

# County of Santa Clara

Department of Planning and Development  
Planning Office

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## STAFF REPORT Zoning Administration October 8, 2020 **Item #2**

Staff Contact: Lara Tran, Associate Planner  
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### **File: PLN20-025**

### **Building Site Approval and Design Review for a New Single-Family Residence.**

**Summary:** Building Site Approval and Design Review (Tier 2) for a new 4,600 square foot (sq. ft.) single-family residence, with covered porches, and a 697 s.f. attached garage. Associated site improvements include demolition of the existing residence, expansion of the existing driveway, improvement to the septic system, and the removal of 11 (non-native) trees on the property due to the proposed development. Grading consists of 9 cubic yards of cut and 75 cubic yards of fill (total 84 cubic yards) with a maximum vertical depth of 1.5 feet.

**Owner:** Debasish Roy  
**Applicant:** M.H. Engineering/D&Z Designs  
**Lot Size:** 1.7 acres  
**APN:** 701-29-027  
**Supervisory District:** 1

**Gen. Plan Designation:** Rural Residential  
**Zoning:** RR-2.5Ac-d1  
**Address:** 20560 Henwood Road, San Jose  
**Present Land Use:** Residential (SFR)  
**HCP:** Area 2 (Less than 2 Acre – Not Covered)

### **RECOMMENDED ACTIONS**

- A.** Accept Categorical Exemptions, under Section 15303(a) of the CEQA Guidelines, Attachment A.
- B.** Grant Building Site Approval and Design Review, subject to conditions outlined in Attachment B.

### **ATTACHMENTS INCLUDED**

Attachment A – Proposed CEQA Determination  
Attachment B – Proposed Conditions of Approval

Attachment C – Location & Vicinity Map

Attachment D – Proposed Plans (with Light Reflective Value/LRV Color)

## **PROJECT DESCRIPTION**

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The proposed project includes a request for a concurrent land use entitlement for a Building Site Approval and Design Review to allow construction of a new 4,600 square foot (sq. ft.) single-family residence, with covered porches, and a 697 sq. ft. attached garage. The proposed development also includes the demolition the existing residence, removal of existing patios, expansion of the existing driveway, and improvement to the septic system and leach field. The new single-family residence will be in the same location as the existing residence (proposed for demolition) that was built in 1946. Proposed grading includes 9 cubic yards (c.y.) of cut and 75 c.y. of fill (total 84 c.y.) with a maximum vertical depth of 1.5 feet. The project will require removal of 11 (non-native) trees of which seven (7) ordinance-protected trees are over 12 inches in diameter. All other existing trees are to remain.

### **Setting/Location Information**

The subject property is a 1.7 gross-acre parcel located along the west side of Henwood Road, San Jose, near the intersection of Via Santa Teresa and Henwood Road, in the unincorporated area of Santa Clara County. The property abuts the City of San Jose to the southeast, along the rear property line, however, it is not located within the Urban Service Area (USA) of the City of San Jose. The property has an existing single-family residence built in 1946, with the Calero Creek located to the west (rear) of the property. The property is surrounded by similar, low density single-family residences that were built between the 1950s and 1970s, with some homes that were rebuilt in the last decade. The neighborhood character consists of ranch style estate homes ranging in size from approximately 1,200 sq. ft. to 6,000 sq. ft., on properties over 2 acres. The property is located 1.5 miles southeast of Almaden Express Way and is serviced by an existing onsite wastewater treatment system and onsite well.

The site is located within the Santa Clara Valley Habitat Plan (HCP) Area 2, however the project is not a covered project under HCP, as the property is less than 2 acres, and the proposed development is not located within any Habitat Plan stream riparian areas, areas that exhibit Habitat Plan covered wildlife/plant species, or sensitive land covers. The proposed development is located more than 150 feet east of the existing Calero Creek, and work on the project will not be in proximity to the creek or any sensitive species, habitat, or riparian sensitive land covers. Based on County GIS data, the slope of the property is 6%.

## **REASONS FOR RECOMMENDATIONS**

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### **A. Environmental Review and Determination (CEQA)**

The proposed project qualifies for a Categorical Exemption under Section 15303(a) of a new single-family residence. As such, an Initial Study and further analysis under the CEQA was not required.

### **B. Project/Proposal**

#### **1. General Plan: Rural Residential**

2. **Approval Building Site:** Per County Ordinance Code Section C12-307, Building Site Approval (BSA) is required for new single-family or two-family dwellings, including any property within the RR-2.5Ac-d1 zoning district that is not a designated lot within an approved Parcel Map. The proposed project meets all development standards for the primary residence (minimum of 30 ft. from the FWL at the front, minimum of 30 feet to side and rear, and a maximum height of 35 feet). Application for BSA was applied for on January 6, 2020 and will be approved simultaneously with the Design Review approval.
3. **Zoning Standards:** The Zoning Ordinance specifies the required development standards for RR-2.5Ac-d1 Zoning District, as summarized below, followed by a Table A, noting the project's conformance with Section 3.20.040 "-d1" Combining District:

Main Residence

**Setbacks (RR-2.5Ac):** 30-feet from all property lines and/or rights-of-way (ROW)

**Height:** 35-feet maximum

**Stories:** 2-stories maximum

***Table A: Compliance with Development Standards for -d1 Combining District***

<b>STANDARDS &amp; REQUIREMENTS</b>	<b>CODE SECTION</b>	<b>Meets Standard (Y/N)*</b>
Siting	§ 3.20.040 (A)(2)(b)	Y
Story Poles	§ 3.20.040 (A)(2)(c)	Y
Color & LRV	§ 3.20.040 (B)	Y
Building Form & Massing	§ 3.20.040 (C)	Y
Retaining Walls	§ 3.20.040 (D)	Y
Ridgeline Development	§ 3.20.040 (E)	Y
Design Review Guidelines	§ 3.20.040 (F)	Y

\*See Discussion in Design Review Findings Section C below

**C. Design Review Findings:**

Per Section §5.50.040 of the County Zoning Ordinance, all Design Review applications are subject to the stated scope of review. The overall purpose of Design Review is to encourage quality design and mitigate potential adverse visual impacts of development. 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. **Mitigation of any adverse visual impacts from proposed structures, grading, vegetation removal and landscaping;**

According to the County's GIS data on visibility of properties as seen from the valley floor, the subject property is located within in a "low visibility" area. After conducting a site and neighborhood field study, Staff has determined that the proposed single-family residence will not create any visual impacts to the valley

floor. The proposed project includes construction of a one-story residence, with a maximum height of 26 feet, which is well below the maximum allowable height limitation of 35 feet in height. The applicant is utilizing the pad of the existing residence, and only the northern portions of the house (including garage) are in the “low visibility” area of the property. The other half the proposed residence is in the non-visible area of the lot.

Existing vegetation and landscaping along Henwood Road and the driveway have been conditioned to remain in order to ensure that screening of the residence and visibility of the project, as seen from the valley floor or neighboring properties from the street, continue to be adequately mitigated. Although there are eleven (11) non-native trees proposed to be removed as necessary for the construction of the new residence, only seven (7) are ordinance-protected trees that are over 12 inches in diameter. Furthermore, only two (2) of the seven (7) ordinance-protected trees proposed for removal are located within the low visibility area of the property. The rest of the trees proposed for removal are at the rear of the residence and do not impact visibility of the residence from the valley floor. Additionally, the location of the proposed residence is screened with existing landscaping and tall trees to provide mitigation to soften the appearance of the structure, as seen from the valley floor and Henwood Road. As sited and designed, the project does not create any visual impacts toward the valley floor or neighboring properties, and the grading quantities are nominal. As such, this finding can be made.

## **2. Compatibility with the natural environment;**

The project includes the construction of a new single-family residence with an attached garage and patio areas. The proposed development is utilizing a flat pad of the existing residence, which will be demolished as part of the project. The applicant is proposing minimal grading and is not proposing to remove any existing landscaping on the property, except for eleven (11) trees. The minimal grading proposed is primarily for improvement of the existing driveway and follows natural contours. The development will not impact any existing riparian land cover associated with Calero Creek, which is located west of the property, nor will it impact any sensitive habitat, as there are none identified on the property. Additionally, the proposed development is located 150 feet from the top of bank from Calero Creek, which has been determined by the County’s Planning Manager to satisfy the setback requirements of the County’s Habitat Plan, as discussed in the *Project Description* section of this report. As such, the proposed project is designed to be compatible with the natural and existing environment and is utilizing exiting building pads and natural terrain for the construction of the buildings. For these reasons, this finding can be made.



3. **Conformance with the “*Design Review Guidelines*,” adopted by the Board of Supervisors;**

The proposed project conforms to the County’s Board-adopted *Design Review Guidelines*. The siting of the proposed residence utilizes an existing building pad, in a flat area of the parcel and requires minimal additional site improvements and grading. The proposed residence is surrounded by several trees on the property and existing landscaping, which will be maintained and protected during construction. Trees and landscaping maintenance have been added as part of the project conditions, in Attachment B of this Staff Report. Impacts on privacy and views of neighboring properties are negligible due to existing landscaping and the location of the residence, as portions of project have low visibility or are not visible from the valley floor. The proposed residence has a maximum height of 26 feet, with one (1) story, and will not create additional visual impact, as there are multiple rooflines, as recommended in the *Design Review Guidelines*. The development is also not located on or above any ridge line.

The architectural design of the proposed residence avoids excessive bulk and mass by incorporating undulating facades and varied roof planes. Exterior colors for the house façade, trim, and roof materials all have a Light Reflective Value (LRV) of 45 or less, as shown as part of the plan set (Attachment D). As part of the requirement for Design Review (Tier 2), the applicant is required to erect story poles prior to the Zoning Administration Hearing and will be verified by Staff on October 1, 2020 to ensure compliance to Section 3.20.040 (A)(2)(c). After inspecting the required story poles, no new impacts were observed by Staff. For these reasons, this finding can be made.

4. **Compatibility with the neighborhood and adjacent development;**

As noted in the *Project Description* section of this report, the neighboring properties are developed with single-family residences that are both one (1) to two (2) stories, a majority of which were built between the 1950s and 1970s. The proposed residence is keeping with the characteristics of the surrounding neighborhood in that the proposed size, number of stories, and architectural design are compatible to adjacent developments. The project will not be obtrusive compared to the other developed parcels in the vicinity, due to the similarities in size, overall design, and color. As such, this finding can be made.

5. **Compliance with applicable zoning district regulations; and**

As summarized in Section B(3) and Table A of this Staff Report, residential use is an allowed use in the RR-2.5Ac-d1 Rural Residential Zoning District, and the project complies with the RR-2.5Ac-d1 zoning regulations and development standards. The proposed residence meets the required setbacks (30-feet front, 30-feet side, and 30 feet rear) and height at 26 feet (maximum of 35-feet). Furthermore, the proposed design is also in keeping with the -d1 design guideline standards and building

massing standards in that the structure incorporates varied roof heights and uses architectural elements, such as windows and cornices, to produce patterns of light and shade. Exterior colors are proposed and conditioned to be less than 45 in LRV. For these reasons, Staff has determined that the project is in compliance with the applicable zoning district regulations, and this finding can be made.

**6. Conformance with the general plan, any applicable specific plan, other applicable guidelines.**

The proposed development conforms with the Santa Clara County General Plan Policies R-LU 56, R-LU 57, R-GD 22, *Design Guidelines*, and Future Width Line (FWL) for Henwood Road. General Plan Policy R-LU-56 and R-LU 57 states Rural Residential areas include lands outside of a city Urban Service Areas and of which the land is primarily for residential purposes. Additionally, General Plan Policy R-GD 22 states that grading shall be kept to a minimal that would establish a primary use and avoidance of unnecessary grading. The property is currently outside of the City of San José's Urban Service Area with the property and entire neighborhood comprising of residential uses. The proposed project includes construction of one (1) single-family residence on one (1) lot. Additionally, as noted throughout the report, the project is located on an existing flat pad of the property, where there is minimal grading and will not grade into any existing topography or hillsides. The one (1) story residence is appropriately sized and does not require any unnecessary grading. The proposed development is consistent to the County's Board-adopted *Design Guidelines* as it is sited on an existing flat pad, with tiered rooflines and does not have any massive and/or bulky facades. The exterior color and materials are muted and to have an LRV of 45 or less to ensure compatibility with the surrounding environment. Existing landscaping are to remain and maintain to provide screening and privacy to the neighboring. Additionally, the proposed residence has a conforming residential setback of a minimum of 30 feet that incorporates the Future Width Line of Henwood Road (identified in the *Future Width Line Study* by Ruth and Going, adopted by the Board of Supervisors) and indicated on the site plan (Attachment B). The property is not located within a specific plan. For these reasons, the finding can be made.

In conclusion, Staff recommends the Zoning Administration Hearing Officer to approve the concurrent land use entitlements for a Building Site Approval and Design Review. Per County Ordinance Section C12-307, Building Site Approval is required for new single-family or two-family dwellings, including any property within the A-40AC-d1 zoning district that is not a lot within a Parcel Map or a numbered lot subdivision. As noted throughout the Staff Report, the proposed project meets all development standards for the primary residence (minimum of 30 ft. from the FWL at the front, minimum of 30 feet to side and rear, and a maximum height of 35 feet) and all the findings for Design Review.

## BACKGROUND

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On January 29, 2020, the property owner applied for Building Site Approval and Design Review for the demolition of an existing residence and construction of a new residence. The initial incomplete letter was issued on February 29, 2020 and outlined incomplete items and issues of concern including a possible stream setback exception requirement from the Santa Clara Valley Habitat Plan (HCP) due to Calero Creek.

Prior to a resubmittal, Planning Staff, through the Planning Manager, had meetings with the applicant and biologist to discuss HCP stream setback exceptions, and subsequently determined the project is not a covered project under HCP, due to non-impact to existing riparian. Although the property owner had not installed the project development sign within the first month of the project submittal, the owner installed a project development sign on June 6, 2020 at the property. After multiple resubmittals, the project was deemed complete on September 10, 2020.

The owner installed the required story poles by September 28, 2020 at the development site as part of the requirements for Design Review Zoning Administration Hearing items (7 days prior to the hearing). Staff verified the story poles meet the County's story pole requirements and guidelines on September 30, 2020 and did not introduce any new impacts. A public notice was mailed to all property owners within a 300-foot radius of the project on September 28, 2020 and was also published in the Post Records on September 28, 2020.

## STAFF REPORT REVIEW

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Prepared by: Lara Tran, Associate Planner   
Reviewed by: Leza Mikhail, Zoning Administrator/Principal Planner


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# **ATTACHMENT A**

## **Proposed CEQA Determination**

## ATTACHMENT A

**STATEMENT OF EXEMPTION****from the California Environmental Quality Act (CEQA)**

<b>FILE NUMBER</b>	<b>APN(S)</b>	
PLN20-025	701-29-027	9/30/2020
<b>PROJECT NAME</b>	<b>APPLICATION TYPE</b>	
Building Site Approval and Design Review; 20560 Henwood Road, San Jose	Building Site Approval and Design Review	
<b>OWNER</b>	<b>APPLICANT</b>	
Debasish Roy	M.H. Engineering/ D&Z Designs	
<b>PROJECT LOCATION</b>		
20560 Henwood Road, San Jose		
<b>PROJECT DESCRIPTION</b>		
<p>Building Site Approval and Design Review for a new 4,600 sq. ft. single-family residence with a 697 s.f. attached garage. Associated site improvements include demolition of the existing residence, expansion of the existing driveway, improvement to the septic system, and the removal of 11 (non-native) trees on the property due to the proposed development. Grading consists of 9 cubic yards of cut and 75 cubic yards of fill (total 84 cubic yards) with a maximum vertical depth of 1.5 feet.</p> <p>All discretionary development permits processed by the County Planning Office must be evaluated for compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended). Projects which meet criteria listed under CEQA may be deemed exempt from environmental review. The project described above has been evaluated by Planning Staff under the provisions of CEQA and has been deemed to be exempt from further environmental review per the provision(s) listed below.</p>		
<b>CEQA (GUIDELINES) EXEMPTION SECTION</b>		
Categorically Exempt – Section 15303(a) of a new single-family residence with attached garage and patios.		
<b>COMMENTS</b>		
<p>Proposed removal of 11 (non-native) trees on the property due to development. Development is located 150 feet from the top of bank of Calero Creek (not impacting any riparian). Grading consists of 9 cubic yards of cut and 75 cubic yards of fill (total 84 cubic yards). Project is not a covered project under HCP as the property is less than 2 acres and proposed development is not located within the Habitat Plan stream riparian areas, any areas that exhibit Habitat Plan covered wildlife/plant species or sensitive land covers. The proposed development is located more than 150 feet east of the existing Calero Creek and work on the project will not be in proximity to the creek or any sensitive species, habitat, or riparian.</p>		
<b>APPROVED BY:</b>		
Lara Tran, Associate Planner	 _____ Signature	9/10/2020 _____ Date

Approved by:

DocuSigned by:

Lara Mikhail

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# **ATTACHMENT B**

## **Proposed Conditions of Approval**

## ATTACHMENT B

### PRELIMINARY CONDITIONS OF APPROVAL BUILDING SITE APPROVAL AND DESIGN REVIEW

**Date:** October 8, 2020

**Owner/Applicant:** Debasish Roy / M.H. Engineering and D&Z Design Associates Inc.

**Location:** 20560 Henwood Road, San Jose, CA (APN: 701-29-027)

**File Number:** PLN20-025

**CEQA:** Categorically Exempt – Section 15303, Class 3(a).

**Project Description:** Building Site Approval and Design Review for a new 4,600 square foot (sq. ft.) single-family residence, with covered porches, and a 697 sq. ft. attached garage. Associated site improvements include the demolition of the existing residence, expansion of the existing driveway, improvement to the septic system, and the removal of 11 (non-native) trees on the property due to the proposed development. Grading consists of 9 cubic yards of cut and 75 cubic yards of fill (total 84 cubic yards – outside of the building footprint) with a maximum vertical depth of 1.5 feet.

For any question regarding the following preliminary conditions of approval, contact the person listed for that agency. S/he represents a specialty and can provide details about the conditions of approval.

Agency	Name	Phone	E-mail
Planning	Lara Tran	(408) 299-5759	<a href="mailto:lara.tran@pln.sccgov.org">lara.tran@pln.sccgov.org</a>
Land Development Engineering	Darrell Wong	(408) 299-5735	<a href="mailto:darrell.wong@pln.sccgov.org">darrell.wong@pln.sccgov.org</a>
Fire Marshall	Alex Goff	(408) 299-5763	<a href="mailto:alex.goff@sccfd.org">alex.goff@sccfd.org</a>
Environmental Health	Darrin Lee	(408) 299-5748	<a href="mailto:darrin.lee@cep.sccgov.org">darrin.lee@cep.sccgov.org</a>
Roads and Airport	Leo Camacho	(408) 573-2464	<a href="mailto:leo.camacho@rda.sccgov.org">leo.camacho@rda.sccgov.org</a>
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](http://www.sccbuilding.org).

#### **Planning**

2. Development must take place in substantial conformance with the approved civil plans, prepared by M.H. Engineering and architectural plans prepared by D&Z Designs, submitted on August 10, 2020 and these Conditions of Approval. Any changes to the proposed project may result in additional environmental review, pursuant to the

California Environmental Quality Act, or additional Planning review and a public hearing.

3. The approval does not otherwise approve any unpermitted structures located on the property. All structures and grading located within Santa Clara County jurisdiction that require a permit are subject to compliance with and issuance of County permits.
4. Existing zoning is RR-2.5Ac-dl. Maintain the following minimum residential setbacks:

<b>Front:</b>	30 feet
<b>Sides:</b>	30 feet
<b>Rear:</b>	30 feet
<b>Height:</b>	35 feet (maximum)
<b>Stories:</b>	2 (maximum)

5. Grading consists of 9 cubic yards of cut and 75 cubic yards of fill (total 84 cubic yards – outside of the building footprint) with a maximum vertical depth of 1.5 feet. Any increase in grading quantities, or modification to the grading design, is subject to further review and may require a Grading Approval and associated fees.
6. Any excess fill shall be taken off-site to an approved disposal location. A note of this requirement shall be incorporated into the civil plan.
7. Two (2) off-street parking spaces are required for the residence where one (1) must be covered.
8. Any detached accessory structures shall be in the rear half of the lot, or at least 75 ft. from the front property line or edge of right-of-way, per Sections 4.20.020(D). Rear yard coverage of cumulative detached accessory structures shall not be more than 30%, which excludes green houses or agricultural structures.
9. Any accessory structures shall not contain more than two (2) internal plumbing fixtures per Section 4.20.020(I)(1). Further review of a Special Permit and associated fees may be required if additional plumbing fixtures are proposed.
10. The exterior color surfaces (including walls, roof, window trim/accent, retaining walls, fences) of the structure must be of muted colors with light reflectivity value (LRV) of 45 or lower (as indicated on Sheet A3.1 of the approved plan set submitted on August 10, 2020) and shall be in conformance with the color and materials approved by the Hearing Officer at the Zoning Administration hearing on October 8, 2020.
11. The property owner shall maintain the existing landscaping and provide tree protection for the north and east (front) property line Ordinance-protected tree standards during construction (as noted in the final building plans stipulated below in the conditions). Existing mature trees shall be protected to soften the appearance of the structure as seen from the valley floor and as noted below in the conditions.



12. If archaeological resources or human skeletal remains are discovered during construction, work shall immediately stop, and the County Coroner's Office notified. Upon determination that the remains are Native American, no further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs, in accordance with state law and Chapter B6-18 of the County Ordinance Code.

#### Land Development Engineering

13. 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.
14. The project appears to meet the grading exemption requirements as outlined in the County's Grading Ordinance. If any Building Plan revisions or construction field changes occur that alter the earthwork that is in excess of the limits as outlined the County's Grading Ordinance starting at C12-400 then a Grading Permit will be required. To obtain a Grading Permit apply to the Planning Office for grading approval, once the Planning Office authorized the grading approval, apply and obtain a Grading Permit from LDE.

#### Environmental Health

15. A plumbing permit shall be required for the sewage lift station (located near the house). Contact the Department of Planning and Development to apply for the required plumbing permit(s).
16. 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

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

### **CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO BUILDING AND/OR GRADING PERMIT ISSUANCE**

#### Planning

18. **Prior to issuance of any permits**, the applicant shall pay all reasonable costs associated with the work by the Department of Planning and Development.
19. **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.**

20. **Prior to issuance of a Building Permit**, obtain a demolition permit to demolish the existing residence and rear concrete patios.
21. For all trees to be retained with a canopy in the development area or interfaces with the limits of any proposed development on-site, the trees shall be protected by the placement of 5-foot tall rigid tree protective fencing as **shown on 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) 299-5770 for additional details."
22. **Prior to issuance of a building permit**, submit final color samples for the house facade, trim and roof indicating the Light Reflectivity Value is less than or equal to 45, pursuant to Zoning Ordinance Section 3.20.040(B), and consistent with approved project, color samples and plans approved at the October 8, 2020 Zoning Administration Hearing.

#### Land Development Engineering (LDE)

23. **Prior to beginning any construction activities**, obtain a Drainage Permit from Land Development Engineering (LDE). Issuance of the drainage permit is required prior to LDE clearance of the building permit (building and drainage permits may be applied for concurrently).

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 (299-5734) for additional information and timelines.

24. 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.

#### *Improvement Plans*

25. 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 at [www.sccgov.org/sites/rda](http://www.sccgov.org/sites/rda) > Published Standards, Specifications, Documents and Forms
- March 1981 Standards and Policies Manual, Volume 1 (Land Development) [www.sccplanning.org](http://www.sccplanning.org) > Plans & Ordinances > Land Development Standards and Policies
- 2007 Santa Clara County Drainage Manual [www.sccplanning.org](http://www.sccplanning.org) > Plans & Ordinances > Grading and Drainage Ordinance.

26. 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.
27. 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.
28. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.

#### *Floodplain*

29. The property is in a Special Flood Hazard Area. All project improvements shall be in accordance with the County's Floodplain Management Ordinance (SCC Code C12-800 to C12-826).

#### *Drainage*

30. 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.

31. 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 – San Francisco Bay*

32. 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. For additional information, please refer to the C.3 Stormwater Handbook (June 2016) available at the following website:

[www.scvurppp.org](http://www.scvurppp.org) > Resources > reports and work products > New Development and Redevelopment > C.3 Stormwater Handbook (June 2016)

#### *Notice of Intent*

33. 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](http://www.waterboards.ca.gov) > [Water Issues](#) > [Programs](#) > [Stormwater](#)

#### *Dedication and Easements*

34. The following offers to dedicate easements shall be submitted to LDE. All easement dedications shall include legal descriptions, plats, and corresponding documents to be reviewed and approved by the County Surveyor's Office. The owner/ applicant will be required to record the document with the County's Recorder's Office after reviewed and approved by the County Surveyor's Office.
  - A. Offer to dedicate a minimum 25-foot wide or 5 feet beyond top of upper bank, whichever is greater, easement to the public and the County for storm-drainage purposes for all swales and channels effected by this development that pass drainage through the site.

#### Environmental Health

35. Based upon a upon a percolation rate of 36 minutes per inch, sewage disposal conditions have been determined at 127 plus 127 lineal feet of subsurface drain line. The two drain line systems shall be connected through a positive diversion valve. A 1,500-gallon septic tank with an effluent filter shall be required. The septic system is adequate to serve a four-bedroom single-family dwelling or a design flow not to exceed 525 gallons per day.
36. The septic system design shall conform with the prevailing Onsite Wastewater Treatment (OWTS) Ordinance. The design shall be based upon percolation test rates and the

dispersal field shall be located within the percolation and soil profile testing areas. Note: Percolation depths may dictate the type of OWTS designed and permitted for use. Changes to the proposed scope of work or OWTS design may require additional onsite soil testing.

37. **At the time of application for a building permit**, submit four (4) 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 the Department of Environmental Health **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.
38. **At the time of application for a building permit**, submit a complete set of floor plans to the Department of Environmental Health for review prior to septic system sign-off.
39. **Prior to issuance of a building permit**, contact the Department of Environmental Health at (408) 918-3400 for individual water clearance. Domestic water shall be supplied by an approved water system installed to Environmental Health standards. The water clearance 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.

#### Fire Marshal's Office

40. **Prior to approval of the foundation**, fire protection water system shall be installed, functioning, and inspected. 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.
41. Where on-site storage tanks are required, details for fire protection water supply shall be included with the building permit set of drawings. Submittal shall include, but not be limited to, location of water supply, (e.g. onsite well, shared well; tank location and capacity, pipe size, wharf hydrant orifice size and location, domestic and fire protection water tanks and piping configuration).
  - A. All installations shall include a primary aboveground storage tank with a capacity of not less than 3,000 gallons dedicated to domestic and fire sprinkler system demand. Storage capacity may be increased due to sprinkler design demand or additional domestic (including landscaping) required by the Environmental Health Department.
  - B. Provide two 5,000-gallon secondary aboveground storage tanks dedicated to the wharf hydrant.
  - C. Aboveground storage tanks shall be provided with automatic refill. Manual refilling of tanks is not acceptable.
  - D. Installation of aboveground storage tanks less than 20 ft. to a structure requires tanks to be of noncombustible construction.

- E. Installation of the tank system shall comply with Fire Marshal Standard CFMO-W5.
42. One on-site wharf hydrant with 2-1/2 inch orifice is required to be installed when fire protection water is supplied by on-site aboveground storage tank(s). Installation of hydrants shall be in accordance with Fire Marshal Standard Detail CFMO-W4.
- A. Minimum distance to structure shall not be less than 55 ft. from the closest portion of the structure.
  - B. Hydrant shall be installed within 8 ft. of driving surface in a location acceptable to the Fire Marshal's Office.
  - C. Installation of a hydrant adjacent to a driveway (12 ft. 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.
43. A separate permit from the Fire Marshal's Office is required for residential fire protection water systems (tanks and wharf hydrants) for building permit submittals made after July 1, 2010.
44. Fire Department access are minimum Fire Marshal standards. Should the access standards conflict with any other local, State, or Federal requirements, the most restrictive shall apply.
45. 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 always maintained.
46. Driveways (roads serving 2 or less lots) 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.
  - B. Vertical Clearance: Minimum vertical clearance of 15 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 50 ft.
  - D. Grade: Maximum grade shall not exceed 15%. 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 pounds gross vehicle weight.
47. The property is located within the State Response Area (served by Cal Fire) and in the Wildland/Urban Interface Fire Area. All of the following conditions shall apply:

- A. A Class "A" roof assembly is required. Detail shall be included in plans submitted for building permit.
  - B. Provide a ½ inch spark arrester for the chimney.
  - C. Remove significant combustible vegetation within 30 feet of the structure to minimize risk of wildfire casualty. Maintain appropriate separation of vegetative fuels in areas between 30 and 100 feet from the structure.
48. Fire protection water systems and equipment shall always be accessible and maintained in operable condition and shall be replaced or repaired where defective. Fire protection water shall be made available to the fire department.
49. Fire department access roads, driveways, turnouts, and turnarounds shall always be maintained free and clear and accessible for fire department use. Gates shall be maintained in good working order and shall always remain in compliance with Fire Marshal Standard CFMO-A3.

#### Roads and Airport

50. Dedicate the following curvilinear rights-of-ways: 30-foot half street for Henwood Rd. All dedications shall include legal descriptions, plats, and corresponding documents to be reviewed and approved by the County.
51. **Prior to any work performed in the County Road Right of Way (ROW) and prior to Building Permit issuance**, obtain a Santa Clara County Roads and Airports Department (RAD) Encroachment Permit for the following required improvements:
- A. Improvement of the property's Hendwood Road frontage to County Standard B/4A.
  - B. Improvements to the two (2) northerly driveway approaches to meet County Standard B/4.
  - C. Removal of existing southerly driveway and reestablishing the drainage flow line.
  - D. Removal of any vegetation or other obstructions necessary to provide adequate line-of-sight at the driveway approach locations that will remain.
52. The process for obtaining an Encroachment Permit and the forms that are required can be found at: [www.countyroads.org](http://www.countyroads.org) > Services > Apply for Permits > Encroachment Permit.
53. Demonstrate that the post-development maximum flow rate into the County Road right-of-way is equal-to or less-than the pre-development corresponding storm event flow rate per the County Drainage Manual. Provide engineered plans and drainage calculations for any detention or retention system necessary to satisfy this requirement.

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

#### Planning

54. **Prior to final inspection**, contact Lara Tran in the Planning Division, **at least two (2) weeks in advance** to schedule a site visit to verify the approved exterior colors have been

installed as approved.

Land Development Engineering

55. 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.

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

Fire Marshal's Office

57. **Prior to occupancy**, an approved residential fire sprinkler system complying with CFMO-SP6 shall be installed throughout the structure system and finalized by the Fire Marshal Office.

58. A separate permit shall be obtained from Fire Marshal 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 the Fire Marshal Office.

Roads and Airports

59. Construct all the improvements approved under the Encroachment Permit.

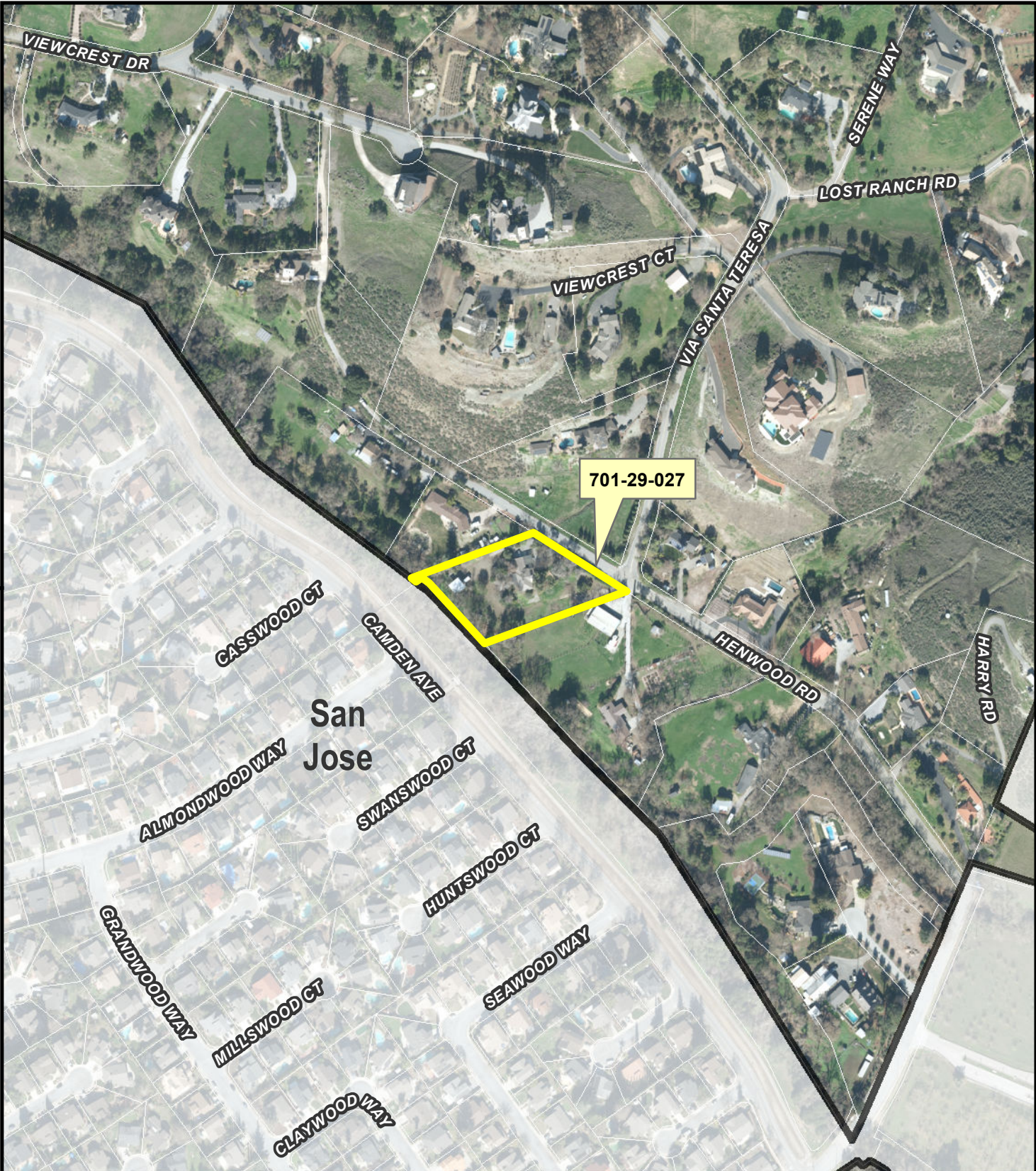
Environmental Health

60. 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.



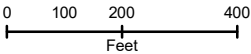
## **ATTACHMENT C**

### **Location & Vicinity Map**

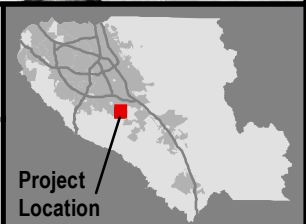


**Project Vicinity Map**

File PLN20-025  
APN 701-29-027  
20560 Henwood Rd.  
San Jose, CA



This map created by the Santa Clara County Planning Office. The GIS data was compiled from various sources. While deemed reliable, the Planning Office assumes no liability.  
9/16/2020 1:44:43 PM Y:\Staff\Reports\PLN20-025\PLN20-025.mxd



## **ATTACHMENT D**

### **Proposed Plans with LRV**



Applicant/Owner:

Debu and Rupa Roy  
5952 Crimson Drive  
San Jose, CA 95120  
408.802.0869

Engineer:

William J. McClintock, RCE 24893  
MH Engineering  
16075 Vineyard Blvd.  
Morgan Hill, CA 95037  
408.779.7381  
billm@mhengineering.com

Project Information:

APN 701-29-027  
Present Use: Rural Residential  
Proposed Use: Rural Residential  
Present Zoning: RR-2.5Ac-d1  
Proposed Zoning: RR-2.5Ac-d1  
Sanitary Sewer: PG&E  
Gas and Electric: PG&E  
Water: Existing well  
Telephone: As Shown  
Existing Improvements: 1.85 ac  
Area Gross: 1.70 ac  
Area Net: 1.70 ac

**Boundary Note:** Property lines shown on this plan are based on record data and boundary monumentation measured to date.

**Flood Zone:** The property lies partially in Zone D (83.1%), areas in which flood hazards are undetermined, but possible, and partially in Zone AE (16.9%), areas subject to the 1% flood chance, per FEMA Firm Panel 06085C0404H, effective May 18, 2009.

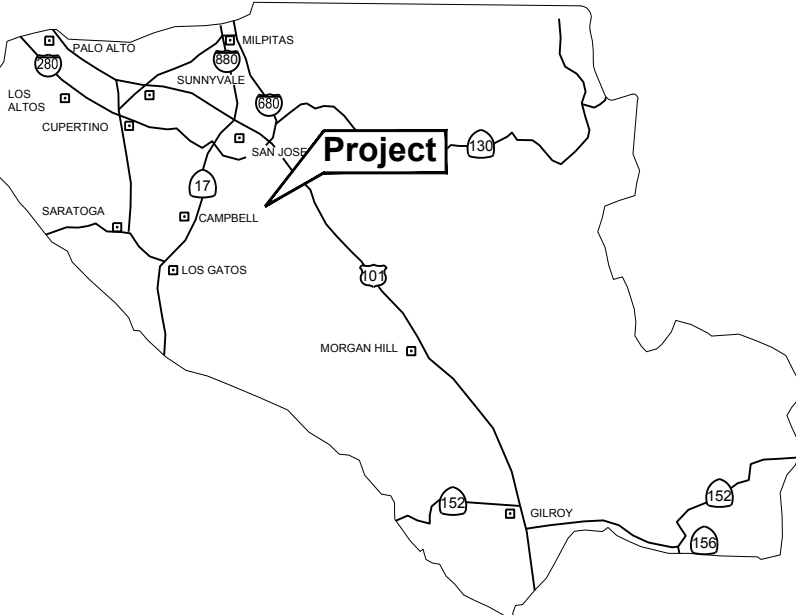
Drainage Design Notes:

- All proposed roofs, covered patios, replaced driveway, and a large portion of the existing driveway will drain into the proposed underground retention / detention system for treatment.
- The uncovered patio will not be captured into the drainage system, but the system will account for the flows by reducing the discharge from the drainage system below pre development rates.
- The outlet of the drainage system will be placed in the existing drainage ditch that outflows into the creek. This location was chosen because it has established vegetation that has taken runoff flows for many years and will not introduce any new flow paths into the creek. This outlet location will have rip rap material placed to prevent any erosion from the flows introduced by the system.
- The foundation excavation material will be used to back fill around the perimeter of the foundation to create a positive flow away. Please see detail on this sheet. This will allow any surface flow into the residence to be directed around and back into the natural surface flow path.

Basis of Bearings

The bearings shown on this map are based on the centerline of Henwood Road as found monumented and recorded as North 59° 00' 00" West, on that record of survey thereof filed June 20 1949 in Book 23 of Maps at Page 20, Santa Clara County Records.

**Elevation:** Elevations shown on this plan are based on field survey using GPS (NAVD88)



COUNTY LOCATION MAP

Impervious Area Summary

Description	Existing Impervious Area	Proposed Impervious Area	Net Change of Impervious Area
Existing Residence	2,643 SF	0 SF	-2,643 SF
Existing Cover Patio	894 SF	894 SF	0 SF
Existing Hardscapes	6,371 SF	5,332 SF	-1,039 SF
Proposed Residence and Garage	0 SF	5,229 SF	5,229 SF
Proposed Driveway	0 SF	1,087 SF	1,087 SF
Proposed Covered Patios	0 SF	1,444 SF	1,444 SF
Proposed Uncovered Patios	0 SF	790 SF	790 SF
<b>Totals</b>	<b>9,908 SF</b>	<b>14,776 SF</b>	<b>4,868 SF</b>

Proposed Floor Area

Proposed Residence	4,600 SF
Proposed Attached Garage	697 SF
<b>Total Floor Area</b>	<b>5,297 SF</b>

Fire Notes:

- Fire sprinklers will be a deferred submittal.
- 100 feet of defensible space shall be maintained.

**Landscaping Note:** No landscaping is proposed.

**Septic Note:** A plumbing permit will be required for the sewage lift station.

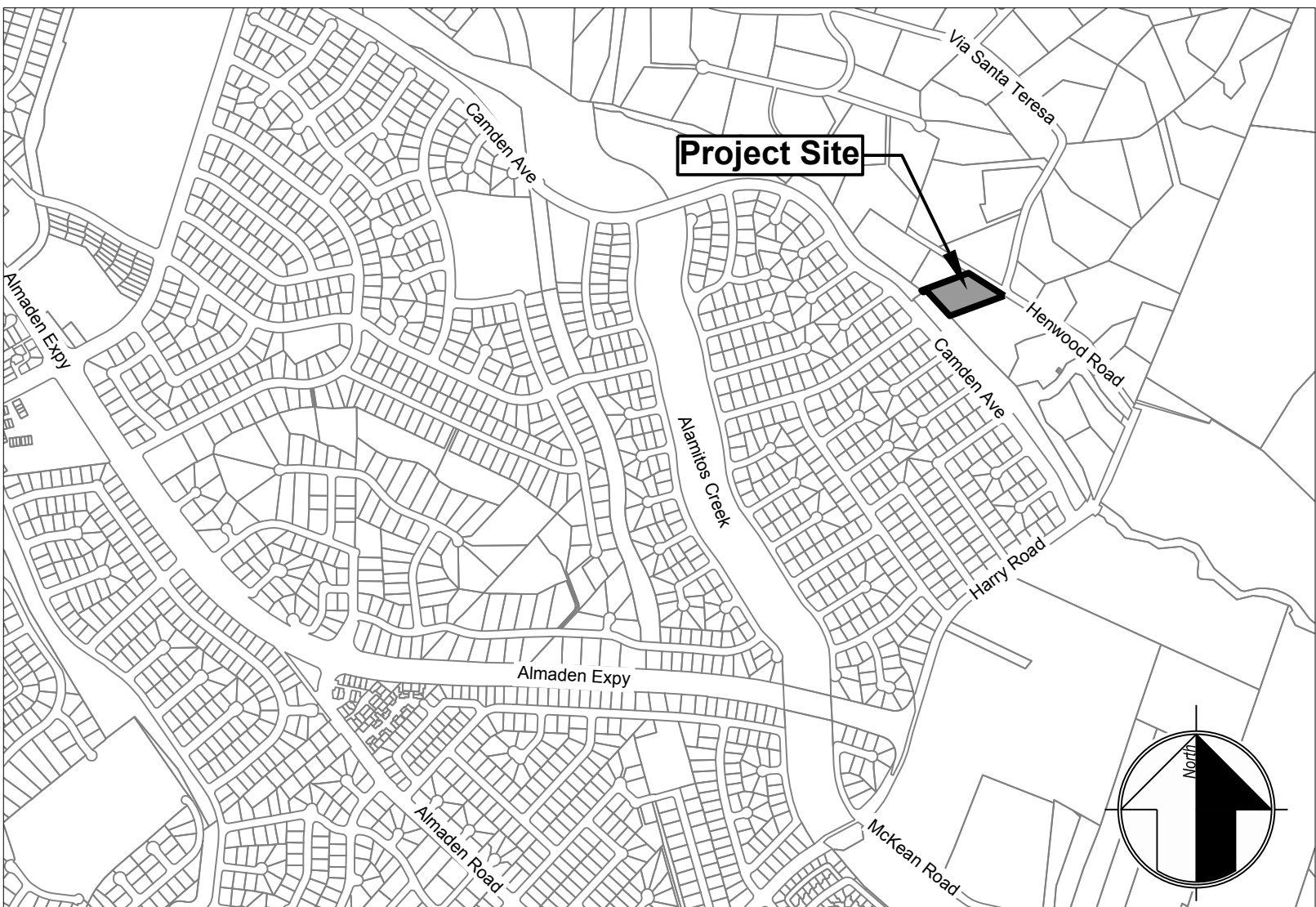
Earthwork Quantities

	Cut	Fill	Net	Max Cut	Max Fill
Building Footprint	107 cy	41 cy	70 (cut)	1.50'	1.50'
Driveway	9 cy	7 cy	2 cy (cut)	0.33'	0.33'
Site Grading	0 cy	68 cy	68 cy (fill)	0.00'	1.50'
<b>Total</b>	<b>9 cy</b>	<b>75 cy</b>	<b>66 cy (fill)</b>		

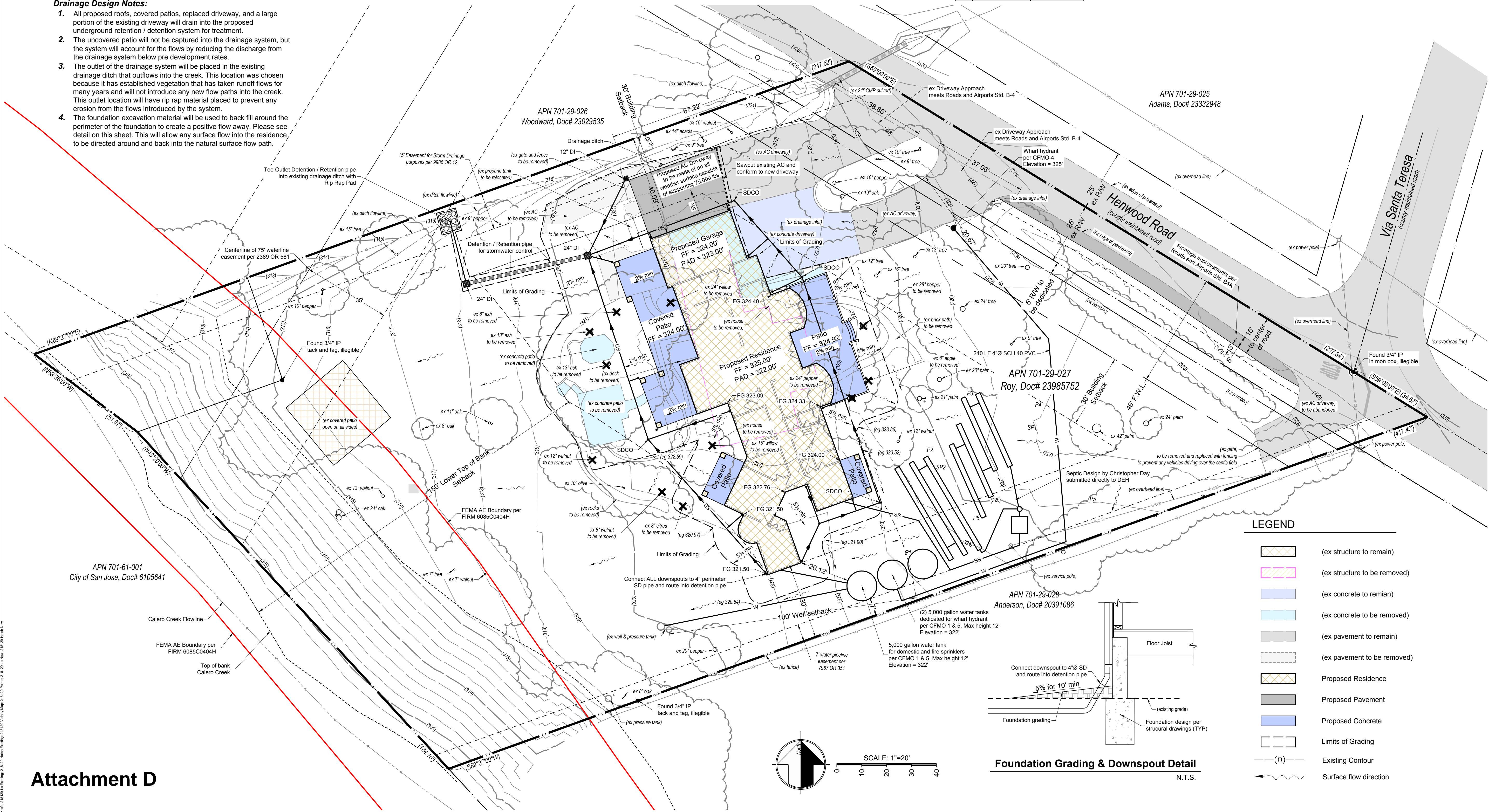
**Note:** Earthwork total does not include grading in the building footprint plus 5'. This grading is covered under the building permit

Tree Removal Summary

#	Species	Size
1	Willow	24"
2	Ash	8"
3	Ash	13"
4	Ash	13"
5	Walnut	12"
6	Walnut	8"
7	Willow	15"
8	Citrus	8"
9	Apple	8"
10	Pepper	24"
11	Pepper	28"



Vicinity Map



LEGEND

- (ex structure to remain)
- (ex structure to be removed)
- (ex concrete to remain)
- (ex concrete to be removed)
- (ex pavement to remain)
- (ex pavement to be removed)
- Proposed Residence
- Proposed Pavement
- Proposed Concrete
- Limits of Grading
- Existing Contour
- Surface flow direction

Foundation Grading & Downspout Detail

N.T.S.

Attachment D

APPLICANT: Roy

ROAD: Henwood Road

COUNTY FILE NO.: PLN20-025



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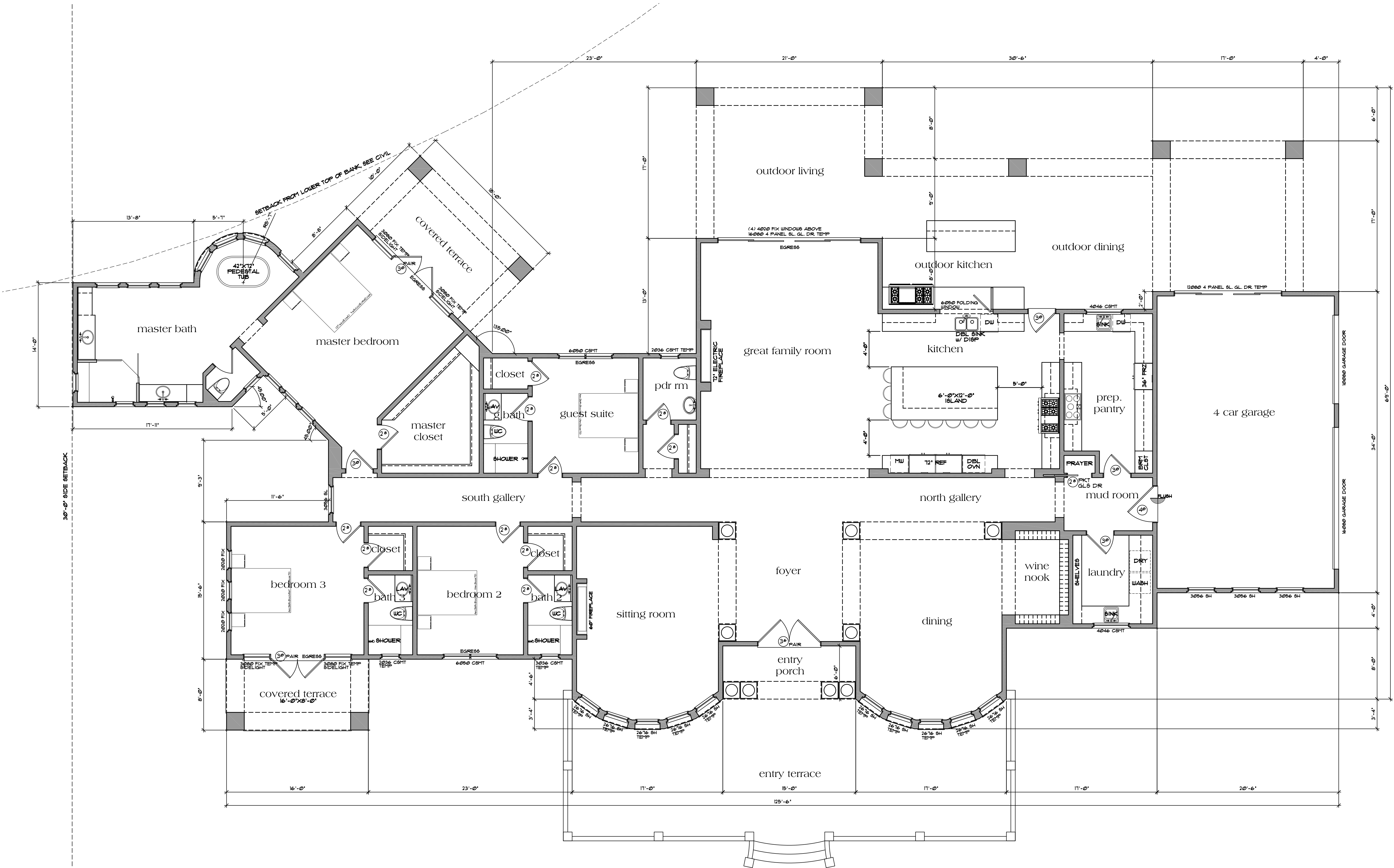
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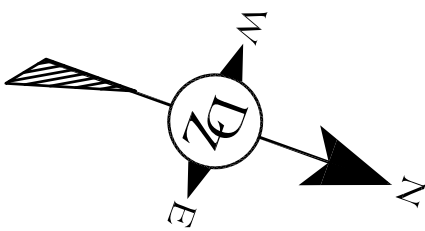




**Floor Plan** (Project is within WUI)

4598.80 sq. ft. Living Area  
698.00 sq. ft. Garage  
1164.50 sq. ft. Outdoor living/Kitchen/Dining  
308.00 sq. ft. Covered Terraces  
90.00 sq. ft. Entry Porch  
739.72 sq. ft. Entry Terrace

scale: 3/16"=1'-0"



NO./ DATE/ REVISION

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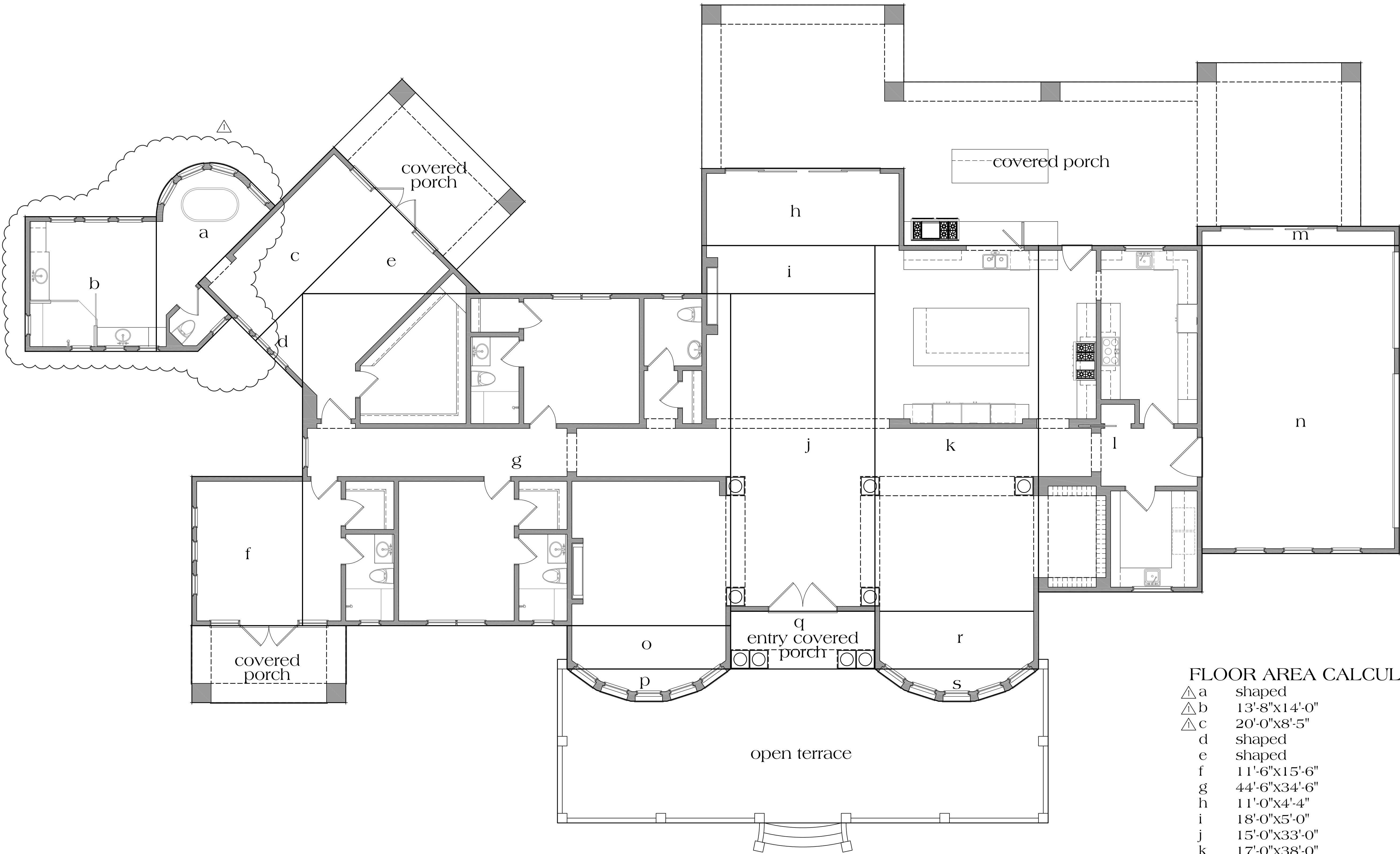
**DZ Design Associates, Inc.**  
A California Corporation  
18640 Sutter Blvd., Suite 500  
Morgan Hill, California 95037  
Phone: (408) 778-7045 Fax: (408) 778-7004  
Email: dzdesign@earthlink.net

<b>DRAWING TITLE</b>	Floor Plan
<b>JOB TITLE</b>	Roy Residence Custom Home
<b>JOB ADDRESS</b>	20560 Henwood Road San Jose, California

<b>DATE</b>	JAN 15 2019
<b>SCALE</b>	3/16"=1'-0"
<b>PROJECT MANAGER</b>	SCOTT ZAZULETA
<b>DRAWN</b>	SEZ
<b>JOB NO.</b>	DZ3318
<b>SHEET</b>	



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Floor Area Diagram

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

FLOOR AREA CALCULATIONS:

△ a	shaped	148.38 s.f.
△ b	13'-8"x14'-0"	190.96 s.f.
△ c	20'-0"x8'-5"	168.33 s.f.
d	shaped	23.93 s.f.
e	shaped	85.56 s.f.
f	11'-6"x15'-6"	178.25 s.f.
g	44'-6"x34'-6"	1535.25 s.f.
h	11'-0"x4'-4"	168.00 s.f.
i	18'-0"x5'-0"	90.00 s.f.
j	15'-0"x33'-0"	495.00 s.f.
k	17'-0"x38'-0"	646.00 s.f.
l	17'-0"x36'-0"	612.00 s.f.
m	21'-0"x2'-0"	42.00 s.f.
n	20'-6"x32'-0"	656.00 s.f.
o	17'-0"x4'-6"	76.50 s.f.
p	shaped	39.32 s.f.
q	15'-0"x6'-0"	90.00 s.f.
r	17'-0"x6'-0"	102.00 s.f.
s	shaped	39.32 s.f.

△ Total: 5386.80 s.f. △

NO./ DATE/ REVISION	
△	PLANNING REV. 2/29/20

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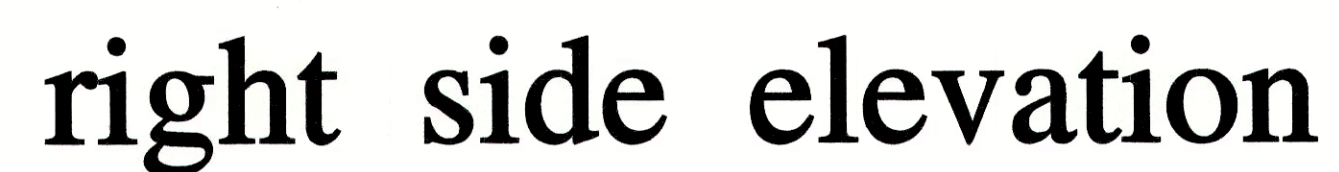


D&Z Design Associates, Inc.  
A California Corporation  
18646 Sutter Blvd., Suite 500  
Morgan Hill, California 95037  
Phone: (408) 778-7045 Fax: (408) 778-7004  
E-Mail: [info@dazinc.com](mailto:info@dazinc.com)

DRAWING TITLE	Floor Area Diagram
JOB TITLE	Roy Residence Custom Home
JOB ADDRESS	20560 Henwood Road San Jose, California

DATE	JAN 15 2019
SCALE	3/16"=1'-0"
PROJECT MANAGER	SCOTT ZAZULETA
DRAWN	MED
JOB NO.	DZ3318
SHEET	





- 1 ROOFING MATERIAL:  
Eagle Roofing Products  
Camino Real #SMC 8402 'Santa Cruz Blend'
- 2 BASE COLOR:  
Kelly Moore Paints  
'French Oak' #KM4628-3, LRV 39
- 3 GUTTERS:  
Kelly Moore Paints  
'Mexican Chocolate' #KM4560-5, LRV 14
- 4 WINDOW FRAMES:  
Andersen 400 Series or Eq.  
'Dark Bronze' Frames
- 5 TRIM COLOR:  
Veristone  
'French Creme with Colorwash' Travertine, LRV 45
- 6 DOORS:  
Kelly Moore Paints  
'Desert Shadow' #KM4911-5, LRV 7

DATE	JAN. 15, 2019
SCALE	3/16" = 1' - 0"
PROJECT MANAGER	SCOTT ZAZUETA
DRAWN	SZ
JOB NO.	DZ3318
SHEET	A3.1





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DRAWING TITLE	Exterior Elevations
JOB TITLE	Roy Residence Custom Home
JOB ADDRESS	20560 Henwood Road San Jose, California

DATE	JAN. 15, 2019
SCALE	3/16" = 1' - 0"
PROJECT MANAGER	SCOTT ZAZUETA
DRAWN	SZ
JOB NO.	DZ3318
SHEET	A3.2