

County of Santa Clara

Department of Planning and Development
Planning Office

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www.sccplanning.org



****Via Email Only****

January 28, 2022

MH Engineering
PO Box 1029
Morgan Hill, CA

FILE NUMBER: PLN21- 223
SUBJECT: Two-Lot Subdivision
SITE LOCATION: 12475 Foothill Avenue, San Martin (APN 825-25-104)
DATE RECEIVED: December 29, 2021

Dear MH Engineering:

Your application for Minor Subdivision (Two-Lot) has been received on the above date and is deemed **incomplete**. For the application processing to resume, you must resolve the following issues and submit the information listed below.

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

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

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

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

PLANNING OFFICE

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

Lot Legality

1. Please provide pre-1969 deed per the County Lot Legality handout below. Staff is unable to verify the lot legality with the submitted information.

[DeedLotLegality.pdf \(windows.net\)](#)

Tentative Map

2. Per County Ordinance C12-20, titled Form and content of tentative maps, provide the following information on the tentative map, including but not limited to:
 - a. Approximate dimensions of all lots. The dimension of the side property lines is not shown.
3. Move the north point and scale bar outside the property boundary.
4. Please remove the proposed septic tank, leach fields, and driveway(s) from the Tentative Map. Proposed development shall be identified on Development Feasibility Plan only.
5. Clearly label existing site improvements that are proposed to be retained, including the driveway, boiler room, gas riser, power pole, well, and water tank.
6. Please clarify if the existing driveway access shown in dotted line within Parcel 1 is to remain. If yes, please provide the width of the driveway.
7. Provide the easement boundary dimension of the existing driveway along the north property line of Parcel 1.
8. Show **all** the existing building setbacks from **all** (proposed) property lines, including front, side, and rear property lines, road rights-of-ways, and any access easement.

Per “setback” and “rights-of-way” definition in §1.30.030 of the County Zoning Ordinance, setbacks are also taken from the edge of any rights-of-way (also includes any ingress-egress easement that provides the right to pass over one property to access another) that abuts or passes through the subject lot. Please note that the setbacks shall be taken and illustrated from the new property lines, including driveway easements and future road width dedications.

9. As the existing green house is located 5 feet from the proposed property line. Please provide the as-built elevation of the green house with dimensions from the exterior grade to the top of plate and the roof ridge. If the roof ridge height exceeds sixteen (16) feet or the average height exceeds twelve (12) feet, the green house shall be located at least 30 feet from the side and rear property lines.

Feasibility Plan

10. The feasibility plan proposes to retain three (3) buildings constructed with permits. Staff measured the building footprints identified on the Tentative Map. It appears the green house

is approximately 70,000 square feet, while it was permitted as 44,000 square feet (BP No. 1988-80710). The boiler building is identified as 830 square feet, while it was permitted as 600 square feet (BP No. 1988-80712). Please demonstrate the existing buildings to be retained were constructed per the approved plans with no unpermitted additions.

11. Please clarify if one (1) of the building is proposed to be converted into a dwelling or a new dwelling would be proposed in another area of the lot. Pursuant to the County Ordinance Code Section C12-21-Lot Design, “*lot area to be sufficient for **the house**, setbacks, yards, septic tank and well, if required, and any necessary cuts or fills and drainage facilities*”.
12. Please label New Creek top of bank located to the north of proposed Parcel 1 on the development feasibility plan, and the distance measured from the top of bank to the existing building/structure to remain, whichever is closest to the creek. The County General Plan riparian buffer requirement would apply. Please verify whether the creek is altered or in its natural state, as different creek setback requirements would apply accordingly (150 feet from top of bank where creek is in natural state, or 100 feet from top of bank if the creek has major alterations). No improvements or disturbances, such as buildings, structures, grading, or parking lots are permitted in the aforementioned setback areas; endangered plant and animal species are required to be protected within the area (General Plan Policy R-RC 37-40).

FIRE MARSHAL OFFICE

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

13. Clarify the source of water for the proposed lot. If the intent is to share the well, a Shared Water Agreement will be needed to be submitted with the resubmittal.
 - a. Fire hydrant review will be conducted when/if a Building Permit is applied for on the new parcel. Clarifying the water source for this site will give a better understanding of how this will be met.

ENVIRONMENTAL HEALTH

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

Parcel 1 With Existing Buildings

14. Contact the Department of Environmental Health and Onsite Wastewater Treatment System (OWTS) consultant/designer to conduct the following activities to determine OWTS feasibility: site assessment, soil profiles, percolation tests.
15. The subject parcel is situated near an area of known for high seasonal ground water. Additional wet weather testing may be required to determine vertical separation between high ground water and dispersal field/trench bottoms.

16. Upon completion of OWTS feasibility testing, on revised site/ OWTS plan locate and show all soil profiles and percolation test holes. Provide profile logs and percolation test results.
17. Provided site plan show a tentative dispersal field near the proposed property/parcel line. Ensure/ Maintain 10 feet setback to a property line.
18. Obtain water clearance for the Parcel 1. Contact the Department of Environmental Health, Jeff Camp, at 408-913-3473.

Parcel 2 (Empty)

19. Contact the Department of Environmental Health and Onsite Wastewater Treatment System (OWTS) consultant/designer to conduct the following activities to determine OWTS feasibility for the proposed lot: site assessment, soil profiles, percolation tests.
20. The subject parcel is situated near an area of known for high seasonal ground water. Additional wet weather testing may be required to determine vertical separation between high ground water and dispersal field/trench bottoms.
21. Upon completion of OWTS feasibility testing, on revised site/ OWTS plan locate and show all soil profiles and percolation test holes. Provide profile logs and percolation test results.
22. Clarify the water source serving Parcel 2. Will this be a shared water source/well with Parcel 1. Contact Jeff Camp with the Department of Environmental Health for either individual or shared water clearance.

ROAD AND AIRPORTS

Contact Leo Camacho at 408-573-2464 or Leo.Camacho@rda.sccgov.org for information regarding the following items.

23. Provide a Sight Distance Analysis (SDA) for establishing the new driveway approaches. 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.
24. Indicate on plans if any conflicts will require mitigation, such as tree removal or additional grading.

January 28, 2022
File No. PLN21-223
12475 Foothill Avenue

25. Clarify intent of existing middle driveway access. All existing driveways to remain accessing the property will be required to be improved to County Standard B/4 or B/5, etc. the revised plans should indicate as such.

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

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

cc:
Alex Goff, FMO
Darrin Lee, DEH
Leo Camacho, RDA