

# County of Santa Clara

Department of Planning and Development  
Planning Office

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



## STAFF REPORT Zoning Administration February 3, 2022 **Item No. 1**

Staff Contact: Lara Tran, Senior Planner  
(408) 299-5759, [lara.tran@pln.sccgov.org](mailto:lara.tran@pln.sccgov.org)

### **File: PLN21-113**

### **Concurrent Land Use Permit of a Building Site Approval, Grading Approval, and Special Permit for a New Single-Family Residence.**

**Summary:** Request for a concurrent land use application including Building Site Approval, Grading Approval, and Special Permit for the construction of a 7,546 square foot (s.f.) single-family residence, with a detached garage and a detached accessory structure with more than two (2) plumbing fixtures on an 8.3-acre lot. Associated improvements include installation of a new driveway, tennis court, and septic system. Grading consists of 698 cubic yards of cut and 825 cubic yards of fill.

**Owner:** John Pelosi and Janine Pelosi  
**Applicant:** M.H. Engineering  
**Lot Size:** 8.3-acre  
**APN:** 773-26-037  
**Supervisory District:** 1

**Gen. Plan Designation:** Agriculture Medium  
**Zoning:** A-20Ac-sr  
**Address:** 15230 Oak Glen Avenue, Morgan Hill  
**Present Land Use:** Single-Family Residence  
**HCP:** Area 1

### **RECOMMENDED ACTIONS**

- A. Accept Categorical Exemptions, under Section 15303(a) of the CEQA Guidelines, Attachment A.
- B. Grant a concurrent land use permit for a Building Site Approval, Grading Approval, and Special Permit, subject to Conditions of Approval outlined in Attachment B.

### **ATTACHMENTS INCLUDED**

Attachment A – Proposed CEQA Determination  
Attachment B – Proposed Conditions of Approval  
Attachment C – Location & Vicinity Map  
Attachment D – Proposed Plans

## **PROJECT DESCRIPTION**

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The proposed project is for Building Site Approval, Grading Approval, and a Special Permit for a new 7,546 square foot (s.f.) single-family residence, with a detached garage and a detached entertainment/fitness structure with more than two (2) plumbing fixtures on an 8.3-acre lot. The work will encompass installation of a pool, a tennis court, a site wall that is not more than 6 feet in height, a new driveway from Oak Glen Avenue, and a new septic system. The property owner will be converting the existing residence built prior to 1947 to an Accessory Dwelling Unit (ADU) as part of the project. All existing shed on the property will remain. Proposed grading consists of 698 cubic yards of cut and 825 cubic yards of fill with a maximum vertical depth of not more than 5 feet. The project will not require any removal of trees and all existing trees and landscaping will remain.

### **Setting/Location Information**

The subject property is an 8.3 gross-acre parcel and is located northwest (approximately 900 feet) from the intersection of Sycamore Drive and Oak Glen Avenue of unincorporated City of Morgan Hill in Santa Clara County. Oak Glen Avenue is a County scenic road and is also County maintained. The property is 1.29 miles west from the City of Morgan Hill; however, it is not located within the Urban Service Area (USA) of the City of Morgan Hill. The site is surrounded by single-family residences that were built as early as the 1920s to as recent as 2004. The neighborhood character consists of low-density ranch style homes and agricultural uses with vacant land and open spaces with vacant lands to the south, southwest, northwest, and northeast of the property. The project includes converting the existing single-family residence built in 1922 into an ADU.

The site is located within the Santa Clara Valley Habitat Plan (HCP) Area 1 and is considered a covered project. The proposed development is located within the following landcovers: Mixed Riparian Forest and Woodland, Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed, and Rural Residential. Although the property does have a wildlife survey area for least bell's vireo and tri-colored blackbird, the biological report conducted by Sol Ecology dated October 20, 2020 (Attachment E) did not find any presence or evidence of habitat for least bell's vireo and tri-colored blackbird. As the development borders Llagas Creek to the north and northeast, a biology report also included a survey of the riparian areas along the existing watercourse. The biologist from Sol Ecology recommended a 50 feet buffer for the riparian setback from the top of bank (rather than the standard 200 feet for a Category 1 stream) to the development as there would not be impact to any riparian if the setback is lowered. The proposed project will not be in proximity to any sensitive land covers. Based on County GIS data, the slope of the property is 6%.

## **REASONS FOR RECOMMENDATIONS**

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

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

**B. Project/Proposal**

1. **General Plan:** Agriculture Medium Scale
2. **Approval Building Site:** Per County Ordinance Code Section C12-307, Building Site Approval (BSA) is required for new single-family or two-family dwellings, including any property within the A-20Ac-sr zoning district that is not a designated lot within an approved Parcel Map. The proposed project meets all development standards for the primary residence and accessory structures. Application for BSA was applied on July 13, 2021 and will be approved simultaneously with the Grading Approval and Special Permit.
3. **Zoning Standards:** The Zoning Ordinance specifies the required development standards for A-20Ac-sr Zoning District, as summarized below, followed by Table A, noting the project's conformance with Section 4.20.020 for accessory structures:

Main Residence

**Setbacks (A-20Ac-sr):** 30-feet from all property lines and/or rights-of-way (ROW)  
**Height:** 35-feet maximum  
**Stories:** 2-stories maximum

***Table A: Compliance with Development Standards for Accessory Structures***

<b>STANDARDS &amp; REQUIREMENTS</b>	<b>CODE SECTION</b>	<b>Meets Standard (Y/N)*</b>
Located in Rear Yard or Minimum 75 Feet from Front Property Line	§ 4.20.020 (E)(5)	Y
Height	§ 4.20.020 (E)(1)	Y
Minimum Separation Between Residence and Accessory Structure	§ 4.20.020 (E)(4)	Y
Rear Yard Coverage	§ 4.20.020 (E)(5)	Y

\*See a detailed discussion of these development standards within the body of the Special Permit Findings in Section D below

- C. Grading Approval:** Pursuant to Section C12-433 of the County Ordinance Code, all Grading Approvals are subject to specific findings. In the following discussion, the scope of review findings are listed in **bold**, and an explanation of how the project meets the required standard is in plain text below.
1. **The amount, design, location, and the nature of any proposed grading is necessary to establish or maintain a use presently permitted by law on the property.**

The project's grading quantities are 698 cubic yards of cut and 825 cubic yards of fill. The proposed grading is necessary to establish the primary residence, accessory structure, tennis court, and access driveway. The property is a very flat lot with Llagas Creek located to the north. Construction of the detached garage, entertainment/fitness structure, and tennis court are allowed as accessory use and ancillary to the primary residence. The location of all the accessory structures are clustered into one specific geographic area and the design of the development will not encroach or impact any species or riparian. The biology report from Sol Ecology (Attachment E) recommended a 50 ft. setback from the top-of-bank which is identified on the civil plans (Attachment D) and is sufficient (according to Sol Ecology) to maintain distance from the proposed developmet to Llgas Creek.

Consequently, the amount, design, location and the nature of the proposed grading is necessary and appropriate to establish the single-family residential use, which is a permissible use in the A-20Ac-sr zoning district. As such, this finding can be made.

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

The proposed grading will not endanger public or private property. The grading is minimized to maintain a single-family residential use on the property that will provide a safe and stable foundation for the residence and accessory structures proposed. All export will be deposited at an approved site. The Conditions of Approval of final grading plans will ensure that grading around the building pads and driveway will not result in slope instability or erosion. Land Development Engineering has specific erosion control standards to be implemented as part of the driveway and grading design. As such, this finding can be made.

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

The proposed grading is designed to contour to the natural topography to the maximum extent possible and the overall location of the residence including accessory structures and tennis court are clustered to an area that is flat to minimize disturbance to the natural landscape and top-of-bank of Llagas Creek. The site wall along the residence is designed to not exceed six (6) feet in height with native shrubs to screen and soften the wall façade. The development will not impact any wildlife habitat as the biology report conducted by Sol Ecology dated October 20, 2020 (Attachment E) did not find any presence or evidence of habitat for least bell's vireo or tri-colored blackbird. The grading proposed from the applicant is not unnecessary for the residential use and massive retaining walls are also not proposed. The development is concentrated in an area that is flat and the project is not impacting any biological or natural resources or riparian as identified in the biology report (Attachment E). A detention pond is included as part of the developmetn as a permanent mitigation measure to minimize erosion. As such, the above finding can be made.



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

The proposed development is utilizing a flat area on the property and is locating the project a minimum of 50 feet from the top-of-bank. Additionally, the residence and all accessory structures are located outside of the 100 ft. scenic road buffer of Oak Glen Avenue. The proposed grading is the minimum necessary for the residence, accessory structures, and driveway. Staff determined that the development is consistent to the County's General Plan (R-GD22, R-GD23) as it minimizes grading by locating the addition area on a flat pad and the associated grading is needed to establish the single-family residential use. As such, this finding can be made.

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

The majority of the grading is necessary for the foundation of the tennis court, which is ancillary to the residential use. Additionally, the project is using an existing flat area of the property and is conforming to the natural terrain by not grading near Llagas Creek or in any of the riparian area. As such, this finding can be made.

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

The proposed grading is in conformance with specific findings and policies identified in the County General Plan. For example, the total grading quantities have been minimized by utilizing the existing flat area on property and overall design of the residence and accessory structures are not within any riparian areas or sensitive landcover. The development also outside of the 100 ft. scenic road buffer and is utilizing earth tone colors to blend with the natural topography and existing landscape. The project is consistent with the County's General Plan R-GD22 and R-GD24 (see Finding 4 above), which encourages only the minimal grading necessary to establish a single-family residence. As such, this finding can be made.

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

The proposed grading is in conformance with the adopted "*Guidelines for Grading and Hillside Development*," in particular, the specific guidelines for grading, siting, building form, and design. The overall grading design of the residence, accessory structures, and tennis court will not create any visual scarring to the property as the site is very flat. There will not be any impact to biological resources or riparian as the biology report (Attachment E) confirmed there is no presense or habitat of least bell's vireo or tri-colored blackbird and recommended a 50 ft. setback from the top of bank. Therefore, this finding can be made.

- D. Special Permit:** In addition to specific findings identified in Section 4 above, accessory structures with more than two (2) internal plumbing fixtures are also subject to a Special Permit (Chapter 5.60). In the following discussion, the scope of review findings for a Special Permit are delineated in **bold** type, and an explanation of how the project meets the required findings is in plain text below. The Zoning Administrator is required to make these findings to approve the project.

**1. The proposed use conforms with the general plan, with the zoning ordinance, and with all standards applicable to the proposed use that have been adopted by the Planning Commission or Board of Supervisors;**

As identified from Table A, the proposed development meets all general plan and zoning ordinance standards applicable to residential use. The proposed detached garage and entertainment and center are below 35 feet in height (18 feet for the detached garage and 23 feet for the entertainment/fitness structure), which is allowed for accessory structures on properties more than 2.5-gross acre. The location of the detached garage and entertainment/fitness barn conforms to the development standards stipulated for accessory structures as it is in the rear yard of the property or at least 75 ft. from the front property line and are a minimum of 30 feet from the front and rear property lines. Additionally, the accessory structures are a minimum of six (6) feet in separation from the primary residence. Therefore, the above finding can be made.

**2. The site is adequate for the proposed use, including but not limited to being of adequate size and shape to accommodate all facilities and development features to integrate the use into the surrounding area and to provide any necessary or appropriate buffers between the use and the surrounding area;**

The site is adequate to accommodate the proposed entertainment/fitness barn and detached garage. The subject site is approximately 8.3-acre, and the proposed entertainment/fitness barn and detached garage satisfies the required setbacks for a residential accessory structure (rear yard or at least 75 feet from front property line). As a recreational residential non-living unit, the site is adequate for the use of the entertainment/fitness structure. As such, the area of the property and the location of the proposed structure offers adequate separation and existing landscaping provides a buffer between the proposed use and the surrounding uses to the adjacent properties. Therefore, this finding can be made.

**3. The proposed use will not be detrimental to the public health, safety, or general welfare. In this respect the zoning administrator shall further find, without limitation, that:**

- a. Adequate off-street parking, loading and unloading areas (if applicable) and handicapped access will be provided;**

The property has ample space for off-street parking with an existing attached garage able to accommodate the required minimum one (1) covered parking space per County Zoning Ordinance Section 4.30.030. Therefore, this finding can be made.

- b. Appropriately designed site access will be provided, including safe and adequate access for fire and emergency vehicles (including secondary access where deemed necessary by the fire marshal);**

Emergency driveway access to the entertainment/fitness barn and detached garage is the same as the primary dwelling. An additional driveway is not necessary or required as the structures are accessory and not for dwelling purposes. Fire sprinklers will be installed for the entertainment/fitness barn during the Building Permit application phase as indicated on the submitted plans (Attachment D). As stated, this finding can be made.

- c. The use will not adversely affect water quality. Adequate wastewater treatment, disposal and sanitation facilities will be provided and will satisfy all applicable local, state and federal requirements;**

The property will have a new septic system and leach field installed for the primary residence. As the existing residence built in 1922 will be converted into an ADU, the detached entertainment/fitness barn cannot be an additional ADU. Additionally, SB 9 cannot be applied towards the existing property (for the creation of another ADU) as the property is zoned exclusive agriculture. Therefore, this finding can be made.

- d. The use will not be detrimental to the adjacent area because of excessive noise, odor, dust or bright lights;**

The installation of more than two (2) plumbing fixtures would not create noise, odor, dust, or excessive light impacts. Furthermore, residential, and accessory uses shall be subject to the County Noise Ordinance. Therefore, this finding can be made.

- e. The use will not substantially worsen traffic congestion affecting the surrounding area;**

The entertainment/fitness barn is an accessory use, which is ancillary to residential uses. Extra plumbing fixtures to the accessory structure will not create any additional traffic as the use continues to be residential. Therefore, this finding can be made.

- f. Erosion will be adequately controlled; and**

A detention pond is proposed as part of the residential development. Additionally, standard conditions and BMP's will be required through building permit review. Therefore, this finding can be made.

**g. Adequate storm drainage management exists or will be provided and will comply with all applicable local, state and federal requirements.**

The Special Permit by itself would not trigger the requirement of a Drainage Permit. However, proposed entertainment/fitness barn is part of single-family residential project. A Grading Approval as well as proposal for storm drainage management is incorporated as part of the overall scope of project and was/reviewed and conditioned by Land Development Engineering (LDE) to comply with all local, state, and federal requirements. Therefore, this finding can be made.

In conclusion, Staff recommends the Zoning Administration Hearing Officer to approve the concurrent land use entitlements for a Building Site Approval, Grading Approval, and Special Permit. As noted throughout the Staff Report, the proposed project meets all development standards for the single-family residence (as noted in the Zoning Standards above) and all the findings for Building Site Approval, Grading Approval, and Special Permit.

## **BACKGROUND**

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On July 13, 2021, the owners, John Pelosi and Janine Pelosi, applied for Building Site Approval, Grading Approval, and Special Permit to construct an approximately 7,000 square foot single-family residence with a detached garage, detached entertainment/fitness barn, and tennis court. The owner also proposed to convert the existing single-family residence built in 1922 into an ADU at a later date. The application was deemed incomplete on August 13, 2021, as there were missing items from the original submittal and staff also had comments related to the project. The applicant was resubmitted on October 27, 2021, and the application was deemed incomplete as a geotechnical report was not provided in the resubmittal. The application was resubmitted on December 7, 2021 and was deemed complete on January 7, 2022.

A public notice was mailed to all property owners within a 300-foot radius of the project on January 24, 2022 and published in the Post Records on January 25, 2022. However, as publication posting is after the required 10-day notification for the February 3, 2022 Zoning Administration Hearing, the hearing will be continued to February 4, 2022 when a decision on the project will be rendered.

## **STAFF REPORT REVIEW**

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Prepared by: Lara Tran, Senior Planner 

**ATTACHMENT A**  
**Proposed CEQA Determination**

# ATTACHMENT A

## STATEMENT OF EXEMPTION

### from the California Environmental Quality Act (CEQA)

<b>FILE NUMBER</b>	<b>APN(S)</b>	
PLN21-113	773-26-037	1/26/2022
<b>PROJECT NAME</b>	<b>APPLICATION TYPE</b>	
15230 Oak Glen Avenue, Morgan Hill	Building Site Approval, Grading Approval and Special Permit	
<b>OWNER</b>	<b>APPLICANT</b>	
John Pelosi and Janine Pelosi	M.H. Engineering	
<b>PROJECT LOCATION</b>		
15230 Oak Glen Avenue, Morgan Hill		
<b>PROJECT DESCRIPTION</b>		
<p>Building Site Approval, Grading Approval, and Special Permit for the construction of a 7,546 square foot (s.f.) single-family residence, with a detached garage and a detached accessory structure with more than two (2) plumbing fixtures on an 8.3-acre lot. Associated improvements include installation of a new driveway, tennis court, and septic system. Grading consists of 698 cubic yards of cut and 825 cubic yards of fill.</p> <p>All discretionary development permits processed by the County Planning Office must be evaluated for compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended). Projects which meet criteria listed under CEQA may be deemed exempt from environmental review. The project described above has been evaluated by Planning Staff under the provisions of CEQA and has been deemed to be exempt from further environmental review per the provision(s) listed below.</p>		
<b>CEQA (GUIDELINES) EXEMPTION SECTION</b>		
Categorically Exempt – Section 15303(a) for a new single-family residence.		
<b>COMMENTS</b>		
There is no proposal to remove any existing trees on the property. Native shrubs will be incorporated into a future landscaping plans to screen the maximum terrace walls.		
<b>APPROVED BY:</b>		
Lara Tran, Associate Planner	 _____ Signature	_____ 1/26/2022 _____ Date

**ATTACHMENT B**  
**Proposed Conditions of Approval**

**ATTACHMENT B**  
**PRELIMINARY CONDITIONS OF APPROVAL**  
**BUILDING SITE APPROVAL, GRADING APPROVAL, AND SPECIAL PERMMIT**

**Date:** January 26, 2022  
**Owner/Applicant:** John and Janine Pelosi / M.H. Engineering  
**Location:** 15230 Oak Glen Avenue, Morgan Hill, CA (APN: 773-26-037)  
**File Number:** PLN21-113  
**CEQA:** Categorically Exempt – Section 15303(a)  
**Project Description:** Building Site Approval, Grading Approval, and Special Permit for the construction of a 7,546 square foot (s.f.) single-family residence, with a detached garage and a detached accessory structure with more than two (2) plumbing fixtures on an 8.3-acre lot. Associated improvements include installation of a new driveway, tennis court, and septic system. Grading consists of 698 cubic yards of cut and 825 cubic yards of fill.

Proposed development is a covered project under the Santa Clara Valley Habitat Conservation Plan (HCP).

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

Agency	Name	Phone	E-mail
Planning	Lara Tran	(408) 299-5759	<a href="mailto:lara.tran@pln.sccgov.org">lara.tran@pln.sccgov.org</a>
Land Development Engineering	Darrell Wong	(408) 299-5735	<a href="mailto:darrell.wong@pln.sccgov.org">darrell.wong@pln.sccgov.org</a>
Fire Marshal	Alex Goff	(408) 299-5763	<a href="mailto:alex.goff@sccfd.org">alex.goff@sccfd.org</a>
Environmental Health	Darrin Lee	(408) 299-5748	<a href="mailto:darrin.lee@cep.sccgov.org">darrin.lee@cep.sccgov.org</a>
Roads and Airports	Tom Esch	(408) 573-2450	<a href="mailto:tom.esch@rda.sccgov.org">tom.esch@rda.sccgov.org</a>
Geology	Jim Baker	(408) 299-5774	<a href="mailto:jim.baker@pln.sccgov.org">jim.baker@pln.sccgov.org</a>
Building Inspection		(408) 299-5700	

**STANDARD CONDITIONS OF APPROVAL**

**Building Inspection**

1. For detailed information about the requirements for a Building Permit, obtain a Building Permit Application Instruction handout from the Building Inspection Office or visit the website at [www.sccbuilding.org](http://www.sccbuilding.org).

**Planning**



2. Development must take place in substantial conformance with the approved civil plans, prepared by M.H. Engineering and architectural plans prepared by Arcanum Architecture Inc., submitted on October 27, 2021 and the Conditions of Approval. Any changes to the proposed project may result in additional environmental review, pursuant to the California Environmental Quality Act, or additional Planning review and a public hearing.
3. Existing zoning is A-20Ac-sr. Maintain the following minimum residential setbacks:

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

4. Grading shall consist of 698 cubic yards of cut and 825 cubic yards of fill with a maximum vertical depth of not more than 5 feet. Any significant increase in grading quantities, or modification to the grading design, is subject to further review and may require a modification to the Grading Approval and associated fees.
5. Two (2) off-street parking spaces are required for the residence where one (1) must be covered.
6. Any detached accessory structures shall be in the rear half of the lot, or at least 75 ft. from the front property line or edge of right-of-way, per Sections 4.20.020(E)(2). Rear yard coverage of cumulative detached accessory structures shall not be more than 30%, which excludes green houses or agricultural structures.
7. Detached accessory structures that are more than 12 feet in height shall maintain a minimum 30 ft. setback to the side and rear property lines, per Section 4.20.020(E)(3).
8. Water tanks shall have a minimum front yard setback back of a minimum of 30 feet and shall have a side and rear setback of at least 3 feet if less than 12 feet in height. If water tanks are more than 12 feet in height, the side and rear setbacks shall be a minimum of 30 feet.
9. If archaeological resources or human skeletal remains are discovered during construction, work shall immediately stop, and the County Coroner's Office notified. Upon determination that the remains are Native American, no further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs, in accordance with state law and Chapter B6-18 of the County Ordinance Code.

#### Land Development Engineering

10. 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

11. 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.

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

#### Planning

12. **Prior to issuance of any permits**, the applicant shall pay all reasonable costs associated with the work by the Department of Planning and Development.
13. **Prior to issuance of a building permit**, and pursuant to Zoning Ordinance Section 5.20.125, record a Notice of Permit and Conditions with the County Office of Clerk-Recorder to ensure that successor property owners are aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided **prior to building permit issuance**.

#### *Habitat Plan Application for Private Projects*

14. **Prior to issuance of any grading or building permit**, submit a completed Habitat Plan Application for Private Projects (“Application”) with all required submittal materials, including all exhibits (as described in the Application for Private Projects), and required staff review fee to the Planning Office for review and verification. See further details regarding site plans and land cover mapping as part of the application.

#### Site Plan

The required site plan shall show the project development, including a delineation of the permanent and temporary development buffer areas.

- *Permanent development area* is defined as all land that will have permanent improvements (driveways, water tanks, buildings/structures, septic system, landscaping, etc.), plus a 50-foot buffer surrounding these areas.
- *Temporary development area* is defined as land that will be temporarily affected during development (construction laydown areas, subsurface utilities/trenching, etc.) that will be *restored within one year of completing construction*, plus a 10-foot buffer surrounding these areas.

#### Land Cover Mapping

The required land cover mapping shall include the following:

- Land cover mapping that clearly delineates the verified land cover (as described in Chapter 3 of the Habitat Plan), proposed development (footprint of residence and improvements – i.e., driveway, septic system, landscaping, impervious surfaces, and area of temporary and permanent impacts (with applicable buffers).

- Area calculations of land cover permanently and temporarily impacted by the project, consistent with Table 1 in the Application for Private Projects.

#### *Fees*

15. **Prior to issuance of any grading or building permits**, all Santa Clara Valley Habitat Agency (SCVHA) fees must be paid. Land cover fees are paid based on the land cover (including Serpentine Fee Zone), and development area associated with the project. *Temporary development fees* are based on the amount of time the land is disturbed during construction, plus one year after completing construction, and cannot exceed a combined total of 2 years. ***All temporary development that exceeds 2 years from the onset of construction will be subject to permanent impact fees.***

The project is subject to the following Habitat Plan fees based on HCP Geobrowser Mapping. Actual land cover fees will be verified upon receiving adequate land cover mapping with impervious surface calculations.

- A. Land Cover Fee Zone B –Agricultural and Valley Floor Lands.
- B. Mixed Riparian Forest and Woodland Zone

#### *Habitat Plan Conditions of Approval*

16. **Prior to issuance of grading/drainage or building permits**, all future development is subject to the following Conditions of Approval and described in more detail within Chapter 6 of the Santa Clara Valley Habitat Plan.

- Condition 1: Avoid Direct Impacts on Legally Protected Plant and Wildlife Species.
- Condition 3: Maintain Hydrologic Conditions and Protect Water Quality.
- Condition 7: Rural Development.
- Condition 11: Streams and Riparian Setbacks

17. **Prior to issuance of grading/drainage or building permits**, incorporate the Habitat Plan *Conditions of Approval (Exhibit A)*, and *Table 1: Hydrology Condition 3* into the improvement/grading and building plans.

#### Environmental Health

18. Prior to issuance of a building/grading permit, submit an onsite wastewater treatment system (OWTS) design/ site plan to the Department of Environmental Health (DEH) for approval. The OWTS design shall be based upon a percolation test rate of 20 minutes per inch (MPI) and the proposed dispersal field shall be located within the percolation and soil profile testing areas. Maintain all setback requirements as outlined within County of Santa Clara Onsite Systems Manual.

- A. Based on a percolation rate of 20 MPI (with an application rate 0.64 gallons per day per square foot), sewage disposal conditions have been determined at 187

lineal feet plus 187 lineal feet (5 square feet of infiltrative space). The two dispersal fields must be connected through a positive diversion valve. A 1500-gallon septic tank shall be required. This OWTS is adequate to serve a single-family dwelling with a maximum design flow of 600 gallons per day or 5 bedrooms.

19. The OWTS design shall be overlaid onto the final grading and drainage plan.
20. To assist in sizing of the proposed OWTS, submit a complete set of floor plans to DEH **during building permit application.**
21. **Prior to issuance of a building/grading permit**, obtain individual water clearance from the Department of Environmental Health. For additional information regarding individual well clearance, follow the hyperlink to [https://cpd.sccgov.org/sites/g/files/exjcpb706/files/WP\\_Checklist\\_Individual\\_Well.pdf](https://cpd.sccgov.org/sites/g/files/exjcpb706/files/WP_Checklist_Individual_Well.pdf)
  - A. For water clearance, provide the following to DEH, a well log which shows a 50 ft. sanitary seal, pump test results, and results from bacteriological and chemical testing.

#### Geology

22. **Prior to issuance of grading or building permits**, submit a Plan Review Letter that confirms the plans conform with the recommendations presented in Romig Engineer's Geotechnical Investigation report (dated 5-12-2021).

#### Roads and Airports

23. Dedicate the following curvilinear rights-of-ways: 30-foot half street for Oak Glen Avenue. All dedications shall include legal descriptions, plats, and corresponding documents to be reviewed and approved by the County.
24. Obtain a Santa Clara County Roads and Airports Department (RAD) Encroachment Permit for the following required improvements:
  - A. Improvement of the property's Oak Glen Avenue frontage, at both driveway entrance areas, to County Standard B/4A.
  - B. Installation of both driveway approaches to County Standard B/4.
  - C. Removal of any vegetation or other obstructions necessary to provide adequate line-of-sight at the driveway approach locations or removal of gates, fences, retaining wall, fixed appurtenances, etc., outside the limits of the County maintained road right-of-way (ROW).
25. The process for obtaining an Encroachment Permit and the forms that are required can be found at: [www.countyroads.org](http://www.countyroads.org) > Services > Apply for Permits > Encroachment Permit.

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

#### Land Development Engineering (LDE)

27. **Prior to issuance of a building permit**, obtain a grading permit from LDE (building and grading permits may be applied for concurrently). The process for obtaining a grading permit and the forms that are required can be found at the following web page: [www.sccplanning.org](http://www.sccplanning.org) > How to... > Submit a development Permit Application > Grading Permit

If the County Roads and Airports Department provides a condition of approval to obtain an encroachment permit, the grading and encroachment permits will be processed concurrently under one set of improvement (grading) plans. Please contact LDE at (408) 299-5734 for additional information and timelines.

28. Final plans shall include a single sheet which contains the County standard notes and certificates as shown on County Standard Cover Sheet. Plans shall be neatly and accurately drawn, at an appropriate scale that will enable ready identification and recognition of submitted information.

#### *Improvement Plans*

29. Final improvement plans shall be prepared by a licensed civil engineer for review and approval by LDE and the scope of work shall be in substantial conformance with the conditionally approved preliminary plans on file with the Planning Office. Include plan, profile, typical sections, contour grading for all street, road, driveway, structures, and other improvements as appropriate for construction. The final design shall be in conformance with all currently adopted standards and ordinances. The following standards are available on-line:
- Standard Details Manual, September 1997, County of Santa Clara, Roads and Airports Department available at: [www.sccgov.org/sites/rda](http://www.sccgov.org/sites/rda) > Published Standards, Specifications, Documents and Forms
  - March 1981 Standards and Policies Manual, Volume 1 (Land Development) [https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual\\_Vol1.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual_Vol1.pdf).
  - 2007 Santa Clara County Drainage Manual [https://www.sccgov.org/sites/dpd/DocsForms/Documents/DrainageManual\\_Final.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/DrainageManual_Final.pdf)
30. Survey monuments shall be shown on the improvement plan to provide sufficient information to locate the proposed improvements and the property lines. Existing monuments must be exposed, verified and noted on the grading plans. Where existing

monuments are below grade, they shall be field verified by the surveyor and the grade shall be restored and a temporary stake shall be placed identifying the location of the found monument. If existing survey monuments are not found, temporary staking delineating the property line may be placed **prior to construction** and new monuments shall be set **prior to final acceptance of the improvements**. The permanent survey monuments shall be set pursuant to the State Land Surveyor's Act. The Land Surveyor / Engineer in charge of the boundary survey shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.

31. The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period. Include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set.
32. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.
33. Provide landscaping and disturbed area quantities on the final plans along with water efficiency calculations to demonstrate compliance with water usage requirements.

#### *Floodplain*

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

#### *Drainage*

35. Provide a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. The mean annual precipitation is available on the on-line property profile.
36. All new on-site utilities, mains and services shall be placed underground and extended to serve the proposed development. All extensions shall be included in the improvement plans. Off-site work should be coordinated with any other undergrounding to serve other properties in the immediate area.

#### *Stormwater Treatment – Central Coast*

37. Include one of the following site design measures in the project design: (a) direct hardscape and/or roof runoff onto vegetated areas, (b) collect roof runoff in cisterns or rain barrels for reuse, or (c) construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces. Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design.

38. Provide a Storm Water Control Plan prepared by a licensed civil engineer. Include storm water quality treatment measures and Drainage Management Areas and runoff retention measures sized per the County's Guidance Manual for Low Impact Development and Post Construction Requirements.
39. Provide peak flow management analysis for the project prepared by a licensed civil engineer. The analysis shall show the post –development peak flow discharge from the site doesn't exceed the pre-project peak flows for the 2- through 10-year storm events.

#### *Soils and Geology*

40. Submit one (1) copy of the signed and stamped geotechnical report for the project.
41. Submit a plan review letter by the Project Geotechnical Engineer certifying that the geotechnical recommendation in the above geotechnical report have been incorporated into the improvement plan.

#### *Notice of Intent*

42. Indicate on the improvement plans the land area that will be disturbed. If one acre or more of land area will be disturbed, file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for coverage under the State General Construction Permit. The SWRCB will issue a Waste Discharge Identification number (WDID). The WDID number shall be shown on the on the final improvement plans. The SWRCB web site is at: [www.waterboards.ca.gov](http://www.waterboards.ca.gov) > [Water Issues](#) > [Programs](#) > [Stormwater](#)

#### *Dedications and Easements*

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

#### *Agreements*

44. Enter into an Operations and Maintenance Agreement for Stormwater Quality Improvements with the County per Section C11.5-23 of the County Ordinance Code.

#### Fire Marshal's Office

45. **Prior to approval of the foundation**, fire protection water system shall be installed, functioning, and inspected. System shall be maintained in good working order and accessible throughout construction. A stop work order may be placed on the project if the required hydrant systems are not installed, accessible, and/or functioning.

46. Where on-site storage tanks are required, details for fire protection water supply shall be included with the building permit set of drawings. Submittal shall include, but not be limited to, location of water supply, (e.g. onsite well, shared well; tank location and capacity, pipe size, wharf hydrant orifice size and location, domestic and fire protection water tanks and piping configuration).
- A. All installations shall include a primary aboveground storage tank with a capacity of not less than 3,000 gallons dedicated to domestic and fire sprinkler system demand. Storage capacity may be increased due to sprinkler design demand or additional domestic (including landscaping) required by the Environmental Health Department.
  - B. Provide two (2) 5,000-gallon (total of 10,000-gallon) secondary aboveground storage tanks dedicated to the wharf hydrant. Final water amount to meet CFMO-W1 based on structure size.
  - C. Installation of the tank system shall comply with Fire Marshal Standard CFMO-W5.
47. One on-site wharf hydrant with 2-1/2-inch orifice is required to be installed when fire protection water is supplied by on-site aboveground storage tank(s). Installation of hydrants shall be in accordance with Fire Marshal Standard Detail CFMO-W4.
- A. Minimum distance to structure shall not be less than 55 ft. from the closest portion of the structure and shall not exceed 400 ft. from the furthest portion of non-sprinklered structures and 600 ft. of sprinklered structures (measured along path of travel).
48. Fire Department access are minimum Fire Marshal standards. Should the access standards conflict with any other local, State, or Federal requirements, the most restrictive shall apply.
49. Construction of access roads and driveways shall use good engineering practice.
50. All required access roads, driveways, turnarounds, and turnouts shall be installed, and serviceable prior to approval of the foundation, and shall be maintained throughout construction. A stop work order may be placed on the project if required driving surfaces are not installed, accessible, and/or always maintained.
51. Access Roads (roads serving more than two lots) and driveways (roads serving no more than two lots) for fire department access shall comply with the following:
- A. Width: Access Roads to have a clear drivable width of 20 ft. per PRC-4290. Driveways are to have a 12 ft. drivable width and a 3 ft. shoulder.
  - B. Vertical Clearance: Minimum vertical clearance of 15 ft. shall be maintained to building site (trim or remove, tree limbs, electrical wires, structures, and similar improvements) for access roads and 13 ft. 6 in for driveways.
  - C. Curve Radius: Inside turn radius for curves shall be a minimum of 50 ft.
  - D. Grade: Maximum grade shall not exceed 15%.



- E. Surface: All driving surfaces shall be all-weather and capable of sustaining 75,000 pound gross vehicle weight.
  - F. Dead End Roads: Turnarounds shall be provided for dead end access roads more than 150 ft. in length. Dead-end road length is to meet PRC-4290.
  - G. Turnouts: Passing turnouts in compliance with SD-16 shall be provided at every 400 ft. and wherever hydrants are placed adjacent to a driveway.
  - H. Turnarounds: Turnarounds: Turnaround shall be provided for driveways more than 150 feet as measured along the path of travel from the centerline of the access road to the structure. Acceptable turnarounds shall comply with County Standard SD-16. All turnarounds shall have a slope of not more than 5% in any direction.
  - I. Gates: Gates shall not obstruct the required width or vertical clearance of the driveway and may require a Fire Department Lock Box/Gate Switch to allow for fire department access. Installation shall comply with CFMO-A3.
52. The property is located within the South Santa Clara County District Fire response area and State Response Area (served by Cal Fire)
53. As the property is within the Wildland/Urban Interface Fire Area. All the following conditions shall apply:
- A. A Class "A" roof assembly is required. Detail shall be included in plans submitted for building permit.
  - B. Provide a ½ inch spark arrester for the chimney.
  - C. Remove significant combustible vegetation within 30 feet of the structure to minimize risk of wildfire casualty. Maintain appropriate separation of vegetative fuels in areas between 30 and 100 feet from the structure.
  - D. Project is to meet PRC-4290.
54. Fire protection water systems and equipment shall always be accessible and maintained in operable condition and shall be replaced or repaired where defective. Fire protection water shall be made available to the fire department.
55. Fire department access roads, driveways, turnouts, and turnarounds shall always be maintained free and clear and accessible for fire department use. Gates shall be maintained in good working order and shall always remain in compliance with Fire Marshal Standard CFMO-A3.

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

Planning

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

Geology

57. Submit a Construction Observations Letter that verifies the work was completed in accordance with the approved plan.

Land Development Engineering

58. 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.
59. Construct all the improvements. Construction staking is required and shall be the responsibility of the developer.

Fire Marshal's Office

60. **Prior to occupancy**, an approved residential fire sprinkler system complying with CFMO-SP6 shall be installed throughout the structure.
61. A separate permit shall be obtained from Fire Marshal Office by a state licensed C-16 contractor prior to installation. Please allow for a minimum of 30 days for plan review of fire sprinkler plans by the Fire Marshal Office.

Roads and Airports

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

EXHIBIT A  
Santa Clara Valley Habitat Plan  
Conditions of Approval

File #PLN21-113  
APNs: 773-26-037  
BSA, Grading Approval, and Special Permit  
Property Owner: John and Janine Pelosi  
Conditions Prepared by Lara Tran on January 26, 2022

***Santa Clara Valley Habitat Plan Conditions of Approval***

*Incorporate the following Habitat Plan Conditions of Approval into the grading abatement permit plans. These Conditions are described in more detail within Chapter 6 of the Santa Clara Valley Habitat Plan.*

*Condition 1: Avoid Direct Impacts on Legally Protected Plant and Wildlife Species*  
Conditions Applied During Project Construction

1. Large Trees (migratory birds or raptors) - If construction will require the removal of large trees during the bird nesting season, conduct pre-construction surveys by a qualified biologist to determine if active nests are present within trees. Private applicants should follow procedures currently used (including definition of nesting season and timing of pre-construction surveys) to comply with Migratory Bird Treaty Act (MBTA) and California state regulation requirements in addressing this condition.

*Condition 3: Maintain Hydrologic Conditions and Protect Water Quality and*  
Conditions Applied During Project Construction

2. Incorporate Table 1: *Hydrology Condition 3* (attached) into the grading/drainage and building plans.

*Condition 7: Rural Development*  
Conditions Applied During Project Construction

3. Minimize ground disturbance to the smallest area feasible.
4. Use existing roads for access and disturbed areas for staging, as site constraints allow. Off-road travel will avoid sensitive communities such as wetlands and known occurrences of covered plants.
5. Avoid and minimize impacts associated with altering natural drainages and contours on the project site. If the site is graded, blend grading into the existing landform as much as possible.

6. Prevent rills (a narrow groove or crack in the road resulting from erosion by overland flow) by breaking up large or long bare areas into smaller patches that can be effectively drained before rills can develop.
7. Disconnect and disperse runoff flow paths, including roadside ditches, that might otherwise deliver fine sediment to stream channels.
8. Prevent gullies by dispersing runoff from road surfaces, ditches and construction sites, by correctly designing, installing and maintaining drainage structures (i.e. road shape, rolling dips, out-sloped roads, culverts) and by keeping streams in their natural channels. No single point of discharge from a road or other disturbed area should carry sufficient flow to create gullies. If gullies continue to develop, additional drainage structures are needed to further disperse the runoff).
9. Maintain as much natural vegetation as possible, consistent with fuel management standards, on the project site.
10. Maintain County-mandated fuel buffer (variable width by slope conditions).
11. At project sites that are adjacent to any drainage, natural or manmade, exposed soils must be stabilized or otherwise contained on site to prevent excessive sediment from entering a waterway.
12. Minimize to the maximum extent possible the amount of ground disturbance when constructing roads.
13. Ground-disturbing activities associated with road construction should be timed to occur during dry weather months to reduce the possibility of landslides or other sediment being transported to local streams during wet weather.
14. If construction extends into wet weather, the roadbed will be surfaced with appropriate surfacing material to prevent erosion of the exposed roadbed.
15. If construction on steep slopes is required, construction will be timed for dry weather months to reduce the potential for landslides.
16. All temporarily disturbed soils will be revegetated with native plants and/or grasses or sterile nonnative species suitable for the altered soil conditions upon completion of construction. Local watershed native plants will be used if available. If sterile nonnative species are used for temporary erosion control, native seed mixtures must be used in subsequent treatments to provide long-term erosion control and slow colonization by invasive nonnatives. All disturbed areas that have been compacted shall be de-compacted prior to planting or seeding.
17. All temporarily disturbed areas, such as staging areas, will be returned to pre- project or ecologically improved conditions within 1 year of completing construction or the impact will be considered permanent.
18. No plants identified by the California Invasive Plant Council as Invasive will be planted on the project site. Planting with watershed local native and/or drought-resistant plants is

highly encouraged. This reduces the need for watering as well as the need for fertilizers and pesticides.

19. Outdoor lighting will be of low intensity and will utilize full cutoff fixtures to reduce light pollution of the surrounding natural areas.

#### Postconstruction

20. All temporarily disturbed soils will be revegetated with native plants and/or grasses or sterile, nonnative species suitable for the altered soil conditions upon completion of construction. Local watershed native plants will be used if available. If sterile, nonnative species are used for temporary erosion control, native seed mixtures must be used in subsequent treatments to provide long-term erosion control and slow colonization by invasive nonnatives. All disturbed areas that have been compacted shall be de-compacted prior to planting or seeding.
21. All temporarily disturbed areas, such as staging areas, will be returned to pre-project or ecologically improved conditions within 1 year of completing construction or the impact will be considered permanent.

#### *Condition 11: Stream and Riparian Setbacks.*

20. All new development projects shall adhere to the required Habitat Plan setback from creeks and streams and associated riparian vegetation to minimize and avoid impacts from covered projects on aquatic and riparian land cover types, covered species, and wildlife corridors. A 50-foot setback from the top-of-bank of Llagas Creek shall be maintained as recommended in the biology report by Sol Ecology.

**Table 1. Habitat Plan Condition 3 – Hydrologic Conditions\***

ID	Avoidance and Minimization Measure	Covered Activity Application	Covered by NPDES Requirements
1	Minimize the potential impacts on covered species most likely to be affected by changes in hydrology and water quality.	All	No
3.2	To the extent possible, restore the hydrograph to more closely resemble predevelopment conditions.	All	No
5	Invasive plant species removed during maintenance will be handled and disposed of in such a manner as to prevent further spread of the invasive species.	All	No
53	When possible, maintain a vegetated buffer strip between staging/excavation areas and receiving waters.	All	No
62	Use existing roads for access and disturbed area for staging as site constraints allow. Off-road travel will avoid sensitive communities such as wetlands and known occurrences of covered plants.	All	No
70	Only clear/prepare land which will be actively under construction in the near term.	All	No
73	When possible, avoid wet season construction.	All	No
84.2	Fiber rolls used for erosion control will be certified as free of noxious weed seed.	All	No
84.3	Filter fences and mesh will be of material that will not entrap reptiles and amphibians.	All	No
86	Topsoil removed during soil excavation will be preserved and used as topsoil during revegetation when it is necessary to conserve the natural seed bank and aid in revegetation of the site.	All	No
88	To the extent feasible, vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas.	All	No
89	The potential for traffic impacts on terrestrial animal species will be minimized by adopting traffic speed limits.	All	No
90	All trash will be removed from the site daily to avoid attracting potential predators to the site. Personnel will clean the work site before leaving each day by removing all litter and construction-related materials.	All	No
93	When accessing upland areas adjacent to riparian areas or streams, access routes on slopes of greater than 20% should generally be avoided. Subsequent to access, any sloped area should be examined for evidence of instability and either revegetated or filled as necessary to prevent future landslide or erosion.	All	No
95	<p>To minimize entrapment of animals on job sites, the project biologist will survey the work area at the close daily activities to identify and remediate any potential areas or conditions that might trap animals. Examples of such include pits, trenches or pipes that animals can fall into or perforated pipes or netting that can cause entanglement.</p> <p>The biologist shall consider the animals expected to enter the site during the calendar period work will be occurring, and shall use his or her best judgment to remove entrapment conditions, allow for escape (such as a ramp not exceeding a 30-degree slope leading out of a trench) or develop a site-specific protocol (such as daily post-dawn surveys) to eliminate or minimize entrapment.</p> <p>If no project biologist is required on-site the job foreman or property owner will designate an individual to carry out these activities. Only individuals that hold permits or that have been approved by the Habitat Agency as a qualified biologist may handle listed species.</p>	All	No

\* Based on SCVHP Table 6-2. Aquatic AMMs-Modified January 30, 2018). Measures covered by NPDES will be reviewed each time the applicable NPDES permit is renewed.

Table 6-2. Continued

ID	Avoidance and Minimization Measure	Covered Activity Application	Covered by NPDES Requirements
103	Unless otherwise indicated in an Executive Directive issued by the Habitat Agency, for example a directive to address plant pathogens, (103.1) all disturbed soils will be revegetated with native plants, grasses, seed mixtures, or sterile nonnative species suitable for the altered soil conditions upon completion of construction. (103.2) Local watershed native plants will be used if available. If sterile nonnative species are used for temporary erosion control, native seed mixtures must be used in subsequent treatments to provide long-term erosion control and slow colonization by invasive nonnatives. (103.3) All disturbed areas that have been compacted shall be de-compacted prior to planting or seeding. (103.4) Cut-and-fill slopes will be planted with local native or non-invasive plants suitable for the altered soil conditions.	All	No
4	Reduce the potential for scour at stormwater outlets to streams by controlling the rate of flow into the streams.	In-stream	No
6	Activities in the active (i.e. flowing) channel will be avoided whenever possible. If activities must be conducted in the active channel, applicable avoidance and minimization measures identified in this table will be enforced.	In-stream	No
12	Unless allowed by other regulatory permits, no equipment servicing shall be done in the stream channel or immediate flood plain.	In-stream	No
13	Personnel shall use the appropriate equipment for the job that minimizes disturbance to the channel bed and banks. Appropriately tired vehicles, either tracked or wheeled, shall be used depending on the situation.	In-stream	No

\* Based on SCVHP Table 6-2. Aquatic AMMs-Modified January 30, 2018. Measures covered by NPDES will be reviewed each time the applicable NPDES permit is renewed.

Table 6-2. Continued

ID	Avoidance and Minimization Measure	Covered Activity Application	Covered by NPDES Requirements
15	<p>If native fish or non covered, native aquatic vertebrates are present when cofferdam, water bypass structures and silt barriers are to be installed, a native fish and aquatic vertebrate relocation plan shall be implemented when ecologically appropriate as determined by a qualified biologist to ensure that significant numbers of native fish and aquatic vertebrates are not stranded. Prior to the start of work or during the installation of water diversion structures, native aquatic vertebrates shall be captured in the work area and transferred to another reach as determined by a qualified biologist. Timing of work in streams that supports a significant number of aquatic native vertebrates is not required at individual project sites when site conditions preclude reasonably effective operation of capture gear and equipment, or when the safety of biologist conducting the capture may be compromised. Listed species not covered by the Habitat Plan will not be relocated without the appropriate permits and authorizations from the correct agencies. Relocation of native fish or aquatic vertebrates may not always be ecologically appropriate. Prior to capturing native fish and/or vertebrates, the qualified biologist will use a number of factors, including site conditions, system carrying capacity for potential relocated fish, and flow regimes (e.g. if flows are managed to determine whether a relocation effort is ecologically appropriate. If so, the following factors will be considered when selecting release site(s):</p> <ol style="list-style-type: none"> <li>1. Similar water temperature as capture location;</li> <li>2. Ample habitat availability prior to release of captured individuals;</li> <li>3. Presence of other same species so that relocation of new individuals will not upset the existing prey/predation function;</li> <li>4. Carrying capacity of the relocation location;</li> <li>5. Potential for relocated individual to transport disease; and</li> <li>6. Low likelihood of fish reentering work site or becoming impinged on exclusion net or screen;</li> <li>7. Presence of aquatic predators</li> </ol> <p>Proposals to translocate any covered species will be reviewed and approved by the Wildlife Agencies.</p>	In-stream	No
20	Diversions shall maintain ambient flows below the diversion, and waters discharged below the project site shall not be diminished or degraded by the diversion. All materials placed in the channel to dewater the channel shall be removed when the work is completed. Dirt, dust, or other potential discharge material in the work area will be contained and prevented from entering the flowing channel. Normal flows shall be restored to the affected stream as soon as is feasible and safe after completion of work at that location.	In-stream	No
21	To the extent that stream bed design changes are not part of the project, the stream bed, including the low-flow channel, will be returned to as close to pre-project condition as possible.	In-stream	No
26	Any sediment removed from a project site shall be stored and transported in a manner that minimizes water quality impacts.	In-stream	No
31	(31.1) When conducting vegetation management, retain as much understory brush and as many trees as feasible, emphasizing shade-producing and bank-stabilizing vegetation. Carry out the activity in such a manner as to minimize impacts to the natural community present and encourage regrowth of the community structure appropriate to the site.	In-stream	No

\* Based on SCVHP Table 6-2. Aquatic AMMs-Modified January 30, 2018. Measures covered by NPDES will be reviewed each time the applicable NPDES permit is renewed.



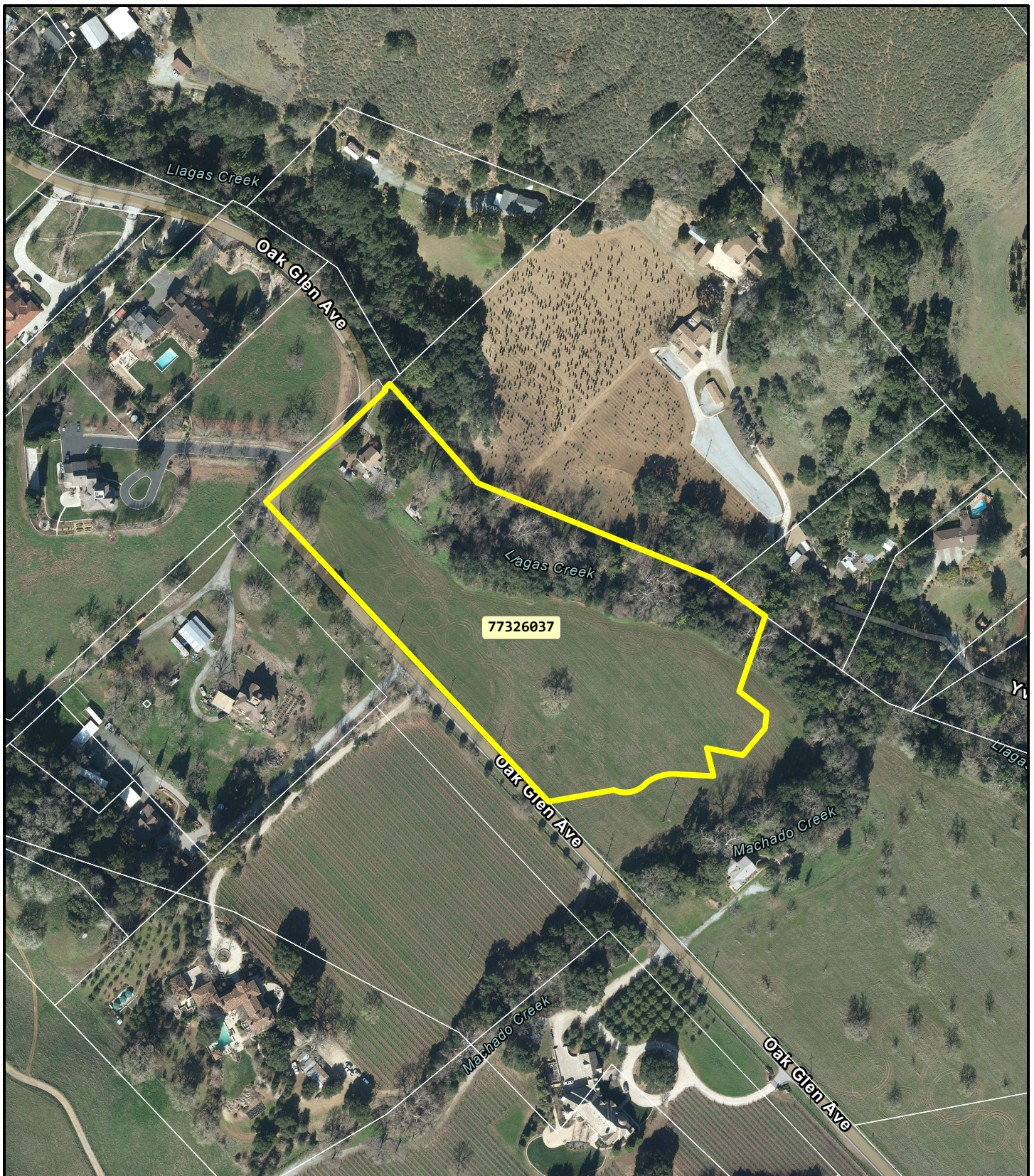
Table 6-2. Continued

ID	Avoidance and Minimization Measure	Covered Activity Application	Covered by NPDES Requirements
32	In-channel vegetation removal may result in increased local erosion due to increased flow velocity. To minimize the effect, the top of the bank shall be protected by leaving vegetation in place to the maximum extent possible.	In-stream	No
78	In-stream projects occurring while the stream is flowing must use appropriate measures to protect water quality, native fish and covered wildlife species at the project site and downstream of the project site.	In-stream	No
80	All personnel working within or adjacent to the stream setback (i.e., those people operating ground-disturbing equipment) will be trained by a qualified biologist in these avoidance and minimization measures and the permit obligations of project proponents working under this Plan.	In-stream	No
87	Vehicles operated within and adjacent to streams will be checked and maintained daily to prevent leaks of fluids and lubricants.	In-stream	No
92	To minimize the spread of pathogens all staff working in aquatic systems (i.e. streams, ponds, and wetlands) including site monitors, construction crews, and surveyors will adhere to the most current guidance for equipment decontamination provided by the Wildlife Agencies at the time of activity implementation. Guidance may require that all materials that come in contact with water or potentially contaminated sediments, including boot and tire treads, be cleaned of all organic matter and scrubbed with an appropriate cleansing solution, and that disposable gloves be worn and changed between handling equipment or animals. Care should be taken so that all traces of the disinfectant are removed before entering the next aquatic habitat.	In-stream	No
110	If debris blockages threaten bank stability and may increase sedimentation of downstream reaches, debris will be removed. When clearing natural debris blockages (e.g., branches, fallen trees, soil from landslides) from the channel, only remove the minimum amount of debris necessary to maintain flow conveyance (i.e., prevent significant backwatering or pooling). Non-natural debris (e.g., trash, shopping carts, etc.) will be fully removed from the channel.	In-stream	No

\* Based on SCVHP Table 6-2. Aquatic AMMs-Modified January 30, 2018. Measures covered by NPDES will be reviewed each time the applicable NPDES permit is renewed.

**ATTACHMENT C**  
**Location & Vicinity Map**



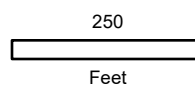


## Location and Vicinity Map

Record No. PLN21-113

APN 773-26-037

15230 Oak Glen Avenue, Morgan Hill

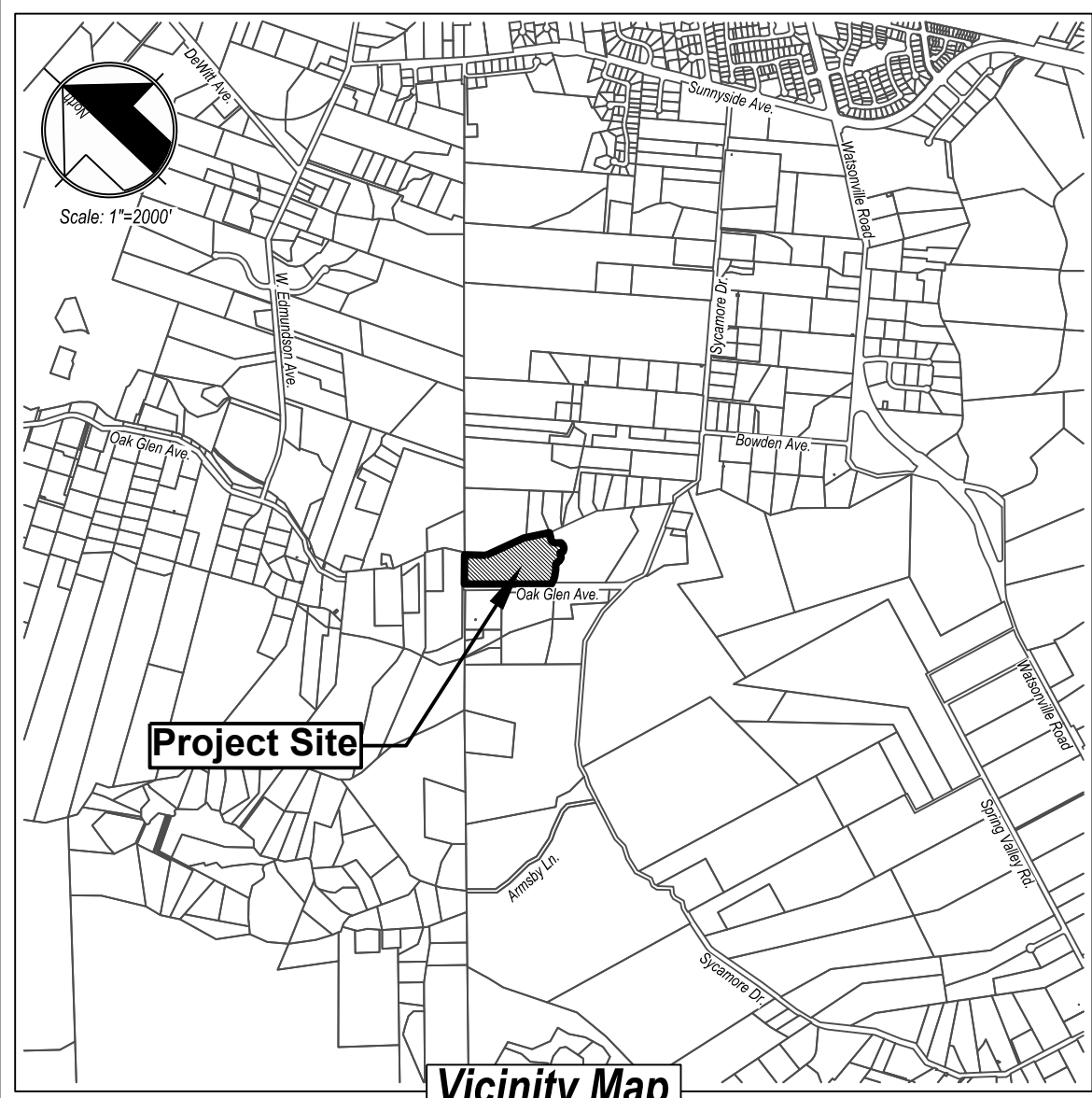




## **ATTACHMENT D**

### **Proposed Plans**





Impervious Area Summary	
Proposed Residence	6,889 SF
Proposed Detached Garage	1,152 SF
Proposed Ent. / Fitness Barn	2,523 SF
Proposed Driveway	9,475 SF
Proposed Tennis Court	7,200 SF
Proposed Patio and Hardscape	7,946 SF
Total New Impervious Area	35,185 SF

Proposed Floor Area	
Proposed Residence and Attached Garage	7,546 SF
Proposed Detached Garage	768 SF
Proposed Ent. / Fitness Barn	2,523 SF
Total Floor Area	10,837 SF

**Basis of Bearings:**  
The bearings shown upon this map are based on the centerline of Oak Glen Avenue as found monumented and recorded as South 43° 35' East, on that map thereof recorded in Book G of Maps, Page 43, Santa Clara County Records.

**Area of Disturbance = 85,919 SF**

Building Permit Earthwork Quantities				
	Cut	Fill	Max Cut	Max Fill
Main House	471 cy	0 cy	2.00'	0.00'
Detached Garage	5 cy	5 cy	0.25'	0.25'
Fitness Barn	205 cy	0 cy	2.00'	0.00'
Pool	297 cy	0 cy	8.00'	0.00'
Total	978 cy	5 cy		

Grading Permit Earthwork Quantities				
	Cut	Fill	Max Cut	Max Fill
Building Pads	250 cy	324 cy	0.75'	1.25'
Driveway	275 cy	0 cy	0.75'	0.00'
Tennis Court	80 cy	501 cy	1.00'	4.50'
Stormwater Treatment	93 cy	0 cy	5.00'	0.00'
Total	698 cy	825 cy		

**Flood Zone:**  
The 1% annual flood (100-year flood) also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The special flood hazard area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, & VE. The base flood elevation (BFE) is the water-surface elevation of the 1% annual chance flood.  
• Flood Zone AE is the area with BFE (Base Flood Elevations) determined by the FIRM and as noted with elevations shown on this plan per FIRM 06085C0608H.  
• Flood Zone A is the area in which is subject to flooding by the 1% annual chance flood with no base flood elevation determined per FIRM 06085C0608H and delineated on this plan.  
• Flood Zone D are areas in which flood hazards are undetermined, but possible. These are not in the Special Flood Hazard area per FIRM 06085C0608H.

**Applicant/Owner:**  
John and Jasmine Pelosi  
1975 Shady Brook Lane  
Morgan Hill, CA 95037  
Phone: 408-221-5623  
email: john-pelosi@gmail.com

**Engineer:**  
David Faria PE 92432  
MH engineering  
16075 Vineyard Blvd.  
Morgan Hill, CA 95037  
408.779.7381  
davidf@mhengineering.com

**Project Information:**

APN: 773-26-037  
Present Use: Residential  
Proposed Use: Residential  
Present Zoning: A-20Ac-sr  
Proposed Zoning: A-20Ac-sr  
Sanitary Sewer: PG&E  
Gas and Electric: existing well  
Water: As Shown  
Existing Improvements: 10.835 ac  
Gross Area: 9.955 ac  
Net Area:

773-26-037  
Residential  
A-20Ac-sr  
A-20Ac-sr  
Proposed Septic  
PG&E  
existing well  
As Shown  
10.835 ac  
9.955 ac

**Drainage Notes**

- All culverts shall be made of high density polyethylene (HDPE), polyvinyl chloride (PVC), or reinforced concrete (RCP). All culverts shall have a smooth interior.
- Inlets shall be made of concrete and have a smooth bottom.
- All roof downspouts shall be directed onto splash blocks to drain away from the foundation at a minimum of 5% into vegetated areas or connected into the 4" perimeter storm drain system routed to the treatment area.
- Paved surfaces adjacent to foundations shall be sloped away at a minimum of 2%. Unpaved surfaces adjacent to foundations shall be sloped away at a minimum of 5%.
- All non improved disturbed area to be hydrosseeded to match existing vegetation.

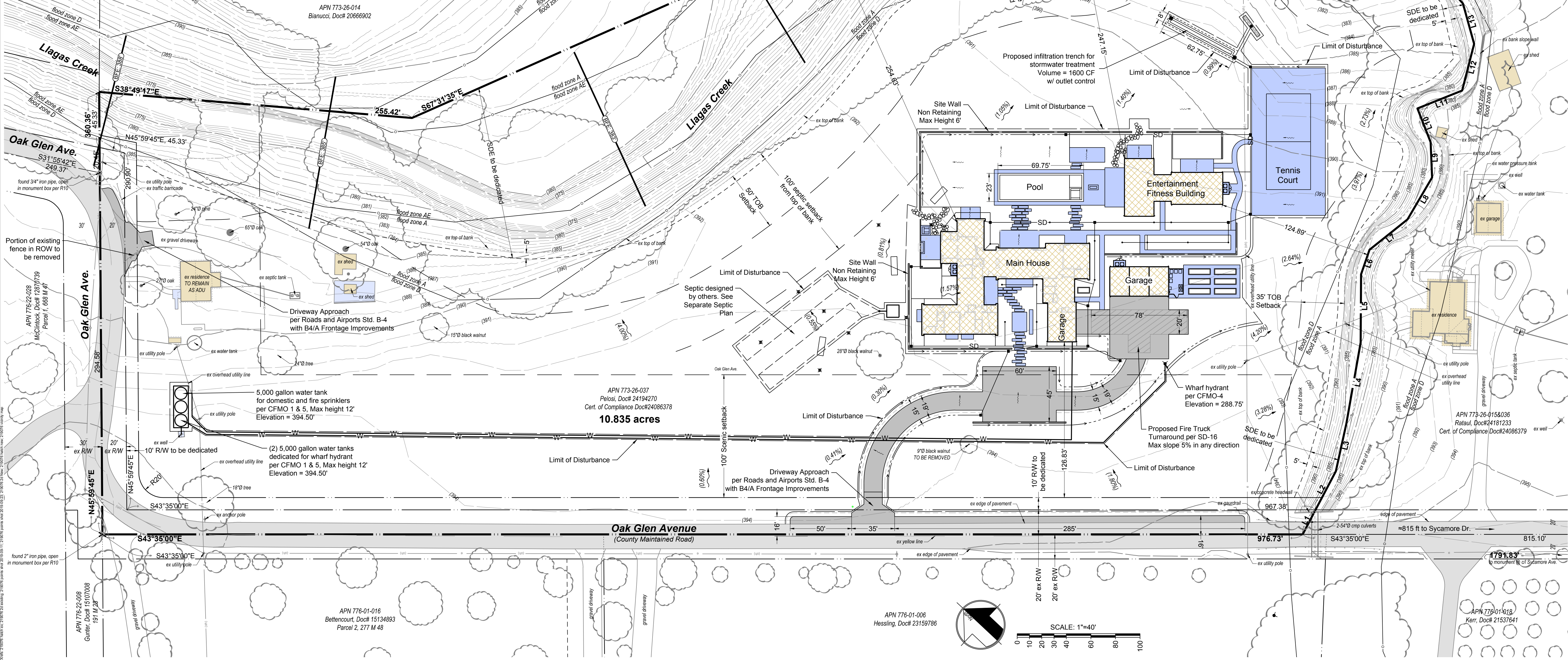
**Boundary & Easement Notes:**

- This survey represents a field survey of the monuments that control the boundary of APN 773-26-015 & 036. This boundary is defined by Lot 46 as shown on that map thereof recorded 21/1/1983 as Book G of Maps, Page 43 and the "centerline of Ravine called 'Hay canon'" as described in that grant deed recorded 1/14/1927 in Book 296, Page 45, Santa Clara County Records. Differences between the record and measured bearings and distances, as shown are due to this property not being officially surveyed since 1893, actual location of the monuments in the centerline of Sycamore Road & Oak Glen Avenue, and a detailed survey of "Hay canon". A record of survey detailing the results of the boundary survey has been filed 11/5/2020 in Book 943 of Maps, at Page 13 Santa Clara County Records.
- Current deeds and G M 43 define the boundary of this parcel at the centerline of the roads. As of the date of this survey, no information has been provided to this surveyor that indicates the dedication of the road rights of way to the County of Santa Clara yet all mapping in the area indicate the right of way widths shown.
- This property has overhead utility lines as shown on this map that serve adjacent parcels. These lines encroach on this property and no documentation was provided indicating the right for this encroachment.

**Fire Notes:**

- Property is in Wildland Urban Interface Very High.
- Property is located in the State Response Area (SRA)
- Fire sprinklers to be a deferred submittal.
- Structures to meet WUI building construction requirements.
- Property to maintain defensible space at all times.
- Driveway width will be maintained at 12' minimum with a clear height of 13' 6".
- All proposed driveways to be made of an all weather surface capable of supporting 75,000 lbs.

Tree Removal Summary		
#	Species	Size
1	Black Walnut	9"



10/13/2021  
**FOR PLANCHHECK ONLY**  
REGISTERED PROFESSIONAL ENGINEER  
DAVID L. FARIA  
No. 92432  
EXP. 06-30-2023  
CIVIL  
**FOR PLANCHHECK ONLY**  
signature and seal must appear

**MH engineering Co.**  
Morgan Hill, CA 95037  
16075 Vineyard Boulevard

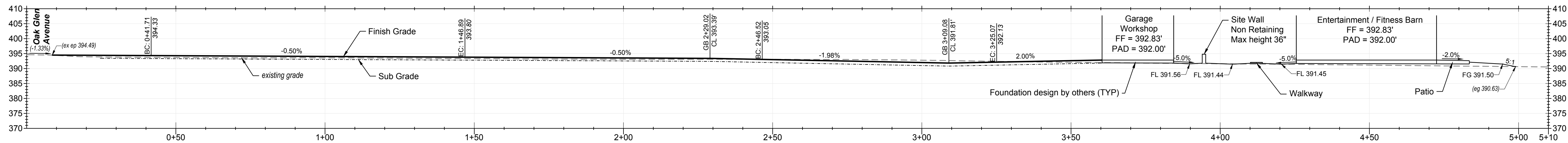
**Site Plan**  
**Oak Glen Avenue - APN 773-26-037**

DATE: 10/13/2021  
SCALE: 1" = 40'  
JOB NO: 219076  
SHEET 1 OF 3  
DRAWN BY: DF  
CHECKED BY: DF

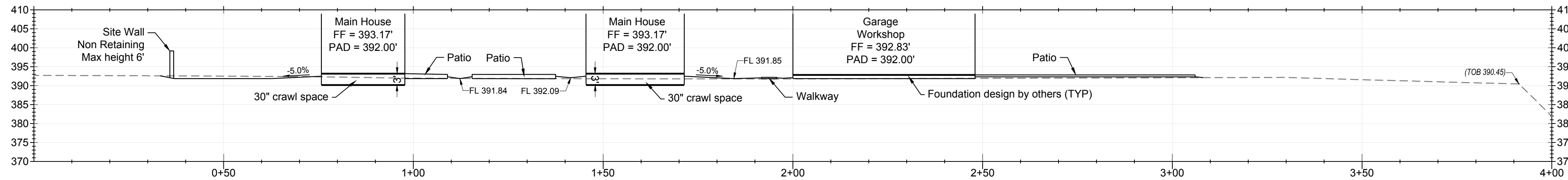




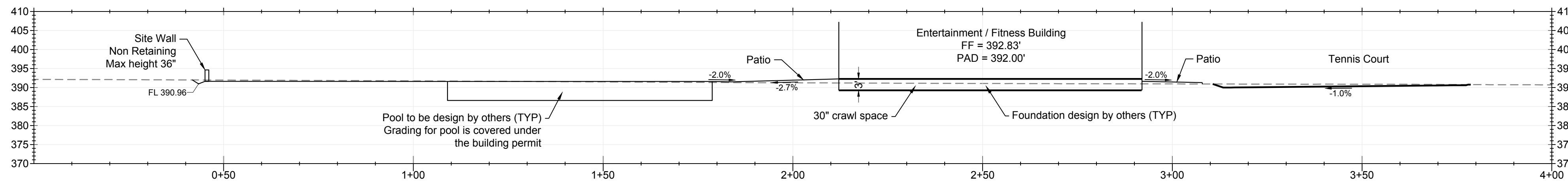




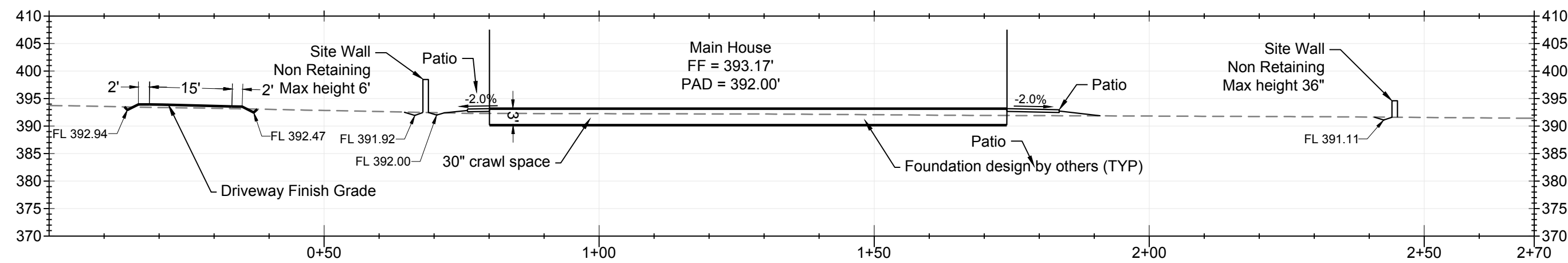
PROFILE: Driveway Centerline  
SCALE H: 1"=20' SCALE V: 1"=20'



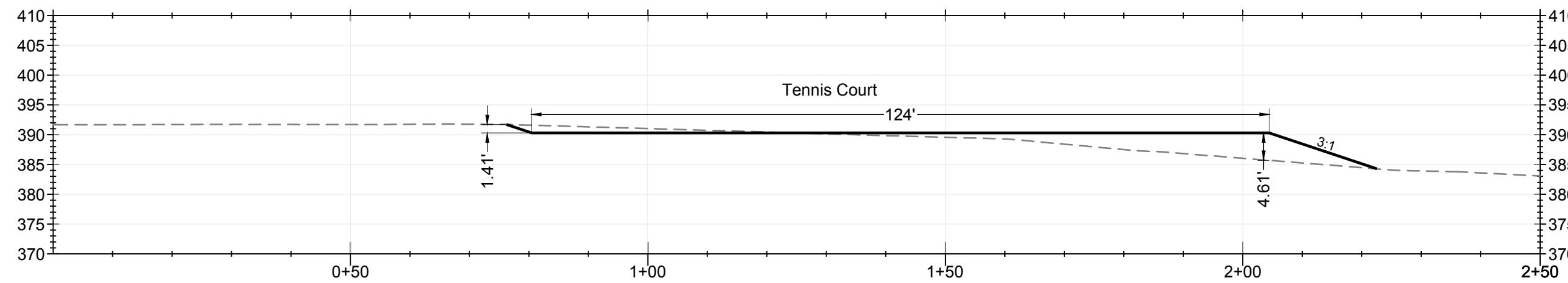
PROFILE: A-A  
SCALE H: 1"=20' SCALE V: 1"=20'



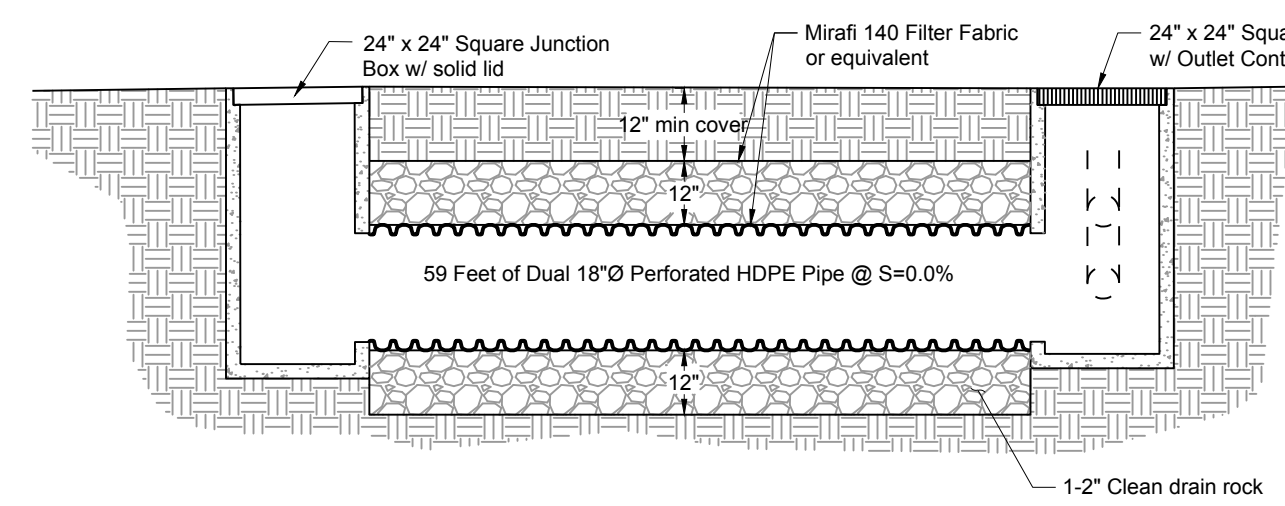
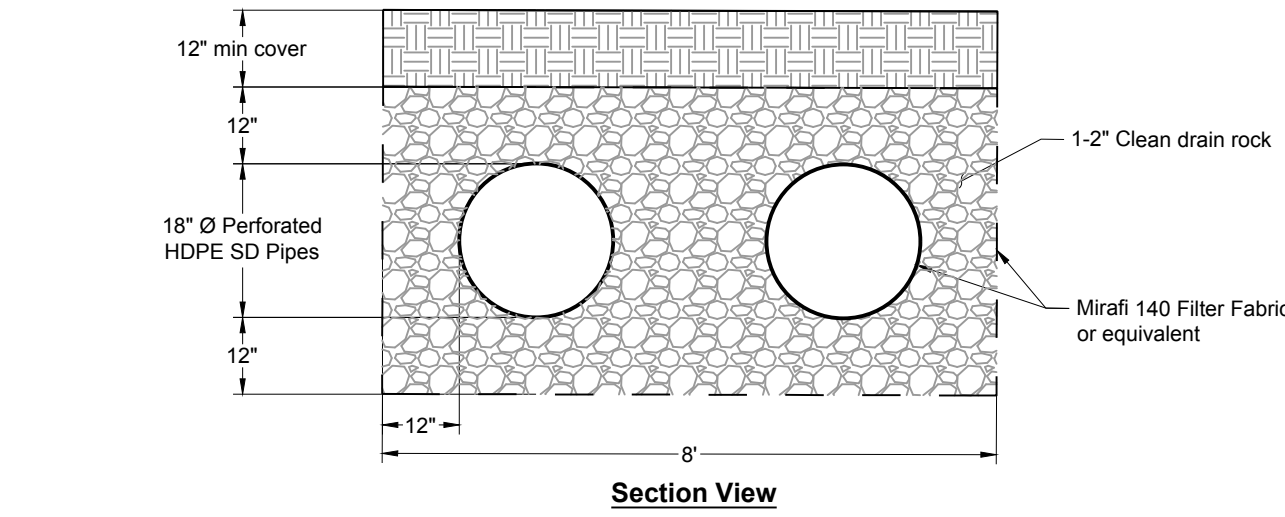
PROFILE: B-B  
SCALE H: 1"=20' SCALE V: 1"=20'



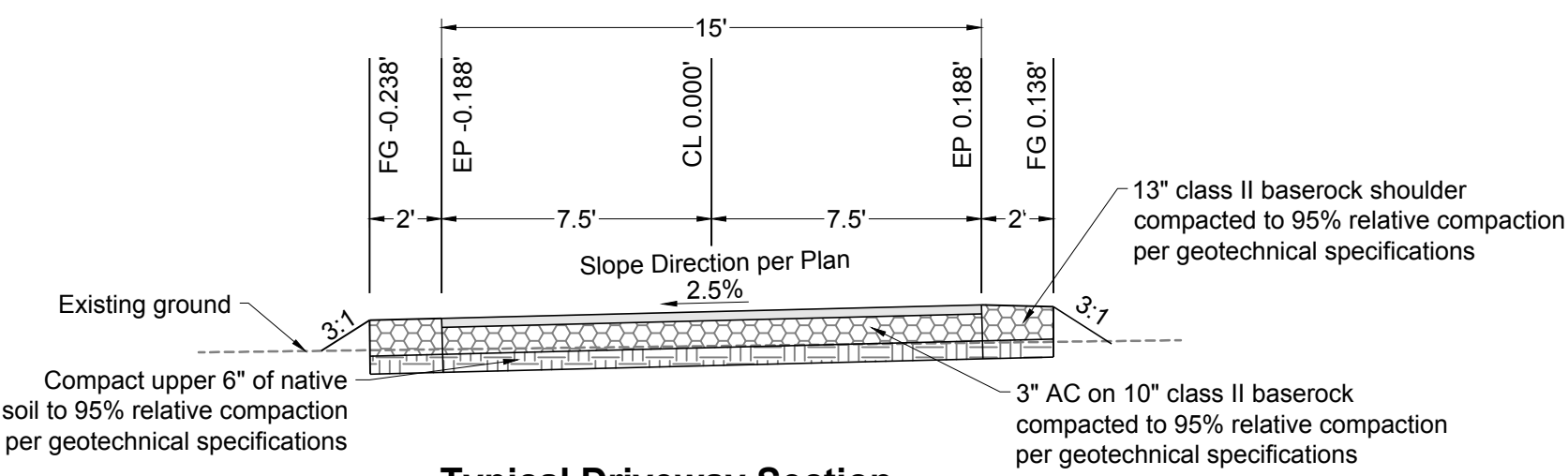
PROFILE: C-C  
SCALE H: 1"=20' SCALE V: 1"=20'



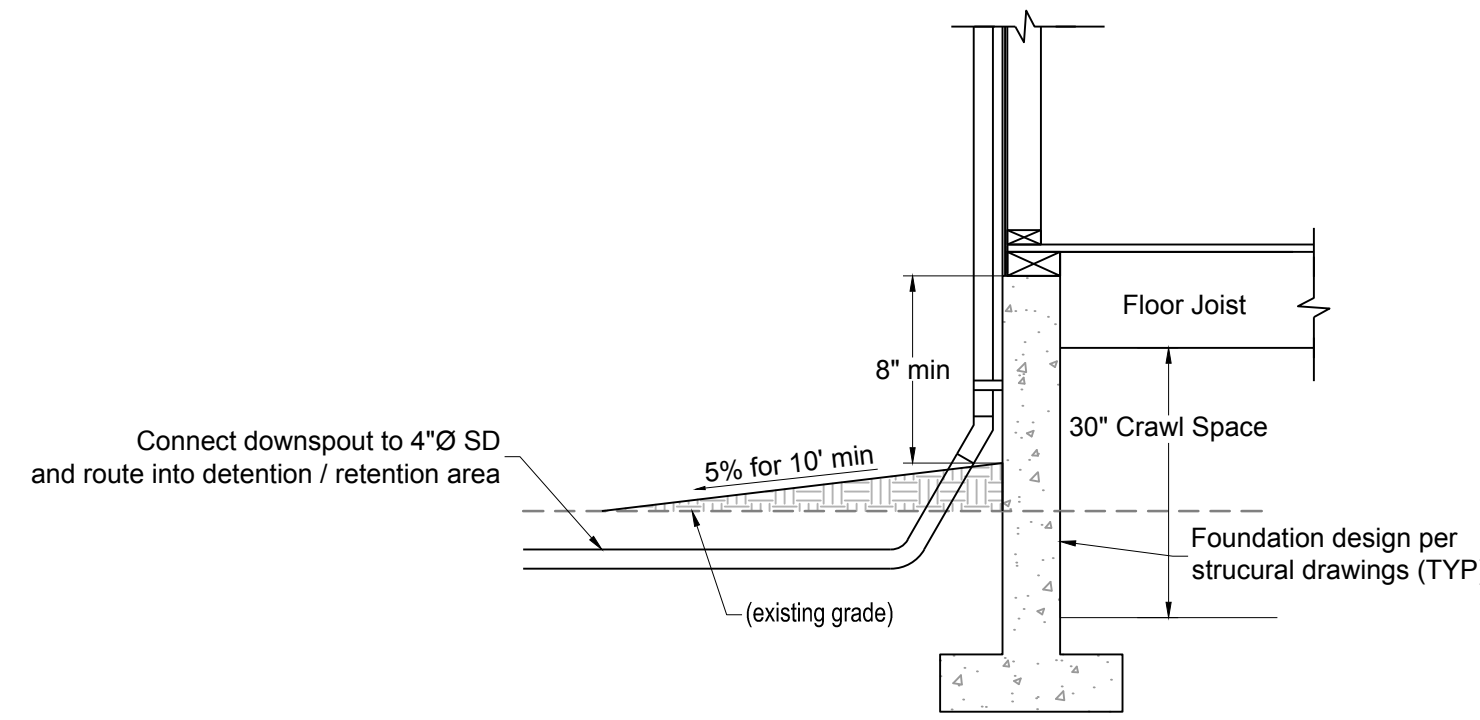
PROFILE: D-D  
SCALE H: 1"=20' SCALE V: 1"=20'



Typical Infiltration Trench  
N.T.S.



Typical Driveway Section  
N.T.S.



Foundation Grading & Downspout Detail  
N.T.S.

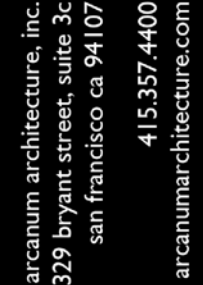


**MH engineering Co.**  
16075 Vineyard Boulevard  
Morgan Hill, CA 95037

**Profile, Sections, & Details**  
**Oak Glen Avenue - APN 773-26-037**

DATE: 10/13/2021	SCALE: 1" = 20'	JOB NO:	219076
DRAWN BY: DF	CHECKED BY: DF	SHEET:	3
		OF:	3





## A0.0



FINISH MATERIAL SPECIFICATIONS				KEYNOTES			
PAINT TYPES		WOOD TYPES		1 - GENERAL DATA		12 - FURNISHINGS	
<div>NOTE: 1. CAULK ALL JOINTS AND FILL NAIL HOLES AT INTERIOR AND EXTERIOR TRIM, TYP.</div> <div><div>P-1</div>INTERIOR GYP. BD. CEILINGS: MANUF.: BENJAMIN MOORE AURA INTERIOR WATERBORNE PAINT COLOR: T.B.D. PAINT FINISH: MATTE CEILING TEXTURE: SMOOTH FINISH (LEVEL 5) APPLICATION: GYP. BD.: FIRST AND SECOND COATS AURA MATTE WATERBORNE PAINT 522</div> <div><div>P-2</div>LOCATION: EXTERIOR DECORATIVE METAL: MANUF.: BENJAMIN MOORE COLOR: T.B.D. PAINT FINISH: LOW LUSTER APPLICATION: METAL TYPE: AURA WATERBORNE EXTERIOR PAINT-LOW LUSTRE 634 APPLICATION: METAL: FIRST, SECOND AND THIRD COATS AURA WATERBORNE EXTERIOR PAINT-LOW LUSTRE 364</div> <div><div>P-3</div>WET AREA WALL &amp; CEILING LOCATIONS: MANUF.: AURA® BATH AND SPA MATTE FINISH COLOR: T.B.D. PAINT FINISH: MATTE CEILING / WALL TEXTURE: SMOOTH FINISH (LEVEL 5) APPLICATION: GYP. BD.: FIRST AND SECOND COATS- AURA® BATH AND SPA MATTE FINISH 532</div> <div><div>P-4</div>INTERIOR GYP. BD. WALLS: MANUF.: BENJAMIN MOORE AURA INTERIOR WATERBORNE PAINT COLOR: T.B.D. PAINT FINISH: MATTE WALL TEXTURE: SMOOTH FINISH (LEVEL 5) APPLICATION: GYP. BD.: FIRST AND SECOND COATS AURA MATTE WATERBORNE PAINT 522</div> <div><div>P-5</div>INTERIOR WOOD BASEBOARD &amp; PAINT GRADE CABINETS: MANUF.: AURA® SATIN INTERIOR WATERBORNE PAINT COLOR: T.B.D. PAINT FINISH: SATIN APPLICATION: (SPRAY, NOT BRUSH) WOOD: FIRST, SECOND AND THIRD COATS AURA® SATIN INTERIOR WATERBORNE PAINT 526</div> <div>CEMENT PLASTER TYPES</div> <div><div>VP-1</div>INTERIOR WALLS: TYPE: INTERGRAL COLOR VENEER MARMARINO PLASTER COLOR: T.B.D. FINISH: SMOOTH STEEL TROWEL PLASTER, NO SHEEN</div> <div>TILE TYPES</div> <div><div>T-1</div>FLOOR (VARIES, COORDINATE W/ ARCHITECT AND INTERIOR DESIGNER): MANUF.: T.B.D. (BUDGET \$18/S.F., MATERIAL ONLY) STYLE: T.B.D. COLOR: T.B.D. PATTERN: T.B.D. DIMENSIONS: T.B.D. GROUT: T.B.D.</div> <div><div>T-2</div>WALL (VARIES, COORDINATE W/ ARCHITECT AND INTERIOR DESIGNER): MANUF.: T.B.D. (BUDGET \$18/S.F. MATERIAL ONLY) STYLE: T.B.D. COLOR: T.B.D. PATTERN: T.B.D. DIMENSIONS: T.B.D. GROUT: T.B.D.</div> <div>CONCRETE TYPES</div> <div><div>C-1</div>BOARD FORMED CONCRETE WALLS: TYPE: CONC. STRUCTURAL WALL (BOARD FORMED) COLOR/STAIN: NONE FINISH: MATTE SEALER DIMENSION: 7 1/4" TALL RESAWN FORMWORK BOARDS W/ EASED EDGES TIGHT JOINTS, NO GAPS</div> <div><div>C-2</div>CONCRETE STRUCTURAL SLAB: TEXTURE: STEEL TROWEL, 1/4" TIGHT RADIUS MIN. CONTROL JOINTS TOOL. FILL JOINTS W/ GROUT TO MATCH CONCRETE</div> <div><div>C-3</div>PRECAST CONCRETE SILLS AND LINTELS: MANUF: T.B.D. COLOR: T.B.D.</div> <div>METAL TYPES</div> <div><div>M-1</div>METAL ROOF: MANUF: AEP SPAN OR CUSTOM BILT TYPE: 22GA. NU-WAVE CORRUGATED COLOR: MIDNIGHT BRONZE NOTE: PROVIDE ADDITIONAL FASTNERS ALONG EAVE LINE AS NEEDED TO MAINTAIN CONSISTENT APPEARANCE</div> <div><div>M-4</div>FLUE ENCLOSURES - CLASS 'A' FIRE RATED: TYPE: HEAVY GAUGE BONDERIZED, GALVANIZED SHEET METAL FINISH: MATCH M-1</div> <div><div>M-5</div>EXTERIOR SHEET METAL, DOWNSPOUTS, AND GUTTERS: TYPE: HEAVY GAUGE BONDERIZED, GALVANIZED METAL W/ SOLDERED JOINTS NO CRIMPS ON ELBOWS (SEE DETAILS FOR GAUGE)</div> <div><div>M-2</div>EXTERIOR METAL: TYPE: COLD ROLLED &amp; HOT ROLLED NATURAL STEEL FINISH: ALL WELDED JOINTS GROUNDED SMOOTH, PAINTED P-2</div> <div><div>M-6</div>INTERIOR STAIR GUARDRAIL, HANDRAIL, &amp; DECORATIVE METAL TYPE: COLD ROLLED NATURAL STEEL FINISH: IRON OXIDE FINISH 'BLACKENED STEEL' W/ LOW SHEEN SEALER AND ALL WELDED JOINTS GROUNDED SMOOTH (PROVIDE SAMPLES TO ARCHITECT FOR APPROVAL</div> <div>ROOF TYPES</div> <div><div>R-1</div>FLAT ROOF SYSTEM - MINIMUM CLASS-A FIRE RATING: MANUF.: T.B.D. TYPE: TAR AND GRAVEL - COORDINATE WITH CONTRACTOR) FINISH: COVER W/ GRAY 3/8" BLACK BASALT, PROVIDE SAMPLE TO ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION WUI NOTE: INSTALL OVER (1) LAYER 1/4" DENSDECK FIBERGLASS BOARD FOR CLASS 'A' RATING (UL 790 CLASSIFICATION) PER ICC-ES 1463</div> <div><div>R-2</div>METAL ROOFING - CLASS 'A' FIRE RATED: SEE M-1</div> <div><div>W-1</div>EXTERIOR VERTICAL WOOD SIDING: TYPE: CLEAR HEART WESTERN RED CEDAR (RESAWN OR COMBED, TBD) FINISH: SEMI-SOLID SANSIN STAIN COLOR: CUSTOM T.B.D. SIDING DIMENSION: 1" (ACTUAL) T&amp;G W/ SQ. 1/8" X 3/8" DEEP SQ. REVEALS MITER OUTSIDE CORNERS (BOARD WIDTH VARIES, SEE PATTERN) PATTERN: (A) 7 1/4", (B) 5 1/2", (C) 3 1/2", (D) 5 1/2", REPEAT. NOTE: NO NAILS OR SCREWS IN FACE OF BOARDS, COLORED SCREWS BT FASTENMASTER INSIDE REVEALS ONLY (MATCH FINISH). WUI NOTE: @ EXTERIOR WALL SIDING, INSTALL OVER LOUISIANA PACIFIC 1/2" LP FLAMEBLOCK SHEATHING, CAL-FIRE LISTING 8160-2027-0007</div> <div><div>W-2</div>BARN DOORS/GARAGE DOORS/FENCE: TYPE: CLEAR WESTERN RED CEDAR (WIRE-BRUSHED) FINISH: SEMI-SOLID SANSIN STAIN COLOR: CUSTOM T.B.D. SIDING DIMENSION: VARIES</div> <div><div>W-3</div>WOOD SCREEN: TYPE: CLEAR WESTERN RED CEDAR (SMOOTH) FINISH: SEMI-SOLID SANSIN STAIN COLOR: CUSTOM T.B.D. DIMENSION: 1 1/2" X 2 1/2" ACTUAL WITH 2" GAPS</div> <div><div>W-4</div>EXTERIOR WOOD PORCH CEILING: TYPE: CLEAR WESTERN RED CEDAR (SMOOTH) FINISH: SEMI-SOLID SANSIN STAIN COLOR: CUSTOM T.B.D. DIMENSION: 3/4" X 7 1/4" T&amp;G DECKING W/ 3/32" X 1/4" DEEP SQUARE REVEALS WUI NOTE: DECKING SHALL BE INSTALLED OVER LOUISIANA PACIFIC 1/2" LP FLAMEBLOCK SHEATHING AT THE EXPOSED UNDERSIDE OF EAVES, PORCH, AND COVERED WALKWAYS AS APPLICABLE (CAL-FIRE LISTING 8160-2027-0007).</div> <div><div>W-5</div>INTERIOR STAIR WOOD TREADS: TYPE: SOLID THICK TREADS MANUF: T.B.D. STYLE: TO MATCH W-10 STAIN: TO MATCH W-10 FINISH: TO MATCH W-10</div> <div><div>W-6</div>INTERIOR WOOD CEILING: SEE W-4</div> <div><div>W-7</div>INTERIOR WOOD DOORS: MANUF: CUSTOM (SELECTED BY CONTRACTOR) TYPE: RIFT CUT WHITE OAK, 8' TALL w/ 3/32" X 1/8" DEEP SQUARE VERTICAL REVEALS FINISH: REACTIVE STAIN AND CERUSE PROCESS W/ LOW SHEEN SEALER</div> <div><div>W-8</div>STAIN GRADE CABINETS AND INTERIOR WINDOW SILLS: MANUF: CUSTOM (SELECTED BY CONTRACTOR) TYPE: RIFT CUT WHITE OAK FINISH: REACTIVE STAIN AND CERUSE PROCESS W/ LOW SHEEN SEALER</div> <div><div>W-9</div>INTERIOR WOOD BASEBOARD &amp; PAINT GRADE CABINETS: TYPE: POPLAR (PAINT GRADE SMOOTH) FINISH: PAINTED P-5</div> <div><div>W-10</div>INTERIOR WOOD FLOORING: SUPPLIER: T.B.D. TYPE: FRENCH OAK FINISH: LIGHT WIRE BRUSH STAIN: T.B.D. COLOR: T.B.D. DIMENSION: 7" WIDE (6' MINIMUM LENGTHS)</div> <div>STONE TYPES</div> <div><div>S-1</div>STONE FLOORING: TYPE: T.B.D. PATTERN: T.B.D. DIMENSION: T.B.D. GROUT: T.B.D. FINISH: T.B.D. W/ PENETRATING FLAT SEALER</div> <div><div>S-3</div>EXTERIOR AND INTERIOR STONE VENEER: TYPE: NATURAL STONE VENEER SUPPLIER: S.B.I. PATTERN: .B.D. DIMENSION: 1 1/4" THICK WITH L-SHAPED CORNERS FINISH: NONE COLOR AND TEXTURE: ST. HELENA COTTAGE (FOR PRICING). NOTE: ADHERED VENEER SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUF'S INSTRUCTIONS. ANCHORED VENEER SHALL BE IN INSTALLED PERCRC R703.7.4</div> <div>CARPET AND MISC. FLOOR COVERIENG TYPES</div> <div><div>V-1</div>BEDROOM CARPET: SEE INTERIOR DESIGNER FINISH SCHEDULE</div> <div><div>V-2</div>GYM FLOORING: SEE INTERIOR DESIGNER FINISH SCHEDULE</div>							

FINISH SCHEDULE			
ROOM	FINISH		
NAME	FLOOR	WALL	CEILING
GROUND FLOOR - MAIN RESIDENCE			
ENTRY	S-1	VP-1	W-6
POWDER	(W-10)	VP-1, T-2	P-1
MASTER BEDROOM	W-10	VP-1	W-6*
MASTER CLOSET	W-10	VP-1	P-1
MASTER BATHROOM	S-1	VP-1, T-2	W-6
TOILET	S-1	VP-1	P-3
LUGGAGE & SAFE ROOM	W-10	P-4	P-1
MECHANICAL	C-2	(P-3)	(P-3)
LAUNDRY	(T-1)	P-3	P-3
PLAYROOM	W-10	(VP-1)	W-6*
BEDROOM 1	W-10	P-4	W-6*
BATH 1	T-1	T-2, P-3	P-3
CLOSET	(W-10)	P-4	P-1
BEDROOM 2	W-10	P-4	W-6*
BATH 2	T-1	T-2, P-3	P-3
BEDROOM 3	W-10	P-4	W-6*
BATH 3	T-1	T-2, P-3	P-3
BEDROOM 4	W-10	P-4	(W-6*)
BATH 4	T-1	T-2, P-3	P-3
CLOSET	W-10	P-4	P-1
LIVING / DINING	W-10	VP-1	W-6 *
KITCHEN / BREAKFAST	W-10	VP-1	W-6
WINE	(S-1)	VP-1	W-6
FAMILY	W-10	VP-1	W-6 *
OFFICE	(W-10)	VP-1	P-4
REAR KITCHEN	W-10	VP-1	W-6
PANTRY	W-10	P-4	W-6
MECHANICAL	C-2	P-3	P-3
MUD	S-1	VP-1	P-1
POWDER AT MUD	S-1	T-2 P-3	P-3
SECOND FLOOR - MAIN RESIDENCE			
COFFEE BAR	W-10	(T-2, VP-1)	W-6
OFFICE	W-10	VP-1	W-6*
ENTERTAINMENT / FITNESS BARN			
ENTERTAINMENT	S-1	VP-1	W-6*
POOL BATH	S-1	W-1	W-6
CHANGING	S-1	W-1	W-6
LINEN	S-1	P-3	P-3
FITNESS	V-2	P-4	W-6*
GARAGE			
ATTACHED GARAGE	C-2	P-3	P-3
DETACHED GARAGE	C-2	P-3	P-3
* VAULTED CEILING			

ARCANUM

arcanum architecture, inc.  
329 byrant street, suite 3c  
san francisco ca 94107  
415.357.4400  
arcanumarchitecture.com

15230 OAK GLEN AVENUE

MORGAN HILL, CA 95037

773-26-037

PROJECT NO. 20002

DATE 6.15.21  
ISSUE PRELIM. PRICING  
6.18.21  
REVISION

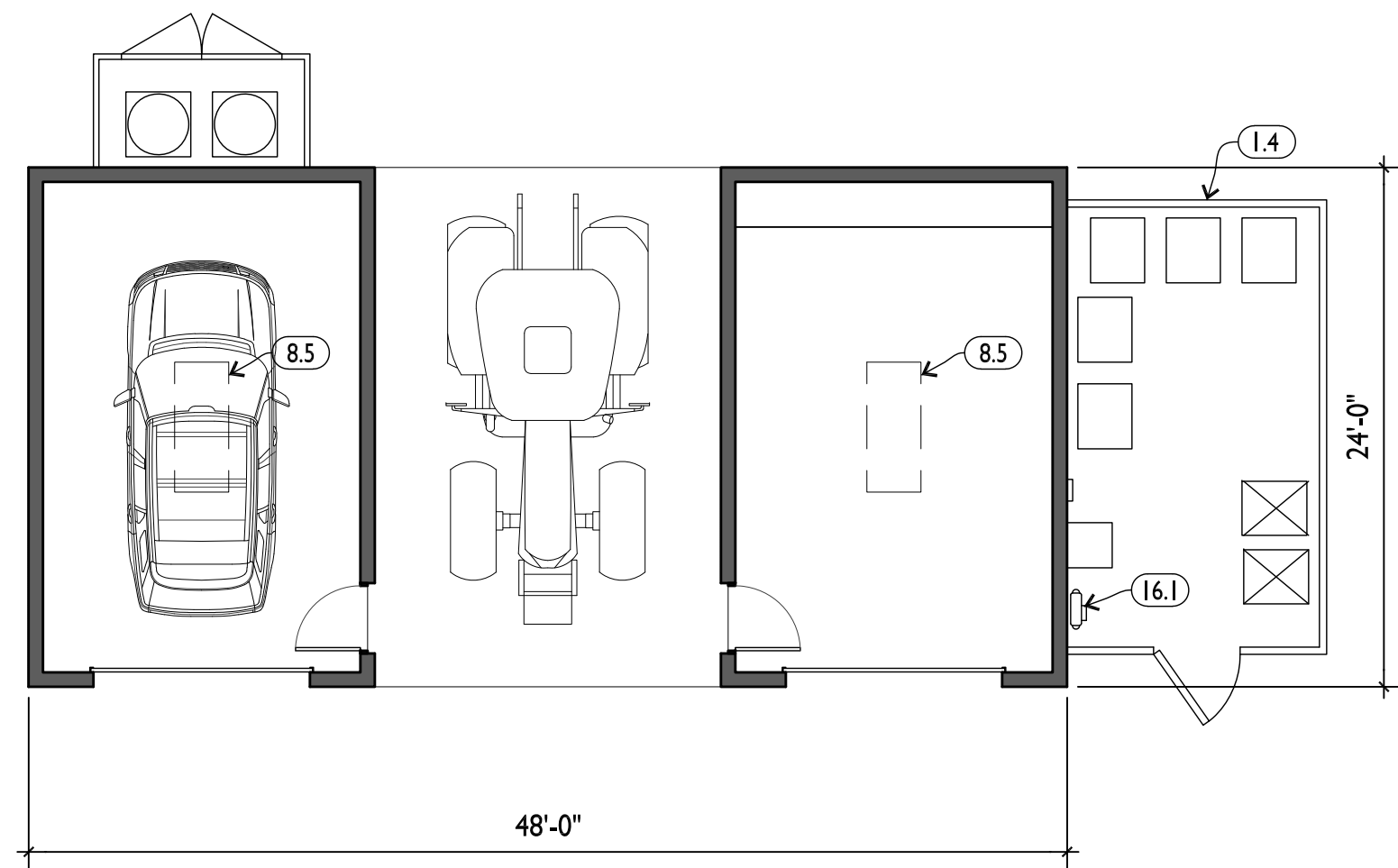
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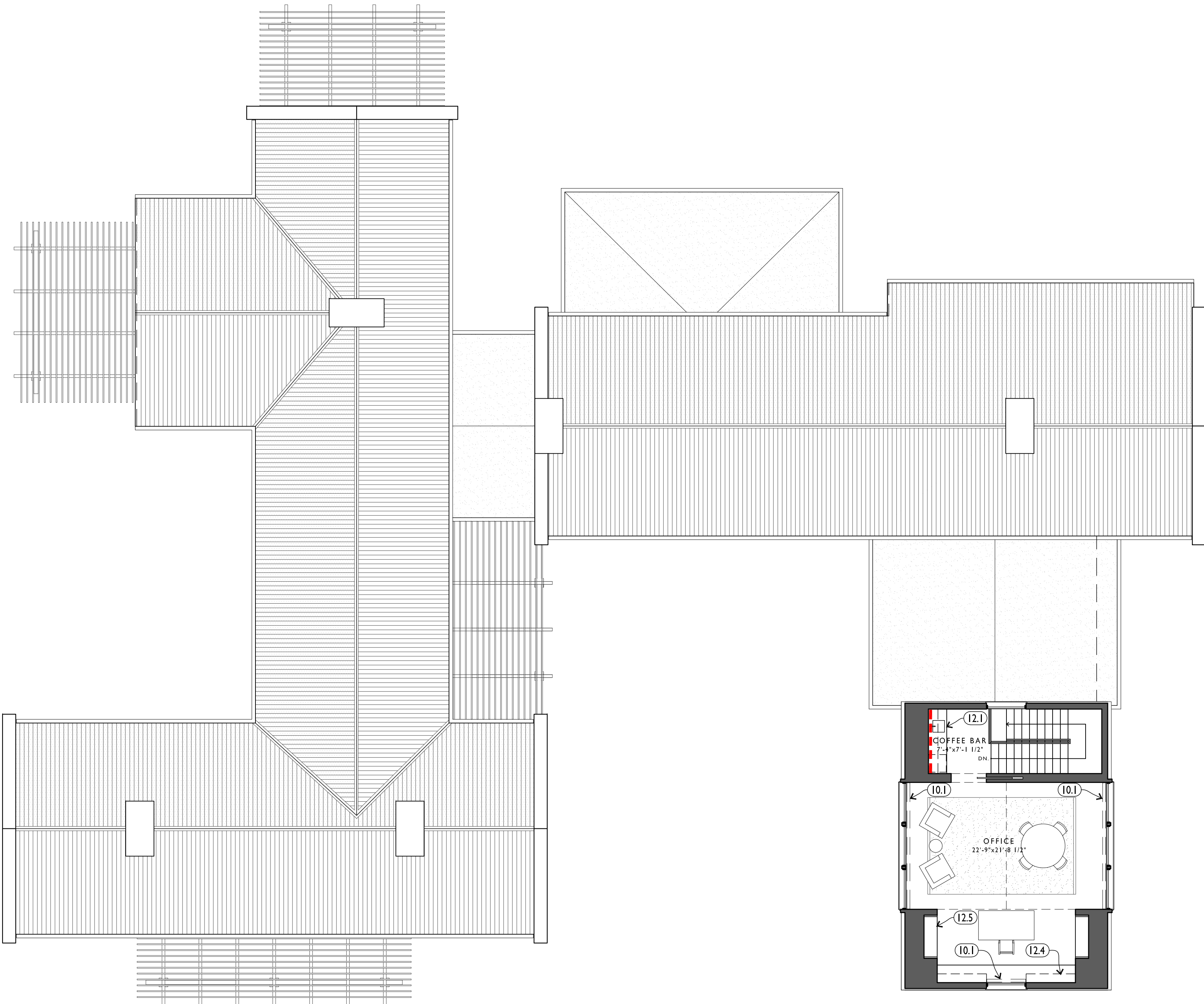


RECESSED LIGHTING SPECIFACTIONS				
SYMBOL	ITEM	MANUF./ MODEL	LAMPS	NOTES
⊖	RECESSED LED ADJUSTABLE DOWNLIGHT (PRIMARY SPACES)	MANUF.: TECH LIGHTING TYPE: 3" LED ADJUSTABLE DOWNLIGHT @ GYP. BD. CEILING: E3SLF-LHWD6AI HOUSING, WITH E3SLB-OW TRIM @WOOD CEILING: E3SFF-LHWD6AI HOUSING, WITH E3SFF-OB TRIM	2700K LED 60° BEAM SPREAD	CA TITLE 24 LISTED, IC RATED AND CERTIFIED AIR TIGHT (ASTM E283) @ GYP. BD.: TAPE IN TRIM AND PAINT TRIM TO MATCH CEILING MOCKUP REQUIRED FOR OWNER APPROVAL PRIOR TO ORDERING ALL FIXTURES 1% TO 100% DIMMING RANGE DRIVER WARM DIMMING
⊙	RECESSED LED ADJUSTABLE DOWNLIGHT (WET LOCATIONS AND EXTERIOR)	MANUF.: TECH LIGHTING TYPE: 3" LED ADJUSTABLE DOWNLIGHT @ GYP. BD. CEILING: E3SLF-LHWD6AI HOUSING, WITH E3SLB-HW TRIM @WOOD CEILING: E3SFF-LHWD6AI HOUSING, WITH E3SFF-HB TRIM	2700K LED 60° BEAM SPREAD	CA TITLE 24 LISTED, IC RATED AND CERTIFIED AIR TIGHT (ASTM E283) @ GYP. BD.: TAPE IN TRIM AND PAINT TRIM TO MATCH CEILING MOCKUP REQUIRED FOR OWNER APPROVAL PRIOR TO ORDERING ALL FIXTURES 1% TO 100% DIMMING RANGE DRIVER WARM DIMMING WET RATED
⊕	RECESSED LED ADJUSTABLE DOWNLIGHT (GARAGE, CLOSETS AND MECHANICAL)	MANUF.: HALO TYPE: 4" LED ADJUSTABLE DOWNLIGHT MODEL: H457ICAT1E HOUSING, EL406927 LIGHT ENGINE, TLS408WHB8 TRIM	2700K LED	CA TITLE 24 LISTED, IC RATED AND CERTIFIED AIR TIGHT (ASTM E283) WHITE SQUARE TRIM PAINTED TO MATCH CEILING WITH BLACK BAFFLE MOCKUP REQUIRED FOR OWNER APPROVAL PRIOR TO ORDERING ALL FIXTURES WET RATED

BUILDING NOTES	INTERIOR WALL LEGEND
1. CRAWL SPACE - AT MAIN HOUSE & FITNESS BARN 2. SLAB ON GRADE - AT GARAGE 3. TANKLESS WATER HEATERS 4. FORCED AIR W/ A.C. 5. PROJECT MUST ADHERE TO CALIFORNIA WILDLIFE INTERFACE (WUI) CODE 6. FLUSH OVERLAY CABINETS W/ FINGER PULLS	<div><div></div> TILE WALLS, BACKSPLASH (T-2)</div>



2  
A2.2 DETACHED GARAGE FLOOR PLAN



1  
A2.2 MAIN RESIDENCE - UPPER FLOOR PLAN



15230 OAK GLEN AVENUE  
MORGAN HILL, CA 95037  
773-26-037

PROJECT NO.	20002
DATE	ISSUE
6.15.21	PRELIM. PRICING
6.18.21	REVISION

DETACHED  
GARAGE / MAIN  
RESIDENCE UPPER  
FLOOR PLAN

SCALE: 1/8" = 1'-0"

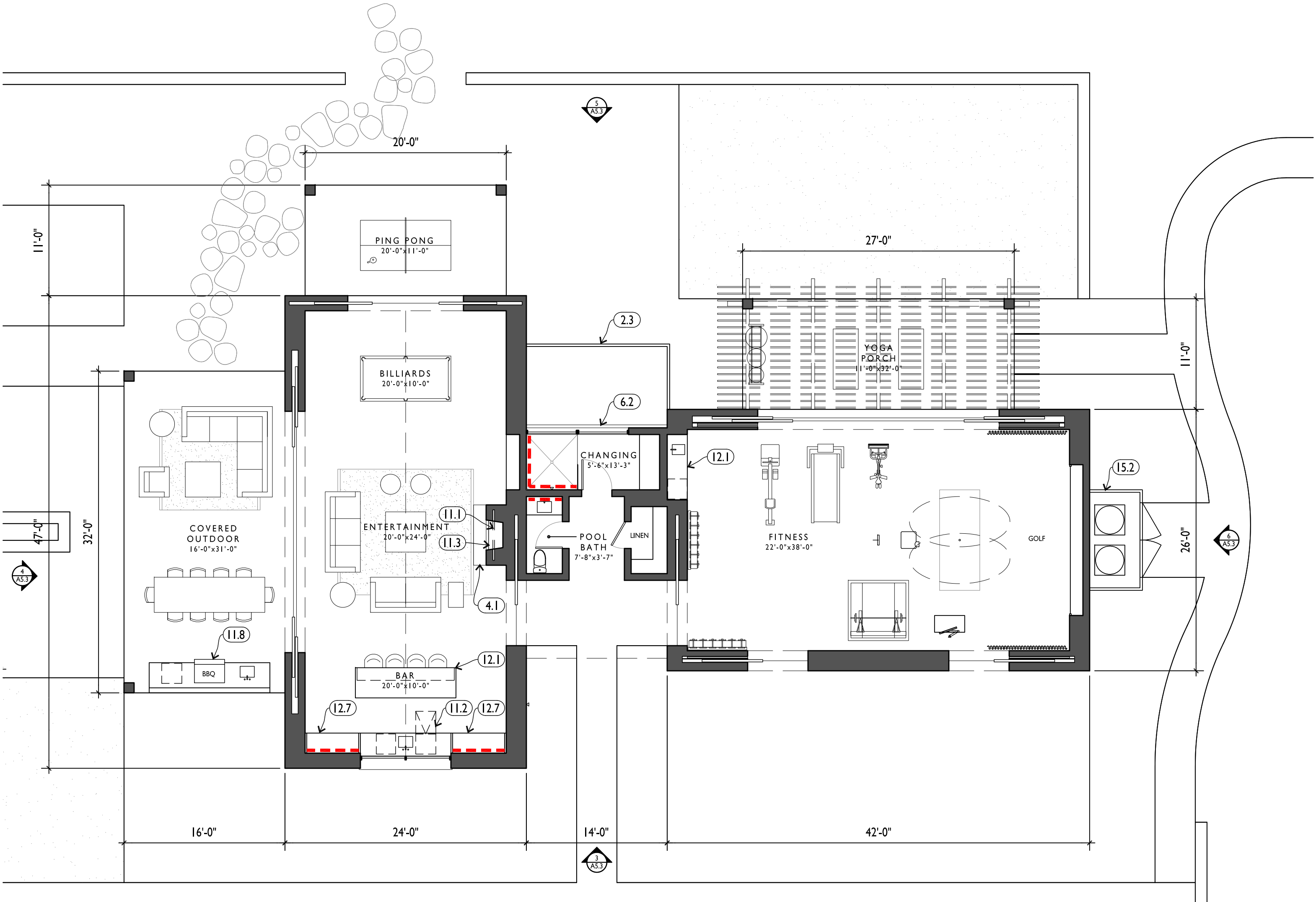
A2.2

ARCANUM

arcnum architecture, llc  
339 bayview road, #c  
san francisco ca 94107  
415.337.4400  
arcnumarchitecture.com

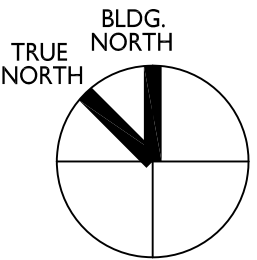
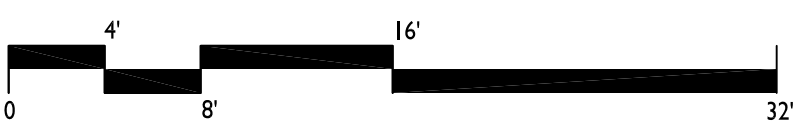
RECESSED LIGHTING SPECIFACTIONS				
SYMBOL	ITEM	MANUF./ MODEL	LAMPS	NOTES
⊖	RECESSED LED ADJUSTABLE DOWNLIGHT (PRIMARY SPACES)	MANUF.: TECH LIGHTING TYPE: 3" LED ADJUSTABLE DOWNLIGHT @ GYP. BD. CEILING: E3SLF-LHWD6AI HOUSING, WITH E3SLB-OW TRIM @WOOD CEILING: E3SFF-LHWD6AI HOUSING, WITH E3SFF-OB TRIM	2700K LED 60° BEAM SPREAD	CA TITLE 24 LISTED, IC RATED AND CERTIFIED AIR TIGHT (ASTM E283) @ GYP. BD.: TAPE IN TRIM AND PAINT TRIM TO MATCH CEILING MOCKUP REQUIRED FOR OWNER APPROVAL PRIOR TO ORDERING ALL FIXTURES 1% TO 100% DIMMING RANGE DRIVER WARM DIMMING
⊙	RECESSED LED ADJUSTABLE DOWNLIGHT (WET LOCATIONS AND EXTERIOR)	MANUF.: TECH LIGHTING TYPE: 3" LED ADJUSTABLE DOWNLIGHT @ GYP. BD. CEILING: E3SLF-LHWD6AI HOUSING, WITH E3SLB-HW TRIM @WOOD CEILING: E3SFF-LHWD6AI HOUSING, WITH E3SFF-HB TRIM	2700K LED 60° BEAM SPREAD	CA TITLE 24 LISTED, IC RATED AND CERTIFIED AIR TIGHT (ASTM E283) @ GYP. BD.: TAPE IN TRIM AND PAINT TRIM TO MATCH CEILING MOCKUP REQUIRED FOR OWNER APPROVAL PRIOR TO ORDERING ALL FIXTURES 1% TO 100% DIMMING RANGE DRIVER WARM DIMMING WET RATED
⊕	RECESSED LED ADJUSTABLE DOWNLIGHT (GARAGE, CLOSETS AND MECHANICAL)	MANUF.: HALO TYPE: 4" LED ADJUSTABLE DOWNLIGHT MODEL: H457ICAT1E HOUSING, EL406927 LIGHT ENGINE, TLS408WHB8 TRIM	2700K LED	CA TITLE 24 LISTED, IC RATED AND CERTIFIED AIR TIGHT (ASTM E283) WHITE SQUARE TRIM PAINTED TO MATCH CEILING WITH BLACK BAFFLE MOCKUP REQUIRED FOR OWNER APPROVAL PRIOR TO ORDERING ALL FIXTURES WET RATED

BUILDING NOTES	INTERIOR WALL LEGEND
1. CRAWL SPACE - AT MAIN HOUSE & FITNESS BARN 2. SLAB ON GRADE - AT GARAGE 3. TANKLESS WATER HEATERS 4. FORCED AIR W/ A.C. 5. PROJECT MUST ADHERE TO CALIFORNIA WILDLIFE INTERFACE (WUI) CODE 6. FLUSH OVERLAY CABINETS W/ FINGER PULLS	<div><div></div> TILE WALLS, BACKSPLASH (T-2)</div>



A2.3

ENTERTAINMENT / FITNESS BUILDING



15230 OAK GLEN AVENUE  
MORGAN HILL, CA 95037  
773-26-037

PROJECT NO.	20002
DATE	ISSUE
6.15.21	PRELIM. PRICING
6.18.21	REVISION

ENTERTAINMENT /  
FITNESS BUILDING  
FLOOR PLAN

SCALE: 1/8" = 1'-0"

A2.3

ARCANUM

arcnum architecture, llc  
339 bayview avenue, #c  
san francisco ca 94107  
415.337.4400  
arcnumarchitecture.com

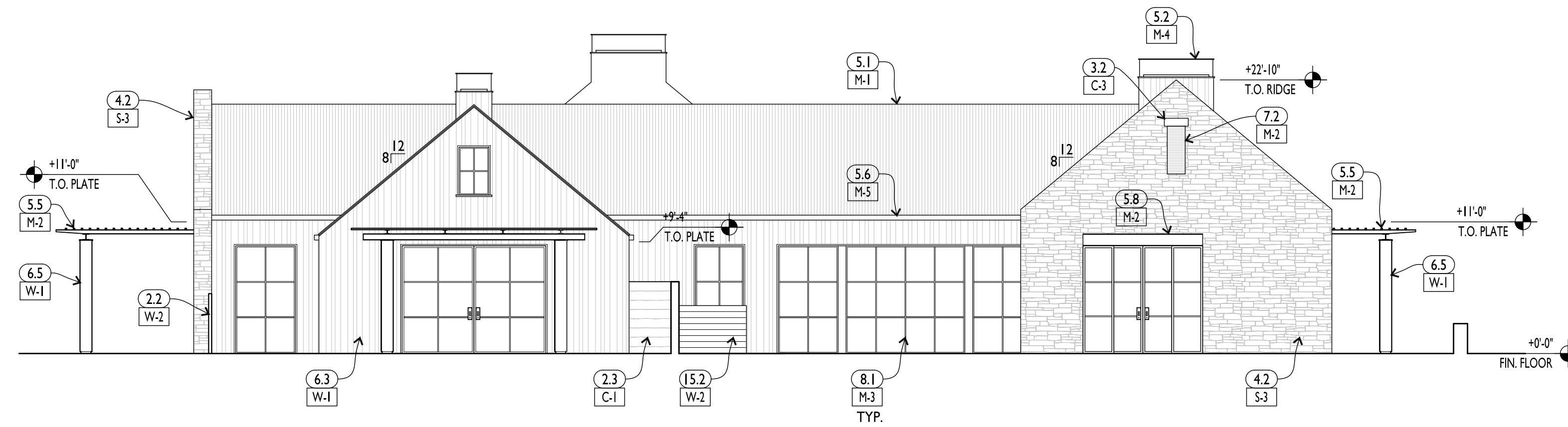


PROJECT NO.	20002
DATE	6.15.21
ISSUE	PRELIM. PRICING

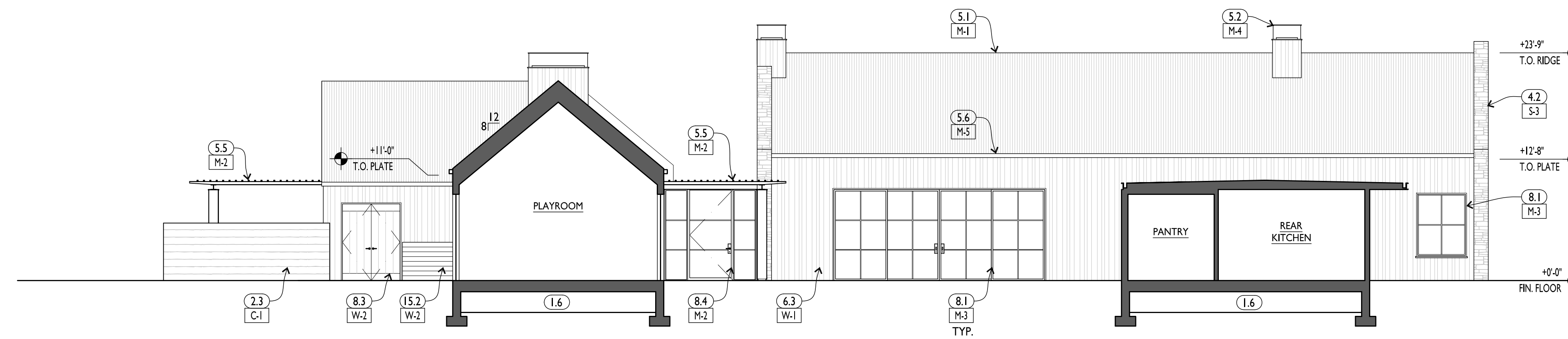
EXTERIOR  
ELEVATIONS /  
SECTIONS

SCALE: 1/8" = 1'-0"

A5.1



3  
A5.1 MAIN RESIDENCE - EAST ELEVATION



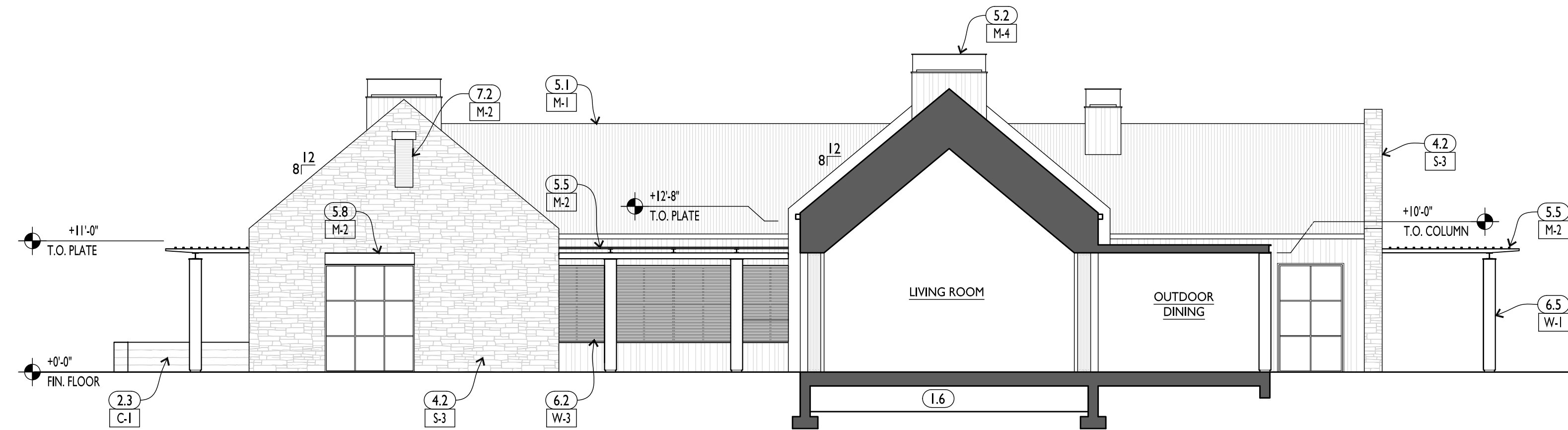
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AT PLAYROOM



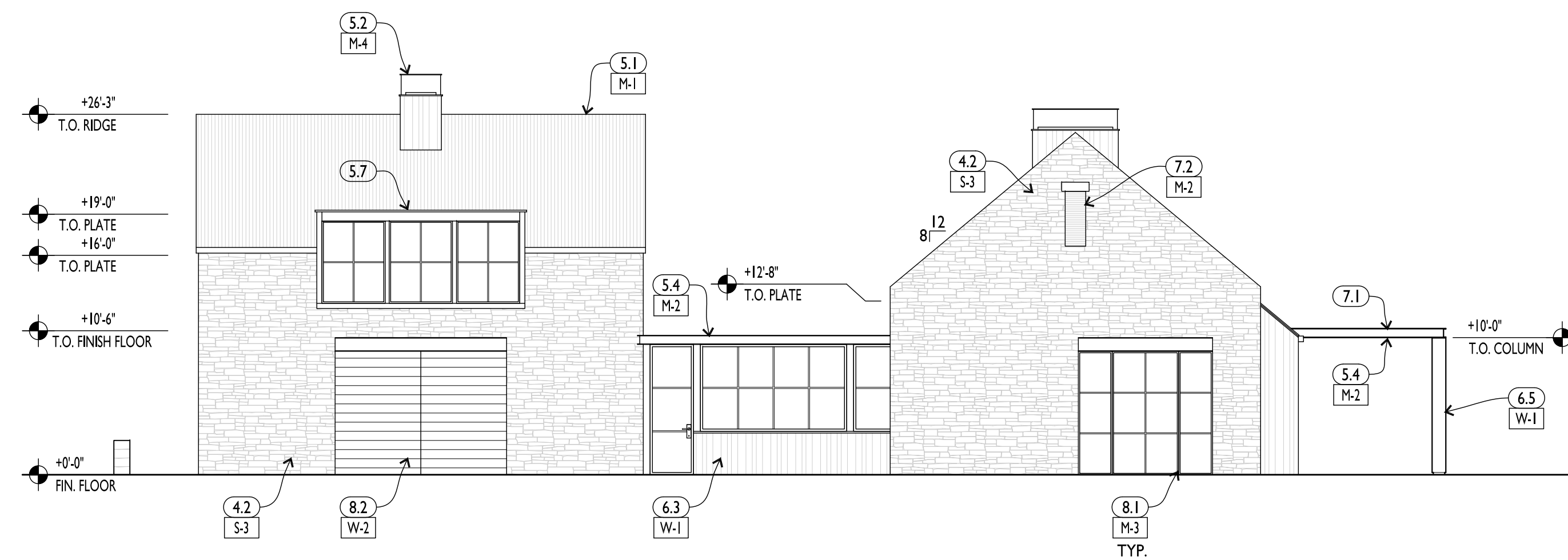
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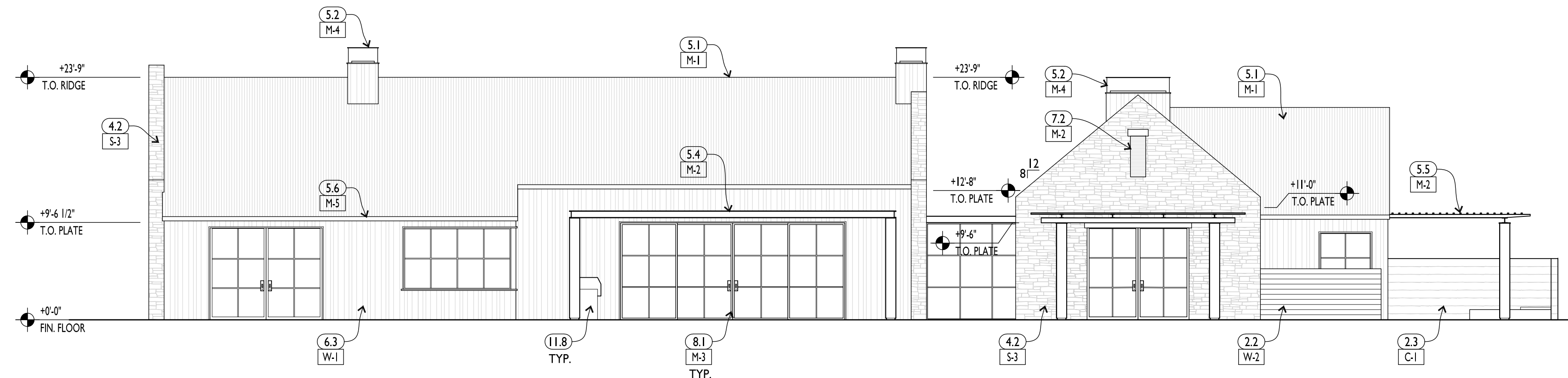




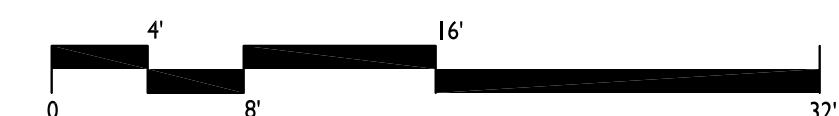
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AT LIVING / DINING



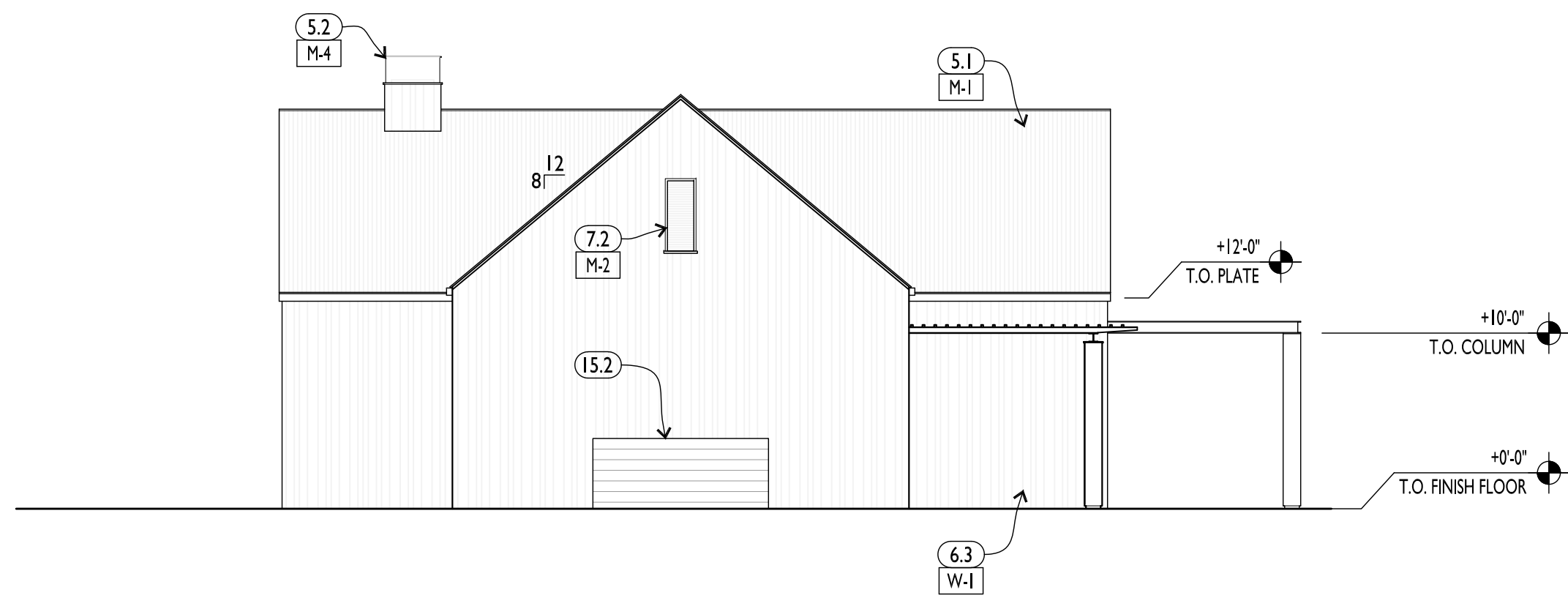
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A5.2 MAIN RESIDENCE - WEST ELEVATION



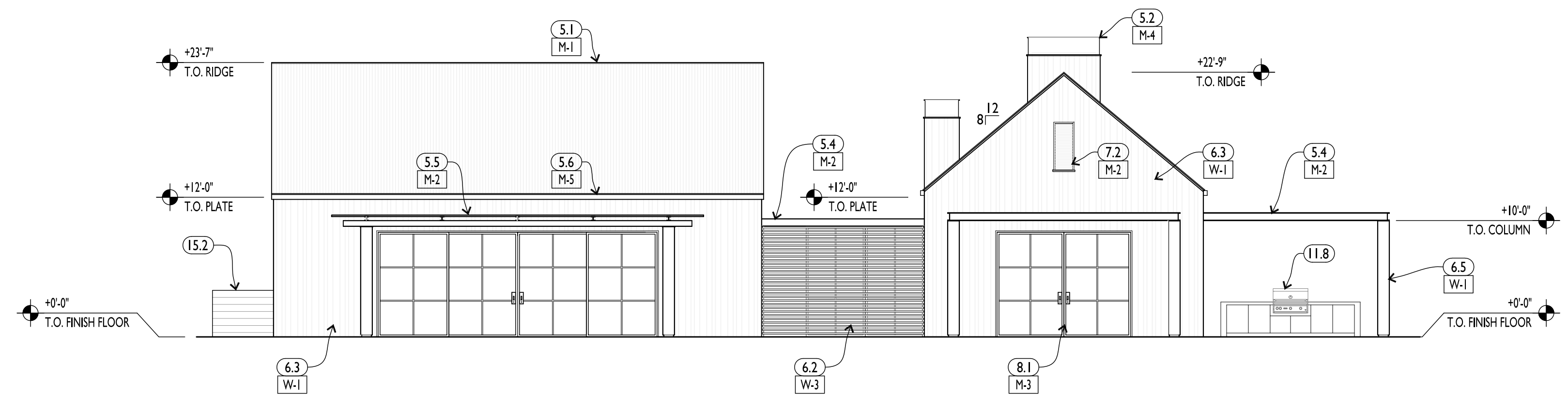
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A5.2 MAIN RESIDENCE - SOUTH ELEVATION



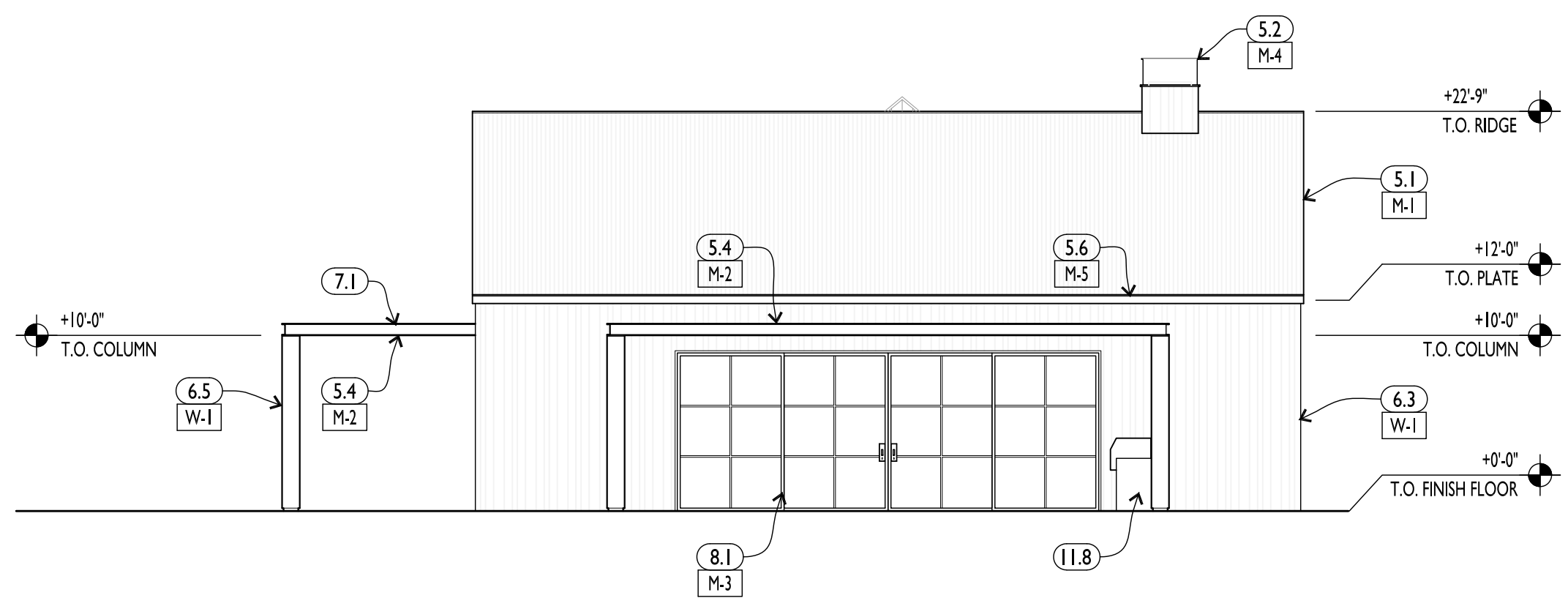
PROJECT NO.	20002
DATE	ISSUE
6.15.21	PRELIM. PRICING



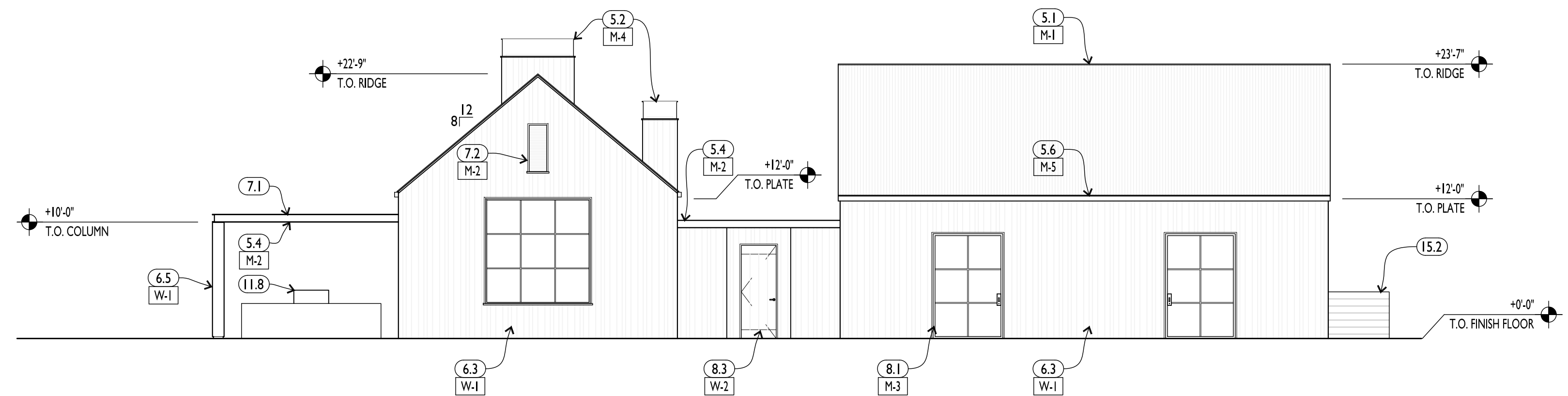
6 ENTERTAINMENT / FITNESS BLDG. - WEST ELEVATION  
A5.3



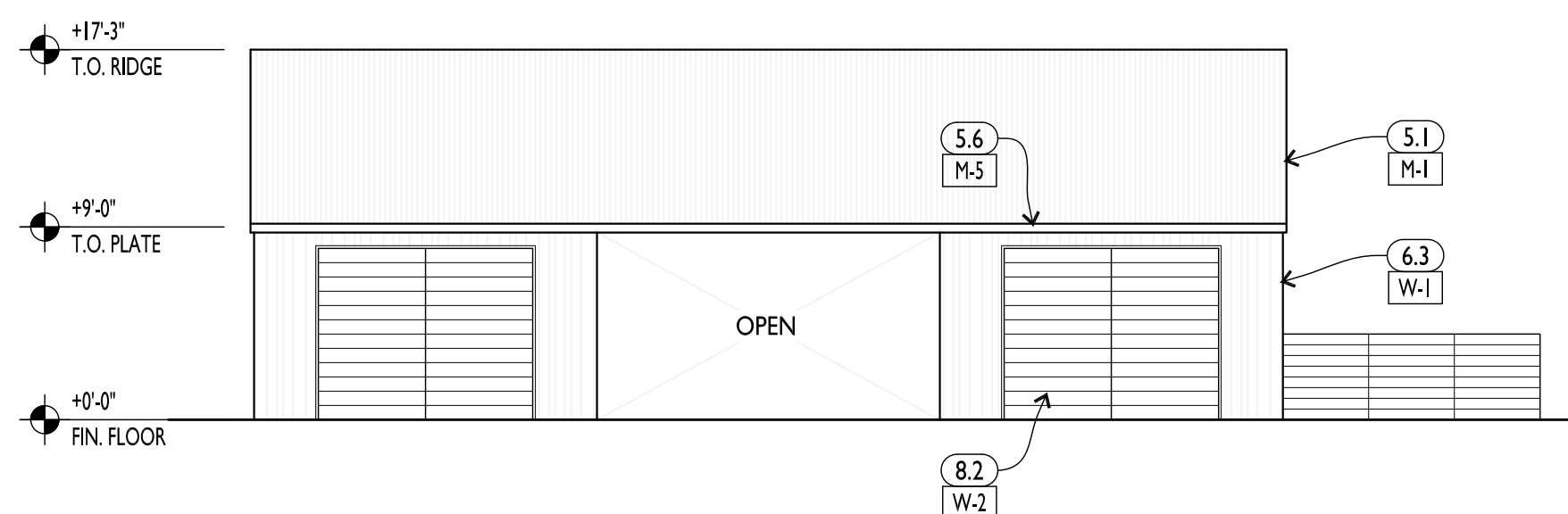
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A5.3



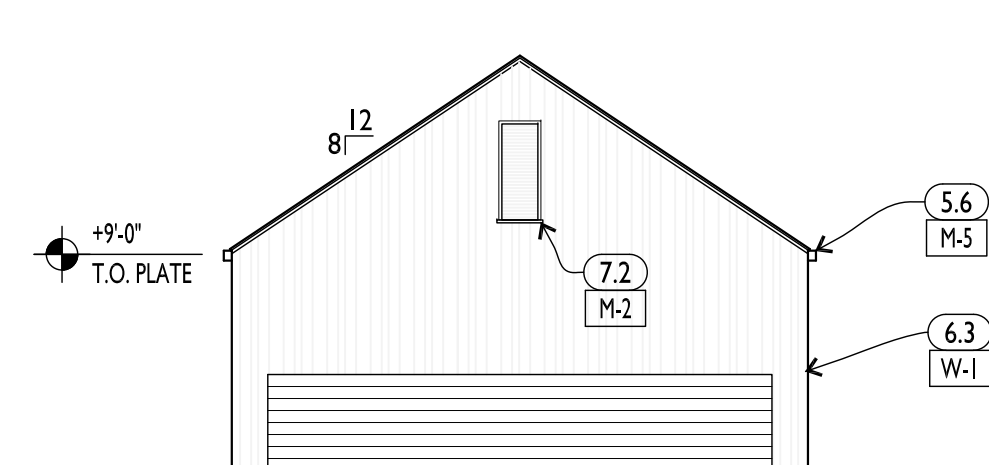
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A5.3



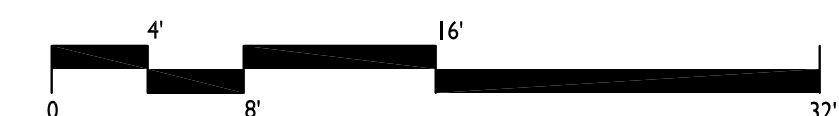
3 ENTERTAINMENT / FITNESS BLDG. - NORTH ELEVATION  
A5.3



2 DETACHED GARAGE - NORTH ELEVATION  
A5.3



1 DETACHED GARAGE - WEST ELEVATION  
A5.3



**ATTACHMENT E**  
**Biology Report by Sol Ecology (dated October 20, 2020)**



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October 20, 2020

John and Janine Pelosi  
1975 Shady Brook Lane  
Morgan Hill, CA 95307

**RE: 15240 Oak Glen Avenue Project – Sensitive Avian Species Assessment**

Dear Mr. and Mrs. Pelosi,

On October 6, 2020 Sol Ecology, Inc. performed a focused sensitive avian species assessment at 15240 Oak Glen Avenue, Morgan Hill, in Santa Clara County, California (Project Site). The proposed project includes construction of a single-family residence and driveway in the southwest corner of the lot which is located to the south of Llagas Creek and north of one of its tributaries (Attachment A: Site Plan). The majority of the proposed development is located outside the 200-foot setback habitat protection zone within existing ruderal grassland habitat; a small corner of the residence and lawn is located just within the protection zone but is more than 100 feet from the edge of riparian habitat.

This report describes the results of a biological assessment of the Project Site for the presence of sensitive (listed) avian species Least Bell's Vireo and Tricolored Blackbird described below, currently protected by state and federal laws and regulations and covered under the 2012 Santa Clara Valley Habitat Conservation Plan (HCP). This assessment is based on information available at the time of the study and on-site conditions that were observed on the date of the site visit. Photographs of the Site are provided in Attachment 2.

Target Species Accounts

**Least Bell's vireo (*Vireo bellii pusillus*), Federal Endangered, State Endangered, CDFW Species of Special Concern.**

This subspecies of Bell's vireo is a neotropical migrant and summer resident in California and northern Baja California, wintering in southern Baja California (Brown 1993). This vireo was once common in lowland riparian habitats throughout California but declined precipitously during the twentieth century (USFWS 1998). By the time of federal listing in 1986, an estimated 300 pairs were restricted to southern California, primarily San Diego County (USFWS 1998). The population has increased since, with the number of nesting territories in the state in 2006 estimated to be approximately ten times greater than in 1986 (USFWS 2006). However, the distribution of the vireo at that time remained almost entirely within southern California (USFWS 2006).

Least Bell's vireo breeding habitat consists of riparian vegetation, usually in an early successional state (i.e., between five and ten years old), and near water (USFWS 1998). Such habitat is preferred because it provides both dense cover in the lower shrub layer for nest concealment, and a stratified canopy structure favorable to insect abundance and thus vireo foraging (USFWS 1998). Riparian habitat types used for breeding include those dominated by willows, cottonwood, and/or oaks, with a dense understory of species such as willows, mulefat, California wild rose, poison oak, and mugwort (USFWS 1998). Nests are typically placed within three feet of the ground. Least Bell's vireo may attempt multiple broods during the breeding season from mid-March to late September, although one brood is typical (Brown 1993). Habitats such as chaparral and coastal sage scrub adjacent to riparian areas are used for foraging and even nesting, and thus provide another potentially important habitat component (Kus and Miner 1989). Along with habitat destruction, brood parasitism by the brown-headed cowbird (*Molothrus ater*) is widely considered a major contributor to the decline of least Bell's vireo, and a continuing challenge to its recovery.

**Tricolored blackbird (*Agelaius tricolor*). State Threatened, CDFW Species of Special Concern, USFWS Bird of Conservation Concern.** The tricolored blackbird is a locally common resident in the Central Valley and along coastal California. Most tricolored blackbirds reside in the Central Valley March through August, then moving into the Sacramento-San Joaquin Delta and east to Merced County and coastal locations during winter (Meese et al. 2014). This species breeds adjacent to fresh water, preferring emergent wetlands with tall, dense cattails or tules, thickets of willow or blackberry, and/or tall herbs. Flooded agricultural fields with dense vegetation are also used (Shuford and Gardali 2008). This species is highly colonial; nesting habitat must be large enough to support a minimum of 30 pairs, and colonies are commonly substantially larger (up to thousands of pairs). The tricolored blackbird often intermingles with other blackbird species during the non-breeding season. Individuals typically forage up to 5.6 miles (9 kilometers) from their colonies although in most cases only a small part of the area within this range provides suitable foraging (Hamilton and Meese 2006).

## Methods

Potential occurrence of sensitive avian species in the Project Site was evaluated by first determining the current distribution and documented occurrences near the Project Site through a literature and database search. Database searches for known occurrences of special-status species focused on the Mount Madonna 7.5-minute USGS quadrangle and surrounding USGS quadrangles containing similar habitats. Sources reviewed to determine potential are provided in a list of references at the end of this report.

A reconnaissance-level survey and site assessment for each of the two target species was performed on the Project Site on October 6, 2018. The focus of the assessment was to identify whether suitable habitat elements for each species described above are present on the Project Site or not and whether the project would have the potential to result in impacts to any of these species and/or their habitats either on- or off-site.

## Results and Discussion

Vegetation communities observed on the Project Site include ruderal grassland dominated by yellow star thistle (*Centaurea solstitialis*) and mature oak-bay riparian woodland dominated by valley oak (*Quercus lobata*) and California bay laurel (*Umbellularia californica*). Non-dominant riparian trees include coast live oak (*Q. agrifolia*), sycamore (*Platanus racemosa*), black walnut (*Juglans nigra*), and California buckeye (*Aesculus californica*). The understory of Llagas Creek mainstem contained primarily herbaceous species such as poison oak (*Toxicodendron diversilobum*) with relatively few immature trees or shrubs. Water was present in the creek at the time of the assessment. Little to no understory and no water was observed in the tributary to the south.

Riparian oak woodland on the site is not characteristic of preferred of least bell's vireo nesting habitat given the absence of a developed lower shrub layer and lack of stratification. This species is more typically found in early successional riparian woodland habitat with greater diversity of hydrophytic shrub species such as willow and blackberry, which are not present on the site. The existing herbaceous layer is not likely tall enough for nest concealment (preferably 3 feet in height). Furthermore, the site is bordered by ruderal grassland, rather than preferred shrub habitat. A single occurrence is documented in Llagas Creek approximately 10 miles to the south of the Project Site which is the northernmost documented occurrence of this species. Habitat at this location consists of dense, multi-story valley foothill riparian dominated by willows. Given the known distribution and range of this species, and absence of suitable nesting substrate on-site, least bell's vireo is not likely present on the Project Site and thus, no effect to this species is anticipated.

Preferred nesting habitat for tricolored blackbird is also not present on the Project Site given similarities in habitat needs to least Bell's vireo. Tricolored blackbird relies primarily on emergent wetland habitat containing willows, blackberry, cattails, or tules not present on nor adjacent to the Project Site. Furthermore, this species is documented to forage in fallow fields within approximately 5.6 miles of their nesting habitats. While the Project site does contain ruderal grassland habitat, it is dominated by yellow star thistle which is known to dry out soils and consequently reduce foraging habitat for species including Swainson's hawk and tricolored blackbird. The nearest documented occurrence is located approximately 10 miles to the north of the site in several large ponds dominated by tules. Therefore, the Project Site is not likely to support tricolored blackbird nesting nor foraging and thus, no effect to this species is anticipated.

Based on the absence of suitable nesting or foraging habitat for listed avian species, no potential effects to either species is likely to occur as a result of the proposed project. A minimum 50-foot setback from top of bank as shown in Attachment A: Sensitive Habitats Map is recommended. The larger 200-foot setback mapped HCP corridor protection zone is not applicable to this site.

Please do not hesitate to contact me should you have any questions or concerns.

Respectfully,



Dana Riggs, Principal Biologist  
[driggs@solecology.com](mailto:driggs@solecology.com)

Cc: Timothy Chappelle and Kurt Simrock, Arcanum Architecture

Attachments (3)

- A. Sensitive Habitat Map
- B. Photographs of the Site
- C. Qualifications of the Biologist

**References:**

Brown, B.T. 1993. Bell's Vireo (*Vireo bellii*). In: Poole, A. and F. Gill, eds. The Birds of North America, No. 35. The Academy of Natural Sciences, Philadelphia, and the American Ornithologists' Union, Washington, D.C.

Hamilton III, WJ and RJ Meese. 2006. Habitat and population characteristics of Tricolored Blackbird colonies in California. 2005 final report. U.C. Davis for California Department of Fish and Game.

Kus, B.E. and K.L. Miner. 1989. Use of Non-riparian Habitats by Least Bell's Vireos. USDA Forest Service Gen. Tech. Rep. PSW-110, 299-303.

Meese, R.J., E.C. Beedy and W.J. Hamilton, III. 2014. Tricolored Blackbird (*Agelaius tricolor*), The Birds of North America Online (A Poole, Ed.). Ithaca: Cornell Lab of Ornithology; Retrieved from the Birds of North America Online: <http://bna.birds.cornell.edu/bna/species/423>.

Shuford, WD and T Gardali, eds. 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.




U.S. Fish and Wildlife Service. 2006. Least Bell's Vireo (*Vireo bellii pusillus*) 5-Year Review Summary and Evaluation. U.S. Fish and Wildlife Service, Carlsbad, CA. September.

U.S. Fish and Wildlife Service. 1998. Draft Recovery Plan for the Least Bell's Vireo. U.S. Fish and Wildlife Service, Portland, OR. 139 pp.



**Attachment A:  
Sensitive Habitat**

15240 Oak Glen Ave.  
Morgan Hill, CA

-  Top of Bank
-  50ft Setback from TOB
-  RESIDENTIAL STREET





Attachment B. Photographs of the Project Site



Project Site consists of ruderal grassland dominated by yellow-star thistle; recently mowed.



Riparian habitat in Llagas Creek consists of primarily oak-bay woodland with an herbaceous understory.

## **Attachment C. Qualifications of the Biologist**

### **Dana Riggs, Founder and Principal Biologist**

Ms. Riggs received her Bachelor of Science degree in Earth Systems, Science and Policy at California State University of Monterey Bay in 2001. In 2017 she founded Sol Ecology, Inc. Prior to this, she was a principal biologist and head of the Wildlife and Fisheries Department at WRA, a mid-size environmental consulting firm in San Rafael, California. Ms. Riggs has over 20 years of consulting experience directing a broad range of resource studies from planning level to post-construction including: biological habitat assessments and mapping, special status species surveys, corridor studies, site restoration and monitoring, federal and state regulatory permitting, mitigation and restoration planning for aquatic species, and NEPA and CEQA documentation for a variety of public and private sector clients. Dana has extensive experience working with special status avian and other wildlife species of Northern California including protocol-level surveys with positive findings for both least Bell's vireo and tricolored blackbird.