

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

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February 17, 2023

James Hartigan
16428 Peacock Lane
Los Gatos, CA 95032

teresa@hannabrunetti.com

BY EMAIL ONLY

FILE NUMBER: PLN22-128
SUBJECT: Building Site Approval, Design Review, and Grading Approval for 1 new primary residence, one ADU, a small-scale winery, a barn, and a wine tasting room with associated driveways and parking lot.
SITE LOCATION: 0 W. Edmundson Avenue, Morgan Hill (APN: 767-19-035)

Dear Mr. Hartigan:

The information below are not incomplete items and are not required to deem the application complete for processing. The section is informational only and can be discussed further if desired with County Staff. The comments from Planning, CalFire and the California Historical Resources Information Systems (NWIC) have not been fully addressed, so have been included again in this letter.

PLANNING OFFICE

Contact the Project Manager at (408) 299-5707 or rebecca.rockom@pln.sccgov.org regarding the following comments:

1. Under the [Design Review Guidelines](#) Objective II(2)(c), the choice of plants should be sensitive to the character of the sub region in which they will be located. The proposed trees chosen for landscaping include species which are not native or naturalized. To ensure a sense of character, trees and shrubs native to the area should be selected as new plant materials in areas visible to the public. Please refer to this website, [County of Santa Clara Sustainable Landscape Management](#), for additional information and recommended sustainable plant lists.
2. The submitted plans label the project residential structures using a number system 1 and 2, however, the numbering system proposed for the project suggest that the dwellings are

on a single parcel. To avoid confusion, relabel the project site plans and structures with a lettering system using parcel B, single family residence B, and ADU B.

3. Proposed signage has been reviewed per Zoning Ordinance [§ 4.40.110](#) Agricultural Sales and Winery Signs and conform to the provisions of subsection § 4.40.110(B), therefore allowed by right. Please note: all signs shall have the name, address, and telephone number of the person responsible for the agricultural sales or winery operation painted or printed indelibly on the back side of the sign.

Habitat Conservation Plan Comments

4. Applicant should submit all required Habitat Plan Application materials, including the [Fees and Conditions Worksheet](#), map of land cover on the project site, and required staff review fee, to the Planning Office for review and verification. The required site plan shall show the project development, including a clear delineation of the permanent and temporary development buffer areas. Plans should show buffer areas that cross property boundaries between APN 767-19-034 and APN 767-19-035.
 - a. Permanent development area is defined as land that will have permanent impacts (removal of land cover, structures, driveway, landscaping, off-site road improvements, etc.), plus a 50-foot buffer surrounding these areas.
 - b. Temporary development area is defined as land that will be temporarily affected during development (construction laydown areas, subsurface utilities) that will be restored within one year of completing construction, plus a 10-foot buffer surrounding these areas.
5. Prior to issuance of any grading and/or building permit, applicant shall complete the [Habitat Plan Application for Private Projects](#) with all necessary documents submitted via the online link.
6. This project is subject to the following Habitat Plan fees:
 - a. Land Cover Fee Zone B (Agricultural and Valley Floor Lands)
7. This project will be subject to the following conditions:
 - Condition 1: Avoid Direct Impacts on Legally Protected Plant and Wildlife Species
 - Condition 3: Maintain Hydrologic Conditions and Protect Water Quality
 - Condition 7: Rural Development Design and Construction

CAL FIRE

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

This project (PLN22-127/128) is located within the State Responsibility Area (SRA) and is recommended to follow all minimum wildfire protection standards of California Code of Regulations Title 14 Natural Resources Division 1.5 Department of Forestry Chapter 7 – Fire Protection Subchapter 2 SRA Fire Safe Regulations Articles 1-5.

8. Roadway and Driveway Surfaces: Ensure driveway is designed and maintained to support 40,000 pounds per § 1273.02.

§ 1273.02. Road Surfaces

- (a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.
 - (b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.
 - (c) Project proponent shall provide engineering specifications to support design., if requested by the local authority having jurisdiction.
9. Turnouts and Turnarounds: Driveways will require multiple turnouts. First driveway will require a turnout at midpoint since driveway is over 300 feet. Ensure turnouts and turnarounds meet specifications in § 1273.05 & § 1273.06.

§ 1273.05. Turnarounds

- (a) Turnarounds are required on driveways and dead-end roads.
- (b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the “T” shall be a minimum of sixty (60) feet in length.
- (c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.
- (d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.

§ 1273.06. Turnouts

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

10. Defensible Space: Maintain defensible space specifications described in Public Resource Code 4291.

§ 1276.01. Setback for Structure Defensible Space.

- (a) Structures constructed in the SRA are required to comply with the defensible space regulations in Title 14. Natural Resources Division 1.5. Department of Forestry and Fire Protection Chapter 7. Fire Protection Subchapter 3. Fire Hazard.

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEMS

Contact Bryan Much at 707-588-8455 or nwic@sonoma.edu regarding the following comments:

Records at this office were reviewed to determine if this project could adversely affect cultural resources. Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.

11. The proposed project area has the possibility of containing unrecorded archaeological sites. Due to the passage of time since the previous survey (Cartier 1980) and the changes in archaeological theory and method since that time, we recommend a qualified

archaeologist conduct further archival and field study for the entire project area to identify any unrecorded archaeological resources.

12. We recommend the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916)373-3710.

If you have questions regarding the application, please call (408) 299-5707 or email rebecca.rockom@pln.sccgov.org.

Sincerely,



Rebecca Rockom
Assistant Planner