PLN18-11011 (Sheikh Subdivision)

Tentative Parcel Map for a two-lot Subdivision.

**Summary:** Tentative Parcel Map to subdivide a 10.00-gross-acre parcel into two lots of five gross-acres, respectively.

<table>
<thead>
<tr>
<th><strong>Owner:</strong></th>
<th>Khalil Sheikh</th>
<th><strong>General Plan Designation:</strong> Agricultural Ranchlands</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant:</strong></td>
<td>Amanda Musy-Verdel</td>
<td><strong>Zoning:</strong> RR-5ac.</td>
</tr>
<tr>
<td><strong>Address:</strong></td>
<td>11014 Columbet Ave San Martin, CA 95046</td>
<td><strong>Lot size:</strong> 10-acre gross</td>
</tr>
<tr>
<td><strong>APN:</strong></td>
<td>830-20-016</td>
<td><strong>Present Land Use:</strong> Agriculture</td>
</tr>
<tr>
<td><strong>Supervisorial District:</strong></td>
<td>1</td>
<td><strong>HCP:</strong> Area3, Rural Residential Not Covered</td>
</tr>
</tbody>
</table>

**RECOMMENDED ACTIONS**

A. Adopt a Negative Declaration pursuant to the California Environmental Quality Act (CEQA) as shown in Attachment A; and,

B. Grant Tentative Parcel Map Approval, subject to the Conditions of Approval outlined in Attachment B.

**ATTACHMENTS**

Attachment A – Initial Study/Negative Declaration
Attachment B – Proposed Subdivision Conditions of Approval
Attachment C – Location & Vicinity Map
Attachment D – Tentative Parcel Map
PROJECT DESCRIPTION

The proposed project is subdivision of a 10-acre parcel into two lots. The subject property is located on the east side of Columbet Avenue in San Martin, approximately 500 feet northeast of Masten Avenue, and approximately a half mile east of State Route 101 (see Attachment C). The parcel (Assessor’s Parcel Number 830-20-016) is located within the RR-5ac (Rural Residential, with a minimum lot size combining district of 5 acres) zoning district. The proposed subdivision would divide the existing 10-acre (gross) parcel into two lots, each measuring 5 gross acres. Building Site Approval would be conferred through conditions of approval on both lots being created.

Conceptual single-family residential building sites are shown on the tentative map (Attachment D. In addition to single-family residences, future development could include accessory dwelling units, driveways, fire truck turnarounds, leach fields and landscaping on each lot. The future residences on each lot would be served by on-site wastewater systems and ground-water wells. For feasibility, a shared well with an easement is shown, but individual wells could also be proposed at the time of development.

Minor grading associated with the driveway encroachments are proposed subdivision improvements, but do not exceed the thresholds for requiring a grading approval / permit. Grading associated with the future building site improvements on each lot would require individual grading approval prior to issuance of development permits. Conceptual grading quantities are 121 cubic yards of total cut and 388 cubic yards of total fill for Parcel A and 198 cubic yards of total cut and 273 cubic yards of total fill for Parcel B. Development would not require removal of existing trees.

Setting/Location Information

The 10-acre site is located on Columbet Avenue, within the unincorporated community of San Martin, in southern Santa Clara County. The site is currently undeveloped and has recently been used for row crops in conjunction with the neighboring property to the south, which was once in common ownership. However, the parcel is not restricted by a Williamson Act Contract. The property is relatively flat (average slope of 5%). Several single-family residences exist on surrounding properties, as well as open space and farmland properties.

The site is located within a liquefaction Geologic hazard area; however, no creeks/water bodies are in the immediate vicinity of the site. The site is within the Airport Influence Area (AIA) of the San Martin Airport, but outside primary safety zones and noise contours. The site is located within the Santa Clara County Habitat Conservation Area, within Area 3, and is not a covered project under the County’s Santa Clara Valley Habitat Plan (SCVHP).

REASONS FOR RECOMMENDATION

A. Environmental Review and Determination (CEQA)

The environmental impacts of the project have been evaluated in the Negative Declaration prepared by staff for the project entitled “Sheikh Subdivision” (Attachment A). The Negative Declaration concluded that the project would not create any adverse environmental impacts. As required by the California Environmental Quality Act (CEQA), a Notice of Intent to adopt the
Negative Declaration was posted with the County Clerk Recorder on June 1, 2020. As of the preparation of this Staff Report, no comments on the Initial Study/Negative Declaration have been received. Staff is recommending that the Hearing Officer adopt the Negative Declaration as part of this project approval.

**B. Project/Proposal**
The project consists of a Tentative Parcel Map approval to subdivide an existing 10-acre parcel into two (2) lots measuring 5-gross-acres each.

**C. Subdivision Ordinance**
This subdivision application has been reviewed in accordance with the required Findings in Section C12-122 of the County Ordinance Code Subdivisions and Land Development Ordinance and the State Subdivision Map Act. Pursuant to these standards, the Zoning Administration Hearing Officer shall deny approval of a tentative or final parcel map if any of the following seven (7) findings can be made. In the following discussion, the scope of review criteria is in **bold**, and an explanation of how the project does or does not meet the required standard in plain text below.

1. **That the proposed map is not consistent with applicable general and specific plans.**

   The proposed Tentative Parcel Map would result in the division of an existing 10-gross-acre parcel into two lots, measuring five acres each. The subject property is located on Columbet Avenue, within the community of San Martin. The General Plan designation for the property is Rural Residential, which is intended for low density development and uses.

   There are no Specific Plans applicable to the proposed subdivision. The San Martin Integrated Design Plan and Guidelines include clustering guidelines for large rural residential subdivisions, but the subject project is only a two-lot subdivision. However, future residential development would be subject to the San Martin Integrated Design Plan and Guidelines for consistency with the rural character of San Martin.

   The 2-lot subdivision is in conformance with Rural Residential General Plan designation. The minimum parcel size is prescribed as five acres gross. As the existing parcel size is 10.00 acres gross, the maximum number of allowed parcels created through subdivision would be two lots. Since the proposed subdivision is within the allowed number of lots and at five acres each, the subdivision would be consistent with the General Plan density.

   General Plan Policy R-LU 58 states the allowable density of development shall be 5–20 acres per dwelling, depending upon the average slope of the land, as based upon the County’s "-5-20s" slope density formula (see table below). Minimum parcel size shall be 5 acres, unless development is proposed as a cluster subdivision. The subject property has a prescribed density of 5 acres minimum for creation, as opposed to a slope density. However, the proposed subdivision is in conformance with this General Plan density policy.
The proposed two-lot subdivision will not change the rural character of the area and will comply with density requirements of development for the area.

The proposed Tentative Map is found to be consistent with the requirements of the County’s Solar Access for Subdivision Development ordinance, Division C12. Pursuant to Section C12-173.3. (d), solar access easements are not required for lots equal or greater than one acre. At five gross acres, respectively, the proposed lot sizes have adequate solar access for potential buildings constructed in the future, and future development will not be detrimental to solar access of any neighboring properties.

As such, the proposed subdivision is consistent with applicable General Plan.

2. **That the design or improvements of the proposed subdivision is not consistent with applicable general and specific plans.**

   The project is consistent with lot design criteria for subdivisions outlined in Section C12-21 of the County Ordinance Code and demonstrates adequate size and shape characteristics to support future single-family residential uses. Both proposed lots have frontage on the county maintained Columbet Avenue. Proposed lots meet or exceed the recommended maximum depth to width ratio of three-to-one.

   Minor grading associated with the driveway encroachments are proposed subdivision improvements, but do not exceed the thresholds for requiring a grading approval / permit.

   As such, the design of the proposed subdivision is consistent with applicable general and specific plans.

3. **That the site is not physically suitable for the type of development.**

   The average slope of the subject property is less than 10%. There are no geologic hazards that would preclude development. The site would still have adequate ingress and egress for emergency purposes and well water feasibility has been demonstrated. As proposed 5-acre lots, the site can reasonably accommodate residential development and the subdivision improvements.

   Therefore, the site is physically suitable for the type of development.

4. **That the site is not physically suitable for the proposed density of development.**

   The proposed Tentative Parcel Map would result in the division of an existing 10-gross acre parcel into two (2) 5-acre gross lots.

   General Plan policy R-LU-58 and Zoning Ordinance Section 2.20.080 prescribe that the minimum lot size for creation of a new lot is five acres gross. The proposed lot sizes are consistent with the General Plan and County Zoning Ordinance requirements and the
The proposed subdivision meets the minimum lot size required, resulting in a density of one dwelling unit per five acres.

As such, the site is physically suitable for the proposed density of development, and Staff cannot make this finding.

5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project site is located in the Santa Clara Valley Habitat Plan ("SCVHP") Area, but is located in Area 3 of the plan, and is not a covered project, based on the absence of habitat or species. There are no special status species of plant or animal mapped on the site according to County G.I.S maps, nor is sufficient habitat located on site, as the property has been tilled for agriculture. Also, no trees would be affected by subdivision.

As such, the proposed subdivision is not likely to cause substantial environmental impacts or injure fish, wildlife, or their habitat, and Staff cannot make this finding.

6. That the design of the subdivision or the type of improvements is likely to cause serious public health problems.

The County Fire Marshal's Office has reviewed the subdivision emergency vehicle access for fire protection and fire prevention. Furthermore, the subject property is not located within the Wildland Urban Interface (WUI). Also, the subject property is not located in a mapped flood zone.

The project site only has access to electricity and telephone. No other utilities are available at this time. Development would require construction of a new septic system to treat wastewater, and septic system design would be reviewed by the County Department of Environmental Health to ensure that they do not permit effluent to surface, degrade water quality, affect soil stability, present a threat to public health or safety, or create a public nuisance. Water is currently provided to the project site by a well and any future development would be provided by onsite well.

While no development is proposed as part of this project, future residential development is a reasonably foreseeable outcome of the proposed subdivision. The construction and installation of improvements, including a single-family residence, accessory dwelling(s) and driveway would not create significant, long-term traffic, noise or air quality impacts. The project will result in short-term impacts related to construction activities, however, due to their temporary nature, construction-related impacts would not cause serious or long-term public health problems.

As such, neither the design of the subdivision nor the types of improvements that could result from future development of the proposed parcels are likely to cause serious public health problems, and Staff cannot make this finding.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed subdivision.

The submitted Tentative Parcel Map shows all existing easements on the subject property, including storm drain easements, utility easements and a the Columbet Avenue right-of-way. A review of all available maps and the submitted Tentative Map by Staff confirms that the design of the subdivision will not conflict with any existing easements on the property. Additionally, the proposed parcels are large enough to accommodate building sites that would not conflict with any existing easements on the property. Access to proposed parcels is from Columbet Avenue, which is a county-maintained road. As such, the proposed subdivision will not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, and Staff cannot make this finding.

As noted in the above findings, Staff cannot make any of the seven subdivision findings that, if made, would require the Zoning Administration Hearing Officer to deny the proposed subdivision. Staff therefore recommends that the Zoning Administration Hearing Officer approve the proposed Tentative Map subdivision, subject to the Conditions of Approval in Attachment B.

BACKGROUND

On May 6, 2018 an application for a two-lot Tentative Parcel Map was submitted, which was subsequently deemed complete on March 2, 2020. In accordance with the California Environmental Quality Act (CEQA), an Initial Study, and subsequent Negative Declaration was prepared and posted on June 1, 2020. Staff did not receive any comments as a result of the publication of the Initial Study/Negative Declaration.

A public notice for the public hearing before the Zoning Administration Hearing Officer was mailed to all property owners within a 300-feet radius of the subject property on July 17, 2020, and published in the Post Record on July 20, 2020.

STAFF REPORT REVIEW

Prepared by: Mark J. Connolly, Senior Planner

Reviewed by: Leza Mikhail, Principal Planner & Zoning Administrator
ATTACHMENT A

Initial Study/Negative Declaration
**INITIAL STUDY**

*Environmental Checklist and Evaluation for the County of Santa Clara*

<table>
<thead>
<tr>
<th>File Number:</th>
<th>PLN18-11011</th>
<th>Date:</th>
<th>May 29, 2020</th>
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<tbody>
<tr>
<td>Project Type:</td>
<td>Subdivision</td>
<td>APN(s):</td>
<td>830-20-016</td>
</tr>
<tr>
<td>Project Location / Address:</td>
<td>500 feet Northeast of the corner of Columbet and Masten Avenue</td>
<td>GP Designation:</td>
<td>Rural Residential</td>
</tr>
<tr>
<td>Owner’s Name:</td>
<td>Khalil Sheikh</td>
<td>Zoning:</td>
<td>RR-5ac.</td>
</tr>
<tr>
<td>Applicant’s Name:</td>
<td>Hannah and Brunetti</td>
<td>Urban Service Area:</td>
<td>NONE</td>
</tr>
</tbody>
</table>

**Project Description**

The proposed project is subdivision of a 10-acre parcel into two lots. The subject property is located on the east side of Columbet Avenue in San Martin approximately 500 feet northeast of Masten Avenue and approximately half miles east of State Route 101 (see Figure 1). The parcel (assessor’s parcel number 830-20-016) is located within the RR-5ac (Rural Residential, with a minimum lot size combining district of 5 acre) zoning district. The proposed subdivision would divide the existing 10-acre (gross) parcel into two lots each of 5 gross acres. Per County Ordinance, approval of the subdivision would grant Building Site Approval on both lots being created. Conceptual single-family residential building sites are shown on the tentative map (Figure 2). In addition to single-family residences, future development could include accessory dwelling units, driveways, fire truck turnarounds, leach fields and landscaping on each lot. The future residences on each lot would be served by on-site wastewater systems and ground-water wells. For feasibility, a shared well with an easement is shown, but individual wells could also be proposed at the time of development. Minor grading associated with the driveway encroachments are proposed subdivision improvements. Grading associated with the future building site improvements on each lot would require individual grading approval prior to issuance of development permits. Conceptual quantities are 121 cubic yards of total cut and 388 cubic yards of total fill for Parcel A and 198 cubic yards of total cut and 273 cubic yards of total fill for Parcel B. Development would not require removal of existing trees.

**Environmental Setting and Surrounding Land Uses**

The 10-acre site is located on Columbet Road, within the unincorporated community of San Martin in southern Santa Clara County. The site is currently undeveloped and has recently been used for row crops in conjunction with the neighboring property to the south, which was once in common ownership. However, the parcel is not restricted by a Williamson Act Contract. The property is relatively flat (average slope of 5%). Several single-family residences exist on surrounding properties, as well as open space and farmland properties. The site is within a liquefaction hazard area? Closest creek/water body? Within the AIA of the San Martin airport?

**Other agencies sent a copy of this document:**

Morgan Hill Unified School District
Figure 1 – Location Map
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED
The proposed project could potentially result in one or more environmental effects in the following areas:

☐ Aesthetics  ☑ Agriculture / Forest Resources  ☐ Air Quality
☐ Biological Resource  ☐ Cultural Resources  ☐ Energy
☐ Geology/Soils  ☐ Greenhouse Gas Emissions  ☐ Hazards & Hazardous Materials
☑ Hydrology / Water Quality  ☐ Land Use / Planning  ☐ Mineral Resources
☐ Noise  ☐ Population / Housing  ☐ Public Services
☐ Recreation  ☐ Transportation  ☐ Tribal Cultural Resources
☐ Utilities / Service Systems  ☐ Wildfire  ☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☑ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

☑ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Signature

[Signature]

5/28/20

Date

Mark J Connolly
Printed name

For
ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS

<table>
<thead>
<tr>
<th>Excerpt as provided in Public Resources Code section 21099, would the project:</th>
<th>IMPACT</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Except as provided in Public Resources Code section 21099, would the project:</td>
<td></td>
<td>2,3,4, 6,17f</td>
</tr>
<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>b) Substantially damage scenic resources, including, but not limited to, trees, rocks, outcroppings, and historic buildings, along a designated scenic highway?</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>

SETTING:

The project site is located in a valley floor setting and is mostly flat with an average slope of less than 10%. The property was formerly used as farmland for row crops but is devoid of vegetation currently. Two small trees exist to the north of the site. No watercourses run through the property. There are no designated scenic highways in the project vicinity.

DISCUSSION:

a, b, c and d) No Impact. The project is a 2-lot subdivision. No residences or development is proposed with the subdivision. The only subdivision improvements are driveway encroachments from the public right-of-way for future driveways. Future single-family residences, Accessory Dwelling Units (ADU’s) and accessory structures could be developed on the lots. The site is not located within a Design Review district or along a designated scenic road. Therefore, the project could not have a substantial adverse effect on a scenic vista or substantially degrade the existing visual character or quality of public views of the site and its surroundings. The nearest designated scenic highway is US 101, however, it is not within the project vicinity, as it is almost one mile away.

The two new single-family residences resulting in the future would not create adverse visual impacts as they would meet the standards for height, setback, and coverage requirements of the Rural
Residential zoning district. New sources of light and glare would be limited to future residential development on the parcels. Given the limited nature of residential outdoor lighting (e.g., illumination of pathways and doors) and the fact that the area is sparsely developed, the proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

**MITIGATION:** None required.

### B. AGRICULTURE / FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

<table>
<thead>
<tr>
<th>IMPACT</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Analyzed in the Prior EIR</th>
<th>Substantially Mitigated by Uniformly Applicable Development Policies</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>WOULD THE PROJECT:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>3,23,24,26</td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>9,21a</td>
</tr>
<tr>
<td>c) Conflict with an existing Williamson Act Contract or the County’s Williamson Act Ordinance (Section C13 of County Ordinance Code)?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>1, 28</td>
</tr>
<tr>
<td>e) Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>32</td>
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</tbody>
</table>
SETTING:
The 10-acre site is zoned RR-5ac, which is a base zoning designation of Rural Residential with a five-acre minimum lot size for creation. Approximately, 3.5 of the 10 acre-site has soil types designated as Prime Farmland, and the remaining 6.5 acres is designated as non-Prime Farmland as shown on Farmland Mapping and Monitoring Program maps from the California Department of Conservation. The property is not under a Williamson Act contract. There are no forest resources on the project site.

DISCUSSION:

(a,b,) Less Than Significant Impact. The project is a two-lot subdivision. Future residential development could include two single family residences and ADUs with associated site improvements. The project site has approximately 3.5-acres of designated Prime Farmland, as shown on Farmland Mapping and Monitoring Program maps; therefore, the proposed project would result in very low density and not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. Furthermore, the project would not affect existing agricultural operations on surrounding properties. The property is not under a Williamson Act contract and contains no forest resources.

(c,d,e,) No Impact. The site is not restricted by a Williamson Act contract, is not farmed and is not forested.

MITIGATION:

None required.

C. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant with Mitigation Incorporated</td>
</tr>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>c) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?</td>
<td>☑</td>
<td>☑</td>
</tr>
</tbody>
</table>
SETTING:

The proposed project is located within the San Francisco Bay Area Air Quality Management District (BAAQMD), which regulates air pollutants, including those that may be generated by construction and operation of development projects. These so-called criteria pollutants include reactive organic gases, carbon monoxide, nitrogen dioxide, and particulate matter (PM). BAAQMD also regulates toxic air contaminants (fine particulate matter), long-term exposure to which is linked with respiratory conditions and increased risk of cancer. Major sources of toxic air contaminants in the Bay Area include major automobile and truck transportation corridors (e.g., freeways and expressways) and stationary sources (e.g. factories, refineries, power plants).

DISCUSSION:

a-d) No Impact.

Construction and operation of residential uses enabled by approval of the subdivision would generate emissions of oxides of nitrogen (NOx), reactive organic gases (ROG), and respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less (PM10). BAAQMD has developed screening criteria for these criteria pollutants and precursors derived using the default assumptions used by the Urban Land Use Emissions Model (URBEMIS). If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project’s air pollutant emissions.

The operational criteria pollutant screening size for single-family residential projects established by BAAQMD is 325 dwelling units. The construction-related screening level is 56 dwelling units. As this is a proposed two-lot subdivision, with the potential for construction of six dwelling units (two primary and two accessory dwelling units (ADU) and 2 Junior ADU’s), future home development would be well below either of these screening levels. Therefore, the proposed subdivision would not lead to a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment. Residential development is not a land use that would result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

MITIGATION:

None Required
<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td></td>
<td>1, 7, 17b, 17o</td>
</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</td>
<td></td>
<td>3, 7, 17b, 17e, 22d, 22e, 33</td>
</tr>
<tr>
<td>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td></td>
<td>3, 7, 17n, 33</td>
</tr>
<tr>
<td>d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4?</td>
<td></td>
<td>1, 3, 31, 32</td>
</tr>
<tr>
<td>e) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?</td>
<td></td>
<td>1, 7, 17b, 17o</td>
</tr>
<tr>
<td>f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td></td>
<td>32</td>
</tr>
<tr>
<td>g) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?</td>
<td></td>
<td>3,4, 17l</td>
</tr>
</tbody>
</table>
SETTING:

The project site is located in the valley floor of the community of San Martin in an area of small-scale farming and rural residential development. The site is located in the Santa Clara Valley Habitat Plan (SCVHP) Area, but the parcel is designated Rural Development Not Covered. The land cover is designated as Grain, Row-crop, Hay and Pasture, Disked / Short-term Fallowed.

DISCUSSION:

a, b, c, d, e & f) No Impact. The SCVHP has identified no sensitive land covers on site or in the surrounding area with the exception of a zone of Mixed Riparian Forest and Woodland along Church Creek 300-500 feet west of the parcel. Based on a review of the California Natural Diversity Database (“CNDDB”), the site does not contain and is not in the vicinity of habitats for special status species or siting of such species. Therefore, the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species or on state or federally protected wetlands or oak woodlands. The project site contains no wildlife corridors. Although the project site is within the SCVHP area, it is not a covered project. Residential development would not conflict with provisions of the plan.

MITIGATION: None required.

---

### E. CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County’s Historic Preservation Ordinance (Division C17 of County Ordinance Code) – including relocation, alterations or demolition of historic resources?</td>
<td>☐ ☐ ☐ ☒ ☐ ☐</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?</td>
<td>☐ ☐ ☐ ☒ ☐ ☐</td>
</tr>
<tr>
<td>c) Disturb any human remains including, those interred outside of formal cemeteries?</td>
<td>☐ ☐ ☐ ☒ ☐ ☐</td>
</tr>
</tbody>
</table>
SETTING:

The site is undeveloped and contains no structures. Church Creek is located 300-500 feet west of the parcel.

DISCUSSION:

a, b, c, d) No Impact. The site is vacant and therefore has no structures listed on local, State, or Federal historic inventories. There are no cultural resources listed in the County Historic Resources Database on the subject property or surrounding area. Therefore, the proposed project would have no impact on historic, paleontological or unique geologic resources.

Standard conditions of approval associated with the subdivision improvements and for future development would include the following:

COA-1: In the event that prehistoric traces (human remains, artifacts, concentrations of shell/bone/rock/ash) are encountered during construction activities, all construction within a 50-meter radius of the find shall be stopped, the Planning Department notified, and an archaeologist retained to examine the find and make appropriate recommendations.

COA-2: 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 shall 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 Department.

MITIGATION:

None required.

<table>
<thead>
<tr>
<th>F. ENERGY</th>
<th>IMPACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Result in potentially significant environmental impact do to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation?</td>
<td></td>
</tr>
<tr>
<td>b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</td>
<td></td>
</tr>
</tbody>
</table>
SETTING:

The project site is located in an area of rural residential development.

DISCUSSION:

a, b) Less than Significant Impact.

The proposed subdivision would enable development of two single family residences, two ADUs and two Junior ADU’s. Construction of these dwellings would be subject to the requirements of the California Energy Code and California Green Building Standards Code, which are designed to reduce wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. Therefore, the impact to energy resources would be less-than-significant.

<table>
<thead>
<tr>
<th>G. GEOLOGY AND SOILS</th>
<th>IMPACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:</td>
<td>☐</td>
</tr>
<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
<td>☐</td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
<td>☐</td>
</tr>
<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td>☐</td>
</tr>
<tr>
<td>iv) Landslides</td>
<td>☐</td>
</tr>
<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
<td>☐</td>
</tr>
<tr>
<td>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
<td>☐</td>
</tr>
</tbody>
</table>
G. GEOLOGY AND SOILS

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>d) Be located on expansive soil, as defined in the report, Soils of Santa Clara County, creating substantial direct or indirect risks to life or property?</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>☑</td>
<td>☑</td>
</tr>
</tbody>
</table>

**SETTING:**

The 10-acre project site is flat. A small area in the southwest portion of the parcel is mapped as a County Liquefaction Hazard Zone. Preliminary development plans demonstrate that future development could avoid a geologic impact, by located future structures (main house and accessory buildings) outside of these areas.

**DISCUSSION:**

a-f) No Impact. The site is not within a designated State Earthquake Fault Zones, State Seismic Hazard Zone or the County or State liquefaction zone.

c) Less than significant impact. The property is partially located in the County Liquefaction Hazard Zone. However, residential development can occur subject to recommendations of a liquefaction report that was prepared by Achievement Engineering Corp. dated June 1, 2019 and reviewed and accepted by the County Geologist. Given these requirements and the flat nature of the project site, the proposed project would not potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

At the time of development, percolation tests and soil profiles would be conducted for each proposed parcel, and this data will be reviewed by County Department of Environmental Health (DEH) ensuring that the soils are capable of supporting a septic system which meets County DEH requirements. For any future proposed site improvements subject to a grading approval, as well as grading, drainage and building permits, the grading plan will be reviewed for conformance to the County’s Grading Manual and BMPs, ensuring that no over-compaction or over-covering of soil will occur.

Compliance with the geotechnical engineering conditions of approval, County DEH requirements and the County's Grading Ordinance Policies and Standards would reduce any potential impacts to less-than-significant level.
MITIGATION:
No mitigation is required.

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>![ ] ![ ] ![ ] ![ ] ![ ] ![ ] ![ ] 5,29, 30</td>
<td></td>
</tr>
</tbody>
</table>

SETTING:

Given the overwhelming scope of global climate change, it is not anticipated that a single development project for a two-lot subdivision would have an individually discernible effect on global climate change. It is more appropriate to conclude that the greenhouse gas (GHG) emissions generated by a proposed project would combine with emissions across the state, nation, and globe to cumulatively contribute to global climate change. The primary GHG emissions associated with a development project is carbon dioxide, which is directly generated by fuel combustion (vehicle trips, use of natural gas for buildings) and indirectly generated by use of electricity.

DISCUSSION:

a,b) No Impact. The proposed project would allow development of two single family residences and two ADUs and two JADU’s. This level of residential development is de minimis in nature and therefore would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The County does not have an applicable plan or policy with regard to reducing GHG emissions. Therefore, there would be no conflict.

MITIGATION:

None Required
## I. HAZARDS & HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>       </td>
<td>1, 3, 4, 5</td>
</tr>
<tr>
<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>       </td>
<td>2, 3, 5</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?</td>
<td>       </td>
<td>46</td>
</tr>
<tr>
<td>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td>       </td>
<td>47</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard, or excessive noise for people residing or working in the project area?</td>
<td>       </td>
<td>3, 22a</td>
</tr>
<tr>
<td>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>       </td>
<td>5, 48</td>
</tr>
<tr>
<td>g) Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?</td>
<td>       </td>
<td>4, 17g</td>
</tr>
</tbody>
</table>

### SETTING:
The project is located within two miles of San Martin Airport and is within the Airport Influence Area (AIA) of the airport. The subject property is also located within the Wildland Urban Interface (WUI).


**DISCUSSION:**

**a, b, c, d, & f)** No impact. The project is for a two-lot subdivision. Future residential development would not involve the use or transportation of any hazardous materials and it is not located on site designated as hazardous under Section 65962.5, as verified on EnviroStor.

The subject property is located within a rural area and would not change the local roadway circulation pattern, access, or otherwise physically interfere with local emergency response plans. Access to the project site is from an existing public County maintained road and will not impair or physically interfere with any emergency response or evacuation plans.

**e and g)** Less than significant impact. While the site is located within the AIA of San Martin Airport, the project site is not located within any safety zone, or noise contour that could result in exposing people to aviation incidences. Also, two future residences with a 35-foot tall height limit, would not create a height obstruction to aircraft using the Airport. Future residential development will be required to record an Avigation Easement granted to the County of Santa Clara on behalf of San Martin Airport.

The subject property is not located within the Wildland Urban Interface (WUI) designation which indicates properties that are more likely to experience wildfires. However, future residential development, if proposed, would be required to abide by existing State Fire and Building Codes which specify certain design and material standards for any structure within the County.

Future residential development would be subject to requirements of the County Fire Marshal's Office and the Building Code requirements for fire protection and fire prevention, which may include, but not be limited to, providing on-site fire flow, a fire hydrant, an automatic fire sprinkler system, defensible space around structures, and appropriate driveway turnouts and turnarounds for firefighting equipment. The proposed access driveway would conform to all requirements of the Fire Marshal’s Office for emergency vehicle access. Fire protection water would be provided by an approved water well and stored in water tanks to provide a ready source, if needed.

Adherence to these design and material requirements ensures that the proposed residence, and any future development on the proposed parcels, will not expose people or structures to a significant risk of loss, injury or death involving wildland or other fires. Hence, this impact would be less than significant.

**MITIGATION:**
None required.

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**J. HYDROLOGY AND WATER QUALITY**

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>IMPACT</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements or</td>
<td></td>
<td>34, 36</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Potential Significant Impact</td>
<td>Less Than Significant With Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
</tr>
</tbody>
</table>

16
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | 3, 4 |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | ☐ | ☐ | ☒ | ☐ | ☐ | ☐ | 3, 17n, |
| i) Result in substantial erosion or siltation on- or off-site | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | 3, 17p |
| II) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | 1, 3, 5, 36, 21a |
| III) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | 1, 3, 5 |
| IV) Impede or redirect flood flows? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | 3, 17p, 18b, 18d |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | 3, 18b, 18d |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | ☐ | ☐ | ☐ | ☒ | ☐ | ☐ | 2, 3, 4, 17p |

**SETTING:**

No watercourses run through the property and the property is not located in a FEMA Flood Zone.

**DISCUSSION:**

**d-e) No impact.** The project site is not located in a tsunami, or seiche zones. No development is proposed within any flood zones. Future development of two single-family residences would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

**a-c) Less than Significant Impact.** The proposed project is a two-lot subdivision. Future development of residences would require permitting from County DEH, in accordance with the County Ordinance for an on-site wastewater treatment system to ensure that no water quality standards are violated through discharge of wastewater to the ground.

Water supply would come from either an individual or a shared on-site well. However, since the area is sparsely populated with minimal pumping from groundwater, development of a well on the resulting lots would not impede sustainable groundwater management of the basin. Residential development on the lots would require a drainage permit, which would ensure that drainage in the area is not substantially altered and runoff water would be contained on site, and not discharged to creeks.

**MITIGATION:** None required.
K. LAND USE

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant Impact With Mitigation Incorporated</td>
</tr>
<tr>
<td>a) Physically divide an established community?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

2, 4

8a, 9, 18a

SETTING:
The subject property’s General Plan designation is Rural Residential, and zoning is Rural Residential with a five-acre minimum combining district (RR-5ac.). The parcels adjacent to the subject property are primarily residential, or agriculture. Surrounding uses include properties of similar size.

DISCUSSION:
The proposed two-lot subdivision, as conditioned, would be consistent with the County’s General Plan and Zoning Ordinance. The General Plan for Rural Residential areas (R-LU 58) allows for densities between 5 and 20 acres depending on the site’s average slope. The subject site has a minimum 5-acre lot size requirement, through a zoning district combining district as it is a relatively flat site. The 10-acre gross parcel would result in two lots, with a gross acreage of 5 lots each, and would this be consistent with this General Plan policy. The subject site is also within the San Martin Planning Area and is consistent with the applicable policies for this area (R-LU 136 – 140). The proposed two-lot subdivision would not divide an established community. No commercial, industrial or institutional uses are proposed.

MITIGATION: None required.

L. MINERAL RESOURCES

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant Impact With Mitigation Incorporated</td>
</tr>
<tr>
<td>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

1, 2, 3, 6, 44

1, 2, 3, 6, 8a

18
DISCUSSION:

a-b) **No Impact.** Neither the State Geologist nor the State Mining and Geology Board has classified the proposed project area as containing mineral deposits which are either of statewide significance or the significance of which requires further evaluation. The site is also not located on locally important mineral resource recovery sites.

**MITIGATION:** None required

---

### M. NOISE

<table>
<thead>
<tr>
<th>WOULD THE PROJECT RESULT IN:</th>
<th>IMPACTS</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant With Mitigation Incorporated</td>
</tr>
<tr>
<td>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) For a project located within the vicinity of a private airstrip or an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport, public use airport, or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
</tr>
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<td></td>
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**SETTING:**

The project is a two-lot subdivision. Future development could include two single-family residences, ADUs and JADUs. Temporary construction noise would result from grading and construction activity. The nearest sensitive receptors to that noise surround the property as there are single-family residences surrounding the parcel on all sides but would not be harmful long-term. Local ambient noise comes from occasional traffic along Columbet and Masten Avenues.

**DISCUSSION:**

(a-c) **Less than Significant Impact**
County Noise Ordinance restricts exterior noise limits, for a cumulative period not to exceed more than 30 minutes in any hour, for one and two-family residential land uses at 45 dBA between 10:00 p.m. to 7:00 a.m. and 55 dBA between 7:00 a.m. to 10:00 p.m. The proposed use is residential, and would not create excess noise, vibration, or permanent increase in ambient noise levels. The project site is located within the AIA of San Martin Airport, but outside of any CNEL noise contours. Receptors may experience temporary disruptions as a result of single-event noise produced from aircraft, but the noise would not be long-term or harmful.

Construction of single-family residences would temporarily elevate noise levels in the immediate project area from the use of construction equipment. Construction noise could have a short-term impact on the nearest sensitive (residential) uses. However, noise levels would not exceed standards of the Santa Clara County Noise Ordinance. Noise impacts on the residential uses near the project site would be minimal and temporary. Therefore, the project would not create any significant noise impacts.

**MITIGATION:**

None required.

### N. POPULATION AND HOUSING

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant With Mitigation Incorporated</td>
</tr>
<tr>
<td>a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td>☒</td>
<td>❏</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

**SETTING:**

The site is located in the unincorporated community of San Martin, which is rural residential area of Santa Clara County, with a population of approximately 7,000 as of the 2010 census.

**DISCUSSION:**

**a-b) No Impact.** The proposed project is a two-lot subdivision. Future development of a single-family residence and accessory dwelling units would not induce substantial unplanned population growth or displace existing housing or people.

**MITIGATION:** None required.
O. PUBLIC SERVICES

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant With Mitigation Incorporated</td>
</tr>
</tbody>
</table>

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

i) Fire Protection?

ii) Police Protection?

iii) School facilities?

iv) Parks?

v) Other public facilities?

<table>
<thead>
<tr>
<th>Setting and Discussion:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Less Than Significant. Future development of two single-family residences and two accessory dwelling units and JADUs on each lot, would increase the need for additional fire or police protection to the area. However, as two additional parcels, the impact would not be significant.</td>
</tr>
</tbody>
</table>

Other public services, such as provided by schools or parks, would not be significantly impacted.

MITIGATION: None required.

P. RECREATION

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant With Mitigation Incorporated</td>
</tr>
</tbody>
</table>

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have

<table>
<thead>
<tr>
<th>Setting and Discussion:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
</tr>
<tr>
<td>b)</td>
</tr>
</tbody>
</table>
**SETTING:**

The nearest County park is Coyote Harvey Bear approximately 3 miles to the northeast.

**DISCUSSION:**

**a & b) Less than Significant.** The proposed subdivision would allow future development of two single-family residences and two ADUs. This level of development would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, and would not require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment; therefore, this impact would be less than significant.

**MITIGATION:** None required

---

**Q. TRANSPORTATION**

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>YES</th>
<th>IMPACT</th>
<th>NO</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potential Significant Impact</td>
<td>Less Than Significant With Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
<td>No Impact</td>
</tr>
<tr>
<td>a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?</td>
<td>☐</td>
<td>☑</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?</td>
<td>☐</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>☐</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>d) Result in inadequate emergency access?</td>
<td>☐</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
</tbody>
</table>

---

**SETTING:**

The proposed project is a two-lot subdivision; no development of either parcel is currently proposed.

**DISCUSSION:**

**a-d) Less Than Significant.** The proposed subdivision would allow future development of two single-family residences, two ADUs and two JADUs. The project area is semi-rural and the addition of trips from this potential development would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Access would be from Columbet Avenue directly, which is lightly traveled with good visibility in both directions. The proposed access driveways for future development either meet or have been
conditioned to meet the County’s driveway access and safety standards. Therefore, potential residential development would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, nor would it result in inadequate emergency access. The project would not be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), or result in inadequate emergency access, because no traffic thresholds for vehicle miles travelled would be exceeded and the site has adequate emergency access room for vehicles.

**MITIGATION: None Required**

### R. TRIBAL CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ii. A resource determined by the lead agency.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>iii. agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### DISCUSSION:

**a) No Impact.** The County has not received any letters from Native American tribes requesting tribal consultation per Public Resources Code, Section 21080.3.1(b) regarding the potential for a Native American tribal cultural resource located on or near the project site. Hence, there is no evidence to indicate the presence of a tribal cultural resource listed or eligible for listing in the California Register
of Historical Resources, or of significance pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, the proposed two-lot subdivision would not cause a substantial adverse change in the significance of a tribal cultural resource, and no mitigation measures would be necessary.

**MITIGATION:** None Required

### S. UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>IMPACT</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant Impact With Mitigation Incorporated</td>
</tr>
<tr>
<td>a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</td>
<td></td>
<td>☐</td>
</tr>
<tr>
<td>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e) Be in non-compliance with federal, state, and local management and reduction statutes and regulations related to solid waste?</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

**SETTING:**
The project area only has access to electricity and telephone. No other utilities are available.

**DISCUSSION:**

**a-e) Less than significant.** Because sanitary sewer service is not available, development of the lots would require construction of two new onsite wastewater systems to treat wastewater. At the time of development, system designs would be reviewed by the County Department of Environmental Health to ensure that they do not permit effluent to surface, degrade water quality, affect soil stability, present a threat to public health or safety, or create a public nuisance.
Future development on the site would be subject to stormwater regulations, including requirements for Low Impact Development, stormwater treatment, stormwater runoff retention, and hydromodification, as applicable to the specific development proposed.

Future development would be served either by individual wells or a shared onsite well. The Tentative Map development plans currently demonstrate a shared well with easements and mutual holding tanks. The site and area have been evaluated for adequate ground water supply. Also, the surrounding properties also are served with on-site wells and there are no known adverse impacts from agricultural, or residential wells.

Future construction activities for single family residential development would likely involve minimal amounts of debris that would need to be removed and disposed of, and existing landfill capacity would be enough to accommodate it. The project would not be in non-compliance with federal, state, local management and reduction statutes and regulations related to solid waste. The future on-site wastewater treatment system will be reviewed, permitted and inspected by the Department of Environmental Health.

MITIGATION: None Required

<table>
<thead>
<tr>
<th>T. WILDFIRE</th>
<th>IMPACT</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant With Mitigation Incorporated</td>
</tr>
<tr>
<td>a) Substantially impair an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

SETTING:

The project is for a two-lot subdivision. The subject property is not located within the Wildland Urban Interface (WUI). The project area is semi-rural in the community of San Martin.

DISCUSSION:
**a-d) No Impact.** Given the low population density and adequate road access, future potential development (one residence and an ADU and JADU on each resulting parcel) would not substantially impair an adopted emergency response plan or emergency evacuation plan. The project site is not on a slope or subject to prevailing winds that expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Water tanks for fire protection would be required for a future development: thus, the project would not exacerbate fire risk or result in temporary or ongoing impacts to the environment. The proposed subdivision and any potential future residential development of Parcel 1 would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

**MITIGATION:** None required.

### U. MANDATORY FINDING OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>WOULD THE PROJECT:</th>
<th>YES</th>
<th>IMPACT</th>
<th>NO</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant Impact With Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
<td>No Impact</td>
</tr>
<tr>
<td>a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Have impacts that are individually limited, but cumulatively considerable (&quot;Cumulatively considerable&quot; means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>
DISCUSSION:

(a, b) **Less Than Significant Impact.** As discussed in the impact sections above, impacts of the proposed project would be less than significant. The proposed project would not have the potential to substantially reduce the habitat of any fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of, or restrict the range of, a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

While there are several non-residential projects within San Martin, that may have impacts that are either significant and unavoidable (for GHG emissions), or less than significant with mitigation (for Aesthetics, Noise, Traffic, Hydrology and Water Quality, that could result in cumulatively considerable impacts. However, as discussed in the analyses provided in this Initial Study, project impacts were found to be less than significant and the contribution of the proposed project to these cumulative impacts would not be considerable. Therefore, the incremental effects of the proposed project are not cumulatively significant when viewed in context of the past, current, and/or probable future projects and less than significant cumulative impacts would occur.

c) **No Impact.** The proposed project is a two-lot subdivision of a 10-acre site in a rural residential area. As described in the environmental topic sections of this Initial Study, the proposed project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.
Initial Study Source List*

1. Environmental Information Form
   [https://www.sccgov.org/sites/dpd/DocsForms/Documents/EnvAss_Form.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/EnvAss_Form.pdf)

2. Field Inspection

3. Project Plans

4. Working knowledge of site and conditions

5. Experience with other Projects of This Size and Nature

6. County Expert Sources:
   - Geologist
     [https://www.sccgov.org/sites/dpd/PlansOrdinancePages/GeoHazards/Pages/Geology.aspx](https://www.sccgov.org/sites/dpd/PlansOrdinancePages/GeoHazards/Pages/Geology.aspx)
   - Fire Marshal
     [https://www.sccgov.org/sites/dpd/AboutUs/Fire/Pages/Fire.aspx](https://www.sccgov.org/sites/dpd/AboutUs/Fire/Pages/Fire.aspx)
   - Roads & Airports
     [https://www.sccgov.org/sites/rda/Pages/rda.aspx](https://www.sccgov.org/sites/rda/Pages/rda.aspx)
   - Environmental Health
     [https://www.sccgov.org/sites/deh/Pages/deh.aspx](https://www.sccgov.org/sites/deh/Pages/deh.aspx)
   - Land Development Engineering
     [https://www.sccgov.org/sites/dpd/AboutUs/LDE/Pages/LDE.aspx](https://www.sccgov.org/sites/dpd/AboutUs/LDE/Pages/LDE.aspx)
   - Parks & Recreation
     [https://www.sccgov.org/sites/parks/Pages/Welcome-to-Santa-Clara-County-Parks.aspx](https://www.sccgov.org/sites/parks/Pages/Welcome-to-Santa-Clara-County-Parks.aspx)
   - Zoning Administration, Comprehensive Planning, Architectural & Site Approval Committee Secretary

7. Agency Sources:
   - Santa Clara Valley Water District
     [https://www.valleywater.org/](https://www.valleywater.org/)
   - Santa Clara Valley Transportation Authority
   - Midpeninsula Regional Open Space District
     [https://openspace.org/](https://openspace.org/)
   - U.S. Fish & Wildlife Service
     [https://www.fws.gov/](https://www.fws.gov/)
   - CA Dept. of Fish & Game
     [https://www.wildlife.ca.gov/](https://www.wildlife.ca.gov/)
   - Caltrans
     [https://dot.ca.gov/](https://dot.ca.gov/)
   - U.S. Army Corps of Engineers
     [https://www.usace.army.mil/](https://www.usace.army.mil/)
   - Regional Water Quality Control Board
     [https://www.waterboards.ca.gov/](https://www.waterboards.ca.gov/)
   - Public Works Depts. of individual cities

8. Planning Depts. of individual cities:
   - Santa Clara County (SCC) General Plan
     [https://www.sccgov.org/sites/dpd/PlansOrdinanciess/GP/Pages/GP.aspx](https://www.sccgov.org/sites/dpd/PlansOrdinanciess/GP/Pages/GP.aspx)
   - The South County Joint Area Plan

9. SCC Zoning Regulations (Ordinance)

10. County Grading Ordinance
    [https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodeId=TITCCODELAUS_DIVC12SULADE_CHIIIGRDR#TOPTITLE](https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodeId=TITCCODELAUS_DIVC12SULADE_CHIIIGRDR#TOPTITLE)

11. SCC Guidelines for Architecture and Site Approval

12. SCC Development Guidelines for Design Review


14. Table 18-1-B of the Uniform Building Code (expansive soil regulations) [1994 version]
    [http://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf](http://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf)

15. SCC Land Use Database

16. Santa Clara County Heritage Resource (including Trees) Inventory [computer database]

17. GIS Database
   a. SCC General Plan Land Use, and Zoning
   b. USFWS Critical Habitat & Riparian Habitat
   c. Geologic Hazards
   d. Archaeological Resources
   e. Water Resources
   f. Viewshed and Scenic Roads
   g. Fire Hazard
   h. Parks, Public Open Space, and Trails
   i. Heritage Resources - Trees
   j. Topography, Contours, Average Slope
   k. Soils
   l. HCP Data (habitat models, land use coverage etc)
   m. Air photos
   n. USGS Topographic
   o. Dept. of Fish & Game, Natural Diversity Data
   p. FEMA Flood Zones
   q. Williamson Act
   r. Farmland monitoring program
   s. Traffic Analysis Zones
   t. Base Map Overlays & Textual Reports (GIS)

18. Paper Maps
   a. SCC Zoning
   b. Barclay’s Santa Clara County Locaide Street Atlas
   c. Color Air Photos (MPSI)
   d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding
Initial Study Source List*

e. Soils Overlay Air Photos
f. “Future Width Line” map set


Area Specific: San Martin, Stanford, and Other Areas

San Martin
20a. San Martin Integrated Design Guidelines

20b. San Martin Water Quality Study
20c. Memorandum of Understanding (MOU) between Santa Clara County & Santa Clara Valley Water District

Stanford
21a. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP) and Environmental Impact Report (EIR)
   https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx

21b. Stanford Protocol and Land Use Policy Agreement
   https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx

Other Areas
22a. South County Airport Comprehensive Land Use Plan and Palo Alto Airport comprehensive Land Use Plan [November 19, 2008]

22b. Los Gatos Hillsides Specific Area Plan

22c. County Lexington Basin Ordinance Relating to Sewage Disposal


22f. Monterey Highway Use Permit Area

23. USDA, SCS, “Soils of Santa Clara County”
24. USDA, SCS, “Soil Survey of Eastern Santa Clara County”

Agricultural Resources/Open Space

25. Right to Farm Ordinance

26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"


28. Williamson Act Ordinance and Guidelines (current version)
   https://www.sccgov.org/sites/dpd/Programs/WA/Pages/WA.aspx

Air Quality

29. BAAQMD Clean Air Plan


Biological Resources/
Water Quality & Hydrological Resources/
Utilities & Service Systems

32. Site-Specific Biological Report

33. Santa Clara County Tree Preservation Ordinance

Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts

Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications

33. Clean Water Act, Section 404
Initial Study Source List*

34. Riparian Inventory of Santa Clara County, Greenbelt Coalition, November 1988

35. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]

36. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]

37. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]

38. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"

39. County Environmental Health Department Tests and Reports

Archaeological Resources
40. Northwest Information Center, Sonoma State University
41. Site Specific Archaeological Reconnaissance Report

Geological Resources
42. Site Specific Geologic Report

43. State Department of Mines and Geology, Special Report #42
44. State Department of Mines and Geology, Special Report #146

Noise
45. County Noise Ordinance

Hazards & Hazardous Materials
46. Section 21151.4 of California Public Resources Code
47. State Department of Toxic Substances, Hazardous Waste and Substances Sites List

Transportation/Traffic
51. Official County Road Book

52. Site-specific Traffic Impact Analysis Report

*Items listed in bold are the most important sources and should be referred to during the first review of the project, when they are available. The planner should refer to the other sources for a particular environmental factor if the former indicates a potential environmental impact.
Notice of Intent to Adopt a Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project will not have a significant effect on the environment.

<table>
<thead>
<tr>
<th>File Number</th>
<th>TAZ</th>
<th>APN(s)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>PLN18-11011</td>
<td>263</td>
<td>830-20-016</td>
<td>7/23/2020</td>
</tr>
</tbody>
</table>

Project Name: Sheikh Subdivision
Project Type: Two-lot subdivision

Person or Agency Carrying Out Project:
Santa Clara County Planning Department
Address: 70 w. Hedding St. SJ 95110
Phone Number: 408-299-5786

Name of Applicant:
Hannah and Brunetti Engineers
Address: 7651 Egleberry St, Gilroy
Phone Number: 408-299-5786

Project Location
The 10-acre site is located on Columbet Road, within the unincorporated community of San Martin in southern Santa Clara County. The site is currently undeveloped and has recently been used for row crops in conjunction with the neighboring property to the south, which was once in common ownership. However, the parcel is not restricted by a Williamson Act Contract. The property is relatively flat (average slope of 5%). Several single-family residences exist on surrounding properties, as well as open space and farmland properties. The site is within a liquefaction hazard area, however no creeks/water bodies are in the immediate vicinity of the site. The site is within the Airport Influence Area (AIA) of the San Martin Airport.

Project Description
The proposed project is subdivision of a 10-acre parcel into two lots. The subject property is located on the east side of Columbet Avenue in San Martin approximately 500 feet northeast of Masten Avenue and approximately half miles east of State Route 101 (see Figure 1). The parcel (assessor’s parcel number 830-20-016) is located within the RR-5ac (Rural Residential, with a minimum lot size combining district of 5 acre) zoning district. The proposed subdivision would divide the existing 10-acre (gross) parcel into two lots each of 5 gross acres. Per County Ordinance, approval of the subdivision would grant Building Site Approval on both lots being created. Conceptual single-family residential building sites are shown on the tentative map (Figure 2). In addition to single-family residences, future development could include accessory dwelling units, driveways, fire truck turnarounds, leach fields and landscaping on each lot. The future residences on each lot would be served by on-site wastewater systems and ground-water wells. For feasibility, a shared well with an easement is shown, but individual wells could also be proposed at the time of development. Minor grading associated with the driveway encroachments are proposed subdivision improvements. Grading associated with the future building site improvements on each lot would require individual grading approval prior to issuance of development permits. Conceptual grading quantities are 121 cubic yards of total cut and 388 cubic yards of total fill for Parcel A and 198 cubic yards of total cut and 273 cubic yards of total fill for Parcel B. Development would not require removal of existing trees.
**Purpose of Notice**

The purpose of this notice is to inform you that the County Planning Staff has recommended that a Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, finds that the proposed project **could not have a significant effect on the environment**. The project site is not on a list of hazardous material sites as described by Government Code 65962.5 (Cortese List).

A public hearing for the proposed project is tentatively scheduled for the Zoning Administrator in June/July either through a virtual teleconference meeting or in the County Government Center. A separate notice will be sent to you informing you of the hearing date and meeting format. It should be noted that the approval of a Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.

<table>
<thead>
<tr>
<th>Public Review Period:</th>
<th>Begins:</th>
<th>Ends:</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-days</td>
<td>6/12/2020</td>
<td>7/01/2020</td>
</tr>
</tbody>
</table>

Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the above date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the attention of Mark J. Connolly at the County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5770, or can be emailed to mark.connolly@pln.sccgov.org. A file containing additional information on this project may be reviewed at the Planning Office under the file number appearing at the top of this form. For additional information regarding this project and the Negative Declaration, please contact Mark J. Connolly at (408) 299-5786 or Mark.Connolly@pln.sccgov.org.

The Negative Declaration and Initial Study may be viewed at the following locations:

1. Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110
3. County of Santa Clara South County Offices

**Responsible Agencies sent a copy of this document**

None

**Prepared by:**

Mark J. Connolly Planner _______________ 6/12/2020

**Approved by:**

Mark J Connolly, CEQA Lead _______________ Signature Date
ATTACHMENT B

Proposed Subdivision Conditions of Approval
ATTACHMENT B

Preliminary Conditions of Approval

TENTATIVE MAP SUBDIVISION APPROVAL

CONDITIONS OF APPROVAL

Owner/Applicant: Khalil Sheikh / Hannah and Brunetti Engineering
File Number: PLN18-11011
Location: 11014 Columbet Ave San Martin, CA 95046

Project Description: Tentative Parcel Map to subdivide an approximately 10.00-gross-acre parcel into two lots of five gross-acres, respectively

If you have any question regarding the following preliminary conditions of approval, call the person whose name is listed as the contact for that agency. He or she represents a particular specialty or office and can provide details about the conditions of approval.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Name</th>
<th>Phone</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning</td>
<td>Mark Connolly</td>
<td>(408) 299-5786</td>
<td><a href="mailto:mark.connolly@pln.sccgov.org">mark.connolly@pln.sccgov.org</a></td>
</tr>
<tr>
<td>Land Development Engineering</td>
<td>Eric Gonzales</td>
<td>(408) 299-5731</td>
<td><a href="mailto:eric.gonzales@pln.sccgov.org">eric.gonzales@pln.sccgov.org</a></td>
</tr>
<tr>
<td>Department of Environmental Health</td>
<td>Darrin Lee</td>
<td>(408) 918-3435</td>
<td><a href="mailto:Darrin.lee@pln.sccgov.org">Darrin.lee@pln.sccgov.org</a></td>
</tr>
<tr>
<td>Fire Marshal’s Office</td>
<td>Alex Goff</td>
<td></td>
<td><a href="mailto:Alex.goff@pln.sccgov.org">Alex.goff@pln.sccgov.org</a></td>
</tr>
<tr>
<td>Geology</td>
<td>Jim Baker</td>
<td></td>
<td><a href="mailto:Jim.baker@pln.sccgov.org">Jim.baker@pln.sccgov.org</a></td>
</tr>
<tr>
<td>Roads and Airports</td>
<td>Leo Camacho</td>
<td></td>
<td><a href="mailto:Leo.camacho@rda.sccgov.org">Leo.camacho@rda.sccgov.org</a></td>
</tr>
<tr>
<td>Building Inspection</td>
<td></td>
<td>(408) 299-5700</td>
<td><a href="http://www.sccbuilding.org">www.sccbuilding.org</a></td>
</tr>
</tbody>
</table>

STANDARD CONDITIONS OF APPROVAL

Planning
1. Approval of a Tentative Parcel Map with a configuration as shown on the tentative map received by the Planning office on February 19, 2020, and stamped as APPROVED on July 31, 2020.
2. No development is proposed or approved as part of this subdivision, beyond the minimum necessary subdivision improvements.

3. Existing zoning is RR-5ac (Rural Residential base district 5-ac minimum). Future development shall comply with all setbacks required by the County Zoning Ordinance at the time applications for development are submitted.

4. Should the project not meet the exceptions to Section C12-407 of the County Grading Ordinance, the applicant shall apply to the Planning Office for a Grading Approval.

Land Development Engineering

5. 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.

Department of Environmental Health

6. 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.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO RECORDATION OF THE FINAL MAP

Planning / Airport Land Use Commission

7. Dedicate an avigation easement to the County of Santa Clara on behalf of San Martin Airport. Submit current grant deed and parcel map, or an acceptable location map, to the Roads and Airports Department for preparation of avigation easement.
Land Development Engineering

Maps

8. Prepare and submit a Parcel Map for review and approval by the County Surveyor.

9. Parcels 1 and 2 must be surveyed by a Licensed Land Surveyor or Registered Civil Engineer. Monuments shall be set, reset, or verified in accordance with County standards, the California Subdivision Map Act, and/or the California Land Surveyor’s Act map recordation.

10. All Easements shall be dedicated as a part of the Final Parcel Map.

11. A monument bond shall be posted prior to recording the Parcel Map.

Utilities

12. Provide letters from the utility companies stating that all easements and financial obligations have been satisfied. These shall include:
   1. Gas Company
   2. Electric Company
   3. Telephone Company

13. (Contact the utility companies immediately as these clearances may require over 90 days to acquire.)

Soils and Geology:

14. Submit one copy of the signed and stamped of the geotechnical report for the project.

Agreements

15. Enter into a land development improvement agreement with the County. Submit an Engineer’s Estimate of Probable Construction Cost prepared by a registered civil engineer with the all stages of work clearly identified for all improvements and grading as proposed in this application. Post financial assurances based upon the estimate, sign the development agreement and pay necessary inspection and plan check fees, and provide County with a Certificate of Worker's Compensation Insurance.
Department of Environmental Health

16. The site plan indicates that domestic water is supplied by a well. Prior to map recordation, it must be demonstrated that the shared well provides an adequate supply of water to each developing lots. A well log must be submitted which shows a 50 foot sanitary seal, and satisfactory pump tests must be completed. In addition to the above referenced information, a shared well agreement and engineered plans shall be required for water clearance.

Roads and Airports

17. Obtain a Santa Clara County Roads and Airports Department (RAD) Encroachment Permit for the following required improvements:

18. Improvement of the property’s Columbet Avenue frontage to County Standard B/4A.

19. The process for obtaining an Encroachment Permit and the forms that are required can be found at: www.countyroads.org > Services> Apply for Permits > Encroachment Permit.

20. Construct all of the improvements approved under the Encroachment Permit.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO FUTURE BUILDING PERMIT ISSUANCE

Planning

21. Prior to building permit issuance, record a Notice of Permit and Conditions with the County Office of Clerk-Recorder, to ensure that successor property owners are made aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided pursuant to §5.20.125.
Land Development Engineering

Drainage

22. Fill out and submit the forms in the Low Impact Development and Post Construction Stormwater Management Requirements (PCR) Applicant’s Packet.

23. Comply with the requirements of the Central Coast Regional Board Requirements for development

Fire Marshal’s Office

24. Final map shall include verification of recorded shared water (well and above ground storage for fire protection) agreement for both lots in perpetuity.

Department of Environmental Health

Parcel A

25. Based upon an average adjusted percolation of 65.4 minutes per inch (0.33 gallons per day per square feet), sewage disposal conditions have been determined at 341 lineal feet plus 341 lineal feet of subsurface drainline. The two drainline systems must be connected through a positive diversion valve. A 1500-gallon septic tank shall be required. This septic system is adequate to serve a three bedroom house.

Parcel B

26. Based upon an average adjusted percolation of 14.6 minutes per inch (0.72 gallons per day per square feet), sewage disposal conditions have been determined at 156 lineal feet plus 156 lineal feet of subsurface drainline. The two drainline systems must be connected through a positive diversion valve. A 1500-gallon septic tank shall be required. This septic system is adequate to serve a three bedroom house.

27. At the time of application for a building permit, submit four (4) revised plot plans to scale (1” = 20’) on a grading and drainage plan showing the house, driveway, accessory structures, septic tank and required drainlines to contour, in order to obtain a septic system permit. Maintain all setbacks as
outlined within County of Santa Clara Onsite Manual. The original plans must be submitted to Environmental Health for sign-off prior to the issuance of the septic system permit, and submitted as the final grading plan to Land Development Engineering when a grading permit is required. Contact Jeff Camp at 408-3473 for signoff.

County Geologist

28. Submit a geotechnical report that includes an evaluation of the potential for ground surface deformation due to liquefaction. The site is partially (the southwestern 1/4) within a County Liquefaction Hazard Zone. That is the area where the proposed building pads are shown. Contact the County Geologist to discuss the scope of study required. Pay the appropriate report review fee when submitting one wet-signed original and an electronic version (pdf on CD) to the Planning Office.

29. Submit a geotechnical report (prepared and signed by a Registered Geotechnical Engineer) that addresses the potential for ground deformation and the feasibility of siting a house on each of the proposed parcels. The southwestern portion of the site is located within a County Liquefaction Hazard Zone. Pay the appropriate report review fee when submitting one wet-signed original and an electronic version (pdf on CD or attached to an email) of the report to the Planning Office.

Roads and Airports

30. Obtain a Santa Clara County Roads and Airports Department (RAD) Encroachment Permit for the following required improvements:

- Installation of the driveway approach to County Standard B/4. The process for obtaining an Encroachment Permit and the forms that are required can be found at: www.countyroads.org > Services> Apply for Permits > Encroachment Permit.

- 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.
Building Inspection Office

31. 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).

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO BUILDING / PERMIT FINAL

Land Development Engineering

32. 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.

Environmental Health

33. 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.

Roads and Airports

34. Construct all of the improvements approved under the Encroachment Permit

NOTE: Contact the County Building Department at: www.sccbuilding.org for information on submittal requirements.
ATTACHMENT C

Location & Vicinity Map
CIVIL ENGINEERS

LAND SURVEYORS

CONSTRUCTION MANAGERS

HANNA-B

UN

TTI

EST. 1910

Notes, Details, Abbreviations & Legend

Lands of Sheikh - Columbet Avenue

SHEET

PLAN #

CONDITIONS AND PERMIT NUMBERS

COVER SHEET FOR SPECIAL

CONSTRUCTION PERMIT AND PLAN

REFER TO ENCROACHMENT AND/OR

APPROVED FOR ISSUANCE

Abbreviations

Land of Sheikh - Columbet Avenue

Notes, Details, Abbreviations & Legend

4

101-1588

APPLICANT: SHEIKH

ROAD: COLUMBET AVENUE

COUNTY FILE NO.