

County of Santa Clara

Department of Planning and Development
Planning Office

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STAFF REPORT
Zoning Administration
April 8, 2021

Public Hearing Item No. 1

Staff Contact: Charu Ahluwalia, Associate Planner
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File: PLN20-024 (Lin Subdivision) Tentative Parcel Map Approval for a Two-Lot Subdivision and Grading Approval for two new Single-Family Residences

Summary: Tentative Parcel map to subdivide an approximately 10-gross-acre parcel into two parcels (Parcels 1 and 2) of approximately 5-gross-acres each, and Grading Approval for frontage improvements, driveways and two new single-family residences on the proposed parcels. The project includes demolition of an existing single-family residence, barn, and several other small buildings located on proposed Parcel 1. Grading consists of approximately 28 cubic yards of cut and 448 cubic yards of fill (total 476 cubic yards).

Owner: Lin Mon Fong

Applicant: Gary Carnes

Address: 12400 Columbet Avenue, San Martin

APN: 825-23-011

Supervisory District: 1

Gen. Plan Designation: Rural Residential

Zoning: RR-5Ac

Lot Size: 10-gross acres

Present Land Use: Single-family Residence

HCP: N/A

RECOMMENDED ACTIONS

- A. Adopt a CEQA Mitigated Negative Declaration;
- B. Grant Tentative Parcel Map Approval for a Two-Lot Subdivision, pursuant to Conditions of Approval outlined in Attachment B; and,
- C. Grant Grading Approval, pursuant to Conditions of Approval outlined in Attachment B.

ATTACHMENTS INCLUDED

Attachment A – Initial Study/Mitigated Negative Declaration

Attachment B – Preliminary Conditions of Approval

Attachment C – Location and Vicinity Map

PROJECT DESCRIPTION

The proposed project includes a request for a Tentative Parcel Map to subdivide a 10-gross-acre parcel into two lots (Parcels 1 and 2) 5-gross-acres each; and Grading Approval for two new single family residences on the proposed parcels. All existing structures would be removed, including a 1,200 square foot (sq.ft) single-family residence (constructed in 1914), 950 sq.ft barn, and several other small buildings located on Parcel 1, which are not historically significant. Driveway access to each residence would be from Columbet Avenue. Each proposed residence would have a well and an on-site wastewater treatment system. Grading quantities for the project would be 28 cubic yards (c.y.) of cut, and 448 c.y. of fill for the proposed frontage improvements, driveways and construction of the new residences. A 33-foot dedication for the Columbet Avenue right-of-way is proposed to be offered by the owner and accepted by County Roads and Airports.

Three non-native trees, all over 12-inch diameter are proposed for removal. Two of the three trees are located in the Columbet Avenue right-of-way and are therefore considered protected per the County's Tree Preservation Ordinance.

The site is located in the Santa Clara Valley Habitat Plan Area, Area 3-Rural Development Not Covered. The proposed project does not qualify for Habitat Plan coverage.

Setting/Location Information

The subject property is located in the unincorporated community of San Martin. The parcel is developed with an existing residence, barn and small accessory structures, which are all to be demolished. The project site is bordered to the north and east by low-density rural residential development. Parcels to the south and west are mostly undeveloped or have an agricultural use.

No watercourses, creeks, serpentine soils, or serpentine rock outcrops are located on the subject property. There is a mapped creek (San Martin Creek) and riparian woodland located north of the property, on surrounding parcels (approximately 300 feet away).

REASONS FOR RECOMMENDATIONS

A. Environmental Review and Determination (CEQA)

The environmental impacts of the project have been evaluated in the Mitigated Negative Declaration (MND) prepared by Staff for the project (refer to Attachment A). The MND concluded that although the proposed project could have a significant effect on the environment, mitigation measures would be incorporated into the project to avoid or reduce impacts to a less-than-significant level. As required by the California Environmental Quality Act (CEQA), a Notice of Intent to adopt the MND was posted and mailed out on March 5, 2021. Minor changes to the setting and analysis of the Hazard/Hazardous Materials and Noise sections related to the proximity of the San Martin Airport were incorporated into an amended MND. These changes did not trigger the need to re-circulate the document pursuant to CEQA, as the impact conclusions remained the same. As of the preparation of this Staff Report, two comments were received both of which were about existing drainage conditions. The proposed project would not exacerbate or create new drainage impacts. As

such, pursuant to CEQA, Staff recommends approval of the MND as part of this project approval.

B. Project/Proposal

The project consists of a Tentative Parcel Map approval to subdivide an existing lot into two (2) Parcels and Grading Approval for two new single-family residences.

C. Subdivision Ordinance

This subdivision application has been reviewed in accordance with the required Findings in Section C12-122 of the County Ordinance Code (Subdivisions and Land Development Ordinance) and the State Subdivision Map Act. Pursuant to these standards, the Zoning Administration Hearing Officer shall deny approval of a tentative or final parcel map if any of the following seven (7) findings can be made. In the following discussion, the scope of review criteria is in **bold**, and an explanation of how the project does or does not meet the required standard follows in plain text below.

1. That the proposed map is not consistent with applicable general and specific plans.

The proposed Tentative Parcel Map would result in the division of an existing 10 gross-acre lot into two parcels, Parcels 1 and 2 of 5-gross-acres each. The subject property is developed with an existing residence and accessory structures, which are proposed to be demolished. Two new residences with attached garages, two new driveways, and drainage improvements are proposed to be constructed. Each proposed residence would have a well and an on-site wastewater treatment system.

The General Plan designation for the property is Rural Residential. The property is located within the San Martin Planning Area. Density of development allowed for a subdivision with a Rural Residential General Plan designation within the San Martin Planning Area is one residence per five acres, if zoned RR-5ac. The subdivision proposal would create two single-family residential lots of 5-gross-acres each on the 10 gross-acre property. This results in a development density of one residence per five acres. The proposed subdivision is consistent with the County General Plan.

The property is zoned RR-5Ac, which is a rural base zoning district of Rural Residential (RR) and a lot-size combining district (-5 Ac.). The required minimum lot size is 5-gross-acres per parcel, as specified for the -5Ac. rural base lot-size combining district (Zoning Ordinance Section 3.10.030, Table 3-10.1 and associated Note 1). At 5-gross-acres each, proposed lot sizes for Parcel 1 and Parcel 2 are consistent with the County Zoning Ordinance.

The proposed Tentative Map is found to be consistent with the requirements of the County's Solar Access for Subdivision Development ordinance, Division C12. Pursuant to Section C12-173.3(d), solar access easements are not required for lots equal or greater than one acre. At 5 gross-acres each, the proposed lot sizes for Parcel 1 and Parcel 2 have adequate solar access for potential buildings constructed in the future, and, future development will not be detrimental to solar access of any neighboring properties.

As such, the proposed subdivision is consistent with the General Plan and Staff cannot make this finding, and therefore recommends approval of the proposed two-lot Tentative Parcel Map.

2. That the design or improvements of the proposed subdivision is not consistent with applicable general and specific plans.

The design and improvement of the proposed subdivision, in accordance with the Conditions listed in Attachment B, will ensure that the development is consistent with the County General Plan policies for Rural Residential areas, and the San Martin Planning Area (discussed above).

The project is consistent with lot design criteria for subdivisions outlined in Section C12-21 of the County Ordinance Code and demonstrates adequate size and shape characteristics to support single-family residential uses. Both proposed lots have frontage on the county maintained Columbet Avenue. Proposed lots exceed the recommended maximum depth to width ratio of three-to-one.

Two new residences with attached garages are proposed to be constructed. A 12-foot wide driveway with access to Columbet Avenue will be constructed for each lot. The proposed grading quantities for the project include 28 cubic yards of cut and 448 cubic yards of fill (total 476 cubic yards) for the proposed frontage improvements, driveways, building pads for the new residences and landscaping. A total of 28 c.y. cut and 28 c.y. fill is for frontage improvements including culverts for the new driveways, while maintaining existing drainage across the property frontage. A total of 316 cubic yards of fill is for base rock needed to construct the two 12-foot wide driveways with fire truck turnarounds, 75 c.y. fill to construct the residences, and 29 c.y. fill for modest landscape areas adjacent to the residences. The building sites and improvements on both proposed parcels do not require excessive grading.

As such, the design and improvements of the proposed subdivision is consistent with applicable general and specific plans, and Staff therefore cannot make this finding.

3. That the site is not physically suitable for the type of development.

The site is physically suitable for development of single-family dwellings, as proposed by the Applicant who intends to construct a new residence on each proposed lot. No development may occur unless there is full compliance with the Conditions listed in Attachment B, which pertain to, among other things water supply, sewage disposal and emergency access.

On-site Conditions

Topography of the site proposed for development is flat to very gently sloping (an average of approximately 1% from northeast to the southwest) with direct access from Columbet Avenue. The project site contains sufficient area for creation of two (2) parcels, which meet the minimum required lots size of 5 gross acres per County Zoning Ordinance requirements. The proposed parcels have been designed such that suitable building envelopes, driveway access, septic system, well and drainage systems would result on each

lot. Buildable areas for single-family residences would meet the setbacks required by the Zoning Ordinance. driveway access, septic systems, or wells etc.) for this subdivision.

Geology

The subject property is not located within any geologic hazard zone. The County Geologist reviewed the proposed residential subdivision and concluded that the proposed building sites are geologically feasible for development.

Utilities & Water

The proposed residences would each have a well, an on-site wastewater treatment system, and water storage tanks for wharf hydrants, domestic water and sprinkler systems. Electricity and gas would be provided by PG&E.

The Department of Environmental Health (DEH) has reviewed the application and percolation tests and septic system feasibility tests have been conducted. DEH has conditioned the project to require a septic permit prior to issuance of the building permit and well water feasibility (well log and pump test) prior to map recordation.

Drainage systems for the proposed parcels has been reviewed by Land Development Engineering (LDE). Self-retaining areas on both proposed parcels will be utilized to treat stormwater runoff from impervious surfaces. A Self-retaining area is a pervious area that retains rainfall and runoff from an adjacent impervious area.

The project has also been reviewed by the County Fire Marshal and satisfies current standards for fire flow (water required for the wharf hydrants), and sprinkler requirements. The projects had been conditioned to require interior fire suppression sprinklers in the new residences proposed on Parcel 1 and Parcel 2.

Access

As part of development of the proposed subdivision, each new parcel would have a 12-foot wide driveway off Columbet Avenue. The driveways would be approximately 120 feet apart. A sight distance analysis report was also prepared by RI Engineering, Inc., dated November 2, 2020, to evaluate the proposed driveway design. This report concluded that the proposed driveways would have adequate sight distance, if the existing pepper tree located between the two proposed driveways, and existing eucalyptus tree south of the southern driveway are removed. The County Roads and Airports Department has conditioned the project to remove of all vegetation and other obstructions necessary to provide adequate line-of-sight at the driveway approach locations. The subdivision and driveway design has also been reviewed by the Fire Marshal's Office and provides adequate emergency access to both lots.

For the reasons stated above, the site is physically suitable for the proposed residential subdivision. As such, Staff cannot make this finding.

4. That the site is not physically suitable for the proposed density of development.

The site is physically suitable for the proposed density of development, which will consist of one single-family dwelling per five gross- acres. The subject property is flat

and does not contain any natural hazards that would present a constraint to the proposed residential density of development, which is consistent with the General Plan.

The site is physically suitable for the proposed subdivision of agricultural grazing land, and development is not applicable. As such, Staff cannot make this finding.

5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The subject property is located in the Santa Clara Valley Habitat Plan (Habitat Plan), area; however, it is designated as Rural Development Not Covered. Under the Habitat Plan, the project site's land cover is Grain, Row-crop, Hay and Pasture, Disked / Short-term Fallowed. No sensitive land covers (burrowing owl nesting habitat, serpentine, riparian, stream, pond, or wetland) are identified on the property. Therefore, the proposed project does not qualify for Habitat Plan coverage.

Three trees proposed for removal include one eucalyptus tree (14" diameter), one walnut tree (24" diameter) and a pepper tree (18" diameter). Two of the three trees proposed for removal are located in the Columbet Avenue right-of-way and are therefore considered protected per the County's Tree Preservation Ordinance. The project has been conditioned by the Department of Roads and Airports to require a tree removal permit prior to tree removal of the two trees within the right-of-way, which will entail requirement for appropriate tree replacement. The project implementation could disturb nesting raptors if they are present. Mitigation measures (part of the Mitigated Negative Declaration prepared for the project; Attachment A), to reduce impacts on nesting raptors are included as conditions of approval.

As such, the proposed subdivision is not likely to cause substantial environmental impacts or injure fish, wildlife, or their habitat, and Staff therefore cannot make this finding.

6. That the design of the subdivision or the type of improvements is likely to cause serious public health problems.

The project has been reviewed by LDE, the DEH, Fire Marshal's Office, and the Planning Division, and conditioned to meet all public health and safety requirements.

The County Fire Marshal's Office has reviewed the subdivision emergency vehicle access for fire protection and fire prevention. Furthermore, the subject property is not located within the Wildland Urban Interface (WUI). Also, the subject property is not located in a mapped flood hazard zone.

Development would require (prior to issuance of a building permit) construction of a new septic system to treat wastewater, and septic system design would be reviewed by the DEH to ensure that they do not permit effluent to surface, degrade water quality, affect soil stability, present a threat to public health or safety, or create a public nuisance. Water

shall be provided to the project site by a well and well water feasibility would be reviewed by DEH prior to map recordation .

The construction and installation of improvements, including a single-family residence, and driveways would not create significant, long-term traffic, noise or air quality impacts. The project will result in short-term impacts related to construction activities, however, due to their temporary nature, construction-related impacts would not cause serious or long-term public health problems.

As such, neither the design of the subdivision nor the types of improvements (none proposed or required) are likely to cause serious public health problems, and Staff therefore cannot make this finding.

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed subdivision.

No easements currently exist in the subdivision area. The submitted Tentative Parcel Map has a proposed 33-foot dedication for the Columbet Avenue right-of-way. A review of all available maps and the submitted Tentative Map by Staff confirms that the design of the subdivision will not conflict with any existing easements on the property. Access to proposed parcels is from Columbet Avenue, which is a county-maintained road. As such, the proposed subdivision will not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision. Therefore, for the reasons stated above, Staff cannot make this finding.

As noted in the above findings, Staff cannot make any of the seven subdivision findings that, if made, would require the Zoning Administrator to deny the proposed subdivision. Staff therefore recommends that the Zoning Administrator approve the proposed subdivision, subject to Grading findings below.

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 proposed project consists of a two-lot subdivision and grading approval for two new single family residences on the proposed parcels. The base zoning district is Rural Residential (RR) and the proposed use, single-family residential, is allowed by right in this zoning district. Topography of the site proposed for development is flat to very gently sloping (an average of approximately 1% from northeast to the southwest).

The proposed grading quantities for the project include 28 cubic yards of cut and 448 cubic yards of fill (total 476 cubic yards) for the proposed frontage improvements,

driveways, construction of two new residences and landscaping. A total of 28 c.y. cut and 28 c.y. fill is for frontage improvements including culverts for the new driveways, while maintaining existing drainage across the property frontage. A total of 316 cubic yards of fill is for base rock needed to construct the two 12-foot wide driveways with fire truck turnarounds, 75 c.y. fill to establish the residences on each parcel, and 29 c.y. fill for modest landscape areas adjacent to the residences

As such, the amount, design, location, and the nature of the proposed grading is appropriate to establish single-family residential uses on the proposed parcels. This finding can be made.

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.

No excessive material will be deposited onsite. All excess grading will be hauled to a County-approved disposal site. The applicant is required to apply for a Grading Permit subsequent to the Grading Approval, which is a component of this application. The Grading Permit will be reviewed by LDE to ensure all grading is appropriately using Best Management Practices. Standard Conditions of Approval and requirements of final grading plans will ensure that grading around the building pad will not result in slope instability or erosion.

No watercourses are located on the subject site, however, San Martin Creek is located approximately 600 feet away from the property. The nearest proposed improvement, the driveway on proposed Parcel 1, is approximately 800 feet from San Martin Creek.

Therefore, the grading will not endanger the public and/or private property, public health and safety, nor result in excessive deposition of debris or soil sediments on any public right-of-way, or impair any spring or existing watercourse, and this finding can be made.

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

Topography of the site proposed for development is flat to very gently sloping (an average of approximately 1% from northeast to the southwest). The proposed grading has been designed to blend with the naturally flat site topography. The grading will not impose any significant impacts on the natural landscape, biological, or aquatic resources. There are no creeks or other watercourses on the property. The majority of the onsite natural landscape will be preserved except three (3) non-native trees (one 14-inch diameter eucalyptus tree, one 24-inch diameter walnut tree, and one 18-inch diameter pepper tree). Two of the three trees proposed for removal are located in the Columbet Avenue right-of-way and are therefore considered protected per the County's Tree Preservation Ordinance. The project has been conditioned by the Department of Roads and Airports to require a tree removal permit prior to tree removal of the two trees within the right-of-way, which will entail requirement for appropriate tree replacement. There are no special status species or habitat mapped on the site. The site is located in the Santa

Clara Valley Habitat Plan Area, Area 3-Rural Development Not Covered. The proposed project does not qualify for Habitat Plan coverage.

The proposed grading will minimize impacts to the natural landscape and resources, and minimize erosion impacts, and 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.**

The proposed grading associated with the project is for frontage improvements, establishing new driveways and fire truck turnaround, and landscaping. The two proposed new residences are situated on each proposed lot to accommodate the on-site wastewater system on the lower contours of the proposed lots. Overall, the subdivision design, including the proposed building sites, minimize grading in comparison with other available development sites, and 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.**

As stated above, topography of the site proposed for development is flat to very gently sloping (an average of approximately 1%). No retaining wall is proposed with this project. The proposed grading is designed to conform with the natural terrain and existing topography and will not create a significant visual scar. The County requires that all utilities shall be placed underground, which also minimizes negative aesthetic impacts. As such, the proposed grading meets this finding.

- 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. Grading for the proposed project for frontage improvements, driveways, building pads for the new residences and landscaping, is appropriate, justifiable, and reasonably necessary for the establishment of the single-family residential use. This is in keeping with General Plan policy R-GD 22, stated below:

R-GD 22 The amount, design, location, and the nature of any proposed grading may be approved only if determined to be:

- a. appropriate, justifiable, and reasonably necessary for the establishment of a allowable use;*
- b. the minimum necessary given the various site characteristics, constraints, and potential environmental impacts that may be involved, and,*
- c. that which causes minimum disturbance to the natural environment, slopes, and other natural features of the land.*

The proposed subdivision is consistent with the County General Plan. 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 property is zoned RR-5Ac, which is a rural base zoning district of Rural Residential (RR) and a lot-size combining district (-5 Ac.). This finding does not apply to the site.

BACKGROUND

On January 24, 2020 an application for a two-lot Tentative Parcel Map was submitted, which was subsequently deemed complete on February 21, 2021. The applicant submitted the final resubmittal on November 09, 2020. The project was subsequently deemed complete for processing on December 08, 2020.

In accordance with the California Environmental Quality Act (CEQA), an Initial Study, and subsequent Mitigated Negative Declaration was prepared and posted on March 5, 2021. Minor changes to the setting and analysis of the Hazard/Hazardous Materials and Noise sections related to the proximity of the San Martin Airport were incorporated into an amended MND. These changes did not trigger the need to re-circulate the document pursuant to CEQA, as the impact conclusions remained the same.

Staff received two comments as a result of the publication of the Initial Study/Mitigated Negative Declaration, both regarding grading activity and existing drainage conditions of the subject property. LDE and Staff have reviewed the comments and based on existing topography shown on the plans no existing drainage swale exists on the subject property. The proposed project would not exacerbate or create new drainage impacts.

A public notice for the public hearing before the Zoning Administration Hearing Officer was mailed to all property owners within a 300-foot radius of the subject property on March 29, 2021 and published in the Post Record on March 29, 2021.

STAFF REPORT REVIEW

Prepared by: Charu Ahluwalia, Associate Planner *C.A.*

Reviewed by: Leza Mikhail, Principal Planner & Zoning Administrator



Attachment A

Circulated Initial Study/ Mitigated Negative Declaration

INITIAL STUDY (Amended)

Environmental Checklist and Evaluation for the County of Santa Clara

File Number:	PLN20-024	Date: 3/3/2021 (Amended on 3/23/2021)
Project Type:	Two-lot Subdivision and Grading Approval	APN(s): 825-23-011
Project Location / Address:	12400 Columbet Avenue, San Martin 95046	GP Designation: Rural Residential
Owner's Name:	Lin Mon Fong	Zoning: RR-5Ac
Applicant's Name:	Gary Carnes	Urban Service Area: N/A
Project Description		
<p>The proposed project is an application to the County of Santa Clara to subdivide an approximately 10-gross-acre parcel into two lots (Parcels 1 and 2) of approximately 5 gross acres each. The subject property is located on Columbet Avenue in the rural, unincorporated community of San Martin east of State Route 101 (see Figure 1). Figure 2 shows the tentative subdivision map. In addition, Grading Approval would be required for the construction of two new residences with attached garages, two new driveways, and drainage improvements. Driveway access to each residence would be from Columbet Avenue. Each residence would have a well and an on-site wastewater treatment system (see Figure 4). Grading of the project site would involve approximately 28 square feet of cut, and 448 square feet of fill for the proposed driveways, other subdivision improvements, and for building pads for the new residences. Three non-native trees are proposed for removal with this project.</p> <p>As shown on Figure 3 (the Site Plan), an existing single-family residence, barn, and several other small buildings exist on proposed Parcel 1. These structures are proposed to be demolished prior to development of the two lots.</p>		
Environmental Setting and Surrounding Land Uses		
<p>The subject property is located in the unincorporated community of San Martin. The parcel is undeveloped with the exception of the existing residence to be demolished. The project site slopes an average of approximately 1% from northeast to the southwest. The project site is bordered to the north and east by low-density rural residential development. Parcels to the south and west are mostly undeveloped and show evidence of recent agricultural cultivation.</p> <p>No watercourses, creeks, serpentine soils, or serpentine rock outcrops are located on the subject property. There is mapped creek (San Martin Creek) and riparian woodland located north of the property, on surrounding parcels (approximately 300 feet away).</p>		
Other agencies sent a copy of this document:		
Not applicable		



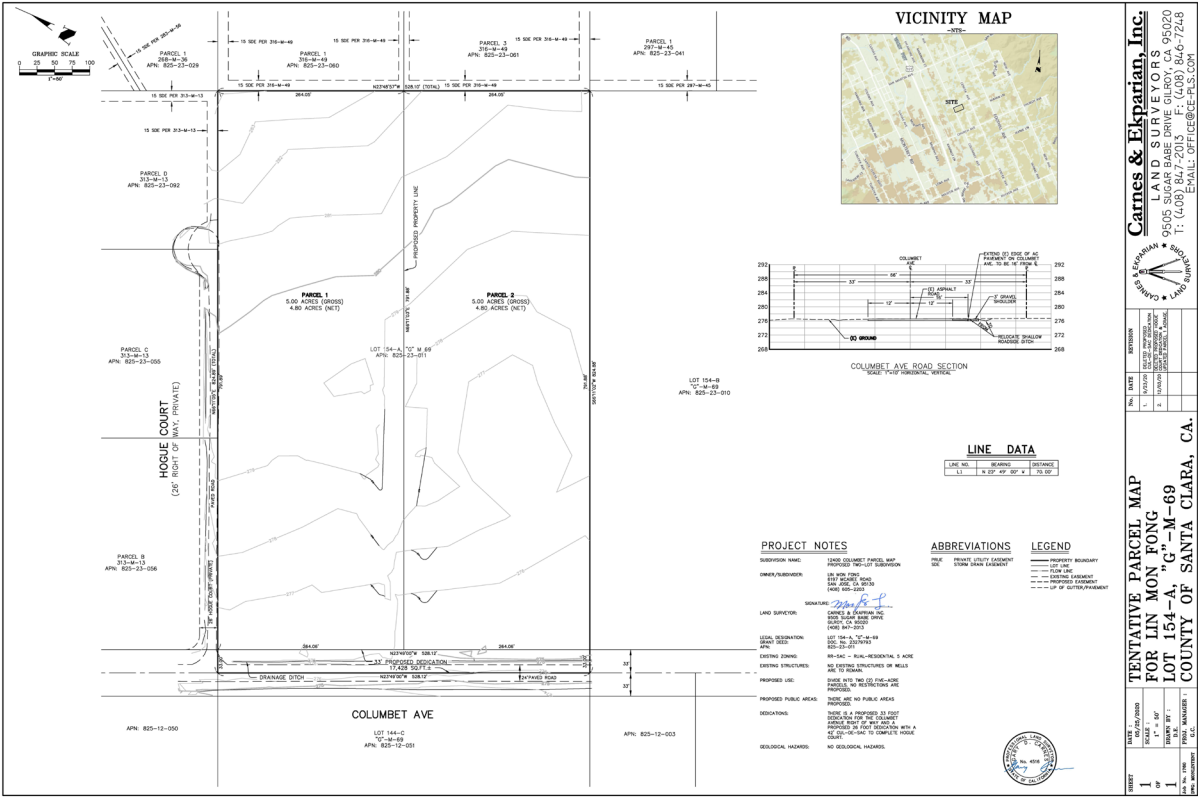


Figure 2 – Tentative Map

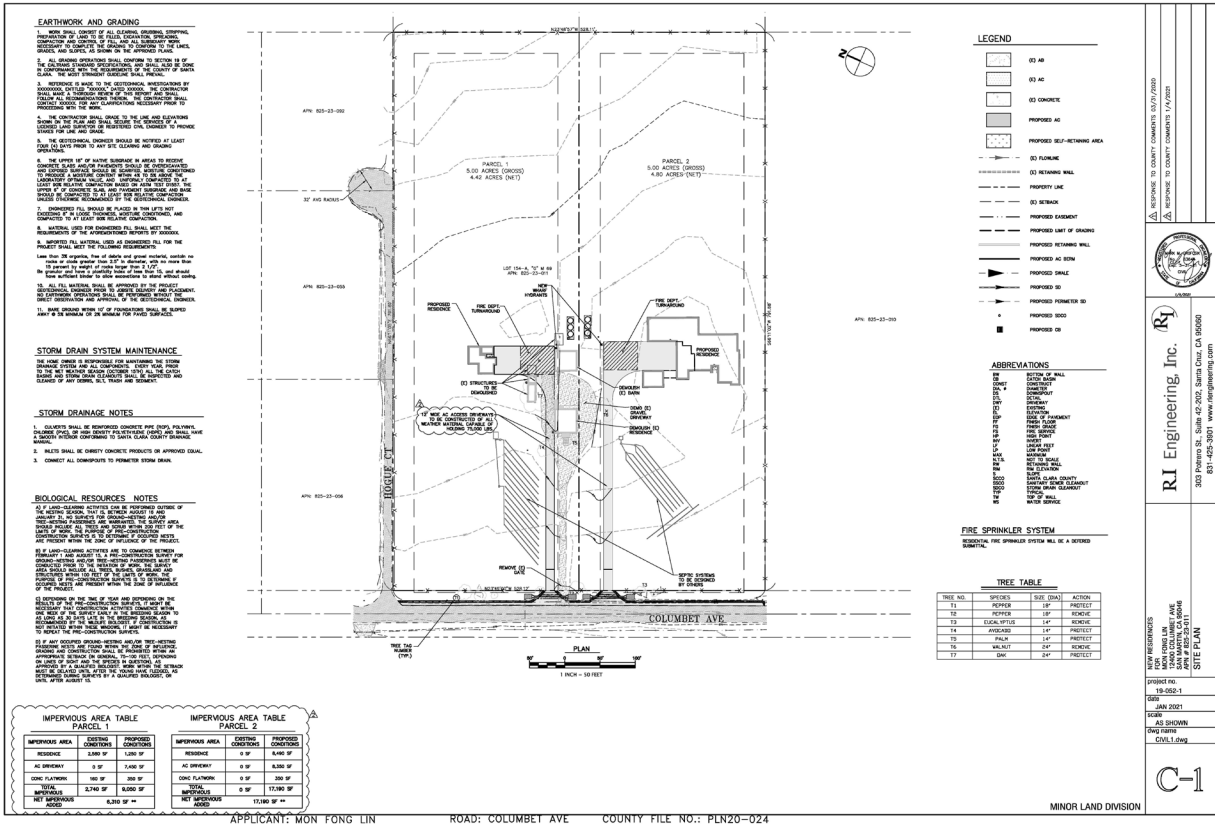


Figure 3 – Site Plan

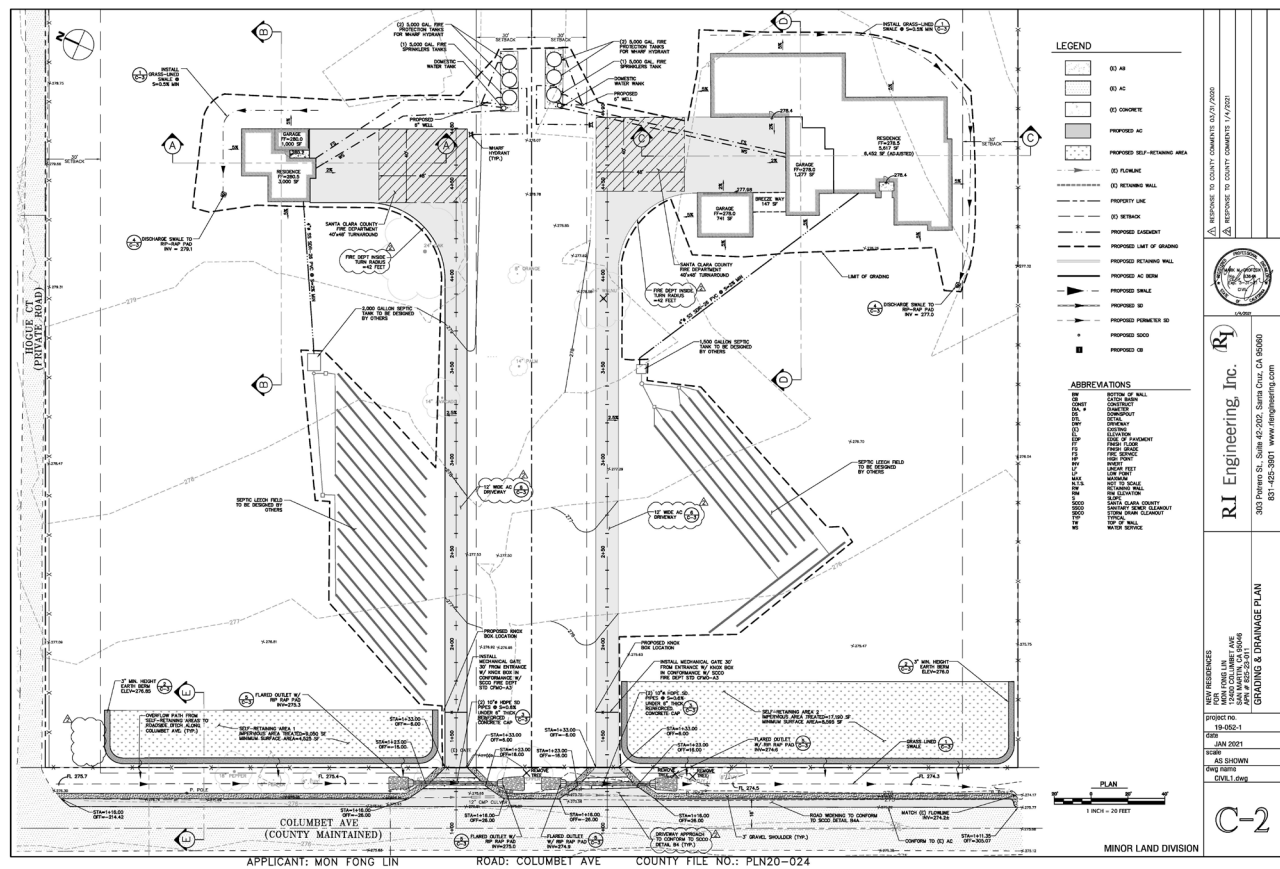


Figure 4 – Grading and Drainage Plan

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 type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture / Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resource | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input 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 type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input 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.

Charu Ahluwalia

Signature

3/3/2021(Amended on 3/23/2021)
Date

CHARU AHLUWALIA
Printed name

For

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS							
	IMPACT						
Except as provided in Public Resources Code section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	Source
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3,4

SETTING:

The project site is in a rural residential area in the unincorporated community of San Martin, which is located in a flat area of south Santa Clara County. There are no scenic roads or scenic resources located in the vicinity.

DISCUSSION:

a-d)

Less than Significant. Scenic vistas in the project area consist of views from the valley floor of the mountain ranges to the east (Diablo Range) and to the west (Santa Cruz mountains). Development of the property with two single family residences would not obstruct any views from public roadways, given that the height of structures is limited by the Zoning Ordinance to 35 feet. The project site is not located near scenic roads or other scenic resources (e.g., rock outcroppings, historic buildings, or trees having scenic value). The development would blend into the surrounding rural residential development and therefore would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The only lighting would be outdoor lighting similar to that of neighboring residences. Therefore, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

MITIGATION:

No mitigation is required.

B. AGRICULTURE / FOREST RESOURCES							
<p>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.</p>							
	IMPACT						
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Analyzed in the Prior EIR</u>	<u>Substantially Mitigated by Uniformly Applicable Development Policies</u>	Source
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3,23,24,26
b) Conflict with existing zoning for agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 28
e) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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"/>	<input type="checkbox"/>	<input type="checkbox"/>	

SETTING:

The California Farmland Mapping and Monitoring Program (FMMP) classifies the parcel as grazing land. The parcel is not under a Williamson Act Contract and contains no land classified as forest.

DISCUSSION:

a-b)

Less Than Significant. The parcel is classified under the FMMP as grazing land. Therefore, development would not convert farmland to a non-agricultural use or conflict with existing zoning for agricultural use.

c-f)

No Impact. The parcel is not under a Williamson Act Contract and does not contain forest land.

MITIGATION:

No mitigation required.

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.							
	IMPACT						
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Analyzed in the Prior EIR</u>	<u>Substantially Mitigated by Uniformly Applicable Development Policies</u>	Source
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5,29, 30
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5, 29, 30

SETTING:

The proposed project is located within the San Francisco Bay Area Air Quality Management District (BAAQMD), which regulates air pollutants, including those that may be generated by construction and operation of development projects. These so-called 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. Major sources of toxic air contaminants in the Bay Area include major automobile and truck transportation corridors (e.g., freeways and expressways) and stationary sources (e.g., factories, refineries, power plants).

DISCUSSION:

a-d)

Less Than Significant. Development of two single family residences and driveways would involve grading and construction activities. Operations would generate emissions from vehicle trips. However, emissions generated from construction and operation of the two residences would be well below the BAAQMD's screening size level of 325 dwelling units for operational-related emissions (oxides of nitrogen) and 114 dwelling units for construction-related emissions (reactive organic gases) from residential land uses. The proposed residential development would not generate significant concentrations of pollutants that sensitive receptors would be exposed to, nor would it result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

MITIGATION:

No mitigation required.

D. BIOLOGICAL RESOURCES							
WOULD THE PROJECT:	IMPACT						Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3,7, 8a, 17b, 17e, 22d, 22e, 33

D. BIOLOGICAL RESOURCES							
WOULD THE PROJECT:	IMPACT						Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 7, 17n, 33
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 31, 32
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,7, 17b, 17o
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	32
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3,4, 17i

SETTING:

Under the Santa Clara Valley Habitat Plan (Habitat Plan), the project site's land cover is *Grain, Row-crop, Hay and Pasture, Disked / Short-term Fallowed*. The parcel is located in the Habitat Plan area; however, it is designated as *Rural Development Not Covered*. The project site is located in the Central Coast Special Riparian Setback area, which requires a 30-foot setback from top of bank or edge of riparian vegetation. San Martin Creek is located approximately 300 feet northwest of the parcel, and Little Llagas Creek is located approximately 400 feet west of the parcel. The project site does not contain any sensitive habitats and is not located in any plant or wildlife survey areas under the Habitat Plan.

County of Santa Clara Tree Preservation Ordinance, Division C16 relates to tree preservation and removal. The ordinance requires that an Administrative Permit or Tree Removal Permit be obtained for removal of any protected tree in several circumstances, including: 1) removal of any heritage tree; 2) removal of any tree that was required to be planted or retained by the conditions of approval for any Use Permit, Building Site Approval, Grading Permit, Architectural & Site Approval, Design Review,

Special Permit, or Subdivision; 3) removal of on any protected tree in designated areas of the County [(a) parcels zoned “Hillsides” (three acres or less); (b) Parcels within a “-d” (Design Review) combining zoning district; (c) Parcels within the Los Gatos Hillside Specific Plan; and (d) a tree that is located within the “-h1” Historic Preservation zoning district for New Almaden]; or 4) any tree, regardless of size, within rights-of-way and easements of the County. A protected tree is defined as any tree having a trunk that measures 37.7 inches or more in circumference (12 inches in diameter) at a height of 4.5 feet above the ground or immediately below the lowest branch, whichever is lower, or in the case of multi-trunk trees, a trunk size of 75.4 inches in circumference or more (24 inches or more in diameter).

The three trees proposed for removal include one eucalyptus tree (14” diameter), one walnut tree (24” diameter) and a pepper tree (18” diameter).

DISCUSSION:

a-f, g)

Less Than Significant. The project site’s land cover is *Grain, Row-crop, Hay and Pasture, Disked / Short-term Fallowed* and contains no protected wetlands or oak woodland habitat. Because there is not a riparian zone or vegetation to provide cover, the parcel is not an established native resident or migratory wildlife corridor.

Three non-native trees of over 12-inch diameter are proposed for removal. Two of the three trees are located in the Columbet Avenue right-of-way and are therefore considered protected per the County’s Tree Preservation Ordinance. The Department of Roads and Airports would require a tree removal permit with appropriate tree replacement, prior to removal of the two trees within the right-of-way. Because the parcel is designated *Rural Development Not Covered* under the Habitat Plan, there would be no conflict between the development and an adopted Habitat Conservation Plan.

e)

Less Than Significant with Mitigation Incorporated. Project implementation would include removal of three trees on the project site which could disturb nesting raptors if they are present, potentially resulting in nest abandonment, nest failure, or mortality of chicks or eggs. Additionally, operation of construction equipment and presence of construction crews could result in increased noise and visual disturbance to nesting raptors. The potential loss of or disturbance to raptors and their nests would be a potentially significant impact.

MITIGATION:

The applicant shall implement the following measures to reduce impacts on nesting raptors:

- *To minimize the potential for loss of nesting raptors, tree removal activities will only occur during the nonbreeding season (September 1-January 31). If all suitable nesting habitat is removed during the non-breeding season, no further mitigation will be required.*
- *Prior to removal of any trees or other vegetation, or ground disturbing activities between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nesting raptors and shall identify active nests within 500 feet of the site. The surveys will be*

conducted before the beginning of any construction activities between February 1 and August 31. A report of the completed survey shall be provided to the County Planning Office.

- Impacts to nesting raptors shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. Activity shall not commence within the buffer areas until a qualified biologist has determined, in coordination with California Department of Fish and Wildlife (CDFW), that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. CDFW guidelines recommend implementation of a 500-foot buffer for raptors, but the size of the buffer may be adjusted if a qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities shall be required if the activity has potential to adversely affect the nest.
- Trees shall not be removed during the breeding season for nesting raptors unless a survey by a qualified biologist verifies that there is not an active nest in the tree during the breeding season in which the tree removal would occur.

E. CULTURAL RESOURCES							
WOULD THE PROJECT:	IMPACT						Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
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"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 16, 19, 40, 41
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 19, 40, 41
c) Disturb any human remains including, those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 19, 40, 41

SETTING:

Archaeological Resource Management (ARM) conducted an archival search and a surface survey of the proposed project area. The report titled “Cultural Resource Evaluation of the Proposed Project at 12400 Columbet Avenue”, dated September 16, 2020, is in Appendix A. One previous study has been carried out within the proposed project area. This study was completed by ARM in 2019 and entitled “Historic Evaluation of the Residence and Associated Structures at 12400 Columbet Avenue in San Martin” is in Appendix B. No traces of significant cultural material, prehistoric or historic, were noted during surface reconnaissance.

DISCUSSION:

a)

Less Than Significant. The project site contains an existing residence that is proposed to be demolished. The historic evaluation prepared by ARM determined that the property at 12400 Columbet Avenue is not historically significant as it is not currently listed in the National Register of Historic Places, the California Register of Historic Resources, or the County of Santa Clara Heritage Resource Inventory. In addition, the report determined that the property does not appear to be eligible for listing in any of these registers. Although the residence was originally constructed in 1914 based on County of Santa Clara Appraiser's documentation, the structure is lacking in architectural significance and historical associations, and the additions and modifications which have been made to both the interior and the exterior of the structure have diminished its integrity.

b-c)

Less Than Significant with Mitigation Incorporated. The archival research revealed that no previously recorded archaeological resources are located within the proposed project area. However, the proposed project area is located in alluvial soils adjacent to a creek. Thus, there is a moderate to high potential for subsurface Native American resources within the proposed project area. In addition, the proposed project area was located within the lands of Daniel Murphy (a figure of local historic significance) in 1876 and contains a residence of historic age (constructed 1914) and associated outbuildings. Thus, there is a potential for presence of subsurface historic deposits associated with ranching/agricultural activities carried out by Murphy within the proposed project area. No significant cultural materials, prehistoric or historic, were noted during surface reconnaissance. However, due to the potential for both prehistoric and historic subsurface cultural materials, mitigation is included for periodic archaeological monitoring to take place during earth moving activities for the proposed project.

MITIGATION:

Construction Monitoring:

- *Prior to construction, the project applicant shall retain a project archaeologist (meeting or exceeding the Secretary of the Interior's standards) to prepare an Archaeological Monitoring Plan prior to ground disturbing activities that describes the procedures for the appropriate identification and treatment of archaeological resources if any are discovered during grading or construction activities. The Archaeological Monitoring Plan shall include provisions to halt work in the immediate area in the event of a discovery to allow for resource evaluation. The plan shall also identify the need for monitoring by a cultural resources specialist and provide detailed guidance outlining when and for what activities monitors must be present.*
- *The project applicant shall retain a qualified cultural resources monitor prior to the commencement of ground disturbing activities to monitor such activities as prescribed by the Archaeological Monitoring Plan. The monitor shall be granted stop-work authority in the event an unanticipated discovery is made. The monitor shall immediately evaluate the discovery to determine whether additional treatment is warranted, and notify the County. Construction activities may not resume in the area immediate to the discovery until authorized by the monitor.*

- Prior to a final grading inspection, the project archaeologist shall prepare and submit to the County a report on the monitoring results

F. ENERGY							
	IMPACT						
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	Source
a) Result in potentially significant environmental impact do to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5

SETTING:

California Code of Regulations, Title 24, Part 6, is California's Energy Efficiency Standards for Residential and Non-Residential Buildings. Title 24 was established by CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and non-residential buildings.

DISCUSSION:

a-b)

Less Than Significant. The project would increase electricity and natural gas consumption at the site relative to existing conditions. The project would be required to meet the California Code of Regulations Title 24 standards for building energy efficiency. Construction energy consumption would be temporary and would not require additional capacity or increased peak or base period demands for electricity or other forms of energy. The project would not result in wasteful, inefficient, or unnecessary consumption of energy.

MITIGATION:

No mitigation required.

G. GEOLOGY AND SOILS							
	IMPACT						
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	Source
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6, 17c, 43
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6, 17c
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6, 17c, 17n, 18b
iv) Landslides	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6, 17L, 118b
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6, 14, 23, 24
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2, 3, 17c, 23, 24, 42
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14,23, 24,
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3,6, 23,24,
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2,3,4,40,41

SETTING:

The project site and surrounding parcels are flat. The site is not located in any geologic hazard zones.

DISCUSSION:

a-f)

Less Than Significant. The project site is not located in any fault rupture, landslide, seismic ground-shaking hazard zones. Proposed grading could cause soil erosion. However, erosion control would be required as part of project design through the Grading Approval and permitting process. The project site is not located on expansive soils, and the soils are capable of supporting septic systems. The project site is mapped as Quaternary age (Pleistocene epoch) alluvium, lake, playa, and terrace deposits, which consists of marine and nonmarine rocks (2.5 million to 11.7 thousand years old) and is bordered to the south by a portion of Mesozoic age (Jurassic/Cretaceous epoch) Franciscan Complex (199 million to 65 million years old). A search of the University of California, Museum of Paleontology database revealed that no paleontological resources have been recorded in Quaternary alluvium in Santa Clara County, and nine Jurassic/Cretaceous microfossils have been recorded in the Franciscan Complex in Santa Clara County. However, the University of California, Museum of Paleontology database did not list any paleontological sites of any kind on or near the project site (UCMP 20211).

MITIGATION:

No mitigation is required.

H. GREENHOUSE GAS EMISSIONS							
WOULD THE PROJECT:	IMPACT						Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5,29, 30

SETTING:

Given the overwhelming scope of global climate change, it is not anticipated that a single development project would have an individually discernible effect on global climate change. It is more appropriate to conclude that the greenhouse gas emissions generated by a proposed project would combine with emissions across the state, nation, and globe to cumulatively contribute to global climate change. The primary GHG associated with a development project is carbon dioxide, which is directly generated by fuel combustion (vehicle trips, use of natural gas for buildings) and indirectly generated by use of electricity.

¹University of California, Museum of Paleontology. 2017. Miocene Mammal Mapping Project. Available: <http://www.ucmp.berkeley.edu/miomap/>. Accessed January 6, 2021

DISCUSSION:

a-b)

Less Than Significant. Development of two single family residences and associated site improvements would involve grading and construction activities. Operations would generate emissions from vehicle trips. However, emissions generated from construction and operation of the two residences would be well below the BAAQMD's screening size level of 56 dwelling units for both operational- and construction related GHG emissions. Therefore, the proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

MITIGATION:

No mitigation is required.

I. HAZARDS & HAZARDOUS MATERIALS							
WOULD THE PROJECT:	IMPACT						Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
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"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	46
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"/>	<input type="checkbox"/>	<input type="checkbox"/>	47
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 22a

I. HAZARDS & HAZARDOUS MATERIALS							
WOULD THE PROJECT:	IMPACT						Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
result in a safety hazard, or excessive noise for people residing or working in the project area?							
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5, 48
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4, 17g

SETTING:

The project site is located in a rural residential area of south Santa Clara County in the unincorporated community of San Martin. It is not located within ¼ mile of a school or within the Wildland Urban Interface. San Martin Airport is located approximately ½ mile from the project site. The project site is located within the Airport Influence Area, the Traffic Pattern safety zone, and the Part 77 Airspace Protection zone. The Traffic Pattern Zone (TPZ) is that portion of the airport area routinely overflown by aircraft operating in the airport traffic pattern. The potential for aircraft accidents is relatively low and the need for land use restrictions is minimal. TCFR Title 14 Part 77.13 requires that any developer who intends to perform any construction or alterations to structures that exceed 200 feet in height above ground level must obtain project approval from the Federal Aviation Administration (FAA). The project site is located outside the aircraft noise level zone of 55 CNEL.

DISCUSSION:

a-d)

No Impact. The project is a 2-lot residential subdivision. Therefore, it would not involve transport of hazardous materials or foreseeable risk of accident conditions that could release hazardous materials into the environment. The project site is not located within ¼ of a school.

e-g)

Less Than Significant.

The project site is located within the San Martin Airport Influence Area and the Traffic Pattern safety zone. As the potential for aircraft accidents is relatively low within the Traffic Pattern safety zone, the proposed 2-lot subdivision and construction of a new residence would not result in a safety hazard for people working or residing in the project area. The project site is located within the airport's Part 77 Airspace Protection zone. However, because the maximum height of structures allowed by the County within the Rural Residential zoning district is 35 feet, no project approval from the FAA would be

required. Because the project site is located outside the aircraft noise level zone of 55 CNEL, the project would not result in excessive noise for people residing or working in the project area.

The project site would use as access Columbet Avenue, which is not part of an adopted emergency response plan or emergency evacuation plan. The site is not within the Wildland Urban Interface and therefore would not expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires.

MITIGATION:

No mitigation is required.

J. HYDROLOGY AND WATER QUALITY							
Would the project:	IMPACT						SOURCE
	Potential y Significant t Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17b, 36
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"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
IV) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2, 3, 4, 17p

SETTING:

The project site is flat and is not crossed by any drainages or creeks. It is not located in a flood hazard area or regulator floodway.

DISCUSSION:

a-e)

Less Than Significant. The proposed project includes grading for construction of building pads and driveways that requires a County Grading Approval and issuance of a grading permit . The County requires erosion control standards be incorporated into project design in order to avoid erosion on- and off-site that could violate water quality standards during construction. The site is flat, with no drainages, and all stormwater run-off would be required to be retained on site. Therefore, site development would not substantially alter the existing drainage pattern of the site or area, increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite, or 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. The project is not located in a flood hazard zone.

MITIGATION:

No mitigation is required.

K. LAND USE							
WOULD THE PROJECT:	IMPACT						SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	8a, 9, 18a

SETTING:

The parcel is designated in the General Plan as Rural Residential and is zoned RR-5Ac. Surrounding uses are rural residences and undeveloped parcels.

DISCUSSION:

The project meets the allowable density of development for the Rural Residential general plan designation (R-LU 58) and minimum lot size and density requirements for the RR-5Ac zoning district (Zoning Ordinance Sections 2.20.040 and 3.10.030). The project will create two lots of 5 gross acres (Parcel 1 and Parcel 2), resulting in a density of 0.2 dwelling unit/acre. The project would subdivide and grade for construction of two residences, which are allowed uses in this zoning. This use would

not physically divide an established community or conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

MITIGATION:

No mitigation is required.

L. MINERAL RESOURCES							
WOULD THE PROJECT:	IMPACT						SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6, 44
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6, 8a

SETTING:

The project site is located within a Mineral Resource Zone (MRZ-3(a)), which is classified as an area containing mineral deposits of undetermined significance.

DISCUSSION:

Less Than Significant. The project is located on MRZ-3(a), which is an area containing mineral deposits the significance of which cannot be evaluated from available data. The project would restrict access to potential mineral resources on the project site; however, given the relatively small size of the site and the fact that it is not considered a locally important mineral resource recovery site as designated by the Santa Clara County General Plan (Santa Clara County 1994b), a substantial loss of mineral resources would not occur. Therefore, the project would not result in the loss of availability of a known mineral resource that would be of regional or statewide value.

MITIGATION:

No mitigation is required.

M. NOISE							
WOULD THE PROJECT RESULT IN:	IMPACTS						SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	

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"/>	<input type="checkbox"/>	<input type="checkbox"/>	8a, 13, 22a, 45
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13, 45
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 5, 22a

SETTING:

The project site is located in an area of rural residential uses approximately ½ mile east of State Route 101 and San Martin Airport. Single family residences are located on three sides of the property, with the closest being on the north side, approximately 200 feet from the proposed development sites. The County noise ordinance restricts construction-related noise near single-family residential areas to 60 dBA for mobile equipment operated Monday through Saturday from 7:00 AM to 7:00 PM. The project site is located outside of San Martin Airport's aircraft noise level zone of 55 CNEL.

DISCUSSION:

a-c)

Less Than Significant. A temporary noise increase during construction would be generated by grading and construction for the two residential building sites. However, noise from operating equipment would not exceed the 60 DBA ordinance limit for mobile equipment. Occupancy of the two residences would not be a significant new source of noise. Therefore, the proposed project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards. Construction of the two residences would not involve use of equipment that would cause groundborne vibration or groundborne noise levels. Because the project site is located outside the aircraft noise level zone of 55 CNEL, the project would not result in excessive noise for people residing or working in the project area.

MITIGATION:

No mitigation required.

N. POPULATION AND HOUSING							SOURCE
	IMPACT						
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Analyzed in the Prior EIR</u>	<u>Substantially Mitigated by Uniformly Applicable Development Policies</u>	

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"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4

SETTING:

The project site is located in an area of rural residential uses.

DISCUSSION:

a-b)

No Impact. The project would involve demolition of one single family residence and construction of two single family residences. The project would not change the density upon which the General Plan's population projections were based. Therefore, it would not induce substantial unplanned population growth in an area. No extension of roads or infrastructure is proposed as part of this project.

MITIGATION:

No mitigation required.

O. PUBLIC SERVICES							
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>	<u>Analyzed in the Prior EIR</u>	<u>Substantially Mitigated by Uniformly Applicable Development Policies</u>	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
iii) School facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 17h
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5

SETTING:

The project site is located in the unincorporated community of San Martin. Fire protection is provided by the South Santa Clara County Fire District. Police protection service is provided by the Santa Clara County Sheriff's Office. The project site is located within the Morgan Hill Unified School District. It is served by the San Martin/Gwinn Elementary School (located at 100 North St.), Britton Middle School (located at 80 W. Central Ave.), and Live Oak High School (located at 1505 East Main Ave).

DISCUSSION:

a)

Less Than Significant. The net increase of one residence as part of the proposed subdivision, resulting in a net increase of one residence, would not result in substantial adverse physical impacts to the public facilities that would provide services in this area. Any new square footage will have to pay the school impact fees.

MITIGATION:

No mitigation is required.

P. RECREATION							
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>	<u>Analyzed in the Prior EIR</u>	<u>Substantially Mitigated by Uniformly Applicable Development Policies</u>	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5

SETTING:

The Santa Clara County Parks and Recreation Department operates and maintains several parks and recreational facilities in unincorporated Santa Clara County.

DISCUSSION:

a-b)

Less Than Significant. The net increase of one residence as part of the proposed subdivision would not result in substantial adverse physical impacts to the recreation facilities in the area or require construction or expansion of such facilities.

MITIGATION:

No mitigation is required.

Q. TRANSPORTATION							
WOULD THE PROJECT:	IMPACT						SOURCE
	YES					NO	
	<u>Potential or Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Analyzed in the Prior EIR</u>	<u>Substantially Mitigated by Uniformly Applicable Development Policies</u>	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 4, 5, 6, 7, 49, 52
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6, 49, 50, 52
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 5, 6, 7, 52
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 48, 52

SETTING:

The project site is accessed from Columbet Avenue just south of Hogue Court and approximately ½ mile north of Church Avenue in the unincorporated area of San Martin.

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-d)

Less Than Significant. 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 27.³ The project is a 2-lot residential subdivision in a rural area. However, approval would only enable one net new single-family residence because an existing residence would be demolished. The daily trip rate for a single-family residence provided by the Institute of Transportation Engineers (ITE) is 9.57.⁴ This would be below the screening level of 27. Therefore, the proposed project would not conflict with CEQA Guidelines Section 15064.3, subdivision (b).

As part of development of the proposed subdivision, each new parcel would have a 20-foot wide driveway connecting with Columbet Avenue, as shown on Figure 4. The driveways would be approximately 120 feet apart. A sight distance analysis report was also prepared by RI Engineering, Inc., dated November 2, 2020, to evaluate the proposed driveway design. This report concluded that the proposed driveways would have adequate sight distance, if the existing pepper tree located between the two proposed driveways, and existing eucalyptus tree south of the southern driveway are removed, as proposed. The County's Zoning Ordinance [4.20.050(B)(1)] would restrict fence height to 3 feet within 20 feet of the right-of-way. In addition, the required setback for accessory structures would be 75 feet from Columbet Avenue. With these restrictions and given that Columbet Avenue is a straight road that is lightly traveled, the proposed development would not substantially increase hazards due to a geometric design feature. The subdivision and driveway design has also been reviewed by the Fire Marshal's Office and provides adequate emergency access to both lots.

MITIGATION:

No mitigation is required.

R. TRIBAL CULTURAL RESOURCES							
WOULD THE PROJECT:	IMPACT						SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
a) Cause a substantial adverse change in the significance of a tribal cultural							

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 27, which is the rate that would be considered not to lead to a significant VMT impact.

⁴ITE Trip Generation, 10th Edition, 2018.

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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

SETTING:

CEQA requires that lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so requested by the tribe. Section 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource (TCR) is a project that may have a significant effect on the environment.

DISCUSSION:

a)

Less Than Significant. No tribe has requested that the County notify it when development applications in the unincorporated areas of the County are submitted and undergo CEQA review, which is the required precursor for consultation under AB 52. There are no resources listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources on the project site or in the vicinity. Mitigation measures are included under section E., “Cultural Resources” that require archaeological monitoring and appropriate response if human remains or other potential archaeological resources are uncovered during project construction. Therefore, impacts related to the implementation of the project would be less than significant with respect to Tribal Cultural Resources.

MITIGATION:

No mitigation is required.

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	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
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"/>	<input type="checkbox"/>	<input type="checkbox"/>	3,6,70
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3,6,70
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3,5, 6

SETTING:

The project site is located within PG&E's service area. The project site has no access to water or wastewater utilities.

DISCUSSION:

a-e)

Less Than Significant. Electricity and gas would be provided by PG&E. The proposed residences would each have a well and an on-site wastewater treatment system. Stormwater would be retained on site. Therefore, no expansion of utilities would be required. Construction wastes associated with demolition of the existing residence and construction of two new residences would be minor and would not exceed the capacity of existing solid waste disposal facilities.

MITIGATION:

No mitigation is 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	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6, 44
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6, 8a
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 5, 17h
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5

SETTING:

The project site is located in a flat area primarily developed with agricultural and rural residential uses. Project access would be from Columbet Avenue.

DISCUSSION:

a-d)

The proposed project is a 2-lot subdivision, demolition of an existing residence, and development of two new residences. Access to Columbet Avenue would not substantially impair an adopted emergency response plan or emergency evacuation plan. The project site is in an area of low risk of wildfire. Fire hydrants would be constructed and supplied by well water stored on site. Project development would not require installation or maintenance of other infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. In addition, because the project is located in a flat area of low fire risk, development would not 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.

MITIGATION:

No mitigation is required.

U. MANDATORY FINDING OF SIGNIFICANCE

WOULD THE PROJECT:	IMPACT						SOURCE
	YES					NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Analyzed in the Prior EIR</u>	<u>Substantially Mitigated by Uniformly Applicable Development Policies</u>	
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 to 52
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 to 52
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 to 52

DISCUSSION:

a) **Less Than Significant Impact.** As discussed in the Biological Resources section, impacts of the proposed project on special status species or habitat would be less than significant. 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.

b) **Less Than Significant.** No past, current, or probable future projects were identified in the project vicinity that, when added to project-related impacts, would result in cumulatively considerable impacts. No cumulatively considerable impacts would occur with development of the proposed project. As discussed in the analyses provided in this Initial Study, project impacts were found to be less than significant. The incremental effects of the proposed project are not cumulatively significant when viewed in context of the past, current, and/or probable future projects. No cumulative impacts would occur.

c) **No Impact.** The proposed project is a 2-lot subdivision and development of two single family residences. As described in the environmental topic sections of this Initial Study, the proposed project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

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

19. 2019 CEQA Statute Guidelines [Current Edition]
[http://resources.ca.gov/ceqa/docs/2019 CEQA Statutes and Guidelines.pdf](http://resources.ca.gov/ceqa/docs/2019_CEQA_Statutes_and_Guidelines.pdf)

Area Specific: San Martin, Stanford, and Other Areas

San Martin

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

- 20b. San Martin Water Quality Study

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

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>

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

Other Areas

- 22a. South County Airport Comprehensive Land Use Plan and Palo Alto Airport comprehensive Land Use Plan [November 19, 2008]

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

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

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

- 22e. Guidelines and Standards for Land Use Near Streams: Streamside Review Area – Summary prepared by Santa Clara County Planning Office, September 2007.

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

Soils

23. USDA, SCS, "Soils of Santa Clara County

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

Agricultural Resources/Open Space

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>

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

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

Air Quality

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>

30. BAAQMD CEQA Air Quality Guidelines (2010)-
http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

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

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

32. Site-Specific Biological Report

33. Santa Clara County Tree Preservation Ordinance
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Tree_Ordinance.pdf

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

Initial Study Source List*

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

- 35. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]
 - 36. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]
 - 37. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]
 - 38. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"
 - 39. County Environmental Health Department Tests and Reports
- Archaeological Resources
- 40. Northwest Information Center, Sonoma State University
 - 41. Site Specific Archaeological Reconnaissance Report

Geological Resources

- 42. Site Specific Geologic Report
- 43. State Department of Mines and Geology, Special Report #42

- 44. State Department of Mines and Geology, Special Report #146

Noise

- 45. County Noise Ordinance
https://www.sccgov.org/sites/cpd/programs/NP/Documents/NP_Noise_Ordinance.pdf

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]

Transportation/Traffic

- 49. Transportation Research Board, "Highway Capacity Manual", Special Report 209, 1995.
- 50. SCC Congestion Management Agency, "Monitoring and Conformance report" (Current Edition)
- 51. Official County Road Book

52. Site-specific Traffic Impact Analysis Report

***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.**

ATTACHMENT A

CULTURAL RESOURCE EVALUATION OF
THE PROPOSED PROJECT AT 2400 COLUMBET AVENUE
IN SANTA CLARA COUNTY

FOR

MR. GARY CARNES
CARNES & EKPARIAN, INC.
9505 SUGAR BABE DRIVE
GILROY, CA 95020
NWIC# 19-2287

BY
h

Archaeological Resource Management

Dr. Robert Cartier, Principal Investigator

496 North Fifth Street

San Jose, CA 95112

Phone: (408) 295-1373

FAX: (408) 286-2040

Email: armcartier@netscape.net

SEPTEMBER 16, 2020

ADMONITION

Certain information contained in this report is not intended for general public distribution. Portions of this report locate significant archaeological sites in the region of the project area, and indiscriminate distribution of these data could result in the desecration and destruction of invaluable cultural resources. In order to ensure the security of the critical data in this report, certain maps and passages may be deleted in copies not delivered directly into the hands of environmental personnel and qualified archaeologists.

THE PRINCIPAL INVESTIGATOR

ABSTRACT

This cultural resource evaluation was conducted for the proposed project at 12400 Columbet Avenue in the County of Santa Clara. Research included an archival search in the State recos and a surface survey of the proposed project area. The archival research revealed that no previously recorded archaeological resources are located within the proposed project area. However, the proposed project area is located in alluvial soils adjacent to a creek. Thus there is a moderate to high potential for subsurface Native American resources within the proposed project area. In addition, the proposed project area was located within the lands of Daniel Murphy in 1876, and contains a residence of historic age (constructed 1914) and associated outbuildings. Thus there is a potential for subsurface historic deposits associated with these structures to be present within the proposed project area. No significant cultural materials, prehistoric or historic, were noted during surface reconnaissance. However, due to the potential for both prehistoric and historic subsurface cultural materials, it is recommended that periodic archaeological monitoring take place during earth moving activities for the proposed project.

REQUEST FOR CULTURAL RESOURCE EVALUATION

The cultural resource evaluation was carried out to determine the presence or absence of any significant cultural resources. Cultural resource services were requested in September of 2020 in order to provide an evaluation that would investigate the possible presence of cultural materials within the proposed project area. This study meets the requirements of CEQA (California Environmental Quality Act).

QUALIFICATIONS OF ARCHAEOLOGICAL RESOURCE MANAGEMENT

Archaeological Resource Management has been specifically engaged in cultural resource management projects in central California since 1977. The firm is owned and supervised by Dr. Robert Cartier, the Principal Investigator. Dr. Cartier is certified by the Register of Professional Archaeologists (RPA) for conducting cultural resource investigations as well as other specialized work in archaeology and history. He also fulfills the standards set forth by the Secretary of the Interior for inclusion as a historian and architectural historian and is certified as such on the State of California referral lists.

LOCATION AND DESCRIPTION OF THE SUBJECT AREA

The subject area consists of approximately 10 acres of land at 12400 Columbet Avenue in the County of Santa Clara (APN 825-23-011). On the USGS 7.5 minute quadrangle of Gilroy, the Universal Transverse Mercator Grid (UTMG) four corners of the project area are 10S 6 25 927mE/41 04 780mN for the northeast corner, 10S 6 25 990mE/41 04 655mN for the southeast corner, 10S 6 25 766mE/41 04 572mN for the southwest corner, and 10S 6 25 708mE/41 04 697mN for the northwest corner. The elevation is approximately 290 feet MSL. The nearest source of fresh water is San Martin Creek, which runs approximately 700 feet west of the proposed project area.

The proposed project consists of the demolition of the existing structures, subdivision of the 10 acre property into two five acre parcels, and construction of two new single family residences and associated improvements. This will involve the necessary excavation, grading, trenching, and other earth moving activities.

METHODOLOGY

This investigation consisted of an archival search, a surface reconnaissance, and a written report of the findings with appropriate recommendations. The archival research is conducted by transferring the study location to a state archaeological office which maintains all records of archaeological investigations. This is done in order to learn if any archaeological sites or surveys have been recorded within a half mile of the subject area. Each archival search with the state is given a file number for verification. The purpose of the surface reconnaissance is to determine whether there are traces of prehistoric or historic materials within the study area. The survey is conducted by an archaeologist, who examines exposed soils for early ceramics, Native American cooking debris, and artifacts made of stone, bone, and shell. Older structures, distinctive architecture, and subsurface historic trash deposits of potentially significant antiquity are also taken into consideration. A report is written containing the archival information, record search number, survey findings, and appropriate recommendations. A copy of this evaluation is sent to the state archaeological office in compliance with state procedure.

A cultural resource is considered "significant" if it qualifies as eligible for listing in the California Register of Historic Resources (CRHR). Properties that are eligible for listing in the CRHR must meet one or more of the following criteria:

1. Association with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States;
2. Association with the lives of persons important to local, California, or national history;
3. Embodying the distinctive characteristics of a type, period, region, or method of construction, or representing the work of a master, or possessing high artistic values; or
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Most Native American prehistoric sites are eligible due to their age, scientific potential, and/or burial remains.

The CRHR interprets the integrity of a cultural resource as its physical authenticity. An historic cultural resource must retain its historic character or appearance and thus be recognizable as an historic resource. Integrity is evaluated by examining the subject's location, design, setting, materials, workmanship, feeling, and association. If the subject has retained these qualities, it may be said to have integrity. It is possible that a cultural resource may not retain sufficient integrity to be listed in the National Register of Historic Places yet still be eligible for listing in the CRHR. If a cultural resource retains the potential to convey significant historical/scientific data, it may be said to retain sufficient integrity for potential listing in the CRHR.

ARCHIVAL BACKGROUND

Prior to surface reconnaissance of the project area, a study of the maps and records at the Northwest Information Center of the California Archaeological Site Inventory was conducted and given the file number NWIC #19-2287. This research into the records at the Northwest Information Center (NWIC), along with in-house material at Archaeological Resource Management, was done to determine if any known

archaeological resources were reported in or around the subject area. Archival research revealed that no previously recorded archaeological sites are located within the proposed project area. However, as noted by the NWIC:

“Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Santa Clara County have been found throughout the Santa Clara Valley near intermittent and perennial watercourses, and near the hill to valley interface. The proposed project area is located in alluvial valley lands of Santa Clara Valley in an area adjacent to a creek, as depicted on historic maps. Given the similarity of one or more of these environmental factors, there is a moderate to high potential for unrecorded Native American resources in the proposed project area. In addition, the property has a high potential for unrecorded historic era archaeological resources as it was indicated within the land holdings of Dan Murphy since 1876, as well as had structures since 1914.”

One previous study has been carried out within the proposed project area. This study was completed by Archaeological Resource Management in 2019 and entitled “Historic Evaluation of the Residence and Associated Structures at 12400 Columbet Avenue in San Martin.” As described above, this study noted the presence of structures dating to the early 20th Century within the proposed project area.

SURFACE RECONNAISSANCE

A "general surface reconnaissance" was conducted by a qualified archaeologist on all visible open land surfaces in the project area. A "controlled intuitive reconnaissance" was performed in places where burrowing animals, exposed banks and inclines, and other activities had revealed subsurface stratigraphy and soil contents. The boundaries of the subject area were well established in the field by project maps and existing structures. Accessibility to the property was good; all areas were available for a walking survey. Soil visibility was fair; the majority of the surface area was obscured by dry grasses, however small exposures were present throughout. Vegetation within the proposed project area consisted of domestic trees and landscaping as well as dry grasses and weeds. Where native soils were exposed, a light brown to tan silty loam was observed. Rock types noted included metamorphic gravel as well as small amounts of imported gravel. No traces of significant cultural material, prehistoric or historic, were noted during surface reconnaissance.

CONCLUSION AND RECOMMENDATIONS

The archival research revealed that no previously recorded archaeological resources are located within the proposed project area. However, the proposed project area is located in alluvial soils adjacent to a creek. Thus there is a moderate to high potential for subsurface Native American resources within the proposed project area. In addition, the proposed project area was located within the lands of Daniel Murphy in 1876, and contains a residence of historic age (constructed 1914) and associated outbuildings. Thus there is a potential for subsurface historic deposits associated with these structures to be present within the proposed project area. No significant cultural materials, prehistoric or historic, were noted during surface reconnaissance. However, due to the potential for both prehistoric and historic subsurface cultural materials, it is recommended that periodic archaeological monitoring take place during earth moving activities for the proposed project.

LITERATURE CITED AND CONSULTED

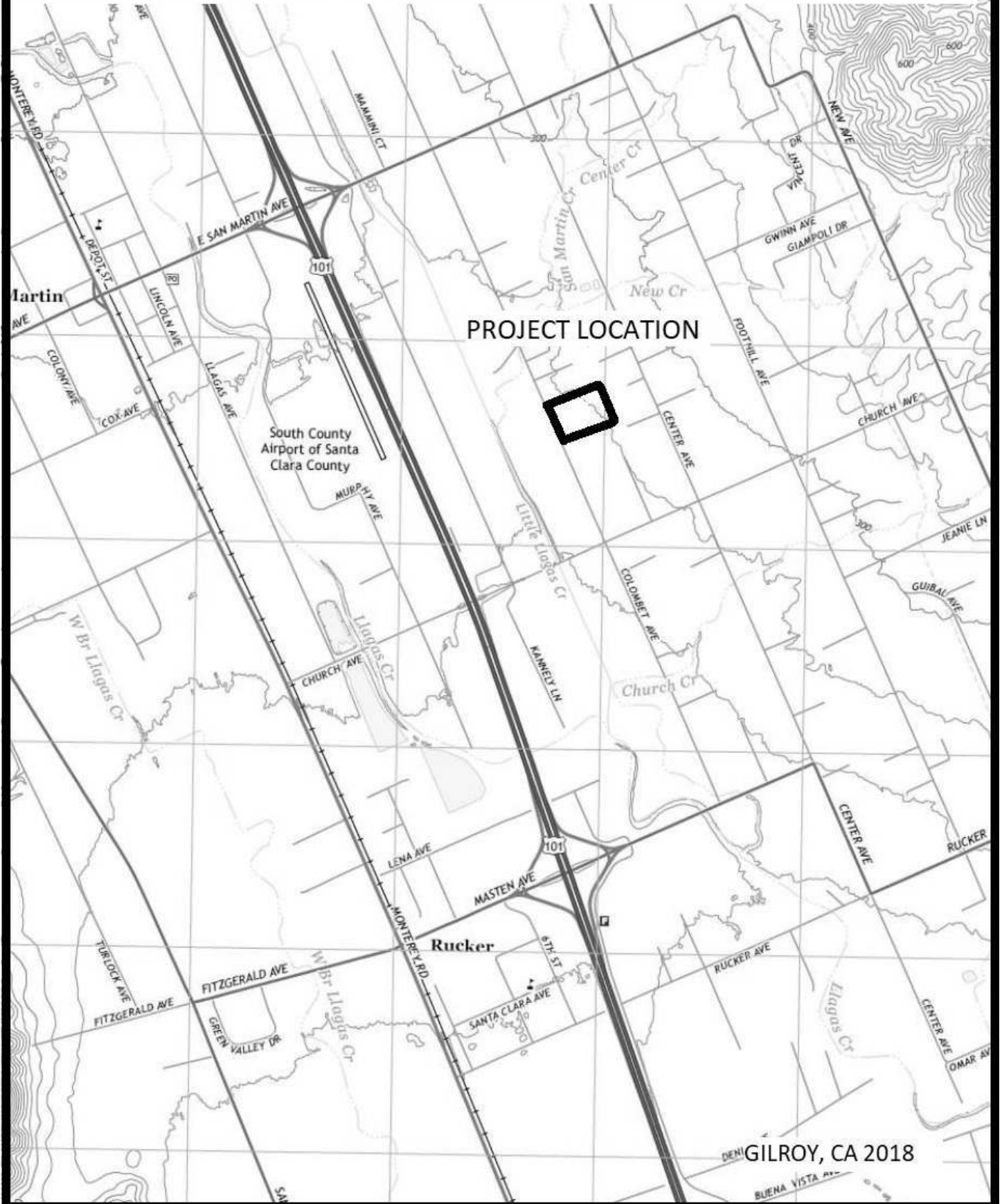
California Historical Resources Information System

- 2020 Archival search number NWIC #19-2287 on file at the Northwest Information Center, Department of Anthropology, Sonoma State University, Rohnert Park.

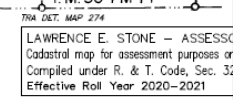
Cartier, R.

- 2019 Historic Evaluation of the Residence and Associated Structures at 12400 Columbet Avenue in San Martin. Report on file at Archaeological Resource Management.

12400 COLUMBET AVENUE PROJECT LOCATION MAP



BOOK 825 PAGE 23



ATTACHMENT B

Archaeological Resource Management

*Robert R. Cartier, Ph.D.
496 North 5th Street
San Jose, CA 95112
Telephone (408) 295-1373
Fax (408) 286-2040
email: armcartier@netscape.net*

Ms. Mon Lin Fong
6197 McAbee Road
San Jose, CA 95130

December 16, 2019

RE: HISTORIC EVALUATION OF THE RESIDENCE AND ASSOCIATED
STRUCTURES AT 12400 COLUMBET AVENUE IN SAN MARTIN

Dear Ms. Fong;

As per your request our firm is submitting the enclosed historical evaluation of the property at 12400 Columbet Avenue in San Martin, County of Santa Clara. Based upon the requirements of the County of Santa Clara, a methodology was designed which included the following services:

- a visual description of the structures including general appearance and architectural style
- documentation of property ownership history
- an evaluation of the structures using the criteria of the National Register of Historic Places (NRHP)
- an evaluation of the structures using the criteria of the California Register of Historic Resources (CRHR)
- an evaluation of the structures using the criteria of the County of Santa Clara Heritage Resource Inventory
- State Historic Resources Evaluation forms (DPR) 523 for the structures

The property at 12400 Columbet Avenue is not currently listed in the NRHP, the CRHR, or the County of Santa Clara Heritage Resource Inventory. In addition, it does not appear eligible for listing in any of these registers. Although the residence was originally constructed in 1914 based upon County of Santa Clara Appraiser's documentation, the structure is lacking in architectural significance and historical associations. Also, the additions and modifications which have been

made to both the interior and the exterior of the structure reduce its integrity. Thus, based upon the results of this investigation, it is determined that the property at 12400 Columbet Avenue is not historically significant, and no further recommendations are being made.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Cartier". The signature is written in a cursive style with a large, stylized initial "R".

Robert Cartier, Ph.D.
Principal Investigator

RC/dj

PRIMARY RECORD

Primary # _____

HRI # _____

Trinomial _____

NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 23

Resource Name or # 12400 Columbet Avenue

P1. Other Identifier: _____

P2. Location: _____ Not for Publication ☒ Unrestricted *a. County Santa Clara
and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad: Gilroy, CA Date: 2015 T ; R ; 1/4 of 1/4 of Sec ; BM

c. Address: 12400 Columbet Avenue City: San Martin, CA Zip: 95046

d. UTM: 10S 6 25 813mE/41 04 656mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

APN: 825-23-011

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries.)
The primary residence at 12400 Columbet Avenue is a single story vernacular residence in poor condition. The roof is side gabled on the original portion of the home, with a slightly lower front gable extending over the front porch. A shed roof extends over the rear addition. The entire roof is surfaced with composition shingles. Eaves are open and somewhat broad, with exposed rafters. Exterior walls are surfaced with large composition shingles. Fenestration throughout the home consists of wooden framed windows, primarily in a double-hung sash configuration. The interior of the residence has been largely stripped to the lathe.

*P3b. Resource Attributes: HP02 (SFR) HP04 (ancillary)

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object District ☐ Element of District ☐ Site ☐ Other

P5a. Photo or drawing (Photo required for buildings, structures, objects.)



*P5b. Description of Photo: (View, date, accession #)
View of the front façade of the residence at 12400 Columbet Avenue

*P6. Date Constructed/Age and Sources

Historic ☒ Prehistoric ☐ Both ☐

Constructed 1914 based on Co. Santa Clara Appraiser's records.

*P7. Owner and Address:

Ms. Lin Mon Fong
6197 Macabee Road
San Jose, CA 95120

*P8. Recorded by:

Robert Cartier
Archaeological Resource Management
496 North 5th Street
San Jose, CA 95112

*P9. Date Recorded: 12/16/2019

*P10. Survey Type: Intensive

*P11. Report Citation: (Cite Survey Report and other sources, or enter "none.")
None

* Attachments: ☐ None ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact
Record ☐ Photographic Record ☐ Other (List):

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 23

*NRHP Status Code _____

*Resource Name or # (Assigned by recorder) 12400 Columbet Avenue

B1. Historic Name: Bonino Residence

B2. Common Name: 12400 Columbet Avenue

B3. Original Use: Residential, Agricultural B4. Present Use: Residential (Vacant)

*B5. Architectural Style: vernacular

*B6. Construction History: (Construction date, alterations, and date of alterations)

Based upon visual evaluation and available documentation, the primary structure at 12400 Columbet Avenue was constructed in 1914. Since that time modifications have been made to the structure including additions to the rear of the structure. The structure also appears to have been reroofed.

*B7. Moved? X No Yes Unknown Date: Original Location:

*B8. Related Features:

Also present on the property is a tank house attached to a small garage and a storage structure. The tank house features a pyramiddally hipped roof, with walls surfaced with narrow horizontal wooden siding. The garage extends west from the tank house, and includes a front gabled roof, and walls of vertical wooden siding. To the rear of the main residence is a small barn. The barn features a front gabled roof, with a shed roof of somewhat shallower pitch extending over a small addition to the south of the structure. The exterior walls of the barn are surfaced with vertical wooden siding in a board-and-batten configuration.

B9a. Architect: unknown b. Builder: unknown

*B10. Significance: Theme Architecture and Shelter Area Santa Clara, CA

Period of Significance Horticulture Property Type Private Residential Applicable Criteria N/A

The subject property is located within the Rancho San Francisco de las Llagas. Based on the Thompson & West Historical Atlas of Santa Clara County, 1876, at that time the property at 12400 Columbet Avenue included a portion of the lands of the Daniel M. Murphy, who owned 23,000 acres within the County of Santa Clara. This portion of his properties was known as San Martin Ranch. In the 1890's the ranch was subdivided. The subject property consists of Subdivision A of Lot 154 on the San Martin Ranch Map No. 3 filed in March of 1893 (Book 6 of Maps, Page 69). On July 9, 1909 the property was purchased by Ida S. Moore from California Realty Trust Company (Book 352 of Deeds, Page 223). The residence on the property was constructed in 1914 based upon County of Santa Clara Appraiser's records. On January 4, 1918 Ida Moore sold the property to Adolph W. Seidel (Book 467 of Deeds, Page 183). On February 9, 1918 the property was sold to Alessandro Bonino (Book 476 of Deeds, Page 42).

See Continuation Sheet, Page 4

B11. Additional Resource Attributes: (List attributes and codes) N/A

*B12. References:

See Continuation Sheet, Page 7

B13. Remarks:

*B14. Evaluator: Robert R. Cartier

*Date of Evaluation: 12/16/19

(This space reserved for official comments.)

LOCATION MAP

Primary # _____

HRI # _____

Trinomial _____

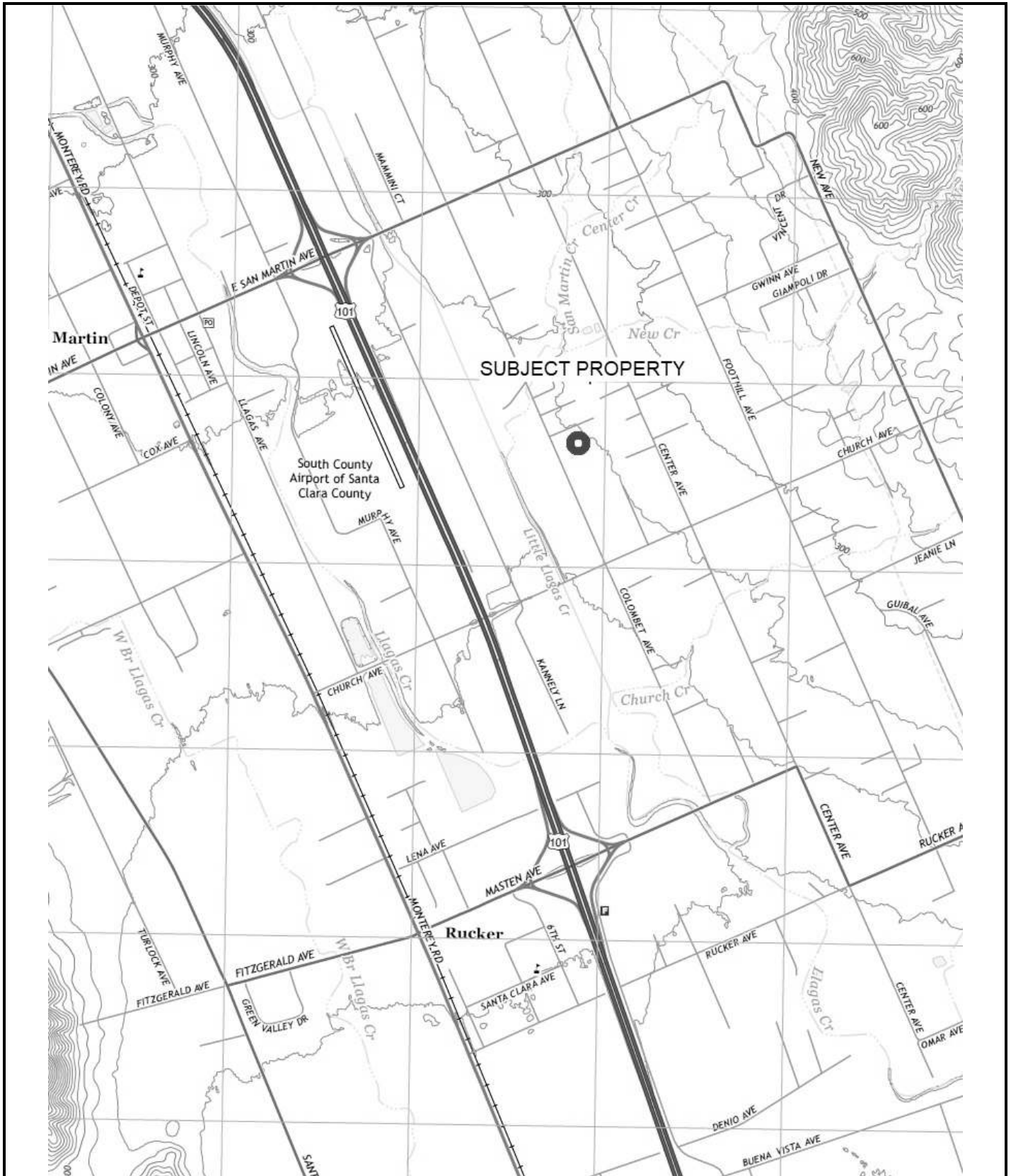
Page 3 of 23

Resource Name or # (Assigned by recorder) 12400 Columbet Avenue

*Map Name: San Jose West, CA

*Scale: 7.5 Minute

*Date of Map: 2012



CONTINUATION SHEET

Primary # _____

HRI # _____

Trinomial _____

Page 4 of 23

*Resource Name or # (Assigned by recorder)

12400 Columbet Avenue

*Recorded by Archaeological Resource Management

Date 12/16/2019

Continuation ☒ Update

Continued from B10:

Alessandro (AKA Alexander or Alex) Bonino was born in Italy about 1880 based upon the U.S. Census of 1940. His wife Maddalena (AKA Madalena, Madeline) was born in Italy about 1881. They had two children, Annie, and Dominic. Throughout the Bonino's ownership of the property, the land was used for agricultural purposes. Appraiser's property records list the land as cultivated with prune orchards and grape vines into the 1980's.

Alessandro died on September 1, 1944. On June 18, 1945 the property was granted by his estate to Maddalena and his daughter Annie (Book 1265 OR, Page 376). After Maddalena's death on May 23, 1974 her interest in the property passed to Annie Bonino on December 11, 1974 (Book B232 OR, Page 15). Annie Bonino died in 1983, and the property was granted by her estate to Rose Mammini (a friend and neighbor of the family) (Book I014 OR, Page 679). Rose Mammini sold the property on September 29, 1983 to Dorothy Spivey, Lawrence and June A. Kirkish, and Lynn Spivey (Book H939 OR, Page 326). On October 24, 1996 the property was sold to Michael and Malka Nagel (Assessor's Doc# 13493567). The property was sold again, on June 24, 1999, to Yin Chieh Chen (Assessor's Doc# 14923702). On April 19, 2016 the property was purchased by Lin Mon Fong, the current owner (Assessor's Doc# 23279793).

California Register of Historic Resources Criteria

A cultural resource is considered "significant" if it qualifies as eligible for listing in the California Register of Historic Resources (CRHR). Properties that are eligible for listing in the CRHR must meet one or more of the following criteria:

1. Association with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States;
2. Association with the lives of persons important to local, California, or national history;
3. Embodying the distinctive characteristics of a type, period, region, or method of construction, or representing the work of a master, or possessing high artistic values; or
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

A property may be automatically listed in the CRHR if it is formally determined eligible for the National Register of Historic Places. Properties that are formally determined eligible for the NRHP are those that are designated as such through one of the federal preservation programs administered by the California Office of Historic Preservation (i.e., the National Register, Tax Certification, and Section 106 review of federal undertakings). The CRHR interprets the integrity of a cultural resource based upon its physical authenticity. An historic cultural resource must retain its historic character or appearance and thus be recognizable as an historic resource. Integrity is evaluated by examining the subject's location, design, setting, materials, workmanship, feeling, and association. If the subject has retained these qualities, it may be said to have integrity. It is possible that a cultural resource may not retain sufficient integrity to be listed in the National Register of Historic Places yet still be eligible for listing in the CRHR. If a cultural resource retains the potential to convey significant historical/scientific data, it may be said to retain sufficient integrity for potential listing in the CRHR.

The structure at 12400 Columbet Avenue is not currently listed on the California Register of Historical Resources. In addition, the structure does not qualify as potentially eligible under any of the criteria listed above. The home is not associated with any known significant historical events, thus it does not qualify as potentially eligible under criterion 1. No historically significant persons appear to have been associated with the property, thus it does not qualify as potentially eligible under criterion 2. It does not embody the distinctive characteristics of any architectural style, and thus is not eligible for listing under criterion 3. In addition, the structure does not appear to have the potential to yield significant historical information, and thus is not eligible under criterion 4. Furthermore, the alterations to the house constitute a loss of historic and architectural integrity. Thus the home retains limited historic and architectural integrity, but is not historically or architecturally significant.

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National Register Criteria

The National Register of Historic Places was first established in 1966, with major revisions in 1976. The register is set forth in 36 CFR 60 which establishes the responsibilities of the State Historic Preservation Officers (SHPO), standards for their staffs and review boards, and describes the statewide survey and planning process for historic preservation. Within this regulation guidelines are set forth concerning the National Register of Historic Places (36 CFR 60.6). In addition, further regulations are found in 36 CFR 63-66, 800, and Bulletin 15 which define procedures for determination of eligibility, identification of historic properties, recovery, reporting, and protection procedures. The National Register of Historic Places was established to recognize resources associated with the accomplishments of all peoples who have contributed to the country's history and heritage. Guidelines were designed for Federal and State agencies in nominating cultural resources to the National Register. These guidelines are based upon integrity and significance of the resource. Integrity applies to specific items such as location, design, setting, materials, workmanship, feeling, and association. Quality of significance in American history, architecture, archaeology, engineering and culture is present in resources that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and meet at least one of the following criteria:

- A. That are associated with events that have made a significant contribution to broad patterns of our History;
- B. That are associated with the lives of persons significant in our past;
- C. That embody distinctive characteristics of type, period, or method of construction, or that represent the work of master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;
- D. That have yielded, or are likely to yield, information important in prehistory or history.

Integrity is defined in Bulletin 15: How to Apply the National Register Criteria for Evaluation, (U.S. Department of the Interior, National Park Service 1982) as:

the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period. If a property retains the physical characteristics it possessed in the past then it has the capacity to convey association with historical patterns or persons, architectural or engineering design and technology, or information about a culture or peoples.

There are also seven aspects of integrity which are used. These aspects are:

- | | |
|--------------|----------------|
| 1. location | 5. workmanship |
| 2. design | 6. feeling |
| 3. setting | 7. association |
| 4. materials | |

The structure at 12400 Columbet Avenue is not currently listed on the National Register of Historic Places. In addition, the property does not meet the criteria for eligibility for this register. The home is not associated with significant historic events or persons, thus it is not eligible for listing under criteria A or B. It is not a good example of any architectural style or method of construction, thus the structure is not eligible for the NRHP under criterion C. The property does not appear to be likely to yield information important in prehistory or history, thus it does not qualify as potentially eligible under criterion D. In addition, the structure is somewhat lacking in integrity, due to some modifications. Thus the home retains limited historic and architectural integrity, but is not historically or architecturally significant.

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County of Santa Clara Heritage Resource Inventory

The Santa Clara County Heritage Resource Inventory (Inventory) was begun in 1962, when a preliminary inventory was prepared for the Santa Clara County Planning Department in an initial effort to identify and evaluate historical landmarks throughout the county. Information was gathered through a public participation process and personal interviews, telephone conversations and correspondence with individuals having special knowledge of the history of a specific area. Evaluation was based on historical, cultural, and architectural value to the countywide community.

When the Historical Heritage Commission (HHC) was established in 1973, it found that many of the structures identified a decade earlier had been demolished. The HHC embarked on the important on-going mission of establishing the Inventory, and compiling and updating the listing of historic resources. With the help of volunteers and the Junior League of San Jose, the Inventory was published in 1975 and a second edition was issued in 1979. The Inventory was revised and reformatted in 1999, and properties located within the city limits of municipalities in the county were removed.

Designation Criteria

The Board of Supervisors may designate those historic resources as "landmarks" which meet the following designation criteria:

A. *Fifty years or older.* If less than 50 years old, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the historic resource and/or the historic resource is a distinctive or important example of its type or style; and

B. *Retains historic integrity.* If a historic resource was moved to prevent demolition at its former location, it may still be considered eligible if the new location is compatible with the original character of the property; and

C. *Meets one or more of the following criteria of significance:*

1. Associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. Associated with the lives of persons important to local, California or national history;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
4. Yielded or has the potential to yield information important to the pre-history or history of the local area, California, or the nation.

The residence and associated at 12400 Columbet Avenue are over fifty years of age. Although somewhat modified from their original forms, they also retain limited historic integrity. However, the home is not associated with any known significant historical events, thus it does not qualify as potentially eligible under criterion 1. No historically significant persons appear to have been associated with the property, thus it does not qualify as potentially eligible under criterion 2. It does not embody the distinctive characteristics of any architectural style, and thus is not eligible for listing under criterion 3. In addition, the structure does not appear to have the potential to yield significant historical information, and thus is not eligible under criterion 4. Thus the home retains limited historic and architectural integrity, but is not historically or architecturally significant.

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Continued from B12:

Assessor's Office, County of Santa Clara

2019 Record search of assessed value and associated taxes for the property at
12400 Columbet Avenue.

Calloway, S. and E. Cromley

1996 *The Elements of Style: A Practical Encyclopedia of Interior Architectural
Details from 1485 to the Present, Revised Edition.* New York: Simon
& Schuster.

City Directories

1881- Record search of City Directories on file at the California Room, Dr. Martin
1979 Luther King, Jr. Main Library, San Jose Public Library, San Jose,
California.

Douglas, J.

1993 *Historical Footnotes of Santa Clara Valley.* San Jose: San Jose Historical Museum Association.

McAlester, Virginia and Lee McAlester

1997 *A Field Guide to American Houses.* Alfred A. Knopf, New York

Payne, S.

1987 *Santa Clara County: Harvest of Change.* Northridge, California: Windsor Publications.

Recorder's Office, County of Santa Clara

2019 Record search of recorded information for the property at 12400 Columbet Avenue.

Thompson & West

1876 *Historical Atlas of Santa-Clara County, California.* San Francisco: Thompson & West.

US Department of the Interior

1990 The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic
Buildings

US Department of the Interior

1982 Bulletin 15 - "How to Apply the National Register Criteria for Evaluation."

Whiffen, Marcus

1992 *American Architecture since 1780, Revised Edition.* The MIT Press, Cambridge Mass.

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Photo 1: View of the front façade of the residence from the property gate.



Photo 2: A closer view of the front façade.

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Photo 3: View of the front entry.



Photo 4: Detail of concrete front steps.

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Photo 5: View of the northern side of the front façade.



Photo 6: Detail of the gable above the front porch.

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Photo 7: Oblique view of the home from the southwest.



Photo 8: View of the southern façade of the residence.

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Photo 9: Detail of side gable on the southern façade.



Photo 10: Detail of wooden framed window on the southern façade.

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Photo 11: Oblique view of the residence from the southeast.



Photo 12: View of the rear façade of the home.

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Photo 13: View of the rear entry steps.



Photo 14: Detail of ribbon windows on the rear façade.

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Photo 15: View of the northern façade of the home.



Photo 16: Detail of the northern gable.

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Photo 17: Interior view of the area below the rear addition.



Photo 18: View of support posts and beams in the basement.

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Photo 19: View of the Basement wall showing concrete foundation.



Photo 20: Interior view showing paneled ceiling, stripped walls.

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Photo 21: View of the garage and tank house from the west.



Photo 22: View of the garage and tank house from the south.

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Photo 23: Detail of the tank house building.



Photo 24: Oblique view of the tank house and storage from the northeast.

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Photo 25: Interior view of the garage.



Photo 26: Interior of the tank house.

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Photo 27: View of the barn from the west.



Photo 28: Oblique view of the barn from the southwest.

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Photo 29: View of the southern side of the barn.



Photo 30: View of the rear side of the barn.

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Photo 31: View of the northern side of the barn.



Photo 32: View of the interior of the barn.

Attachment B

Preliminary Conditions of Approval for Tentative Parcel Map and Grading Approval

ATTACHMENT B
PRELIMINARY CONDITIONS OF APPROVAL FOR TENTATIVE PARCEL MAP AND
GRADING APPROVAL

Date: April 8, 2021

Owner/Applicant: Lin Mon Fong/ Gary Carnes

Location: 12400 Columbet Avenue, San Martin CA (APN: 825-23-011)

File Number: PLN20-024

CEQA: Initial Study/Mitigated Negative Declaration

Project Description: Tentative Parcel map to subdivide a 10-gross-acre parcel into two parcels (Parcels 1 and 2) of approximately 5-gross-acres each, and Grading Approval for frontage improvements, driveways and construction of two new single-family residences on the proposed parcels. The project includes demolition of an existing single-family residence, barn, and several other small buildings located on proposed Parcel 1. Grading consists of approximately 28 cubic yards of cut and 448 cubic yards of fill (total 476 cubic yards). Approval is based on plans submitted on December 4, 2020.

If you have any question regarding the following final conditions of approval, call the person whose name is listed below as the contact for that agency. She/he represents a specialty and can provide details about the conditions of approval.

Agency	Name	Phone	E-mail
Planning	Charu Ahluwalia	(408) 299- 5740	charu.ahluwalia@pln.sccgov.org
Environmental Health	Darrin Lee	(408) 299 – 5748	darrin.lee@cep.sccgov.org
Fire Marshal	Christina daSilva	(408) 299 – 5767	christina.dasilva@sccfd.org
Land Development Engineering	Darrell Wong	(408) 299 - 5735	darrell.wong@pln.sccgov.org
Roads and Airports	Leo Camacho		leo.camacho@rda.sccgov.org
Airport Land Use Coordinator	Mark Connolly	(408) 299 - 5786	mark.connolly@pln.sccgov.org
Building Inspection		(408) 299 - 5700	

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. The parcel configuration shown on the Tentative Map prepared by Carnes and Ekaprian Inc., which was received by the Planning Office on December 4, 2020, is approved as submitted.

All development and improvement of the project site must take place in substantial conformance with the approved plans prepared by RI Engineering Inc., received by the Planning Office on December 4, 2020, and these Conditions of Approval. Any changes to the proposed project, or any increase in grading quantities may require a Grading Approval modification and associated fees, as may result in additional environmental review, pursuant to the California Environmental Quality Act.

3. The **Tentative Map** approval is valid for **three years** after the date of approval, and will expire on **April 8, 2024**. Pursuant to Ordinance Code Section C12-79 (Extension of time to file a final parcel map), an extension of time may be submitted to the County by the subdivider prior to the expiration of the conditionally approved Parcel Map, to be considered by the original approving authority. Said extension requests shall be submitted in conformance with the requirements of Ordinance Code Section C12-79 (a – c).
4. The **Grading Approval** is valid for **four years** after the date of approval, and will expire on **April 8, 2025**. The grading for the construction of the residences shall not occur prior to recordation of a Final Parcel Map.
5. Building and grading permits shall be submitted to the Building Inspection Office concurrently.
6. Existing zoning is RR-5Ac (Rural Residential - Combined -5Ac. Lot-Size District). Maintain the following minimum dwelling setbacks (Zoning Ordinance Sections 3.10.030 and 2.20.030):
Front: 30 feet Sides: 30 feet Rear: 30 feet
The maximum height of dwellings shall be 35 feet and shall not exceed two (2) stories.
7. The developer/owner shall be responsible for paying all reasonable costs associated with work by the County Planning Office, or under the supervision of the County Planning Office, that is conducted in conjunction with, or in any way related to, these Conditions of Approval for and the Mitigation Monitoring & Reporting program adopted with the project. This includes, but is not limited to, costs for staff time, consultant fees and direct costs associated with report production and distribution.

Land Development Engineering

8. 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.

Dedications and Easements

8. If any future access be taken from Hogue Court, by users of the resulting lots, a 26-foot half street and 42-foot cul-de-sac curvilinear rights-of-way shall be offered for Hogue Court, for dedication to the public and the County for public/private road purposes,.
9. If any future access is taken from Hogue Court, pro-rata share improvements to complete the development of Hogue Court to a full County Standard shall be required.

Environmental Health

10. 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.

Roads and Airports

11. A Tree Removal Permit 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.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO MAP RECORDATION

Land Development Engineering

12. Prepare and submit a Parcel/Tract Map for review and approval by the County Surveyor.
13. Parcels One and Two must be surveyed by a Licensed Land Surveyor or Registered Civil Engineer. Monuments shall be set, reset, or verified in accordance with County Standards, the California Subdivision Map Act, and/or the California Land Surveyor's Act map recordation.
14. The new lot line for parcels one and two must be surveyed and monumented by a Licensed Land Surveyor or Registered Civil Engineer who is authorized to practice land surveying. The remainder of the parcel boundaries may be compiled from record data. The work and map must conform to the California Subdivision Map Act and County Ordinances.
15. Indicate on the Final/Parcel Map all applicable easements affecting the parcel(s) with benefactors and recording information.

Bonds

16. The owner shall post a performance bond for permitted subdivision improvements. The bond amount shall be based on the County's estimate of probable construction cost. The performance bond may be in the form of cash deposit, assignment of a savings account or CD, a surety from an insurance company, or a letter of credit.
17. A monument bond shall be posted prior to recording the Parcel Map.
18. 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 the stages of work clearly identified for all improvements and grading as proposed in this application.
19. 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. (C12-206).

Agreements

20. Enter into a deferred improvement agreement for the ultimate County improvement of Hogue Court.

Department of Environmental Health

Parcels 1 and 2

21. Domestic water shall be supplied by an approved individual water system installed to Environmental Health standards. The water system application must be approved prior to obtaining a septic system or building permit. A well log must be submitted which shows a 50-foot sanitary seal, and pump tests, bacterial and chemical testing must be completed. Contact Nicole Jorgensen at the Department of Environmental Health at 408-918-3492 for detailed information. More information can be found by consulting the DEH website at www.ehinfo.org and viewing the drinking water section.

Roads and Airports

22. Dedicate an avigation easement for San Martin Airport. Submit current grant deed and parcel map, or an acceptable location map, to the Roads and Airports Department for preparation of avigation easement. The Easement shall be similar to that which is shown in Exhibit A of the San Martin Comprehensive Land Use Plan.
23. Obtain a Santa Clara County Roads and Airports Department (RAD) Encroachment Permit for the following required improvements:
 - a. Improvement of the property's Columbete Avenue frontage to County Standard B/4A.

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.

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

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO GRADING PERMIT or BUILDING PERMIT ISSUANCE

Planning

25. **Prior to issuance of a building permit**, apply for and obtain demolition permits for all existing, unpermitted buildings on-site to be demolished, including a 1,200 square foot single-family residence, a 950 sq.ft barn, and several other small buildings located on Parcel 1.
26. The following dust control measures will be adhered to during construction for all subdivision improvements, grading and development. Final improvement plans / grading plans/ development plans must contain language requiring that the following control measures be implemented:
 - a. Water all active construction areas at least twice daily.
 - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - c. Either pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - d. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.

- e. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- f. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- g. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)
- h. Limit traffic speeds on unpaved roads to 15 mph.
- i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- j. Replant vegetation in disturbed areas as quickly as possible.
- k. Install wheel washers for all exiting trucks or wash off the tires or tracks of all trucks and equipment leaving the site.
- l. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.

27. **Prior to 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 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 aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided **prior to building permit issuance**.

Cultural Resources

29. **Prior to issuance of a grading permit**, the project applicant shall retain a project archaeologist (meeting or exceeding the Secretary of the Interior's standards) to prepare an Archaeological Monitoring Plan prior to ground disturbing activities that describes the procedures for the appropriate identification and treatment of archaeological resources if any are discovered during grading or construction activities. The Archaeological Monitoring Plan shall include provisions to halt work in the immediate area in the event of a discovery to allow for resource evaluation. The plan shall also identify the need for monitoring by a cultural resources specialist and provide detailed guidance outlining when and for what activities monitors must be present.

30. The project applicant shall retain a qualified cultural resources monitor **prior to the commencement of ground disturbing activities** to monitor such activities as prescribed by the Archaeological Monitoring Plan. The monitor shall be granted stop-work authority in the event an unanticipated discovery is made. The monitor shall immediately evaluate the discovery to determine whether additional treatment is warranted, and notify the County. Construction activities may not resume in the area immediate to the discovery until authorized by the monitor.

31. In accordance with the County Ordinance and state laws, the following control measure shall be adhered to:

In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon

determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 70503 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator Of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.

Tree Protection

32. **Grading and building plans** shall clearly identify the size and species of all trees proposed for removal. The project proposes to remove three (3) trees with trunk diameters of 12 inches or greater per Tree Removal Plan submitted on December 04, 2020.
33. Per County Municipal Code Division C16-3(e), any tree that was required to be planted or retained by these Conditions of Approval of any land use entitlement are protected trees, regardless the size.
34. To minimize the potential for loss of nesting raptors, tree removal activities will only occur during the nonbreeding season (September 1-January 31). If all suitable nesting habitat is removed during the non-breeding season, no further mitigation will be required.
35. **Prior to removal of any trees or other vegetation, or ground disturbing activities** between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nesting raptors and shall identify active nests within 500 feet of the site. The surveys will be conducted before the beginning of any construction activities between February 1 and August 31. A report of the completed survey shall be provided to the County Planning Office.
36. Impacts to nesting raptors shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. Activity shall not commence within the buffer areas until a qualified biologist has determined, in coordination with California Department of Fish and Wildlife (CDFW), that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. CDFW guidelines recommend implementation of a 500-foot buffer for raptors, but the size of the buffer may be adjusted if a qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities shall be required if the activity has potential to adversely affect the nest.
37. Trees shall not be removed during the breeding season for nesting raptors unless a survey by a qualified biologist verifies that there is not an active nest in the tree during the breeding season in which the tree removal would occur.
38. For all trees to be retained with a canopy in the development area, or that interfaces with the limits of grading for any proposed development on-site, the trees shall be protected by the placement of five (5)-foot tall rigid tree protective fencing, as shown on final grading and final building plans and must include the following:

- a. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees.
 - 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 408-299-5740 for additional details."
 - e. Protection measures must be in place **prior to construction activity** commencing.
 - f. Evidence of tree protective fencing can be provided by taking photos and emailing to the project planner.
39. An outdoor lighting plan shall be submitted for review and approval by the Planning Office for residential development on each lot prior to the issuance of building permits. The objective of this plan shall be to restrict outdoor lighting to within 100 feet of structures. All outdoor lighting shall use full cut-off lighting fixtures.

Landscape Permit

40. The requirements of Division B33 of the County Ordinance Code (Sustainable Landscape Ordinance) shall apply. Calculate square footage of new landscaped area and if it equals or exceeds 500 sq. feet, then a landscaping permit is required. The landscape ordinance and supporting information can be found on the following web page:
<https://www.sccgov.org/sites/dpd/PlansOrdinances/Landscape/Pages/welo-apply.aspx>

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 grading permits may be applied for concurrently). The process for obtaining a grading permit and the forms that are required can be found at the following web page:

www.sccplanning.org > I Want 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. Please contact LDE at (408) 299-5734 for additional information and timelines.

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. Include plan, profile, typical sections, contour grading for all street, road, driveway, structures and other improvements as appropriate for construction. The final design shall be in conformance with all currently adopted standards and ordinances. The following standards are available on-line:

§ Standard Details Manual, September 1997, County of Santa Clara, Roads and Airports Department available at:

www.sccgov.org/sites/rda > Published Standards, Specifications, Documents and Forms

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

www.sccplanning.org > Plans & Ordinances > Land Development Standards and Policies

§ 2007 Santa Clara County Drainage Manual

www.sccplanning.org > Plans & Ordinances > Grading and Drainage Ordinance

44. 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 grading 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.
45. 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.
46. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.

Drainage

47. 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.

Utilities

48. 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.

Stormwater Treatment – Central Coast

49. Include one of the following site design measures 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.

Soils and Geology

50. Submit one copy of the signed and stamped of the geotechnical report for the project.
51. Submit a plan review letter by the Project Geotechnical Engineer certifying that the geotechnical recommendation in the above geotechnical report have been incorporated into the improvement plan.

Notice of Intent

52. 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: www.waterboards.ca.gov > Water Issues > Programs > Stormwater

Agreements:

53. 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 the 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. (C12-206).

Environmental Health

Parcel 1

54. **Prior to issuance of the Grading Permit**, a septic system conforming to the prevailing Onsite Wastewater Treatment System (OWTS) Ordinance shall be designed based upon percolation test rates and the dispersal field shall be located within the percolation and soil profile testing areas.

Average stabilized percolation test result = 57 minutes per inch (MPI); testing depth at 30 inches; OWTS design flow = 975 gallons per day.

Parcel 2

55. **Prior to issuance of the Grading Permit**, a septic system conforming to the prevailing Onsite Wastewater Treatment System (OWTS) Ordinance shall be designed based upon percolation test rates and the dispersal field shall be located within the percolation and soil profile testing areas.

Average stabilized percolation test result = 106 minutes per inch (MPI); testing depth at 30 inches; OWTS design flow = 300 gallons per day.

Parcels 1 and 2

56. **At the time of application for a building permit**, submit four (4) revised plot plans to scale (1" = 20') on a grading and drainage plan showing the house, driveway, accessory structures, septic tank and required drain lines to contour, in order to obtain a septic system permit. Maintain all setbacks as outlined within County of Santa Clara Onsite Manual. The original plans must be submitted to DEH prior to the issuance of the septic system permit and submitted as the final grading plan to Land Development Engineering when a grading permit is required. Contact Jeff Camp at 408-918-3473 for septic system sign-off.

57. **Prior to the issuance of a building permit**, submit a complete set of floor plans to the Department of Environmental Health (Jeff Camp) for review prior to septic system sign-off.

Fire Marshal

Fire Protection Water

58. 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.

59. 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).

60. 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 DEH.

- a. Provide 2-5,000-gallon secondary aboveground storage tank dedicated to the wharf hydrant.

61. Aboveground storage tanks shall be provided with automatic refill. Manual refilling of tanks is not acceptable.

62. Installation of aboveground storage tanks less than 20 feet to a structure requires tanks to be of noncombustible construction.

63. Installation of the tank system shall comply with Fire Marshal Standard CFMO-W5.

Wharf Hydrant

64. 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 feet from the closest portion of the structure and shall not exceed 600 feet from the furthest portion of the structure (measured along path of travel).
 - b. Hydrant shall be installed within 8 feet of driving surface in a location acceptable to the Fire Marshal's Office.
 - c. Installation of a hydrant adjacent to a driveway (12 feet wide) requires a turnout complying with SD-16 to allow additional emergency vehicles to pass.
 - d. Hydrant shall have a positive flow by means of gravity feed or where that is not possible, from a reliable, listed automatic pump approved by the Fire Marshal. Elevation of hydrants and tanks in relation to each other shall be a major consideration. NOTE: tank and hydrant elevations shall be noted on the site plan submitted for building permit.
 - e. A separate permit from the Fire Marshal's Office is required for residential fire protection water systems.

Fire Department Access

65. General Requirements:

- a. These are minimum Fire Marshal standards. Should these standards conflict with any other local, state or federal requirement, the most restrictive shall apply.
- b. Construction of access roads and driveways shall use good engineering practice.
- c. 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.

66. Driveways (roads serving only one lot) shall comply with the following when the distance between the centerline of the access road and any portion of the structure exceeds 150 ft. (measured along the path of travel).

- a. Width: Clear width of drivable surface of 12 ft. plus 1 ft. shoulder each side.
- b. Vertical Clearance: Minimum vertical clearance of 13'6" ft. shall be maintained between the access road and the building site (trim or remove, tree limbs, electrical wires, structures, and similar improvements).
- c. Curve Radius: Inside turn radius for curves shall be a minimum of 42 ft.
- d. Grade: Maximum grade shall not exceed 15%. The Fire Marshal may permit grades up to a maximum of 20% if no other method is practicable and if consistent with good engineering practices. In no case shall the portion exceeding 15% gradient be longer than 300 feet in length, unless there is at least 100 feet at 15% or less gradient between each 300-foot section. Grades exceeding 15% shall be paved in compliance with County Standard SD5.
- e. Surface: All driving surfaces shall be all-weather and capable of sustaining 75,000-pound gross vehicle weight
- f. 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 turnarounds shall be 40 ft. by 48 ft. pad, hammerhead, or bulb of

- 40 ft. radius complying with County Standard SD-16. All turnarounds shall have a slope of not more than 5% in any direction.
- g. 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.

Roads and Airports

67. Obtain a Santa Clara County Roads and Airports Department (RAD) Encroachment Permit for the following required improvements:

- a. Installation of the driveway approaches to the County Standard appropriate for the level of use for each entrance:
 - i. First residence using the driveway: County Standard B/4
 - ii. Second residence using the driveway: County Standard B/5
- b. Installation of the driveway approach to County Standard B/5 at Hogue Ct and Columbet Ave if future access from Hogue Ct. is required.
- c. Removal of all vegetation and other obstructions necessary to provide adequate line-of-sight at the driveway approach locations.

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

Airport Land Use Coordinator

68. **Prior to the issuance of a Building Permit**, an aviation easement(s) shall be dedicated on behalf of San Martin Airport. The Easement shall be similar to that shown as Exhibit 1 in Appendix A of the San Martin A Comprehensive Land Use Plan (CLUP).

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO OCCUPANCY OR ONE YEAR FROM THE DATE OF THE LAND DEVELOPMENT AGREEMENT, WHICHEVER COMES FIRST.

Planning

69. **Prior to a final grading inspection**, the project archaeologist shall prepare and submit to the County a report on the monitoring results of the activities prescribed by the Archaeological Monitoring Plan.

Land Development Engineering

70. 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.

71. Construct all of the aforementioned improvements. Construction staking is required and shall be the responsibility of the developer.

Environmental Health

72. **Prior to building final**, 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.

Fire Marshal

73. Fire Sprinkler System: An approved residential fire sprinkler system complying with CFMO-SP6 shall be installed throughout the structure.

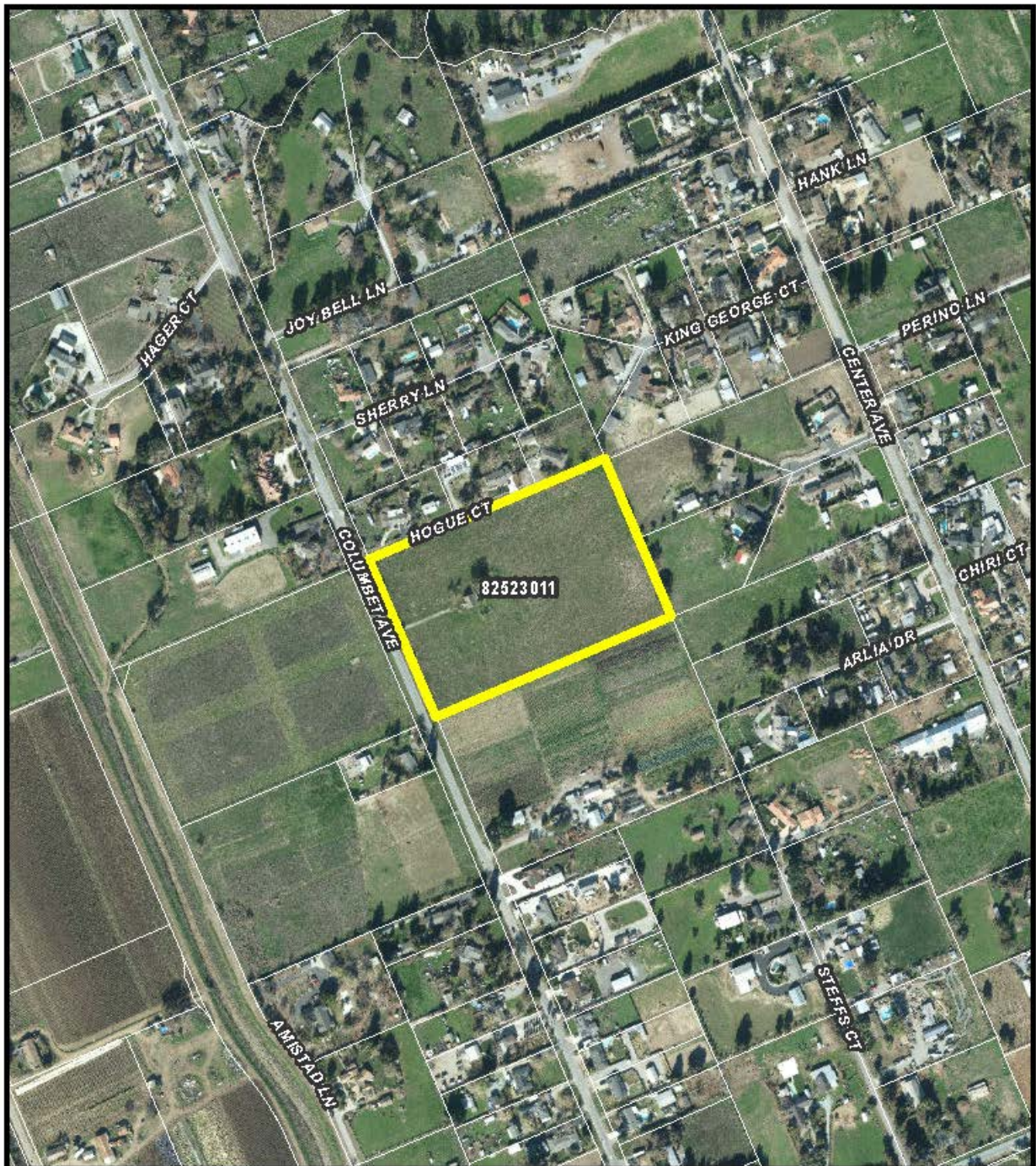
Note: The fire sprinkler system shall be installed and finalized by this office **prior to occupancy**. A separate permit shall be obtained from this office by a state licensed C-16 contractor prior to installation. Please allow for a minimum of 30 days for plan review of fire sprinkler plans by this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

Roads and Airports

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

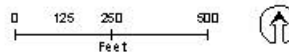
Attachment C

Location and Vicinity Map



Project Vicinity Map

File PLN20-024
 APN 825-23-011
 12400 Columbet Ave.
 San Martin 95046

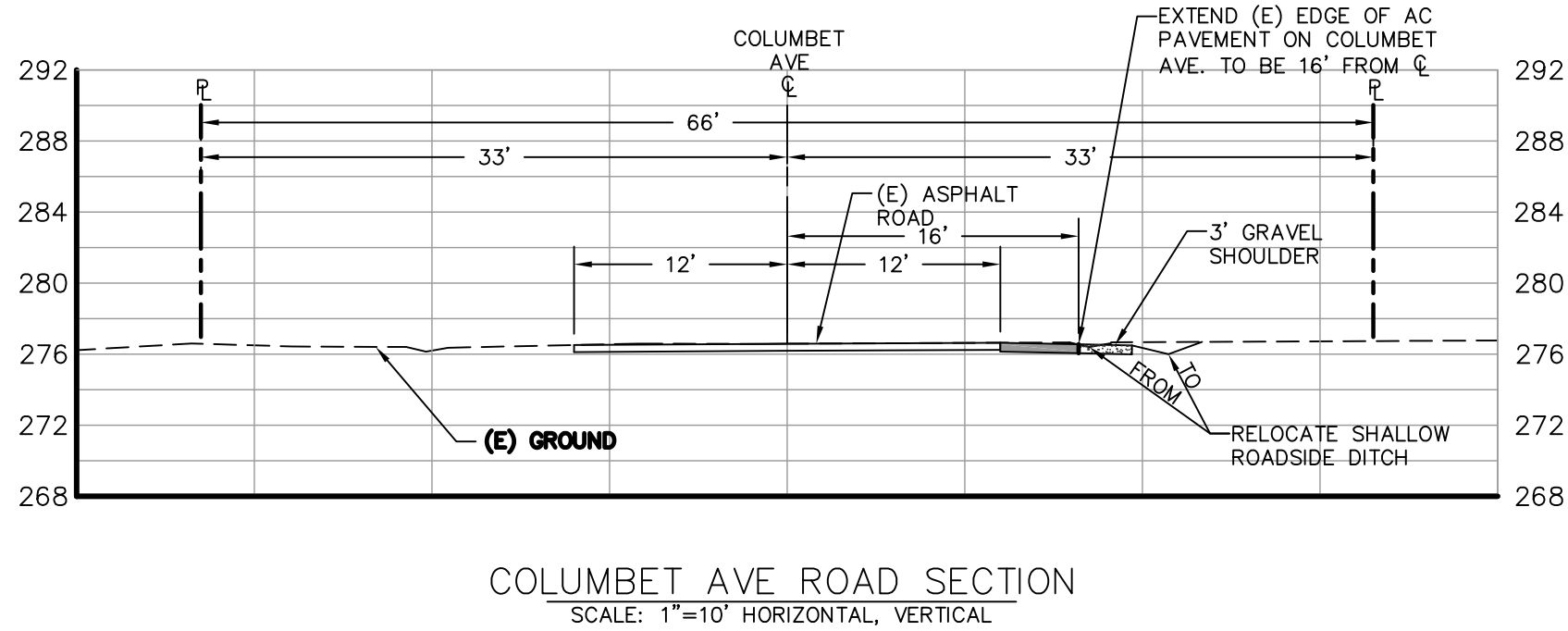


This map was created by the Santa Clara County Planning Department. The CD is not to be used for any other purpose without the written consent of the Santa Clara County Planning Department. The CD is not to be used for any other purpose without the written consent of the Santa Clara County Planning Department.

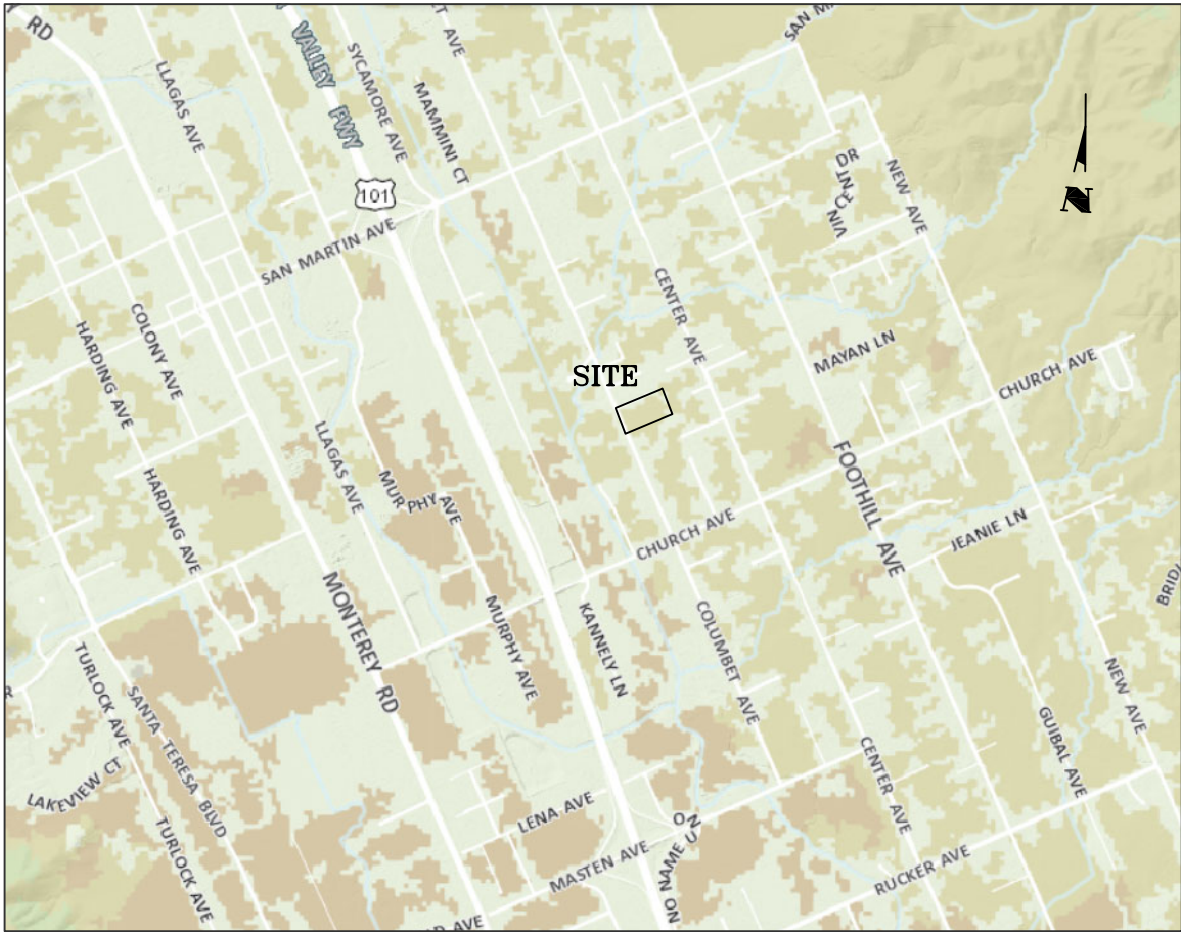


Attachment D

Tentative Parcel Map and Other Plans



-NTS-



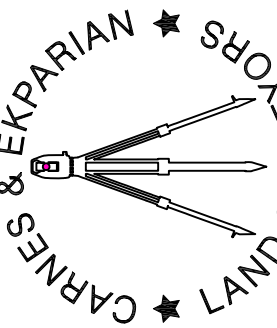
LINE NO.	BEARING	DISTANCE
L1	N 23° 49' 00" W	70.00'

LEGEND

PRUE	PRIVATE UTILITY EASEMENT
SDE	STORM DRAIN EASEMENT

————— PROPERTY BOUNDARY
 ————— LOT LINE
 - - - - - FLOW LINE
 — — — — — EXISTING EASEMENT
 — — — — — PROPOSED EASEMENT
 — — — — — LIP OF GUTTER/PAVEMENT

Carnes & Ekparian, Inc.
LAND SURVEYORS
9505 SUGAR BABE DRIVE GILROY, CA 95020
T: (408) 847-2013 F: (408) 846-7248
EMAIL: OFFICE@CE-PLS.COM



No.	DATE	REVISION
1.	9/23/20	DELETED PROPOSED CUL-DE-SAC DEDICATION
2.	12/03/20	DELETED PROPOSED HOGUE COURT DEDICATION & UPDATED PARCEL 1 ACRAGE.

TENTATIVE PARCEL MAP
FOR LIN MON FONG
LOT 154-A, "G"-M-69
COUNTY OF SANTA CLARA, CA.

SHEET 1 OF 1	DATE : 05/25/2020
	SCALE : 1" = 50'
	DRAWN BY : D.E.
	PROJ. MANAGER : G.C.

EARTHWORK AND GRADING

1. WORK SHALL CONSIST OF ALL CLEARING, GRUBBING, STRIPPING, PREPARATION OF LAND TO BE FILLED, EXCAVATION, SPREADING, COMPACTION AND CONTROL OF FILL, AND ALL SUBSIDIARY WORK NECESSARY TO COMPLETE THE GRADING TO CONFORM TO THE LINES, GRADES, AND SLOPES, AS SHOWN ON THE APPROVED PLANS.
2. ALL GRADING OPERATIONS SHALL CONFORM TO SECTION 19 OF THE CALTRANS STANDARD SPECIFICATIONS, AND SHALL ALSO BE DONE IN CONFORMANCE WITH THE REQUIREMENTS OF THE COUNTY OF SANTA CLARA. THE MOST STRINGENT GUIDELINE SHALL PREVAIL.
3. REFERENCE IS MADE TO THE GEOTECHNICAL INVESTIGATIONS BY XXXXXXXX, ENTITLED "XXXXXX," DATED XXXXXX. THE CONTRACTOR SHALL MAKE A THOROUGH REVIEW OF THIS REPORT AND SHALL FOLLOW ALL RECOMMENDATIONS THEREIN. THE CONTRACTOR SHALL CONTACT XXXXXX FOR ANY CLARIFICATIONS NECESSARY PRIOR TO PROCEEDING WITH THE WORK.
4. THE CONTRACTOR SHALL GRADE TO THE LINE AND ELEVATIONS SHOWN ON THE PLAN AND SHALL SECURE THE SERVICES OF A LICENSED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER TO PROVIDE STAKES FOR LINE AND GRADE.
5. THE GEOTECHNICAL ENGINEER SHOULD BE NOTIFIED AT LEAST FOUR (4) DAYS PRIOR TO ANY SITE CLEARING AND GRADING OPERATIONS.
6. THE UPPER 18" OF NATIVE SUBGRADE IN AREAS TO RECEIVE CONCRETE SLABS AND/OR PAVEMENTS SHOULD BE OVEREXCAVATED AND EXPOSED SURFACE SHOULD BE SCARIFIED, MOISTURE CONDITIONED TO PRODUCE A MOISTURE CONTENT WITHIN 4% TO 5% ABOVE THE LABORATORY OPTIMUM VALUE, AND UNIFORMLY COMPACTED TO AT LEAST 90% RELATIVE COMPACTION BASED ON ASTM TEST D1557. THE UPPER 6" OF CONCRETE SLAB, AND PAVEMENT SUBGRADE AND BASE SHOULD BE COMPACTED TO AT LEAST 95% RELATIVE COMPACTION UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER.
7. ENGINEERED FILL SHOULD BE PLACED IN THIN LIFTS NOT EXCEEDING 8" IN LOOSE THICKNESS, MOISTURE CONDITIONED, AND COMPACTED TO AT LEAST 90% RELATIVE COMPACTION.
8. MATERIAL USED FOR ENGINEERED FILL SHALL MEET THE REQUIREMENTS OF THE AFOREMENTIONED REPORTS BY XXXXXXXX.
9. IMPORTED FILL MATERIAL USED AS ENGINEERED FILL FOR THE PROJECT SHALL MEET THE FOLLOWING REQUIREMENTS:
- Less than 3% organics, free of debris and gravel material, contain no rocks or clods greater than 2.5" in diameter, with no more than 15 percent by weight of rocks larger than 2 1/2".
Be granular and have a plasticity index of less than 15, and should have sufficient binder to allow excavations to stand without caving.
10. ALL FILL MATERIAL SHALL BE APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER PRIOR TO JOBSITE DELIVERY AND PLACEMENT. NO EARTHWORK OPERATIONS SHALL BE PERFORMED WITHOUT THE DIRECT OBSERVATION AND APPROVAL OF THE GEOTECHNICAL ENGINEER.
11. BARE GROUND WITHIN 10' OF FOUNDATIONS SHALL BE SLOPED AWAY @ 5% MINIMUM OR 2% MINIMUM FOR PAVED SURFACES.

STORM DRAIN SYSTEM MAINTENANCE

THE HOME OWNER IS RESPONSIBLE FOR MAINTAINING THE STORM DRAINAGE SYSTEM AND ALL COMPONENTS. EVERY YEAR, PRIOR TO THE WET WEATHER SEASON (OCTOBER 15TH) ALL THE CATCH BASINS AND STORM DRAIN CLEANOUTS SHALL BE INSPECTED AND CLEANED OF ANY DEBRIS, SILT, TRASH AND SEDIMENT.

STORM DRAINAGE NOTES

1. CULVERTS SHALL BE REINFORCED CONCRETE PIPE (RCP), POLYVINYL CHLORIDE (PVC), OR HIGH DENSITY POLYETHYLENE (HDPE) AND SHALL HAVE A SMOOTH INTERIOR CONFORMING TO SANTA CLARA COUNTY DRAINAGE MANUAL.
2. INLETS SHALL BE CHRISTY CONCRETE PRODUCTS OR APPROVED EQUAL.
3. CONNECT ALL DOWNSPOUTS TO PERIMETER STORM DRAIN.

BIOLOGICAL RESOURCES NOTES

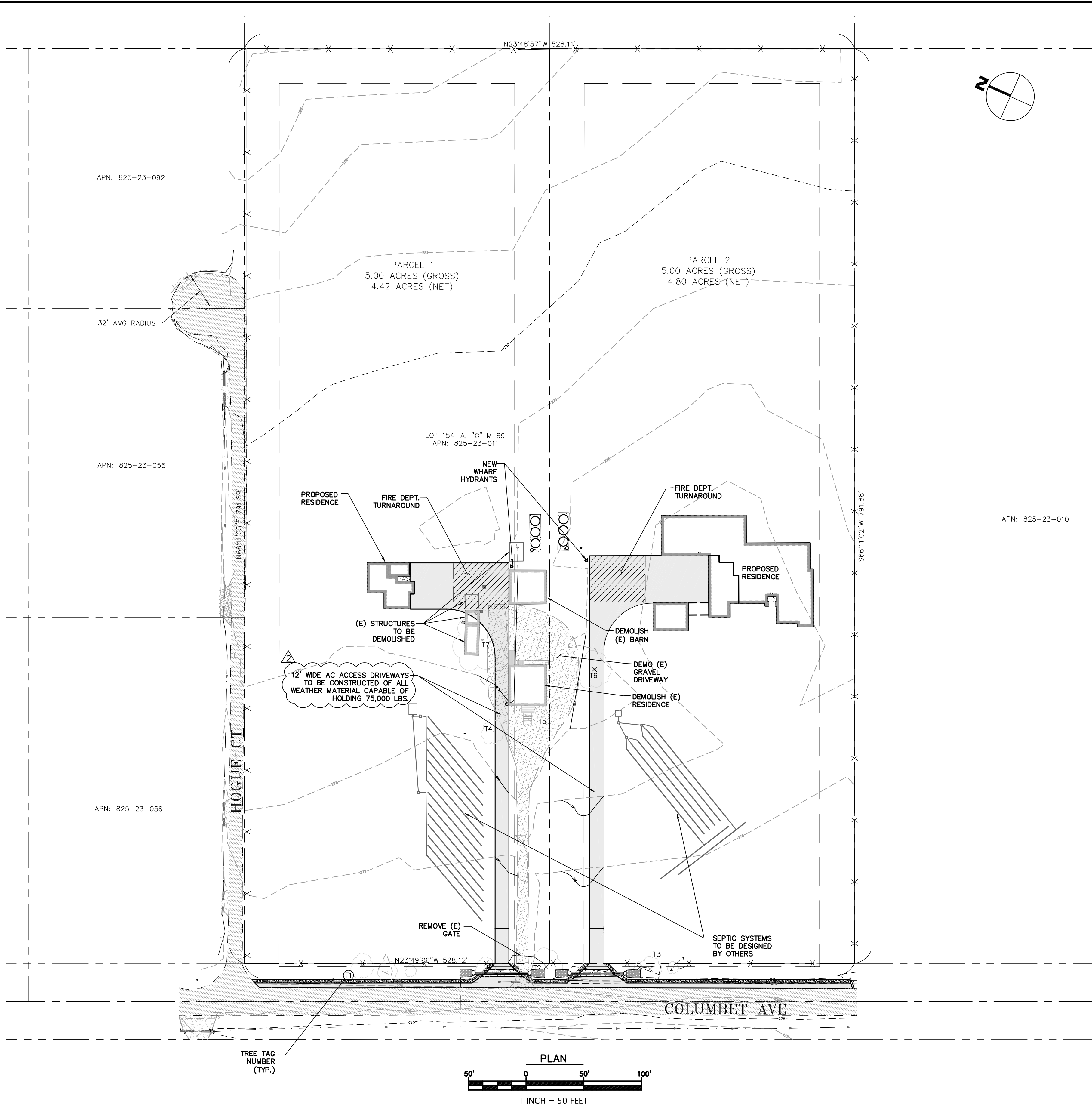
- A) IF LAND-CLEARING ACTIVITIES CAN BE PERFORMED OUTSIDE OF THE NESTING SEASON, THAT IS, BETWEEN AUGUST 16 AND JANUARY 31, NO SURVEYS FOR GROUND-NESTING AND/OR TREE-NESTING PASSERINES ARE WARRANTED. THE SURVEY AREA SHOULD INCLUDE ALL TREES AND SCRUB WITHIN 200 FEET OF THE LIMITS OF WORK. THE PURPOSE OF PRE-CONSTRUCTION CONSTRUCTION SURVEYS IS TO DETERMINE IF OCCUPIED NESTS ARE PRESENT WITHIN THE ZONE OF INFLUENCE OF THE PROJECT.
- B) IF LAND-CLEARING ACTIVITIES ARE TO COMMENCE BETWEEN FEBRUARY 1 AND AUGUST 15, A PRE-CONSTRUCTION SURVEY FOR GROUND-NESTING AND/OR TREE-NESTING PASSERINES MUST BE CONDUCTED PRIOR TO THE INITIATION OF WORK. THE SURVEY AREA SHOULD INCLUDE ALL TREES, BUSHES, GRASSLAND AND STRUCTURES WITHIN 100 FEET OF THE LIMITS OF WORK. THE PURPOSE OF PRE-CONSTRUCTION SURVEYS IS TO DETERMINE IF OCCUPIED NESTS ARE PRESENT WITHIN THE ZONE OF INFLUENCE OF THE PROJECT.
- C) DEPENDING ON THE TIME OF YEAR AND DEPENDING ON THE RESULTS OF THE PRE-CONSTRUCTION SURVEYS, IT MIGHT BE NECESSARY THAT CONSTRUCTION ACTIVITIES COMMENCE WITHIN ONE WEEK OF THE SURVEY EARLY IN THE BREEDING SEASON TO AS LONG AS 30 DAYS LATE IN THE BREEDING SEASON, AS RECOMMENDED BY THE WILDLIFE BIOLOGIST. IF CONSTRUCTION IS NOT INITIATED WITHIN THESE WINDOWS, IT MIGHT BE NECESSARY TO REPEAT THE PRE-CONSTRUCTION SURVEYS.
- D) IF ANY OCCUPIED GROUND-NESTING AND/OR TREE-NESTING PASSERINE NESTS ARE FOUND WITHIN THE ZONE OF INFLUENCE, GRADING AND CONSTRUCTION SHALL BE PROHIBITED WITHIN AN APPROPRIATE SETBACK (IN GENERAL, 75-100 FEET, DEPENDING ON LINES OF SIGHT AND THE SPECIES IN QUESTION), AS APPROVED BY A QUALIFIED BIOLOGIST. WORK WITHIN THE SETBACK MUST BE DELAYED UNTIL AFTER THE YOUNG HAVE FLEDGED, AS DETERMINED DURING SURVEYS BY A QUALIFIED BIOLOGIST, OR UNTIL AFTER AUGUST 15.

IMPERVIOUS AREA TABLE
PARCEL 1

IMPERVIOUS AREA	EXISTING CONDITIONS	PROPOSED CONDITIONS
RESIDENCE	2,580 SF	1,250 SF
AC DRIVEWAY	0 SF	7,450 SF
CONC FLATWORK	160 SF	350 SF
TOTAL IMPERVIOUS	2,740 SF	9,050 SF
NET IMPERVIOUS ADDED		6,310 SF **

IMPERVIOUS AREA TABLE
PARCEL 2

IMPERVIOUS AREA	EXISTING CONDITIONS	PROPOSED CONDITIONS
RESIDENCE	0 SF	8,490 SF
AC DRIVEWAY	0 SF	8,350 SF
CONC FLATWORK	0 SF	350 SF
TOTAL IMPERVIOUS	0 SF	17,190 SF
NET IMPERVIOUS ADDED		17,190 SF **



LEGEND

- (E) AB
- (E) AC
- (E) CONCRETE
- PROPOSED AC
- PROPOSED SELF-RETAINING AREA
- (E) FLOWLINE
- (E) RETAINING WALL
- PROPERTY LINE
- (E) SETBACK
- PROPOSED EASEMENT
- PROPOSED LIMIT OF GRADING
- PROPOSED RETAINING WALL
- PROPOSED AC BERM
- PROPOSED SWALE
- PROPOSED SD
- PROPOSED PERIMETER SD
- PROPOSED SDCO
- PROPOSED CB

ABBREVIATIONS

- BW BOTTOM OF WALL
- CB CATCH BASIN
- CONST CONSTRUCT
- DIA, Ø DIAMETER
- DS DOWNSPOUT
- DTL DETAIL
- DWY DRIVEWAY
- (E) EXISTING
- EOP ELEVATION
- FF FINISH FLOOR
- FG FINISH GRADE
- FS FIRE SERVICE
- HP HIGH POINT
- INV INVERT
- LF LINEAR FEET
- LP LOW POINT
- MAX MAXIMUM
- N.T.S. NOT TO SCALE
- RW RETAINING WALL
- RIM RIM ELEVATION
- S SLOPE
- SCCO SANTA CLARA COUNTY
- SSCO SANITARY SEWER CLEANOUT
- SDCO STORM DRAIN CLEANOUT
- TYP TYPICAL
- TW TOP OF WALL
- WS WATER SERVICE

FIRE SPRINKLER SYSTEM

RESIDENTIAL FIRE SPRINKLER SYSTEM WILL BE A DEFERRED SUBMITTAL.

TREE TABLE

TREE NO.	SPECIES	SIZE (DIA)	ACTION
T1	PEPPER	18"	PROTECT
T2	PEPPER	18"	REMOVE
T3	EUCALYPTUS	14"	REMOVE
T4	AVOCADO	14"	PROTECT
T5	PALM	14"	PROTECT
T6	WALNUT	24"	REMOVE
T7	OAK	24"	PROTECT

RESPONSE TO COUNTY COMMENTS 03/31/2020

RESPONSE TO COUNTY COMMENTS 1/4/2021



RJ Engineering, Inc.

303 Potrero St., Suite 42-202, Santa Cruz, CA 95060
831-425-3901 www.rjengineering.com

NEW RESIDENCES

project no.
19-052-1

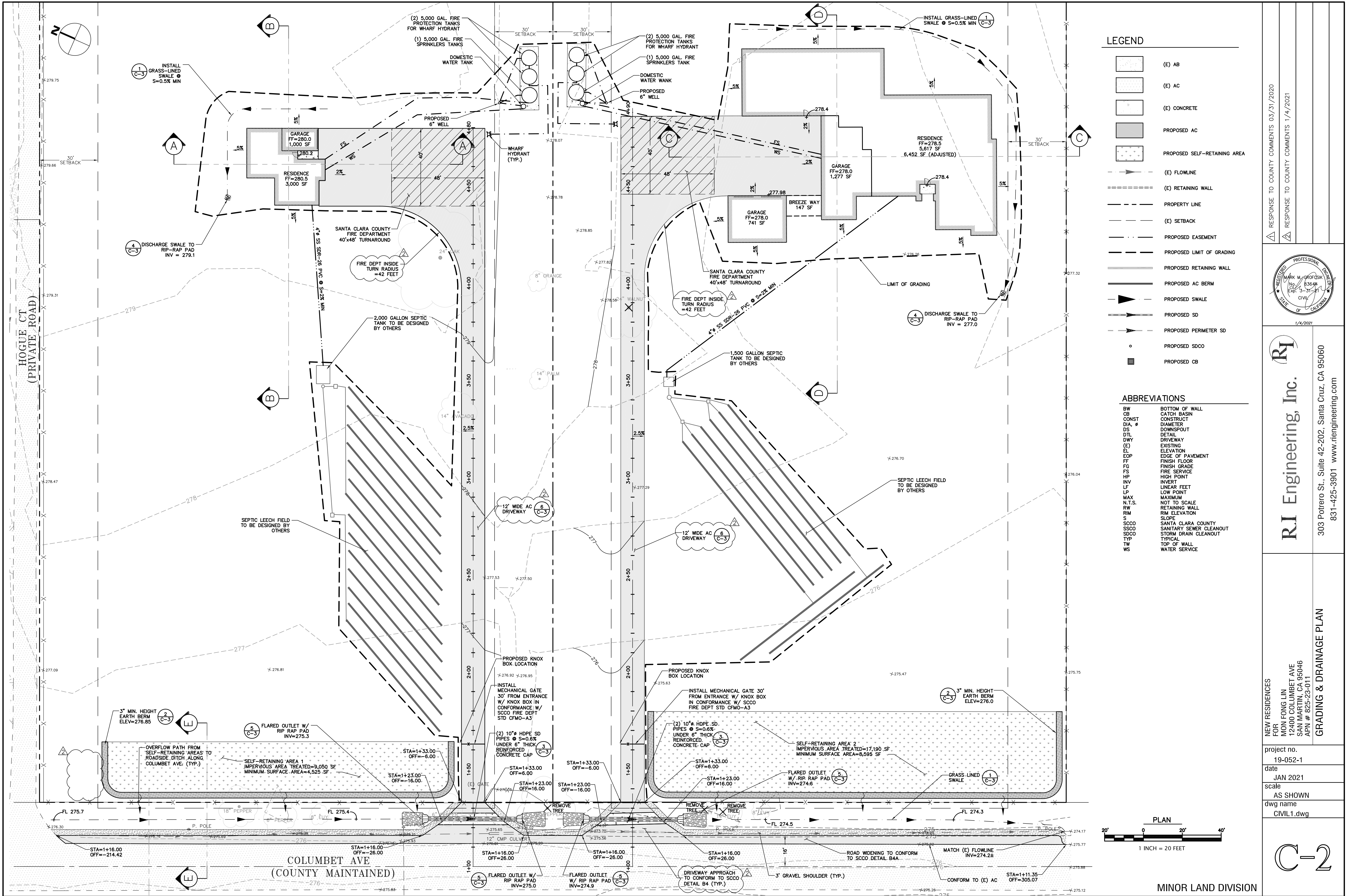
date
JAN 2021

scale
AS SHOWN

dwg name
CIVIL1.dwg

C-1

MINOR LAND DIVISION



- LEGEND
- (E) AB

(E) AC

(E) CONCRETE

PROPOSED AC

PROPOSED SELF-RETAINING AREA

(E) FLOWLINE

(E) RETAINING WALL

PROPERTY LINE

(E) SETBACK

PROPOSED EASEMENT

PROPOSED LIMIT OF GRADING

PROPOSED RETAINING WALL

PROPOSED AC BERM

PROPOSED SWALE

PROPOSED SD

PROPOSED PERIMETER SD

PROPOSED SDCO

PROPOSED CB

- ABBREVIATIONS
- BW

CATCH BASIN
- CB

CONSTRUCT
- DIA.

DIAMETER
- DS

DOWNSPOUT
- DTL

DETAIL
- DWY

DRIVEWAY
- (E)

EXISTING
- EL

ELEVATION
- EOP

EDGE OF PAVEMENT
- FF

FINISH FLOOR
- FG

FINISH GRADE
- FS

FIRE SERVICE
- HP

HIGH POINT
- INV

INVERT
- LF

LINEAR FEET
- LP

LOW POINT
- MAX

MAXIMUM
- N.T.S.

NOT TO SCALE
- RW

RETAINING WALL
- RM

RM ELEVATION
- S

SLOPE
- SCCO

SANTA CLARA COUNTY SANITARY SEWER CLEANOUT
- SSCO

STORM DRAIN CLEANOUT
- TYP

TYPICAL
- TW

TOP OF WALL
- WS

WATER SERVICE

RESPONSE TO COUNTY COMMENTS 03/31/2020

RESPONSE TO COUNTY COMMENTS 1/4/2021



RJ Engineering, Inc.

303 Potrero St., Suite 42-202, Santa Cruz, CA 95060

831-425-3901 www.rjengineering.com

NEW RESIDENCES

FOR

MON FONG LIN

12400 COLUMBET AVE

SAN MATEO, CA 95046

APN # 825-23-011

GRADING & DRAINAGE PLAN

project no.

19-052-1

date

JAN 2021

scale

AS SHOWN

dwg name

CIVIL1.dwg

C-2

Attachment E

Public Comments

From: [Forest Kreiss](#)
To: [Ahluwalia, Charu](#)
Cc: [Sandhir, Manira](#)
Subject: [EXTERNAL] Comments on PLN20-024 APN825-23-011
Date: Sunday, March 21, 2021 8:21:25 PM

PLN20-024 APN825-23-011

Winter water drains onto the property located at 12400 Columbet Avenue, San Martin, from the following locations.
(Via two drainage ditches.)

Drainage from a **county of Santa Clara road , Center Avenue, San Martin.**

Drainage from private properties on King George Ct, San Martin.

The current project owner Lin Mon Fong has impeded the above water drainage since owning the property.

This has resulted in private properties being flooded during winter storms.

No property damage has accord, except of live stock access, which is needed for grassing.

I request that a drainage easement is added to the plan similar the drainage easement for King George Ct, county of Santa Clara parcel map book 283 page 36.

Forest P. Kreiss



EFFECT ON THE ENVIRONMENT

Personal Note:

With global warming and California reduce rain fall amounts, I feel that every drop of water we can get into our creeks, steams and rivers is an added plus for the fish and wild life !

From: [Gayle Lewis](#)
To: [Ahluwalia, Charu](#)
Subject: [EXTERNAL] File No. PLN20-024/12400 Columbet Ave. San Martin, CA
Date: Friday, March 12, 2021 9:42:36 AM

Please be informed:

I have no issue with the division of this property or the construction of two homes. My issue involves the water drainage ditch, which services our court, and runs along the west side of my property. I live at [REDACTED].

In September/October 2016 the current owner stopped a nature water way on the north/east side of the subject property by grading the property. At the advice of my attorney I sent a certified letter outlining my concerns that my barn and out buildings could be damaged by the overflow of the drainage ditch. The letter was sent to Lin Mon Fong and signed for on November 25, 2016. No contact was made with me and the issue was not resolved. The back end of mine and other properties which intersects with the subject do retain excess water.

The applicant, developer and subsequent buyers need to be aware of this situation.

Very truly yours,

Gayle Lewis
[REDACTED]