STAFF REPORT
Zoning Administration
March 1, 2018

Item #4

Staff contact: Christopher Hoem, Senior Planner
408-299-5784, Christopher.Hoem@pln.sccgov.org

8207-17S-17G (Formosa Subdivision)
Subdivision and Grading Approval

Summary: Consider recommendations for a proposed Minor Subdivision (2-lots) and Grading Approval to replace Final Map Book No. 831, Pages 18 and 19 (Recordation No. 20175182) for an access driveway from Mt. Hamilton Road. Improvements to Pedro View Road are not proposed.

Owner: Tom Formosa
Applicant: Tom Formosa
Address: 12555 Mt. Hamilton Rd., San Jose
12595 Mt. Hamilton Rd., San Jose
APN: 612-67-014 and 612-67-015
Present Land Use: Single-Family Residences

General Plan: Rural Residential
Zoning: RR-d1
Project Area: ~11.51 acres (combined)
Supervisorial District: 3
Habitat Plan: Rural Development Covered

RECOMMENDED ACTIONS

A. Approve the Addendum to the Mitigated Negative Declaration (Attachment A).
B. Approve the Tentative Map (Attachment D) and Grading Approval, subject to conditions of approval outlined in Attachment B.
PROJECT DESCRIPTION

The project involves a request to approve a new Tentative Map (TM) for a subdivision located at 12555 (Lot 1) and 12595 (Lot 2) Mt. Hamilton Rd., in San Jose, and to approve an emergency vehicle access (private driveway) off of Mt. Hamilton Rd. The new TM and future, associated Final Map would replace a Final Map recorded on March 19, 2009. In 2016, an approximate 20-foot wide driveway was constructed without a grading permit, and constituted a grading violation with the County’s Land Development & Engineering Division. The grading violation would be abated by approving the grading for the driveway and widening it to a 24-foot wide emergency vehicle access to be included on the new Tentative Map.

The new TM would include conditions of approval that are consistent with the originally recorded Final Map in 2009, with the exception of eliminating a requirement to make certain improvements to Pedro View Road. The proposed emergency vehicle access (new driveway) offers superior access for emergency vehicles, over Pedro View Rd. Thus, the improvements to Pedro View Road are no longer necessary. Although the Applicants do not have occupancy for the two (2) new homes at this time, approval of a new TM will not remove the Applicants’ responsibility to construct their homes and properties to be in substantial compliance with the permits issued for development of said homes.

REASONS FOR RECOMMENDATION

Per County Ordinance Code §C12-73, the Zoning Administrator is the decision-making authority for Tentative Maps for four (4) or fewer parcels.

A. Environmental Review and Determination (CEQA)

This project has been reviewed in accordance with the California Environmental Quality Act (CEQA) and it has been determined that an Addendum to the adopted Mitigated Negative Declaration (MND) for the original 2-lot subdivision is necessary. (See Attachment A.)

Staff finds that such Addendum is adequate because the project includes only minor technical changes, and none of the conditions described in section 15162, calling for the preparation of a subsequent EIR or negative declaration, have occurred. (See CEQA Guidelines 15164(b)).

B. Proposal

The Zoning Administrator may grant the proposed Subdivision Approval and Grading Approval, subject to the applicable findings as listed below, and project conditions outlined in Attachment B.

Subdivision Findings:
The Zoning Administrator may issue Subdivision Approval if it makes none of the following findings listed in Section C12-122 of the County Ordinance. Listed below are the individual
findings in **bold**, and an explanation relating to how the proposed project does **not** meet each of the respective findings.

(a) **That the proposed map is not consistent with applicable general and specific plans.**

The property has a General Plan designation of Rural Residential. The Rural Residential General Plan designation allows primarily residential, agricultural, and open space uses. The allowable density of development shall be 5 to 20 acres per dwelling unit. The proposed subdivision would maintain existing parcel sizes of 5.46 and 6.05 acres, both of which continue to meet the minimum standards for subdivision. The shape and configuration of the existing lots would not change. The property is zoned RR-d1 (Rural Residential, with a Design Review Combining District) with a minimum lot size of 5 acres. The existing size of the properties, and their single-family use, complies with the General Plan and meets the minimum lot sizes prescribed in the Zoning Ordinance. As such, the proposed TM is consistent with the applicant general and specific plans, and this finding cannot be made.

(b) **That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**

The design and improvement of the proposed subdivision, in accordance with the adopted mitigation measures and conditions listed in Attachment B, will continue to be consistent with the General Plan designation of Rural Residential, with respect to allowed land uses and development density. Although Lots 1 and 2 will be visible from the Valley floor and neighboring parcels, the mitigation measures imposed by the adopted MND will ensure that the existing development will continue to not degrade the existing visual character of the site and its surroundings. Furthermore, the proposed emergency vehicle access is physically and geometrically superior to Pedro View Road and will allow more timely response by emergency personnel. As such, the design and continued improvements of the subdivision are consistent with the applicable general and specific plans, and this finding cannot be made.

(c) **That the site is not physically suitable for the type of development.**

Both parcels are currently under construction with two (2) new single-family residences, that were approved with the original subdivision recorded in 2009, and subsequently issued Building Permits. Each home is close to achieving occupancy and near completion. Additionally, each property is served by well and septic systems. No additional development may occur unless there is full compliance with all the conditions listed in Attachment B, which pertain to, among other things, emergency access, water supply, and sewage disposal. As such, this finding cannot be made.

(d) **That the site is not physically suitable for the proposed density of development.**

The site is physically suitable for the existing density of development, which consists of one (1) single-family residence on each of the two (2) parcels. This constitutes a
development density of approximately one (1) dwelling unit per 5.75 acres. Furthermore, neither lot has topographical, geological or hydrological constraints that would otherwise make the proposed subdivision unsuitable. As such, this finding cannot be made.

(e) 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.

While the subdivision site is located in a visible area of the eastern foothills of the Santa Clara valley, the design of the subdivision and proposed improvements will not cause substantial environmental damage or substantially injure fish or wildlife or their habitat. Mitigation measures and conditions of approval have been incorporated into the project which will prevent any negative visual impacts associated with the subdivision improvements. No trees are proposed for removal as part of the proposed subdivision. As such, this finding cannot be made.

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

The design of the subdivision and the proposed improvements will not cause any serious public health problems. The project site is located in an urban area and does not contain any natural or man-made hazards. As such, this finding cannot be made.

(g) 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. In this regard, the approval authority may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This section shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to determine that the public at large has acquired easements for access through, or use of property within, the proposed subdivision.

The design of the subdivision and proposed improvements, in accordance with the conditions listed in Attachment B, will not conflict with any existing easements on the property. Furthermore, the proposed emergency vehicle access will be an easement noted on the new Final Map, and is physically and geometrically superior to Pedro View Road and will allow more timely response by emergency personnel.

**Grading Approval**
The Zoning Administrator may issue Grading Approval if able to make all the following findings listed in Section C12-433 of the County Ordinance. Listed below are the required findings noted in bold, and a discussion relating to how the proposed project conforms to the findings following.
(a) The amount, design, location, and the nature of any proposed grading is necessary to establish or maintain a use presently permitted by law on the property.

(b) The grading will not endanger public and/or private property, endanger public health and safety, will not result in excessive deposition of debris or soil sediments on any public right-of-way, or impair any spring or existing watercourse.

(c) Grading will minimize impacts to the natural landscape, scenic, biological and aquatic resources, and minimize erosion impacts.

(d) For grading associated with a new building or development site, the subject site shall be one that minimizes grading in comparison with other available development sites, taking into consideration other development constraints and regulations applicable to the project.

(e) Grading and associated improvements will conform with the natural terrain and existing topography of the site as much as possible, and should not create a significant visual scar.

(f) Grading conforms with any applicable general plan or specific plan policies; and

(g) Grading substantially conforms with the adopted ‘Guidelines for Grading and Hillside Development’ and other applicable guidelines adopted by the County.

A total of 333 cubic yards of cut and 446 cubic yards of fill are associated with the emergency vehicle access (private driveway), which include grading that was conducted without permits, as well as proposed grading to expand the driveway from 20 feet to 24 feet. This is the minimum amount of grading necessary to provide effective emergency vehicle access to the building sites, which are permitted to be used as, and are currently developed with, single-family residential dwellings. The grading does not endanger public or private property. The proposed emergency vehicle access is straighter, wider, and flatter than the access that exists via Pedro View Road, which contains a narrow “hair-pin” turn and steep slopes. (See Figure 1 of Attachment A for an oblique aerial overview of the project site.) Therefore, the project enhances the public health and safety, and will not result in any excessive deposition of debris or soil sediment within Pedro View (a right-of-way). The design and location of the emergency vehicle access minimizes aesthetic and erosion impacts. The access is located on a relatively flat portion of the property, and is not visible from the Santa Clara valley floor. The segment of Mt. Hamilton Road adjacent to the project is not designated a scenic route. There are no biological or aquatic resources within the project. The grading for the emergency vehicle access provides access for both lots to Mt. Hamilton Road. The existing lots contain single-family residences. The grading for the proposed emergency vehicle access conforms to existing topography, general plan policies, and the adopted ‘Guidelines for Grading and Hillside Development’ by (1) being located on gentler slopes, minimizing terrain alteration, (2) creating a common driveway between the two building sites, and (3) maximizing the flattening and widening of the driveway to meet emergency access standards. Lastly, the grading proposed for the emergency vehicular access follows the natural terrain and existing slopes on the property, and is similar to other driveways that take access off
of Mt. Hamilton Road. As such, the emergency vehicular access driveway will meet all of the grading findings and can be supported.

BACKGROUND

The original tentative map for the subdivision was approved by the Board of Supervisors on June 20, 2006, and the final map was recorded on March 19, 2009. The Proposed Mitigated Negative Declaration was circulated for public comment on May 30, 2006 and it concluded that a rezoning was necessary to include the properties within the -d1 Design Review Combining District to address potential aesthetic impacts. Design Review was completed for each single-family residence, and building permits subsequently issued as follows: APN 612-67-015 (previously 612-67-009) on January 24, 2014, and APN 612-67-014 on January 15, 2016. The two residences have been constructed, and are close to obtaining occupancy. The Applicants are required to complete the construction of their homes and properties to be in substantial compliance with the permits issued for development of said homes.

ATTACHMENTS INCLUDED

- Attachment A – Addendum Mitigated Negative Declaration
- Attachment B – Proposed Conditions of Approval
- Attachment C – Location and Vicinity Map
- Attachment D - Tentative Map

STAFF REPORT REVIEW

Prepared by: Christopher Hoem, Senior Planner
Reviewed by: Leza Mikhail, Principal Planner/Zoning Administrator

File No. 8207-17S-17G
Zoning Administration Hearing March 1, 2018
ADDENDUM
MITIGATED NEGATIVE DECLARATION

Pursuant to Section 15164(b) of the CEQA Guidelines, an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary, or none of the conditions described in Section 15162 calling for the preparation of a subsequent negative declaration have occurred. The County of Santa Clara has determined that the project modifications described below require only minor revisions to the previously adopted mitigated negative declaration (MND), does not meet any of the conditions described in Section 15162, and therefore does not require the preparation of a subsequent MND.

<table>
<thead>
<tr>
<th>Project Name: Formosa Subdivision</th>
<th>Project Type: Subdivision</th>
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<tbody>
<tr>
<td>Lead Agency: County of Santa Clara</td>
<td>Location: 12595 Mt. Hamilton Road, San Jose</td>
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<td>Project Proponent: Thomas Formosa</td>
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DESCRIPTION OF PROJECT MODIFICATIONS

On June 20, 2006, the Board of Supervisors for the County of Santa Clara approved a resolution adopting a Mitigated Negative Declaration and a 2-lot subdivision at 12595 Mt. Hamilton Road, San Jose. The Final Map was recorded on March 19, 2009. The proposed Mitigated Negative Declaration, which was circulated for public comment on May 30, 2006, concluded that a rezoning was necessary to include the subject lots within the -d1 Design Review Combining District in order to mitigate potentially significant aesthetics impacts to a less than significant level. Design review was necessary to address aesthetic impacts, namely that the construction of new single-family residences and related improvements associated with the subdivision could contribute to the cumulative degradation of the visual character of the hillsides. The subdivision was rezoned from “RR, Rural Residential” to “RR-d1” on September 28, 2006.

The County issued building permits for single-family residences on each lot as follows: APN 612-67-015 (previously 612-67-009) on January 24, 2014, and APN 612-67-014 on January 15, 2016. Construction of both single family residences is complete, and final building permit approval is contingent upon the completion of the requirements of the Building Permits issued. One Condition of Approval imposed by the 2009 Final Map and Building Permits involved physical improvements to Pedro View Road, a private road from which both lots currently obtain access. See Figure 1 for an oblique aerial representation of the project location and its surroundings.
This addendum analyzes the effects on the environment of (1) establishing an emergency vehicle access along the private driveway connecting the two single-family residences to Mt. Hamilton Road, and (2) removing the previous COA number 16 that required physical improvements to Pedro View Road, to determine if these changes would require subsequent or supplemental environmental review per the conditions described in Section 15162 of the CEQA Guidelines. Such review is required if modifications to a previously evaluated project would meet any of the following conditions:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was
certified as complete or the negative declaration was adopted, shows any of the following:

- The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Following is environmental analysis supporting the conclusion that only minor revisions to the MND are required to address the project modifications, and there is no need for subsequent or supplemental environmental review.

ENVIRONMENTAL ANALYSIS

The MND evaluated the following topics from the Environmental Checklist and concluded there is no potential for significant environmental impact to occur either from construction, operation or maintenance of the proposed project:

- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology / Soils
- Hazards & Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Population and Housing
- Public Services
- Resources and Recreation
- Transportation
- Utilities and Service Systems

Because the modified project only introduces a new access for emergency vehicles to the parcels from Pedro View Road to Mt. Hamilton Road, and the construction and grading of the emergency vehicle access is offset by the removal of construction and grading for Pedro View Road, there would be no new significant impacts.

Aesthetics
The project includes the grading and construction of a 24-foot wide private driveway, providing emergency vehicle access and legal access for both properties in this two-lot subdivision. The visual impacts of the driveway are minimal and would not substantially degrade the existing visual character or quality of the site. The grading closely follows existing contours, there are no proposed retaining walls, and no effect on landscaping or trees. The private driveway is not visible from the valley floor and minimally visible to the immediate neighborhood. The aesthetic impact from the grading and construction of the driveway would remain less than significant, and no mitigation is required.

CONCLUSION
Based on the analysis above, the modified project would not result in new significant environmental impacts, or a substantial increase in the severity of previously identified significant impacts. Impact determinations made in the previously adopted MND would remain the same, and mitigation measures identified to reduce significant impacts to a less-than-significant level would continue to be applied to the modified project.

Prepared by:
Christopher Hoem, Senior Planner, AICP

Signature  2/21/2018
Date
ATTACHMENT B
Preliminary Conditions of Approval
8207-17S-17G

SUBDIVISION APPROVAL AND GRADING APPROVAL

Owner / Applicant: Tom Formosa
File Number: 8207-17S-17G
Location: 12555 (Lot 1) and 12595 (Lot 2) Mt. Hamilton Road, San Jose
Project Description: Tentative Map for a 2-lot subdivision to replace a Final Map recorded in 2009, Grading Approval for emergency vehicle access and shared driveway from Mt. Hamilton Road for Lot Nos. 1 and 2, and proposed replacement conditions of approval, particularly the removal of requirements to improve Pedro View Road.

APPLICATION APPROVED SUBJECT TO CONDITIONS STATED BELOW IN ACCORDANCE WITH PLANS AS SUBMITTED.

NOTE: The following Conditions of Approval supersede and replace the Conditions of Approval for the same two-lot subdivision approved June 20, 2006.

PLANNING
For more information regarding the following conditions, contact Christopher Hoem at 408-299-5784 or Christopher.Hoem@pln.sccgov.org.

1. The parcel configuration, shown on the tentative map, date stamped February 2, 2018, is approved as submitted.

2. Record by separate instrument a reciprocal 40-foot wide ingress/egress easement that provides access from Mt. Hamilton Road to both parcels. The easement must also be an emergency vehicle access. Reference the easement instrument number on the final map.

3. The property is zoned RR-d1. The applicable provisions of Design Review shall apply to future development.

4. Building permits associated with the two single-family residences (Permit Numbers 2014-53525-00 BEMP, issued January 24, 2014, and 2016-58906-00 BEMP, issued January 15, 2016) shall continue to be in substantial compliance with the 2006 subdivision conditions of approval to obtain occupancy of each home, with the exception of improvements to Pedro View Road. These 2018 conditions of approval do not replace previous development requirements associated with the above listed building permits.
GEOLOGY

For more information regarding the following conditions, contact Jim Baker at 408-299-5774 or Jim.Baker@pln.sccgov.org.

5. Prior to issuance of a grading permit, submit a geotechnical engineer’s Plan Review Letter that confirms the plans conform with the intent of the recommendations presented in the approved report.

6. Prior to Grading Completion or release of bond, submit a Construction Observations Letter that verifies the work was competed in accordance with the approved plans.

DEPARTMENT OF ENVIRONMENTAL HEALTH

For more information regarding the following conditions, contact Darrin Lee at 408-299-5748 or Darrin.Lee@deh.sccgov.org.

7. Ensure that the dispersal field and septic system are protected from any grading activities.

LAND DEVELOPMENT ENGINEERING (LDE)

For more information regarding the following conditions, contact Darrell Wong at 408-299-5735 or Darrell.Wong@pln.sccgov.org.

Items marked with an asterisk (*) must be completed prior to building/grading permit issuance.

Items marked with a double asterisk (**) must be completed prior to occupancy or one year from the date of the land development agreement, whichever comes first.

Items marked with a triple asterisk (***) must be completed prior to Recordation of Map.

Plan Review and Process

8. ***) Obtain a Grading & Construction Permit from Land Development Engineering (LDE) prior to beginning any further construction activities. Issuance of the grading/construction permit is required prior to resumption of work on the building permit. A Certificate of Worker’s Compensation Insurance shall be provided to the County prior to permit issuance.

   Expect four to six weeks for plan review and plan check comments. Please contact LDE at (299-5734) for additional information and timelines.

9. ***) The Project Civil Engineer shall submit an Engineers Estimate of Probable Construction Cost with the all above stages of work clearly identified.
Maps

10. *** Prepare and submit a Parcel/Tract Map for review and approval by the County Surveyor.

11. *** 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.

Bonds

12. **/*** 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. (C12-206).

13. * Enter into a land development improvement agreement and submit accompanying performance bond, labor and materialmen’s bond, monument bond (if applicable), fees, and related documents for all access improvements herein described and provide the County with Certificate of Worker’s Compensation Insurance.

Improvement Plans

14. * Final improvement plans shall be prepared by a licensed civil engineer for review and approval by LDE and the scope of work shall be in substantial conformance with the conditionally approved preliminary plans on file with the Planning Office. Include plan, profile, typical sections, contour grading for all street, road, driveway, structures and other improvements as appropriate for construction. The final design shall be in conformance with all currently adopted standards and ordinances.

15. * Survey monuments shall be shown on the improvement plan to provide sufficient information to locate the proposed improvements and the property lines. Existing monuments must be exposed, verified and noted on the grading plans. Where existing monuments are below grade, they shall be field verified by the surveyor and the grade shall be restored and a temporary stake shall be placed identifying the location of the found monument. If existing survey monuments are not found, temporary staking delineating the property line may be placed prior to construction and new monuments shall be set prior to final acceptance of the improvements. The permanent survey monuments shall be set pursuant to the State Land Surveyor’s Act. The Land Surveyor / Engineer in charge of the boundary survey shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.

16. * The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction
period. Include the County’s Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set.

17. * Submit street and drainage improvement plans prepared by a registered civil engineer for review and acceptance to the Land Development Engineering Department.

   a. Private Access Road per County Standard SD2/SD3.
   b. Driveway Approaches per County Standard SD4.
   c. Drainage Ditch Linings per County Standard SD8.
   d. Energy Dissipaters per County Standard SD10.

18. Prior to occupancy of any structures on the development, construct in the field all the aforementioned improvements. Construction staking is required and shall be the responsibility of the developer.

19. * All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.

Drainage

20. * Provide a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. The mean annual precipitation is available on the on-line property profile.

21. Property owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to adjoining property.

Soils and Geology

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

23. *** Submit one copy of the preliminary geotechnical report for the map, prepared by a registered civil engineer, as required by the Santa Clara County Ordinance Code C12-16.3 to Land Development Engineering.

24. * Submit a plan review letter by the Project Geotechnical Engineer certifying that the geotechnical recommendation in the above geotechnical report have been incorporated into the improvement plan.
Storm Water Treatment – SF Bay Watershed

25. * Include one of the following site design measures in the project design: (a) direct hardscape and/or roof runoff onto vegetated areas, (b) collect roof runoff in cisterns or rain barrels for reuse, or (c) construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces. Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design. For additional information, please refer to the C.3 Stormwater Handbook (June 2016) available at the following website:

www.scvurppp.org > Resources > Reports and Work Products > New Development and Redevelopment > C.3 Stormwater Handbook (June 2016)

26. * File a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for coverage under the State General Construction Permit. The SWRCB will issue a Waste Discharge Identification number (WDID). The WDID number shall be shown on the on the final improvement plans. The SWRCB web site is at:

www.waterboards.ca.gov > Water Issues > Programs > Stormwater

Utilities

27. All new utilities, mains and services to residences shall be placed underground and extended to serve the proposed development. All extensions shall be included in the above improvement plans for review and approval. Letters from the utility companies stating that all easements and financial obligations have been satisfied have been provided as a part of the previous 2006 subdivision. Will-serve letters from PG & E, telephone company and utility companies have been provided as a part of the previous 2006 subdivision.

Miscellaneous

28. * Apply to the Planning Office and obtain a grading permit from Land Development Engineering Office prior to any earthwork that is in excess of the limits as outlined in the County Grading Ordinance (starting at section C12-400) and not included as a part of this proposal. Penalties and rigid abatement procedures are required by ordinance for correction of any grading violation.

29. * Maintain the existing deferred improvement agreement for improvement of Pedro View Road which was required by the previous 2006 subdivision approval.

30. Letters from the utility companies stating that all easements and financial obligations have been provided as a part of previous 2006 subdivision approval.
Attachment C - Vicinity Map

City of San Jose

2-lot Subdivision