

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



June 29, 2023

Peter Chang & Hui Wang
4015 HIGUERA HIGHLAND LN
SAN JOSE, CA 95148

FILE NUMBER: PLN22-113
SUBJECT: Grading Approval and Design Review Approval
SITE LOCATION: 4015 Higuera Highland Ln, San Jose, CA 95148, APN: 65415023
DATE RECEIVED: June 2, 2023

Dear Mr. Peter Chang & Mrs. Hui Wang,

Your resubmittal for a Grading Approval and Design Review Application was received on the above date and is deemed **incomplete**. In this round of resubmittal, the project description changed from Grading Approval for an ADU and attached JADU to Grading Approval and Design Review Approval for a single family residence and attached JADU, and that is the reason you will see new comments in this letter. 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://plandev.sccgov.org/how/apply-permit/planning-resubmittal-procedures>. 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, the Planning Office 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 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 all electronic copies of the revised plans/resubmittal documents (PDF) with a written response letter addressing each incomplete comment.

PLANNING OFFICE

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Contact Parya Seif at (408)299-5783 or parya.seif@pln.sccgov.org regarding the following comments:

Acknowledgement and Agreement Form

1. The submitted Acknowledgement and Agreement Form is signed only by one of the property owners and missing the application number. Please update the form with the Application Number #PLN22-113 at the top of the page, and signature of both property owners, Peter Chang and Hui Wang.

Fences and Gates

2. Please identify any existing/proposed fences or gates on the property along with their heights on Sheet 2 of 8.

Retaining Walls

3. Please identify any proposed retaining walls to establish the required grading for the proposed development with appropriate top and bottom of wall elevations. Please provide typical sections of all proposed retaining walls. If the project does not include any retaining walls, please provide a note on the Grading and Drainage Plan that no retaining walls are proposed.

Landscape Plan

4. According to the County GIS system, the proposed development is in high visibility zone. Please provide a landscape plan with trees and shrubbery vegetation to screen the proposed residence from the valley floor (the Western facade).

Habitat Plan Coverage Screening Form

5. Please update and submit the Habitat Plan Coverage Screening Form. On Page 2, the size of the Total New Impervious Surface is inconsistent with the information provided on Grading and Drainage Plan Sheet 3/8. The submitted screening form identifies the total impervious surface area as 4,535 square feet, while the information on the Grading and Drainage Plan identifies the total impervious surface area as 4,961 square feet.

Violations or Conflicts of Laws

1. The subject property has a verified violation (VIO19-00082). County Zoning Ordinance § 5.20.140 states that the decision-making body may deny an application for any permit or approval if there is a recorded notice of violation for any zoning, grading, building code, housing code, or other land use violation on the property. Pursuant to the County Ordinance Code C1-71, due to the existing violations on the property, the requested Grading Approval and Design Review Application may not be issued until all violations have been expunged or a compliance agreement covering all violations has been finalized. Please contact Tyson Green at tyson.green@pln.sccgov.org regarding the status of the compliance agreement.

LAND DEVELOPMENT ENGINEERING

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

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6. Please show the limits of the disturbed area as a result of the proposed development including the disturbed areas of the septic field.
7. Provide further details on how the drainage from the proposed building and the surroundings will be captured and routed to the SD detention area. The only storm drainage being collected appears to be from the driveway pavement.
8. Provide additional detail about how the proposed 4" SD outfall will discharge at the gravel turnout since the concentrated runoff would discharge above the existing driveway and possibly erode the proposed gravel turnout.
9. Please verify that the maximum slope of the fire turnaround is 5% in any direction. Please specify this maximum on the plans. The profile indicates that there may be some slope that might contribute to a maximum slope greater than a 5% maximum in any direction.
10. Provide vertical curves as necessary on the proposed driveway profile for the proposed driveway.
11. Show all existing and proposed easements on the preliminary plans. Please provide the documentation reference for the easement through the neighboring property (APN 654-15-028).to support the driveway. The title report documents don't appear to provide easement documentation for this area of driveway.

CALFIRE

Contact Carlos Alcantar at carlos.alcantar@fire.ca.gov for information regarding the following Comments:

This project (APN:65415023) 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.

1. Access: Ensure Higuera Highland Lane meets specifications in § 1273.01 and provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping to the building site.

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.

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- 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").

2. Driveway: Ensure driveway is designed and maintained to support 40,000 pounds.

§ 1273.02. Road Surfaces

- a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.
- b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.

3. Dead-end roads: Ensure Higuera Highland Lane does not exceed the maximum distance for a dead-end road depending on parcel size. The dead-end road begins at Mt Pleasant Road and Higuera Road. Higuera Highland Road will need a turnaround at its terminus per § 1273.05.

§ 1273.08. Dead-end Roads

- a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - parcels zoned for less than one acre - 800 feet
 - parcels zoned for 1 acre to 4.99 acres - 1,320 feet
 - parcels zoned for 5 acres to 19.99 acres - 2,640 feet
 - parcels zoned for 20 acres or larger - 5,280 feetAll lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.
- b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

§ 1273.05. Turnarounds

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- 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.
4. Gate Entrances: Ensure All Gate requirements are met per § 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.
 - c) Where a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used.
 - 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.
5. Defensible Space: Maintain defensible space specifications described in Public Resource Code 4291. Please provide a note on your site plan.

§ 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.

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**

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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.

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)299-5783 or parya.seif@pln.sccgov.org.

Sincerely,

Parya Seif

Parya Seif
Associate Planner

cc:
Samuel Gutierrez, Principal Planner