

# County of Santa Clara

Department of Planning and Development  
Planning Office

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August 26, 2024

Michael T. LaBarbera Trustee  
c/o Kurt Anderson  
873 Blosson Hill Rd  
San Jose, CA 95123

**FILE NUMBER:** PLN24-062  
**SUBJECT:** SB 330 Housing Development, Subdivision  
**SITE LOCATION:** 6591 Woodcliff Ct., San Jose, CA (APN: 575-20-037)  
**DATE RECEIVED:** July 31, 2024

Dear Kurt Anderson:

Your application for a subdivision and housing development under Senate Bill 330 (2019) was received on the above date and is deemed **incomplete**. For the application processing to resume, you must resolve the following issues and submit the information listed below.

This letter solely addresses whether your application is complete, not whether the proposed project is or is not consistent, in compliance, or in conformity with applicable plans, programs, policies, ordinances, standards, or requirements. The County has not assessed whether the proposed project is consistent, in compliance, or in conformity with applicable plans, programs, policies, ordinances, standards, or requirements, and nothing in this letter shall be construed as the County making any determination as to such plans, programs, policies, ordinances, standards, or requirements.

Resubmittals are made by appointment over video chat or in person with the Planning Division counter and must include all requested information. The Department does not accept resubmittals via email. Please contact me to schedule a virtual meeting at (408) 299-5791 or via email at [valerie.negrete@pln.sccgov.org](mailto:valerie.negrete@pln.sccgov.org).

Submit revised electronic plans and a written response addressing the following items. All items must be addressed and included in the submittal. 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. Once the information is submitted, the Planning Division will distribute the plans, reports and/or information to the appropriate staff or agency for review.

Please note that no demolition, construction, earthwork, or tree removal shall occur prior to the issuance of the appropriate permit from the County.

**Color Key:**

Addressed on previous submittal

Addressed on this submittal

Requirement from the SB330 Housing Crisis Act Planning Submittal checklist, adopted 12-5-2023, after the applicant submitted the project SB330 Preliminary Application, and therefore, not applicable to this project.

Not required on applicable checklist.

Item listed as “may be” required, and will be submitted after application is deemed complete for CEQA purposes.

New comment not previously provided, and therefore not applicable to the completeness of this application.

**PLANNING**

Contact Valerie Negrete at (408) 299-5791, valerie.negrete@pln.sccgov.org regarding the following:

*General Plan Conformance / Contiguity Statement*

1. The project is directly adjacent to the City of San Jose. Please submit a General Plan Conformance / Contiguity Statement signed by a representative of the San Jose Planning Department.

This is a new comment that was not provided on the initial incomplete letter, and therefore, is not required to determine that this application is complete.

*Lot Legality*

2. The information provided does not confirm the lot legality for the parcel included in the proposal. Please provide one of the following:
  - A Parcel or Tract Map establishing the current legal boundaries of this parcel, which is in conformance with the Subdivision Map Act.
  - A Chain of title, or series of deeds, including the deed which was in effect **prior to January 31, 2020**. Include the first transfer of title through the current deed, all with matching descriptions of the property.
  - A recorded Certificate of Compliance issued by the County of Santa Clara.
  - A recorded certificate of lot merger or lot line adjustment.
  - A Record of Survey, certified by the Clerk of the Board of Supervisors and recorded with the County Clerk-Recorder stating that this is a legal lot.
  - Evidence that the lot is the remainder of a legal lot where a portion was acquired by a government agency.

This information was provided with the previous application submittal. Further, the information provided is consistent with the requirements from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22. The requirements listed above are from the SB330 Housing Crisis Act Planning Submittal checklist, adopted 12-5-2023, after the applicant submitted the project SB330 Preliminary Application, and therefore, not applicable to this project.

3. The title report indicates more than one easement recorded on the property. Please provide an easement map from the title company which clearly delineates the easements recorded on the property.

All easements from the title report are shown on the exhibits, please see Sheets TM-01 and TM-03. Therefore, providing an easement map from the title company is not necessary.

*Site Plan*

4. The Site Plan shall include:

a. All structures on-site with any associated improvements.

This was provided with the previous application submittal. Existing structures are proposed to remain, and proposed structures will follow the approval of the proposed tentative subdivision map.

b. Legal access to the property. Please note evidence of legal access must also be accompanied by recorded documents providing the access to the property from a publicly maintained road.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

c. Proposed grading quantities and their location on the site. Sheet TM-06 indicates preliminary grading and drainage however there is no breakdown of the grading quantities for improvements proposed. Grading quantities shall be provided in the suggested format below:

This is a requirement from the SB330 Housing Crisis Act Planning Submittal checklist, adopted 12-5-2023, after the applicant submitted the project SB330 Preliminary Application, and therefore, not applicable to this project.

Earthwork Quantities					
	Cut	Fill	Net	Max Cut Ht.	Max Fill Ht.
Building Pads (new addition)					
Driveway (any improvements to existing driveway)					
Site Grading					
Retaining Wall					
Total					

*Floor Plans*

**5. Provide floor plans of each dwelling proposed.**

This is a requirement from the SB330 Housing Crisis Act Planning Submittal checklist, adopted 12-5-2023, after the applicant submitted the project SB330 Preliminary Application, and therefore, not applicable to this project.

**6. Heights of each proposed structure shall be delineated on plans as measured from finished grade.**

This is a requirement from the SB330 Housing Crisis Act Planning Submittal checklist, adopted 12-5-2023, after the applicant submitted the project SB330 Preliminary Application, and therefore, not applicable to this project.

*Energy Conservation Plan*

**7. Subdivision applications that include one or more proposed lots under one acre require an Energy Conservation Plan. Such a plan was not provided in the plan set.**

This was provided with the previous application submittal.

*Arborist Report*

**8. An arborist report prepared by Calyx Tree + Landscape Consulting, LLC dated April 4, 2023, was provided however, it was conducted for the incorrect jurisdiction. Please correct the report for standards and include recommendations for tree replacement. In addition, report shall state whether or not the removal of the 230 oak trees will be considered a conversion of oak woodlands and why or why not.**

A corrected arborist report is attached.

*Affordability*

**9. The developer shall provide documentation of legal commitments to ensure continued availability of units for very low or low-income households in accordance with the provisions of Government Code section 65589.5 for 30 years.**

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed

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complete.

*Williamson Act*

10. The property is under Williamson Act (Contract No. 70.034) and the proposed application will require a Compatible Use Determination (CUD) in order to assess whether or not the project is compatible with the existing Williamson Act contract.

This was provided with the previous application submittal.

*CEQA Analysis*

11. Please submit a study by a qualified professional archaeologist examining the existence or potential for archaeological, Native American, or other cultural resources on site. In addition, provide a noise study; a traffic study; a biological report, conceptual landscape plan with tree replacement, a wildfire management plan, and a lighting plan. All studies should address the potential impacts of the project related to the study subject.

This item is listed as “may be” required on the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, and will be submitted after application is deemed complete for CEQA purposes.

**HABITAT CONSERVATION PLAN**

12. Please submit land cover mapping prepared by a qualified biologist to determine if the proposed development impacts any sensitive land covers on and/or near the property.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

Please note that there is potential Serpentine land cover located to the rear of the property and must be delineated.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

### **LAND DEVELOPEMNT ENGINEERING**

Contact: Darrell Wong at (408) 299-5770, [darrell.wong@pln.sccgov.org](mailto:darrell.wong@pln.sccgov.org)

13. The map shall be prepared by a registered civil engineer or licensed land surveyor, and shall be preferably 18 inches by 26 inches, but in no case larger than 24 inches by 36 inches, be prepared by a registered civil engineer or licensed land surveyor, and contain the following information:

a. Sufficient description to define the location and boundaries of the proposed subdivision.

This was provided with the previous application submittal. The boundary is clearly shown on all sheets, and the project location is clearly shown on the location map.

b. Names, addresses, and signatures of record owners, subdivider, and name of engineer or surveyor under whose direction the map was prepared.

This was provided with the previous application submittal. The required contact information is provided on sheet TM-03. The applicant/owner is also the subdivider. The application form was signed and submitted with the initial application.

c. The approximate grade the proposed street in the subdivision.

This was previously provided and is still on sheet TM-06.

d. The locations and approximate widths of all easements for access, water system, flood control, drainage, sewage, or public utilities.

This was previously provided and is still shown on sheets TM-01, TM-03 and TM-04.

e. Approximate radii of all curves.

This information has been added to sheets TM-03 and TM-04.

f. All existing structures and development on the current parcel with specifications as to whether they are to be removed and abated or otherwise legalized through permitting and approval to address the violations.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County

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Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

- g. Proposed outline of proposed restrictions on the remainder parcel, if any, including any setbacks or limits of the buildable area for lots.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

- h. Proposed outline of proposed restrictions on the lots and parcels including any building setbacks or envelopes, if any. Sheet TM-05 provides some detail, but additional detail is required. Why is 16 circled? What are the limitations of Lots A and B? What limitation is here for the remainder lot, if any? What are Parcels A and B?

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

- i. Public areas proposed, if any.

No public areas are proposed.

- j. Statement of the dedications and improvements proposed to be made or installed. This shall include all easements for SS and SD utilities as well as the dedication for Street A.

A statement of dedications and improvements proposed has been added to sheet TM-03.

Providing a cover sheet specifying the restrictions of all easements and right of ways proposed for the development, is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

- k. Typical cross-sections of all streets (not less than two sections) showing any existing road widths and surfacing, proposed road widths and maximum cuts and fills. They shall accurately depict topographic conditions not less than 100 feet outside the future rights-of-way. The vertical dimensions of cuts and fills on each section shall be shown.

See sheet TM-04 for typical street sections. Sections are “typical” and not for

grading purposes. It is not industry standard to show cuts and fills on typical street sections.

l. The approximate known soil or geologic hazard areas.

There are no geologic hazard areas on site.

m. Provisions for drainage and flood control which are proposed.

n. Lot lines shall run at right angles to the street upon which the lot faces.

This is not a completeness item, a waiver requested for this standard.

o. Clearly identify any required proposed storm drainage and stormwater treatment easements though Lots 1, 5, 16 and B.

p. Clearly identify any proposed sanitary easements through lots 1, 2, 3, and 4. The sanitary sewer line currently runs though lots without an easement.

q. Provide an offer of dedication for a Drainage Easement for the creek that passes through the southwest corner of the property being developed. The width of the easement must be adequate for maintenance.

There are no creeks that pass through the property being developed, including the southwest corner.

*Building Site Approval and Grading*

14. Please clearly show the line for the city limits on the plans and proposed map. A connection to the City of San Jose appears to be required for this proposal.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

15. Please provide a table of the estimated earthwork quantities per C12-424(g). Quantities should be separated into the different bodies of work for the project.

Earthwork table has been added consistent with the C12-424.

16. Please provide a table of the estimated impervious areas that are created as a part of the development including the proposed residential structures and the unpermitted structures and associated development to be abated or legalized. The net change in impervious areas shall be clearly stated on the plans.

Impervious area summary table has been added to TM-07.

17. Please demonstrate how the proposed slopes along the development’s western boundary conform to County Standard Detail SD6 and Section C12-543 and C12-553 of the County Grading Ordinance with regard to slope height and probable use of drainage terraces.



This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

18. 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 legalization or abatement of any unpermitted improvements on the existing parcel. Please note that the existing development doesn't appear to have legal rights of access to Woodcliff Ct.

Limits of disturbance have been added to TM-06

19. Please comply with the Grading setbacks to property line per County Grading Ordinance C12-558. The County Ordinance code requires a five-foot grading setback.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

20. Sets of continuous retaining walls through properties crossing multiple property lines do not comply with the grading setbacks and restrict access within a parcel. The grading must be redesigned.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

21. Provide a profile of the proposed Street A demonstrating the line and grade of the proposed road. The stations shall be clearly shown on the preliminary grading plans.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

22. Show all of the grading required to construct the proposed bioretention areas on the preliminary grading plan.

This is not a requirement from the applicable Santa Clara County “Checklist of Required

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Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

23. Show all of the grading and a driveway approach required to utilize Lot A as an access road. The grades do not appear to allow for feasible access to vehicles with the proposed steep final grades.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

24. Show all of the existing and proposed electrical utilities on the plans.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

25. The existing v-ditch to remain conflicts with the proposed improvements including but not limited to the intersection of Street A with Circle Hill Drive, as well as the sanitary sewer main along the development’s eastern boundary.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

26. 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 Drainage Plan and preliminary calculations that demonstrate the following items:

- a. The site can be adequately drained, and the City of San Jose storm drainage facilities have appropriate capacity to drain the increased runoff.
- 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.
- d. The drainage runoff in each drainage management area shall be clearly shown to drain to the treatment facility in each area on the preliminary grading and drainage plans.

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These are not a requirements from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

27. Please include a driveway approaches per County Roads and Airports Standard B2 for all residential properties.

Driveway approaches are shown and hatched on sheet TM-06.

28. Provide a Traffic Engineer’s report and recommendation to address the location of the driveway proposed with respect to the location of the return at the intersection of Street A with Circle Hill Drive. The recommendations shall clearly state the minimum distance between the return of the intersection from the nearest driveway approach.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

29. Based upon County Standards and policy, a continuous and curvilinear right-of-way dedication of sixty feet per SD1 would be required with this development to accommodate for a 12’ wide travel lane. The radius for the right of way for the bulb turnaround shall be a 42’ radius with returns of 20’ radius. The face of curb for the turnaround shall be a 34’ radius or as required by the County Fire Marshal’s Office or CalFire, whichever is greater. The returns for the intersection with Circle Hill Dr. shall be 20’ radius for the curb return with a 30’ radius for the right of way.

Face of Curb Radii have now been shown on sheet TM-04

30. The right of way dedication for Street appears to be disjointed at Lot B. Please provide a curvilinear offer for right of way dedication to meet County standards and policies.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

31. Please include all applicable easements affecting the parcels with benefactors and recording information on the site plan as shown on the preliminary title report. Provide a statement from the owner that no subsequent encumbrances have been recorded since the preparation of the title report.

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This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

32. 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. Provide the necessary easements for maintenance of the retaining walls.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

33. Submit a completed San Francisco Bay Watershed Questionnaire. Based on the results of the Questionnaire, incorporate the applicable stormwater treatment measures in the plans. The entirety of the runoff falling upon the impervious area of the development shall be captured shall be routed for treatment and drainage mitigation as necessary.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

34. Provide the necessary brow ditch and associated easement to drain the hillside runoff prior to reaching the graded slopes.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

### **ENVIRONMENTAL HEALTH**

Contact Darrin Lee at 408-299-5748, [Darrin.Lee@deh.sccgov.org](mailto:Darrin.Lee@deh.sccgov.org) regarding the following:

35. As the projected design flow exceeds 10,000 gallons per day (GPD), the review and approval of the onsite wastewater treatment system (OWTS) shall be conducted by the applicable California Regional Water Quality Control Board. Provide to the Department of Environmental Health and the Department of Planning and Development documentation from the applicable Regional Water Quality Control Board for project clearance addressing project feasibility/approval.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

36. Obtain OWTS clearance from the Department of Environmental Health for verification of setback requirements. To obtain clearance follow the URL Plan Check Application Form ([sccgov.org](http://sccgov.org)) and complete the service application.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

Note: DEH performs limited plan review. Upon achieving OWTS clearance, DEH will forward/ provide the applicable California Regional Water Quality Control Board of its recommendation through a digital approval recommended stamp (Sec. SEC B11.66 (d)).

Note: Plan check submittal for commercial development will be required. Within the plan check service application, under the “Commercial” heading, provide a project description/proposal.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

37. On page TM-03, noted within the “Project Notes” legend, San Jose Water Company was listed under the heading, “Water”. Obtain from San Jose Water Company and provide to the Department of Environmental Health and Department of Planning and Development a water will serve letter. The water will serve letter shall express the water company’s intent and ability to provide potable water to the entire proposed project (20 dwellings).

A will serve letter is attached.

38. Alternatively, if the proposed community development is unable to connect to a public water system and subsequently develop its own potable water service provider/water company, contact California State Water Resources Control Board, Division of Drinking Water for requirements to become a public water system.

A will serve letter is attached.

As a public water system, California State Water Resources Control Board, Division of Drinking Water will be the regulatory and permitting authority for potable water, not the Department of Environmental Health. In the event the Division of Drinking Water require additional water/ well related studies and/ or reports as part of its evaluation, obtain written documentation from the Division of Drinking Water, that states the studies and/or reports it has received meets the State Drinking Water requirements for adequate access to water and is consistent with the State Preliminary Technical Report Guidance, and also includes a Technical, Managerial and Financial report.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

#### **FIRE DIVISION**

Contact: Alex Goff at 408-299-5760 or [alex.goff@sccfd.org](mailto:alex.goff@sccfd.org) regarding the following:

39. Provide a Response Letter addressing comments below, clarify what sheet comments are addressed. More comments may be made when more information is supplied.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

40. Plans are to state project is located within the Wildland Urban Interface (WUI) and will maintain defensible space at all times.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

41. Plans are to clarify water source, such as the water mutual or a private well.

The water source was previously provided on sheet TM-03, where it continues to be listed as San Jose Water Company.

42. Plans to show hydrant as (N) or (E) and as a standard fire hydrant.

This has been noted on sheet TM-08

43. Provide fire hydrant flow data for hydrant located within distance requirements. Data to be recorded within 1 year and show minimum gpm available at 20 psi. [CFC Table B105.1(1) and Table B105.1(2)]

a) Contact water purveyor for flow data.

b) Clarify Fire Flow Summary on sheet TM-08 as this doesn't appear to meet CFC Appendix "C". An example is 2,750 gpm for a non-sprinklered structure.

This is not a requirement from the applicable Santa Clara County "Checklist of Required Application Materials", revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete, and fire hydrant flow data will be provided during the construction document submittal process.

44. Fire department access 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]

Note has been added to sheet TM-08

45. Plans are to show slope of fire department access not exceeding 15%. [CFMO-A1 Section II.C]

See sheet TM-06 street slope does not exceed 15%.

46. Fire department turnaround meeting CFMO-SD16 to clearly labeled including the dimensions. [CFMO-A1 Section II.C and CFMO-SD16]

Standard cul-de-sac per santa clara county standard detail A5 has been provided which provides a 34' curb radius which exceeds the 32' minimum shown on SD16.

## **GEOLOGY**

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

47. The property is located in a State of California Earthquake-Induced Landslide Hazard Zone and County Landslide Hazard Zone, and a County Fault Rupture Hazard Zone. An in-depth site-specific geologic investigation report prepared in accordance with guidelines provided in California Geological Survey Special Publication 117A (2008), Special Publication 42 (2018), and the current County Geologic Ordinance will be required. The report must be signed by a California Certified Engineering Geologist (CEG).

Our research shows that the site is not within a fault zone or liquefaction zone, please see attached sheets.

In addition, This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

#### **CODE ENFORCEMENT**

Contact: Belen Ortiz at 408-299-5770 or [belen.ortiz@pln.sccgov.org](mailto:belen.ortiz@pln.sccgov.org) regarding the following:

48. The Subject Property is in violation and will require a Compliance Agreement in order for the County to issue any permits. Please provide a plan to abate the total violations specified in The Notice of Violation letter dated May 5, 2022.

This is not a requirement from the applicable Santa Clara County “Checklist of Required Application Materials”, revised 3/22/22, it is also not required in Santa Clara County Municipal Code Chapter 17.05, SUBDIVISIONS. Consequently, this is not an incomplete item that needs to be addressed at this time. The proper time to address it is after the application has been deemed complete.

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 you have any questions regarding the application, please call (408) 299-5791, or at [valerie.negrete@pln.sccgov.org](mailto:valerie.negrete@pln.sccgov.org).**

Sincerely,



Valerie Negrete  
Senior Planner

cc: Robert Salisbury, Principal Planner  
Belen Ortiz, Code Enforcement Officer