

County of Santa Clara

Department of Planning and Development
Planning Office

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August 19, 2021

Roman Piglitsin
1008 Andy Circle
Sacramento, CA, 95838

FILE NUMBER: PLN21-114
SUBJECT: Building Site Approval on Slope 30% or Greater and Grading Approval
SITE LOCATION: 0 Helen Way, Los Gatos, CA, 95033 (APN: 544-39-035)
DATE RECEIVED: July 20, 2021

Dear Mr. Piglitsin,

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

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

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

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

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

PLANNING OFFICE

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

Code Violation – Unpermitted Tree Removal

1. It has come to the Planning Division's attention that there is a confirmed Code Violation (VIO21-0143) on this property. Per the County Zoning Ordinance 5.20.140, this application

approval cannot be issued until all violations on the property are expunged. Please consult with Tyson Green, Code Enforcement Officer (tyson.green@pln.sccgov.org; (408)299-5793) regarding the code violation. **Owner to clear violation**

Tree Protection

2. It appears that the future construction is located within the driplines of multiple trees with a trunk diameter of more than 12". Pursuant to Ordinance Code Section C16-3, those trees are identified to be preserved on parcels three (3) acres or less in the HS Zoning District. Please provide a) a tree removal plan prepared by an International Society of Arboriculture (ISA) certified arborist which identifies the species, diameter, and amount of any tree canopy proposed for removal, and b) a report prepared by an ISA certified arborist to provide assessment for all existing trees, including the trees on the adjacent properties, if the proposed construction is located within the driplines of the trees. The arborist report shall also provide recommendations or mitigation measures for tree protection from pre-construction through post-construction. Please identify the

Lot Merger

3. The subject property (APN 544-39-035) includes two legal lots (Lot 216 and 218 of Block N) created through the Redwood Estate Subdivision. A voluntary Lot Merger is necessary for the proposed development. Please apply for a Lot Merger with application fees. The submittal requirement can be found through the link below:
https://stgenpln.blob.core.windows.net/document/Checklist_LM.pdf

Site Plan

4. The submitted Site Plans (Sheet A-02 and C1.0) do not provide all required information for review. Please provide dimensioned and comprehensive site plans (in standard scale) to include the information as follows:
 - a. 20-foot half-street right-of-way dedication in dash lines (Sheet A-02 and C1.0)
 - b. Setback lines in dash lines identifying the following standards (Sheet A-02 and C1.0).
 Front Setback: 20 feet
 Side Setback: 10% of the lot width to a minimum of 5 feet
 Rear Setback: 20% of the lot depth
 - c. Existing contour lines in grey dash lines and proposed contour lines in black dash lines. Please refer to the sample site plan via the link below:
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Sample_Site_Plan.pdf
5. Please provide Earthwork Quantities Table, including cut, fill, import, export, and vertical depth (cut/fill) for all proposed improvements. Please separate the grading quantity for the residence, the garage, and the driveway. Earthwork is exempted from grading permit, if it is associated with the excavation of a foundation for a building, including grading within five (5) feet of the perimeter foundation.

Earthwork Summary					
Use	Cut	Fill	Import	Export	Max. Vertical Depth
Residence	384 CY	0' CY	384 CY	0' CY	15.5'
Garage	0' CY	83' CY	0' CY	83' CY	2'
Driveway	0' CY	5' CY	0' CY	5' CY	11'

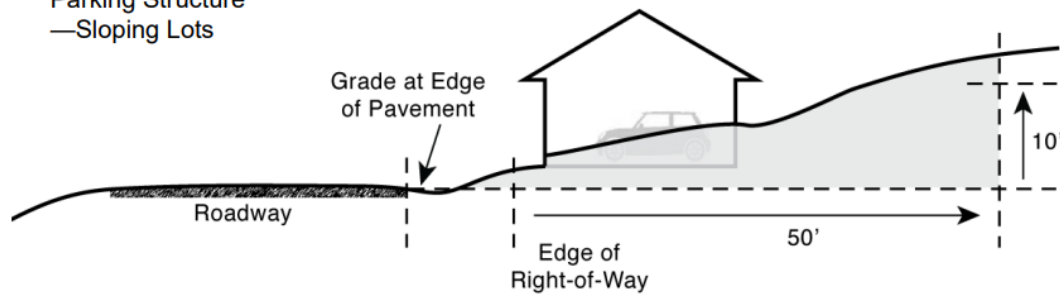
Special Permit **Owner to obtain special permit**

6. Although the required setback lines are not clearly identified on the site plan, it appears the proposed detached garage might encroach into the required front setback. Please note, a setback-exempt structure may be granted through a Special Permit to accommodate unusual circumstances pursuant to Zoning Ordinance 4.20.020.(F).

If the proposed detached garage encroaches into the required front setback, please provide the information below and apply for a Special Permit with filing fees.

- a. A section drawing cutting through the Redwood Drive roadway and the proposed garage. The section cut shall extend a minimum of 50-feet beyond the edge of the right-of-way. Pursuant to Zoning Ordinance 4.20.020.(F).(1), “Where the grade elevation at a point 50 horizontal feet inward from the edge of right-of-way differs 10 vertical feet or more from the elevation at the adjacent edge of pavement, a garage, carport or other parking structure may be located within the required front or side yard of a lot.” (see Fig 4.20-2 inserted from Zoning Ordinance). **See section A-A**

Fig. 4.20-2
Parking Structure
—Sloping Lots



- b. Sight clearance for traffic safety. Pursuant to Zoning Ordinance 4.20.020.(F).(1).(c), “such parking structures must be situated or designed such that adequate sight clearance and safe vehicle movement are afforded the driver of an existing vehicle, consistent with Ordinance Code §§B17-68 and 69”. **Noted**

Early Public Outreach

7. As the project is subject to the early notification and outreach policy under Building Site Approval on Slope Greater than 30%, signage at the site of the project and notification to surrounding properties are required. Attached is the signage that is required to be posted at the project site for File PLN21-114. A list of signage vendors (sign companies) and *Public Notice Sign Guidelines* are also included for your reference. The applicant is required to provide a photo within the 30-day time frame confirming the on-site signage has been satisfied. **Noted**

Archeological Review

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

LAND DEVELOPMENT ENGINEERING

Contact Ed Duazo at (408)-299-5733, Ed.Duazo@pln.sccgov.org regarding the following:

9. The plans propose road widening on both sides of Helen Way along the length of the property frontage. Generally, pro-rata improvements should bring the portion of road being improved up to full County Standard (County Standard Detail SD3). The proposed pro rata improvements will not bring the portion of road being improved to County Standard (the improved road section will still be substandard). Revise the pro-rata proposal accordingly, and submit a pro rata road study, or other documentation, to demonstrate/justify that the proposed improvements comprise a sufficient pro rata share. (Note: County Standard Details are available in the County Standards and Policies Manual, Volume I – Land Development. A copy of the manual is available online at:

https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual_Voll.pdf

See attached exhibit for road widening & pro-rata share

10. Provide a profile of the driveway showing the slope transitions from Helen Way to the driveway, and from the driveway to the garage slab. Per County Standard Detail SD4, the slope of the approach should not exceed 5% 20-feet from existing pavement, or within the right-of-way, whichever is greater. Revise the driveway approach footprint and slope in conformance with County Standard Detail SD4. Though site constraints may make full conformance with the SD4 standard difficult, the approach should be brought into conformance with the standard to the maximum extent practicable. In addition, demonstrate that longitudinal grade transitions have been designed to allow for adequate vehicle clearance (i.e., vehicles will not “bottom out” while traversing the driveway).

See section A-A

11. Per Section C12-424 of the County Grading Ordinance, preliminary plans should include the following: (a) contour lines of existing terrain extended 50-feet beyond the development area, and (b) existing buildings, improvements, features, etc., within 25-feet of the proposed, developed area, including adjacent lots. Extend the plans to show this expanded area. Demonstrate that proposed drainage improvements will not adversely impact neighboring properties. Project is proposed to retain water onsite

12. In the plans, clearly label the limits of the Helen Way right-of-way, as well as the additional 20-foot half-street right-of-way dedication. Shown and labeled 10' dedication

FIRE MARSHAL OFFICE

Contact Alex Goff at (408) 299-5763 or alex.goff@sccfd.org for information regarding the following items.

13. Site is located in the State Response Area (SRA) and the Wildland Urban Interface (WUI).
 - a. Project is to meet chapter 7A of the CBC.
 - b. Defensible space is to be maintained at all times.
 - c. PRC-4290 is to be met. Owner to obtain exception

14. Plans to state that fire sprinklers will be a deferred submittal.

Added fire protection note

15. Access roads serving more than 2 lots are to have a minimum drivable width of 18 ft., Helen Way appears to be 12 ft.
 - a. PRC-4290 requires a 20 ft. drivable width. **Widened road to 20' (18' where retaining wall is needed)**
16. A fire department turnaround meeting CFMO-SD16 is to be shown on the plans. Helen Way looks to be a dead-end road without a turnaround. **Shown SD16**
17. Fire department access is to be made of an "all weather" material capable of holding 75,000 pounds. This is to be noted on the plans. **Added note to cover sheet**
18. Plans to show slope of access to site. The maximum slope is to be 16%. **See section A-A**
19. Site Plan is to show a standard fire hydrant within 600-foot exterior path of travel to all portions of sprinklered structures. **FH is 220' to farthest corner**
 - a. A San Jose Water map was submitted, however it's unknown if any of the hydrants meet this requirement.
 - b. The plans are to show a (N) new standard hydrant as part of the proposal if an (E) existing hydrant doesn't meet the requirement. **Noted**
 - c. Hydrant flow data meeting Appendix B or the CFC will be needed at building permit submittal. **Noted**

CALFIRE

Contact Marcus Hernandez at Marcus.Hernandez2@fire.ca.gov for information regarding the following items.

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

20. Access: Access roads (including Helen Way) to the project location should meet the minimum access and egress specifications described in the Fire Safe Regulations; width (two 10-foot traffic lanes), road surface (capable of supporting 75,000 lbs) , etc.

See attached pro-rata exhibit

Article 2 Emergency Access and Egress

§ 1273.00 Intent

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

Noted

§ 1273.01. Width.

(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250. **See attached pro-rata exhibit**

- (b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads.
- (2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.
- (c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

N/A

§ 1273.02. Road Surfaces

- (a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.
- (b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.

21. Setback for Defensible Space: Structure is within 30 feet of the road, provide mitigations for the same practical effect (example: California Building Code Chapter 7A)

§ 1276.01. Setback for Structure Defensible Space.

- (a) All parcels shall provide a minimum thirty (30)-foot setback for all buildings from all property lines and/or the center of a road.
- (b) When a thirty (30) foot setback is not possible for practical reasons, which may include but are not limited to parcel dimensions or size, topographic limitations, or other easements, the local jurisdiction shall provide for same practical effect.
 - (i) Same practical effect requirements shall reduce the likelihood of home-to-home ignition.
 - (ii) Same practical effect options may include, but are not limited to, noncombustible block walls or fences; five (5) feet of noncombustible material horizontally around the structure; installing hardscape landscaping or reducing exposed windows on the side of the structure with a less than thirty (30) foot setback; or additional structure hardening such as those required in the California Building Code, California Code of Regulations title 24, part 2, Chapter 7A.

- 3) Defensible Space: Maintain defensible space specifications described in Public Resource Code 4291

§ 1276.01. Setback for Structure Defensible Space.

- (c) Structures constructed in the SRA are required to comply with the defensible space regulations in Title 14. Natural Resources Division 1.5. Department of Forestry and Fire Protection Chapter 7. Fire Protection Subchapter 3. Fire Hazard.

30' setback not feasible - project to comply with same practical effect

ENVIRONMENTAL HEALTH

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

22. Provide a geotechnical report addressing slope stability, public safety and water degradation concerns regarding the proposed OWTS on slopes greater than 20%. Please see "Geotechnical Report & Engineering Installation Plan Requirements" for more information.

see attached report

Ensure that the geotechnical report addresses any proposed reduction in setbacks to identified steep slopes (>50%) and cuts (i.e. neighboring retaining wall).

23. Floor plan elevations appear to include a proposed 10-to-15-foot cut for the lower floor of the single family residence, which is currently located 10 feet from the proposed dripfield. Minimum setbacks must be maintained. **Septic designer to respond**
24. Include on plans minimum setbacks between OWTS and proposed stormwater dissipator. Stormwater drainage proposal includes plumbing to neighboring parcel (APN: 544-39-079). Provide clarification regarding approval to cross property lines.

Septic designer to respond

GEOLOGY

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

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

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

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

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

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

Warm regards,



Xue Ling
Associate Planner