

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



October 5, 2022

****Sent via email ****

Lien Ly
3309 Pinkerton Ct.
San Jose, CA 95148
Email: lienly88@hotmail.com

FILE NUMBER: PLN22-172
SUBJECT: Two-lot Subdivision
SITE LOCATION: 4500 Alum Rock Avenue, San Jose
DATE RECETVED: 9/6/2022

Dear Lien Ly:

Your application for Subdivision is **incomplete**. For the application processing to resume, you must resolve the following issues and submit the information listed below.

Please note that the Department is only accepting electronic submittals. Please refer to procedures for Planning Resubmittals available on the County website at <https://www.sccgov.org/sites/dpd/Iwantto/Permits/Pages/PlanningResubmittals.aspx>.

If you have any questions about the information being requested, you should first call the person whose name is listed as the contact person for that item. He or she represents a specialty or office and can provide details about the requested information.

AN APPOINTMENT IS REQUIRED FOR THIS RESUBMITTAL.
PLEASE CALL ME AT (408) 299-5740 TO SCHEDULE AN APPOINTMENT.

Please submit a complete revised plan set and a *written response* with the resubmittal materials, addressing the following items. All items must be addressed and included in the resubmittal.

PLANNING

Contact Charu Ahluwalia at (408) 299-5740 or charu.ahluwalia@pln.sccgov.org for information regarding the following items.

1. The property is subject to General Plan of the City of San Jose. Therefore, a general plan conformance/contiguity statement signed by the City of San Jose is required. Submit a current form with the City of San Jose Planning Department's determination.
2. Per County Ordinance C12-20, titled Form and content of tentative maps, provide the following information on the tentative map, including but not limited to:
 - a. The proposed subdivision name or other designation.
 - b. Approximate dimensions of all lots.
 - c. Width of the adjacent street (Alum Rock Avenue).(See comment no. 11 below as well).
3. Ownership and maintenance responsibilities for Alum Rock Avenue are with Caltrans. The application has been referred to Caltrans for review. A right-of-way dedication measured perpendicularly from Alum Rock Avenue centerline may be required based on comments by Caltrans.
4. Revise Tentative Map to show existing building setbacks from all property lines, including front, side, and rear property lines, road rights-of-ways, and any access easement.

Per "setback" and "rights-of-way" definition in §1.30.030 of the County Zoning Ordinance, setbacks are also taken from the edge of any rights-of-way (also includes any ingress-egress easement that provides the right to pass over one property to access another) that abuts or passes through the subject lot.

5. Remove setbacks shown on proposed Parcel 2 from the Tentative Map. This information shall be identified on Development Feasibility Site Plan only.
6. Provide a Development Feasibility Site Plan to demonstrate that each proposed lot area would be sufficient for a residence, parking, and setbacks required by the County Zoning Ordinance. The Development Feasibility Site Plan shall also identify all existing structures to remain/to be modified, proposed site improvements and utilities for Parcel 1 and Parcel 2.
7. Provide proof of permits for the existing residence, or proof that it was constructed prior to 1947. No permits for the residence were found on file.
8. Provide rebuild calculations for the existing residence on proposed Lot 1 resulting from the requirements stated above in comments 3 and 4. Please reference the [Rebuild Ordinance](#) and the related [worksheet](#) for providing the calculations. If the rebuild points exceed 55, the project will be classified as a "rebuild" and the setback encroachment on the southern side of property will need to be demolished.
9. Revise plans to show driveway requirements per Fire Division's comments.

10. Revise the energy conservation plan per Section C12-173.2. (e) and (f) of the County Ordinance to include shading pattern cast by all remaining and proposed vegetation exceeding, or capable of exceeding, ten feet in height and all structures **on December 21 from 9:00 a.m. to 3:00 p.m. Pacific Standard Time**. This requirement shall apply to structures and proposed or existing vegetation located within 150 feet and within 45 degrees of due south from any proposed south wall or south roof area. In addition, energy conservation plans shall indicate the approximate location and type of all trees, or groups of trees, exceeding, or capable of exceeding, ten feet in height that are located within 100 feet of a proposed structure

LAND DEVELOPMENT AND ENGINEERING

Contact Darrell Wong at (408) 299-5735 or darrell.wong@pln.sccgov.org for more information regarding the following items:

11. The Tentative Map shall be prepared by a registered civil engineer or licensed land surveyor, and shall contain the following information:
 - a. Approximate dimensions of all lots.
 - b. Provide accurate topographic information to show exact center line of watercourse, top of low and high banks, direction of flow and existing obstructions within and adjacent to the watercourse. Where a watercourse lies outside of a parcel, but the top of bank lies within 25 feet of the property line, show exact location of the top of bank relative to property line.
 - c. Statement of the dedications and improvements proposed to be made or installed.
12. Provide a table of the estimated earthwork quantities per C12-424(g).
13. Show location of the proposed utilities including the water and electricity serving the two parcels, identifying whether they are existing or proposed.
14. The proposed development impacts drainage flows, thereby possibly not meeting the exemption requirements of Section C12-407 of the County Grading & Drainage Ordinance. Please provide a Drainage Plan that demonstrates the following items:
 - a. the site can be adequately drained,
 - b. the proposed development will not cause problems to the nearby properties,
 - c. the drainage collected from the previous paver subdrain system is adequately removed and discharged from the site.
15. Include all applicable easements affecting the parcel(s) with benefactors and recording information on the site plan. Please supply a copy of a preliminary title report, prepared within the current ownership of the property, with a statement from the owner that no subsequent encumbrances have been recorded since the preparation of the title report.
16. Revise the driveway plan and section to conform to County Standard Detail SD5 or as required by the County Fire Marshal's Office, whichever is greater.

17. Based upon County policy, an easement dedication encompassing the entirety of the improvements to support the 12' drivable surface for the driveway and turnaround access would be required with this development. It appears that the proposed house will/may encroach on the improvements required to support the access. Please review with Planning Department Staff regarding setback requirements.

FIRE DIVISION

Contact Alex Goff at (408) 299-5763 or alex.goff@sccfd.org for more information regarding the following items:

18. Driveway is to be a minimum drivable width of 12 feet excluding 3 feet shoulder per CFMO-A1. Plans are to clearly depict this as the shoulder isn't shown and portions of driveway appear to be less than 12 feet drivable.
19. Fire department turnaround to have an 18 feet wide entrance for a length of 30 feet.
20. Clarify on plans that driveway will be made of an "all weather" material capable of holding 75,000 pounds.
21. Clarify if existing fire hydrant is a standard fire hydrant or a wharf hydrant. Plans currently don't state standard type of hydrant and reference a "Fire" hydrant.
22. Access at entrance to proposed driveway along Alum Rock Avenue appears to be used for parking. Plans are to clarify how the area near the driveway will be kept clear to allow fire apparatus to make a turn onto the property traveling from the south and making a right hand turn onto the property.

If the requested information is not submitted within 180 days, you will be required to pay a fee of 10% of the application fee at the time the information is submitted. All requested information must be submitted within 1 year of the date of this letter and will not be accepted after 1 year. PARTIAL RESUBMITTALS WILL NOT BE PROCESSED. Fees required at the time of resubmittal will be those in effect at that time.

In submitting this land use application, the owner/applicant included an initial application fee. Application fees are categorized as "fixed fees" and "billable fees", based on the particular application type(s). "Fixed fee" applications do not require any additional fees to continue processing. However, when funds associated with a "billable fee" application have been spent, an additional deposit will be required to continue processing the application. As of the date of this letter, approximately 20% of the fees paid have been exhausted.

If you have any additional questions regarding this application or would like to clarify Planning's incomplete comments, please call me at (408) 299-5740 or schedule an appointment to do so.

Sincerely,

Charu Ahluwalia

Charu Ahluwalia
Senior Planner

cc: Darrell Wong, LDE
Alex Goff, Fire Marshal