

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



****VIA Emails Only****

January 11, 2023

Mike Turner

Via email @ turnerbuilt@gmail.com

FILE NUMBER: PLN23-231

SUBJECT: Design Review, Building Site Approval, and Grading Approval
Application for the conversion of an existing accessory structure into a single-family residence and associated grading. A detached ADU/JADU and two detached garages are proposed with the project.

SITE LOCATION: 4450 Roop Road, Gilroy, CA 95020-9097 (APN: 898-02-012)

DATE RECEIVED: December 12, 2023

Dear Mike Turner,

Your application for Design Review, Building Site Approval, and Grading Approval was received on the above date and is **incomplete**. For application processing to resume, please 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>. Resubmittals are made electronically with Reva Kakaria, the assigned project manager/planner, and must include all requested information. Once the information is resubmitted, 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 particular specialty or division and can provide details about the requested information.

A VIRTUAL APPOINTMENT IS REQUIRED FOR A RESUBMITTAL. PLEASE EMAIL ME TO SCHEDULE AN APPOINTMENT.

Please submit electronic copies of the revised plans/resubmittal documents (PDF) with a written response letter addressing each incomplete comment. All items must be addressed and included in the submittal.

PLANNING OFFICE

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

1. The following items, required by the [Building Site Approval](#), [Grading Approval](#), and/or [Design Review](#) application checklists, are missing or do not follow the requirements stated on the checklists. As such, this application is incomplete. Please include or correct the following items:
 - a. A complete and updated [Acknowledgements and Agreements Form](#), signed by the property owner. The document previously submitted is an out-of-date and incomplete version of the form.
 - b. A complete current grant deed for the subject property. The document submitted as the current deed does not include a legal description of the property.
 - c. A complete grading table that, per checklist requirements, details the amount of cut and fill associated with each individual improvement (e.g. ADU building pad, driveway, detached garage, etc.). The provided grading table on sheet 2 (page 7) does not describe the amount of cut/fill for each individual improvement.
 - d. A completed [Grading Design Standards Form](#), prepared and signed by a registered civil engineer.
 - e. Floor Area Calculations for each proposed structure with block area diagrams.
 - f. Details of all proposed retaining walls, including the length and height of each wall, and top/bottom of wall elevations. Label retaining walls on the site plan.
 - g. [Average slope calculations](#) for the proposed development.
 - h. Light Reflectance Value (LRV) for each proposed color/material. The LRV for “Aesthetic White” is not included.
2. The provided site plans are missing the following items required on the [Sample Site Plan](#) handout and is incomplete. Please include the following required items:
 - a. All existing and proposed structures. Aerial imagery indicates several structures in the location of what is labeled “car port (E) to be removed”. There also appears to be a structure near the southeastern corner of the property, another structure/hardscape near “chicken coop (E)”, gates, and several fences Please show and label each structure individually, clarifying which are to be removed, on the site plans. All gate and fence heights must be labeled.
 - b. Location, common name, diameter, and number of trees to be removed or located near improvements, measured 4.5 feet above grade. Please label all trees located near (approximately 20 feet from) the proposed improvements with the required information, and clarify whether any are to be removed.
 - c. Calculation of existing and proposed floor area. Please include the existing floor area in the project description.

- d. Width of all rights-of-way and easements. Please also label whether or not rights-of-way are County maintained or Not County maintained.
- e. Dimensions of all existing and proposed structures, as well as distances property lines and other buildings.
 - i. Please include the distance between water tanks/fences and property lines.
- f. Label the top of bank of Live Oak Creek, and show setbacks from the top of bank. Please also show the required 35-foot setback from the top of bank for Habitat Conservation Plan Category II Streams.
- g. Label the location of the existing and, if applicable, proposed leach fields.

SANTA CLARA VALLEY HABITAT PLAN

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

The subject property is in the Santa Clara Valley Habitat Plan Area and the Private Development Area 1: Private Development Covered. According to the HCP Geobrowser mapping, land cover on the 10-acre property includes: Willow Riparian Forest and Scrub, Coast Live Oak Forest and Woodland, California Annual Grassland, and Rural Residential. The property is also in the HCP wildlife survey areas for Least Bell's Vireo and Tricolored Blackbird.

The application is for Building Site Approval, Grading Approval, and Design Review.

- 3. Revise the site plan to identify a minimum setback of 35 feet for a Category II stream (Live Oak Creek).
- 4. Provide a biology survey/report from a qualified biologist to confirm if the existing habitat land covers and/or wildlife species are impacted by the proposed development. HCP covered species on this parcel include Least Bell's Vireo and Tricolored Blackbird.
- 5. Provide Land Cover Verification Mapping prepared by a qualified biologist to verify the habitat land covers within the area of proposed development. The land cover mapping shall be overlain by the site plan and identify the development area, including all permanent and temporary impacts.
 - a. Temporary development area is defined as land that will be temporarily affected during development (construction laydown areas, subsurface utilities) that will be restored within one year of completing construction, plus a 10-foot buffer surrounding these areas.
 - b. Permanent development area is defined as all land that will have permanent improvements (removal of land cover, structures, driveway, landscaping, off-site road improvements, etc.), plus a 50-foot buffer surrounding these areas.

LAND DEVELOPMENT ENGINEERING

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

6. 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.
7. Please show the limits of the disturbed area as a result of the proposed development. Include the disturbed areas of the septic field and any construction staging and stockpile areas as well.
8. Show all of the existing and proposed utilities on the plans.
9. The proposed development impacts drainage flow, thereby not meeting the exemption requirements of [Section C12-409](#) of the County Grading & Drainage Ordinance. Please provide a Drainage Plan that demonstrates the following items:
 - a. The site can be adequately drained including all drainage infrastructure to drain the house site, turnaround, and driveway to the detention, treatment, and discharge locations;
 - b. The proposed development will not cause problems to the nearby properties;
 - c. 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](#).
10. Please include at the driveway connection to the private road, a driveway approach per SD4 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.
11. Based upon County policy, a curvilinear right-of-way dedication of sixty feet along the private road centerline would be required with this development. Upon dedication, current easement along the line located on the parcel map which created the original subdivision may be abandoned through the County process for abandonment.
12. Please demonstrate that the access road Quail Ridge from the intersection of the County-maintained Roop Road to the driveway shown on the plan conforms to County Standard Detail SD2. Provide a geotechnical letter of certification if the surface is desired to be demonstrated to be up to current standards in its current state. If the access road does not conform to County Standard Detail SD2, submit a proposal to build a pro rata portion of Quail Ridge 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 online at: https://stgenpln.blob.core.windows.net/document/StandardsPoliciesManual_Vol1.pdf

13. Please revise the driveway plan and section to conform to County Standard Detail SD5 or as required by the County Fire Marshal's Office, whichever is greater.
14. Please revise the driveway turnaround to conform to County Standard Detail SD16 or as required by the County Fire Marshal's Office or CAL FIRE, whichever is greater.
15. Submit a completed [Central Coast Watershed Questionnaire](#) (MRP 3.0). Based on the results of the Questionnaire, incorporate the applicable stormwater treatment measures in the plans.
16. Please include all applicable easements affecting the parcel(s) with benefactors and recording information on the site plan. Please supply a copy of the 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.

DEPARTMENT OF ENVIRONMENTAL HEALTH

Contact Jeff Camp at 408-918-3473 or jeff.camp@deh.sccgov.org regarding the following comments:

Note: Service application has been submitted to DEH and septic feasibility testing has taken place, but no septic design has been submitted for review.

17. Upon receiving a stamped septic design plan from the Department of Environmental Health, upload the approved plans to the DEV record via Accela's public portal.
18. Contact Jeff Camp at jeff.camp@deh.sccgov.org for water clearance submittal information. Once water clearance is obtained, upload the water clearance approval letter to Accela for review and sign-off.

COUNTY GEOLOGIST

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

19. The property is located in a State of California Alquist-Priolo Earthquake Fault Zone, a County Fault Rupture Hazard Zone, and a County Landslide Hazard Zone. Therefore, a geologic report evaluating the potential impacts of these hazards on the proposed improvements is required. The report must be prepared, signed, and stamped by a Certified Engineering Geologist (CEG), and prepared in general accordance with the guidelines provided in California Geological Survey Special Publications [42 \(2018\)](#) and [117A \(2008\)](#). The consultant can contact the County Geologist to discuss the scope of the investigation. A geologic report review fee will be invoiced after the report is submitted for review. The geologic report can be combined with a geotechnical report, which is also required for this project.

ROADS AND AIRPORTS

Contact Thomas Esch at 408-573-2450 or tom.esch@rda.sccgov.org regarding the following comments:

20. Roop Road Right-of-way (ROW) has a Future Width Line (FWL) for a 30-foot half street width (60-foot full street). Show on the revised plans the existing ROW centerline, the limits of the Roop Road ROW, and the limits of the FWL. A curvilinear dedication to public right-of-way will be required.
21. It is understood that the ROW centerline does not align with the physical road centerline. For the physical Roop Road, identify the Edge of Pavement.
22. Verify survey measurements (parcel line lengths). Setbacks appear to be taken from the ROW centerline. Confirm with Planning the basis for setbacks (typically from FWL).
23. Indicate on the plans that Roop Road is a County Maintained Road and Quail Ridge Road is a private road.
24. Improvement plans must clearly indicate existing and proposed site conditions within the ROW (and within the FWL), including but not limited to, above and below ground utility lines, easements, drainage facilities, trees, landscaping, fencing, and other structures and features. All utility relocations, replacements, and abandonments, and temporary and new facilities, shall be shown.
25. The driveway accessing the property appears to be eroding at the drainage ditch and will require repairs. Indicate on the plans, and include details for, the driveway repairs with property drainage changes to restore the driveway drainage and mitigate further driveway erosion.
26. 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.
27. Identify the on plans any trees or shrubs to be trimmed or removed, or any objects or fences to be relocated, in accordance with County Ordinances [B17-68](#) and [B17-69](#), within the lines of a triangle which has sides 20 feet from the point of intersection of the curblines/edge of pavement and the driveway(s). At the driveway entrance, the site appears to have shrubs and trees that require trimming.

FIRE MARSHAL'S OFFICE

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

Provide a response letter addressing comments below. Provide sheet on which comments were addressed. More comments may be made when more information is available.

28. Plans are to state that project is located within the Wildland Urban Interface (WUI) and will maintain defensible space at all times.
29. The site plan is to clearly label structures. It is not clear on the plans what the ADU structure is as the plans only label a single house.

30. Fire sprinklers are to be listed as a deferred submittal. Clarify what structures are proposing sprinklers. The main house will require fire sprinklers as the scope is Building Site Approval, and the ADU and any attached garages also require sprinklers. Any detached structures exceeding 500 sf. that are served by fire department access greater than 15% also require fire sprinklers. [CFC Section 903.2 and Santa Clara County Ordinance No NS-110.136 Section B7-9.d]
31. Plans are to clarify water source, such as the water mutual or a private well.
32. Plans to show hydrant/s as (N) or (E) and standard or wharf hydrant.
33. Plans are to show a fire hydrant located within 400 ft. exterior path of travel to all portions of non-sprinklered structure. There does not appear to be a hydrant in the path of travel to the southern structures. [CFC Section 507.5.1]
 - a. Distance may be increased to 600 ft. exterior path of travel for sprinklered structures.
34. Plans are showing above ground water tanks and what appears to be a wharf hydrant. The source of water is needed to determine if this is the correct fire protection system or if a standard fire hydrant would be required (if a water purveyor is available).
35. Plans are to show minimum driveway (portion of access serving no more than 2 parcels) drivable width of 12 ft. [CFMO-A1 Section II.A.1]
36. Fire department access is to be made of an "all weather" material capable of holding 75,000 pounds. This is to be noted on the plans. [CFC Section D102 and CFMO-A1 Section II.G]
37. Plans are to show slope of fire department access not exceeding 15%. [CFMO-A1 Section II.C]
38. Fire department turnaround/s meeting CFMO-SD16 are needed if the driveway is greater than 150 ft. in length. Plans are to clearly label the turnaround and show the dimensions. [CFMO-A1 Section II.C and CFMO-SD16]
39. Plans are to show any gates crossing fire department access. Gates are to be labeled as (N)new or (E)existing and manual or mechanical. All mechanical gates are to have a Knox Key Switch shown as (N) or (E). [CFMO-A3 and CFC Section 503.5 and Section 506]

CAL FIRE

Contact Carlos Alcantar at carlos.alcantar@fire.ca.gov regarding the following comments:

This project (PLN23-231) 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.

40. **Access:** Ensure Quail Ridge Road meets specifications in § 1273.01 in the Fire Safe Regulations and provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping to the building site.

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").
41. **Driveway:** Ensure driveway meets specifications in § 1273.02 to support a fire apparatus weighing 40,000 pounds.

§ 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.
42. **Turnouts:** Driveway will need at least 1 turnout at midpoint per § 1273.05. and meet specifications in § 1273.06.

§ 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.

§ 1273.06. Turnouts

Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.

- 43. **Defensible Space:** Maintain defensible space specifications described in Public Resource Code 4291.

§ 1276.01. Setback for Structure Defensible Space.

(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.

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 manager.** If the requested information is not submitted within **180 days**, you are 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 the incomplete letter. **PARTIAL RESUBMITTALS WILL NOT BE PROCESSED.** Fees required at the time of resubmittal will be those in effect at that time.

In submitting the land use application, the owner/applicant included an initial application fee. Application fees are categorized as "fixed fees" and "billable fees", based on the specific 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.

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

Sincerely,

Reva Kakaria

Reva Kakaria
Assistant Planner

CC:

Lara Tran, Senior Planner
Samuel Gutierrez, Principal Planner
Darrell Wong, LDE
Jeff Camp, DEH
David Seymour, County Geologist
Thomas Esch, RAD
Alex Goff, FMO
Carlos Alcantar, CAL FIRE