

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



STAFF REPORT
Zoning Administration
February 1, 2024
Item #1

Staff Contact: Joanna Wilk, Senior Planner
(408) 299-5799, joanna.wilk@pln.sccgov.org

File: PLN22-117 (Murphy Avenue Subdivision) Vesting Tentative Parcel Map Approval for a Three-Lot Subdivision

Summary: Vesting Tentative Parcel Map to subdivide a 15.2-gross-acre parcel into three lots, Parcel 1, Parcel 2, and Parcel 3, each measuring approximately 5-gross-acres. Grading quantities proposed are 90 cubic yards (c.y.) of cut and 57 cubic yards of fill, for subdivision improvements to create a cul-de-sac at the end of Murphy Avenue. An existing single-family residence, leach field, and accessory structures, on proposed Parcel 2 are proposed to remain. No tree removal is proposed. No construction of residences is proposed as a part of the subdivision.

Owner: Juan Contreras

Applicant: Drexyl Ekparian (Carnes & Ekparian)

Address: 11520 Murphy Avenue, San Martin

APN: 830-05-062

Supervisory District: 1

Gen. Plan Designation: Rural Residential

Zoning: RR-5Ac-sr

Lot Size: 15.5-gross acres

Present Land Use: Residential

HCP: Area 3 – Rural Development Not Covered

RECOMMENDED ACTIONS

- A. Adopt a CEQA Negative Declaration; and
 - B. Grant Vesting Tentative Parcel Map Approval for a Three-Lot Subdivision, pursuant to Conditions of Approval outlined in Attachment B.
-

ATTACHMENTS INCLUDED

- Attachment A – Notice of Intent (NOI) to Adopt a Negative Declaration (ND), Circulated Initial Study /ND, Response to Comments
- Attachment B – Preliminary Conditions of Approval
- Attachment C – Location and Vicinity Map
- Attachment D – Vesting Tentative Parcel Map and Plans
- Attachment E – Permit Streamlining Act Extension

PROJECT DESCRIPTION

On January 11, 2024, Staff recommended that the project be continued as comments were received from the Santa Clara Valley Water District (SCVWD) regarding the Notice of Intent to adopt a Negative Declaration, and Staff required additional time to review and respond to those comments. The Zoning Administrator determined that a continuance was required to allow sufficient time for Staff to respond to the comments received from SCVWD, and continued the project to a date certain of February 1, 2024.

Staff was able to respond to the comments which are included in Attachment A. In summary, after review of the comments by Staff, it was found that the comments submitted by SCVWD did not warrant further analysis in the initial study. Staff has responded to the submitted comments and provided clarifications of the project analysis and conditions of approval in Attachment A to address the comments.

The proposed project is a three-lot subdivision of a 15.2-gross-acre parcel into three lots (Parcels 1, Parcel 2, and Parcel 3) of approximately 5 acres each. The subject property is located on Murphy Avenue in the rural, unincorporated community of San Martin, west of State Route 101. Attachment D shows the tentative subdivision map. Grading of the project site would involve approximately 90 cubic yards of cut to establish a cul-de-sac. An existing single-family residence (built prior to 1953), leach field, accessory structure, water tank, well, and driveway are located on Parcel 2 and are proposed to remain. No tree removal is proposed.

Once the property is subdivided, Parcels 1 and 3 could be individually developed with a single-family residence, an accessory dwelling unit (ADU), and a junior accessory dwelling unit (JADU). Future home development would be served by a shared well and individual onsite septic systems. No construction of residences is proposed as a part of this subdivision. A feasible location for future residence and associated site improvements are shown in Attachment D, page 3.

The site is in the Santa Clara Valley Habitat Plan Area and the Private Development Area is designated Area 3: Rural Development Not Covered.

Setting/Location Information

The project site is in a rural residential area in the unincorporated community of San Martin, located along Murphy Avenue, between Monterey Road and Highway 101. The parcel is currently being used as a single-family residence. The project site is relatively flat, and Llagas Creek is located to the south of the proposed Parcel 3. No serpentine soils or serpentine rock outcrops are located on the subject property. The property is not under a Williamson Act contract.

The site is bounded by rural residential development to the north, and agricultural lands to the west. Highway 101 is located to the east and Llagas Creek is located to the south.

REASONS FOR RECOMMENDATIONS

A. Environmental Review and Determination (CEQA)

The environmental impacts of the project have been evaluated in the Negative Declaration (ND) prepared by Staff for the project (see Attachment A). The ND concluded that the

proposed project has no significant effect on the environment. As required by the California Environmental Quality Act (CEQA), a Notice of Intent to adopt the ND was posted and mailed out on December 22, 2023. As of the preparation of this Staff Report, one comment was received from the Santa Clara Valley Water District. The comments were reviewed and responded to in Attachment F. None of the comments warranted further analysis in the initial study. As such, pursuant to CEQA, Staff recommends approval of the ND as part of this project approval.

B. Project/Proposal

The project consists of a Vesting Tentative Parcel Map approval to subdivide an existing lot into three (3) Parcels.

C. Subdivision Ordinance

This subdivision application has been reviewed in accordance with the required Findings in Section C12-122 of the County Ordinance Code (Subdivisions and Land Development Ordinance) and the State Subdivision Map Act. Pursuant to these standards, the Zoning Administration Hearing Officer shall *deny* approval of a tentative or final parcel map if any of the following seven (7) findings can be made. In the following discussion, the scope of review criteria is in **bold**, and an explanation of how the project does or does not meet the required standard follows in plain text below.

1. That the proposed map is not consistent with applicable general and specific plans.

The proposed Vesting Tentative Parcel Map would result in the division of an existing 15.2 gross-acre lot into three parcels, Parcels 1, 2, and 3, which are roughly, 5-gross acres each. An existing single-family residence, septic system, and accessory structures on proposed Parcel 2 are proposed to remain. No construction of residences is proposed as a part of this subdivision.

The General Plan designation for the property is Rural Residential. The property is located within the San Martin Planning Area. The density of development allowed for a subdivision with a Rural Residential General Plan designation within the San Martin Planning Area is one residence per five acres if zoned RR-5ac. The subdivision proposal would create three single-family residential lots, two of which are 5 acres (Parcels 1 and 3) and one that is 5.2 acres (Parcel 2) on the 15.2 gross-acre property. This results in a development density of one residence per five acres. The proposed subdivision is consistent with the County's General Plan.

The property is zoned RR-5Ac, which is a rural base zoning district of Rural Residential (RR) and a lot-size combining district (-5 Ac.). The required minimum lot size is 5-gross-acres per parcel, as specified for the -5Ac. rural base lot-size combining district (Zoning Ordinance Section 3.10.030, Table 3-10.1 and associated Note 1). At 5-gross-acres each, proposed lot sizes for Parcels 1, 2, and 3 are consistent with the County Zoning Ordinance.

The proposed Vesting Tentative Parcel Map is found to be consistent with the requirements of the County's Solar Access for Subdivision Development ordinance, Division C12. Pursuant to Section C12-173.3(d), solar access easements are not required

for lots equal to or greater than one acre. At approximately 5 gross-acres each, the proposed lot sizes for Parcels 1, 2, and 3 have adequate solar access for potential buildings constructed in the future, and any future development will not be detrimental to the solar access of any neighboring properties.

As such, the proposed subdivision is consistent with the General Plan and Staff cannot make this finding.

2. That the design or improvements of the proposed subdivision is not consistent with applicable general and specific plans.

The design and improvement of the proposed subdivision, in accordance with the Conditions listed in Attachment B, will ensure that the development is consistent with the County General Plan policies for Rural Residential areas, and the San Martin Planning Area (discussed above).

The project is consistent with lot design criteria for subdivisions outlined in Section C12-21 of the County Ordinance Code and demonstrates adequate size and shape characteristics to support single-family residential uses. All proposed lots take access from either Murphy Avenue (Parcel 1), or an existing 30-foot-wide ingress-egress easement (Parcels 2 & 3). The proposed subdivision includes the creation of a cul-de-sac at the end of Murphy Avenue and the future improvement of a private road to access Parcels 2 and 3. The proposed lots do not exceed the recommended maximum depth-to-width ratio of three-to-one.

Proposed improvements include the cul-de-sac creation to County standard A/6 at the end of Murphy Avenue, as required by County Roads and Airports, along with the private road improvements to Parcels 2 and 3, which require grading of 15 cubic yards of cut and 105 cubic yards of fill. The subdivision improvements for the parcels do not require excessive grading.

As such, the design and improvements of the proposed subdivision is consistent with applicable general and specific plans, and Staff therefore cannot make this finding.

3. That the site is not physically suitable for the type of development.

The site is physically suitable for the development of single-family dwellings. No construction of residences is proposed as a part of this subdivision. Once the property is subdivided, Parcels 1, 2, and 3 could be developed with a single-family residence, an accessory dwelling unit (ADU) and a junior accessory dwelling unit (JADU). Future home development would be served by onsite septic systems and water from a shared onsite well. No development may occur unless there is full compliance with the Conditions listed in Attachment B, which pertain to, among other things water supply, sewage disposal and emergency access.

On-site Conditions

The topography of the site proposed is relatively flat with access from Murphy Avenue. The project site contains sufficient area for the creation of three (3) parcels, which meet

the minimum required lots size of 5 gross acres per County Zoning Ordinance requirements. The development feasibility plans for the proposed parcels have been designed such that suitable building envelopes, driveway access, septic system, and drainage systems would result on each lot. Buildable areas for single-family residences would meet the setbacks required by the Zoning Ordinance, driveway access, septic systems, etc. for this subdivision.

Geology

The property is not located in the County's Landslide Hazard Area or adjacent to any earthquake fault zones. Portions of the property are within County Liquefaction Hazard Zones. A liquefaction analysis prepared by C2Earth (in the report dated 4-18-2022) revealed "*a negligible risk of liquefaction on proposed Parcels 1 and 2, and a potential for liquefaction of a layer of alluvial sandy silt between 31.75 and 35,5 feet below ground surface on Parcel 3 which ... may undergo a cumulative dynamic settlement on the order of 1/2 inch.*" However, C2Earth judges "*... the potential for surface manifestations, such as dynamic ground settlement or bearing capacity failure, to occur on Parcel 3 to be negligible. All three parcels may be subdivided as planned, without liquefaction mitigation measures.*" Therefore, the County geologist had no further comment or requirements regarding the proposed subdivision and any future development on the parcels. As such, the proposed residential subdivision and future building sites are geologically feasible for development.

Utilities & Water

No construction of residences is proposed as a part of this subdivision. Development of potential future residences would each have an on-site wastewater treatment system, and domestic and emergency water would be provided by an existing onsite well located on Parcel 2. The proposed parcels, Parcels 1, 2, & 3 would be sharing the existing well located on-site. Electricity and gas would be provided by PG&E.

The Department of Environmental Health (DEH) has reviewed the application and percolation tests and septic system feasibility tests have been conducted, should residences be proposed in the future on Parcels 1, 2, & 3. DEH has conditioned the project to require a septic permit prior to issuance of the building permit, and approval and recordation of a shared well agreement between the proposed lots, prior to map recordation.

Grading of the site for future development may slightly alter on-site drainage patterns. In addition, future development of the structures, and driveways would add impervious surfaces to the project site. The County requires erosion control standards to be incorporated into project design to avoid erosion on- and off-site that could violate water quality standards during construction. The site is flat, and all stormwater run-off would be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm events or cause a hazard or public nuisance. Therefore, site development would not substantially alter the existing drainage pattern of the site or area, increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite, or create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of

polluted runoff. Drainage plans for future residences would be reviewed by Land Development Engineering (LDE) at the time of submittal for a building permit.

Access

The proposal takes access from the end of Murphy Avenue and proposes to create a cul-de-sac pursuant to County Roads and Airports standards. From there, a private access road is proposed to be developed within an existing 30-foot-wide ingress/egress easement to access Parcels 2 and 3. The private road is located within the Santa Clara Valley Water District (SCVWD) easement. SCVWD reviewed the application and conditioned the project to have an encroachment permit for the access road improvements prior to the County's issuance of grading and/or building permit issuance.

The subdivision has also been reviewed by the Fire Marshal's Office and provides adequate emergency access to both lots.

For the reasons stated above, the site is physically suitable for the proposed residential subdivision. As such, Staff cannot make this finding.

4. That the site is not physically suitable for the proposed density of development.

The site is physically suitable for the proposed density of development, which will consist of one single-family dwelling per five gross- acres. The subject property is flat and does not contain any natural hazards that would present a constraint to the proposed residential density of development, which is consistent with the General Plan.

The site is physically suitable for the proposed density of development. As such, Staff cannot make this finding.

5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The subject property is located in the Santa Clara Valley Habitat Plan (HCP) Area 3 (*Rural Development Not Covered*). The project site's land cover is *Grain, Row-crop, Hay and Pasture, Disked / Short-term Fallowed* and *California Annual Grassland*. No serpentine soils or serpentine rock outcrops are located on the subject property. The project site does not contain any sensitive habitats and is not located in any plant or wildlife survey areas under the HCP.

According to the County's GIS mapping, there are no species listed under the California Natural Diversity Database on or adjacent to the subject property. No known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service are mapped on the subject property.

The County of Santa Clara Tree Preservation Ordinance, Division C16 regulates tree removal on private land. This ordinance provides protection to certain trees that are 12-inches or greater in diameter. No tree removal is proposed with this project.

Llagas Creek is located to the south of Parcel 3, within property owned by the Santa Clara Valley Water District easement. The project is subject to General Plan Policy R-RC 37 and 38 for riparian protection. The project has been conditioned to require a 150-foot buffer from Llagas Creek top of bank, and no building, structure, grading, or parking lots are allowed in the buffer (see Condition of Approval no. 7).

As such, the proposed subdivision is not likely to cause substantial environmental impacts or injure fish, wildlife, or their habitat, and Staff therefore cannot make this finding.

6. That the design of the subdivision or the type of improvements is likely to cause serious public health problems.

The project has been reviewed by LDE, the DEH, FMO, and the Planning Division, and conditioned to meet all public health and safety requirements.

The County Fire Marshal's Office has reviewed the subdivision emergency vehicle access for fire protection and fire prevention. Furthermore, the subject property is not located within the Wildland Urban Interface (WUI).

The property is located in a Federal Emergency Management Agency (FEMA) Flood Zone AH, which is an area with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet, according to U.S. Federal Emergency Management Agency. Although the project would add impervious surface to the site, the project and all associated improvements have been reviewed and conditioned by County LDE, thus ensuring that drainage improvements to address stormwater runoff and flooding have been designed and sized adequately to deal with the increase in run-off and changes to drainage off-site and no stormwater would be displaced from the property.

Future development would require (prior to issuance of a building permit) construction of a new septic system to treat wastewater, and septic system design would be reviewed by the DEH to ensure that they do not permit effluent to surface, degrade water quality, affect soil stability, present a threat to public health or safety, or create a public nuisance.

The construction and installation of a cul-de-sac and a future private driveway extending from Murphy Avenue would not create significant, long-term traffic, noise, or air quality impacts. The project will result in short-term impacts related to frontage improvement activities, however, due to their temporary nature, construction-related impacts would not cause serious or long-term public health problems.

As such, neither the design of the subdivision nor the subdivision improvements are likely to cause serious public health problems, and Staff therefore cannot make this finding.

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed subdivision.

The subject property is located at the end of Murphy Avenue, and therefore no public roads are impacted for access through the proposed subdivision. The submitted Vesting Tentative Parcel Map shows the end of Murphy Avenue would be improved with a cul-de-sac in accordance with County Road and Airports standards. Additionally, the subdivision includes the development of a future private driveway to access Parcels 2 & 3 within an existing Santa Clara Valley Water District (SCVWD) ingress/egress easement. The project has been reviewed and conditionally approved by SCVWD to obtain an encroachment permit for the access road improvements prior to the County's issuance of grading and/or building permit issuance. A review of all available maps and the submitted Vesting Tentative Parcel Map by Staff confirms that the design of the subdivision will not conflict with any existing easements on the property. As such, the proposed subdivision will not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision. Therefore, for the reasons stated above, Staff cannot make this finding.

As noted in the above findings, Staff cannot make any of the seven subdivision findings that, if made, would require the Zoning Administrator to deny the proposed subdivision. Staff therefore recommends that the Zoning Administrator approve the proposed subdivision.

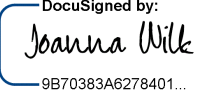
BACKGROUND

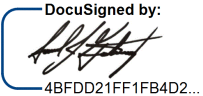
On June 28, 2022, an application for a three-lot Vesting Tentative Parcel Map was submitted and was subsequently reviewed and deemed incomplete. The project review included two more resubmittals and was subsequently deemed complete for processing on May 24, 2023, with a Permit Streamlining Act deadline of November 19, 2023 (180-days). County Staff requested a one-time, 90-day extension to the Permit Streamlining Act deadline, which was granted by the applicant (Attachment E). The new Permit Streamlining Act deadline is February 18, 2024.

In accordance with the CEQA, an Initial Study (IS), and subsequent Negative Declaration (ND) was prepared and posted with the County Recorder's Office on December 22, 2023. Staff received public comment from the Santa Clara Valley Water District (SCVWD) on January 10, 2024. Staff originally scheduled the project for the January 11, 2024 Zoning Administrator hearing; however, Staff recommended that the project be continued to a date certain as Staff required additional time to review and respond to those comments. Staff was able to respond to the comments which are included in Attachment F. In summary, none of the comments warranted further analysis in the initial study. As such, Staff is bringing forward the proposed three-lot subdivision to the February 1, 2024, Zoning Administrator hearing for the hearing officer's review and final action.

A public notice was mailed to all property owners within a 300-foot radius of the project on January 19, 2024, and published in the Post Records on January 19, 2024. As of writing this report four public comments have been received regarding this application, all of which are in support of the proposed project.

STAFF REPORT REVIEW

Prepared by: Joanna Wilk, Senior Planner 
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Approved by: Samuel Gutierrez, Principal Planner 
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Attachment A

Notice of Intent to Adopt a Negative Declaration (ND),
Circulated Initial Study/ ND



SANTA CLARA COUNTY CLERK
CEQA FILING COVER SHEET

Santa Clara County - Clerk-Recorder Office
State of California

File Number: ENV24922

ENVIRONMENTAL FILING

No. of Pages: 3

Total Fees: \$0.00

File Date: 12/22/2023

Expires: 01/11/2024

REGINA ALCOMENDRAS, Clerk-Recorder

By: Elaine Fader, Deputy Clerk-Recorder

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Check Document being Filed:

- Environmental Impact Report (EIR)
 - Filing Fee (new project)
 - Previously Paid F&W (must attach F&W receipt and project titles must match)
 - No Effect Determination (F&W letter must be attached)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
 - Filing Fee (new project)
 - Previously Paid F&W (must attach F&W receipt and project titles must match)
 - No Effect Determination (F&W letter must be attached)
- Notice of Exemption (NOE)
- Other (Please fill in type):

Notice of Intent

1. LEAD AGENCY: County of Santa Clara
2. LEAD AGENCY EMAIL: joanna.wilk@pln.sccgov.org
3. PROJECT TITLE: PLN22-117 Murphy Ave Three Lot Subdivision
4. APPLICANT NAME: Gary Carnes PHONE: (408) 847-2013
5. APPLICANT EMAIL: drexyl@ce-pls.com
6. APPLICANT ADDRESS: 9505 Sugar Babe Dr. Gilroy, CA 95020
7. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
8. NOTICE TO BE POSTED FOR 20 DAYS.

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

County of Santa Clara

Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110


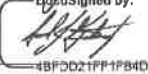


	Administration	Development Services	Fire Marshal	Planning
Phone:	(408) 299-6740	(408) 299-5700	(408) 299-5760	(408) 299-57
Fax:	(408) 299-6757	(408) 279-8537	(408) 287-9308	(408) 288-9198

Notice of Intent to Adopt a Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project will not have a significant effect on the environment.

File Number	TAZ	APN(s)	Date
PLN22-117		830-05-062	12/22/2023
Project Name		Project Type	
Murphy Ave Three-Lot Tentative Subdivision Map		Minor Subdivision	
Person or Agency Carrying Out Project		Address	Phone Number
Juan Contreras			
Name of Applicant		Address	Phone Number
Gary Carnes			
Project Location			
11520 Murphy Avenue, San Martin in the unincorporated portion of Santa Clara County, approximately 1.5 miles north of Gilroy and 2.25 miles south of Morgan Hill.			
Project Description			
This application is for subdivision approval to subdivide an approximately 15.2-acre site into three lots, Parcel 1 (5 acres), Parcel 2 (5.2 acres), and Parcel 3 (5.0 acres), for the purposes of future residential development of each lot. Grading of the project site would involve approximately 90 cubic yards of cut to establish a cul-de-sac and a private road to access to each Parcels 2 & 3. No tree removal is proposed.			
Purpose of Notice			
The purpose of this notice is to inform you that the County Planning Staff has recommended that a Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, finds that the proposed project could not have a significant effect on the environment . The project site is not on a list of hazardous material sites as described by Government Code 65962.5 (Cortese List).			
A public hearing for the proposed project is tentatively scheduled for the January 11, 2024 via Zoom. Information on the public hearing and how to participate will be sent separately. It should be noted that the approval of a Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.			
Public Review Period: 20 days	Begins: 2/22/23	Ends: 1/11/24	
Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the above date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the attention of Joanna Wilk at the County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5770 . A file containing additional information on this project may be reviewed at the Planning Office under the file number appearing at the top of this form. For additional information regarding this project and the Negative Declaration, please contact Joanna Wilk at (408) 299-5799 or joanna.wilk@pln.sccgov.org			

The Negative Declaration and Initial Study may be viewed at the following locations:		
(1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7 th Floor, San Jose, CA 95110		
(2) Planning & Development website www.sccgov.org/sites/dpd (under "Development Projects" > "Current Projects">San Martin)		
Responsible Agencies sent a copy of this document		
Santa Clara Valley Water District.		
Prepared by: Joanna Wilk, Senior Planner		12/22/23
	<small>DocuSigned by:</small> Signature	Date
Approved by: Samuel Gutierrez, Principal Planner		12/22/2023
	<small>4BFDD21FF1FB4D2</small> Signature	Date

INITIAL STUDY

Environmental Checklist and Evaluation for the County of Santa Clara

File Number:	PLN22-117	Date: December 21, 2023
Project Type:	Three-Lot Tentative Subdivision Map	APN(s): 830-05-062
Project Location / Address:	11520 Murphy Avenue, San Martin, CA 95046	GP Designation: Rural Residential
Owner's Name:	Juan Contreras	Zoning: RR-5Ac-sr
Applicant's Name:	Gary Carnes	Urban Service Area: N/A
Project Description		
<p>The proposed project is three-lot subdivision of a 15.2-gross-acre parcel into three lots (Parcels 1, Parcel 2, and Parcel 3) of approximately 5 acres each. The subject property takes access from Murphy Avenue in the rural, unincorporated community of San Martin, adjacent to State Route 101 (Figure 1 – Location and Vicinity Map). The project site is surrounded by a mixture of agricultural, single-family residential and commercial equestrian land uses. Figure 2 shows the tentative subdivision map. Grading of the project site would involve approximately 90 cubic yards of cut to establish a cul-de-sac and a private road to access to each Parcels 2 & 3. An existing single-family residence (built prior to 1953- when the County began issuing building permits in the agricultural areas), leach field, accessory structure, water tank, well, and driveway are located on Parcel 2 and are proposed to remain. No tree removal is proposed.</p> <p>Once the property is subdivided, Parcels 1 and 3 could be individual developed with a single-family residence, an accessory dwelling unit (ADU), and a junior accessory dwelling unit (JADU). Future home development would be served by a shared well and individual onsite septic systems. No construction of residences is proposed as a part of this subdivision. A feasible location for future residence and associated site improvements are shown on Figure 3.</p>		
Environmental Setting and Surrounding Land Uses		
<p>The subject property is located in the unincorporated community of San Martin. The parcel is currently used as a single-family residence and is relatively flat with an overall slope of less than 1%. Llagas Creek is located to the south of Parcel 3. The creek is located entirely within property owned by the Santa Clara Valley Water District. No serpentine soils or serpentine rock outcrops are located on the subject property. The project site is in the Santa Clara Valley Habitat Plan (HCP) Area and is designated as <i>Area 3: Rural Development Not Covered</i>. According to mapping of the HCP, the project site habitat land cover consists of <i>Grain, Row-crop, Hay and Pasture, disked / Short-term Fallowed and California Annual Grassland</i>. Due to the lack of development in any sensitive landcovers (as designated by the HCP), the project is not covered by the HCP. The property is not located in a County or State geohazard zone, with the exception of the County Liquefaction Hazard Zone. It is located in Special Flood Hazard Area Zone AH, which is an area with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet, according to U.S. Federal Emergency Management Agency. The surrounding land uses are agricultural and single-family homes; all of which are zoned Rural Residential.</p>		
Other agencies sent a copy of this document:		
Santa Clara Valley Water District		



Figure 1 – Location and Vicinity Map

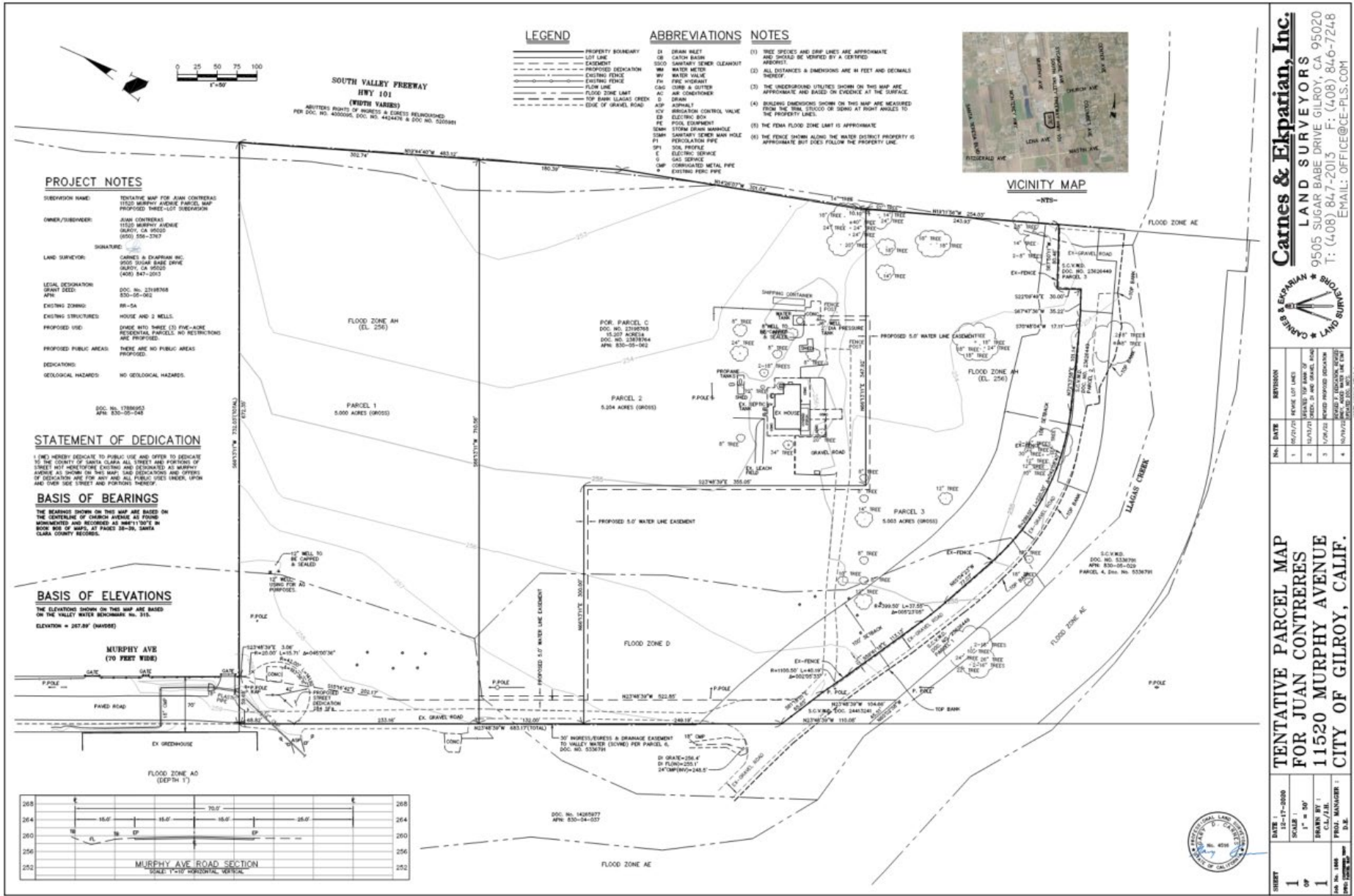


Figure 2 – Vesting Tentative Map

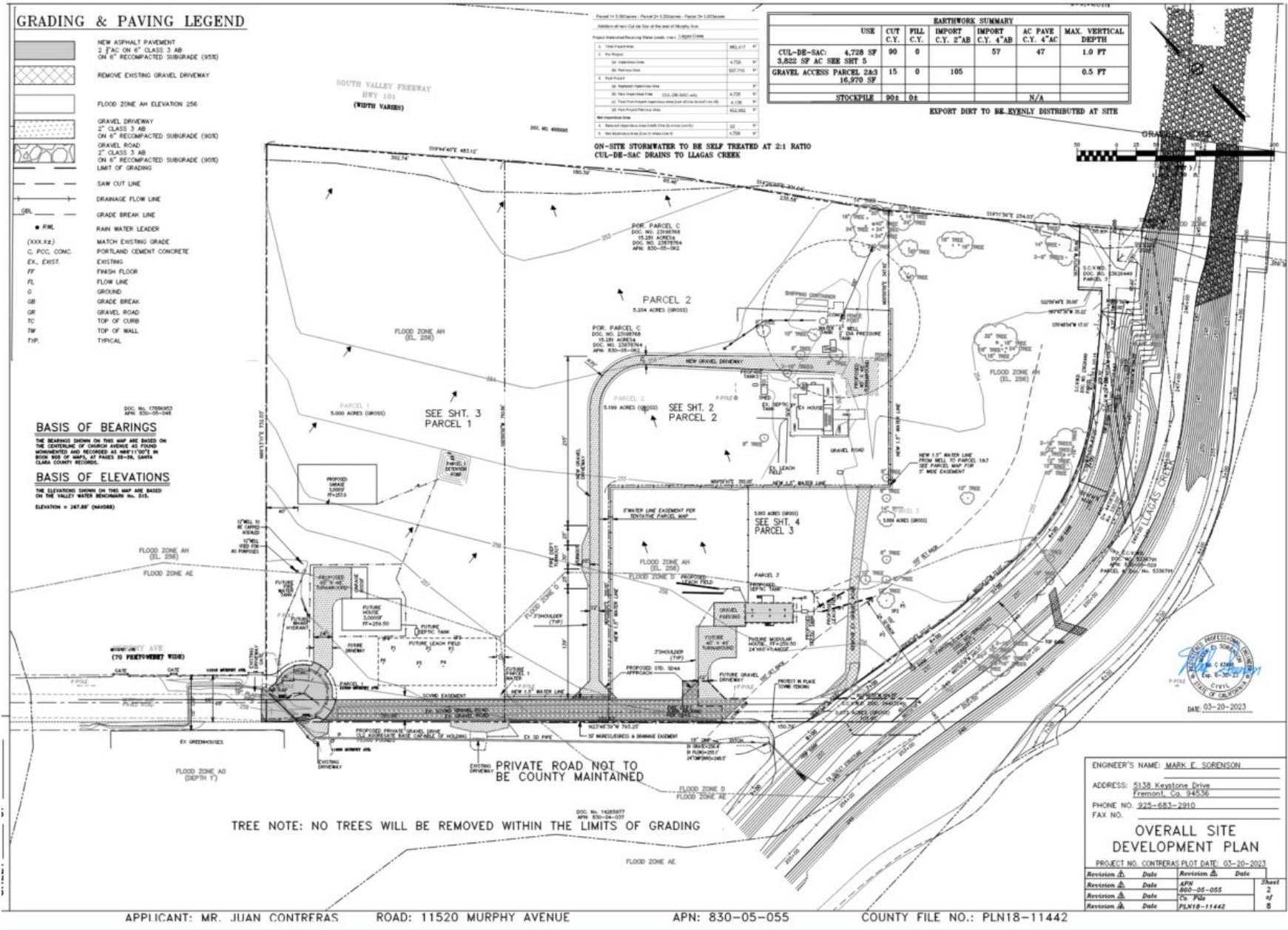


Figure 3 – Development Feasibility Site Plan

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The proposed project could potentially result in one or more environmental effects in the following areas:

- Aesthetics
- Agriculture / Forest Resources
- Air Quality
- Biological Resource
- Cultural Resources
- Energy
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities / Service Systems
- Wildfire
- Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

Joanna Wilk
Signature

December 22, 2022 Date

Joanna Wilk
Printed name

For

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS					
Except as provided in Public Resources Code section 21099, would the project:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,3,4, 6,17f
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, along a designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 6,7 17f
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4

SETTING:

The project site is in a rural area in the unincorporated community of San Martin, located south of Church Avenue, between Monterey Road and Highway 101, at the end of Murphy Avenue, on it's eastern side. Murphy Avenue is not a State- or County-designated scenic road. Highway 101 (located adjacent to the eastern side of the property) is a County-designated scenic road.

DISCUSSION:

a & b) Less than significant- The eastern side of the property is boarded by Highway 101 which is a scenic road. As such, the property is zoned rural residential with a 5-acre minimum lot size in a scenic road combining district. The county zoning ordinance requires that any new development within 100 feet of the highway obtain a Design Review permit which encourages quality design to mitigate potential adverse visual impacts of development. The Design Review procedure most commonly provides for review and conditioning to assure quality development in areas deemed visually sensitive. The proposed subdivision does not result in any new development within the 100-foot scenic road setback area. Additionally, if any new development were to occur in the future, it would have to adhere to the Design Review requirements which mitigate adverse visual impacts. As such, items a & b above are less than significant.

c & d) No Impact - Future development of the property with two single family residences would not obstruct any views from public roadways, given that the height of structures is limited by the Zoning

Ordinance to 35 feet. The project site is not located near natural scenic resources (e.g., rock outcroppings, historic buildings, or trees having scenic value), though the project is located adjacent to the designated scenic road, Highway 101, however, as noted, the project development area would not be located within 100 feet of the Highway. The future development would blend into the existing surrounding rural residential development and therefore would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.

New sources of light and glare would be limited to future residential development. However, given the limited nature of residential outdoor lighting (e.g., illumination of pathways and doors) and the fact that source of light would be similar to that of other single-family residences in the vicinity, the proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. As such, the project has no impact on items c & d listed above.

MITIGATION:

No mitigation is required.

B. AGRICULTURE / FOREST RESOURCES					
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.					
	IMPACT				Source
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,23,24,26
b) Conflict with existing zoning for agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9,21a
c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

B. AGRICULTURE / FOREST RESOURCES					
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</p>					
	IMPACT				Source
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 28
e) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17m, 17t, 32, 33
f) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17m, 17t, 17q, 17r, 23, 24, 25, 26, 32, 33

SETTING:

The 15.2-gross-acre lot is zoned RR-5Ac-sr, which is a base zoning of Rural Residential (RR) and a lot-size combining district of 5 acres (-5Ac). Soil on the subject property is composed of Zamora clay loam (0 to 2 percent slopes), which is alluvium derived from sedimentary rock.

The entire site is designated as *Farmland of Local Importance* in the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) database. Surrounding properties are designated as *Other Land and Unique Farmland* in the FMMP database. The parcel is not under a Williamson Act Contract and contains no land classified as forest.

The subject property is in the unincorporated community of San Martin. The parcel is not actively farmed. Surrounding uses consist of single-family residential and agricultural and are zoned RR.

DISCUSSION:

a, b, c, d, e & f) No Impact - The subject property is not zoned Agriculture, nor are the surrounding properties, and therefore the proposed project does not conflict with existing zoning for agricultural uses. The property is not encumbered by a Williamson Act contract, or within a forestland/timberland area, and therefore the proposed development would not conflict with County Williamson Act Guidelines, the County's Williamson Act Ordinance, or existing zoning for forestland or timberland

areas. No trees are proposed for removal, and the property is not within a forestland area, and therefore the proposed development does not result in the loss of forest land.

The property does consist of prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.

The project is a three-lot subdivision. No residential development is proposed with this subdivision. Future development permitted by right, if proposed, may be up to two single-family residences, two ADUs, and two JADUs (one of each per lot). Residential uses, including single family homes and ADUs, are considered compatible with agricultural use and permitted uses in the Rural Residential district. The project site and surrounding properties are zoned RR and developed for residential uses; therefore, future residential development would not involve substantial changes to the existing agricultural environment. As such, the project has no impact on items a through f listed above.

MITIGATION:

No mitigation required.

C. AIR QUALITY					
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.					
WOULD THE PROJECT:	IMPACT				Source
	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5, 29, 30

SETTING:

The proposed project is located within the San Francisco Bay Area Air Quality Management District (BAAQMD), which regulates air pollutants, including those that may be generated by construction and operation of development projects. These so-called criteria pollutants include reactive organic gases, carbon monoxide, nitrogen dioxide, and particulate matter (PM). BAAQMD also regulates toxic air

contaminants (fine particulate matter), long-term exposure to which is linked with respiratory conditions and increased risk of cancer. Major sources of toxic air contaminants in the Bay Area include major automobile and truck transportation corridors (e.g., freeways and expressways) and stationary sources (e.g., factories, refineries, power plants).

DISCUSSION:

a, b, c & d) Less Than Significant. The subject property is located on Murphy Avenue in the unincorporated community of San Martin. The closest freeway or expressway is Highway 101, which is adjacent to the east of the project site. The operational criteria pollutant screening size for single-family residential projects established by BAAQMD is 325 dwelling units. Future potential development of two single family residences, driveways, and possibly two ADUs and two JADUs would involve grading and construction activities. Operations would generate emissions from vehicle trips. However, emissions generated from construction and operation of future development would be well below the BAAQMD's screening size level of 325 dwelling units for operational-related emissions (oxides of nitrogen) and 114 dwelling units for construction-related emissions (reactive organic gases) from residential land uses. Dust emissions would be controlled through standard Best Management Practices (BMPs) dust control measures. The proposed residential development would not generate significant concentrations of pollutants that sensitive receptors would be exposed to, nor would it result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. As such, the project has less than significant impacts on items a through d listed above.

MITIGATION:

No mitigation required.

D. BIOLOGICAL RESOURCES					
	IMPACT				
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	Source
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 7, 17b, 17o
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,7, 8a, 17b, 17e, 22d, 22e, 33
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 7, 17n, 33
d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 31, 32
e) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7, 17b, 17o
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	32
g) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4, 17l

SETTING:

The project site is located on the east side of Murphy Avenue, at the end of the road, between Monterey Road and Highway 101. The site is bounded by rural residential development to the north, agricultural lands to the east and Llagas Creek to the south.

The project site is in the Santa Clara Valley Habitat Plan (HCP) Area and is designated as *Area 3: Rural Development Not Covered*. According to mapping of the HCP, the project site habitat land cover consists of *Grain, Row-crop, Hay and Pasture, disked / Short-term Fallowed* and *California Annual Grassland*. Due to the lack of development in any sensitive landcovers (as designated by the HCP), the project is not covered by the HCP.

According to the County's GIS mapping, there are no species listed under the California Natural Diversity Database on or adjacent to the subject property. No known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service are mapped on the subject property.

County of Santa Clara Tree Preservation Ordinance, Division C16 regulates tree removal on private land. This ordinance provides protection to certain trees that are 12-inches or greater in diameter. No tree removal is proposed with this project.

Jurisdictional waters include waters of the United States subject to the regulatory authority of the U.S. Army Corps of Engineers (USACE) and waters of the State of California subject to the regulatory authority of the California Department of Fish and Wildlife (CDFW) and the California Regional Water Quality Control Board (RWQCB).

DISCUSSION:

a, b, c, d, e, f & g) No Impact – The subject parcel does not have any known mapped Oak Woodland area and thus would not impact any oak woodland habitat. Additionally, the project does not conflict with the HCP as there are no covered species or landcovers on the property. County of Santa Clara Tree Preservation Ordinance, Division C16 regulates tree removal on private land. No tree removal is proposed with this project. Jurisdictional waters of the U.S. and state are absent from the project site. Therefore, the project will have no impact on jurisdictional waters.

According to the County's GIS mapping, there are no species listed under the California Natural Diversity Database on or adjacent to the subject property. No known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service are mapped on the subject property.

The site occurs to the south of identified regional east-west movement corridors through the Coyote Valley area of south San Jose. Additionally, due to the property's location adjacent to Highway 101, it is unlikely that the subject site functions as a movement corridor.

As such, the proposed project will have no impact on items a through g above.

MITIGATION:

No mitigation required.

E. CULTURAL RESOURCES					
	IMPACT				
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	Source
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Division C17 of County Ordinance Code) – including relocation, alterations or demolition of historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 16, 19, 41, 42
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 19, 41, 42
c) Disturb any human remains including, those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 19, 41, 42

SETTING:

The project is a three-lot subdivision. Upon approval of the project, the frontage improvements and future development of the site will require grading and ground disturbance. Total grading quantities for the proposed development are 90 cubic yards of cut and no fill. The project site contains an existing single-family residence, leach fields, and accessory structures that are proposed to remain.

DISCUSSION:

a) No Impact. The project site contains an existing single-family residence, leach fields, and accessory structures that are proposed to remain. The California Public Resources code defines a historical resource as a resource that has been listed or is eligible for listing on the California Historical Register of Historical Resources, a resource included in a local register of historical resources, or a resource identified as significant in a historical survey meeting the requirements of the Public Resources Code. Neither the subject property nor the existing structures located on the parcel are listed in or eligible for listing in the California Register of Historic Resources or the County of Santa Clara Historic Resources Inventory. Thus, the parcel is not historical resource pursuant to Section 15064.5 of the CEQA Guidelines.

b and c) Less Than Significant. Upon approval of the project, the frontage improvements and future development of the site would include ground disturbance and grading activity which has the potential for uncovering previously unknown cultural resources. The project is required by County ordinance (No. B6-18) to immediately notify the County Corner if human skeletal remains are encountered. Furthermore, the County Coroner is required to contact the California Native American Heritage

Commission if any human skeletal remains are determined to be of Native American origin per subdivision (c) of section 7050.5 of the Health and Safety and the County Coordinator of Indian affairs. The County standard conditions of approval offer additional protections as these provisions are included in the conditions of approval for projects to ensure that any potential archeological and cultural resources on site are not adversely impacted by the project. The standard condition reads as followed:

In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.

MITIGATION:

No mitigation required.

F. ENERGY					
	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
a) Result in potentially significant environmental impact do to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5

SETTING:

The proposed three-lot minor subdivision does not include any construction and as such does not propose to consume any energy resources that would potentially be inefficient or unnecessary. However, if approved, it is reasonable to anticipate the project may result in the future construction of two new single-family residences, accessory dwelling units, and associated site improvements.

California Code of Regulations, Title 24, Part 6, is California’s Energy Efficiency Standards for Residential and Non-Residential Buildings. Title 24 was established by CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California’s energy consumption and provide energy efficiency standards for residential and non-residential buildings.

DISCUSSION:

a & b) Less Than Significant. The project would increase electricity and natural gas consumption at the site relative to existing conditions. The project would be required to meet the California Code of Regulations Title 24 standards for building energy efficiency. Construction energy consumption would be temporary and would not require additional capacity or increased peak or base period demands for electricity or other forms of energy. The project would not result in wasteful, inefficient, or unnecessary consumption of energy.

MITIGATION:

No mitigation required.

G. GEOLOGY AND SOILS					
	IMPACT				
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	Source
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17c, 43
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17c
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 17c, 17n, 18b
iv) Landslides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17L, 11, 8b
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 14, 23, 24
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 17c, 23, 24, 42
d) Be located on expansive soil, as defined in the report, <i>Soils of Santa Clara County</i> , creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14,23, 24,
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6, 23,24,
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,41,42

SETTING:

The topography of the parcel and the surrounding area is flat. The property is not located in the County's Landslide Hazard Area or adjacent to any earthquake fault zones. The site is located within the County's Liquefaction Hazard Area.

DISCUSSION:

a- i, iii, & iv, b, c, d, e, & f) No Impact – County GIS does not identify any faults located near the project area. As such, the proposed project will not directly or indirectly cause potential substantial adverse effects due to the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Additionally, the property is not within a Santa Clara County landslide hazard zone and therefore the proposed project does not directly or indirectly cause potential substantial adverse effects due to landslides. As such, there is no impact.

a-ii) Less Than Significant Impact – Portions of the property are within County Liquefaction Hazard Zones. A liquefaction analysis prepared by C2Earth (in report dated 4-18-2022) revealed "*a negligible risk of liquefaction on proposed Parcels 1 and 2, and a potential for liquefaction of a layer of alluvial sandy silt between 31.75 and 35,5 feet below ground surface on Parcel 3 which ... may undergo a cumulative dynamic settlement on the order of 1/2 inch.*" However, C2Earth judges "*... the potential for surface manifestations, such as dynamic ground settlement or bearing capacity failure, to occur on Parcel 3 to be negligible. All three parcels may be subdivided as planned, without liquefaction mitigation measures.*" Therefore, the County geologist had no further comment or requirements regarding the proposed subdivision and any future development on the parcels. As such, the project has a less than significant impact on item a-ii listed above.

MITIGATION:

No mitigation required.

H. GREENHOUSE GAS EMISSIONS					
WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30

SETTING:

Given the overwhelming scope of global climate change, it is not anticipated that a single development project would have an individually discernible effect on global climate change. It is more appropriate to conclude that the greenhouse gas emissions generated by a proposed project would combine with emissions across the state, nation, and globe to cumulatively contribute to global climate change. The primary green house gas (GHG) associated with a development project is carbon dioxide, which is directly generated by fuel combustion (vehicle trips, use of natural gas for buildings) and indirectly generated by use of electricity.

DISCUSSION:

a & b) Less Than Significant. Future development of two single family residences, two ADUs, two JADUs and associated site improvements would involve grading and construction activities. The future residential development for the project will have minimal GHG impacts and would involve GHG emissions through the operations of construction equipment and from worker/builder supply vehicles, which typically use fossil-based fuels for operation. Vehicle trips related to excavation, grading, and construction for the future development of the project would be temporary, occurring only over the construction periods, and would not result in a permanent increase in GHG emissions. Furthermore, emissions generated from construction and operation of the residences would be well below the BAAQMD’s screening size level of 56 dwelling units for both operational- and construction related GHG emissions. Therefore, the proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

The future operations of the residences, ADUs, and JADUs would consume electricity; however, the amount would be minimal as the construction of the residences is required to comply with the Cal Green mandatory green building code requirements for new residential construction, and therefore would not make a cumulatively considerable contribution to the effect of GHG emissions on the environment. The projects future operations would generate emissions from the projected vehicle trips and as detailed in the Transportation section of this document, however, the construction and operations of the proposed single-family residences would result in a daily trip rate of 9.57 per the

Institute of Transportation Engineers (ITE).¹ This would be below the screening level of 24 daily trips, resulting in the proposed project not conflicting with CEQA Guidelines Section 15064.3, subdivision (b). As such, the project future operations would generate insignificant GHG from vehicle trips.

MITIGATION:

No mitigation is required.

¹ITE Trip Generation, 10th Edition, 2018.

I. HAZARDS & HAZARDOUS MATERIALS					
WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	46
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	47, 48
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard, or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 22a
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 49
g) Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4, 17g

SETTING:

The project site is located in a rural residential area of south Santa Clara County in the unincorporated community of San Martin. It is not located within a quarter mile of a school or within the Wildland Urban Interface. San Martin Airport is located approximately one-half mile north from the project site.

DISCUSSION:

a, b, c, d, e, f & g) No Impact. The project is a three-lot residential subdivision. Therefore, it would not involve transport of hazardous materials or foreseeable risk of accident conditions that could release hazardous materials into the environment. The project site is not located within ¼ of a school. The site is located within two miles of a public airport. However, the project would not result in a safety hazard, or excessive noise for people residing or working in the project area. The project site would use as access Murphy Avenue, which is not part of an adopted emergency response plan or emergency evacuation plan. The site is not within the Wildland Urban Interface and therefore would not expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires.

MITIGATION:

No mitigation is required.

J. HYDROLOGY AND WATER QUALITY					
Would the project:	IMPACT				SOURCE
	<u>Potential vs Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17b, 35, 36, 37
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 4
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17n,
i) Result in substantial erosion or siltation on- or off-site	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17p
II) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 36, 21a
III) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
IV) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17p, 18b, 18d
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 18b, 18d
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3, 4, 17p

SETTING:

A portion of the property located in Federal Emergency Management Agency (FEMA) AH Zone. Llagas Creek is located to the south of proposed Parcel 3. The proposed project is a three-lot subdivision. Once the property is subdivided, Parcel 1 and Parcel 3 could be developed with a single-family residence, ADU and a JADU (Parcel 2 has an existing single-family residence that is proposed to remain). The domestic and emergency water would be provided by an existing onsite well located on Parcel 2.

DISCUSSION:

d, & e) No Impact. The project site is not located in tsunami, or seiche zones. The proposed project does not include the use of pollutants or hazardous materials. Therefore, it is unlikely that pollutants from construction would be released due to flooding. Therefore, the project will not have any impact to hazardous materials or conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

a, b & c) Less than Significant impact. Future development would require two on-site wastewater treatment systems (OWST). The OSWT feasibility for proposed Parcel 1, 2, & 3 have been reviewed and approved by the Department of Environmental Health ensuring that the future proposed OWST could be designed and sized to meet all applicable water quality standards, soil requirements, and groundwater standards. Therefore, the proposed project does not substantially degrade surface or ground water quality, substantially decrease groundwater supplies, or interfere substantially with groundwater recharge.

Grading of the site for future development may slightly alter on-site drainage patterns. In addition, future development of the structures, and driveways would add impervious surfaces to the project site. The County requires erosion control standards be incorporated into project design in order to avoid erosion on- and off-site that could violate water quality standards during construction. The site is flat, and all stormwater run-off would be required to be retained on site. Therefore, site development would not substantially alter the existing drainage pattern of the site or area, increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite, or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

MITIGATION:

No mitigation is required.

K. LAND USE					
	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 4
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8a, 9, 18a

SETTING:

The parcel is designated in the General Plan as Rural Residential and is zoned RR-5Ac. Surrounding uses include a mixture of rural residences, agricultural uses, undeveloped parcels, and a commercial equestrian use.

DISCUSSION:

a & b) No impact. The project meets the allowable density of development for the Rural Residential general plan designation (R-LU 58) and minimum lot size and density requirements for the RR-5Ac zoning district (Zoning Ordinance Sections 2.20.040 and 3.10.030). The project will create three lots of 5 gross acres (Parcel 1, Parcel 2 and Parcel 3), resulting in a density of 0.2 dwelling unit/acre. The project would subdivide for future construction of two residences, which are allowed uses in this zoning. This use would not physically divide an established community or conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

MITIGATION:

No mitigation is required.

L. MINERAL RESOURCES					
	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6, 44
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6, 8a

SETTING:

The project site is located within a Mineral Resource Zone (MRZ-3), which is classified as an area that has an unknown significance of mineral deposits.

DISCUSSION:

a & b) Less Than Significant. The project is located on MRZ-3, which is an area that has an unknown significance of mineral deposits. The project could restrict access to potential mineral resources on the project site; however, given the relatively small size of the site, the lack of mineral mining operations within the unincorporated area of San Martin, the character of the established development and land uses (residential, agricultural, commercial) in the area, and the fact that it is not considered a locally important mineral resource recovery site as designated by the Santa Clara County General Plan (Santa Clara County 1994b), a substantial loss of mineral resources would not occur. Therefore, the project would not result in the loss of availability of a known mineral resource that would be of regional or statewide value.

MITIGATION:

No mitigation is required.

M. NOISE					
WOULD THE PROJECT RESULT IN:	IMPACTS				SOURCE
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8a, 13, 22a, 46
b) Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13, 46
c) For a project located within the vicinity of a private airstrip or an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport, public use airport, or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 5, 22a

SETTING:

The project site is located in an area of rural residential and agricultural uses east of State Route 101 and one-half mile south of South County Airport. A single-family residence is located to the north of the subject property, approximately 150 feet from the future proposed development sites. The County noise ordinance restricts construction-related noise near single-family residential areas to 60 dBA for mobile equipment operated Monday through Saturday from 7:00 AM to 7:00 PM.

DISCUSSION:

a, b & c) Less Than Significant. A temporary noise increase during construction would be generated by grading for subdivision improvements and future construction of residential buildings and driveways. However, noise from operating equipment would not exceed the 60 DBA ordinance limit for mobile equipment. Occupancy of the two residences would not be a significant new source of noise. Therefore, the proposed project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards. Future construction of the two residences would not involve use of equipment that would cause ground borne vibration or ground borne noise levels.

MITIGATION:

No mitigation required.

N. POPULATION AND HOUSING					
	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4

SETTING:

The project site is located in an area of rural residential uses.

DISCUSSION:

a & b) No Impact - The project would involve a three lot subdivision that maintains an existing single-family residence, and the future construction of two single residences. The project would not change the density upon which the General Plan’s population projections were based. Therefore, it would not induce substantial unplanned population growth in an area. No extension of roads or infrastructure is proposed as part of this project.

MITIGATION:

No mitigation required.

O. PUBLIC SERVICES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:					
i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
iii) School facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 17h
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5

SETTING:

The project site is located in the unincorporated community of San Martin. Fire protection is provided by the South Santa Clara County Fire District. The Santa Clara County Sheriff’s Office provides police protection service. The project site is located within the Morgan Hill Unified School District. It is served by the San Martin/Gwinn Elementary School (located at 100 North St.), Britton Middle School (located at 80 W. Central Ave.), and Live Oak High School (located at 1505 East Main Ave).

DISCUSSION:

a) Less Than Significant. The future increase of two residences as part of the proposed subdivision, would not result in substantial adverse physical impacts to the public facilities that would provide services in this area. Any new square footage will have to pay the school impact fees.

MITIGATION:

No mitigation is required.

P. RECREATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 4, 5, 17h
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5

SETTING:

The Santa Clara County Parks and Recreation Department operates and maintains several parks and recreational facilities in unincorporated Santa Clara County.

DISCUSSION:

a & b) No Impact. The future increase of two residences as part of the proposed subdivision would not result in substantial adverse physical impacts to the recreation facilities in the area or require construction or expansion of such facilities.

MITIGATION:

No mitigation is required.

Q. TRANSPORTATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potential y Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 4, 5, 6, 7, 49, 52
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 49, 50, 52
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 5, 6, 7, 52
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 49, 52

SETTING:

The project site is accessed from Murphy Avenue and approximately 1.5 miles south of East San Martin Avenue in the unincorporated area of San Martin. The project site is located adjacent to State HWY 101 with access to the HWY approximately 1.9 miles away via Masten Avenue.

VMT

Senate Bill 743 (SB 743), which became effective September 2013, initiated reforms to the CEQA Guidelines to establish new criteria for determining the significance of transportation impacts that “*promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses.*” Specifically, SB 743 directed the Governor’s Office of Planning and Research to update the CEQA Guidelines to replace automobile delay—as described solely by LOS or similar measures of vehicular capacity or traffic congestion—with VMT as the recommended metric for determining the significance of transportation impacts. The Office of Planning and Research has updated the CEQA Guidelines for this purpose by adding a new section 15064.3 to the Guidelines, which became effective statewide July 1, 2020. CEQA Guidelines section 15064.3, subdivision (b), establishes criteria for evaluating a project’s transportation impacts under CEQA. The lead agency has discretion to choose the most appropriate methodology to evaluate VMT.

DISCUSSION:

a, b, c & d) Less Than Significant. The Office of Planning and Research’s Technical Advisory on Evaluating Transportation Impacts in CEQA² recommends a method for screening out small projects that would be presumed to have less-than-significant VMT impacts. The method uses a daily trip rate as a screening level threshold based on the Class 1 and 3 Categorical Exemptions (Sections 15301 and

²Office of Planning and Research. December 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA.

15303 of the CEQA Guidelines). For rural areas, this daily trip rate screening level would be 24.³ The project is a three-lot residential subdivision in a rural area. However, approval would only enable two new single-family residence. The daily trip rate for a single-family residence provided by the Institute of Transportation Engineers (ITE) is 9.57.⁴ This would be below the screening level of 24. Therefore, the proposed project would not conflict with CEQA Guidelines Section 15064.3, subdivision (b).

As part of development of the proposed subdivision, each new parcel would have a 12 to 24-foot-wide driveway connecting with Murphy, as shown on Figure 3. The County's Zoning Ordinance [4.20.050(B)(1) would restrict fence height to 3 feet within 20 feet of the right-of-way. In addition, the required setback for accessory structures would be 75 feet from Murphy Avenue. With these restrictions and given that Murphy Avenue is a straight road that is lightly traveled, the proposed development would not substantially increase hazards due to a geometric design feature. The subdivision and driveway design has also been reviewed by the Fire Marshal's Office and provides adequate emergency access to both lots.

MITIGATION:

No mitigation is required.

³According to OPR's analysis, typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110-124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact. However, the 10,000 square-foot limit examples in the Class 1 and 3 applies to urban areas. Outside of urban areas, the example limit is 2,500 square feet, which would yield a trip rate of 24, which is the rate that would be considered not to lead to a significant VMT impact.

⁴ITE Trip Generation, 10th Edition, 2018.

R. TRIBAL CULTURAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
<p>a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>					
<p>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	41, 42
<p>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	41, 42

SETTING:

Under an update to CEQA through state legislation known as AB 52, lead agencies must consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so requested by the tribe. Section 21084.2 of the Public Resources Code also specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. The subject property does not contain any known Tribal Cultural Resources that are eligible or listed in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

DISCUSSION:

a) Less Than Significant. The County sent notifications to the Muwekma Ohlone Tribe and Tamien Tribes on November 21, 2023. Neither tribe requested consultation regarding the proposed project. Hence, there is no evidence to indicate the presence of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or of significance pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, the proposed project would not

cause a substantial adverse change in the significance of a tribal cultural resource, and no mitigation measures would be necessary.

MITIGATION:

No mitigation is required.

S. UTILITIES AND SERVICE SYSTEMS					
WOULD THE PROJECT:	IMPACT				SOURCE
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,6,7
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 6,24b
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3,6,7
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5,6
e) Be in non-compliance with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,5, 6

SETTING:

The project site is located within PG&E's service area. The project site has no access to water or wastewater utilities.

DISCUSSION:

a, b, c, d & e) Less Than Significant. Electricity and gas would be provided by PG&E. Future residences would each have an on-site wastewater treatment system. Water would be supplied by an existing well. Stormwater would be retained on site. Therefore, no expansion of utilities would be required. Construction wastes associated with future construction of new residences would be minor and would not exceed the capacity of existing solid waste disposal facilities.

MITIGATION:

No mitigation is required.

T. WILDFIRE					
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6, 49, 54
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6,8a, 17g, 54
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 5, 17g, 17h, 54
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 17i, 54

SETTING:

The project site is located in a flat area primarily developed with agricultural and rural residential uses. Project access would be from Murphy Avenue.

DISCUSSION:

a, b, c & d) Less Than Significant. The proposed project is a three-lot subdivision and future development of two new residences. Access to Murphy Avenue would not substantially impair an adopted emergency response plan or emergency evacuation plan. The project site is in an area of low risk of wildfire. Project development would not require installation or maintenance of other infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. In addition, because the project is located in a flat area of low fire risk, development would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

MITIGATION:

No mitigation is required.

U. MANDATORY FINDING OF SIGNIFICANCE					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1 to 54
b) Have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 to 54
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1 to 54

DISCUSSION:

a) **No Impact.** According to the County’s GIS mapping, there are no species listed under the California Natural Diversity Database on or adjacent to the subject property. No known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service are mapped on the subject property. Therefore, the proposed project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. As such the project has no impact on item a listed above.

b) **Less Than Significant.** No past, current, or probable future projects were identified in the project vicinity that, when added to project-related impacts, would result in cumulatively considerable impacts. No cumulatively considerable impacts would occur with development of the proposed project. As discussed in the analyses provided in this Initial Study, project impacts were found to be less than significant. The incremental effects of the proposed project are not cumulatively significant when viewed in context of the past, current, and/or probable future projects. No cumulative impacts would occur.

c) **No Impact.** The proposed project is a three-lot subdivision and future development of two single family residences. As described in the environmental topic sections of this Initial Study, the proposed project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

1. **Environmental Information Form**
https://www.sccgov.org/sites/dpd/DocsForms/Documents/EnvAss_Form.pdf
2. **Field Inspection**
3. **Project Plans**
4. **Working knowledge of site and conditions**
5. **Experience with other Projects of This Size and Nature**
6. **County Expert Sources:**
 - Geologist**
<https://www.sccgov.org/sites/dpd/PlansOrdinances/GeoHazards/Pages/Geology.aspx>
 - Fire Marshal**
<https://www.sccgov.org/sites/dpd/AboutUs/Fire/Pages/Fire.aspx>
 - Roads & Airports**
<https://www.sccgov.org/sites/rda/Pages/rda.aspx>
 - Environmental Health**
<https://www.sccgov.org/sites/deh/Pages/deh.aspx>
 - Land Development Engineering**
<https://www.sccgov.org/sites/dpd/AboutUs/LDE/Pages/LDE.aspx>
 - Parks & Recreation**
<https://www.sccgov.org/sites/parks/Pages/Welcome-to-Santa-Clara-County-Parks.aspx>
 - Zoning Administration, Comprehensive Planning, Secretary**
7. **Agency Sources:**
 - Santa Clara Valley Water District**
<https://www.valleywater.org/>
 - Santa Clara Valley Transportation Authority**
<http://www.vta.org/>
 - Midpeninsula Regional Open Space District**
<https://openspace.org/>
 - U.S. Fish & Wildlife Service**
<https://www.fws.gov/>
 - CA Dept. of Fish & Game**
<https://www.wildlife.ca.gov/>
 - Caltrans**
<https://dot.ca.gov/>
 - U.S. Army Corps of Engineers**
<https://www.usace.army.mil/>
 - Regional Water Quality Control Board**
<https://www.waterboards.ca.gov/>
 - Public Works Depts. of individual cities**
 - Santa Clara County Habitat Agency**
<https://www.scv-habitatagency.org>
8. **Planning Depts. of individual cities:**
 - Santa Clara County (SCC) General Plan**
<https://www.sccgov.org/sites/dpd/PlansOrdinances/GP/Pages/GP.aspx>
 - The South County Joint Area Plan**
https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf
9. **SCC Zoning Regulations (Ordinance)**
<https://www.sccgov.org/sites/dpd/DocsForms/Documents/ZonOrd.pdf>
10. **County Grading Ordinance**
https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodet=TITCCODELAUS_DIVC12SULADE_CHIIIGRDR#TOPTITLE
11. **SCC Guidelines for Architecture and Site Approval**
https://www.sccgov.org/sites/dpd/DocsForms/Documents/ASA_Guidelines.pdf
12. **SCC Development Guidelines for Design Review**
https://www.sccgov.org/sites/dpd/DocsForms/Documents/DR_Guidelines.pdf
13. **County Standards and Policies Manual (Vol. I - Land Development)**
https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual_Vol1.pdf
14. **Table 18-1-B of the Uniform Building Code (expansive soil regulations) [1994 version]**
http://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf
15. **SCC Land Use Database**
16. **Santa Clara County Heritage Resource (including Trees) Inventory [computer database]**
17. **GIS Database**
 - a. SCC General Plan Land Use, and Zoning
 - b. USFWS Critical Habitat & Riparian Habitat
 - c. Geologic Hazards
 - d. Archaeological Resources
 - e. Water Resources
 - f. Viewshed and Scenic Roads
 - g. Fire Hazard
 - h. Parks, Public Open Space, and Trails
 - i. Heritage Resources - Trees
 - j. Topography, Contours, Average Slope
 - k. Soils
 - l. HCP Data (habitat models, land use coverage etc)
 - m. Air photos
 - n. USGS Topographic
 - o. Dept. of Fish & Game, Natural Diversity Data
 - p. FEMA Flood Zones
 - q. Williamson Act
 - r. Farmland monitoring program
 - s. Traffic Analysis Zones
 - t. Base Map Overlays & Textual Reports (GIS)
18. **Paper Maps**
 - a. SCC Zoning
 - b. Barclay's Santa Clara County Locaide Street Atlas
 - c. Color Air Photos (MPSI)

Initial Study Source List*

- d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding
- e. Soils Overlay Air Photos
- f. "Future Width Line" map set

19. 2023 CEQA Statute Guidelines [Current Edition]
https://www.califaep.org/docs/CEQA_Handbook_2023_final.pdf

Area Specific: San Martin, Stanford, and Other Areas

San Martin

- 20a. San Martin Integrated Design Guidelines
https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_DesignGuidelines.pdf

- 20b. San Martin Water Quality Study

- 20c. Memorandum of Understanding (MOU) between Santa Clara County & Santa Clara Valley Water District

Stanford

- 21a. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP) and Environmental Impact Report (EIR)
[Policies, Plans, and Documents - Department of Planning and Development - County of Santa Clara \(sccgov.org\)](https://www.sccgov.org/sites/dpd/DocsForms/Documents/Policies_Plans_and_Documents_-_Department_of_Planning_and_Development_-_County_of_Santa_Clara_sccgov.org)

- 21b. Stanford Protocol and Land Use Policy Agreement
[Policies, Plans, and Documents - Department of Planning and Development - County of Santa Clara \(sccgov.org\)](https://www.sccgov.org/sites/dpd/DocsForms/Documents/Policies_Plans_and_Documents_-_Department_of_Planning_and_Development_-_County_of_Santa_Clara_sccgov.org)

Other Areas

- 22a. South County Airport Comprehensive Land Use Plan and Palo Alto Airport Comprehensive Land Use Plan [November 19, 2008]
- 22b. Los Gatos Hillside Specific Area Plan
https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf
- 22c. County Lexington Basin Ordinance Relating to Sewage Disposal
- 22d. User Manual Guidelines & Standards for Land Uses Near Streams: A Manual of Tools, Standards and Procedures to Protect Streams and Streamside Resources in Santa Clara County by Valley Water Resources Protection Collaborative, August 2005 – Revised July 2006.
<https://www.valleywater.org/contractors/doing-business-with-the-district/permits-for-working-on-district-land-or-easement/guidelines-and-standards-for-land-use-near-streams>
- 22e. Guidelines and Standards for Land Use Near Streams: Streamside Review Area – Summary prepared by Santa Clara County Planning Office, September 2007.
- 22f. Monterey Highway Use Permit Area

- https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_GeneralPlanInformation.pdf

Soils

23. USDA, SCS, "Soils of Santa Clara County"
24. USDA, SCS, "Soil Survey of Eastern Santa Clara County"

Agricultural Resources/Open Space

25. Right to Farm Ordinance
26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"
<https://www.conservation.ca.gov/dlrp/Documents/TOC%20and%20Intro.pdf>
27. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]
28. Williamson Act Ordinance and Guidelines (current version)
<https://www.sccgov.org/sites/dpd/Programs/WA/Pages/WA.aspx>

Air Quality

29. BAAQMD Clean Air Plan
http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_proposed-final-cap-vol-1-pdf.pdf?la=en
30. BAAQMD CEQA Air Quality Guidelines (2022)-
<https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>
31. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development - Guidelines for Assessing Impacts of Projects & Plans" [current version]

Biological Resources/ Water Quality & Hydrological Resources/ Utilities & Service Systems"

32. Site-Specific Biological Report
33. Santa Clara County Tree Preservation Ordinance
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Tree_Ordinance.pdf
- Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Oakwoodlands_Guide.pdf
- Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Brochure_TreePreservation.pdf

34. Clean Water Act, Section 404

Initial Study Source List*

<https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404>

35. Santa Clara Valley Water District – GIS Data:
<https://www.valleywater.org/learning-center/watersheds-of-santa-clara-valley>
36. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]
37. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]
38. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]
39. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"
40. County Environmental Health Department Tests and Reports

Archaeological Resources

41. Northwest Information Center, Sonoma State University
42. Site Specific Archaeological Reconnaissance Report

Geological Resources

43. Site Specific Geologic Report
44. State Department of Mines and Geology, Special Report #42
45. State Department of Mines and Geology, Special

Report #146

Noise

46. County Noise Ordinance
https://www.sccgov.org/sites/cpd/programs/NP/Documents/NP_Noise_Ordinance.pdf

Hazards & Hazardous Materials

47. Section 21151.4 of California Public Resources Code
48. State Department of Toxic Substances, Hazardous Waste and Substances Sites List
49. County Office of Emergency Services Emergency Response Plan [1994 version]

Transportation/Traffic

50. Transportation Research Board, "Highway Capacity Manual", Special Report 209, 1995.
51. SCC Congestion Management Agency, "Monitoring and Conformance report" (Current Edition)
52. Official County Road Book
53. **Site-specific Traffic Impact Analysis Report**

Wildfire

54. **Office of Planning and Research. 2020. Fire Hazard Planning Technical Advisory**

*Items listed in bold are the most important sources and should be referred to during the first review of the project, when they are available. The planner should refer to the other sources for a particular environmental factor if the former indicates a potential environmental impact.

County of Santa Clara

Department of Planning and Development
Planning Office

County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110-1705
(408) 299-5770 FAX (408) 288-9198
www.sccplanning.org



Notice of Intent to Adopt a Negative Declaration

Staff Response to Public Comments

February 1, 2024

Staff Contact: Joanna Wilk, Senior Planner
(408) 299-5799, joanna.wilk@pln.sccgov.org

FILE: PLN22-117
ADDRESS: 11520 Murphy Avenue, San Martin (APN: 830-05-062)
SUBJECT: County of Santa Clara Planning and Development Department response to public comment on the Notice of Intent to Adopt a Negative Declaration for a three-lot subdivision at 11520 Murphy Avenue.

BACKGROUND

On December 22, 2023, the Department of Planning and Development (Department) posted a Notice of Intent to adopt a Negative Declaration (ND) for a three-lot tentative map subdivision to subdivide an approximately 15.2-acre site into three lots at 11520 Murphy Avenue (APN: 830-05-062).

On January 10, 2024, the Department received a letter which included comments on the ND from the Santa Clara Valley Water District (SCVWD). Below is a summary and response to the comments provided by SVWD. The full comment letter is included in Attachment A.

DISCUSSION

The following is a summary of SMNA's comments, followed by the Department's response.

Comment 1(a)– Hydrology and Water Quality, Stormwater Runoff: The initial study should specify the total impervious surface area, both under existing and proposed conditions, and evaluate the anticipated runoff under both conditions. Proposed retention on the site needs to ensure that runoff under proposed conditions does is adequate to handle a range of storm events (2-,10-,25-, and 100-year).

Staff Response: As noted on the overall site development plan, the proposed project includes a total of 4,728 square feet of proposed impervious surface area. The pre-project impervious surface area is 4,750 square feet. There is an overall reduction of impervious surface area of 22 square feet. As such, the proposed project would not create additional stormwater runoff. Futuremore, as a standard the County requires erosion control standards to be incorporated into project design in order to avoid

erosion on- and off-site that could violate water quality standards during construction. Therefore, this comment does not warrant further analysis.

Comment 2(b)– Hydrology and Water Quality, Grading in Flood Zone AH: This section should acknowledge that the project site is within FEMA special hazard area – Zone AH. As such, the project should minimize grading within the flood zone area, and if any fill is to take place in the area, it needs to be offset to avoid increased flooding.

Staff Response: The initial study states in the Setting section of the Hydrology and Water Quality analysis that a portion of the property is within the FEMA AH Zone. The proposed fill for the three-lot subdivision is 57 cubic yards to accommodate the cul-de-sac improvement. The proposed fill and all other grading was reviewed by the County of Santa Clara Land Development Engineering Division and ensured the project is in compliance with the County’s Floodplain Management Ordinance (SCC code C12-800 – C12-826). Additionally, conditions of approval have been applied to the project to maintain compliance with the Floodplain Management Ordinance and ensure that all fill in the flood zone are offset to avoid increased flooding (Condition of Approval No.49). Therefore, this comment does not warrant further analysis.

ATTACHMENTS:

Attachment – SCVWD IS/MND Comment Letter



File: 34808
Llagas Creek

January 10, 2024

Joanna Wilk
County of Santa Clara Planning Office
70 West Hedding Street
San Jose, CA 95110
joanna.wilk@pln.sccgov.org

Subject: Notice of Intent to Adopt a Negative Declaration for Murphy Avenue Three-Lot Subdivision (PLN 22-117)

Dear Joanna:

The Santa Clara Valley Water District (Valley Water) has received a Notice of Intent (NOI) to adopt a negative declaration for the proposed three-lot subdivision on Murphy Avenue (Project). Valley Water staff has reviewed the Initial Study detailing the Project's anticipated environmental impacts and has the following comments:

1. Section J, Hydrology and Water Quality (Page 22):

- a) It is noted under the discussion of Impacts 'a, b,' & c' that "*future development of the structures, and driveways would add impervious surfaces to the project site*" and that "*...all stormwater run-off would be required to be retained on site.*" The IS determined that the project will have a 'less than significant impact' in terms of increases to surface runoff, as well as the potential for flooding on or offsite, however, there is no basis or rationale for this determination. The IS should specify the total impervious surface area, both under existing and post-project conditions, and evaluate the anticipated runoff under both conditions. It should be noted that Llagas Creek is prone to flooding, and the reaches downstream of the Project site does not have capacity to contain the 100-year event. Thus, proposed retention onsite needs to ensure that runoff under post-project conditions does not exceed pre-project conditions (both in terms of volume and rate) and be provided with adequate volume to handle a range of events, including the 2-, 10-, 25-, and 100-year, 24-hour storm events.

- b) In the second paragraph, under the discussion of Impacts 'a, b,' & c,' it is noted that "*Grading of the site for future development may slightly alter on-site drainage patterns.*" This section should acknowledge that the Project site is within a FEMA special flood hazard area (SFHA) – 'Zone AH,' and is subject to flooding during the 100-year, or 1% annual exceedance event. As such, the Project should minimize grading or fill within the SFHA. Any loss of volume within the floodplain due to fill or grading improvements, needs to be replaced, or made whole to avoid increased flooding - both in terms of depth and lateral extent - for neighboring properties.

If you have any further questions regarding Valley Water's comments on the Initial Study, you may contact me at (408) 630-3066, or reach me via email at bhwang@valleywater.org.

Thank you,

A handwritten signature in black ink, appearing to read "B. Hwang", written over a horizontal line.

BENJAMIN HWANG, P.E.

Associate Engineer - Civil
Community Projects Review Unit

Cc: Y. Arroyo, B. Hwang, File



Attachment B

Preliminary Conditions of Approval for Vesting Tentative Parcel Map

ATTACHMENT B**CONDITIONS OF APPROVAL FOR VESTING TENTATIVE PARCEL MAP**

Date: February 1, 2024

Owner/Applicant: Juan Contreras / Gary Carnes (Carnes & Ekparian)

Location: 11520 Murphy Avenue, San Martin, CA (APN: 830-05-062)

File Number: PLN22-117

CEQA: Initial Study/ Negative Declaration

Project Description: Vesting Tentative Parcel Map to subdivide a 15.2-gross-acre parcel into three lots, Parcel 1, Parcel 2, and Parcel 3, each measuring approximately 5-gross-acres. Grading quantities proposed are 90 cubic yards (c.y.) of cut and 57 cubic yards of fill, for subdivision improvements to create a cul-de-sac at the end of Murphy Avenue. An existing single-family residence, leach field, and accessory structures, on proposed Parcel 2 are proposed to remain. No tree removal is proposed. No construction of residences is proposed as a part of the subdivision.

If you have any questions regarding the following final conditions of approval, call the person whose name is listed below as the contact for that agency. She/he represents a specialty and can provide details about the conditions of approval.

Agency	Name	Phone	E-mail
Planning	Joanna Wilk	(408) 299-5799	joanna.wilk@pln.sccgov.org
Environmental Health	Darrin Lee	(408) 299-5748	darrin.lee@cep.sccgov.org
Fire Marshal	Alex Goff	(408) 299-5763	alex.goff@sccfd.org
Land Development Engineering	Darrell Wong	(408) 299-5735	darrell.wong@pln.sccgov.org
Roads and Airports	Tom Esch	(408) 573-2450	tom.esch@rda.sccgov.org
Airport Land Use Coordinator	Carl Hilbrants	(408) 299 - 5781	carl.hilbrants@pln.sccgov.org
Santa Clara Valley Water District	Benjamin Hwang	(408) 630-3066	bhwang@valleywater.org
Building Inspection		(408) 299 - 5700	

STANDARD CONDITIONS OF APPROVAL**Building Inspection**

1. For detailed information about the requirements for a demolition/building permit, obtain a Permit Application Instruction handout from the Building Inspection Office or visit the website at www.sccbuilding.org.

Planning

2. The parcel configuration shown on the Vesting Tentative Map prepared by Carnes & Ekparian, which was received by the Planning Division on April 5, 2023, is approved as submitted. All subdivision improvements must take place in substantial conformance with the Vesting Tentative Map, and these Conditions of Approval. Any changes to the

proposed project or any increase in grading quantities may require a Grading Approval and associated fees, and may result in additional environmental review, pursuant to the California Environmental Quality Act.

3. The **Vesting Tentative Parcel Map** approval is valid for three years after the date of approval, and will expire on **January 11, 2027**. Pursuant to Ordinance Code Section C12-79 (Extension of time to file a parcel map), an extension of time may be submitted to the County by the subdivider prior to the expiration of the conditionally approved Parcel Map, to be considered by the original approving authority. Said extension requests shall be submitted in conformance with the requirements of Ordinance Code Section C12-79 (a–c).
4. Demolition permits shall be submitted to the Building Inspection Office.
5. Existing zoning is RR-5Ac (Rural Residential - Combined -5Ac. Lot-Size District). Maintain the following minimum dwelling setbacks (Zoning Ordinance Sections 3.10.030 and 2.20.030):

Front: 30 feet

Sides: 30 feet

Rear: 30 feet

The maximum height of dwellings shall be 35 feet and shall not exceed two (2) stories.

6. The developer/owner shall be responsible for paying all reasonable costs associated with work by the County Planning Office, or under the supervision of the County Planning Division, that is conducted in conjunction with, or in any way related to, these Conditions of Approval. This includes, but is not limited to, costs for staff time, consultant fees and direct costs associated with report production and distribution.
7. No improvements or development is permitted in the 150-foot restricted buffer zone, measured from the top-of-bank on the northern side of Llagas Creek on proposed Parcel 3.
8. In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code, and the County Coordinator of Indian Affairs. No further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.

Department of Environmental Health

Parcel 1

9. Through the completion of feasibility studies for an onsite wastewater treatment system (OWTS), Parcel 1 demonstrated the minimum necessary requirements to develop an OWTS by achieving the following:

- On Jan 28, 2020, a percolation test was completed, resulting in 6 passing holes with an average percolation test rate of 15 MPI (minutes per inch) with an application rate of 0.72 gallons per day per square feet at a test depth of 4 feet. While conducting soil profiles, ground water was encountered at 15 feet.
- An onsite wastewater treatment system design shall incorporate the following considerations:
 - i. percolation test rate of 15 minutes inch,
 - ii. percolation test depth,
 - iii. vertical separation /depth of groundwater, and
 - iv. number of bedrooms.

10. All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays for the duration of construction.

Parcel 2

11. For the existing dwelling on Parcel 2, maintain a connection to the existing onsite wastewater treatment system (septic tank and dispersal field).

12. For the existing dwelling on Parcel 2, maintain a connection to the existing water well.\

Parcel 3

13. Based upon an average percolation rate of 7.0 minutes per inch with an application rate of 1.04 gallons per day per square foot, onsite sewage disposal conditions have been determined for a development not to exceed a design flow of 300 gallons per day. As reviewed and subsequently approved, the proposed onsite wastewater treatment system (OWTS) consists of the following: a 1500-gallon septic tank, a diversion valve, and a dual dispersal field sized 72 lineal feet plus 72 lineal feet.

Note: Changes to onsite conditions and/or exceedance of the approved OWTS design flow may result in the voiding of the approved OWTS plan and re-evaluation of OWTS feasibility and siting conditions.

14. All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays for the duration of construction.

Fire Marshal

15. A review of individual parcel access and fire protection will be conducted at Building Permit submittals for structures. This Building Permit review will be based on the current CA Fire Code and the County Ordinances at the time of submittal.

Roads and Airports

16. A Tree Removal Approval Board of Supervisor process is required prior to any tree removal, replacement, or relocation within the County right-of-way (ROW). A tree within the ROW requiring removal approval is any tree at least 20 feet in height or at least 12 inches in diameter measured 4.5 feet above grade. The process for obtaining approval for a tree

removal and the forms that are required can be found at: www.countyroads.org > Services > Apply for Permits > Tree Removal Approval in County Right-of-Way.

Santa Clara Valley Water District

17. Valley Water records indicate the site contains 2 well(s). Any abandoned wells, or wells that are no longer in use, must be properly destroyed. Any wells in use that will be impacted by project activities must be protected. As required by Valley Water Ordinance 90-1, an application must be filed with Valley Water for a permit to construct or destroy any well or to drill any exploratory borings deeper than 45 feet. Contact Valley Water's Wells and Water Measurement Unit at (408) 630-2660, for more information.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO MAP RECORDATION

Planning

18. **Prior to recordation of the Parcel Map**, and pursuant to Zoning Ordinance Section 5.20.125, record a Notice of Permit and Conditions with the County Office of Clerk-Recorder to ensure that successor property owners are aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided **prior to the recordation of the Parcel Map**.

Airport Land Use Coordinator

19. Dedicate an avigation easement to the County of Santa Clara on behalf of San Martin Airport. Submit current grant deed and parcel map, or an acceptable location map to the Roads and Airports Department for preparation of an avigation easement. The easement shall be similar to that which is shown in the appendix of the San Martin Airport CLUP.

Land Development Engineering

20. Obtain a Construction Permit from Land Development Engineering (LDE) prior to beginning any construction activities. The process for obtaining a Construction Permit and the forms that are required can be found at the following web page: www.sccplanning.org > I Want to.. > Apply for a Permit > Grading Permit

If the County Roads and Airports Department provides a condition of approval to obtain an encroachment permit, the application for the permit will be submitted to the Land Development Engineering Office with the grading/drainage permit. For your convenience, the grading and encroachment permits are processed concurrently under one set of improvement (grading) plans.

Expect four to six weeks for plan review and plan check comments. Please contact LDE at (299-5734) for additional information and timelines.

21. Prepare and submit a Parcel for review and approval by the County Surveyor.
22. Parcels must be surveyed by a Licensed Land Surveyor or Registered Civil Engineer. Monuments shall be set, reset, or verified in accordance with County Standards, the California Subdivision Map Act, and/or the California Land Surveyor's Act map recordation. As an alternative, the developer may elect to post a monument bond prior to

map recordation, then set all monuments prior to the issuance of the Building permits for future on-site developments.

23. Applicant shall request and obtain verification of the installation by the County Surveyor's office of all monuments required by the map and pay all applicable fees.
24. Indicate on the Final/Parcel Map all applicable easements affecting the parcel(s) with benefactors and recording information. Provide letters from the utility companies stating that all easements and financial obligations have been satisfied. These shall include:
 - a. Gas Company
 - b. Electric Company
 - c. Telephone Company
 - d. Water Company as necessary
 - e. Sewer Company as necessary(Contact the utility companies immediately as these clearances may require over 90 days to acquire.)
25. A dedication is required for an ingress/egress easement to provide access to Parcels 2 and 3 from the dedicated ROW at the cul-de-sac bulb as part of the final map.

Bonds

26. A monument bond as determined by the County Surveyor shall be posted prior to recording the Parcel Map if the monuments are not set prior to map recordation.
27. Enter into a land development improvement agreement with the County. Submit an Engineer's Estimate of Probable Construction Cost prepared by a registered civil engineer with all stages of work clearly identified for all improvements and grading as proposed in this application. Post financial assurances based upon the estimate, sign the development agreement and pay the necessary inspection and plan check fees, and provide the County with a Certificate of Worker's Compensation Insurance. (C12-206). As an alternative, construct all improvements per the permitted plans prior to map recordation.
28. Obtain a permit for the required improvements for the subdivision.

Department of Environmental Health

29. Submit to the Department of Environmental Health (Jeff Camp, 408-918-3473) a shared water agreement for review. This is a separate submittal to the Department of Environmental Health subject to completion of a service application and applicable fees.
30. Prior to map recordation, record the shared well agreement between the proposed lots.

Fire Marshal

Fire Department Access: General Requirements. These are minimum Fire Marshal standards. Should these standards conflict with any other local, state or federal requirement, the most restrictive shall apply.

31. All required access roads, driveways, turnarounds, and turnouts shall be installed, and serviceable **prior to approval of the foundation**, and shall be maintained throughout

construction. A stop work order may be placed on the project if required driving surfaces are not installed, accessible, and/or maintained at all times.

Fire Department Access: Access Roads.

32. Access roads (roads serving more than two lots) and driveways (roads serving no more than two lots) for fire department access shall comply with the following:
 - a. Width: Access Roads to have a clear drivable width of 18 ft. plus a 3 ft. shoulder on each side per CFMO-A1. Driveways are to have a 12 ft. drivable width and a 3 ft. shoulder.
 - b. Vertical Clearance: Minimum vertical clearance of 13 ft. 6 in. shall be maintained to the building site (trim or remove, tree limbs, electrical wires, structures, and similar improvements) for access roads and driveways.
 - c. Curve Radius: Plans to show a minimum 30 ft. inside turn radius for curves and a 50 ft. exterior turn radius.
 - d. Grade: Maximum grade shall not exceed 15%.
 - e. Surface: All driving surfaces shall be all-weather and capable of sustaining 75,000 pound gross vehicle weight.
 - f. Dead End Roads: Turnarounds shall be provided for dead end access roads in excess of 150 ft. in length. Acceptable turnaround shall comply with County Standard SD-16. All turnarounds shall have a slope of not more than 5% in any direction.

Roads and Airports

33. Dedicate an avigation easement for San Martin Airport. Submit the current grant deed and parcel map, or an acceptable location map, to the Roads and Airports Department for preparation of an avigation easement.
34. Obtain a Santa Clara County Roads and Airports Department Encroachment Permit for the following required improvements (the process for obtaining an Encroachment Permit and the forms that are required can be found at: <https://countyroads.sccgov.org/encroachment-permits>):
 - a. Installation of the Cul-de-sac to County Standard A/6, including installation of drainage and logical transitioning to the existing pavement and adjacent (north side) parcel existing driveway.
 - b. Installation of three driveway approaches: County Standard B/4 for the east driveway, County Standard B/5 for a south driveway that also serves as SCVWD easement, and County Standard B/4 for the west driveway to adjacent (east side) parcel. Note the plan set reviewed did not include the west B/4 driveway that will need to be built to County standards.
 - c. Removal of any vegetation or other obstructions necessary to provide adequate line-of-sight at the driveway approach location.
 - d. Installation of any County required road signs as part of the Cul-de-sac construction.
 - e. All utility relocations, replacements, abandonments, temporary facilities, and new facilities.

35. The constructed Cul-de-sac shall be dedicated to the County for public use. All dedications shall include legal descriptions, plats, and corresponding documents to be reviewed and approved by the County.
36. Demonstrate that the post-development maximum flow rate into the County Road right-of-way is equal-to or less-than the pre-development corresponding storm event flow rate per the County Drainage Manual. Provide engineered plans and drainage calculations for any detention or retention system necessary to satisfy this requirement.
37. Construct all the improvements approved under the Encroachment Permit.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO ISSUANCE OF DEVELOPMENT PERMIT

Planning

38. The requirements of Division B33 of the County Ordinance Code (Sustainable Landscape Ordinance) shall apply. If the square footage of the new landscaped area equals or exceeds 500 sq. feet, then a landscaping permit is required. The landscape ordinance and supporting information can be found on the following web page:
<https://plandev.sccgov.org/landscape-ordinance>

Department of Environmental Health

Parcel 1

39. For review and approval, submit to the Department of Environmental Health (DEH) an onsite wastewater treatment system (OWTS) plan/design overlaid onto the final site grading and drainage plan. The proposed dispersal field shall be located where soil profiles and percolation tests were previously conducted. The OWTS shall be designed in accordance with the prevailing OWTS Ordinance. This is a separate submittal to DEH subject to completion of the service application and payment of applicable fees.
Note: A 2020 hydrogeological report states the shallowest ground water is 12 feet in depth.
40. To assist in sizing of the onsite wastewater treatment system (OWTS), submit to the Department of Environmental Health a complete set of floor plans.
41. As Parcel 1 develops, contact the Department of Environmental Health (Jeff Camp, 408-918-3473) for shared water clearance and provide an actionable shared well agreement for review. This is a separate submittal to Environmental Health, subject to completion of a service application for water clearance, submittal of documents related to the shared well, and payment of applicable fees.

Parcel 3

42. As Parcel 3 develops, submit the following documentation as part of the building permit application: the approved/ stamped onsite wastewater treatment system (OWTS) plan dated June 17, 2022; approved under project reference SR0869308.

43. As Parcel 3 develops, contact the Department of Environmental Health (Jeff Camp, 408-918-3473) for shared water clearance and provide an actionable shared well agreement for review. This is a separate submittal to Environmental Health, subject to completion of a service application for water clearance, submittal of documents related to the shared well, and payment of applicable fees.

Land Development Engineering

44. Final plans shall include a single sheet which contains the County standard notes and certificates as shown on the County Standard Cover Sheet. Plans shall be neatly and accurately drawn, at an appropriate scale that will enable ready identification and recognition of submitted information.
45. Final improvement plans shall be prepared by a licensed civil engineer for review and approval by LDE and the scope of work shall be in substantial conformance with the conditionally approved preliminary plans on file with the Planning Office. Include plan, profile, typical sections, contour grading for all street, road, driveway, structures and other improvements as appropriate for construction. The final design shall be in conformance with all currently adopted standards and ordinances. The following standards are available on-line:
 - Standard Details Manual, September 1997, County of Santa Clara, Roads and Airports Department: www.sccgov.org/sites/rda > Published Standards, Specifications, Documents and Forms
 - March 1981 Standards and Policies Manual, Volume 1 (Land Development): www.sccplanning.org > Plans & Ordinances > Land Development Standards and Policies
 - 2007 Santa Clara County Drainage Manual: www.sccplanning.org > Plans & Ordinances > Grading and Drainage Ordinance
46. Survey monuments shall be shown on the improvement plan to provide sufficient information to locate the proposed improvements and the property lines. Existing monuments must be exposed, verified and noted on the grading plans. Where existing monuments are below grade, they shall be field verified by the surveyor and the grade shall be restored and a temporary stake shall be placed identifying the location of the found monument. If existing survey monuments are not found, temporary staking delineating the property line may be placed prior to construction and new monuments shall be set prior to final acceptance of the improvements. The permanent survey monuments shall be set pursuant to the State Land Surveyor's Act. The Land Surveyor / Engineer in charge of the boundary survey shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.
47. The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period. Include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set.

48. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.

Floodplain

49. This project is in a Special Flood Hazard Area, therefore all improvements shall be in accordance with the County's Floodplain Management Ordinance (SCC code C12-800 – C12-826).

Drainage

50. Provide a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. The mean annual precipitation is available on the on-line property profile.
51. The property owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to adjoining property.

Utilities

52. All new on-site utilities, mains and services shall be placed underground and extended to serve the proposed development. All extensions shall be included in the improvement plans. Off-site work should be coordinated with any other undergrounding to serve other properties in the immediate area.

Central Coast Stormwater Treatment

53. Include one of the following site design measures in the project design: (a) direct hardscape and/or roof runoff onto vegetated areas, (b) collect roof runoff in cisterns or rain barrels for reuse, or (c) construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces. Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design.

Soils and Geology

54. Submit one copy of the signed and stamped geotechnical report for the project including recommendations for the pavement design.
55. Submit a plan review letter by the Project Geotechnical Engineer certifying that the geotechnical recommendation in the above geotechnical report have been incorporated into the improvement plan.

Notice of Intent

56. Indicate on the improvement plans the land area that will be disturbed. If one acre or more of land area will be disturbed, file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for coverage under the State General Construction Permit. The SWRCB will issue a Waste Discharge Identification number (WDID). The

WDID number shall be shown on the on the final improvement plans. The SWRCB web site is at: www.waterboards.ca.gov > Water Issues > Programs > Stormwater.

Santa Clara Valley Water District

57. A Valley Water permit is required for this project per Valley Water's Water Resource Protection Ordinance. Make a separate application in writing to Valley Water for an encroachment permit for any modification or use of a Valley Water facility, property or easement. Project clearance from Valley Water is required **prior to the issuance of a grading permit**.
58. The revised plans specify that the existing SCVWD fence, adjacent to the gravel road is to be protected in place. It should be noted that Valley Water also has fencing adjacent to Llagas Creek (along the southerly limits of the subject parcel); this fence should also be protected in place and specified as such in the proposed plans.
59. The existing well from which a new 1.5-inch line is proposed (Sheet 2 of 8) should be clearly shown in the plans. Please ensure that all other existing wells are identified and included in the plans. While Valley Water has records for most wells located within the County, please be advised that there may be additional existing or abandoned wells that are not identified in Valley Water records. All wells found within the site must be properly destroyed or registered with Valley Water in accordance with Ordinance 90-1.
60. Valley Water's right of way should be labeled on Sheets 3 and 5 of 8 in the plan set.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO BUILDING FINAL

Land Development Engineering

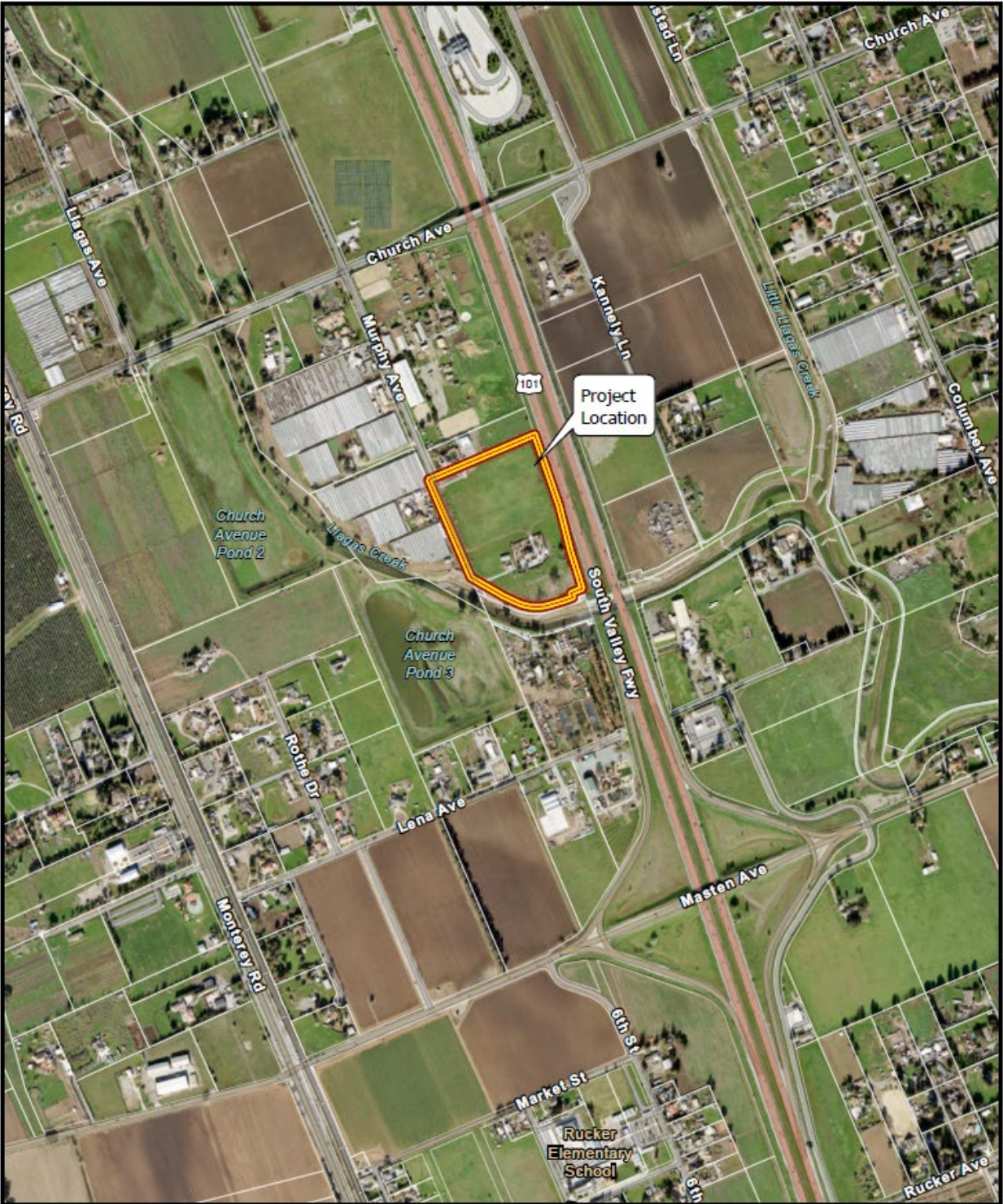
61. The new lot line for the parcels must be surveyed and monumented by a Licensed Land Surveyor or Registered Civil Engineer who is authorized to practice land surveying. The work and map must conform to the California Subdivision Map Act and County Ordinances.
62. Construct the improvements. Construction staking is required and shall be the responsibility of the developer.
63. Provide a Construction Observation Letter for the associated access and drainage improvements from the Geotechnical Engineer.
64. Existing and set permanent survey monuments shall be verified by the County Surveyor's Office prior to final acceptance of the improvements by the County. Any permanent survey monuments damaged or missing shall be reset by a licensed land surveyor or registered civil engineer authorized to practice land surveying and they shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.

Department of Environmental Health

65. For Parcels 1 and 3, provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of Santa Clara County is mandatory.

Attachment C

Location and Vicinity Map



Location and Vicinity Map

APN 830-05-062
11520 Murphy Ave
San Martin, CA



Attachment D

Vesting Tentative Parcel Map and Other Plans

COUNTY OF SANTA CLARA

General Construction Specifications

GENERAL CONDITIONS

- 1. ALL CONSTRUCTION WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE SOILS AND/OR GEOTECHNICAL REPORT PREPARED BY... THIS REPORT IS SUPPLEMENTED BY: 1) THESE PLANS AND SPECIFICATIONS, 2) THE COUNTY OF SANTA CLARA STANDARD DETAILS...

GRADING

- 1. EXCAVATED MATERIAL SHALL BE PLACED IN THE FILL AREAS DESIGNATED OR SHALL BE HAULED AWAY FROM THE SITE TO A COUNTY APPROVED DISPOSAL SITE. WHERE FILL MATERIAL IS TO BE PLACED ON NATURAL GROUND, IT SHALL BE STRIPPED OF ALL VEGETATION TO ACHIEVE A PROPER BOND WITH THE FILL MATERIAL...

Table with columns: LOCATION, CUT (C.Y.), FILL (C.Y.), VERT. DEPTH. Rows include RESIDENCE, ACCESSORY STRUCTURE, CUL-DE-SAC, LANDSCAPE, DRIVEWAY, OFF SITE IMPROVEMENTS, and TOTAL.

- NOTE: FILL VOLUMES INCLUDE 10% SHRINKAGE. EXCESS MATERIAL SHALL BE OFF HAULED TO A COUNTY APPROVED DUMP SITE. 7. NOTIFY SOILS ENGINEER TWO (2) DAYS PRIOR TO COMMENCEMENT OF ANY GRADING WORK TO COORDINATE THE WORK IN THE FIELD...

TREE PROTECTION

- 1. FOR ALL TREES TO BE RETAINED WITH A CANOPY IN THE DEVELOPMENT AREA OR INTERFACES WITH THE LIMITS OF GRADING FOR ALL PROPOSED DEVELOPMENT ON SITE, THE TREES SHALL BE PROTECTED BY THE PLACEMENT OF RIGID TREE PROTECTIVE FENCING, CONSISTENT WITH THE COUNTY INTEGRATED LANDSCAPE GUIDELINES...

ACCESS ROADS AND DRIVEWAYS

- 1. DRIVEWAY LOCATIONS SHALL BE AS SHOWN ON THE IMPROVEMENT PLANS WITH CENTERLINE STATIONING. THE MINIMUM CONCRETE THICKNESS SHALL BE 6 INCHES THROUGHOUT (WITH A MAXIMUM APPROACH SLOPE OF 1/4 INCHES PER FOOT).

STREET LIGHTING

- 1. PACIFIC GAS & ELECTRIC ELECTROLUER SERVICE FEE SHALL BE PAID BY THE DEVELOPER AND/OR HIS AUTHORIZED REPRESENTATIVE.

SANITARY SEWER

- 1. THE SANITARY SEWER AND WATER UTILITIES SHOWN ON THESE PLANS ARE NOT PART OF THIS GRADING PERMIT AND ARE SHOWN FOR REFERENCE ONLY.

PORTLAND CEMENT CONCRETE

- 1. CONCRETE USED FOR STRUCTURAL PURPOSES SHALL BE CLASS "A" (6 SACK PER CUBIC FOOT) IN ACCORDANCE WITH THE STATE STANDARD SPECIFICATIONS FOR CONCRETE PLACED MUST DEVELOP A MINIMUM STRENGTH FACTOR OF 2800 PSI IN A SEVEN-DAY PERIOD...

RETAINING WALLS

- 1. REINFORCED CONCRETE AND CONCRETE MASONRY UNIT RETAINING WALLS SHALL HAVE FOUNDATION AND REINFORCEMENT INSPECTED BY THE COUNTY ENGINEERING INSPECTOR AND ENGINEER OF RECORD PRIOR TO POURING THE FOUNDATION AND FORMING THE WALL.

AIR QUALITY, LANDSCAPING AND EROSION CONTROL

- 1. WATER ALL ACTIVE CONSTRUCTION AREAS AT LEAST TWICE DAILY. 2. COVER ALL TRUCKS HAULING SOIL, SAND, AND OTHER LOOSE MATERIALS OR REQUIRE ALL TRUCKS TO MAINTAIN AT LEAST TWO FEET OF FREEBOARD. 3. PAVE, APPLY WATER THREE TIMES DAILY, OR APPLY (NON-TOXIC) SOIL STABILIZERS ON ALL UNPAVED ACCESS ROADS, PARKING AREAS AND STAGING AREAS AT CONSTRUCTION SITES.

- 16. THE OWNER SHALL PREPARE AND PRESENT A WINTERIZATION REPORT TO THE COUNTY INSPECTOR FOR REVIEW PRIOR TO OCTOBER 15TH OF EVERY YEAR. 17. THE OWNER, CONTRACTOR, AND ANY PERSON PERFORMING CONSTRUCTION ACTIVITIES SHALL INSTALL AND MAINTAIN CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs) ON THE PROJECT SITE AND WITHIN THE SANTA CLARA COUNTY ROAD RIGHT-OF-WAY THROUGHOUT THE DURATION OF THE CONSTRUCTION AND UNTIL THE ESTABLISHMENT OF PERMANENT STABILIZATION AND SEDIMENT CONTROL TO PREVENT THE DISCHARGE OF POLLUTANTS...

STORM DRAINAGE AND STORMWATER MANAGEMENT

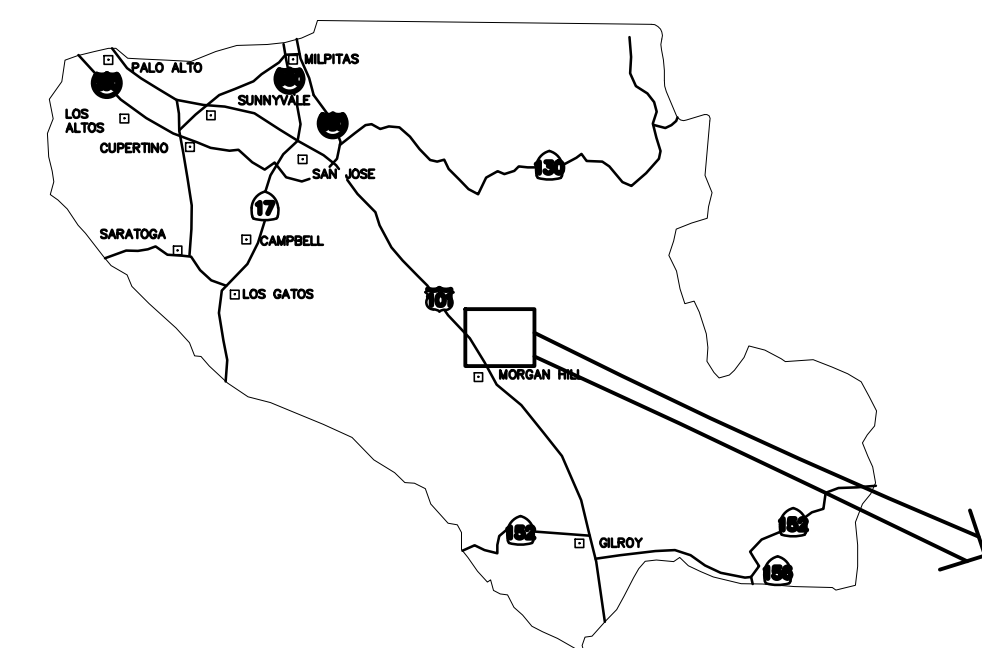
- 1. DEVELOPER IS RESPONSIBLE FOR ALL NECESSARY DRAINAGE FACILITIES WHETHER SHOWN ON THE PLANS OR NOT AND HE OR HIS SUCCESSOR PROPERTY OWNERS ARE RESPONSIBLE FOR THE ADEQUACY AND CONTINUED MAINTENANCE OF THESE FACILITIES IN A MANNER WHICH WILL PRECLUDE ANY HAZARD TO LIFE, HEALTH, OR DAMAGE TO ADJOINING PROPERTY...

AS-BUILT PLANS STATEMENT

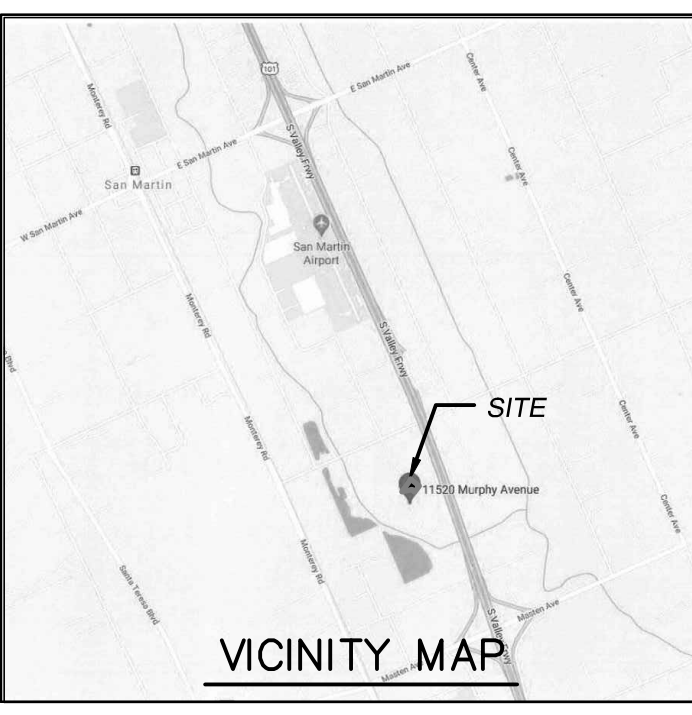
THIS IS A TRUE COPY OF THE AS-BUILT PLANS, THERE (___ WERE) (___ WERE NOT) MINOR FIELD CHANGES - MARKED WITH THE SYMBOL (*). THERE (___ WERE) (___ WERE NOT) PLAN REVISIONS INDICATING SIGNIFICANT CHANGES REVIEWED BY THE COUNTY ENGINEER AND MARKED WITH THE SYMBOL Δ.

DATE SIGNATURE

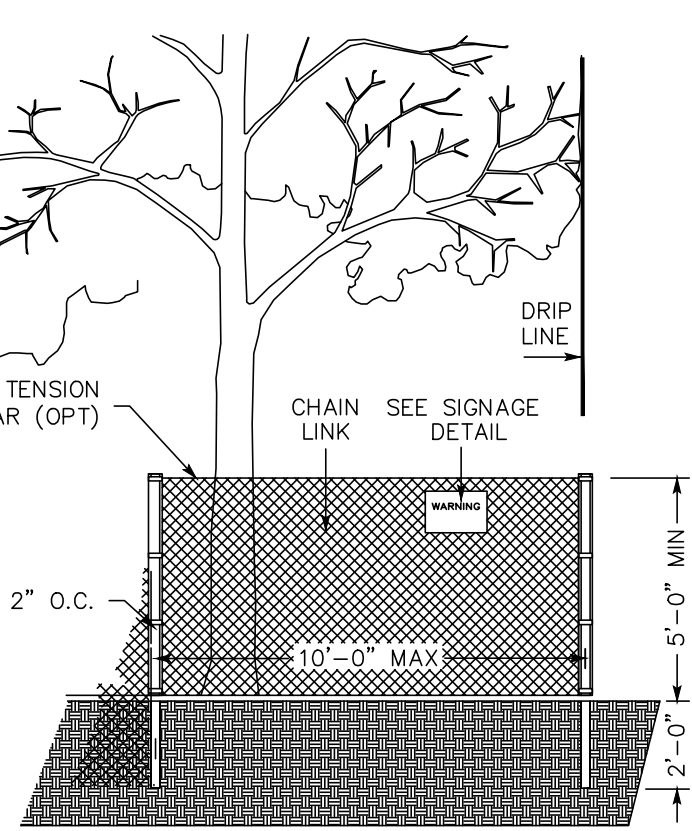
NOTE: THIS STATEMENT IS TO BE SIGNED BY THE PERSON AUTHORIZED BY THE COUNTY ENGINEER TO PERFORM THE INSPECTION WORK. A REPRODUCIBLE COPY OF THE AS-BUILT PLANS MUST BE FURNISHED TO THE COUNTY ENGINEER AFTER CONSTRUCTION.



COUNTY LOCATION



MAP



EXISTING TREE PROTECTION DETAILS

- 1. PRIOR TO THE COMMENCEMENT OF ANY GRADING, TREE PROTECTIVE FENCING SHALL BE IN PLACE IN ACCORDANCE WITH THE TREE PRESERVATION PLAN AND INSPECTED BY A CERTIFIED ARBORIST. THE ARBORIST SHALL MONITOR CONSTRUCTION ACTIVITY TO ENSURE THAT THE TREE PROTECTION MEASURES ARE IMPLEMENTED AND ADHERED TO DURING CONSTRUCTION...

LEGEND

Legend table with columns: DESCRIPTION, TO BE CONST., EXISTING. Includes symbols for property line, limits of work, curb and gutter, sidewalk, city survey monument, etc.

SHEET INDEX

Sheet index table listing sheets 1 through 8, including Title Sheet, Overall Site Development Plan, Site Grading Plans for parcels 1 and 3, Erosion Control Details, County Details, and Topographic Survey for Reference Only.

ENGINEER'S NAME: MARK E. SORENSON
ADDRESS: 5138 Keystone Drive, Fremont, Ca. 94536
PHONE NO. 925-683-2910

TITLE SHEET

Table with columns: Revision, Date, APN, Co. File, PLN, and Sheet. Shows revision 1 for APN 860-05-055, PLN18-11442, Sheet 1 of 8.

PLAN # OF SHEET 3-7-2011

LEGEND

- PROPERTY BOUNDARY
- LOT LINE
- - - EASEMENT
- - - PROPOSED DEDICATION
- - - EXISTING FENCE
- - - EXISTING FENCE
- - - FLOW LINE
- - - FLOOD ZONE LIMIT
- - - TOP BANK LLAGAS CREEK
- - - EDGE OF GRAVEL ROAD

ABBREVIATIONS

- DI DRAIN INLET
- CB CATCH BASIN
- SSCO SANITARY SEWER CLEANOUT
- WM WATER METER
- WV WATER VALVE
- FH FIRE HYDRANT
- C&G CURB & GUTTER
- AC AIR CONDITIONER
- D DRAIN
- ASP ASPHALT
- ICV IRRIGATION CONTROL VALVE
- EB ELECTRIC BOX
- PE POOL EQUIPMENT
- SDMH STORM DRAIN MANHOLE
- SSMH SANITARY SEWER MAN HOLE
- P1 PERCOLATION PIPE
- SP1 SOL PROFILE
- E ELECTRIC SERVICE
- G GAS SERVICE
- CMP CORRUGATED METAL PIPE
- EXISTING PERC PIPE

NOTES

- (1) TREE SPECIES AND DRIP LINES ARE APPROXIMATE AND SHOULD BE VERIFIED BY A CERTIFIED ARBORIST.
- (2) ALL DISTANCES & DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- (3) THE UNDERGROUND UTILITIES SHOWN ON THIS MAP ARE APPROXIMATE AND BASED ON EVIDENCE AT THE SURFACE.
- (4) BUILDING DIMENSIONS SHOWN ON THIS MAP ARE MEASURED FROM THE TRIM, STUCCO OR SIDING AT RIGHT ANGLES TO THE PROPERTY LINES.
- (5) THE FEMA FLOOD ZONE LIMIT IS APPROXIMATE
- (6) THE FENCE SHOWN ALONG THE WATER DISTRICT PROPERTY IS APPROXIMATE BUT DOES FOLLOW THE PROPERTY LINE.



VICINITY MAP

PROJECT NOTES

SUBDIVISION NAME: TENTATIVE MAP FOR JUAN CONTRERAS 11520 MURPHY AVENUE PARCEL MAP PROPOSED THREE-LOT SUBDIVISION

OWNER/SUBDIVIDER: JUAN CONTRERAS 11520 MURPHY AVENUE GILROY, CA 95020 (650) 556-3767

LAND SURVEYOR: CARNES & EKAPRIAN INC. 9505 SUGAR BABE DRIVE GILROY, CA 95020 (408) 847-2013

LEGAL DESIGNATION: GRANT DEED: DOC. No. 23198768 APN: 830-05-062

EXISTING ZONING: RR-5A

EXISTING STRUCTURES: HOUSE AND 2 WELLS.

PROPOSED USE: DIVIDE INTO THREE (3) FIVE-ACRE RESIDENTIAL PARCELS. NO RESTRICTIONS ARE PROPOSED.

PROPOSED PUBLIC AREAS: THERE ARE NO PUBLIC AREAS PROPOSED.

DEDICATIONS:

GEOLOGICAL HAZARDS: NO GEOLOGICAL HAZARDS.

DOC. No. 17886953
APN: 830-05-048

STATEMENT OF DEDICATION

I (WE) HEREBY DEDICATE TO PUBLIC USE AND OFFER TO DEDICATE TO THE COUNTY OF SANTA CLARA ALL STREET AND PORTIONS OF STREET NOT HERETOFORE EXISTING AND DESIGNATED AS MURPHY AVENUE AS SHOWN ON THIS MAP; SAID DEDICATIONS AND OFFERS OF DEDICATION ARE FOR ANY AND ALL PUBLIC USES UNDER, UPON AND OVER SIDE STREET AND PORTIONS THEREOF.

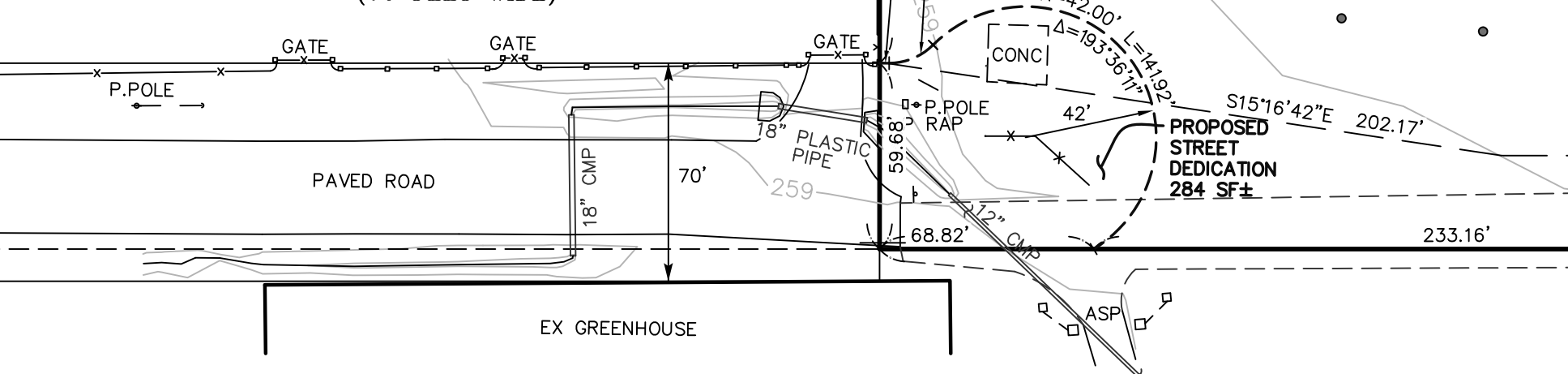
BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS MAP ARE BASED ON THE CENTERLINE OF CHURCH AVENUE AS FOUND MONUMENTED AND RECORDED AS N66°11'00"E IN BOOK 908 OF MAPS, AT PAGES 38-39, SANTA CLARA COUNTY RECORDS.

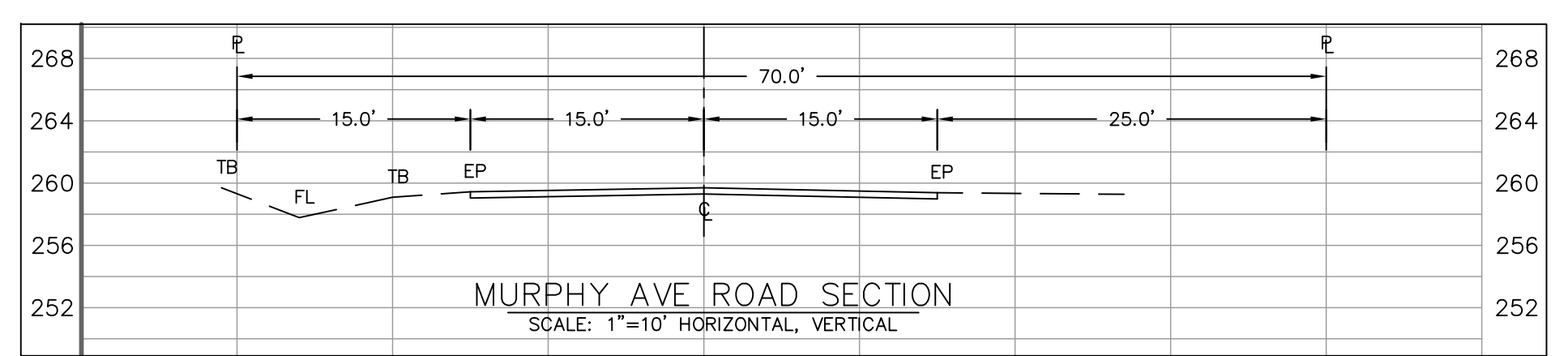
BASIS OF ELEVATIONS

THE ELEVATIONS SHOWN ON THIS MAP ARE BASED ON THE VALLEY WATER BENCHMARK No. 315.
ELEVATION = 267.89' (NAVD88)

MURPHY AVE (70 FEET WIDE)



FLOOD ZONE A0 (DEPTH 1')



SOUTH VALLEY FREEWAY HWY 101 (WIDTH VARIES)

ABUTTERS RIGHTS OF INGRESS & EGRESS RELINQUISHED PER DOC. NO. 4000095, DOC. NO. 4424476 & DOC NO. 5205981

FLOOD ZONE AH (EL. 256)

PARCEL 1 5.000 ACRES (GROSS)

PARCEL 2 5.204 ACRES (GROSS)

FLOOD ZONE AH (EL. 256)

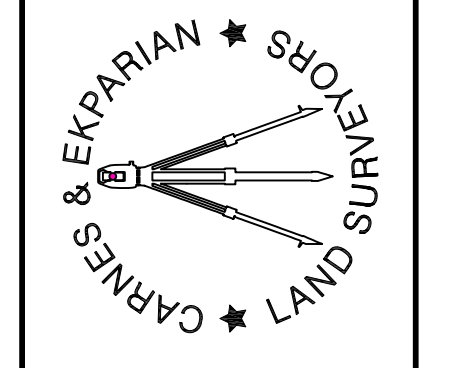
PARCEL 3 5.003 ACRES (GROSS)

S.C.V.W.D. DOC. NO. 5336791 APN: 830-05-029 PARCEL 4, Doc. No. 5336791

DOC. No. 14265977 APN: 830-04-037

FLOOD ZONE AE

Carnes & Ekparian, Inc.
LAND SURVEYORS
9505 SUGAR BABE DRIVE GILROY, CA 95020
T: (408) 847-2013 F: (408) 846-7248
EMAIL: OFFICE@CE-PLS.COM



No.	DATE	REVISION
1	05/21/21	REVISE LOT LINES
2	12/13/21	UPDATED TOP BANK OF CREEK, DI AND GRAVEL ROAD
3	1/29/22	REVISED PROPOSED DEDICATION
4	10/19/22	REVISED PROPOSED DEDICATION, REVISED FLOOD ZONE LIMIT LINE
5	12/15/22	ADDED MISSING WELLS & STATEMENT OF INFORMATION TO

TENTATIVE PARCEL MAP FOR JUAN CONTRERAS 11520 MURPHY AVENUE CITY OF GILROY, CALIF.

SHEET	1	OF	1
DATE :	12-17-2020	SCALE :	1" = 50'
DRAWN BY :	C.L./J.H.	PROJ. MANAGER :	D.E.
Job No. 1608			
DWG. NUMBER:			



GRADING & PAVING LEGEND

- NEW ASPHALT PAVEMENT
2 1/2" AC ON 6" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (95%)
- REMOVE EXISTING GRAVEL DRIVEWAY
- FLOOD ZONE AH ELEVATION 256
- GRAVEL DRIVEWAY
2" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (90%)
- GRAVEL ROAD
2" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (90%)
LIMIT OF GRADING
- SAW CUT LINE
- DRAINAGE FLOW LINE
- GRADE BREAK LINE
- RAIN WATER LEADER
- MATCH EXISTING GRADE
- PORTLAND CEMENT CONCRETE
- EXISTING
- FINISH FLOOR
- FLOW LINE
- GROUND
- GRADE BREAK
- GRAVEL ROAD
- TOP OF CURB
- TOP OF WALL
- TYPICAL

BASIS OF BEARINGS
THE BEARINGS SHOWN ON THIS MAP ARE BASED ON THE CENTERLINE OF CHURCH AVENUE AS FOUND MONUMENTED AND RECORDED AS N66°11'00"E IN BOOK 908 OF MAPS, AT PAGES 38-39, SANTA CLARA COUNTY RECORDS.

BASIS OF ELEVATIONS
THE ELEVATIONS SHOWN ON THIS MAP ARE BASED ON THE VALLEY WATER BENCHMARK No. 315.
ELEVATION = 267.89' (NAV088)

Parcel 1= 5.000acres - Parcel 2= 5.204acres - Parcel 3= 5.003acres
Addition of new Cul-de-Sac at the end of Murphy Ave

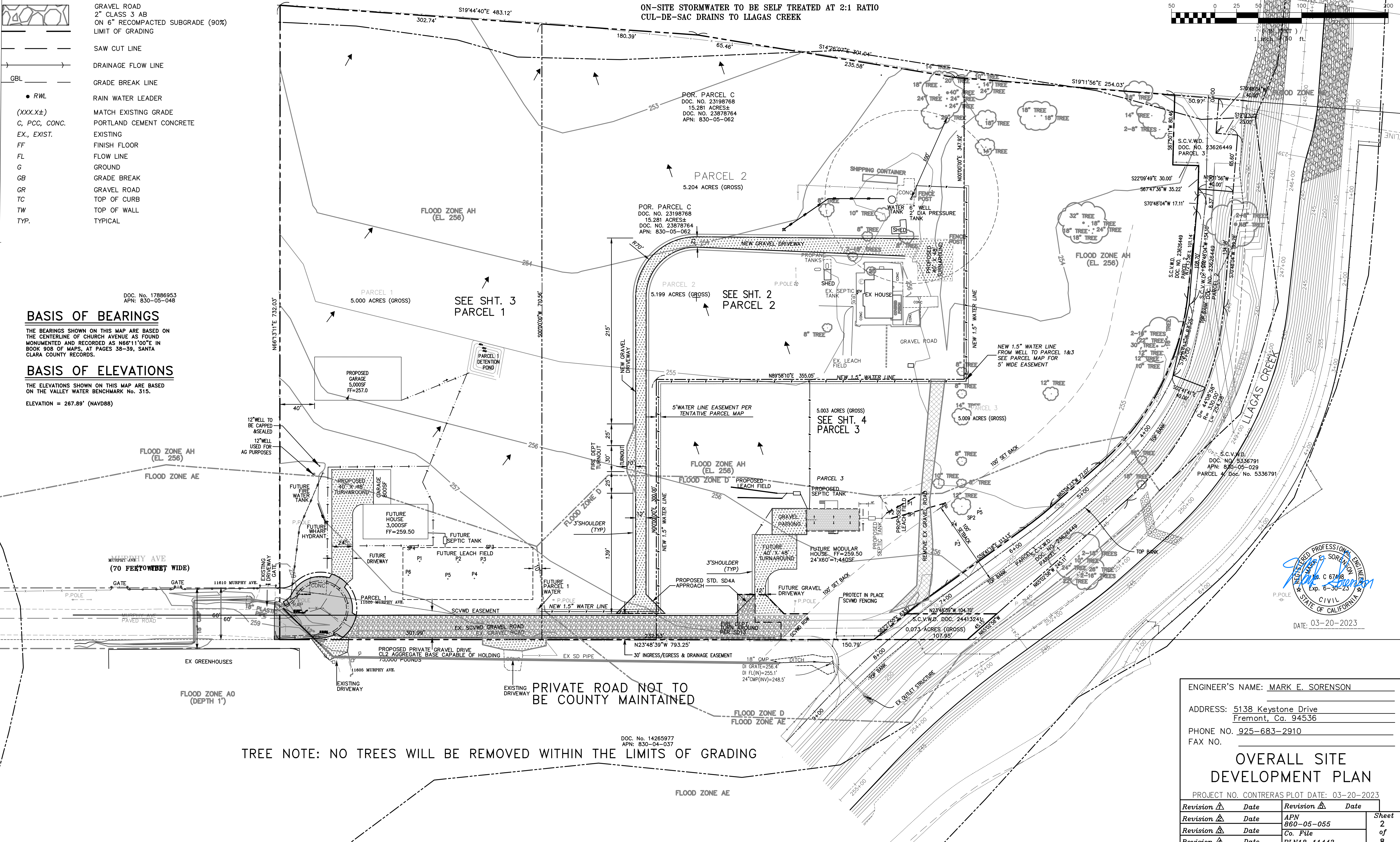
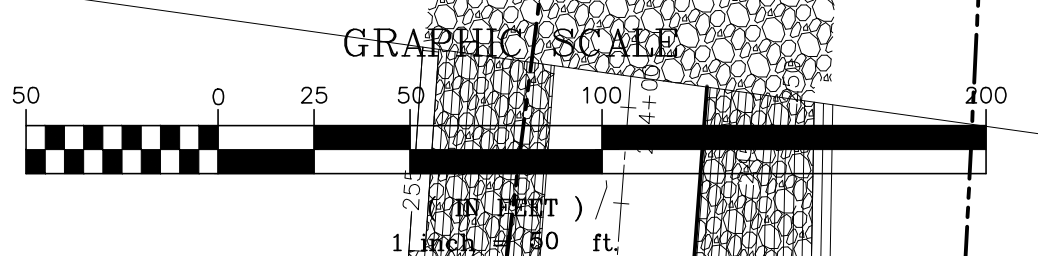
Project Watershed/Receiving Water (creek, river): Llagas Creek

1. Total Project Area	682,417	ft ²
2. Pre-Project		
(a) Impervious Area	4,750	ft ²
(b) Pervious Area	657,710	ft ²
3. Post-Project		
(a) Replaced Impervious Area		ft ²
(b) New Impervious Area CUL-DE-SAC only	4,728	ft ²
(c) Total Post-Project Impervious Area (sum of Line 3a and Line 3b)	4,728	ft ²
(d) Post-Project Pervious Area	652,682	ft ²
Net Impervious Area		
4. Reduced Impervious Area Credit (Line 3a minus Line 3c)	22	ft ²
5. Net Impervious Area (Line 3c minus Line 4)	4,706	ft ²

EARTHWORK SUMMARY						
USE	CUT C.Y.	FILL C.Y.	IMPORT C.Y. 2"AB	IMPORT C.Y. 4"AB	AC PAVE C.Y. 4"AC	MAX. VERTICAL DEPTH
CUL-DE-SAC:	4,728 SF	90	0	57	47	1.0 FT
3,822 SF AC SEE SHT 5						
GRAVEL ACCESS PARCEL 2&3	16,970 SF	15	0	105		0.5 FT
STOCKPILE	90±	0±			N/A	

EXPORT DIRT TO BE EVENLY DISTRIBUTED AT SITE

ON-SITE STORMWATER TO BE SELF TREATED AT 2:1 RATIO
CUL-DE-SAC DRAINS TO LLAGAS CREEK



DATE: 03-20-2023

ENGINEER'S NAME: MARK E. SORENSON

ADDRESS: 5138 Keystone Drive
Fremont, Ca. 94536

PHONE NO. 925-683-2910

FAX NO. _____

OVERALL SITE DEVELOPMENT PLAN

PROJECT NO. CONTRERAS PLOT DATE: 03-20-2023

Revision	Date	Revision	Date
Revision A	Date	Revision B	Date
Revision C	Date	Revision D	Date
Revision E	Date	Revision F	Date

Sheet 2 of 8

PLAN # OF SHEET

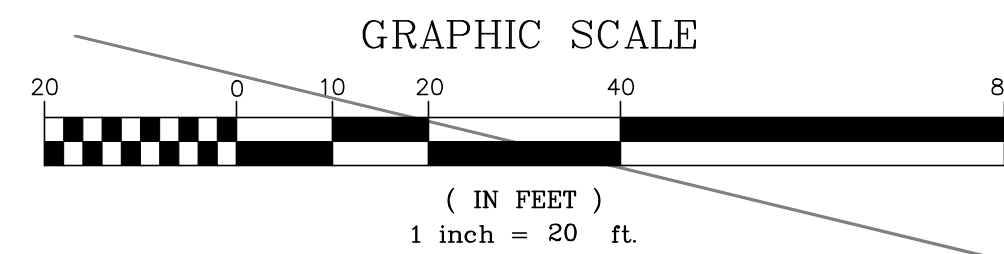
TREE NOTE: NO TREES WILL BE REMOVED WITHIN THE LIMITS OF GRADING

BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS MAP ARE BASED ON THE CENTERLINE OF CHURCH AVENUE AS FOUND MONUMENTED AND RECORDED AS N66°11'00"E IN BOOK 908 OF MAPS, AT PAGES 38-39, SANTA CLARA COUNTY RECORDS.

BASIS OF ELEVATIONS

THE ELEVATIONS SHOWN ON THIS MAP ARE BASED ON THE VALLEY WATER BENCHMARK No. 315.
ELEVATION = 267.89' (NAV88)



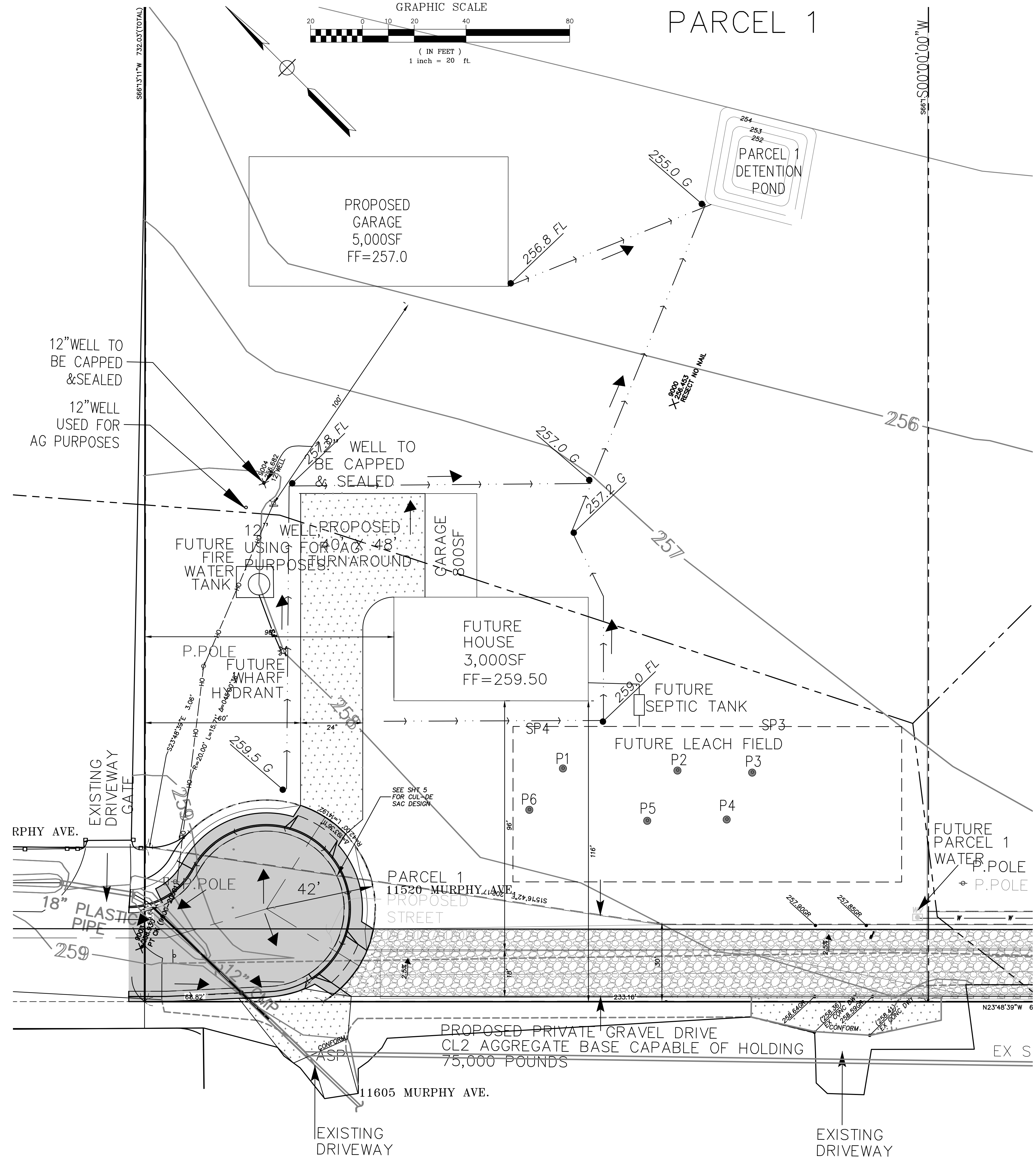
PARCEL 1

GENERAL NOTES

1. THE CONTRACTOR SHALL LAY OUT THE WORK, SETTING GRADESTAKES, ESTABLISHING LINES, BASE LINES, ELEVATIONS AND OTHER REFERENCE MARKERS AND INFORMATION NECESSARY TO COMPLETE THE WORK AND SHALL BE RESPONSIBLE FOR THE ACCURACY THEREOF.
2. ANY INCONSISTENCIES IN EXISTING OR PROPOSED ELEVATIONS SHALL BE BROUGHT TO THE NOTICE OF THE OWNER'S REPRESENTATIVE FOR RESOLUTION PRIOR TO CONSTRUCTION OR AS SOON AS DISCOVERED.
3. IN THE EVENT THAT ANY UNKNOWN UNDERGROUND TANKS OR STRUCTURES OR UTILITY LINES ARE DISCOVERED ON THE SITE, THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE TO DETERMINE THE DISPOSITION OF THE STRUCTURE.
4. CONTRACTOR SHALL IMPORT REQUIRED MATERIALS OR EXPORT EXCESS AS REQUIRED TO ESTABLISH PLAN GRADES. EXCESS MATERIAL IF ANY SHALL BE DISPOSED OFF-SITE AT COUNTY APPROVED DUMPSITE.
5. EXISTING WATER, STORM AND SANITARY INVERTS SHALL BE EXPOSED AND VERIFIED PRIOR TO ANY NEW CONSTRUCTION.

GRADING & PAVING LEGEND

- NEW ASPHALT PAVING
2 1/2" AC ON 6" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (95%)
- REMOVE EXISTING GRAVEL DRIVEWAY
- FLOOD ZONE AH ELEVATION 256
- GRAVEL DRIVEWAY
2" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (90%)
- GRAVEL ROAD
2" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (90%)
LIMIT OF GRADING
- SAW CUT LINE
- DRAINAGE FLOW LINE
- GRADE BREAK LINE
- RAIN WATER LEADER
- MATCH EXISTING GRADE
- PORTLAND CEMENT CONCRETE
- EXIST.
- FINISH FLOOR
- FLOW LINE
- GROUND
- GRADE BREAK
- GRAVEL ROAD
- TOP OF CURB
- TOP OF WALL
- TYP.



DATE: 03-20-2023

ENGINEER'S NAME: MARK E. SORENSON
 ADDRESS: 5138 Keystone Drive
Fremont, Ca. 94536
 PHONE NO. 925-683-2910
 FAX NO. _____

**SITE GRADING PLAN
PARCEL 1**

PROJECT NO. CONTRERAS PLOT DATE: 03-20-2023

Revision	Date	Revision	Date
Revision A	Date	APN	860-05-055
Revision B	Date	Co. File	PLN18-11442
Revision C	Date	PLN18-11442	

Sheet 3 of 8

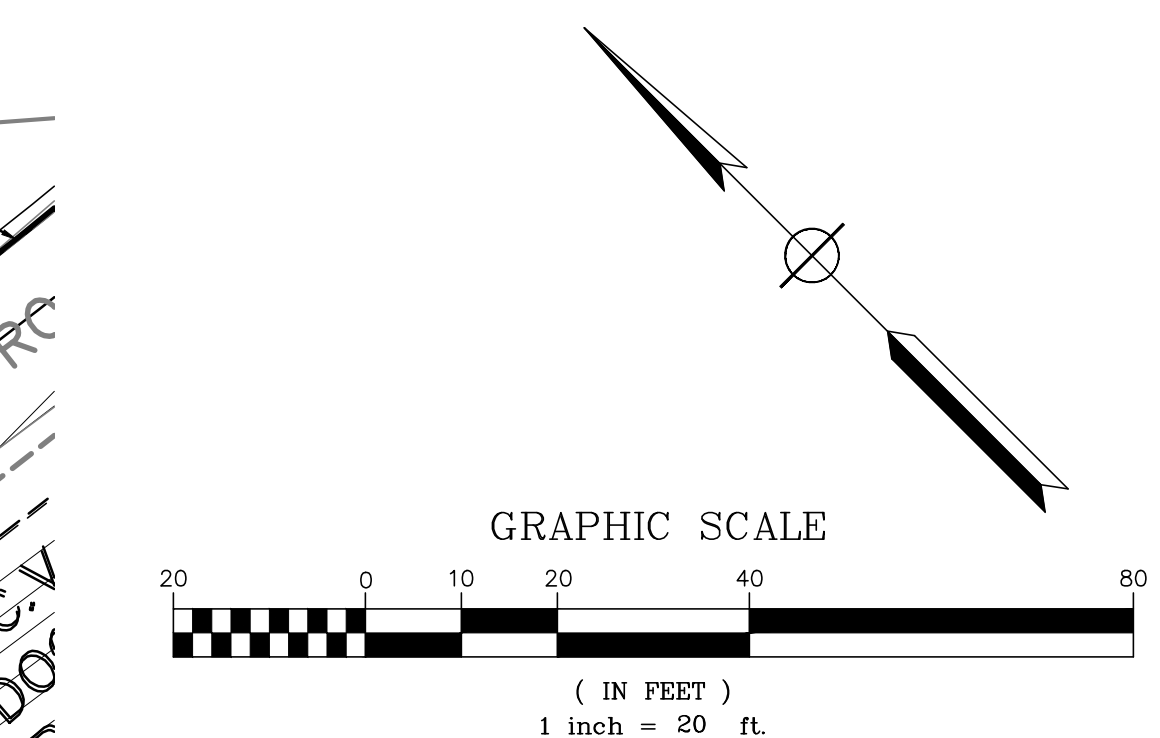
PLAN # _____ OF _____ SHEET _____ OF _____

GENERAL NOTES

1. THE CONTRACTOR SHALL LAY OUT THE WORK, SETTING GRADESTAKES, ESTABLISHING LINES, BASE LINES, ELEVATIONS AND OTHER REFERENCE MARKERS AND INFORMATION NECESSARY TO COMPLETE THE WORK AND SHALL BE RESPONSIBLE FOR THE ACCURACY THEREOF.
2. ANY INCONSISTENCIES IN EXISTING OR PROPOSED ELEVATIONS SHALL BE BROUGHT TO THE NOTICE OF THE OWNER'S REPRESENTATIVE FOR RESOLUTION PRIOR TO CONSTRUCTION OR AS SOON AS DISCOVERED.
3. IN THE EVENT THAT ANY UNKNOWN UNDERGROUND TANKS OR STRUCTURES OR UTILITY LINES ARE DISCOVERED ON THE SITE, THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE TO DETERMINE THE DISPOSITION OF THE STRUCTURE.
4. CONTRACTOR SHALL IMPORT REQUIRED MATERIALS OR EXPORT EXCESS AS REQUIRED TO ESTABLISH PLAN GRADES. EXCESS MATERIAL IF ANY SHALL BE DISPOSED OFF-SITE AT COUNTY APPROVED DUMP SITE.
5. EXISTING WATER, STORM AND SANITARY INVERTS SHALL BE EXPOSED AND VERIFIED PRIOR TO ANY NEW CONSTRUCTION.

GRADING & PAVING LEGEND

- NEW ASPHALT PAVEMENT
2 1/2" AC ON 6" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (95%)
- REMOVE EXISTING GRAVEL DRIVEWAY
- FLOOD ZONE AH ELEVATION 256
- GRAVEL DRIVEWAY
2" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (90%)
- GRAVEL ROAD
2" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (90%)
- LIMIT OF GRADING
- SAW CUT LINE
- DRAINAGE FLOW LINE
- GRADE BREAK LINE
- RAIN WATER LEADER
- MATCH EXISTING GRADE
- PORTLAND CEMENT CONCRETE
- EXISTING
- FINISH FLOOR
- FLOW LINE
- GROUND
- GRADE BREAK
- GRAVEL ROAD
- TOP OF CURB
- TOP OF WALL
- TYP.



BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS MAP ARE BASED ON THE CENTERLINE OF CHURCH AVENUE AS FOUND MONUMENTED AND RECORDED AS N66°11'00"E IN BOOK 908 OF MAPS, AT PAGES 38-39, SANTA CLARA COUNTY RECORDS.



BASIS OF ELEVATIONS

THE ELEVATIONS SHOWN ON THIS MAP ARE BASED ON THE VALLEY WATER BENCHMARK NO. 315.
ELEVATION = 267.89' (NAVD88)

ENGINEER'S NAME: MARK E. SORENSON

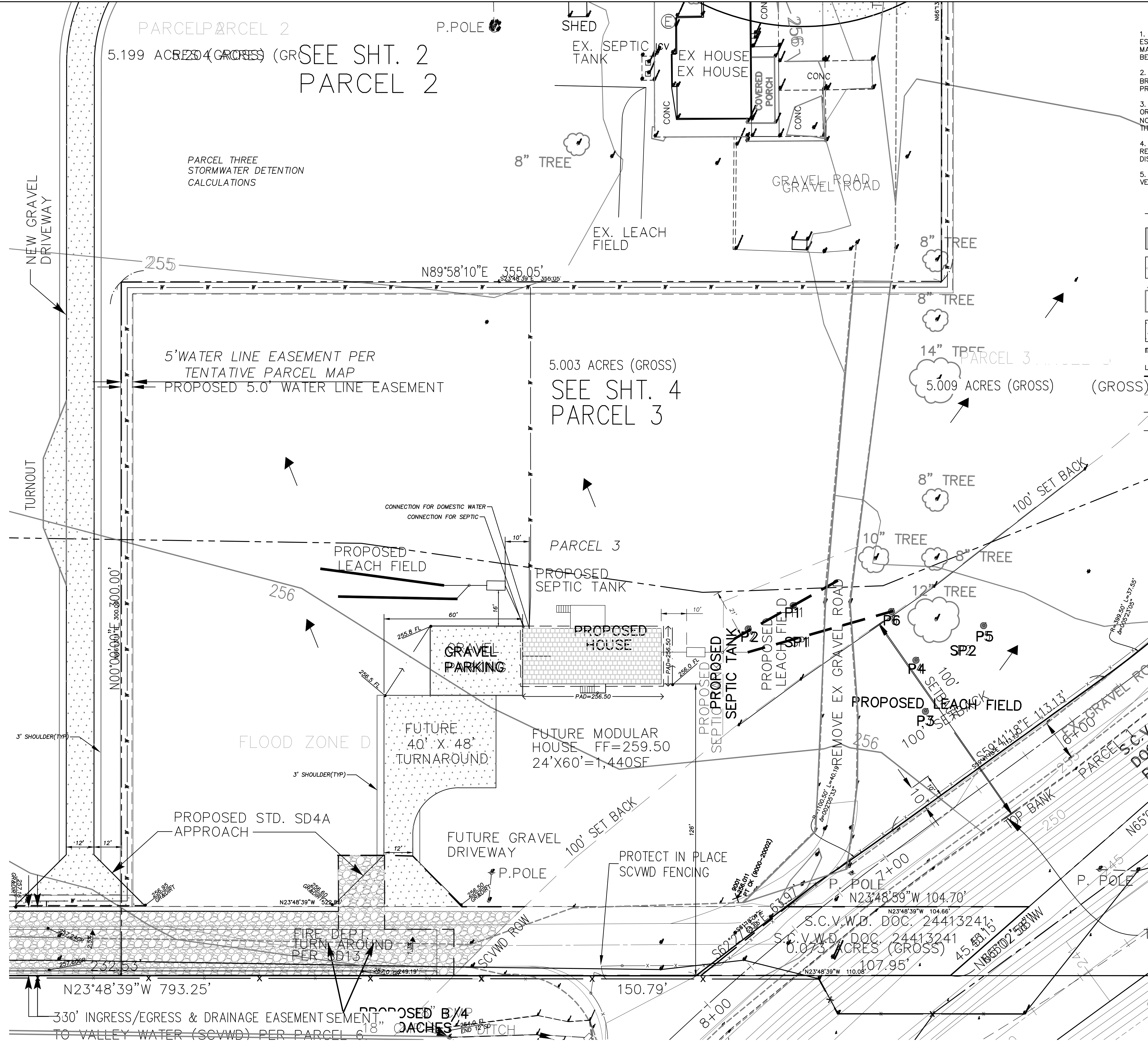
ADDRESS: 5138 Keystone Drive
Fremont, Ca. 94536
PHONE NO. 925-683-2910
FAX NO.

SITE GRADING PLAN
PARCEL 3

PROJECT NO. CONTRERAS PLOT DATE: 03-20-2023

Revision	Date	Revision	Date
Revision Δ	Date	Revision Δ	Date
Revision Δ	Date	APN	860-05-055
Revision Δ	Date	Co. File	
Revision Δ	Date	PLN18-11442	

Sheet 4 of 8



PLAN # OF SHEET

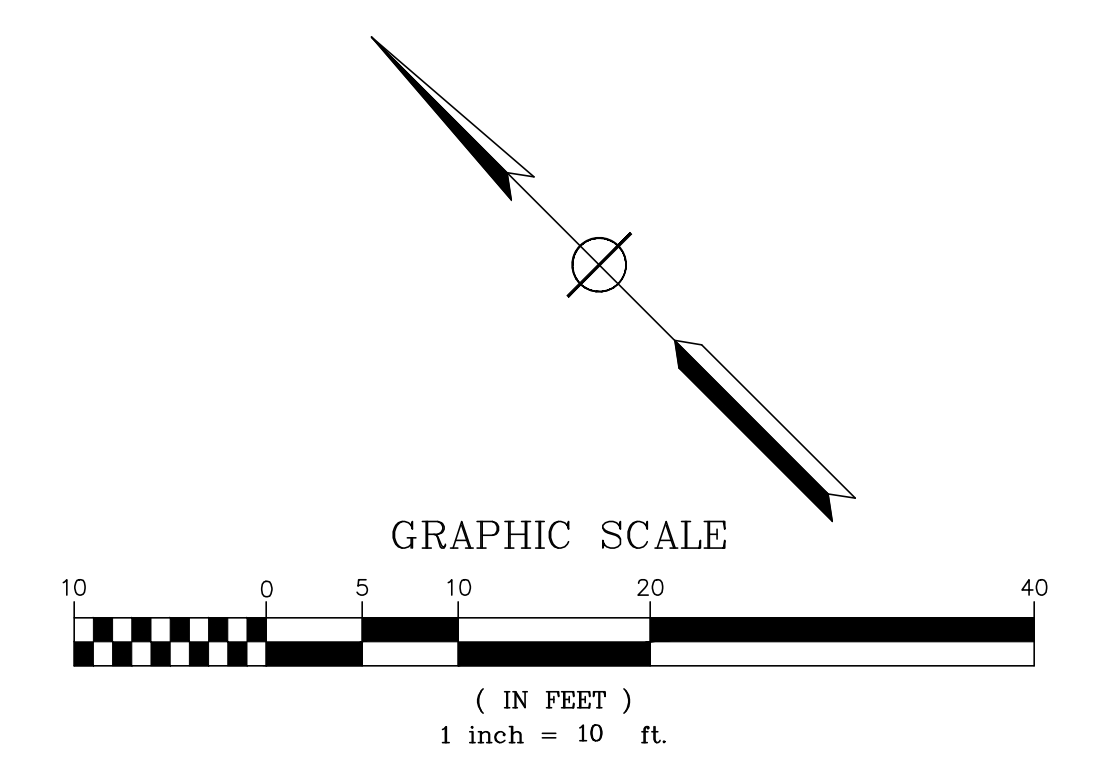
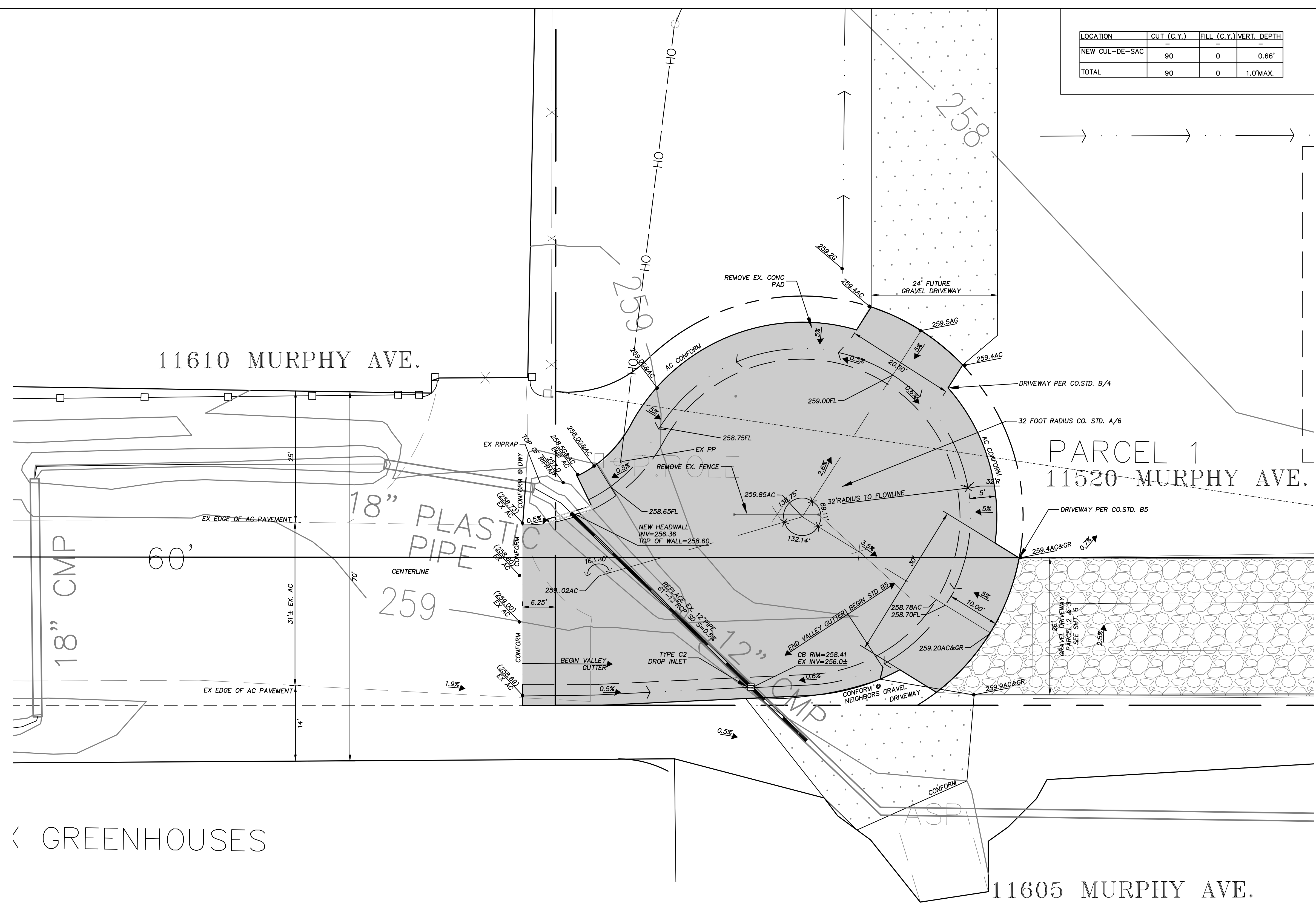
LOCATION	CUT (C.Y.)	FILL (C.Y.)	VERT. DEPTH
NEW CUL-DE-SAC	90	0	0.66'
TOTAL	90	0	1.0'MAX.

GENERAL NOTES

- THE CONTRACTOR SHALL LAY OUT THE WORK, SETTING GRADESTAKES, ESTABLISHING LINES, BASE LINES, ELEVATIONS AND OTHER REFERENCE MARKERS AND INFORMATION NECESSARY TO COMPLETE THE WORK AND SHALL BE RESPONSIBLE FOR THE ACCURACY THEREOF.
- ANY INCONSISTENCIES IN EXISTING OR PROPOSED ELEVATIONS SHALL BE BROUGHT TO THE NOTICE OF THE OWNER'S REPRESENTATIVE FOR RESOLUTION PRIOR TO CONSTRUCTION OR AS SOON AS DISCOVERED.
- IN THE EVENT THAT ANY UNKNOWN UNDERGROUND TANKS OR STRUCTURES OR UTILITY LINES ARE DISCOVERED ON THE SITE, THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE TO DETERMINE THE DISPOSITION OF THE STRUCTURE.
- CONTRACTOR SHALL IMPORT REQUIRED MATERIALS OR EXPORT EXCESS AS REQUIRED TO ESTABLISH PLAN GRADES. EXCESS MATERIAL IF ANY SHALL BE DISPOSED OFF-SITE AT COUNTY APPROVED DUMPSITE.
- EXISTING WATER, STORM AND SANITARY INVERTS SHALL BE EXPOSED AND VERIFIED PRIOR TO ANY NEW CONSTRUCTION.

GRADING & PAVING LEGEND

- NEW ASPHALT PAVEMENT
2 1/2" AC ON 6" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (95%)
- REMOVE EXISTING GRAVEL DRIVEWAY
- FLOOD ZONE AH ELEVATION 256
- GRAVEL DRIVEWAY
2" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (90%)
- GRAVEL ROAD
2" CLASS 3 AB
ON 6" RECOMPACTED SUBGRADE (90%)
LIMIT OF GRADING
- SAW CUT LINE
- DRAINAGE FLOW LINE
- GRADE BREAK LINE
- R/WL
- RAIN WATER LEADER
- MATCH EXISTING GRADE
- PORTLAND CEMENT CONCRETE
-
-
-
-
-
-
-
-
-



BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS MAP ARE BASED ON THE CENTERLINE OF CHURCH AVENUE AS FOUND MONUMENTED AND RECORDED AS N66°11'00"E IN BOOK 908 OF MAPS, AT PAGES 38-39, SANTA CLARA COUNTY RECORDS.



BASIS OF ELEVATIONS

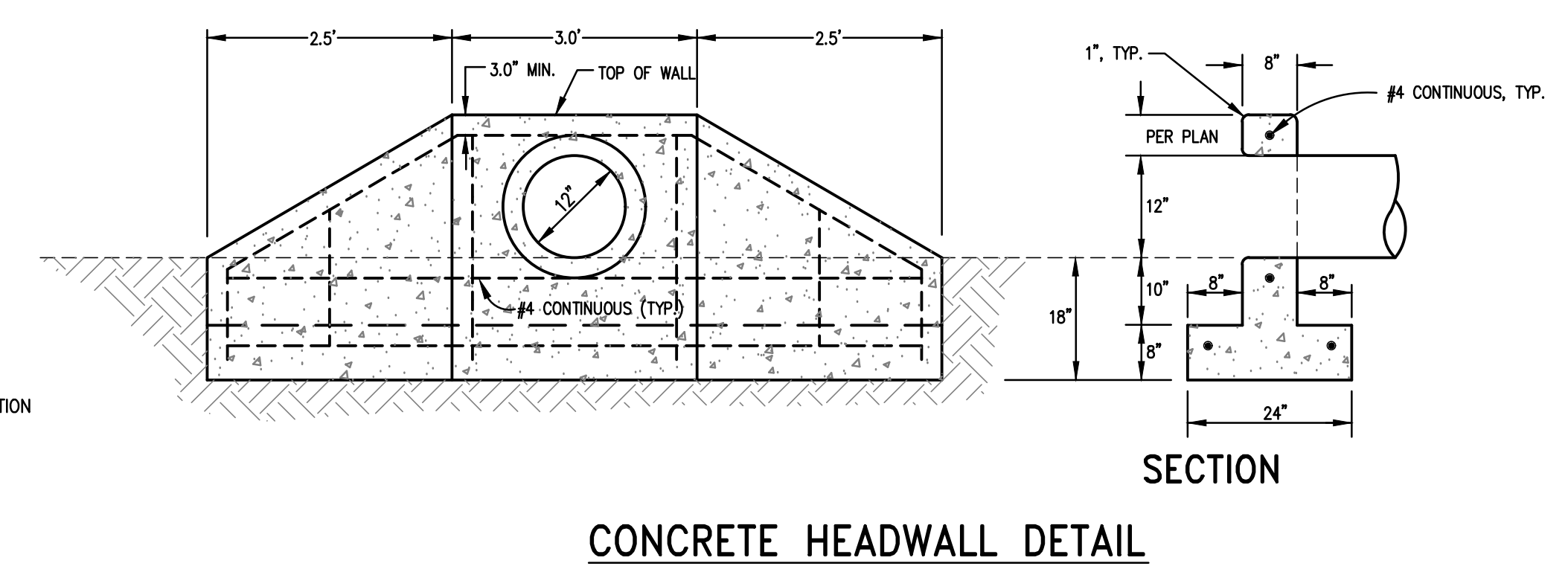
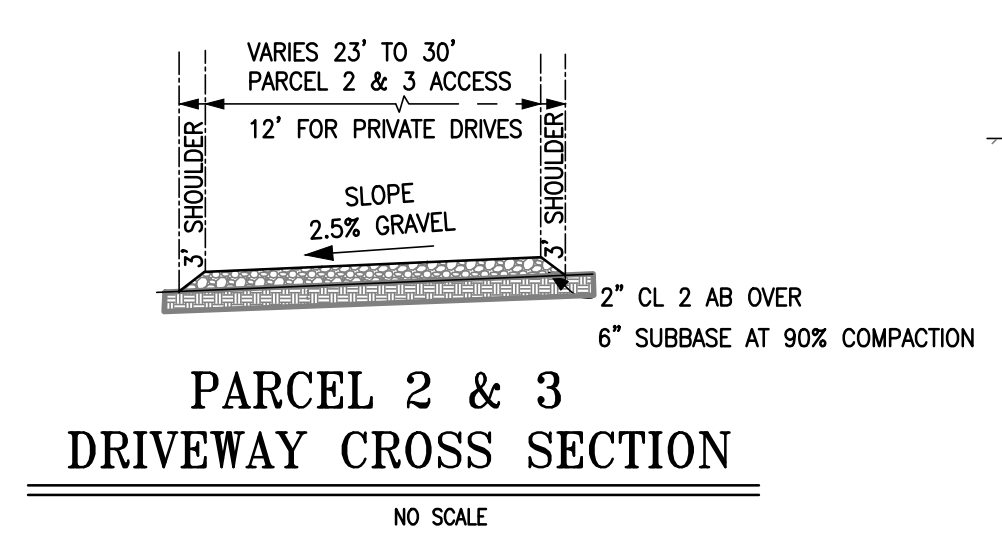
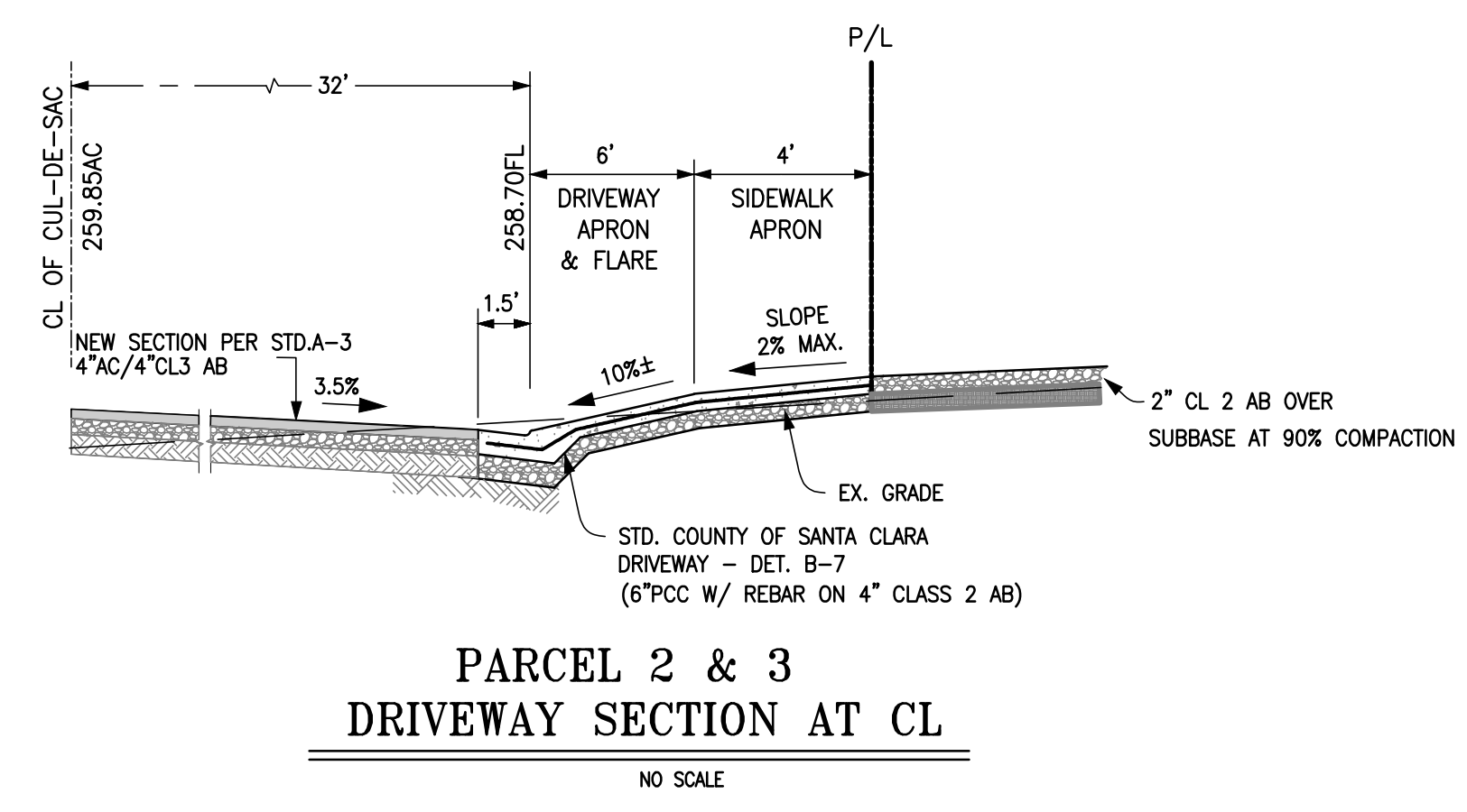
THE ELEVATIONS SHOWN ON THIS MAP ARE BASED ON THE VALLEY WATER BENCHMARK No. 315.
ELEVATION = 267.89' (NAVD88)

DATE: 03-20-2023

ENGINEER'S NAME: MARK E. SORENSON
 ADDRESS: 5138 Keystone Drive
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 PHONE NO. 925-683-2910
 FAX NO. _____

SITE GRADING PLAN PARCEL 1

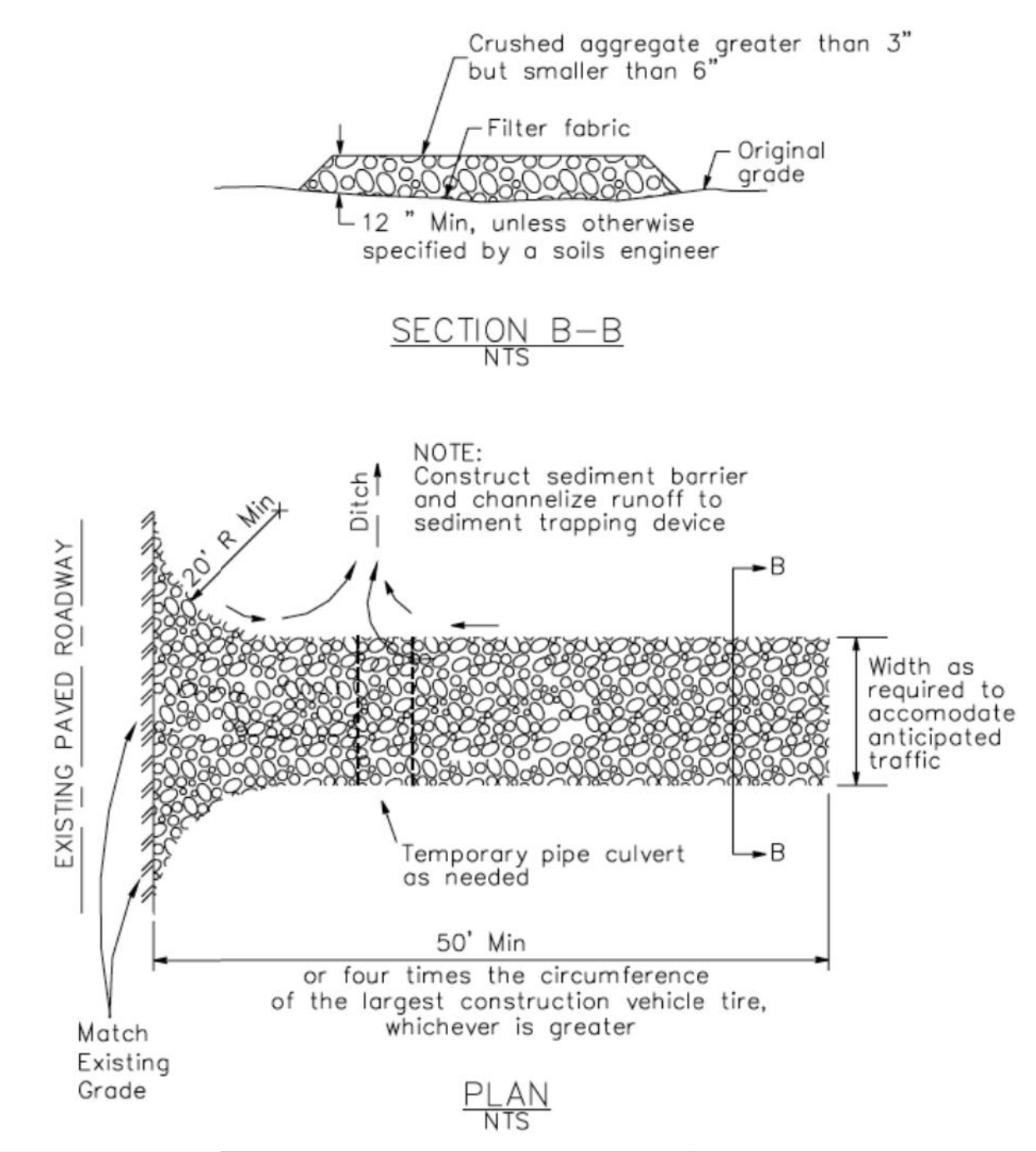
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Revision Δ	Date	Revision Δ	Date
Revision Δ	Date	APN	860-05-055
Revision Δ	Date	Co. File	PLN18-11442
Revision Δ	Date	Sheet	5
		of	8



PLAN # _____ OF _____ SHEET _____

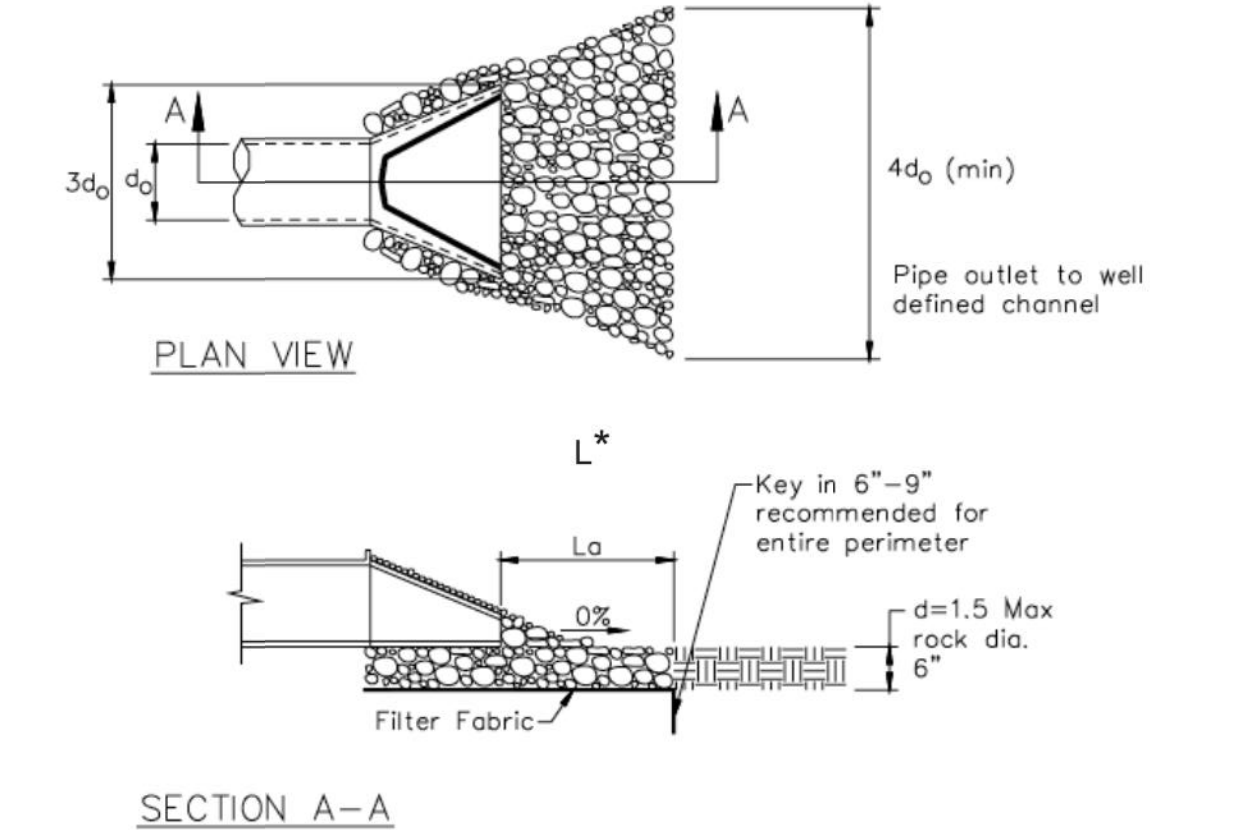
3 Stabilized Construction Entrance/Exit

CASQA Detail TC-1



4 Velocity Dissipation Devices

CASQA Detail EC-10

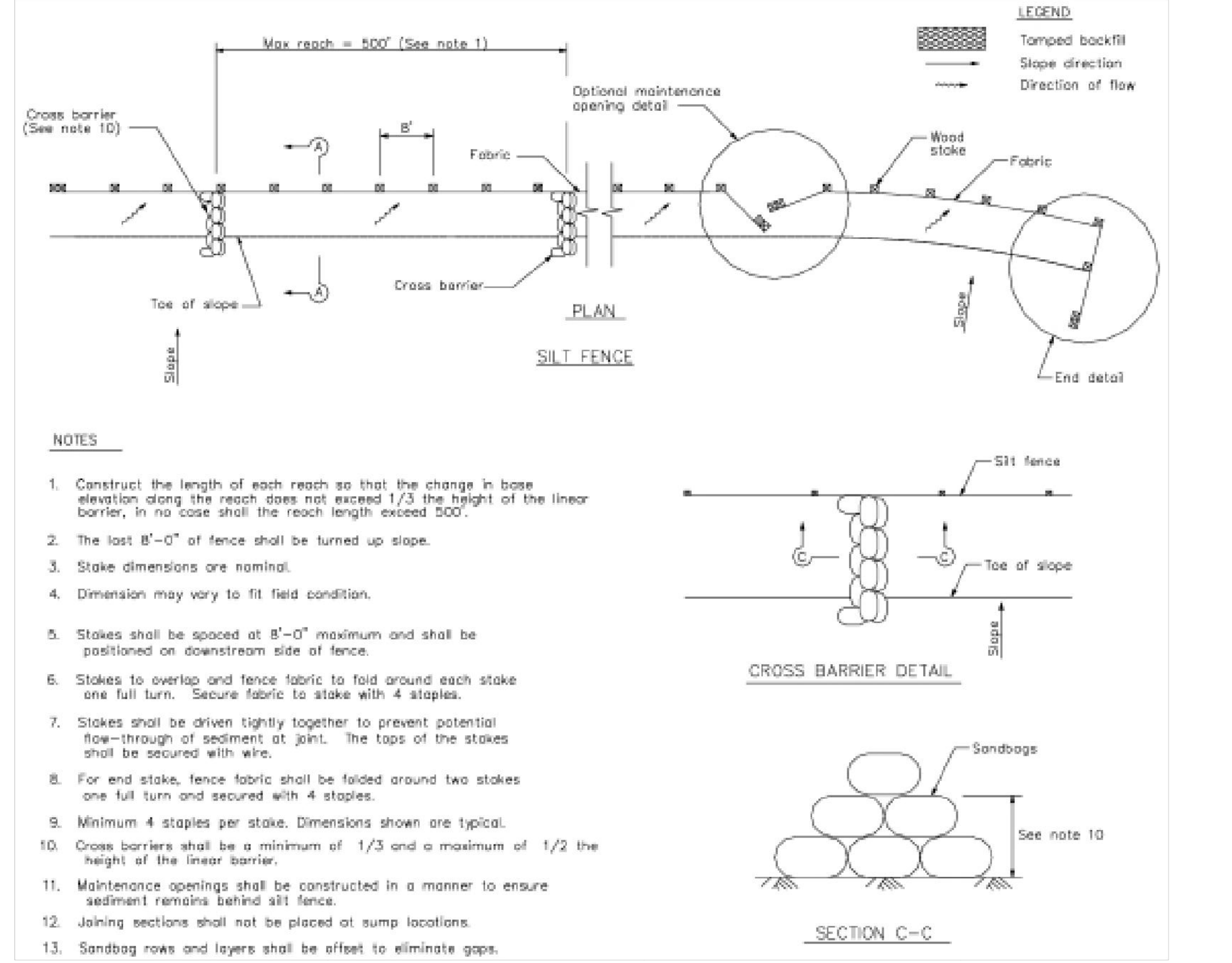


* Length per ABAG Design Standards

Source for Graphics: California Stormwater BMP Handbook, California Stormwater Quality Association, January 2003. Available from www.cabmphandbooks.com.

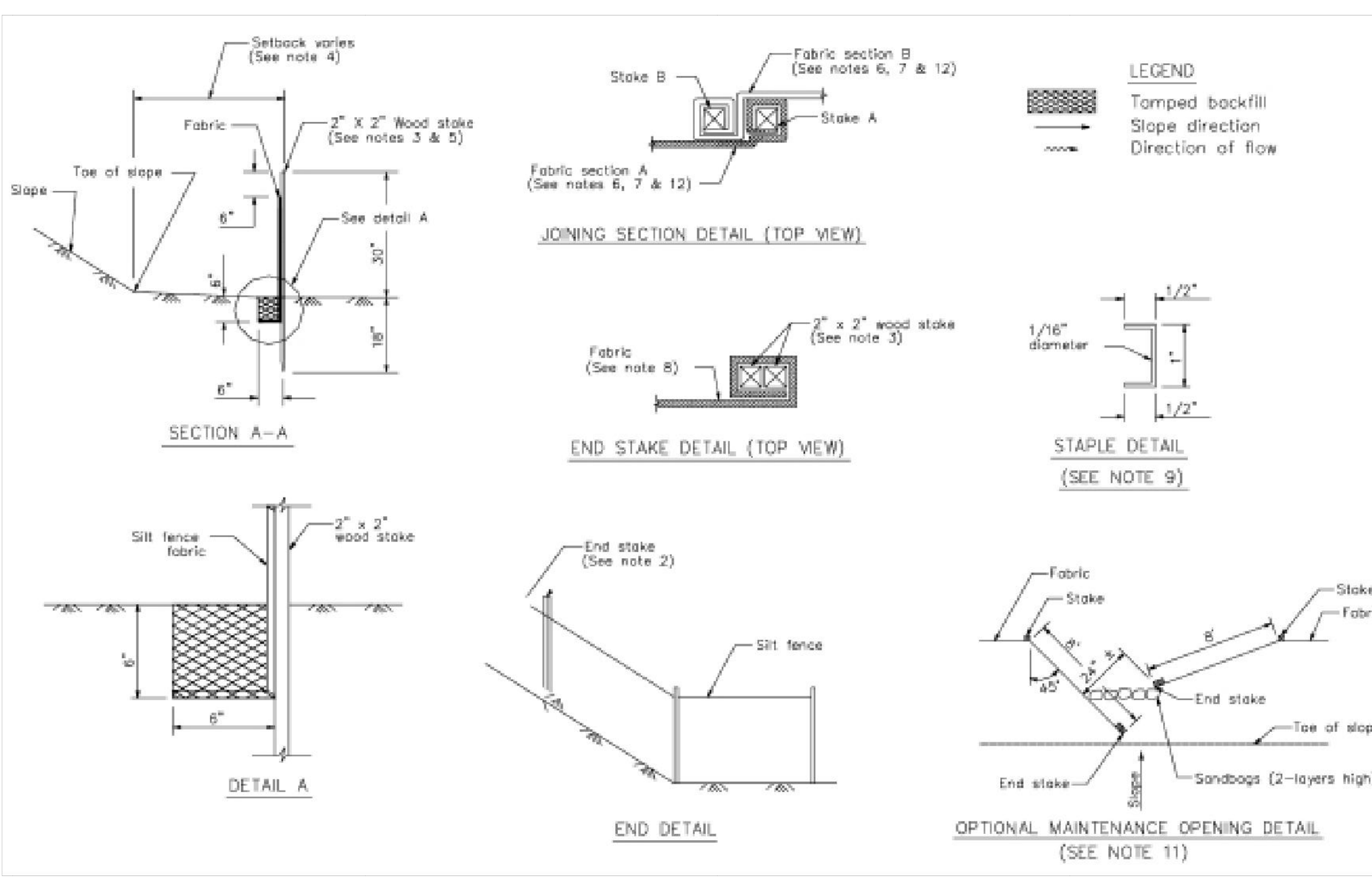
1 Silt Fence

CASQA Detail SE-1



2 Silt Fence

CASQA Detail SE-1



STANDARD BEST MANAGEMENT PRACTICE NOTES

- Solid and Demolition Waste Management:** Provide designated waste collection areas and containers on site away from streets, gutters, storm drains, and waterways, and arrange for regular disposal. Waste containers must be watertight and covered at all times except when waste is deposited. Refer to Erosion & Sediment Control Field Manual, 4th Edition (page C3) or latest.
- Hazardous Waste Management:** Provide proper handling and disposal of hazardous wastes by a licensed hazardous waste material hauler. Hazardous wastes shall be stored and properly labeled in sealed containers constructed of suitable materials. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-5 to C-6) or latest.
- Spill Prevention and Control:** Provide proper storage areas for liquid and solid materials, including chemicals and hazardous substances, away from streets, gutters, storm drains, and waterways. Spill control materials must be kept on site where readily accessible. Spills must be cleaned up immediately and contaminated soil disposed properly. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-7 to C-8, C-13 to C-14) or latest.
- Vehicle and Construction Equipment Service and Storage:** An area shall be designated for the maintenance, where on-site maintenance is required, and storage of equipment that is protected from stormwater run-on and runoff. Measures shall be provided to capture any waste oils, lubricants, or other potential pollutants and these wastes shall be properly disposed of off site. Fueling and major maintenance/repair, and washing shall be conducted off-site whenever feasible. Refer to Erosion & Sediment Control Field Manual, 4th Edition (page C9) or latest.
- Material Delivery, Handling and Storage:** In general, materials should not be stockpiled on site. Where temporary stockpiles are necessary and approved by the County, they shall be covered with secured plastic sheeting or tarp and located in designated areas near construction entrances and away from drainage paths and waterways. Barriers shall be provided around storage areas where materials are potentially in contact with runoff. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-11 to C-12) or latest.
- Handling and Disposal of Concrete and Cement:** When concrete trucks and equipment are washed on-site, concrete wastewater shall be contained in designated containers or in a temporary lined and watertight pit where wasted concrete can harden for later removal. If possible have concrete contractor remove concrete wash water from site. In no case shall fresh concrete be washed into the road right-of-way. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-15 to C-16) or latest.
- Pavement Construction Management:** Prevent or reduce the discharge of pollutants from paving operations, using measures to prevent run-on and runoff pollution and properly disposing of wastes. Avoid paving in the wet season and reschedule paving when rain is in the forecast. Residue from saw-cutting shall be vacuumed for proper disposal. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-17 to C-18) or latest.
- Contaminated Soil and Water Management:** Inspections to identify contaminated soils should occur prior to construction and at regular intervals during construction. Remediating contaminated soil should occur promptly after identification and be specific to the contaminant identified, which may include hazardous waste removal. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-19 to C-20) or latest.
- Sanitary/Septic Water Management:** Temporary sanitary facilities should be located away from drainage paths, waterways, and traffic areas. Only licensed sanitary and septic waste haulers should be used. Secondary containment should be provided for all sanitary facilities. Refer to Erosion & Sediment Control Field Manual, 4th Edition (page C-21) or latest.
- Inspection & Maintenance:** Areas of material and equipment storage sites and temporary sanitary facilities must be inspected weekly. Problem areas shall be identified and appropriate additional and/or alternative control measures implemented immediately, within 24 hours of the problem being identified.

STANDARD EROSION CONTROL NOTES

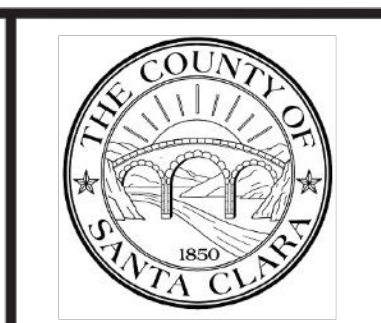
- Sediment Control Management:**
 - Tracking Prevention & Clean Up:** Activities shall be organized and measures taken as needed to prevent or minimize tracking of soil onto the public street system. A gravel or proprietary device construction entrance/exit is required for all sites. Clean up of tracked material shall be provided by means of a street sweeper prior to an approaching rain event, or at least once at the end of each workday that material is tracked, or, more frequently as determined by the County Inspector. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages B-31 to B-33) or latest.
 - Storm Drain Inlet and Catch Basin Inlet Protection:** All inlets within the vicinity of the project and within the project limits shall be protected with gravel bags placed around inlets or other inlet protection. At locations where exposed soils are present, staked fiber rolls or staked silt fences can be used. Inlet filters are not allowed due to clogging and subsequent flooding. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages B-49 to B-51) or latest.
 - Storm Water Runoff:** No storm water runoff shall be allowed to drain in to the existing and/or proposed underground storm drain system or other above ground watercourses until appropriate erosion control measures are fully installed.
 - Dust Control:** The contractor shall provide dust control in graded areas as required by providing dust suppression or chemical stabilization of exposed soils, providing for rapid clean up of sediments deposited on paved roads, furnishing construction road entrances and vehicle wash down areas, and limiting the amount of areas disturbed by clearing and earth moving operations by scheduling these activities in phases.
 - Stockpiling:** Excavated soils shall not be placed in streets or on paved areas. Borrow and temporary stockpiles shall be protected with appropriate erosion control measures (tarps, straw bales, silt fences, etc.) to ensure silt does not leave the site or enter the storm drain system or neighboring watercourse.
- Erosion Control:** During the rainy season, all disturbed areas must include an effective combination of erosion and sediment control. It is required that temporary erosion control measures are applied to all disturbed soil areas prior to a rain event. During the non-rainy season, erosion control measures must be applied sufficient to control wind erosion at the site.
- Inspection & Maintenance:** Disturbed areas of the Project's site, locations where vehicles enter or exit the site, and all erosion and sediment controls that are identified as part of the Erosion Control Plans must be inspected by the Contractor before, during, and after storm events, and at least weekly during seasonal wet periods. Problem areas shall be identified and appropriate additional and/or alternative control measures implemented immediately, within 24 hours of the problem being identified.
- Project Completion:** Prior to project completion and signoff by the County Inspector, all disturbed areas shall be reseeded, planted, or landscaped to minimize the potential for erosion on the subject site.
- It shall be the Owner's/Contractor's responsibility to maintain control of the entire construction operation and to keep the entire site in compliance with the erosion control plan.
- Erosion and sediment control best management practices shall be operable year round or until vegetation is fully established on landscaped surfaces.

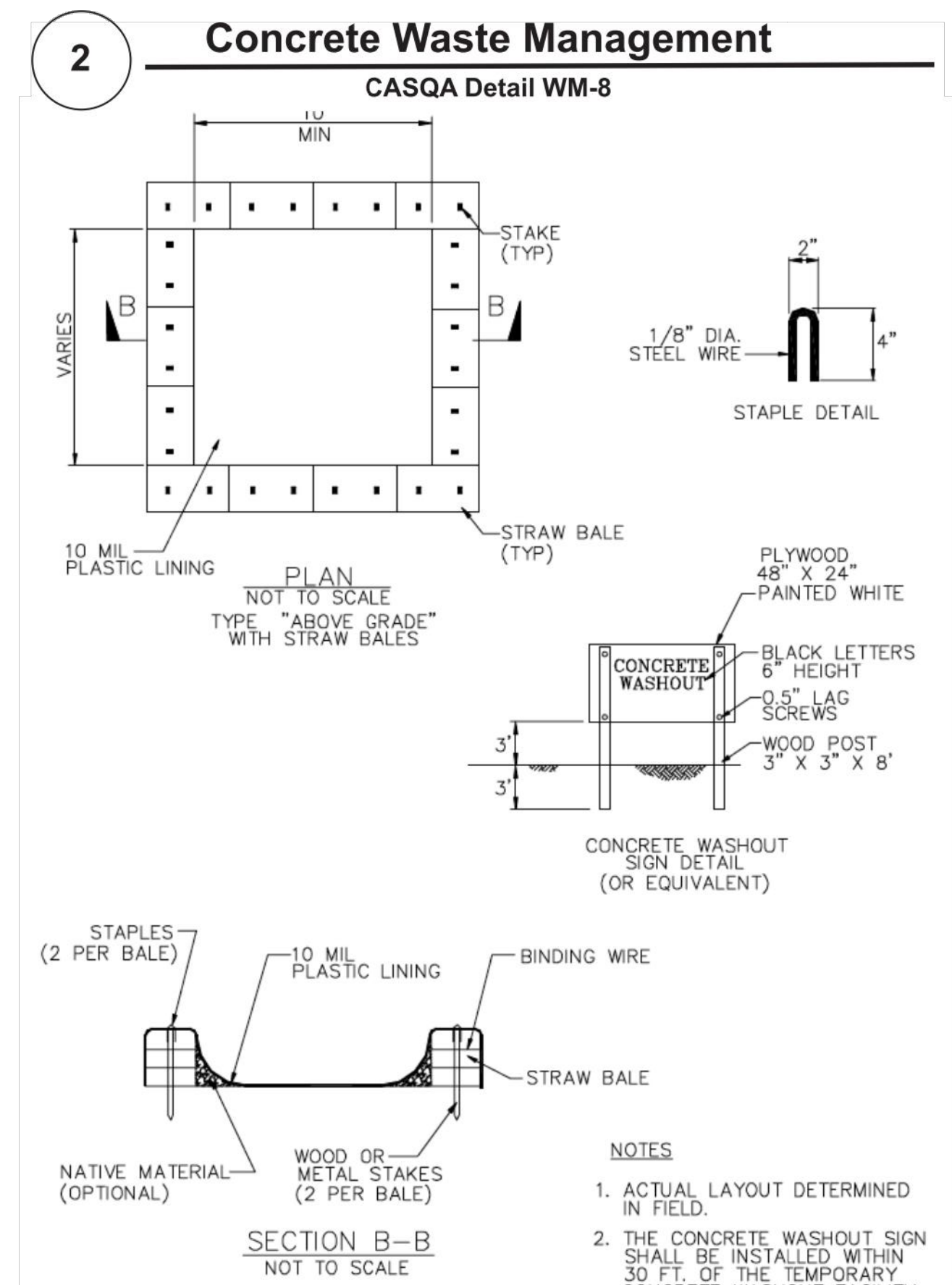
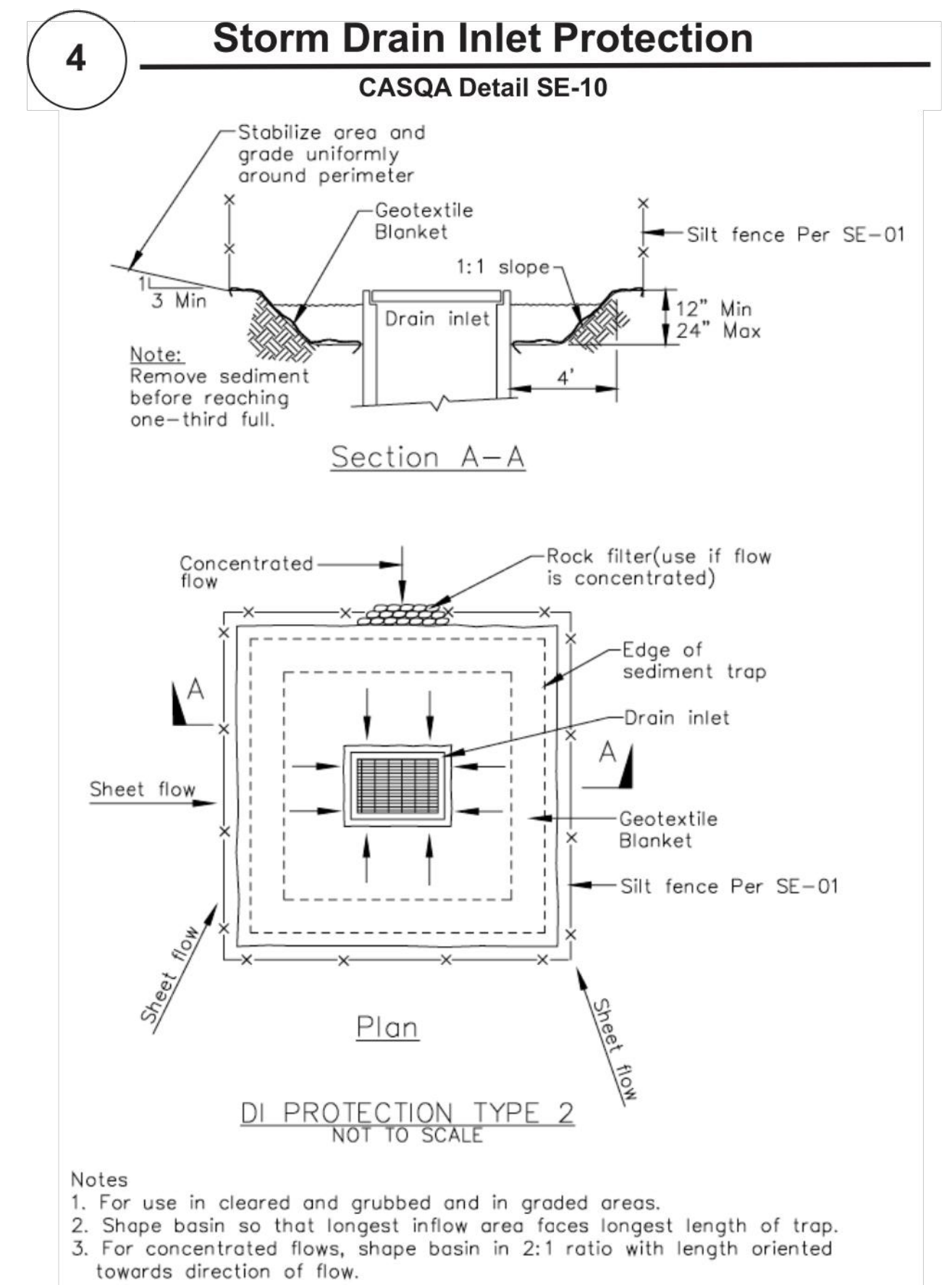
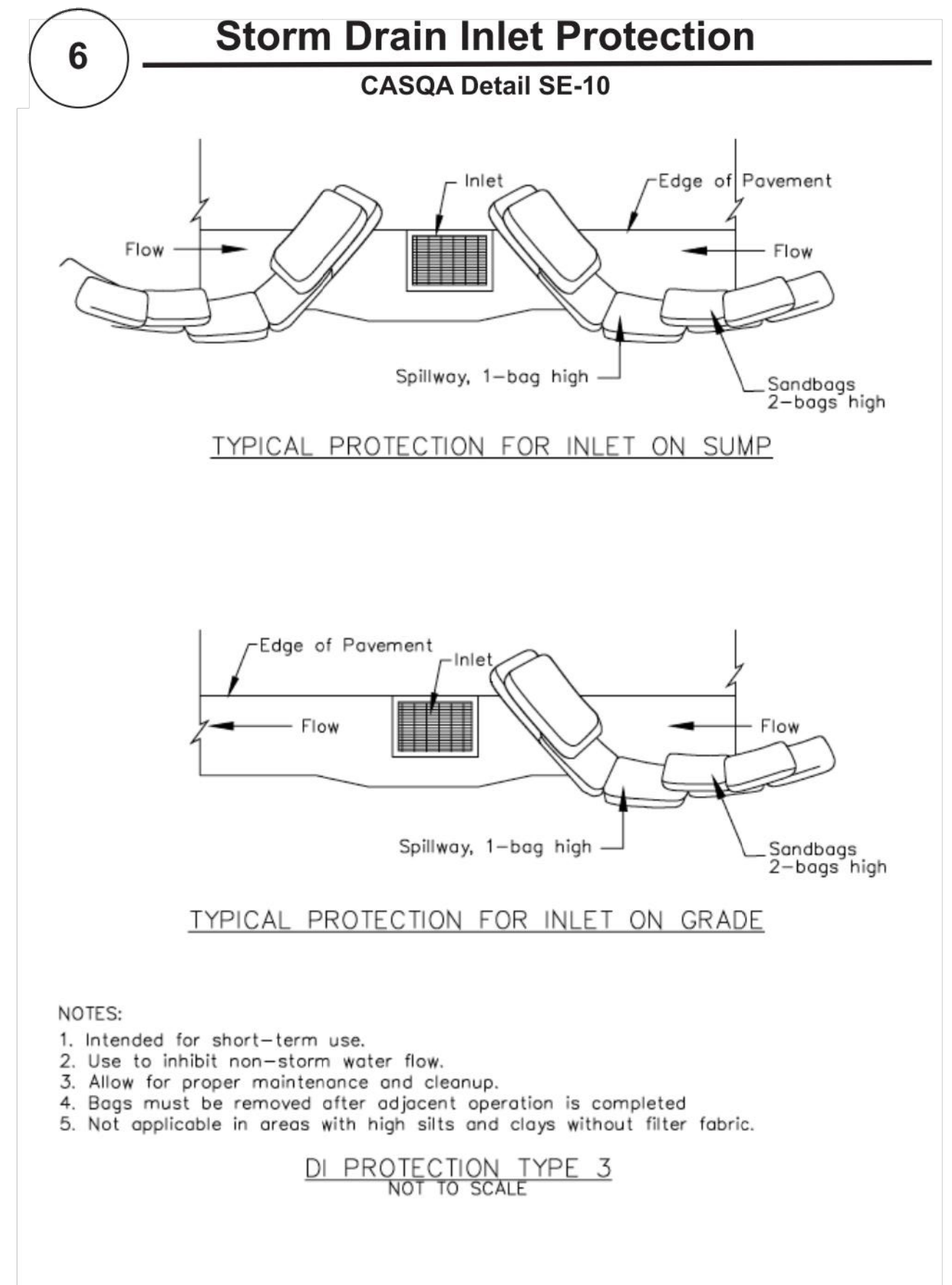
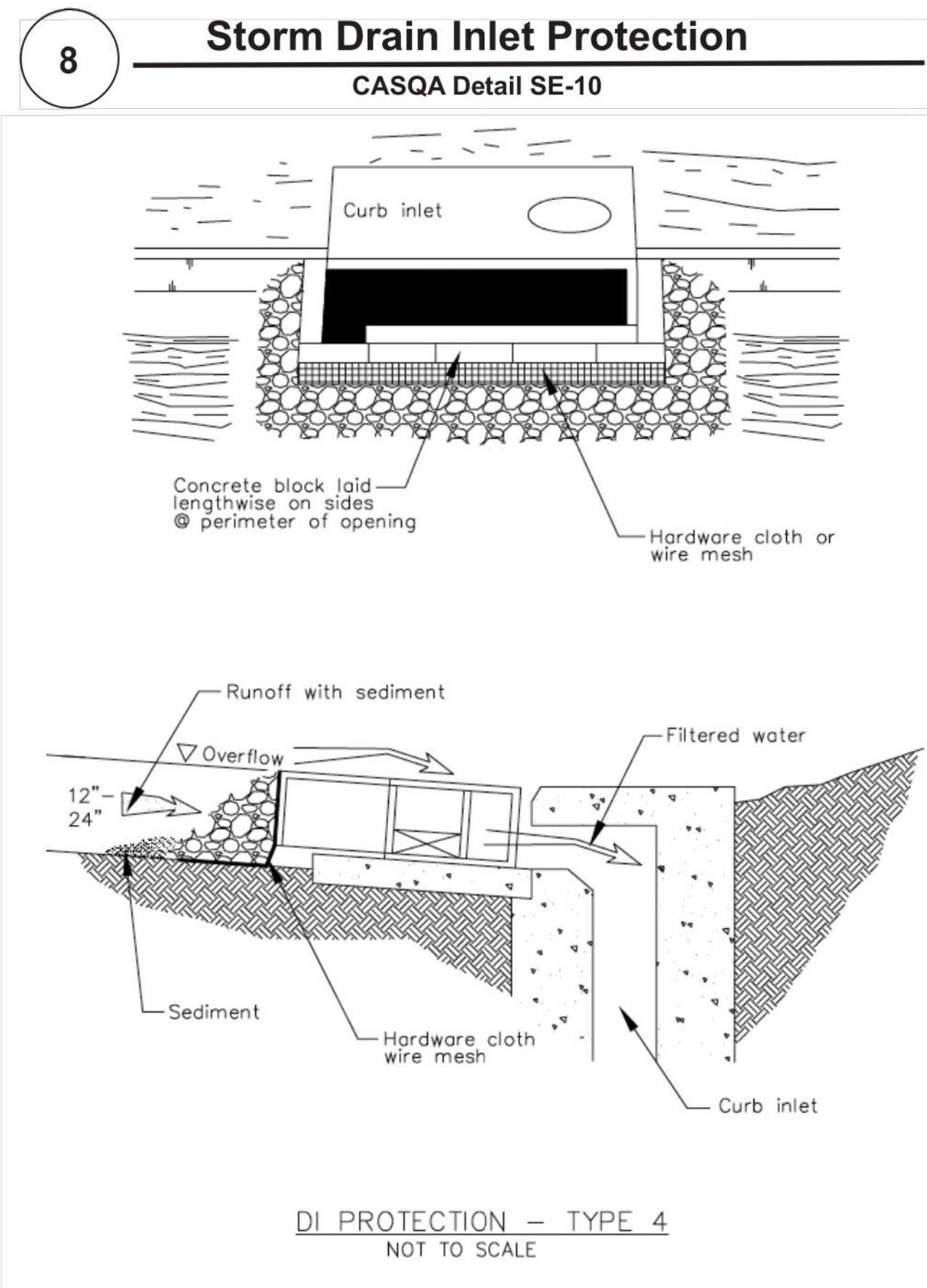
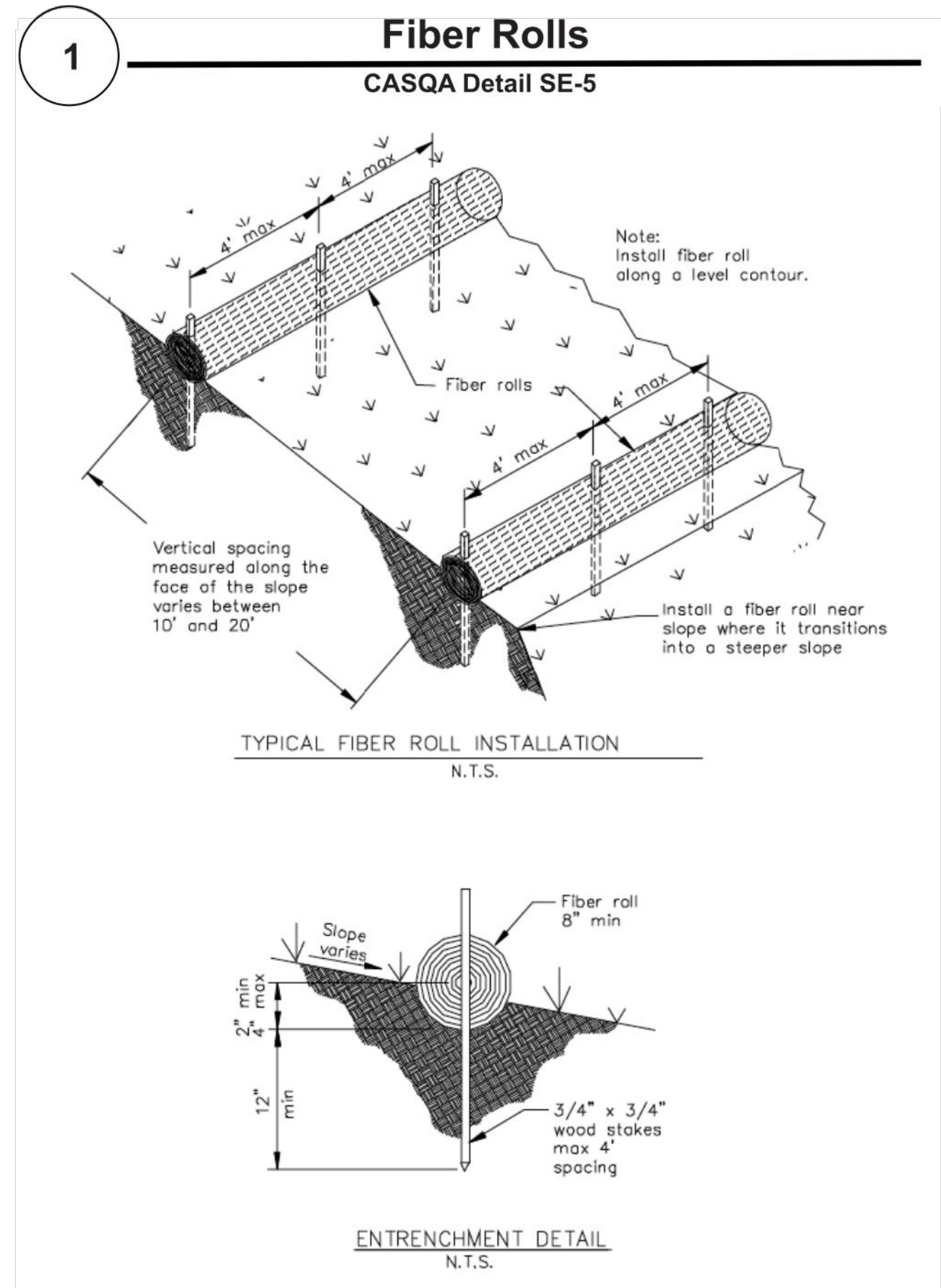
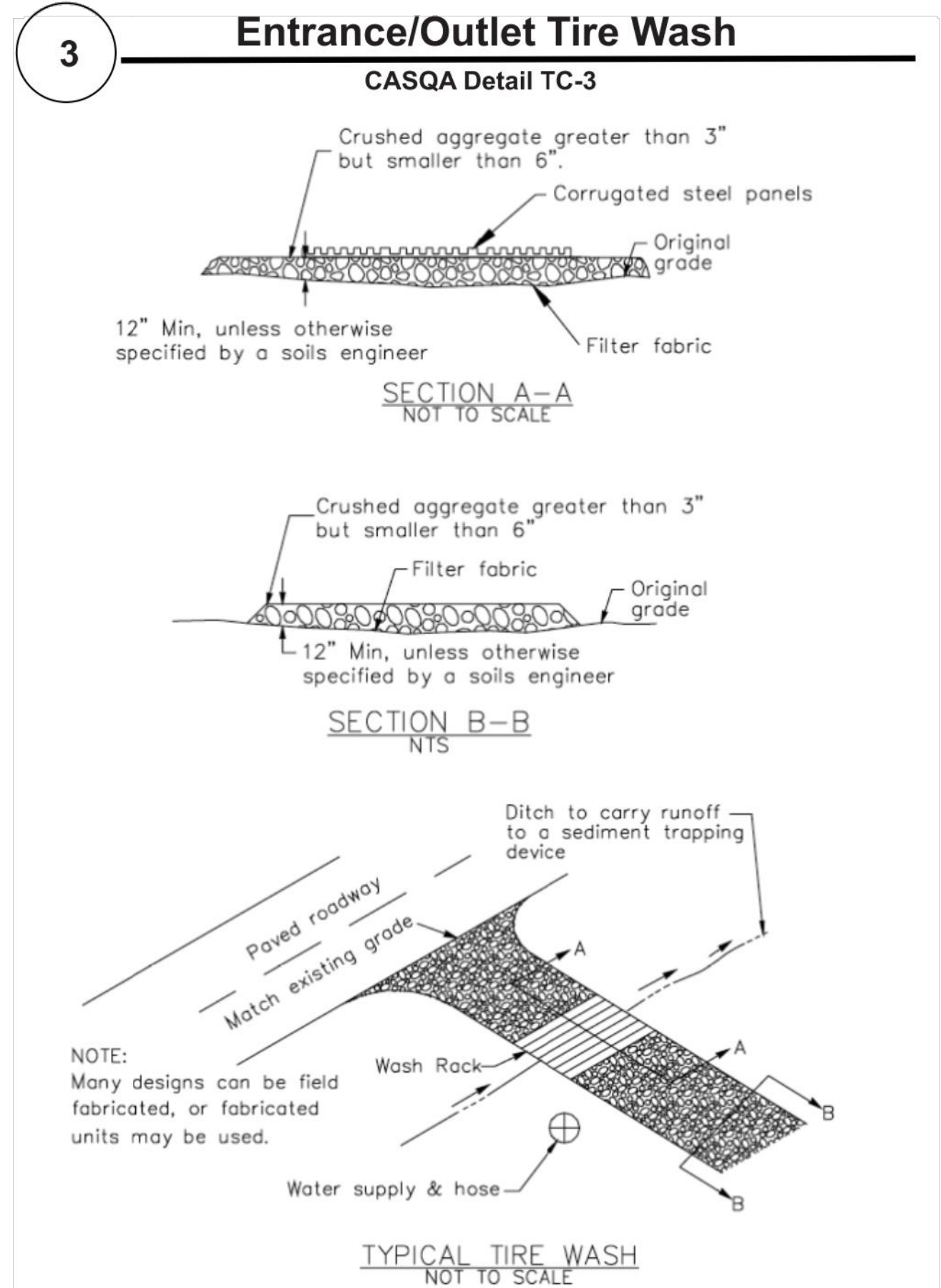
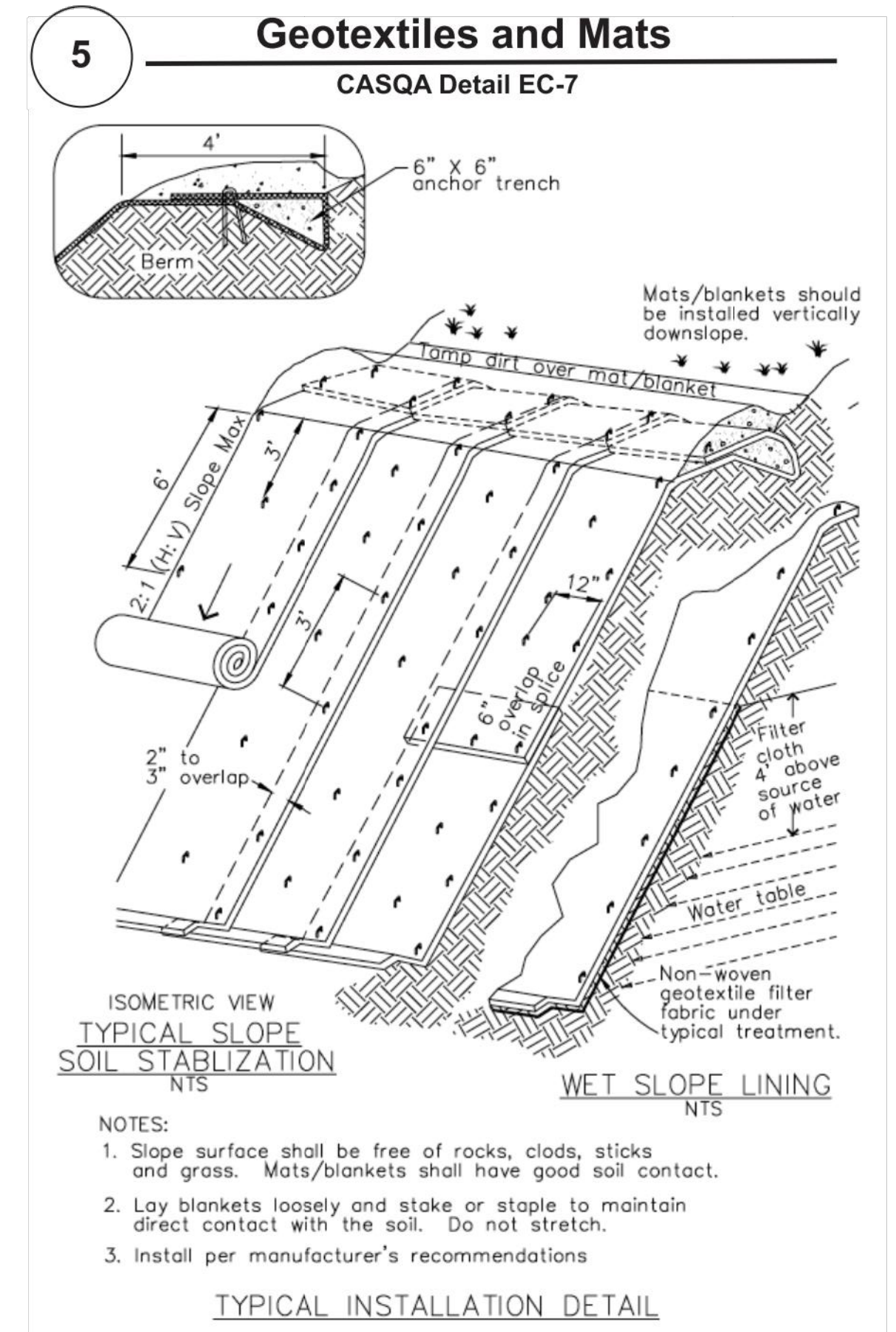
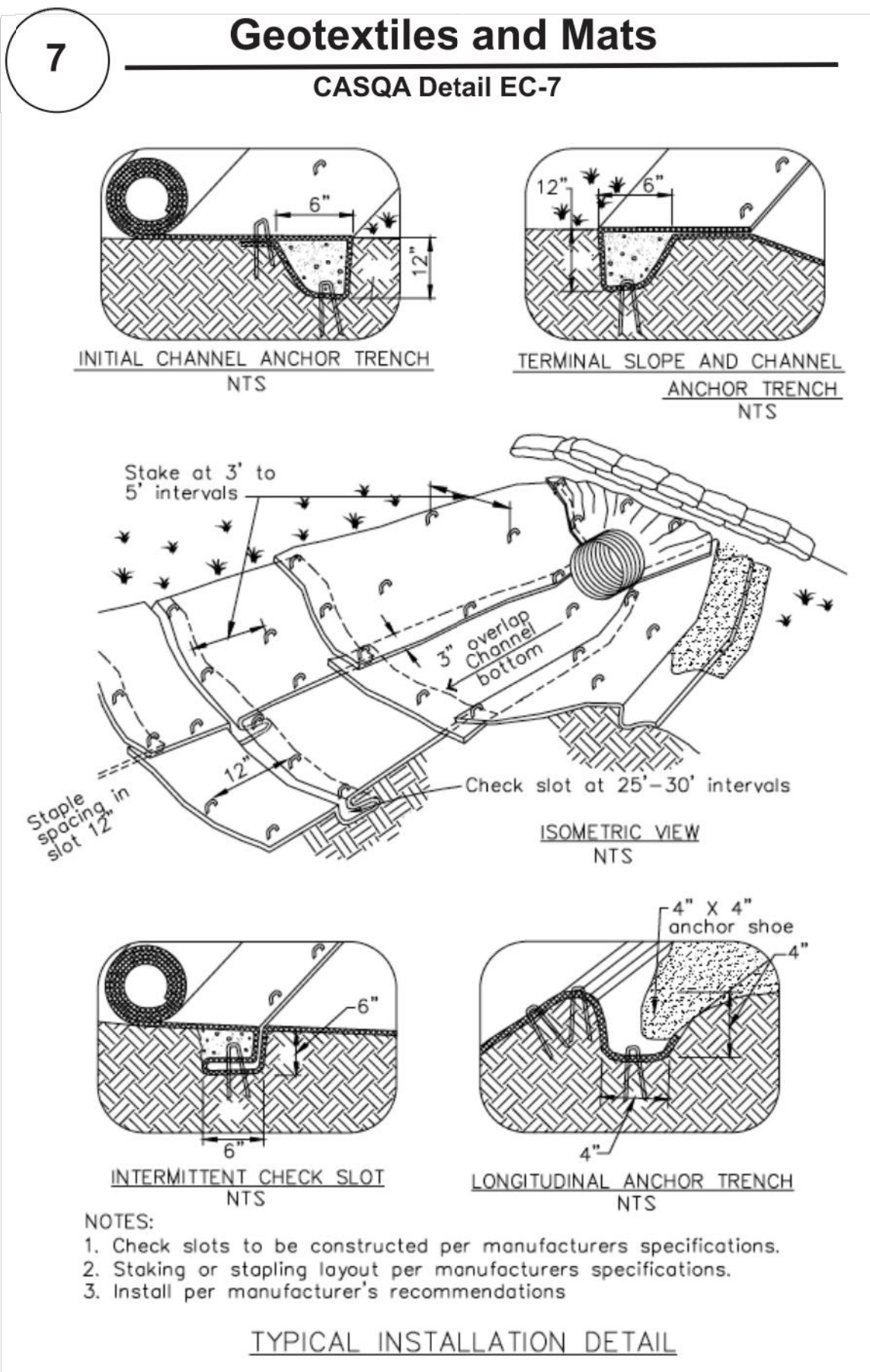
Project Information

ENGINEER'S NAME: MARK E. SORENSON
 ADDRESS: 5138 Keystone Drive
 Fremont, Ca. 94536
 PHONE NO. 925-683-2910
 FAX NO.

Sheet 6 of 8

ROAD: 11520 MURPHY AVENUE
 COUNTY FILE NO.: PLN18-11442
 APPLICANT: MR. JUAN CONTRERAS
 APN: 830-05-055





Source for Graphics: California Stormwater BMP Handbook, California Stormwater Quality Association, January 2003. Available from www.cabmphandbooks.com.

PROJECT INFORMATION

APPLICANT: MR. JUAN CONTRERAS
ROAD: 11520 MURPHY AVENUE
COUNTY FILE NO.: PLN18-11442

APN: 830-05-055

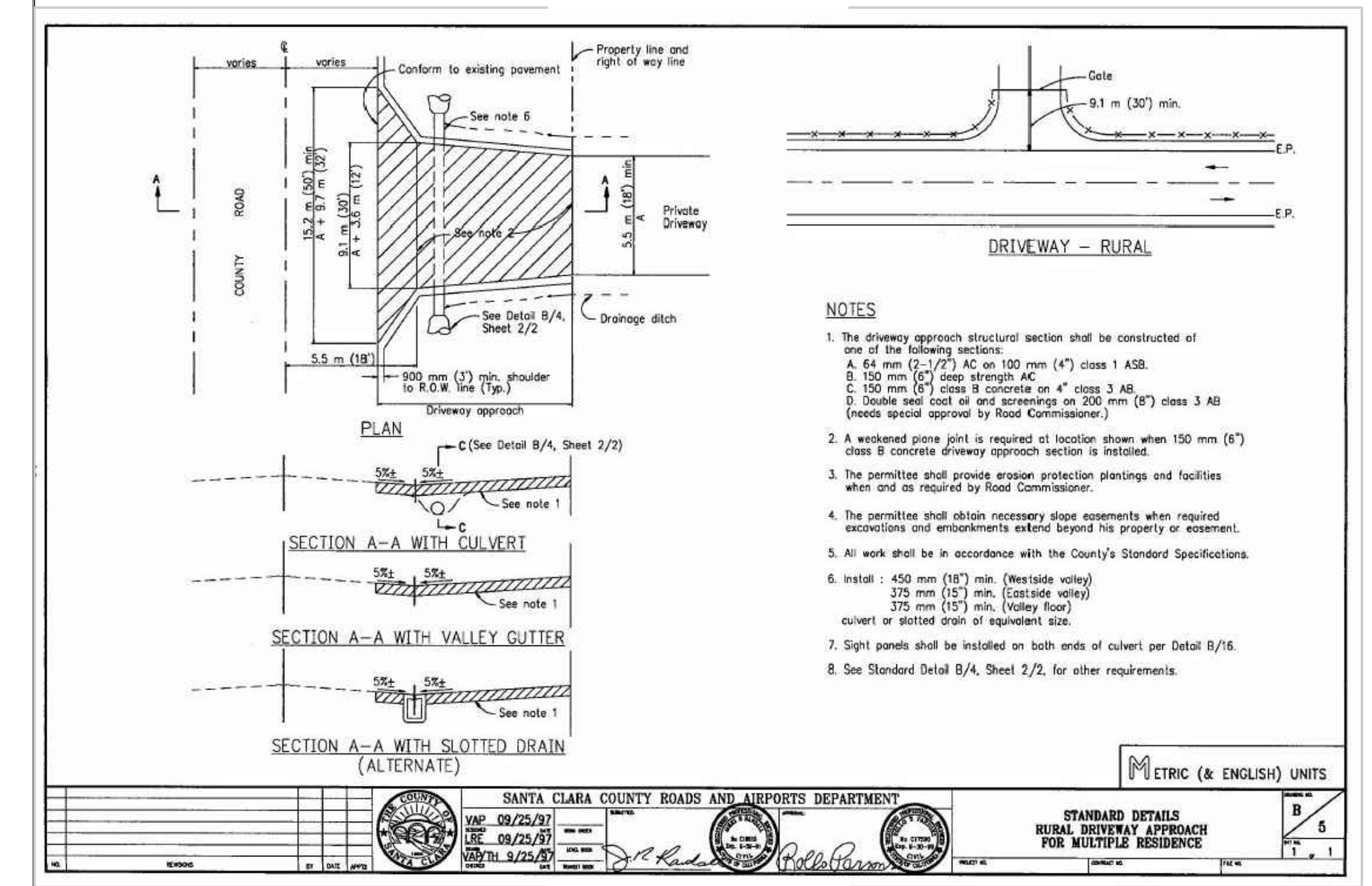
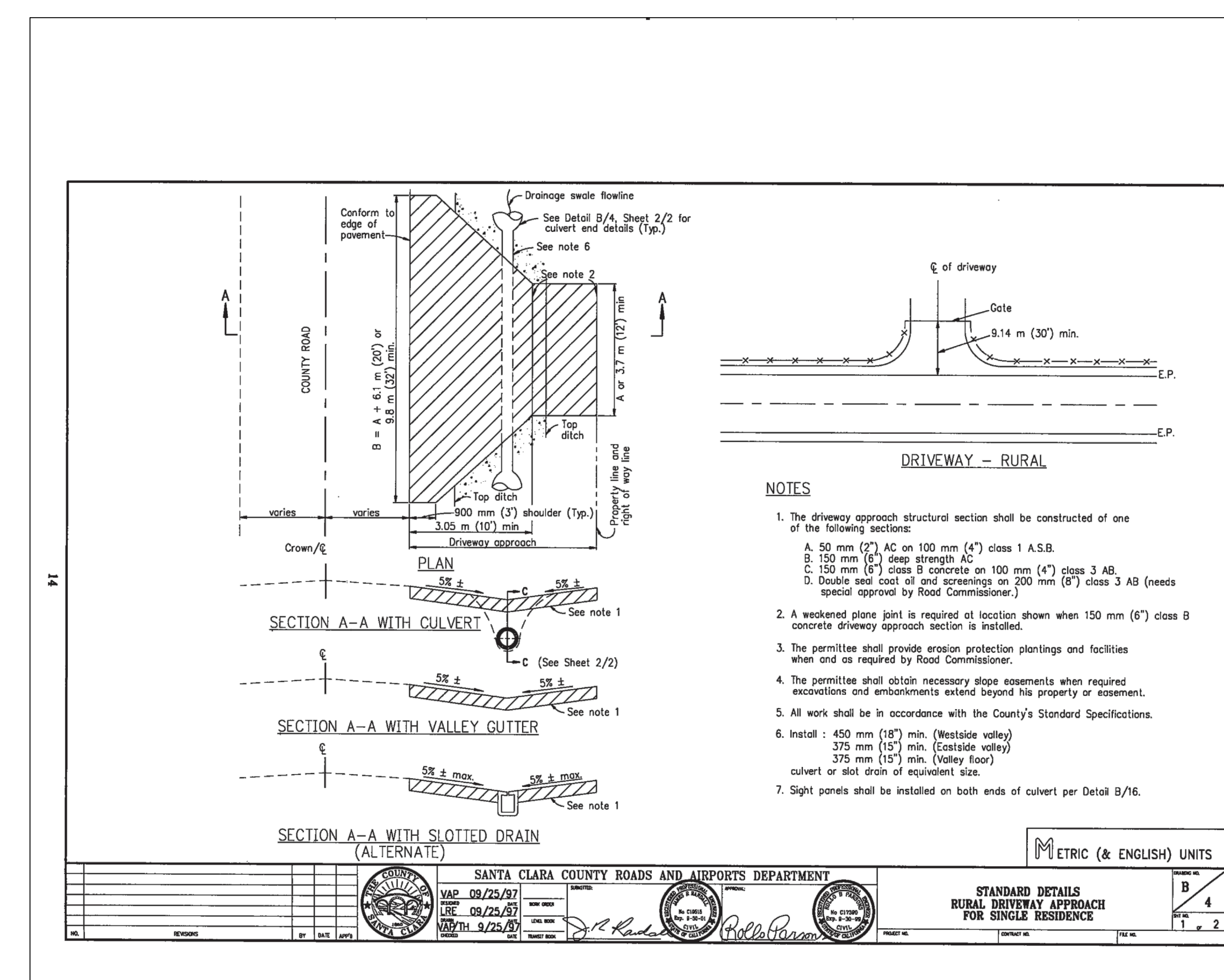
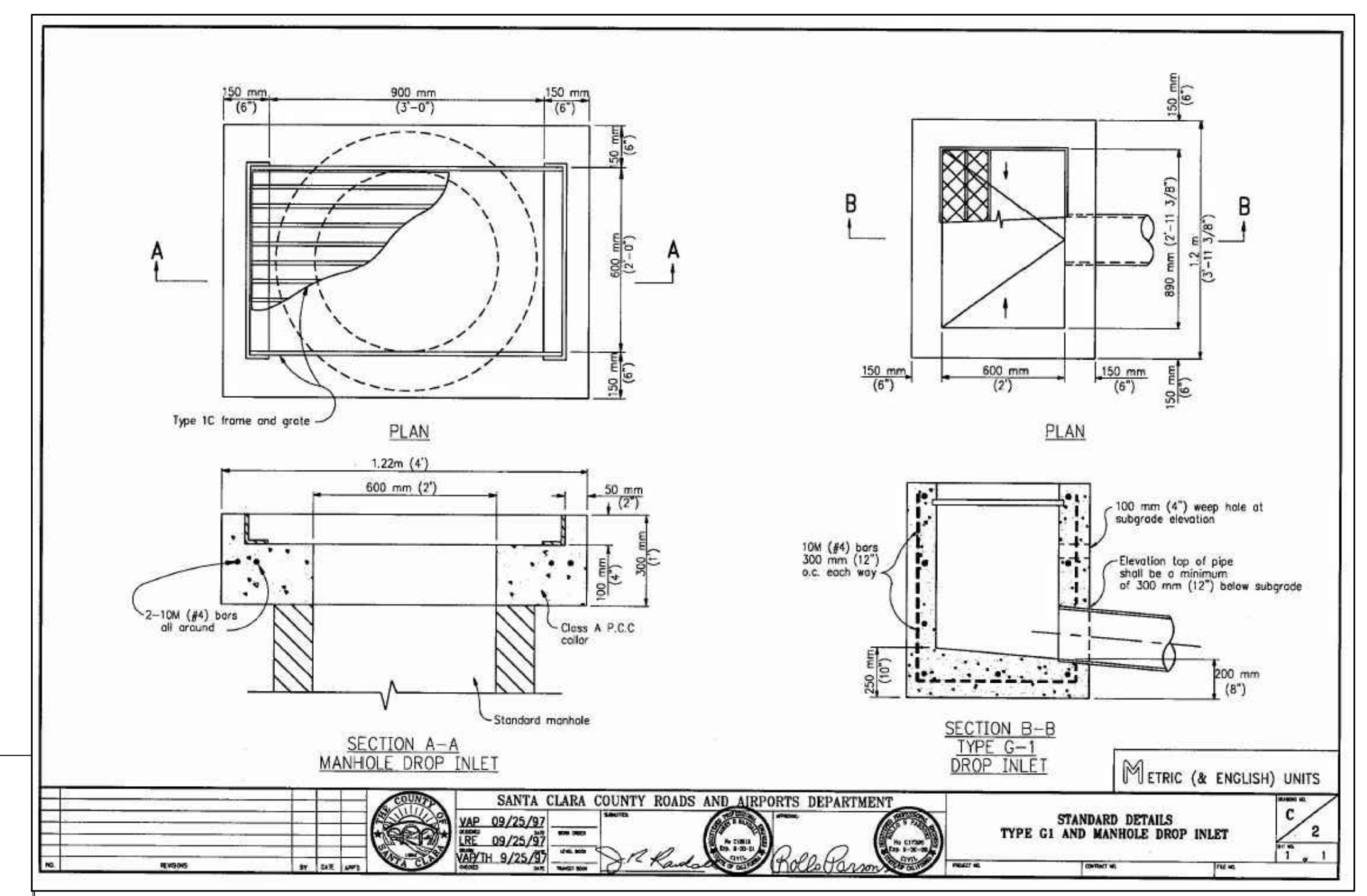
ENGINEER'S NAME: MARK E. SORENSON
ADDRESS: 5138 Keystone Drive
Fremont, Ca. 94536
PHONE NO. 925-683-2910
FAX NO.

Project Information

Sheet 7 of 8



PLAN # _____ OF _____ SHEET _____ OF _____



ENGINEER'S NAME: MARK E. SORENSON

ADDRESS: 5138 Keystone Drive
Fremont, Ca. 94536

PHONE NO. 925-683-2910

FAX NO. _____

SITE CIVIL TYPICAL DETAILS

PROJECT NO. CONTRERAS PLOT DATE: 12-21-2022

Revision	Date	Revision	Date
Revision A	Date	Revision B	Date
Revision A	Date	Revision B	Date
Revision A	Date	Revision B	Date

APN: 860-05-055

Co. File: PLN18-11442

DATE: 12-21-2022

Attachment E

Extension of Permit Streamline Act Deadline