

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing, 7th Floor

70 West Hedding Street

San Jose, CA 95110

Phone: (408) 299-5700

www.sccplandev.org



April 4, 2022

Daniel Mirota
12030 Clayton Road
San José, CA 95127

via email only

FILE NUMBER: PLN22-054
SUBJECT: Design Review and Grading Abatement
SITE LOCATION: 12030 Clayton Road (APN: 654-25-006)
DATE RECEIVED: March 9, 2022

Dear Daniel Mirota:

Your application for Design Review and Grading Abatement was received on the above date and is incomplete. In order for application processing to resume, you must resolve the following issues and submit the information listed below.

Resubmittals are made by appointment over video chat with the Planning Division counter and must include all requested information along with a completed application form (which is used to track the resubmittal). Once the information is submitted, the Planning Division will distribute the plans, reports and/or information to the appropriate staff or agency for 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 particular specialty or division and can provide details about the requested information.

An appointment is required for all future resubmittals. Please contact me at (408) 299-5706 or via email at robert.cain@pln.sccgov.org to schedule a virtual meeting.

Submit revised electronic plans and a written response addressing the following items. All items must be addressed and included in the submittal.

PLANNING

Contact Robert Cain at (408) 299-5706 or robert.cain@pln.sccgov.org regarding the following comments:

1. On the site plan, please annotate Flint Creek and the top of bank. Please provide distances from the development (barn and turnaround) to the top of bank.

2. Please provide color samples of the barn; please note that there is a maximum allowed light reflective value of 45.
3. Please provide photographs of the barn from the south, southwest, and west to demonstrate how the current vegetation screens the barn from the valley floor. Please note that a landscaping plan may be required to screen any visual impact of the barn.

Habitat Conservation Plan

4. On a revised site plan, please label Flint Creek (a Category 2 Stream) and notate the top of bank and edge of riparian vegetation. Please show distance from the development area to the edge of riparian or top of bank, whichever is closer, as well as a 50' buffer surrounding the development area.

LAND DEVELOPMENT ENGINEERING

Contact Darrell Wong at (408) 299-5735 or darrell.wong@pln.sccgov.org

5. Please show the limits of the disturbed area as a result of the proposed development. This should include any of the improvements for the driveway widening.
6. Please provide preliminary grading to support a standard SD5 driveway section. The current section has a low point of drainage within the section. The flowline may not be located in the location shown and shall be located at the edge of the drivable surface.
7. Please revise the driveway plan and section to conform to County Standard Detail SD5 or as required by the County Fire Marshal's Office, whichever is greater.
8. Please show the limits of the dirt road that accesses the barn, especially as the access passes the existing leachfield.
9. Please submit evidence of legal access to the site from the nearest publicly maintained road compiled and/or prepared by a Licensed Land Surveyor or Registered Civil Engineer authorized to practice land surveying per C12-326 of the Single Building Site Ordinance. In the plans, note the recorded document information for all easements. The improvements to the driveway appear to traverse over a separate property to reach the property being developed. Show the easement limits and the recording information that allow rights of access for those improvements.
10. 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.
11. Please explain what happened to all of the cut material that was created in the grading for the pad for the barn. There appears to be a section of the hillside that was removed to create the pad. Was it pushed downhill?

12. Please clearly identify the contours in the graded area around the barn. The darkened contours around the barn are the pre-violation condition, correct? Darkened contours are usually proposed, but the proposal is to keep the existing, correct? This should be clarified.
13. There appears to be a retaining wall supporting the barn. Please indicate whether the retaining wall has a permit or requires plan check and a permit.

ENVIRONMENTAL HEALTH

Contact Jeff Camp at (408) 918-3473 or jeff.camp@cep.sccgov.org regarding the following comments:

14. Call the Department of Environmental Health (DEH) at 408-918-3445 (Raymond Chung) for septic system clearance. This is a separate submittal to DEH and additional fees may apply. After obtaining septic clearance, return/upload approved plans to 70 W. Hedding /Permit Center via Accela's public portal for sign-off.

Septic system clearance is required even if there is no plumbing involved with the project. The plans must be evaluated to ensure all setbacks to the existing septic system (tank and dispersal fields) are met.

FIRE MARSHAL OFFICE

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

15. Sheet T.1.0 states fire sprinklers will be installed in the Barn. The plans are to clarify the type of sprinklers that are being proposed. Given the type of structure, it appears that NFPA 13 fire sprinklers would be required.
 - a. Sprinkler Note on Sheet T.1.0 mentions San Jose Fire requirements, this is to be removed as this review is to be conducted by Santa Clara County Fire and not San José.
16. Clarify the overall size of the Barn. It appears to be 5,117 sf on the first floor and 1,149 sf. Mezzanine. Stating a total sf. will clarify.
17. Plans are to show a fire department turnaround meeting CFMO-SD16. This is to be clearly labeled on the plans to be easily identifiable.
18. Plans are to clarify fire department turnout locations and dimensions. PRC-4290 is stricter than the County (CFMO-A1 requirement of 500 ft. spacing) as it requires maximum spacing of 400 ft. The plans are unclear if this is being met.
19. Fire hydrant to be a minimum of 55 ft. from any portion of a structure. Plans currently show hydrant within the distance of the Barn.
20. Plans are to clarify what the water tanks serve.

21. Plans are to clarify what will serve the fire sprinkler water supply. An NFPA 13 fire sprinkler system is to be fed by a water tank meeting NFPA 1142 if an underground water supply from a water purveyor can't meet this supply.
22. Plans to clarify what water supply serves the wharf hydrant.
 - a. An Accessory Structure not served by a water purveyor will typically meet CFMO-W1 for water supply. However, structures with NFPA 13 sprinkler systems are to meet NFPA 1142. More information is needed to determine what the minimum sized water tank will be. This will need to be a part of the re-submittal to determine the size of the tank (based on the greater of the sprinkler or hydrant supply).

CAL FIRE

Contact Carlos Alcantar at carlos.alcantar@fire.ca.gov regarding the following comments:

NOTE: This project (Record No. PLN22-054) 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.

23. Driveway appears to be over 1,200 feet long and would require turnouts every 400 feet per §1273.05. Driveways over 300 feet in length shall provide a turnaround within 50 feet of the building per § 1273.05. Ensure specifications in §1273.05 and §1273.06 are met for turnouts and turnaround. Please annotate the driveway length on the site plan and modify design to comply with the below standards as applicable.

§ 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.
- (e) 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.

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

PLN22-054
12030 Clayton Road
April 4, 2022

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 following types of applications have been charged a minimum fee and will be charged additional fees to continue processing when the initial payment is exhausted which includes Design Administrative Exemption.

If you have questions regarding the application, please call (408) 299-5706 or email robert.cain@pln.sccgov.org.

Warm regards,



Robert Cain
Associate Planner

cc:

Leza Mikhail, Planning Manager
Hanna & Brunetti, Applicant