STATEMENT OF EXEMPTION

FILE NO. PP14-063
LOCATION OF PROPERTY Kelley Park at 700 Phelan Avenue
PROJECT DESCRIPTION Public Project Exemption for the creation of a temporary 18-hole disc golf course at Kelley Park.

CERTIFICATION

Under the provisions of Section 15304 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.

15304 – Minor Alterations to Land

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Example include, but are not limited to:

e) Minor temporary uses of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc.

Analysis

This project involves minor public alterations in land at Kelley Park to create a temporary 18-hole disc golf course. The project includes creating 18 tee areas, installing 18 baskets, associated signage, benches, and mowing existing grass weeds for travel paths. The project does not involve any tree removal, and will have a negligible, non-permanent effect on the environment.

Harry Freitas, Director
Planning, Building and Code Enforcement

Date: 7/28/2014
Deputy

Project Manager: Whitney Berry
**PUBLIC PROJECT EXEMPTION**  
(PLEASE PRINT OR TYPE AND **SUBMIT IN PERSON**)

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**TO BE COMPLETED BY PLANNING STAFF**

**DATE STAMP**

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**PROJECT TITLE / CIP DATABASE PROJECT NAME:** Kelley Park Temporary Disc Golf Course

**PROJECT LOCATION** (please specify street address or street names and cross streets)

700 Phelan Avenue east of Santer Road in Kelley Park adjacent to Coyote Creek

**PROJECT DESCRIPTION** - include square footage of any new construction (Attach separate sheet if necessary)

The City of San Jose Department of Parks, Recreation and Neighborhood Services would like to issue a Special Use Permit to the Silicon Valley Disc Golf Club to create an 18-hole Disc Golf Course in Kelley Park on 18 acres. The project includes creating 18 tee areas, installing 18 baskets, associated signage, benches, and mowing existing grass wees for travel paths between the tees and baskets.

**ASSessor's PARCEL NUMBER(S):** 477-12-020, 028 & 032

**ACREAGE:** 18 acres

**CHARGE NUMBER:** 390-58-073183 - D052

**DOES THE PROJECT INVOLVE HUD FEDERAL FUNDING/ASSISTANCE?**  
- [ ] NO  - [x] YES

Please indicate whether HUD funding has been awarded, is proposed, or is anticipated, for the proposed project. If yes, indicate type of funding (i.e. CDBG Grant, HOME Investment Partnership Program, Section 108 Loan Guarantee, etc.), funding amount, whether awarded (if known) or application is pending, and fiscal year of award or application request.

**PLEASE REFER TO THE ATTACHED LIST OF EXEMPTIONS AND FIND THE SECTION NUMBER OF THE EXEMPTION THAT BEST DESCRIBES YOUR PROJECT. WRITE THAT SECTION NUMBER IN THE SPACE PROVIDED.**

**SECTION #:** 15034e

**PROJECTED COUNCIL HEARING OR DEPT. HEAD APPROVAL DATE:** NA

**MEMO DUE DATE TO CITY MANAGER OR DEPT. HEAD:** NA

**This exemption application should be submitted to the Planning Division 2 weeks prior to the memo due date.**

**PRINT NAME OF CONTACT PERSON and DEPARTMENT/DIVISION:** David J. Mitchell, Parks, Recreation and Neighborhood Services / PRNS Capital Unit (City Hall)

**TELEPHONE #:** 408-783-5528

**COMPLETE ROUTING ADDRESS:** 200 E. Santa Clara St., 9th Floor, San Jose, CA 95113

**FAX #:** 408-292-8299

**DATE:** 7-22-2014

**SIGNATURE:** [Signature]

**PLEASE SUBMIT THIS APPLICATION IN PERSON TO AN ENVIRONMENTAL PLANNER ON THE 3RD FLOOR OF CITY HALL.**
PUBLIC PROJECT CEQA CLEARANCE CHECKLIST:

Please fill out this checklist and submit the following information with your application two weeks prior the date you would like the CEQA clearance completed:

N/A

☐ ☑ Draft City Council Memo
☐ ☑ Site plan drawn to scale showing the following information:
  Existing buildings and age of structures; proposed structures, landscaping, signage, lighting, parking, and driveways; hours of operation; existing trees to remain and trees to be removed (specify tree species, circumference as measured 24 inches above grade, and condition); specify all existing and proposed uses on site and describe the surrounding land uses; explain all other proposed physical changes to the site (new structures, excavation activities, generators, air compressors, trash enclosures/compactors, lighting, etc).

☐ ☑ Building Elevations, Floor Plans, Construction Details, and Landscape Plan (unbound plan set)
☐ ☑ Recent site and aerial photographs
☐ ☑ Description of the biotic features of the site (including open spaces, vegetation, waterways or riparian corridors adjacent to or within 300 feet of the site, landscaping, unique biological features or animal species)

☐ ☑ Explanation of the proposed use and hours of operation, etc.
☐ ☑ Any discretionary review or actions (and tentative dates) expected to be taken on the project. (e.g. City Council approval, RDA Board approval, other agency approval, etc)

☐ ☑ List of any other local, state regional or federal permits required for the project
☐ ☑ List of any professional reports prepared for the project (soils or groundwater testing, archaeology, historic, noise, trees survey, biotic, etc.)

☐ ☑ Any proposed change in drainage patterns of the site. Percentage of the site currently covered by impervious surfacing (buildings, asphalt driveways, etc.) and percentage of site proposed to be covered by impervious surfacing after project completion. The Non Point Source table may be used and attached to the application. A Stormwater Control Plan may be required per Council Policy 6-29. (Include information in planset)

☐ ☑ Any hazardous materials proposed to be used as a part of this project.

☐ ☑ State whether the site is listed on any local, state or Federal regulatory database due the hazardous material contamination (check list at the following link) http://lustop.sccgov.org/; http://www.envirostor.dtsc.ca.gov/public/ and http://www.geotracker.swrcb.ca.gov/

☐ ☑ Any proposed exterior uses or equipment that will result in noise? (e.g. Heating, Ventilation and Air Conditioners (HVAC), emergency generators, etc.)

☐ ☑ Details of any public improvements associated with this use (e.g. street vacation, road widening, right-of-way improvements, etc). (Include in planset)

☐ ☑ Project grading and number of cubic yards of cut and fill material (grading and drainage plans if available).

☐ ☑ Any natural waterways on or within 300 feet of the project site.

☐ ☑ Any other information pertaining to the project that was not covered above

Notes:
* Please submit a complete Public Project Application with the draft Council memo, plans and the above checklist
**For a good example of a Public Project Exemption Application please look at PP07-240 using Planning's on-line permitting at: http://www.sanjoseca.gov/planning/counter/

Please provide detailed information and plans for any "yes" answers, above.
PUBLIC PROJECT CEQA CLEARANCE
BACKUP INFORMATION TO CHECK LIST

Project Name
Kelley Park Temporary Disc Golf Course

Project Description
The City of San Jose Department of Parks, Recreation and Neighborhood Services (PRNS) would like to issue a Special Use Permit to the Silicon Valley Disc Golf Club to create an 18-hole Disc Golf Course in Kelley Park on 18 acres. The project includes creating 18 tee areas consisting of up to three tee boxes, installing 18 baskets, associated signage, benches, and mowing existing annual grass for travel paths between the tees and baskets. Parking would be provided in the adjacent parking lot off of Phelan Road.

Kelley Park is a City regional park that contains a variety of facility types from Happy Hollow Park and Zoo to underdeveloped areas. The underdeveloped areas are proposed for future recreational uses. One of these areas is the tentative location for the proposed Temporary Disc Golf Course. PRNS would like to encourage public use of this undeveloped area, which in turns discourage current problems in the area regarding homeless, teenagers, and grass fires.

Plans
See attach photos, plans and details

Existing Conditions/Facilities
This area of Kelley Park is virtually undeveloped with the exception of an existing parking lot, overhead power lines, a paved pathway heading north to connect to the developed park area along the west bank of Coyote Creek, and a adjacent dirt trail to the creek. The existing adjacent parking facility can accommodate approximately 260 vehicles. Within the existing parking lot there are accessible spaces and parking for approximately 10 buses. The area also includes an abandon temporary parking area, which would become part of the disc golf course.

Public vehicular access to the site is from Phelan Avenue. Phelan Avenue is a four lane road on the west side of Senter Road which reduces to two lanes east of Senter Road approaching the site. Senter Road is a six lane road between Keyes/Story and Tully Road. Along Phelan Avenue, east of Senter Road, there are a few on-street parking spaces, trolley car tracks, the entry to History San José facility and the only vehicular access to the adjacent residential homes on Bevin Brook Drive.

Residential homes are located adjacent to part of the project site in the southwest corner. Residential structures are multiple story townhomes that have views into the site. There is a slope with an elevation change of approximately six feet from the study site long this property line. This slope has a couple of large oak trees and several young trees growing on it. The top of the slope is denoted with a spilt rail style wood fence that is probably the
property line. With the exception of the residential land use, the remaining edges of the project site are within Kelley Park.

The project site has a history of use as agricultural lands, originally as part of an area now generally known as the Kelley Farm, later acquired by the City of San José. The northern and southern thirds of the project site were in use as orchards while the center section had various row crops. The farm site was leased by the City and operated by a private party as Jenicke Farms until approximately 1990, at which time the majority of the structures were removed and the permanent parking facility was subsequently constructed. The temporary parking lot expansion followed to support the 2010 re-opening of Happy Hollow Park and Zoo within Kelley Park. The use of the temporary parking lot has been replaced by the new parking lot and bridge adjacent to the eastside of Happy Hollow Park and Zoo.

Topography within the project site is fairly flat, with a very minor west to east slope toward Coyote Creek. The western edge of the site has a bluff that extends up to History San José. On the south side of Phelan Avenue, this bluff is tiered with the residential development. The Phelan Avenue entry into the adjacent parking lot has been graded to reduce the slope between the two elevations.

**Description of biotic features within 300 feet of the site**

The project site is relatively flat and consists of undeveloped grasslands, mature trees, old orchard trees and an abandon temporary surface parking lot. The northern portion includes a paved trail from the parking lot to the developed sections of the Park. The old orchards located within the project site are in a very mature stage of life. Many of the trees are infested with termites and most have not been properly maintained in years. The trees do not have a reasonable production of nuts and most of the wood is not usable.

Coyote Creek borders the site to the north and east. Coyote Creek is considered as a relative high quality riparian area, due to the dense native vegetation, multi-layered structure, and food resources provided by the native trees and vegetation. The southern third of the western edge of the project site is the Bevin Brooks residential project. The middle third of the western edge is the existing parking lot for Kelley Park from Phelan Avenue. The northern third consists of a bluff with developed sections of Kelley Park on it.

**Explanation of the proposed use and hours of operations**

Hours of operations are from sunrise the sunset, seven days a week. It is anticipated the drop-in use of the course would range from 16 to 30 people per hour, or about 200 people a day. It should take about 2.5 hours to complete the course.

**Any discretionary review or actions**

PRNS will hold a community meeting before issuing a Special Use Permit.

**List of any Professional Reports**

The "Soccer Complex at Kelley Park Feasibility Study" prepared for the City of San José by Verde Design (April 10, 2008) made reference to the following studies. The study area
includes the same area proposed for the temporary disc golf course, along with the existing parking lot.

H. T. Harvey & Associates' certified arborist Susan Infalt (ISA #WE-7374A) conducted the riparian assessment on September 5, 2007. The edge of the riparian corridor was defined as the extent of the canopy dripline of riparian trees or shrubs, or the top of bank where woody vegetation was absent. The riparian corridor along Coyote Creek in Kelley Park is considered of relatively high quality. The riparian forest has diverse canopy structure with strata ranging from small trees and shrubs to mature, dominant overstory trees. The corridor provides good shaded riverine aquatic habitat along Coyote Creek; and a variety of structural habitat components valuable to birds and small mammals (standing dead trees, downed woody debris, and brush piles. Although the corridor is dominated by native woody species, many invasive non-native species are present. The corridor is dominated by Fremont cottonwood (Populus fremontii), box elder (Acer negundo), red willow (Salix laevigata), arroyo willow (Salix lasiolepis), and blue elderberry (Sambucus mexicana). Some of the non-native species prominent in patches within the corridor include eucalyptus (Eucalyptus sp.), giant reed (Arundo donax), black locust (Robinia pseudoacacia), olive (Olea europaea), and periwinkle (Vinca major).

H. T. Harvey & Associates plant ecologist Kelly Hardwicke, in October of 2007, conducted reconnaissance-level surveys to assess the habitat within the project area and its ability to support rare, threatened, or endangered plant species. Given the disturbed nature of the remnant orchard, annual grassland, and depression within the study area, no special status plant species were observed, or are expected to occur within the project site. One special status riparian species, maple-leaved checkerbloom (Sidalcea malachroides) may occur within the riparian areas surrounding Coyote Creek, which the proposed disc golf course will not impact.

H. T. Harvey & Associates wildlife ecologist, Elizabeth Jones conducted a reconnaissance-level survey in October of 2007, to assess the habitat within the study site and its ability to support rare, threatened, or endangered wildlife species. The animals that were considered included all federal or state listed and protected species, as well as California Species of Special Concern (CSSC). The section of non-native annual grassland and ruderal habitat adjacent to Coyote Creek provides low-quality breeding and roosting habitat for Burrowing Owls (Athene cunicularia, CSSC) and other nesting birds, and provides potential nesting habitat for western pond turtles as well. However, no Burrowing Owls, active burrows, or bird nests were observed during site surveys, and the habitat quality for Burrowing Owls was found to be marginal at best.

The City’s Environmental Services Department previously performed a Phase I Environmental Site Assessment (ESA) (August, 2007) for the purpose of a feasibility studies related to the development of a soccer sports facility on the southeast portion of Kelley Park, which is addressed as 1300 Senter Road.

A Limited Phase II ESA was conducted regarding residual pesticide contamination and residual petroleum contamination associated with two former underground storage tanks, reported to have been 250 gallon diesel storage tanks used for the farming operation. These fuel tanks were previously removed from the study site without documentation of any soil impacts or leakage and those areas also needed some additional investigation.
Kelley Park Temporary Disc Golf Course

Soil samples for residual pesticide contamination were collected at the study site on September 4, 5, and 6, 2007. Sample locations 1-40 were excavated using hand tools to excavate to the sample depth. Soil samples were then collected and transported to a California certified laboratory. Samples were analyzed for metals by the "CAM17" TTLC metals method. Forty discreet shallow soil samples were collected and composited into twenty samples for analysis. Except for one lead result, all the samples showed levels of lead and other metals that are generally within the levels commonly seen in native soils in Santa Clara Valley. Arsenic and Mercury were present in the soil in most samples with concentrations ranging from non-detect to 4.27 mg/kg ND to 0.49 mg/kg (respectively) with an average for the twenty samples (forty sample locations) for Arsenic of 4.27 mg/kg and 0.117 mg/kg for Mercury which are within the limits determined to be naturally occurring background levels for Santa Clara Valley (Scott, 1991).

Soil sample 33-34 exceeds the hazardous waste concentration. Because the combined sample 33-34 result was well above the other 19 sample results, the laboratory was asked to run the retained samples 33 and 34 separately and those results were found to have low levels of lead, well within the background level consistent with the other samples.

Residual pesticides were measured using the organochlorine pesticide EPA Method 8081A. Forty samples locations were sampled and composited into twenty samples for analysis. The most common concern for Santa Clara Valley is DDT and breakdown products DDE and DDD (total DDT). All samples analyzed showed some concentration of total DDT ranging from a low of 5.3 micrograms per kilogram to a high of 620 µg/kg but for most samples the level was less than 100 µg/kg. The level of concern and designation for hazardous waste for DDT is generally above 1000 µg/kg. None of the sample results exceeded the level of concern and while DDT and breakdown products are present, it is not at a concentration that would present a hazard for future development of the site.

Soil samples for residual petroleum contamination were collected on September 14, 2007. Four sample locations were selected in the general areas of the former farm building and equipment storage areas. Samples were collected at a depth of 24 inches below ground surface using a backhoe to excavate to the sample depth. Samples were then collected using a wooden mallet and six inch brass tubes. The four soil samples were analyzed for petroleum contamination using EPA Method 8015B/8021B. All samples were non-detect for total petroleum hydrocarbons in the gasoline range but samples ss42 showed a trace amount of Toluene at 1.0 µg/kg and xylene at 1.5 µg/kg and ss44 showed xylene at 1.2 µg/kg. These concentrations are near the detection limit for both compounds which is 1.0 µg/kg indicating that this may be a lab or collection error and not indicative of a historical gasoline spill or contamination. The results of the sampling for the former fuel storage areas indicate that there is no residual petroleum contamination in the surface soils and past activities related to fuel storage and use have not impacted the study site.

The results of the sampling indicate that the prior agricultural use of the site has not impacted the surface soils to an extent that would require any special consideration or concern for redevelopment of the site for recreational uses.

Public Improvement

The project would install an 18-hole public disc golf course on City parkland. The improvements consist of 18 tee areas with up to three tee boxes, installing 18 disc baskets,
Kelley Park Temporary Disc Golf Course

associated signage and mowing existing annual grass for travel paths between the tees and baskets. Please see the associated attachments.

Changes to the Site

Percentage of existing site impervious: 0.013% or 10,000 +/- sq ft
Percentage of proposed site impervious: 0.018% or 14,000 +/- sq ft (Tee Boxes)

Site Listing

The lustop, envirostor and the geotracker sites did not show any sites or monitoring wells on or near the proposed project site.

Project Grading

This project is not proposing any land grading to the site, except for the construction of up to 54 tee boxes (6 ft x 12 ft) per the attached detail.

Natural Waterways

Kelley Park sits along the banks of Coyote Creek. The project site is located entirely within the 100 year flood plain associated with Coyote Creek. The proposed project will be setback back at least 100 feet from the riparian vegetation line associated with the west bank of the Coyote Creek.

Other Information

History San José and the City of San José have an agreement for use of an existing parking lot located adjacent to the project site at the end of Phelan Avenue. Per the agreement, History San José may use the parking lot by holding up to 20 events per year with an estimated attendance of over 500 people. Such events would utilize the adjacent parking lot that disc golfers would use. The current agreement between History San José and the City of San José expires in 2018. The parking lot is currently open for events at History San José and Kelley Park, including major event at Happy Hollow Park and Zoo.
NOTES:
1. ENTIRE SIGN COLOR SHALL BE SADDLE BROWN.
2. TEXT AND SUN LOGO SHALL BE PAINTED YELLOW.
3. ALL TEXT ON SIGN TO BE 1/2" RECESSSED ROUTED LETTERING.

STANDARD WOOD PARK CONSTRUCTION SIGN
SCALE: 1/2"=1'-0"
POLE (66 in.) - 1 1/2 in. ID, 1 15/16 in. O.D. hot-dipped galvanized pipe, drilled.

POLES - The holes closest to one end of the pole are for the Chain Assembly. This end should also have a red Pole Cap Plug. The middle set of holes are for the Basket Assembly. The bottom set of holes are for the Locking Collar for Deluxe Disc Pole Hole.

CHAIN ASSEMBLY - Welded and hot-dipped galvanized. 12 outer sliding links and chains, 6 midway lifter hooks and chains, 6 inner pipe protectors and chains. All 24 chains assembled with heavy duty "S" hooks to allow freer movement of chains. 6" Sleeve - Bolt, hex head nut and nylon insert locknut, hex head tec screw, internal tooth star lock washer, (will not vibrate loose like one-way screws).

Rod Assembly - 3/8 in. steel rod.

CHAIN ASSEMBLY INSTRUCTIONS - Slide Chain Assembly, (ring first), down pole. Align holes in collar with holes at top of pole. Fasten with bolt, hex head nut and nylon insert locknut, hex head tec screw, internal tooth star lock washer, (will not vibrate loose like one-way screws).

TRAPPER BASKET ASSEMBLY - 3/8 inch steel rod, welded and hot-dipped galvanized. 6" Sleeve - bolt, hex head nut and nylon insert locknut, hex head tec screw, internal tooth star lock washer, (will not vibrate loose like one-way screws).

TRAPPER BASKET ASSEMBLY INSTRUCTIONS - Slide Basket Assembly down pole, (basket facing up), until holes in collar align with holes in middle of pole. Fasten with bolt, hex head nut and nylon insert locknut, hex head tec screw, internal tooth star lock washer, (will not vibrate loose like one-way screws).

*DELUXE DISC POLE HOLE ONLY

LOCKING COLLAR - Welded and hot-dipped galvanized. 4" Collar 2 1/8" Tubing. Bolt, hex head nut and nylon insert locknut, hex head tec screw, internal tooth star lock washer, (will not vibrate loose like one-way screws).

LOCKING COLLAR ASSEMBLY INSTRUCTIONS - Slide the locking collar, with the locking tab at the bottom of collar, up pole to bottom set of holes. Align holes in locking collar with holes in pole and fasten with bolt, hex head nut and nylon insert locknut, hex head tec screw. After the locking collar is fastened, the pole can be placed in anchor to complete installation.

*Note: The LOCKING TAB should always be pointing at the tee.

ANCHOR - 18 in. x 2 1/8 in. O.D. ppe, drilled. Install flush to ground with matching Locking Tab aiming at the tee.

CONCRETE & RIVER ROCK (Used to stabilize Anchor until cement sets) - Approximately 1 cubic foot (concrete, river rock and lock not
12x18 TEE MARKER SIGN

2" DIA. GALVANIZED PIPE

CONCRETE FOOTING

TEE MARKER SIGN

SCALE: 1/2" = 1'-0"
NOTE:
SPLICE HEADER WITH 1"x4"x6" REDWOOD SPLICE BLOCK, SET 1" BELOW TOP OF HEADER

FINISH GRADE AT SOIL AREA
45° CUT
2"x6" CONSTRUCTION GRADE ROUGH REDWOOD HEADER
FINISHED GRADE OF D.G. PAVING
FINISHED SUB GRADE

(2) 10d GALVANIZED NAILS EACH STAKE
2"x2" CONSTRUCTION GRADE ROUGH REDWOOD STAKE X 14" LONG AT 4'-0" O.C., DOUBLE STAKE SPICES AND CORNERS

SECTION A-A

DECOMPOSED GRANITE DISC GOLF TEE PAD

SCALE: 1"=1'-0"
WOOD BULLETIN BOARD

SCALE: 1/2"=1'-0"

NOTES:

1. ALL REDWOOD LUMBER SHALL BE KILN-DRY CONSTRUCTION HEART SELECT FOR STRAIGHTNESS AND FREE OF LOOSE KNOTS. LUMBER SHALL BE SIZED, TEXTURED AND SPACED AS SHOWN ON PLANS.

2. ALL METAL HARDWARE SHALL BE HOT DIPPED GALVANIZED AND SPECIFIED AS SHOWN ON THE PLANS. ALL BOLTS SHALL BE ACCOMPANIED WITH NUTS AND WASHERS TO BE COUNTERSUNK AND TACK WELDED.

3. ALL PARTS SHALL BE PLUMBED FOR STRAIGHTNESS prior to the construction of the trellis.

4. ALL WORK SHALL BE ACCURATELY CUT, CLEATED AND SET TO LINES SHOWN ON THE PLANS. ALL NAIL HOLEs AND BOLTS SHALL BE PRE-DRILLED WHERE WOOD TENDS TO SPLIT.

5. CONTRACTOR SHALL SUBMIT ENGINEERING CALCULATIONS AND SHOP DRAWING FOR APPROVAL.

6. COLUMNS SHALL BE EMBEDDED IN CONCRETE FOOTINGS. FOR BIDDING PURPOSES, FOOTINGS SHALL BE MINIMUM 12" x 4' deep. FOOTING DEPTHS AND REINFORCMENTS SHALL BE PER THE MANUFACTURER'S RECOMMENDATIONS AND SIZED AS PER THE ENGINEERING CALCULATIONS SIGNED BY A CIVIL OR STRUCTURAL ENGINEER REGISTERED IN THE STATE OF CALIFORNIA.
Welcome to the
Silicon Valley Disc Golf Course
Sponsored by the
Santa Clara County Parks and Recreation Department
And the Silicon Valley Disc Golf Club

- This area is for Disc Golf use only. No picnicking.
- Membership is not required.
- No other use permitted while course is in operation.
- Dogs must be on a leash at all times.
- Please help to keep the park clean.

Hours of operation:
8 a.m. to sunset.

SAMPLE
HELLYER COURSE