

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing, 7th Floor

70 West Hedding Street

San Jose, CA 95110

Phone: (408) 299-5700

www.sccplandev.org



February 10, 2023

Mack Larson
10810 Crothers Rd
San Jose, CA 95127

larsonmack@icloud.com

*** VIA EMAIL ***

FILE NUMBER: PLN23-010
SUBJECT: Design Review and Grading Approval for a prefabricated barn
SITE LOCATION: 10818 Crothers Rd, San Jose, CA 95127 (APN: 612-44-033)
DATE RECEIVED: January 13, 2023

Dear Mack Larson,

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

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

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

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

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

PLANNING

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

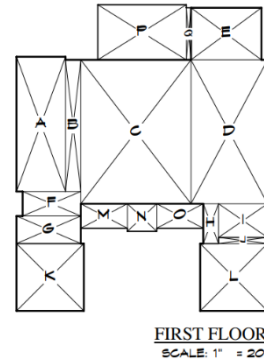
Scope of Work

1. Please include a detailed description of the project including the current agricultural activity, and the types of material to be stored in the proposed structure.

Floor Area Calculation

2. As the subject parcel is in a “-d1” Design Review District, floor area calculation is required to be included in the plan set. Place calculation diagrams on a separate plan sheet and utilize polygons (such as rectangles, squares, triangles) to scale, with each polygon area calculation noted in the tabular form. The polygons are to match the building footprint exactly. **All computations must be calculated, verified, signed and stamped by either a registered civil engineer, a licensed land surveyor or a licensed architect.** Definition of “floor area”: per County of Santa Clara Zoning Ordinance, includes “the total area of any attached garage, and any carport, porch or similar attached structure or feature that is both: (a) covered, and (b) greater than 50% enclosed by perimeter walls.”

Polygon/Area Designation	Dimensions	Area
A	20 x 20	400
A (where the vertical distance exceeds 15 feet)	10 x 10	100
B	10 x 10	100
TOTAL		600



Pursuant to County Zoning Ordinance §1.30.030, "**Floor area, gross: Where the vertical distance between any floor and the ceiling above exceeds 15 feet, floor area shall be counted twice.**" From Elevations Sheet B1, it appears that there is a portion of the structure where the vertical distance between floor and the ceiling above exceeds 15 feet. This portion shall be counted twice towards the gross floor area in the Floor Area Calculation Table. Please list the floor area of that portion and the proposed structure separately in the Floor Area Calculation Table.

Lot Legality

3. Please submit a recorded deed prior to June 25, 1969, and the next consecutive deed conveying ownership from the 06/25/1969 owner. The information is necessary to ensure that the lot in its current configuration was conveyed before 1969 and thereafter.

The following deed included in the submission has been reviewed.

- Grant deed #24208357, recorded 06/21/2019

All requested documents must be complete with no missing pages, the deeds must be clearly readable, and if the deed includes more than one lot or parcel, note on the deed which description pertains to the requested parcel. The Deeds & Lot Legality handout can be accessed via the link below:

<https://stgenpln.blob.core.windows.net/document/DeedLotLegality.pdf>

Cross-sections

4. Cross-sections are required to be submitted for each structure per [Design Review Checklist](#). Please provide two cross-sections for the proposed structure. Cross-sections must be provided through the highest portions of the building.

Color Board

5. The submitted color board does not include the light reflectivity value (LRV) of exterior surfaces and is incomplete. Please indicate the LRV for each exterior surface. Note: The light reflectivity value (LRV) of exterior surfaces shall not exceed 45 in the “-d1” Design Review District, per County Zoning Ordinance § 3.20.040 (B).

Site Plan

6. The overall site plan is not included in the plan set for review and is incomplete. Please provide an overall site plan, and identify the following items:
 - a) Dimensioned and complete boundaries of the subject parcel
 - b) Existing contour lines extended 50 feet beyond the development area, per County Grading Ordinance Section C12-424.
 - c) Front-, side-, and rear-yard setbacks, and distances to property lines.
 - d) Existing and proposed access and parking areas including private streets, driveways, etc.
7. Two grading plans (Sheet C6 and Sheet C8) were submitted. Sheet C6 is not readable due to low resolution. Please clarify which grading plan shall be reviewed by Staff.

Tree Removal

8. Please clarify if any tree removal is proposed. If not, provide a note on Cover Sheet that “No Tree Removal is Proposed.” Otherwise, provide the species and trunk sizes of all existing trees to be removed in table format and include the table in the plan set.

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

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

Grading

9. The submitted earthwork summary table does not include the amount of cut and fill and the maximum height and depth of cut and fill for all proposed improvements and is incomplete. Please provide a table detailing the amount of cut and fill (in cubic yards) associated with each individual proposed improvement (e.g. building pad, driveway, access road, and other improvements etc.), and the total amount of cut and fill. The maximum height and depth of cut and fill associated with each individual proposed improvement shall also be included in the earthwork summary table. See a sample table below (add more rows as needed).

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

10. Please provide a minimum of two (2) cross-sections for “Building Pads” and “Driveway” as identified in the Earthwork Summary Table pursuant to County Ordinance Section C12-424. Show the vertical dimensions of cuts and fills and project the existing grade line on each section.
11. Completed Grading Design Standards Forms have not been included in the submittal and are required to be included in the submission per [Grading Approval Checklist](#). This documentation is required to be prepared and signed by a registered civil engineer. Link to the form: https://stgenpln.blob.core.windows.net/document/Grading_Standards_Form.pdf
12. Please provide a Statement of Justification for the Proposed Grading, explaining how the proposed grading is consistent with all seven findings detailed in Section C12-433 of the County Grading Ordinance, addressing the proposed improvements (e.g. location of the proposed barn, driveway, and other improvements) and quantities of cut and fill. **Note: Please provide your response to each finding separately.** Link to the Statement of Justification Handout: https://stgenpln.blob.core.windows.net/document/Grading_Statement.pdf
13. Hazardous sites questionnaire is not included in the submission for review and is incomplete. Please provide the hazardous sites questionnaire form. Link to the form: https://stgenpln.blob.core.windows.net/document/Hazardous_Questionnaire.pdf

Archaeological Review

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

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

Santa Clara Valley Habitat Plan Review

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

15. As the subject parcel is in Habitat Plan Rural Development Areas. Please submit a [Santa Clara Valley Habitat Plan-Coverage Screening Form](#). The subject property is in Habitat Plan Permit (HCP) Areas 1 and 2. The form shall be signed and dated by the owner and applicant.

LAND DEVELOPMENT ENGINEERING

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

16. Please provide a table of the estimated earthwork quantities per C12-424(g) including any grading that may be required for access to the structure. Quantities should be separated into the different bodies of work for the project.
17. Please provide a table of the estimated impervious areas that are created as a part of the development. The net change in impervious areas shall be clearly stated on the plans. This impervious area shall include the structure as well as any hardscape such as the surrounding pad and access driveway.
18. Please provide a cross section of the grading taken through the transverse direction of the structure in addition to the existing section already shown.
19. Please show the limits of the disturbed area as a result of the proposed development. Include the disturbed areas required for the access driveway, the septic field and any stockpile and construction staging areas.
20. Please show the location of the proposed development with respect to the location within the property, including property lines and easements on the plans to comply with the Grading setbacks to property line per County Grading Ordinance C12-558. The grading currently appear that it may encroach upon the neighboring property.
21. The proposed development impacts drainage flows, thereby not meeting the exemption requirements of Section C12-407 of the County Grading & Drainage Ordinance. Please provide a revised Drainage Plan that demonstrates the on-site drainage will be controlled in such a manner as to not increase the downstream peak flow or cause a hazard or public nuisance. If this cannot be demonstrated, provide a detention system pursuant to the Design Guidelines in Section 6.3.3 of the 2007 Santa Clara County Drainage Manual.
22. Please demonstrate that the access driveway from the end of the county-maintained section to the driveway shown on the plan conforms to County Standard Detail SD5. If any access road

accessing the site does not conform to County Standard Detail SD2, submit a proposal to build a pro rata portion of the access road based upon the fully developed use of the road. Provide a road study, or other documentation, justifying the proposal. For additional information refer to the County of Santa Clara Standards and Policies Manual – Volume I, Land Development (Private Road Stage Improvements, page A6.1). A copy of the manual is available on-line at:

https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual_Vol1.pdf

23. Please include a driveway approach per SD4/SD4A that conforms to County standard slopes of less than 5% grade 20 feet from the edge of pavement or to the right of way, whichever is greater.
24. Based upon County policy, a right-of-way dedication of thirty feet measured perpendicularly from the road centerline may be required with this development. A cul-de-sac bulb dedication may also be required at the end of the private road.
25. Please provide a driveway turnaround to conform to County Standard Detail SD16 or as required by the County Fire Marshal's Office or CalFire, whichever is greater.
26. Please submit evidence of legal access to the site from the nearest publicly maintained road compiled and/or prepared by a Licensed Land Surveyor or Registered Civil Engineer authorized to practice land surveying per C12-326 of the Single Building Site Ordinance. In the plans, note the recorded document information for all easements and right of ways.
27. Relocate proposed retaining walls outside of the right of way.
28. Please include all applicable easements affecting the parcel(s) with benefactors and recording information on the site plan. Please supply a copy of preliminary title report, prepared within the current ownership of the property, with a statement from the owner that no subsequent encumbrances have been recorded since the preparation of the title report.
29. Please clearly identify all retaining walls necessary to establish the grading shown with appropriate top and bottom of wall elevations. Please provide a cross section of the grading, including the proposed wall, per Section C12-424 (j) and (k) of the County Grading & Drainage Ordinance.
30. Submit a completed San Francisco Bay/Central Coast Watershed Questionnaire. Based on the results of the Questionnaire, incorporate the applicable stormwater treatment measures in the plans. Please note that requirements for the SF Bay watershed will change for projects not approved by June 30, 2023 for all projects that have not yet obtained approval by that date.
31. There appear to be sheets of the Civil plans that are missing. Please include the necessary plans in the resubmittal.

GEOLOGY

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

32. The property is located in State Seismic Hazard Zones for Earthquake Faults and Earthquake-Induced Landslides, which are also County Geologic Hazard Zones. The proposed project consists of construction of a new 3,500 square foot barn supported on a new fill pad requiring the placement of approximately 5,520 cubic yards of fill and construction of an approximately 20 feet high fill slope. According to regional landslide maps prepared by the California Geologic Survey, the site is underlain by a possible landslide mass. Based on these conditions, an in-depth geologic report addressing the impact that the proposed grading may have on the slope is required. The geologic report needs to be signed by a Certified Engineering Geologist (CEG) and can be prepared in conjunction with a geotechnical investigation signed by a geotechnical engineer (GE) or civil engineer (PE). The report needs to include quantitative slope stability analysis. Pay the appropriate report review fee when uploading an unsecured pdf of the report into the Documents portal.
33. Since the proposed structure is not intended for human occupancy, the requirement for evaluating the potential for surface rupture due to faulting will be waived. If the current or future owners of the property wish to convert the barn for human occupancy or build residential structures on the pad, then an evaluation of the surface rupture hazard will be required.

FIRE MARSHAL OFFICE

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

34. General Note- Project is located within the State Response Area (SRA) and the Wildland Urban Interface (WUI).
 - a) Chapter 7A of the CBC to be met at Building Permit submittal.
 - b) Defensible space to be maintained at all times.
 - c) PRC-4290 compliance will be reviewed by CAL FIRE.
35. The "Applicable Codes" are referencing the past code cycle, this is to be updated to the current code cycle.
36. Plans state fire sprinklers will be a deferred submittal. As this isn't a residential home, the plans are to clearly state the sprinklers will be NFPA 13.
37. Provide a Plan submittal that is clear and legible. An example is sheet 2 of 56 (C6) contains writing that is illegible. More comments may be made when a more clear set of plans is submitted.
 - a) Ensure the property line is clearly shown.

38. The plans are to clearly show fire department access meeting CFMO-A1. This includes but isn't limited to the following.
- a) Access Roads (portions of road serving 3 or more lots) to have a minimum driving width of 18 ft. excluding shoulders.
 - b) Driveways (portions of road serving no more than 2 lots) to be shown with a minimum drivable width of 12 ft.
 - c) Access slope not exceeding 15%.
 - d) Fire department turnaround meeting CFMO-SD16 for driveways exceeding 150 ft. in length or for dead-end roads.
 - e) Access to be made of an "all weather" material capable of holding 75,000 pounds. The plans are to clarify this will be met.
39. Clarify the use of the proposed Barn as it's not currently clear (private residential use, non-residential, selling of goods, etc.).
40. Plans are to show a standard fire hydrant within 400 ft. exterior path of travel to all portions of a non-sprinklered structure and 600 ft. of a sprinklered structure.
41. Provide fire hydrant flow data meeting Appendix "B" of the CFC if standard hydrant if fed by a water purveyor.
- a) Include a "Will Serve" letter from water purveyor.
42. If a water purveyor isn't available, the plans are to show the source of fire protection water such as a well.
- a) Above ground water tank meeting NFPA 1142 to be shown, include calculations on how the tank size was chosen.
 - b) Tank to be located per CFMO-W5.
 - c) Hydrant to be located per CFMO-W4.
43. Plans are to label the name of the road serving the parcel. The address is to be taken from the road that serves the property to ensure the property can be located by fire/medical personnel in an emergency scenario. More information is needed to determine if the address (10818 Crothers Rd.) is the correct road or not.

CALFIRE

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

44. This project (Record No. PLN23-010) is located within the State Responsibility Area (SRA) and is recommended to follow all minimum wildfire protection standards of **California Code of Regulations Title 14 Natural Resources Division 1.5 Department of Forestry Chapter 7 - Fire Protection Subchapter 2 SRA Fire Safe Regulations Articles 1-5.**

- a) Access: Road D and all access roads will need to be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping to the building site per § 1273.01.

Article 2 Emergency Access and Egress

§ 1273.00. Intent

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

§ 1273.01. Width.

- a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.
- b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads.
 - (1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units.
 - (2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.
 - (c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").
- b) Turnaround: Road D will need a turnaround at its terminus since it is a dead-end road per § 1273.05.

§ 1273.05. Turnarounds

- a) Turnarounds are required on driveways and dead-end roads.
- b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.
- c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.
- d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.

- e) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.
- c) Road Surface: Ensure Road D is designed and maintained to support 75,000 pounds per § 1273.02.

§ 1273.02. Road Surfaces

- a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.
- b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.
- c) Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction.
- d) Dead-End Road: Ensure Road D does not exceed maximum distance for a dead-end road depending on parcel size per § 1273.08. Dead-end road begins at Crothers Rd and Echo Knolls Rd.

§ 1273.08. Dead-end Roads

- a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - parcels zoned for less than one acre - 800 feet
 - parcels zoned for 1 acre to 4.99 acres - 1,320 feet
 - parcels zoned for 5 acres to 19.99 acres - 2,640 feet
 - parcels zoned for 20 acres or larger - 5,280 feetAll lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.
- b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.
- e) Defensible Space: Maintain defensible space specifications described in Public Resource Code 4291

§ 1276.01. Setback for Structure Defensible Space.

- (c) Structures constructed in the SRA are required to comply with the defensible space regulations in Title 14. Natural Resources Division 1.5. Department of Forestry and Fire Protection Chapter 7. Fire Protection Subchapter 3. Fire Hazard.

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

Please make sure the requested changes are made for the revised plan sets and documents that are needed for the resubmittal. **Resubmittals are only accepted by appointment with the assigned project planner.** If the requested information is not submitted within 180 **days**, you will be required to pay a fee of 10% of the application fee at the time the information is submitted. All requested information must be submitted no later than **one (1) year** from the date of this letter. **PARTIAL RESUBMITTALS WILL NOT BE PROCESSED.** Fees required at the time of resubmittal will be those in effect at that time.

In submitting this land use application, the owner/applicant included an initial application fee. Application fees are categorized as "fixed fees" and "billable fees", based on the particular application types. "Fixed fee" applications do not require any additional fees to continue processing. However, when funds associated with a "billable fee" application have been spent, an additional deposit will be required to continue processing the application.

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

Sincerely,

Lulu Pang
Assistant Planner

cc:
Samuel Gutierrez, Principal Planner