

Appendix A
NOP Comments

RE: Proposed project SP20-013 & T20-014 - 1747 Almaden Road**Meiners, Laura** <Laura.Meiners@sanjoseca.gov>

Tue 10/27/2020 1:09 PM

To: 'Heidi Gomoziias' <heidig@compwiseconsulting.com>**Cc:** devora.davis@sanjoseca.gov <devora.davis@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Forster, Steven <Steven.Forster@sanjoseca.gov>; Banwait, Manjit <Manjit.Banwait@sanjoseca.gov>; Cheung, Christy <Christy.Cheung@sanjoseca.gov>; Lapustea, Florin <Florin.Lapustea@sanjoseca.gov>; Trejo, Liana <liana.trejo@sanjoseca.gov>; Rosales, Kenneth <kenneth.rosales@sanjoseca.gov>

Heidi,

Thank you for your interest in this project. Although the project is only proposing 62 units, we understand that this is an increase in density. I have copied our Public Works, Department of Transportation (DOT), and Environmental staff to this email to help address your concerns.

Thanks!

Laura Meiners

Planner III / Project Manager

City of San Jose

Planning, Building, and Code Enforcement (PBCE) Department

(408) 535-7869 - Please note that due to COVID-19, we are not in the office. The best way to reach us will be via email. Thank you for understanding.

From: Heidi Gomoziias <heidig@compwiseconsulting.com>**Sent:** Tuesday, October 27, 2020 12:34 PM**To:** Meiners, Laura <Laura.Meiners@sanjoseca.gov>**Cc:** devora.davis@sanjoseca.gov; District 6 <district6@sanjoseca.gov>**Subject:** Proposed project SP20-013 & T20-014 - 1747 Almaden Road

[External Email]

Laura,

I received the notification of the above captioned project and want to be sure our neighborhood concerns are heard when it comes to the increased traffic along Willow Glen Way. This is now the third, high density project to be in the works for Almaden Road. The residents along Willow Glen Way have for years tried to get the city to consider the traffic and speeding along Willow Glen Way which has only increased as these projects are coming to completion with more proposed.

Willow Glen Way is used as a cut-through from Bird/Lincoln/Pine to Almaden Road by personal vehicles, construction and landscaping heavy equipment to the industrial areas along San Jose Ave, semi-trucks making deliveries to Safeway, UPS trucks as a route back to their distribution center and now for Amazon to their new distribution center on Little Orchard. Regularly we have people ignoring the stop sign at Willow Glen Way and Creek Drive. People speed through at all times of day on a street that is bookended by a senior housing facility

and an elementary school. Our neighborhood complaints about traffic are not new and are increasing with the added residents and vehicles associated with these high density housing projects.

Further, for more than a year I have reported a streetlight outage in front of our home and still the city has not sent anyone out to address the outage. A dark street with speeding cars is dangerous.

We implore the city as well as developers to consider speed abatement measures. We have suggested speed humps (much like the ones the city approved for Blewett Ave), signage as per the attached photo and previous email to Dev Davis's office below and adding a 3-way stop to the intersection of Northern Ave and Willow Glen Way.

It is the collective neighborhood's opinion that the developers of these high density projects must consider the impact upon the existing neighborhood and work with the city to provide solutions. We don't want to oppose these projects as they are enhancing the Almaden Road corridor that has had years of blight, illegal dumping and homeless encampments. But with the good comes the bad of increased traffic, noise and speeding. Please consider the existing residents within the project review process and enter these concerns into public record.

Many thanks on behalf of all of us along Willow Glen Way.

Heidi Gomozas

President

CompWise Consulting

heidig@compwiseconsulting.com

Phone: 408-460-1365

-----Original Message-----

From: Heidi Gomozas <heidig@compwiseconsulting.com>

Sent: Thursday, November 7, 2019 3:58 PM

To: 'district6@sanjoseca.gov' <district6@sanjoseca.gov>

Subject: Drive 25 MPH street signs - Willow Glen Way

Hello Councilmember Davis,

I hope this finds you and your staff well.

We have lived on Willow Glen Way between Creek and Almaden Road for about a decade now. We have a unique perspective being between the senior living facility and the elementary school. Daily we witness people speeding down Willow Glen Way, many times completely failing to stop at the stop sign at Willow Glen Way and Creek Drive. With children walking and riding their bikes morning and afternoons to Galarza and the elderly, some of whom are blind using a cane, it remains a dangerous situation. I work from home so I witness the traffic and pedestrians throughout the day.

About 8 years ago, Pierluigi's office helped install better signage for the senior facility. While it was a start, it has done relatively little to curtail the speeding along the street. When the planning office contacted the neighborhood about the 2 condominium complexes being constructed on Almaden Road, the neighbors expressed their concerns about added traffic along Willow Glen Way. We are a cut through for commuters frustrated with traffic to UPS trucks who fly by going to and coming from the distribution center. There are times when getting out of my driveway is indeed a challenge.

While eventually we would like to see more done, perhaps electronic speed signs installed, these signs (photo attached) that I see all over Santa Clara would be a step in the right direction. Budget wise they do not seem to be costly. Would you support installing perhaps 4 of these along Willow Glen Way from Almaden Road to Bird Ave to curtail the speeding? I have tried to find them for purchase online as I would be willing to incur the cost for my end of Willow Glen Way but I cannot find them.

10/28/2020

Mail - Rosales, Kenneth - Outlook

Per the plans I have looked at for the Guadalupe Trail extension, I believe there will be a stop sign eventually at Willow Glen Way and Northern Road. But I think the implementation is still quite a ways off. In the meantime, I would be extremely grateful if signage like the photo attached would be considered and installed.

Many thanks for all your hard work for District 6.

Heidi Gomozas

President

CompWise Consulting

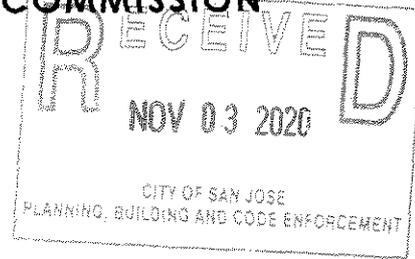
heidig@compwiseconsulting.com

Phone: 408-460-1365

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NATIVE AMERICAN HERITAGE COMMISSION



October 29, 2020

Kenneth Rosales
City of San Jose
200 E. Santa Clara Street
San Jose, CA 95113

Re: 2020100529, Almaden Villas Project, Santa Clara County

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NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Dear Mr. Rosales:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines § 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015. If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). Both SB 18 and AB 52 have tribal consultation requirements. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CALEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,



Nancy Gonzalez-Lopez
Cultural Resources Analyst

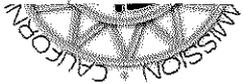
cc: State Clearinghouse

State of California
Native American Heritage Commission
1550 Harbor Blvd., Ste. 100
West Sacramento, CA 95691



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NOV 03 2020

CITY OF SAN JOSE
PLANNING, BUILDING AND CODE ENFORCEMENT
OCTOBER 29, 2020

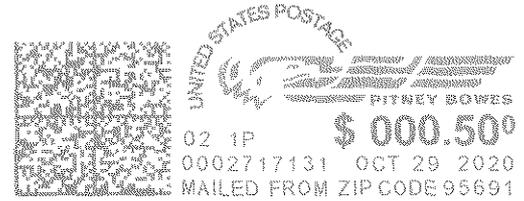


CHAIRPERSON
Laura Miranda
Luiseño

Kenneth Rosales
City of San Jose
200 E. Santa Clara Street
San Jose, CA 95113

Re: 2020100529 Almaden Villas Project, Sr

9511381905 0056



pbce



County of Santa Clara

Parks and Recreation Department

298 Garden Hill Drive
Los Gatos, California 95032-7669
(408) 355-2200 FAX (408) 355-2290
Reservations (408) 355-2201

www.parkhere.org



November 4, 2020

City of San Jose
Planning, Building & Code Enforcement
Attn: Kenneth Rosales
200 E Santa Clara St, T-3
San Jose, CA 95113

SUBJECT: NOP for the Draft EIR for the Almaden Villas Project, 1747 Almaden Road, San Jose

Dear Kenneth Rosales,

The applicant seeks a Special Use Permit to allow the demolition of two vacant existing structures and construction of a six-story, 90,323 square-foot multi-family residential building consisting of 62 residential units with a one-story, at-grade parking garage. The building would have a maximum height of approximately 78 feet from grade to the top of the stairwell, with a roof amenity deck and a yoga/exercise area, on an approximately 0.57-gross acre site. The project also includes an application for a Tentative Map for condominium purposes.

In regard to this proposed project, the Santa Clara County Parks and Recreation Department's review is primarily focused on potential impacts related to the *Santa Clara County Countywide Trails Master Plan Update (CWTMP)* (1995) relative to countywide trail routes, public access, and regional parks. The proposed project does not impact the CWTMP and therefore the County Parks Department has no comments at this time.

Sincerely,

Kelly Gibson

Kelly Gibson
Assistant Planner

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Susan Ellenberg, S. Joseph Simitian

County Executive: Jeffrey V. Smith



Re: Drive 25 MPH street signs - Willow Glen Way - Environmental impact of proposed project SP20-013 & T20-014

Heidi Gomozias <heidig@compwiseconsulting.com>

Tue 11/10/2020 5:25 PM

To: Moua, Louansee <Louansee.Moua@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>

Cc: Meiners, Laura <Laura.Meiners@sanjoseca.gov>; Hamilton, Emelia <emelia.hamilton@sanjoseca.gov>; Peng, Larry <Larry.Peng@sanjoseca.gov>

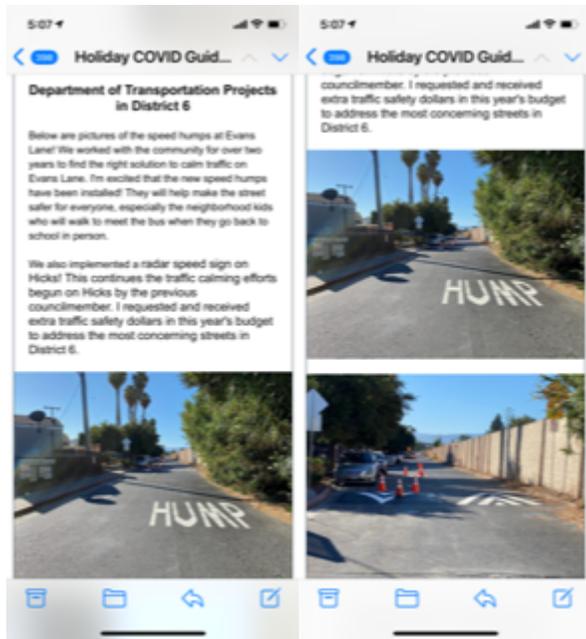
[External Email]

How can we get these done on Willow Glen Way?

Dev's statement states this was due to two years of work with the community. Our neighborhood has been vocal about the speed and use of our street as a cut-through for over the 12 years I have owned my home. We've asked for increase signage, electronic speed signs, speed humps all to no avail. Neighbors have made our own slow down signs and speed limit 25 signs.

Please address the impact of increased traffic, speeding and adverse environmental impact on our once quiet neighborhood.

I would like to coordinate a neighborhood meeting to discuss how Evan's Lane was successful and what our neighborhood community can to achieve the same results using some of these funds Dev is working to allocate to our district. Are these the PROS funds? How can we along Willow Glen Way between Bird and Almaden Road receive some of these extra funds Dev secured?



Heidi Gomozias
Sent from my iPhone

On Nov 2, 2020, at 2:03 PM, Moua, Louansee <Louansee.Moua@sanjoseca.gov> wrote:

Hi,

DOT is working on this and will update once review is final.

Best,

Lou

Louansee Moua
District 6 Team

From: Meiners, Laura <Laura.Meiners@sanjoseca.gov>
Sent: Monday, November 2, 2020 12:43 PM
To: 'Heidi Gomozas' <heidig@compwiseconsulting.com>; Moua, Louansee <Louansee.Moua@sanjoseca.gov>
Cc: Hamilton, Emelia <emelia.hamilton@sanjoseca.gov>; Peng, Larry <Larry.Peng@sanjoseca.gov>
Subject: RE: Drive 25 MPH street signs - Willow Glen Way - Environmental impact of proposed project SP20-013 & T20-014
Thanks Heidi, received.

Louansee, please let me know if you have heard back from DOT on this issue. I am happy to reach out as well. Please advise.

Thanks!

Laura Meiners
Planner III / Project Manager
City of San Jose
Planning, Building, and Code Enforcement (PBCE) Department
(408) 535-7869 - Please note that due to COVID-19, we are not in the office. The best way to reach us will be via email. Thank you for understanding.

-----Original Message-----

From: Heidi Gomozas <heidig@compwiseconsulting.com>
Sent: Monday, November 2, 2020 11:52 AM
To: Moua, Louansee <Louansee.Moua@sanjoseca.gov>
Cc: Hamilton, Emelia <emelia.hamilton@sanjoseca.gov>; Peng, Larry <Larry.Peng@sanjoseca.gov>; Meiners, Laura <Laura.Meiners@sanjoseca.gov>
Subject: RE: Drive 25 MPH street signs - Willow Glen Way - Environmental impact of proposed project SP20-013 & T20-014

[External Email]

Hello Louansee,

I wanted to follow up here on the street signage. Also, I have been in contact with a neighbor on Creek Dr who was instrumental in getting the repaving completed. She has advised her neighborhood group remains concerned about the change of environment within our neighborhood with the increased traffic and parking along our residential streets. With these new developments along Almaden Road we are seeing an influx of cars parking in our neighborhood, leaving the vehicles for days, changing oil in front of our homes and leaving no parking for our residents. The environment of this once quiet neighborhood has changed and we see a greater impact coming with the completion of the developments along Almaden Road.

We believe these issues need to be incorporated in the environmental impact study for the 1747 Almaden project (SP20-013 & T20-014). We have had increased traffic, noise, trash, speeding, etc. While we all want to address the housing crisis in San Jose, the city needs to consider in a master plan allowing for adequate parking for these developments. It is my understanding that when there is a development with low income housing included that the number of parking spaces are not commiserate with the number of residents' vehicles. This needs to be addressed along with the impact of their cars using our neighborhood as a cut-through.

Neighbors have offered to fund raise for stop signs (making Pine/Creek a 3-way-stop and Willow Glen Way/Northern a 3-way-stop). Considering the increase of my property taxes this year and the PROS money, I am certain the city can find a way to make some relatively simple fixes to improve the environment of our neighborhood and lessen the impact of these new developments.

I have reached out to Laura Meiners and I am including her on this email.

Heidi Gomozias
President
CompWise Consulting
heidig@compwiseconsulting.com
Phone: 408-460-1365

-----Original Message-----

From: Heidi Gomozias <heidig@compwiseconsulting.com>
Sent: Tuesday, November 12, 2019 1:46 PM
To: 'Moua, Louansee' <Louansee.Moua@sanjoseca.gov>
Cc: 'Hamilton, Emelia' <emelia.hamilton@sanjoseca.gov>; 'Peng, Larry' <Larry.Peng@sanjoseca.gov>
Subject: RE: Drive 25 MPH street signs - Willow Glen Way

Thank you Louansee. I appreciate it and all that you do.

Heidi Gomozias
President
CompWise Consulting

heidig@compwiseconsulting.com
Phone: 408-460-1365

-----Original Message-----

From: Moua, Louansee <Louansee.Moua@sanjoseca.gov>
Sent: Tuesday, November 12, 2019 1:43 PM
To: heidig@compwiseconsulting.com
Cc: Hamilton, Emelia <emelia.hamilton@sanjoseca.gov>; Peng, Larry <Larry.Peng@sanjoseca.gov>
Subject: RE: Drive 25 MPH street signs - Willow Glen Way

Hi Heidi,

Thank you for your email. I will send this over to DOT staff to see if they can investigate. We will be in touch once we hear back.

Best,

Louansee

Louansee Moua
Deputy Chief of Staff
Councilmember Dev Davis, Council District 6
200 E. Santa Clara Street, 18th Floor
San Jose, CA 95113-1905
W: (408) 535-5626 | C: (408) 396-0258

"The purpose of life is not to be happy. It is to be useful, to be honorable, to be compassionate, to have it make some difference that you have lived and lived well." —
Ralph Waldo Emerson

Follow the Councilmember on Social Media:

P.S. Stay updated on current issues in District 6 and the City of San José by signing up to receive our newsletter here.

-----Original Message-----

From: Heidi Gomoziyas [<mailto:heidig@compwiseconsulting.com>]
Sent: Thursday, November 07, 2019 3:58 PM
To: District 6 <district6@sanjoseca.gov>
Subject: Drive 25 MPH street signs - Willow Glen Way

This message is from outside the City email system. Do not open links or attachments from

untrusted sources.

Hello Councilmember Davis,

I hope this finds you and your staff well.

We have lived on Willow Glen Way between Creek and Almaden Road for about a decade now. We have a unique perspective being between the senior living facility and the elementary school. Daily we witness people speeding down Willow Glen Way, many times completely failing to stop at the stop sign at Willow Glen Way and Creek Drive. With children walking and riding their bikes morning and afternoons to Galarza and the elderly, some of whom are blind using a cane, it remains a dangerous situation. I work from home so I witness the traffic and pedestrians throughout the day.

About 8 years ago, Pierluigi's office helped install better signage for the senior facility. While it was a start, it has done relatively little to curtail the speeding along the street. When the planning office contacted the neighborhood about the 2 condominium complexes being constructed on Almaden Road, the neighbors expressed their concerns about added traffic along Willow Glen Way. We are a cut through for commuters frustrated with traffic to UPS trucks who fly by going to and coming from the distribution center. There are times when getting out of my driveway is indeed a challenge.

While eventually we would like to see more done, perhaps electronic speed signs installed, these signs (photo attached) that I see all over Santa Clara would be a step in the right direction. Budget wise they do not seem to be costly. Would you support installing perhaps 4 of these along Willow Glen Way from Almaden Road to Bird Ave to curtail the speeding? I have tried to find them for purchase online as I would be willing to incur the cost for my end of Willow Glen Way but I cannot find them.

Per the plans I have looked at for the Guadalupe Trail extension, I believe there will be a stop sign eventually at Willow Glen Way and Northern Road.

But I think the implementation is still quite a ways off. In the meantime, I would be extremely grateful if signage like the photo attached would be considered and installed.

Many thanks for all your hard work for District 6.

Heidi Gomozas
President
CompWise Consulting
heidig@compwiseconsulting.com
Phone: 408-460-1365

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untrusted sources.

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Feedback for Almaden Villas Project (SP20-013/T20-014)

Kate Kosoglow <kate.kosoglow@gmail.com>

Thu 11/12/2020 7:23 PM

To: Rosales, Kenneth <kenneth.rosales@sanjoseca.gov>; Kelly, Patrick (PBCE) <patrick.kelly@sanjoseca.gov>

Cc: Richard Kosoglow <richkoso@gmail.com>; Meiners, Laura <Laura.Meiners@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>

[External Email]

To planning team and Councilwoman Davis,

I attended the meeting tonight regarding the Almaden Villas project. At the end of my input, there was literally no response to what I brought up. It seems there was a response to every other participant, so I would like to send my thoughts in writing and get your feedback via email.

I am Kate Kosoglow, owner of 1702 Guadalupe Ave. My single family residential property shares a property line with the Almaden Villas on the south side to the west. This 6-story building will be 7 feet from my property.

San Jose City keeps saying "our hands are tied" in response to concerns about the size, density, and height of this large project because they have 9 affordable housing units. If that is truly the case, then let's talk about where San Jose's hands are NOT tied in the process of approving this project to ensure safety and privacy for the surrounding community.

1) Disallow balconies on the back of the building, not just the ones that stretch past the 45 degree sight line. Balconies encourage views into single family backyards, especially because it is 20 feet closer to our line of homes than every other large development on Almaden. At the very least, require vertical privacy screens on the sides.

2) Make the light at Willow Glen Way and Almaden safe. Make it a 3-way light and move the stop line for cars on Willow Glen Way back to make the left turn onto WG Way easier to make for larger cars and trucks.

3) While all three of the new large developments on Almaden are including the minimum amount of parking required, we all know there will be more cars on the streets and surrounding streets. Since the city cannot require the following from the developer, the city can be proactive to do this and support our community:

a) Re-pave Guadalupe Ave, adding curb skirts to the whole street. This street is in dire need of not just resurfacing but being completely re-done. With the higher traffic and increased parking, this is a necessity for safety.

b) Use the open land across the street from this project to create a public parking lot. This will mitigate parking issues and also make it a safer street for pedestrians.

c) Ensure there is a consistent sidewalk on both sides of the street from Malone to Willow Glen Way. Almaden is currently not safe for pedestrians or bicycles.

We truly hope that San Jose will be proactive in helping our community if they cannot do anything to change the height, density, or size of this massive development.

Thank you!

Kate

(408) 806-2966

On Thu, Oct 29, 2020 at 3:13 PM Rosales, Kenneth <kenneth.rosales@sanjoseca.gov> wrote:

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE ALMADEN VILLAS PROJECT**

FILE NOS: SP20-013/T20-014
PROJECT APPLICANT: Sam Nemazie
APN: 456-03-003

Project Description: The project includes a Special Use Permit to allow the demolition of two vacant existing structures and construction of a six-story, 90,323 square-foot multi-family residential building consisting of 62 residential units with a one-story, at-grade parking garage. Nine of the 62 units will be designated for affordable housing. The building would have a maximum height of approximately 78 feet from grade to the top of the stairwell, with a roof amenity deck and a yoga/exercise area, on an approximately 0.57-gross acre site. The project also includes an application for a Tentative Map for condominium purposes. **Location:** 1747 Almaden Road, west of Almaden Road, approximately 380 feet south of Willow Glen Way.

As the Lead Agency, the City of San José will prepare an Environmental Impact Report (EIR) for the project referenced above. The City welcomes your input regarding the scope and content of the environmental information that is relevant to your area of interest, or to your agency's statutory responsibilities in connection with the proposed project. If you are affiliated with a public agency, this EIR may be used by your agency when considering subsequent approvals related to the project.

A joint community and environmental public scoping meeting for this project will be held virtually:

When: Thursday, November 12, 2020 from 6:00 p.m. to 7:30 p.m.

Where: Via Zoom (link to be provided on project and EIR webpages)

The project description, location, and probable environmental effects that will be analyzed in the EIR for the project can be found on the City's Active EIRs website at www.sanjoseca.gov/activeeirs, including the EIR Scoping Meeting information. According to State law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. Please identify a contact person, and send your response to:

City of San Jose, Department of Planning, Building and Code Enforcement
Attn: Kenneth Rosales, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San Jose CA 95113-1905
Email: Kenneth.Rosales@sanjoseca.gov

Best,

Kenneth Rosales
(He/Him/His)
Planner | Planning, Building & Code Enforcement

City of San Jose | 200 East Santa Clara Street
Email: kenneth.rosales@sanjoseca.gov

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1747 Almaden Rd second community meeting notes

Richard Kosoglow <richkoso@gmail.com>

Thu 11/12/2020 7:23 PM

To: Rosales, Kenneth <kenneth.rosales@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Meiners, Laura <Laura.Meiners@sanjoseca.gov>; patrick.kelly@sanjoseca.com <patrick.kelly@sanjoseca.com>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>

Cc: Kate Kosoglow <kate.kosoglow@gmail.com>

[External Email]

Hello planning team and Councilwoman Davis,

I was unable to speak at the meeting a few minutes ago. After another caller "missed" his slot, my phone responded by telling me I was muted. So I assume my number was misrepresented in the meeting. I was never called on by name or phone number. In any event, I would like to submit my comments to the record.

My name is Rich Kosoglow, my property borders on 1747 Almaden Rd. to the Southwest.

With respect to the coming environmental impact report, I want to note that the traffic analysis must consider the severe difference between current traffic patterns and typical patterns. Many of us are working from home and traffic considerations are minor now, but that situation likely will not continue as things return to normal in the coming years. In addition, the Scotia apartments and the unfinished Almaden road project are not yet occupied. They will eventually add hundreds of cars to the local traffic and parking pattern.

With Almaden Road already short of parking, it is inevitable that our street and Willow Glen Way will be inundated with overflow and guest parking for these apartments. The use of the empty lot across Almaden from the current development, in addition to the underpass area for 87, would go a long way to addressing our concerns. Improvements that have already been requested relating to the stoplight at Willow Glen Way, street repavement, stop line adjustments, and sidewalk construction at Willow Glen Way and Guadalupe Ave are very reasonable requests to reduce the safety and parking impact of these projects on the neighboring area. I hope these will be considered as either a requirement of the developer or a responsibility of the city as a partner to this high density construction.

At the end of the previous community meeting, there was a comment regarding my claim that the property in question was 7 ft from my single family residence. Family interruptions prevented my response at that time. The comment that this is a side-setback is correct. Requirements of a larger setback would be based on an assessment of the local conditions rather than a setback explicitly required by code. However, given the extreme increase in dwelling density from the properties to the west, we feel this consideration is reasonable.

As part of that same response, the representative for the developer pointed to an existing structure with minimal setbacks on our property. To be clear and for the record, this is an 8' tall semi-temporary shed. The use of this structure in an attempt to justify the 7' setback of a 6 1/2 story building is exemplary of the lack of understanding and consideration for the neighborhood that this developer has shown throughout the process.

I recently provided input to the developer and his landscape architect based on my consultation with local arborists suggesting privacy improvements in the landscaping plan for this property. I hope this input is adopted by the developer as the start of a good-faith effort to mitigate the currently aggressive design of the project.

Thank you,
Rich Kosoglow
richkoso@gmail.com
(408) 313 9370

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November 13, 2020

Kenneth Rosales
City of San Jose Dep of Planning
200 East Santa Clara St, 3rd Floor
San Jose, CA 95113

Re: SP20-013/T20-014

Dear Kenneth Rosales,

Thank you for providing PG&E the opportunity to review your proposed plans for SP20-013/T20-014 dated 10/29/2020. Our review indicates your proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you require PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management

NOP of a DEIR for the Almaden Villas Project – SP20-013/T20-014

Jourdan Alvarado <JAlvarado@valleywater.org>

Mon 11/23/2020 10:50 AM

To: Rosales, Kenneth <kenneth.rosales@sanjoseca.gov>

Cc: Usha Chatwani <uchatwani@valleywater.org>; Colleen Haggerty <CHaggerty@valleywater.org>; Michael Martin <MichaelMartin@valleywater.org>; Sunny Williams <sunnywilliams@valleywater.org>

[External Email]

Dear Mr. Rosales:

The Santa Clara Valley Water District (Valley Water) has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the proposed Almaden Villas Project located at 1747 Almaden Road in the City of San José (APN 456-03-003), received on October 29, 2020.

Re-development of the site provides opportunities to minimize water and associated energy use by using recycled water, incorporating on-site reuse for both storm and graywater, and requiring water conservation measures above State standards (*i.e.*, CALGreen). To reduce or avoid adverse impacts to water supply, the City of San José (City) and applicant should consider the following:

- Landscaping that meets or exceeds the requirements of the City's water efficient landscape regulations
- Weather- or soil-based irrigation controllers
- Dedicated landscape meters
- Submeters for multi-family housing
- Dual plumbing to facilitate and maximize the use of alternative water sources for irrigation, toilet flushing, cooling towers, and other non-potable water uses
- Alternative water sources for non-potable uses including recycled water, stormwater, rainwater, and graywater

Much of the southern half of San Jose is within the recharge area of the Santa Clara Plain Groundwater Basin, including the subject property. Natural groundwater recharge is an important component of the region's water supply. Although the loss of a small amount of pervious surface is minor compared to the total amount of natural recharge, Valley Water encourages the City to require low impact development features in the project design to retain as much recharge of treated stormwater capacity on site as possible.

Paving of the site, or replacing pervious surfaces with impervious surfaces, will reduce natural groundwater recharge. The impact of reduced natural groundwater recharge should be analyzed as a cumulative impact. To minimize impacts, Valley Water recommends incorporating Low Impact Development / Green Infrastructure (LID/GI) best practices. Such practices include, but are not limited to, preserving and recreating natural landscape features and minimizing effective imperviousness. By creating functional and appealing site drainage, stormwater can be treated as a resource rather than a waste product. On-site drainage reduces the volume of water flowing directly into the storm drains and subsequently, the nearby rivers and creeks. On-site drainage also provides a natural mechanical filtration of the water which protects groundwater and surface water quality.

The renderings in Figures 5a and 5b show three London plane/sycamore trees at the front of the building. Tree species should be appropriately chosen by assessing the tree height and growth patterns at maturity, ensuring that there is sufficient available soil space and area to support the specific tree species. As shown, the basins and available area are too small to support that tree species.

Valley Water records do not show any wells on the project site; however, it is always possible that a well exists that is not in Valley Water records. Abandoned or unused wells can provide a vertical conduit for contaminants to pollute groundwater. To avoid impacts to groundwater quality, any wells found on-site that will not be used must be properly destroyed in accordance with Ordinance 90-1, which requires issuance of a well destruction permit. Property owners or their representatives should call the Wells and Water Measurement Unit at (408) 630-2660 for more information regarding well permits and registration for the destruction of wells.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06085C0242H, effective May 18, 2009, the site is located within Zone D, which is an area where flood hazards are undetermined, but possible.

Valley Water does not have any right of way or facilities at the project site; therefore, in accordance with Valley Water's Water Resources Protection Ordinance, a Valley Water encroachment permit is not required for the proposed improvements.

We appreciate the opportunity to review this document. If you have any questions, or need further information, you can reach me at (408) 630-2955, or by e-mail at JAlvarado@valleywater.org. Please reference Valley Water File No. 34283 on future correspondence regarding this project.

Sincerely,

JOURDAN ALVARADO, CFM

ASSISTANT ENGINEER II (CIVIL)

Community Projects Review Unit

jalvarado@valleywater.org

Tel. (408) 630-2955 CPRU Hotline (408) 630-2650



SANTA CLARA VALLEY WATER DISTRICT

5750 Almaden Expressway, San Jose CA 95118

www.valleywater.org

Clean Water * Healthy Environment * Flood Protection

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William D. Ross
David Schwarz
Kypros G. Hostetter

Law Offices of
William D. Ross
400 Lambert Avenue
Palo Alto, California 94306
Telephone: (650) 843-8080
Facsimile: (650) 843-8093

Los Angeles Office:

11420 Santa Monica Blvd
#25532
Los Angeles, CA 90025

File No: 504/3

November 30, 2020

VIA E-MAIL TRANSMISSION

Laura.Meiners@sanjoseca.gov
Kenneth.Rosales@sanjoseca.gov

Laura Meiners, Project Manager
Kenneth Rosales, Environmental Project
Manager City of San Jose
200 E. Santa Clara Street San Jose, CA 95113

Re: Notice of Preparation; Draft Environmental Impact Report Almaden Villas-Affordable Housing Project; File Nos. SP20-013 / T20-014

Dear Ms. Meiners and Mr. Rosales:

Our Office represents a group of adjacent and nearby property owners and residents (collectively “residents”) who remain concerned with size, scope and planning and environmental review of the proposed Almaden Villas Affordable Housing Project at 1747 Almaden Road (the “Project”) in the City of San Jose (“City”).

This communication responds to an October 2020 Notice of Preparation (“NOP”) of a Draft Environmental Impact Report for the Almaden Villas Project, a copy of which is attached as Exhibit “A.”¹

The NOP is a combined document consisting of a 2-page NOP which gives notice of a Joint Community and Environmental Public Scoping Meeting to be held on November 12, 2020 and an “actual” NOP consisting of fourteen (14) pages.

The “Notice” NOP indicates that:

“The project description, location and probable environmental effects that will be analyzed in the EIR for the project can be found on the City’s active EIRs website at www.sanjoseca.gov/activeeirs, including EIR scoping meeting information.”

¹ The NOP was received by this Office on or about October 31, 2020.

A review of the City active EIR website discloses a 2-page document which indicates that the *only project document* is the “Notice of Preparation for Almaden Villas-Affordable Housing Project”. A copy of this portion of the City EIR website is attached as Exhibit “B.”

- 1) There is no reference, or a link, to a Project Initial Study or a Project application that is available to the public through the website or in the actual NOP.

The City website indicates that NOP is circulated from October 29, 2020 to November 30, 2020. When the link is accessed, the same actual NOP as referenced in Exhibit “A” is obtained.

- 2) There is no indication on the City active EIR website document nor in the actual NOP as to why the City Staff changed its conclusion for the type of environmental review of the Project from a mitigated negative declaration to a draft Environmental Impact Report.

- 3) The Project Zoom meeting on November 12, 2020, a second so-called “Public Meeting and Workshop”, also failed to be preceded by proper notice as there again were individuals that could *not* access the Zoom meeting because of defective Notice provisions.

Stated plainly, this is the *second time* that members of the public have not been afforded full and complete access to a so-called “Public Scoping Meeting on the Project”. Concerned residents again raise the legislative policy of Government Code Section 65033 for requiring that involved land use agencies, here the City, maximize efforts to assure public participation in significant Land Use Projects.

Also, both Zoom meetings were characterized by interruption by City Staff of public comments on the proposed Project directly relating to its environmental impacts and no provision was made for a group spokesperson.

- 4) Residents claim that the accumulation of inadequate public notice, insufficient participation time *and* access to public meetings on the Project constitute a violation of procedural and substantive due process. *See, Cohan v. City of Thousand Oaks* (1994) 30 Cal. App. 4th 552, 558.

- 5) Because the NOP Initial Study has not been made public, it is unclear what analysis the City Staff went through in analyzing the provisions of CEQA Guideline Appendix G in reaching its conclusion that a draft environmental impact report is now required and how the specified areas of impact are to be analyzed.

Accordingly, residents must *guess* at what the actual content and scope of the Project EIR will be.

Laura Meiners, Project Manager
Kenneth Rosales, Environmental Project Manager
November 30, 2020
Page 3

6) The actual NOP also references under “Other Topic Areas” that EIR will address the Project’s impacts on wildfire resource category, consistent with the CEQA checklist, based in part upon information provided by the Project applicant as well as the City’s General Plan EIR and other available technical data, *none of which* is specified or provided.

It is assumed that in assessing the impact of the Project on the environment, that City Staff relied on, and will rely on the definition of the “environment” in CEQA Guidelines Section 15360.

CEQA Guidelines Section 15360 provides:

“Environment” means the physical conditions which exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. The area involved shall be the area in which significant effects would occur either directly or indirectly as a result of the project. The “environment” includes both natural and man-made conditions. (Emphasis added)

This definition in turn, impacts the “baseline” where quantitative or qualitative standards are used for assessment of the Project on the environment on the areas of impact set forth in CEQA Guidelines Appendix G.

Among the areas where quantitative or qualitative baselines should be applied are those concerning both air quality, greenhouse gases and water quality impacts.

CEQA mandates that the legally correct baseline for impact analysis is the *existing conditions* of a Project’s environment. *See, Woodward Park Homeowners Assn. Inc. v. City of Fresno*, (2007) 150 Cal. App. 4th 683.

For example, with respect to air quality, the impacts on the air quality index of wildfires, which have occurred annually since 2017, should be a part of the analysis. Additionally, any analysis of the air quality impacts should also include the same with respect to any greenhouse gas assessment and evaluation. Also, important, would be assumptions concerning land use such as workers who previously commuted to work now working from home during the COVID-19 pandemic.

Laura Meiners, Project Manager
Kenneth Rosales, Environmental Project Manager
November 30, 2020
Page 4

Residents would note that the issue of the impact of the COVID-19 pandemic was raised early in this process by our communication of July 24, 2020, which is attached as Exhibit "C." Whether COVID-19 is "natural" or "man-made", it is a part of the environment and needs to be considered.

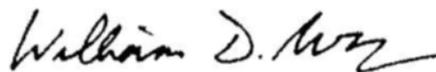
Additionally, impacting several areas of impact is the continued but irregular Public Safety Power Shutoffs ("PSPS") of PG&G in the Project area. Evidence of the continuing and unpredictable impact of COVID-19 is further evidenced by the recent order of the County Public Health Officer which became effective on this date, November 30, 2020, a copy of which is enclosed as Exhibit "D." All of these present current conditions or existing conditions of the environment which must be assessed and evaluated in the Project draft EIR.

Because of the disjointed and incomplete content of the actual NOP, it is unclear because of the lack of an available Initial Study, what the actual proposed scope and content of the Project EIR is to be analyzed by City Staff.

Accordingly, residents respectfully request that the Project EIR be accomplished by an independent consultant, something which is still within the jurisdiction of the City as the Project lead agency.

Residents believe that such an action would assure the objectivity of a thorough CEQA review and would evidence a departure from conduct of City Staff evidencing a predetermination and judgment concerning the Project's environmental impacts.

Very truly yours,



William D. Ross

WDR:as

Enclosures: Exhibit "A": October 2020 NOP
Exhibit "B": Review of the City active EIR website
Exhibit "C": Residents' July 24, 2020 Communication
Exhibit "D": November 30, 2020 Order of the County Public Health

EXHIBIT "A"

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE ALMADEN VILLAS PROJECT**

FILE NOS: SP20-013/T20-014
PROJECT APPLICANT: Sam Nemazie
APN: 456-03-003

Project Description: The project includes a Special Use Permit to allow the demolition of two vacant existing structures and construction of a six-story, 90,323 square-foot multi-family residential building consisting of 62 residential units with a one-story, at-grade parking garage. Nine of the 62 units will be designated for affordable housing. The building would have a maximum height of approximately 78 feet from grade to the top of the stairwell, with a roof amenity deck and a yoga/exercise area, on an approximately 0.57-gross acre site. The project also includes an application for a Tentative Map for condominium purposes.

Location: 1747 Almaden Road, west of Almaden Road, approximately 380 feet south of Willow Glen Way. Assessor's Parcel Number (APN) 456-03-003)

As the Lead Agency, the City of San José will prepare an Environmental Impact Report (EIR) for the project referenced above. The City welcomes your input regarding the scope and content of the environmental information that is relevant to your area of interest, or to your agency's statutory responsibilities in connection with the proposed project. If you are affiliated with a public agency, this EIR may be used by your agency when considering subsequent approvals related to the project.

An online joint community and environmental public scoping meeting for this project will be held:

When: Thursday, November 12, 2020 from 6:00 p.m. to 7:30 p.m.

Where: Via Zoom (see instructions below)

The live meeting will be recorded. You will be muted upon entry to the meeting. Please do not unmute yourself until the presenter has called on you to speak. If you have not participated in a Zoom meeting before, we encourage you to download the Zoom application to your phone, tablet, or computer and feel free to log in early to troubleshoot any technical issues that may arise. Participants who are unable to install Zoom on their computer or mobile device can join a meeting through their computer's web browser. Meeting function maybe limited on a web browser. Zoom currently works best with Google Chrome, Apple Safari, Mozilla Firefox, and Chromium Edge.

Electronic device instructions:

For participants who would like to join electronically from a PC, Mac, iPad, iPhone, or Android device, please click this **URL:** <https://sanjoseca.zoom.us/j/95498660735>

Please ensure your device has audio input and output capabilities. During the session, if you would like to comment, please use the 'raise hand' feature in Zoom conference call or click *9 to raise a hand to speak.

1. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
2. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
3. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
4. If you wish to speak during open forum, click on "raise hand." Speakers will be notified shortly before they are called to speak.
5. When called, please limit your remarks to the time limit allotted.

Telephone device instructions:

For participants who would like to join telephonically please dial **(408) 638-0968** or **(888) 475-4499 (Toll Free)** and, when prompted, enter meeting ID: **954 9866 0735** You may also click *9 to raise a hand to speak.

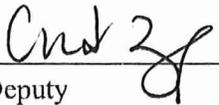
Questions or Public Comments prior to meeting:

If you have questions regarding the meeting or would like to submit your comments prior to the meeting, please e-mail Kenneth.Rosales@sanjoseca.gov. Comments submitted prior to this meeting will be considered as if you were present in the meeting.

The project description, location, and probable environmental effects that will be analyzed in the EIR for the project can be found on the City's Active EIRs website at www.sanjoseca.gov/activeeirs, including the EIR Scoping Meeting information. According to State law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. Please identify a contact person, and send your response to:

City of San José, Department of Planning, Building and Code Enforcement
Attn: Kenneth Rosales, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José CA 95113-1905
Email: Kenneth.Rosales@sanjoseca.gov

Rosalynn Hughey, Director
Planning, Building and Code Enforcement



Deputy

10/22/2020

Date

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE ALMADEN VILLAS PROJECT**

October 2020

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment; to examine methods of reducing adverse impacts; and to consider alternatives to the project.

An EIR is prepared when it is determined by the discretionary authority that a project may have a significant effect on the environment. As the Lead Agency, the City of San José will prepare an EIR to address the environmental effects of the proposed Almaden Villas project.

The EIR for the proposed project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended.

An Initial Study has been prepared, which will be incorporated into the EIR to focus the EIR on potentially significant issues pursuant to CEQA Guidelines 15178. In accordance with the requirements Sections 15120 et. seq. of the CEQA Guidelines, the EIR will include the following:

- A summary of the project;
- A project description;
- A description of the existing environmental setting, probable environmental impacts, and mitigation measures;
- Alternatives to the project; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) the growth inducing impacts of the proposed project; and (d) cumulative impacts.

Project Location

The approximately 0.57-gross acre (Assessor Parcel Number [APN] 456-03-003), is located at 1747 Almaden Road, west of Almaden Road, approximately 380 feet south of Willow Glen Way, south of Downtown San José (refer to Figure 1).

Currently, the site is developed with two vacant commercial buildings that were historically occupied by auto body and various repair shops. A regional and vicinity map showing the site and surrounding land uses are presented in Figure 2.

Project Description

The project would demolish the two existing structures and construct a six-story, approximately 90,323 square foot, multi-family residential building with 62 residential units on an approximately 0.57-gross acres site. Nine units (15% of the total provided units on-site) will be designated for affordable housing. The project proposes an alternative parking arrangement, including the use of puzzle lifts and stacked lift parking, to accommodate 87 parking spaces in the one-story, at-grade garage. Eleven bicycle parking spaces would be also provided in the garage. The building would have a maximum height of approximately 78 feet from grade to top of the stairwell. The project also includes an application for a Tentative Map for condominium purposes.

Proposed residential amenities include a ground-level garden and dog run area; a second-floor community deck with barbeque pits, community kitchen, and club room; and a roof-level lounge patio space, gardening area, and yoga/exercise deck. Floors three through six would have community amenity rooms. Please refer to Figures 3 to 5 for the site plan, floor plans, elevations, and renderings.

Project Approvals Anticipated to be Required

1. Special Use Permit
2. Tentative Map
3. Grading Permit(s)
4. Department of Public Works Clearances
5. Building Permit(s)
6. Demolition Permit(s)

Potential Environmental Impacts of the Project

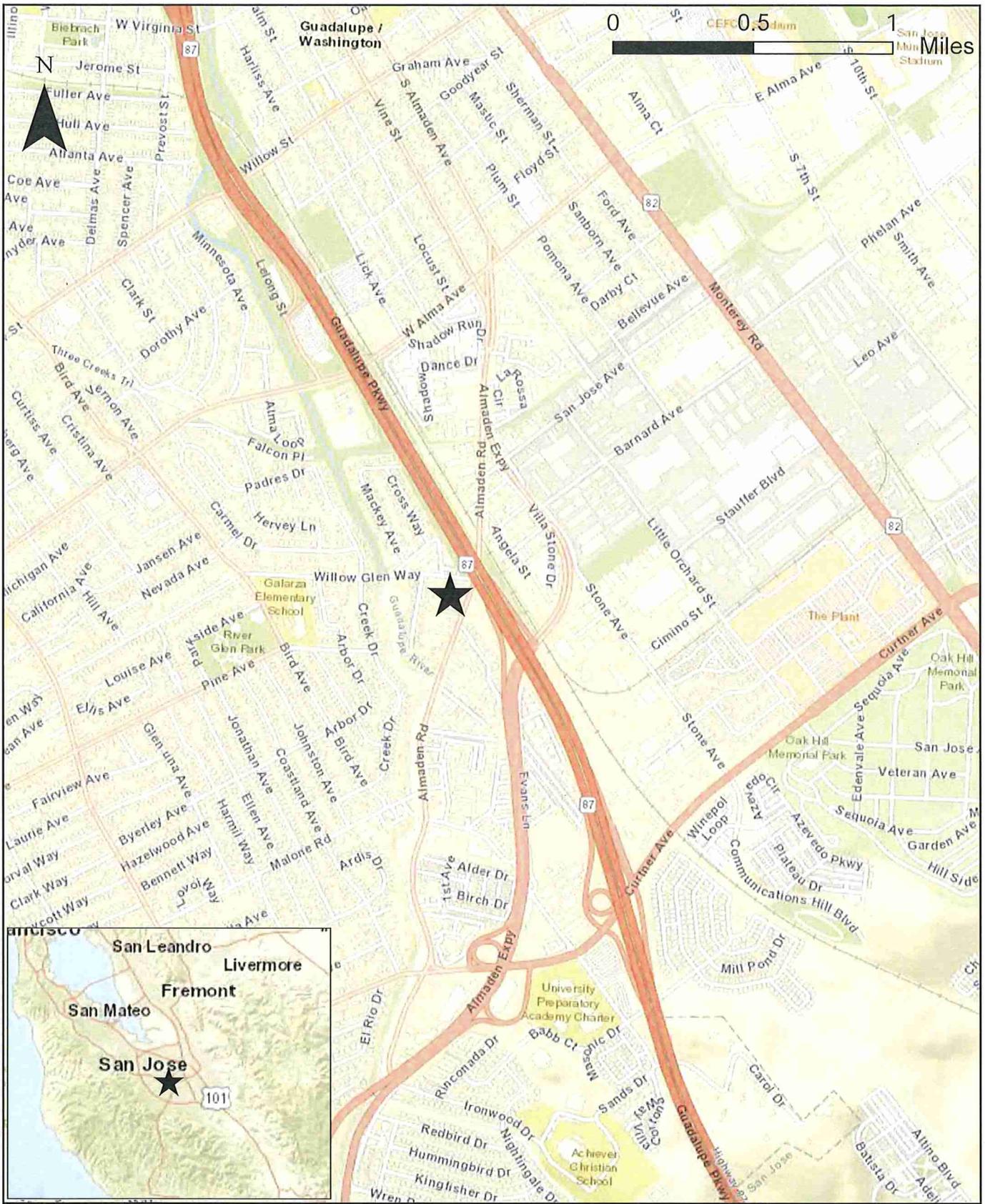
The EIR will identify the significant environmental effects anticipated to result from development of the project as proposed. Mitigation measures will be identified for significant impacts, as warranted. The EIR will include and analyze the following specific environmental categories as related to the proposed project:

- **Aesthetics** – The proposed development would demolish the two existing structures on-site and construct a six-story, multi-family residential building. The EIR will describe the existing visual setting of the project area and the changes that are anticipated to occur as a result of the proposed project. The EIR will also discuss shade and possible light and glare issues from the development and evaluate the project's consistency with the City of San José General Plan policies pertaining to visual and aesthetic impacts and applicable City Design Guidelines.
- **Air Quality** – The EIR will address the regional air quality conditions in the Bay Area and discuss the proposed project's construction and operational impacts to local and regional air quality in accordance with the 2017 Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and thresholds.
- **Biological Resources** – Given the site has been developed, its biological diversity is considered low, and therefore, would predominantly include urban adapted birds and animals. The EIR will address the loss of trees within, and adjacent to, the construction zones. In addition, the EIR will identify and discuss the project's biological impacts during construction

and operation and the project's consistency with the Santa Clara Valley Habitat Conservation Plan.

- **Cultural Resources** – The project site has a moderate to high potential for Native American resources, due to its proximity to the Guadalupe River. The EIR will identify and discuss potential subsurface archaeological resource impacts from project construction. The project does not contain any historic structures nor is it in proximity to any known historic structure.
- **Energy** – Implementation of the proposed project would result in an increased demand for on-site energy. The EIR will discuss the increase in on-site energy usage and energy efficiency measures proposed by the project.
- **Geology and Soils** – The EIR will describe the existing geologic and soil conditions and discuss the possible geological impacts associated with seismic activity and the existing on-site soil conditions.
- **Greenhouse Gas Emissions** – The EIR will address the project's contribution to regional and global greenhouse gas (GHG) emissions based on BAAQMD thresholds and consistency with policies adopted by the City of San José for reducing GHG emissions. The EIR will discuss proposed design measures to reduce energy consumption, which in turn would reduce GHG emissions.
- **Hazards and Hazardous Materials** – The EIR will describe existing known hazardous materials conditions on and adjacent to the site and will address the potential for hazardous materials impacts to result from implementation of the proposed project.
- **Hydrology and Water Quality** – The EIR will address the project's impact to the storm drainage system. In addition, the EIR will address possible flooding issues and the project's effect on storm water quality consistent with the requirements of the Regional Water Quality Control Board (RWQCB).
- **Land Use** – The project site is located within a developed area of San José surrounded by residential, commercial, and heavy industrial land uses. The EIR will describe the existing land uses adjacent to the site. Land use impacts that would occur as a result of the proposed project will be analyzed, including the consistency of the project with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.
- **Noise and Vibration** – Noise levels in the project area are primarily influenced by vehicular noise on surrounding roadways and aircraft associated with the Norman Y. Mineta San José International Airport. The EIR will discuss noise and vibration that would result from the construction and operation of the proposed project (including noise from project generated traffic) and its impact on nearby sensitive receptors. Noise levels will be evaluated for consistency with applicable noise standards and guidelines. In addition, the EIR will evaluate construction-related vibration effects on adjacent buildings.

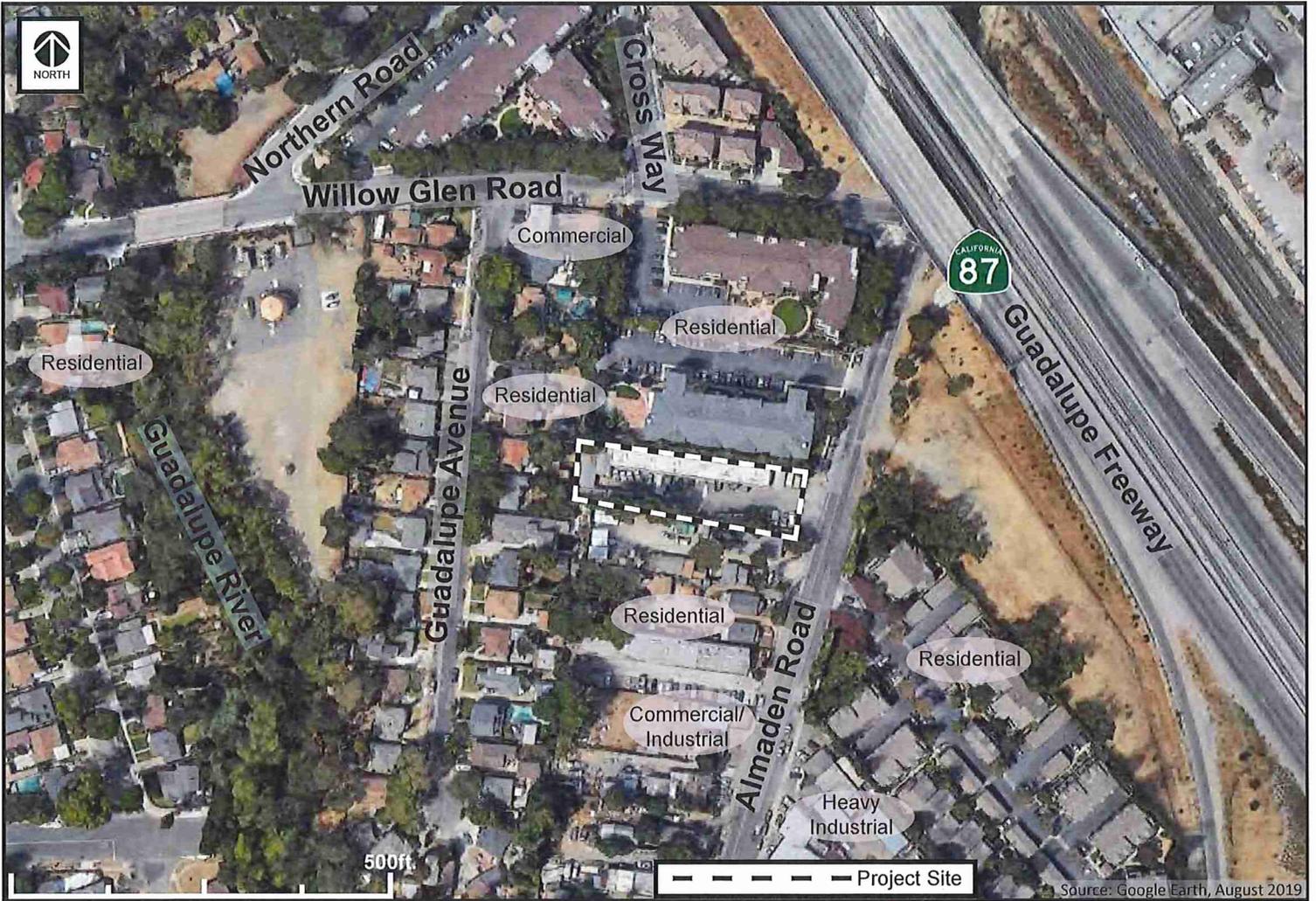
- **Population and Housing** – The project would construct up to 62 residential units. The EIR will discuss the existing population and housing conditions and if the project would induce substantial growth.
- **Public Services** – Implementation of the proposed project would increase the resident population of the City which could result in an increased demand on public services, including school, police and fire protection, libraries, and recreational facilities. The EIR will address the availability of public facilities and services and the project’s potential to result in adverse physical impacts to the service facilities.
- **Transportation** – The EIR will evaluate the project’s transportation impacts pursuant to Senate Bill 743 and the City’s Transportation Policy (Council Policy 5-1). The project’s consistency with programs, plans, ordinances, or policies addressing the circulation system (including transit, roadway, bicycle, and pedestrian facilities) will be also discussed in the EIR.
- **Tribal Cultural Resources** – The EIR will discuss the project’s potential to impact tribal cultural resources under Assembly Bill 52.
- **Utilities and Service Systems** – Implementation of the proposed project could result in an increased demand on utilities and service systems compared to existing conditions. The EIR will examine the impacts of the project on utilities and service systems, including the sanitary sewer and storm drainage systems, water supply, and solid waste management.
- **Other Topic Areas** – The EIR will address the project’s impacts on Agriculture and Forestry Resources, Mineral Resources, and the Wildfire resource category consistent with the CEQA checklist. These discussions will be based, in part, upon information provided by the project applicant, as well as the City’s General Plan EIR and other available technical data.
- **Cumulative Impacts** – Section 15130 of the CEQA Guidelines will require the EIR to discuss the cumulative impacts resulting from the project when combined with other past, present, and reasonably foreseeable development in the area.
- **Alternatives** – The EIR will examine alternatives to the proposed project, including a “No Project” alternative, as required by CEQA. Alternatives discussed will be chosen based on their ability to reduce or avoid identified significant impacts of the proposed project while achieving most of the identified objectives of the project.
- **Other CEQA Sections** – The EIR will also include other sections required by CEQA, including growth inducing impacts, significant and irreversible environmental changes, significant unavoidable impacts, references, authors, and appendices.



Regional Map

Almaden Villas
Notice of Preparation

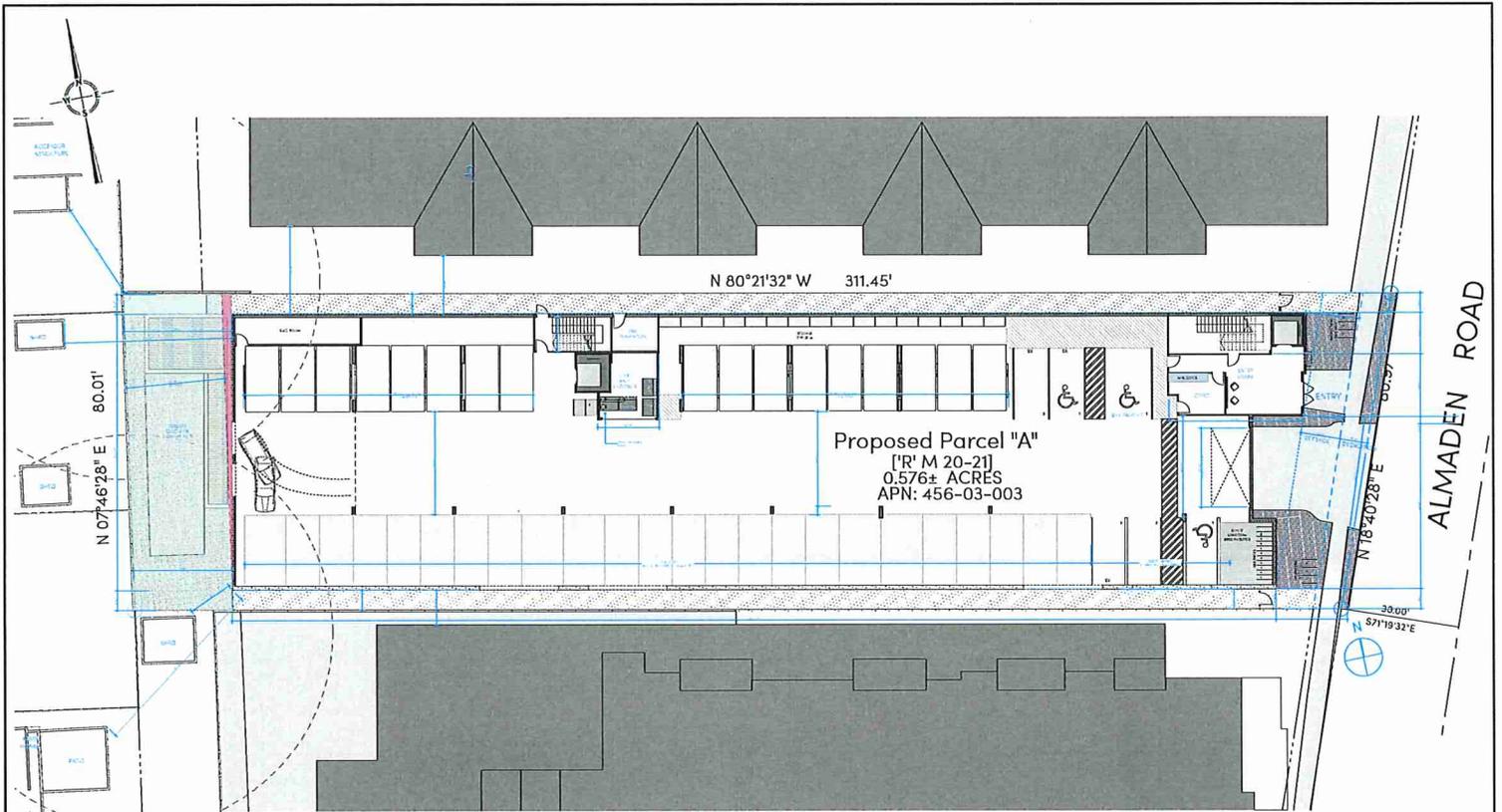
Figure
1



Vicinity Map

Almaden Villas
 Notice of Preparation

Figure
2



1 SITE PLAN

PROJECT ADDRESS: 1747 Almaden Rd
San Jose, CA 95125
9010-030
456-03-033

Planning Application: 456-03-033

Lot Area: 25,020.56 sq. ft. (0.576 acres)

Construction Type: Type 3A - Sprinkled

Occupancy: R-2 Residential, S - Storage (Garage)

Zoning: R-41 - Multifamily Residential

General Plan: Urban Residential

Density: 30-65 d./acre **Proposed:** 107.64 d./acre

Height: Up to 12 Stories **Proposed:** 65'-0" T.O. 9000'

F.A.R.: 1.0 - 4.0 **Proposed:** 3.60 FAR, (90,323 SF)

Source: Mayberry Workshop, June 2020

Conceptual Site Plan - Ground Floor

Almaden Villas
Notice of Preparation

Figure 3a



Source: Mayberry Workshop, June 2020

Conceptual Site Plan - Second & Third Floors

Almaden Villas
 Notice of Preparation

Figure
3b



1 SECOND FLOOR PLAN



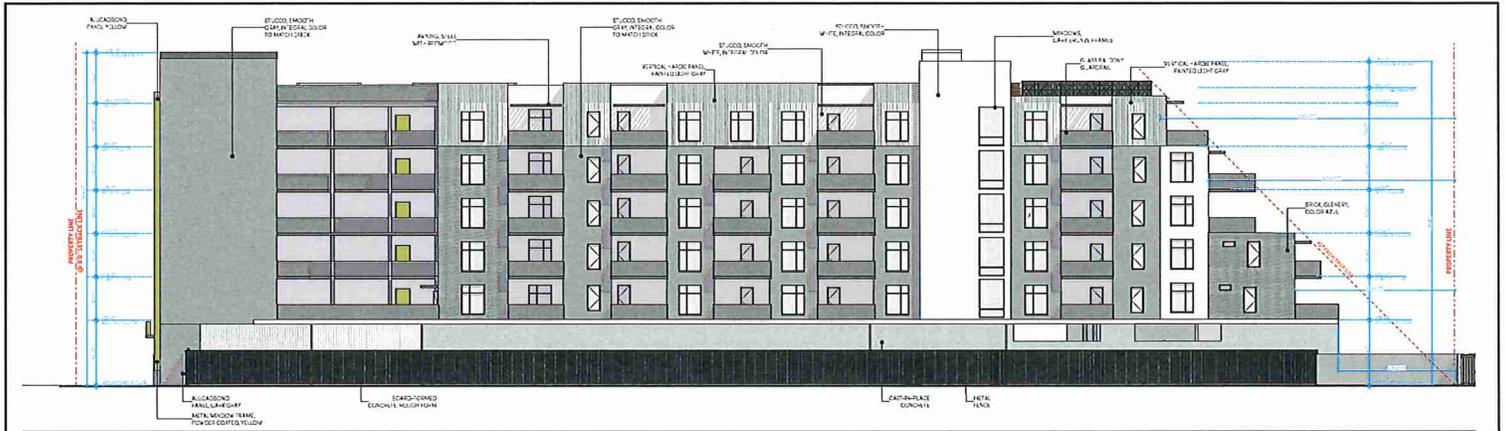
2 THIRD FLOOR PLAN

Source: Mayberry Workshop, June 2020

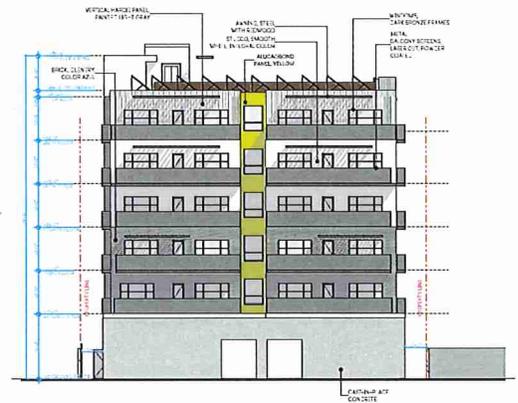
Conceptual Site Plan - Fourth & Fifth Floors

Almaden Villas
Notice of Preparation

Figure
3c



2 NORTH ELEVATION



1 WEST ELEVATION

Source: Mayberry Workshop, June 2020

Conceptual Elevations - North & West

Almaden Villas
Notice of Preparation

Figure
4b



Source: Mayberry Workshop, June 2020

Renderings

Almaden Villas
Notice of Preparation

Figure
5a



Source: Mayberry Workshop, June 2020

Renderings

Almaden Villas
Notice of Preparation

Figure
5b

EXHIBIT “B”

ALMADEN VILLAS - AFFORDABLE HOUSING PROJECT**FILE NOS. SP20-013/T20-014**

The project includes a Special Use Permit to allow the demolition of two vacant existing structures and construction of a six-story, 90,323 square-foot multi-family residential building consisting of 62 residential units with a one-story, at-grade parking garage. Nine of the 62 units will be designated for affordable housing. The building would have a maximum height of approximately 78 feet from grade to the top of the stairwell, with a roof amenity deck and a yoga/exercise area, on an approximately 0.57-gross acre site. The project also includes an application for a Tentative Map for condominium purposes.

LOCATION

1747 Almaden Road, west of Almaden Road, approximately 380 feet south of Willow Glen Way.

ASSESSOR'S PARCEL NUMBER

456-03-003

CIRCULATION

Notice of Preparation: October 29, 2020 to November 30, 2020

PROJECT DOCUMENTS

 [Notice of Preparation for Almaden Villas - Affordable Housing Project](#)

JOINT COMMUNITY-ENVIRONMENTAL SCOPING MEETING

An online joint community and environmental public scoping meeting for this project will be held:

When: Thursday, November 12, 2020 from 6:00 p.m. to 7:30 p.m.

Where: Via Zoom (see instructions below)

The live meeting will be recorded. You will be muted upon entry to the meeting. Please do not unmute yourself until the presenter has called on you to speak. If you have not participated in a Zoom meeting before, we encourage you to download the Zoom application to your phone, tablet, or computer and feel free to log in early to troubleshoot any technical issues that may arise. Participants who are unable to install Zoom on their computer or mobile device can join a meeting through their computer's web browser. Meeting function may be limited on a web browser. Zoom currently works best with Google Chrome, Apple Safari, Mozilla Firefox, and Chromium Edge.

Electronic device instructions:

For participants who would like to join electronically from a PC, Mac, iPad, iPhone, or Android device, please **click this URL:** <https://sanjoseca.zoom.us/j/95498660735>

Please ensure your device has audio input and output capabilities. During the session, if you would like to comment, please use the 'raise hand' feature in Zoom conference call or click *9 to raise a hand to speak.

1. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
2. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.

 **How may I help you?**

 **Click Here**

3. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
4. If you wish to speak during open forum, click on "raise hand." Speakers will be notified shortly before they are called to speak.
5. When called, please limit your remarks to the time limit allotted.

Telephone device instructions:

For participants who would like to join telephonically please **dial (408) 638-0968 or (888) 475-4499 (Toll Free)** and, when prompted, enter **meeting ID: 954 9866 0735** You may also click *9 to raise a hand to speak.

If you have questions regarding the meeting or would like to submit your comments prior to the meeting, please e-mail Kenneth.Rosales@sanjoseca.gov. Comments submitted prior to this meeting will be considered as if you were present in the meeting.

ENVIRONMENTAL PROJECT MANAGER

Kenneth Rosales

408-794-7386

Kenneth.Rosales@sanjoseca.gov

 **How may I help you?** ×

[Click Here](#)





EXHIBIT "C"

William D. Ross
David Schwarz
Kypros G. Hostetter

Law Offices of
William D. Ross
400 Lambert Avenue
Palo Alto, California 94306
Telephone: (650) 843-8080
Facsimile: (650) 843-8093

Los Angeles Office:

11420 Santa Monica Blvd
#25532
Los Angeles, CA 90025

July 24, 2020

VIA E-MAIL

Laura Meiners, Project Manager
Kenneth Rosales, Environmental Project Manager
City of San Jose
200 E. Santa Clara St.
San Jose, Ca 95113
Laura.Meiners@sanjoseca.gov
Kenneth.Rosales@sanjoseca.gov

Re: Request for Postponement of July 29, 2020 Teleconferenced Community Meeting
on the Proposed Almaden Villas Residential Project at 1747 Almaden Road; City
Council District 6

Dear Ms. Meiners and Mr. Rosales,

Our office represents a group of property owners and residents who are concerned with the size, scope, and planning and environmental review of the proposed Almaden Villas residential project at 1747 Almaden Road (the "Project") in the City of San Jose ("City"). Specific concerns of the community include inadequate notice of a proposed teleconferenced community meeting, the height, width, and length of the building, the minimal setbacks associated with the Project, the residential density of the proposed number of units, and the lack of public availability for review and comment of the Project's draft environmental review in the form of an Initial Study and Mitigated Negative Declaration.

These concerns are reflected in the attached Petition, as signed by several residents in opposition to the Project¹ as it is currently proposed. A copy of the Petition is attached as Exhibit A.

We request that the proposed Community Meeting on the special use permit and tentative map for the Project, scheduled for July 29, 2020 via teleconference/Zoom, be continued to a later date to allow for proper notice, timely and adequate distribution of all Project materials, and community input.

¹ As stated *infra*, what the "Project" actually consists of is unclear.

A. Adequate Public Notice Was Not Given

The stated purpose of the Community Meeting is to obtain community input for the Project and address the neighborhood's "comments, concerns, and questions," which "will help inform the project's design as it moves forward in the review process." (Meeting Agenda and Meeting Notice, attached as Exhibit B). The Meeting Agenda states that "there are continued opportunities throughout the permit process to publicly comment on the project as illustrated in the permit process chart on page 4 of this Agenda." It is unclear how the purpose of the meeting can be met if there has been inadequate or no notice.

Proper notice to the surrounding community is of utmost importance. It is unclear how notice of the meeting is being provided by the City, though we are informed that numerous local residents have not received notice and have only been notified by word of mouth and the efforts of a select group of concerned community members. For example, the owner of 1785 Almaden Road received notice, but none of the occupants of the 55-unit structure received notice.

Government Code Section 65033 declares the statewide legislative policy of public participation in the planning process:

The Legislature recognizes the importance of public participation at every level of the planning process. It is therefore the policy of the state and the intent of the Legislature that each state, regional, and local agency concerned in the planning process involve the public through public hearings, informative meetings, publicity and other means available to them, and that at such hearings and other public forums, the public be afforded the opportunity to respond to clearly defined *alternative objectives, policies, and actions*. (emphasis added).

This declared Legislative intent to ensure full and informed participation in the planning process has not occurred for the proposed Community Meeting.

It is also noted that the meeting indicates that it will be conducted as a video conferenced meeting via Zoom. However, there are a high number of elderly residents that may not have the technical knowledge or equipment necessary to participate.

B. Project Description

As currently described on the Community Meeting Agenda for the July 29th meeting, the Project entails:

- The demolition of two commercial buildings, the removal of three ordinance-size

trees, and the construction of one six-story multi-family residential building including 62 units and associated parking, landscaping and amenities. Nine units are proposed to be restricted as affordable for moderate-income residents; and

- A Tentative Map to subdivide the project into 62 residential condominiums for the purpose of individual sale on a 0.576-gross acre site.

However, there are inconsistencies associated with the size of the building and the number of proposed residential units. For example, the diagrams associated with the project indicate a height of approximately 77 feet and, when including the facilities on the roof of the building, indicate a seven-story height. However, the current Project description describes only a six-story structure.

This inconsistency with the Project description is exacerbated by the *two notice signs posted at the Project site*, both of which contain an inconsistent Project description, including site size and planned units. Photographs of these two notice signs are attached as Exhibit C. One notice indicates a multifamily residential building with 62 units comprising 0.58 acres, while the other notice depicts a different building with 44 residential units on a 0.61 acre site. Members of the community question whether the Projects contemplated in both notices constitute the entire Project or whether they are separate.²

Additionally, it is noted that the Project proponent's application has not been made available to the public. Making the application public could also potentially shed light on the Project's inconsistencies, but do not remedy the inadequacies in notice.

C. Environmental Review

Given the size and scope of the Project, a sufficient environmental review consistent with the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*, "CEQA") is a key concern for the community, as well as a legal requirement for Project consideration and approval.

The City's public webpage for the Project indicates that a "Draft Mitigated Negative Declaration, Initial Study (IS/MND) is being prepared" for the Project. While we commend the City for acknowledging the applicability of CEQA, the current lack of *any* environmental document makes the community meeting a pointless endeavor. There cannot be a meaningful meeting until the grounds for determining why an IS/MND is appropriate are established. Stated differently, it would appear that the City has predetermined that the Project will only be subject to

² Only by navigating multiple prompts on City databases is someone able to determine that one of the Project proposals has been withdrawn.

Laura Meiners, Project Manager
Kenneth Rosales, Environmental Project Manager
July 24, 2020
Page 4

an IS/MND, as opposed to preparing an Environmental Impact Report (“EIR”).³ The public has not been consulted as to how an IS/MND is proper, as no environmental considerations have been made public.

It is stressed the CEQA requires environmental review early enough so that whatever information is contained can practically serve as an input into the decision-making process. CEQA Guidelines § 15004; *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, 129. The “later the environmental review process begins, the more bureaucratic and financial momentum there is behind a proposed project, thus providing a strong incentive to ignore environmental concerns that could be dealt with more easily at an early stage of the project. *Save Tara, supra*, at 130.

Accordingly, details of the environmental review and IS/MND should be made public *prior* to the scheduled Community Meeting. This is required to ensure the “public participation [that] is an essential part of the CEQA process.” CEQA Guidelines § 15201; *see also, Ocean View Estates Homeowners Assn., Inc. v. Montecito Water Dist.* (2004) 116 Cal.App.4th 396, 400.

Public Resources Code Section 21003.1(a) provides:

(a) Comments from the public and public agencies on the environmental effects of a project shall be made to lead agencies as soon as possible in the review of environmental documents, including, but not limited to, draft environmental impact reports and negative declarations, in order to allow the lead agencies to identify, at the earliest possible time in the environmental review process, potential significant effects of a project, alternatives, and mitigation measures which would substantially reduce the effects.

Without release and public comment of the IS/MND, it is impossible to know whether City Staff are adequately analyzing all the required environmental categories found in CEQA Guidelines, Appendix G.

Of particular concern is the lack of any indication of whether the effects of the COVID-19 Pandemic have been analyzed for its foreseeable effect on the environment with respect to the Project. CEQA Guidelines § 15064. For example, the effects of the Project as affected by COVID-19 should be examined as to whether it will have indirect effects on the physical environment. *See, Placerville Historic Preservation League v. Judicial Council of California* (2017) 16 Cal.App.5th 187, 196.

³ CEQA and its implementing case law contemplate full public involvement in the environmental review process, which regardless of the method of review (for example, an applicable exemption, Negative Declaration, Mitigated Negative Declaration, Focused EIR, Program EIR, etc.) must be a decision supported by substantial evidence.

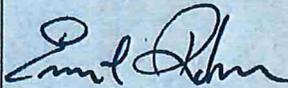
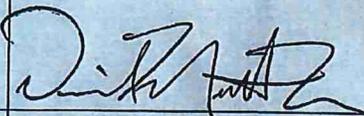
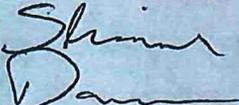
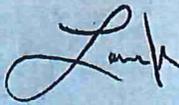
EXHIBIT A

We Oppose the development project at 1747 Almaden

We are residents of SCOTIA Apartments at 1785 Almaden Road, San Jose CA 95125. We are concerned citizens who urge the San Jose City Council, specifically Councilmember Davis, to deny this project until significant changes are made to reduce its mass and scale.

Specifically, we believe this project is too wide, with side setbacks of only 5 feet, too tall, at ~ 7 stories and 78 feet tall, too long in that the building is too close to rear property line, and too dense, at 108 dwelling units/acre.

We agree that Attorney William Ross can represent us in opposing this project.

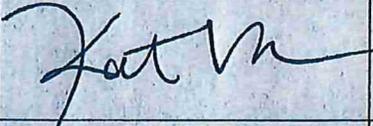
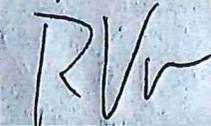
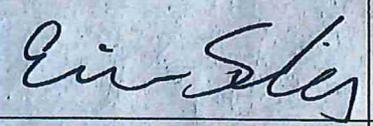
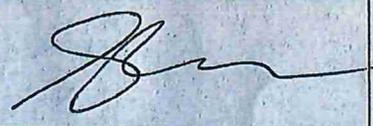
<u>Name</u>	<u>Signature</u>	<u>Apt #</u>	<u>Date</u>
Emil Robu		201	7/23/2020
Donovan Castro		518	7/23/20
David Matthew		511	7/23/20
Sherwin Daduar		511	7/23/20
Sunny Tubaman		319	7/23/20
Juan Cortez		519	7/23/2020
Forcié & Bernardo Stokes		421	7/23/20

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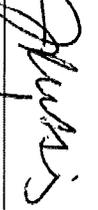
<u>Name</u>	<u>Signature</u>	<u>Apt #</u>	<u>Date</u>
Katie Van		314	7/22/20
RB VAN		316	7/23/20
Eric Scheuing		415	7/23/20
SHYON MASHAYEVA		214	7/23/20

Petition to Oppose the Almaden Villas Project (1747 Almaden Road)

Petition Summary and Background: this project is TOO HIGH (at ~ 7 stories and 78 feet tall) TOO WIDE (with side setbacks of only 5 feet) TOO LONG (Building is too close to rear property line) and TOO DENSE (at 108 dwelling units/acre).

Action Petitioned For: We, the undersigned, are concerned citizens who urge COUNCILMEMBER DEVORA DAVIS and the San Jose City Council to **DENY APPROVAL OF THIS PROJECT UNTIL CHANGES ARE MADE TO MAKE IT REASONABLE.**

Attorney William Ross has been retained to protect our neighborhood by opposing this unreasonable project. Signing this petition will NOT make you responsible for any legal costs in opposing this project!

Printed Name	Signature	Address	E-Mail / Phone	Date
MARNE VADEBON DAVIS		1682 GUADALUPE AVE SAN JOSE 95125	VADEBON@YAHOO.COM 408.655.7638	7/18/2020
CHUCK PHELPS		1682 GUADALUPE AVE S.J. 95125	pharb@comcast.net (408) 839-0770 Yahoo.com	7/18/2020
WILLIAM ROSS		1747 Almaden Road	(408) 839-0770	7/18/2020
WILLIAM ROSS		1747 Almaden Road	(408) 839-0770	7/18/2020
JENNIFER REISS		1714 GUADALUPE AVE SAN JOSE 95125	408.250.8085 jreweiss@yahoo.com	7/18/2020
HENRY GUERNER		1714 GUADALUPE AVE SAN JOSE 95125	408-858-9187 rguerner12nu@gmail.com	7/18/2020

Petition to Oppose the Almaden Villas Project (1747 Almaden Road)

Petition Summary and Background: this project is TOO HIGH (at ~ 7 stories and 78 feet tall) TOO WIDE (with side setbacks of only 5 feet) TOO LONG (Building is too close to rear property line) and TOO DENSE (at 108 dwelling units/acre).

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Attorney William Ross has been retained to protect our neighborhood by opposing this unreasonable project. Signing this petition will NOT make you responsible for any legal costs in opposing this project!

Printed Name	Signature	Address	E-Mail / Phone	Date
Eric Casillo		1756 Guadalupe Ave San Jose CA 95135	ericcasillo11@yahoo.com 760, 420, 0801	7/19/20
Devora Davis		1750 Guadalupe Ave. San Jose, CA 95135	Devora Davis Devora Davis 408.499.1307 devora.davis@cityofsj.ca.gov	7/15/20
Salvador Morales		1925 Guadalupe Ave.	Salvador Morales 1925 408.25.0719	7/19/20
Marco Alonso		1719 Guadalupe Ave San Jose CA 95125	197marco29@gmail.com (408) 881-4222 4920	7/18/20
Rafael Hernandez		1719 Guadalupe San Jose CA 95125	all raf5741@yahoo.com 408-693-8568	7/15/20

UDS741@yahoo.com

Petition to Oppose the Almaden Villas Project (1747 Almaden Road)

Petition Summary and Background: this project is TOO HIGH (at ~ 7 stories and 78 feet tall) TOO WIDE (with side setbacks of only 5 feet) TOO LONG (Building is too close to rear property line) and TOO DENSE (at 108 dwelling units/acre).

Action Petitioned For: We, the undersigned, are concerned citizens who urge COUNCILMEMBER DEVORA DAVIS and the San Jose City Council to **DENY APPROVAL OF THIS PROJECT UNTIL CHANGES ARE MADE TO MAKE IT REASONABLE.**

Attorney William Ross has been retained to protect our neighborhood by opposing this unreasonable project. Signing this petition will NOT make you responsible for any legal costs in opposing this project!

Printed Name	Signature	Address	E-Mail / Phone	Date
Margie Lam	<i>Margie Lam</i>	1673 Grandlump Avenue, SS CA	mustang154@netzero.net (408) 448 3357	7/19/20
<i>William Ross</i>	<i>William Ross</i>	1633 Grandlump Avenue, SS CA	(408) 581-2189	7/19/20
Angela Rooker	<i>Angela Rooker</i>	1676 Grandlump Avenue, SS CA 95125	408-930-8524 ANGELA ROOKER@ALMADEN.CA.GOV	7/18/20
Belia Laughlin	<i>Belia Laughlin</i>	Village of Willow Glen	APT 110A	7/18/20

Petition to Oppose the Almaden Villas Project (1747 Almaden Road)

Petition Summary and Background: this project is TOO HIGH (at ~ 7 stories and 78 feet tall) TOO WIDE (with side setbacks of only 5 feet) TOO LONG (Building is too close to rear property line) and TOO DENSE (at 108 dwelling units/acre).

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Attorney William Ross has been retained to protect our neighborhood by opposing this unreasonable project. Signing this petition will NOT make you responsible for any legal costs in opposing this project!

Printed Name	Signature	Address	E-Mail / Phone	Date
Brian Dupuy		1720 Guadalupe Ave 95125	Ripochip@gmail.com	7/18/20
Kathryn Swickson		1720 Guadalupe Ave 95125	Kjohannus@hotmail.com	7-18-2020
Jessica Riffel		1732 Guadalupe Ave 95125	jriffel@gmail.com 310-469-8110 cell	7/18/20
Peter Riffel		1732 Guadalupe Ave San Jose CA 95125	priffel@yahoo.com	7-18-2020
Dei Cimo		1747 Guadalupe Ave San Jose CA 95125	2015921010@comcast.net 412.499.1582	7-18-2020

EXHIBIT B

COMMUNITY MEETING AGENDA

Proposed Special Use Permit and Tentative Map for Almaden Villas
File Nos. SP20-013 & T20-014

When: Wednesday, July 29, 2020
6:00 p.m. – 7:30 p.m.

COVID-19 Notice: Due to the Santa Clara County Health Officer’s March 16, 2020 Shelter in Place Order, this meeting will not be physically open to the public. Members of the public may view and listen to the meeting by following the instructions listed on page 3 of this Agenda.

The live meeting will be recorded. You will be muted upon entry to the meeting. Please do not unmute yourself until the presenter has called on you to speak. If you have not participated in a Zoom meeting before, we encourage you to download the Zoom app to your phone, tablet, or computer and feel free to log in early to troubleshoot any technical issues that may arise. Participants who are unable to install Zoom on their computer or mobile device can join a meeting through their computer’s web browser. Meeting function may be limited on a web browser. Zoom currently works best with Google Chrome, Apple Safari, Mozilla Firefox, and Chromium Edge.

Meeting Purpose: To describe the applicant’s proposed project, the City’s review process, and to obtain community input on the project located at 1747 Almaden Road. Comments, concerns, and questions raised at this meeting will become part of the public record and will help inform the project’s design as it moves forward in the review process. There are continued opportunities throughout the permit process to publicly comment on the project as illustrated in the permit process chart on page 4 of this Agenda.

Proposed project(s): Special Use Permit and Tentative Map (File Nos. SP20-013 & T20-014) to allow:

- The demolition of two commercial buildings, the removal of three ordinance-size trees, and the construction of one six-story multi-family residential building including 62 units and associated parking, landscaping and amenities. Nine units are proposed to be restricted as affordable for moderate-income residents; and
- A Tentative Map to subdivide the project into 62 residential condominiums for the purpose of individual sale on a 0.576-gross acre site.

If you have questions regarding the project or this meeting, please contact one of the following people:

Project Manager	Environmental Project Manager	Applicant Contact
Laura Meiners Laura.Meiners@sanjoseca.gov (408) 535-7869	Kenneth Rosales Kenneth.Rosales@sanjoseca.gov (408) 794-7386	Sam Nemazie sam_nemazie@yahoo.com

AGENDA

I. Welcome, Introductions, Agenda Overview, and Background

The Project Manager for the Department of Planning, Building, and Code Enforcement will welcome participants, provide an overview of the agenda, and introduce presenters.

II. Summary of the City of San Jose Planning Permit Process

The Project Manager for the proposed project will summarize the development review process.

III. Project Overview

IV. Project Presentation

The Project Applicant will present the proposed project

V. Open Forum

The Project Manager will facilitate questions and comments from members of the community via the Zoom Raise Hand function (at the bottom of your screen, click on icon

labeled "Raise Hand"  . Your hand is now raised). Each speaker will be limited to two minutes each. Each individual may be limited to speaking once depending on the time available. Comments may be submitted in writing after the meeting if additional comments are to be made.

VI. Next Steps

VII. Meeting Adjournment

Please provide best contact information to receive project updates by submitting an email request to Laura.Meiners@sanjoseca.gov.

ZOOM MEETING DETAILS

Electronic device instructions:

For participants who would like to join electronically from a PC, Mac, iPad, iPhone or Android device, please click this URL: <https://sanjoseca.zoom.us/j/99470096261>.

Please ensure your device has audio input and output capabilities. During the session, if you would like to comment, please use the 'raise hand' feature in Zoom conference call or click *9 to raise a hand to speak.

1. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
2. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
3. If you wish to speak during open forum, click on "raise hand." Speakers will be notified shortly before they are called to speak.
4. When called, please limit your remarks to the time limit allotted.

Telephone device instructions:

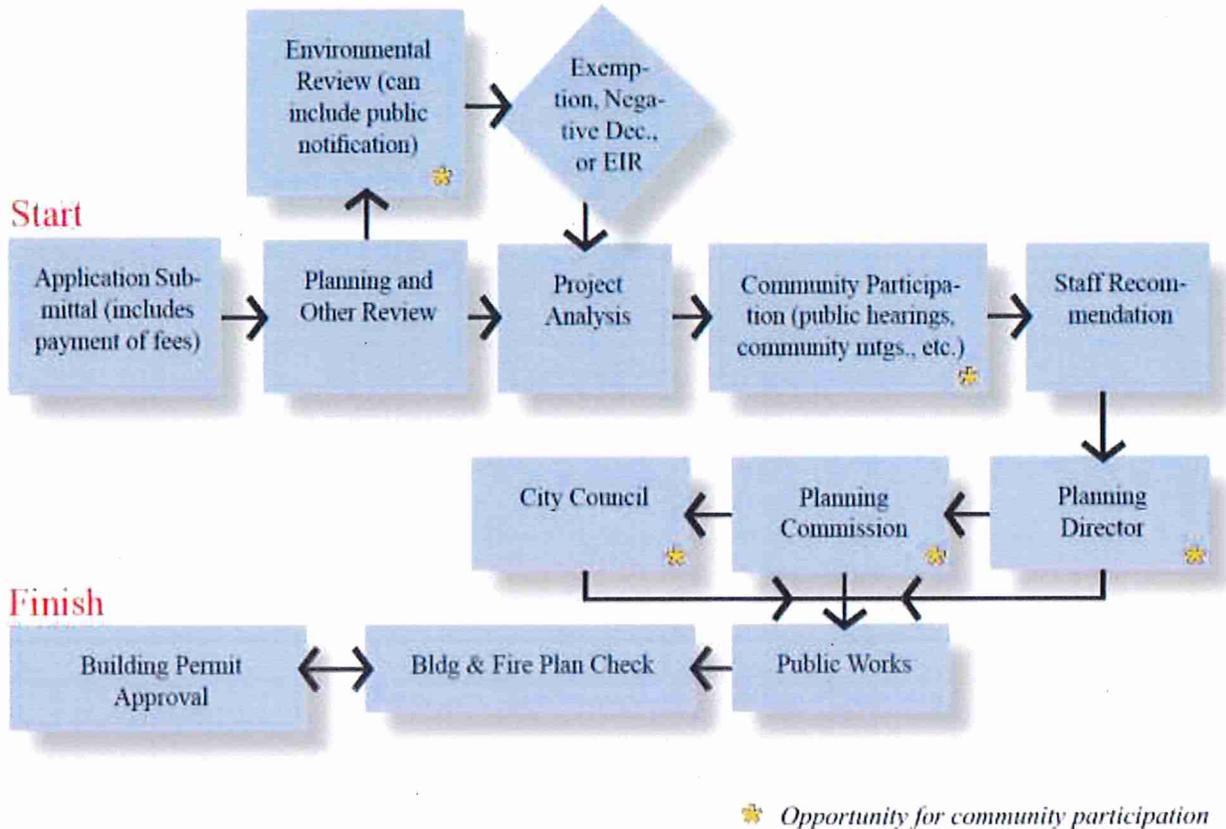
For participants who would like to join telephonically please dial 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free) and when prompted, enter meeting ID: 994 7009 6261. You may also click *9 to raise a hand to speak.

Public Comments prior to meeting:

If you would like to submit your comments prior to the meeting, please e-mail Laura.Meiners@sanjoseca.gov. Comments submitted prior to this meeting will be considered as if you were present in the meeting.

Steps in the Planning Process

Project review is an essential part of the land use and development process. The flow chart below gives a basic depiction of the steps involved.



Environmental Review California Environmental Quality Act (CEQA)

CEQA requires developers to disclose the potential environmental impacts resulting from the construction of a project. When the City reviews a project for CEQA compliance, it is determining if the project will or will not have significant environmental effects in the following subject areas: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality, population/housing, public services, recreation, transportation/traffic, and utilities/service systems. This knowledge helps local officials to make informed decisions about whether to permit discretionary projects and, if so, with what conditions and or mitigation measures. A project can take one of three tracks:

- (1) Exempt – no possibility of impacts; or
- (2) An environmental initial study is conducted, and a negative declaration or mitigated negative declaration is adopted. This indicates that the initial study found no significant environmental impacts, or that the impacts can be reduced with mitigation measures, or

- (3) An initial study is prepared and determines that the project may have a significant effect on the environment, and preparation of an environmental impact report (EIR) is required (This is the least common outcome, but is typically required for large-scale projects).

COMMUNITY MEETING CODE OF CONDUCT

The City of San José is committed to providing the information and opportunities to encourage residents to follow development activity in their neighborhoods and to actively participate in the land use development process. The intent of this community meeting today is to inform property owners, residents, and other interested parties about the proposed development, answer questions, and receive public comments. Staff will take notes on the discussion, respect all input and opinions, and respond to policy and process questions.

If you wish to speak, please refer to the following guidelines:

- Questions and comments will be taken at the end of the meeting during Open Forum
- Please use the Zoom Meeting “Raise Hand” function or press *9 on your phone to indicate you’d like to speak. Speakers will be called upon by staff and unmuted to speak.
- Depending on the number of speakers, each person will be called upon to speak only once. If time allows a speaker may be called upon more than once. Each speaker will be limited to two minutes of speaking time each time they are called.
- Persons on the Zoom Meeting call will refrain from behavior which disrupts the public meeting or which may intimidate others who wish to voice their opinions. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disrupts or impedes the orderly conduct of the meeting.
- Harassment of meeting participants including City staff will not be tolerated in any form. If a participant engages in harassing behavior, City Staff will end the meeting or remove the participant from the Zoom Meeting call.



200 East Santa Clara Street,
3rd Floor, San Jose, CA 95113

Planning Division
Community Meeting NOTICE

This Community Meeting notice provides you with information regarding nearby development.

File No(s). **SP20-013 & T20-014** Meeting details:

Wednesday, July 29, 2020 – 6:00pm to 7:30pm

TO:

In response to the COVID-19 outbreak, this meeting will be held by teleconference using Zoom conference call that is open to the public and enables public comment. Members of the public may telephone in, view, listen, and participate by following the instructions listed on the Agenda.

Agendas and instructions to attend this meeting are posted online at:

<https://www.sanjoseca.gov/planningmeetings>

For Americans with Disabilities Act accommodation, please call 408-535-1260 (Voice) or 408-294-9337 (TTY) at least two days before the hearing.

Proposed Project File Nos. SP20-013 & T20-014

Special Use Permit and Tentative Map (File Nos. SP20-013 & T20-014) to allow the demolition of two commercial buildings, the removal of three ordinance-size trees, and the construction of one six-story multi-family residential building including 62 units and associated parking, landscaping and amenities. Nine units are proposed to be restricted as affordable for moderate-income residents.

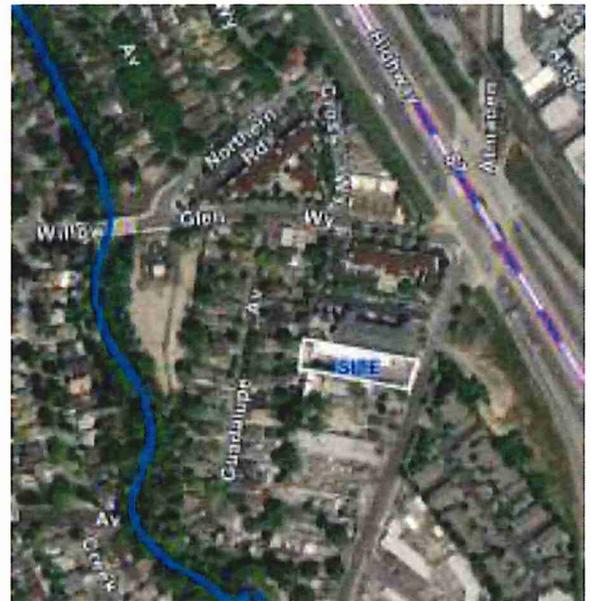
Purpose: To describe the applicant's proposed project, the City's review process, and to obtain community input on the project. Comments, concerns, and questions raised at this meeting will become part of the public record and will help inform the project's design as it moves forward in the review process.

SP20-013 & T20-014: Para información en Español, comuníquese con Matias Eusterbrock al (408) 793-4100.

SP20-013 & T20-014: Muốn biết tin tức bằng tiếng Việt về tờ thông tin này, xin quý vị liên lạc Kieulan Pham ở số (408) 793-4174.

Project Applicant: SAM NEMAZIE

For questions/comments, contact Project Manager **Laura Meiners** at Laura.Meiners@sanjoseca.gov or (408) 535-7869.



Project Location:
1747 Almaden Road

The file is available for review Monday through Friday 9:00 a.m.-12:00 p.m. | 1:00-5:00 p.m. by submitting an email request to Laura.Meiners@sanjoseca.gov. Additional information at: www.sjpermits.org

EXHIBIT C

CUSTOMER PARKING ONLY
RESTRICTED ACCESS WILL BE ENFORCED

CITY OF SAN JOSE
COMMUNITY DEVELOPMENT

NOTICE OF DEVELOPMENT PROPOSAL

The City of San Jose's Planning Division has received an application for a development permit at this property.



PROJECT DESCRIPTION: Special Use Permit and Vesting Tentative Map to allow the demolition of an existing commercial building and the construction of a six-story multitenant residential building with 53 market-rate units and nine affordable units (moderate income) on an approximately 0.58-acre site.

PROJECT ADDRESS: 1747 ALMADEN ROAD
PROJECT FILE: SP20-013 / TZ0-014
APPLICANT: SAM NIEMAZIE
COUNCIL DISTRICT: 6

Project Address: 1747 Almaden Road

Specialists provide free architectural renderings on the project. For more information, contact the City of San Jose's Planning Division at (408) 753-4100. For more information, contact the City of San Jose's Planning Division at (408) 753-4100. For more information, contact the City of San Jose's Planning Division at (408) 753-4100.

To view information and/or submit comments:

- Visit <http://fileaccess.sanjoseca.gov> to look up the project file number.
- Contact **Laura Meyers**, Planning Project Manager, at (408) 535-7609 or Laura.Meyers@sanjoseca.gov.

To view the file, visit the 3rd Floor Planning Division, Monday through Friday, located at: City Hall, 200 East Santa Clara Street.





NOTICE OF DEVELOPMENT PROPOSAL

The City of San Jose's Planning, Building and Code Enforcement Department has received an application for a development permit at this property



PROJECT DESCRIPTION: Planned Development Zoning and Planned Development Permit to allow demolition of an existing commercial building and to construct a five-story multifamily building with 44 units on an approximately 0.61-gross acre site.
PROJECT ADDRESS: 1747 ALMADEN RD
PROJECT FILE: PDC19-040 and PD19-030
APPLICANT: SAM NEMAZIE
COUNCIL DISTRICT: 6
SNI AREA: No

For Additional Information:

- View information and/or submit comments at the City of San Jose's Online Permitting webpage at <http://www.sjpermits.org> by using the project the number located above.
- Contact Laura Keener in the Planning Division at 408-535-7869 or by e-mail at Laura.Keener@planning.sjgov.
- Visit the Planning Division's Public Information Counter, Monday through Friday, located at City Hall, 200 East Santa Clara Street.
- Mazon bialí tin tuc táng Vít Nám và tá thông tin này, xin quý vị liên lạc Kevdan Pham ở số 408-793-4174/và dpc số đv an PD19-030
- Para información en Español acerca de esta solicitud, comuníquese con Jennifer Provedor al 408-793-4100e indique el número de proyecto PD19-030

EXHIBIT D

County of Santa Clara
Public Health Department

Health Officer
976 Lenzen Avenue, 2nd Floor
San José, CA 95126
408.792.3798



**ORDER OF THE HEALTH OFFICER OF THE COUNTY OF SANTA CLARA
ESTABLISHING MANDATORY RISK REDUCTION MEASURES
APPLICABLE TO ALL ACTIVITIES AND SECTORS TO ADDRESS
THE COVID-19 PANDEMIC**

DATE OF ORDER: July 2, 2020

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*; Cal. Penal Code §§ 69, 148(a)(1); Santa Clara County Ordinance Code § A1-28.)

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, 120175, AND SANTA CLARA COUNTY ORDINANCE CODE SECTION A18-33, THE HEALTH OFFICER OF THE COUNTY OF SANTA CLARA (“HEALTH OFFICER”) ORDERS:

1. Purpose and Intent.

- a. This Order supersedes the May 18, 2020 Order of the Health Officer directing all individuals to shelter in place (“Prior Order”), as amended on June 5, 2020, as of the effective date and time set forth in Section 16 below. This Order allows most activities, travel, business, and governmental functions to occur subject to specified restrictions, limitations, and conditions to limit the transmission of Novel Coronavirus Disease 2019 (“COVID-19”). COVID-19 continues, however, to pose a severe risk to residents of our County, and significant safety measures are necessary to protect against a surge in COVID-19 cases and deaths. This Order requires risk reduction measures to be in place across all business sectors and activities, ensuring necessary precautions are followed as we adapt the way we live and function in light of the ongoing threat that the virus poses. The Health Officer will continue to monitor data regarding and evolving scientific understanding of the risks posed by COVID-19 and may amend or rescind this Order based on analysis of that data and knowledge. As of the effective date and time of this Order set forth in Section 16 below, all individuals, businesses, and government agencies in the County are required to follow the provisions of this Order.
- b. The primary intent of this Order is to reduce the risk of COVID-19 transmission in the County. All provisions of this Order must be interpreted to effectuate this intent. Failure to comply with any of the provisions of this Order constitutes an imminent

threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.

- c. The efforts taken under the Health Officer's prior shelter-in-place orders slowed the virus's trajectory. While the public health emergency and threat to the County's population remain severe, the region has significantly increased its capacity to detect cases, contain spread, and treat infected patients through widespread testing; greatly expanded its case investigation and contact tracing program and workforce; and expanded hospital resources and capacity.
- d. At the same time, across the region and the rest of the State, there has been a significant and rapid reopening of businesses and activities, accompanied by an increase in cases and hospitalizations, which carry risks to County residents and resources. As we continue to evolve our strategies for protecting residents of the County from COVID-19, we must take into account both the trajectory of the virus in the County and across the region, and also the reality that under the Prior Order, the vast majority of businesses and many activities were allowed to open with restrictions and limitations in place. Further, many of the businesses and activities that remained closed in our County were open elsewhere, and our residents were traveling to other jurisdictions to engage in those activities or engaging in them here in the County without following proper precautions. To protect the community from COVID-19, we must ensure that when people engage in activities they are doing so as safely as possible.
- e. In light of all these circumstances, it is appropriate to allow most activity, travel, and business operations to resume, but subject to significant conditions and limitations to reduce the risk of COVID-19 transmission, prevent serious illness and death, and ensure that healthcare resources and capacity remain sufficient to meet the needs of the population.
- f. The restrictions set forth in this Order are based on evidence of continued significant community transmission of COVID-19 within the County; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; evidence that the age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19; and further evidence that others, including younger and otherwise healthy people, are also at risk for serious negative outcomes and can also spread COVID-19 to more vulnerable people. Because even people without symptoms can transmit the infection, and because evidence shows the infection is easily spread, direct or indirect interpersonal interactions can result in preventable transmission of the virus.

Order of the County Health Officer
Establishing Risk Reduction Measures
To Contain COVID-19 (Issued July 2, 2020)

jurisdictions that are more restrictive than those implemented by the State Public Health Officer.

4. **Obligation to Follow Stricter Order.** Where a conflict exists between this Order and any order issued by the State Public Health Officer or the Governor related to the COVID-19 pandemic, the most restrictive provision controls. For clarity, all individuals and entities must comply with the State Shelter Order, any mandatory guidance issued by the California Department of Public Health, any mandatory orders of the Governor, or any other mandatory provision of State law to the extent it is stricter than any provision of this Order. Consistent with California Health and Safety Code section 131080 and the Health Officer Practice Guide for Communicable Disease Control in California, except where the State Health Officer may issue an order expressly directed at this Order and based on a finding that a provision of this Order constitutes a menace to public health, any more restrictive measures in this Order continue to apply and control in this County. In addition, to the extent any federal guidelines allow activities that are not allowed by this Order, this Order controls and those activities are not allowed.

5. **Obligation to Follow Health Officer Directives and Mandatory State Guidance.** In addition to complying with all provisions of this Order, all individuals and entities, including all businesses and governmental entities, must also follow any applicable directives issued by the County Health Officer and any applicable “COVID-19 Industry Guidance” issued by the California Department of Public Health, available at <https://covid19.ca.gov/industry-guidance/>. To the extent that provisions in the directives of the County Health Officer and the guidance of the State Health Officer conflict, the more restrictive provisions apply.

6. **Definitions.**
 - a. For purposes of this Order, a “business” includes any for-profit, non-profit, or educational entity, whether a corporate entity, organization, partnership, or sole proprietorship, and regardless of the nature of the service, the function it performs, or its corporate or entity structure. For clarity, “business” also includes a for-profit, non-profit, or educational entity performing services or functions under contract with a governmental agency.

 - b. For purposes of this Order, “personnel” means the following individuals who provide goods or services or perform operations associated with a business in the County: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); independent contractors (such as “gig workers” who perform work via the business’s application or other online interface); vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the business.

Order of the County Health Officer
Establishing Risk Reduction Measures
To Contain COVID-19 (Issued July 2, 2020)

c. For purposes of this Order, a “gathering” is any indoor or outdoor event, assembly, meeting, or convening that brings together people from separate households in a coordinated fashion. The limitations on gatherings set forth in this Order apply to gatherings for any purpose, including for economic, social, religious, cultural, or other purposes such as, by way of example and not limitation, a conference, worship service, performance, or party. For clarity, a gathering does not include normal operations in: classrooms; areas where people may be in transit; or settings in which people are in the same general space at the same time but engaged in separate activities, including, by way of example, medical offices, hospitals, or business environments like offices, stores, and restaurants where people may be working, shopping, or eating in the same general area but are not gathering together in an organized fashion. A gathering also does not include internal meetings exclusively involving personnel of a single business because those activities are subject to separate provisions of this Order and Health Officer directives.

7. **Staying Home Is the Best Way to Reduce Risk.** All people are strongly reminded that continuing to stay home as much as possible is the best way to prevent the risk of COVID-19 transmission, and therefore trips and activities outside the home should be minimized. All activities that involve contact with people outside of one’s household increase the risk of transmission of COVID-19.
8. **Older Adults and Individuals with Serious Underlying Medical Conditions.** Older adults (those age 70 or older) and individuals with serious underlying medical conditions (including immunocompromised state, chronic kidney disease, chronic obstructive pulmonary disease, obesity, serious heart conditions, sickle cell disease, and diabetes) are strongly urged to stay in their places of residence except to access critical necessities such as food and medicine. Adults aged 50 to 69 are encouraged to minimize activities and interactions with people outside their household to the extent practicable.
9. **Social Distancing Requirements.** When outside their place of residence, all individuals must strictly comply with following “Social Distancing Requirements” to the maximum extent possible, except to provide necessary care to others (including childcare, adult or senior care, care to individuals with special needs, and patient care) or as otherwise expressly allowed in this Order. For clarity, activities that cannot be conducted while maintaining Social Distancing Requirements are generally prohibited; those activities may be conducted only if they are the subject of specific directives of the Health Officer establishing the protocols that must be followed in order to reduce the risk of transmission of COVID-19 when conducting those specific activities.
 1. Maintaining at least six feet of social distance from individuals who are not part of their household;

Order of the County Health Officer
Establishing Risk Reduction Measures
To Contain COVID-19 (Issued July 2, 2020)

2. Frequently washing their hands with soap and water for at least 20 seconds, or using hand sanitizer that is recognized by the Centers for Disease Control and Prevention as effective in combatting COVID-19;
 3. Covering their coughs and sneezes with a tissue or fabric or, if not possible, into their sleeve or elbow (but not into hands);
 4. Wearing a face covering as required by Section 10; and
 5. Avoiding all contact with anyone outside their household when sick with a fever, cough, or other COVID-19 symptoms.
10. **Face Coverings.** Face coverings must be worn at all times and by all individuals as specified in the California Department of Public Health’s mandatory Guidance for the Use of Face Coverings (“Face Covering Guidance”) and in accordance with any additional directives issued by the County Health Officer. Further, all individuals must wear face coverings at all times when inside a business facility or using public transportation. For clarity, a face covering is not required when a person is in a personal office (a single room) when others outside of that person’s household are not present as long as the public does not regularly visit the room. Further, individuals under age two, individuals a healthcare professional has advised should not wear a face covering because they have a medical condition that would make wearing a face covering dangerous, and individuals who are hearing impaired or communicating with someone who is hearing impaired, do not need to wear a face covering.

11. Limitations on Gatherings.

- a. Gatherings of any size outside of a single household remain strongly discouraged because they carry significant risk of exposure to COVID-19.
- b. Any gathering occurring indoors is prohibited unless it involves no more than 20 people or 1 person per 200 square feet of the space accessible to participants in the gathering, whichever is fewer.
- c. Any gathering occurring outdoors is prohibited unless it involves no more than 60 people and occurs in an outdoor area large enough to allow for social distancing of all attendees.
- d. Participants in gatherings of any size must adhere to any additional directives of the Health Officer applicable to gatherings, and also the Social Distancing and Face Covering Requirements set forth above in Sections 9 and 10.

12. Requirements Applicable to All Businesses.

- a. **Maximization of Telework.** All businesses must continue to maximize the number of personnel who work remotely from their place of residence. For clarity, all businesses must require that all personnel carry out their job functions remotely if they are able to do so.

Order of the County Health Officer
Establishing Risk Reduction Measures
To Contain COVID-19 (Issued July 2, 2020)

- b. **Activities that Can Occur Outdoors.** All businesses are strongly urged to move as many operations as possible outdoors, where there is generally less risk of COVID-19 transmission. Businesses that cannot meet the Density or strict Face Covering requirements indoors may be able to operate by shifting their operations outdoors.
- c. **Social Distancing Protocol.**
1. All businesses must prepare, submit to the County, and implement a “Social Distancing Protocol” for each facility or worksite at which any personnel or members of the public may be present, using the updated form identified in Paragraph 3 below. The Social Distancing Protocol must confirm that the business is achieving the applicable requirements listed in that form, which include important mandates regarding worker and customer safety.
 2. For any business that only performs services for dispersed facilities or worksites that the business does not own or operate (such as, by way of example, residential cleaning service operations at client homes), the business must submit a Social Distancing Protocol for its operation as a whole.
 3. The Social Distancing Protocol must be completed using the fillable webform and submitted to the County Public Health Department at www.COVID19Prepared.org. All Social Distancing Protocols will be stored and available in a publicly accessible database.
 4. The Social Distancing Protocol must be completed by a person authorized to complete and sign it on behalf of the business, and it must be signed under penalty of perjury. All businesses must provide evidence of implementation of their Social Distancing Protocol to any authority enforcing this Order upon demand.
 5. All businesses with facilities or worksites that are currently open must submit a new Social Distancing Protocol pursuant to this Section 12.c on or before the effective date of this Order as a condition of continued operation. Prior Social Distancing Protocols are no longer valid.
 6. A full copy of the current Social Distancing Protocol for each facility or worksite must be distributed to each person performing work at that business location and made available to customers upon request. For any business that only performs services for dispersed facilities or worksites that the business does not own or operate, a copy of the Social Distancing Protocol must be provided to each person performing work for that business in the County, and

Order of the County Health Officer
Establishing Risk Reduction Measures
To Contain COVID-19 (Issued July 2, 2020)

also to the owner or operator of each facility or worksite where it performs services.

7. A COVID-19 PREPARED Sign and Social Distancing Protocol Visitor Information Sheet, which can only be downloaded and printed upon completion of the webform, must be posted at or near the entrance of the relevant facility or business worksite for which an individual Social Distancing Protocol is required, and shall be easily viewable by the public and personnel from outside the facility or worksite. This includes all construction worksites. Any business that only performs services for dispersed facilities or worksites that the businesses does not own or operate is not required to post a COVID-19 PREPARED Sign or Social Distancing Protocol Visitor Information Sheet.

- d. **Density Limitation.** The total number of personnel present at a business facility may not exceed one personnel per 250 gross square feet of the facility, and the total number of customers or members of the public may not exceed one person per 150 square feet of space open to the public. Business facilities with less than 250 gross square feet of space may have no more than one personnel present at the facility, and businesses with less than 150 square feet of space open to the public may have no more than one customer or member of the public at the facility at a time. Minors under the age of 12, when accompanied by an adult, do not count towards these density limitations. Healthcare facilities, educational and childcare facilities, and other facilities that are specifically identified in a Health Officer directive are exempt from these density limitations and may be subject to alternative limitations.
- e. **Mandatory Reporting Regarding Personnel Contracting COVID-19.** Businesses and governmental entities must require that all personnel immediately alert the business or governmental entity if they test positive for COVID-19 and were present in the workplace within the 48 hours prior to onset of symptoms or within 48 hours of the date on which they were tested. In the event that a business or governmental entity learns that any of its personnel is a confirmed positive case of COVID-19 and was at the workplace in this timeframe, the business or governmental entity is required to report the positive case within four hours to the Public Health Department at www.sccsafeworkplace.org. Businesses and governmental entities must also comply with all case investigation and contact tracing measures by the County, including providing any information requested.

13. **Facilities that Must Remain Closed.** The following facilities are not allowed to open under this Order because they create a particularly high risk of COVID-19 transmission:

- a. Any indoor facility that is used for an activity inherently necessitating the removal of a face covering, including but not limited to indoor dining, indoor bars, indoor swimming

Order of the County Health Officer
Establishing Risk Reduction Measures
To Contain COVID-19 (Issued July 2, 2020)

pools, smoking lounges, saunas, steam rooms, and heated exercise studios. This prohibition does not apply to healthcare facilities.

- b. Professional sports stadiums and arenas, except that professional sports training is permitted and professional sporting events can occur in such facilities without spectators and in accordance with other applicable requirements, upon approval by the Health Officer of a facility-specific risk reduction protocol.
- c. Non-residential adult and elder day care facilities.
- d. Amusement and theme parks.
- e. Nightclubs, music and concert venues, and indoor theaters.
- f. Indoor playgrounds and amusement centers such as bounce centers, ball pits, and laser tag.
- g. Any additional businesses or facilities that the Health Officer specifies in a directive or order must be closed.

14. **Transit.** Transit agencies must facilitate compliance with Social Distancing Requirements to the greatest extent feasible. All people must comply with the Face Covering Guidance in Section 10 and Social Distancing Requirements in Section 9 while riding or waiting for public transit, except people specifically exempted.

15. **Enforcement.** Pursuant to Government Code sections 26602 and 41601, Health and Safety Code section 101029, and Santa Clara County Ordinance Code section A1-34 *et seq.*, the Health Officer requests that the Sheriff, all chiefs of police in the County, and all enforcement officers ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.

16. **Effective Date.** This Order shall become effective on the later of (1) 12:01 a.m. on July 13, 2020 or (2) 12:01 am two days following approval by the State Department of Public Health of a “variance” under the State’s “Resilience Roadmap” as described at [covid19.ca.gov](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Resilience-Roadmap.aspx). This Order shall continue to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer.

17. **Copies.** Copies of this Order shall promptly be: (1) made available at the County Government Center at 70 W. Hedding Street, San José, California; (2) posted on the County Public Health Department website (www.sccphd.org); and (3) provided to any member of the public requesting a copy of this Order.

18. **Severability.** If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or

provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

Sara H. Cody, M.D.
Health Officer of the County of Santa Clara

Dated: _____

Approved as to form and legality:

James R. Williams
County Counsel

Dated: _____

Laura Meiners, Project Manager
Kenneth Rosales, Environmental Project Manager
July 24, 2020
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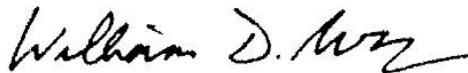
Indeed, it is obvious that COVID-19 is having an impact on the physical environment as indicated by the County Health Officer's Order on July 2 (attached as Exhibit D) and Executive Orders of the California Governor and the State Public Health Officer. This is especially important as an environmental analysis must examine the physical environmental conditions as they exist at the time environmental analysis is commenced, from both a local and regional perspective. CEQA Guidelines § 15125.

D. Conclusion

Accordingly, we request that the proposed Community Meeting *be postponed* so that informative and accurate additional notice may be provided, and that specific details of the Project and potential environmental impacts can be disclosed and made available to the public both electronically and by hardcopy.

Thank you for your review of this matter. If you have any questions, please contact the undersigned at wross@lawross.com or (650) 843-8080.

Very truly yours,



William D. Ross

WDR:DPS

cc: The Honorable Devora Davis
City Councilmember, District 6
district6@sanjoseca.gov

Mary Anne Groen, Chief of Staff
maryanne.groen@sanjoseca.gov

Enclosures:

- Exhibit A - Petition in Opposition of the Project
- Exhibit B - Community Meeting Agenda & Notice
- Exhibit C - Photographs of On-Site Notices
- Exhibit D - July 2, 2020 Order of the Santa Clara County Health Officer

EXHIBIT “D”



Santa Clara County
PUBLIC HEALTH

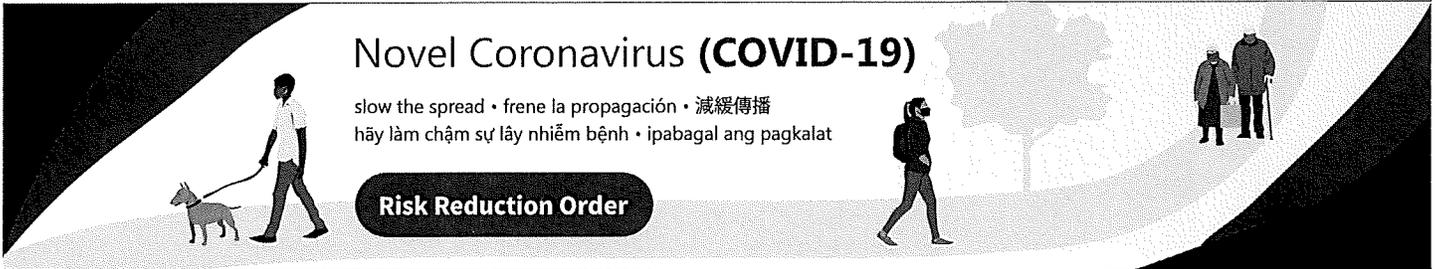
County of Santa Clara

Emergency Operations C



- How Do I... ▾
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- Learn What to Do ▾

- Businesses and Workplaces ▾
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Last content update: 11/16/2020

Update: To reduce the likelihood of a surge in hospitalizations that would exceed the capacity of hospitals in the county, the Health Officer is making several modifications to the current Mandatory Directives applicable to businesses and county residents, including requiring that certain sectors modify their operations to increase safety, reducing the number of persons allowed in facilities at any one time, and reducing the size of outdoor gatherings. Further, certain higher risk activities will be prohibited.

The Health Officer is also issuing a Mandatory Directive on Travel, which strongly discourages leisure and non-essential travel, and requires persons entering the county to quarantine for 14 days upon return from travel of more than 150 miles.

These revised and new Mandatory Directives will take effect on Monday, November 30, 2020 at 12:01 a.m. and will remain in effect until December 21, 2020 at 5:00 a.m. unless they are extended.

On November 16, 2020, the State moved the County of Santa Clara into the Purple Tier (Tier One), the most restrictive tier in the State's "Blueprint for a Safer Economy." The changes are

Quick Links

[COVID-19 Testing Sites](#)

[Frequently Asked Questions and Ask a Question](#)

[Healthcare Provider Information](#)

[COVID-19 Flyer and Poster Library](#)

[Home Isolation and Quarantine Guidance](#)

[Coronavirus and Education](#)

[County Services During COVID-19](#)

[Eviction Moratorium Information](#)

effective at 12:01 am on November 17, 2020. The County's new Mandatory Directive on Capacity Limitations describes the additional capacity limitations for businesses, entities, and activities under the Purple Tier.

As always, Santa Clara County residents and businesses must follow both the State and County Health Officer Orders, and where there is a conflict between the two, the stricter Order must be followed.

The following documents can be reviewed for further information on the Revised Order.

- The County of Santa Clara October 5 Revised Risk Reduction Order - (PDF):
| English | Chinese | Spanish | Vietnamese | Tagalog |
- Executive Summary of Changes Effective November 30, 2020 - (PDF):
| English | Chinese | Spanish | Vietnamese | Tagalog |
- Social Distancing Protocol:
| English | Chinese | Spanish | Vietnamese | Tagalog |
 - COVID-19 Capacity Limitations
- Requirements for ALL Businesses - (PDF):
| English | Chinese | Spanish | Vietnamese | Tagalog |
- What Customers Should See in Every Business - (PDF):
| English | Chinese | Spanish | Vietnamese | Tagalog |
- Guidance to Ventilation and Air Filtration Systems - (PDF):
| English | Spanish | Vietnamese | Chinese | Tagalog |

The following documents are the Mandatory Health Officer Directives that specify requirements for businesses and activities:

- Capacity Limitations - (PDF): | English |
- Travel - (PDF): | English |
- Personal Care Services- (PDF): | English |
 - Tenant and Lessee Affirmation of Social Distancing Protocol Form - (PDF): | English |
- Dining - (PDF): | English | Spanish | Vietnamese | Chinese |
- Construction - (PDF): | English | Spanish | Vietnamese | Chinese |
- Gatherings (including social, religious, political, ceremonial, athletic, and other types of gatherings) - (PDF):
| English | Spanish | Vietnamese | Chinese |
- Public Transit - (PDF): | English |
- Lodging Facilities - (Including Hotels & Motels) (PDF):
| English |
- Agriculture, Food Packing, and Food Processing

[Share a Concern](#)

[Provider Case Report Form](#)

[COVID-19 Resource Directory](#)

Businesses - (PDF): | English |

- Programs Serving Children or Youth - (PDF): | English |
- Schools - (PDF): | English | Spanish | Vietnamese | Chinese |
- Collegiate and Professional Athletics – (PDF): | English |
- Amusement Parks – (PDF): | English |
- Long-Term Care Facilities – (PDF): | English |

Testing Order Issued September 16, 2020: The Health Officer issued an amended Order regarding Testing on September 16, 2020. This new order enhances testing access by expanding the number of Essential Workers entitled to testing, makes sure access to testing is easy and quick, and ensures that healthcare providers inform their patients about how to access testing. This Order will go into effect on September 25, 2020.

- Healthcare Testing Accountability Order (PDF): | English | Chinese | Spanish | Vietnamese | Tagalog |
- Notice of your Right To COVID-19 Testing By Your Healthcare Provider (PDF): | English | Chinese | Spanish | Vietnamese | Tagalog |
- Healthcare Testing Accountability Order Frequently Asked Questions

New Order Issued September 4, 2020: The Health Officer issued a new Order regarding influenza vaccinations on September 4, 2020. This Order will go into effect on September 8, 2020.

- Health Officer Influenza Vaccination Order (PDF): | English | Chinese | Spanish | Vietnamese | Tagalog |

Public health Orders are legal orders issued under the authority of California law. Learn more about the enforcement of County and State Public Health Orders. Violations of these orders are punishable by fine, imprisonment, or both.

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Executive Summary of Changes Effective November 30, 2020 NEW - PDF English

Executive Summary of Revisions to the Health Officer's Mandatory Directives Issued November 28, 2020

The number of Santa Clara County residents contracting COVID-19 and the number of patients hospitalized with COVID-19 has continued to rise significantly over the last several weeks. If these trends continue, hospitals in the County will reach or exceed their capacity within the next few weeks. At present, several hospitals in the county, particularly those serving the eastern and southern parts of the county have few if any ICU beds available.

To reduce the likelihood of a surge in hospitalizations that would exceed the capacity of hospitals in the county, the Health Officer is making several modifications to the current Mandatory Directives applicable to businesses and county residents, including requiring that certain sectors modify their operations to increase safety, reducing the number of persons allowed in facilities at any one time, and reducing the size of outdoor gatherings. Further, certain higher risk activities will be prohibited.

The Health Officer is also issuing a Mandatory Directive on Travel, which strongly discourages leisure and non-essential travel, and requires persons entering the county to quarantine for 14 days upon return from travel of more than 150 miles.

These revised and new Mandatory Directives will take effect on Monday, November 30, 2020 at 12:01 a.m. and will remain in effect until December 21, 2020 at 5:00 a.m. unless they are extended.

Below are key changes being made to the Mandatory Directives:

Capacity Limits for Indoor Facilities Open to the Public:

Stores and other facilities open to the public will be limited to 10% capacity indoors. Grocery stores, drug stores, and pharmacies, however, will be allowed to operate at 25% capacity indoors to ensure adequate access to food and medicine.

All facilities open to the public must establish a "metering system" to ensure that the applicable capacity limits are not exceeded by, for example, posting an employee at the facility entrance to track the number of people entering and exiting.

Outdoor Gatherings:

Gatherings continue to be allowed only outdoors, with a maximum of 100 people. The State limits such gatherings to First Amendment protected activities, such as religious services or protests.

Professional, Collegiate, and Youth Sports:

All recreational activities that involve physical contact or close proximity to persons outside one's household, including all contact sports, will be temporarily prohibited. People can continue to engage in outdoor athletics and recreation where social distancing can be maintained at all times.

Cardrooms:

Cardrooms are temporarily closed.

Hotels and Other Lodging Facilities:

Hotels and other lodging facilities will be open only for essential travel and for use to facilitate isolation or quarantine.

Quarantine Post-Travel:

Leisure and non-essential travel are strongly discouraged, and a new Mandatory Directive on Travel will require people to quarantine for 14 days upon return to the County from travel of more than 150 miles. Healthcare workers traveling into the county to provide care or patients traveling into the county to obtain treatment will be exempted from this requirement.

Below are key rules under the Revised Risk Reduction Order:

Consistency with State's Blueprint: Unless otherwise specified in the County's Order or Mandatory Directives, businesses are allowed to open to the extent allowed under the State's Blueprint and the restrictions applicable to the tier to which the County is assigned.

Requirements Applicable to All Businesses: The Revised Order

continues to require that all businesses follow a set of rules to reduce the risk of spreading COVID-19, including:

1. **Telework:** All businesses must continue to require workers to do their jobs from home whenever possible. Workers can go into work only to complete the job duties they can't complete from home.
2. **Social Distancing Protocol requirements:** All businesses must complete and submit a Revised Social Distancing Protocol for each of their facilities on the County's website at [COVID19Prepared.org](https://www.sccgov.org/sites/covid19/Pages/COVID19Prepared.org). **Social Distancing Protocols submitted prior to October 11, 2020 are no longer valid.** The Revised Social Distancing Protocols must be filled out using an updated template for the Social Distancing Protocol at [COVID19Prepared.org](https://www.sccgov.org/sites/covid19/Pages/COVID19Prepared.org).
3. **Positive case reporting:** All businesses (and governmental entities) are legally required to report to the Public Health Department within 4 hours if they learn that any of their workers are confirmed to be positive for COVID-19. They must also ensure workers alert them if they test positive.
4. **Capacity Limitation:** All businesses must comply with applicable capacity limitations established in the Mandatory Directive on Capacity Limitations.

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Public Health Order Archive

- [Executive Summary of the Risk Reduction Order - 10-05-2020](#)
- [Mandatory Health Officer Directive for Malls – 07-14-2020](#)
- [Mandatory Health Officer Directive for Zoos and Museums – 07-14-2020](#)
- [Mandatory Health Officer Directive for Cardrooms – 07-14-2020](#)
- [Mandatory Health Officer Directive for Movie Theaters – 07-14-2020](#)
- [Mandatory Health Officer Directive for Recreational and Athletic Activities and Facilities – 07-14-2020](#)
- [Mandatory Health Officer Directive for Outdoor Pools – 07-14-2020](#)

- Mandatory Health Officer Directive for Food Facilities – 07-14-2020
- Mandatory Health Officer Directive for Gym and Fitness Facilities – 07-14-2020
- Executive Summary of Order Establishing Risk Reduction Measures – 07-02-2020
- Order Establishing Risk Reduction Measures - 07-02-2020
- Order Requiring Large Healthcare Facilities to Offer COVID-19 Testing to Their Patients - 06-10-2020
- Executive Summary of Update to May 22, 2020 Order to Shelter in Place - 06-05-2020
- Order to Shelter in Place - 05-22-2020
- Order for Personal Protective Equipment (PPE) and Ventilators - 05-13-2020
- Order to Shelter in Place extended and revised - 04-29-2020
- Order to Report Inventories of PPE and Ventilators - 04-06-2020
- Order to Continue Sheltering in Place - 03-31-2020
- Labs Ordered to Share Test Results - 03-24-2020
- Order to Shelter In Place - 03-16-2020
- Order Imposing Moratorium on Mass Gatherings - 03-13-2020
- Order to Cancel Mass Gatherings - 03-09-2020

Last updated: 11/28/2020 3:22 PM

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