

# 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](http://www.sccplandev.org)



**\*\*VIA Emails Only\*\***

October 12, 2023

Kobe Wang

Via Email @ [kwang@engeo.com](mailto:kwang@engeo.com)

**FILE NUMBER:** PLN23-157

**SUBJECT:** Grading Abatement Application

**SITE LOCATION:** 18951 Bear Creek Road, Los Gatos, CA 95033-9544 (APN: 544-27-025)

**DATE RECEIVED:** September 13, 2023

Dear Kobe Wang,

Staff has reviewed your application, submitted on the date above. The comments below are not incomplete items and are not required to deem this application complete for processing. This section is informational only and can be discussed further if desired with County Staff.

### **PLANNING OFFICE**

Please note that per California Environmental Quality Act (CEQA) Section 15304, grading is not exempt from environmental review if it occurs in an officially designated wetland, Alquist-Priolo Earthquake Fault Zone, or State Seismic Hazard Zone. As the proposed grading appears to fall into each of these, this project may be subject to CEQA review. However, a full review for CEQA applicability will not be conducted until the project is deemed complete.

Contact Reva Kakaria at (408) 299-5792 or [reva.kakaria@pln.sccgov.org](mailto:reva.kakaria@pln.sccgov.org) regarding the following comments:

1. Oak woodlands are present on the project site. Santa Clara County Oak Woodlands regulations define a significant impact on oak woodlands as the removal of 0.5 or more acres decrease in native oak canopy within an oak woodland. A significant impact must be mitigated by a combination of the planting of replacement oak trees and a conservation easement.
2. In order for grading approval to be granted, staff must be able to make all findings in County Grading Ordinance [Section C12-433](#). This includes finding that the amount of grading proposed is the minimum necessary to establish or maintain a permitted use (specifically single-family residential and agricultural uses). Grading must also substantially conform with adopted County [Guidelines for Grading & Hillside Development](#).
3. Aerial imagery indicates there is adequate access to the easternmost vineyard on this property

without the use of the jeep trail. Please provide specific justification as to why the amount of proposed grading/previous unpermitted grading is necessary for access and the maintenance of the use on this property.

4. Aerial imagery indicates that prior to the upper landslide, unpermitted grading (excavation and fill) was conducted in the area of the eventual slide. Provide detailed and specific justification for this grading, or demonstrate that this grading did not require permits.
5. Please submit a new signed [Acknowledgements and Agreements](#) form, as this form has recently been revised.

If you have questions regarding this application, please contact (408) 299-5792 or [reva.kakaria@pln.sccgov.org](mailto:reva.kakaria@pln.sccgov.org).

Sincerely,

*Reva Kakaria*

Reva Kakaria  
Assistant Planner

CC:

Robert Cain, Senior Planner  
Samuel Gutierrez, Principal Planner