

# County of Santa Clara

Department of Planning and Development  
Planning Office

County Government Center, East Wing, 7th Floor  
70 West Hedding Street  
San Jose, California 95110-1705  
(408) 299-5770 FAX (408) 288-9198  
www.sccplanning.org



**\*\*Via Email Only\*\***

April 19, 2023

David Faria, MH Engineering Co  
submittals.mhengineering@gmail.com

**FILE NUMBER:** PLN23-046  
**SUBJECT:** Building Site Approval on Slope 30% or Greater and Grading Approval  
for a New Single-Family Residence and Detached Garage  
**SITE LOCATION:** 15805 Uvas Road, Morgan Hill, CA 95037 (APN: 756-12-026)  
**DATE RECEIVED:** March 20, 2023

Dear David Faria,

Staff has reviewed your application, submitted on the above date, and would like to provide staff's assessment of the proposed design with respect to Building Site Approval on Slope 30% or Greater Findings, Grading Findings, Zoning Ordinance, Guidelines for Grading and Hillside Development, and California Environmental Quality Act.

The information in this section are not incomplete items and are not required to deem the application complete for processing. The information in this section is informational only and can be discussed further if desired with the County Staff.

*Findings (Building Site Approval on Slope 30% or Greater and Grading Approval)*

1. The Zoning Administration Hearing Office may grant a Building Site Approval and Grading Approval if all applicable findings can successfully be made.

In order to meet these findings, the project must conform with the General Plan, Zoning Ordinance, and all other Santa Clara County guidelines and standards. Staff has concerns with the proposed development in compliance with the [Grading and Hillside Development Guidelines - Guideline 11](#), as the proposed one-story residence is supported by seven (7) tall columns, perching above the natural topography. Staff recommends lowering the finish floor of the residence to reduce the apparent height of the entire structure.

2. Per the arborist report, one of the trees proposed to be removed is a large Coast Live Oak (tree# 42) located in the footprint of the deck. The arborist report proposes preservation of this oak, as such staff recommends you modify the design of the deck to preserve this tree and bring the development in compliance with [Municipal Code section C12-350.5](#), Finding D and [Grading and Hillside Development Guidelines - Guideline 3](#).

*Early Public Outreach*

3. Please note Staff will send out early notification regarding the proposed development to neighboring properties within 300 feet of the site, or 24 properties if there are less than 24 properties within the 300 feet.

*California Environmental Quality Act (CEQA)*

4. The application included a petition for exemption from CEQA. However, staff cannot determine whether the project qualifies for such an exemption at this time. Once the application is deemed complete, staff will determine whether the proposed project qualifies for an exemption. If the project does not qualify, then additional environmental evaluation with fees will be required.

If more than ½ acre or 10% of the oak canopy is proposed for removal or would suffer significant impacts from the development within the woodland area, additional CEQA review and mitigation measures are required pursuant to Public Resource Code 21083.4, such as tree replacement or a conservation easement.

For questions regarding this letter, please call me at (408) 299-5783 or schedule an appointment.

Sincerely,

*Parya Seif*

Parya Seif  
Associate Planner

cc:

Samuel Gutierrez, Principal Planner