



GENERAL MANAGER
Ana M. Ruiz

BOARD OF DIRECTORS
Craig Gleason
Yoriko Kishimoto
Jed Cyr
Curt Riffle
Karen Holman
Margaret MacNiven
Zoe Kersteen-Tucker

May 3, 2023

Robert Cain, Associate Planner
County of Santa Clara
Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, CA 95110

SUBJECT: File No. PLN21-130, Land Use Permit for a Building Approval, Grading Approval, and Variance for a New Single-Family Residence located at 17025 McGill Road; May 4, 2023, Zoning Administration Meeting (Item No. 1)

Dear Mr. Cain,

On behalf of the Midpeninsula Regional Open Space District (Midpen), I appreciate the opportunity to comment on the proposed residential development project (Project) located at 17025 McGill Road (File No. PLN21-130) which will be considered for land use permitting by the Zoning Administration at their May 4, 2023 meeting (agenda item No. 1).

Midpen owns and manages over 70,000 acres of open space land in the Santa Cruz Mountains region. Our mission is:

To acquire and preserve a regional greenbelt of open space land in perpetuity; protect and restore the natural environment; and provide opportunities for ecologically sensitive public enjoyment and education.

The property is adjacent to El Sereno Open Space Preserve (Preserve) and Midpen has a floating trail easement across the subject parcel. Midpen would therefore like to provide the following comments on the proposed Project.

Defensible Space

Like many areas of the Santa Cruz Mountains, the Project site is located in the State-designated High Fire Hazard Severity Zone and in the Wildland Urban Interface Fire Area. Please ensure that the project site includes appropriate defensible space to prevent wildland fire, and that defensible space requirements are met as required in No. 14 of the Standard Conditions of Approval. Additionally, the single-family home is proposed to be setback 30 feet from Midpen's the property line. If vegetation clearing on Midpen's property is required to meet the Fire Marshal's Office conditions of approval the property owner should apply to Midpen for a free Neighbor Defensible Space Permit (www.openspace.org/where-to-go/permits/defensible-space-permit). Midpen requests that this requirement be added as a Condition of Approval following the Fire Marshal's Office's conditions in Attachment B of the staff report (Preliminary Conditions of Approval).

Trail Easement

Midpen secured a trail easement through the parcel (APN 517-24-024) in March of 2018. This easement is classified as a floating trail easement on the portion of the subject property as specified on Sheet BT2 of the plan set (Attachment D of the staff report). Currently there is no public access, but when a trail alignment is selected, the floating trail easement will be converted to a 100-foot-wide trail easement (50 feet from centerline). The property owners should be advised that public access and a trail will be anticipated through this parcel in the future. The portion of the property in which Midpen has a recorded trail easement is not dedicated as public open space. The intent of the trail easement is to provide future public trail connections between El Sereno Preserve and Sanborn County Park as an extension of the Bay Area Ridge Trail.

Landscaping

Midpen recommends that no invasive or non-local plants be used in the project landscaping, as these non-native plants may spread to adjacent properties.

We appreciate the opportunity to comment on this project. Should you have any questions about this letter, please contact me at (650) 625-6563 or jmark@openspace.org, or Mattea Curtis (Planner II) at (650) 772-3647 or mcurtis@openspace.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jane Mark', with a long horizontal flourish extending to the right.

Jane Mark, AICP, Planning Manager

CC: Susanna Chan, Assistant General Manager, Project Planning and Delivery