

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



January 2, 2023

Michael McLennan
1685 Mission Road
Colma, CA 94080

m.mclennan@yahoo.com

BY EMAIL ONLY

FILE NUMBER: PLN21-214 (R1)
SUBJECT: Use Permit with Architecture and Site Approval (ASA) for a Proposed Office (Plumbing Business) and Trailer Storage as Ancillary Use.
SITE LOCATION: Sycamore Avenue, San Martin (APN 825-38-018)

Dear Mr. McLennan,

The application for a Use Permit with Architecture and Site Approval (ASA) for a Proposed Office (Plumbing Business) and Trailer Storage at Sycamore Avenue, San Martin (APN: 825-38-018) is **incomplete**. For the application processing to resume, please resolve the following issues and submit the information listed below.

Resubmittals are made electronically with the project manager/planner and must include all requested information along with a completed application form (which is used to track the resubmittal). Once the information is resubmitted, the Planning Office will distribute the plans, reports and/or information to the appropriate staff or agency for review.

If there are any questions about the information requested, please contact the specific staff for that item.

AN VIRTUAL APPOINTMENT IS REQUIRED FOR A RESUBMITTAL. PLEASE EMAIL TO SCHEDULE AN APPOINTMENT.

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

PLANNING OFFICE

Contact Lara Tran at (408) 299-5759 or lara.tran@pln.sccgov.org regarding the following comments:

1. Provide a current grant deed to confirm the owner of the existing lot on the signed Master Application.

2. Provide a copy of a recorded Parcel Map, Tract Map, or three (3) consecutive deeds (from June 25, 1969) to confirm evidence of legal lot creation. Please refer to the County’s “[Deeds & Lot Legality](#)” sheet for additional information.
3. The submitted project description needs to be revised to provide a detailed description business operation, including numbers of employees, proposed parking for staff and guests, and estimated number of customers/guests on the property during business hours. Note that trailer storage/rental is still considered an industrial use and NOT ALLOWED in the San Martin Commercial Use Permit Area, as discussed in the previous incomplete letter from January 2, 2022, in the pre-application meeting on October 8, 2020 and in the pre-application letter.

Parking Plan for All On-Site Parking

4. Provide a parking plan for the proposed office use. Parking standards and requirements can be found in [Table 4.30-2](#) and [Table 4.30-3](#) of the County Zoning Ordinance, [Section 4.30.040\(A\)](#). Submit a site plan that indicates the required parking that meets the minimum requirements per County’s Off-Street Parking Requirements. The submitted site plan which shows the proposed parking configuration is not the correct configuration for a business proposing trailer usage. Include aisle width, dimensions, and space numbering to demonstrate compliance with the parking provisions. Based on parking demand per proposed square footage for the one (1) office (approximately 200 square feet), approximately 2 parking spaces are required with one (1) standard parking space and one (1) ADA compliance parking space. Identify what types of vehicles are expected to access the site. Adequate and separate areas for large vehicle parking shall be provided in the parking plan, if applicable. Driveway and parking areas is recommended to be treated or paved per the [San Martin Integrated Design Plan and Guidelines](#).

On-site Vehicular Circulation Plan

5. Provide a modeling of vehicles exiting the north bound exit from Highway 101 an making the corner turn at the intersection of San Martin Avenue and Sycamore Avenue. Modeling shall show vehicle turning at the intersection at 15 to 20 miles an hour. Also identify the circulation pattern, including vehicle size, turning radius, and turning movements.

Architectural Plans and Landscape Plan

6. Provide elevation and floor plans for the proposed office building. Architectural plans show identify the height of the structure from existing grade to top of the array. The applicant shall incorporate and immolate rural aesthetics and roof awnings for the building as part of the [San Martin Integrated Design Plan and Guidelines](#).
7. Provide a landscape plan that shows a minimum of 60 ft. landscaping for the perimeter of the property per the [San Martin Integrated Design Plan and Guidelines](#).

Grading Approval

8. Identify any grading quantities on the site plan for staff to evaluate if a Grading Approval is required. Note that if 150 cubic yards of cut or fill (more than 5 ft. of vertical depth) are proposed, a Grading Approval shall be required per [Section C12-406](#).

Signage

9. Provide design details (including location, material, size, colors, etc.) of any proposed signage. Signage would need to be consistent with Section [4.40.050](#) and [4.40.060](#) of the Zoning Ordinance.

Early Public Outreach

10. Level 1 Early Notification Outreach, which will require noticing to 300 feet of surrounding neighborhood and a sign posted onsite as described on the County [website](#). The Use Permit with ASA will require a public hearing at the Planning Commission.

Santa Clara Valley Habitat Plan (HCP)

11. The property is in Area 3 of the Santa Clara Valley Habitat Plan (HCP) Permit Area. However, the property is adjacent to East Little Llagas Creek and proposed development will very likely trigger Habitat Plan coverage. Once Habitat Plan Coverage is confirmed, the owner will need to revise the [HCP Screening Form](#).
12. Revise the site plan to show a 100-foot buffer is maintained from the top of bank of East Llagas Creek. Additional review for HCP may be required.

California Environmental Quality Act (CEQA)

13. An Initial Study/Environmental Assessment will be required for the proposed project but a final determination shall be made once the application is deemed complete. As part of initial study review, the applicant will need to provide the following studies/reports:
 - A. Provide a noise study based on the proposed office use on the site
 - B. Lighting and photometric plan
 - C. Traffic and parking study

LAND DEVELOPMENT ENGINEER (LDE)

Contact Darrell Wong at (408) 299 5735 or darrell.wong@pln.sccgov.org regarding the following comments:

14. Please provide a table of the estimated earthwork quantities per C12-424(g). Quantities shall include all import of gravel and base rock. A Grading Approval and permit are required if the volumes exceed the minimum exempt threshold for grading.
15. Please clarify the limits of the disturbed area as a result of the proposed development. The legend and table indicate that there is a significant amount of disturbed area, but the hatching isn't shown on the plans. There appears to be significant permanent disturbance indicated on the plans as a result of the parking lot and base rock surrounding area, but the permanent disturbance listed in the table is only stated to be under 400SF. Please verify and clarify this quantity.
16. Please include all applicable easements affecting the parcel(s) with benefactors and recording information on the site plan. Please supply a copy of a preliminary title report, prepared within the current ownership of the property, with a statement from the owner that no subsequent encumbrances have been recorded since the preparation of the title report.

17. Show location of flood plain and floodway on the plan with the zone labeled, base flood elevation, and datum.
18. Non-residential parking areas are required to be paved per the zoning ordinance unless otherwise approved by the approval body. Access to stalls must also be 22' in width. Please adjust the parking surface as necessary.
19. If the parking surface is to be paved or sealed, stormwater treatment will be required for the proposed development. Please fill out the Post Construction Requirement packet and provide treatment and peak flow mitigation as necessary.
20. Please comply with the Grading setbacks to property line per County Grading Ordinance C12-558.
21. Non-residential parking areas are required to be paved per the zoning ordinance unless otherwise approved by the approval body.

ROADS AND AIRPORTS (RDA)

Contact Tom Esch at (408) 573-2450 or tom.esch@rda.sccgov.org regarding the following comments:

22. San Martin Ave has a Future Width Line (FWL) for a 55-foot half street width (110-foot full street). Show on the revised plans the existing centerline, edge of pavement, and limits of the San Martin Ave right-of-way (ROW) and the limits of the FWL. A curvilinear dedication to public right-of-way will be required.
23. Sycamore Ave has a Future Width Line (FWL) for a 30-foot half street width (60-foot full street). Show on the revised plans the existing centerline, edge of pavement, and limits of the Sycamore ROW. There is no dedication requirement along Sycamore. Revise plans to correctly indicate ROW (not a 55' FWL).
24. Dedication of avigation easement for San Martin Airport will be required.
25. Provide a Sight Distance Analysis (SDA) for driveway approach/es. The SDA shall be based on County Standard driveway approach layouts consistent with Caltrans Highway Design Manual Section 200 and prepared by a licensed civil engineer demonstrating adequate stopping sight distance in both directions is available. The SDA is to include the following:
 - A. The design speed used to determine the stopping sight distance;
 - B. The basis of the design speed, i.e., the engineer's statement that he/she has determined the speed by driving the section of roadway or the engineer's calculation of the speed based upon the existing measured roadway geometry;
 - C. The limits of any obstruction(s) to be removed between the edge of pavement and the sight line.

26. Indicate on plans if any conflicts will require mitigation, such as tree removal or additional grading. Any new vegetation must not cause sight distance issues at the driveway.
27. All driveways accessing the property will be required to be designed to County Standard B/5 approach, and the revised plans should indicate as such. Include County standard details on the plan sets.
28. The property's frontage will be required to be improved to County Standard B/4A. Indicate improvements on the revised plans to identify any conflicts that will need to be resolved (i.e. utility poles, trees, culverts, etc.). Include County standard details on the plan sets.
29. Relocate existing Stop Ahead sign to approximately 60 ft north of the new driveway. Indicate removal of existing "STOP AHEAD" pavement markings and add new "STOP AHEAD" pavement markings in proximity to relocated Stop Ahead sign.
30. Gates, fences, retaining wall, fixed appurtenances, etc. shall be located outside the limits of the County maintained road right-of-way (ROW). If any items must remain in the ROW a Maintenance and Indemnification Agreement (MIA) recorded against the property will be required. Indicate on plans the intent of any existing or future items in the ROW.

DEPARTMENT OF ENVIRONMENTAL HEALTH

Contact Darrin Lee at (408) 918-3435 or darrin.lee@cep.sccgov.org regarding the following comments:

- D. For the proposed office building, contact the Department of Environmental Health to conduct the following activities to determine septic system feasibility: site assessment, soil profiles, and percolation tests.
 - A. This site location is located within an area of known seasonal high ground water. Determination of vertical separation between seasonal high groundwater shall be determined through soil profiles during the wet weather testing period.
- E. Upon completion of septic system feasibility activities, overlay the soil profile and percolation test hole locations onto a site/grading and drainage plan. Within the plan set include all percolation test results and provide soil profile logs.
- F. On revised site grading drainage plan, identify, by name, the water company that provides potable water to the proposed use. Obtain and provide water will serve letter as part of resubmittal package to Planning and Development.

VALLEY WATER

Contact Benjamin Hwang at (408) 630-3066 or bhwang@valleywater.org regarding the following comments:

- G. This project will not modify or use a Valley Water facility or easement. However, East Little Llagas Creek is/are located on or next to the site. Valley Water staff is interested in reviewing and providing consultation on the project because of impacts the proposed project may have on Valley Water's adjacent facility or on water resources. Please consider the comments below and send revised drawings for our review and comment.
- H. Plans propose the planting of *Olea europaea* (fruitless olive trees) along Sycamore Avenue. According to the Guidelines and Standards for Land Use Near Streams (Chapter 4, Design Guide 3), *Olea europaea* is listed as an invasive species that should be avoided. In lieu of the proposed olive trees, Valley Water recommends selecting one of the native plant species listed in the Guidelines and Standards (Chapter 4, Design Guide 2). Furthermore, in accordance with the Guidelines and Standards, plantings should be from "seeds, cuttings or divisions collected from the same local creek or watershed."

Prior to a resubmittal, please schedule an appointment to discuss any comments regarding the project if needed.

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 manager.** If the requested information is not submitted within **180 days**, you are 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 the incomplete letter. **PARTIAL RESUBMITTALS WILL NOT BE PROCESSED.** Fees required at the time of resubmittal will be those in effect at that time.

Use Permit with ASA applications have been charged a minimum fee and will be charged additional fees to continue processing when the initial payment is exhausted.

In submitting the land use application, the owner/applicant included an initial application fee. Application fees are categorized as "fixed fees" and "billable fees", based on the specific 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 (408) 299-5759 or lara.tran@pln.sccgov.org.

Warm regards,

DocuSigned by:

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Lara Tran
Senior Planner

cc:

Darrell Wong, LDE

Tom Esch, R&A

Darrin Lee, DEH

Ninh Le, Lc Engineering.

Enclosed: Policy Issues Letter

County of Santa Clara

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SITE LOCATION: Sycamore Avenue, San Martin, CA 95046 (APN 825-38-018)

Dear Mr. McLennan,

Staff reviewed the resubmittal for the Use Permit with Architecture and Site Approval (ASA) application and would like to provide staff's assessment of the proposed project with respect to County's policies and Zoning Ordinance.

The information provided below are not incomplete items and are not required to deem the application complete for processing. The items below are for the Applicant's information only and can be discussed further if desired with County Staff.

Although the project description has been revised to identify ancillary proposed work is outdoor "light weight trailer storage," the use is still not consistent to the County's General Plan and Zoning Ordinance, and therefore, is NOT ALLOWED and cannot be supported by staff.

The project proposes establishment of an *Office - Commercial* as its primary use and of *Trucks Sales & Services - Industrial* as secondary/ancillary use on a site that has a General Plan land use designation of Rural Residential and is within the San Martin Commercial Use Permit Area.

Although the property has a Rural Residential (RR) as its base zoning district (which does not allow for Office/Commercial uses and Truck Sales & Services/Industry uses), commercial uses may be allowed within the San Martin Commercial Use Permit Area combining district (-sm). The *Office* category is considered a "Commercial" use and is an allowed use in the subject site's designation, subject to obtaining a Use Permit. However,

“light trailer storage” is considered an industrial use under the County Zoning Ordinance under Truck Sales & Services, and is NOT ALLOWED in the San Martin Commercial Use Permit Area.

According to Zoning Ordinance § 2.10.030 the land use classification proposed for the plumbing office is defined as follows:

Office (Commercial). *Facilities used for offices of firms or organizations providing professional, executive, management, or administrative services or offices for physicians, dentists, or chiropractors, including laboratories incidental to the medical use. This classification excludes home offices that meet the criteria for “Home Occupations.”*

Zoning Ordinance § 2.10.030 also defines the land use classification of RV and trailers as follows:

Truck Sales & Services (Industrial). *Facilities for repair, sales or storage of heavy-duty, commercial trucks, truck trailers and recreational vehicles. All uses within this classification shall fit within one of the following subcategories:*

- 1. Repair. Establishments for the repair of trucks and related equipment. The repair of light-duty trucks is classified as Automotive Services: General Repair.*
- 2. Sales. Establishments for the sales or leasing of trucks and related equipment. The sale of light-duty trucks is classified as Automotive Services: Sales & Rentals.*
- 3. Storage. Establishments for the storage of truck and related equipment. The storage of light-duty trucks is classified as Automotive Services: Storage.*

The policy issues letter from January 7, 2022, and the pre-application letter dated November 19, 2020, with the County’s General Plan policies also highlighted the proposed ancillary “truck trailer storage” as NOT AN ALLOWED USE on the existing property.

Should the applicant wish to modify the project based on the information provided above to better meet the County’s Zoning Ordinance and policies, a resubmittal can be made to the project planner.

If you have any questions, please contact (408) 299-5759 or lara.tran@pln.sccgov.org.

Warm Regards,

DocuSigned by:

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Lara Tran
Senior Planner