

**Design Review Administrative Approval and
Grading Approval Findings
PLN19-0091 Pedro View Road**

A. Design Review Findings:

Per Section §5.50.040 of the County Zoning Ordinance, all Design Review applications are subject to the stated scope of review. The overall purpose of design review is to encourage quality design and mitigate potential adverse visual impacts of development. In the following discussion, the scope of review findings is listed in **bold**, and an explanation of how the project meets the required standard is in plain text below.

1. Mitigation of any adverse visual impacts from proposed structures, grading, vegetation removal and landscaping;

The proposed residential development is designed to soften the appearance and blend in with existing topography, as seen from the valley floor, in that the proposed structures will be located on a relatively flat portion of a sloping hillside lot and not exceed 28-foot height. Materials for the residential buildings consist of Hardie Plank siding, stucco, and “Brownstone” Milgard windows. Exterior colors will be muted earthtone colors with Light Reflectivity Value (LRV) less than 45 to soften and blend in with the natural environment. Outdoor lighting will be designed to eliminate off-site spillover and glare, and required tree screening of residential structures and vegetation screening of retaining walls will mitigate any adverse visual impacts.

As proposed, the residential development will not create any significant adverse visual impacts due to proposed landscape screening, siting of structures on a relatively flat area of a 9-acre parcel, away from existing urban development of San Jose, and the quality of the overall design, materials, and colors and will minimize visibility from the valley floor or street right-of-way.

2. Compatibility with the natural environment;

The proposed development is located on the most suitable area of the property in order to minimize grading and blend in with the natural topography. Access to the site will utilize an existing ranch road and the development area is on a relatively flat area of the hillside property, with graded edges curved into the existing hillside contours. Any other location would require significantly more grading and create scarring on the hillside. In addition, native tree and shrub plantings appropriate to the surrounding hillsides are required to minimize visual impacts of the proposed development. Therefore, the proposed single-family residential development and associated site improvements are designed to be compatible with the natural environment.

3. Conformance with the “Design Review Guidelines,” adopted by the Board of Supervisors;

The proposed residential development conforms to the Design Review Guidelines as the siting is located on a relatively flat area below the ridgeline, designed to follow and blend in with the natural contours by rounding off cuts/fills, and minimize excessive grading. Visibility from the valley floor is minimized by following natural contours, use of natural earthtone colors with a Light Reflectivity Value 45 or less, and tree /vegetation plantings to minimize visual impacts of the residential structures and retaining wall. As most of the neighboring parcels are estate homes nearby with significant setbacks to the front, side, and rear, impacts on privacy and view of neighboring properties is minimal.

4. Compatibility with the neighborhood and adjacent development;

The single-family residential development is in keeping with the character of the surrounding neighborhood by blending the design with the existing natural surroundings. The project will not be obtrusive, as structures will not exceed 29-foot height, and it is designed to mitigate any visual impacts through use of materials and colors with an LRV of 45 or less. In addition, outdoor lighting will be designed to eliminate off-site spillover and glare, and landscape screening consists of tree/shrub species native to the surrounding area.

5. Compliance with applicable zoning district regulations; and

Residential uses are allowed uses in Hillside (HS) zoning districts and the project complies with the HS zoning development regulations. Per Zoning Ordinance Section 4.20.020(B)(2), retaining walls are exempt from accessory structure zoning development standards. In addition, per Section 3.20.040(B), retaining walls with elevations less than five (5) vertical feet and less than 80 horizontal feet qualify for administrative design review approval. The proposed retaining walls are in keeping with the –d1 design standards.

6. Conformance with the general plan, any applicable specific plan, other applicable guidelines.

The proposed residential development is located in a suitable portion of the site where the hillside slope is modest in order to minimize grading and disturbance to the site. The landscaping and exterior color and materials will be conditioned to have an LRV of 45 or less to ensure compatibility with the surrounding environment. The proposed development substantially conforms with the Santa Clara County General Plan and Hillside Grading Guidelines, as the proposed residential development is an allowable use in the Hillside and will preserve the natural environment and topography (R-GD-25).

B. Grading Approval Findings:

Pursuant to Section C12-433, all Grading Approvals are subject to specific findings. In the following discussion, the scope of review findings is listed in **bold**, and an explanation of how the project meets the required standard is in plain text below:

1. 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.

The project includes 1,782 cubic yards of cut and 868 cubic yards of fill to construct the single-family residence, secondary dwelling, detached garage/recreation room, driveway, off-site shared private driveway improvements, and ancillary site improvements, which are uses

permitted in the HS zoning district. The amount, design, location and the nature of proposed grading is necessary and appropriate to establish the residential development and required off-site shared driveway improvements for the single family residential use, which is a permissible use in the HS zoning district.

- 2. 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.**

All proposed grading will be located on the subject and adjacent properties and will be engineered to ensure that the construction of the single-family residential development and associated off-site improvements do not endanger public and/or private property, and will maintain the public health and safety of nearby residences and property. No excessive grading will be conducted. No unnecessary cuts or fills will occur. Standard conditions of approval and requirements of final grading plans will ensure that grading around the residential development and off-site retaining walls will not result in slope instability or erosion.

- 3. Grading will minimize impacts to the natural landscape, scenic, biological and aquatic resources, and minimize erosion impacts.**

The proposed grading has been designed to follow contours of the natural topography to the maximum extent possible and will tie-in with the natural topography into the existing hillside slope. The grading will not impose any impacts to biological, aquatic resources, or cultural resources. The plans identify two (2) trees with a diameter of 12-inches or greater will be removed and replacement for the trees, as well as required tree screening to minimize visibility from the valley floor, are conditions of approval.

- 4. 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.**

The existing 9-acre property is undeveloped with land cover consisting of non-native grasslands and several native and non-native trees. The majority of the proposed grading is related to new single family residence, secondary dwelling, detached garage/recreation room, hardscape, and on-site driveway. The grading for the site development is designed to follow the natural contours to the maximum extent possible. No on-site alternative location would minimize grading amounts, and the proposed residential development has been designed to blend in with the adjacent contours. Overall, the grading is designed minimally to establish the residential development, site improvements, and off-site driveway improvements.

- 5. 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.**

The proposed grading is designed to conform with the natural terrain and existing topography, and will not create any significant visual scar. Any other location would require

significantly more grading and create scaring on the hillside that would be visible from the valley floor. The residential development is located on a relatively flat area of a sloped hillside lot. In addition, landscaping with low water native shrubs will minimize potential visual impacts of ancillary site grading as seen from the street or neighboring properties.

6. Grading conforms with any applicable general plan or specific plan policies; and

The proposed grading is in conformance with specific findings and policies identified in the County General Plan. The residential development is designed to minimize the amount, design, and location of required grading in that access to the site will utilize an existing ranch road and located on a relatively flat area of a sloped hillside property. In addition, the grading is minimal to establish an allowable use and will cause minimum disturbance to the slopes and natural features of the land, in keeping with General Plan policy R-GD 22. Visual impacts of grading are minimized by use of the existing ranch road that follows natural terrain in keeping with General Plan policy R-GD 22 25.

7. Grading substantially conforms with the adopted "Guidelines for Grading and Hillside Development" and other applicable guidelines adopted by the County.

The proposed residential development is designed to match the existing terrain, utilizes materials and colors to help blend the residential buildings into the natural terrain, and varied roof heights to reduce building massing and visual bulk. The residential structures are located on level land near existing ingress/egress and access to the property utilizes an existing rural road that will minimize grading quantities, meets emergency access standards, and designed to contours. Therefore, grading conforms with the County Guidelines for Grading and Hillside Development and other applicable guidelines adopted by the County.