

County of Santa Clara

Department of Planning and Development
Planning Office

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August 13, 2022

Gary Carnes
9505 Sugar Babe Dr.
Gilroy, CA

FILE NUMBER: PLN22-117
SUBJECT: Minor Subdivision (Three Lots)
SITE LOCATION: 11520 Murphy Avenue, San Martin CA
DATE RECEIVED: July 5, 2022

Gary Carnes,

Please see a list of Additional Information regarding your three-lot subdivision. **These are informational items only and do not need to be addressed in order to deem the application complete.**

ADDITIONAL INFORMATION/ AREAS OF CONCERN

The items below are informational only. These items are not required to deem the application complete for processing.

PLANNING

1. There is an open violation on the property (VIO21-0202). Please contact Code Enforcement Officer Lisa Ochoa to abate the violation:
lisa.ochoa@pln.sccgov.org. Pursuant to Municipal Code Section C1-71 an application cannot be approved/issued while an outstanding violation remains associated with the subject property.

Survey Response-violation is closed.

2. Per the California Environmental Quality Act (CEQA); an Environmental Assessment will be required for the proposed project. Additional studies may be required during the Environmental Assessment review process.

Survey Response-Understood.

SANTA CLARA VALLEY HABITAT PLAN

3. The proposed Subdivision is exempt from Habitat Plan coverage due to the following reason: no new development proposed within 200 ft. of Llagas Creek and 35 ft. riparian buffer. **Future development proposals are subject to further Habitat Plan review.** While this site is in the Santa Clara Valley Habitat Plan Area 3: Rural Development not covered, it is also adjacent to Llagas Creek, a category one stream. **Any proposed development within 150 feet of Llagas Creek may require a report from a qualified biologist to ensure that the**

development is sufficiently removed from the watercourse and will not impact any riparian vegetation or wildlife. This report will help determine if the Habitat Plan coverage is triggered, and if an application and fees are required.

Survey Response-Understood. The septic system for Parcel 3 is within the 150 foot setback. This has already been approved by environmental health (please see approved septic plan). I have opened a records request with the water district and have the biological report done for the district for the widening of Llagas Creek. This has been included as part of the submittal package.

SANTA CLARA VALLEY WATER DISTRICT

4. The subject parcel is adjacent to Llagas Creek, which is designated as a ‘Category 1’ stream according to the Valley Habitat Plan (VHP). **As such, the footprint of the project, or “development area,” as it is defined in the VHP, shall be subject to a minimum setback of 150-foot from the top of bank. The limits of the VHP setback should be clearly delineated and shown on all applicable plan sheets.** Please refer to Chapter 6 of the VHP for additional information on setbacks, calculation of development areas, and guidelines for projects or activities next to a ‘Category 1’ stream. Development areas include additional setback from structures and disturbed areas ranging from 10- to 50-feet, which may affect the location of the proposed development in order to meet the 150-foot setback from the top of bank of Llagas Creek.

Survey Response-Understood. The septic system for Parcel 3 is within the 200 foot setback. This has already been approved by environmental health (please see approved septic plan). I have opened a records request with the water district and have the biological report done for the district for the widening of Llagas Creek. This has been included as part of the submittal package.

If you have any additional questions regarding these items, please call me at (408) 299-5799 or joanna.wilk@pln.sccgov.org to discuss or schedule an appointment.

Sincerely,



Joanna Wilk
Associate Planner