### County of Santa Clara

Department of Planning and Development Planning Office

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STAFF REPORT Zoning Administration Hearing May 2, 2024

Item No. 2

Staff Contact: Parya Seif, Associate Planner (408) 299-5783, parya.seif@pln.sccgov.org

**File: PLN22-234** 

## **Special Permit and Design Review for Small-Scale Permanent Agricultural Employee Housing**

**Summary**: Concurrent land use application including Special Permit and Design Review to allow construction of a 1,199 sq. ft. small-scale permanent agricultural employee housing unit on a 43.32-gross acre lot. The associated improvement includes an 1,849 sq. ft. storage area within the basement of the agricultural employee housing unit. Grading quantities include 178 cubic yards of cut and 215 cubic yards of fill. There are no trees proposed for removal.

Owner: Gokulam, LLC GP Designation: Hillsides

**Applicant**: Gokulam, LLC **Zoning**: Hs-d2

Lot Size: 43.32-gross acre Address: 2425 Old Calaveras Road, Milpitas

APN: 029-34-004 Present Land Use: Agriculture

Supervisorial District: 3 HCP: Area 2

#### RECOMMENDED ACTIONS

- A. Accept the determination that the proposed project qualifies for a Categorical Exemption, under Section 15303 (Class 3) of the CEQA Guidelines, Attachment A.
- B. Grant the concurrent land use application for Special Permit and Design Review Approval subject to conditions outlined in Attachment B.

#### ATTACHMENTS INCLUDED

Attachment A – Proposed CEQA Determination

Attachment B – Proposed Conditions of Approval

Attachment C – Plans, with Light Reflectivity Value (LRV)

Attachment D – Biological Survey

Attachment E – Visual Simulation Analysis for Milpitas Crestline

Board of Supervisors: Sylvia Arenas, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian County Executive: James R. Williams

#### PROJECT DESCRIPTION

The project consists of a concurrent land use application for a Special Permit and Design Review to allow the construction of a 1,199 sq. ft. small-scale permanent agricultural employee housing unit on a 43.32-gross acre lot. The associated improvement includes a 1,849 sq. ft. storage area located in the basement of the proposed building. The maximum height of the proposed building is 22'-11". Grading quantities include 178 cubic yards of cut and 215 cubic yards of fill with a maximum depth of 3 feet. The proposed grading is subject to grading approval and grading permit, as is over 150 cubic yards. The grading approval component of the project was appended to the existing grading approval application related to other improvements on this lot, to avoid piecemealing the grading work and streamline the review of all earthworks conducted on this lot. The grading application was reviewed and approved under PLN20-125-MOD1. The project will not require any removal of trees or demolition of any existing structures.

### **Setting/Location Information**

The project site is a 43.32-gross acre lot, located at 2425 Old Calaveras Road, west of the corner of Old Calaveras Road and Downing Road, in the unincorporated Milpitas area. The subject parcel was created through subdivision of the 78.9-acre former Serpa Quarry, resulting in two lots, with the subject parcel designated as the western lot (Lot B). Serpa quarry ceased operation in 2014 but has not yet been fully reclaimed. The approved reclamation Plan for Serpa Quarry specifies that the end use of the quarry site is residential/agriculture, and the proposed agricultural employee housing is compatible with this specified end use. The site is currently being used for small-scale, low intensity agriculture and is developed with a barn and livestock shelter. Access to the project site is via Old Calaveras Road which is a County maintained road. The proposed small-scale agricultural employee housing will be served by an on-site septic disposal system, and water will be provided by an on-site well.

Surrounding properties are mostly undeveloped properties with a few parcels that have low density residential development and land uses. There are also agricultural land uses in the surrounding area of the project site.

The lot is relatively steep, with an average slope of 22%, however, the project site is relatively flat and requires minimal grading to establish the proposed dwelling unit. The South Branch of Tularcitos Creek runs along the southern boundary of the property; however, no improvements are proposed within or near the South Branch of Tularcitos Creek. The site is located within the Santa Clara Valley Habitat Plan (HCP) Area 2, and generally contains grassland. As noted in the biological report prepared by Madrone Ecological Consulting on December 21, 2020, the proposed development is not located within any sensitive landcovers and does not impact any HCP covered species. Therefore, As the property is adding less than 2 acres of permanently disturbed area and there is no impact to any wildlife, plant, or sensitive landcover, the development is not considered a covered project under HCP.

#### REASONS FOR RECOMMENDATIONS

#### A. Environmental Review and Determination (CEQA)

The project has been reviewed in accordance with the California Environmental Quality Act (CEQA) and staff has determined that the proposed project qualifies for a Class 3 Categorical Exemption under Section 15303 for the construction of one dwelling unit (refer to Attachment A). As such, an Initial Study and further analysis under CEQA is not required.

### B. Project/Proposal

1. General Plan: Hillsides

- 2. Approval Building Site: Pursuant to Ordinance Code § C12-300, building site approval is not required for small-scale permanent agricultural employee housing. However, a subdivision application for the site has been approved under application No. PLN20-178, and should the final map be recorded the project site would be identified as an approved building site.
- **3. Zoning Standards**. The proposed project satisfies the required development standards for HS-d2 as summarized below, followed by Table A, noting the project's conformance with Section 3.20.050 "-d2" Combing District:

**Setbacks (HS-d2):** 30 feet from all property lines

**Height**: 27 feet **Stories**: 2 stories

Table A: Compliance with Development Standards for -d2 Combining District

STANDARDS &	ZONING ORDINANCE	Meets Standard
REQUIREMENTS	SECTION	(Y/N)*
Maximum Size	§ 3.20.050 (A)	Y*
Height	§ 3.20.050 (B)	Y*
Color & LRV	§ 3.20.050 (C)	Y*
Crestline Area	§ 3.20.050 (D)	V*
<b>Development Restriction</b>		1 '
<b>Story Poles</b>	§ 3.20.050 (E)	Y*

<sup>\*</sup> See a detailed discussion of these development standards within the body of the Design Review Findings in Section 5

#### 4. Special Permit Findings:

Section 5.60.030 of the County Zoning Ordinance states that a Special Permit can only granted if all of the following findings are met. The required findings are listed below in **bold**, followed by an explanation of how the project meets the required findings in plain text.

A. The proposed use conforms with the general plan, with the zoning ordinance, and with all standards applicable to the proposed use that have been adopted by the Planning Commission or Board of Supervisors;

The proposed small-scale agricultural employee housing conforms to all standards stipulated in the County General Plan and Zoning Ordinance. The project is consistent with General Plan Policy R-LU18, as low-density residential use is an allowed use in the Hillsides designated area. The project also conforms to R-GD22 and R-GD23 as the proposed development utilizes an existing developed area, and the associated grading is the minimum necessary to establish the building pad and improve the driveway. The proposed project minimizes grading by locating the proposed dwelling unit in a relatively flat area of the lot and utilizing the existing driveway to access the proposed building. A total of 178 cubic yards of cut and 215 cubic yards of fill to provide a building pad, improve the existing driveway and ensure proper drainage of the project site in accordance with current engineering standards. The grading component of the subject project has been approved under PLN20-125-MOD1.

The project is consistent with the HS-d2 zoning regulations and development standards. Agricultural employee housing use is an allowed use in the Hillsides Zoning District (HS) subject to a special permit as specified in Table 2.20-1 of the County Zoning Ordinance. The project complies with the HS-d2 zoning regulations and development standards. The proposed small-scale agricultural employee housing meets the required setbacks (30-feet front, 30-feet side, and 30 feet rear) and height (maximum of 27-feet). Additionally, the proposed development will not exceed the gross floor area of 1,200 square feet for small-scale agricultural housing. The size of the proposed dwelling unit is also in compliance with the requirements of Zoning Ordinance Section 3.20.050 for development in Milpitas Hillsides, which limits the gross floor area of dwellings to 8,000 square feet for properties 10 acres or more in area. The overall design of the proposed building is consistent with the -d2 design guideline standards and building massing standards and exterior colors are proposed and conditioned to be less than 45 in LRV.

The proposed development is also consistent with the County's Board-adopted Design Review Guidelines as it is situated on a flat area and does not have any massive and/or bulky facades. The exterior colors and materials are muted and have an LRV of 45 or less to ensure compatibility with the surrounding environment. As such, the project conforms to all standards stipulated in the County General Plan, Zoning Ordinance, and Design Review Guideline, and this finding can be made.

B. The site is adequate for the proposed use, including but not limited to being of adequate size and shape to accommodate all facilities and development features to integrate the use into the surrounding area and to provide any necessary or appropriate buffers between the use and the surrounding area;

As described in the Project Description section of this report, the project proposes 1,199 sq. ft. small-scale permanent agricultural employee housing and 1,849 sq. ft. storage area located in the basement of the proposed building. The site is adequate to accommodate the proposed small-scale agricultural employee housing with its

associated improvements. The subject site is a 43.32-gross acre lot and the proposed dwelling unit is located on a relatively flat area of the property, and satisfies the required setbacks (30-feet front, 30-feet side, and 30 feet rear). The proposed building will be served by on-site septic disposal system that has been approved by the Department of Environmental Health (DEH), and water will be provided by on-site wells.

Surrounding properties are mostly undeveloped properties with a few parcels that have low density residences, therefore, the proposed use is consistent with the surrounding area, and there will be a minimum of 30 feet buffer between the proposed use and the closest neighboring property located to the west of the subject property. Additionally, the proposed fourteen (14) trees that will be planted along the western side of the property, where the development is proposed, will provide an additional buffer between the proposed development and the neighboring property. As such the site is adequate for the proposed use and there is an appropriate buffer between the use and the surrounding area, and this finding can be made.

- C. The proposed use will not be detrimental to the public health, safety, or general welfare. In this respect the zoning administrator shall further find, without limitation, that:
  - 1. Adequate off-street parking, loading and unloading areas (if applicable) and handicapped access will be provided;

In accordance with County Zoning Ordinance Table 4.30-1 (Parking Spaces Required—Residential Use), agricultural employee housing requires one parking space per unit or each 1.200 sq. ft. of group living quarter, whichever is greater. To ensure compliance with the parking space requirements, the proposed Condition of Approval No. 7 requires providing one parking space for the proposed small-scale agricultural employee housing. The project as proposed and conditioned meet the requirement for adequate off-street parking (as applicable), thus this finding can be made.

2. Appropriately designed site access will be provided, including safe and adequate access for fire and emergency vehicles (including secondary access where deemed necessary by the fire marshal);

The proposed building will have appropriate fire safety improvements, such as adequate fire access for emergency services, a wharf hydrant, and a compliant fire sprinkler system. The subject property is located in State Responsibility Areas (SRA), where CAL-FIRE is the primary responder to fires and is responsible for fire safety. CAL-FIRE has reviewed the project, and approved the final submitted plan set. Additionally, the County Fire Marshall's office has reviewed the proposed project for compliance with the County Fire Ordinance and fire access standard (CFMO-A1) and has conditioned the project to ensure

the site continues to provide adequate fire protection measures. For these reasons, the project site has adequate fire protection improvements to serve the development, and this finding can be made.

# 3. The use will not adversely affect water quality. Adequate wastewater treatment, disposal and sanitation facilities will be provided and will satisfy all applicable local, state and federal requirements;

The proposed building will be served by an on-site septic disposal system. Department of Environmental Health (DEH) has approved an onsite wastewater treatment system (OWTS) design capable of accommodating a 3-bedroom dwelling. Water will be provided by on-site wells for the proposed development. As there is currently a separate application for the development of a single-family residence, ADU and JADU in process for the subject property, DEH has provided Condition No.17 stating, "should either the number of water service connection exceed 15 connections, or the existing water system serve 25 persons or more for at least 60 days, the existing water system shall be required to gain approval as a public water system through California State Water Resources Control Board."

Therefore, water quality standards or waste discharge requirements would be satisfied, and adequate wastewater treatment, disposal and sanitation facilities will be provided for the proposed agricultural employee housing. As such, <u>this finding can be made</u>.

## 4. The use will not be detrimental to the adjacent area because of excessive noise, odor, dust or bright lights;

The proposed project will be required to adhere to the County Noise Ordinance (proposed Condition of Approval No. 18). The County Noise Ordinance (Section B11-152) sets maximum exterior noise levels for land use categories, and compliance with these specifications will ensure that the neighboring properties are not significantly impacted. However, it is highly unlikely that the proposed small-scale agricultural employee housing produces excessive noise.

Construction work associated with the new buildings will generate some level of dust and noise; however, this is considered temporary in nature. The Land Development Engineering (LDE) division has conditioned the project to conduct the construction activities in conformance with the Santa Clara County Noise Ordinance Section B11-154, and prohibited this activity between the hours of 7:00 PM and 7:00 AM (proposed Condition of Approval No. 18).

Furthermore, the proposed project will not generate any odors, and no outdoor lighting is proposed. Therefore, the small-scale agricultural employee housing will not be detrimental to the adjacent area because of excessive noise, odor, dust, or bright lights. As such, this finding can be made.

## 5. The use will not substantially worsen traffic congestion affecting the surrounding area;

Access to the property is taken from a driveway off Old Calaveras Road which is a County maintained road and has a future width of 60 feet. The proposed small-scale agricultural employee housing will not substantially worsen traffic congestion affecting the surrounding area. During the construction and improvement phase of proposed improvements, there would be a temporary increase in traffic in and around the project site related to the delivery of materials and workers commuting to the site. However, once the project has been completed, the additional vehicle trips associated with the project will not result in a substantial increase in traffic in relation to the existing traffic load or the capacity of the street system. The proposed project would not result in a change in traffic patterns, or inadequate emergency access. For these reasons, the project will not have permanent impacts on traffic and circulation and will not substantially worsen traffic congestion in the surrounding area. As such, this finding can be made.

#### 6. Erosion will be adequately controlled; and

The project will be subject to Santa Clara County's Policies and Standards Pertaining to Grading and Erosion Control. Conditions of approval addressing erosion control are included in the Land Development Engineering requirements, which require conformance with the County's Standard Best Management Practice Plan (BMP) (refer to proposed Condition of Approval No. 28 in Attachment B). Implementation of standard construction BMPs would prevent on- or off-site erosion. As such, this finding can be made.

## 7. Adequate storm drainage management exists or will be provided and will comply with all applicable local, state and federal requirements.

The LDE division of the Department has conditioned the project to require the applicant to submit a Storm Water Management Plan prior to the issuance of the building permit, in accordance with the Stormwater Handbook published by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) (refer to proposed Condition No. 36 in **Attachment B**). LDE staff will review the plans to ensure compliance with applicable requirements. Therefore, adequate storm drainage will exist for the proposed development, and the property will continue to comply with the applicable state, federal, and local requirements. As such, this finding can be made.

#### 5. Design Review Findings:

Pursuant to Section §5.50.040 of the County Zoning Ordinance, all Design Review applications are subject to the stated scope of review. The overall purpose of Design

Review is to encourage quality design and mitigate potential adverse visual impacts of development. In the following discussion, the scope of review findings is listed in **bold**, and an explanation of how the project meets the required standard is in plain text below.

## A. Mitigation of any adverse visual impacts from proposed structures, grading, vegetation removal and landscaping;

According to the Department's GIS visibility layer, the proposed building site is located within an area of medium-high and high visibility, which indicates that the proposed building is potentially visible from the valley floor. The project proposes a 1,199 sq. ft. agricultural employee housing along with a 1,849 sq. ft. storage area located in the basement of the proposed building. The proposed building has a maximum height of 22'-11", which is consistent with the requirements of the Zoning Ordinance for the Milpitas Hillsides. The proposed exterior walls of the building are tiered with incorporating patios around the building with a depth of 5 feet which create undulating facades. The proposed exterior colors for the facade, trim, and roof materials would all have a Light Reflective Value (LRV) of 45 or less, which is consistent with the requirements for the Milpitas Hillsides. Additionally, the project proposes planting fourteen (14) 24-inch box California Native trees to screen the proposed building and mitigate the negative impact of the development, as seen from the valley floor.

A visual simulation analysis (Attachment E) was completed for the proposed building that evaluates the visibility of the proposed building from the three closest viewpoints out of the nine viewpoints defined by the City of Milpitas Zoning Map. The analysis found, the closest point of the valley floor where the project would be visible is nearly 4,000 feet away, and most of the valley floor viewpoints are 5,000 to 10,000 feet away. Due to the distance of the valley floor viewpoints to the project site, and the proposed height of the building which is 22'-11", the proposed development will appear very small in the distance, and the proposed fourteen trees will mostly conceal the proposed building.

Additionally, Planning Staff conducted a site visit for the story poles of the project from various viewpoints on Evans Road, Old Calaveras Road, and Calaveras Road, looking towards the property with consideration of the Milpitas crestline and can confirm the story poles did not protrude above the Milpitas crestline.

As sited and designed, the project minimizes the visual impacts toward the valley floor or neighboring properties, and the grading quantities are minimized to the extent possible for the establishment of the proposed development on the property. As such, this finding can be made.

#### B. Compatibility with the natural environment;

The project will not have any adverse impact on the existing natural environment, and does not include any tree removal. The development will not impact any

wildlife habitat as the biology report prepared by Madrone Ecological Consulting dated December 21, 2020, did not find any presence or evidence of habitat of any sensitive landcovers or species in the development area.

The proposed grading is minimal, and it is to establish the building pad, improve the existing driveway, and ensure proper drainage of the site in accordance with current engineering standards. The grading for the project is consistent to the natural environment as the project does not include large amounts of fills or cuts that are unnecessary for the establishment of the proposed agricultural employee housing. The development is concentrated in an area that is already developed and will not create any visual scars on the hillside. As such, the proposed project is designed to be compatible with the natural and existing environment and is utilizing the flattest area of the property for the construction of the structures. For these reasons, this finding can be made.

## C. Conformance with the "Design Review Guidelines," adopted by the Board of Supervisors;

The proposed development substantially complies with the Santa Clara County Design Review Guidelines, which require the project to minimize the visibility of new structures from the valley floor through site design, building form, colors and materials, landscape, and limits on outdoor lighting. The proposed small-scale agricultural employee housing is sited on a flat developed area as such, there is minimal disturbance to the natural terrain and contours. The proposed minor grading is to stablish the building pad, improve the existing driveway, and ensure propoer drainage of site in accordance with current engineering standards.

The development is not located on a ridgeline. The ridgeline is at 730 feet elevation and this building is proposed at 421.92 feet elevation, and there is 300ft difference between the two. The architectural design of the project avoids excessive bulk and mass by incorporating undulating facades. The exterior colors and materials are muted and have LRV of 45 or less to ensure compatibility with the surrounding environment. Furthermore, the project proposes fourteen (14) California Native trees to provide additional screening for the project. Due to the relatively flat grade of the project site and size of the proposed agricultural employee housing, the building form guideline stating "[t]he slopes of the roof should follow the natural contours of the land" does not apply to this project. Additionally, as noted on Sheet C1.1 of submitted plans, the project does not include any fences or outdoor lighting, thus, the design guidelines related to fences, and outdoor lighting does not apply to this project.

For the reasons stated above, the proposed project is in conformance with the Santa Clara County Design Review Guidelines, and this finding can be made.

#### D. Compatibility with the neighborhood and adjacent development;

Neighboring properties are primarily vacant land with a few parcels that have low density residences. There are also agricultural uses in the neighborhood as livestock could be seen grazing on a recent site visit to the area. The proposed project conforms with the characteristics of the surrounding neighborhood as the proposed size and architectural designs are compatible to adjacent developments. The project will not be obtrusive compared to the other developed parcels in the vicinity, due to the size, overall design, and colors. As such, this finding can be made.

#### E. Compliance with applicable zoning district regulations;

Residential use is an allowed use in the Hillsides (HS) Zoning District, and the project complies with the HS-d2 zoning regulations and development standards. The proposed small-scale agricultural employee housing meets the required setbacks (30-feet front, 30-feet side, and 30 feet rear) and height (maximum of 27feet). Additionally, the proposed development will not exceed the gross floor area of 1,200 square feet for small-scale agricultural housing. The size of the proposed dwelling unit also conforms with the size regulations applicable to the development within the Milpitas Hillsides which allows up to 8,000 square feet for dwellings on properties of 10 acres or more. The overall design of the proposed building is consistent with the -d2 design guideline standards and building massing standards in that the structure incorporates architectural elements, such as terraces, columns and windows to produce patterns of light and shade. Exterior colors are proposed and conditioned to be less than 45 in LRV (proposed Condition of Approval No.4). The proposed building will not create a visual impact as the maximum height of the proposed building is 22'-11" which is below the 27 feet maximum allowed height in the County Zoning Ordinance for Milpitas Hillsides district.

The project proposes fourteen (14) California Native trees to provide additional screening for the project. Additionally, Planning Staff conducted a site visit for the story poles of the project from various viewpoints on Evans Road, Old Calaveras Road, and Calaveras Road looking towards the property with consideration of the Milpitas crestline and can confirm the story poles did not protrude above the Milpitas crestline. For these reasons, the project is in compliance with the applicable zoning district regulations, and this finding can be made.

# F. Conformance with the General Plan, any applicable Specific Plan, and other applicable guidelines adopted by the Board of Supervisors or Planning Commission.

The proposed development conforms with the Santa Clara County General Plan Policies R-LU18, R-GD22, R-GD23, and Design Guidelines.

The proposed small-scale agricultural employee housing is consistent with General Plan Policy R-LU18 as low density residential use is an allowed use in Hillsides designated area. The project also conforms to R-GD22 and R-GD23 as the proposed development utilizes an existing developed area and the associated grading is the

minimum necessary to establish the building pad and improve driveway and site drainage. The proposed project minimizes grading by locating the proposed dwelling unit in a relatively flat area of the lot and utilizing the existing driveway.

The proposed development is consistent with the County's Board-adopted Design Guidelines as the proposed agricultural employee housing unit is sited on a flat area and does not have any massive and/or bulky facades. The exterior colors and materials are muted and have an LRV of 45 or less to ensure compatibility with the surrounding environment. As such, this finding can be made.

In conclusion, based on the analysis of facts described in the body of this report, staff recommends that the Zoning Administration Hearing Officer grant the concurrent land use entitlements for a Special Permit and Design Review to allow the construction of a small-scale permanent agricultural employee housing with its associated improvements. As noted throughout the Staff Report, the proposed project meets all applicable development standards for a smallscale permanent agricultural employee housing and satisfies all the findings for Design Review. Staff further recommends that the Zoning Administration Hearing Officer accept staff's determination that the proposed project is categorically exempt from CEQA review.

#### **BACKGROUND**

On December 27, 2022, an application was initially submitted to the Department for Special Permit and Design Review to allow the construction of a 1,199 sq. ft. small-scale permanent agricultural employee housing. On January 26, 2023, the application was deemed incomplete. The application was resubmitted on several occasions, with a final resubmittal on March 4, 2024. On April 3, 2024, the application was deemed complete for processing, and a determination letter stating that the project was exempt under CEQA was issued on April 25, 2024. Final action under the Permit Streamline Act (PSA) is required by June 1, 2024 which is within 60 days of the application being deemed complete.

The owner installed the required story poles by April 25, 2024 at the development site as part of the requirements for Design Review Zoning Administration Hearing items (at least 7 days prior to the hearing). A public notice was mailed to all property owners within a 300-foot radius of the project on April 19, 2024 and was also published in the Post Records on April 22, 2024, for the Zoning Administration Hearing date.

#### STAFF REPORT REVIEW

Project Planner: Parya Seif, Associate Planner, 408-299-5783, Parya Seif parya.seif@pln.sccgov.org

Dringinal Planner, 408-299-5787,

samuel.gutierrez@pln.sccgov.org

## **ATTACHMENT A**

Proposed CEQA Determination

## STATEMENT OF EXEMPTION

### from the California Environmental Quality Act (CEQA)

FILE NUMBER	APN(S)		
PLN22-234	029-34-004	4/25/2024	
PROJECT NAME	APPLICATION TYPE		
Gokulam Property's Small-Scale Permanent Agricultural Employee Housing	Special Permit and Design Review		
OWNER	APPLICANT		
Gokulam, LLC	Gokulam, LLC		

#### PROJECT LOCATION

2425 Old Calaveras Road, Milpitas, CA 95035

#### PROJECT DESCRIPTION

Concurrent land use application for Special Permit and Design Review to allow construction of a 1,199 sq. ft. permanent agricultural employee housing on a 43.32-gross acre lot. Associated improvement includes 1,849 sq. ft. storage area. Grading quantities include 178 cubic yards of cut and 215 cubic yards of fill. There are no trees proposed for removal.

All discretionary development permits processed by the County Planning Office must be evaluated for compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended). Projects which meet criteria listed under CEQA may be deemed exempt from environmental review. The project described above has been evaluated by Planning Staff under the provisions of CEQA and has been deemed to be exempt from further environmental review per the provision(s) listed below.

#### CEQA (GUIDELINES) EXEMPTION SECTION

Section 15303, Class 3(a) - new single-family residence

#### COMMENTS

The project has been reviewed in accordance with the California Environmental quality Act (CEQA). The proposed project qualifies for a Class 3 Categorical Exemption under Section 15303 for the construction of a small scale agricultural employee housing- one dwelling unit.

The project does not propose any tree removal. The aesthetic impacts of the -d2 viewshed are addressed through the required Design Review process and conditions of approval. The exterior colors and materials are muted and have LRV of 45 or less to ensure compatibility with the surrounding environment. Fourteen (14) 24-inch box California Native trees are proposed by the applicant to provide additional screening for the project. The project will not create any impacts to a watercourse, or sensitive or protected wildlife or plant species.

APPROVED BY:		
Parya Seif, Associate Planner	Parya Seif Signature	April 25, 2024

## **ATTACHMENT B**

Preliminary Conditions of Approval

## PROPOSED SPECIAL PERMIT AND DESIGN REVIEW CONDITIONS OF APPROVAL

Final Action: May 2, 2024 Applicant: Gokulam, LLC

Location: 2425 Old Calaveras Road, Milpitas, CA 95035, APN: 029-34-004

File Number: PLN22-234

**CEQA:** Exempt under Section 15303, Class 3 – one dwelling unit

Project Description: Concurrent land use application for Special Permit and Design Review to

allow construction of a 1,199 sq. ft. permanent agricultural employee housing on a 43.32-gross acre lot. Associated improvement includes 1,849 sq. ft. storage area. Grading quantities include 178 cubic yards of cut and

215 cubic yards of fill.

If you have any questions regarding the following conditions of approval, contact the person whose name is listed for that agency. They represent a particular specialty or office and can provide details about the conditions of approval.

Agency	Name	Phone	E-mail
Planning	Parya Seif	(408) 299-5783	parya.seif@pln.sccgov.org
Land Development Engineering	Darrell Wong	(408) 299-5735	darrell.wong@pln.sccgov.org
Department of Environmental Health	Darrin Lee	(408) 918-3435	darrin.lee@cep.sccgov.org
Fire Marshal's Office	Alex Goff	(408) 299-5760	alex.goff@sccfd.org
Roads and Airports	Thomas Esch	(408) 573-2450	tom.esch@rda.sccgov.org
Geology	David Seymour	(408) 299-6711	david.seymour@pln.sccgov.org

#### STANDARD CONDITIONS OF APPROVAL

#### Planning

- 1. Development must take place in substantial conformance with the approved plans, submitted on March 4, 2024, and the Conditions of Approval. Any changes to the proposed project, or any increase in grading quantities, or modification to the grading or design may result in additional environmental review, pursuant to the California Environmental Quality Act, or additional Planning review.
- 2. Existing zoning is HS-d2 (Hillside with Design Review Combining District). The following minimum dwelling setbacks shall be maintained for the residence:

Front: 30 ft. Sides: 30 ft. Rear: 30 ft.

3. The maximum height of dwellings in the HS-d2 zone is 27 feet and not more than two (2) stories.

- 4. With the exception of trim and minor details, the exterior surfaces of the building shall be painted muted colors with a light reflectivity value (LRV) of 45 or lower and shall be consistent with the color samples provided with this approval.
- 5. Onsite lighting shall be designed, controlled and maintained so that no light source is visible from off the property. All exterior lights are required to be downward directed and should have no light spillover off the property.
- 6. All proposed/existing fences, including walls and gates, are subject to the regulations in Zoning Ordinance Section 4.20.050. Fences over seven feet in height require a building permit.
- 7. A minimum of one off-street parking space shall be provided for a Small-Scale Permanent Agricultural Employee Housing.
- 8. The project proposes planting of fourteen (14) 24-inch box California Native Trees As shown on Sheet C1.1 of the approved plans. These fourteen (14) trees are to remain for the life of the project to provide additional screening of the project as viewed from the valley floor.

Note: Per County Ordinance Code Section C16-3(e), any trees that are required to be planted or retained by these Conditions of Approval are protected trees, regardless the size. The project trees are subject to tree removal and replacement trees. Irrigation system is highly recommended to increase the trees' survival.

Requirements for Small-Scale Permanent Agricultural Employee Housing

- 9. Small-Scale Permanent Agricultural Employee Housing shall not exceed 1,200 square feet for an individual dwelling unit.
- 10. The small-scale permanent agricultural employee housing shall be occupied exclusively by agricultural employees and their family members for at least a total of 180 days per calendar year. Compliance with the occupancy requirements shall be verified annually as provided in the Zoning Ordinance subsection 4.10.040(D).
- 11. The owner of the parcel containing agricultural employee housing shall submit a completed annual verification form to the Department of Planning and Development no later than January 31 of each year.
- 12. Comply with all state and federal requirements applicable to agricultural employee housing including but not limited to obtaining and maintaining a permit to operate (or exemption) from the California Department of Housing and Community.
- 13. If permanent agricultural employee housing ceases to be occupied by agricultural employees for more than two consecutive calendar years then such housing and ancillary facilities shall be removed from the property within six months and the property owner may be subject to

administrative citations, administrative fines, or other enforcement measures until the property is brought into full compliance. In the case of an emergency or other extenuating circumstance such as drought or wildfire, which may temporarily impede ongoing agricultural operations, discontinuance of agricultural employee housing use for longer than two consecutive calendar years may be allowed subject to approval by the Planning Director.

14. A copy of the completed Annual Verification Form for Agricultural Employee Housing, along with substantial evidence that the small scale permanent agricultural employee housing was occupied by agricultural employees for a minimum of 180 days during the preceding calendar year must be submitted to the Department of Planning and Development no later than January 31 of each year.

#### Land Development Engineering

15. Property owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to adjoining property.

#### Department of Environmental Health

- 16. OWTS feasibility was demonstrated by achieving a percolation test rate of 4.83 minutes per inch.
- 17. Should either the number of water service connection exceed 15 connections, or the existing water system serve 25 persons or more for at least 60 days, the existing water system shall be required to gain approval as a public water system through California State Water Resources Control Board.
- 18. All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays for the duration of construction.

### Roads and Airports

- 19. A Tree Removal Approval (Board of Supervisors) process is required prior to any tree removal, replacement, or relocation within the County right-of-way (ROW). A tree within the ROW requiring removal approval is any tree at least 20 feet in height or at least 12 inches in diameter measured 4.5 feet above grade. The process for obtaining approval for a tree removal and the forms that are required can be found at: <a href="https://countyroads.sccgov.org/tree-removal-approval-county-right-way">https://countyroads.sccgov.org/tree-removal-approval-county-right-way</a>.
- 20. Property owner is not permitted to place fencing of any type within the County ROW, inclusive of the future width line (FWL).

## <u>CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO DEVELOPMENT PERMIT ISSUANCE</u>

#### Planning

- 21. Prior to the issuance of any permits, the applicant shall pay all reasonable costs associated with the work by the Department of Planning and Development.
- 22. Prior to issuance of any permit, the final map for the approved tentative map must be recorded.
- 23. Prior to the issuance of a building permit, and pursuant to Zoning Ordinance Section 4.10.040 (E) and 5.20.125, record a "Notice of Permit and Conditions" with the County Office of the Clerk-Recorder, to ensure that successor property owners are made aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided prior to building permit issuance.

#### Land Development Engineering

24. Obtain a Grading Permit from Land Development Engineering (LDE) prior to beginning any construction activities. Issuance of the grading permit is required prior to LDE clearance of the building permit (building and grading permits shall be applied for concurrently). The process for obtaining a grading permit and the forms that are required can be found at the following web page:

https://plandev.sccgov.org/home > How to > Apply for a Development Permit or Planning Application > Grading Permit

If the County Roads and Airports Department provides a condition of approval to obtain an encroachment permit, for your convenience, the grading and encroachment permits will be processed concurrently under one set of improvement (grading) plans.

- 25. Final plans shall include a single sheet which contains the County standard notes and certificates as shown on County Standard Cover Sheet. Plans shall be neatly and accurately drawn, at an appropriate scale that will enable ready identification and recognition of submitted information.
- 26. Final improvement plans shall be prepared by a licensed civil engineer for review and approval by LDE and the scope of work shall be in substantial conformance with the conditionally approved preliminary plans on file with the Planning Office. Include plan, profile, typical sections, contour grading for all street, road, driveway, structures, and other improvements as appropriate for construction. The final design shall be in conformance with all currently adopted standards and ordinances. The following standards are available on-line:
  - § Standard Details Manual, September 1997, County of Santa Clara, Roads and Airports Department

https://countyroads.sccgov.org/home > Do Business with Us > County Standard Details, Specifications and Documents

- § March 1981 Standards and Policies Manual, Volume 1 (Land Development) https://plandev.sccgov.org/home > Ordinances & Codes > Land Development Standards and Policies
- § 2007 Santa Clara County Drainage Manual https://plandev.sccgov.org/home > Ordinances & Codes > Grading and Drainage Ordinance
- 27. Survey monuments shall be shown on the improvement plan to provide sufficient information to locate the proposed improvements and the property lines. Existing monuments must be exposed, verified, and noted on the grading plans. Where existing monuments are below grade, they shall be field verified by the surveyor and the grade shall be restored and a temporary stake shall be placed identifying the location of the found monument. If existing survey monuments are not found, temporary staking delineating the property line may be placed prior to construction and new monuments shall be set prior to final acceptance of the improvements. The permanent survey monuments shall be set pursuant to the State Land Surveyor's Act. The Land Surveyor/Engineer in charge of the boundary survey shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.
- 28. The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period). Include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set.
- 29. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.
- 30. Provide landscaping and disturbed area quantities on the final plans along with water efficiency calculations to demonstrate compliance with water usage requirements.
- 31. All trash enclosures are to be covered and floor drains connected to a sanitary sewer or septic system.

#### Drainage

32. Provide a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. The mean annual precipitation is available on the on-line property profile.

#### **Utilities**

33. All new on-site utilities, mains and services shall be placed underground and extended to serve the proposed development. All extensions shall be included in the improvement

plans. Off-site work should be coordinated with any other undergrounding to serve other properties in the immediate area.

34. All storm drainage inlets shall be appropriately stenciled as drains to the bay/creek.

Stormwater Treatment – San Francisco Bay

- 35. Include one of the following site design measures per the Municipal Regional Permit in the project design: (a) direct hardscape and/or roof runoff onto vegetated areas, (b) collect roof runoff in cisterns or rain barrels for reuse, or (c) construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces. Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design. For additional information, please refer to the C.3 Stormwater Handbook available at the following website:
  - § <u>www.scvurppp.org</u> > Elements > New Development and Redevelopment > C.3 Stormwater Handbook
- 36. Provide a Storm Water Management Plan addressing this development in conjunction with the larger overall common plan of development. The Storm Water Management Plan shall incorporate site design measures, source control measures, and show drainage management areas, treatment measures, and hydromodification management (HM) features. Sizing calculations for the treatment measures and hydraulic analysis of the HM measures will be required. Please see the C.3 Stormwater Handbook published by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) available at the following website:

<u>www.scvurppp.org</u> > Resources > reports and work products > New Development and Redevelopment > C.3 Stormwater Handbook

Soils and Geology

- 37. Submit <u>one copy</u> of the signed and stamped geotechnical report for the project.
- 38. Submit a plan review letter by the Project Geotechnical Engineer certifying that the geotechnical recommendation in the above geotechnical report have been incorporated into the improvement plan.

Notice of Intent

39. Indicate on the improvement plans the land area that will be disturbed. If one acre or more of land area will be disturbed, file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for coverage under the State General Construction Permit. The SWRCB will issue a Waste Discharge Identification number (WDID). The WDID number shall be shown on the on the final improvement plans. The SWRCB web site is at:

www.waterboards.ca.gov > Water Issues > Programs > Stormwater

#### Agreements

40. Enter into an Operations and Maintenance Agreement for Stormwater Quality Improvements with the County per Section C11.5-23 of the County Ordinance Code or provide an existing agreement covering the treatment facilities covering the overall development.

#### Department of Environmental Health

- 41. Prior to issuance of a development permit, submit an onsite wastewater treatment system (OWTS) design overlaid onto the final site grading and drainage plan to the Department of Environmental Health for review and approval.
  - a. The OWTS plan shall be designed based upon percolation test rates and the dispersal field shall be located within the soil profile and percolation testing areas. OWTS feasibility was demonstrated by achieving a passing percolation test rate of 4.83 minutes per inch. An OWTS design for the proposed use shall incorporate the design flow associated with the number of proposed bedrooms per dwelling unit and any ancillary wastewater contributions, including wastewater generated from agricultural accessory structure(s).
    - Note: DEH reviewed an OWTS design capable of accommodating a 3-bedroom dwelling with a design flow of 450 gallons per day.
  - b. Maintain all applicable setbacks as noted within County of Santa Clara Onsite Systems Manual.
- 42. To assist in verification of OWTS dispersal field sizing, provide to the Department of Environmental Health final floor plans for the agricultural housing unit and structures with plumbing fixtures.
- 43. Prior to issuance of a development permit, provide proof of individual water clearance by submitting the Department of Environmental Health water clearance letter.

#### Geology

- 44. The geotechnical engineering report prepared by Geo-Engineering Solutions, dated December 2, 2021, is approved.
- 45. Prior to issuance of a development permit, provide a **Plan Review Letter** prepared by the geotechnical consultant that confirms the plans conform with the recommendations presented in the approved report.

#### Roads and Airports

- 46. Dedicate the following curvilinear rights-of-ways: 30-foot half street for Old Calaveras Road. All dedications shall include legal descriptions, plats, and corresponding documents to be reviewed and approved by the County.
- 47. Obtain a Santa Clara County Roads and Airports Department Encroachment Permit for the following required improvements (the process for obtaining an Encroachment Permit and the forms that are required can be found at: https://countyroads.sccgov.org/encroachment-permits):
  - a. Removal of fencing from County ROW.
  - b. As identified in the Sight Distance Analysis, removal of vegetation or other obstructions necessary to provide adequate line-of-sight at the driveway approach location.
  - c. All utility relocations, replacements, abandonments, temporary facilities, and new facilities.
- 48. Demonstrate that the post-development maximum flow rate into the County Road right-of-way is equal-to or less-than the pre-development corresponding storm event flow rate per the County Drainage Manual. Provide engineered plans and drainage calculations for any detention or retention system necessary to satisfy this requirement.

#### Fire Marshal's Office

#### Fire Protection Water

- 49. Fire protection water system shall be installed, functioning and inspected prior to combustibles being brought on-site. System shall be maintained in good working order and accessible throughout construction. A stop work order may be placed on the project if the required hydrant systems are not installed, accessible, and/or functioning.
- 50. Where on-site storage tanks are required, details for fire protection water supply shall be included with the building permit set of drawings. Submittal shall include, but not be limited to, location of water supply, (e.g., onsite well, shared well; tank location and capacity, pipe size, standard fire hydrant orifice size and location, domestic and fire protection water tanks and piping configuration).
  - a. Above ground water tank to be a separate permit submittal.
  - b. Water tank to be sized per NFPA-1142, official review of water tank size to be conducted at building permit submittal. Plans currently propose a 202,290 gallon tank.
- 51. A fire pump meeting NFPA-20 to be a separate submittal.

52. Standard fire hydrant/s to be a separate submittal meeting NFPA-24. Standard fire hydrant to have a 4-1/2 inch pumper connection and double 2-1/2 inch outlets.

### Fire Department Access

Note: These are minimum Fire Marshal standards. Should these standards conflict with any other local, state or federal requirement, the most restrictive shall apply.

- 53. All required access roads, driveways, turnarounds, and turnouts shall be installed, and serviceable prior to approval of the foundation, and shall be maintained throughout construction. A stop work order may be placed on the project if required driving surfaces are not installed, accessible, and/or maintained at all times.
- 54. Access Roads (roads serving more than two lots) and Driveways (roads serving no more than two lots) for fire department access shall comply with the following:
  - a. Width: Access Roads to have a clear drivable width of 20 ft. (excluding shoulders) per CFMO-A1.
  - b. Vertical Clearance: Minimum vertical clearance of 13 ft. 6 in. shall be maintained to building site (trim or remove, tree limbs, electrical wires, structures, and similar improvements) for access roads and driveways.
  - c. Curve Radius: Plans to show minimum 30 ft. inside turn radius for curves and 50 ft. exterior turn radius.
  - d. Grade: Maximum grade shall not exceed 15%.
  - e. Surface: All driving surfaces shall be all-weather and capable of sustaining 75,000 pound gross vehicle weight.
  - f. Dead End Roads: Turnarounds shall be provided for dead end access roads in excess of 150 ft. in length. Acceptable turnaround shall comply with County Standard SD-16. All turnarounds shall have a slope of not more than 5% in any direction.
  - g. Gates: Gates shall not obstruct the required width or vertical clearance of the driveway and may require a Fire Department Lock Box/Gate Switch to allow for fire department access. Installation shall comply with CFMO-A3.
  - h. Address: Numbered address to be easily recognizable from the street.

#### Miscellaneous

55. This property is located in the Wildland Urban Interface Fire Area (WUI) and the State Response Area (SRA). All of the following conditions shall apply:

- a. A Class "A" roof assembly is required. Detail shall be included in plans submitted for building permit.
- b. Meet Chapter 7A of the CBC.

#### Maintenance

- 56. Fire protection water systems and equipment shall be accessible and maintained in operable condition at all times, and shall be replaced or repaired where defective. Fire protection water shall be made available to the fire department.
- 57. Fire department access roads, driveways, turnouts, and turnarounds shall be maintained free and clear and accessible at all times for fire department use. Gates shall be maintained in good working order and shall remain in compliance with Fire Marshal Standard CFMO-A3 at all times.
- 58. Remove significant combustible vegetation within 30 feet of the structure to minimize risk of wildfire casualty. Maintain appropriate separation of vegetative fuels in areas between 30 and 100 feet from the structure.

#### **CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO FINAL INSPECTION**

#### Planning

- 59. Prior to final inspection, contact your project planner, Parya Seif, at least two weeks in advance to schedule a site visit to verify the approved exterior colors and landscaping have been established, as approved.
- 60. Prior to final inspection, the fourteen (14) California Nativ trees shall be planted to ensure that the proposed development blend with the natural surroundings per the Design Review Guidelines.

Note: Per County Municipal Code Division C16-3(e), any trees that are required to be planted or retained by these Conditions of Approval are protected trees, regardless the size. These trees are subject to tree removal and replacement trees. Irrigation system is highly recommended to increase the trees' survival.

#### Land Development Engineering

61. Existing and set permanent survey monuments shall be verified by inspectors prior to final acceptance of the improvements by the County. Any permanent survey monuments damaged or missing shall be reset by a licensed land surveyor or registered civil engineer authorized to practice land surveying and they shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.

62. Construct the improvements. Construction staking is required and shall be the responsibility of the developer.

#### Department of Environmental Health

63. Provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of Santa Clara County is mandatory.

#### Roads and Airports

64. Construct all the improvements approved under the Encroachment Permit.

#### Fire Marshal's Office

65. The review of this project was for Fire Land Use ONLY, further review including Fire Life Safety review will be conducted at Building Permit submittal.

Fire Sprinkler System

66. An approved NFPA 13 fire sprinkler system shall be installed throughout the structure.

NOTE: The fire sprinkler system shall be installed and finaled by this office prior to occupancy. A separate permit shall be obtained from this office by a state licensed C-16 contractor prior to installation. Please allow for a minimum of 30 days for plan review of fire sprinkler plans by this office.

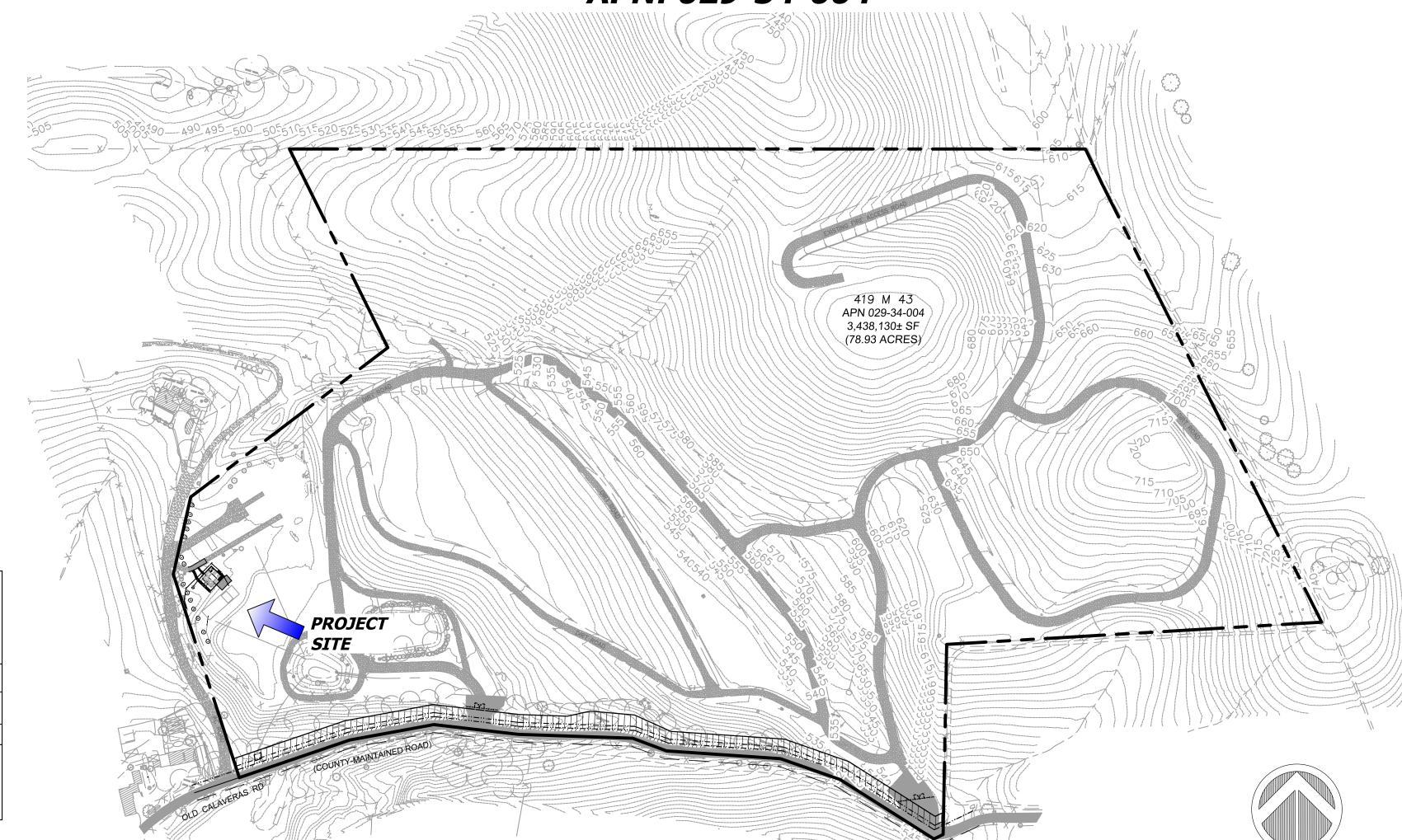
## **ATTACHMENT C**

Plans, with Light Reflectivity Value (LRV)

# GOKULAM, LLC

# SPECIAL PERMIT (PLN22-234)

## SMALL SCALE PERMANENT AGRICULTURAL EMPLOYEE HOUSING APN: 029-34-004



## CIVIL ENGINEER:

C2G/CIVIL CONSULTANTS GROUP, INC 4444 SCOTTS VALLEY DRIVE STE. 6 SCOTTS VALLEY, CA 95066 OFFICE: (831) 438-4420

### **SEPTIC**

LC ENGINEERING 598 E. SANTA CLARA ST., SUITE #270 SAN JOSE, CA 95112 OFFICE: (510) 236-6114 EXT. 211

4444 SCOTTS VALLEY DRIVE STE. 7 SCOTTS VALLEY, CA 95066 OFFICE: (831) 438-4453

OWNER/DEVELOPER:

GOKULAM LLC,

680 E.CALAVERAS BLVD.

MILIPITAS, CA 95035

**SURVEYOR** 

PHONE-(408) 833-9743

EMAIL: gokulam@ihf-usa.org

ALPHA LAND SURVEYS, INC.

## PROJECT EARTHWORK QUANTITIES

NOTE: THE EARTHWORK OUANTITIES SHOWN HEREON ARE EXCLUSIVE OF WALL FOOTINGS, EXISTING PAVEMENT REMOVAL AND OVER EXCAVATION AND RECOMPACTION, UTILITY TRENCH SPOILS & SOIL EXPANSION AND CONTRACTION FACTORS.

DESCRIPTION	CUT (cu.yds)	FILL (cu.yds)	NET (cu.yds)	MAX CUT (ft) HEIGHT	MAX FILL (ft) HEIGHT	IMPERVIOUS AREA (sq.ft)
BLDG + 5' PERIMETER	155	50	105(C)	2.5	3	3205
SITE GRADING & DWY	23	165	142(F)	1.5	2	3203
TOTAL	178	215	37(F)			

## **NET VOLUME = 37 CU.YDS. OF FILL**

THE ABOVE QUANTITIES ARE FOR INFORMATION PURPOSES ONLY. THE CONTRACTOR IS RESPONSIBLE TO PROVIDE THE NECESSARY CUT AND FILL TO ACCOMPLISH FINISH GRADE SHOWN ON THESE PLANS.

## PROJECT DESCRIPTION

PROJECT DESCRIPTION FOR SPECIAL PERMIT AND DESIGN REVIEW APPLICATION FOR SMALL SCALE PERMANENT AGRICULTURAL EMPLOYEE HOUSING (1199 SQFT) FOR APN: 029-34-004 LOCATED AT 2425, OLD CALAVERAS ROAD, MILPITAS, CA 95035.

THIS SMALL SCALE PERMANENT AGRICULTURAL EMPLOYEE HOUSING IS PART OF THE OVERALL PROJECT TO BUILD FACILITIES FOR OUR COMMERCIAL AGRICULTURAL OPERATIONS OF GOKULAM LLC ON THE PROPERTY. AS PART OF PLANNING APPLICATION PLN20-125 WE HAVE RECEIVED GRADING APPROVAL AND DESIGN REVIEW ADMINISTRATIVE APPROVAL FOR THE INFRASTRUCTURES REQUIRED FOR OUR OPERATIONS. THAT APPLICATION ALSO INCLUDED THE APPROVAL FOR A TINY MOBILE HOME TO SERVE AS THE RESIDENCE FOR OUR AGRICULTURAL EMPLOYEES WORKING IN OUR PROPERTY. AFTER A FURTHER DISCUSSION WITH PLANNING MANAGER MICHAEL MEEHAN AND OUR PROJECT PLANNER ROB SALISBURY, WE CAME TO THE CONCLUSION THAT SINCE OUR AGRICULTURAL HOUSING WAS OF PERMANENT NATURE, WE WOULD SUBSTITUTE OUR APPLICATION FOR A TINY MOBILE HOME WITH A SMALL SCALE PERMANENT AGRICULTURAL EMPLOYEE HOUSING. THIS APPLICATION IS MEANT TO GET ENTITLEMENT FOR A 1199 SQFT SMALL SCALE PERMANENT AGRICULTURAL EMPLOYEE HOUSING TO SERVE THIS NEED. WE ARE MAKING USE OF THE TOPOGRAPHY OF THE BUILDING SITE AND THE 1849 SQ.FT CRAWL SPACE CREATED UNDERNEATH THIS BUILDING AS A STORAGE AREA FOR OUR AGRICULTURAL OPERATIONS. THE HEIGHT OF THIS STORAGE AREA IS 6'11" AND THUS WILL NOT BE COUNTED TOWARDS THE GROSS FLOOR AREA OF THE BUILDING.

## THE SCOPE OF THE PROJECT ALREADY APPROVED UNDER PLN20-125 IS AS FOLLOWS:

- DEV23-2302: 1 PREMANUFACTURED METAL LIVESTOCK SHED (1972SQFT)
- DEV23-2307: 1 PREMANUFACTURED METAL AG SHED (1450SQFT)
- DEV23-2308: 1 FEED STORAGE SHED (500SQFT) DEV23-2309: 1 WELL SHED (REGULARIZE)
- DEV23-2310: 1 CARPORT
- DEV23-0115: ONE 202,290-GALLON STEEL TANK FOR FIRE SUPPRESSION AND IRRIGATION DEV22-3196: SHED 1 PREMANUFACTURED METAL LIVESTOCK SHED (500SQFT)
- DEV22-3202: SHED 2 PREMANUFACTURED METAL LIVESTOCK SHED (500SQFT)
- DEV22-3202: SHED 3 PREMANUFACTURED METAL LIVESTOCK SHEDS (500SQFT) DEV22-3206: STORAGE SHED 1 (120SOFT)
- DEV22-3207: STORAGE SHED 1 (120SQFT)

SPECIAL NOTE: AS PER THE DISCUSSION WITH THE ROB SALISBURY, PLANNER PARYA SEIF AND LDE ON 11/20/2023 FOLLOWED BY EMAIL SENT BY PARYA ON 11/30/2023 THE GRADING APPROVAL FOR EARTHWORK ASSOCIATED WITH THE SMALL SCALE PERMANENT AGRICULTURAL EMPLOYEE HOUSING WILL BE APPROVED UNDER PLN20-125MOD1 WHICH IS ALSO BEING PROCESSED SIMULTANEOUSLY.

## GENERAL NOTES

NO CHANGE TO THE GRADING PLAN SHALL BE PERMITTED WITHOUT PRIOR APPROVAL BY THE OWNER OR OWNERS REPRESENTATIVES.

CONTRACTOR SHALL VERIFY LOCATIONS, ELEVATIONS AND INVERTS OF EXISTING UTILITY PRIOR TO COMMENCEMENT OF WORK AND SHALL NOTIFY OWNER OR OWNERS REPRESENTATIVES OF VARIANCE FROM THOSE SHOWN ON THE PLANS.

UNDERGROUND FACILITIES AND UTILITIES HAVE BEEN SHOWN BASED ON RECORD DRAWINGS AND VISIBLE EVIDENCE FOUND IN FIELD. NO WARRANTY IS MADE REGARDING THE COMPLETENESS OR ACCURACY OF SUCH INFORMATION. PRIOR TO CONSTRUCTION, DETERMINE THE EXACT LOCATION OF UNDERGROUND FACILITIES AND UTILITIES, AND PRESERVE SAME FROM DAMAGE. PRIOR TO CONSTRUCTION, VERIFY LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AT THE CROSSING POINTS WITH PROPOSED UTILITIES. THE CONTRACTOR SHALL NOTIFY THE OWNER OR OWNERS REPRESENTATIVES IF CONDITIONS DIFFER FROM THOSE SHOWN ON THE DRAWINGS AND SHALL NOT BEGIN CONSTRUCTION UNTIL THE CHANGED CONDITION HAS BEEN EVALUATED. CONTACT

UNDERGROUND SERVICES ALERT (USA) (1-800-227-2600) TWO (2) WEEKS PRIOR TO DIGGING. REPAIR UNDERGROUND UTILITIES DAMAGED BY CONSTRUCTION OPERATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES ASSOCIATED WITH CONTRACTOR'S FAILURE TO EXACTLY LOCATED AND PRESERVE UNDERGROUND FACILITIES AND UTILITIES.

CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COORDINATION WITH THE APPROPRIATE UTILITY COMPANIES AND/OR AGENCIES TO VERIFY THE EXISTENCE AND/OR LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCEMENT OF WORK. AND SHALL NOTIFY U.S.A. @ (800) 227-2600 AT LEAST 48-HOURS IN ADVANCE OF EXCAVATION.

IF ANY INDICATIONS OF ARCHEOLOGICAL REMIANS ARE ENCOUNTERED DURING GRADING ACTIVITIES FOR ANY DEVELOPMENT WITHIN THE PROJECT SITE, ALL WORK SHALL BE HALTED WITHIN 200 FOOT RADIUS OF THE FIND. OWNER SHALL RETAIN A QUALIFIED ARCHEOLOGIST RETAINED TO DETERMINE THE NATURE OF THE DISCOVERY AND RECOMMEND APPROPRATE EVALUATION PROCEDURES.

## ADDITIONAL NOTES

- CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY, AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.

- THE STANDARD SPECIFICATIONS AND DETAILS, LATEST EDITION, OF THE COUNTY OF SANTA CLARA SHALL GOVERN UNLESS OTHERWISE SPECIFIED

- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND. NEW ELECTRICAL SERVICE SHALL BE INSTALLED UNDERGROUND.

## UNAUTHORIZED CHANGES AND USES

CAUTION: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THE PLANS

## CONTRACTOR RESPONSIBILITY

CONTRACTOR AGREES THAT HE SHOULD ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY, DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, AND THAT REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED DURING WORKING HOURS. THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE DESIGN PROFESSIONALS HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR DESIGN PROFESSIONAL.

## DISCREPANCIES

IF THERE ARE ANY DISCREPANCIES BETWEEN THE CONSTRUCTION DOCUMENTS AND EXISTING CONDITIONS WHICH WILL AFFECT THE WORK, THE CONTRACTOR SHALL BRING SUCH DISCREPANCIES TO THE DESIGN PROFESSIONAL FOR ADJUSTMENT BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER FITTING OF ALL WORK AND FOR THE COORDINATION OF ALL TRADES, SUBCONTRACTORS, AND PERSONS ENGAGED UPON THIS CONTRACT.

## CONSTRUCTION SURVEYING / STAKING

CONTRACTOR IS RESPONSIBLE TO PROVIDE ALL SURVEYING AND OR STAKING BY A LICENSED SURVEYOR FOR ALL CONSTRUCTION PURPOSES.

## PROJECT DATA

LOT SIZE:

SPRINKLERED:

2425 OLD CALAVERAS ROAD, MILPITAS, CA 95035 D2 - HS - HILLSIDE

78.93 ACRES (3,438,191 SQ. FT.)

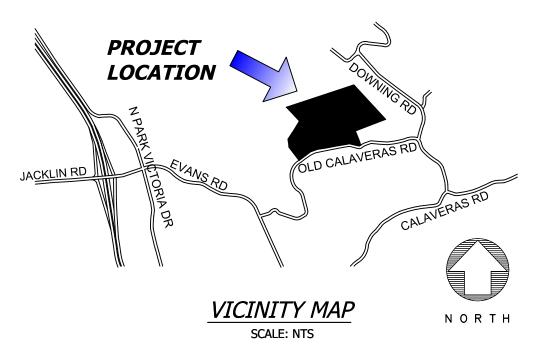
PROJECT DEMOLITION: EXISTING BUILDING 1, 2, 3, 4, 6 & 7 TO BE

> EXISTING BUILDING 5 TO BE REGULARIZED. DEMOLITION AND REGULARIZATION TO OCCUR UNDER DEV22-3196, DEV22-3201, DEV22-3202,

## TREE DEMOLITION NOTE

NO EXISTING TREES ARE MARKED FOR DEMOLITION UNDER THIS APPLICATION





## INDEX OF SHEETS

CIVIL PLANS:

C0.1 - COVER SHEET

C0.2 - GRADING PERMITS PROCESS OVERVIEW

C1.1 - OVERALL PLAN

C1.2 - SIGHT DISTANCE ANALYSIS

C1.3 - SIGHT DISTANCE ANALYSIS

C2.1 - GRADING & DRAINAGE PLAN

C2.2 - SECTIONS

**C3.1 - CONSTRUCTION DETAILS** 

C4.1 - EROSION CONTROL PLAN

C5.1 - GRADING AND DRAINAGE - FIRE ROAD

C6.1 - FIRE ROAD ACCESS PROFILE & SECTION

ARCHITECTURAL PLANS:

A01 - FLOOR PLAN & AREA CALCULATION

A02 - STORAGE FLOOR PLAN

A03 - ELEVATIONS BW1

A04 - ELEVATIONS BW2

A05 - SECTIONS

A06 - VIEWS

APPROVED SEPTIC SYSTEM PLANS:

SS1- SEPTIC SYSTEM SITE PLAN

SS2 - SEPTIC SYSTEM DETAILS

SS3 - SEPTIC SYSTEM CALCULATIONS

H1- TEMPORARY & PERMANENT LAND COVER

## APPLICABLE CODES

ALL CONSTRUCTION SHALL COMPLY WITH ALL LOCAL CODES AND ORDINANCES AND THE CODES LISTED BELOW OR THE MOST CURRENT CODES AND ORDANCENCES AT THE TIME OF SUBMITTAL:

## 2022 CALIFORNIA CODES

1. 2022 CALIFORNIA BUILDING CODE

2. 2022 CALIFORNIA ELECTRICAL CODE

3. 2022 CALIFORNIA MECHANICAL CODE

4. 2022 CALIFORNIA PLUMBING CODE

5. 2022 CALIFORNIA GREEN BUILDING CODE

6. 2022 CALIFORNIA ENERGY CODE

7. 2022 CALIFORNIA RESIDENTIAL CODE

8. 2022 CALIFORNIA FIRE CODE

ZONING DESIGNATION: 029-34-004

**BUILDING AREA:** 2249 SQ. FT. OF COVERED AREA

> 2249 SQ. FT. (BUILDING AREA TOTAL) 0.00065% OF ENTIRE LOT

TYPE OF CONSTRUCTION: TYPE 1 OCCUPANCY GROUP: R3

DEMOLISHED (VIOLATION VIO19-00082)

DEV22-3206, DEV22-3207 & DEV23-0115)



**RESPONSE TO SCC** angle COMMENTS 05.09.23

REVISIONS

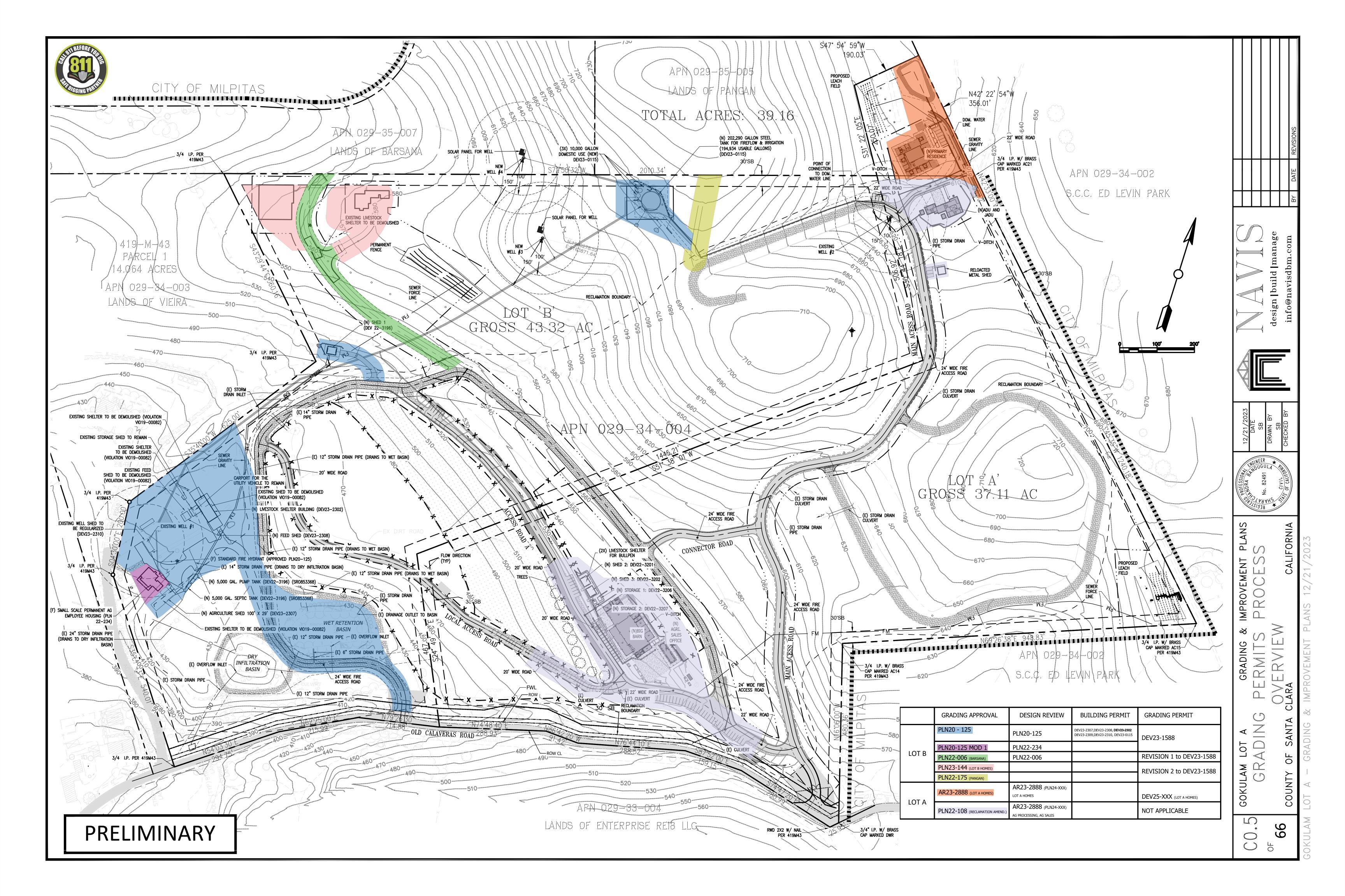


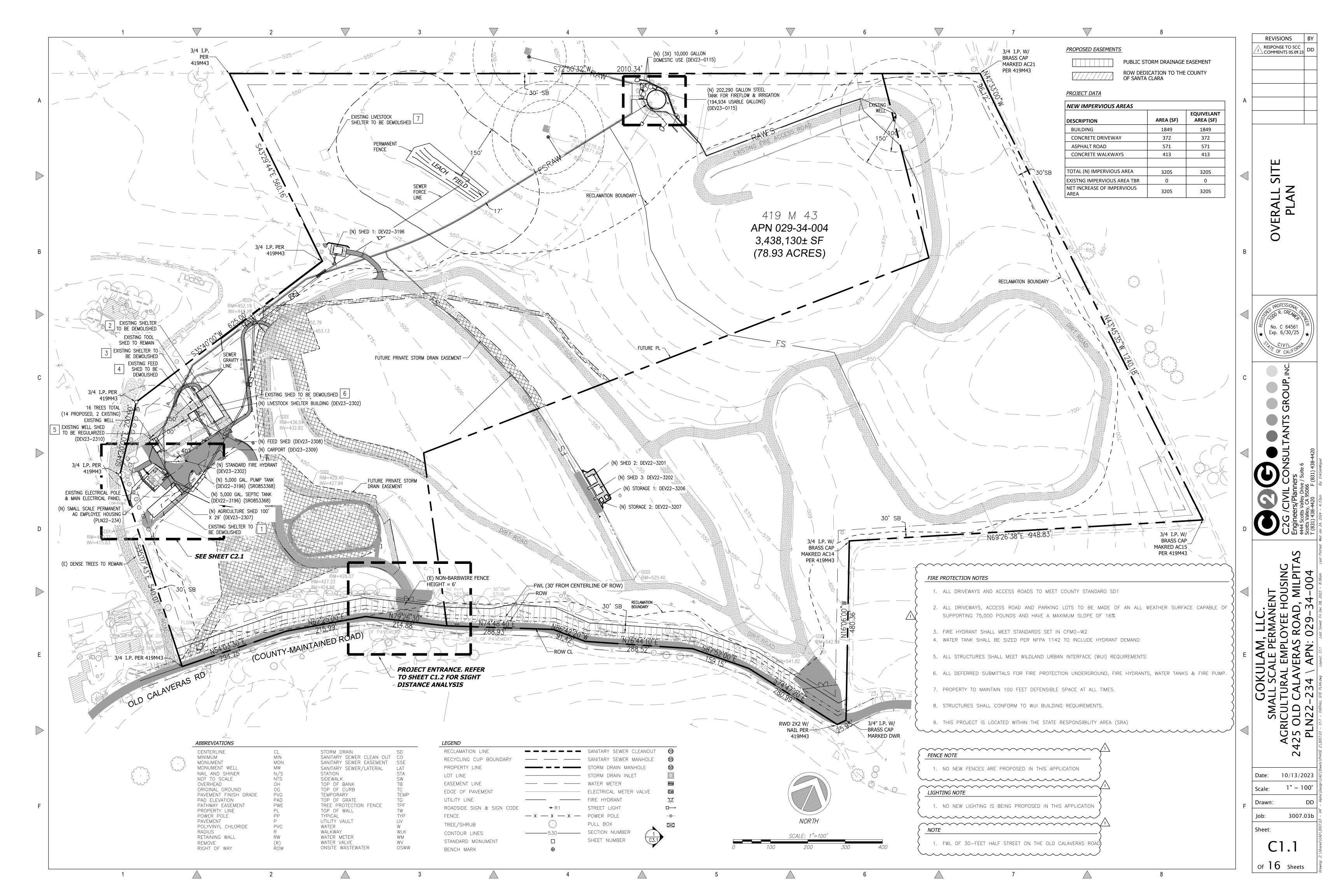
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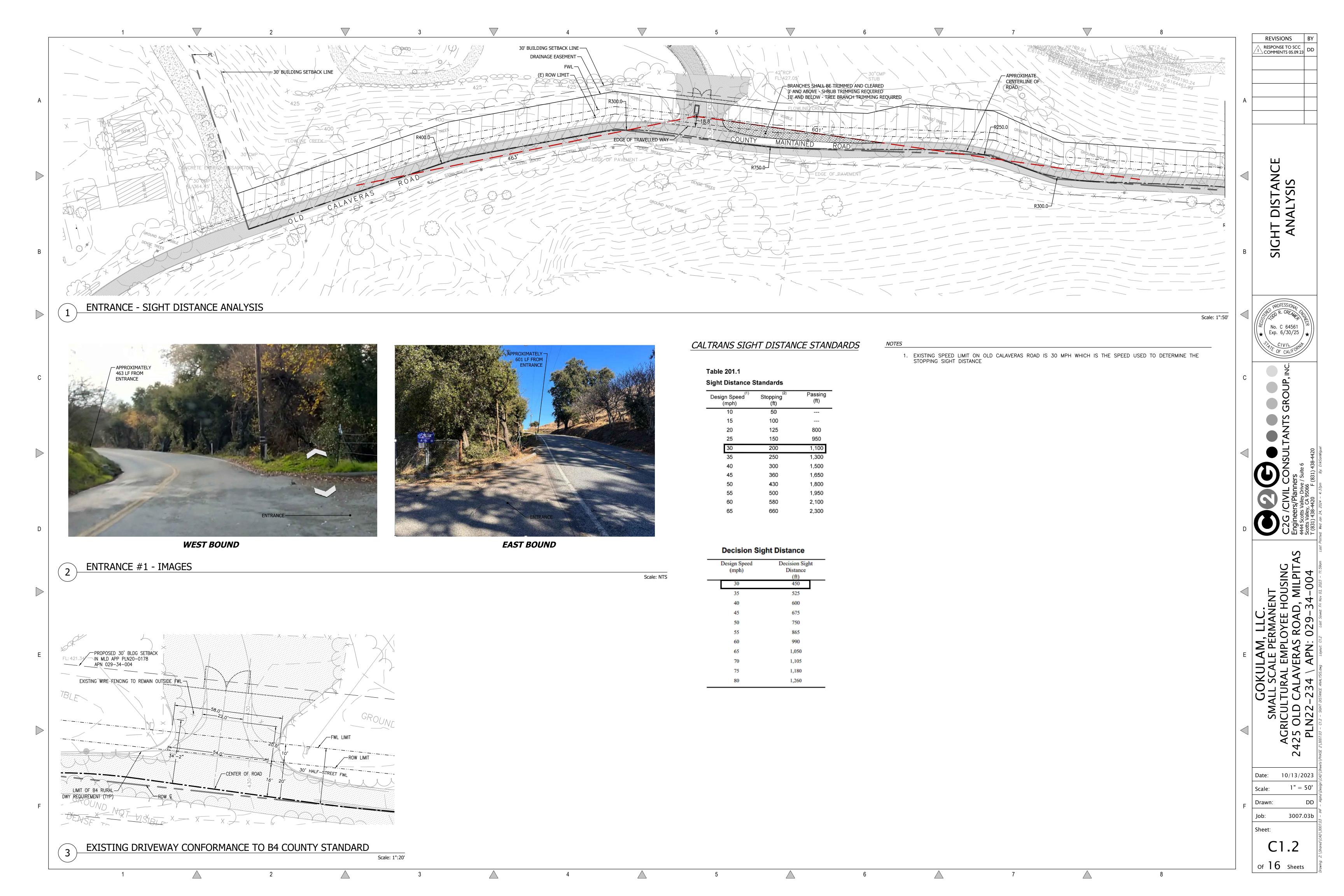
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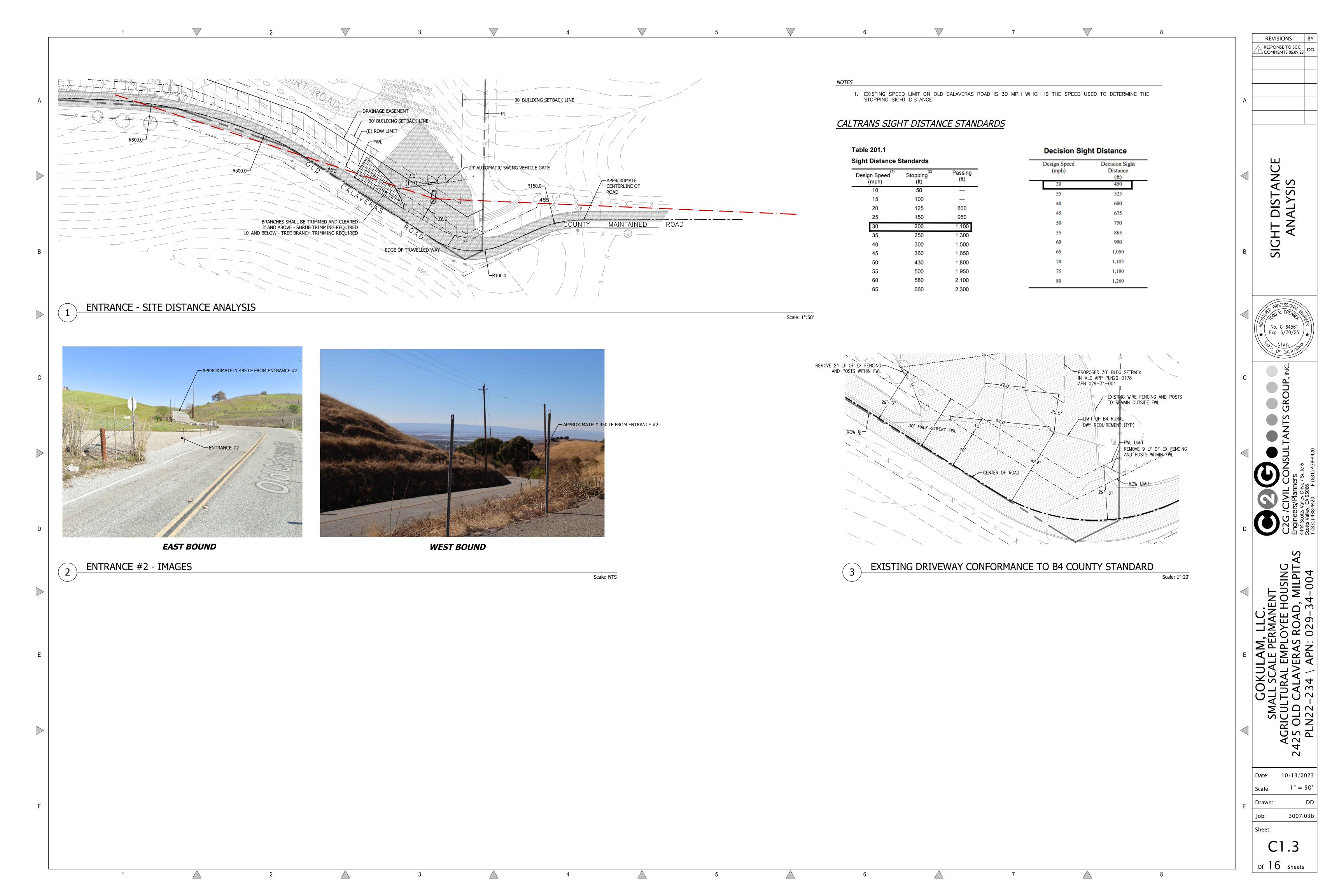
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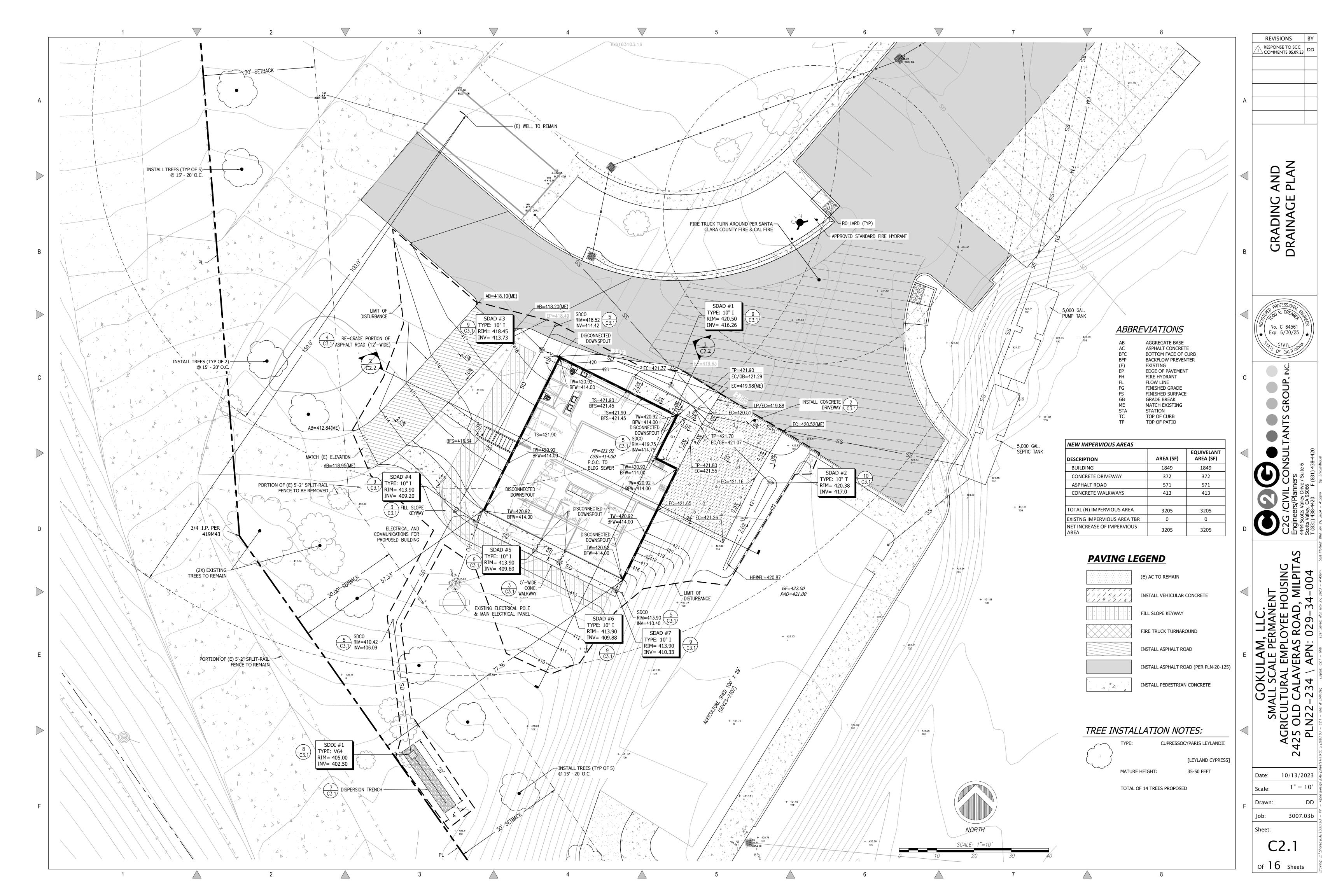
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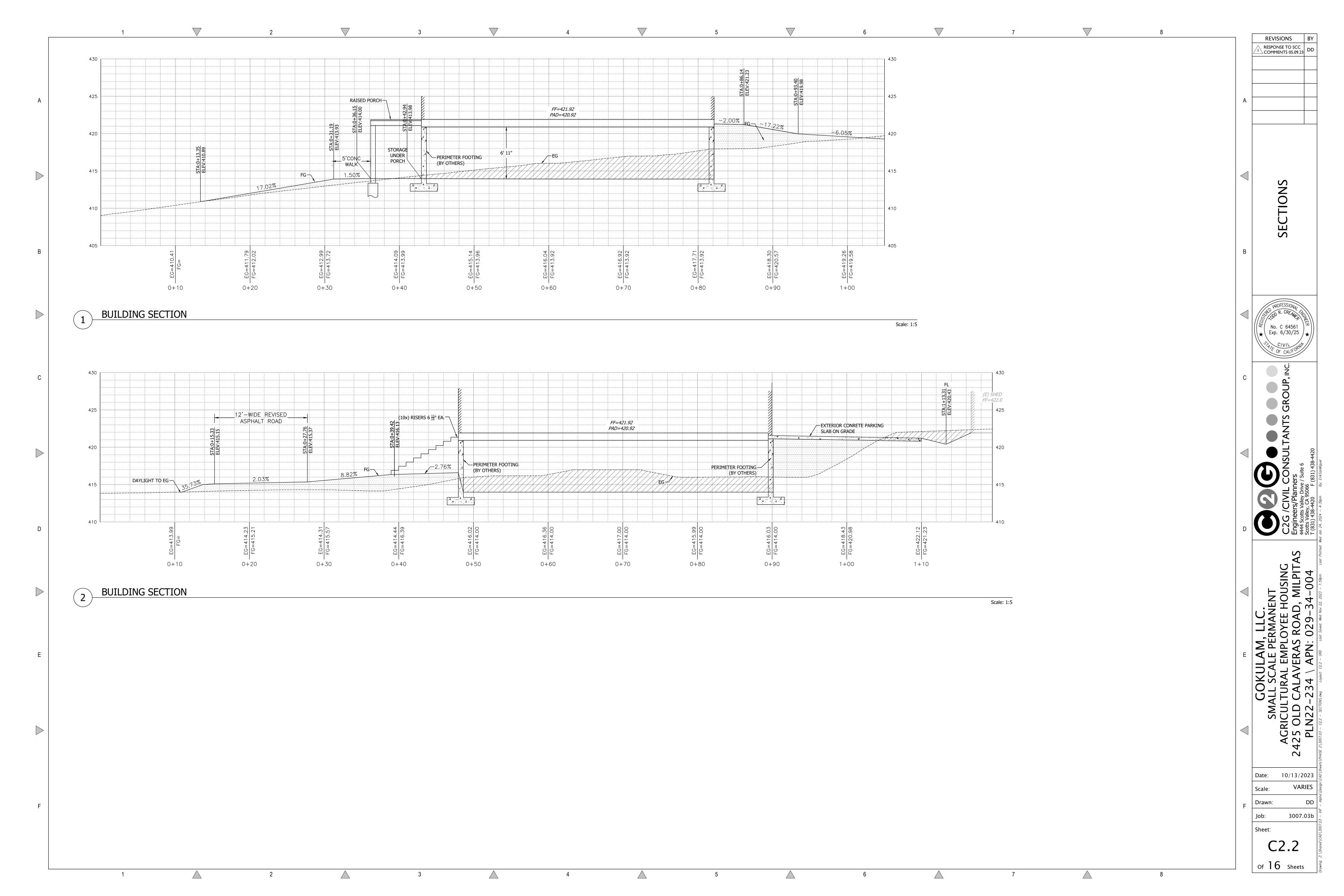


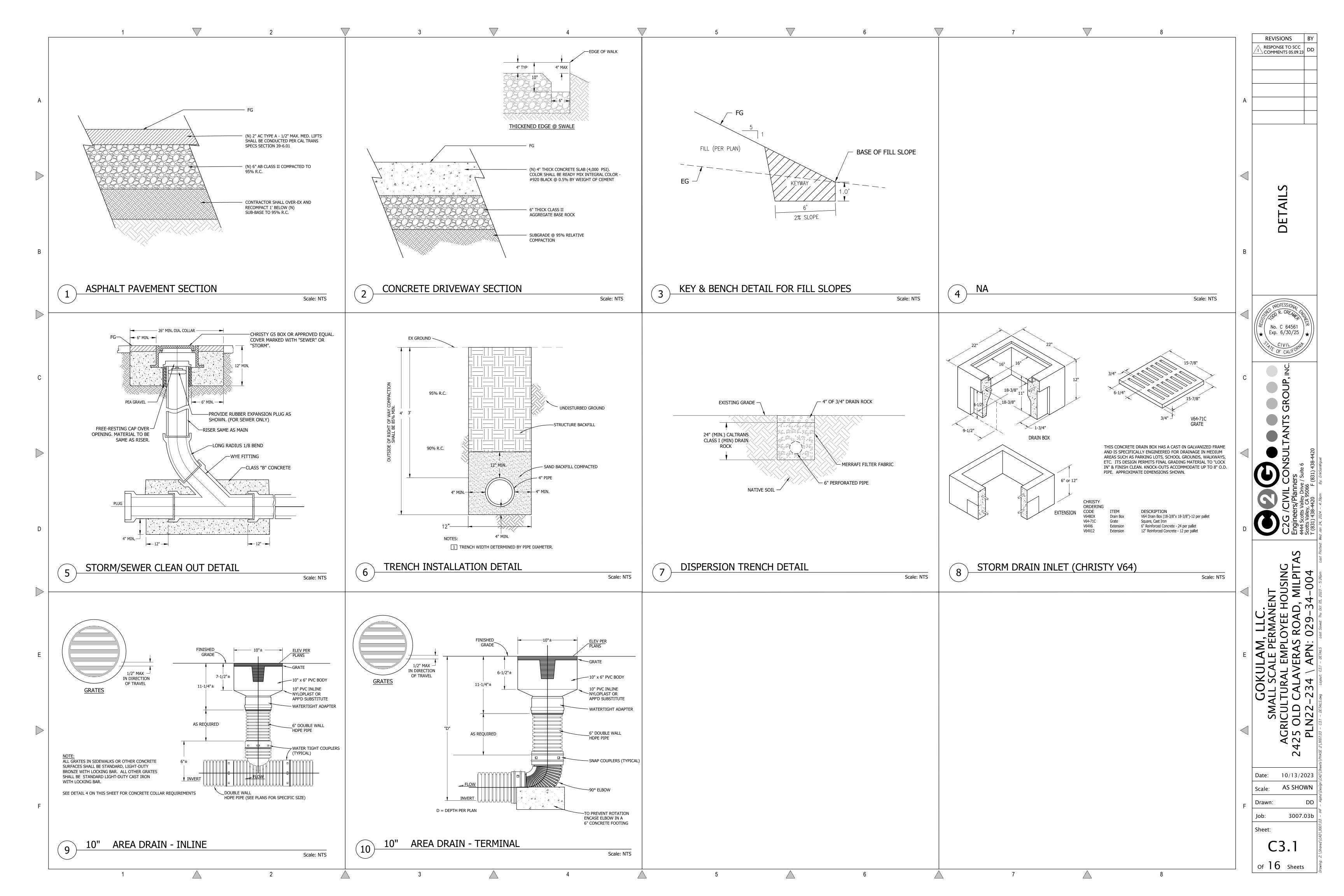


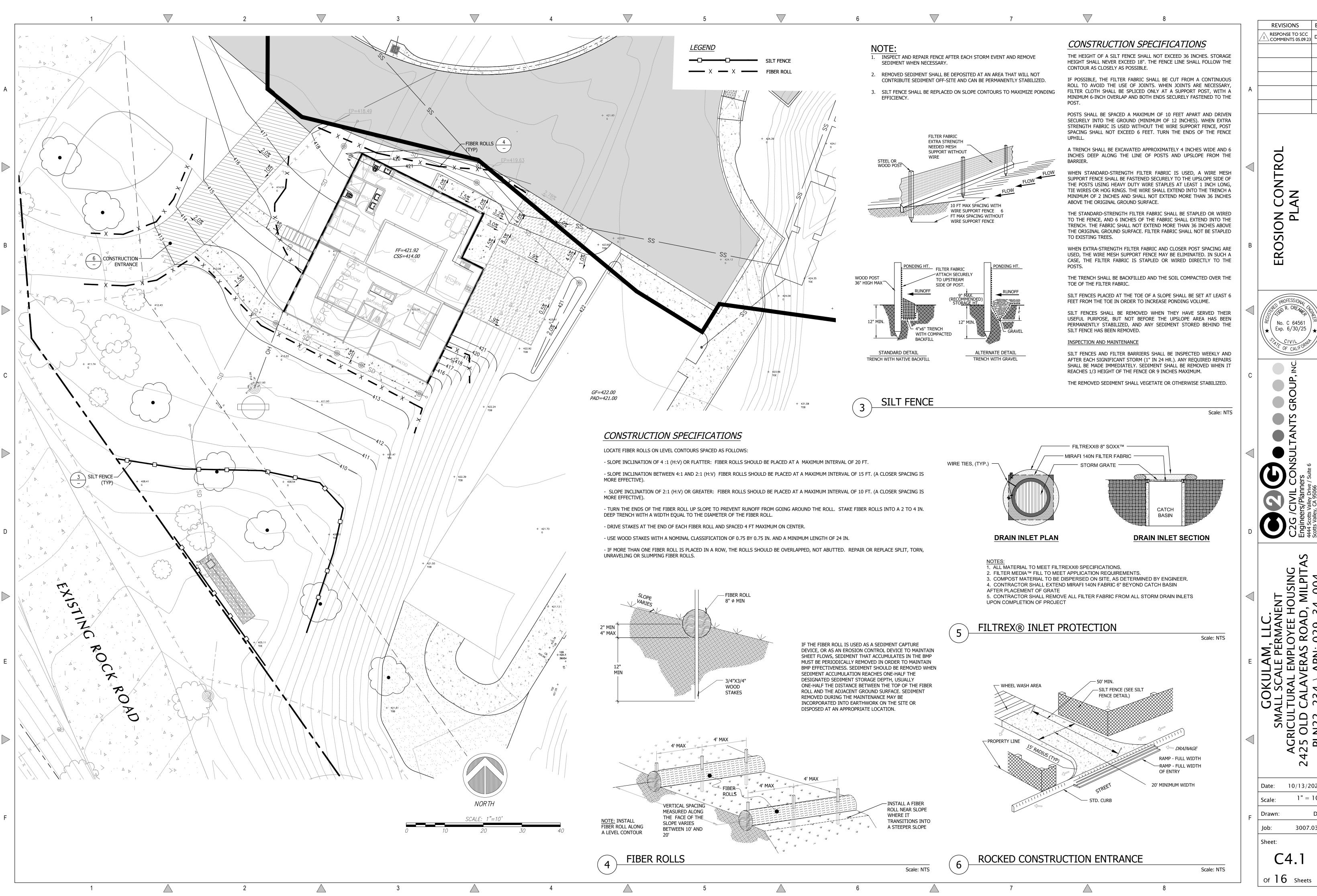










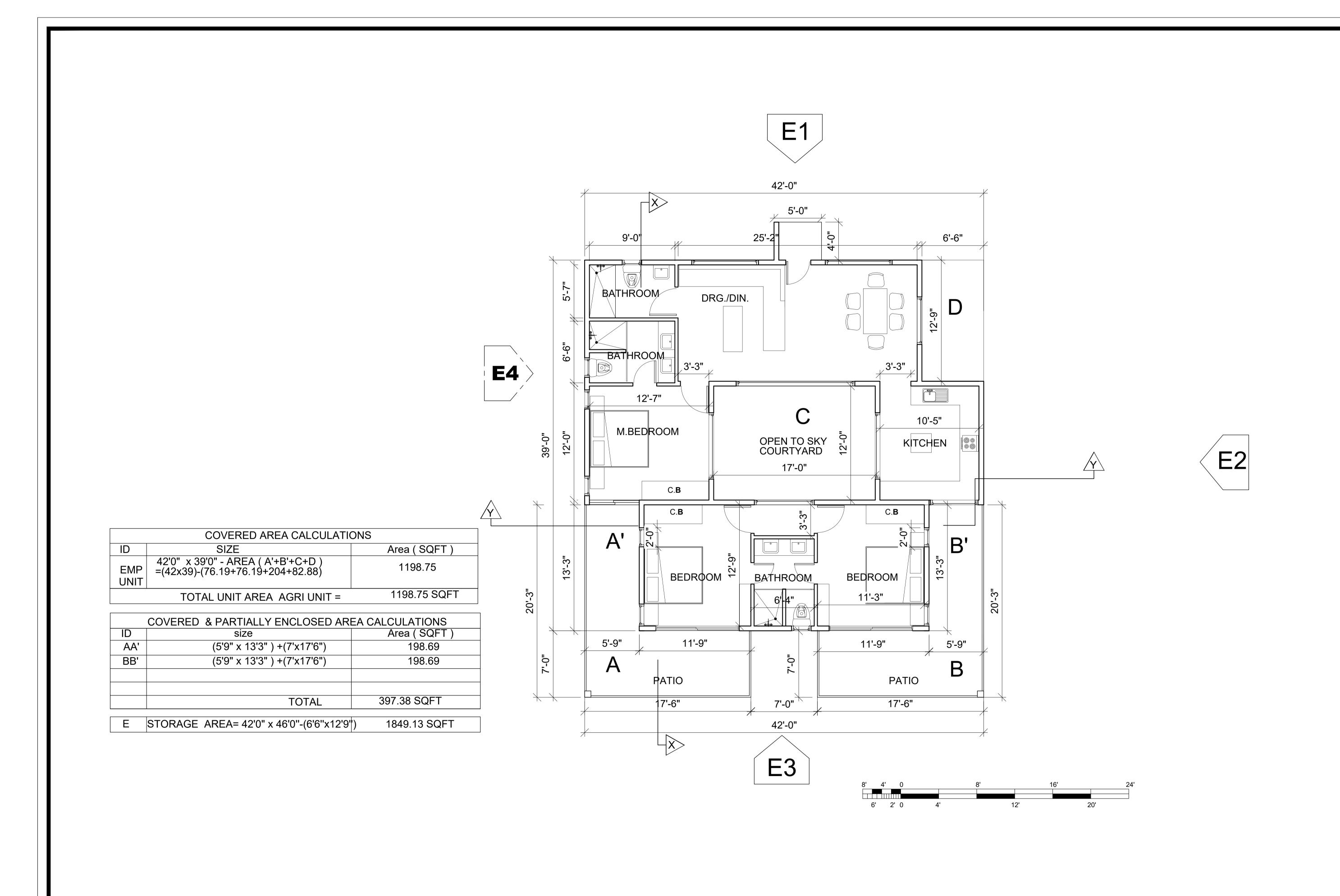


REVISIONS BY RESPONSE TO SCC  $\triangle$  COMMENTS 05.09.23

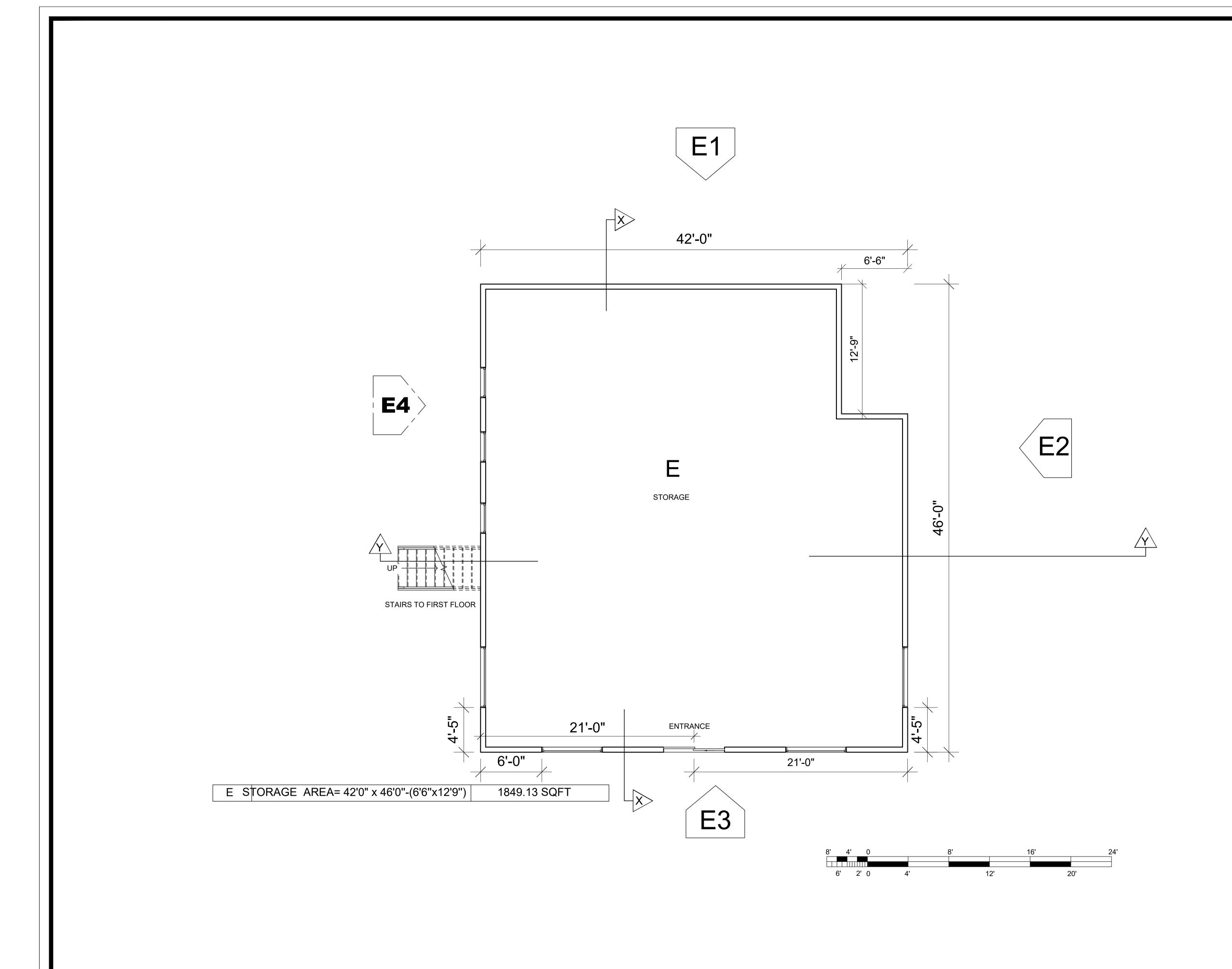
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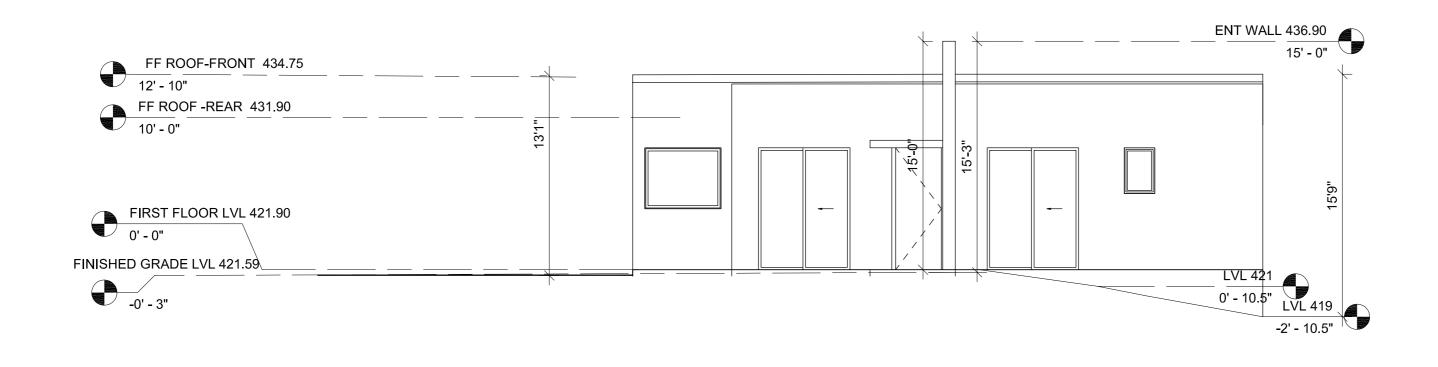
SM/ GRICUL 5 OLD PLN22-10/13/2023 Date: 1" = 10'Scale: Drawn: 3007.03b



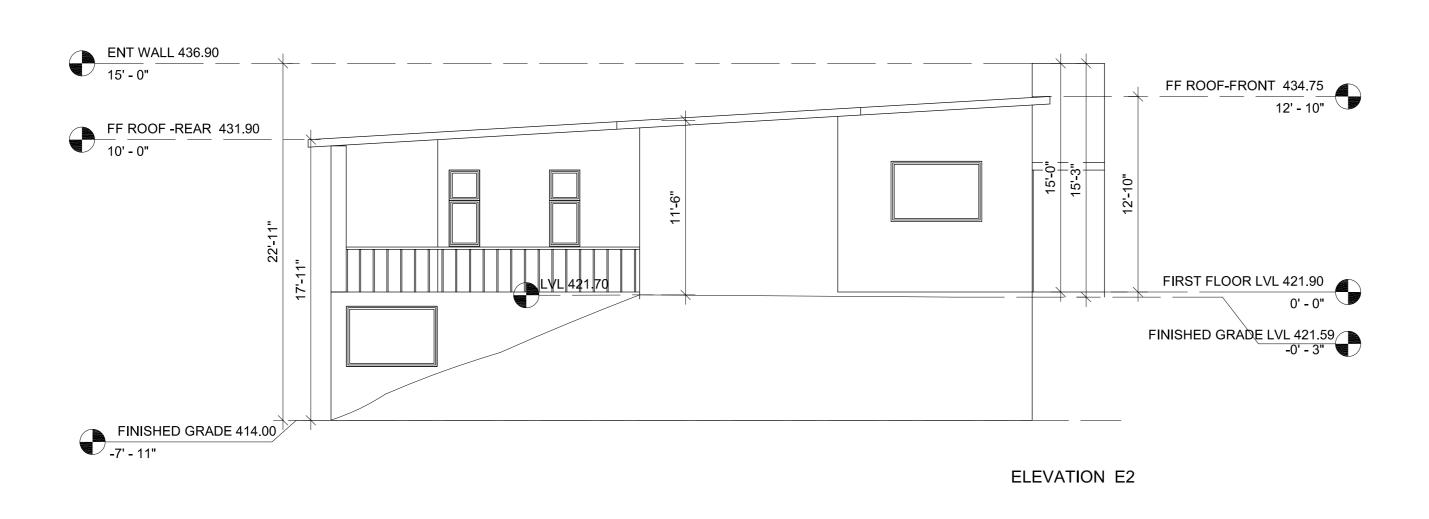
GOKULAM	AJAY GOYAL	DRAWN BY :	DATE: 11-22- 2023	LOCATION:	SUBJECT:	DRAWING NO. :	
2425 Old Calaveras Road, MILPITAS, CA 95035	748 BLUE STONE CIRCLE, FOLSOM CA 95630   916-294 - 5337	NEHA	SCALE: 1"= 4'0"	APN 029-34-004	GOKULAM Small Scale Permanenet EMPLOYEE HOUSE FLOOR PLAN, AREA CALCULATION	A 01	



GOKULAM	AJAY GOYAL	DRAWN BY:	DATE: 11-22- 2023	LOCATION:	SUBJECT:	DRAWING NO.:	
2425 Old Calaveras Road, MILPITAS,CA 95035	748 BLUE STONE CIRCLE, FOLSOM CA 95630   916-294 - 5337	NEHA	SCALE:	APN 029-34-004	GOKULAM Small Scale Permanenet EMPLOYEE	$\perp$ $\Delta$ $\Omega$	
2 120 Old Galavordo Hoda, IIII 11710, 671 00000	7 10 B202 01 0112 011 (022, 1 020011 07 (00000   010 201 0001	146177	1"= 4'0"	AFN 029-04-004	HOUSE STORAGE FLOOR PLAN	A 02	



ELEVATION E1



GOKULAM
2425 Old Calaveras Road, MILPITAS,CA 95035

AJAY GOYAL
748 BLUE STONE CIRCLE, FOLSOM CA 95630 | 916-294 - 5337

NEHA

APN 029-34-004

APN 029-34-004

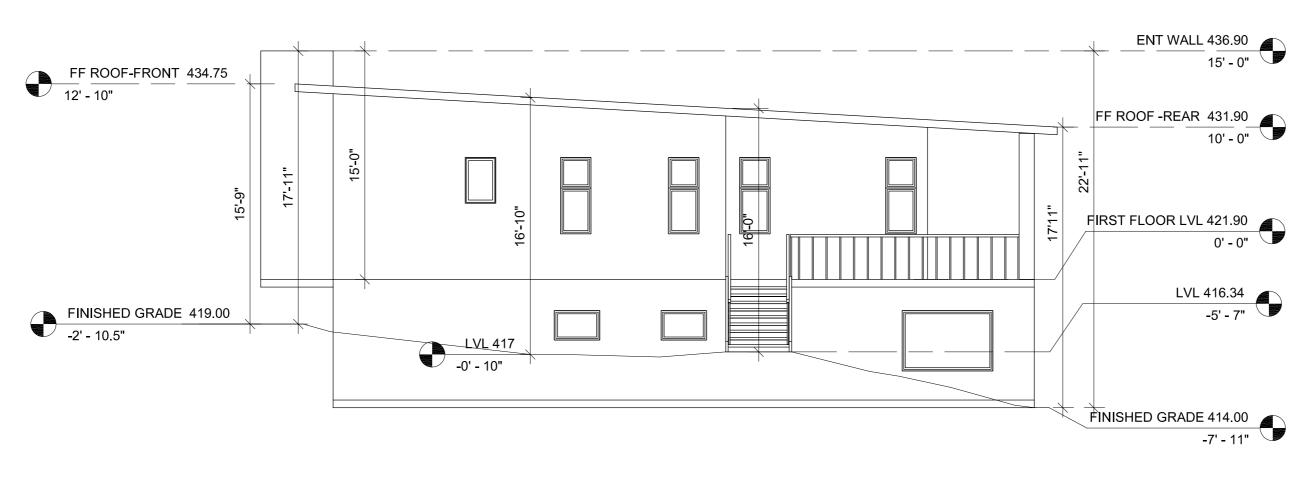
SCALE:
1"= 4'0"

APN 029-34-004

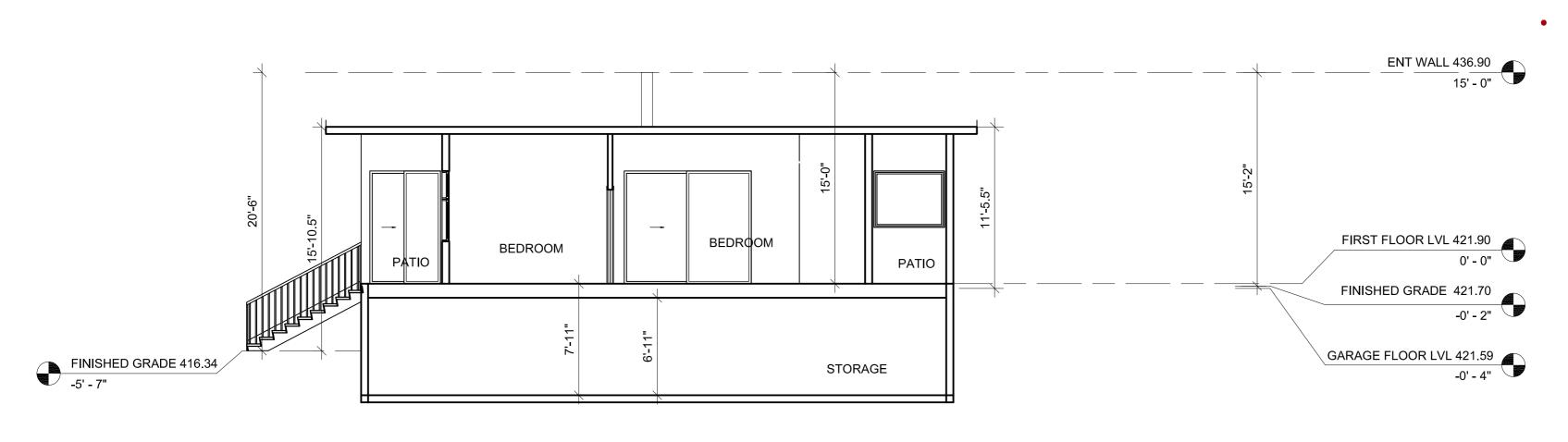
APN 029-34-004

SUBJECT:
GOKULAM Small Scale Permanenet EMPLOYEE HOUSE ELEVATIONS BW 1

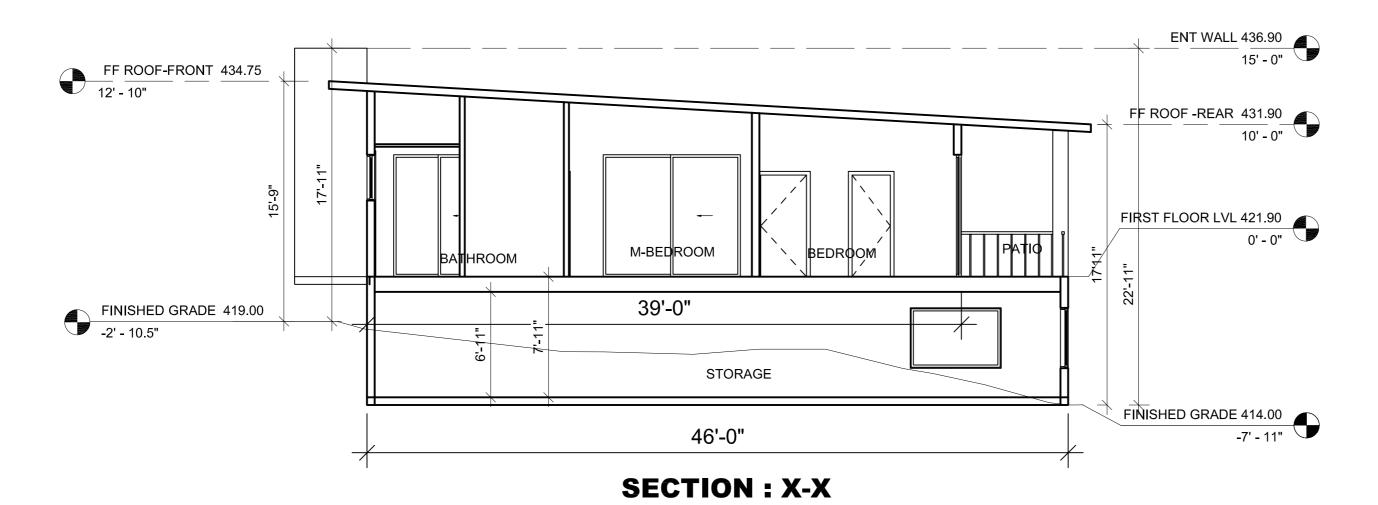


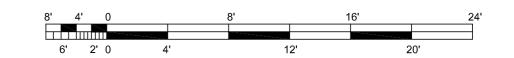


ELEVATION E4

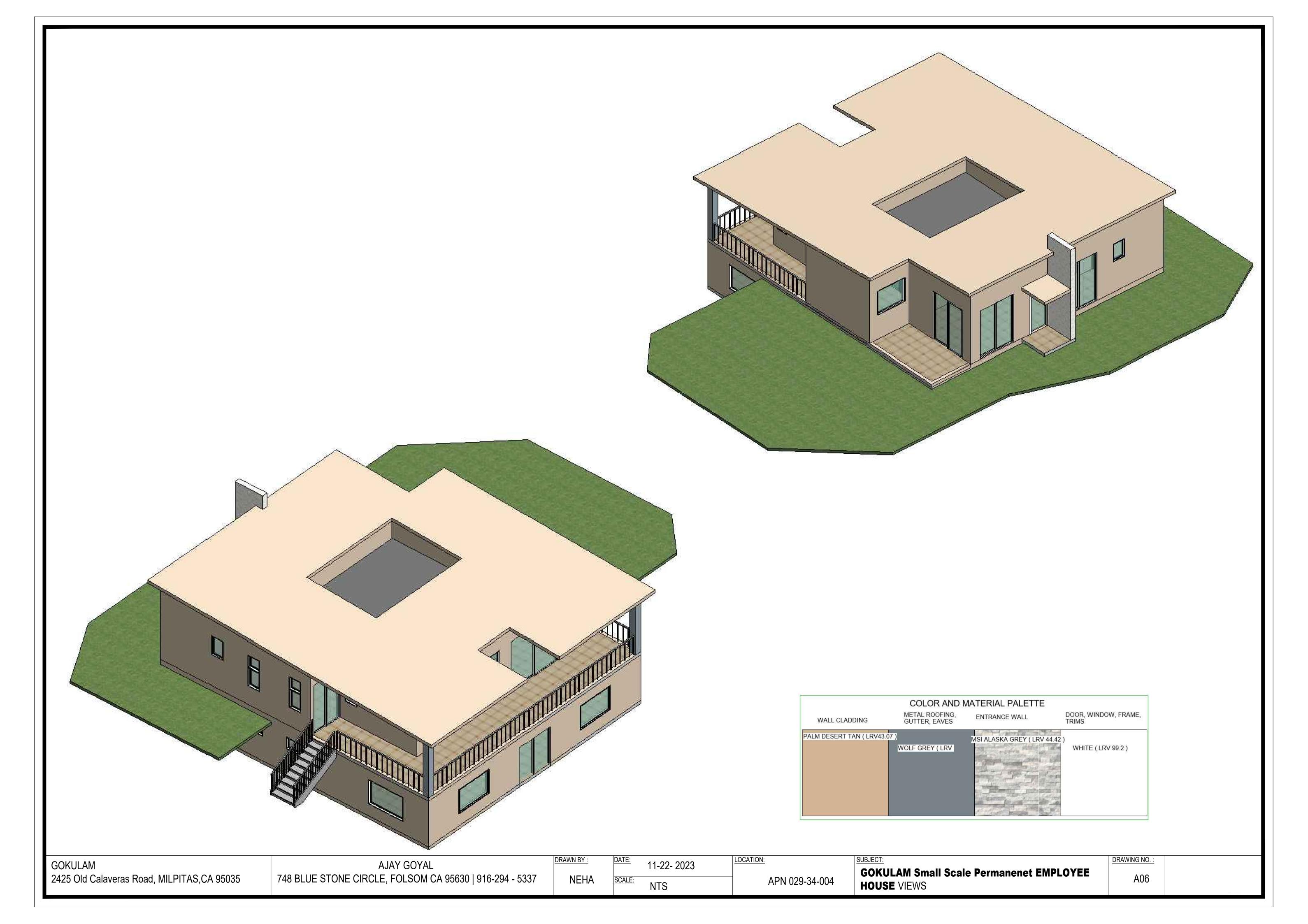








GOKULAM	AJAY GOYAL	DRAWN BY :	DATE:	11 22 2022	LOCATION:	SUBJECT:	DRAWING NO.:	1
2425 Old Calaveras Road, MILPITAS.CA 95035				11-22- 2023	A 50 1 00 0 1 00 1	GOKULAM Small Scale Permanenet EMPLOYEE	4.05	
2425 Old Calaveras Road, MILPITAS, CA 95035	748 BLUE STONE CIRCLE, FOLSOM CA 95630   916-294 - 5337	NEHA	SCALE:	1"=4'0"	APN 029-34-004	HOUSE SECTIONS	A05	1



# SEPTIC SYSTEM CONSTRUCTION NOTES

### A. PROJECT REQUIREMENTS

- 1. SYSTEM TO SERVE 13 EMPLOYEES/CUSTOMERS/VOLUNTEERS, A FUTURE 6 BEDROOM HOUSE, A FUTURE 3 BEDROOM ACCESSORY DWELLING UNIT (ADU), A FUTURE 2 BEDROOM JUNIOR ADU, AND A 3 BEDROOM SMALL SCALE PERMANENT AGRICULTURAL HOUSING. INSTALLATION OF SYSTEM TO CONFORM TO SANTA CLARA COUNTY SEWAGE DISPOSAL ORDINANCE. CALL SANTA CLARA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH 24 HOURS MIN. PRIOR TO START OF WORK AT (408)—918—3400.
- 2. SEWAGE DISPOSAL SYSTEM CONSISTS OF A 5,000 GALLON SEPTIC TANK WITH 5,000 GALLON PUMP TANK, WATERTIGHT ACCESS RISERS TO GRADE; A BULL—RUN DIVERSION VALVE; AND TWO 486 LF X 486 LF DISPERSAL FIELD OF 24" WIDE BY 12" DEEP DRAINROCK BED WITH INSPECTION RISERS TO GRADE. THE DISPERSAL FIELDS SHALL BE INTERCONNECTED WITH A DIVERSION VALVE. THE VALVE MUST BE CAPABLE OF DIRECTING THE SEPTIC TANK EFFLUENT TO ONE DISPERSAL FIELD AT A TIME.
- 3. GROUND SLOPE OF DISPERSAL FIELD #1 & DISPERSAL FIELD #2 IS APPROXIMATELY 24.5%. DISPERSAL FIELDS SHALL BE INSTALLED LEVEL AND ON CONTOURS AS SHOWN ON PLAN. EXCESS SOIL FROM LEACHFIELD CONSTRUCTION SHALL BE SPREAD ON SITE AT A DEPTH OF 3' MAX OR BE REMOVED OFF—SITE
- 4. THE DIVERSION VALVE SHALL BE OPERATED ANNUALLY TO ROTATE THE USE OF DISPERSAL FIELDS TO EXTEND THE LIFE OF THE SEPTIC SYSTEM.
- 5. MARK CAPS OF ALL BULL RUN VALVES (DV) AND RISERS (R) WITH A PERMANENT MARKER OR LABEL.
- 6. SWIMMING POOLS OR SPAS MUST NOT BE DRAINED OR BACKWASHED INTO THE SEPTIC SYSTEM.
- 7. AVOID PLANTING TREES IN DISPERSAL FIELD OR CLOSE TO SEPTIC TANK.
- 8. GARBAGE DISPOSAL IS NOT RECOMMENDED. IF THEY ARE INSTALLED, THEY SHOULD BE USED SPARINGLY OR NOT AT ALL.
- 9. THE SOLIDS THAT ACCUMULATE IN THE SEPTIC TANK SHOULD BE REMOVED BY PUMPING EVERY 3—5 YEARS TO PREVENT SOLIDS FROM ENTERING AND CLOGGING THE DISPERSAL FIELD.
- 10. ALL WORK TO BE PERFORMED BY AN APPROPRIATELY LICENSED CONTRACTOR.
- 11. PRIOR TO STARTING CONSTRUCTION, CONTRACTOR SHALL CONTACT USA AT 1-800-227-2600 TO LOCATE ALL UNDERGROUND UTILITIES.

ACROSS ALL THE ACTIVITIES CURRENTLY PLANNED ON THE LAND —REARING LIVESTOCK, PRODUCTION AND SALE OF COMPOST, BALES OF ORCHARD GRASS AND CSA BOXES AND RESIDENCES, THE TOTAL NUMBER OF PEOPLE INCLUDING RESIDENTS, EMPLOYEES AND VISITORS WILL NOT EXCEED MORE THAN 25 PEOPLE IN A 60 DAY PERIOD ANNUALLY. PLEASE SEE THE TABLE BELOW FOR A SUMMARY.

OUR APPLICATION AND OWTS DESIGN INCLUDES A 3 BEDROOM SMALL SCALE PERMANENT AGRICULTURAL HOUSING WHOSE RESIDENTS ARE ALSO SHOWN IN THE TABLE BELOW AS RESIDENT EMPLOYEES. THE LIVESTOCK SHELTER AND AGRICULTURAL SHED BOTH INCLUDE A UNISEX BATHROOM THAT WILL CATER TO THE DEMAND MENTIONED BELOW. FOR OUR CSA PROGRAM, ABOUT 2/3RD'S OF THE 90 FAMILIES ARE OUR REGULAR CONGREGATION WHO WILL PICK IT UP FROM OUR TEMPLE WHICH IS ABOUT 1.5 MILES AWAY LOCATED AT 680 E. CALAVERAS BLVD, MILPITAS, CA. CUSTOMER/VOLUNTEER VISITS TO 2425 OLD CALAVERAS RD SITE FOR ALL OUR OPERATIONS WILL BE BY APPOINTMENT ONLY AND WE WILL BE USING THIS APPOINTMENT SYSTEM TO ENSURE THAT THE DAILY LIMITS PROPOSED BELOW ARE

OUR OWTS DESIGN ANTICIPATES A FUTURE PRIMARY RESIDENCE WITH 6 BEDROOMS, A FUTURE ADU WITH 3 BEDROOMS, A JADU WITH TWO BEDROOMS, THUS WE HAVE TWO TABLES FOR PROPOSED CURRENT USE AND ONE FOR FUTURE USE WHERE WE HAVE ADDED A COLUMN TO SHOW FUTURE RESIDENTS FOR THESE UNITS.

### PROPOSED PHASE 2 OCCUPANCY:

Day	Time	Resident Employees of Agricultural Housing	Other Employees	Volunteers /Customers	Total People
Monday to	5am to 1pm	3	2	8	13
Friday	4pm to 9pm	3	2	8	13
Catanadan	5am to 1pm	3	2	8	13
Saturday	2pm to 9pm	3	2	8	13
Sunday	5am to 1pm	3	2	8	13
	2pm to 9pm	3	2	8	13

# FUTURE USE/OCCUPANCY:

Day	Time	Future Residents Primary/ ADU/JADU	Resident Employees Agricultural Housing	Other Employees	Volunteers /Customers	Total People
Monday to	5am to 1pm	11	3	2	8	24
Friday	4pm to 9pm	11	3	2	8	24
Saturday	5am to 1pm	11	3	2	8	24
	2pm to 9pm	11	3	2	8	24
Sunday	5am to 1pm	11	3	2	8	24
	2pm to 9pm	11	3	2	8	24

# B. SEPTIC TANK REQUIREMENTS

MEASURABLE DROP IN THE WATER LEVEL.

- MINIMUM CAPACITY. SEPTIC TANKS MUST HAVE A MINIMUM CAPACITY OF FIVE THOUSAND (5,000) GALLONS OR TWICE THE PEAK DAILY WASTEWATER FLOW FOR THE FACILITY SERVED, WHICHEVER IS GREATER. MINIMUM SEPTIC TANK CAPACITY FOR ASSISTED CARE FACILITIES SHALL BE EQUAL TO THREE TIMES THE PEAK DAILY WASTEWATER FLOW.
- 2. TWO COMPARTMENTS. SEPTIC TANKS MUST BE OF TWO—COMPARTMENT CONSTRUCTION, WITH THE FIRST COMPARTMENT EQUAL TO TWO—THIRDS THE TOTAL TANK VOLUME. THE COMPARTMENTS MUST BE SEPARATED BY A BAFFLE OR EQUIVALENT ARRANGEMENT.
- 3. MATERIALS. SEPTIC TANKS MUST BE WATERTIGHT, PROPERLY VENTED AND CONSTRUCTED OF REINFORCED CONCRETE, HEAVYWEIGHT REINFORCED CONCRETE BLOCKS, FIBERGLASS OR OTHER DURABLE, NON—CORRODIBLE MATERIALS AS APPROVED BY THE DIRECTOR. SEPTIC TANKS SHALL BE DESIGNED TO WITHSTAND ANY ANTICIPATED WEIGHT PLACED ABOVE IT. ALL SEPTIC TANKS SHALL BE LISTED AND APPROVED BY IAPMO OR AN ANSI ACCREDITED TESTING ORGANIZATION: EXCEPTION TO THIS REQUIREMENT MAY BE GRANTED WHERE STRUCTURAL DESIGN CALCULATIONS FOR THE SEPTIC TANK ARE PROVIDED BY A CALIFORNIA REGISTERED CIVIL
- 4. ACCESS OPENINGS. ACCESS TO EACH SEPTIC TANK COMPARTMENT MUST BE PROVIDED BY A MANHOLE OPENING AT LEAST TWENTY INCHES IN DIAMETER.
- 5. ACCESS RISERS. A RISER MUST EXTEND FROM EACH MANHOLE OPENING TO OR ABOVE THE SURFACE OF THE GROUND. THE RISER MUST BE OF A SIZE LARGER THAN THE MANHOLE OPENING, BE BOTH GAS— AND WATER—TIGHT, BE CONSTRUCTED OF DURABLE MATERIAL AND EQUIPPED WITH A SECURE COVER.
- 6. EFFLUENT FILTER. THE OUTLET OF THE SEPTIC TANK SHALL BE FITTED WITH AN EFFLUENT FILTER CAPABLE OF SCREENING SOLIDS IN EXCESS THREE—SIXTEENTHS (3/16) OF AN INCH IN DIAMETER AND CONFORMING TO NSF/ANSI STANDARD 46 OR AS OTHERWISE APPROVED BY THE DIRECTOR.
- 7. TANK CONNECTIONS. ALL CONNECTIONS FROM BUILDING TO SEPTIC TANK MUST CONFORM TO CONSTRUCTION STANDARDS AS REQUIRED BY THE COUNTY BUILDING OFFICIAL.
- 8. WATER-TIGHTNESS TESTING. ALL NEW SEPTIC TANK INSTALLATIONS AND MODIFICATIONS TO EXISTING SEPTIC TANKS SHALL UNDERGO WATER-TIGHTNESS TESTING AS FOLLOWS:

  A) NEW TANKS. FOR NEW TANK INSTALLATIONS, THE TESTING SHALL BE DONE WITH THE RISERS IN PLACE AND THE INLET AND OUTLET PIPES PLUGGED. THE TANK SHALL BE FILLED WITH WATER TO A LEVEL EXTENDING A MINIMUM OF TWO (2) INCHES INTO THE RISERS, AND MONITORED FOR A 1- HOUR PERIOD, WITH NO
- B) EXISTING TANKS. FOR EXISTING TANKS, THE TANK SHALL BE FILLED WITH WATER TO A LEVEL EVEN WITH THE INVERT OF THE OUTLET PIPE, AND MONITORED FOR A 1—HOUR PERIOD, WITH NO MEASURABLE DROP IN WATER LEVEL. HOWEVER, IN CASES WHERE THERE THE GROUNDWATER LEVEL IS KNOWN OR ESTIMATED TO RISE ABOVE THE LEVEL OF THE OUTLET PIPE DURING ANY TIME OF THE YEAR, THE WATER—TIGHTNESS TEST SHALL BE CONDUCTED FOLLOWING THE PROCEDURE FOR NEW TANK INSTALLATIONS; I.E., BY FILLING THE TANK WITH WATER INTO THE RISERS.

# C. PIPE REQUIREMENTS

- 1. SOLID PIPE, JOINTS AND CONNECTIONS. SOLID (NON-PERFORATED) PIPE FOR OWTS MUST CONFORM TO THE STANDARDS OF THE MOST RECENT EDITION OF THE UNIFORM PLUMBING CODE, WHICH IS ADOPTED BY REFERENCE INTO THE COUNTY'S BUILDING ORDINANCES. PIPE DIAMETER MUST BE FOUR INCHES. ALL SOLID PIPE JOINTS AND CONNECTIONS MUST BE GLUED, CEMENTED OR MADE WITH AN ELASTOMERIC SEAL SO AS TO BE WATERTIGHT.
- 2. TIGHTLINES UNDER RESIDENTIAL DRIVEWAY. TIGHTLINES IN RESIDENTIAL TRAFFIC AREAS MUST BE INSTALLED WITH SCHEDULE 40 PVC. AN ALTERNATIVE IS TO SLEEVE (I.E., DOUBLE PIPE) THE THIN WALL TIGHTLINE PIPE WITHIN AN OUTER PIPE CONSISTING OF SCHEDULE 40 PVC, ABS OR SUITABLE ALTERNATIVE AND RATED BY THE UNIFORM PLUMBING CODE.
- 3. DISTRIBUTION PIPE. PERFORATED PIPE FOR CONVENTIONAL OWTS DISPERSAL SYSTEMS MUST CONFORM TO THE MOST RECENT EDITION OF THE UNIFORM PLUMBING CODE, WHICH IS ADOPTED BY REFERENCE INTO THE COUNTY'S BUILDING ORDINANCES. THE PIPE DIAMETER MUST BE FOUR INCHES.

# D. DISPERSAL SYSTEM REQUIREMENTS

#### 4 TREMOU CONCTRUCT

A) TRENCHES MUST BE PLACED IN UNDISTURBED EARTH, IN AN ACCESSIBLE AREA, AND SHALL NOT BE COVERED BY PAVING OR OTHER IMPERMEABLE OR COMPACTED SURFACE. NATURAL TOPOGRAPHY SHALL NOT BE GRADED TO MODIFY SLOPE.

B) THE BOTTOM OF A TRENCH MUST BE LEVEL, WITH A VARIATION OF NO MORE THAN 2 INCHES PER 100

LÍNEAL FEET OF TRENCH; TRENCHES SHALL BE ALIGNED PARALLEL TO THE GROUND SURFACE CONTOURS TO THE GREATEST EXTENT PRACTICABLE.

C) ADJACENT TRENCHES ON SLOPES MUST BE CONNECTED WITH A WATERTIGHT OVERFLOW LINE ("RELIEF LINE") IN A MANNER THAT ALLOWS EACH TRENCH TO BE FILLED WITH SEWAGE EFFLUENT TO THE DEPTH OF THE ROCK BEFORE THE SEWAGE FLOWS TO THE NEXT LOWER TRENCH. ALTERNATIVELY, A DISTRIBUTION BOX (D-BOX) MAY BE USED TO EQUALLY DIVIDE THE FLOW AMONGST THE TRENCHES, PROVIDED THE PROPOSED D-BOX IS OF A DESIGN APPROVED AND LISTED BY THE DEH PER PART 3.1.E (MATERIALS AND EQUIPMENT) OF THIS MANUAL. FOR SYSTEMS LOCATED ON SITES HAVING SLOPES OF LESS THAN 5%, A "GRID" DESIGN MAY BE USED IN ACCORDANCE WITH GUIDELINES PROVIDED UNDER AT THE END OF THIS SECTION (E.3.F).

D) TRENCHES MUST NOT BE EXCAVATED WHEN THE SOIL IS SO WET THAT SMEARING OR COMPACTION

OCCURS.

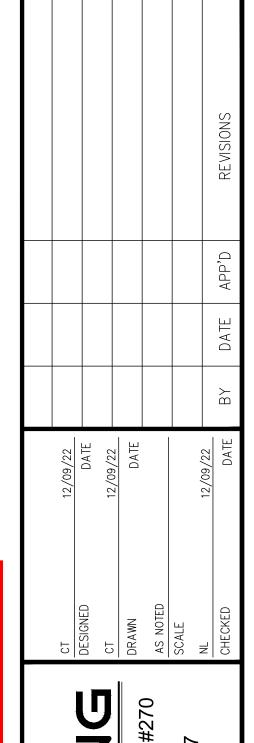
E) IN CLAY SOILS WHEN GLAZING OCCURS, THE TRENCH SURFACES MUST BE SCARIFIED TO THE DEPTH
OF THE GLAZING AND THE LOOSE MATERIAL REMOVED.

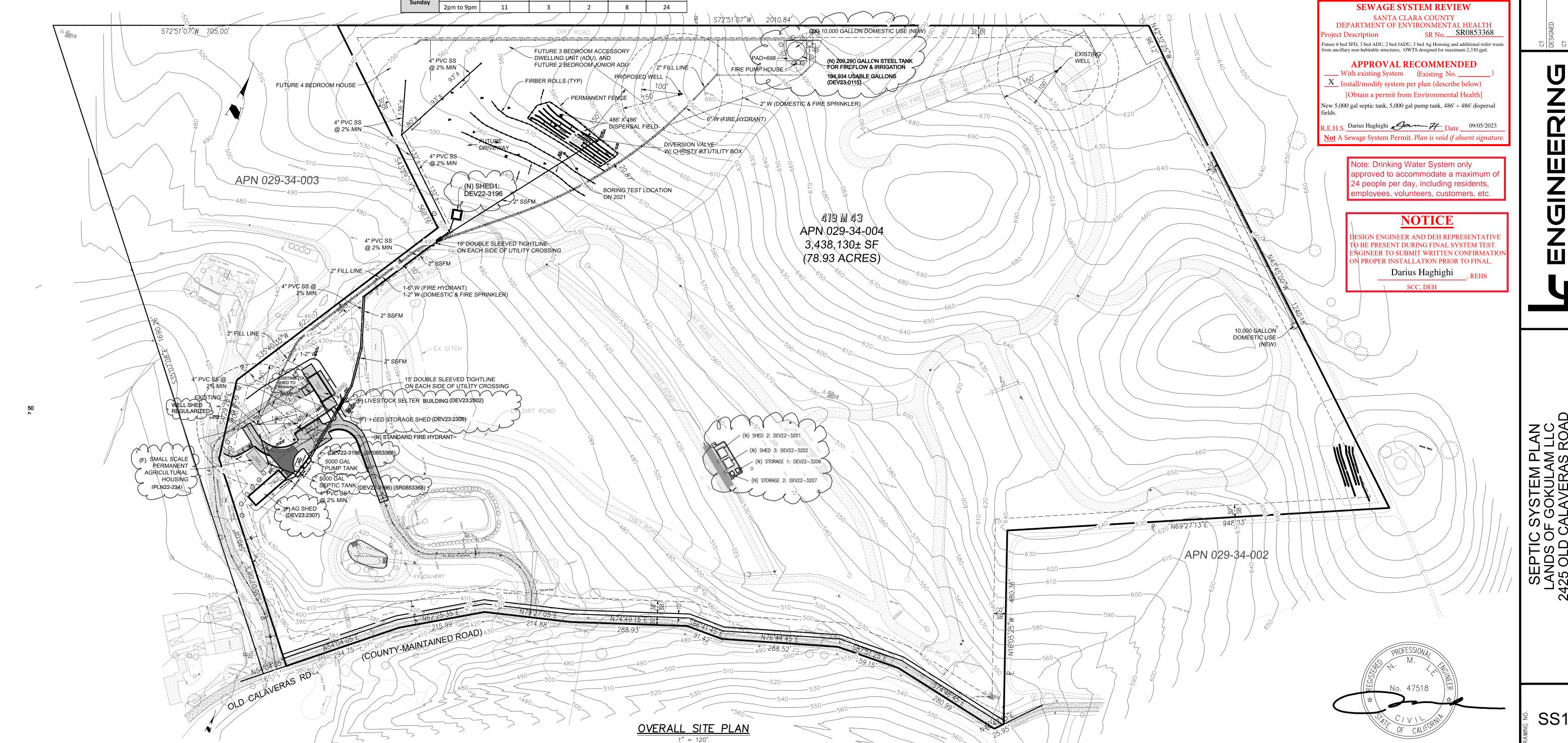
OF THE GLAZING AND THE LOOSE MATERIAL REMOVED.

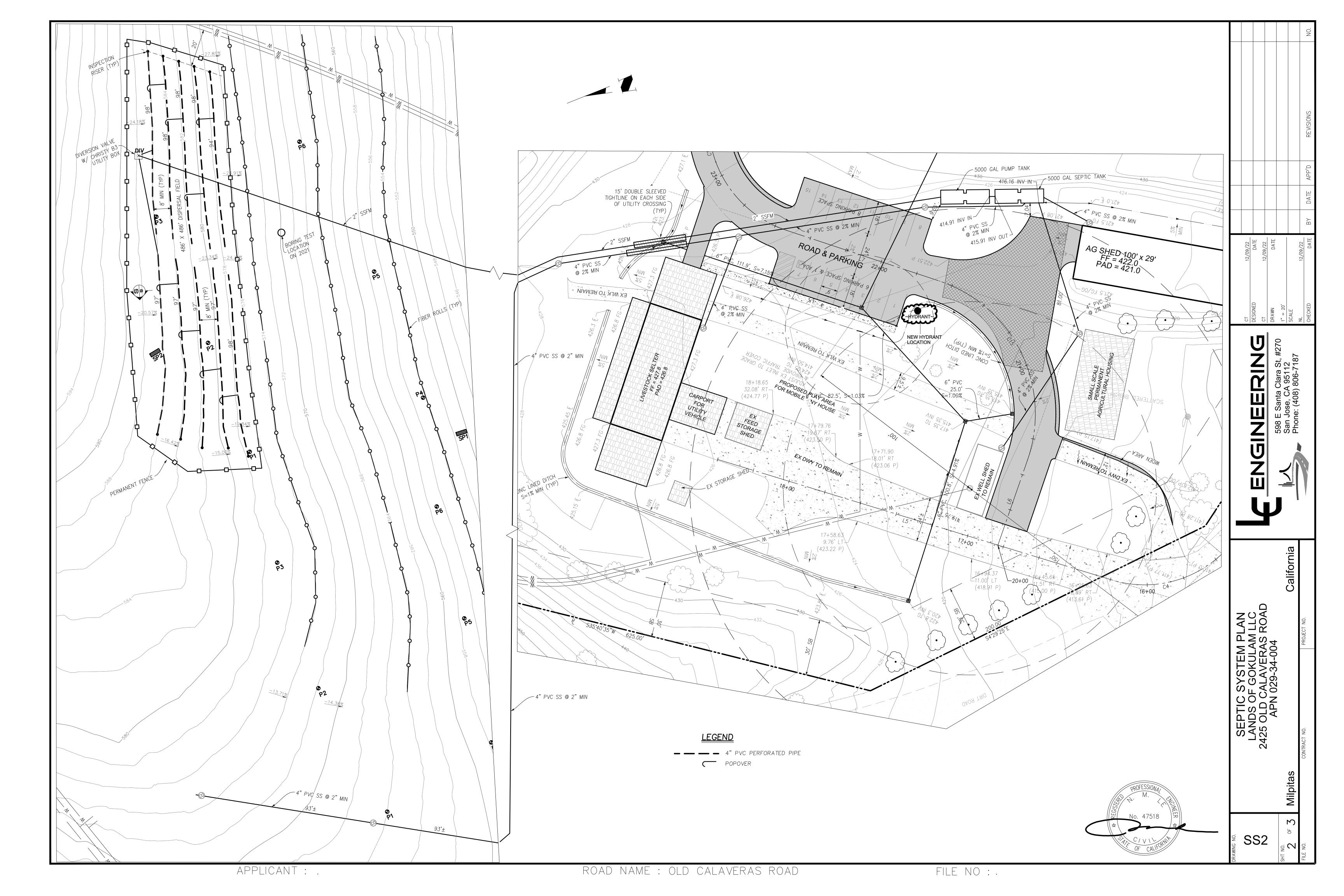
F) ROCK MATERIAL IN THE TRENCH MUST BE WASHED AND FREE OF FINES, AND MUST BE COVERED WITH AN APPROVED FILTER FABRIC SILT BARRIER (GEOTEXTILE) PRIOR TO BACKFILLING WITH NATURAL EARTH.

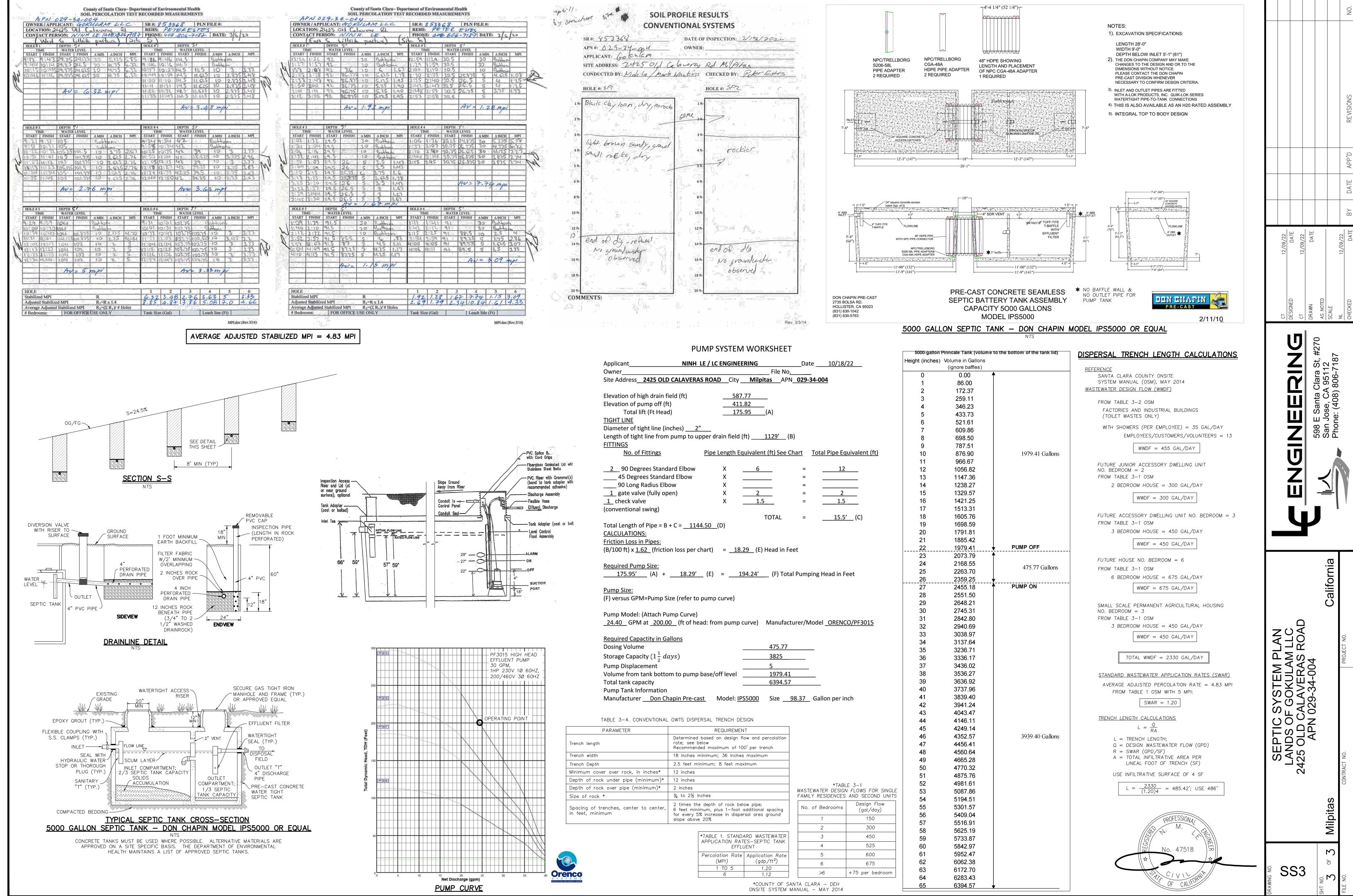
G) A CAPPED INSPECTION RISER SHALL BE INSTALLED WITHIN EACH TRENCH TO PROVIDE A MEANS OF OBSERVING THE EFFLUENT LEVEL IN THE TRENCH.

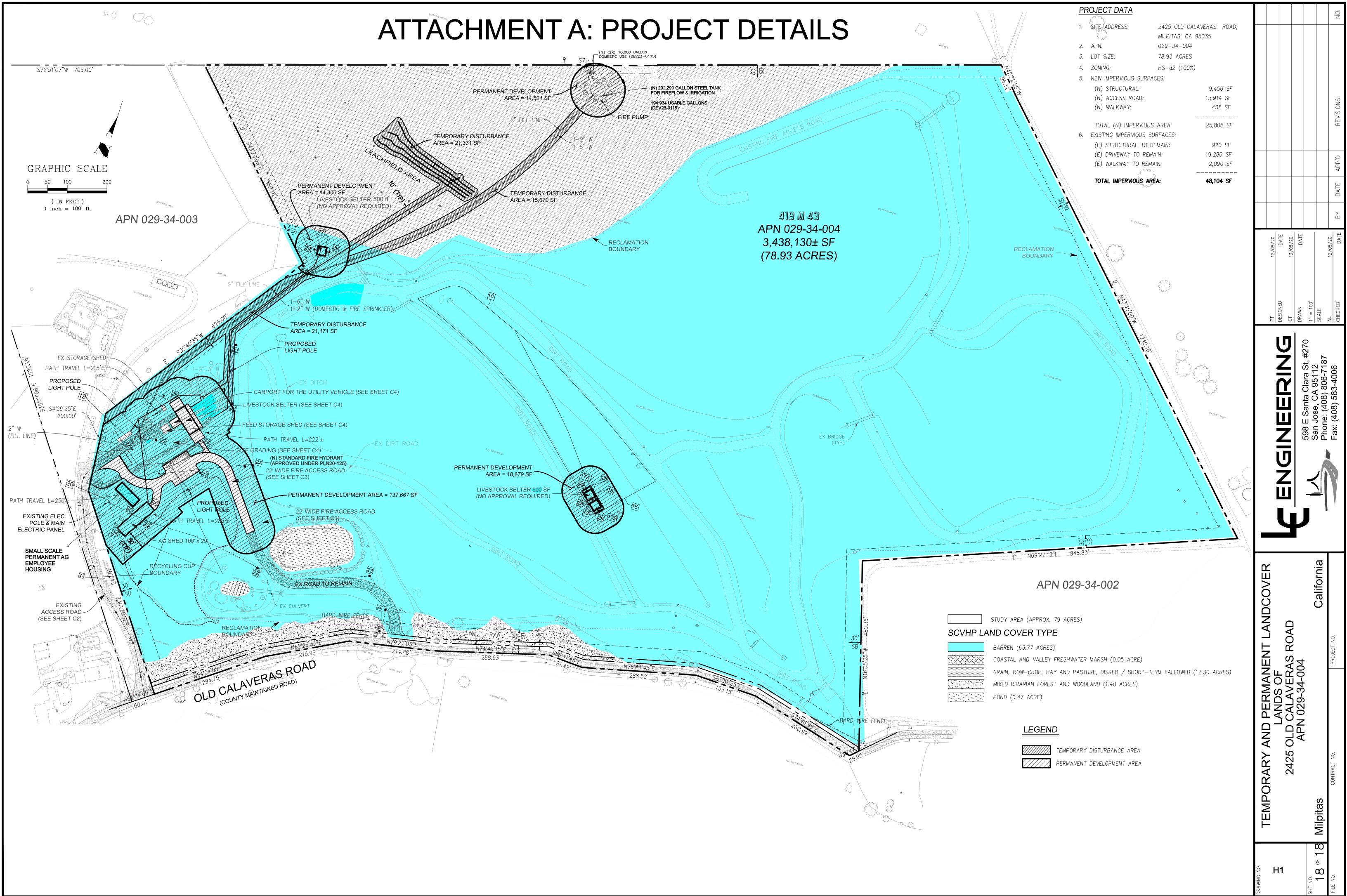
H) EROSION CONTROL MEASURES SHALL BE IMPLEMENTED FOLLOWING INSTALLATION PER REQUIREMENTS OF SECTION B11-83(C) FOR ANY CONVENTIONAL DISPERSAL SYSTEM WHERE: (1) GROUND SLOPE EXCEEDS 20%; (2) ABOVE-GRADE COVER FILL IS ADDED; (3) DESIGN FLOW EXCEEDS 1,000 GPD; OR (4) A GRADING AND/OR DRAINAGE PERMIT IS REQUIRED FOR PROJECT SITE DEVELOPMENT PER DIVISION C12, CHAPTER III OF THE COUNTY CODE. THE PLAN SUBMITTAL FOR THE OWTS SHALL INCLUDE AN EROSION CONTROL PLAN IN ACCORDANCE WITH REQUIREMENTS OF ORDINANCE SECTION B11-83(C).











# **ATTACHMENT D**

**Biological Survey** 



# Memo

To: Mr. Shyam Ellur, Gokulam LLC.

From: Ben Watson, Principal

**Date:** 21 December 2020

Subject: Field Review of the Serpa Quarry - An Assessment of Santa Clara Valley Habitat Plan Land

Cover Types Present and Potential for Occurrences of Covered Species including Tricolored

Blackbird, Milpitas, Santa Clara County, California

At the request of Mr. Shyam Ellur of Gokulam LLC., Madrone Ecological Consulting (Madrone) conducted a field survey of the approximately 79-acre Serpa Quarry (Study Area) to verify the Santa Clara Valley Habitat Plan (SCVHP) land cover types within the Study Area and to perform a reconnaissance-level assessment of the likelihood of occurrence of covered species under the Santa Clara Valley Habitat Plan (SCVHP).

#### **Project Location**

The Study Area is located within the northern portion of Santa Clara County, east of the City of Milpitas and north of Old Calaveras Road in Township 5 South, Range 1 East, MDB&M (Longitude -121.869797, Latitude 37.451751; NAD83). The Study Area is portrayed on the USGS "Milpitas, California" and "Calaveras Reservoir, California" 7.5-Minute Series Topographic Quadrangles (Figure 1).

#### **Project Description**

The Study Area consists primarily of an old mine that is in the process of being reclaimed, as well as a variety of agricultural elements such as structures and ponds. Planned current/future Project components include the replacement/expansion of a variety of structures, dwelling, and supporting infrastructure. The Study Area will primarily remain in a natural state upon the completion of reclamation. **Attachment A** provides additional project details.

#### <u>Methodology</u>

Prior to the site visit, Madrone senior biologist Matt Hirkala conducted a desktop review of the SCVHP and the Santa Clara Valley Habitat Agency's SCVHP Land Cover GIS dataset (available at: https://scv-

<u>habitatagency.org/</u>). This dataset, which is primarily based on the interpretation of signatures present on historic and recent aerial photography, provided a working list of land cover types potentially present within the Study Area. Per this dataset, the following six land cover types were listed as present:

- 1. Barren;
- 2. California Annual Grassland;
- 3. Pond;
- 4. Willow Riparian Forest and Scrub;
- 5. Rural Residential; and
- 6. Grain, Row-Crop, Hay and Pasture, Disked / Short-Term Fallow.

On 15 December 2020, Mr. Hirkala visited the site, and performed meandering transacts throughout the entirety of the Study Area to preform "ground-truthing" in order to verify which land cover types as defined by the SCVHP actually occur within the Study Area.

#### Conclusion - HCP Land Cover Types Present

Based on the above-described site visit, five SCVHP land cover types are present within the Study Area and are portrayed on **Figure 2** and summarized in **Table 1** below.

Table 1. SCVHP Land Cover Types Mapped within the Study Area

SCVHP Land Cover Type	Acreage
Barren	63.77
Coastal and Valley Freshwater Marsh	0.05
Grain, Row-crop, Hay and Pasture, Disked / Short-term Fallowed	12.30
Mixed Riparian Forest and Woodland	1.40
Pond	0.47

#### Barren Land Cover Type

The SCVHP defines the barren land cover type as non-agricultural areas that have been historically and recently disturbed including by mining activities. Land uses in this type include aggregate facilities and mine tailings. Approximately 63.77 acres of the Study Area include areas previously mined that are currently undergoing restoration efforts. The Santa Clara Valley Habitat Agency's SCVHP Land Cover GIS dataset did record this land cover type as present within the Study Area.

#### California Annual Grassland

The SCVHP defines this land cover type as annual grassland or nonnative grassland comprised of an herbaceous plant community dominated by nonnative annual grasses. In the SCVHP Area, annual grassland was mapped where grasses and forbs dominate the land cover and where trees and shrubs comprise less than 10% canopy cover. Dominant grass species in this land cover type generally consist of introduced annual grasses from the Mediterranean basin often interspersed with a mix of native and nonnative herbaceous vegetation.

Though this land cover type is present north of the parcel, it is not present within the Study Area. The Santa Clara Valley Habitat Agency's *SCVHP Land Cover GIS dataset* did record this land cover type as present within the Study Area.

#### Grain, Row-Crop, Hay and Pasture, Disked / Short-Term Fallowed

Approximately 12.30 acres of the grain, row-crop, hay and pasture, disked / short-term fallowed land cover type were mapped within the Study Area. The SCVHP defines this land cover type as "irrigated" agricultural lands where the native vegetation has been cleared for irrigated agricultural use. Lands north of the barren land cover type appear to coincide with this description, and are currently used as cattle pasturage. The Santa Clara Valley Habitat Agency's SCVHP Land Cover GIS dataset did record this land cover type as present within the Study Area.

#### Mixed Riparian Forest and Woodland

Approximately 1.40 acres of the mixed riparian forest and woodland land cover type were mapped within the Study Area along Old Calaveras Road near the south edge of the Study Area. The SCVHP defines this land cover type as occurring along the margins of active channels on intermittent and perennial streams. Species noted during the site visit included willows (*Salix spp.*), white alder (*Alnus rhombifolia*), bigleaf maple (*Acer macrophyllum*), coast live oak (*Quercus agrifolia*). All of these species are listed as occurring within this land cover type. The Santa Clara Valley Habitat Agency's *SCVHP Land Cover GIS dataset* did record this land cover type as present within the Study Area.

#### Pond

One 0.47-acre pond was mapped within the Study Area. This feature is classified by the SCVHP as an open water land cover type that is less than 20 acres. This feature is located on the western side of the property and is fringed by emergent vegetation consisting primarily of cattails (*Typha* sp.). The Santa Clara Valley Habitat Agency's *SCVHP Land Cover GIS dataset* did record this land cover type as present within the Study Area.

#### Coastal and Valley Freshwater Marsh

One 0.05-acre coastal and valley freshwater marsh land cover type polygon was mapped within the Study Area. The SCVHP classifies this land cover type as supporting emergent vegetation with either intermittently flooded or perennially saturated soils. This feature is located on the western side of the property and is dominated by emergent vegetation consisting primarily of cattails (*Typha* sp.). The Santa Clara Valley Habitat Agency's *SCVHP Land Cover GIS dataset* did not record this land cover type as present within the Study Area.

#### **HCP Land Cover Types Not Present**

Two land cover types depicted as present within the Study Area by the Santa Clara Valley Habitat Agency's SCVHP Land Cover GIS dataset were not observed during the site visit:

- 1. Rural Residential and
- 2. Willow Riparian Forest and Scrub.

The rural residential land cover type mapped within the Study Area appears to have been an artifact of GIS processing of aerial photography as the SCVHP Land Cover GIS dataset records only 72 square feet within the Study Area. This appears as a tiny sliver on the western boundary of the parcel, plus rural residential lots occur west of the site.

The willow riparian forest and scrub land cover originally described as occurring within the Study Area is very similar to the mixed riparian forest and woodland land cover type that Madrone "ground-truthed" as present. The major difference between these two land cover types is the approximate composition of willows which is lower in the willow riparian forest and scrub land cover type.

#### Covered Species Potentially Occurring within the Serpa Quarry Study Area

According to the SCVHP the following covered species have the potential to occur within the Study Area based on the presence of suitable land cover types:

- western burrowing owl;
- San Joaquin kit fox;
- tricolored blackbird;
- California tiger salamander;
- California red-legged frog;
- Bay checkerspot butterfly.
- western pond turtle,
- Loma Prieta hoita: and
- least Bell's vireo.

In our opinion, the historic highly disturbed nature of the site and the majority of the Study Area falling under the land cover category of barren, diminishes the likelihood that most of these species would persistently occupy the majority of the Study Area. The exception being the 1.40 acres of mixed riparian forest and woodland along Old Calaveras Road, which is relatively undisturbed and according to the SCVHP technically provides potential habitat for Loma Prieta hoita, California red-legged frog, western pond turtle, and least Bell's vireo. However, these areas are situated within a steep ravine adjacent to Old Calaveras Road that does not allow for the persistent ponding of surface water associated with habitat for western pond turtle and California red-legged frog.

None of the 1.40 acres of mixed riparian forest and woodland will be impacted by the proposed project. All improvements are to occur within the grain, row-crop, hay and pasture, disked / short-term fallowed or the barren land cover types.

The southwest part of the property has two stormwater detention features that were constructed when the quarry was in operation; these man-made features were later incorporated into the reclamation plan. Stormwater run-off from across the property is diverted into the eastern feature, which we classified as pond land cover type (Figure 2). Any overflow from the pond feeds a second stormwater detention feature

located to the west, which we classified as coastal and valley freshwater marsh – this feature is dry most of the year.

The pond and coastal and valley freshwater marsh land cover types are typically known to provide suitable habitat for California tiger salamander, California, red-legged frog, western pond turtle, and tricolored blackbird. However, the chances of these species occurring within the Study Area are minimal given the small size of these man-made features that were constructed as part of historic quarry operations. Additionally, these features are surrounded by highly disturbed/manipulated lands both on- and off-site. Though the pond is fringed by thickets of cattails, which represent potential tricolored blackbird nesting habitat, these areas are not very voluminous and are in close proximity to human activities. The coastal and valley freshwater marsh also supports cattails, but this thicket is very small and similarly surrounded by human activities. We believe the project would have minimal impacts on tricolored blackbird.

We appreciated the opportunity to assist you with this Project. Please feel free to contact me with any questions or comments at bwatson@madroneeco.com or (916) 822-3230.

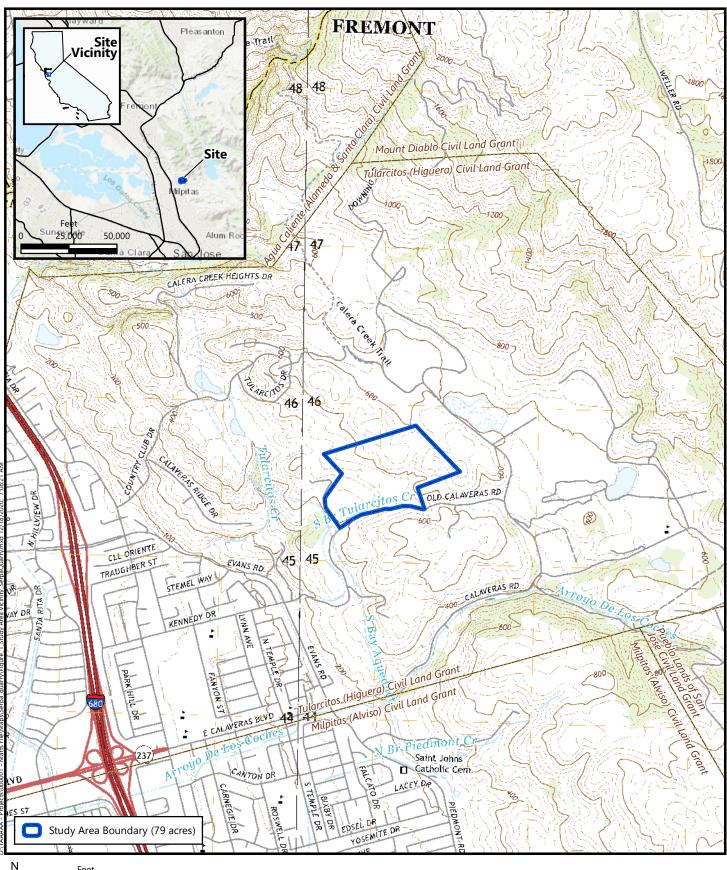
#### **Figures**

Figure 1. Site and Vicinity

Figure 2. Santa Clara Valley Habitat Plan Land Cover Types

#### Attachment/s

Attachment A. Project Details



Feet 1,000 2,000

Source: United States Geologic Survey, 2018. Tularcitos (Higuera) Civil Land Grant Township 5 South, Range 1 East, MDB&M "Milpitas, California" and "Calaveras Reservoir, California" 7.5-Minute Topographic Quadrangles Longitude -121.869797, Latitude 37.451751

# Figure 1



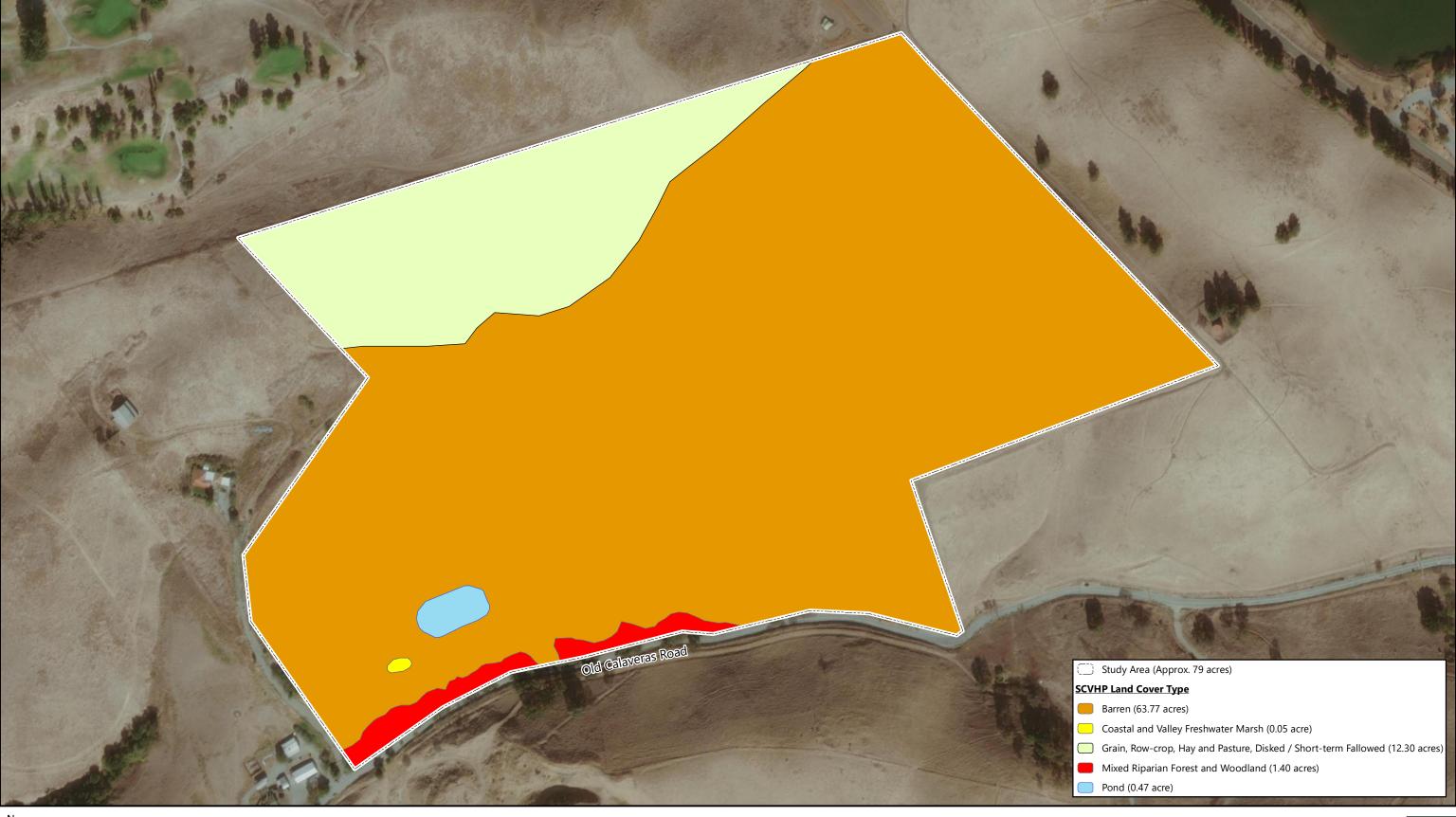
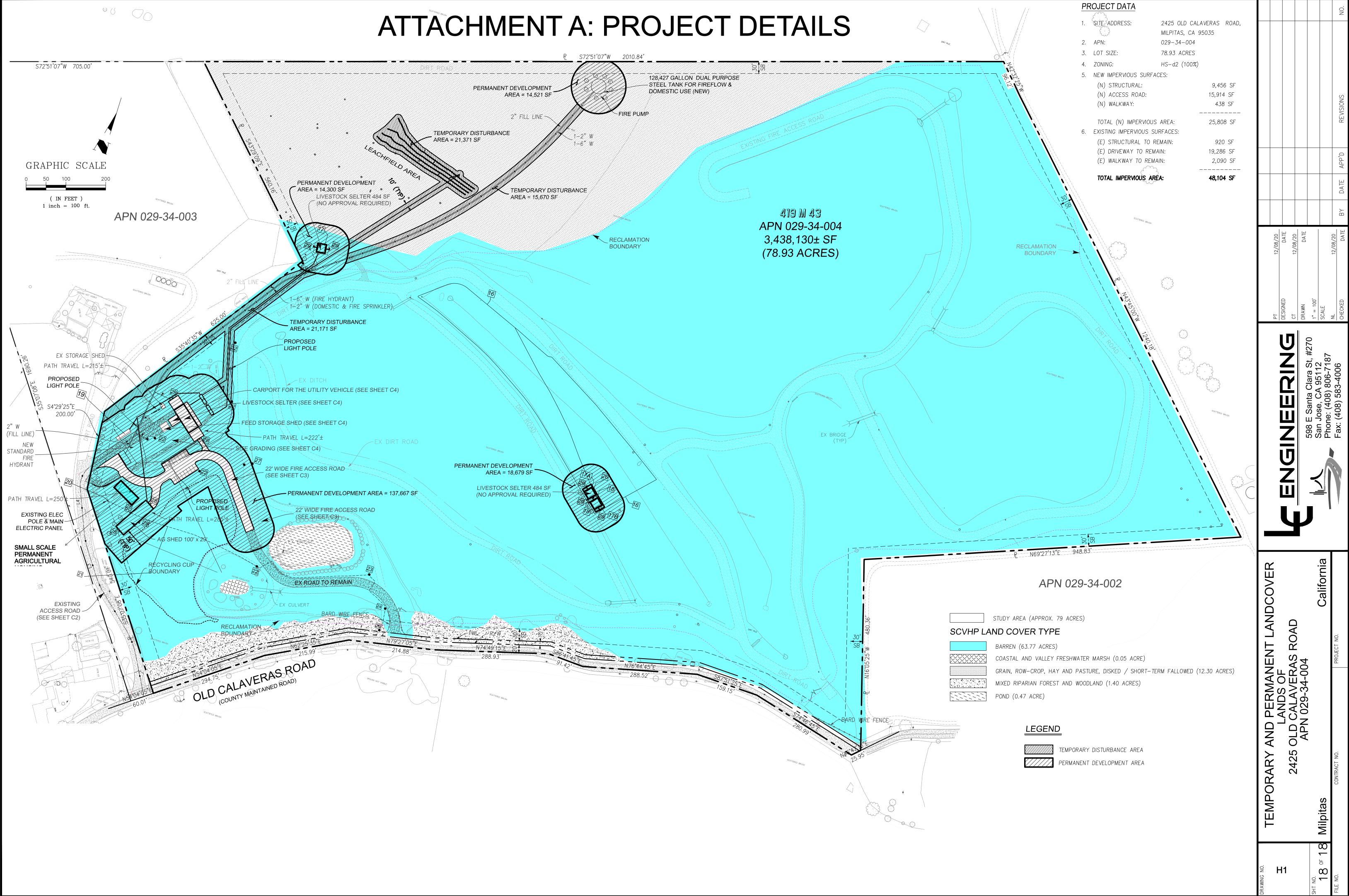




Figure 2 Santa Clara Valley Habitat Plan Land Cover Types





# **ATTACHMENT E**

Visual Simulation Analysis for Milpitas Crestline

# Visual Simulation of proposed structures at 2425 Old Calaveras Road

# 1. Project Location

The proposed project is located in the foothills just east of the City of Milpitas within an unincorporated portion of Santa Clara County, California. The project is located at 2425 Old Calaveras Road, on APN 029-34-004, approximately 5 miles northeast of the City of San Jose. The site and a few other unincorporated parcels nearby are nearly surrounded by the City of Milpitas and the Ed Levin Regional Park.

Figure 1: Project Location Map



Path: L:\Acad 2000 Files\25000\25065\GIS\ArcMap\Figure 1 Location.mxd

### 2. Viewpoints for Visual Simulations

The city of Milpitas zoning map defines nine viewpoints across the city. Visual simulations of the proposed development need to be evaluated from the three closest viewpoints to the development site. As shown in the picture and table below, VP-4, VP-5 and VP-6 are the three closest viewpoints. Viewing distance is also important to consider when evaluating the project visibility, since the closest point of the valley floor where the project would be visible is nearly 4,000 feet away. Most valley floor viewers are 5,000 to 10,000 feet away, where visible features will become very small in the distance.

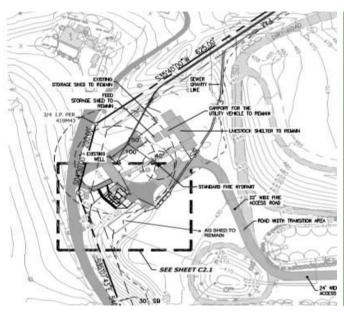
List of the three closest viewpoints:

Viewpoint	Latitude	Longitude	Intersection	Elevation
#				
VP-4	37°26'49"N	121°53'41"W	Intersection of Jacklin Road and North Hillview	35'
			Drive, looking 54° North-East. The project site	
			is partially visible.	
VP-5	37°26'31"N	121°53'8"W	At the parking lot of Cardoza park on Kennedy	55'
			Drive where the nearest cross street is North	
			Park Victoria Drive, looking 37° North-East. The	
			project site is visible.	
VP-6	37°25'59"N	121°53'42"W	475' west on Old Calaveras Boulevard from the	35'
			intersection of South Hillview Drive, looking 38°	
			North-East. The project site is visible.	



# 3. Visual Simulation Setup

The simulation was done using the six structures listed in the table below.





Structure #	Structure	Description
1	Proposed Ag. Shed approved under PLN20-125	Elevation 421, Height of building 16', Area 1450 sqft
2	Proposed livestock shelter approved under PLN20-125	Elevation 427, Height of building 16', Area 1972 sqft
3	Existing metal storage shed being regularized	Elevation 426, Height of building 12', Area 408 sqft
4	Existing well shed being regularized	Elevation 418, Height of building 11', Area 402 sqft
5	Existing storage shed	Elevation 427, Height of building 12', Area 110 sqft
6	Proposed Small Scale Permanent Agricultural Employee Housing	Elevation 421.50, Height of building 12', Area 1199 sqft

### 4. Visual Simulation from viewpoint - VP-4

Viewpoint VP-4 is located at latitude 37°26'49"N, longitude 121°53'41"W at an elevation of 35' and at the intersection of Jacklin Road and North Hillview Drive, looking 54° North-East.

Project site as viewed from viewpoint VP-4. The site is partially visible as shown. Existing structures like the well shed, the metal storage shed and the 110 sqft storage shed are not visible.



None of the 6 proposed structures are visible as seen in the simulation below.



### 5. Visual Simulation from viewpoint - VP-5

Viewpoint VP-5 is located at latitude 37°26'31"N, longitude 121°53'8"W at an elevation of 35' and at the parking lot of Cardoza park on Kennedy Drive where the nearest cross street is North Park Victoria Drive, looking 37° North-East. The project site is visible.

Project site as viewed from viewpoint VP-5. The site is visible as shown. Existing structures like the well shed, the metal storage shed and the 110 sqft storage shed are partially visible. However, since we are about 4,800 ft away, the structures appear very small in the distance.



4 of the 6 proposed structures are partially visible as seen in the simulation below. However, since we are about 4,800 ft away, the structures appear very small in the distance.



The proposed vegetative cover of 16' trees will mostly cut off visibility of the proposed structures as shown in the simulation below.



## 6. Visual Simulation from viewpoint - VP-6

Viewpoint VP-6 is located at latitude 37°25'59"N, longitude 121°53'42"W at an elevation of 35' and at 475' west on Old Calaveras Boulevard from the intersection of South Hillview Drive, looking 38° North-East. The project site is visible.

Project site as viewed from viewpoint VP-6. The site is partially visible between structures and trees at the viewpoint location as shown. Existing structures like the well shed, the metal storage shed and the 110 sqft storage shed are partially visible. However, since we are about 9,000 ft away, the structures appear very small in the distance.



4 of the 6 proposed structures are partially visible as seen in the simulation below. However, since we are about 9,000 ft away, the structures appear very small in the distance.



The proposed vegetative cover of 16' trees will mostly cut off visibility of the proposed structures as shown in the simulation below.



ATTACHMENT F
Annual Verification Form for Agricultural Employee Housing

# ANNUAL VERIFICATION FORM/AFFIDAVIT FOR AGRICULTURAL EMPLOYEE HOUSING

I, _		[insert owner name], declare as follows:
	1.	I have personal knowledge of all of the matters stated herein and could testify truthfully thereto if called upon to testify.
	2.	I am the owner of property located at [address] and assigned Assessor's Parcel Number(s) (the "Property")
	3.	I am submitting this verification form for the purpose of substantiating the Property's conformance with the County of Santa Clara Zoning Ordinance subsection 4.10.040 (D) for annual verification of a small-scale permanent agricultural employee housing on the subject property.
	4.	I understand that I am required to submit a completed annual verification form to the Department of Planning and Development no later than January 31 of each year.
	5.	I certify that the small scale permanent agricultural employee housing located on my property was occupied by agricultural employees for a minimum of 180 days during the preceding calendar year.
	6.	I declare that the small scale permanent agricultural employee housing located on my property will be occupied by agricultural employees for a minimum of 180 days during the current calendar year.
	7.	The substantial evidence that the small scale permanent agricultural employee housing located on my property was occupied by agricultural employees for a minimum of 180 days during the preceding calendar year are enclosed with this verification form.
	8.	I have a permit to operate (or exemption) from the California Department of Housing and Community Development, as required by state law.
		are under penalty of perjury under the laws of the State of California that the foregoing is and correct:
Da	ited:	:[Name]
		[Title]