

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



January 13, 2023

Michael Helm
200 Seventh Ave., #110
Santa Cruz, CA 95062

Mhelm7@icloud.com

*** VIA EMAIL ***

FILE NUMBER: PLN22-228
SUBJECT: Design Review and Special Permit
SITE LOCATION: 14500 Arnerich Hill Rd, Los Gatos, CA 95032 (APN: 537-12-012)
DATE RECEIVED: December 15, 2022

Dear Michael Helm,

Your application for Design Review and Special Permit received on the above date is deemed **incomplete**. For the application processing to resume, you must resolve the following issues and submit the information listed below.

Resubmittals are made via the internet, to do so, follow the instructions at the following URL: <https://plandev.sccgov.org/how/apply-permit/planning-resubmittal-procedures>. Before resubmitting, please consult me as this process is dynamic and at the time you choose to resubmit the process may have changed and/or been enhanced. The resubmitted materials must include all requested information. Once the information is submitted, the Planning Office will distribute the plans, reports, and/or information to the appropriate staff or agency for review.

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. They represent a specialty or office and can provide details about the requested information.

AS NOTED ABOVE, PRIOR TO RESUBMITTAL PLEASE E-MAIL ME TO DISCUSS THE PROCESS.

Please submit all electronic copies of the revised plans/resubmittal documents (PDF) with a written response letter addressing each incomplete comment.

PLANNING

Contact your project planner Lulu Pang at (408) 299-5718 or lulu.pang@pln.sccgov.org regarding the following comments:

Site Plan

1. The submitted site plan does not clearly identify the centerline and top of bank of the existing creek and is incomplete. Please indicate the centerline and top of bank of the existing creek running through the subject parcel.
2. The subject parcel is zoned RHS-20s-d1. With the “-20s” Slope Density Combining District, setbacks from all property lines or rights-of-way shall be 30 feet, per County Zoning Ordinance § 3.10.040.C. As such, please update the setback lines on your site plan accordingly.
3. Project data table on Sheet 3 indicates the size of the proposed cabana is 306 SF, but it is stated as 756 SF under the project description. Please clarify and update accordingly.

Tree Removal

4. Please clarify if any tree removal is proposed. If not, provide a note on Cover Sheet that “No Tree Removal is Proposed.” Otherwise, provide the species and trunk sizes of all existing trees to be removed in table format on the Cover Sheet of the proposed plans (add more rows as needed).

Tree Removal Summary		
Tree Number	Common Name	DBH (inches)
1		
2		
3		
etc.		

Rebuild Determination

5. Please provide the linear feet of existing walls, demolished walls, and new walls for the house in addition to the REBUILD determination and Points Allocation Excel Worksheet.

Grading

6. Please provide an earthwork summary table on sheet 1 detailing the grading quantity of cut, fill, import, export, and **vertical depth (cut/fill)** for all proposed improvements. See a sample table below (add more rows as needed).

Earthwork Summary					
Use	Cut	Fill	Import	Export	Max. Vertical Depth
Residence Pad					
Leach Field					
Driveway					
Etc.					

Design Review

7. As the subject parcel has a -d1 overlay, it is subject to design review. **Please provide a viewshed analysis showing how the proposed development will be viewed, as seen from various angles of the valley floor** so staff can further evaluate the potential visibility of the new development proposed on the subject parcel.

Required Application Materials for Special Permit

8. Please submit the following required forms which were not provided in the submittal:
 - a) submit [Petition for Exemption from Environmental Assessment Form](#).
 - b) submit the [Completed Well Information Questionnaire](#).
 - c) submit a [Hazardous Sites Questionnaire](#) and utilize this [website](#) to complete the form.

ROADS AND AIRPORTS

Contact Tom Esch at (408)-573-2450, tom.esch@rda.sccgov.org regarding the following:

9. Identify on plans the existing centerline, edge of pavement, correct roadway name, and limits of the Arnerich Hill Rd right-of-way and the Cyrus Heights Ln right-of-way.
10. Indicate on plans that Arnerich Hill Rd and Cyrus Heights Ln are County Maintained Roads (for Arnerich Hill Road, identify the segment that is a County Maintained Road).
11. Gates, fences, retaining walls, fixed appurtenances, etc. shall be located outside the limits of the County maintained road right-of-way (ROW). If any items must remain in the ROW a Maintenance and Indemnification Agreement (MIA) recorded against the property will be required. Non-breakaway fixed appurtenances must be located outside the ROW (will not be permitted to be retained under an MIA). Indicate on plans the intent of any existing or future items in the ROW.

ENVIRONMENTAL HEALTH

Contact Darrin Lee at 408-299-5748, darrin.lee@deh.sccgov.org regarding the following:

Based upon the submitted project description of a major remodel consisting of an increase in bedroom counts, square footage, and construction of an accessory dwelling unit (ADU), the existing onsite wastewater treatment system (OWTS) shall be evaluated against current code requirements. If necessary, because of the proposed development, modification to the existing (septic system) and/or installation of a new septic system may be required.

12. Obtain septic system as-built drawings for permits #64369 and #28193. Upon receiving the as-built drawings, accurately locate and show on a revised site plan.
13. Contact a septic system consultant/designer and the Department of Environmental Health (Ross Kakinami, 408-918-3479) for the following septic system feasibility: site assessment, soil profiles, and percolation tests. This is a separate submittal to the Department of

Environmental Health subject to completion of a service application and payment of applicable fees.

- a) Upon completion of the soil profiles and percolation test(s), locate and show on a site plan overlaid onto a site grading and drainage plan, the locations for all conducted soil profile and percolation test holes. Provide and include all results from the soil profile and percolation tests. Demonstrate through wastewater calculation the required amount of dispersal field for the proposed building addition and ADU.

14. For the proposed ADU, obtain and provide a water will serve letter from San Jose Water Company.

LAND DEVELOPMENT ENGINEERING

Contact Darrell Wong at (408)-299-5735, darrell.wong@pln.sccgov.org regarding the following:

15. Please provide a table of the estimated earthwork quantities per C12-424(g). Quantities should be separated into the different bodies of work for the project. The quantities must reflect that shown on the preliminary grading plan.
16. Please provide a table of the estimated impervious areas that are created as a part of the development. The net change in impervious areas shall be clearly stated on the plans.
17. Please show the limits of the disturbed area as a result of the proposed development. Include the disturbed areas of the septic field and any stockpile and construction staging areas as well.
18. The proposed development impacts drainage flows, thereby 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 on-site drainage will be controlled in such a manner as to not increase the downstream peak flow or cause a hazard or public nuisance. If this cannot be demonstrated, provide a detention system pursuant to the Design Guidelines in Section 6.3.3 of the 2007 Santa Clara County Drainage Manual.
19. Please include a driveway approach per SD4/SD4A that conforms to County standard slopes of less than 5% grade 20 feet from the edge of pavement or to the right of way, whichever is greater or demonstrate/show that one already exists on the site as a part of your site plan.
20. Please revise the driveway turnaround to conform to County Standard Detail SD16 or as required by the County Fire Marshal's Office or CalFire, whichever is greater. Provide a preliminary grading plan to demonstrate that the maximum slope within the fire turnaround is a maximum 5% in grade.

21. Please include all applicable easements affecting the parcel with benefactors and recording information on the site plan. The recorded easements on Book 461 Page 16 may impact the proposed leach field expansion area.
22. Please clearly identify all retaining walls necessary to establish the grading shown with appropriate top and bottom of wall elevations. The proposed retaining wall at the shop and the existing retaining wall near the cabana shall be shown with top and bottom of wall elevations. Please provide a cross section of the grading, including the proposed wall, per Section C12-424 (j) and (k) of the County Grading & Drainage Ordinance.
23. Provide a cross section of the grading through the access driveway for the proposed shop shall be shown on the preliminary grading plans.
24. Provide a cross section of the proposed cabana from the existing pool through the existing wall/wood fence.

GEOLOGY

Contact David Seymour at (408) 299-6711 or david.seymour@pln.sccgov.org regarding the following:

25. The property is located in a County Fault Rupture Hazard Zone and State and County Landslide Hazard Zones. The Geologic and Geotechnical Study report prepared by C2Earth, Inc., dated July 29, 2022, adequately addresses the fault rupture hazard; however, additional information regarding slope stability is required as follows:

According to the design plans, the proposed garage addition with ADU located at the toe of the ascending slope does not meet the foundation setback requirements of the 2019 CBC, Section 1808.7, Figure 1808.7.1. As such, the applicant will need to request for an alternative setback and clearance per 2019 CBC Section 1808.7.5. The request needs to include the results of slope stability analysis based on a geologic cross section that extends to the top of the slope to at least Deer Park Court. The geotechnical consultant should also provide any modifications to their recommendations for foundations and retaining walls for the proposed garage addition with ADU. Topographic information covering the property and subject slope can be found at the following link:

<https://geoess.sccgov.org/discovergis/sccmap>.

FIRE MARSHAL OFFICE

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

26. Clarify on plans what structures will have fire sprinklers installed as a deferred submittal.
 - a) Per County Ordinance, home additions exceeding 1,000 sf. since 2011 and a total area exceeding 3,600 sf. will require fire sprinklers.
 - b) Fire hydrant's are to be within 400 ft. exterior path of travel to all portions of travel to a non-sprinklered structure or 600 ft. of a sprinklered structure. it appears that all structures

proposing additions will require sprinklers or a closer fire hydrant would need to be shown/installed on the plans.

27. Plans are to show any Gate crossing the driveway and be labeled as manual or mechanical.
 - a) Mechanical Gates are to have a Knox Key Switch shown as (N)new or (E)existing.
28. Plans are to show fire department turnaround meeting CFMO-SD16. Sheet 3 of 29 outlines a fire department turnaround that doesn't appear to meet width dimensions of CFMO-SD16.
29. Plans to have note stating that driveway will be made of an "all weather" material capable of holding 75,000 pounds.

CALFIRE

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

This project (Record No. PLN22-228) 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.**

30. **Access:** Arnerich Road will need to be designed and constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping to the building site from Hicks road per § 1273.01.

Article 2 Emergency Access and Egress

§ 1273.00. Intent

Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

§ 1273.01. Width.

- a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.
- b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads.
 - 1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units.

- 2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.
- c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

31. **Road Surfaces:** Ensure driveway is designed and maintained to support 40,000 pounds.

§ 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.

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

§ 1276.01. Setback for Structure Defensible Space.

(c) 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.

Prior to resubmittal, please feel free to contact me to schedule an appointment so we can meet virtually and discuss my comments regarding the project.

Please make sure the requested changes are made for the revised plan sets and documents that are needed for the resubmittal. **Resubmittals are only accepted by appointment with the assigned project planner.** 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 no later than **one (1) year** from the date of this letter. 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 types. "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.

Any future application submittals must address all comments listed above. If you have questions regarding the application, please contact me your project planner at (408) 299-5718 or lulu.pang@pln.sccgov.org.

Sincerely,

Lulu Pang
Assistant Planner

cc:
Samuel Gutierrez, Principal Planner