project region is in non-attainment under an applicable federal or state ambient air quality standard, or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

MITIGATION: None required.

D. BIOLOGICAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 7, 17b, 17o
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 US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 7, 8a, 17b, 17e, 22d, 22e, 32
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 7, 17n, 33, 34
d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 31, 32, 33
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 7, 17b, 17o, 32
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	32, 33
g) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4, 17i

SETTING:

The property is located on the wooded slopes of the Santa Cruz Mountains, in a pocket of small, privately-owned parcels adjacent to Sanborn County Park. It is bounded to the south by an undeveloped property under common ownership, to the east by undeveloped properties under separate private ownership, and to the west and north by low-density single-family residences. Elevations range from approximately 1,400 feet National Geodetic Vertical Datum (NGVD) to 1,900 feet NGVD. Annual precipitation in the general vicinity of the study area is about 14 to 25 inches, almost 85% of which falls between the months of October and March. Virtually all precipitation falls in the form of rain. Stormwater runoff readily infiltrates into the soils of the site, but when field capacity has been reached, gravitational water collects in the tributaries of the site that eventually discharge into Saratoga Creek. The property is vacant except for an existing 80 square foot (approximately) shed that is proposed to remain for secure storage of construction materials during construction and will be removed prior to the final inspection.

The subject parcel contains five biotic habitats: chaparral, California bay woodland, mixed woodland, non-native grassland, and ruderal. To date, there have been improvements to the property related to the access road (including additional access for construction viability tests) and construction of a small shed on the northern edge of the property.

The subject property takes access through an easement over three adjacent properties from Sanborn Road (a County-maintained road), and the shared driveway passes over Sanborn Creek via a bridge. An unnamed tributary of Sanborn Creek exists on the northwest section of the property.

There are no known special status plant or animal species on the property listed in the California Natural Diversity Database (CNDDDB). Nearby species of concern listed in the CNDDDB include the Santa Cruz black salamander and western pond turtle. A biotic report, including site survey, was produced by Live Oaks Associates on March 31, 2011 and updated on August 23, 2023 (source 32).¹ The 2023 report stated that many species were considered to be absent from the site due to a lack of suitable habitat, soils, or the location being outside of the range of the species. Only one special status species, the San Francisco dusky-footed woodrat, was determined to be present on site. Several species of concern were determined to have some potential to occur on this site. The California red-legged frog, which is federally listed as threatened and a California species of concern, was determined to be “possible” and believed to be present on the site, though not observed. The Western pond turtle, a California species of concern, was determined to be “possible” and believed likely to be present on the site. Thirteen additional California species of concern were determined to be “possible” with varying likelihoods of presence on the site; these are the foothill yellow-legged frog, loggerhead shrike, California yellow warbler, black swift, Vaux’s swift, Townsend’s big-eared bat, California mastiff bat, pallid bat, ringtail, Santa Cruz black salamander, California giant salamander, and the American Badger.

Special status species which may occur on site but are unlikely include the red-bellied newt, coast horned lizard, Swainson’s hawk, bald eagle, golden eagle, least Bell’s vireo, and purple martin. Special status plants with the potential to occur on site but are unlikely include Dudley’s lousewort, Santa Clara manzanita, robust monardella, and Santa Cruz beardtongue.

Additional animal species identified or expected to occur in this habitat include American pipits, American robin, Anna’s hummingbird, arboreal salamander, ash-throated flycatchers, badger, black-headed grosbeaks, black phoebes, black-tailed deer, bobcat, Botta’s pocket gopher, Brewer’s blackbird, brush rabbit, bushtit, California mouse, California newt, California quail, California slender salamander, California vole, chestnut-backed chickadee, coyote, ensatina, golden-crowned sparrow, deer mouse, gray fox, gopher snake, gray squirrel, house finch, meadowlark, mourning dove, northern flicker, oak-titmouse, orange-crowned warbler, raccoon, red fox, rock dove, ruby-crowned kinglets, southern alligator lizard, savannah sparrow, spotted towhee, Stellar’s jay, striped skunk, swallows (various species), Townsend’s warbler, warbling vireos, western fence lizard, western harvest mouse, western jay scrub, western rattlesnake, western toad, white-crowned sparrow, and yellow-rumped warbler. A variety of raptors and other predators will likely be attracted to the parcel due to the abundance of invertebrates and small reptiles, birds, and mammals. Plant species identified on site include California bays, coast live oaks, tanoaks, Douglas firs, bigleaf maples, madrone, California buckeyes, white alder, coyote brush, acacia, apple mint, barnyard barley, bedstraw, blood currant, bur chervil, California blackberry, California buttercup, California hazelnut, California man-root, California poppy, California rose, California wood fern, ceanothus, chamise, common snowberry, common sow thistle, common vetch, deer weed, elderberry, fiddleneck, geranium, hazelnut, honeysuckle, iris, lupine, manzanita, milk thistle, miniature lupine, miner’s lettuce, mugwort, ornate shrew, periwinkle, pineappleweed, poison oak, polypody, red-stemmed filaree, ripgut, rose clover,

¹ It should be noted that the scope of the project was reduced between 2011 and 2023, and the southern of the two lots is no longer proposed to have a single-family residence, but will have some grading work to help install the septic system for the northern parcel and then to restore that access to a pre-violation state.

sage, scarlet pimpernel, scrub oak, soft chess, toyon, western houndstongue, western white clematis, wild oats, and yerba santa.

The property is outside the coverage area for the Santa Clara Valley Habitat Plan (SCVHP).

DISCUSSION:

c & g) No Impact – The building site and area is not located in any state or federally protected wetlands and is not located within the Santa Clara Valley Habitat Plan area.

e) Less Than Significant Impact – While no detailed study of animal movements has been conducted for the study area, the biotic assessment prepared by Live Oak Associates concluded that knowledge of the site, its habitats, and the ecology of the species on site permits sufficient predictions about the types of movements occurring in the region and whether the proposed development would constitute a significant impact to animal movements. The assessment concluded that tributaries of the site, like most creek habitats, facilitate the movement of regional wildlife. However, construction work for the project along the northern tributary will have no impact on wildlife movement as those species that currently use these tributaries as movement corridors are likely to continue do so after construction, per the biotics reports (Source 32). Construction activities may result in a slight disruption of local wildlife during construction, but would not result in any permanent changes in use or movement patterns once construction is complete. Therefore, development is not expected to have a significant impact on corridor-type movements within the region.

a, b, d, & f) Less Than Significant with Mitigation Incorporated – According to the CNDDDB, there are no known sightings of special status or protected species on this property, but several such species have been recorded within a five-kilometer radius. As described in the Biotic Report prepared by Live Oak Associates (source 32), a field survey by a qualified biologist confirmed the presence of San Francisco dusky-footed woodrat and concluded that California red-legged frog and Western pond turtle are believed to be present. The Biotic Report also concluded that the project site provides suitable habitat for special status species California red-legged frog, foothill yellow-legged frog, western pond turtle, loggerhead shrike, California yellow warbler, black swift, Vaux's swift, Townsend's big-eared bat, California mastiff bat, pallid bat, ringtail, Santa Cruz black salamander, California giant salamander, American Badger, and San Francisco dusky-footed woodrat.

The applicant will be required to provide environmental training for the construction team prior to commencement of the project to ensure proper environmental procedures and protections would be followed before, during, and after the project construction (BIO-MIT 1).

The project is designed to avoid disturbing areas within 25 feet of the top of bank of the tributary along the northern property line, and no work is proposed to impact Sanborn Creek which passes through the access easement to the west of the property, the two areas most likely to see occurrences of the amphibian species. Additional mitigations to protect species found in or along the tributary are designed to ensure avoidance (BIO-MIT 2), minimization (BIO-MIT 3 and BIO-MIT 4), compensation (BIO-MIT 5), and maintaining the water quality (BIO-MIT 6).

The property has confirmed presence of the San Francisco dusky-footed woodrat, and the property provides suitable burrowing and foraging habitat for the American badger. Woodrats build nests in trees, on the ground, and on bluffs, preferring dense vegetation or rock cover. Badgers primarily occur in grassland, open scrub, and habitats with friable soils. Therefore, in order to avoid potential impacts

to these mammals during construction, precautionary mitigation measures shall be incorporated in the conditions of approval including a pre-construction survey conducted by a qualified biologist prior to the commencement of any construction activities (BIO-MIT 7 and BIO-MIT 9). Additional mitigations for the San Francisco dusky-footed woodrat include establishing a construction buffer if young are or are likely to be present, and deconstruction of nests once the young can move independently of their parents' care (BIO-MIT 8). Additional mitigations for the American badger include a potential buffer zone and notification to the California Department of Fish and Wildlife (CDFW) if an active badger den is found (BIO-MIT 10), and exclusion fence (BIO-MIT 11). Adherence to the mitigation measures would reduce any potentially significant impacts to the San Francisco dusky-footed woodrat and the American badger to a less than significant level. According to the Biotic Report, no mitigations are necessary for the ringtail.

Raptors and passerine birds are protected under the Migratory Bird Treaty Act. Therefore, in order to avoid potential impacts to nesting raptors and other nesting migratory birds, precautionary mitigation measures shall be incorporated in the conditions of approval including a pre-construction survey conducted by a qualified biologist prior to the commencement of any ground disturbance or vegetation removal during the bird breeding season (February 1 to August 31), and avoidance of any discovered nests until project completion or until a qualified biologist determines the young have fledged and are foraging independent of their parents (BIO-MIT 12). Bats often use trees or man-made structures such as the existing storage shed on site to roost during the day and forage for food in the surrounding fields at night. Therefore, to avoid impacts on bat species, precautionary mitigation measures shall be required to including a pre-construction survey conducted by a qualified biologist prior to the commencement of any ground disturbance or vegetation removal and appropriate avoidance or relocation measures taken (BIO-MIT 13). Adherence to the mitigation measures will reduce any potentially significant impacts to nesting raptors and other nesting migratory birds to a less than significant level.

Removal of oak trees are at the margin of the California bay woodlands, and do not constitute a significant impact to an oak woodland (defined by the County as removal of one half acre of canopy or more). Oak trees that are removed shall require replacement with the same species. All construction activities will be restricted to daylight hours to reduce impacts on special status species (BIO-MIT 15). All outdoor lighting shall be designed to minimize impacts on nocturnal species (BIO-MIT16). Any take of protected species will require permitting by the California Department of Fish and Wildlife and/or the U.S. Department of Fish and Wildlife.

MITIGATION:

- **BIO-MIT 1: Workers Environmental Training.** Prior to the start of the project, a worker's environmental training shall be performed with the entire construction team. The training shall address species identification, natural history, local occurrence, and the protection measures implemented during the project, including actions to take if a special status species is encountered. All workers who receive the training must sign a certification sheet. Each new crew member must receive the environmental training prior to starting work. Applicant shall provide a copy of the certification sheet to the County Planning Division to verify that the Worker Environmental Training was implemented prior to construction activities.
- **BIO-MIT 2: Avoidance of Impacts to Watercourses.** The project is designed to avoid disturbing areas within 25 feet of the top of bank of either Sanborn Creek or its unnamed tributary. Prior to any ground disturbance related to covered activities, a surveyor shall mark

off a distance 25 feet from the top of bank with orange construction fencing within which no work may occur without supervision of a qualified biologist (refer to BIO-MIT 3). In no instance shall construction activities occur within the bed of any watercourse.

- **BIO-MIT 3: Construction Monitoring.** Based on the avoidance, minimization, and monitoring plan developed, during construction, the non-disturbance buffer zones around the watercourses will be monitored by a qualified biologist consistent with the requirements described above to ensure that buffers are enforced, and special status species are not disturbed. The biological monitor will also conduct training of construction personnel on avoidance procedures, buffer zones, and protocols. They will report any observed impacts to sensitive habitats or special status species to the County Department of Planning and Development.
- **BIO-MIT 4: Pre-construction Surveys (Amphibian Species).** Ground disturbing activities shall be limited to the dry season (April to October), when amphibian species are unlikely to be moving through the site. The project proponent will hire a qualified biologist to conduct pre-construction surveys of the site 48 hours prior to any construction activities. If no sightings are made within the development area, the project should proceed immediately, within two days. If these surveys discover any special status amphibian species within the project area, no work will begin until the species (turtles, frogs, salamanders) are relocated by a qualified biologist. Written results of the preconstruction survey shall be submitted to the California Department of Fish and Wildlife (CDFW) within five days of survey completion. The applicant is required to provide a copy of the preconstruction survey results to the County Planning Division.
- **BIO-MIT 5: Compensation by Riparian Restoration.** Mitigation in the form of minimization and the use of best management practices is required for the impacts to the tributaries. While no trees within 25 feet of the top of bank are proposed for removal, should any such trees be damaged the applicant will mitigate for any impact to riparian vegetation by planting replacement trees and understory vegetation along the tributaries just prior to the winter rains. Replacement plantings will be required for any loss of riparian vegetation. Riparian trees with a DBH i) less than 12 inches will be replaced at a 1:1 ratio; ii) between 12 and 18 inches will be replaced at a 2:1 ratio; iii) between 19 and 24 inches will be replaced at a 3:1 ratio; and iv) 25 inches or greater will be replaced at a 4:1 ratio. Replacement plantings should be installed as close to the onsite tributaries as possible. Native species should be replaced with the same species as those removed and non-native species should be replaced with a native species suitable to the area. Trees must be obtained from a local native plant nursery or propagated from onsite acorn stock. Monitoring will be required following the planting of the replacement trees to ensure their success. A qualified biologist should develop a riparian restoration plan, and this plan at a minimum should identify the area(s) to accomplish this mitigation, a planting plan, and success criteria.
- **BIO-MIT 6: Protection of Water Quality.** The applicant must comply with the provisions of a County's grading permit, including standard erosion control measures that employ best management practices (BMPs). The applicant would also need to develop a SWPPP per State Water Quality Control Board Stormwater Permit. The applicant shall provide County inspectors with all relevant documentation that these measures have been properly implemented.
- **BIO-MIT 7: Pre-construction Survey (San Francisco dusky-footed woodrat).** No less than 14 days but no more than 30 days prior to the initial ground disturbance at the project site, a pre-construction survey for the San Francisco dusky-footed woodrat shall be conducted by a qualified biologist. The biologist shall search for nests of an appropriate size and shape, evidence of recent activity and other signs, such as tracks and scat. All nests shall be mapped and their status (whether the nests are active at the time of the survey) shall be determined. If

no potential nests are found on the property, the project should proceed immediately, within two weeks. Written results of the preconstruction survey shall be submitted to the California Department of Fish and Wildlife (CDFW) within five days of survey completion and prior to the start of ground disturbance and/or construction. The applicant is required to provide a copy of the preconstruction survey results to the County Planning Division to verify status of nests (if any) prior to the start of construction.

- **BIO-MIT 8: Consultation with CDFW for San Francisco dusky-footed woodrat.** If a potential nest is found, a qualified biologist shall determine if it is active using camera traps for three (3) consecutive nights. If a nest is determined to be active, CDFW shall be consulted regarding measures to avoid take. These may include establishing a temporary buffer zone around active dens during construction, and relocation through trapping, or other suitable methods which ensure the survivability of the rodents as determined by the qualified biologist. Destruction of dens shall not occur without prior consultation with and approval from CDFW and oversight of a qualified biologist. As this species usually breeds during the spring and summer months, and since young are altricial (dependent on parental care) during early development, the nests should be manually deconstructed when it is determined that the young can move effectively independent of their parents' care (generally from October through January) and reconstructed by the qualified biologist outside of the development area. If young are present, a suitable construction buffer should be established around the active nest until such time when the young can move on their own.
- **BIO-MIT 9: Pre-construction Survey (American badger).** No less than 14 days but no more than 30 days prior to the initial ground disturbance at the project site, a pre-construction survey for the American badger shall be conducted by a qualified biologist. The biologist shall search for burrows of an appropriate size and shape, evidence of recent activity and other signs, such as tracks and scat. All dens shall be mapped and their status (whether the dens are active at the time of the survey) shall be determined. If no potential burrows are found on the property, the project should proceed immediately, within two weeks. Written results of the preconstruction survey shall be submitted to CDFW within five days of survey completion and prior to the start of ground disturbance and/or construction. The applicant is required to provide a copy of the preconstruction survey results to the County Planning Division to verify status of burrows (if any) prior to the start of construction.
- **BIO-MIT 10: Potential Buffer Zone and Relocation of American badger.** If a potential den is found, the qualified biologist shall determine if it is active using camera traps for three (3) consecutive nights. If a den is determined to be active, CDFW shall be consulted regarding measures to avoid take. These may include establishing a temporary buffer zone around active dens during construction, and relocation through trapping or passively. Destruction of dens shall not occur without prior consultation with and approval from CDFW. If a badger den is found, the Planning Division shall be notified immediately, and any approval provided by the CDFW shall be forward to the Planning Division for record keeping purposes.
- **BIO-MIT 11: Installation of Construction Envelope Perimeter.** Regardless of whether potential dens are identified, an exclusion fence shall be installed around the perimeter of the construction envelope to exclude possible badger occurrence onto the project site during construction activities. At a minimum, the exclusion fence shall be constructed from Department of Transportation (DOT) grade silt fence. The fence shall be buried one (1) foot below grade and encircle the project site and incorporate a gate that would allow construction vehicle access and serve as a barrier to wildlife trespass. A qualified biologist shall monitor the installation of the fence. The applicant is required to provide evidence of fence installation around perimeter of the construction envelope prior to start of construction.

- **BIO-MIT 12: Avoidance of Nesting Raptors and Other Nesting Migratory Birds.** To the extent possible, any project-related ground disturbance, vegetation removal, or structural demolition activities should occur outside of the bird breeding season, i.e., during the period from September 1st through January 31st. Project-related activities that occur during the bird breeding season, i.e., during the period from February 1st through August 31st, could be constrained in the vicinity of any active nests. If tree removal, ground disturbance, or structural demolition activities are scheduled to commence during the breeding season, a qualified ornithologist will conduct pre-construction nesting bird surveys to identify possible nesting activity within 15 days prior to such activities. A construction-free buffer of suitable dimensions as determined by a qualified ornithologist must be established around any active raptor or migratory bird nest for the duration of the project, or until it has been determined that the young have fledged and are foraging independently from their parents.
- **BIO-MIT 13: Avoidance of Roosting Bats.** To the extent possible, any project-related ground disturbance, vegetation removal, or structural demolition activities should occur outside of the bat maternity roosting season, from approximately April 15 through August 15, and the bat winter torpor season, approximately October 15 to March 1. Project-related activities that occur during this time must be constrained in the vicinity of any active roosts. If tree removal, ground disturbance, or structural demolition activities are scheduled to commence during this time, a qualified biologist who is experienced with bat surveying techniques (including auditory sampling methods), behavior, roosting habitat, and identification of local bat species will be consulted prior to tree removal or building demolition activities to conduct a pre-construction habitat assessment to characterize potential bat habitat and identify potentially active roost sites. No further action is required should the pre-construction habitat assessment not identify potential bat roosting habitat or signs of potentially active bat roosts within the Project area (e.g., guano, urine staining, dead bats, etc.).
The following measures will be implemented should potential bat roosting habitat or potentially active bat roosts be identified during the habitat assessment in buildings to be demolished:
 - a) In areas identified as potential roosting habitat during the habitat assessment, initial building demolition will occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15, to the extent feasible. These periods avoid the bat maternity roosting season and period of winter torpor (a state of decreased physiological activity with reduced body temperature and metabolic rate).
 - b) The existing building (80 square foot shed) could be a potential bat roosting habitat or active (outside of maternity and winter torpor seasons) roosts will be disturbed only under clear weather conditions when precipitation is not forecast for three days and when daytime temperatures are at least 50 degrees Fahrenheit.
 - c) The demolition or relocation of buildings containing or suspected of containing potential bat roosting habitat or active bat roosts will be done under the supervision of a qualified biologist. When appropriate, buildings will be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost, likely in the evening and after bats have emerged from the roost to forage. Under no circumstances will active maternity roosts be disturbed until the roost disbands at the completion of the maternity roosting season or otherwise becomes inactive, as determined by the qualified biologist.
 - d) If avoidance of the bat maternity roosting season and period of winter torpor, defined under a), above, is infeasible, the qualified biologist will conduct pre-construction surveys of potential bat roost sites identified during the initial habitat assessment no more than 14 days prior to building demolition.

- e) If active bat roosts or evidence of roosting is identified during pre-construction surveys for building demolition, the qualified biologist will determine, if possible, the type of roost and species. A no-disturbance buffer will be established around roost sites until the start of the seasonal windows identified above, or until the qualified biologist determines roost sites are no longer active. The size of the no-disturbance buffer would be determined by the qualified biologist and would depend on the species present, roost type, existing screening around the roost site (such as dense vegetation or a building), as well as the type of construction activity that would occur around the roost site.
- **BIO-MIT 14: Oak Tree Replacement.** Plans call for the removal of 16 coast live oak trees. Thirty-nine (39) 24-inch box coast live oaks shall be planted as replacement trees on site and inspected by County staff prior to final inspection for the project. Landscape plans submitted within the contracting and grading plans for the project are to be approved by Planning prior to final grading permit issuance shall show the required coast live oak tree replacements (Thirty-nine (39) 24-inch box trees, exceeding the 32 trees required by the County's tree protection guidelines). Any additional trees damaged or removed require approval from the County's Department of Planning and Development for replacement in line with the County's tree replacement guidelines, or as described in BIO-MIT 5 if in the riparian area. All replacement trees must be planted prior to the issuance of the certificate of occupancy, and confirmed in place via a site inspection conducted by the County Planning Division. A minimum 80% survival rate is required upon completion of 3-year required irrigation program. If the survival rate requirements are not met, replacement of the dead or dying trees and follow up monitoring is required by a qualified biologist for an additional 2 years. A qualified biologist shall conduct and/or supervise monitoring, replacement planting, additional watering, weeding, invasive exotic eradication, and any other practice to achieve the required survival requirements.
- **BIO-MIT 15: Daytime Restriction.** All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, and at any time on Sundays for the duration of construction. Additionally, all construction shall be restricted to daylight times and shall not extend after sunset.
- **BIO-MIT 16: Lighting.** A lighting plan shall be submitted for approval prior to building permit issuance. Any new outdoor lighting shall not adversely impact nocturnal species such as the San Francisco dusky-footed woodrat or roosting bats. Lighting shall be of full cut off design to ensure that no direct offsite spill of light or glare will occur.

E. CULTURAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Division C17 of County Ordinance Code) – including relocation, alterations or demolition of historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 16, 19, 41, 42
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 19, 41, 42
c) Disturb any human remains including, those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 19, 41, 42

SETTING:

This property is located within the ethnohistoric **Partacsi** and **Somontac** Ohlone Tribal territory, based on a review of reports by Anthropological demographer and ethnohistorian Randall Milliken, who reconstructed the general location of aboriginal Costanoan/Ohlone-speaking tribes within the greater San Francisco Monterey Bay regions. For the area within the vicinity of Castle Rock State Park and the subject property, Milliken suggests that one of the villages of the tribe that held this region was identified as **Partacsi** in the Mission Santa Cruz records, and another tribe is the **Somontac** who occupied the greater Los Gatos region.

This property was covered by an archaeological study (#2785) conducted by Archaeological Resource Management in 2003 that covered approximately 100% of the site. The study identified no evidence of cultural resources, and the California Historical Resources Information System, Northwest Information Center located at Sonoma State University has determined that the project has a low possibility of containing unrecorded archaeological sites, and that no further study of archaeological resources is recommended. The County also received correspondence from the Muwekma Ohlone Indian Tribe of the San Francisco Bay Region on June 22, 2023. The Tribe did not have any specific evidence of cultural resources on this specific site, but noted that there have been tribal human remains discovered within a 3.3-mile radius, and that while records of their ancestors’ settlements and trade routes are incomplete, they suspect that their ancestors utilized places in proximity to freshwater drainage. They have requested notification and participation in any mitigation or recovery program on site should any evidence of their ancestral heritage cemetery or village sites be impacted by this project.

DISCUSSION:

a-c) **Less Than Significant with Mitigation Incorporated.** – A review of available materials provided no evidence of historic or archaeologic resources on site. Given the results of the archaeological report, the project site is not likely to contain any archaeological resources, nor will the proposed project have any impact upon the known archaeological resources of the area. As such, further archaeological investigation is not warranted. However, County standard conditions of approval offer additional protections in the event a concentration of artifacts or human remains are unexpectedly encountered during earth disturbing activities. However, due to the specific context of the project site and extent of the earthmoving activities necessitated by the proposed project, as a precautionary measure, there are mitigations implemented related to tribal resources in that section of this document.

MITIGATION: Refer to TCR-MIT1.

F. ENERGY					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5

SETTING:

The proposed project includes construction of a new single-family residence with a leach field and septic tank, well, and four water tanks for domestic fire sprinklers and wharf hydrant. The County has adopted an ordinance (known as a “reach code”) requiring all new construction in unincorporated County areas to use electricity for domestic uses. The County’s local building code does not permit new homes to utilize natural gas and requires them to be designed to easily install solar energy conversion systems as well as residential electric car charging stations.

DISCUSSION:

a-b) **No Impact** – The new single-family residence is a relatively low-impact development that is not expected to utilize energy resources, such as gas, electricity and water, in an inefficient manner during construction or during its use as a residence. Additionally, the proposed residence and its associated energy resources will be required to comply with County energy reach codes and therefore does not conflict with local or state plans for energy efficiency. As such, the proposed project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation and will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

MITIGATION: None required.

G. GEOLOGY AND SOILS					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Directly or indirectly cause 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? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17c, 42, 43, 44
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6, 17c, 42, 43
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17c, 17n, 42, 43
iv) Landslides	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6, 17j, 42, 43
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6, 10, 23, 24, 42
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2, 3, 17c, 42, 43
d) Be located on expansive soil, as defined in the report, <i>Soils of Santa Clara County</i> , creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14, 23, 24, 42, 43
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 6, 23, 24, 42, 43
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4, 6, 40, 41

SETTING:

The property is located in the Santa Cruz Mountains near the Sanborn County Park and lies within the boundaries of a Santa Clara County Landslide Hazard Zone and State Seismic Hazard Zone for Earthquake-Induced Landslides, on the northeast side of the San Andreas Fault Zone (approximately one kilometer away from the fault), west of the Monte Vista-Shannon Fault (approximately two kilometers away), and on the northeastern boundary of the Alquist-Priolo Earthquake Fault Zone for the San Andreas Fault. No faults are known to pass through the site. This area is underlain by rocks of the late Jurassic Franciscan Complex that have been pervasively sheared by the regional faulting activity. The rock units consist of greywacke sandstone, shale, sheared zones (mélange), and medium grained diabase-gabbro. Shallow landslides involving the surficial soil have occurred on the slopes.

The site soils and earth material at the site have been derived from the diabase and the Franciscan complex. Those materials derived from the diabase form a sandy gravelly soil material with the gravel consisting of angular diabase fragments of up to 2 to 3 inches in diameter. At depth, the diabase is very competent with observed fracturing. The Franciscan complex at the site is comprised of greywacke sandstone with some shale interbeds. It is generally weathered and sheared, but found to be intact and competent at relatively shallow depths. The overall slope steepness of the project has resulted in a very shallow soil cover at the site.

The development site contains areas of differing topography, including relatively steep, westerly facing slopes and exposed rock outcrops. A geotechnical and geological investigation report for the proposed development was prepared by E₂C, Inc. dated February 11, 2005. A supplemental letter report was prepared by Friar Associates, Inc. dated September 15, 2022, assessing the design of slopes for the proposed roadway alignment.

DISCUSSION:

a (i, iii), d, e, & f) **No Impact.** – Based on the review of the County Geologist, and the E₂C report, risk of the project rupturing of the earth's surface along an active fault at the subject site is low, since no active faults are known to pass through the property. The potential for seismically-induced landslides to occur is low. The native surface soil at the project site does not have an adverse expansion potential when subjected to fluctuation in moisture. An area suitable for an onsite wastewater treatment system (OWTS) has been designated on the parcel; the largest concern in this regard are the 40% or more slopes on much of the property as the steep slope limits alternatives for the OWTS. There are no identified unique paleontological resources or geologic resources on this site.

a (ii, iv), b, c) **Less Than Significant with Mitigation Incorporated** – Based on the review of the County Geologist, and the E₂C report, the subject site may experience seismic shaking during the economic lifetime of the residential development, especially if the nearby San Andreas Fault produces a large magnitude earthquake. The presence of bedrock materials would likely reduce the effects of ground shaking compared to alluvial deposits found in the Santa Clara Valley, but still require mitigation. The site is located in County and State seismic hazard zones for earthquake-induced landslides, but the potential is considered to be low. Shallow landslides can be mitigated by removal and replacement with engineered fill. A pier and grade beam type of foundation system is the most suitable design based on the existing terrain and geological conditions. The project seeks to incorporate both retaining walls and engineered slopes, and the engineered slopes are susceptible to erosion or loss of topsoil. The amount of cut and/or fill that can be safely done on this project will be determined by qualified geotechnical engineers. As with all hillside development, slope stability should be of major concern. The project will be sited on the closest portion of the property to the road within the normal setbacks to reduce grading as much as possible and keep the project from the steepest areas. Slope instability is the result of movement within colluvial soils, creep and shallow landsliding within the surficial soils over bedrock. The other cause of slope instability is the uncontrolled flow of surface water (sheet flow) on the surface of the slope and subsurface water (seepage) within the slope. Therefore, the risk of future slope instability can be reduced by controlling both surface and subsurface water during and after construction by providing well designed and properly constructed surface and subsurface drainage systems together with good grading practices during excavations and earthwork construction. The lack of adequate drainage to collect both surface and subsurface water to suitable collection and discharge facilities can adversely affect slope stability in general.

MITIGATION:

- **GEO-MIT 1: Construction Monitoring**. All earthwork, grading, and foundation construction shall be observed and inspected by a representative of a qualified geotechnical firm. The structural engineer responsible for foundation design shall determine final design of foundation and reinforcing requirements. The County Building Department shall approve all foundation plans prior to permit issuance, and all field changes prior to the County's foundation inspection. A representative of a geotechnical firm shall be present during the foundation

excavation or drilling of piers. The soil engineer shall inspect any foundation excavation and all foundation piers at the time they are drilled. Modifications to pier depths may be made at that time as deemed necessary by field conditions. The geotechnical engineer shall prepare a final report upon completion of the grading operations and foundation construction. The geotechnical engineer shall submit a construction observation letter stating that the approved geotechnical recommendations for the grading and building construction were implemented.

- **GEO-MIT 2: Seismic Building Design.** The design of the structures and foundations shall meet local building code requirements for seismic effects. The residence shall use a pier and grade beam type of foundation. Special consideration will have to be given to the design of moisture cut-off provisions around the perimeters of the foundations. Concrete floor slabs-on-grade may be used for uninhabited structures, such as garages. End bearing piers and grade beams shall have a minimum diameter of 12-inches and penetrate a minimum of 12 feet into component bedrock materials. This depth of penetration shall not include any engineered fill or residual soil. These piers can be designed with an allowable end bearing capacity of 3,000 pounds per square foot (psf). This value is for dead plus live loads and may be increased by one third for short-term wind and seismic effects. The top three feet of the embedment shall not be included in the calculations. All piers should be reinforced with at least four #4 bars, which shall run the entire length of the piers, with these reinforcing members piers tied at least 12 inches into the grade beam's upper reinforcement bar. The grade beams should be founded a minimum depth of 6-inches below the adjacent pad grades and should be reinforced with a minimum of two #4 bars, one near the top and one near the bottom. Grade beams should be kept to a minimum width in order to minimize any effect of uplift pressures. Should concrete floor slabs-on-grade be used in the garage, they shall be underlain by at least four inches of Class II baserock and shall be poured structurally independent of the foundations or any fixed members when possible. The baserock should be compacted to not less than 95% relative maximum compaction according to ASTM D1557-91 test procedure. A vapor barrier (i.e. Visqueen, min. of 6mil thickness) shall be placed on top of the sand section of the concrete slab construction. This will minimize moisture intrusion through the slab. Prior to pouring the foundations or placing the vapor membrane in living areas or concrete slabs in garage areas, the foundation trenches and subgrade soils shall be pre-soaked with water. This pre-soaking operation shall be performed at least 12 hours in advance of concrete placement. The geotechnical engineer shall be contacted for specific recommendations. The structural engineer responsible for foundation design shall determine final design of foundation and reinforcing requirements. The soil engineer shall inspect all foundation excavations and piers.
- **GEO-MIT 3: Grading Operations.** No excavations shall be done during a period of sustained precipitation. The placement of fill and control of any grading operations at the site shall be performed in accordance with approved geotechnical recommendations. All existing utility lines and subsurface structures, if any, must be removed prior to any grading at the site. The depressions left by the removal of any subsurface structures shall be cleaned of all debris, backfilled, and compacted with clean, native soil. All new utilities shall be undergrounded. All backfill must be clean, native soil that is engineered and conducted under the supervision of the geotechnical engineer. All organic surface materials and debris, including grass, shall be stripped prior to any other grading operations, and transported away from areas that are to receive structures or structural fills. These organically contaminated soils may be stockpiled for later use in the landscaping area only. After removing and stripping, the building pad shall be scarified by a machine to the depth of six inches and thoroughly cleaned of vegetation and other deleterious matter. After scarifying and cleaning, the native soil shall be re-compacted over the entire building pad and five feet beyond the perimeter of the building pad. All engineered fill or imported soil shall be placed in uniform horizontal lifts of not more than six

to eight inches in uncompacted thickness, and compacted. When fill material includes rocks, nesting of rocks will not be allowed, and all voids must be properly filled by compaction. Rocks larger than four inches in diameter shall not be used for the final two feet of the building pad. All imported soil must be approved by the geotechnical engineer prior to being brought to the site and shall have a plasticity index no greater than 12 and an R-Value greater than 25. All soil compaction shall be to not less than 90% relative compaction using the ASTM D1557-91 test procedure. Before compaction of fill begins, the fill shall be brought to a water content that will permit proper compaction be either: 1) aerating the material if it is too wet, or 2) spraying the material with water if it is too dry. Each lift shall be thoroughly mixed before compaction to assure uniform distribution of the water content. Any vertical cuts deeper than 5 feet must be properly shored, unless in an unengineered "fill" area where shoring will be required from the ground surface. The minimum cut slope for excavation to the desired elevation is one horizontal to one vertical. The cut slope should be increased to 2:1 if excavating is performed during the rainy season, or when soil is highly saturated with water.

- **GEO-MIT 4: Minimization of Grading.** The applicant shall submit to the County Planning and Development Department all grading and drainage permit applications, including plans and geotechnical reports, to ensure that the adequate keying, benching, and subdrains are implemented. Large fills must be avoided and retaining walls constructed, as necessary. Cut slopes must be kept to a minimum and no steeper than 2:1 with a vertical height not exceeding 8 feet. If steeper slopes are required, then retaining walls will be required.
- **GEO-MIT 5: Cut and Fill Slopes.** Where any fill is to be placed on the natural slopes, a keyway with a minimum width of eight feet shall be excavated at the toe of the fill slope, and the bottom of the key shall slope a minimum of 2% into the hill. The key shall be excavated a minimum of 4 feet into the natural ground. The basekey shall be covered with a geotextile material on which a 6-inch thick layer of drain rock shall be placed at the heel of the key. A 4-inch diameter perforated drain pipe shall be placed on this rock (i.e. perforations down). Two feet of drain rock shall be placed on top of the pipe. This pipe and drain rock shall then be wrapped with the geotextile fabric to protect the rock from being in contact with the native soil. The subdrain shall discharge onto an area that is protected from erosion. All subsequent fill shall then be placed in 8 inch lifts and properly compacted as indicated in the previous section above. As fill is placed, consecutive benches shall be cut into competent natural ground to allow for the fill to be placed and compacted on relatively horizontal surfaces. Our office shall inspect all excavations prior to the placement of fill. A pre-construction field meeting must be held with the contractor to review the field grading protocol. Cut and fill slopes should be limited to a ratio of two horizontal to one vertical (i.e., 2:1). The maximum vertical section shall not exceed eight feet. Surface water control measures shall be constructed at the top of slopes to prevent uncontrolled runoff. Overflow of water from the developed areas must be re-directed away from the proposed improvements via drainage pipes, catch basins and other engineered systems. All storm water runoff shall be directed to appropriate out-fall points west (i.e. down slope) of the residence. Appropriate measures shall be implemented to minimize surface soil erosion. The surface of the slopes shall be compacted to provide a surface free of loose material. It is suggested that vegetation be planted on the graded surfaces after completion of the grading operation. However, in areas where rock outcrop is exposed or the depth to bedrock is shallow, cut slopes may be constructed between 1.75horizontal:1vertical (1.75h:1v) and 1.5horizontal:1vertical (1.5h:1v), depending on the soundness of the rock exposed. Where the existing gradients are steeper than 1.5h:1v and the slopes are stable, cut slopes may be constructed to match the existing slopes. To minimize the potential for erosion, slope surfaces shall be covered with erosion resistant plants. The plants shall be maintained until the roots have become firm.

- **GEO-MIT 6: Retaining Walls.** Any facilities that will retain a soil mass, such as retaining walls, shall be designed for a lateral earth pressure (active) equivalent to 75 pounds equivalent fluid pressure for horizontal backfill. If the retaining walls are restrained from free movement at both ends, they shall be designed for the earth pressure resulting for 85 pounds equivalent fluid pressure, to which shall be added surcharge loads. The structural engineer shall discuss the surcharge loads with the geotechnical engineer prior to designing the retaining walls. In designing for allowable resistive lateral earth pressure (passive) of 400 pounds, equivalent fluid pressure may be used with the resultant acting at the third point. The top foot of native soil shall be neglected for computation of passive resistance. A friction coefficient of 0.3 shall be used for retaining wall design. This value may be increased by one third for short-term seismic loads. The above values assume a drained condition and moisture content compatible with those encountered during our investigation. To promote proper drainage, a layer of at least 12-inches of gravel or drain rock shall be placed between the retaining wall and the retained material. Perforated pipes (perforations down) shall be included in the design to conduct excess water from behind the retaining structure. Suitable outfall locations for drainage shall be chosen to minimize future erosion. The County shall review and approve all retaining wall designs to evaluate the suitability of the drainage system. If retaining walls are proposed as part of an exterior wall of the structure, adequate water-proofing materials and sheeting shall be applied to the walls so that the interior of the walls remain free of moisture.
- **GEO-MIT 7: Drainage.** Proper and adequate drainage (surface and subsurface) systems must be incorporated into the planned development. Runoff collected from roof drains and area drains as well as discharge from subdrains (when needed) must be released to appropriate locations away from the proposed building site and to appropriate drainage facilities located at the property. The final exterior grade adjacent to the proposed building should be such that the surface drainage will flow away from the structures. A 2% final soil grade slope must be incorporated into the site grading. The slope must be sufficient to remove all storm water from the foundations. Rainwater discharge at downspouts must be directed onto pavement sections, splash blocks, or other acceptable facilities which will prevent water from collecting in the soil adjacent to the foundations. Utility lines that cross under or through perimeter footings must be completely sealed to prevent moisture intrusion into the areas under the slab and/or footings. The utility trench backfill must be of impervious material and this material should be placed at least 4 feet on either side of the exterior footings. All drainage systems shall comply with the requirements of the San Francisco Bay Regional Water Quality Control Board.

H. GREENHOUSE GAS EMISSIONS					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 29, 30
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 29, 30

SETTING:

The proposed project includes the construction and use of a single-family residence. The primary GHG emissions associated with development of a single-family home is carbon dioxide, which is directly generated by fuel combustion (primarily vehicle trips) and indirectly generated by use of electricity.

VMT

Senate Bill 743 (SB 743), which became effective September 2013, initiated reforms to the CEQA Guidelines to establish new criteria for determining the significance of transportation impacts that “*promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses.*” Specifically, SB 743 directed the Governor’s Office of Planning and Research to update the CEQA Guidelines to replace automobile delay—as described solely by LOS or similar measures of vehicular capacity or traffic congestion—with VMT as the recommended metric for determining the significance of transportation impacts. The Office of Planning and Research has updated the CEQA Guidelines for this purpose by adding a new section 15064.3 to the Guidelines, which became effective statewide July 1, 2020. CEQA Guidelines section 15064.3, subdivision (b), establishes criteria for evaluating a project’s transportation impacts under CEQA. The lead agency has discretion to choose the most appropriate methodology to evaluate VMT.

DISCUSSION:

a & b) **No Impact.** – Due to the relatively small scale of the project (a single-family residence and related improvements) and compliance with existing County and State requirements listed below that will minimize greenhouse gas emissions, it is anticipated that the proposed project will not impact GHG emissions or emissions reduction plans.

The single-family residence will have minimal greenhouse gas emission impacts and would involve GHG emissions through the operation of construction equipment and from worker/builder supply vehicles, which typically use fossil-based fuels to operate. Project excavation, grading, and construction would be temporary, occurring only over the construction period, and would not result in a permanent increase in operational GHG emissions. The single-family residence would consume electricity; however, the amount would be minimal, and therefore would not make a cumulatively considerable contribution to the effect of GHG emissions on the environment. The project is required to comply with the Cal Green, which applies mandatory green building requirements to the construction of new single-family dwellings. These measures include higher energy efficiency

standards and requirements to minimize water usage and the use of natural resources. Implementation of these measures will act to reduce potential greenhouse gas emissions from the proposed project.

The Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA² recommends a method for screening out small projects that would be presumed to have less-than-significant VMT impacts. The method uses a daily trip rate as a screening level threshold based on the Class 1 and 3 Categorical Exemptions (Sections 15301 and 15303 of the CEQA Guidelines). For rural areas, this daily trip rate screening level would be 24.³ The projected vehicle trips for the proposed single-family residence is approximately 20 daily vehicle trips for single family residence, according to the Institute of Traffic Engineers Trip Generation Manual, 10th edition data (20 trips/day) for a single-family residential use.⁴ This would be below the screening level of 24. Similarly, emissions generated from construction and operation of the proposed single-family residence would be well below the BAAQMD's screening size level of 56 dwelling units for operational and construction related GHG emissions as this project consists of one single-family residence. Therefore, the proposed project would not conflict with CEQA Guidelines Section 15064.3, subdivision (b).

As such, the project would have no impact on greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, and would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

MITIGATION: None required.

²Office of Planning and Research. December 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA.

³According to OPR's analysis, typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110-124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact. However, the 10,000 square-foot limit examples in the Class 1 and 3 applies to urban areas. Outside of urban areas, the example limit is 2,500 square feet, which would yield a trip rate of 24, which is the rate that would be considered not to lead to a significant VMT impact.

⁴ITE Trip Generation, 10th Edition, 2018.

I. HAZARDS & HAZARDOUS MATERIALS					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	47
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	48
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard, or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 22a
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 49
g) Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4, 17g

SETTING:

The proposed project is not located at or adjacent to any hazardous sites. The project site is not listed on the County of Santa Clara Hazardous Waste and Substance Sites List, and it is not located in the County Airport Land Use plan area. The project site is located in the Wildland Urban Interface Fire Area (WUI), State Responsibility Area (SRA), and the High Fire Hazard Severity Zone (HFSZ); however, the new maps generated by the Fire and Resource Assessment Program (FRAP) of the California Department of Forestry and Fire Protection (Cal Fire) show the property to be in the Very High Fire Hazard Severity Zone (VHFHSZ). These latest maps were published on September 29, 2023 and are not yet adopted.

DISCUSSION:

a, b, c, d, e, & f) **No Impact** – The proposed project is residential and would not involve the use or transportation of any hazardous materials, and it is not located on a site designated as hazardous under Section 65962.5, as verified on EnviroStor, accessed on October 30, 2023.

The project is located within a forested area and would not change the local roadway circulation pattern, access, or otherwise physically interfere with local emergency response plans. The access to the project site is from an existing public road and through a shared driveway. The development plans have been reviewed and conditionally approved by the County Fire Marshal’s Office.

As the property is not within a ¼ mile of a school, its location outside of the County Airport Land Use plan area, and because it is not listed on the Hazardous Waste and Substance Sites List, the proposed project does not have an impact on emitting hazardous substances within a ¼ mile of a school, creating a significant hazard to the public or the environment due to its listing as a hazardous materials site, or create a safety hazard, or excessive noise for people residing or working in the project area due to its proximity to an airport.

g) Less Than Significant with Mitigation Incorporated – The project is located within the WUI area and within a fire hazard severity zone (HFHSZ in current maps, VHFHSZ in the latest map). The proposed development has been reviewed and conditioned by the Santa Clara County Fire Marshal's Office and Cal Fire. The project has access to Congress Springs Road (SR 9), which meets all the requirements of the State Minimum Fire Safe Regulations, via Sanborn Road. Sanborn Road is a County-maintained Road which does not meet all of the requirements of the State Minimum Fire Safe Regulations, but is largely compliant. The new residence is also required to meet all onsite requirements of the State Minimum Fire Safe Regulations, all WUI requirements within the California Building Code Chapter 7A, and create and maintain defensible space as outlined in the California Public Resources Code section 4291. Still, as discussed in Section T below, the location of the project in relation to wildfire hazard zones requires mitigations to reduce exposure of people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires to a less than significant level.

MITIGATION: Refer to **WF-MIT1 through WF-MIT6.**

J. HYDROLOGY AND WATER QUALITY					
Would the project:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	34, 35, 36, 37, 38, 39
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 4
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 17n
i) Result in substantial erosion or siltation on- or off-site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 17p
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 36, 21a
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 17p, 18b, 18d
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 18b, 18d
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 4, 17p

SETTING:

The proposed development is not located within a FEMA Flood Zone. The proposed development consists of new impervious surface of over 16,500 square feet as shown on the Preliminary Grading Plans prepared by Ackland International submitted on September 6, 2023, primarily due to the footprint of the proposed residence, driveway improvements, and pad for the water tanks. The property is accessed via a bridge over Sanborn Creek and contains an unnamed tributary of that Creek, both of which are tributaries of Saratoga Creek. The project will sit uphill of both of these creeks, as well as two neighboring properties which the common driveway passes through. The subject property is within the San Francisco Bay Watershed, which is regulated by the San Francisco Bay Regional Water Quality Control Board.

The domestic and emergency water for fire suppression will be provided by a new onsite well located west of the development area and four (4) new 5,000-gallon water tanks that are proposed as part of the project.

DISCUSSION:

c (iv), d & e) **No Impact** – The proposed project is not in a flood zone and does not include the use of pollutants or hazardous materials. Therefore, it is unlikely that pollutants from construction would be released due to flooding. The project will not have any impact to hazardous materials or conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

The project is subject to the flood control mitigations which are incorporated and designed in conformance with the County of Santa Clara Stormwater Management Guidance Manual and the Santa Clara Valley Urban Runoff Pollution Prevention Program, as well as standards set by the San Francisco Regional Water Quality Control Board.

b) **Less Than Significant Impact** – The project does require an on-site wastewater treatment system (OWTS) which consists of a leach field and a septic tank. The OWTS and associated improvements have been reviewed and approved by the Department of Environmental Health ensuring that the proposed OWTS is designed and sized to meet all applicable water quality standards, soil requirements, and groundwater standards based on the County of Santa Clara On-Site Systems Manual.

a, c (i-iii)) **Less Than Significant with Mitigation Incorporated** – The project will be required to avoid direct impacts to watercourses (refer to BIO-MIT 1). The applicant will be required to submit grading plans with their permit applications which include an erosion and sediment control plan which will protect surface and ground water quality and mitigate any impacts from water runoff created by the project (HWC-MIT 1).

MITIGATION:

- **HWC-MIT 1: Drainage.** The applicant will be required to submit grading plans with their permit applications which include an erosion and sediment control plan that outlines seasonally appropriate erosion and sediment controls during the construction period. These plans must include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2, a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage must be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. One of the following site design measures must be utilized in the project design: (a) direct hardscape and/or roof runoff onto vegetated areas, (b) collect roof runoff in cisterns or rain barrels for reuse, or (c) construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces. Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design. Additionally, the project will be conditioned to require drainage improvements to ensure that the storm drainage flowing down the inboard side of the shared access road is conveyed across, and not down, the Lands of Tengan driveway (APN: 517-37-002).
- **HWC-MIT 2: Creek Protection.** To avoid potential erosion material from impacting the creek downslope from the building sites and driveways, construction is prohibited during the wet season. Ground disturbing activities shall be limited to the dry season (April to October).

K. LAND USE					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 4
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8a, 9, 18a

SETTING:

The subject property is 4 acres in size and is characterized as an irregular-shaped lot east of Sanborn Road between Congress Springs Road (California Highway 9) and Ambrose Road (a mostly unimproved road through Sanborn County Park). Immediately adjacent to the parcel are steep and forested lands, some of which contain single-family residences and others which are designated for recreational uses. The subject property is located in an area with a General Plan designation of Hillside which is in this instance are designated as forest land. The County’s General Plan for Hillside is to preserve mountainous lands and foothills unsuitable and/or unplanned for urban development in a largely natural state for natural resources or open space uses in order to support and enhance rural character, protect and promote wise management of natural resources, avoid risks associated with natural hazards, and protect the quality of reservoir watersheds critical to the region’s water supply. Allowable uses include agriculture and grazing, mineral extraction, parks and low-density recreational uses and facilities, land in its natural state, wildlife refuges, very low-density residential development, and commercial, industrial, or institutional uses which require remote, rural settings and support the study or appreciation of the natural environment.

DISCUSSION:

a & b) **No Impact** – The proposed development is approximately 160 feet from the nearest residence and the majority of the area is steeply forested land with low-density residential development or recreational uses. While there are residential communities along Sanborn Road and nearby Bohlman Road, this project due to its scale and location at the end of Sanborn Road will not physically divide an established community. Allowable uses for this General Plan designation include “very low density residential development.” While the standard within the General Plan is one dwelling unit per 160 acres, that is applicable to new parcel creation. This four-acre parcel was created prior to the 1995 (current) General Plan adoption.

The proposed project will not disrupt any existing resource conservation or recreational uses or operations. The project proposes very low density residential development, an allowed use under the General Plan in this area; reduces the amount of grading by siting the project as close to the public road as possible while avoiding the creeks and steepest portions of the lot; and complies with the County Zoning Ordinance except regarding setbacks, for which the applicants have requested a Variance which will allow for the minimization of grading and environmental impacts. As such, the project will not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

MITIGATION: None required.

L. MINERAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 6, 8a, 44, 45
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 6, 8a

SETTING:

The project consists of a single-family residence and does not include utilizing the subject property for mining. No known valuable mineral resources are located on the subject property, which are delineated on a local general plan, specific plan, or other land use plan.

DISCUSSION:

a & b) **No Impact** – Due to the project’s use of the property as a single-family residence, and the lack of known valuable mineral resources within the proposed development, the project will not 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, or 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.

MITIGATION: None required.

M. NOISE					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8a, 13, 22a, 49
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13, 49
c) For a project located within the vicinity of a private airstrip or an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport, public use airport, or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 5, 22a

SETTING:

Local ambient noise comes from the nearby residences, recreational activities, and traffic noise from Sanborn Road. The project is not located in an airport land use plan referral area. The County General Plan Noise Element measures noise levels in Day-Night Average Sound Level (DNL), a 24-hour time weighted average, as recommended by the Environmental Protection Agency (EPA) for community noise planning. Noise Compatibility Standards for exterior noise specify three (3) classifications of compatibility between ambient noise levels at the site and various land uses: satisfactory, cautionary, and critical. According to the Noise Element Noise Compatibility Standards for Land Use in Santa Clara County, the satisfactory exterior noise compatibility standard for residential land uses is 55 dB (Ldn value in dBs).

County Noise Ordinance restricts exterior noise limits, for a cumulative period not to exceed more than 30 minutes in any hour, for one- and two- family residential land uses at 45 dBA between 10:00 p.m. to 7:00 a.m., and 55 dBA between 7:00 a.m. to 10:00 p.m. In addition, specifically prohibited acts include amplified sound, such as musical instruments, radios, and loudspeakers, between 10:00 p.m. to 7:00 a.m., or construction activity during weekdays and Saturday hours from 7:00 p.m. to 7:00 a.m., or at any time on Sundays or holidays.

DISCUSSION:

c) **No Impact** – The property is not located within the vicinity of a private airstrip or an airport land use plan referral area or within two miles of a public airport so there would not be an impact.

a, b) **Less Than Significant Impact** – Construction of the proposed single-family residence will temporarily elevate noise levels in the immediate project area from the use of construction equipment. Construction noise could have an impact on the nearest sensitive receptors (residential uses). Noise impacts on the residential uses near the project site would be minimal and temporary, as they are located over 100 feet away from the subject property.

The County General Plan Noise Element measures noise levels in Day-Night Average Sound Level (DNL), a 24-hour time weighted average, as recommended by the Environmental Protection Agency

(EPA) for community noise planning. Noise Compatibility Standards for exterior noise specify three (3) classifications of compatibility between ambient noise levels at the site and various land uses: satisfactory, cautionary, and critical. According to the Noise Element Noise Compatibility Standards for Land Use in Santa Clara County, the satisfactory exterior noise compatibility standard for residential land uses is 55 dB (Ldn value in dBs).

The County Noise Ordinance restricts exterior noise levels, for a cumulative period not to exceed more than 30 minutes in any hour, for one- and two- family residential land uses to 45 dBA between 10:00 p.m. to 7:00 a.m., and 55 dBA between 7:00 a.m. to 10:00 p.m. In addition, specifically prohibited acts include amplified sound, such as musical instruments, radios, and loudspeakers, between 10:00 p.m. to 7:00 a.m., as well as construction activity during weekdays and Saturdays from 7:00 p.m. to 7:00 a.m., or at any time on Sundays or holidays.

Additionally, the project is required to conform to the County Noise Ordinance at all times during construction. Construction noise (including noise generated by truck traffic to and from the project site) is regulated by time-of-work restrictions and decibel maximum specified in the County Noise Ordinance. The project construction would include site clearing, grading, and excavation that may include a level of 80 dBA from the loudest equipment to receptors that are 80 feet away per a recent noise study conducted for residential construction at Stanford University⁵. The nearest single-family residence to the project site is located approximately 160 feet away, double the distance noted in the referenced study.

As sound (noise) propagates from the source to the receptor, the attenuation the manner of noise reduction over distance depends on such factors as acoustical energy diminishing over distance (energy spreading), surface characteristics, atmospheric conditions, and the presence of physical barriers. Energy spreading describes the attenuation attributable to the pattern in which sound travels from the source to the receptor, which in this case would be the neighboring single-family home. Sound travels uniformly outward from a point source (e.g., construction equipment) in a spherical pattern with an attenuation rate, generally, of 6 dBA per doubling of distance (dBA/DD). In other words, sound decreases by 6 dBA each time the distance between the noise source and the receptor is doubled. As such, based on sound attenuation where sound dissipates by 6 dBA for doubling of distance from a point source of sound production and the known noise level (sound pressure level) for residential construction of 80 dBA at 80 feet along with the subject project having a distance of 160 feet (double the distance) to the nearest single family residence, the equipment noise during construction would be 74 dBA at 160 feet, which less than the County Noise Ordinance Requirements of 75 dBA in single and two-family dwelling residential areas.⁶ Thus, it is anticipated that short-term noise resulting from the grading and demolition/construction would not have a significant impact on neighboring property owners.

Ground vibrations and ground noise may occur in order to complete the necessary construction work, such as excavation and paving of the driveway and fire truck turnaround and erection of the single-family residence, but are not projected to be in excess of the County Noise Ordinance. Additionally, the construction work related to the project could include a small bulldozer which would create a

⁵ AECOM, October 2021, 231 Grant Education Workforce Housing Draft EIR, page 3-169, table 3.12-6, <https://ffd.sccgov.org/capital-projects-planning-and-design/231-grant-educator-workforce-housing>.

⁶ AECOM, October 2021, 231 Grant Education Workforce Housing Draft EIR, page 3-154, <https://ffd.sccgov.org/capital-projects-planning-and-design/231-grant-educator-workforce-housing>.

vibration level of 58 VdB for receptors 25 feet away⁷. This is less than the threshold for human annoyance which is 72Vdb for residential uses⁸. The proposed use, a single-family residence, is not anticipated to generate groundborne vibration or noise once construction is complete.

The project contains a minimal amount of grading. Ground vibrations and ground noise may occur but are not projected to be significant for the project. As such, the proposed project would have a less than significant impact.

MITIGATION: None required.

⁷ AECOM, October 2021, 231 Grant Education Workforce Housing Draft EIR, page 3-177, table 3.12-11, <https://ffd.sccgov.org/capital-projects-planning-and-design/231-grant-educator-workforce-housing>.

⁸ AECOM, October 2021, 231 Grant Education Workforce Housing Draft EIR, page 3-177, <https://ffd.sccgov.org/capital-projects-planning-and-design/231-grant-educator-workforce-housing>.

N. POPULATION AND HOUSING					
WOULD THE PROJECT:	IMPACT				SOURCE
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	No Impact	
a) Induce substantial unplanned 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4

SETTING:

The proposed project includes the development of a single-family residence on parcel that is 4 acres in size and is characterized as a steeply-sloped, heavily-wooded property east of Sanborn Creek and north of Sanborn County Park. The area surrounded the project site consists of heavily-wooded parcels which include single-family homes and open space, which are all within unincorporated Santa Clara County.

DISCUSSION:

a & b) **No Impact** – Under the County of Santa Clara’s General Plan and Housing Element, the population within the Hillsides (HS) district have already been planned and accounted. The County’s Zoning Ordinance allows the construction of a single-family residence ‘by-right’ in the HS zone. Sanborn Road is a County-maintained road that is already built. The construction of the single-family residence will require the improvement and extension of a common driveway, which already serves two other properties which share the easement, so would not directly or indirectly contribute to additional development. Additionally, no commercial, industrial, or institutional uses are proposed. The proposed project includes an on-site well and will require an on-site wastewater treatment system (OWTS) which consists of a leach field and a septic tank. There are no other adjacent or nearby parcels that would be able to access the existing on-site well (unless by consent by the owner) and create an increase in population growth. The parcel is surrounded by single-family residences and recreational uses. As such, the project will not displace substantial numbers of existing housing or people, nor necessitate the construction of replacement housing elsewhere.

MITIGATION: None required.

O. PUBLIC SERVICES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:					
i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5
iii) School facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5, 17h
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5

SETTING:

The project is in the State Response Area (SRA) with the California Department of Forestry and Fire Protection (Cal Fire) as first responders for fire protection. The property is located within a high fire hazard severity zone (redesignated as very high in the 2023 maps). Emergency calls would go to the Santa Clara County Sheriff’s Office communications. The property has an on-site well for domestic water and water tanks for domestic water, fire sprinklers, and hydrant. The project includes the creation of a fire truck turnaround which meets County and State requirements.

DISCUSSION:

a) **No Impact** – The proposed project includes a single-family residence, and no commercial, industrial, or institutional uses are proposed. The proposed single-family residence has a minimal increase in the overall neighborhood population and would not increase the need for additional fire or police protection to the area. Other public services, such as those provided by schools or parks, would not be impacted.

MITIGATION: None required.

P. RECREATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 4, 5, 17h
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5

SETTING:

The project, a single-family residence, is low-density and does not include the use of the project area for recreational purposes.

DISCUSSION:

a & b) **No Impact** – The proposed project is for a new single-family residence and will not result in an impact to existing parks or recreational facilities due to the minimal increase in population to the neighborhood. As such, the project would not cause a substantial physical deterioration of existing recreational facilities.

Additionally, the proposed single-family residence does not include any recreational uses or structures, nor does the addition of a new single-family residence require an expansion to existing recreational facilities. As such, the project does not have an impact on recreation.

MITIGATION: None required.

Q. TRANSPORTATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 5, 6, 7, 50
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? ⁹	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 50, 51, 53
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 5, 6, 7, 53
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5, 48, 50, 51, 53

SETTING:

The proposed single-family residence would take access from Sanborn Road (a County-maintained road) through adjacent parcels via a shared driveway located in an access easement. Access to the single-family residence will utilize an 18-foot-wide asphalt driveway that includes a fire truck turn around.

DISCUSSION:

a, b, c, & d) **No Impact** – The proposed project will generate approximately 20 daily vehicle trips, according to the Institute of Traffic Engineers Trip Generation, 10th edition data (20 trips/day). According to the Santa Clara Valley Transportation Authority Transportation Impact Analysis Guidelines, a transportation impact analysis is not required to be performed for projects that would generate fewer than 100 net new weekday (AM or PM peak hour) or weekend peak hour trips, including both inbound and outbound trips. Additionally, the project was reviewed and conditionally approved by the County Fire Marshal’s Office and Cal Fire to ensure adequate fire safety access is proposed. Therefore, the project will not generate substantial new traffic, impair existing transportation facilities, or result in inadequate emergency access. Construction activities for the proposed structures would involve a small number of vehicle trips related to delivery of materials and workers commuting to the site. Because the number of trips would be temporary and small in number, and road use in the vicinity is relatively light, the proposed project would not have impacts on traffic and circulation. Onsite parking for the proposed single-family residence is in conformance with the County parking requirements.

MITIGATION: None required.

⁹ The provisions of this section shall apply prospectively as described in section 15007.

R. TRIBAL CULTURAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	41, 42
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	41, 42, 52

SETTING:

This property is located within the ethnohistoric **Partacsi** and **Somontac** Ohlone Tribal territory, based on a review of reports by Anthropological demographer and ethnohistorian Randall Milliken, who reconstructed the general location of aboriginal Costanoan/Ohlone-speaking tribes within the greater San Francisco Monterey Bay regions. For the area within the vicinity of Castle Rock State Park and the subject property, Milliken suggests that one of the villages of the tribe that held this region was identified as **Partacsi** in the Mission Santa Cruz records, and another tribe is the **Somontac** who occupied the greater Los Gatos region.

This property was covered by an archaeological study (#2785) conducted by Archaeological Resource Management in 2003 that covered approximately 100% of the site. The study identified no evidence of cultural resources, and the California Historical Resources Information System, Northwest Information Center located at Sonoma State University has determined that the project has a low possibility of containing unrecorded archaeological sites, and that no further study of archaeological resources is recommended. The County also received correspondence from the Muwekma Ohlone Indian Tribe of the San Francisco Bay Region on June 22, 2023. The Tribe did not have any specific evidence of cultural resources on this specific site, but noted that there have been tribal human remains discovered within a 3.3 mile-radius, and that while the records of their ancestors' settlements and trade routes are incomplete, the Muwekma Ohlone Indian Tribe suspect that their ancestors utilized places in proximity to freshwater drainage. They have requested notification and participation in any mitigation or recovery program on site should any evidence of their ancestral heritage cemetery or village sites be impacted by this project.

DISCUSSION:

a) **Less Than Significant with Mitigation Incorporated.** – The responding Native American tribe, the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area Region, requesting tribal

consultation per Public Resources Code Section 21080.3.1(b) regarding the potential for a Native American tribal cultural resource located on or near the project site has no knowledge of tribal resources on this site, the NAHC Sacred Lands File does not contain any information of tribal resources on this site, and the site-specific archaeological report determined that the project would not have any impacts on tribal resources.

However, there have been tribal human remains of the Muwekma Ohlone Indian Tribe discovered within a 3.3-mile radius, and while the records of their ancestors' settlements and trade routes are incomplete, they suspect that their ancestors utilized places in proximity to freshwater drainage. Due to the specific context of the project site and extent of the earthmoving activities necessitated by the proposed project, they have requested notification and participation in any mitigation or recovery program on site should any evidence of their ancestral heritage cemetery or village sites be impacted by this project. The Tribe has recommended that all subsurface excavations, and related construction activities within the subject project area be monitored by qualified archaeologists and a Muwekma Ohlone Tribal monitor during various stages of demolition, tree removal, and subsurface utilities excavations.

MITIGATION:

- **TRC-MIT 1: Protection of Tribal Cultural Resources.**
 - A. Prior to the start of earthmoving activities, the applicant shall implement a worker archeological awareness training for all construction personnel involved with excavation activities. The training shall include informing workers regarding the possibility of encountering buried cultural resources (including tribal cultural resources), the appearance and types of resources likely to be seen during construction, and proper notification procedures to be followed should resources be encountered.
 - B. During all ground disturbing activities (excavation, grading, utility trenching, and tree removal that occurs in previously undisturbed soil), the applicant shall retain a qualified archeologist and tribal cultural resources monitor to undertake construction monitoring at the project site. The tribal cultural resources monitor shall be a representative of the Muwekma Ohlone Indian Tribe who will be given at least 5 days' notice prior to the start of ground disturbing activities. If, in the event the Muwekma Ohlone Indian Tribe is given such notice and cannot provide the required monitor in a manner mutually agreeable to the Tribe and the applicant, the applicant may retain an alternative tribal cultural resources monitor. The frequency of monitoring shall be determined based on the rate of excavation and grading activities, the materials being excavated, the depth and location of excavation, and, if found, the abundance and type of archaeological resources encountered. If the tribal cultural resources monitor determines that there is limited potential for encountering cultural resources (e.g., if remaining ground disturbing activities would only occur in areas and depths that were previously disturbed by Project construction), monitoring may be reduced or curtailed.
 - C. In the event that tribal cultural resources are encountered during project construction, all activity within a 50-foot radius of the find shall be stopped, the applicant and the County's Project Manager shall be notified, and a qualified archaeologist shall examine the find. Project personnel shall not collect or move any cultural material. The archaeologist, in collaboration with the tribal cultural resources monitor, shall evaluate the find(s) to

determine if it meets the definition of a tribal cultural resource and follow the further procedures outlined below:

- i. If the find(s) is potentially a tribal cultural resource, then tribal representatives of the Muwekma Ohlone Indian Tribe shall be consulted. If, after consultation with the Muwekma Ohlone Indian Tribe, it is determined that the find(s) is a tribal cultural resource, then the find(s) shall be avoided by Project activities. If avoidance is not feasible, as determined by the County, the qualified archaeologist, in collaboration with Muwekma Ohlone Indian Tribal representative, shall make appropriate recommendations regarding the treatment and disposition of such finds, and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, and reasonably agreed upon by the Muwekma Ohlone Indian Tribe, prior to resuming construction activities within the 50-foot radius.
- ii. If the find(s) are human remains or grave goods, the requirements of Public Resources Code Section 5097.98 and County Ordinance Code Sections B6-18 through B6-20 shall be followed.

Recommendations for treatment and disposition of finds could include, but are not limited to, the collection, recordation, and analysis of any significant cultural materials, or the turning over of tribal cultural resources to tribal representatives for appropriate treatment. A report of findings documenting any data recovery shall be submitted to Northwest Information Center (NWIC). A redacted report of findings shall be submitted to the County Director of Planning and Development.

S. UTILITIES AND SERVICE SYSTEMS					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 6, 7
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 6, 24b
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 6, 7, 39
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5, 6
e) Be in non-compliance with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 5, 6

SETTING:

The area surrounding the project has electrical utility services provided by PG&E, however, potable water and wastewater treatment are provided via on-site private wells and septic systems on individual parcels. The proposed project includes a proposed on-site well, four 5,000-gallon water tanks, a proposed leach field, and a septic tank.

DISCUSSION:

a, b, c, d, & e) **No Impact** – The surrounding area of the project site is within the PG&E service area and the project would be served by PG&E electrical utility service via an underground extension of electrical service lines to the project site. The project will be provided water via a new onsite well and wastewater will be treated by a new onsite wastewater treatment system (OWTS) consisting of a new subterranean piping that connect to a leach field and septic tank. Drinking water and water used for fire suppression will be stored in the four 5,000-gallon water tanks on site. The proposal for the new well, water tanks, and OWTS was reviewed, approved, and conditioned by the Department of Environmental Health to confirm that the septic system is adequate and sufficient to serve the residential use of the project. The proposed onsite well and septic system are sufficient to serve the project, and as proposed, there is no impact to items b and c listed above.

As a standard condition of approval for all projects within the County of Santa Clara, property owners are to provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of Santa Clara County is mandatory. As such, there is no impact to item d and e listed above.

MITIGATION: None required.

T. WILDFIRE					
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 5, 17h, 48, 53, 54
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6, 8a, 53, 54
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 5, 17h, 53, 54
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 53, 54

SETTING:

The parcel proposed for development is a steeply sloped, forested area of the Santa Cruz Mountains that is within the Hillside zoning district. The parcel has an elevation roughly ranging from 1450 feet to 1800 feet. The property is located within a Wild Urban Interface (WUI) fire protection area. The area of the proposed development is steeply sloped, with an average slope of approximately 68.8 percent (68.8%). The project sits above two creeks which are part of the Saratoga Creek watershed and two single-family residences located closer to Sanborn Road. The property is within the State Responsibility Area and designated by the California Department of Forestry and Fire Protection (Cal Fire) Fire and Resource Assessment Program (FRAP) as a High Fire Hazard Severity Zone, with the updated 2023 maps redesignating the property as Very High Fire Hazard Severity Zone. According to the November 7, 2022, Tukman Geospatial report on Santa Clara, Santa Cruz, and San Mateo County Wildfire Risk to Structures and Classified Wildfire Hazard Maps for Fire Prevention Planning, the property is located in the highest fire risk area, with an existing density of 1 structure for every 2.5 to 10 acres. The property is accessed via a common driveway through a shared access easement, which begins at the terminus of Sanborn Road (a County-maintained road) where it turns into Ambrose Road, a limited access and not fully developed road through Sanborn County Park. Therefore, there is only one fully established escape route from the residence, where as Cal Fire requirements are for two routes. The driveway, fire truck turnaround, and tributary of Sanborn Creek provide a limited fuel break to the north of the residence.

DISCUSSION:

a, b, c, & d) **Less Than Significant with Mitigation Incorporated** – The project does not impair an adopted emergency response plan or emergency evacuation plan. The installation of a firetruck turnaround, currently absent from the terminus of Sanborn Road, may marginally enhance emergency response, if emergency responders are aware of its existence and there is not an active wildfire preventing access to it. The project will not prevent people at other, existing developments from evacuating or being serviced by emergency responders. Parked vehicles, to include construction vehicles, could impact the ability of fire responders to reach the property or of neighbors to evacuate.

This impact will be reduced to a less than significant level with the inclusion of WF-MIT 5, which prohibits vehicles parking on the County-maintained road, the private road leading to the proposed residence, or in the proposed fire truck turnaround.

California has seen a dramatic increase in the number, size, longevity, and destructiveness of wildfires since 2016. Steeply sloped and densely wooded areas are particularly susceptible to fires that burn hot and are fast moving. Fire spread and structure loss is more likely to occur in low- to intermediate-density developments. Although wildfire ignitions are primarily human-caused in California, wildfire behavior is largely driven by topography, fuel, climatic conditions, and fire weather (such as low humidity and high winds). The project occupants will be exposed to an increased risk to life and property from wildfires due to these factors which must be mitigated. As such, the project will be required to provide additional water dedicated to fire suppression on site. The occupants of the two single-family residences located down slope from the project would be exposed to significant risks of downslope flooding or landslides if not mitigated. HWC-MIT 1 will mitigate for runoff from water used to suppress a fire on this site from impacting neighboring properties or the adjacent watercourses. GEO-MIT 3, 5, and 7 will mitigate for landslide impacts.

The project was reviewed and conditionally approved in accordance with the Santa Clara County Fire Marshal's Office and Cal Fire. The new residence is also required to meet all onsite requirements of the State Minimum Fire Safe Regulations, all WUI requirements within the California Building Code Chapter 7A, and create and maintain defensible space as outlined in the California Public Resources Code 4291. Emergency vehicles would travel Congress Springs Road (California State Highway 9), a Caltrans-maintained road which sufficiently meets the County Fire Marshall and State Minimum Fire Safe Regulations requirements, to Sanborn Road, an existing, County-maintained road which is in near compliance with the requirements. The project includes adequate fire safety access including sufficient breaks from steep slopes, a fire truck turn out and turnaround, wharf hydrant, water tanks, and fire sprinklers complying with CFMO-SP6 throughout the residence.

MITIGATION:

- **WF-MIT 1: Project Siting.** The residence shall be sited as close to Sanborn Road and to the 1500 foot elevation line as possible. No structures shall be located above the 1700 foot elevation line in order to reduce risk as wildfires burn hotter traveling up hill and at ridgelines.
- **WF-MIT 2: Defensible Space.** The area within 5 horizontal feet of the structure, including attached decks of stairs, shall not contain any combustible decorative structures, attached gates or fences made of combustible materials, storage structures, wood piles, woody mulch, combustible boards, combustible landscape materials (including but not limited to lumber, railroad ties, creosote- or pressure-treated wood), potted plants in combustible pots, or synthetic lawns. Mature trees shall only be allowed within 5 feet of the structure if the branches are 10 feet above the roof and 10 feet from any chimney. Irrigated and mowed grass shall be kept below a maximum height of 3 inches. All plants within 5 feet of the structure shall be irrigated, non-woody, and/or herbaceous, and are not to exceed 2 feet in height. All pots for potted plants within 5 feet of the structure shall be made of ceramics, metals, or cement. In the area from 5 feet to 30 feet horizontally from the structure (within the property boundaries), all dead plants, grass, and weeds will be removed. Dead or dry leaves will be removed on an ongoing basis. Trees shall be trimmed on an ongoing basis to keep 10 feet of distance between branches of different trees. Dead tree limbs which overhang the roof are to be

removed on an ongoing basis. Grasses are to be cut to a maximum of 4 inches on an ongoing basis.

- **WF-MIT 3: Utilities.** All utilities, including powerlines, shall be undergrounded.
- **WF-MIT 4: Home Hardening.** The project is required to comply with all WUI requirements within the California Building Code Chapter 7A. The applicant shall also propose building materials, windows, and vents which exceed these requirements. Communication equipment, including high-speed internet service, shall be fire-hardened.
- **WF-MIT 5: Parking.** Parking of vehicles along the fire access route, including the common driveway, fire department turnout, and fire department turnaround, shall be prohibited at all times.
- **WF-MIT 6: Water Supply.** At a minimum, one additional 5,000-gallon water tank beyond what is required by County and State fire regulations shall be provided on site. All water tanks and piping to the wharf hydrant shall be made of steel or similar material approved by the County Fire Marshal prior to installation.

U. MANDATORY FINDING OF SIGNIFICANCE					
	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 to 54
b) Have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 to 54
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 to 54

DISCUSSION:

a) **Less Than Significant with Mitigation Incorporated.** As discussed in the Aesthetics section, visual impacts of the project could include views of the house degrading the natural scenic quality of the forest and the lighting disrupting nighttime views. Both impacts are mitigated as described in that section. As discussed in the Biological Resources section, impacts of the proposed project on special-status species or habitat would either be less than significant or would be reduced to a less-than-significant level through incorporation of mitigation measures. The proposed project would not have the potential to substantially reduce the habitat of any 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 of, 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.

MITIGATION:

- **AES-MIT 1: Vegetative Screening.**
- **AES-MIT 2: Lighting.**
- **BIO-MIT 1: Workers Environmental Training.**
- **BIO-MIT 2: Avoidance of Impacts to Watercourses.**
- **BIO-MIT 3: Construction Monitoring.**
- **BIO-MIT 4: Pre-construction Surveys (Amphibian Species).**
- **BIO-MIT 5: Compensation by Riparian Restoration.**
- **BIO-MIT 6: Protection of Water Quality.**
- **BIO-MIT 7: Pre-construction Survey (San Francisco dusky-footed woodrat).**
- **BIO-MIT 8: Potential Buffer Zone for San Francisco dusky-footed woodrat.**
- **BIO-MIT 9: Pre-construction Survey (American badger).**
- **BIO-MIT 10: Potential Buffer Zone and Relocation of American badger.**
- **BIO-MIT 11: Installation of Construction Envelope Perimeter.**
- **BIO-MIT 12: Avoidance of Nesting Raptors and Other Nesting Migratory Birds.**

- **BIO-MIT 13: Avoidance of Roosting Bats.**
- **BIO-MIT 14: Oak Tree Replacement.**
- **BIO-MIT 15: Daytime Restriction.**
- **BIO-MIT 16: Lighting.**

b) **Less Than Significant with Mitigation Incorporated.** Continued development in fire hazard areas, especially areas where this property is located (which are assessed to be at the highest risk), and without multiple escape routes increases the cumulative impacts to the area. Adding additional human beings to a low-density forested area increases the chance of a wildfire, and each new home increases the burden on first responders which could increase response times and evacuation times. Wildfire mitigation measures are necessary to reduce this cumulative impact to less than significant.

MITIGATION:

- **WF-MIT 1: Project Siting.**
- **WF-MIT 2: Defensible Space.**
- **WF-MIT 3: Utilities.**
- **WF-MIT 4: Home Hardening.**
- **WF-MIT 5: Parking.**
- **WF-MIT 6: Water Supply.**

c) **Less Than Significant with Mitigation Incorporated.** The proposed project is located in a fire hazard zone and a geologic hazard zone. Locating a new residence on this property will create the increased potential for harm for the occupants. Furthermore, developing upslope from existing residences could endanger the occupants of neighboring properties. Mitigations in the Geology and Soils, Hydrology and Water Quality, and Wildfire sections are designed to mitigate for these impacts to a less than significant level. There is also the possibility of Tribal Cultural Resources on site, with mitigations designed to protect any if discovered during this project.

MITIGATION:

- **GEO-MIT 1: Construction Monitoring.**
- **GEO-MIT 2: Seismic Building Design.**
- **GEO-MIT 3: Grading Operations.**
- **GEO-MIT 4: Minimization of Grading.**
- **GEO-MIT 5: Cut and Fill of Slopes.**
- **GEO-MIT 6: Retaining Walls.**
- **GEO-MIT 7: Drainage.**
- **HWC-MIT 1: Drainage.**
- **HWC-MIT 2: Creek Protection.**
- **WF-MIT 1: Project Siting.**
- **WF-MIT 2: Defensible Space.**
- **WF-MIT 3: Utilities.**
- **WF-MIT 4: Home Hardening.**
- **WF-MIT 5: Parking.**
- **WF-MIT 6: Water Supply.**
- **TRC-MIT 1: Protection of Tribal Cultural Resources.**

Initial Study Source List*

1. Environmental Information Form
https://www.sccgov.org/sites/dpd/DocsForms/Documents/EnvAss_Form.pdf
2. Field Inspection
3. Project Plans
4. Working knowledge of site and conditions
5. Experience with other Projects of This Size and Nature
6. County Expert Sources:
 - Geologist
<https://www.sccgov.org/sites/dpd/PlansOrdinances/GeoHazards/Pages/Geology.aspx>
 - Fire Marshal
<https://www.sccgov.org/sites/dpd/AboutUs/Fire/Pages/Fire.aspx>
 - Roads & Airports
<https://www.sccgov.org/sites/rda/Pages/rda.aspx>
 - Environmental Health
<https://www.sccgov.org/sites/deh/Pages/deh.aspx>
 - Land Development Engineering
<https://www.sccgov.org/sites/dpd/AboutUs/LDE/Pages/LDE.aspx>
 - Parks & Recreation
<https://www.sccgov.org/sites/parks/Pages/Welcome-to-Santa-Clara-County-Parks.aspx>
 - Zoning Administration,
Comprehensive Planning,
Architectural & Site Approval Committee
Secretary
7. Agency Sources:
 - Santa Clara Valley Water District
<https://www.valleywater.org/>
 - Santa Clara Valley Transportation Authority
<http://www.vta.org/>
 - Midpeninsula Regional Open Space District
<https://openspace.org/>
 - U.S. Fish & Wildlife Service
<https://www.fws.gov/>
 - CA Dept. of Fish & Game
<https://www.wildlife.ca.gov/>
 - Caltrans
<https://dot.ca.gov/>
 - U.S. Army Corps of Engineers
<https://www.usace.army.mil/>
 - Regional Water Quality Control Board
<https://www.waterboards.ca.gov/>
 - Public Works Depts. of individual cities
8. Planning Depts. of individual cities:
 - Santa Clara County (SCC) General Plan
<https://www.sccgov.org/sites/dpd/PlansOrdinances/GP/Pages/GP.aspx>
 - The South County Joint Area Plan
https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf
9. SCC Zoning Regulations (Ordinance)
<https://www.sccgov.org/sites/dpd/DocsForms/Documents/ZonOrd.pdf>
10. County Grading Ordinance
https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodeId=TITCCODELAUS_DIVC12SULADE_CHIIIGRDR#TOPTITLE
11. SCC Guidelines for Architecture and Site Approval
https://www.sccgov.org/sites/dpd/DocsForms/Documents/ASA_Guidelines.pdf
12. SCC Development Guidelines for Design Review
https://www.sccgov.org/sites/dpd/DocsForms/Documents/DR_Guidelines.pdf
13. County Standards and Policies Manual (Vol. I - Land Development)
https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual_Vol1.pdf
14. Table 18-1-B of the Uniform Building Code (expansive soil regulations) [1994 version]
http://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf
15. SCC Land Use Database
16. Santa Clara County Heritage Resource (including Trees) Inventory [computer database]
17. GIS Database
 - a. SCC General Plan Land Use, and Zoning
 - b. USFWS Critical Habitat & Riparian Habitat
 - c. Geologic Hazards
 - d. Archaeological Resources
 - e. Water Resources
 - f. Viewshed and Scenic Roads
 - g. Fire Hazard
 - h. Parks, Public Open Space, and Trails
 - i. Heritage Resources - Trees
 - j. Topography, Contours, Average Slope
 - k. Soils
 - l. HCP Data (habitat models, land use coverage, etc)
 - m. Air photos
 - n. USGS Topographic
 - o. Dept. of Fish & Game, Natural Diversity Data
 - p. FEMA Flood Zones
 - q. Williamson Act
 - r. Farmland monitoring program
 - s. Traffic Analysis Zones
 - t. Base Map Overlays & Textual Reports (GIS)
18. Paper Maps
 - a. SCC Zoning
 - b. Barclay's Santa Clara County Locaide Street Atlas
 - c. Color Air Photos (MPSI)
 - d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding

Initial Study Source List*

- e. Soils Overlay Air Photos
- f. "Future Width Line" map set

prepared by Santa Clara County Planning Office,
September 2007.

19. 2023 CEQA Statute Guidelines [Current Edition]
https://www.califaep.org/docs/CEQA_Handbook_2023_final.pdf

- 22f. Monterey Highway Use Permit Area
https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_GeneralPlanInformation.pdf

Area Specific: San Martin, Stanford, and Other Areas

Soils

San Martin

- 20a. San Martin Integrated Design Guidelines
https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_DesignGuidelines.pdf

23. USDA, SCS, "Soils of Santa Clara County"
24. USDA, SCS, "Soil Survey of Eastern Santa Clara County"

- 20b. San Martin Water Quality Study

Agricultural Resources/Open Space

- 20c. Memorandum of Understanding (MOU) between Santa Clara County & Santa Clara Valley Water District

25. Right to Farm Ordinance
26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"
<https://www.conservation.ca.gov/dlrp/Documents/TOC%20and%20Intro.pdf>

Stanford

- 21a. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP), and Environmental Impact Report (EIR)
<https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx>

27. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]

- 21b. Stanford Protocol and Land Use Policy Agreement
<https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx>

28. Williamson Act Ordinance and Guidelines (current version)
<https://www.sccgov.org/sites/dpd/Programs/WA/Pages/WA.aspx>

Air Quality

Other Areas

- 22a. South County Airport Comprehensive Land Use Plan and Palo Alto Airport Comprehensive Land Use Plan [November 19, 2008]
https://stgenpln.blob.core.windows.net/document/ALUC_E16_CLUP.pdf

29. BAAQMD Clean Air Plan
<http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a-proposed-final-cap-vol-1-pdf.pdf?la=en>

- 22b. Los Gatos Hillside Specific Area Plan
https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf

30. BAAQMD CEQA Air Quality Guidelines (2022)-
<https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>

- 22c. County Lexington Basin Ordinance Relating to Sewage Disposal

31. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development - Guidelines for Assessing Impacts of Projects & Plans" [current version]

- 22d. User Manual Guidelines & Standards for Land Uses Near Streams: A Manual of Tools, Standards and Procedures to Protect Streams and Streamside Resources in Santa Clara County by Valley Water Resources Protection Collaborative, August 2005 – Revised July 2006.

Biological Resources/ Water Quality & Hydrological Resources/ Utilities & Service Systems"

- <https://www.valleywater.org/contractors/doing-business-with-the-district/permits-for-working-on-district-land-or-easement/guidelines-and-standards-for-land-use-near-streams>

32. Site-Specific Biological Report
33. Santa Clara County Tree Preservation Ordinance
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Tree_Ordinance.pdf

- 22e. Guidelines and Standards for Land Use Near Streams: Streamside Review Area – Summary

Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts

Initial Study Source List*

https://www.sccgov.org/sites/dpd/DocsForms/Documents/Oakwoodlands_Guide.pdf

Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Brochure_TreePreservation.pdf

34. Clean Water Act, Section 404

<https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404>

35. Santa Clara Valley Water District – GIS Data:

<https://www.valleywater.org/learning-center/watersheds-of-santa-clara-valley>

36. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]

37. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]

38. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]

39. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"

40. County Environmental Health Department Tests and Reports

Archaeological Resources

41. Northwest Information Center, Sonoma State University

42. Site Specific Archaeological Reconnaissance Report

Geological Resources

43. Site Specific Geologic Report

44. California Geological Survey, Special Publication #42

45. State Division of Mines and Geology, Special Report #146

Hazards & Hazardous Materials

46. Section 21151.4 of California Public Resources Code

47. State Department of Toxic Substances, Hazardous Waste and Substances Sites List

48. County Office of Emergency Services Emergency Response Plan [1994 version]

Noise

49. County Noise Ordinance

https://www.sccgov.org/sites/cpd/programs/NP/Documents/NP_Noise_Ordinance.pdf

Transportation/Traffic

50. Official County Road Book

51. Site-specific Traffic Impact Analysis Report

Tribal Cultural Resources

52. Office of Planning and Research. 2017. Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA

Wildfire

53. Office of Planning and Research. 2020. Fire Hazard Planning Technical Advisory

54. Office of the Attorney General. 2022. Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act

***Items listed in bold are the most important sources and should be referred to during the first review of the project, when they are available. The planner should refer to the other sources for a particular environmental factor if the former indicates a potential environmental impact.**

County of Santa Clara

Department of Planning and Development
Planning Office

County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110-1705
(408) 299-5770 FAX (408) 288-9198
www.sccplanning.org



Notice of Intent to Adopt a Mitigated Negative Declaration

Staff Response to Public Comments

February 2, 2024

Staff Contact: Robert Cain, Senior Planner
(408) 299-5706, robert.cain@pln.sccgov.org

FILE: PLN18-8580
ADDRESS: 16501 Sanborn Road, Saratoga, CA (APN: 517-37-003)
SUBJECT: County of Santa Clara Planning and Development Department response to public comment on the Notice of Intent to Adopt a Mitigated Negative Declaration for a single-family residence.

BACKGROUND

On January 5, 2024, the Department of Planning and Development (Department) posted a Notice of Intent to adopt a Mitigated Negative Declaration (MND) for a Building Site Approval on Slopes Exceeding 30%, Grading Approval, and Variance application for a proposed single-family residence at 16501 Sanborn Road (APN: 517-37-003).

On January 10, 2024, the Department received a letter which included comments on the MND from the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area Region (Muwekma Ohlone) Chairwoman and Tribal Archaeologist and Ethnohistorian. Below is a summary and response to the comments provided by the Muwekma Ohlone. The full comment letter is included in Attachment A-5.

DISCUSSION

The following is a summary of the Muwekma Ohlone's comments, followed by the Department's response.

Comment – Potential for Previously Unidentified Tribal Cultural Resources: Due to lack of reporting of the Muwekma Ohlone's ancestral cultural resources, almost nothing is known about the distribution of upland ancestral heritage sites or Pacific coastal trade routes to the interior within the region this property within the Santa Cruz Mountains. However, the Tribe also notes that the proposed project is 3.3 miles away from one of their ancestral heritage mortuary sites. Given the proposed project's proximity to "Sanborn Creek and its tributary," and proximity to a freshwater spring, the Muwekma Ohlone tribal leadership is concerned that this construction project may indeed encounter unreported Tribal Cultural Resources, and therefore, we are formally recommending that all subsurface excavations, and related construction

activities within subject project area be monitored by qualified archaeologists and a Muwekma Ohlone Tribal monitor during various stages of demolition, tree removal, and subsurface utilities excavations.

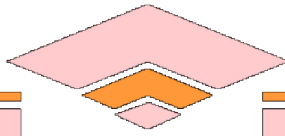
Staff Response: A cultural resources evaluation of the site was conducted in 2003, which revealed that there are no recorded archaeological sites within the proposed project area, and no significant cultural materials, prehistoric or historic, were identified on site. However, the Department concedes that there remains the potential for unidentified tribal cultural resources to exist on site. Therefore, the Department has added additional mitigations to the Initial Study requiring worker awareness training, monitoring by a qualified archaeologist and tribal cultural resources monitor, and describes actions to be taken should cultural resources be discovered during the course of the project. For a full description of this mitigation, please refer to TCR-MIT 1 in the Tribal Cultural Resources section of the Initial Study.

Comment Letter Summary: The Muwekma Ohlone tribal leadership is concerned that there may be previously unidentified tribal cultural resources on this project site and have requested monitoring by a qualified archaeologist and a Muwekma Ohlone Tribal Monitor during specific stages of this project.

Staff Response: Staff believes that the inclusion of TCR-MIT 1 in the revised Initial Study addresses the Muwekma Ohlone's concerns. Inclusion of TCR-MIT 1 reduces any potential impact to less than significant, which does not alter Staff's assessment that the project should have a Mitigated Negative Declaration determination. This additional mitigation does not require recirculation of the Initial Study.

ATTACHMENTS:

Attachment – Muwekma Ohlone IS/MND Comment Letter



MUWEKMA OHLONE INDIAN TRIBE

OF THE SAN FRANCISCO BAY AREA REGION

'Innu Huššištak Makiš Mak-Muwekma *"The Road To The Future For Our People"*

January 9, 2024

TRIBAL CHAIRPERSON
CHARLENE NIJMEH

TRIBAL VICE CHAIRPERSON
MONICA V. ARELLANO

TRIBAL TREASURER
RICHARD MASSIATT

TRIBAL COUNCIL
JOANN BROSE
FRANK RUANO
SHEILA SCHMIDT
CAROL SULLIVAN

TRIBAL ETHNO-HISTORIAN
ALAN LEVENTHAL

TRIBAL HISTORIC
PRESERVATION OFFICER
PROF. MICHAEL WILCOX PhD

Mr. Robert A. Cain, Senior Planner
Department of Planning and Development
County of Santa Clara
70 W. Hedding Street | 7th Floor | East Wing
San Jose | CA 95110
robert.cain@pln.sccgov.org

Dear Mr. Cain,

Thank you for contacting the Muwekma Ohlone Tribal Administration with regards to the proposed construction of the Bagnas Residence located at 16501 Sanborn Road near the east side of the terminus of Sanborn Road, unincorporated Saratoga (File no. PLN 18-8580; APNs 517-37-001, 2, 3, 4, 6).

Based upon the information that was provided in your letter, stating that:

“The purpose of this notice is to inform you that the County Planning Staff has recommended that a **Mitigated Negative Declaration** be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, **finds that although the proposed project could initially have a significant effect on the environment**, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur.”

Based upon our Tribe’s site sensitivity maps, it appears that the proposed project is located approximately 3.5 miles due east of Castle Rock State Park which has a relocated bedrock mortar on it, and 3.3 miles southwest of one of our Tribe’s ancestral heritage mortuary sites CA-SCL-65 which dates to 6,000 years ago; as well as 8 miles due west of a cluster of ancestral burial and village sites CA-SCL-135, SCL-136, SCL-947, and SCL-967.

Although these aforementioned sites are not within or in immediate proximity to the subject parcel, our Tribe is concerned that due to the lack of reporting of our ancestral cultural resources we (including archaeologists) know almost nothing about the distribution of our upland ancestral heritage sites or Pacific coastal trade routes to the interior within this region of the Santa Cruz Mountains.

Given the proposed project’s proximity to “Sanborn Creek and its tributary,” and proximity to a fresh water Spring (Bay Springs Road?), the Muwekma Ohlone tribal leadership is concerned that this construction project may indeed encounter unreported Tribal Cultural Resources, and therefore, we are formally recommending that all subsurface excavations, and related construction activities within subject project area be monitored by qualified archaeologists and a Muwekma Ohlone Tribal monitor during various stages of demolition, tree removal, and subsurface utilities excavations.

Furthermore, when we located this project listed under **Current Projects**, we noted that the Initial Study stated that “This property was covered by an archaeological study (#2785) conducted by Archaeological Resource Management in 2003” This archaeological evaluation is over 20 years old and no doubt does not include other recorded Tribal Resources that have since been discovered that may be applied to a predictive model for this project.

Our Tribe’s Cultural Resources arm is available to provide monitors and willingness to work alongside with any Construction and Cultural Resources Management (CRM) firms that will be hired by the County or applicant to monitor this project.

We make these recommendations based upon the recovery of ancestral remains recovered from site **CA-SCL-967** for example, which was named by our Tribe *Tareš Tunnešte 'Ullaaštak Chitcomini Šaro-tka (Place of the Man Buried on a Bed of Blue Mussel Shells Site)* which was issued a Negative Declaration by the City of San Jose Planning Department; and at **CA-SCL-65** located in the Town of Saratoga which had no environmental review at all.

We are including a copy of site **CA-SCL-967** named *Tareš Tunnešte 'Ullaaštak Chitcomini Šaro-tka* as an example of our previous CRM work.

Thank you once again for contacting our Tribe and informing us of any and all County of Santa Clara Planning Department’s projects as it relates to potential adverse impacts to our ancestral heritage sites/Tribal Cultural Resources as specified under AB 52.

Should you have any questions, please feel free to contact us.

On behalf of the Muwekma Ohlone Tribe of the San Francisco Bay Area,



Charlene Nijmeh, Chairwoman, Muwekma Ohlone Tribe



Alan Leventhal, Muwekma Tribal Archaeologist and Ethnohistorian

Cc: Muwekma Tribal Council
attachments

ATTACHMENT B

Proposed Conditions of Approval

PROPOSED BUILDING SITE ON SLOPES EXCEEDING 30%,
GRADING, AND VARIANCE
CONDITIONS OF APPROVAL

Date: February 8, 2024
 Expiration: February 8, 2028
 Owner/Applicant: Emmanuel Bagnas and Marilyn Ingles-Bagnas / Ekundayo Sowunmi
 Location: 16501 Sanborn Road, Saratoga (APN: 517-37-003)
 File Number: PLN18-8580
 CEQA: Mitigated Negative Declaration
 Project Description: Building Site Approval of a two-story, 5,549 square-foot, single-family residence, including an attached garage. Associated improvements require 6,707 cubic yards of cut and 1,982 cubic yards of fill. The average slope of the development area is 66.8%. The project is not subject to the provisions of the Santa Clara Valley Habitat Plan.

PRELIMINARY CONDITIONS OF APPROVAL

If you have any question regarding the following conditions of approval, call the person whose name is listed as the contact for that agency. He or she represents a particular specialty or office and can provide details about the conditions of approval.

Agency	Name	Phone	E-mail
Planning	Robert Cain	(408) 299-5706	robert.cain@pln.sccgov.org
Land Development Engineering	Ed Duazo	(408) 299-5733	ed.duazo@pln.sccgov.org
Department of Environmental Health	Darrin Lee	(408) 918-3435	darrin.lee@deh.sccgov.org
Fire Marshal's Office	Alex Goff	(408) 299-5760	alex.goff@sccfd.org
County Geologist	David Seymour	(408) 299-6711	david.seymour@pln.sccgov.org
Roads and Airports	Tom Esch	(408) 573-2450	tom.esch@rda.sccgov.org
CAL Fire	Carlos Alcantar		carlos.alcantar@fire.ca.gov

STANDARD CONDITIONS OF APPROVAL

Building Inspection

1. For detailed information about the requirements for a Building Permit, obtain a Building Permit Application Instruction handout from the Building Inspection Office or visit the website at www.sccbuilding.org.

Planning

2. Development must take place according to approved architectural and grading plans prepared by Ekundayo Sowunmi, P.E., QSD/QSP of Ackland International, Inc. (submitted on March 9, 2023, and as updated prior to approval), and the Conditions of Approval.
3. Changes to the design or size of the house, or to the grading quantities, may require a modification of this land use entitlement and/or additional environmental review under the California Environmental Quality Act, which may require a public hearing.
4. The development of this property shall be conducted in full compliance of the Mitigation and Monitoring Program (Appendix A).
5. All grading abatement activity on APN 517-37-001 and the slopes above the residence on APN 517-37-003 shall be completed prior to the construction of the retaining walls for the fire truck turnaround.
6. Access improvements to the property shall be contained entirely within the property or within the ingress/egress easement between the property and Sanborn Road. All prior work outside of this easement is to be restored, provided neighboring property owners grant access to perform such work.
7. No development is authorized within any creek bed or below the top of bank of any creek. The project shall incorporate Best Management Practices (BMPs) for water quality during construction to minimize potential erosion and surface water runoff to the creek. Final grading plans are required to show BMPs.
8. To avoid potential erosion material from impacting the creek downslope from the building sites and driveways, construction is prohibited during the wet season. Ground disturbing activities shall be limited to the dry season (April to October).
9. All excess graded material must be exported from the property to an approved disposal site and shall be stated on the grading plans.
10. Existing zoning is HS (Hillside district). Maintain the following minimum residential setbacks:

Front:	8 feet ¹
Sides:	0 feet ²
Rear:	30 feet
Height:	35 feet (maximum)
Stories:	3 (maximum)

¹ Variance for the front setback reduction from 30 feet to 8 feet, per §5.70.020 of the County Zoning Ordinance.

² Variance for the west side setback reduction from 30 feet to 0 feet, per §5.70.020 of the County Zoning Ordinance.

11. Two (2) off-street parking spaces are required for the residence there one (1) must be covered.
12. Any detached accessory structures shall be in the rear half of the lot, or at least 75 feet from the front property line or edge of right-of-way, per Sections 4.20.020(D). Rear yard coverage of cumulative detached accessory structures shall not be more than 30%, which excludes green houses or agricultural structures.
13. Any accessory structures shall not contain more than two (2) internal plumbing fixtures per Section 4.20.020(I)(1). Further review of a Special Permit and associated fees may be required if additional plumbing fixtures are proposed.
14. Water tanks that are 12 feet or less in height shall have a minimum 3-foot side and rear yard setback. Water tanks over 12 feet in height must meet the same minimum side and rear yard setbacks and height limitations which apply to the main structure in that zoning district. Water tanks shall have a minimum front yard setback equal to that required for dwellings by the applicable zoning district. Tanks with a capacity of more than 5,000 gallons shall require a building permit.
15. If archaeological resources or human skeletal remains are discovered during construction, work shall immediately stop, and the County Coroner's Office notified. Upon determination that the remains are Native American, no further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs, in accordance with state law and Chapter B6-18 of the County Ordinance Code.

Land Development Engineering

16. Property owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to adjoining property.

Roads and Airports

17. A Tree Removal Approval is required prior to any tree removal, replacement, or relocation within the ROW. A tree within the ROW requiring removal approval is any tree at least 20 feet in height or at least 12 inches in diameter measured 4.5 feet above grade. The process for obtaining approval for a tree removal and the forms that are required can be found at: www.countyroads.org > Services > Apply for Permits > Tree Removal from County Right-of-Way.

Department of Environmental Health

18. All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays for the duration of construction.

Fire Marshal's Office

19. Fire protection water system shall be installed, functioning and inspected **prior to approval of the foundation**. System shall be maintained in good working order and accessible throughout construction. A stop work order may be placed on the project if the required hydrant systems are not installed, accessible, and/or functioning.
20. ON-SITE WATER STORAGE: Where on-site storage tanks are required, details for fire protection water supply shall be included with the building permit set of drawings. Submittal shall include, but not be limited to, location of water supply, (e.g. onsite well, shared well; tank location and capacity, pipe size, wharf hydrant orifice size and location, domestic and fire protection water tanks and piping configuration).
- A. All installations shall include a primary aboveground storage tank with a capacity of not less than 3,000 gallons dedicated to domestic and fire sprinkler system demand. Storage capacity may be increased due to sprinkler design demand or additional domestic (including landscaping) required by the Environmental Health Department.
 - B. Provide 3-5,000-gallon secondary aboveground storage tanks dedicated to the wharf hydrant. Final amount of water to be based off the size of structures at Building Permit submittal meeting CFMO-W1.
 - C. Installation of the water tank system shall comply with Fire Marshal Standard CFMO-W5.
 - D. A standard fire hydrant may be required in lieu of water tanks and a wharf hydrant if a water purveyor is available to supply water to the parcel.
21. WHARF HYDRANT: One on-site wharf hydrant with 2-1/2 inch orifice is required to be installed when fire protection water is supplied by on-site aboveground storage tank(s). Installation of hydrants shall be in accordance with Fire Marshal Standard Detail CFMO-W4.
- A. Minimum distance to structure shall not be less than 55 ft. from the closest portion of the structure and shall not exceed 400 ft. from the furthest portion of non-sprinklered structures and 600 ft. of sprinklered structures (measured along path of travel).
22. FIRE DEPARTMENT ACCESS GENERAL REQUIREMENTS: These are minimum Fire Marshal standards. Should these standards conflict with any other local, state or federal requirement, the most restrictive shall apply. All required access roads, driveways, turnarounds, and turnouts shall be installed, and serviceable prior to approval of the foundation, and shall be maintained throughout construction. A stop work order may be placed on the project if required driving surfaces are not installed, accessible, and/or maintained at all times.

23. ACCESS ROADS (roads serving more than two lots) and DRIVEWAYS (roads serving no more than two lots) for fire department access shall comply with the following:
- A. Width: Access Roads to have a clear drivable width of 18 ft. plus a 3 ft. shoulder on each side per CFMO-A1. Driveways are to have a 12 ft. drivable width and a 3 ft. shoulder.
 - B. Vertical Clearance: Minimum vertical clearance of 13 ft. 6 in. shall be maintained to building site (trim or remove, tree limbs, electrical wires, structures, and similar improvements) for access roads and driveways.
 - C. Curve Radius: Plans to show minimum 42 ft. inside turn radius for curves.
 - D. Grade: Maximum grade shall not exceed 15%.
 - E. Surface: All driving surfaces shall be all-weather and capable of sustaining 75,000-pound gross vehicle weight.
 - F. Bridges: All bridges shall be capable of sustaining 75,000-pound gross vehicle weight and meet the latest edition of the CalTrans Standard Bridge Design Specifications. Appropriate signage, including but not limited to weight or vertical clearance limitations, or any special conditions shall be provided.
 - G. Turnouts: Passing turnouts in compliance with SD-16 shall be provided at every 500 ft. and wherever hydrants are placed adjacent to a driveway.
 - H. Turnarounds: Turnaround shall be provided for driveways in excess of 150 ft. as measured along the path of travel from the centerline of the access road to the structure. Acceptable turnaround shall comply with County Standard SD-16. All turnarounds shall have a slope of not more than 5% in any direction.
 - I. Gates: Gates shall not obstruct the required width or vertical clearance of the driveway and may require a Fire Department Lock Box/Gate Switch to allow for fire department access. Installation shall comply with CFMO-A3.
 - J. Address: Numbered address to be easily recognizable from the street.
24. This property is located in the Wildland Urban Interface and within the State Responsibility Area. All of the following conditions shall apply:
- A. A Class "A" roof assembly is required. Detail shall be included in plans submitted for building permit.
 - B. Meet Chapter 7A of the CBC.
 - C. Remove significant combustible vegetation within 30 feet of the structure to minimize risk of wildfire casualty. Maintain appropriate separation of vegetative fuels in areas between 30 and 100 feet from the structure.
25. MAINTENANCE: Fire protection water systems and equipment shall be accessible and maintained in operable condition at all times and shall be replaced or repaired where defective. Fire protection water shall be made available to the fire department.
26. Fire department access roads, driveways, turnouts, and turnarounds shall be maintained free and clear and accessible at all times for fire department use. Gates shall be maintained in good working order and shall remain in compliance with Fire Marshal Standard CFMO-A3 at all times.

**CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO DEVELOPMENT
PERMIT ISSUANCE**

Planning

27. **Prior to the issuance of any permits**, the applicant shall pay all reasonable costs associated with the work by the Department of Planning and Development.
28. **Prior to the issuance of a building permit**, and pursuant to Zoning Ordinance Section 5.20.125, record a "Notice of Permit and Conditions" with the County Office of Clerk-Recorder, to ensure that successor property owners are made aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided **prior to building permit application**.
29. **Prior to the issuance of a building permit**, submit a copy of the lighting plan showing location(s) of proposed outdoor lighting fixtures and a copy of the manufacture sample cut sheet demonstrating full cut off design of the proposed lighting fixture to ensure that no direct offsite spill of light or glare will occur. All exterior lighting shall not adversely affect nighttime views.
30. **Prior to issuance of a grading permit**, submit a landscaping plan (including tree planting and maintenance) and associated irrigation systems, prepared, stamped, and signed by a licensed landscape architect. The requirements of Division B33 of the County Ordinance Code (Sustainable Landscape Ordinance) shall apply. Should the total landscape area exceed 500 square feet, a landscape documentation package shall be submitted prior to grading/building permit issuance for review and approval. The landscape ordinance and supporting information can be found on the following web page: www.sccgov.org > Ordinances & Codes > Landscaping Ordinance
31. The plan shall show any tree proposed to be removed and all trees that are to be replanted on site. The plan shall include species name (generic and common), size and container size of all proposed plants. The plan shall also include location of all replacement trees, size, type, and tree protection measures for existing trees to main. Tree replacement type and ratios are specified in the following condition. The plan must also describe any relevant details of irrigation and maintenance, including methods for protecting any significant existing trees during construction. Include details of plant pit and staking/guying of trees on slope. Tree removal and replacement shall conform to the approved plans, County tree preservation guidelines, and the MMRP.
32. Include in the landscape plan trees that provide vegetative screening of the residence, as viewed from the north and west. Trees should be 36" box, fast growing evergreens from the County's approved native species list planted at the minimum spacing recommended for the

selected species and would allow for canopy growth that would provide screening of the residence.

33. Elective landscape, if any, shall consist of a variety of landscape material types (i.e. large/small trees, shrubs, forbs, vines/ivy, and ground cover) of varying species. Canopy trees shall, for the purposes of this condition, mean deciduous or evergreen trees of a species whose height and spread at maturity normally exceeds 35 feet, and shall not include palms (family Arecaceae or Palmae).
34. All proposed landscape plant materials shall be drought-tolerant and /or native species and match existing vegetation. Oak trees to be removed shall only be replaced by oak trees.
35. Arrangement of trees and other plant materials shall provide for defensible space for fire protection around proposed buildings. Please contact the Fire Marshal's Office (408 299-5760) for more information.
36. **Installation. Prior to issuance of the final grading permit**, submit a copy of a contract with a licensed landscape architect (hired to oversee installation of landscaping and associated irrigation) to the Planning Office for approval.

Note: Original invoices and receipts from landscape contractor and tree nursery must be kept on hand for one year following installation. Such invoices shall be made available to the Planning Office upon request.

37. **Installation Observation Letter.** During planting, a licensed landscape architect shall observe the installation of the landscaping and associated irrigation. A licensed landscape architect shall submit a Construction Observation Letter to the Planning Office prior to the completion of grading and release of bonds or final inspection or occupancy of the residence, to verify that the required landscaping was installed according to the approved plans, and landscape elements and existing trees within 15 feet of construction or graded areas were not damaged by construction activities. If it appears that any trees are damaged by construction activities, additional tree replacement may be required as stipulated in these conditions.
38. **Protection of Existing Trees.** The landscape plan shall include the location, size, type, and tree protection measures for existing trees to remain.
 - A. Prior to construction, fencing or other barriers shall be placed to protect existing trees not proposed for removal that are located within 15 ft. of construction/grading activities. All trees to remain whose driplines are within the development area shall be protected with five-foot chain-link fencing on steel posts driven into the ground at the dripline of the trees. No work is allowed within the dripline of existing trees to remain on-site.
 - B. The fencing should be maintained throughout the site during the entire construction period and should be inspected periodically for damage and proper functions,

- C. Fencing should be repaired, as necessary, to provide a physical barrier from construction activities,
 - D. The following sign shall be placed on all tree protection fencing and must remain until final occupancy. The sign must read: “Warning. This fencing shall not be removed without permission from the Santa Clara County Planning Office. County of Santa Clara tree protection measures may be found at: <http://www.sccplanning.gov>, or call (408) 299-5770 for additional details.”
 - E. Best Management Practices (BMP) shall be implemented by the contractor to ensure that sediment and other contaminants are not discharged into existing trees during the construction process including erosion and sediment control measures. Final grading and building plans shall identify the BMPs.
39. In areas where soil properties are less than conducive to hearty vegetation growth, soil augmentation shall be required, particularly in those areas surrounding tree installation pits. The extent of soil augmentation shall be based on the anticipated drip line at maturity, with a depth adequate to promote root development for structural stability and vigor.
40. All proposed trees on the property are subject (without time limitation) to the provisions of Division C16: Tree Preservation and Removal, of the County Ordinance Code and these conditions of approval.

Land Development Engineering

41. Obtain a Grading Permit from Land Development Engineering (LDE) **prior to beginning any construction activities**. Issuance of the grading permit is required **prior to LDE clearance of the building permit** (building and drainage permits may be applied for concurrently). The process for obtaining a drainage permit and the forms that are required can be found at the following web page:

<https://plandev.sccgov.org/home> > How to > Apply for a Permit > Grading Permit

If the County Roads and Airports Department provides a condition of approval to obtain an encroachment permit, for your convenience, the grading and encroachment permits will be processed concurrently under one set of improvement (grading) plans.

42. Final plans shall include a single sheet which contains the County standard notes and certificates as shown on County Standard Cover Sheet. Plans shall be neatly and accurately drawn, at an appropriate scale that will enable ready identification and recognition of submitted information.
43. Final improvement plans shall be prepared by a licensed civil engineer for review and approval by LDE and the scope of work shall be in substantial conformance with the conditionally approved preliminary plans on file with the Planning Office. Plans shall include plan, profile, typical sections, and construction details for the road/driveway improvements,

site grading, drainage improvements, and other structures/improvements covered by the grading permit. The final design shall be in conformance with all currently adopted standards and ordinances. The following standards are available on-line:

§ March 1981 Standards and Policies Manual, Volume 1 (Land Development)

<https://plandev.sccgov.org/how> > Ordinances & Codes > Land Development Standards and Policies

§ 2007 Santa Clara County Drainage Manual

<https://plandev.sccgov.org/how> > Ordinances & Codes > Grading and Drainage Ordinance

44. The grading plans shall include the following improvements:

Private access road (Hillside Condition) per modified County Standard Detail SD2, from approximately Ambrose Road to the turnaround on APN: 517-37-003, as generally shown in the conditionally approved plans.

Turnaround on APN: 517-37-003 per modified County Standard Detail SD16, as generally shown in the conditionally approved plans, subject to final approval by the County Fire Marshall's Office. The turnaround shall serve as both the terminus of the road and the fire truck turnaround.

Drainage improvements to ensure that the storm drainage flowing down the inboard side of the shared access road is conveyed across, and not down, the Lands of Tengen driveway (APN: 517-37-002).

Standard turnaround and turnouts per County Standard SD16 (fire truck turnaround is per modified County Standard SD16).

The bridge on the private access road shall be consistent with the lane and shoulder widths noted in County Standard SD2. The bridge shall meet or exceed California Department of Transportation current structural design standards. The bridge requires a separate building permit from the Building Inspection Section.

A debris catchment fence, located on APN: 517-37-001, to protect the structures located on the Lands of Tengen (APN: 517-37-002) during construction shall be installed. The debris catchment fence shall be located as close to the road construction as practicable (to reduce the momentum of falling debris) and shall extend 20-feet beyond the limits of the fall line extended up from the structures located on the Lands of Tengen. The debris fence shall be designed to withstand falling debris up to 200-lbs.

45. Survey monuments shall be shown on the improvement plan to provide sufficient information to locate the proposed improvements and the property lines. Existing monuments must be exposed, verified, and noted on the plans. Where existing monuments are below grade, they shall be field verified by the surveyor and the grade shall be restored and a temporary stake shall be placed identifying the location of the found monument. If existing survey monuments are not found, temporary staking delineating the property line may be placed **prior to construction** and new monuments shall be set **prior to final acceptance of the improvements**. The permanent survey monuments shall be set pursuant to the State Land Surveyor's Act. The Land Surveyor / Engineer in charge of the boundary survey shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.
46. The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period. Include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set.
47. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.
48. Provide a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. The mean annual precipitation is available on the on-line property profile.
49. All new on-site utilities, mains and services shall be placed underground and extended to serve the proposed development. All extensions shall be included in the improvement plans. Off-site work should be coordinated with any other undergrounding to serve other properties in the immediate area.
50. Submit a completed San Francisco Bay Watershed (C.3) Questionnaire. In the plans, include site design measures, source control measures, stormwater treatment, and hydromodification management (if applicable) to comply with NPDES Municipal Regional Permit (MRP) Provision C.3 requirements. The questionnaire will assess and identify the applicable requirements for the project. The questionnaire is available on the County website at:
- <https://plandev.sccgov.org/policies-programs/stormwater-management-program>
51. Provide a Storm Water Management Plan generally showing how the project complies with MRP Provision C.3 requirements. The plan shall detail the project's drainage management areas (DMAs), self-treating areas, self-retaining areas, stormwater treatment facilities,

hydromodification management (if applicable) and site design and source control measures. Provide sizing calculations to demonstrate that retention and/or treatment facilities have been sized adequately. For additional information, refer to the C.3 Stormwater Handbook published by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) available at the following website:

<https://scvurppp.org/newdev/newdev-fact-sheets>

52. Enter into an Operations and Maintenance Agreement for Stormwater Quality Improvements with the County per Section B11.5-23 of the County Ordinance Code.
53. Submit **one copy** of the signed and stamped geotechnical report for the project.
54. Submit a plan review letter by the Project Geotechnical Engineer certifying that the geotechnical recommendations in the above geotechnical report have been incorporated into the improvement plan.
55. Indicate on the improvement plans the land area that will be disturbed. If one acre or more of land area will be disturbed, file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for coverage under the State General Construction Permit. The SWRCB will issue a Waste Discharge Identification number (WDID). The WDID number shall be shown on the on the final improvement plans. The SWRCB web site is at:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html
56. Offer to dedicate curvilinear right-of-way to the public and the County for private road purposes for the shared access road and turnaround. The right-of-way may have variable width but shall fully encompass the shared access road, turnaround, and any improvements necessary to support the construction and maintenance of the road and turnaround (e.g., slope easements, retaining walls, etc.). The offer of dedication shall be from the common property line with APN: 517-37-004 to the end of the fire truck turnaround.
57. Enter into a land development improvement agreement with the County. Submit an Engineer's Estimate of Probable Construction Cost prepared by a registered civil engineer with all stages of work clearly identified for all improvements and grading as proposed in this application. Post financial assurances based upon the estimate, sign the development agreement, and pay necessary inspection and plan check fees, and provide County with a Certificate of Worker's Compensation Insurance.

Roads and Airports

58. Obtain a Santa Clara County Roads and Airports Department (RAD) Encroachment Permit for the following required improvements:
 - A. Installation of the shared driveway approach on Sanborn Road to County Standard B/5.

The process for obtaining an Encroachment Permit and the forms that are required can be found at: www.countyroads.org > Services > Apply for Permits > Encroachment Permit.

59. Demonstrate that the post-development maximum flow rate into the County Road right-of-way is equal-to or less-than the pre-development corresponding storm event flow rate per the County Drainage Manual. Provide engineered plans and drainage calculations for any detention or retention system necessary to satisfy this requirement.

Department of Environmental Health

60. **Prior to issuance of a development permit**, apply for and receive septic system clearance from the Department of Environmental Health. Sewage disposal conditions have been determined as follows: utilization of a 2000-gallon septic tank, 2000-gallon pump tank, a dual leach field sized as 275 linear feet plus 275 linear feet, interconnected via an positive diversion valve. This system as condition can serve a single-family dwelling not to exceed 4-bedrooms.
61. **Prior to issuance of a development permit**, submit the final septic system site plan on the final grading and drainage plan showing the house, driveway, accessory structures (if applicable), septic and pump tanks, and the required drain lines to contour.
62. Submit final floor plans to ensure no changes to layout that effect waste loading sizing for septic system.
63. Be advised that any modification to the stamped approved septic system design which requires a subsequent review and approval by DEH will require the applicant to return all previously approved septic design plans to the district specialist prior to obtaining current design approval.
64. Call Jeff Camp (408-918-3473) for either individual and/or shared water system clearance. This is a separate submittal to the Department of Environmental Health subject to completion of service application for water clearance, submittal of documents to include, but not limited to, a well completion report, well yield report, analytical results from water sampling, and payment of applicable fees.

County Geologist

65. **Prior to issuance of final grading permits**, submit to the County Geologist a Plan Review Letter prepared by the Project Geotechnical Consultant that confirms the plans conform with the recommendations presented in the approved geotechnical and geological report by E2C, Inc., dated February 11, 2005.

CAL Fire

66. Driveway grade may only exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect.
67. Driveway requires a turnaround per 14 CCR § 1273.05.
- The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the “T” shall be a minimum of sixty (60) feet in length.
 - A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.
68. Driveway requires a turnout near the midpoint of the driveway per 14 CCR § 1273.05, to meet specifications in 14 CCR § 1273.06. Should the driveway exceed 800 feet in length, additional turnouts will be required pursuant to that section.
- Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.
69. Ensure radius on driveway meets specifications of not having a horizontal inside radius curvature of less than fifty (50) feet pursuant to 14 CCR § 1273.04.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO FINAL INSPECTION

Planning

70. **Prior to final inspection**, contact Robert Cain in the Planning Division, **at least two (2) weeks in advance** to schedule a site visit to verify that all conditions have been satisfied.

Land Development Engineering

71. Existing and set permanent survey monuments shall be verified by inspectors **prior to final acceptance of the improvements** by the County. Any permanent survey monuments damaged or missing shall be reset by a licensed land surveyor or registered civil engineer authorized to practice land surveying and they shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.
72. Construct the improvements. Construction staking is required and shall be the responsibility of the developer.
73. Prior to final building permit occupancy, the debris catchment fence and any associated debris shall be completely removed from the site.
74. Grading violations exist on both parcels (APNs: 517-37-003 and 517-37-001). Abatement of the grading violations (i.e., the completion of grading work for both lots) is required prior to final building permit occupancy.

Roads and Airports

75. Construct all of the improvements approved under the Encroachment Permit.

Department of Environmental Health

76. Provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of Santa Clara County is mandatory.

County Geologist

77. Observation and testing by the Project Geotechnical Consultant will be required during grading and construction. **Prior to Final Grading and Final Construction**, submit to the County Geologist a Construction Observation Letter prepared by the geotechnical consultant that verifies the work was completed with approved reports and plans.

Fire Marshal's Office

78. An approved residential fire sprinkler system complying with CFMO-SP6 shall be installed throughout the structure.

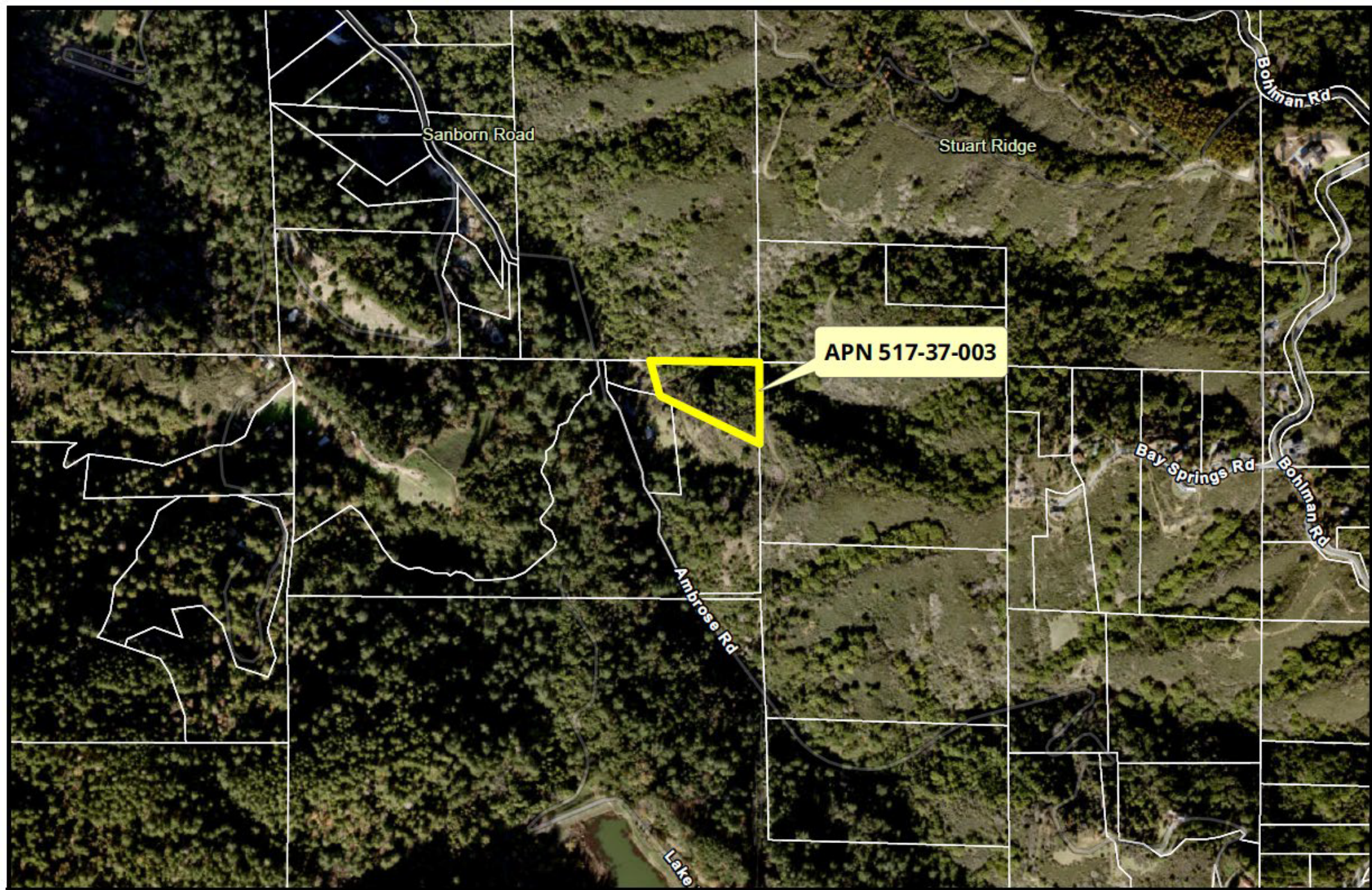
NOTE: The fire sprinkler system shall be installed and finalized by this office **prior to occupancy**. A separate permit shall be obtained from this office by a state licensed C-16 contractor **prior to installation**. Please allow for a minimum of 30 days for plan review of fire sprinkler plans by this office.

CAL Fire

79. This property will need to comply with all vegetation requirements of Public Resource Code (PRC 4291).

ATTACHMENT C

Location & Vicinity Map



Location and Vicinity Map

Record No. PLN18-8580

APN 517-37-003

Ambrose Road, Saratoga

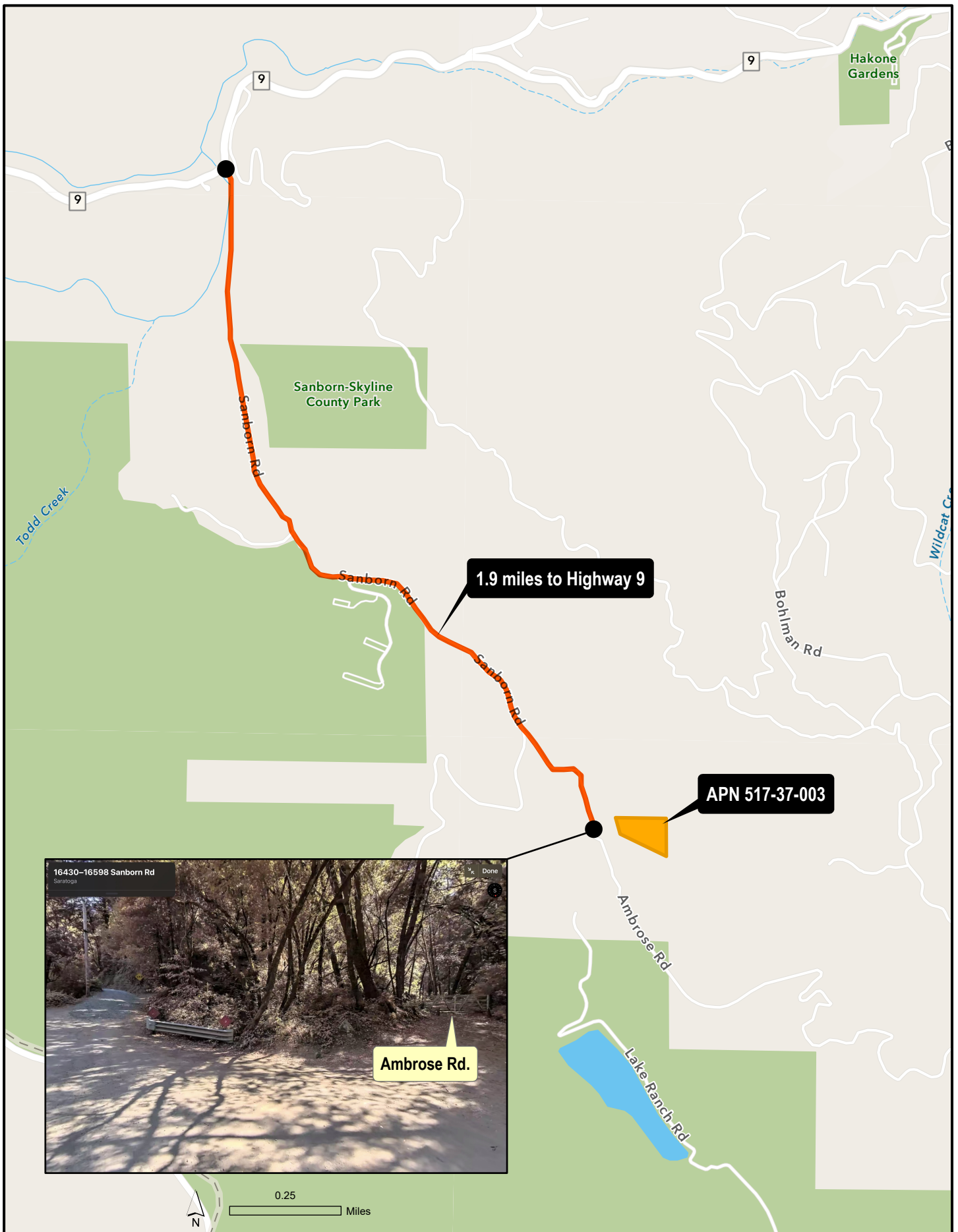


1,000

Feet

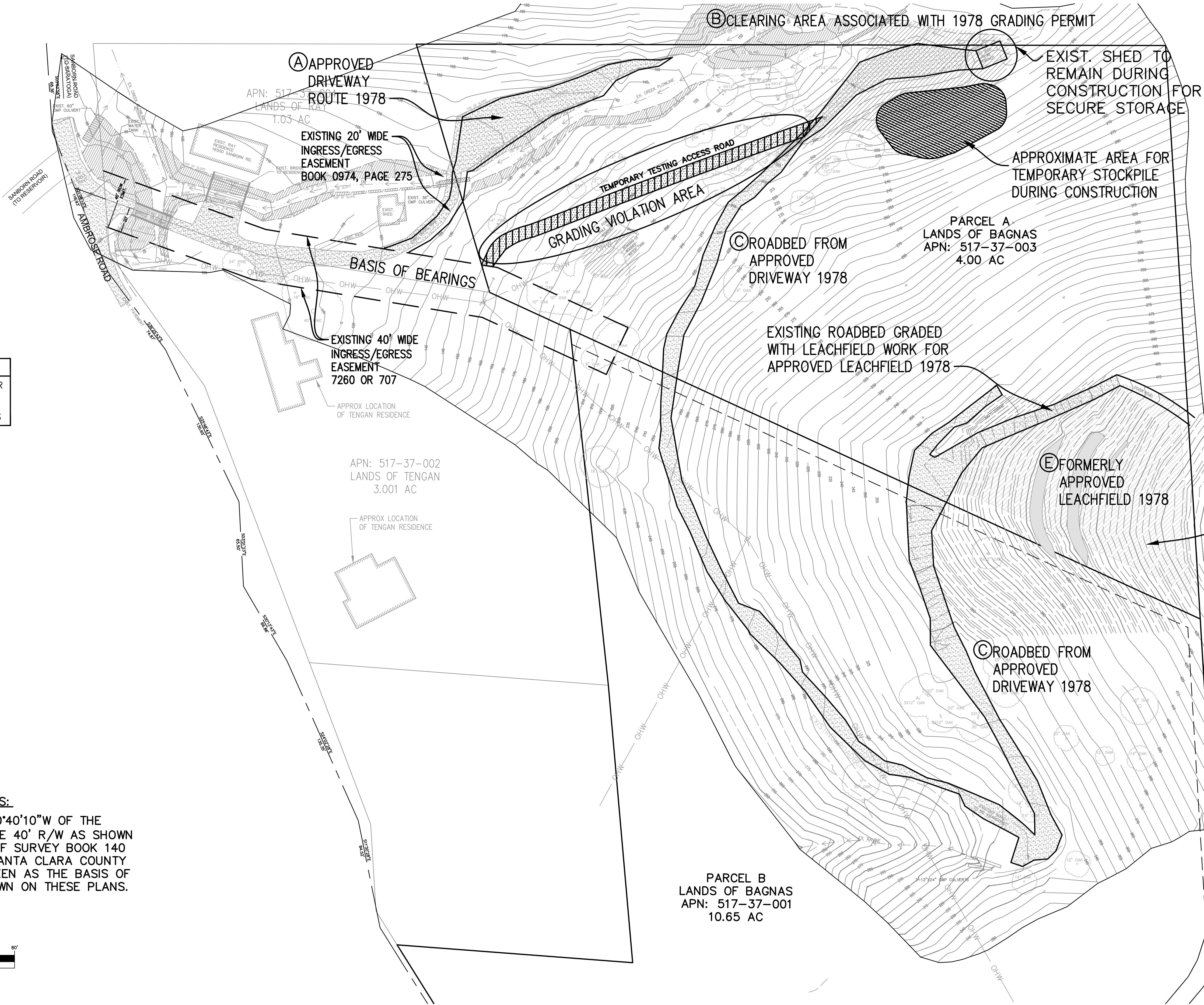


Distance from Highway 9 to Applicant Property



ATTACHMENT D

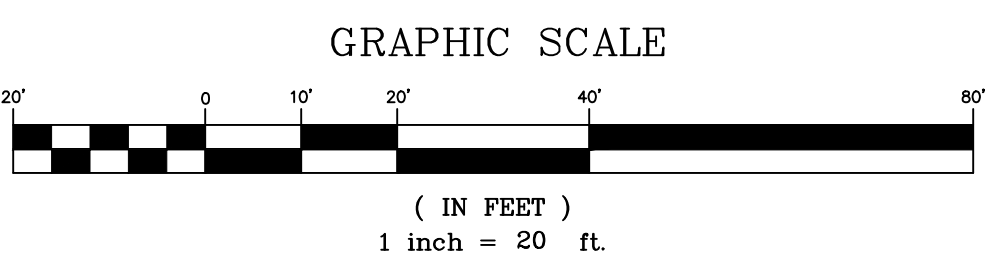
Plans



NOTE AS TO GRADING VIOLATION:
 AREA TO BE ABATED BY EXCAVATION FOR ULTIMATE ACCESS ROAD

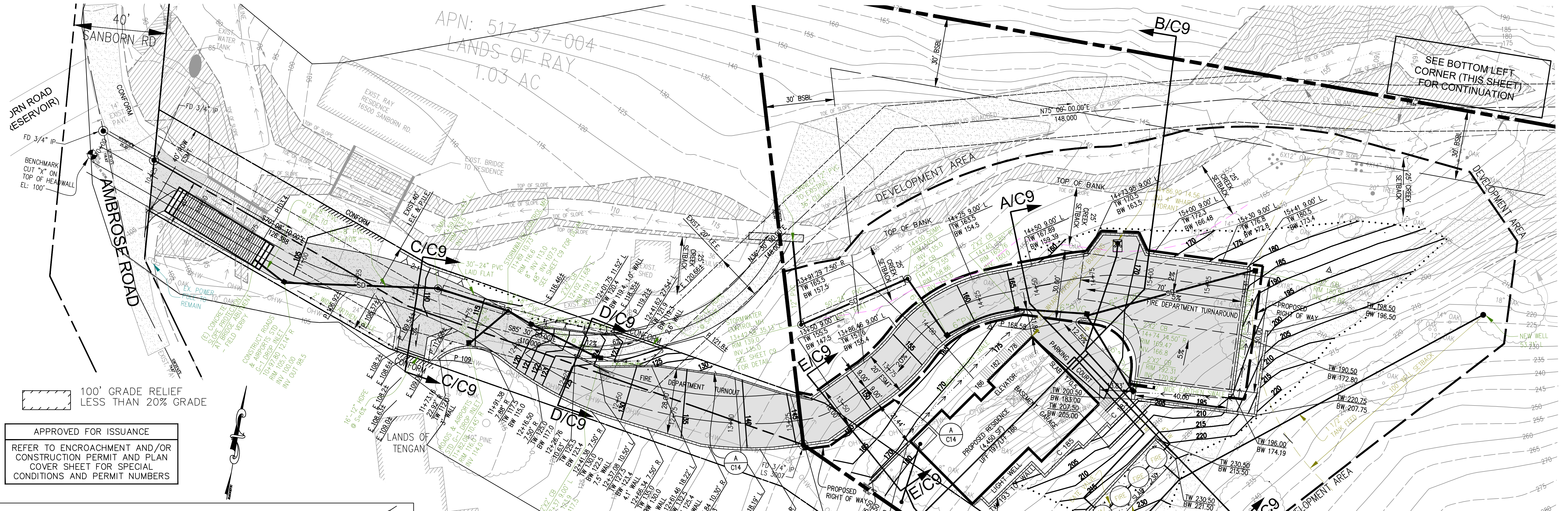
APPROVED FOR ISSUANCE
 REFER TO ENCROACHMENT AND/OR CONSTRUCTION PERMIT AND PLAN COVER SHEET FOR SPECIAL CONDITIONS AND PERMIT NUMBERS

BASIS OF BEARINGS:
 THE BEARING N 80°40'10"W OF THE CENTERLINE OF THE 40' R/W AS SHOWN ON THE RECORD OF SURVEY BOOK 140 MAPS PAGE 51; SANTA CLARA COUNTY RECORDS WAS TAKEN AS THE BASIS OF BEARINGS AS SHOWN ON THESE PLANS.



EXIST. ROADBED
 CREEK BANK OR EXIST. GRADING

SEAL: 	 INTERNATIONAL, INC. 333 Hegenberger Road, Suite 206 Oakland, CA 94621 510.584.4284 (tel) ekundayo.sowunmi@gmail.com	5 02/10/23 4 ACRE BSA APPLICATION RESUBMITTAL ES 4 11/18/22 4 ACRE BSA APPLICATION RESUBMITTAL ES 3 07/25/22 4 ACRE BSA APPLICATION RESUBMITTAL ES 2 02/15/22 4 ACRE BSA APPLICATION RESUBMITTAL ES 1 01/21/21 4 ACRE BSA APPLICATION ES	PROJECT NAME: PARCEL A, LANDS OF BAGNAS 16501 SANBORN RD. SARATOGA, CA	SHEET TITLE: EXISTING TOPOGRAPHY & EASEMENTS	PROJECT NO. S18046 SHEET NO. C2
		NO. DATE DESCRIPTION BY REVISION	CLIENT NAME & ADDRESS: MANNY BAGNAS 10692 CULVER ROAD CUPERTINO, CA 95014	DRAWN BY: DS CHECKED BY: ES SCALE: AS SHOWN DATE: 11/18/2022	

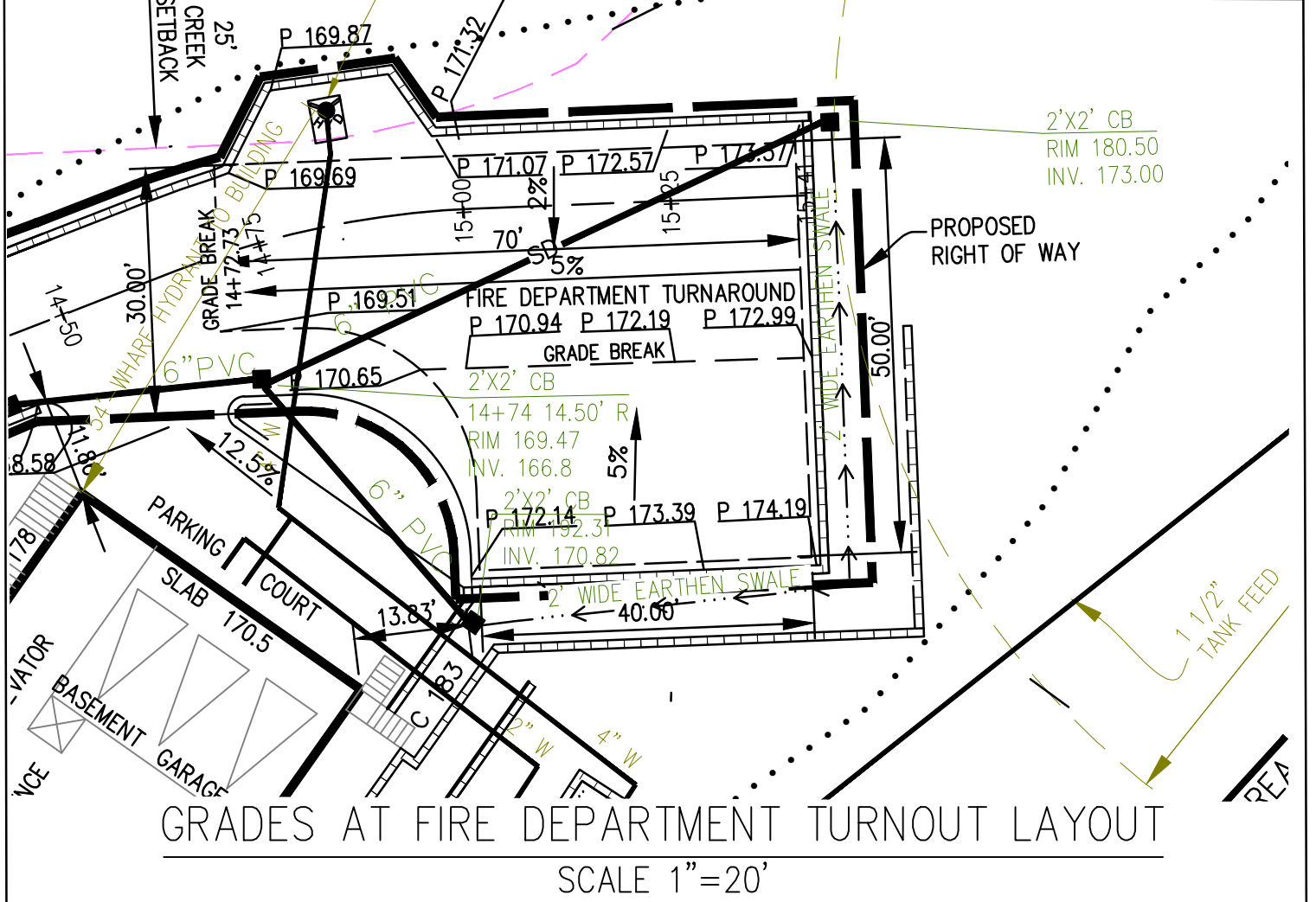
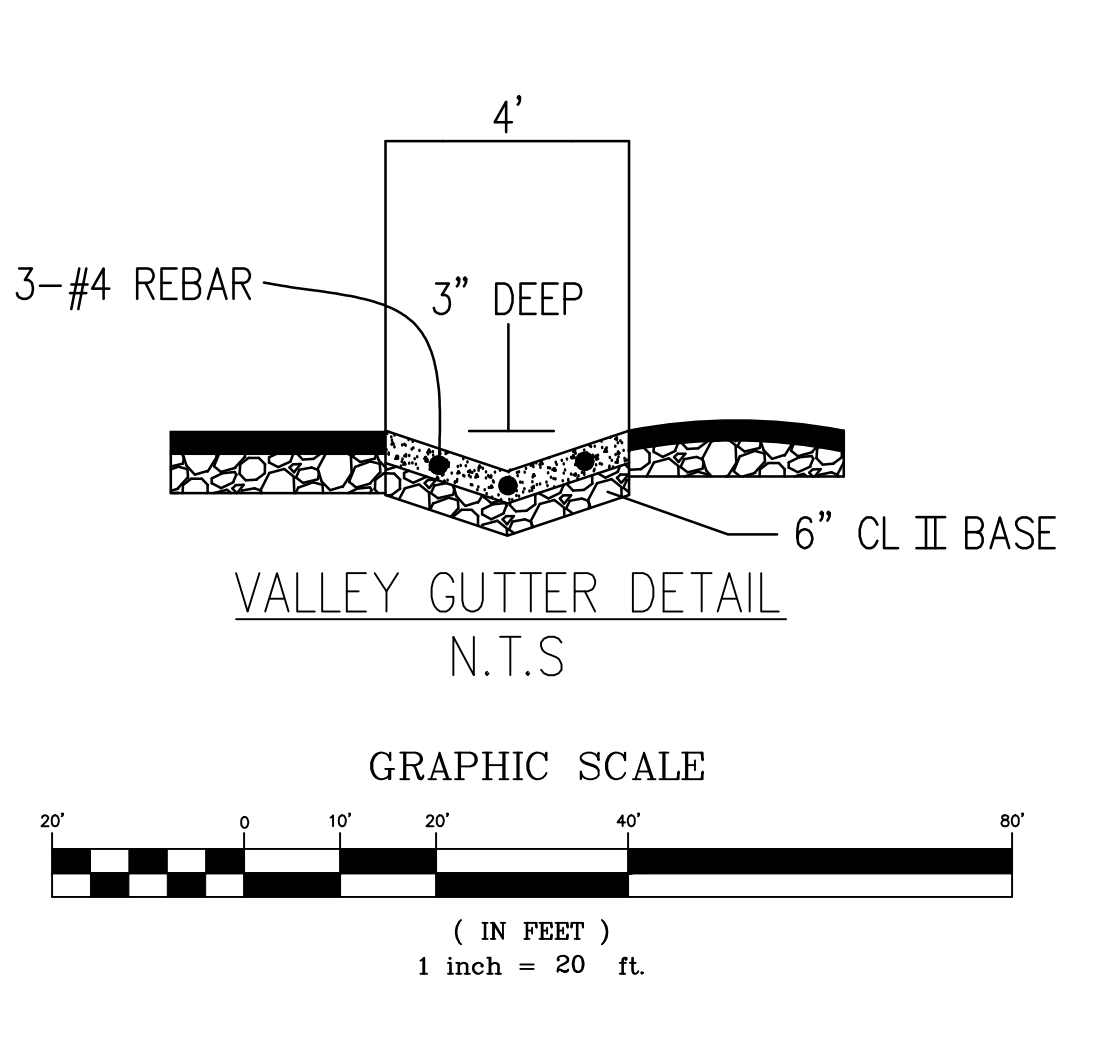
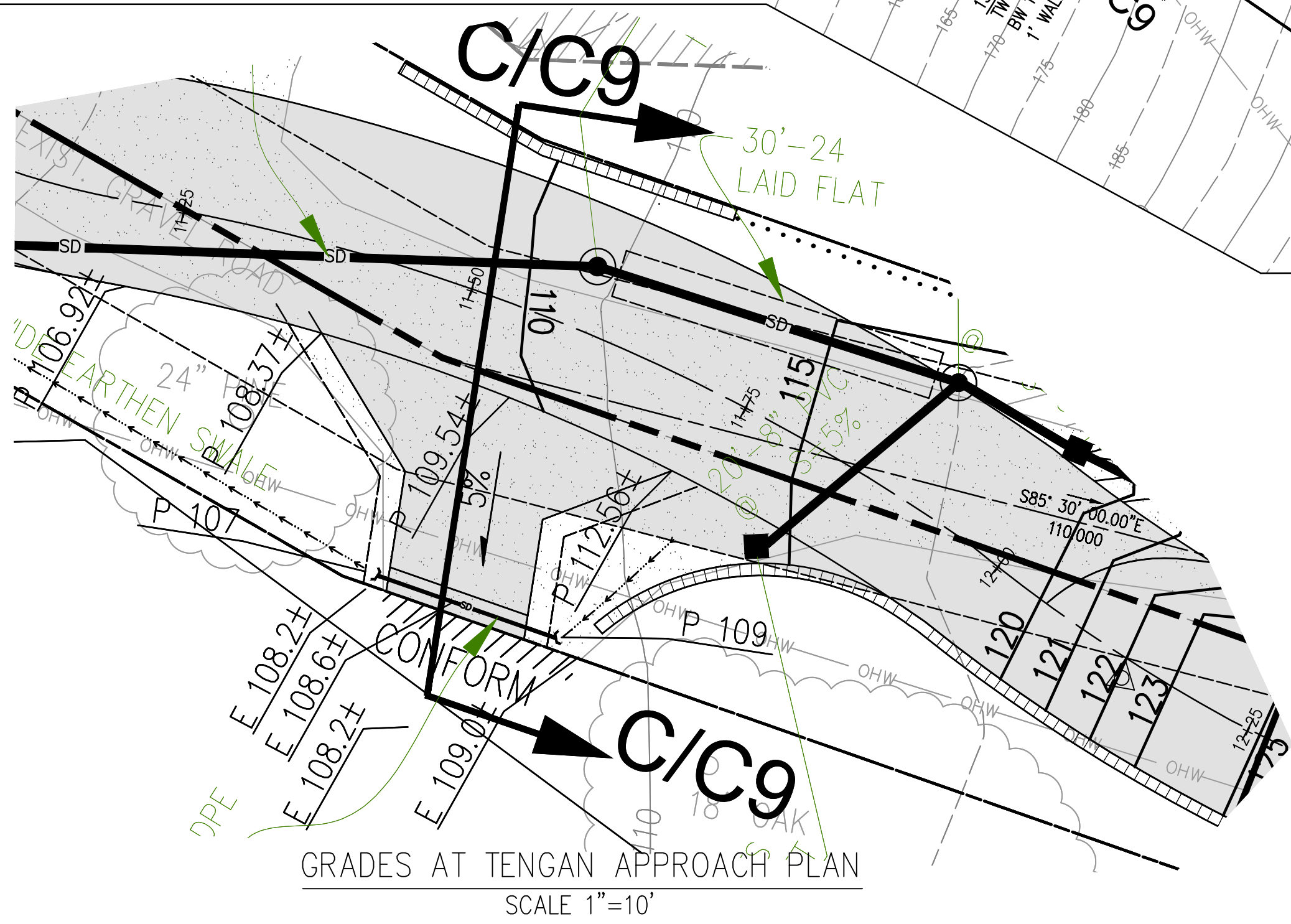
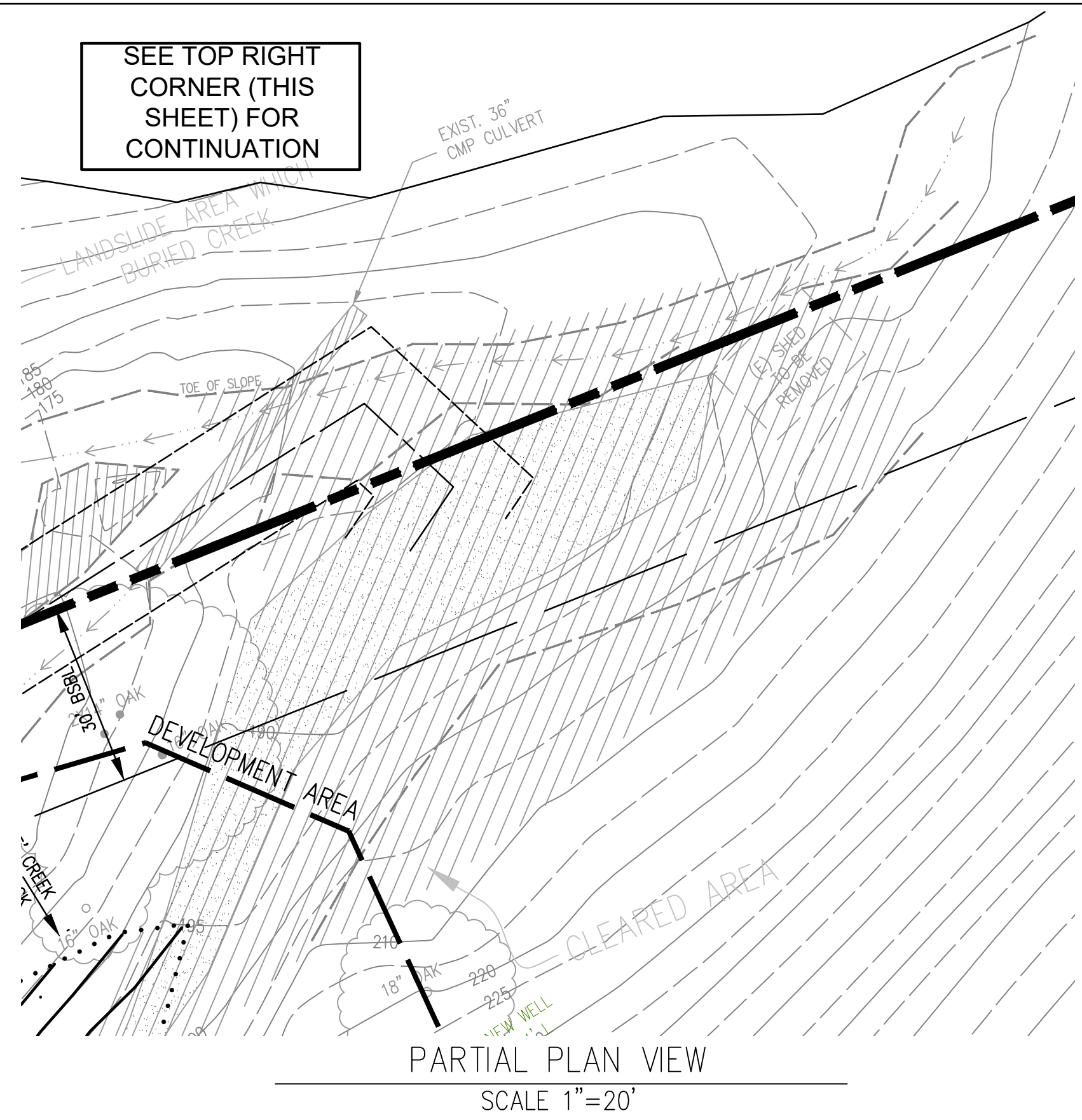
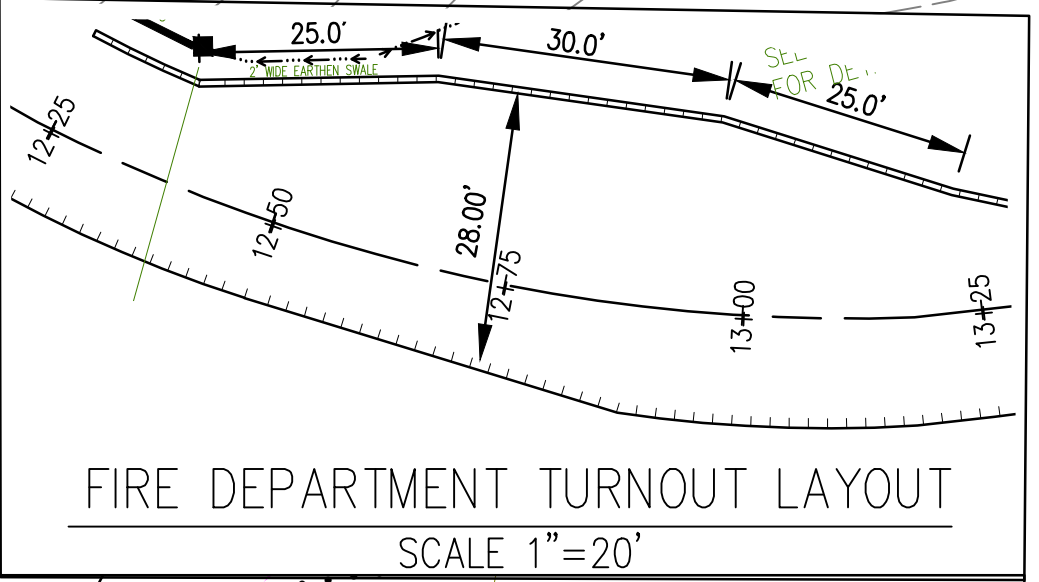


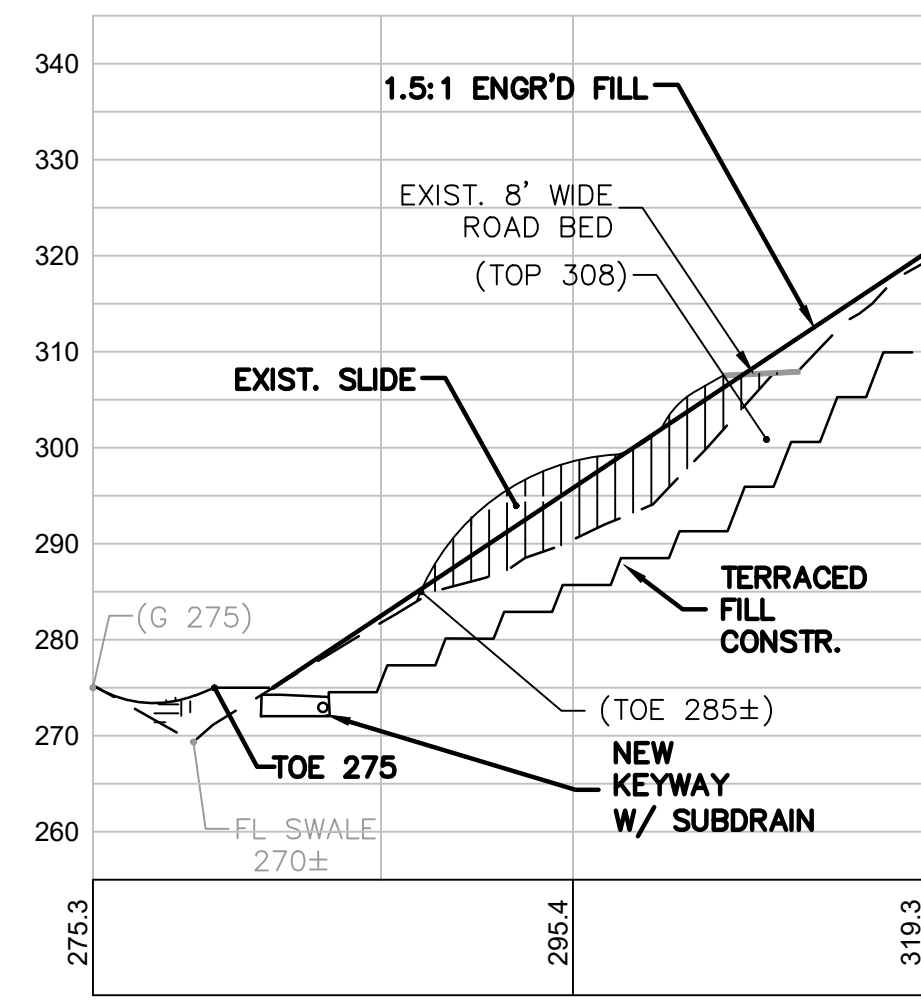
100' GRADE RELIEF
LESS THAN 20% GRADE

APPROVED FOR ISSUANCE
REFER TO ENCROACHMENT AND/OR
CONSTRUCTION PERMIT AND PLAN
COVER SHEET FOR SPECIAL
CONDITIONS AND PERMIT NUMBERS

SEE TOP RIGHT
CORNER (THIS
SHEET) FOR
CONTINUATION

PLAN VIEW
SCALE 1"=20'



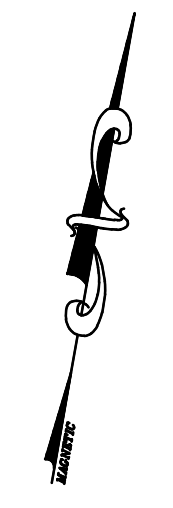
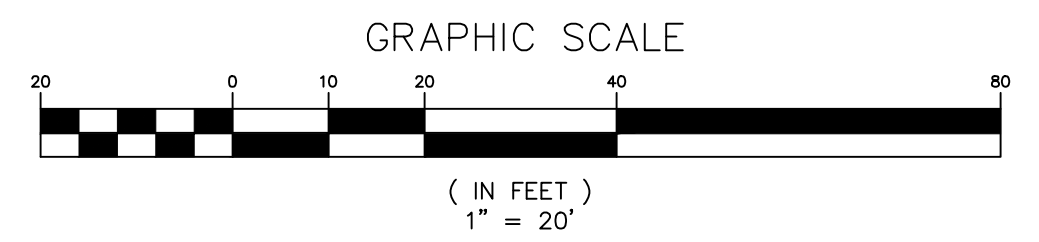


SLIDE REPAIR SECTION A-A

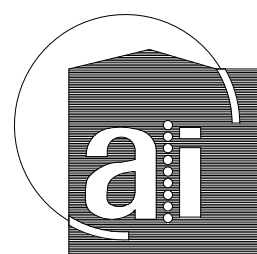
SCALE: 1"=20' VERT. 1"=20' HORIZ.

APPROVED FOR ISSUANCE

REFER TO ENCROACHMENT AND/OR CONSTRUCTION PERMIT AND PLAN COVER SHEET FOR SPECIAL CONDITIONS AND PERMIT NUMBERS



SEAL:



ACKLAND INTERNATIONAL, INC.
 333 Hegenberger Road, Suite 206
 Oakland, CA 94621
 510.564.4284 (tel)
 ekundayo.sowunmi@gmail.com

NO.	DATE	DESCRIPTION	BY
5	02/10/23	4 ACRE BSA APPLICATION RESUBMITTAL	ES
4	11/18/22	4 ACRE BSA APPLICATION RESUBMITTAL	ES
3	07/25/22	4 ACRE BSA APPLICATION RESUBMITTAL	ES
2	02/15/22	4 ACRE BSA APPLICATION RESUBMITTAL	ES
1	01/21/21	4 ACRE BSA APPLICATION	ES
		REVISION	

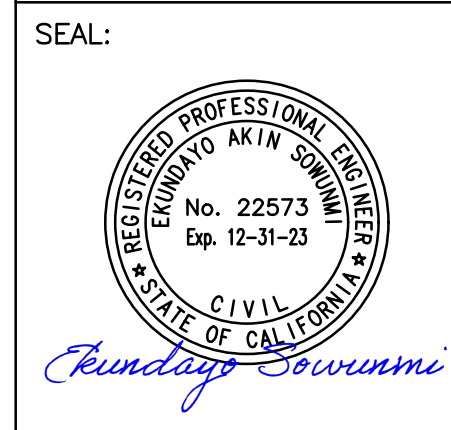
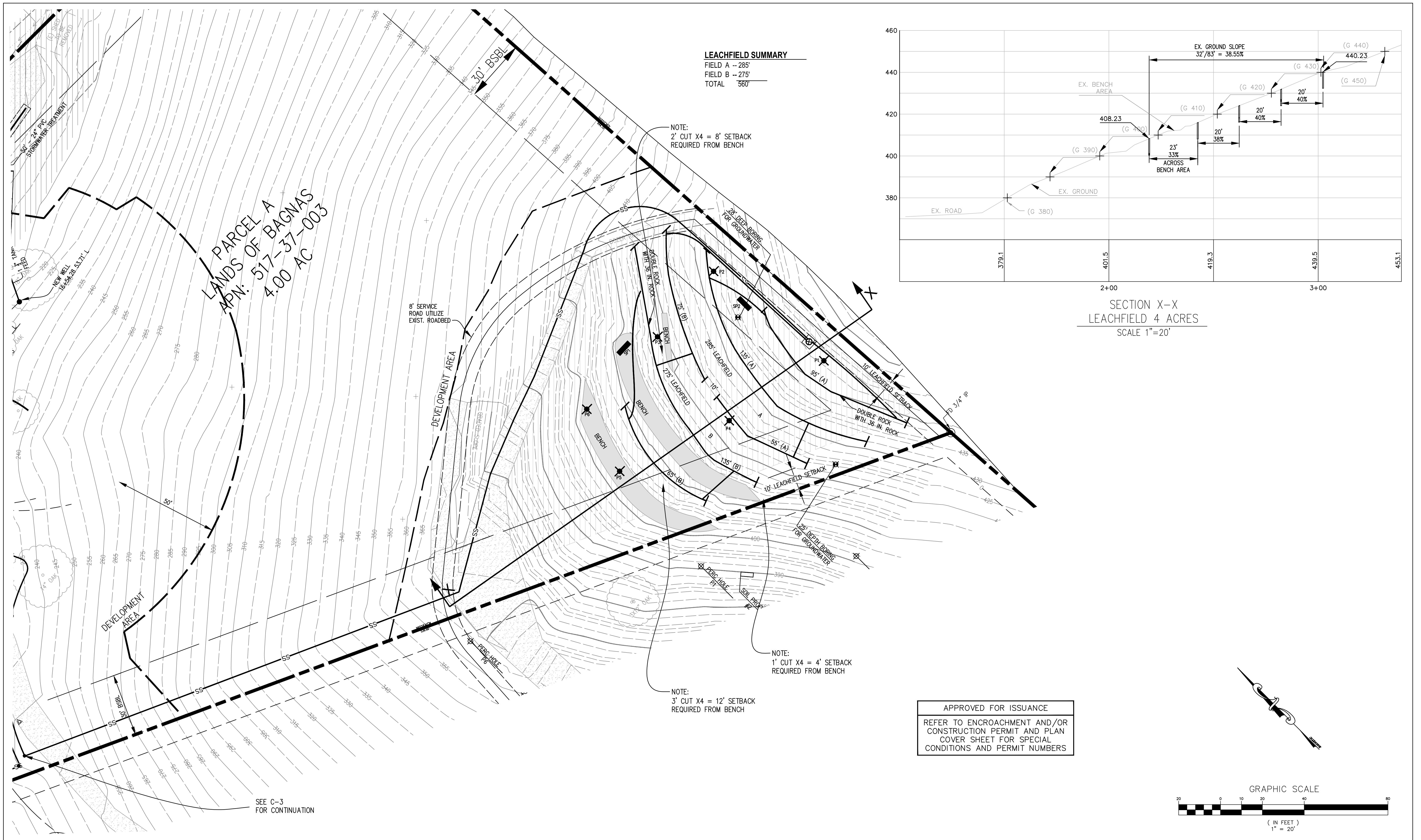
PROJECT NAME:
PARCEL A, LANDS OF BAGNAS
 16501 SANBORN RD.
 SARATOGA, CA

CLIENT NAME & ADDRESS:
 MANNY BAGNAS
 10692 CULVER ROAD
 CUPERTINO, CA 95014

SHEET TITLE:
LANDSLIDE REPAIR PLAN
PARCEL B

PROJECT NO. S18046
 DRAWN BY: DS
 CHECKED BY: ES
 SCALE: AS SHOWN
 DATE: 11/18/2022

SHEET NO.
C3.1



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3	07/25/22	4 ACRE BSA APPLICATION RESUBMITTAL	ES
2	02/15/22	4 ACRE BSA APPLICATION RESUBMITTAL	ES
1	01/21/21	4 ACRE BSA APPLICATION	ES
NO.	DATE	DESCRIPTION	BY
1	02/15/22	LEACHFIELD LAYOUT, SETBACKS FROM BENCHES SHOWN	26-09
REVISION			

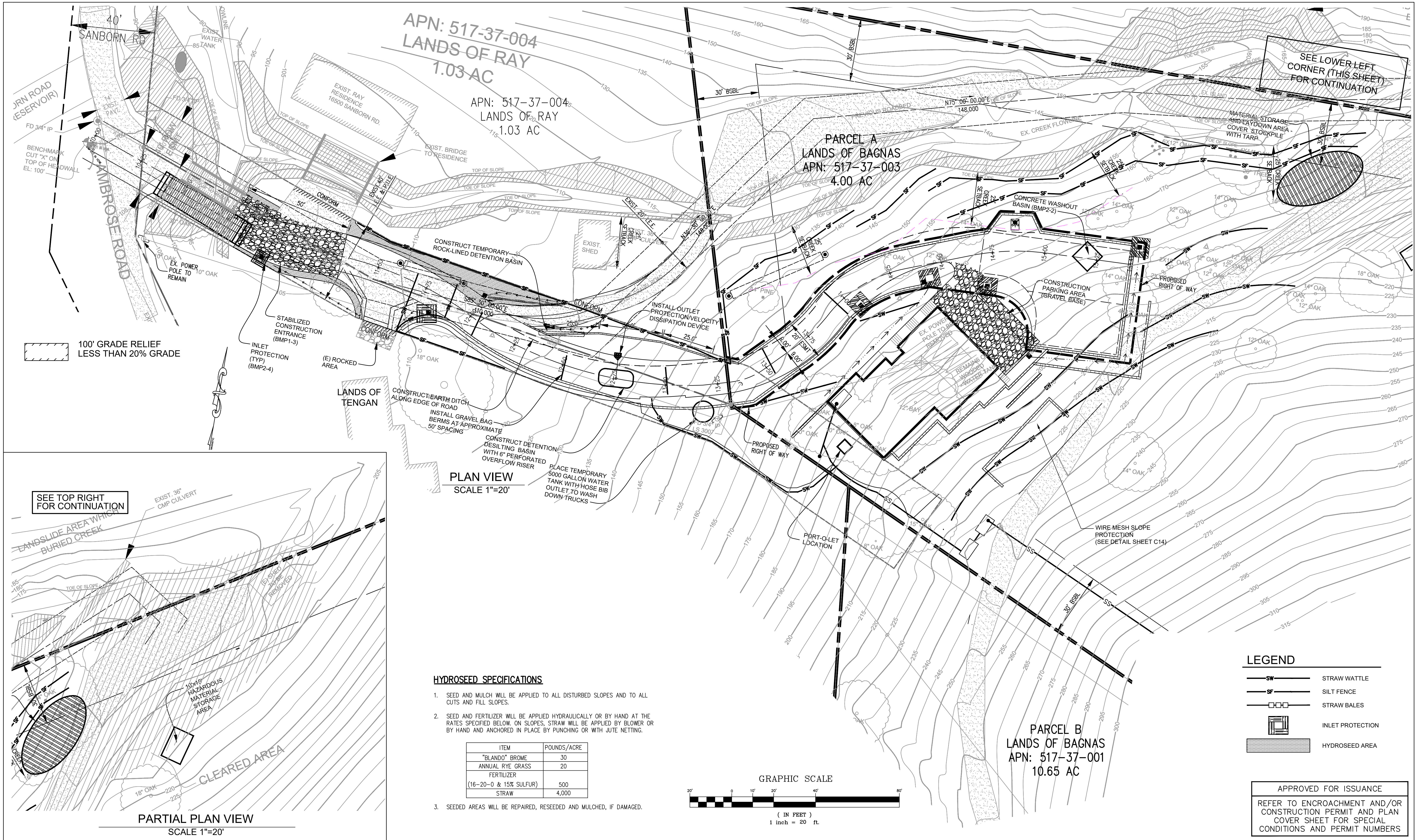
PROJECT NAME:
PARCEL A, LANDS OF BAGNAS
 16501 SANBORN RD.
 SARATOGA, CA

CLIENT NAME & ADDRESS:
 MANNY BAGNAS
 10692 CULVER ROAD
 CUPERTINO, CA 95014

SHEET TITLE
PARCEL A- LEACHFIELD AREA

PROJECT NO. S18046 SHEET NO.
C4

DRAWN BY: DS
 CHECKED BY: ES
 SCALE: AS SHOWN
 DATE: 11/18/2022



SEE LOWER LEFT CORNER (THIS SHEET) FOR CONTINUATION

SEE TOP RIGHT FOR CONTINUATION

PLAN VIEW
SCALE 1"=20'

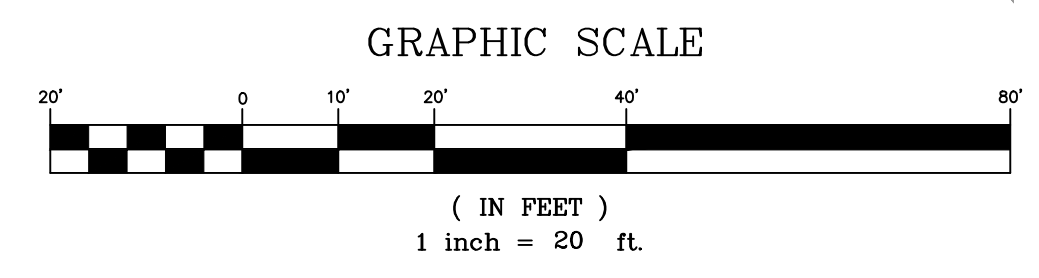
PARTIAL PLAN VIEW
SCALE 1"=20'

HYDROSEED SPECIFICATIONS

- SEED AND MULCH WILL BE APPLIED TO ALL DISTURBED SLOPES AND TO ALL CUTS AND FILL SLOPES.
- SEED AND FERTILIZER WILL BE APPLIED HYDRAULICALLY OR BY HAND AT THE RATES SPECIFIED BELOW. ON SLOPES, STRAW WILL BE APPLIED BY BLOWER OR BY HAND AND ANCHORED IN PLACE BY PUNCHING OR WITH JUTE NETTING.

ITEM	POUNDS/ACRE
"BLANDO" BROME	30
ANNUAL RYE GRASS	20
FERTILIZER (16-20-0 & 15% SULFUR)	500
STRAW	4,000

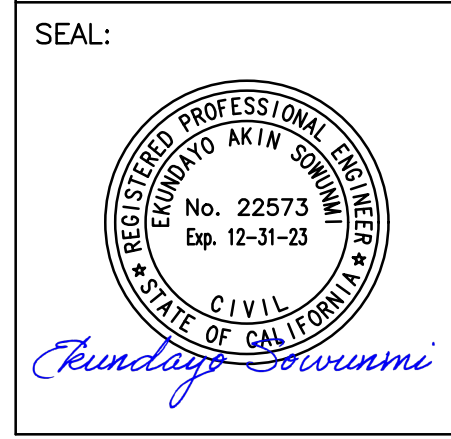
3. SEEDED AREAS WILL BE REPAIRED, RESEEDED AND MULCHED, IF DAMAGED.



LEGEND

	STRAW WATTLE
	SILT FENCE
	STRAW BALES
	INLET PROTECTION
	HYDROSEED AREA

APPROVED FOR ISSUANCE
REFER TO ENCROACHMENT AND/OR CONSTRUCTION PERMIT AND PLAN COVER SHEET FOR SPECIAL CONDITIONS AND PERMIT NUMBERS



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3	07/25/22	4 ACRE BSA APPLICATION RESUBMITTAL	ES
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1	01/21/21	4 ACRE BSA APPLICATION	ES
			BY

PROJECT NAME:
PARCEL A, LANDS OF BAGNAS
16501 SANBORN RD.
SARATOGA, CA

CLIENT NAME & ADDRESS:
MANNY BAGNAS
10692 CULVER ROAD
CUPERTINO, CA 95014

SHEET TITLE
GRADING PLANS
EROSION AND SEDIMENT CONTROL PLAN

PROJECT NO. S18046
DRAWN BY: DS
CHECKED BY: ES
SCALE: AS SHOWN
DATE: 11/18/2022

SHEET NO.
C5

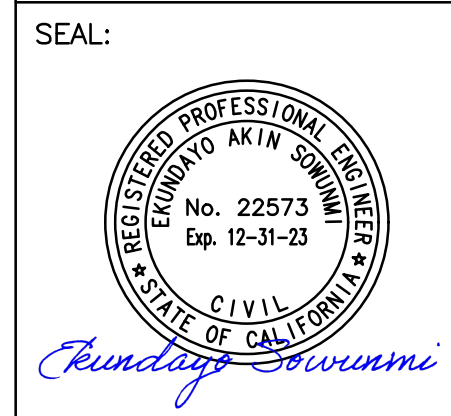
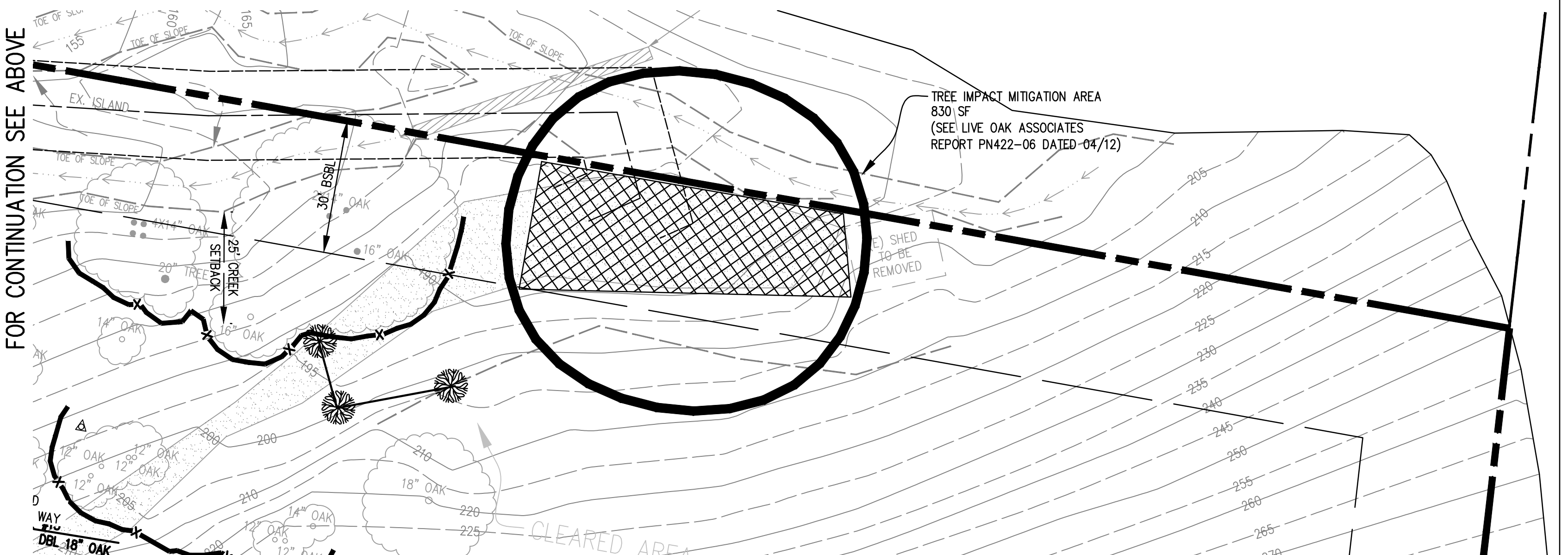
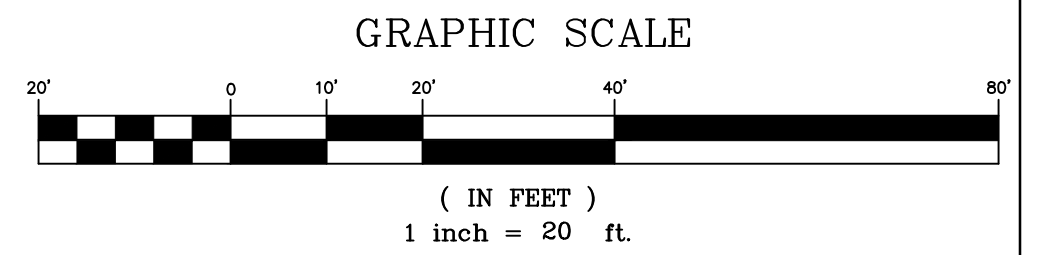


TREE REMOVAL SCHEDULE
(NOTE: ALL OAKS - COAST LIVE OAK)

TREE NO.	SIZE/SPECIES	HEALTH	IMPACT	ACTION OR MITIGATION
1	18" OAK	FAIR	FULL REMOVAL	PLANT 2-24" BOX
2	10" OAK	FAIR	FULL REMOVAL	PLANT 2-24" BOX
3	10" OAK	FAIR	FULL REMOVAL	PLANT 2-24" BOX
4	8" OAK	FAIR	FULL REMOVAL	PLANT 2-24" BOX
5	12" OAK	FAIR	FULL REMOVAL	NO MITIGATION
6	10" OAK	FAIR	FULL REMOVAL	NO MITIGATION
7	15" OAK	FAIR	FULL REMOVAL	NO MITIGATION
8	12" OAK	FAIR	FULL REMOVAL	NO MITIGATION
9	12" OAK	FAIR	FULL REMOVAL	NO MITIGATION
10	14" OAK	FAIR	FULL REMOVAL	NO MITIGATION
11	12" OAK	FAIR	FULL REMOVAL	NO MITIGATION
12	14" OAK	FAIR	FULL REMOVAL	NO MITIGATION
13	DBL 18" OAK	GOOD	FULL REMOVAL	PLANT 2-24" BOX
14	DBL 12" OAK	GOOD	FULL REMOVAL	PLANT 2-24" BOX
15	4X12" OAK	GOOD	FULL REMOVAL	PLANT 2-24" BOX
16	14" OAK	GOOD	FULL REMOVAL	PLANT 2-24" BOX
TOTAL				16

- LEGEND**
- TREE PROTECTION FENCING
 - BACCHARIS PILLULARIS - "COYOTE BRUSH" 1 GAL. (5' O.C.) - FOR SUNNY LOCATIONS
 - RIBES VIBURNIFOLIUM - "EVERGREEN CURRANT" 1 GAL. (10' O.C.) - FOR SHADY LOCATIONS

- MITIGATION MEASURE**
- 3-24" BOX LIVE OAKS
 - 13 EACH GROUPINGS OF 3-24" BOX OAKS= 39 TREES PLANTED



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			BY

PROJECT NAME: **PARCEL A, LANDS OF BAGNAS**
16501 SANBORN RD.
SARATOGA, CA

CLIENT NAME & ADDRESS: **MANNY BAGNAS**
10692 CULVER ROAD
CUPERTINO, CA 95014

SHEET TITLE: **GRADING PLANS**
LANDSCAPE PLAN

PROJECT NO. S18046 SHEET NO. **C10**

DRAWN BY: DS
CHECKED BY: ES
SCALE: AS SHOWN
DATE: 11/18/2022

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2013 California Residential Code:

Glazing:

Except as indicated in Section R308.1.1, each pane of glazing installed in hazardous locations as defined in Section R308.1 shall be provided with a manufacturer's designation (specifying who applied the designation, designating the type of glass and the safety glazing standard with which it complies, which is visible in the final installation. The designation shall be acid etched, sandblasted, ceramic-fused, laser etched, embossed, or be of a type which once applied cannot be removed without being destroyed. A label shall be permanent in line of the manufacturer's designation.

EXCEPTIONS:

- For other than tempered glass, manufacturer's designations are not required provided the building official approves the use of a certificate, affidavit or other evidence confirming compliance with this code.
- Tempered glass if permitted to be identified by the manufacturer with a removable paper designation.

R308.1.1 Identification of Multiple Assemblies:

Multipane assemblies having individual panes not exceeding 1 square foot (0.09 m²) in exposed area shall have at least one pane in the assembly identified in accordance with Section R308.1. All other panes in the assembly shall be labeled "CPSC 16 CFR 1201" or "ANSI Z97.1" as appropriate.

R308.2 Louvered Windows or Jalousies:

Regular, fixed, wood or patterned glass in jalousie and louvered windows shall be no thinner than normal 3/16 inch (5 mm) and no longer than 48 inches (1219 mm). Exposed glass edges shall be smooth.

R308.2.1 Wired Glass Prohibited:

Wired glass with wire exposed on longitudinal edges shall not be used in jalousie or louvered windows.

R308.3 Human Impact Limits:

Individual glass areas, including glass mirrors in hazardous locations such as those indicated as defined in Section R308.4, shall pass the test requirements of Section R308.3.1.

EXCEPTIONS:

- Louvered windows and jalousies shall comply with Section R308.2.
- Mirrors and other glass panels mounted or hung on a surface that provides a continuous backing support.
- Glass unit assembly complying with Section R610.

R308.4 Hazardous Locations:

The locations specified in Sections R308.4.1 through R308.4.7 shall be considered specific hazardous location for the purpose of glazing.

R308.4.1 Glass in Doors:

Glazing in all fixed and operable panels of swinging, sliding and bifold doors shall be considered a hazardous location.

EXCEPTIONS:

- Glazed openings of a size through which a 3-inch-diameter (76 mm) sphere is unable to pass.
- Decorative glazing.

R308.4.2 Glazing Adjacent to Doors:

Glazing in an individual fixed or operable panel adjacent to a door where the nearest vertical edge of the glazing is within 24 inches (610 mm) or of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60 inches (1524 mm) above the floor or walking surface shall be considered a hazardous location.

EXCEPTIONS:

- Decorative glazing.
- When there is an intervening wall or other permanent barrier between the door and the glazing.
- Glazing in walls on the latch side of and perpendicular to the plane of the door in a closed position.
- Where access through the door is to a closet or storage area 3 feet (914 mm) or less in depth. Glazing the application shall comply with Section R308.4.1.
- Glazing that is adjacent to the fixed panel or patio doors.

R308.4.3 Glazing in Windows:

Glazing in an individual fixed or operable panel that meets all of the following conditions shall be considered a hazardous location:

- The exposed area of an individual pane is larger than 9 square feet (0.836 m²).
- The bottom edge of the glazing is less than 18 inches (457 mm) above the floor.
- The top edge of the glazing is more than 36 inches (914 mm) above the floor and
- One or more walking surfaces are within 36 inches (914 mm), measured horizontally and in a straight line, of the glazing.

EXCEPTIONS:

- Decorative glazing.
- When a horizontal rail is installed on the accessible side(s) of glazing 34 to 38 inches (864 to 965 mm) above the walking surface. The rail shall be capable of withstanding a horizontal load of 50 pounds per linear foot (730 N/m) without contacting the glass and be a minimum of 1 1/2 inches (38 mm) in cross-sectional height.
- Outward panes in insulating glass units and other multiple glazing panels when the bottom edge of the glass is 25 feet (7620 mm) or more above grade, a roof, walking surface or other horizontal surface (within 45 degrees (0.79 rad) of vertical) plane adjacent to the glass exterior.

R308.4.4 Glazing and Walk Surfaces:

Glazing in walls, enclosures or fences containing or facing hot tubs, spas, whirlpools, saunas, steam rooms, bathtubs, showers and indoor or outdoor swimming pools where the bottom exposed edge of the glazing is less than 60 inches (1524 mm) measured vertically above any climbing or walking surface shall be considered a hazardous location. This shall apply to single glazing and all panes in multiple glazing.

EXCEPTION: Glazing that is more than 60 inches (1524 mm) measured horizontally and in a straight line from the water's edge of a bathtub, hot tub, pool, whirlpool, or swimming pool.

R308.4.5 Glazing Adjacent Stairs and Ramps:

Glazing where the bottom exposed edge of the glazing is less than 36 inches (914 mm) above the plane of the adjacent walking surface of stairs, ramps and landings shall be considered a hazardous location.

EXCEPTIONS:

- When a rail is installed on the accessible side(s) of the glazing 34 to 38 inches (864 to 965 mm) above the walking surface. The rail shall be capable of withstanding a horizontal load of 50 pounds per linear foot (730 N/m) without contacting the glass and be a minimum of 1 1/2 inches (38 mm) in cross-sectional height.
- Glazing 36 inches (914 mm) or more measured horizontally from the walking surface.

R308.4.7 Glazing Adjacent to Stairway Stair Landings:

Glazing adjacent to the landing at the bottom of the stairway where the glazing is less than 36 inches (914 mm) above the landing and within 60 inches (1524 mm) horizontally of the bottom tread shall be considered a hazardous location.

EXCEPTION: The glazing is protected by a guard complying with Section R312 and the plane of the glazing is more than 18 inches (457 mm) from the guard.

Means of Egress:

R310.1 Means of Egress:

All dwellings shall be provided with a means of egress as provided in this section. The means of egress shall provide a continuous and unobstructed path of vertical and horizontal egress travel from all portions of the dwelling to the exterior of the dwelling at the required egress door without requiring travel through a garage.

R310.2 Egress Door:

At least one egress door shall be provided for each dwelling unit. The egress door shall be self-closing, and shall provide a minimum clear width of 32 inches (813 mm) when measured between the face of the door and the stop, with the door open 90 degrees (1.57 rad). The minimum clear height of the door opening shall not be less than 78 inches (1981 mm) in height measured from the top of the threshold to the bottom of the stop. Other doors shall not be required to comply with these minimum dimensions. Egress doors shall be readily operable from inside the dwelling without the use of a key or special knowledge or effort.

R310.3 Egress and Landings at Exterior Doors:

There shall be a landing or a floor on each side of each exterior door. The width of each landing shall not be less than the door swing. Every landing shall have a minimum dimension of 36 inches (914 mm) measured in the direction of travel. Exterior landings shall be permitted to have a slope not exceed 1/4 unit vertical in 12 units horizontal (2-percent).

EXCEPTION: Exterior balconies less than 60 square feet (5.6 m²) and only accessible from a door are permitted to have a landing less than 36 inches (914 mm) measured in the direction of travel.

R310.3.4 Floor Elevations at the Required Egress Doors:

Landing or finished floors at the required egress door shall not be more than 1 1/2 inches (38 mm) lower than the top of the threshold.

EXCEPTION: The landing or floor on the exterior side shall not be more than 7 3/4 inches (196 mm) below the top of the threshold provided the door does not swing over the landing or floor.

Where exterior landings or floors serving the required egress door are not graded, they shall be provided with access to grade by means of a ramp in accordance with Section R311.8 or a stairway in accordance with Section R311.7.

2013 California Green Building Standards:

Indoor/Outdoor Water Use:

TABLE 4.303.2 Fixture Flow Rates:

FIXTURE TYPE	FLOW RATE	MAXIMUM FLOW RATE AT = 20 percent REDUCTION
Showerheads	2.5 gpm @ 80 psi	2 gpm @ 80 psi
Lavatory faucets, residential	2.2 gpm @ 60 psi	1.5 gpm @ 60 psi
Kitchen faucets	2.2 gpm @ 60 psi	1.8 gpm @ 60 psi
Gravity tank-type water closets	1.6 gallons/flush	1.28 gallons/flush
Flushometer tankwater closets	1.6 gallons/flush	1.28 gallons/flush
Flushometer valvewater closets	1.6 gallons/flush	1.28 gallons/flush

1. Includes single and dual flush water closets with an effective flush of 1.28 gallons or less. Single flush toilets—The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is the average flush volume when tested in accordance with ASME A112.19.2.3.2. Dual flush toilets—The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is defined as the composite, average flush volume of two reduced flushes and one full flush. Flush volumes will be tested in accordance with ASME A112.19.2 and ASME A112.18.14.

2. Lavatory faucets shall not have a flow rate less than 0.8 gpm at 20 psi.

4.304.1 Irrigation controllers:

Automatic irrigation system controllers for landscaping provided by the builder and installed at the time of final inspection shall comply with the following:

- Controllers shall be weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plantier needs as weather conditions change.
- Weather-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are not required to have rain sensor input.

Building Maintenance and Operation:

4.410.1 Operation and maintenance manual:

At the time of final inspection, a manual, compact disc, web-based reference or other media acceptable to the enforcing agency which includes all of the following shall be placed in the building:

- Directions to the owner or occupant that the manual shall remain with the building throughout the life cycle of the structure.
- Operation and maintenance instructions for the following:
 - Equipment and appliances, including water-saving devices and systems, HVAC systems, steam-heating systems and other major appliances and equipment.
 - Roof and yard drainage, including gutters and downspouts.
 - Space conditioning systems, including condensate and air filters.
 - Landscape irrigation systems.
 - Water reuse systems.
- Information from local utility, water and waste recovery providers on methods to further reduce resource consumption, including recycle programs and locations.
- Operational transportation and/or disposal options available in the area.
- Educational material on the positive impacts of an interior relative humidity between 30-60 percent and what methods an occupant may use to maintain the relative humidity level in that range.
- Information about water-conserving landscaping and irrigation design and controllers which conserve water.
- Instructions for maintaining gutters and downspouts and the importance of diverting water at least 5 feet away from the foundation.
- Information on required routine maintenance measures, including, but not limited to, caulking, painting, grading around the building, etc.
- Information about state solar energy and incentive programs available.
- A copy of all special inspection verifications required by the enforcing agency or its code.

Indoor Air Quality and Exhaust:

4.500.1 Exhaust fans:

Mechanical exhaust fans which exhaust directly from bathrooms shall comply with the following:

- Fans shall be ENERGY STAR compliant and be ducted to terminate outside the building.
- Unless functioning as a component of a whole house ventilation system, fans must be controlled by a humidistat which shall be readily accessible. Humidistat controls shall be capable of adjustment between a relative humidity range of 50 to 60 percent.

Note: For the purposes of this section, a bathroom is a room which contains a bathtub, shower or tub/shower combination.

Section 4.507 Environmental Comfort:

4.507.1 Openings: Whole house exhaust fans shall have insulated louvers or covers which close when the fan is off. Covers or louvers shall have a minimum insulation value of R-4.2.

4.507.2 Heating and air-conditioning system design:

Heating and air-conditioning systems shall be sized, designed and have their equipment selected using the following methods:

- The heat loss and heat gain is established according to ACCA Manual D, ASHRAE handbook or other equivalent design software or methods.
- Duct systems are sized according to ACCA Duct Manual D, ASHRAE handbook or other equivalent design software or methods.
- Select heating and cooling equipment according to ACCA 38B Manual B or other equivalent design software or methods.

Exception: Use of alternate design temperatures necessary to ensure the systems function an acceptable.

TABLE 4.504.1 ADHESIVE VOC LIMIT 1.2
Less Water and Less Exempt Compounds in Grams per Liter

ARCHITECTURAL APPLICATIONS	CURRENT VOC LIMIT
Indoor carpet adhesives	00
Carpet pad adhesives	50
Outdoor carpet adhesives	100
Wood flooring adhesive	100
Rubber floor adhesives	00
Subfloor adhesives	00
Ceramic tile adhesives	00
VOC and asphaltic adhesives	00
Drum and panel adhesives	00
Cove base adhesives	50
Multipurpose construction adhesives	750
Structural glazing adhesives	100
Single-ply roof membranes adhesives	250
Other adhesives not specifically listed	00

SPECIALTY APPLICATIONS

PVC welding	010
CPVC welding	400
ABS welding	350
Plastic cement welding	200
Adhesive primer for plastic	250
Contact adhesive	80
Special purpose contact adhesive	200
Structural wood member adhesive	140
Top and trim adhesive	250

SUBSTRATE SPECIFIC APPLICATIONS

Metal to metal	00
Plastic to plastic	00
Porous material (except wood)	00
Wood	00
Fiberglass	00

TABLE 4.504.2 SEALANT VOC LIMIT Less Water and Less Exempt Compounds in Grams per Liter

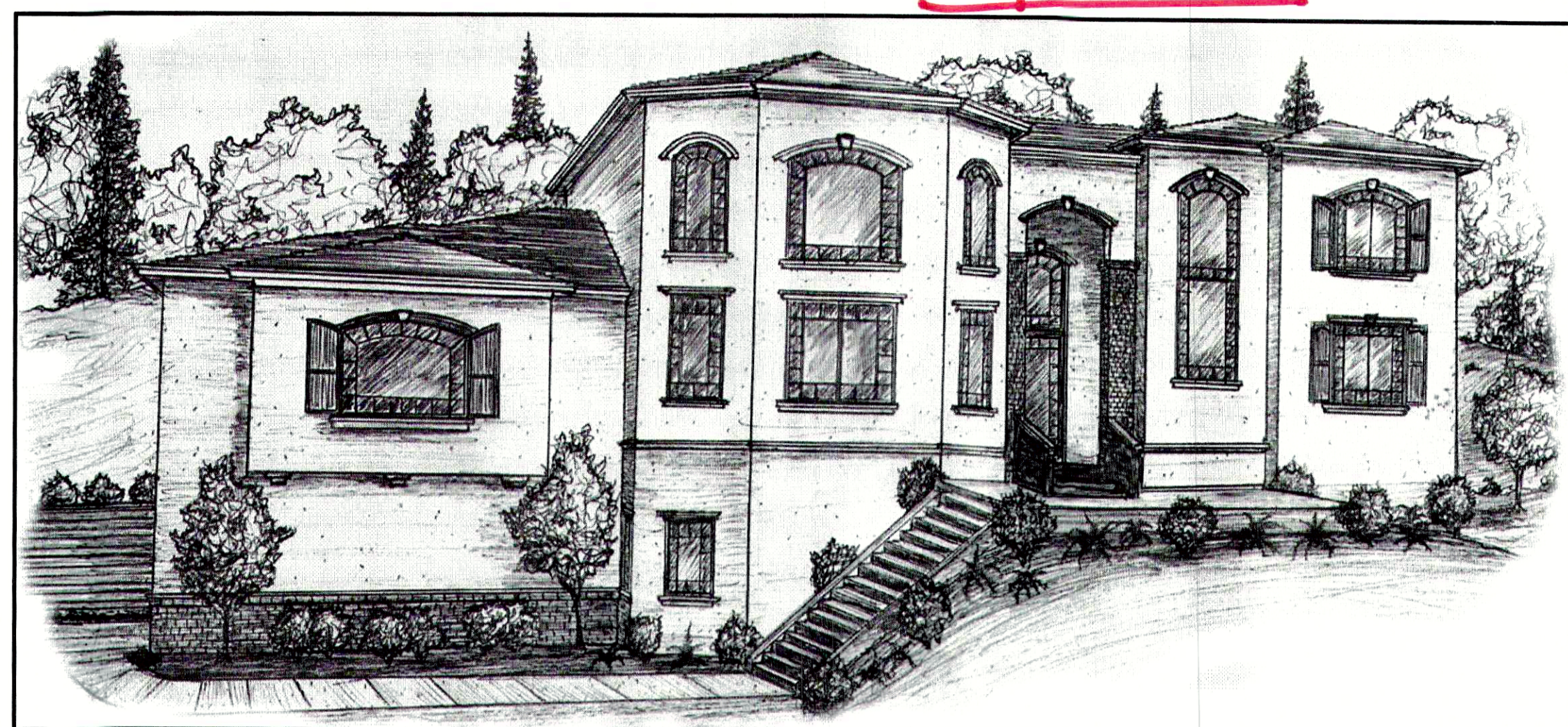
SEALANTS	SEALANT PRIMERS
Architectural	250
Marine deck	750
Non-traffic roof	350
Roofing	250
Single-ply roof membrane	400
Clear	450

TABLE 4.504.5 FORMALDEHYDE LIMITS
Maximum Formaldehyde Emissions in Parts per Million

PRODUCT	CURRENT LIMIT	JANUARY 1, 2012	JULY 1, 2012
Hardwood plywood veneer core	0.05		
Hardwood plywood composite core	0.08		0.05
Particleboard	0.08		
Medium density fiberboard	0.11		
Thin medium density fiberboard	0.21	0.13	

1. Values in this table are derived from those specified by the California Air Resources Board, Air Toxics Control Measure for Composite Wood as tested in accordance with ASTM E 1333-06(2002). For additional information, see California Code of Regulations, Title 17, Sections 91520 through 91520.12.

2. This medium density fiberboard has a minimum thickness of 8 millimeters. Maximum Formaldehyde Emissions in Parts per Million



Bagnas Residence

Santa Clara County

Provide Smoke Detectors in each bedroom & in adjacent hallway.

Also see detectors

ALL WORK IN THE COUNTY ROAD RIGHT OF WAY REQUIRES AN ENCROACHMENT PERMIT FROM THE ROADS AND AIRPORTS DEPARTMENT. EACH INDIVIDUAL ACTIVITY REQUIRES A SEPARATE PERMIT - i.e. CABLE, ELECTRIC GAS, SEWER, WATER, RETAINING WALLS, DRIVEWAY APPROACHES, FENCES, LANDSCAPING, ETC.

COUNTY OF SANTA CLARA
BUILDING INSPECTION OFFICE
PLANS APPROVED FOR PERMIT

SHEET NO. 1 OF 34 SHEETS

DATE 2/2/15

PLANS MUST BE ON JOB FOR INSPECTIONS

Contractor is to field verify all building/site conditions and dimensions before commencing construction. Certificate of Compliance, from CF-1R.

Contractor is to contact LH Designs with any changes or differences between plans produced by LH Designs and plans produced (By Others), design building conditions, and dimensions before commencing with construction.

Any changes in the field that impact the green features shall have to be reviewed by Green Rater to ensure that certification and point requirement will still be met. Final certification will be based on equivalent as-built points achieved and they are to provide a Green Point Rater or LEED certificate to County prior to calling for final inspection.

Energy requirements "Special Feature"

- (Radiant Barrier and HERS Verification (Duct Testing) is required per the California Energy Commission, Certificate of Compliance, from CF-1R.
- Air retarding wrap and radiant barrier to be installed as noted on the Title 24 Energy Calculations. (See plans for required locations of installation.)

MINIMUM EROSION AND SEDIMENT CONTROLS FOR PROJECTS DISTURBING LESS THAN ONE ACRE

The BMP's (Best Management Practices) listed below must be in place during the rainy season (October 15 through April 15) and may be required at other times based on weather and site conditions throughout the year. The BMP's listed are minimum requirements and additional BMP's could be required based on site conditions.

- Stabilized entry: Provide minimum 3' to 6' treated rock 50' long x 15' wide by 6" deep over construction grade fabric.
- All soils tracked onto paved roadways must be cleaned up on a daily basis. When streets are wet or during a rain event there shall be no tracking of soil onto the street.
- Washes installed properly behind curb or sidewalks.
- Rock bags (minimum 2 per side) at all drain inlet locations within 150' of the project site.
- Interior filters placed inside each drain inlet.
- Trash bins across the back of all drain inlets.
- Stabilize all disturbed soils in the front yard areas within 15' of the back of curb or sidewalk. (Straw or erosion blankets may be used for this application).
- Stabilize all slopes where erosion could occur and cause silt run off. (Straw, visqueen or erosion blankets may be used for this application).
- All paint, fuel, construction products etc. shall be stored in a covered location away from sidewalks and storm drain inlets.
- Portable chemical toilets if provided on the site must be kept off of streets and sidewalks and at least 50' from the nearest storm drain inlet.
- All trash must be collected and stored properly. Do not let items such as drywall mud boxes, paint buckets, cleaning material containers etc. come in contact with any rainfall or storm water runoff.
- Provide a designated area for concrete washout. Hay bales lined with visqueen may be used for this application. Runaway bins may also be used. All concrete washout systems shall be placed off of the paved areas.

STORM WATER DRAINAGE AND RETENTION DURING CONSTRUCTION AND SURFACE DRAINAGE. ALL DRAINAGE AND RETENTION SHALL BE IN ACCORDANCE WITH SECTION 17.06.030.030 SITE DEVELOPMENT. PLAN TO BE SITE/LOT SPECIFIC. A PLAN SHALL BE SUBMITTED WITH EACH PERMIT APPLICATION.

Project Information:

Project Description:
Proposed New 2-story Main Residence with Garage and Basement Area. Residence contains 5 Bedrooms, 4 1/2 Bathrooms, and Three Car Garage. A propane tank shall supply the residences gas appliances. All site information and improvements plans by others.

Main Residence:

Number of Stories:	(2) Required
Fire Sprinklers:	N/A
Year Built:	R-3U Residence
Occupancy Class:	
Building Use:	
Code Analysis:	
Applicable Codes:	2013 C.C.R.C., 2013 C.G.C., 2013 C.M.C., 2013 C.E.C., 2013 P.C., 2013 C.F.C., 2013 C.E.C.
Construction Type:	V-B

Structure Square Footage Figures:

Description:	Square Feet:
First Floor Area (Conditioned Space)	2,763 sq ft
Second Floor Area (Conditioned Space)	1,408 sq ft
Garage/Basement Area (Non-Cond Space)	1,332 sq ft
Patio Entry (Non-Cond Space)	46 sq ft
Total Structure:	5,549 sq ft

Sheet Index:

SHEET	DESCRIPTION
C/S	GENERAL & PROJECT NOTES
BUILDING SITE APPROVAL & EROSION CONTROL PLAN	(PARCEL A FOR REFERENCE ONLY)
A1.0	GARAGE AND BASEMENT FLOOR PLAN
A2.0	FIRST FLOOR PLAN
A3.0	SECOND FLOOR PLAN
A4.0	ELEVATIONS
A5.0	ELEVATIONS
A6.0	CROSS SECTIONS
A7.0	ARCH DETAILS
A8.0	ROOF LAYOUT PLAN
E1.0 - E3.0	ELECTRICAL PLANS AND NOTES
M1.0 - M3.0	MECHANICAL PLANS, MECH & PLUMB. NOTES
S1.0	STRUCTURAL COVER SHEET
S2.0	FOUNDATION PLAN
S2.1	GROUND FLOOR FRAMING PLAN
S2.2	SECOND FLOOR & LOW ROOF FRAMING PLAN
S2.3	HIGH ROOF FRAMING PLAN
S4.1	TYPICAL FOUNDATION SECTIONS & DETAILS
S4.2	FOUNDATION SECTIONS & DETAILS
S4.3	FOUNDATION SECTIONS & DETAILS
S4.4	RETAINING WALL SECTIONS & DETAILS
S6.1	TYPICAL WOOD FRAMING SECTIONS & DETAILS
S6.2	SECOND FLOOR FRAMING DETAILS
S6.3	ROOF & MSC. FRAMING DETAILS

Project Directory:

Owner:
Manny Bagnas
10692 Carver Dr.
Cupertino, CA 95014
Phone: (408) 777-7601

Designer:
LH Designs
16 Patches Dr.
Chico, CA 95928
Phone: (530) 891-1889
Contact: Jason Liegott
E-mail: jason@lhdesignshomes.com

Structural Engineer:
Manning Engineering
2540 Zenita Way, Ste. 10
Chico, CA 95928
Phone: (530) 895-5937
Contact: Tom Manning
E-mail: tom@manningengineering.net

Civil Engineer:
TS Civil Engineering
1778 Technology Drive
San Jose, CA 95119
Phone: (408) 492-9300

LH Designs
Building Plans - Drafting - Design Consulting
Phone: (530) 891-1889

16 Patches Drive, Chico CA 95928

Client Address:

Job Site Location:

Job Title:

Job No.:

Date:

Rev #:

Project Information:

Drafting By: JL

Job Name: Bagnas

Job #: 1314

Date: 10/6/14

Rev #: 01 Design Changes 6-25-14

Authorization By:

Stamped signature only by Jason Liegott

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Sheet Title:

Cover Sheet

Sheet Number:

C.S.

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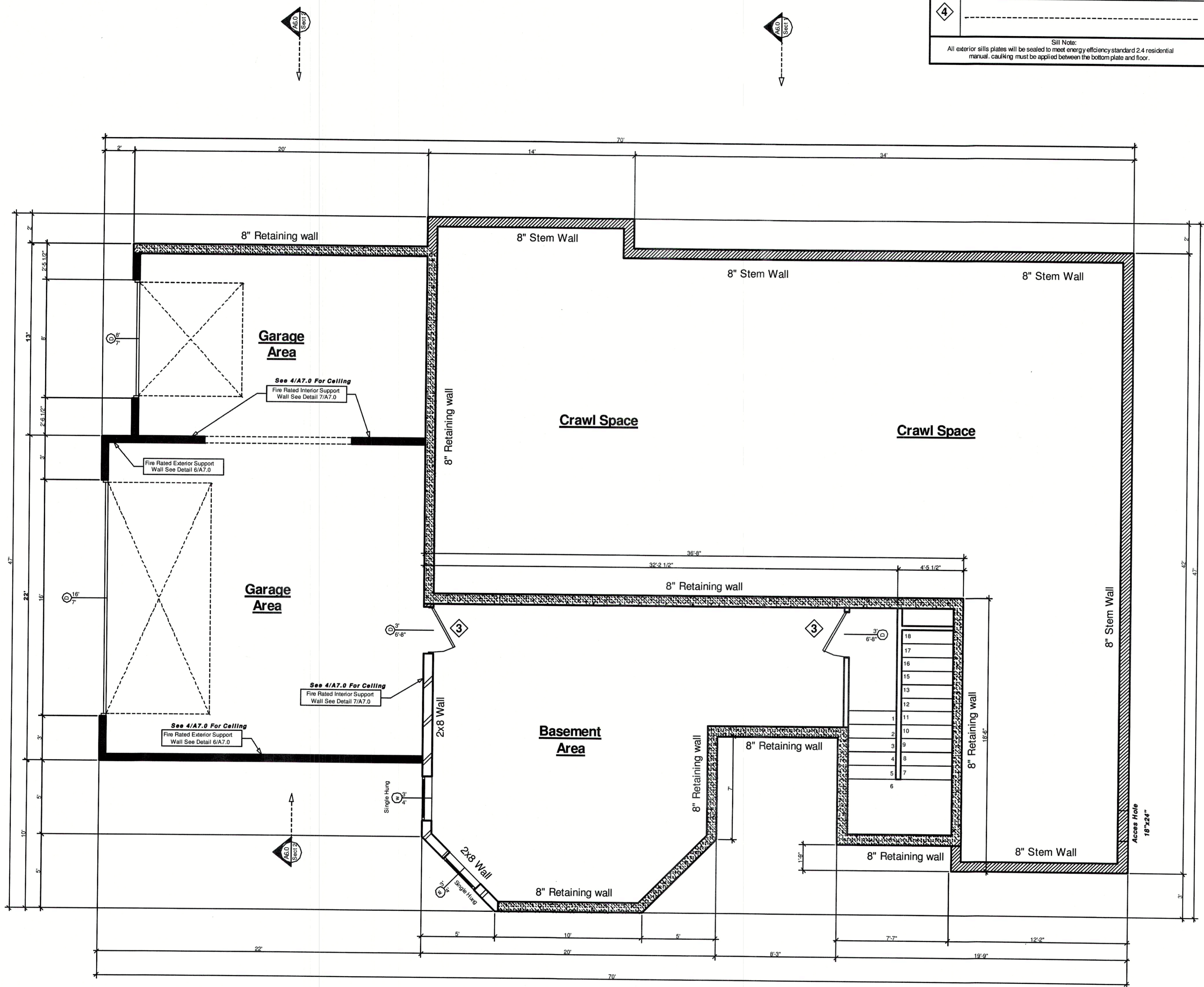
CONSTRUCTION SCHEDULE	
KEY	DESCRIPTION
1	-----
2	-----
3	Man Door shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) thick or 20-minute fire-rated doors. Doors shall be self-closing and self-latching.
4	-----

Sill Note:
All exterior sills plates will be sealed to meet energy efficiency standard 2.4 residential manual. caulking must be applied between the bottom plate and floor.

- CONSTRUCTION NOTES**
- FOR ALL PEX INSTALLATIONS, A COMPLETED "REQUEST TO USE PEX WATER PIPE" FORM MUST BE SUBMITTED AND APPROVED BY THE BUILDING OFFICIAL.
 - ALL EXTERIOR SILL PLATES WILL BE SEALED TO MEET ENERGY EFFICIENCY STANDARD 2.4 RESIDENTIAL MANUAL. CAULKING MUST BE APPLIED BETWEEN THE BOTTOM PLATE AND FLOOR AT EXTERIOR WALLS.
 - WINDOWS IN SLEEPING ROOMS TO HAVE A MAXIMUM SILL HEIGHT OF 44", AND HAVE AN OPENING OF 20" WIDE X 24" HIGH MINIMUM.
 - WINDOWS WITHIN 24" OF A SWINGING DOOR, OR 18" OF FLOOR, ARE TO BE TEMPERED, LAMINATED OR WIRE GLASS.
 - SHOWER DOORS OR WINDOWS IN SHOWERS OR TUB-SHOWERS SHALL BE TEMPERED OR LAMINATED SAFETY GLASS.
 - WINDOWS TO BE DOUBLE GLAZED LOW E TYPE.
 - WINDOW MODEL, TYPE, STYLE, FINISH AND MAKE TO BE APPROVED BY OWNER.
 - WINDOW SILLS TO BE 24" EXCEPT OFFICE (30"). HIGH WINDOWS IN TOILETS AND LAUNDRY TO BE 12" FROM CEILING AT HEAD.
 - GLASS IN WINDOWS WITHIN 24" OF THE LATCH SIDE OF THE DOOR TO BE TEMPERED OR LAMINATED GLASS.
 - GLASS IN DOOR UNITS OR TRANSOMS TO BE TEMPERED, LAMINATED OR WIRE GLASS.
 - Floors and landings at exterior doors. There shall be a landing or floor on each side of each exterior door. The width of each landing shall not be less than the door-swept. Every landing shall have a minimum dimension of 36 inches (914 mm) in.
 - Floor elevations at the required egress doors. Landings or floors at the required egress door shall not be more than 1 1/2 inches (38 mm) lower than the top of the threshold.
Exception: The exterior landing or floor shall not be more than 7/8 inches (196 mm) below the top of the threshold provided the door does not swing over the landing or floor.

LH Designs
Building Plans - Drafting - Design Consulting
JUL 14 (530) 891-1889
16 Patches Drive, Chico CA 95926

Client Address:



Bagnas Residence
10692 Carver Dr.
Cupertino, CA 95014

Job Site Location:

Neighboring Address: 16500
Sanborn Road
Santa Clara County

COUNTY OF SANTA CLARA
BUILDING INSPECTION OFFICE
PLANS APPROVED FOR PERMIT
SHEET NO. 2 OF 3 SHEETS
BY [Signature] DATE 2/20/15
PLANS MUST BE ON JOB FOR INSPECTIONS

Project Information:
Drafting By: JL
Job Name: Bagnas 12-18-14
Job #: 1314
Date: 10/6/14
Rev #: 01 Design Changes 6-25-14

Authorization By:
Stamped signature only by:
Jason Liebgott



Sheet Title:
Garage & Basement

Sheet Number:
A1.0

Garage/Basement Floor Plan
Scale: 1/4" = 1'-0"

WALL FRAMING

Key	Description
[Symbol]	2x4 Wall
[Symbol]	2x6 Wall on 6" Curb
[Symbol]	2x8 Wall on Slab
[Symbol]	8" Stem Wall
[Symbol]	8" Retaining Wall

WILDLAND-URBAN FIRE NOTES:

- THIS PROJECT IS LOCATED IN A WILDLAND-URBAN INTERFACE FIRE AREA AS DEFINED SECTION 702A AND SHALL COMPLY WITH ALL THE SECTIONS OF THIS CHAPTER.
- CONTACT CALIFORNIA DEPARTMENT OF FORESTRY FOR POSSIBLE REQUIREMENTS OF FIRE SPRINKLERS INSTALLED IN THE PROPOSED STRUCTURE BEING BUILT. CALL CAL-FIRE. A SEPARATE PERMIT WILL BE REQUIRED FOR THE FIRE SPRINKLERS.
- ALL VENTS MUST BE BY LOCAL OR STATE FIRE MARSHAL.
- EXTERIOR WINDOWS, GLAZED DOORS AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE INSULATED GLASS WITH A MINIMUM OF ONE PANE TEMPERED, OR HAVE A FIRE RESISTANCE RATING OF NOT LESS THAN 20 MINUTES, WHEN TESTED ACCORDING TO ASTM E 2010, OR CONFORM TO THE PERFORMANCE REQUIREMENTS OF SFM 12.7A-2.
- EXTERIOR DOOR ASSEMBLIES SHALL COMPLY WITH SECTION 704A.3.2.3.
- FIRE SPRINKLERS TO BE REVIEWED AND APPROVED UNDER A SEPARATE PERMIT BY OTHERS.

12-18-14

CONSTRUCTION SCHEDULE	
KEY	DESCRIPTION
1	
2	On-Demand Water Heater wall mounted. (See T-24 report for more info.)
3	Main Door shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors. Doors shall be self-closing and self-latching.
4	Bathroom and shower floors and walls above bathtubs with installed shower heads and in shower compartments shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than 5 feet (1525 mm) above the floor. (Note use Wonder-board or equivalent cementfiber backer at required locations)
5	Provide Screened vents top and bottom for combustible air. 701.2.1 Standard Method. The minimum required volume shall be fifty (50) cubic feet per 1,000 Btu/hour. Per. CMC.

Sill Note:
All exterior sill plates will be sealed to meet energy efficiency standard 2.4 residential manual. caulking must be applied between the bottom plate and floor.

- CONSTRUCTION NOTES**
- FOR ALL PEX INSTALLATIONS, A COMPLETED REQUEST TO USE PEX WATER PIPE FORM MUST BE SUBMITTED AND APPROVED BY THE BUILDING OFFICIAL.
 - ALL EXTERIOR SILL PLATES WILL BE SEALED TO MEET ENERGY EFFICIENCY STANDARD 2.4 RESIDENTIAL MANUAL. CAULKING MUST BE APPLIED BETWEEN THE BOTTOM PLATE AND FLOOR AT EXTERIOR WALLS.
 - WINDOWS IN SLEEPING ROOMS TO HAVE A MAXIMUM SILL HEIGHT OF 44", AND HAVE AN OPENING OF 20" WIDE x 24" HIGH MINIMUM.
 - WINDOWS WITHIN 24" OF A SWINGING DOOR, OR 18" OF FLOOR, ARE TO BE TEMPERED, LAMINATED OR WIRE GLASS.
 - SHOWER DOORS OR WINDOWS IN SHOWERS OR TUB/SHOWERS SHALL BE TEMPERED OR LAMINATED SAFETY GLASS.
 - WINDOWS TO BE DOUBLE GLAZED LOW E TYPE.
 - WINDOW MODEL, TYPE, STYLE, FINISH AND MAKE TO BE APPROVED BY OWNER.
 - WINDOW SILLS TO BE 24" EXCEPT OFFICE (30"). HIGH WINDOWS IN TOILETS AND LAUNDRY TO BE 12" FROM CEILING AT HEAD.
 - GLASS IN WINDOWS WITHIN 24" OF THE LATCH SIDE OF THE DOOR TO BE TEMPERED OR LAMINATED GLASS.
 - GLASS IN DOOR UNITS OR TRANSOMS TO BE TEMPERED, LAMINATED OR WIRE GLASS.
 - Floor elevations at exterior doors. There shall be a landing or floor on each side of each exterior door. The width of each landing shall not be less than the door served. Every landing shall have a minimum dimension of 36 inches (914 mm).
 - Floor elevations at the required egress doors. Landings or floors at the required egress door shall not be more than 11/2 inches (38 mm) lower than the top of the threshold.
 - Exception: The exterior landing or floor shall not be more than 73/4 inches (196 mm) below the top of the threshold provided the door does not swing over the landing or floor.

Client Address:

Bagnas Residence
 10692 Carver Dr.
 Cupertino, CA 95014

Job Site Location:

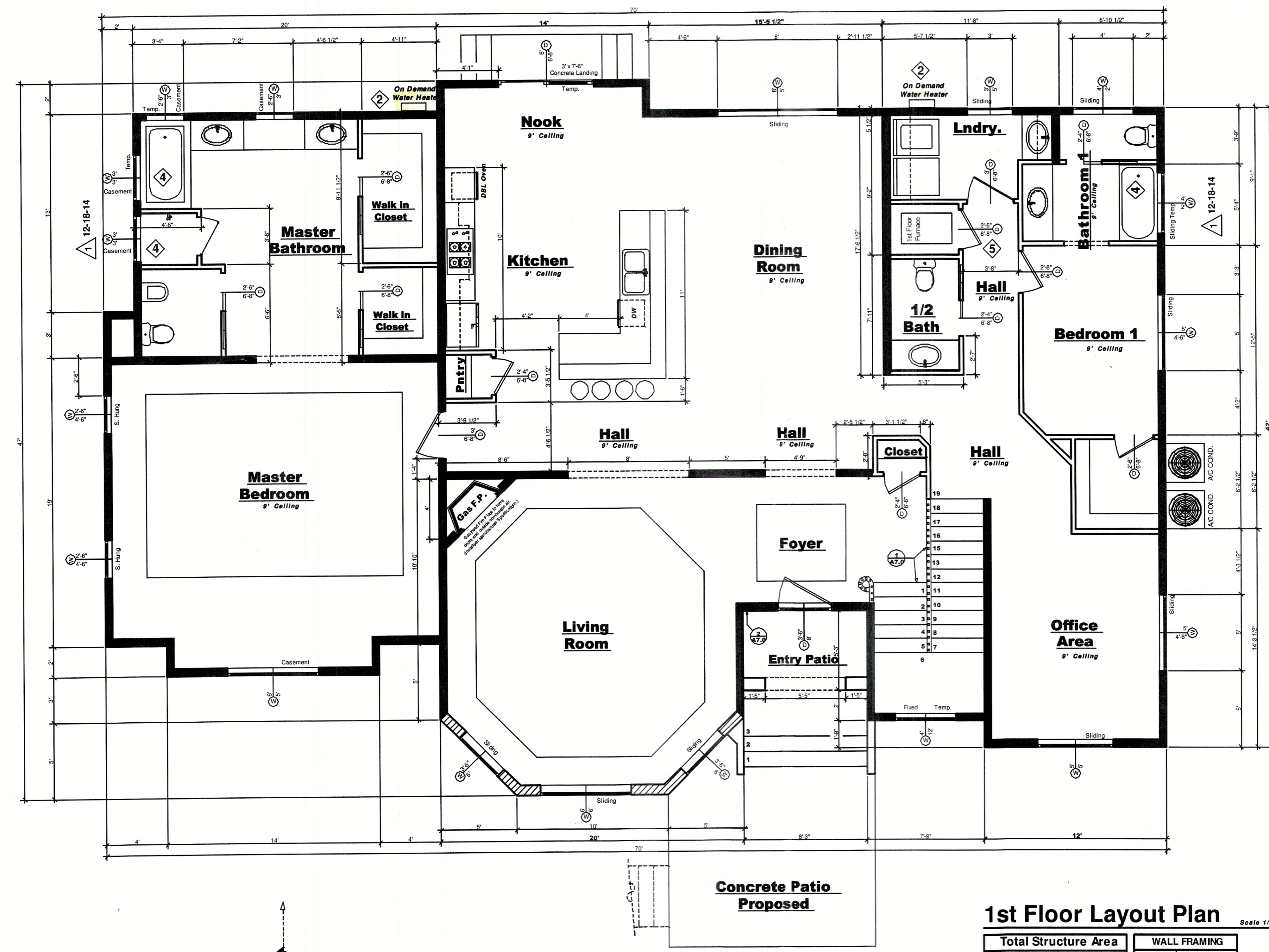
Neighboring Address: 16500
 Sanborn Road
 Santa Clara County

Project Information:
 Drafting By: JL
 Job Name: Bagnas 12-18-14
 Job #: 1314
 Date: 10/6/14
 Rev #: 01 Design Changes 6-25-14

Authorization By:
 Stamped signature only by:
 Jason Liebgott


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Sheet Title:
First Floor Plan
Sheet Number:
A2.0
 www.LHDesignsHomes.com



1st Floor Layout Plan Scale 1/4" = 1'-0"

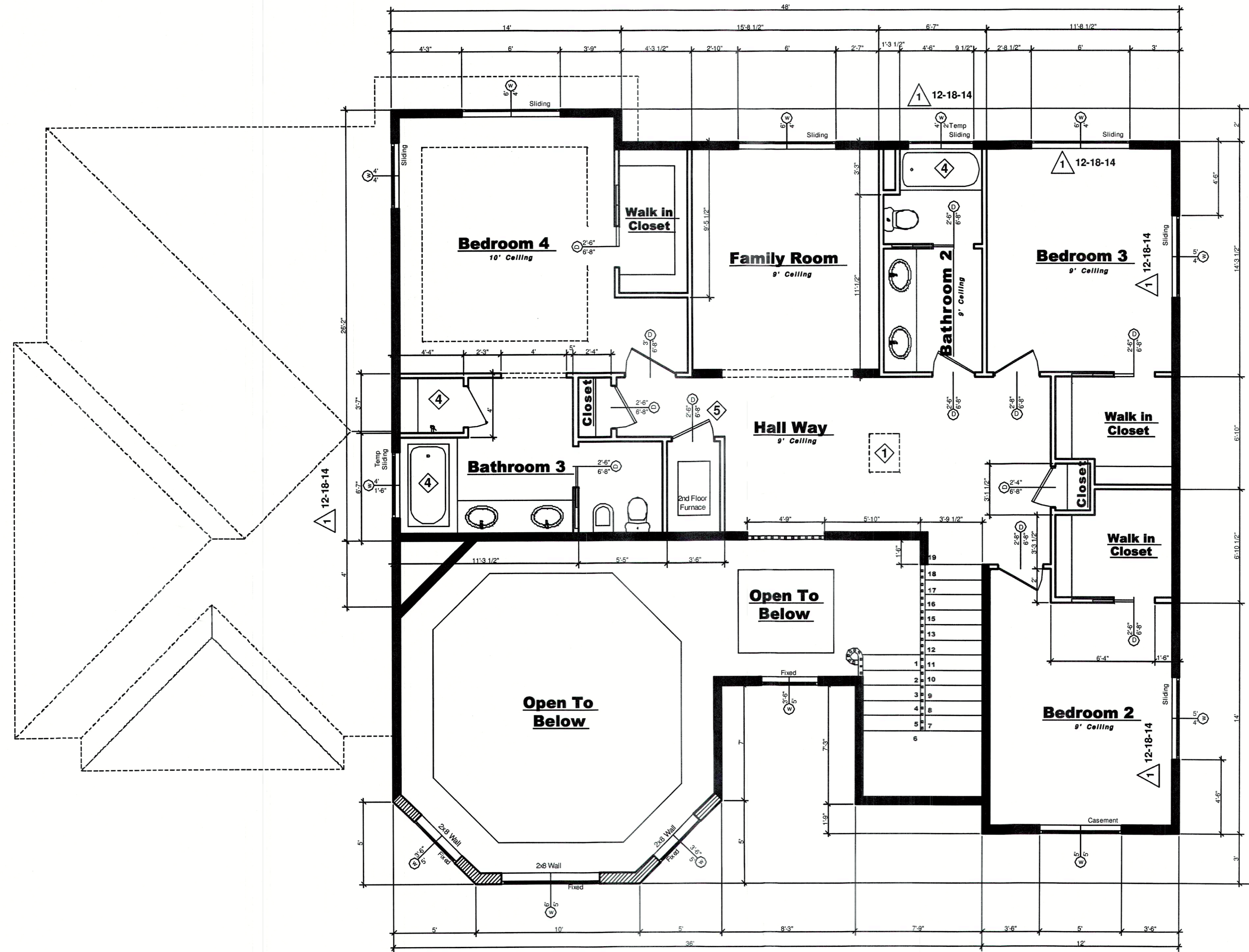
Total Structure Area	
1st Floor Area:	2,763 sq ft
2nd Floor Area:	1,408 sq ft
Total Living:	4,171 sq ft.
Garage's Area:	744 sq ft
Basement:	588 sq ft
Patio/Patio Entry:	46 sq ft
Total Non Living:	1,378 sq ft.
Total Square Footage:	5,549

WALL FRAMING	
Key:	Description:
	2x4 Wall
	2x6 Wall
	2x8 Wall

WILDLAND-URBAN FIRE NOTES:

- THIS PROJECT IS LOCATED IN A WILDLAND-URBAN INTERFACE FIRE AREA AS DEFINED SECTION 705A AND SHALL COMPLY WITH ALL THE SECTIONS OF THIS CHAPTER.
- CONTACT CALIFORNIA DEPARTMENT OF FORESTRY FOR POSSIBLE REQUIREMENTS OF FIRE SPRINKLERS INSTALLED IN THE PROPOSED STRUCTURE BEING BUILT. CALL CAL-FIRE. A SEPARATE PERMIT WILL BE REQUIRED FOR THE FIRE SPRINKLERS.
- ALL VENTS MUST BE BY LOCAL OR STATE FIRE MARSHAL.
- EXTERIOR WINDOWS, GLAZED DOORS AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE INSULATED GLASS WITH A MINIMUM ONE PANE TEMPERED, OR HAVE A FIRE RESISTANCE RATING OF NOT LESS THAN 30 MINUTES, WHEN TESTED ACCORDING TO ASTM E 2010, OR CONFORM TO THE PERFORMANCE REQUIREMENTS OF SFPM 12-7A-2.
- EXTERIOR DOOR ASSEMBLIES SHALL COMPLY WITH SECTION 704A.3.2.3.
- FIRE SPRINKLERS TO BE REVIEWED AND APPROVED UNDER A SEPARATE PERMIT (BY OTHERS).





2nd Floor Layout Plan Scale 1/4" = 1'-0"

WALL FRAMING	
Key:	Description:
[Solid Line]	2x4 Wall
[Dashed Line]	2x6 Wall
[Hatched Line]	2x8 Wall

CONSTRUCTION SCHEDULE	
KEY:	DESCRIPTION:
1	ATTIC ACCESS 22"x30" w/ ELECTRICAL SWITCH AND LIGHT.
2	
3	
4	Bathtub and shower floors and walls above bathtubs with installed shower heads and in shower compartments shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than 6 feet (1829 mm) above the floor. (Note use Wonder-board or equivalent cement/fiber backer at required locations)
5	Provide Screened vents top and bottom for combustible air. 701.2.1 Standard Method. The minimum required volume shall be fifty (50) cubic feet per 1,000 Btu/hour. Per. CMC.

Sill Note:
All exterior sills plates will be sealed to meet energy efficiency standard 2.4 residential manual. caulking must be applied between the bottom plate and floor.

COUNTY OF SANTA CLARA
BUILDING INSPECTION OFFICE
PLANS APPROVED FOR PERMIT
SHEET NO. 4 OF 24 SHEETS
BY [Signature] DATE 2/20/15
PLANS MUST BE ON JOB FOR INSPECTIONS

RECEIVED
JAN 23 2015
BUILDING INSPECTION DIV.

LH Designs
Building Plans - Drafting - Design Consulting
 (530) 891-1389
 16 Patches Drive, Chico CA 95928

Client Address:
 Bagnas Residence
 10692 Carver Dr.
 Cupertino, CA 95014

Job Site Location:
 Neighboring Address: 16500
 Sanborn Road
 Santa Clara County

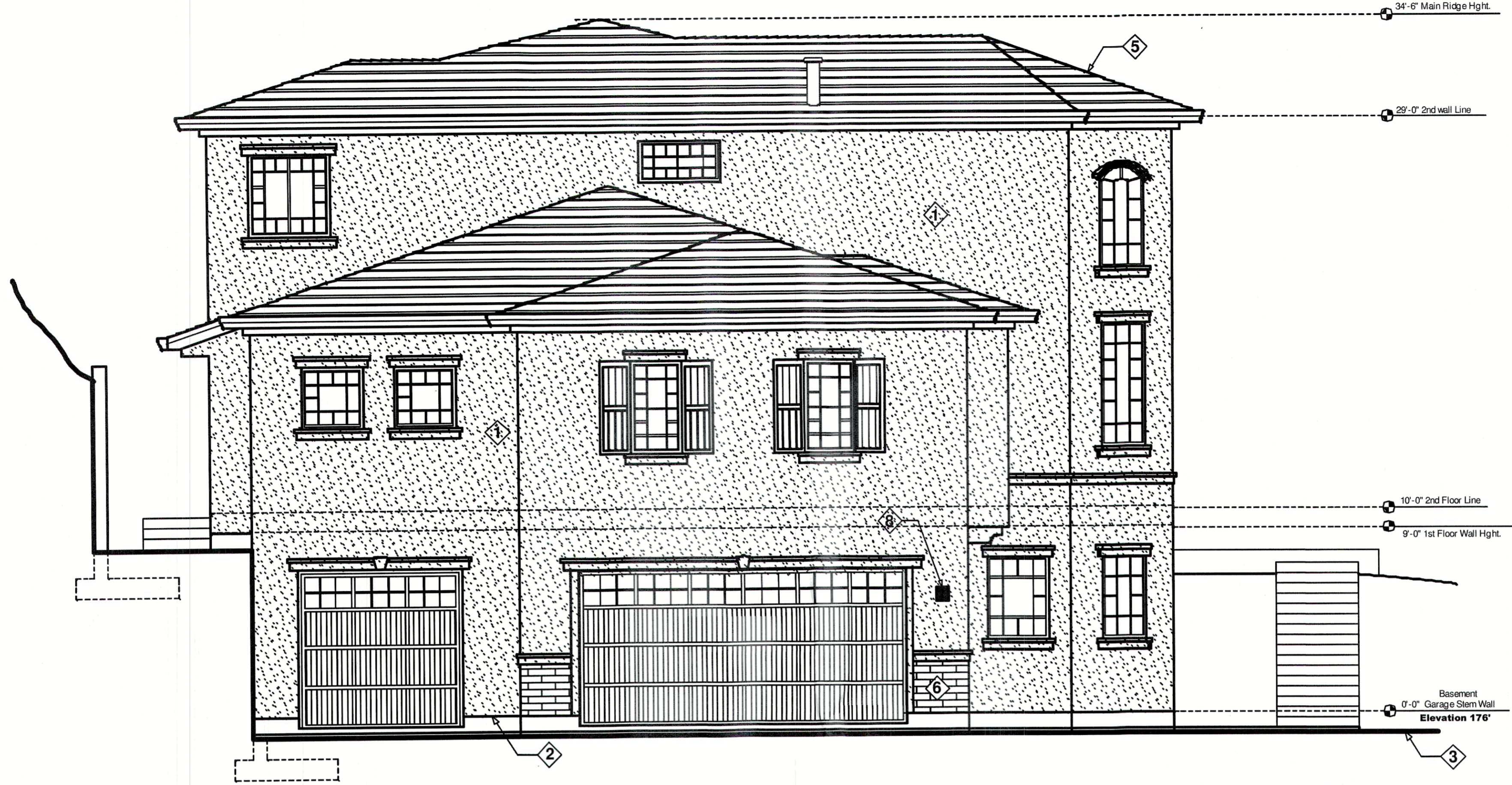
Project Information:
 Drafting By: JL
 Job Name: Bagnas 12-18-14
 Job #: 1314
 Date: 10/6/14
 Rev #: 01 Design Changes 6-25-14

Authorization By:
 Stamped signature only by:
 Jason Liebgott
 [Signature]

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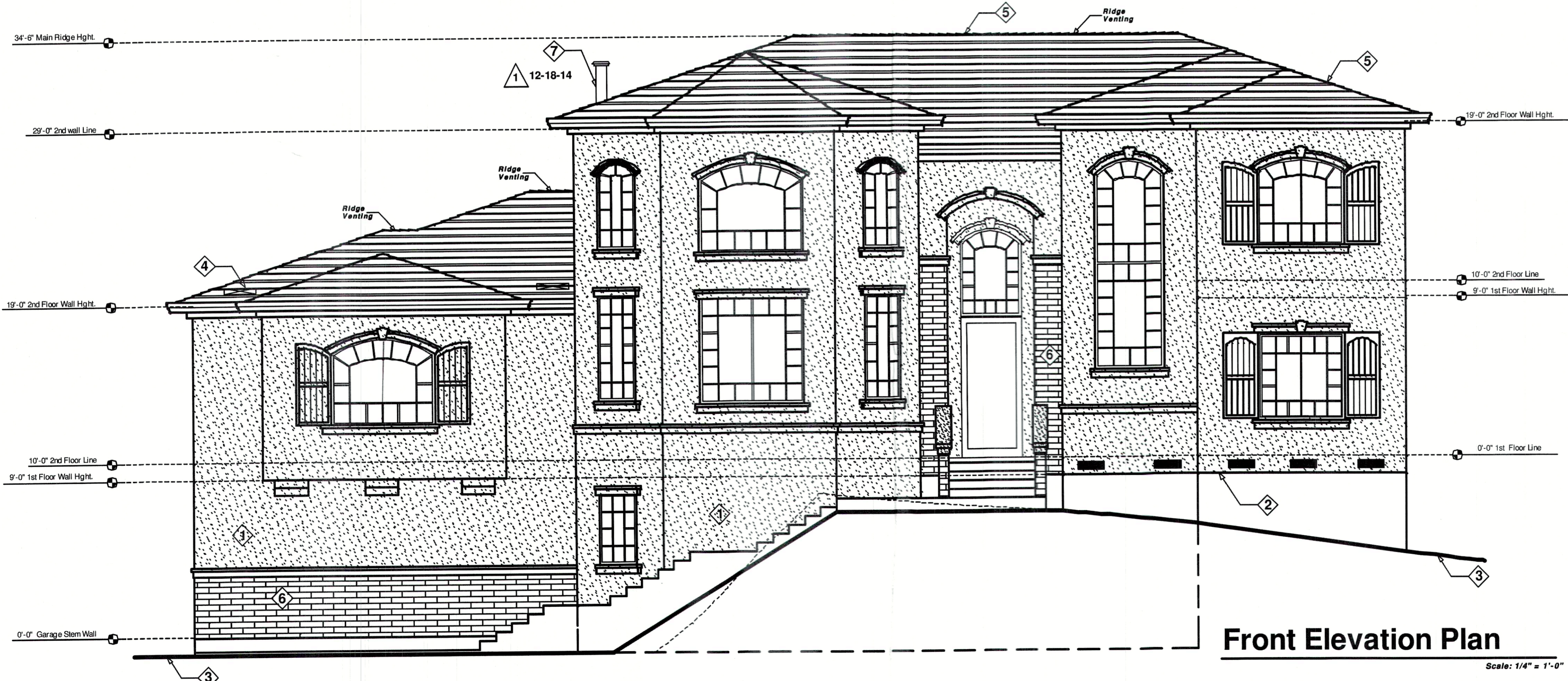
Sheet Title:
 Second Floor Plan

Sheet Number:
A3.0
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Right Elevation Plan

Scale: 1/4" = 1'-0"



Front Elevation Plan

Scale: 1/4" = 1'-0"

ELEVATION SCHEDULE

KEY	DESCRIPTION
1	R703.6.2 Plaster Plastering with portland cement plaster shall be not less than three coats when applied over masonry, concrete, pressurized-treated wood and decay-resistant wood as specified in Section R317.1 or gypsum backing. If the plaster surface is completely covered by veneer or other facing material or is completely concealed, plaster application need be only two coats, provided the total thickness is as set forth in Table R702.1(1). On wood-frame construction with on-grade floor slab system, exterior plaster shall be applied to cover, but not extend below, lath, paper and screed. The proportion of aggregate to cementitious materials shall be as set forth in Table R702.1(3). R905.2.5 Fasteners Fasteners for asphalt shingles shall be galvanized steel, stainless steel, aluminum, or copper roofing nails, minimum 12 gage [0.105 inch (2.67 mm)] shank with a minimum of 3/8 inch diameter (10 mm) head, ASTM F 1667, of a length to penetrate through the roofing materials and minimum of 3/4 inch (19 mm) into the roof sheathing. Where the roof sheathing is less than 3/4 inch (19 mm) thick, the fasteners shall penetrate through the sheathing. Fasteners shall comply with ASTM F 1667.
2	R703.6.2.1 Weep Screeds A minimum 0.019 inch (0.5 mm) No. 26 galvanized sheet gage, corrosion resistant weep screed or plastic weep screed, with a minimum vertical attachment flange of 3 1/2 inches (89 mm) shall be provided at or below the foundation plate line on exterior stud walls in accordance with ASTM C 926. The weep screed shall be placed a minimum of 4 inches (102 mm) above the earth or 2 inches (51 mm) above paved areas and shall be of a type that will allow trapped water to drain to the exterior of the building. The weather-resistant barrier shall lap the attachment flange. The exterior lath shall cover and terminate on the attachment flange of the weep screed. R401.3 Drainage Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches (152 mm) within the first 10 feet (3048 mm).
3	STATE FIRE MARSHALL APPROVED FIRE RATED VENTING REQ. (See Attic Venting Requirements on this Sheet for size and number of vents)
4	LIGHT WEIGHT TILE ROOF MATERIAL PER OWNER.
5	(APPLY AS PER MFG.) DECOR BRICK PER OWNER (APPLY AS PER MFG.)
6	Chimney shall extend at least 2 feet higher than any portion of a building within 10 ft. but shall not be less than 3 ft. above the highest point where the chimney passes through the roof per Section R1003.3.
7	New and existing buildings shall be provided with approved address numbers or letters. Each character shall be a minimum 4 inches (102 mm) high and a minimum 0.5 inch (12.7 mm) wide. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure.
8	

ATTIC VENTING REQUIREMENTS

ATTIC AREA SQ. FEET	NET SQ. FT. OF VENT. REQUIRED
2,268	9.21

Vent Type	Width	Height	NFVA Area SQ Inches	Area SQ Feet	Number of Vents	Area of Venting
Count Ridge Vent	4"	18'-0"	768"	144	5.34	5.34
Eave Vent	3.5"	22"	39"	27	18	4.86
Total area of venting provided						10.2'
Total area of venting required						9.21'

Attic Venting Notes

- The total net free ventilating area shall not be less than 1/150 of the area of the space ventilated except that reduction of the total area to 1/200 is permitted provided that at least 50 percent and not more than 80 percent of the required ventilating area is provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet (914 mm) above the eave or cornice vents with the balance of the required ventilation provided by eave or cornice vents.
- Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain or snow. Ventilation openings shall have a dimension of 1/16 inch (1.6 mm) minimum and 1/4 inch (6.4 mm) maximum. Ventilation openings having a dimension larger than 1/4 inch (6.4 mm) shall be provided with corrosion-resistant wire cloth screening, hardware cloth, or similar material with openings having a dimension of 1/16 inch (1.6 mm) minimum and 1/4 inch (6.4 mm) maximum.

SUB FLOOR VENTING REQUIREMENTS

FLOOR AREA SQ. FEET	NET SQ. FT. OF VENT. REQUIRED
1,408	9.39

Vent Type	Width	Height	Area SQ Inches	Area SQ Feet	Number of Vents	Area of Venting
Floor Vent	12"	6"	72"	144	5	10.00
Use Call Fire Rated Vents See www.guntermfg.com for more info.						Total area of venting required: 9.39'

COUNTY OF SANTA CLARA
BUILDING INSPECTION OFFICE
PLANS APPROVED FOR PERMIT

SHEET NO. 5 OF 34 SHEETS
BY: [Signature] DATE: 2/20/15
PLANS MUST BE ON JOB FOR INSPECTIONS

Client Address:

Bagnas Residence
10692 Carver Dr.
Cupertino, CA 95014

Job Site Location:

Neighboring Address: 16500
Sanborn Road
Santa Clara County

Project Information:

Drafting By: JL
Job Name: Bagnas
Job #: 1314
Date: 10/6/14
Rev #: 01 Design Changes 6-25-14

Authorization By:

Stamped signature only by
Jason Liebgott

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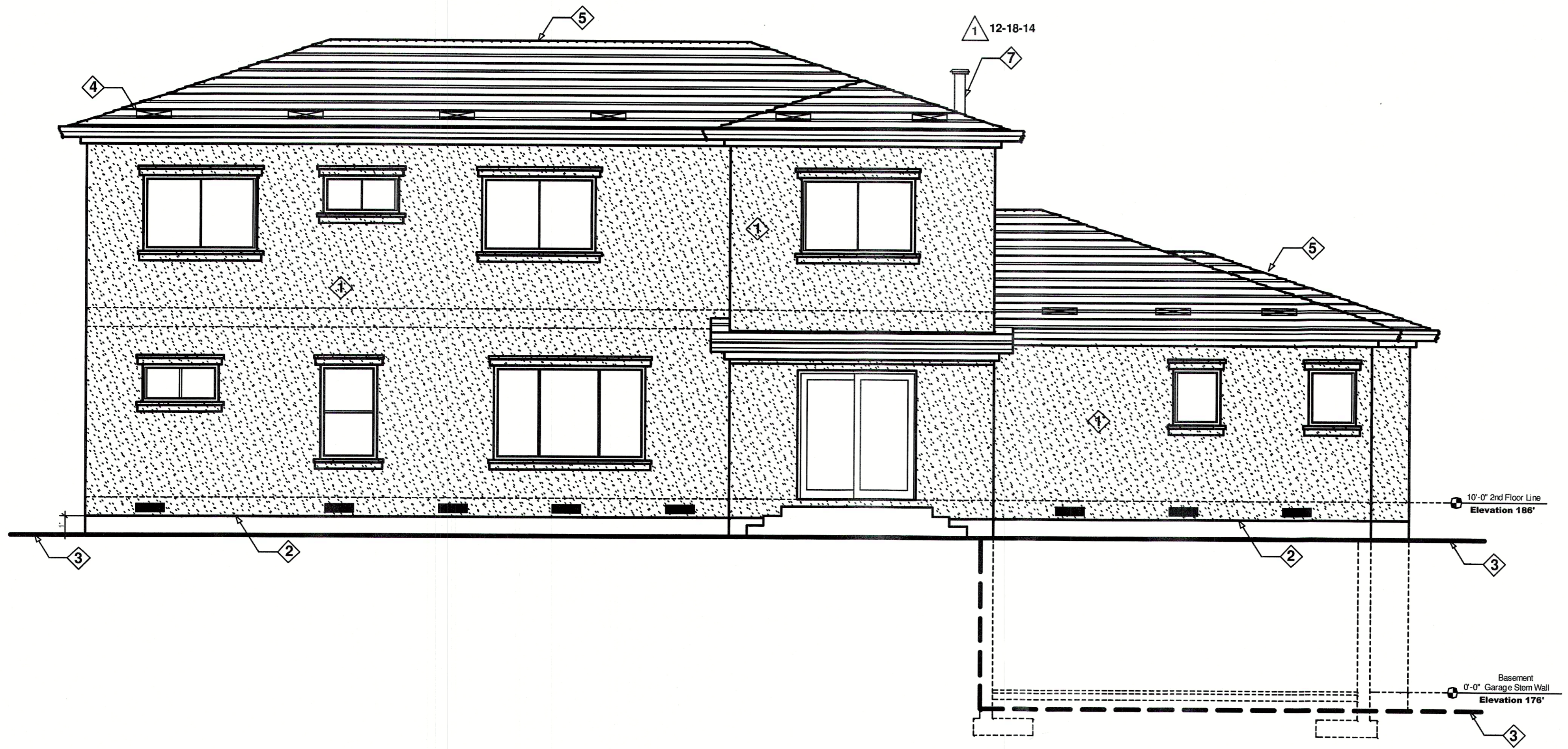
Sheet Title:

Elevation Plans

Sheet Number:

A4.0
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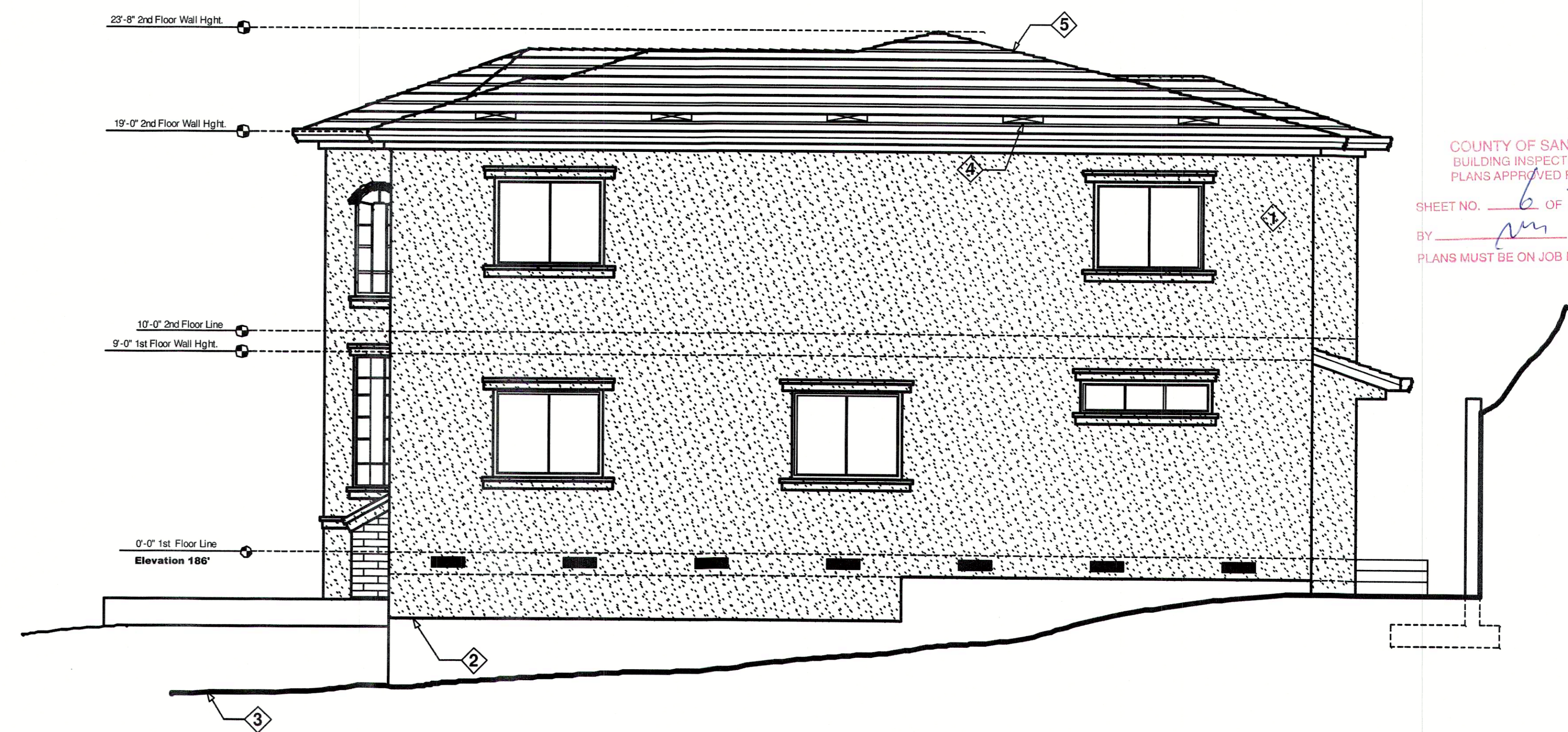




Rear Elevation Plan

Scale: 1/4" = 1'-0"

ELEVATION SCHEDULE	
KEY:	DESCRIPTION:
1	R703.6.2 Plaster Plastering with portland cement plaster shall be not less than three coats when applied over metal lath or wire lath and shall be not less than two coats when applied over masonry, concrete, pressure-preservative treated wood and decay-resistant wood as specified in Section R317.1 or gypsum backing. If the plaster surface is completely covered by veneer or other facing material or is completely concealed, plaster application need be only two coats, provided the total thickness is as set forth in Table R702.1(1). On wood-frame construction with and on-grade floor slab system, exterior plaster shall be applied to cover, but not extend below, lath, paper and screed. The proportion of aggregate to cementitious materials shall be as set forth in Table R702.1(3). R905.2.5 Fasteners Fasteners for asphalt shingles shall be galvanized steel, stainless steel, aluminum, or copper roofing nails, minimum 12 gage (93.105 inch (2.36mm) shank with a minimum of 3/8-inch-diameter (10 mm) head, ASTM F 1667, of a length to penetrate through the roofing materials and minimum of 3/4-inch (19 mm) into the roof sheathing. Where the roof sheathing is less than 3/4-inch (19 mm) thick, the fasteners shall penetrate through the sheathing. Fasteners shall comply with ASTM F 1667.
2	R703.6.2.1 Weep Screens A minimum 0.010-inch (0.5 mm) No. 26 galvanized sheet gage, aluminum, or copper corrosion-resistant weep screen or plastic weep screen, with a minimum vertical attachment flange of 3 1/2 inches (89 mm) shall be provided at or below the foundation plate line on exterior stud walls in accordance with ASTM C 926. The weep screen shall be placed a minimum of 4 inches (102 mm) above the finish grade and shall be of a type that will allow trapped water to drain to the exterior of the building. The weather-resistant barrier shall lap the attachment flange. The exterior lath shall cover and terminate on the attachment flange of the weep screen.
3	R401.3 Drainage Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches (152 mm) within the first 10 feet (3048 mm).
4	STATE FIRE MARSHALL APPROVED FIRE RATED VENTING REQ. (See Attic Venting Requirements on this Sheet for size and number of vents)
5	LIGHT WEIGHT TILE ROOF MATERIAL PER OWNER.
6	(APPLY AS PER MFG.) DECOR BRICK PER OWNER (APPLY AS PER MFG.)
7	Chimney shall extend at least 2 feet higher than any portion of a building within 10 ft, but shall not be less than 3 ft, above the highest point where the chimney passes through the roof per Section R1003.8.
8	New and existing buildings shall be provided with approved address numbers or letters. Each character shall be a minimum 4 inches (102 mm) high and a minimum of 0.5 inch (12.7 mm) wide. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure.



Left Elevation Plan

Scale: 1/4" = 1'-0"

COUNTY OF SANTA CLARA
BUILDING INSPECTION OFFICE
PLANS APPROVED FOR PERMIT
SHEET NO. 6 OF 34 SHEETS
BY JL DATE 2/20/15
PLANS MUST BE ON JOB FOR INSPECTIONS

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LH Designs
Building Plans - Drafting - Design Consulting
(530) 891-1889
16 Patches Drive, Chico CA 95928

Client Address:
Bagnas Residence
10692 Carver Dr.
Cupertino, CA 95014

Job Site Location:
Neighboring Address: 16500
Sanborn Road
Santa Clara County

Project Information:
Drafting By: JL
Job Name: Bagnas 12-18-14
Job #: 1314
Date: 10/6/14
Rev #: 01 Design Changes 6-25-14

Authorization By:
Stamped signature only by:
Jason Liebgott

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Sheet Title:
Elevation Plans

Sheet Number:
A5.0
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Bagnas Residence
 10692 Carver Dr.
 Cupertino, CA 95014

Neighboring Address: 16500
Sanborn Road
Santa Clara County

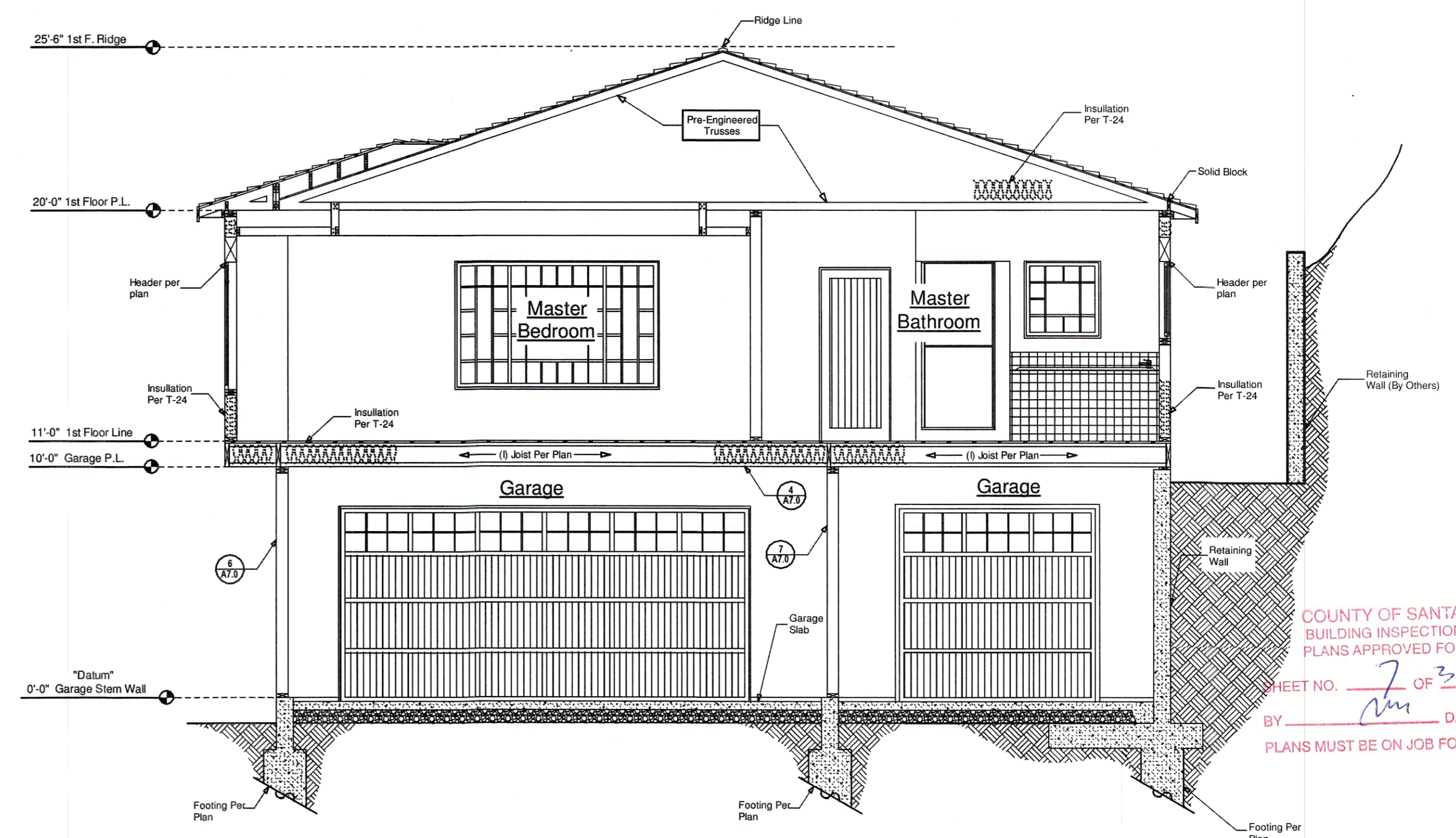
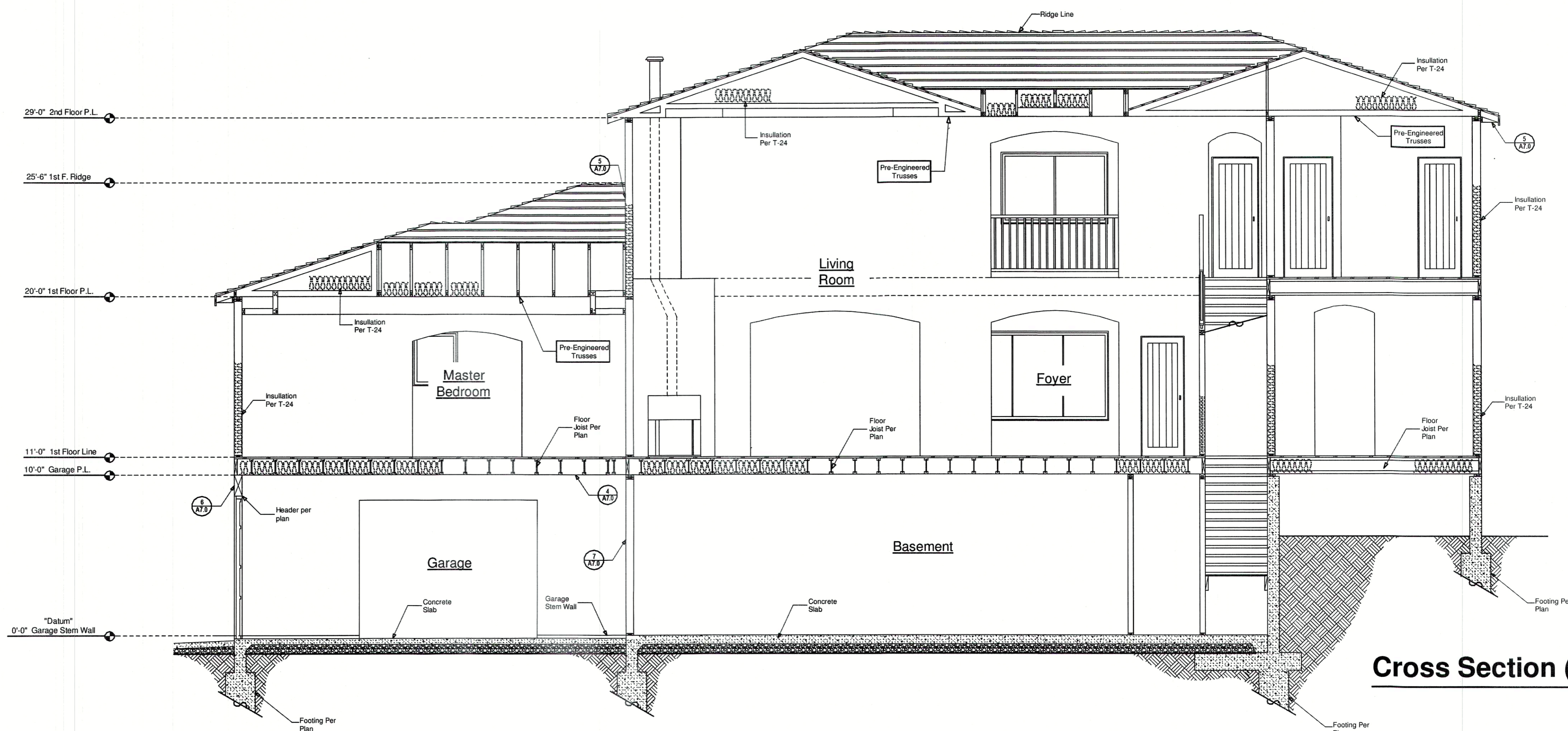
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Cross Sections

A6.0



COUNTY OF SANTA CLARA
 BUILDING INSPECTION OFFICE
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 SHEET NO. 7 OF 34 SHEETS
 BY *Jan* DATE 2/20/15
 PLANS MUST BE ON JOB FOR INSPECTIONS



ATTACHMENT E

Public Comment

From: [Patrick Lam](#)
To: [Cain, Robert](#)
Subject: Re: [EXTERNAL] Re: PLN18-8580 16501 Sanborn Road, proposed Bagnas residence
Date: Thursday, February 1, 2024 1:20:54 PM
Attachments: [image001.png](#)

Hi Robert,

Thanks for the clarification.

I will be out of the country for the next three weeks, and don't think I will be able to attend the zoom meeting.

The comment I have is about the road that Mr. Bagnas wanted to build on the egress, which is sharing between his property, 16500 and 16505 Sanborn Road. The grading has been stopped as it has jeopardized and invaded the exit and value for both 16500 and 16505 properties. The violated grading needs to be restored back to its original, and Mr. Bagnas should build his road starting from his property line.

I am not sure the "minimum fire safe regulation" is a separate issue or not, but I would like to bring it up as a reminder that the appeal was denied on Dec 7, 2021.

<https://plandev.sccgov.org/commissions-other-meetings/state-minimum-fire-safe-regulation-appeals>

Thanks,
-Patrick