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



STAFF REPORT Zoning Administration Hearing February 6, 2025

Item 1

Staff Contact: Buyan Batbaatar, Assistant Planner (408) 299-6724, buyan.batbaatar@pln.sccgov.org

File: PLN23-205

Special Permit – Conversion of an existing legal non-conforming accessory structure into a home office as a Home Occupations: Expanded use.

Summary: Request for a Special Permit for conversion of an existing legal non-conforming accessory structure into a home office as a *Home Occupations: Expanded* use. Associated site improvements include construction of a new single-family residence, driveways, frontage improvements and a detention pond.

Owner: Gurpreet Sangha GP Designation: Agriculture Large Scale

Applicant: Gurpreet Sangha
Address: 800 Las Animas Ave, Gilroy
Present Land Use: Single-family residence
Supervisorial District: 1

Zoning: A-40Ac
APN: 835-15-050
Lot Size: 4.8 Ac
HCP: Permit Area 3

RECOMMENDED ACTIONS

- A. Accept Categorical Exemptions, under Section 15303(Class 3) of the CEQA Guidelines (Attachment A); and,
- B. Grant the request for a Special Permit, pursuant to Conditions of Approval outlined in Attachment B.

ATTACHMENTS INCLUDED

Attachment A – CEQA Determination

Attachment B – Preliminary Conditions of Approval

Attachment C – Location & Vicinity Map

Attachment D – Proposed Plans

PROJECT DESCRIPTION

Land use application for a Special Permit for converting existing 784 sf legal non-conforming accessory structure into a home office as a *Home Occupations: Expanded* use for a property management. Associated site improvements include construction of a new 3,036 sf single-family residence, driveways, frontage improvements and a detention pond. Proposed grading quantities include 84.3 cubic yards (c.y.) of cut and 25.8 c.y. of fill, with a maximum depth of 2.25 feet. Other site improvements include reductions to the existing parking lot area along the front of the project site and converting the existing 669 sf single-family home into a detached ADU. No tree removal is associated with the proposed project.

Setting/Location Information

The subject parcel is 4.8 acres and is located east of the City of Gilroy and Highway 101 off Las Animas Avenue in the southern portion of the unincorporated county. The property is approximately 285 feet from the City of Gilroy; however, it is not located within the Urban Service Area (USA) of the City of Gilroy. The subject parcel takes access from Las Animas Avenue which is a County maintained road. The property is surrounded by single-family residences to the north, south and west and a golf driving range to the east (Attachment C-Location & Vicinity Map).

The property is located in Habitat Conservation Plan Area 3: Rural Development not covered. The proposed development is located within the following land covers: Agriculture Developed, Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed. There are no sensitive land covers, riparian areas, or plant/wildlife survey areas shown on the Santa Clara Valley Habitat Plan (HCP) GIS map, therefore this project is not covered by the Habitat Plan.

REASONS FOR RECOMMENDATION

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(c) as it involves the conversation of an existing small structure not exceeding 2,500 sf for a *Home Occupations: Expanded* use. Associated site improvements include construction of a new single-family residence, driveways, frontage improvements and a detention pond. Additionally, no unusual circumstances exist on the site so as to constitute significant effects, per subsection 15300.2. Therefore, the construction of the home office is categorically exempt under Section 15303(c), and the new single-family residence qualifies for Section 15303(a) (refer to **Attachment A**).

B. Project/Proposal

- 1. General Plan: Agriculture Large Scale
- 2. **Approved Building Site**: Pursuant to County Ordinance Code Section C12-307, Building Site Approval (BSA) is required for new single-family dwellings, including any property within the A-40Ac zoning district. The subject parcel is parcel 1 on a subdivision parcel map recorded in book 394, page 15 with the Santa Clara County Clerk Recorder's office. Therefore, the project site is an approved building site.

3. **Zoning Standards**: The Zoning Ordinance specifies the required development standards for A-40Ac Zoning District, as summarized below, followed by a table noting the project's conformance with Sections 4.20.020 and 4.10.180 for home occupation expanded use:

Main Residence

Setbacks (A-40Ac): 30-feet from all property lines and/ or rights of way (ROW)

Height: 35 feet maximum Stories: 2-story maximum

Table A: Compliance with Development Standards for Home Occupation Expanded

STANDARDS & REQUIREMENTS	CODE SECTION	Meets Standard (Y/N)*
Minimum lot size	§ 4.10.180(C)(1)	Y
Maximum Floor Area	§ 4.10.180(C)(4)	Y
Outdoor Storage of Materials	§ 4.10.180(C)(5)	Y
Number of Vehicles	§ 4.10.180(C)(8)	Y
Sign	§ 4.10.180(C)(9)	N/A
Setbacks	§4.20.020(E)(3)	N*
Height	§4.20.020(E)(1)(b)	N*

^{*} Note: The proposed project is converting an existing legal non-conforming accessory structure into a home office as a *Home Occupations: Expanded* use. The accessory structure is a legal non-conforming structure as it was built prior to 1954 on an Agricultural zoned property that is 2.5 acres (net) in size or larger.

C. Special Permit Findings:

Home Occupation Expanded is subject to special permit findings pursuant to section 5.60.030 of the County Zoning Ordinance. In the following discussion, the scope of review findings for a Special Permit are delineated in bold type, and an explanation of how the project meets the required findings is in plain text below. The Zoning Administrator is required to make these findings to approve the project.

1. 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;

As discussed in Section B, the proposed development meets all applicable zoning ordinance standards. The proposed *Home Occupations: Expanded* use is for conversion of an existing legal non-conforming 784 sf accessory structure into a home office use for a property management. The subject parcel meets the minimum lot size of 1 acre and the *Home Occupations: Expanded* use is limited to one nonresident (up to full-time) employee and one-off street parking spaces as shown on the approved project site plan (refer to Attachment D). Client or customer visits to the site is limited to not more than three (3) per day, and 10 per week. In addition, the proposed conditions of approval

ensure that the *Home Occupations: Expanded* use will remain incidental to the primary residential use per section 4.10.180(C) in the County Zoning Ordinance.

General Plan police R-LU 11 applies to the proposed project as the subject property has a general plan designation of agriculture large-scale. R-LU 11(c) allows for other uses compatible with agriculture which clearly enhance the long-term viability of local agriculture and agricultural lands. The proposed *Home Occupation: Expanded* use is compatible with agriculture as it is a residential accessory use that does not substantially interfere with the continuation of any on- or off-site agricultural operation, would not require public urban services or infrastructure, or establishment of special districts or similar entities, and is consistent with the rural image of the agricultural area. Due to the proposed project's conformance with the County Zoning Ordinance and General Plan, this finding *can* be made.

2. 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;

The subject property is a 4.8 - acre lot, and the proposed *Home Occupations: Expanded* use is incidental to the primary residential use and will not change the character thereof. The existing legal non-conforming accessory structure is setback 5 feet off the western property line and will be converted into a home office use for a property management The site is adequate for the proposed use and meets the minimum lot size of 1 acre pursuant to section 4.10.180(C)(1). As such, the area of the property and the location of the proposed structure offers adequate separation from surrounding uses to the adjacent properties. Therefore, this finding *can* be made.

- 3. 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:
 - i. Adequate off-street parking, loading and unloading areas (if applicable) and compliant access for individuals with disabilities will be provided;

 The property has ample space for off-street parking as the proposed residence has an attached garage to accommodate the required one (1) covered parking space per County Zoning Ordinance table 4.30-1. Parking for the home office would be accommodated using the driveway up to the proposed home office and a parking in front of the new single-family residence, satisfying the required one-off street parking for the *Home Occupations: Expanded* use (refer to Attachment D; sheet 1 of 4). Therefore, this finding can be made.
 - ii. 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 frontage improvements and driveways are designed to conform with fire access requirements and fire safety requirements, as conditionally approved by the County of Santa Clara's Fire Marshal's Office. As such, this finding can be made.

iii. 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 residential development, including the *Home Occupations: Expanded* use would utilize an onsite wastewater treatment system (OWTS). The percolation rates of the OWTS were reviewed by the County of Santa Clara Department of Environmental Health (DEH) and were deemed adequate for the proposed development, including the home office with 2 plumbing fixtures. As such, <u>this finding can be made</u>.

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

The *Home Occupations: Expanded* use would not create noise, odor, dust, or excessive light impacts. The home office would specifically be used for a real estate property management which would not involve the creation of excessive noise, odor, dust or lighting. Furthermore, the proposed use is converting an existing structure into a home office and is incidental to the primary residential use of the subject property and shall be subject to the County Noise Ordinance. Therefore, this finding can be made.

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

The proposed *Home Occupations: Expanded* use would not create any additional pedestrian, automobile or truck traffic in excess of the normal amount typical for the area. The *Home Occupations: Expanded* use is limited to not more than two (2) trucks or vans, whose capacity shall not exceed one (1) ton per vehicle. Client or customer visits to the site shall be limited to not more than three (3) per day, and 10 per week per the draft conditions of approval (Attachment B; COA No. 17). Additionally, the proposed use is a property management office which would typically require no more than three (3) customer/vehicle visits a day. As, such the expanded home occupancy use will be maintained as an ancillary use to the primary single-family residential use on the property, and would not substantially worsen traffic congestion in the area. Therefore, this finding can be made.

vi. Erosion will be adequately controlled; and

Standard conditions related to erosion control have been applied and Best Management Practices (BMPs) will be required for the construction of the project through building permit review. Therefore, this finding can be made.

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

The Special Permit by itself would not trigger the requirement of a Drainage Permit. However, the overall project has been reviewed and conditioned by Land Development Engineering to comply with all local, state, and federal requirements. Therefore, this finding can be made.

In conclusion, as noted throughout the Staff Report, the proposed project meets all applicable development standards for a *Home Occupations: Expanded* use. Additionally, the project satisfies all of the applicable findings to grant a Special Permit for a *Home Occupations: Expanded*. Based on the analysis of the facts described in the body of this report, staff recommends that the Zoning Administration Hearing Officer approve the land use entitlement request for Special Permit subject to the proposed conditions of approval. Staff further recommends that the Zoning Administration Hearing Officer accept staff's determination of Categorical Exemptions, under Section 15303(Class 3) of the CEQA Guidelines (Attachment A).

BACKGROUND

Use permit for a golf driving range was approved on November 7, 1996 on three adjacent parcels, including the subject parcel for a 5 year time period. The use permit was subsequently renewed for an additional 5- and 10-year period in February 2002 and April 2009. An appeal was filed to eliminate the use permit time limitation established by the Planning Commission on April 17, 2009. The Board of Supervisors convened a hearing and approved the elimination of time limitation from the use permit on June 9, 2009. However, use established pursuant to a valid use permit with no condition imposing a time limit or expiration date ceases for a period of 12 consecutive months, the use permit shall be deemed automatically revoked per section 5.65.050 in the County Zoning Ordinance. The owners of the subject property and the one adjacent APN: 835-15-051 are pursuing residential use on their respective properties.

On November 9, 2023, an application for a Special Permit was submitted for a conversion of an existing legal non-conforming accessory structure into a home office as a home occupation expanded use and was deemed incomplete on December 7, 2023. On May 9, 2024, the applicant submitted a separate Grading Approval application for a proposed new single-family residence on the subject parcel. After a discussion with the applicant, the scope of the project was modified to combine the Grading Approval and Special Permit applications under PLN23-205 in the second resubmittal and was deemed incomplete on July 12, 2024. In the third resubmittal, the applicant reduced the proposed grading quantities below the threshold of 150 cubic yards of cut and fill. The final resubmission of the application took place on December 11, 2024, and the application was deemed complete on January 10, 2025. As such, the Permit Streamlining Act deadline for a decision on this project is March 10, 2025.

As of the writing of this report, no public comments were received for this project. A public notice was mailed to all property owners within a 300-foot radius and the interested parties list on January 23, 2025, and was also published in the Post Records on January 27, 2025¹.

STAFF REPORT REVIEW

Prepared by: Buyan Batbaatar, Assistant Planner

Reviewed by: Joanna Wilk, Principal Planner

Buyan Batbaatar

—DocuSigned by:



¹ San Jose Post Record; https://www.postrecord.news/LegalNotices/SJR-2025-01-27.pdf
Legal Notices January 27, 2025; https://www.postrecord.news/LegalNotices/SJR-2025-01-27.pdf

ATTACHMENT A

Proposed CEQA Determination

STATEMENT OF EXEMPTION

from the California Environmental Quality Act (CEQA)

FILE NUMBER	APN(S)	DATE
PLN23-205	835-15-050	January 30, 2025
PROJECT NAME	APPLICATION TYPE	
New Single-family residence, convert existing accessory	Special Permit	
structure into a home office; 800 Las Animas Ave		
OWNER	APPLICANT	
Gurpreet Sangha	Gurpreet Sangha	
PROJECT LOCATION	_	

800 Las Animas Ave, Gilroy, CA

PROJECT DESCRIPTION

Land use application for a Special Permit for converting existing 784 sf legal non-conforming accessory structure into a home office as a *Home Occupations: Expanded* use for a property management. Associated site improvements include the construction of a new 3,036 sf single-family residence, driveways, frontage improvements, and a detention pond. Proposed grading quantities include 84.3 cubic yards (c.y.) of cut and 25.8 c.y. of fill, with a maximum depth of 2.25 feet. Other site improvements include reductions to the existing parking lot area along the front of the project site and converting the existing 669 sf single-family home into a detached ADU. No tree removal is associated with the proposed project.

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: New Construction or Conversion of Small Structures

COMMENTS

The proposed project involves the conversation of an existing accessory building into a home office as a *Home* Occupations: Expanded use for a property management. Associated site improvement includes construction of a new single-family residence, driveways, frontage improvements and a detention pond. The project qualifies for a Class 3 Categorical Exemption under Section 15303(c) as it involves the conversation of an existing small structure not exceeding 2,500 sf. The construction of a new single-family residence qualifies under Section 15303(a). Proposed grading associated with the residence, driveways, frontage improvements and a detention pond conforms with the natural topography and is the minimum necessary to construct the proposed residential use. No tree removal is proposed for the project, and no special status species or habitat exists on the project site. In addition, there are no watercourse or sensitive or protected wildlife or plant species on site. Therefore, no unusual circumstances exist on the site so as to constitute significant effects, per subsection 15300.2. Therefore, the construction of the home office and new single-family residence

are categorically exempt pursuant to S	Sections 15303(c) and 15303(a).	
APPROVED BY: Buyan Batbaatar, Assistant Planner	Buyan Batbaatar Signature	1/30/2025 Date

ATTACHMENT B

Preliminary Conditions of Approval

ATTACHMENT A CONDITIONS OF APPROVAL

Date: February 6, 2025

Owner/Applicant: Gurpreet Sangha/ Gurpreet Sangha

Location: 800 Las Animas Ave, Gilroy (APN: 835-15-050)

File Number: PLN23-205

CEQA: Categorically Exempt – Section 15303

Project Description: Land use application for a Special Permit for converting existing 784 sf

legal non-conforming accessory structure into a home office as a *Home Occupations: Expanded* use for a property management. Associated site improvements include the construction of a new 3,036 sf single-family residence, driveways, frontage improvements, and a detention pond. Proposed grading quantities include 84.3 cubic yards (c.y.) of cut and 25.8 c.y. of fill, with a maximum depth of 2.25 feet. Other site improvements include reductions to the existing parking lot area along the front of the project site and converting the existing 669 sf single-family home into a detached ADU. No tree removal is associated with the proposed project. This project does not require coverage by the Santa Clara Valley Habitat

Plan and is not subject to Building Site Approval.

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

Agency	Name	Phone	E-mail
Planning	Buyan Batbaatar	(408) 299-6724	buyan.batbaatar@pln.sccgov.org
Environmental Health	Darrin Lee	(408) 573-2464	darrin.lee@cep.sccgov.org
Fire Marshall	Alex Goff	(408) 299-5763	alex.goff@sccfd.org
Land Development and Engineering	Darrell Wong	(408) 299-5735	darrell.wong@pln.sccgov.org
Roads and Airport	Thomas Esch	(408) 573-2450	tom.esch@rda.sccgov.org

STANDARD CONDITIONS OF APPROVAL

Building Inspection

1. For detailed information about the requirements for a building permit, obtain a Building Permit Application Instruction handout from the Office of Building Inspection or visit their website (www.sccbuilding.org)

Planning

2. Development shall take place in accordance with approved architectural and civil plans, received by the Planning Department on December 26, 2024, and the conditions of approval. Any changes to the proposed project are to be submitted for review by the Planning Office and may require a modification to this land use entitlement and/ or additional review under the California Environmental Quality Act (CEQA), and may require additional public hearings.

Single Family Residence

- 3. Existing zoning is A-40Ac (Agriculture Large Scale). The following minimum setbacks apply to the approved dwelling as shown on the approved plans and shall be maintained:

 Front: 30 ft

 Side: 30 ft

 Rear: 30 ft
- 4. The maximum allowed height of the main dwelling is 35 ft and shall not exceed (2) stories.
- 5. Associated grading consists of 84.3 cubic yards of cut and 25.8 cubic yards of fill, with a maximum depth of 2.25 feet. Any increase in grading quantities, or modification to the grading design is subject to further review.
- 6. All excess fills shall be taken off-site to an approved disposal location. A note of this requirement shall be incorporated into the civil plan.
- 7. Two off-street parking spaces are required for the main residence, one of which shall be covered.
- 8. On-site parking shall be limited to the areas indicated on the approved plans received by the Planning Department on December 26, 2024 for parking. No additional parking is to be added to the site without review and approval by the Planning Department. Pursuant to section 4.30.070(A)(7), driveways and parking areas shall not be wider than 40% of the width of the lot's frontage along the street, measured where the driveway(s) crosses the edge of the right-of-way. Driveways and parking areas shall not cumulatively cover more than 40% of the land area of the front yard (as defined in Santa Clara County Zoning Ordinance Section 1.30.030).
- 9. Water tanks that are greater than 12 feet in height shall be setback from any front, side or rear property lines a minimum of 30 feet. Water tanks less than 12 feet in height shall be setback 30 feet from the front property line, and 3 feet from the side and rear property lines.

Home Occupation: Expanded use

- 10. The minimum lot size shall be one (1) acre for a home occupation expanded use.
- 11. The home occupation expanded shall be conducted within the dwelling or accessory building by resident inhabitants, and may include one (1) nonresident (up to full-time) employee.
- 12. One off-street parking space is required for the proposed Home Occupation: Expanded use.

- 13. Accessory buildings containing expanded home occupation uses shall be limited in area to not more than 1,200 square feet (total). A larger building may be used provided the home occupation area is structurally partitioned to not exceed 1,200 square feet.
- 14. The maximum height allowed is 12 feet and one story if the gross lot area is less than two and one-half acres. When such a building has a hip or gable roof, the height is measured to the average vertical dimension between the ridge and top plate of wall per section 4.20.020(E)(1)(a). The maximum absolute height allowed is 35 feet if the gross lot area is two and one-half acres or greater.

Note: Any setback-nonconforming or height-nonconforming portions of a building may remain only if they substantially maintain their structural form and integrity. In the course of construction, if walls become disconnected from supporting ceiling and roof joists and all bracing perpendicular walls, they relinquish their right to maintain a nonconforming setback encroachment pursuant to section 4.50.030(A).

- 15. The location of the accessory structure shall be in the rear half of the lot, in the rear yard, or at least 75 feet from the front property line or edge of the ultimate right of way. Accessory buildings or structures exceeding 12 feet in height (16 total feet with gable/hip roof allowance, as provided in subsection 4.20.020(E)(1)(a) on lots two and one-half acres or larger are subject to side and rear yard setbacks of no less than 30 feet. For buildings or structures conforming to the provisions of subsection 4.20.020(E)(1)(a), setbacks from side and rear property lines shall be as required by the California Building Code for fire separation.
- 16. Storage of equipment and materials outside of home office shall be limited to a specified area not exceeding 600 square feet, and shall be appropriately screened to be not visible from outside the property boundaries. Equipment and materials shall be limited to quantities that do not constitute a fire, health or safety hazard.
- 17. The home occupation expanded use shall not create additional pedestrian, automobile or truck traffic in excess of normal amount typical for the area. Client or customer visits to the site shall normally be limited to not more than three (3) per day, and 10 per week. All business activities related to home occupancy expanded shall be in conformance with Santa Clara County Noise Ordinance Section B11-154 and limited between the hours of 7:00 a.m. and 10:00 p.m.
- 18. No activity shall be allowed that creates offensive noise, dust, smoke, odor, vibrations, glare, or radio or television interference that is noticeable from beyond the property boundaries.
- 19. Not more than two (2) trucks or vans, whose capacity shall not exceed one (1) ton per vehicle, shall be used in any manner with the home occupation use. Vehicles should not contain display advertising that exceeds the limitations of section 4.10.180(C)(9).
- 20. One (1) non-illuminated sign not exceeding four (4) square feet in area may be appropriately placed to identify the business, but should not be intended as an advertising display to attract

- customers. Such a sign shall not be located within the required front yard setback, nor within any street right-of-way. There shall be no display of products visible from outside the property boundaries.
- 21. In the building permit submission, any fences included in the building permit submission must provide information regarding the fence heights and design to confirm conformance with the provisions contained within Section § 4.20.050 of the County Zoning Ordinance.
- 22. Building and Grading Permits shall be submitted to the Building Office concurrently.

Archaeological Resources

23. In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site, a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.

Environmental Health

- 24. With a percolation rate of 14 minutes per inch and application rate of 0.74 gallons per day per square foot, onsite wastewater sewage disposal conditions have been determined as follows: a) relocation of existing 2000-gallon septic tank and b) installation of a dual dispersal field sized as 264 linear feet plus 264 linear feet, interconnected through a positive diversion valve. As conditioned, this onsite wastewater treatment system can accommodate a design waste flow not to exceed 975 gallons per day (or 6-bedroom single family dwelling and a 2-bedroom accessory dwelling unit).
- 25. 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.

Land Development and Engineering

26. 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.

Roads and Airport

27. 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). The process for obtaining approval for a tree removal and the forms that are required can be found at: https://countyroads.sccgov.org/tree-removal-approval-county-right-way

- 28. Gates within 30 feet of edge of pavement are not permitted.
- 29. Fencing, fixed appurtenances, mailboxes with non-breakaway posts, etc., are not permitted within the County ROW.

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

Planning

- 30. **Prior to issuance of any permits**, the applicant shall pay all reasonable costs associated with the project by the Department of Planning and Development.
- 31. **Prior to issuance of a building permit**, and pursuant to Zoning Ordinance Section 5.20.125, record a Notice of Permit and Conditions with the County Office of Clerk Recorder to ensure that successor property owners are aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided **prior to building permit issuance**.

Environmental Health

- 32. **Prior to issuance of a development permit,** abandon the existing seepage pit. Per County of Santa Clara Onsite Wastewater Ordinance, "All sewer wells, cesspools, seepage pits, and similar excavations are hereby declared a public nuisance and are prohibited."
- 33. As evidence of achieving septic system and individual water clearances, obtain and provide as part of the formal building permit application, the approved septic plans (SR0878034, date 1-9-2025) and well clearance letter (SR087931, date 12-20-24).

Fire Marshall

Fire Protection Water

Important: Fire protection water system shall be installed, functioning and inspected prior to approval of the foundation. 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.

- 34. On Site Water Storage: 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, wharf hydrant orifice size and location, domestic and fire protection water tanks and piping configuration).
 - a. All installations shall include a primary aboveground storage tank with a capacity of not less than 3,000 gallons dedicated to domestic and fire sprinkler system demand. Storage capacity may be increased due to sprinkler design demand or additional domestic (including landscaping) required by the Environmental Health Department.
 - b. Provide 2 5,000 gallon secondary aboveground storage tanks dedicated to the wharf hydrant. Final amount of water to be based off the size of structures at Building Permit submittal meeting CFMO-W1.

- c. Installation of the water tank system shall comply with Fire Marshal Standard CFMO-W5.
- d. A standard fire hydrant may be required in lieu of water tanks and a wharf hydrant if a water purveyor is available to supply water to the parcel.
- 35. Wharf Hydrant: One on-site wharf hydrant with 2-1/2 inch orifice is required to be installed when fire protection water is supplied by on-site aboveground storage tank(s). Installation of hydrants shall be in accordance with Fire Marshal Standard Detail CFMO-W4.
 - a. Minimum distance to structure shall not be less than 55 ft. from the closest portion of the structure and shall not exceed 400 ft. from the furthest portion of non-sprinklered structures and 600 ft. of sprinklered structures (measured along path of travel).
 - b. A sign is to be placed at the driveway containing the wharf hydrant stating the location of the wharf hydrant. This is due to the hydrant not being located on the main driveway serving the house.

Fire Department Access

36. General Requirements:

- a. These are minimum Fire Marshal standards. Should these standards conflict with any other local, state or federal requirement, the most restrictive shall apply.
- b. 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.
- 37. 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 18 ft. plus a 3 ft. shoulder on each side per CFMO-A1. Driveways are to have a 12 ft. drivable width and a 3 ft. shoulder.
 - 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. Bridges: All bridges shall be capable of sustaining 75,000 pound gross vehicle weight and meet the latest edition of the Cal Trans Standard Bridge Design Specifications. Appropriate signage, including but not limited to weight or vertical clearance limitations, or any special conditions shall be provided.
 - h. Turnouts: Passing turnouts in compliance with SD-16 shall be provided at every 400 ft. and wherever hydrants are placed adjacent to a driveway.

- i. Turnarounds: Turnaround shall be provided for driveways in excess of 150 ft. as measured along the path of travel from the centerline of the access road to the structure. Acceptable turnaround shall comply with County Standard SD-16. All turnarounds shall have a slope of not more than 5% in any direction.
- j. 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.
- k. Address: Numbered address to be easily recognizable from the street.

Miscellaneous

- 38. Property is located within the South Santa Clara County District Fire response area and the State Response Area (served by Cal Fire).
- 39. Maintenance: 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. 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.

Land Development and Engineering

- 40. Obtain a Drainage Permit from Land Development Engineering (LDE) prior to beginning any construction activities. Issuance of the Drainage Permit is required prior to LDE clearance of the building permit (Building and Drainage Permits shall be applied for concurrently). The process for obtaining a Drainage 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
- 41. 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.
- 42. 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, 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
- 43. 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.
- 44. 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.
- 45. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.
- 46. All future and proposed fencing and gates shall be located outside of the right of way.
- 47. Provide landscaping and disturbed area quantities on the final plans along with water efficiency calculations to demonstrate compliance with water usage requirements.
- 48. Plans shall include the appropriate edge supports for the SD5 driveway and required fire turnaround. Provide a typical detail for the construction of the driveway and turnaround.

Drainage

49. 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

50. 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.

Storm Water Treatment – Central Coast

- 51. Include one of the following site design measures in the project design:
 - a. direct hardscape and/or roof runoff onto vegetated areas or
 - 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 incorporate as many site design measures as possible into the project design.

52. Provide an updated Central Coast Watershed Questionnaire to reflect any changes to the plans and project proposal as a part of the final development permit.

Soils and Geology

53. Submit <u>one copy</u> of the signed and stamped letter from a Soils or Geotechnical engineer with recommendations for the pavement to support the required fire loading for the project.

Roads and Airport

- 54. 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. Improvement of the property's Las Animas Ave frontage to County Standard B/4A.
 - b. Installation of the new residential driveway approach to County Standard B/4
 - c. Removal of gates to be outside the limits of the County maintained road right-of-way
 - d. All utility relocations, replacements, abandonments, temporary facilities, and new facilities.
- 55. Provide driveway and frontage details with dimensions during the encroachment permit process, with sufficient detail to fully demonstrate application of the County standards that will apply to the driveway, driveway gates, frontage and drainage to be constructed (i.e., not only referencing the County details). Include County Standard details on the plan sets.
- 56. 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.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO OCCUPANCY OR FINAL INSPECTION

Environmental Health

57. To the Department of Environmental Health, provide evidence of proper abandonment of the existing seepage pit either by documentation, inspection report, and/or photographic means.

58. 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.

Fire Marshall

59. Fire Sprinkler System: An approved residential fire sprinkler system complying with CFMO-SP6 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.

Land Development Engineering:

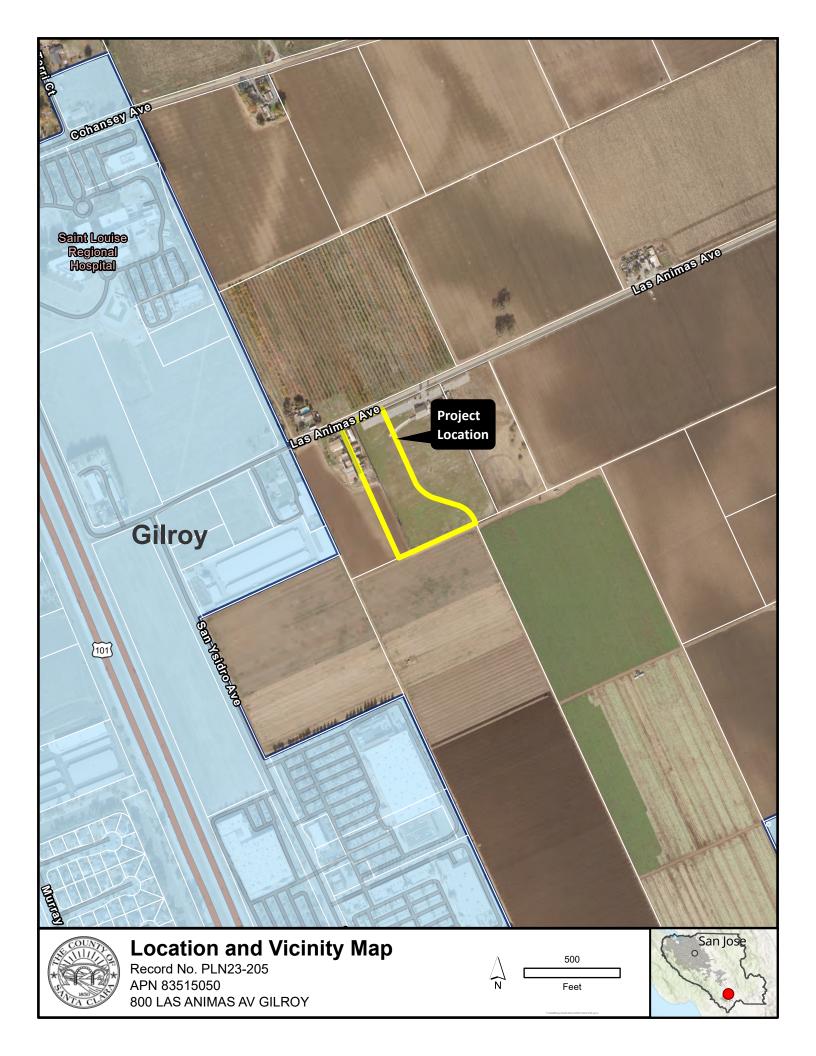
- 60. Existing and set permanent survey monuments shall be verified by inspectors prior to final acceptance of the improvements by the County. Any permanent survey monuments damaged or missing shall be reset by a licensed land surveyor or registered civil engineer authorized to practice land surveying 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.
- 61. Construct the improvements. Construction staking is required and shall be the responsibility of the developer.

Roads and Airport:

- 62. Construct all the improvements approved under the Encroachment Permit.
- 63. Remove temporary facilities and temporary construction entrances from the County ROW.

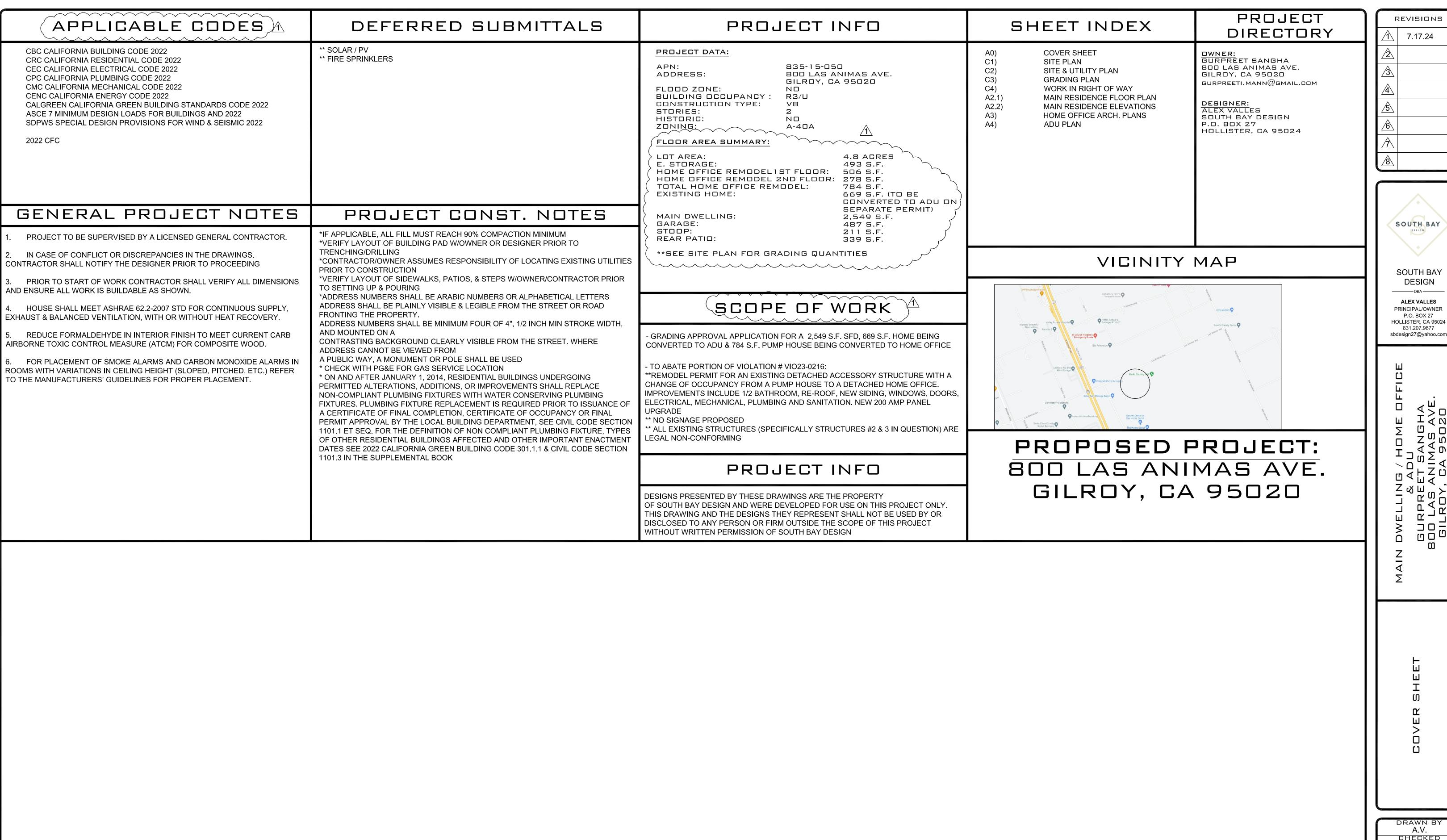
ATTACHMENT C

Location and Vicinity Map



ATTACHMENT D

Proposed Project Plans



STAMP SPACE

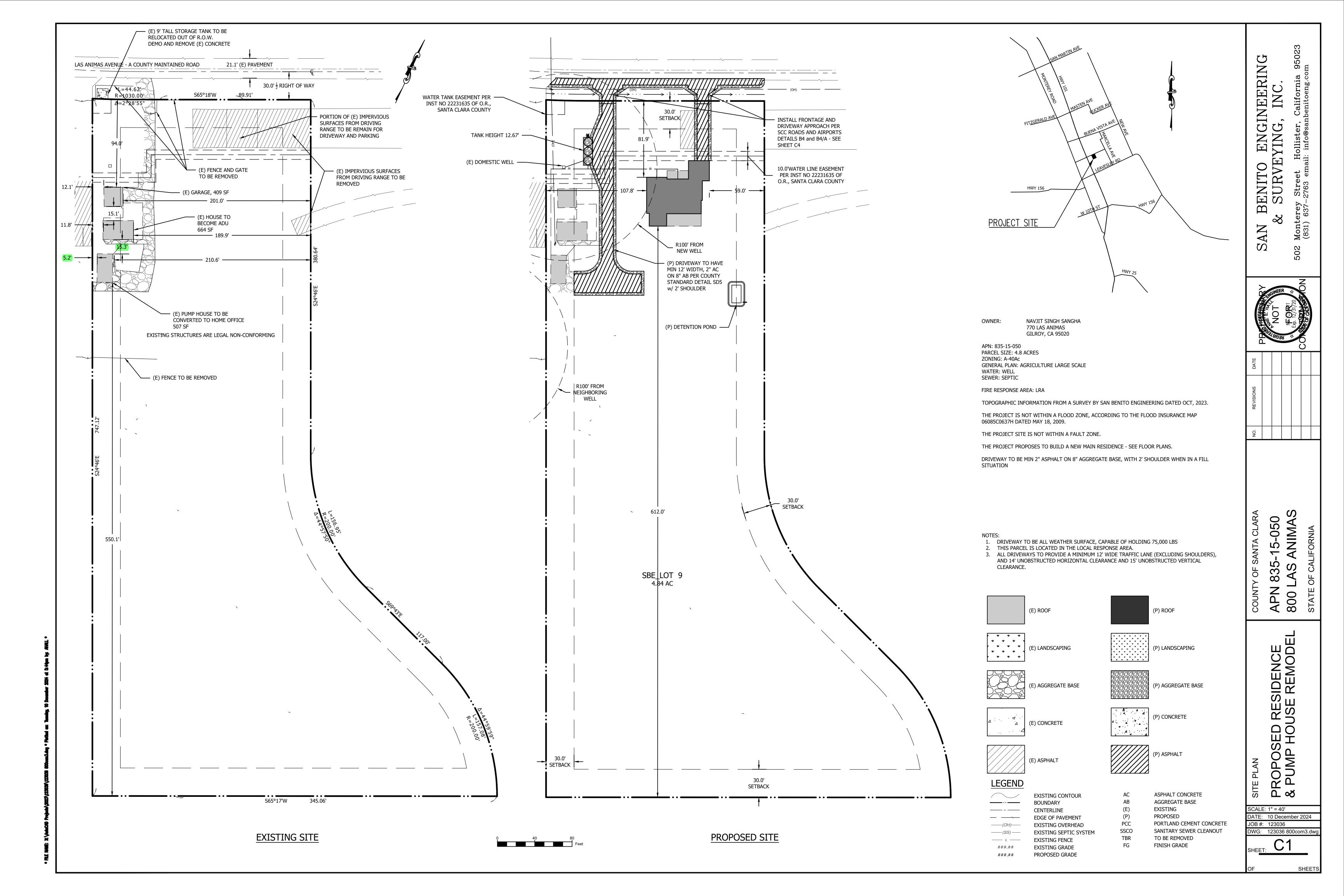
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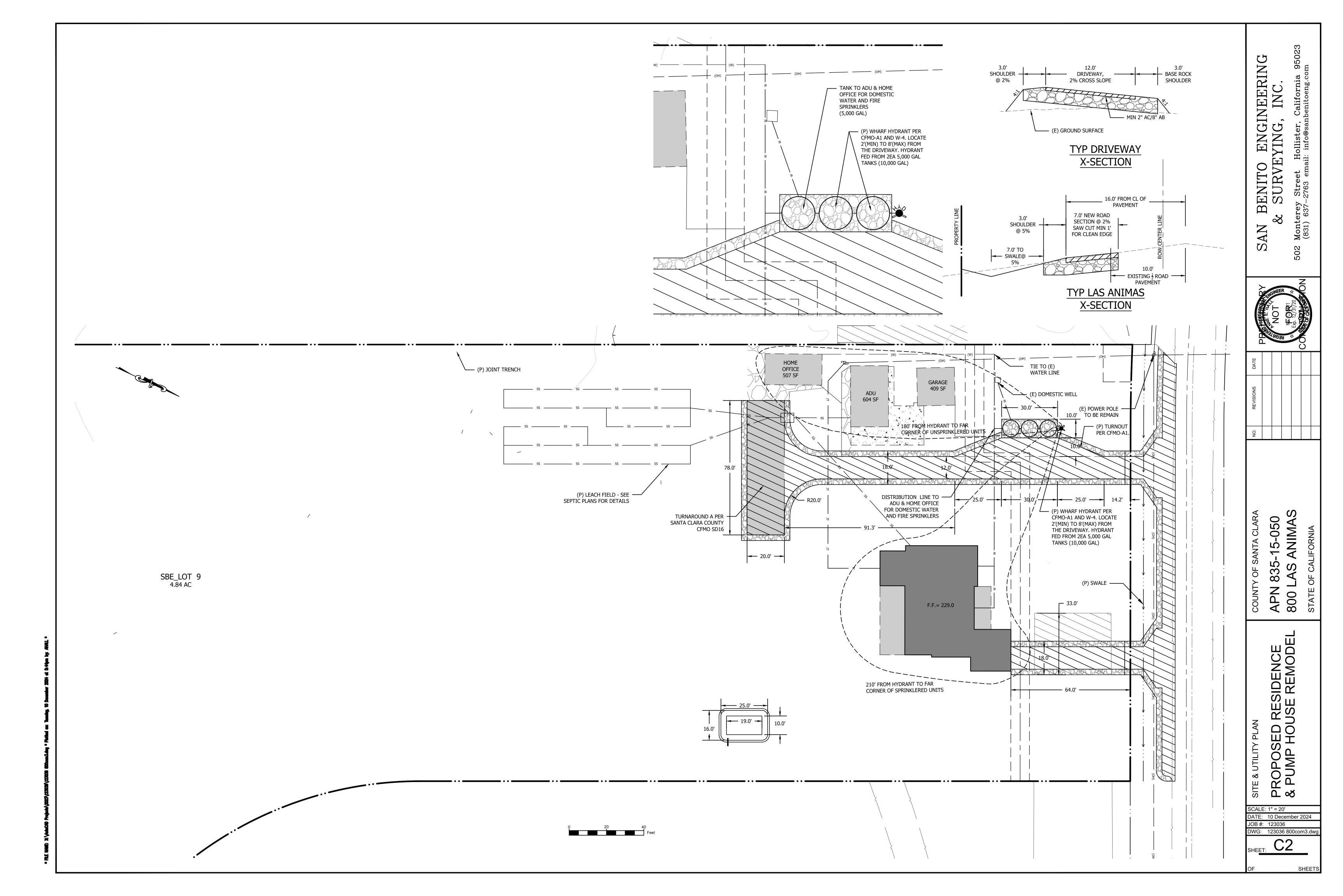
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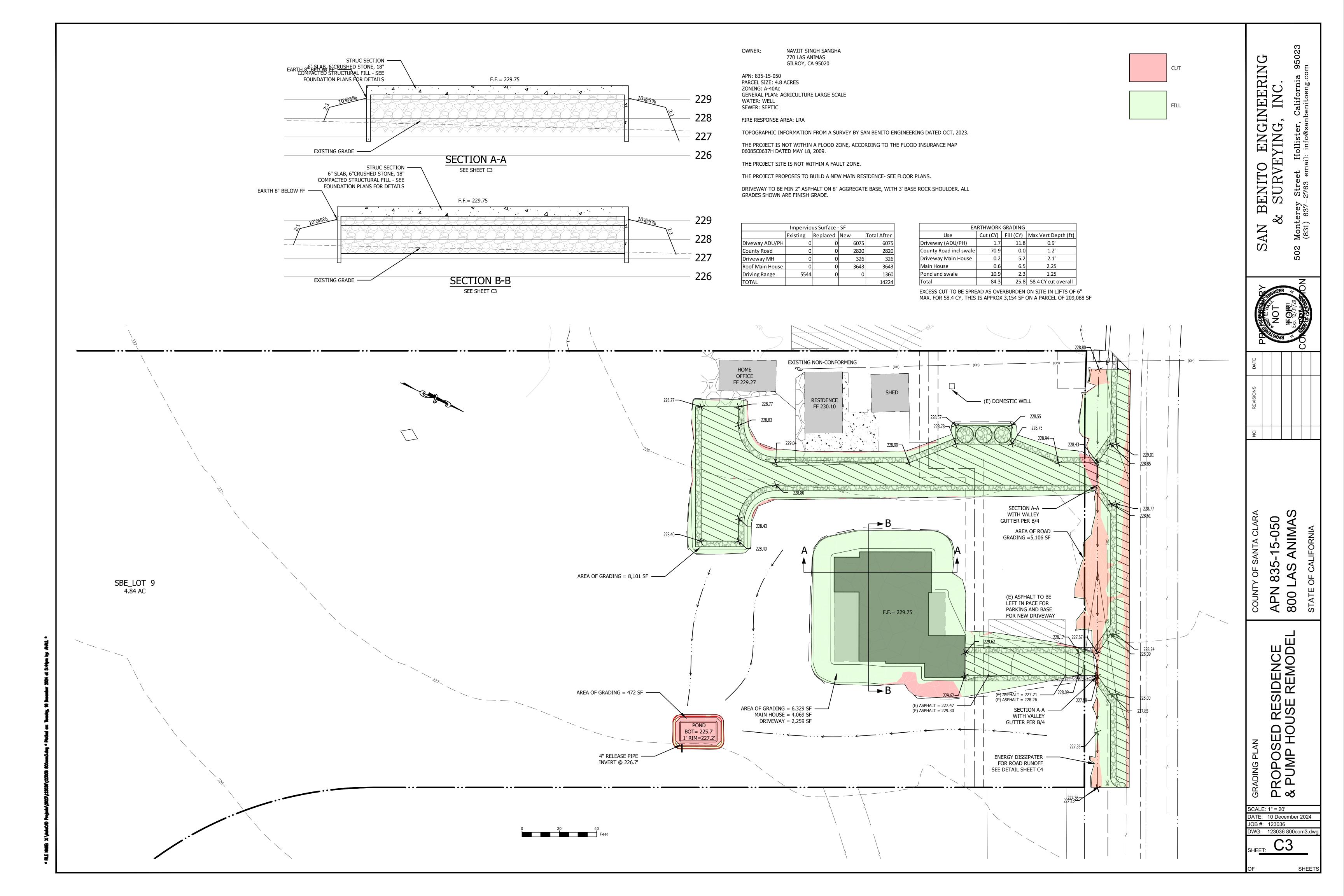
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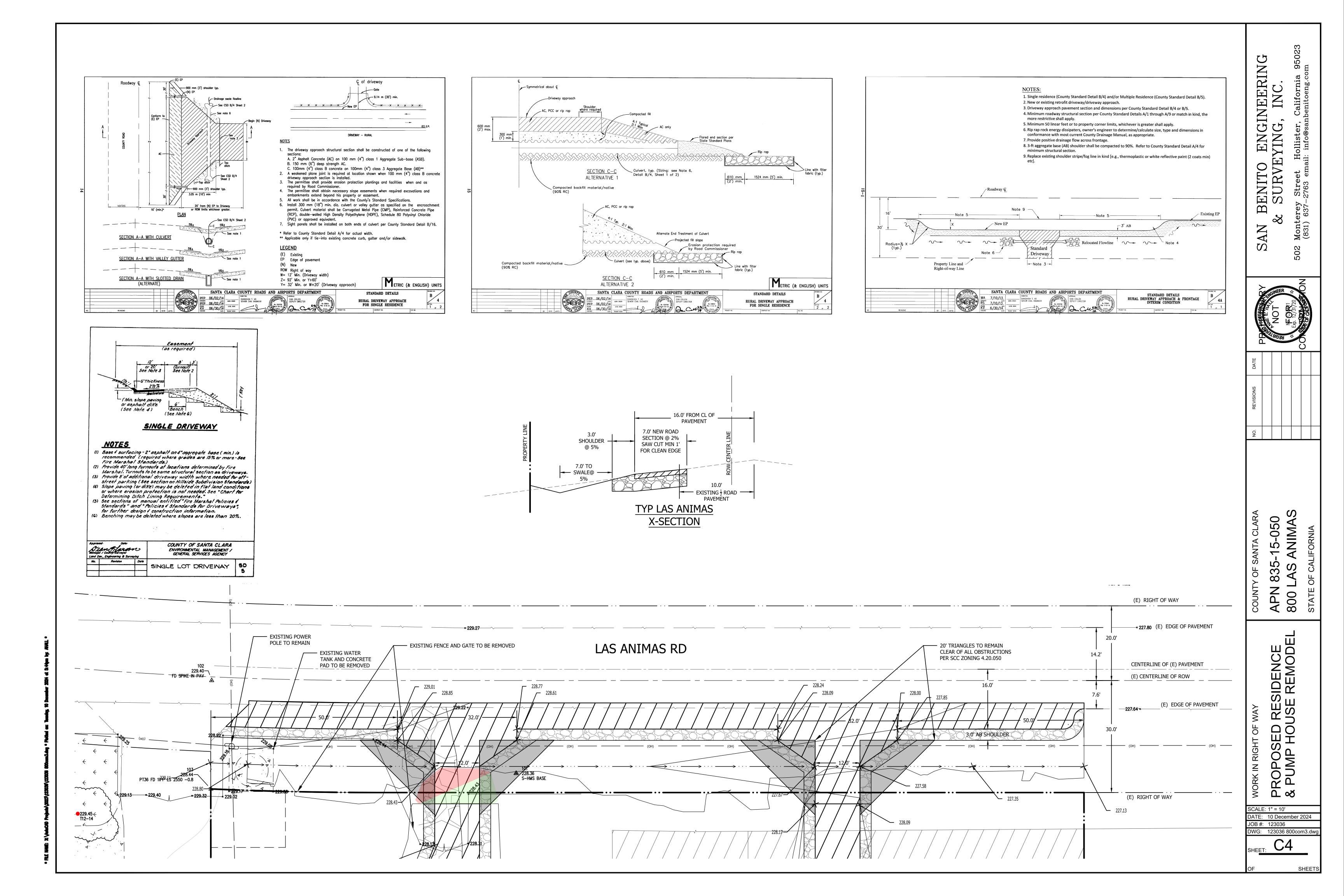
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SHEET













SOUTH BAY DESIGN

ALEX VALLES
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831.207.9677

P.O. BOX 27
HOLLISTER, CA 95024
831.207.9677
sbdesign27@yahoo.com

MAIN DWELLING / HOME OFFIC & ADU GURPREET SANGHA 800 LAS ANIMAS AVE.

> MAIN HOUSE FLOOR PLAN

DRAWN BY
A.V.
CHECKED

DATE
9.4.24
SCALE

9.4.24 SCALE 1/4" = 1'-0" JOB NO. SHEET

A2.1



	REVISIONS	
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SOUTH BAY DESIGN

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ELLING / HOME OFFICE & ADU RPREET SANGHA LAS ANIMAS AVE.

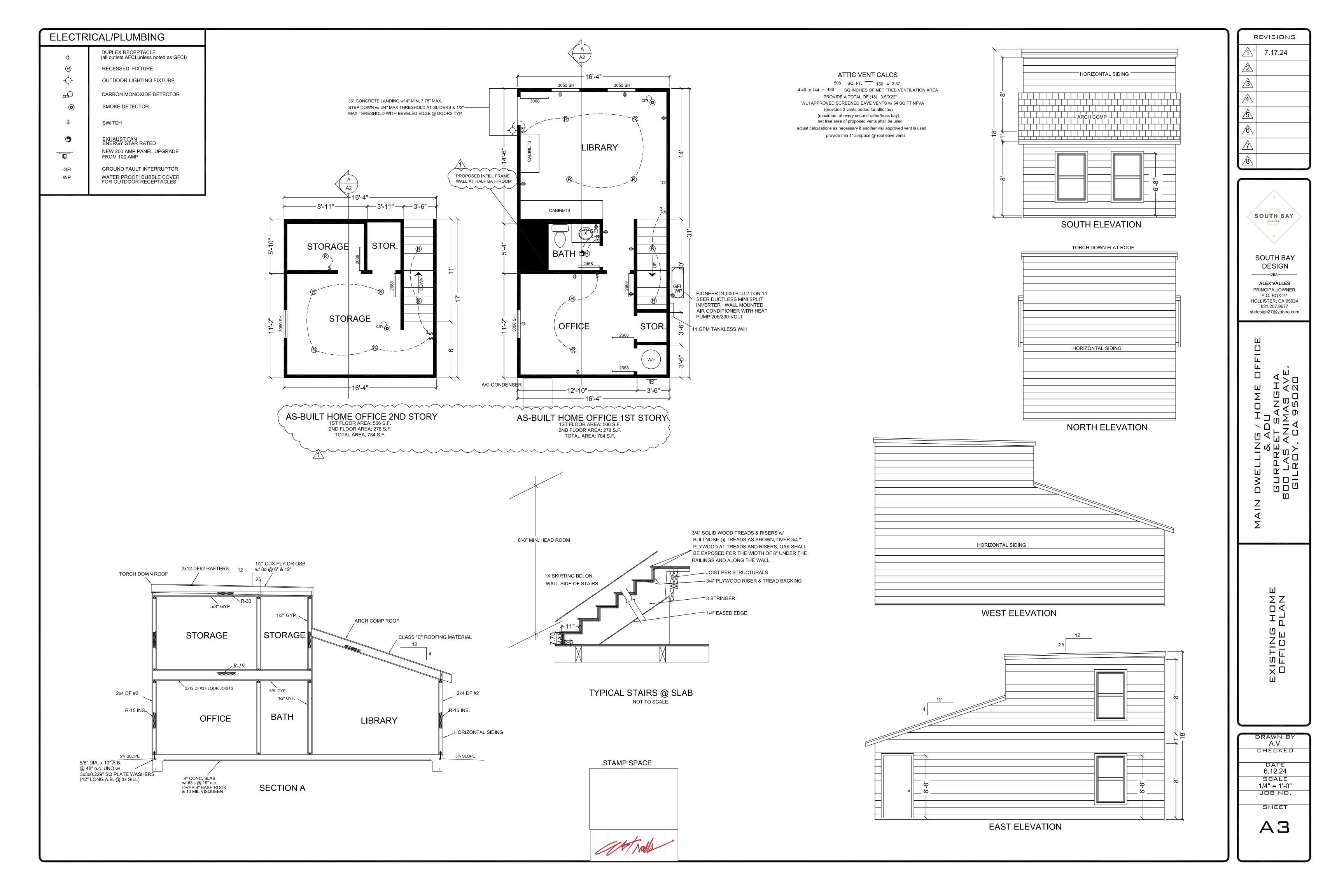
> MAIN HOUSE ELEVATIONS

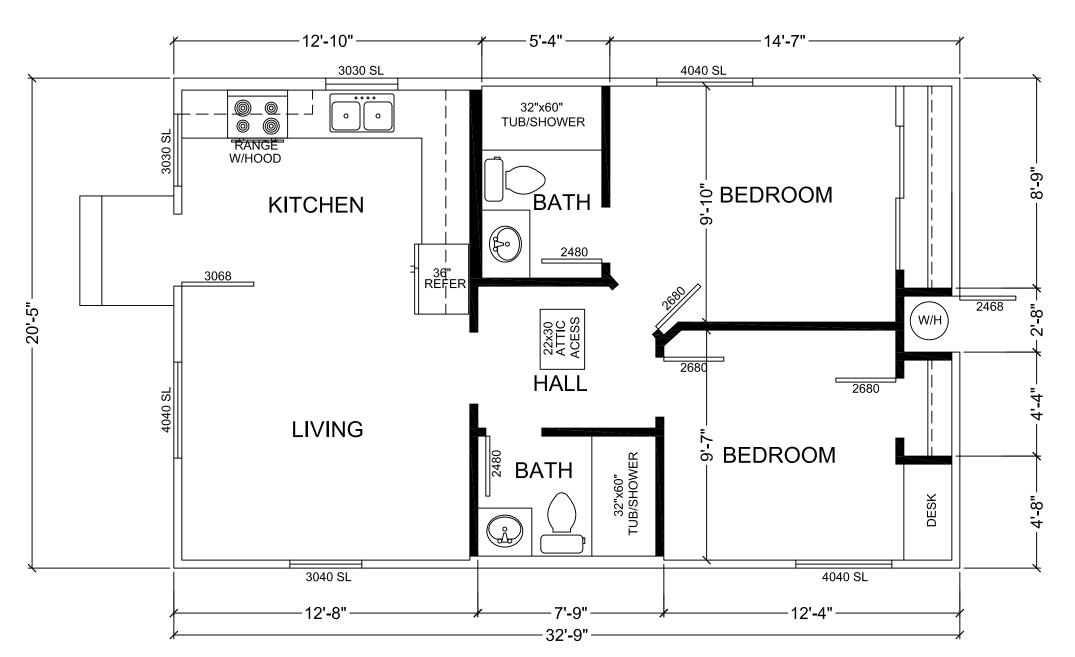
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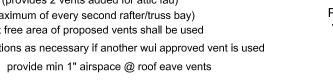
AS-BUILT ADU FLOOR PLAN DETACHED ADU: 669 S.F.

(ALL APPLIANCES, WINDOWS, ELECTRICAL & HVAC REPLACED IN-KIND)(NEW SHEETROCK, PAINT, EXTERIOR SIDING, ETC)(NO NEW WALLS OR EXTERIOR OPENINGS)

ATTIC VENT CALCS 669 SQ. FT. ___ 150 = 4.46 4.46 x 144 = 642 SQ INCHES OF NET FREE VENTILATION AREA

PROVIDE A TOTAL OF (2) 18"X24" GABLE END VENTS PROVIDE A TOTAL OF (14) 3.5"X22" WUI APPROVED SCREENED EAVE VENTS w/ 54 SQ FT NFVA

(provides 2 vents added for attic fau) (maximum of every second rafter/truss bay) net free area of proposed vents shall be used adjust calculations as necessary if another wui approved vent is used



FLOOR VENT CALCS

669 SQ. FT. - 150 = 4.46

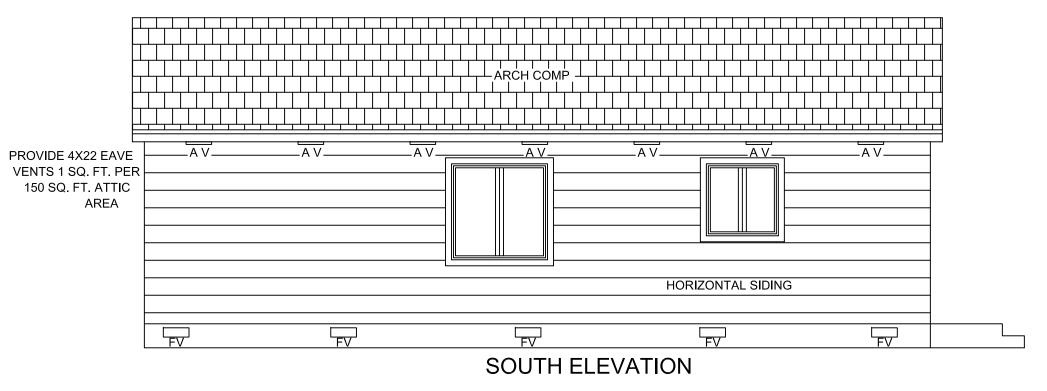
 $4.46 \quad \frac{.}{.} \quad (\frac{58}{144}) = 11$

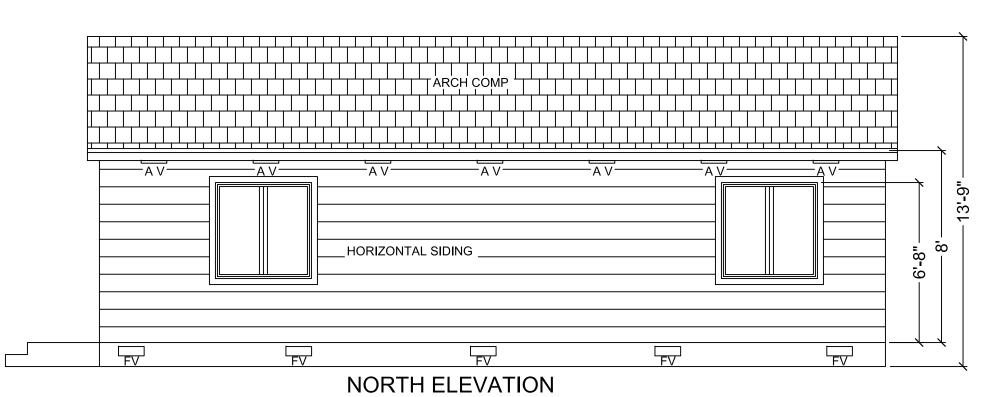
6X14 VENTS TO BE USED - NET VENTILATION OF 58 ISQ. INCHES

Net ventilation area (NVA), per CRC R408.2, shall be used to determine number of vents. NVA for a 6x14 vent can be assumed to be equal to 58 in 2 or can be obtained from vent manufacturer.

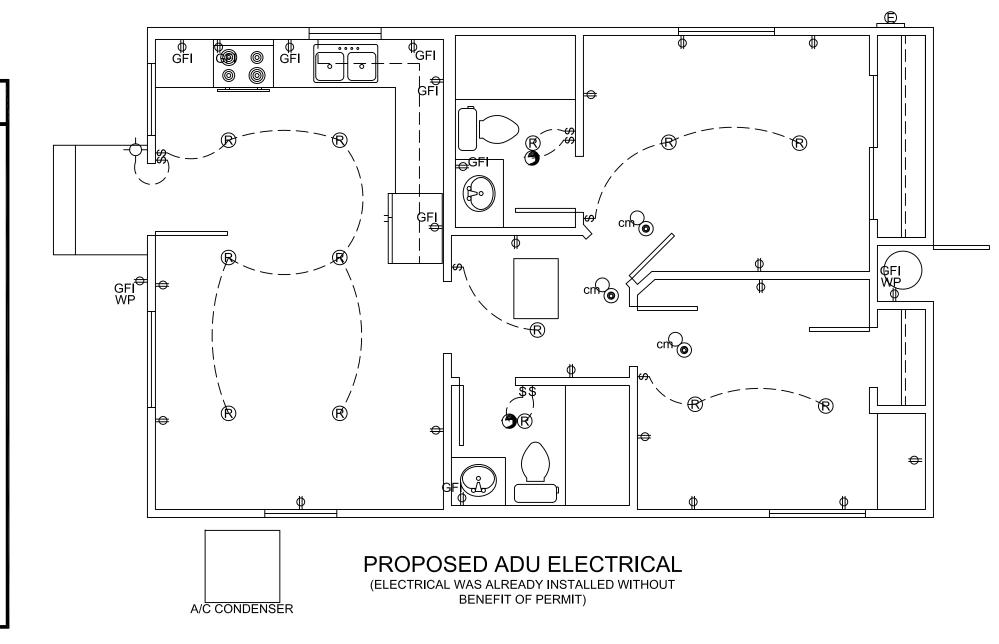
FV = FOUND. VENT

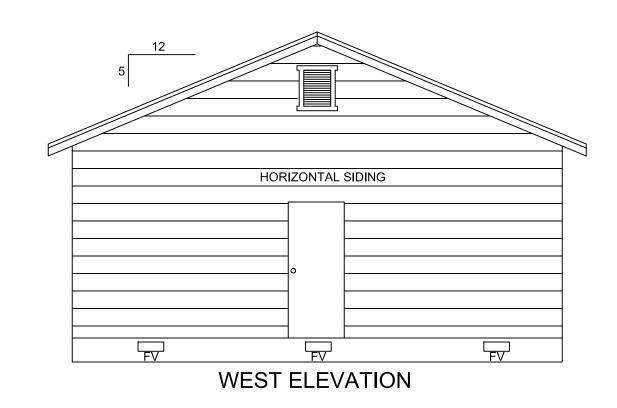
= ATTIC VENT





ELECTRICAL/PLUMBING DUPLEX RECEPTACLE (all outlets AFCI unless noted as GFCI) CEILING FIXTURE (HIGH EFFICACY) RECESSED FIXTURE (HIGH EFFICACY) cm CARBON MONOXIDE DETECTOR SMOKE DETECTOR SWITCH EXHAUST FAN ENERGY STAR RATED 200 AMP ELECTRICAL PANEL GROUND FAULT INTERRUPTOR GFI WATER PROOF: BUBBLE COVER FOR OUTDOOR RECEPTACLES







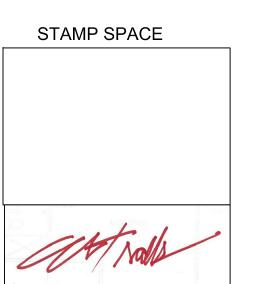
- GLAZING IN WALLS OR ENCLOSURES ADJACENT TO SHOWERS, BATHTUBS, THAT ARE WITHIN 60 INCHES OF THE DRAIN OR FLOOR PER CRC R308.4.5 SHALL BE TEMPERED UNLESS GLAZING IS MORE THAN 60 INCHES HORIZONTALLY AWAY FROM THESE LOCATIONS. INDICATE ON PLANS. -EVEN IF NOT SPECIFICALLY NOTED: GLAZING ADJACENT TO A DOOR WHERE THE BOTTOM OF GLAZING IS LESS THAN 60 INCHES ABOVE THE FLOOR AND WITHIN 24 INCHES OF EITHER EDGE OF A DOOR SHALL BE TEMPERED PER CRC R308.4.2 #1. -GLAZING ADJACENT TO A DOOR WHERE THE BOTTOM OF GLAZING IS LESS THAN 60 INCHES ABOVE THE

FLOOR AND WITHIN 24 INCHES OF EITHER EDGE OF A DOOR SHALL BE TEMPERED PER CRC R308.4.2 #1. -SPECIFY BATHTUB AND SHOWER FLOORS AND WALLS ARE A NONABSORBENT SURFACE (E.G., CERAMIC TILE OR FIBERGLASS) TO A HEIGHT OF MINIMUM 72 INCHES ABOVE THE FLOOR PER CRC R307. MATERIALS USED AS BACKERS FOR WALL TILE IN TUB AND SHOWER AREAS AND WALL PANELS IN SHOWER AREAS SHALL BE;

1. GLASS MAT GYPSUM PANEL FIBER-REINFORCED GYPSUM PANELS

NON-ASBESTOS FIBER-CEMENT BACKER BOARD

NON-ASBESTOS FIBER-CEMENT REINFORCED CEMENTITIOUS BACKER UNITS INSTALLED IN ACCORDANCE WITH MANUFACTURERS' RECOMMENDATIONS PER CRC R702.4.2.



DRAWN BY A.V. CHECKED DATE 8.23.23 SCALE 1/4" = 1'-0"

> JOB NO. SHEET **A4**

SOUTH BAY

REVISIONS

SOUTH BAY DESIGN _____DBA____

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