

County of Santa Clara

Department of Planning and Development
Planning Office

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August 6, 2021

Gary Carnes
9505 Sugar Babe Drive
Gilroy, CA, 95020

FILE NUMBER: PLN21-108
SUBJECT: Building Site Approval and Grading Approval
SITE LOCATION: 0 Sleepy Valley Road, Morgan Hills, CA, 95037 (APN: 776-17-007)
DATE RECEIVED: July 9, 2021

Dear Mr. Carnes,

Your application for Building Site Approval and Grading Approval applications have received on the above date and is deemed **incomplete**. For the application processing to resume, you must resolve the following issues and submit the information listed below.

Resubmittals are made via the internet, to do so, follow the instructions at the following URL: <https://www.sccgov.org/sites/dpd/Iwantto/Permits/Pages/Permits.aspx>. Before resubmitting, please consult me as this process is dynamic and at the time you choose to resubmit the process may have changed and / or been enhanced. The resubmitted materials must include all requested information. Once the information is submitted, Planning Office personnel will distribute the plans, reports, etc. to the appropriate staff or agency for their review.

If you have any questions about the information being requested, you should first call the person whose name is listed as the contact person for that item. He or she represents a specialty or office and can provide details about the requested information.

AS NOTED ABOVE, PRIOR TO RESUBMITTAL PLEASE E-MAIL ME TO DISCUSS THE PROCESS.

Please submit one (1) electronic copy of the revised plans / resubmittal documents with a written response addressing the following items.

PLANNING OFFICE

Contact Xue Ling at (408) 299-5784 or xue.ling@pln.sccgov.org regarding the following comments:

Lot Legality, Lot Line Adjustment, and Lot Merger

1. The proposed project occupies three (3) parcels owned by the same property owner (APN: 776-17-006, 776-17-007, and 776-17-009). Staff is able to verify all three (3) parcels are legal lots with the submitted grant deeds. However, the proposed septic system and detached

necessary structure should be located on the same parcel where the primary residence is located. Please relocate all improvements on Parcel 776-17-007 or apply a Lot Line Adjustment and Lot Merger to relocate all improvements on the same parcel after adjustment. The Lot Line Adjustment would allocate a portion of Parcel 776-17-006 between Parcels 776-17-007 and 776-17-009 to Parcel 776-17-009. The Lot Merger would merge Parcel 776-17-007 and the “new” Parcel 776-17-009. Please note all three (3) parcels are substandard parcels in size. Therefore, the Lot Line Adjustment requires Building Site Approval on both Parcels 776-17-006 and 776-17-009, pursuant to the County Zoning Ordinance 5.55.040. In addition, the property owner has an option to merge all three (3) parcels into one (1) parcel to continue the proposed project. Should you have any questions, feel free to contact staff to discuss.

For required materials to apply a Lot Line Adjustment or Lot Merger, please refer to the checklists via the link below:

[https://stgenpln.blob.core.windows.net/document/Checklist LA.pdf](https://stgenpln.blob.core.windows.net/document/Checklist_LA.pdf)

[https://stgenpln.blob.core.windows.net/document/Checklist LM.pdf](https://stgenpln.blob.core.windows.net/document/Checklist_LM.pdf)

Site Plan

2. Section B-B on Sheet C-2 illustrates fill for a driveway adjacent to the residence. The proposed fill is not identified on the submitted site plan (Sheet C-1). Please provide the limit of grading and clearly identify the existing contour lines in grey dash lines and all proposed contour lines in black lines.
3. Given the close proximity of the proposed development to the creek, please provide additional sections cutting through the fire truck turnaround the creek. The site sections shall identify the finish and exterior grade elevations in black lines and fonts and the existing grade lines in grey dashed lines.

Average Slope Calculation

4. As the subject property is located in the HS Zoning District, a special site plan and average slope calculation prepared by **a registered civil engineer or licensed land surveyor** will be required. The site plan shall outline the development area, which includes areas of the residence, driveway, retaining walls, and slabs to remain, plus 25 feet on the parcel surrounding these improvements. The calculation area does not cross property lines. If the calculated slope of the developed area is less than 30%, the regular Building Site Approval (BSA) process applies. Otherwise, Build Site Approval on Slope 30% or Greater (BA) and a public hearing are required.

Please refer to the Average Slope handout via the link below for additional information:

https://stgenpln.blob.core.windows.net/document/BSA_HS_RHS_R1E.pdf

Tree Removal Information

5. The subject property is located in State Designated Oak Woodland (HCP and FRAP). A tree removal plan and report prepared by an International Society of Arboriculture (ISA) certified arborist is required which identifies the species, diameter, and amount of any tree canopy proposed for removal. The report shall assess impacts of development on all existing trees with a dripline that extends into the edge of the development area, including any required off-site improvements and provide recommendations for tree protection during all construction activities. If more than ½ acre or 10% of the oak canopy is proposed for removal within the

woodland area, mitigation measures are required, such as tree replacement or a conservation easement, and the proposed project might be subject to additional environmental review.

Archeological Review

6. The proposed project area has the possibility of containing unrecorded archaeological site(s) as it is located near watercourses and oak woodland. Please provide an archaeological report prepared by a professional archaeologist. For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation.

Santa Clara Valley Habitat Plan Review

Contact Robert Cain at (408) 299-5706 or robert.cain@pln.sccgov.org regarding the following comments:

NOTE: As stated on the Santa Clara Valley Habitat Plan coverage screening form, "if the proposed project affects any wildlife and/or plan species covered by the Habitat Plan, or any unmapped burrowing owl occupied nesting habitat, serpentine, riparian, stream, pond, or wetland land covers on the property, then coverage under the Habitat Plan is required." The proximity to Machado Creek may trigger coverage. After reviewing the requested additional information, Staff will determine the extent (if any) of Habitat Plan requirements.

7. In order to determine the HCP impact of this project, please submit a biological report prepared by a biologist. This report should denote the various landcovers found on this parcel, including a map displaying the extent of these landcovers. It should also examine the potential for suitable habitat for the least Bell's vireo and tricolored blackbird, which are riparian species that the Habitat Agency has noted as potentially existing on this parcel.
8. On your plan, please denote the edge of the riparian landcover, the riparian setback of 35' from top of bank or 35' from the edge of the riparian landcover (whichever is greater), and a 50' buffer around the permanent new development (10' around temporary new development).

LAND DEVELOPMENT ENGINEERING

Contact Eric Gonzales at (408)-299-5716, Eric.Gonzales@pln.sccgov.org regarding the following:

9. Demonstrate by earthwork sections and calculations how a grading permit would not be required pursuant to the Santa Clara County Grading Ordinance, specifically Section C12-421. Should this project not be able to demonstrate the noted exceptions, apply for a Grading Permit pursuant to Sections C12-410 to C12-412, inclusive.
10. Provide earthwork calculations on the preliminary plans. Show the earthwork quantities in tabular format for each proposed facility on the preliminary plans.
11. Clearly identify all locations of areas to receive excess material to be distributed on the site. The spreading shall be no thicker than eight inches.

12. Show the limits of the disturbed area as a result of the proposed development. Include the disturbed areas of the septic field and any stockpile areas as well.
13. Identify the limits of the landscaping for the project. This should include all disturbed areas that are not hard scaped subtracting out all areas that are specifically identified as hydroseeded. The landscaping should also include the area of swimming pools. Provide an accounting on the plan sheet.
14. Clearly identify/label all roads maintained and not maintained by the County on the preliminary plans.
15. Provide a breakdown of the net impervious surface area created by the project by type. Provide a separate table showing existing and proposed impervious surfaces on the preliminary plans.
16. Based on the topography provided, the proposed driveway may impair drainage flows, thereby not meeting the exemption requirements of Section C12-421 of the County Grading Ordinance. Provide a preliminary Grading and Drainage Plan that demonstrates the following items:
 - a. the site can be adequately drained,
 - b. the proposed development will not cause problems to the nearby properties,
 - c. the proposed development is not subject to significant damage from the one percent flood,
 - d. the on-site drainage will be controlled in such a manner as to not increase the downstream peak flow or cause a hazard or public nuisance. If this cannot be demonstrated, provide a detention system pursuant to the Design Guidelines in Section 6.3.3 of the 2007 Santa Clara County Drainage Manual.
17. Demonstrate that the access road to the driveway shown on the plan conforms to County Standard Detail SD2. The width and cross sections shall meet this private standard. Demonstrate that the access road (Sleepy Valley Road and Armsby Lane) from the end of the County-Maintained section to the driveway shown on the plan conforms to County Standard Detail SD2. Include a driveway approach per SD4 that conforms to County standard slopes of less than 5% grade 20 feet from the edge of pavement or to the right of way, whichever is greater. The Owner's engineer is to make a proposal to build a pro rata portion of Sleepy Valley Road and/or Armsby Lane based upon the fully developed use of the road. If the site is in the CalFire State Responsibility Area, more stringent requirements will apply.
18. Based upon County policy, a right-of-way dedication of thirty feet measured perpendicularly from the private road centerline may be required with this development.
19. Demonstrate that the proposed driveway conforms to County Standard Detail SD5. Provide preliminary cross section and show longitudinal slope.

20. Submit evidence of legal access to the site from the nearest publicly maintained road compiled and/or prepared by a Licensed Land Surveyor or Registered Civil Engineer who is authorized to practice land surveying.
21. Include all applicable easements affecting the parcel(s) with benefactors and recording information on the site plan. Supply two copies of a preliminary title report, dated within 60 days of the day of submittal with the next submittal.
22. Provide a drainage system to adequately route flows from the site to the natural outfall.
23. Show drainage system from roof drains on the preliminary plans. Identify a vegetated buffer area and provide energy dissipation for storm drainage, to provide at least minimal storm water treatment and reduction in flow velocity.
24. This project is located within the Central Coast watershed and may include greater than 15,000sf of new impervious area. Provide Stormwater Treatment and Control Measures per section E.12 of the Central Coast Regional Board requirements. Show any grading required to provide such treatment on the plans. Submit the Post-Construction Low Impact Development Packet for South Santa Clara County with the next planning submittal. Link to subject packet can be found here:
https://stgenpln.blob.core.windows.net/document/Stormwater_CWP_Questionnaire_SC.pdf
Staff can provide the subject document upon request.
25. Ensure any loading over the existing culvert within the proposed driveway to the residence can withstand a fire truck loading of at least 75,000 pounds. If not, propose to build a structure or reconstruct existing facility that can withstand the subject loading.

FIRE MARSHAL OFFICE

Contact Christina da Silva at (408) 299-5767 or christina.dasilva@sccfd.org for information regarding the following items.

26. Site plans to state Fire Department Access will be of "all weather material" capable of holding 75,000 lbs. The plans currently only state the driveway will meet the requirement.
27. Provide slope of driveway. Maximum slope to be 16% in the SRA.
28. All driveways shall be constructed to provide a minimum of one (1) twelve (12) foot traffic lane and unobstructed vertical clearance of fifteen (15) feet.
29. Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart. Turnouts shall be a minimum of ten (10) feet wide, thirty (30) feet long with a minimum of twenty-five (25) foot taper on each end.
30. Access Roads (serving 3 or more parcels) are to have a minimum drivable width of 18 ft., this is to be clearly shown on the plans. This would include Armsby Ln.

31. Clearly show the dimensions and delineate the Fire Department turnaround. Fire Department turnaround shall comply with Santa Clara County Fire Standard, CFMO-SD16. For parcels in the state response area, SRA, only Turnaround A and Turnaround C are acceptable. Please note that for Turnaround C the radius must be 40' not 32'.
32. Provide hydrant flow data recorded within one year showing 1000 gallons per minute at 20 psi.
33. Plans to show all gates on the parcel and state if it is mechanical or manual. If the gate is mechanical, it must be equipped with Knox Box key access. Provide a note on the plans indicating the location of the Knox Box key access as (E) existing or (N) new. All gates to conform with Santa Clara County Fire Department Standard CFMO-A3.
34. Plans to state if the existing single-family residence is equipped with fire sprinklers.
35. Provide the following note on the cover sheet: This parcel is located in the Wildland Urban Interface, WUI.
36. Provide the following note on the cover sheet: This parcel is located in the State Response Area. Therefore, the responding agency is CAL Fire and must comply with SRA Fire Safe Regulations-PRC 4290.
37. Provide the following note on the cover sheet: Ensure there is address identification for the location. The address identification shall be plainly legible and visible front the street or road fronting the property.

CALFIRE

Contact Carlos Alcantar at Carlos.Alcantar@fire.ca.gov for information regarding the following items.

Note: This project shall follow all minimum wildfire protection standards of California Code of Regulations Title 14 Natural Resources Division 1.5 Department of Forestry Chapter 7 - Fire Protection Subchapter 2 SRA Fire Safe Regulations Articles 1-5.

38. Road Width: Armsby Lane does not appear to be wide enough to meet Fire Safe Regulations.

Article 2 Emergency Access and Egress

§ 1273.00 Intent

Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

§ 1273.01. Width.

(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision

requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.

(b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads.

(2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

(c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

39. Road will need to support 75,000 lbs: Road and driveway surfaces will need to adhere to specifications described in the Fire Safe Regulations.

§ 1273.02. Road Surfaces

(a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.

(b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.

40. Turnarounds: Turnaround does not meet the specifications described in the fire safe regulations(40-foot radius or hammerhead/T)

§ 1273.05. Turnarounds

(a) Turnarounds are required on driveways and dead-end roads.

(b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.

(c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.

(d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.

41. Turnouts: The driveway appears to exceed 150 ft in length and will require a turnaround.

§ 1273.05. Turnarounds

(a) Turnarounds are required on driveways and dead-end roads.

(b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.

(c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.

(d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.

42. Dead-end Road Length: Ensure Armsby Lane does not exceed the maximum distance for the dead-end road. (From Sycamore Drive to the Project location).

§ 1273.08. Dead-end Roads

1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units.

(a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

parcels zoned for less than one acre - 800 feet

parcels zoned for 1 acre to 4.99 acres - 1,320 feet

parcels zoned for 5 acres to 19.99 acres - 2,640 feet
parcels zoned for 20 acres or larger - 5,280 feet

All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.

(b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

ENVIRONMENTAL HEALTH

Contact Darrin Lee at (408) 299-5746 or darrin.lee@cep.sccgov.org for information regarding the following items:

43. Septic system as shown passes through several property lines. For the proposed septic system to be approved, lots must be merged.

44. Septic approval stamp shall be rescinded/ voided until lots merged or redesigned.

GEOLOGY

Contact Jim Baker at (408) 299-5774 or jim.baker@pln.sccgov.org for information regarding the following items.

45. The submitted documents is still under review by Geology. The review comments will be forwarded to you once they are prepared. You will be required to obtain in-concept approval, which may or may not include preliminary conditions of approval, prior to deeming your application complete.

VALLEY WATER

Contact Benjamin Hwang at BHwang@valleywater.org for information regarding the incomplete comments as in the Attachment.

Prior to resubmittal, please feel free to contact me to schedule an appointment so we can meet and discuss my comments regarding the project.

August 6, 2021
File #PLN21-108
Sleepy Valley Road

Please make sure the requested changes are made for the revised plan sets and documents that are needed for the resubmittal. **Resubmittals are only accepted by appointment with the assigned project planner.** If the requested information is not submitted within **180 days**, you will be required to pay a fee of 10% of the application fee at the time the information is submitted. All requested information must be submitted no later than **one (1) year** from the date of this letter. PARTIAL RESUBMITTALS WILL NOT BE PROCESSED. Fees required at the time of resubmittal will be those in effect at that time.

Please note that the Building Site Approval and Grading Approval Application have been charged a minimum fee and will be charged additional fees to continue processing when the initial payment is exhausted.

In submitting this land use application, the owner/applicant included an initial application fee. Application fees are categorized as "fixed fees" and "billable fees", based on the particular application types. "Fixed fee" applications do not require any additional fees to continue processing. However, when funds associated with a "billable fee" application have been spent, an additional deposit will be required to continue processing the application.

If you have questions regarding the application, please contact me at (408) 299-5784 or xue.ling@pln.sccgov.org.

Warm regards,



Xue Ling
Associate Planner

Cc: Leza Mikhail, Interim Planning Manager and Zoning Administrator
Benjamin Hwang, Valley Water

Enclosed

- Valley Water review comment