

# County of Santa Clara

## Department of Planning and Development

County Government Center, East Wing, 7th Floor

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San Jose, CA 95110

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www.sccplandev.org



Aug 19, 2022

Dana Helweh  
320 Manzanita CT,  
Milpitas CA

**FILE NUMBER:** PLN22-130  
**SUBJECT:** Building Site Approval  
**SITE LOCATION:** Scheller AV, Morgan Hill, CA 95037-9343, APN: 712-28-059  
**DATE RECEIVED:** July 19, 2022

Dear Dana Helweh,

Please see a list of Additional Information regarding your Building Site Approval application for the Property at Scheller Av, Morgan Hill. These are informational items only and do not need to be addressed in order to deem the application complete.

### **ADDITIONAL INFORMATION/ AREAS OF CONCERN**

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

### **PLANNING**

1. This project is subject to Environmental Assessment under the California Environmental Quality Act (CEQA). Staff would like to inform the applicant that an Environmental Assessment fee of \$4,068.31 will be charged once the environmental review begins which involves a Initial Study to be prepared to determine the potential environmental impacts that the project may have under CEQA. NOTE: Pursuant to CEQA laws, the County may require technical studies and reports which may include but are not limited to archeology, biology, and visibility analysis after the application is deemed complete for processing, in order to finalize an environmental review/analysis.
2. Due to the property's location within the Coyote Valley overlay, and pursuant to Zoning Ordinance Section 3.95.050, a notice shall be recorded pursuant to § 5.20.125 stating that the proposed residence shall be used only ancillary to onsite agriculture as defined in this section. A property owner shall also provide written disclosure of all such conditions and requirements before any sale, lease, or financing of the property.

### **SANTA CLARA VALLEY HABITAT PLAN**

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The subject property is covered by the Santa Clara Valley Habitat Plan. The following items will be listed as conditions of approval for the application if approved.

3. Prior to issuance of any grading or building permit, a completed Santa Clara Valley Habitat Plan Application for Private Projects, with all required materials/exhibits (as described on pages 4 & 5 of the Application for Private Projects), and required staff review fee, shall be submitted to the Planning Office, reviewed/verified by Planning Office staff, and all Habitat Plan fees paid.

Note: The Habitat Plan Application, and Fees information are at the below weblink:

<https://scv-habitatagency.org/250/Private-Applicant>

4. Land cover fees are paid based on the land cover and development area associated with the project.

Permanent development area is defined as all land that will have permanent improvements (buildings/structures, driveway/parking areas, patios, water tanks, trails, landscaping), plus a 50-foot buffer surrounding these areas.

Temporary development area is defined as land that will be temporarily affected during development (septic systems, construction laydown areas) that will be restored within one year of completing construction, and unpermitted grading that will be restored to natural contours, plus a 10-foot buffer surrounding these areas, and cannot exceed a combined total of 2 years.

5. Development that is covered by the Habitat Plan is required to pay fees to compensate for the loss of endangered species habitat. Fees shall be paid prior to issuance of any grading/drainage or building permits. This project is subject to the following Habitat Plan fees:
  - a. Land Cover Fee Zone B (Agricultural and Valley Floor Lands)
  - b. Nitrogen Deposition Fee

Temporary development fees are based on the amount of time the land is disturbed during construction, plus 1 year after completion of construction and cannot exceed a combined total of 2 years. All temporary development that exceeds 2 years from the onset of construction will be subject to permanent impact fees.

6. Habitat Plan Conditions of Approval: Based on the location of the project, the following Conditions of Approval may be required as prescribed in the Habitat Plan:
  - a. Condition #1 – Avoid Direct Impacts on Protected Plant and Wildlife Species.
  - b. Condition #3 – Maintain Hydrologic Conditions and Protect Water Quality.
  - c. Condition #7 – Rural Development Design and Construction Projects.

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If you have any additional questions regarding this letter, please contact me at (408)299-5783 or [parya.seif@pln.sccgov.org](mailto:parya.seif@pln.sccgov.org).

Sincerely,

*Parya Seif*

Parya Seif  
Associate Planner

**cc:**

Joanna Wilk, Senior Planner  
Samuel Gutierrez, Principal Planner