

County of Santa Clara

Department of Planning and Development
Planning Office

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VIA EMAILS ONLY

March 4, 2022

Felicidad Ocegüera
13115 Uvas Rd
Morgan Hill, CA, 95037

FILE NUMBER: PLN22-028
SUBJECT: Building Site Approval and Grading Approval
SITE LOCATION: 13115 Uvas Rd, Morgan Hill, CA, 95037 (APN: 756-19-021)
DATE RECEIVED: February 3, 2022

Dear Felicidad Ocegüera,

Your application for Building Site Approval and Grading Approval 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. The submitted current Grant Deed does not provide adequate information for staff to determine lot legality. Please provide one of the following items.

- a. The grant deed that was in effect on June 25, 1969, and the deed showing the first transfer of title after June 25, 1969.
- b. Record of survey with a certification by the Clerk of the Board of Supervisors, which matches the legal description on the current deed.

Lot Legality handout can be accessed via the link below:

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

Riparian Setback

2. As Uvas Creek is a Category 1 Stream in the Santa Clara County Habitat Plan, the required riparian setback is 150 feet measured from the top of bank or 35 feet beyond the riparian edge, whichever is greater. Please identify the required 150-foot riparian setback measured from the top of bank to be consistent with the submitted *HCP Land Cover Exhibit*. The proposed swimming pool and water tanks (permanent impacts) shall be located outside the required riparian setbacks.
3. Please *update* the *HCP Land Cover Exhibit* to locate all the permanent impacts outside the required riparian setback.

Building Height

4. Please provide the building height measured from the grade to the roof ridge on the elevation drawings.

Existing Building

5. Please clarify the existing building and carport within the riparian setback are proposed to be demolished or legalized. It appears these structures were constructed without permits and staff might not be able to support legalizing them.

LAND DEVELOPMENT ENGINEERING

Contact Eric Gonzales at (408)-299-5716, Eric.Gonzales@pln.sccgov.org regarding the following:

6. Preliminary grading plans provide for land use review and determination of conditions of approval prior to the review of final plans and issuance of a grading permit. Precise design is not required for preliminary grading plans. A grading permit will not be issued based solely on preliminary plans. The plans shall comply with the following requirements from County Ordinance Section C12-424:
 - a. The complete site boundaries and locations of any easements and rights-of-way traversing and adjacent to the property, appropriately labeled and dimensioned. Include all applicable easements affecting the parcel(s) with benefactors and recording information on the site plan. Please supply a copy of 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.
 - b. Typical cross-sections (at least two sections) of all graded areas, existing and proposed widths and maximum cuts and fills at intervals not exceeding 500 feet. The cross-sections shall depict topographic conditions not less than 25 feet beyond the daylight lines and the

future rights-of-way. Show the vertical dimensions of cuts and fills on each section. Clearly label the cross sections shown on Sheet C-3.1 on the overall site plan, Sheet C-1.2.

- c. Provide a cross section of the proposed retaining walls and clearly show the height from top of wall to bottom of footing.
- d. Location of known landslides, fault zones, liquefaction zones and other soil or geologic hazard areas.
- e. Location, width, direction of flow of swales, creeks, drainage channels, ponds or other bodies of water, and location of high banks of any watercourses. Label any known setback from Uvas Creek top of bank and clearly show on the plans.
- f. Boundaries of any floodplain or floodway areas within the Federal Emergency Management Agency's Flood Hazard Zones and any existing and/or proposed flood control facilities. If entire parcel is in FEMA Flood Zone AE, add an additional note to that effect. Show the BFE on the cross section(s) in relation to the crawlspace so that LDE staff can evaluate whether there is any requirements from ordinance. Explain the purpose of the crawlspace in your response letter. County records indicate more than one flood zone within this parcel.
- g. Proposed planting and/or seeding for the area affected by the proposed grading. Show preliminary landscaping for the site.
- h. Location, type, size and drip line of all trees with a trunk diameter of 12 inches or more, measured at a point four and five-tenths feet above average ground level, within the development area or where the drip line of the tree is disturbed or affected by the proposed grading. Provide separate table showing existing and proposed trees.
- i. Provide a table of the estimated impervious areas (describing each facility) that are created as a part of the development. The net change in impervious areas shall be clearly stated on the plans.
- j. Provide the 20' ROW easement denoted as Parcel 2. What is the plan for the proposed hammerhead on Parcel 1? Will a separate easement be required? Is Parcel 3 the only property that benefits from the easement? Make the property lines darker on Sheet C-1.1.
- k. Submit a revised Central Coast Watershed Questionnaire. Fill out question 7a as this is critical to determine whether a separate O&M Agreement will be required. Based on the results of the Questionnaire, incorporate the applicable stormwater treatment measures on the plans.
- l. Provide a separate cross section for the driveway within the 20' ROW easement and show width and depth of AC, concrete, and/or AB of existing driveway. Driveway shall conform to County Standard Detail SD5 or as required by the County Fire Marshal's Office/CalFire, whichever is greater.

FIRE MARSHAL OFFICE

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

7. All sheets are to be identifiable with different sheet numbers. An example is the first 2 sheets are both labeled as Cover without having a number attached.

8. The 2nd sheet labeled Cover states fire sprinklers are to be determined. Fire sprinklers will be required and are to be shown as a deferred submittal on the Cover Page.
9. Site Plan (C-1.2) shows a gate crossing the driveway. All gates are to meet CFMO-A3. Below are some items that are to be clarified.
 - a. Gate to be labeled as manual or mechanical. All mechanical gates are to have a Knox Key Switch shown as (N)new or (E)existing.
 - b. Gates are to be located a minimum of 30 ft. from the road. The road is to be more clearly identified as a measurement can't be taken at this time.
10. Clarify drivable width of driveway. The minimum drivable width of the driveway is to be 12 ft. and a 3 ft. shoulder per CFMO-A1.
11. Per PRC-4290, driveways greater than 150 ft. in length but shorter than 800 ft. are to have a fire department turnout near the midway point.
12. Plans are to show a fire department turnaround meeting CFMO-SD16.
13. Driveway to be made of an "all weather" material capable of holding 75,000 pounds. Plans are to state this will be met.
14. Plans show (N)2-5,000 gallon water tanks. All tanks are to be labeled stating what they serve. An example is 2-5,000 gallon water tanks for wharf hydrant and 1-3,000 gallon water tank for fire sprinkler/domestic water.
 - a. Water tank amounts to be meet CFMO-W1 and locations to meet CFMO-W5.
15. Plans appear to show a (N)wharf hydrant, this hydrant is to be placed per CFMO-W4. Some requirements include-
 - a. Being placed within 2-8 ft. of drivable surface.
 - b. Being located at a fire department turnout, turnaround or 20 ft. drivable width.
16. Property is located in the State Response Area (SRA) and the Wildland Urban Interface (WUI).
 - a. Project to meet Chapter 7A of the CBC.
 - b. Project to meet PRC-4290.

CALFIRE

Contact Carlos Alcantar at Carlos.Alcantar@fire.ca.gov for information regarding the following items.

Note: This project (PLN22-028) is located within the State Responsibility Area (SRA) and is recommended to 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.

17. Driveway and Road Surfaces: Ensure driveway is 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") per §1273.01. Ensure driveway is designed to maintain at least 40,000 pounds per § 1273.02.

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.

§ 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.

(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.

(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units.

(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").

§ 1273.02. Road Surfaces

(b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.

(c) Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction.

18. Turnaround and Turnout on driveway: Driveway appears to be about 400 feet long and would require a turnout near midpoint. Driveways over 300 feet in length shall provide a turnaround within 50 feet of the building. Ensure specifications in §1273.05 and §1273.06 are met for turnouts and turnarounds.

§ 1273.05. Turnarounds

(a) Turnarounds are required on driveways and dead-end roads.

(b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the “T” shall be a minimum of sixty (60) feet in length.

(c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.

(d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.

(d) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.

§ 1273.06. Turnouts

Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.

19. Gates: Ensure gate is at least 30 feet from the roadway, has means of emergency operation and all specifications are followed in § 1273.09.

§ 1273.09. Gate Entrances

(a) Gate entrances shall be at least two (2) feet wider than the width of the traffic lane(s) serving that gate and a minimum width of fourteen (14) feet unobstructed horizontal clearance and unobstructed vertical clearance of thirteen feet, six inches (13' 6”).

(b) All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

(d) Security gates shall not be installed without approval. Where security gates are installed, they shall have an approved means of emergency operation. Approval shall be by the local authority having jurisdiction. The security gates and the emergency operation shall be maintained operational at all times.

20. 4) 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.

ENVIRONMENTAL HEALTH

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

the following items:

21. Submit an onsite wastewater treatment system (OWTS) plan to the Department of Environmental Health. With the OWTS plan, please submit a hydrogeological report addressing depth of seasonal high ground water with respect to proposed use of an OWTS.
 - a. Ensure setbacks to earthen swale, ground water, and retention ponds are being addressed.
22. Overlay an OWTS plan onto a grading and drainage plan, submit plan to Environmental Health for review.
23. Obtain water clearance from the Department of Environmental Health (Jeff Camp, 408-918-3473). This is a separate submittal to Environmental Health subject to completion of a service application, submittal of documents to include water construction log, well yield report, and analytical results from water sampling.

ROAD AND AIRPORTS

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

24. Uvas Road has an Official Plan Line (OPL) for a realigned segment of road of 110-foot width full street. Show on the revised plans the existing centerline, edge of pavement, and limits of the Uvas Rd. right-of-way, and the limits of the OPL. A curvilinear dedication to public right-of-way will be required.
25. All driveways accessing the property will be required to be improved to County Standard B/4 approach, the revised plans should indicate as such.
26. 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.

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.

March 4, 2022
File #PLN22-028
13115 Uvas Road

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:

Eric Gonzales, LDE
Darrin Lee, DEH
Alex Goff, FMO
Carlos Alcantar, CalFire
Leo Camacho, RDA