

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 19, 2023

Teresa Price
7651 Egleberry ST
Gilroy, CA 95020

teresa@hannabrunetti.com

*** VIA EMAIL ***

FILE NUMBER: PLN22-231
SUBJECT: Design Review and Grading Approval
SITE LOCATION: 0 Walter Lane, San Jose, CA 95120 (APN: 708-36-022)
DATE RECEIVED: December 21, 2022

Dear Teresa Price,

Your application for Design Review and Grading Approval 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:

Required Application Materials

1. Provide a copy of the current recorded grant deed as it was not included in the submission.

Tree Preservation and Removal Information

2. The submitted plans are incomplete because it does not provide information regarding tree preservation and removal. Please provide the species and trunk sizes of all existing trees to be removed in table format and include the table in the plan set. See a sample table below (add more rows as needed).

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

Note: The subject parcel is within a “-d1” (Design Review) combining zoning district. Tree Removal Approval is required prior to any protected tree removal on the subject parcel. A protected tree on this parcel requiring removal approval is any tree having a main trunk or stem measuring 12 inches or more in diameter at a height of 4½ feet above ground level, or in the case of multi-trunk trees a total of 24 inches or more in diameter of all trunks.

A. According to *Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications*, tree replacement will be required based on the sizes and species of the removed trees. The following tree replacement ratios apply:

- For the removal of one small tree (5- 18 inches):
(3) 15 gallon trees, or (2) 24-inch box trees.
- For the removal of one medium tree (18 – 24 inches):
(4) 15 gallon trees or (3) 24-inch box trees.
- For the removal of a tree larger than 24 inches
(5) 15 gallon trees or (4) 24-inch box trees.

Please indicate the locations and common names for the replacement trees on the site plan. Replacement trees are required for each protected tree that will be removed. Note: Replacement trees should be California native.

Archaeological Review

3. Based on comments from the Northwest Information Center of Sonoma University, the proposed project area has the possibility of containing unrecorded archaeological site(s). Please provide an archaeological report prepared by a qualified professional archaeologist. For your reference, a list of qualified professionals in California that meet the Secretary of the Interior’s Standards can be found at <http://www.chrisinfo.org>. If archaeological resources

are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation.

Retaining Wall

4. Please indicate the length of the proposed retaining wall on the site plan (sheet A1.0) and sections of the proposed retaining wall.

Grading

5. The area on the northeastern portion of the parcel between the retaining wall and the house shown in Sections A-A & B-B appears to be cut. Please clarify if the cut is included in the earthwork quantities table on Sheet 1 of the civil plans.

ENVIRONMENTAL HEALTH

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

6. An illustration of an onsite wastewater treatment system (OWTS) was provided; however, results from OWTS feasibility testing were not included within the plan set.
 - a) On revised site grading/drainage plan, include/provide OWTS feasibility testing results for soil profiles and percolation test.
7. Soil profile, SP2, and percolation test holes #1 #2, #4, and #6 appear to be located within the PGE easement. Maintain a minimum of a 5 feet horizontal setback between the PGE easement and proposed OWTS.
 - a) As four percolation test holes and a soil profile is located interior of the PGE easement, additional percolation tests and soil profile would be required to achieve the minimum requirements for a compliant OWTS design. For additional soil profile and percolation tests, contact an OWTS consultant/designer and the Department of Environmental Health. Note: A dispersal field requires at minimum of 4 passing percolation test holes and a minimum of one soil profile in the primary and secondary dispersal field.
 - b) Alternatively, obtain and provide documentation from PGE, that allows for an OWTS to be installed within the confines of PGE's easement and near proximity to its power tower.
8. Upon completion of OWTS feasibility testing, provide an OWTS design, sized appropriately for a 4 bedroom single family dwelling. Provide/Show wastewater calculations as the basis for OWTS dispersal field size.
9. Clarify the source of water serving the subject parcel. Is it an onsite well or from a local water company/service provider.
 - a) Should the domestic water originate from an onsite well, contact the Department of Environmental Health (Jeff Camp @ 408-918-3473) for individual water clearance. Water clearance through DEH is a separate submittal to Env. Health and subject to completion of a service application, submittal of water well related documents, analytical

results from water testing for bacteriological and chemical constituents, and payment of applicable fees.

- b) Alternatively, should the domestic water originate from a local service provider/water company, revise the plan set to identify the water company by name. Obtain and provide a water will serve letter from the named water company.

LAND DEVELOPMENT ENGINEERING

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

10. 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 revised Drainage Plan that demonstrates the following items:
 - a) the proposed development will not cause problems to the nearby properties,
 - b) 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. Perhaps the drainage system needs to be clearly identified on the plans?
11. Please note that requirements for the SF Bay watershed will change for projects not approved by June 30, 2023 for all projects that have not yet obtained approval by that date. A completed San Francisco Bay Watershed Questionnaire may be required at that time and the applicable stormwater treatment measures may be required to be incorporated into the plans.

GEOLOGY

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

12. The site is located within a State Seismic Hazard Zone for Earthquake-Induced Landslides and a County Landslide Hazard Zone. As such, a **geologic report** that includes an evaluation of slope stability and landsliding is required. The report must comply with State Guidelines in SP117A. The report needs to be prepared and signed by a Certified Engineering Geologist (CEG) and may be prepared in conjunction with a geotechnical investigation prepared by a Geotechnical Engineer (GE) or Civil Engineer (PE). An **in-depth geologic report** per Santa Clara County Geologic Ordinance Sections C12-609 and C12-612 is required. Pay the appropriate report review fee when uploading an unsecured pdf of the report into the online documents portal.

FIRE MARSHAL OFFICE

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

13. General Note- Project is located within the State Response Area (SRA) and the Wildland Urban Interface (WUI).
 - a) Chapter 7A of the CBC to be met at Building Permit submittal.
 - b) Defensible space to be maintained at all times.
 - c) PRC-4290 compliance will be reviewed by CAL FIRE.
14. Fire sprinklers to be listed as a deferred submittal.
15. Fire department turnaround is to meet CFMO-SD16. The length of the "hammerhead" is to be a minimum of 78 ft., the plans currently show 60 ft.
16. Plans are to clearly show an 18 ft. drivable width (excluding shoulders) for the access road per CFMO-A1. The width is currently not known.
17. Plans to state fire department access will be made of an "all weather" material capable of holding 75,000 pounds.
18. Plans to clarify if (E) Fire hydrant is a standard hydrant or a wharf hydrant. A standard hydrant is required if a water purveyor feeds the property and has the ability to service a standard hydrant.
 - a) The plans currently show an underground pipe that would be sufficient for a standard hydrant.

CALFIRE

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

This project (Record No. PLN22-231) 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.

19. Access: Walton Lane and all access roads will need to be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping to the building site 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.
 - 3) 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").

20. Turnaround: Walton Lane will need a turnaround at its terminus since it is a dead-end road per § 1273.05.

§ 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.
- e) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.

21. Road Surface: Ensure all access roads are designed and maintained to support 75,000 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.

- d) Dead-End Road: Ensure Walton Lane does not exceed maximum distance for a dead-end road depending on parcel size per § 1273.08. Dead-end road begins at Mckean Road and Walton Ave.

§ 1273.08. Dead-end Roads

- a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - parcels zoned for less than one acre - 800 feet
 - parcels zoned for 1 acre to 4.99 acres - 1,320 feet
 - parcels zoned for 5 acres to 19.99 acres - 2,640 feet
 - parcels zoned for 20 acres or larger - 5,280 feetAll lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.
- b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

22. 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