

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



STAFF REPORT
Zoning Administration
May 4, 2023

Continued Hearing: Item No. 1

Staff contact: Robert Salisbury, Principal Planner
(408) 299-5785, robert.salisbury@pln.sccgov.org

PLN20-178 (Serpa Subdivision) **Minor Subdivision for a two-lot split.**

Summary: Minor Subdivision to subdivide a 78.9-acre site into two (2) lots of 37.1 acres (Lot A) and 43.32 acres (Lot B) for the purposes of future residential development. No access or other improvements are proposed or required as part of the subdivision and no grading is required or proposed.

Owner: Gokulam, LLC
Applicant: C2G, Inc.
Address: 2425 Old Calaveras Rd., Milpitas
Present Land Use: Agriculture
Supervisory District: 3

GP Designation: Hillsides
Zoning: HS-d2
APN: 029-34-004
Lot size: 78.9 acres
HCP: Area 2

RECOMMENDED ACTIONS

- A.** Approve a CEQA Initial Study/Negative Declaration; and
- B.** Grant a Tentative Parcel Map Approval, subject to Conditions of Approval in Attachment B.

ATTACHMENTS INCLUDED

Attachment A – Proposed CEQA Determination - Initial Study/Negative Declaration
Attachment B – Proposed Subdivision Conditions of Approval
Attachment C – Location & Vicinity Map
Attachment D – Tentative Map
Attachment E – Public Comment

PROJECT DESCRIPTION

The project consists of the subdivision of an approximately 78.9-net-acre site into two lots of 37.11 gross acres (Lot A) and 43.32 gross acres (Lot B) respectively for the purposes of future residential development. No improvements or grading is required or proposed as part of this application, due to the existence of access roads, and no residential development of the two lots is proposed at this time.

Setting/Location Information

The subject parcel is a 78.9-acre lot located at 2425 Old Calaveras Road, west from the corner of Old Calaveras Road and Downing Road in unincorporated Milpitas. The subject parcel is located adjacent to the northeast end of the City of Milpitas, directly west of the Spring Valley Golf Course, directly south of Ed R. Levin County Park, and southeast of the Bay View Golf Club. A residential subdivision within Milpitas City limits is located approximately 1,150 feet to the east, and another higher-density residential subdivision, also within Milpitas City limits, is located approximately 1,800 feet to the southwest.

The project site is relatively steep, with an average slope of approximately 22%, and generally contains grassland. The property is located within the Valley Habitat Plan, and the mapped Habitat Plan land cover on the property is mostly Barren, with a smaller area of Grain, Row-crop, Hay and Pasture, Disked / Short-term Fallowed in the northern portions of the property. The south branch of Tularcitos Creek is directly adjacent to and south of the property.

Surface Mining and Reclamation Act (SMARA)

The subject parcel is the site of the former Serpa Quarry that ceased operation in approximately 2014, but has not yet been fully reclaimed. The Approved Reclamation Plan for Serpa Quarry specifies that the end use of the quarry site is residential/agriculture, and the proposed subdivision is compatible with this specified end use. A Reclamation Plan Amendment is currently being processed by the Planning Division, which, if approved, will clarify the boundaries of the Reclamation Plan and specify that the existing on-site structures and improvements will remain post-reclamation.

REASONS FOR RECOMMENDATION

A. Environmental Review and Determination (CEQA)

The environmental impacts of the project have been evaluated in the Negative Declaration prepared by Planning Staff for the project entitled “Serpa Subdivision” (Attachment A). The Initial Study did not reveal any impacts above a “less than significant” level. As such, pursuant to the California Environmental Quality Act (CEQA), Staff recommends approval of a Negative Declaration, and no further environmental review is required. It should be noted that additional environmental review under CEQA may be required at the time each subdivided property proposes development.

B. Project/Proposal

The project consists of a subdivision approval to subdivide an existing lot into two (2) lots. No grading is proposed or required, and no subdivision improvements are proposed or required due to the presence of an existing access road. There are several existing agricultural

buildings that will remain on Lot B. No residential development is proposed as part of the project.

C. Subdivision Ordinance

The subdivision application has been reviewed in accordance with the Subdivisions and Land Development Ordinance Section C12-122 of the County of Santa Clara Ordinance Code, and the State Subdivision Map Act. Pursuant to these standards, the Zoning Administrator shall deny approval of a tentative or final subdivision map if it makes any of the following seven (7) findings outlined below. Staff has determined that none of the following findings are applicable to the proposed subdivision, resulting in a favorable recommendation by staff to approve the project. The justification for this determination, for each of the following findings, can be found below:

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

The proposed subdivision map would result in the division of an existing 78.9-acre parcel into two (2) lots of 37.1 acres and 43.32 acres, respectively. The property is presently zoned HS-d2 and has a General Plan designation of Hillside. The required minimum lot size is 27.3 acres, as specified by the -20s Lot Size Combining District (Zoning Ordinance Chapter 3.10), based on the average slope of the property. Through review by County Planning, Environmental Health, and the County Geologist, feasible and suitable building locations are present on both lots that are consistent with the Santa Clara County General Plan and the County Zoning Ordinance. As noted above, the proposed subdivision is compatible with the approved Reclamation Plan, which specifies the end use of the property as residential/agriculture. In addition, the proposed lot sizes are consistent with the Santa Clara County General Plan and the County Zoning Ordinance. The submitted Vesting Tentative Map is consistent with the County General Plan and the County Zoning Ordinance, and as a result, *this finding cannot be made.*

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

There are no Specific Plans which pertain to the project, however, the Santa Clara County General Plan contains several policies which pertain to subdivision projects. General Plan Policy R-GD 26 strongly discourages the following: excessive, non-essential grading, such as grading to create the largest possible building pad or yard; hilltop removal; creation of multiple driveways serving individual parcels; or wider than necessary driveways. General Plan Policy R-GD 32 specifies that land should not be subdivided in such a way that building sites are located on ridgelines. Additionally, General Plan Policy R-RC 40 specifies that subdivisions in proximity to streams should be designed so that riparian vegetation is retained, creeks and streams remain open and unfenced, and such that there is adequate separation of new roads and building sites from the stream environment.

The proposed project is in compliance with the General Plan policies because there are prospective building sites on lots A and B that do not require hillside removal and are not

sited on ridgelines. When development of each parcel is proposed, Design Review approval will be required, ensuring conformance to the General Plan policies and requirements for the -d2 combining district. In addition, the existing access roads and future septic systems have been situated such that the required setback of 35 feet from the top of bank of the class 2 stream located on the project site will be maintained. The project has also been conditioned to require the required creek setback be shown on the Final Map, which will ensure that the future development of Lot A and Lot B will meet the required setback. In addition, the proposed subdivision has been reviewed by CalFire, and CalFire determined that access to the subdivision meets the width requirements set forth in the PRC 4290 Fire Safe Regulations. As a result, the design and location of the subdivision and existing subdivision improvements, is consistent with applicable General Plan policies, and *this finding cannot be made*.

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

The project site is relatively steep, with an average slope of approximately 22%, and portions of the property are located within a County landslide hazard zone and a State earthquake induced landslide seismic hazard zone. However, the Planning Staff along with the County geologist reviewed the project and concluded that the project site contains sufficient area for creation of two (2) lots which meet the minimum required lots size of 27.3 acres, and the proposed lots have been designed such that suitable building locations exist on each lot to meet the setbacks required by the Zoning Ordinance. At the time that residential development of each lot is proposed, if the property owner choose to locate a residence within the County landslide hazard zone/ State earthquake induced landslide seismic hazard zone, the County geologist will require a geologic report that evaluates the specific building location and makes recommendations on how to mitigate geologic hazards.

Separately, each proposed lot has been tested for septic system suitability, and the Department of Environmental Health (DEH) reviewed the application and determined that adequate septic systems can be developed on each proposed lot. The project has also been reviewed by the County Fire Marshal and conditioned to require any residences subsequently developed on lots A and B to include interior fire suppression sprinklers. Access to the two proposed lots is available, and there are no physical or geographic features which would significantly impede or prevent the proposed subdivision and subsequent residential development. For these reasons, the site *is* physically suited to the proposed development, and *this finding cannot be made*.

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

The property is approximately 78.9 acres in size and has a zoning designation of HS-d2. The governing -20s Lot Size Combining District specifies that the minimum lot size for the purposes of subdivision is based on the slope density formula. With an average slope of approximately 22%, the minimum lot size for subdivision is 27.3 acres minimum, and the project will create lots of 37.1 (Lot A) and 43.32 acres (Lot B), meeting the minimum lot size required. A suitable building site with an average slope of less than 30% is available

on each lot, and the percolation tests and soil profiles required by the Department of Environmental Health indicate that suitable septic systems can be created on each lot. For these reasons, the site is physically suited for the proposed density of development, and *this finding cannot be made.*

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 project site is fairly steep, with an average slope of 22% and consists primarily of Barren Land, Grain, Row-crop, Hay and Pasture, Disked / Short-term Fallowed. Additionally, there is a small area of Willow Riparian Forest and Scrub on the property in close proximity to the nearby south branch of Tularcitos Creek. The parcel is located within the Santa Clara Valley Habitat Plan (HCP) Area 2, however the project is not a covered project under HCP as there will not be impact stream riparian areas, or areas that exhibit Habitat Plan covered wildlife/plant species, or sensitive land covers. Tularcitos Creek is located on the project site, however, all existing improvements (none are proposed as part of this project) meet the required 35 ft. setback from top of bank of Tularcitos Creek for a Class 2 stream, and there are feasible building locations on each lot that also meet the required 35 ft. setback. In addition, the required 35 ft. setback from Tularcitos Creek creeks will be shown on the Final Map, and future development of the lots will be required to meet the 35 ft. top-of-bank setback.

Section C12-21 of the County Ordinance Code specifies subdivision design standards, requiring side lines of lots to run at right angles to the street upon which it faces as far as practicable, and requiring lots to generally have a maximum depth to width ratio of three-to-one. In this case, the irregular lot configuration and lot shapes proposed are a function of the irregular shape of the subject property, and the location of the existing access road, which will provide access to each proposed lot. In addition, the lot configuration proposed was necessary in order to meet the required minimum lot size, create lots with relatively flat potential building sites and suitable septic locations, and to avoid impacts to the Willow Riparian Forest present on the project site. As proposed, the subdivision and associated improvements are not likely to cause substantial environmental impacts or injure fish, wildlife, or their habitat, and therefore *this finding cannot be made.*

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

As conditioned by the Department of Environmental Health (DEH), the proposed lots will be approved building sites, and will be served by on-site septic disposal systems that have been approved by the DEH. Water will be provided by on-site wells. The ultimate construction of two (2) new homes on the project site will not create significant, long-term traffic, noise or air quality impacts. Due to the large size of each lot, the fact that suitable septic systems can be built on each lot, the design of the subdivision and the proposed improvements will not cause any serious public health problems, and therefore *this finding cannot be made.*

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*.

For any permit application, a site plan must be submitted which must show all easements which encumber the subject parcel(s). The submitted Vesting Tentative Map shows all existing and proposed easements on the subject parcel, and a review of all available maps and a review of the submitted subdivision map by Staff confirms that the design of the subdivision and proposed improvements will not conflict with any existing easements on the property.

Access to proposed lots A and B will be via existing access roads of Old Calaveras Road, a publicly maintained road. 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, and therefore *this finding cannot be made*.

In conclusion, Staff recommends the Zoning Administration Hearing Officer approve the Vesting Tentative Map for the two (2) lot subdivision. As noted in the staff report, the proposed project meets the Subdivisions and Land Development Ordinance Section C12-122 of the County of Santa Clara Ordinance Code and the State Subdivision Map Act. Staff has determined that none of the findings are applicable to the proposed subdivision, resulting in a favorable recommendation by staff to approve the project.

BACKGROUND

On December 17, 2020, an application for a Minor Subdivision was submitted, and the application was deemed incomplete on January 15, 2021. After meeting with the applicant and their representative to discuss the incomplete comments, the applicant resubmitted on July 12, 2021. The application was deemed incomplete again on August 12, 2021, and after two more submission review cycles resulted in the application being deemed incomplete, the application was deemed complete on October 20, 2022.

The CEQA process started on January 4, 2023, and a negative declaration was required for this project. The Initial/Negative Declaration was completed and circulated on February 24, 2023, and the 20-day public review period closed on March 16, 2023. One comment (Attachment E) was received during the public comment period, expressing general support for the project, and several additional comments were received outside of the CEQA comment period, also expressing support for the project. This project was noticed and placed on the Zoning Administration Hearing for April 6, 2023, but was continued to a date uncertain to address concerns over compliance with PRC 4290 Fire Safe Regulations.

For the May hearing, a public notice was mailed to property owners within a 300 ft. radius and published in the Post Record Newspaper on April 21, 2023. As of April 27, 2023, no new comments have been received from the public.

STAFF REPORT REVIEW

Prepared by: Robert Salisbury, Principal Planner
Reviewed by: Samuel Gutierrez, Principal Planner

ds ds
RS SG

Attachment A

IS/ND

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110



	Administration	Development Services	Fire Marshal	Planning
Phone:	(408) 299-6740	(408) 299-5700	(408) 299-5760	(408) 299-5760
Fax:	(408) 299-6757	(408) 279-8537	(408) 287-9308	(408) 288-9198

Notice of Intent to Adopt a Negative Declaration

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

File Number	TAZ	APN(s)	Date
PLN20-178		029-34-004	2/22/2023
Project Name		Project Type	
Serpa 2-lot subdivision		Minor Subdivision	
Person or Agency Carrying Out Project		Address	Phone Number
Gokulam LLC		680 E. Calaveras Blvd., Milpitas	(216) 496-9596
Name of Applicant		Address	Phone Number
Gokulam LLC		680 E. Calaveras Blvd., Milpitas	(216) 496-9596
Project Location			
2425 Old Calaveras Road, Milpitas in the unincorporated portion of Santa Clara County, close to the City of Milpitas but outside of the City Milpitas Urban Service Area.			
Project Description			
This application is for subdivision approval to subdivide an approximately 78.9-acre site into two lots of 37.1 (Lot A) and 43.32 acres (Lot B) respectively, for the purposes of future residential development of each lot. No improvements are proposed or required due to existing access roads, and no development of Lots A and B is proposed at this time. No grading or tree removal is proposed.			
Purpose of Notice			
The purpose of this notice is to inform you that the County Planning Staff has recommended that a Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, finds that the proposed project could not have a significant effect on the environment . The project site is not on a list of hazardous material sites as described by Government Code 65962.5 (Cortese List).			
A Zoning Administration hearing for the proposed project is tentatively scheduled for March 2, 2023, via Zoom. Information on the public hearing and how to participate will be sent separately. It should be noted that the approval of a Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.			
Public Review Period: 20 days		Begins: 2/24/23	Ends: 3/16/23

Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the above date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the attention of Robert Salisbury at the **County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5770**. A file containing additional information on this project may be reviewed at the Planning Office under the file number appearing at the top of this form. For additional information regarding this project and the Negative Declaration, please contact Robert Salisbury at (408) 299-5785 or Robert.salisbury@pln.sccgov.org.

The Negative Declaration and Initial Study may be viewed at the following locations:

- (1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110
- (2) Planning & Development website www.sccgov.org/sites/dpd (under "Development Projects" > "Current Projects")

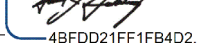
Responsible Agencies sent a copy of this document

None

Prepared by:

Robert Salisbury, Senior Planner Robert Salisbury February 22, 2023

Approved by:

Samuel Gutierrez, Principal Planner  2/22/2023

DocuSigned by:
4BFDD21FF1FB4D2...

Signature

Date

Signature

Date

INITIAL STUDY

Environmental Checklist and Evaluation for the County of Santa Clara

File Number:	PLN20-178	Date: 2/21/2023
Project Type:	Minor Subdivision	APN(s): 029-34-004
Project Location / Address:	2425 Old Calaveras Road, Milpitas	GP Designation: Hillsides
Owner's Name:	Gokulam LLC	Zoning: HS-d2
Applicant's Name:	Gokulam LLC	Urban Service Area: None
Project Description		
<p>This application is for subdivision approval to subdivide an approximately 78.9-acre site into two lots of 37.1 (Lot A) and 43.32 acres (Lot B) respectively for the purposes of future residential development of each lot. No improvements are proposed or required due to existing access roads, and no development of Lots A or B is proposed at this time. No grading or tree removal is proposed.</p> <p>As shown on Figure 1, the project site is located at 2425 Old Calaveras Road in the unincorporated portion of Santa Clara County, close to the City of Milpitas but outside of the City of Milpitas Urban Service Area. Development of proposed parcels A and B is not a component of the project; however, future development of a single-family residence, a 1200 sq. ft. accessory dwelling unit, and a 500 sq. ft. junior accessory dwelling unit on each proposed parcel is a reasonably foreseeable outcome of this project. As a result, this Initial Study evaluates the impacts of future development of those parcels to the extent possible. Separately, the applicant applied for a Reclamation Plan Amendment which proposes to amend the existing Reclamation Plan Area boundary to include areas of minor historic mining activity that are currently outside of the boundary. This change will ensure that the entirety of the land where mining activities occurred will be fully reclaimed as required by the Surface Mining and Reclamation Act (SMARA). The proposed Reclamation Plan Amendment also specifies that certain existing and proposed agricultural buildings, and the existing access roads required for the subdivision, will remain on the site post-reclamation.</p>		
Environmental Setting and Surrounding Land Uses		
<p>The 78.9-acre project site is the site of the former Serpa Quarry that ceased operation in approximately 2014 but has not yet been fully reclaimed; the site is currently used for cattle grazing and related low intensity agricultural uses. The project site is relatively steep, with an average slope of approximately 22%, and as a former quarry site, generally consists of grassland. The property is located within the Valley Habitat Plan, and the mapped Habitat Plan land cover on the property is mostly Barren, with a smaller area of Grain, Row-crop, Hay and Pasture, Disked / Short-term Fallowed in the northern portions of the property. The south branch of Tularcitos Creek is directly adjacent to and south of the property.</p> <p>The project site is located northeast of and adjacent to the City of Milpitas, directly west of the Spring Valley Golf Course, directly south of Ed R. Levin County Park, and southeast of the Bay View Golf Club. A residential subdivision within Milpitas City limits is located approximately 1,150 feet to the east, and another higher-density residential subdivision, also within Milpitas City limits, is located approximately 1,800 feet to the southwest.</p>		
Other agencies sent a copy of this document:		
City of Milpitas		

Figure 1 - Location Map

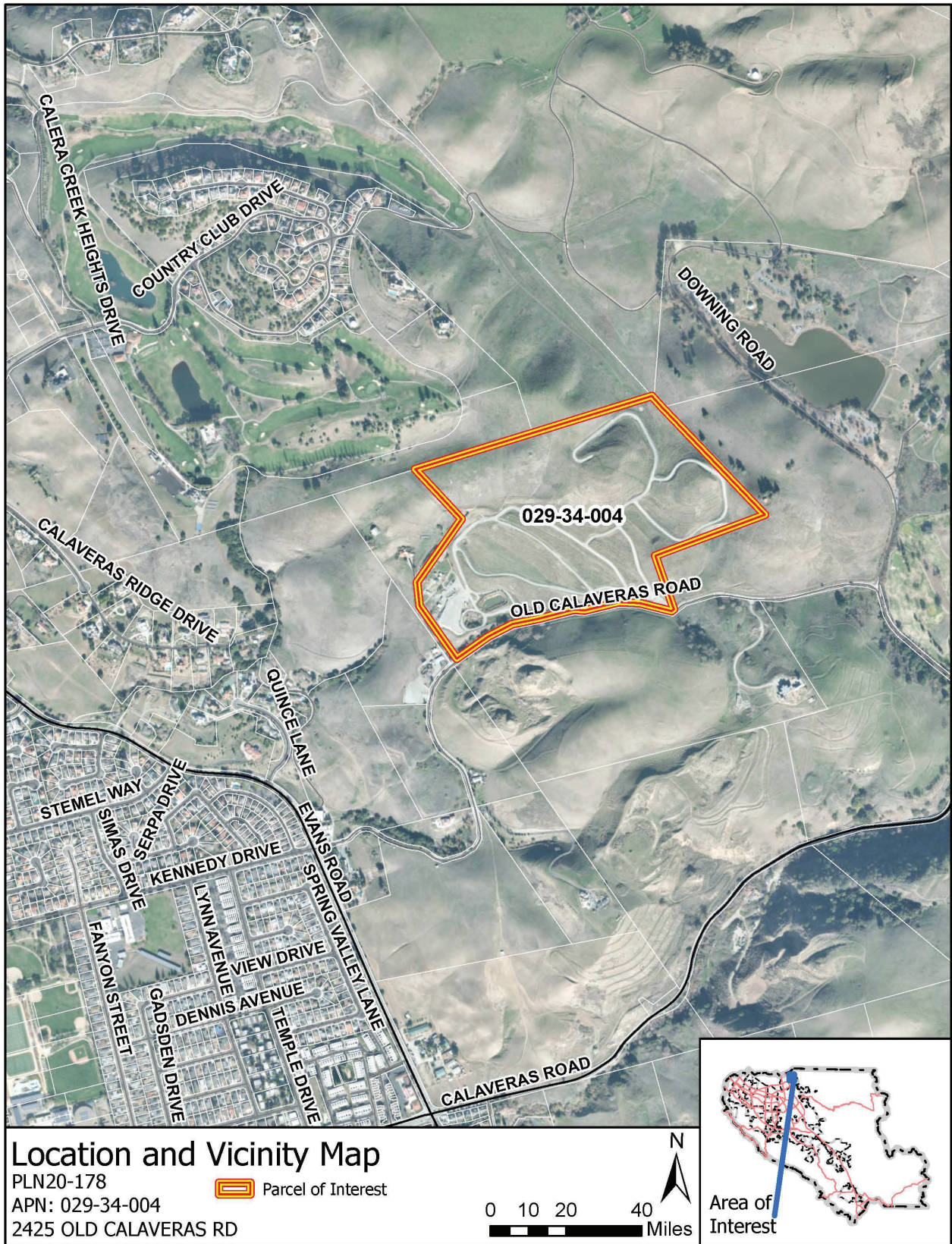
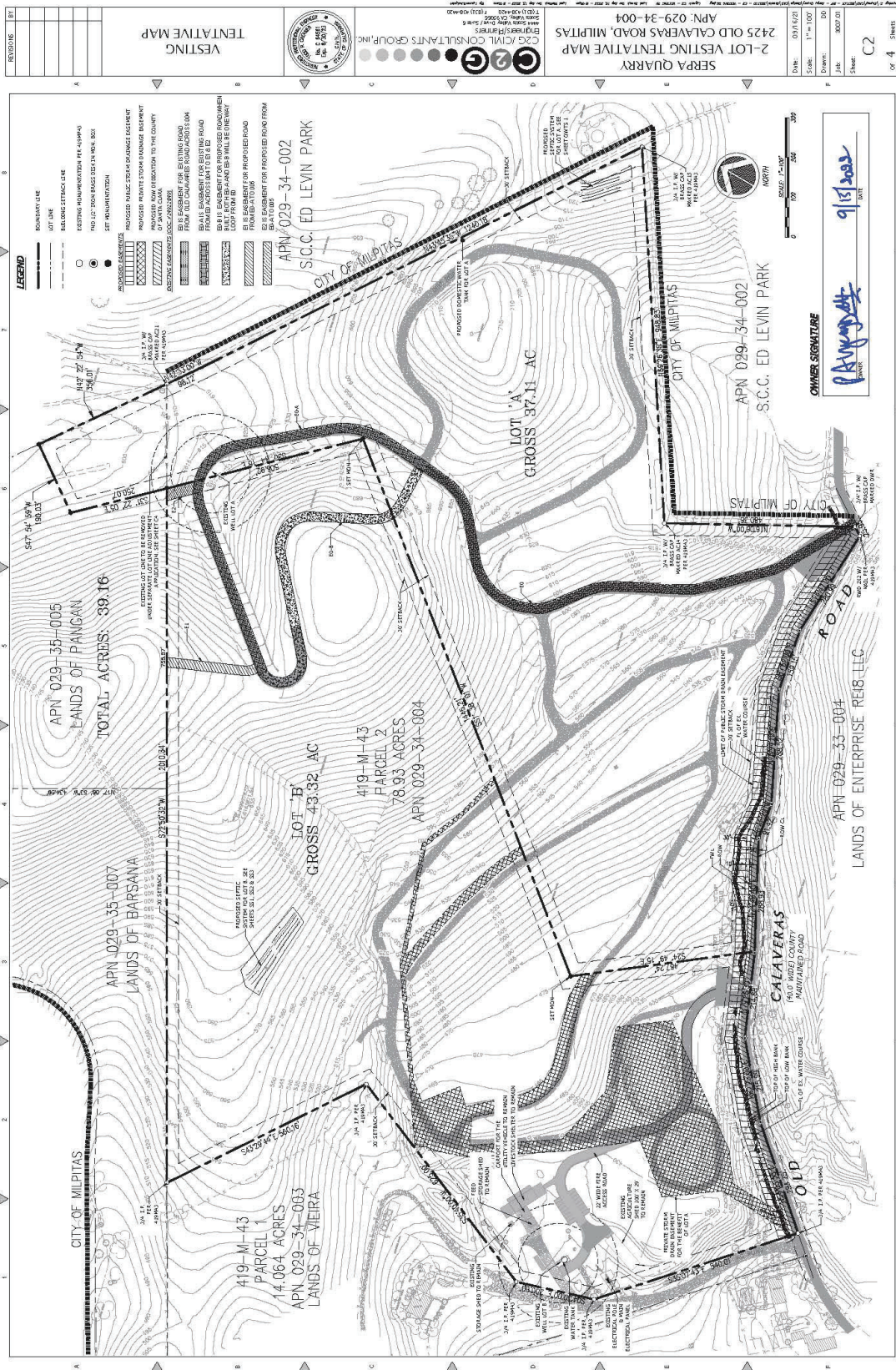


Figure 2 – Vesting Tentative Map



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 type="checkbox"/> Biological Resource | <input 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.

Robert Salisbury

Signature

February 22, 2023

Date

Robert Salisbury

Printed name

For

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS					
	IMPACT				
Except as provided in Public Resources Code section 21099, 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>	Source
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	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"/>	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"/>	3,4

SETTING:

The subject property has a General Plan land use designation of Hillside and is zoned Hillside with a Milpitas Hillside Design Review Combining District (HS-d2). It is located on Old Calaveras Road near the Milpitas City limits and directly west of Ed R. Levin County Park. The property is the site of the former Serpa Quarry and is currently being used for small scale, low intensity agriculture. There are no historic buildings, scenic vistas, or scenic resources of any kind on the project site.

DISCUSSION:

a-d) Less than significant impact. No new infrastructure is proposed or required as part of this subdivision and there is no specific residential development proposed at this time, though future residential development of each proposed lot is a reasonably foreseeable outcome of the subdivision. No physical improvements are required or proposed as part of the subdivision, and therefore visual impacts from the subdivision will be less than significant.

MITIGATION: None required.

B. AGRICULTURE / FOREST RESOURCES	
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.	
	IMPACT

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	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 type="checkbox"/>	<input checked="" type="checkbox"/>	3,23,24,26
b) Conflict with existing zoning for agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9,21a
c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 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"/>	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"/>	

SETTING:

The subject 78.9-acre property is not subject to a Williamson Act contract. It is designated by the State Farmland Mapping and Monitoring Program as *grazing land* and consists of primarily of grasslands. Portions of the property are currently being utilized for small scale, low intensity agriculture, primarily cattle grazing, and some row crops. The property has a General Plan land use designation of Hillside and is zoned HS-d2. No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is located on the project site, nor is there any designated timberland or forest land on-site.

DISCUSSION:

a-f) No Impact. The project site is rated by the State Farmland Mapping and Monitoring Program as a mix of *grazing land* and *other land*. As a result, the proposed subdivision, including potential development of the two proposed parcels, would not convert 10 or more acres of classified prime farmland to non-agricultural use. Single family residential development, subject to minimum lot size requirements, are allowed in Hillside zoned properties. Due to lack of mapped farmland or forest land, the proposed project would not conflict with existing zoning for agricultural use or 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.

The subject property is not under a Williamson Act contract. The project site does not contain timberland, and the property is not zoned as forest land. Therefore, approval and recordation of the Tentative Map would not result in the loss of forest land or conversion of forest land to non-forest use.

MITIGATION: None.

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				Source
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>	
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"/>	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"/>	5,29, 30
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	5, 29, 30

SETTING:

The subject property is located off Old Calaveras Road. The subject property is not located within the Bay Area Air Quality Management District (BAAQMD) Air Hazard (Cancer; PM2.5) area. The project site is located within the San Francisco (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). The operational criteria pollutant screening size for single-family residential projects established by BAAQMD is 325 dwelling units, and construction emissions impacts are considered less than significant for projects of 114 dwelling units or less.

DISCUSSION:

a-d) Less than Significant Impact. No development is proposed as part of this project; however, the proposed subdivision facilitates future development of single-family residences and associated accessory dwelling units on each of the proposed lots. This potential future development would involve

grading and construction activities, and fugitive dust would be created during the construction of the proposed structures and site improvements. These dust emissions would be controlled through standard Best Management Practices (BMPs) control measures that would be a condition of the project. As noted above, for single-family residential uses, construction emissions impacts are less than significant for projects of 114 dwelling units or less. Emissions generated from six residences (three residences per lot - 1 SFR, 1 ADU and 1 JADU) would be well below both operational and construction emissions screening thresholds. Future residential development of the two proposed lots would not expose sensitive receptors to substantial pollutant concentrations or involve criteria pollutants emissions.

MITIGATION:

None.

D. BIOLOGICAL RESOURCES					
WOULD THE PROJECT:	IMPACT				Source
	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	3,7, 8a, 17b, 17e, 22d, 22e, 33
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"/>	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"/>	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 type="checkbox"/>	<input checked="" 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"/>	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"/>	3,4, 17l

SETTING:

As explained in the project description, the project site is a 78.9-acre parcel located at 2425 Old Calaveras Road in unincorporated Santa Clara County, close to the City of Milpitas and directly adjacent to Ed R. Levin County Park. The property is the site of the former Serpa Quarry, an aggregate quarry that operated from 1957 until 2014. In 2003, the County issued a Use Permit for a

concrete recycling facility which ran concurrently with the quarry operation until both uses ceased in 2014.

A review of the California Natural Diversity Database shows that one "special status" wildlife species, the tri-colored blackbird (*Agelaius tricolor*), is known to occur in the nearby Ed R. Levin County Park. Habitat Plan landcovers on the property consist of: Barren Land, Grain, Row-crop, Hay and Pasture, Disked / Short-term Fallowed. Additionally, there is a small area of Willow Riparian Forest and Scrub on the property in close proximity to the nearby south branch of Tularcitos Creek.

DISCUSSION:

a-g) Less than Significant Impact. As a result of the quarry operation that occurred on the property from 1957 to 2014, the property is highly disturbed. There are no access or other improvements required or proposed as part of this subdivision. The project site does not contain any wetland resources and, therefore, will not adversely affect federally protected wetlands as defined by Section 404 of the Clean Water Act. The site is not currently used as a migratory wildlife corridor and does not contain a native wildlife nursery site. There will be no impact on movement of migratory or native fish or wildlife species on the project site.

E. CULTURAL RESOURCES					
WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Division C17 of County Ordinance Code) – including relocation, alterations or demolition of historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 16, 19, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 19, 40, 41
c) Disturb any human remains including, those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 19, 40, 41

SETTING:

The project site is located at 2425 Old Calaveras Road in the unincorporated portion of Santa Clara County, close to the City of Milpitas but outside of the City of Milpitas Urban Service Area. The subject property consists of un-reclaimed previously mined lands, with some existing agricultural buildings. There are no listed historic structures on the project site. No demolition of any existing structures is proposed as part of this project, and no subdivision improvements are proposed or required.

DISCUSSION:

a-c) No Impact. The subject property, the site of the former Serpa Quarry, is currently used for small scale, low-intensity agriculture. There are no structures listed on local, State, or Federal historic inventories, and there are no cultural resources listed in the County Historic Resources Database on the

subject property or in the immediate vicinity. Therefore, the proposed project would have no impact on historic, paleontological, or unique geologic resources.

F. ENERGY					
	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>	Source
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	5

SETTING:

The project site is located in a rural area of unincorporated Santa Clara County.

DISCUSSION:

a-b) Less Than Significant Impact. The proposed project is the subdivision of a single parcel into two parcels. Future residential development of the two parcels is not proposed as part of this project but could occur in the future. Any future residential development would be subject to CALGreen Requirements (Part 11, Title 24 of the California Building Code) designed to improve energy efficiency. The project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

MITIGATION:

None required.

G. GEOLOGY AND SOILS					
	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>	Source
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:					

G. GEOLOGY AND SOILS					
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>	
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"/>	6, 17c, 43
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	6, 17c, 17n, 18b
iv) Landslides	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	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"/>	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"/>	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 wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	2,3,4,40,41

SETTING:

The Santa Clara County Seismic Stability maps identify the subject property as being within County Landslide Hazard and Liquefaction Zones.

DISCUSSION:

a-f) Less Than Significant Impact. The proposed project is a two-lot subdivision of a 78.9-acre site where the former Serpa Quarry was located. No residential development is proposed as part of the

subdivision project, however, future residential development of the two new lots is a reasonably foreseeable outcome. The proposed subdivision was reviewed by the County Geologist, and the County Geologist found that there are geologically feasible building sites.

The County Department of Environmental Health has reviewed soil and percolation tests submitted by the applicant and determined that a septic system is feasible on each of the lots. No paleontological resources have been identified on the site.

MITIGATION:

None required.

H. GREENHOUSE GAS EMISSIONS					
	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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"/>	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"/>	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 greenhouse gas (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.

DISCUSSION:

a-b) Less Than Significant Impact. The proposed project is the subdivision of an undeveloped parcel into two residential lots. No grading is proposed or required; no residential development is proposed as part of the project. However, future residential development of each of the two parcels is a reasonably foreseeable outcome of the subdivision. Emissions generated from two single-family residences would be well below the BAAQMD operational-related GHG emissions screening level for residential land uses. Therefore, the project would not make a cumulatively considerable contribution to the effect of GHG emissions on the environment.

MITIGATION:

None 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	
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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"/>	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 result in a safety hazard, or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 22a
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 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"/>	4, 17g

SETTING:

The project site is not identified as having hazardous materials pursuant to Government Code Section 65962.5. The nearest school is William Burnett Elementary School in the City of Milpitas, which is approximately 1 mile west of the project site. The project site is located within the Cal Fire State Responsibility area, with Cal Fire State Responsibility Area (SRA) Hazard Class ratings of High (100%). The project site is not located within an airport land use referral area. The nearest airport is Norman Y. Mineta San Jose International Airport, approximately 21 miles to the southwest.

DISCUSSION:

a-f) No Impact. The project will not include the use of hazardous materials and the project site is not known to contain hazardous materials. Implementation of the project will not interfere with an emergency response plan or any public or private airports.

g) Less than significant impact. The subject property is located within the Wildland Urban Interface (WUI), a designation which indicates that the property is more likely to experience wildfires.

However, existing State Fire and Building Codes specify certain design and material standards which are required for any structure within the designated WUI areas.

The property is located within the Santa Clara County Central Fire Protection District and in the State Responsibility Area. At the time of site development, the applicant shall meet all requirements of the County Fire Marshal's Office and the Building Code requirements for fire protection and fire prevention within the WUI, which may include, but is not limited to, providing on-site fire flow, a fire hydrant, an automatic fire sprinkler system, and appropriate driveway turnouts and turnarounds for firefighting equipment. The proposed access driveway would conform to all requirements of the Fire Marshal's Office for emergency vehicle access. Fire protection water would be provided by on-site water tanks fed by on-site wells.

Adherence to these WUI design and material requirements ensures that the proposed residence, and any future development on the proposed parcels, will not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Hence, this impact would be less than significant.

MITIGATION:

None Required.

J. HYDROLOGY AND WATER QUALITY					
Would the project:	IMPACT				SOURCE
	<u>Potential y Significant t Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
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"/>	34, 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"/>	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"/>	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"/>	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"/>	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"/>	1, 3, 5
IV) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	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"/>	2, 3, 4, 17p

SETTING:

The subject property contains a single stock pond, and the South Branch of Tularcitos Creek runs along the southern boundary of the property. The entirety of the property is located in Federal Emergency Management Agency (FEMA) Flood Zone D (Area of Undetermined Flood Hazard). The subject property is not located in an area of high levels of nitrates in well water, being located outside of the Llagas Sub-basin and Coyote Valley, the two areas of the County with known elevated nitrate levels in groundwater. The proposed project would not result in any new impervious surface since no improvements or infrastructure is proposed or required as part of the project.

DISCUSSION:

a-e) Less than significant impact. No improvements are proposed within or near the South Branch of Tularcitos Creek. Preliminary review by the Department of Environmental Health determined that septic systems can be developed with no potential for impacts to groundwater. When development of each parcel is proposed, the County Department of Environmental Health (DEH) will require submittal of fully engineered septic systems for review and approval, ensuring conformance with all County septic ordinance requirements. Future development will also be conditioned to ensure Best Management Practices will be required during construction to minimize erosion and will be reviewed and conditioned by County Land Development Engineering to ensure that drainage improvements are designed and sized adequately to deal with the increase in run-off and changes to drainage off-site.

MITIGATION:

None Required.

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

SETTING:

Surrounding properties are mostly undeveloped properties of similar size. A few nearby properties have single family residential uses. The subject property’s general plan designation is Hillside, and the zoning is Hillside (HS) with a Milpitas Hillside Design Review Combining District (-d2).

DISCUSSION:

a) No Impact. The proposed two-lot subdivision would not divide an established community.

b) Less Than Significant Impact. The proposed parcel map meets the minimum lot size requirement for the zoning district, and single family residential is an allowed use in the HS-d2 zoning district. The proposed subdivision, and potential development of future residences would not cause a significant

environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

MITIGATION:

None Required.

L. MINERAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	1, 2, 3, 6, 8a

SETTING:

The project site is in a rural area with mostly vacant land, located near to the City of Milpitas but outside of the City of Milpitas Urban Service Area. The property has a Mineral Resource Zone designation of MRZ-2, which denotes areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence. The former Serpa Quarry, which started operations in 1957, was located on this property and, while active, produced road and construction aggregate from Briones Formation sandstone extracted on-site. The quarry operation ceased in 2014 due to market conditions, and the property was sold to the current owner. The site has not yet been fully reclaimed as required by the Surface Mining and Reclamation Act (SMARA) and the approved Reclamation Plan Amendment.

DISCUSSION:

a-b) Less than Significant Impact. As noted above, the property is the site of the former Serpa Quarry. The property has a designation of MRZ-2, which denotes areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence. Development is not necessarily precluded in MRZ-2 zones; rather, certain land uses are defined as compatible with mineral extraction, and certain land uses are defined as incompatible. Compatible land uses are defined in Article 6, Section 3675 of the California Department of Conservation Mine Reclamation Statutes & Regulations as land uses that require a minimum public or private investment in structures and land improvements and allow mining because of the relative economic value of the land and its improvements. Examples of compatible uses include, but are not limited to, very-low-density residential, geographically extensive but low impact industrial, recreational, agricultural, timber harvesting, grazing, and open space land uses. Incompatible land uses are defined in Article 6, Section 3675 of the California Department of Conservation Mine Reclamation Statutes & Regulations as land uses that require public or private investment in structures, land improvements, and landscaping that would prevent mining because of the greater economic value of the land and its improvements. Examples of such uses would include, but are not limited to, high

density residential, low density residential with high unit value, public facilities, geographically limited but impact-intensive industrial, and commercial land uses.

The proposed project is a minor subdivision to split the 78.9-acre parcel into two lots of 37.1 (Lot A) and 43.32 acres (Lot B) respectively for the purposes of future residential development. Due to the relatively low value and high availability of Briones formation sandstone, and the fact that the proposed project is a land use that is considered compatible with mining operations, the proposed project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, nor result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

MITIGATION:

None required.

M. NOISE					
	IMPACTS				SOURCE
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
WOULD THE PROJECT RESULT IN:					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8a, 13, 22a, 45
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	1, 5, 22a

SETTING:

The project site is located in a rural area with mostly vacant or agricultural parcels located nearby. It is not located within an airport land use referral area. The nearest airport is Norman Y. Mineta San Jose International Airport, located approximately 21 miles to the southeast.

DISCUSSION:

a-b) Less Than Significant Impact. Development of future residences would not generate permanent noise levels that exceed existing ambient noise levels or standards of the Santa Clara County Noise Ordinance. The noise levels created during grading and construction could create a temporary disturbance to neighboring properties. The project would be required to conform to the County Noise Ordinance (Section BII-I92), which sets maximum exterior noise levels for land use categories. Compliance with these specifications would ensure that the neighboring properties are not adversely affected.

c) **No Impact.** The project is not located within the vicinity of a private airstrip or public airport. Hence, there would be no impact.

MITIGATION:

None required.

N. POPULATION AND HOUSING					
	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
WOULD THE PROJECT:					
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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4

SETTING:

The project site is located in a rural residential area of Santa Clara County, the population of which was estimated to be 1,928,000 in 2019, which includes 15 cities and unincorporated areas. The population of the unincorporated areas is approximately 96,000.

DISCUSSION:

a-b) **Less Than Significant Impact.** The possible future development of single-family residences on each lot would not induce substantial population growth or displace existing housing or people as defined under CEQA.

MITIGATION:

None required.

O. PUBLIC SERVICES					
	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
WOULD THE PROJECT:					
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"/> | 1, 3, 5 |
| ii) Police Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 5 |
| iii) School facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 5 |
| iv) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> | 1, 3, 5 |

SETTING:

The project site is located in a rural area of unincorporated Santa Clara County, close to the City of Milpitas but outside of the City of Milpitas Urban Service Area. Cal Fire would provide fire protection for the project site. Police protection is provided by the Santa Clara County Sheriff's Office. The nearest school is William Burnett Elementary School in Milpitas, which is located approximately 1 mile to the west of the project site.

DISCUSSION:

a) Less Than Significant Impact. The proposed project is a two-lot subdivision. No development is proposed as part of the subdivision, but future residential development of each lot is a reasonably foreseeable outcome. Future development of single-family residences on the two new parcels would not significantly increase the need for additional fire or police protection to the area. Other public services, such as provided by schools or parks, would not be significantly impacted.

MITIGATION:

None required.

P. RECREATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	1, 3, 4, 5

SETTING:

The subject property abuts Ed R. Levin County Park, which is located directly east. Cardoza Park, located in the City of Milpitas is located approximately 1.3 miles to the west of the project site.

DISCUSSION:

a-b) Less Than Significant Impact. The proposed project is a two-lot subdivision. No development is proposed as part of the subdivision, but future residential development of each lot is a reasonably foreseeable outcome. The construction of three additional residences per proposed lot (SFR; ADU; Junior ADU) would not increase use of recreation facilities to the extent that substantial physical deterioration would occur or require the construction or expansion of new recreational facilities that might have an adverse physical effect on the environment.

MITIGATION:

None required.

Q. TRANSPORTATION						
WOULD THE PROJECT:	IMPACT				SOURCE	
	YES		NO			
	Potential ∨ Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact		
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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)? ¹	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	3, 5, 6, 7, 52	
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 48, 52	

SETTING:

The project is a two-lot residential subdivision in the unincorporated County near Milpitas. Access to the project site is via Old Calaveras Road; the nearest major intersection is Evans Road and Old Calaveras Road, approximately a half-mile to the southwest. No development of the two residential parcels is proposed as part of this project, but residential development of the proposed parcels is a reasonably foreseeable outcome.

Vehicle Miles Traveled (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 multi-modal 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 Level of Service 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(a) defines VMT as the amount and distance of automobile travel attributable to a project. CEQA Guidelines section 15064.3, subdivision (b), establishes criteria for evaluating a project’s transportation impacts under CEQA. CEQA Guidelines section 15064.3(b)(1) states that for land use projects, VMT exceeding an applicable threshold of significance may indicate a significant impact. As noted above, a lead agency has the discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household, or any other measure. For purposes of establishing VMT thresholds, the County has chosen to treat unincorporated areas inside Urban Service Areas and unincorporated areas outside of the Urban Service Areas (rural areas) as separate regions. The County has also established that the average VMT for rural unincorporated County is 32 VMT per capita. Rural projects that generate less than 32 VMT per capita can be presumed to have less than significant impact.

DISCUSSION:

a-d) Less Than Significant. According to the Institute of Traffic Engineers Trip Generation, 10th edition data, a residential lot generates 10 daily trips per day. The proposed project, consisting of a 2-lot subdivision, could generate approximately 20 daily vehicle trips per since residential development of the two parcels is a reasonably foreseeable outcome of the project. According to the Santa Clara Valley Transportation Authority Transportation Impact Analysis Guidelines, a transportation impact analysis is not required to be performed for projects that would generate fewer than 100 net new weekday (AM or PM peak hour) or weekend peak hour trips, including both inbound and outbound trips. In addition, projects outside Urban Service Areas (rural areas) that generate fewer than 24 average daily trips (ADT) may be assumed to cause a less-than-significant VMT impact.

The project will not generate substantial new traffic, impair existing transportation facilities, or result in inadequate emergency access or parking capacity. Construction activities for the proposed structures would involve a small number of vehicle trips related to delivery of material and workers commuting to the site. Because the number of trips would be temporary and small in number, and road use in the vicinity is relatively light, the proposed project would not have impacts on traffic and circulation.

MITIGATION:

None 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	
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

SETTING:

The project is a 2-lot residential subdivision, with no improvements required or proposed due to existing access roads. Under an update to CEQA through state legislation known as AB 52, lead agencies must 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 of the Public Resources Code also specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.

DISCUSSION:

a) Less Than Significant. 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. In addition, there are no improvements proposed or required as part of this subdivision due to the existing access roads. As a result, impacts related to the implementation of the project would be less than significant with respect to Tribal Cultural Resources. Due to the -d2 Milpitas Hillsides Design Review Combining District, Design Review approval is required prior to the development of future single-family residences. The project has been conditioned to acknowledge that tribal consultation will be required as part of Design Review approval.

MITIGATION:

None required.

S. UTILITIES AND SERVICE SYSTEMS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,6,70

telecommunications facilities, the construction or relocation of which could cause significant environmental effects?						
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"/>	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"/>	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"/>	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"/>	3,5, 6

SETTING:

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

DISCUSSION:

a-e) Less Than Significant Impact. Potential future residences would require on-site wastewater treatment systems and new wells; electricity would be provided by PG&E. The County Department of Environmental Health has reviewed soil and percolation tests submitted by the applicant and determined that a septic system is feasible on each lot. Stormwater would be retained on site. Therefore, no expansion of utilities would be required. Construction wastes associated with construction of new residences on each parcel would be minor and would not exceed the capacity of existing solid waste disposal facilities.

MITIGATION:

None required.

T. WILDFIRE					
	IMPACT				SOURCE
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	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"/>	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"/>	1, 3, 4, 5
---	--------------------------	--------------------------	-------------------------------------	--------------------------	------------

SETTING:

The project site is located within the Cal Fire State Responsibility area, with Cal Fire SRA Hazard Class rating of High (100%). The project site is not located within an airport land use referral area.

DISCUSSION:

a-d) Less Than Significant Impact. The proposed project is the subdivision of a parcel that contains an existing low-intensity agricultural use, though future residential development of the two parcels is a reasonably foreseeable outcome of the project. No changes are proposed to the existing public right-of-way on Old Calaveras Road, and future development of one future single-family residence, one ADU, and one junior ADU on each proposed lot would not affect use of the public right-of-way that may be used for emergency response. Because the project site is in a Cal Fire State Responsibility Area, future construction of a residence on each parcel would be subject to wildland building codes (CBC Chapter 7A), including requirements for defensible space and fire-resistant construction. These requirements would ensure that the project would not exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

MITIGATION:

None required.

U. MANDATORY FINDING OF SIGNIFICANCE					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES		NO		
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	1 to 52

DISCUSSION:

As described elsewhere in this document, this project is a subdivision of an approximately 78.9-acre site into two lots of 37.1 (Lot A) and 43.32 acres (Lot B) respectively for the purposes of future residential development. Separately, the applicant has applied for a Reclamation Plan Amendment, which is still undergoing completeness review and is therefore not ready for CEQA review. However, the proposed Reclamation Plan Amendment has been analyzed to the extent possible for the purposes of evaluating whether it could contribute to or cause any significant cumulative impacts when considered in conjunction with the proposed subdivision.

The Reclamation Plan Amendment proposes to amend the existing Reclamation Plan Area boundary to include areas of minor historic mining activity that are currently outside of the boundary. This change will ensure that the entirety of the land where mining activities occurred will be fully reclaimed as required by the Surface Mining and Reclamation Act (SMARA). The proposed Reclamation Plan Amendment also specifies that certain existing and proposed agricultural buildings, and the existing access roads required for the subdivision, will remain on the site post-reclamation.

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 does not propose any improvements, none is required due to the presence of existing access roads, and the Reclamation Plan Amendment does not allow or authorize any new development. As a result, the 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. The applicant has separately applied for a Lot Line Adjustment and a Reclamation Plan Amendment; however, 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) **Less Than Significant.** The proposed project is a 2-lot subdivision of a parcel that contains an existing low-intensity agricultural use; no development of the parcels is proposed as part of this project, and no subdivision improvements are required or proposed as part of the project. 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

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-business-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 (2017)- 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

Initial Study Source List*

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

33. Clean Water Act, Section 404
<https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404>
34. Santa Clara Valley Water District – GIS Data:
<https://www.valleywater.org/learning-center/watersheds-of-santa-clara-valley>
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

Greenhouse Gas Emissions

45. **BAAQMD CEQA Air Quality Guidelines (2017)-
http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en**

Hazards & Hazardous Materials

46. Section 21151.4 of California Public Resources Code
47. State Department of Toxic Substances, Hazardous Waste and Substances Sites List
48. County Office of Emergency Services Emergency Response Plan [1994 version]

Noise

49. **County Noise Ordinance
https://www.sccgov.org/sites/cpd/programs/NP/Docuements/NP_Noise_Ordinance.pdf**

Transportation/Traffic

50. Official County Road Book
51. **Site-specific Traffic Impact Analysis Report**

Tribal Cultural Resources

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

Wildfire

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

***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 B

FINAL CONDITIONS OF APPROVAL FOR A MINOR SUBDIVISION

Date: April 6, 2023
Owner/Applicant: Gokulam LLC/ Vijay Datt
Location: 2425 Old Calaveras Road, Milpitas (APN: 898-54-004)
File Number: PLN20-178
CEQA: IS/Negative Declaration
Project Description: Vesting Tentative Parcel Map to subdivide an approximately 78.9-acre parcel into two lots of 37.1 (Lot A) and 43.32 acres (Lot B) respectively for the purposes of future residential development. No grading, improvements, or tree removal is proposed or required as part of the project. No construction of residences is proposed as a part of this subdivision.

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

Agency	Name	Phone	E-mail
Planning	Robert Salisbury	(408) 299 – 5785	robert.salisbury@pln.sccgov.org
Environmental Health	Darrin Lee	(408) 918 – 3435	darrin.lee@cep.sccgov.org
Fire Marshal	Christina DaSilva	(408) 299 – 5767	christina.daSilva@sccfd.org
Land Development Engineering	Darrell Wong	(408) 299 – 5735	darell.wong@pln.sccgov.org
Roads and Airports	Thomas Esch	(408) 573 - 2450	thomas.esch@rda.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 C2G (Civil Consultants Group, Inc.), which was received by the Planning Office on October 12, 2022, is approved as submitted. Development must take place in substantial conformance with the approved plans, and the Conditions of Approval. Any changes to the proposed project may require Subdivision Modification and associated fees, as may result in additional environmental review, pursuant to the California Environmental Quality Act, and additional Planning review.
3. **Vesting Tentative Map Approval** is valid for **three years** after the date of approval and will expire on **April 7, 2026**. 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. Existing zoning is HS-d2 (Hillsides with a Milpitas Hillsides Design Review Combining District).
5. 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.

Archaeological Resources

6. 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 7050.5 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.

Land Development Engineer

7. 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.

Environmental Health

Parcel A

8. Parcel A has demonstrated its ability to develop an onsite wastewater treatment system (OWTS) by achieving a percolation rate of 17.2 minutes per inch (with an application rate 0.68 gallons per day per square feet). At the time of development, an OWTS shall be designed based upon percolation test rates and the dispersal field shall be located within the testing areas where soil profiles and percolation tests were conducted. The depth of proposed dispersal field shall be like those previously conducted.
9. Domestic water shall be supplied by an approved 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.
10. Domestic water well (05S01E33K001) achieved individual water clearance through the Department of Environmental Health (DEH) by completing a 24-hour water pump test which yielded 16,800 gallons with an average flow rate of 11.7 gallons per minute. The stated average flow rate is sufficient to accommodate a maximum of 4 (service) connections.
11. Should the number of connections exceed 4 connections or serve 25 persons or more for at least 60 days out of the year, then public water system approval from California State Water Board will be required.
12. 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.

Parcel B

13. Parcel B has demonstrated its ability to develop an onsite wastewater treatment system (OWTS) by achieving a percolation rate of 4.83 minutes per inch (with an application rate of 1.20 gallons per day per square feet). At the time of development, an OWTS shall be designed based upon percolation test rates and the dispersal field shall be located within the testing areas where soil profiles and percolation tests were conducted. The depth of proposed dispersal field shall be like those previously conducted.
14. Domestic well (05S01E33L002) achieved individual water clearance through the Department of Environmental Health (DEH) by completing a 24-hour water pump test which yielded 32,900 gallons with an average flow rate of 22.8 gallons per minute. The stated average flow rate is sufficient to accommodate a maximum of 4 (service) connections.
15. Should the number of connections exceed 4 connections or serve 25 persons or more for at least 60 days out of the year, then public water system approval from California State Water

Board will be required.

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 Board of Supervisor process is required prior to any tree removal, replacement, or relocation within the County right-of-way (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

Planning

18. Final map shall be submitted with an attached document that lists all subdivision Conditions of Approval that must be complied prior to map recordation and states how and when each of those condition was satisfied.
19. Approved Lot Line Adjustment (County File No. PLN21-168) shall be recorded prior to recordation of the Final Map.
20. Final Map must show the top of bank of Tularcitos Creek and the required 35 ft. class 2 creek buffer from the top of bank.

Land Development Engineering

21. Prepare and submit a Parcel Map for review and approval by the County Surveyor.
22. Lots A and B 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.
23. Applicant shall request and obtain verification of the installation by the County Surveyor's office of all monuments required by the map and pay all applicable fees.

Indicate on the Parcel Map all applicable easements affecting the parcel(s) with benefactors and recording information. These shall include:

- a. Gas Company
- b. Electric Company

c. Telephone Company

(Contact the utility companies immediately as these clearances may require over 90 days to acquire.)

24. Enter into a land development improvement agreement with the County. Submit an Engineer's Estimate of Probable Construction Cost prepared by a registered civil engineer with all stages of work clearly identified for all improvements and grading as proposed in this application. Post financial assurances based upon the estimate, sign the development agreement and pay necessary inspection and plan check fees, and provide County with a Certificate of Worker's Compensation Insurance. (C12-206).

Environmental Health

25. Prior to map recordation it must be demonstrated that the individual well, on each parcel, provides an adequate supply of water. A well log must be submitted for each well which shows a 50-foot sanitary seal, and satisfactory pump tests must be completed. Contact Nicole Jorgensen at the Department of Environmental Health at 408-918-3492 for detailed information.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO DEVELOPMENT PERMIT ISSUANCE

Planning

26. **Prior to issuance of any permits**, the applicant shall pay all reasonable costs associated with the work by the Department of Planning and Development.
27. The following dust control measures will be adhered to during site development. Final 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.

28. 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.

Landscape Permit

29. 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. ft. – obtain landscaping permit. 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

Utilities

30. All new on-site utilities, mains and services shall be proposed to 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.

Soils and Geology

31. Submit **one copy** of the signed and stamped geotechnical report for the project.

32. Enter into a land development improvement agreement with the County. Submit an Engineer's Estimate of Probable Construction Cost prepared by a registered civil engineer with all stages of work clearly identified for all improvements and grading as proposed in this application. Post financial assurances based upon the estimate, sign the development agreement and pay necessary inspection and plan check fees, and provide County with a

Certificate of Worker's Compensation Insurance. (C12-206).

Environmental Health

Parcel A

33. Prior to issuance of a development permit for Parcel A, submit to the Department of Environmental Health (DEH) an onsite wastewater treatment system (OWTS) plan overlaid onto a grading and drainage plan for review and approval (septic system clearance). This is a separate submittal to the Department of Environmental Health subject to completion of a service application and payment of applicable fees. To assist in the review for an OWTS plan, a set of floor plans must also be submitted to DEH.
34. Contact the Department of Environmental Health for water clearance. This is a separate submittal to Environmental Health subject to completion of a service application to Environmental Health, submittal of well related documents, and payment of applicable fees.

Parcel B

35. Prior to issuance of a development permit for Parcel B, submit to the Department of Environmental Health (DEH) an onsite wastewater treatment system (OWTS) plan overlaid onto a grading and drainage plan for review and approval (septic system clearance). This is a separate submittal to the Department of Environmental Health subject to completion of a service application and payment of applicable fees. To assist in the review for an OWTS plan, a set of floor plans must also be submitted to DEH.
36. Contact the Department of Environmental Health for water clearance. This is a separate submittal to Environmental Health subject to completion of a service application to Environmental Health, submittal of well related documents, and payment of applicable fees.

Fire Marshal

On-Site Water Storage

37. Where on-site storage tanks are required, details for fire protection water supply shall be included with the building permit set of drawings. Submittal shall include, but not be limited to, location of water supply, (e.g. onsite well, shared well; tank location and capacity, pipe size, wharf hydrant orifice size and location, domestic and fire protection water tanks and piping configuration).
 - a. All installations shall include a primary aboveground storage tank with a capacity of not less than 3,000 gallons dedicated to domestic and fire sprinkler system demand. Storage capacity may be increased due to sprinkler design demand or additional domestic (including landscaping) required by the Environmental Health Department.
 - b. Provide 3-5,000-gallon secondary aboveground storage tank 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.
- f. A copy of the Shared Well agreement shall be **provided at the time of plan submittal for building permit**.

Wharf Hydrant

38. One on-site wharf hydrant with 2-1/2-inch orifice is required to be installed when fire protection water is supplied by on-site aboveground storage tank(s). Installation of hydrants shall be in accordance with Fire Marshal Standard Detail CFMO-W4.

- a. Minimum distance to structure shall not be less than 55 ft. from the closest portion of the structure and shall not exceed 150 ft. from the furthest portion of the structure (measured along path of travel).
- 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.

A separate permit from the Fire Marshal's Office is required for residential fire protection water systems.

Fire Department Access

39. 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.

40. 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 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%. 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.

41. Access Roads shall comply with the following:

- a. Width: Clear width of drivable surface of 20 ft. plus 2 ft. shoulder each side.
- 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%. 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.

Miscellaneous:

42. Property is located within the Santa Clara County Fire Department response area and the State Response Area (served by Cal Fire).

43. This property is located 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 1/2-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.
- d. Fire department access roads, driveways, turnouts, and turnarounds shall be maintained free and clear and accessible at all times for fire department use. Gates shall be

maintained in good working order and shall remain in compliance with Fire Marshal Standard CFMO-A3 at all times.

Roads and Airports

44. Dedicate the following curvilinear rights-of-ways: 30-foot half street for Old Calaveras Road. All dedications shall include legal descriptions, plats, and corresponding documents to be reviewed and approved by the County.
45. Obtain a Santa Clara County Roads and Airports Department (RDA) Encroachment Permit for the following:
 - a. Rebuild two driveway approaches to County Standard B/5.
 - b. Removal of any vegetation or other obstructions necessary to provide adequate line-of-sight at the driveway approach location.

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.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO BUILDING FINAL

Land Development Engineering

46. The new lot line for Lots A and B must be surveyed and monumented by a Licensed Land Surveyor or Registered Civil Engineer who is authorized to practice land surveying.
47. 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.
48. Provide a drainage analysis for the proposed improvements prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. The mean annual precipitation is available on the on-line property profile.
49. Comply with the applicable Regional Water Quality Control Board Municipal Regional Permit for the improvements for the development of the individual parcels. Provide stormwater treatment and or low impact design measures as necessary.

Environmental Health

50. **For each developing lot prior to 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.


Attachment C

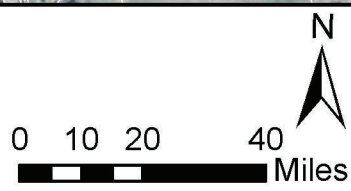
Location/Vicinity Map



Location and Vicinity Map

PLN20-178
 APN: 029-34-004
 2425 OLD CALAVERAS RD

 Parcel of Interest



Area of Interest

Attachment D

Tentative Map

Attachment E

Public Comment

From: [ROY PANGAN](#)
To: [Salisbury, Robert](#)
Cc: [Deepa dhatri Prashanth](#); vijay.datt@ihf-usa.org; [ROY PANGAN](#)
Subject: [EXTERNAL] Gokulam Subdivision
Date: Tuesday, March 21, 2023 10:08:48 PM

To

Robert Salisbury
Senior Planner
County of Santa Clara Planning Office
70W. Hedding Street, San Jose, CA 95110
email: robert.salisbury@pln.sccgov.org

From

Evangeline & Roy Pangan
Pangan Family Trust 2000
Parcel No.: 029 35 005

Ref: File No. PLN20-178, Project Name: Serpa 2-lot subdivision, APN: 029-34-004,
Project location: 2425 Old Calaveras Road, Milpitas 95035
Sub: Notice of Intent to Adopt a negative declaration, dt. 2/22/2023

With reference to the above subject, we got a notice of intent for our neighbor Gokulam LLC, for 2 Lot subdivision. We would like to express our strong approval for the subdivision. Gokulam is a wonderful neighbor and the subdivision is welcome and we are in full support of this project.

Sincerely,
Evangeline & Roy Pangan