

The environmental factors checked below would be potentially affected by this project, involving at least one impact as indicated by the checklist on the following pages.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

- Aesthetics
- Agriculture / Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use
- Noise
- Population / Housing
- Public Services
- Resources / Recreation
- Transportation / Traffic
- Utilities / Service Systems
- Mandatory Findings of Significance
- None

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
- I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

David M. Rader
Signature

6-6-12
Date

David M. Rader
Printed name

Colleen Oda
For

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ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

| A. AESTHETICS | | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|---------------------|
| WOULD THE PROJECT: | IMPACT | | | | SOURCES |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2,3,4, 6,17f |
| b) Substantially damage scenic resources along a designated scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 6,7 17f |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2,3 |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3,4 |
| e) If subject to ASA, be generally in non-compliance with the Guidelines for Architecture and Site Approval? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11 |
| f) If within a Design Review Zoning District for purposes of viewshed protection (d, -d1, -d2), conflict with applicable General Plan policies or Zoning Ordinance provisions? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2,3,4,8a, 9,12, 17f |

DISCUSSION:

The project includes construction of a 5,000 sq. ft. prayer hall, 2,800 sq. ft. multi-purpose hall, parking lot with 59 parking spaces, 2 detached outdoor bathroom structures (approx. 450 sq. ft. each), outdoor play field and picnic area, detention pond, and 2 acres of cemetery.

~~The subject property is a 15.77-acre vacant parcel located on the valley floor west of Monterey Highway and north of California Avenue. It is adjacent to the City of Morgan Hill in an unincorporated area of Santa Clara County. There are no structures on the project site. Vegetation on site includes open grassland on a majority of the portion of the parcel where improvements are proposed, with a few scattered oak trees on the remainder of the parcel. The project site slopes from north to south, with an average slope of approximately 15%.~~

Llagas Creek is located approximately 150 ft away from the property boundary on an adjacent northern parcel, and is mostly separated from the project site by a low hill onsite. An industrial development is located to the east across Monterey Road. The parcel to the south is vacant. Large-lot rural residences are adjacent to the property on the west side, with the nearest residence approximately 250 feet from the property line. The surrounding area west of Monterey Highway includes rural residential developments and vacant parcels. A developed industrial corridor is located east of Monterey Highway.

The property is visible from Monterey Road and adjacent parcels to the south and west. Most views from the north are blocked by a low hill that separates Llagas Creek from the proposed project site. No designated or eligible scenic highways are located in the vicinity of the project site. Because the property is relatively flat in relation to the surrounding area, contains no

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landmarks, and is surrounded by similar properties, the project site would not stand out when viewed from higher elevations on surrounding hills and ridge tops.

Views from Monterey Highway looking toward the project site are composed of the foothills and ridgetops of the Santa Cruz Mountains to the west. The proposed structures (prayer hall and multipurpose hall) would be limited to a maximum height of 25 feet, would occupy only about 1 percent of the 15.77-acre parcel, and would be located more than 150 feet from the highway. Therefore, views from the highway to the west would not be obstructed by the proposed project.

The site is within a Design Review designated zone (-d1) – Santa Clara Valley viewshed. The -d1 combining district is intended to conserve the scenic attributes of those hillside lands located within the Santa Clara Valley viewshed area most immediately visible from the valley floor. It is intended to minimize the visual impacts of structures and grading on the natural topography and view from the Santa Clara valley floor, using a combination of supplemental development standards, design guidelines, and design review requirements. The Design Review requirements are incorporated into the Architecture and Site Approval conditions.

Because the surrounding area is partially developed, and the proposed structures are limited in size in relation to the overall property, and because the proposed project would be subject to Design Review conditions that would further minimize visual impacts of development, the proposed project would not cause substantial adverse impacts on the scenic vista, visual character or quality of the site and its surroundings. In accordance with standard requirements applied per the County's Architectural and Site Approval process, the following requirements shall screen the visibility of the project as viewed from the valley floor and surrounding parcels:

MITIGATION:

- (1) *A final landscape plan shall be submitted for approval prior to final grading permit issuance that meets the County Landscape Ordinance and San Martin Integrated Design Plan requirements.*

The preliminary landscape plans submitted show a variety of trees, including cedar, coast live oak, ash, crape myrtle, palm, locust, pepper, elm, golden rain, and olive, to be located surrounding the proposed buildings, parking lot, cemetery, and adjacent to Monterey Road. The final landscape plans must include water conservation measures, irrigation, and other requirements as specified in the landscape conditions.

- (2) *A lighting plan shall be submitted for approval prior to building permit issuance. Any new outdoor lighting shall not adversely affect night time views. Lighting shall be designed to ensure that no direct offsite spill of light or glare will occur.*

- (3) *Maximum Light Reflectivity Value (LRV) for all new structures that includes exterior walls, trim and roof is limited to 45. Prior to final building permits issuance, color samples shall be submitted that comply with the LRV requirement.*

- (4) *Prior to building permit issuance, color samples, and specificity of building materials shall be submitted for approval.*

Per the San Martin Integrated Design Plan, building materials for new structures must be natural looking (i.e. adobe, wood, stone, brick, smooth stucco or timber). Materials such as metal sheeting and excessive use of glass are inappropriate. Roofing materials such as ceramic,

concrete or terra cotta tiles; standing seam metal, pressure treated fire resistant wood shake; composition or asphalt shingles may be required. Colors shall generally be earth tone, or otherwise subdued to minimize visibility from the valley floor.

The submitted elevations show a building style (1 story ranch style building) of rural characteristics consistent with the architectural styles encouraged in the San Martin Integrated Design Plan. The building material and colors are not specified at this time.

(5) Show compliance with Design Review (-d1) massing requirements on final building permit plans. Maximum horizontal length of a continuous wall plane shall be 80 feet or less. Maximum height of a wall plane, including foundation and other continuous components, shall be 24 feet, with the following exceptions: (a) Any architectural component where façade dimension does not exceed 18 horizontal feet, or (g) multiple such components (18 horizontal feet maximum) where combined horizontal dimension does not exceed 25% of the total horizontal dimension of the façade.

The preliminary elevations and floor plans submitted appear to show that the massing requirements can be met with minor revisions to the building design. Structurally detailed elevation and floor plans to be prepared for the building permit plans shall meet the massing requirements for compliance with the Zoning Ordinance –d1 Design Review requirements.

FINDING:

The project would have a less than significant visual impact with compliance of the above requirements.

| B. AGRICULTURE / FOREST RESOURCES | | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|------------|
| In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. | | | | | |
| WOULD THE PROJECT: | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Convert 10 or more acres of farmland classified as prime in the report <i>Soils of Santa Clara County</i> to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3,23,24,26 |
| b) Conflict with existing zoning for agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9,21a |
| c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 28 |
| d) Conflict with existing zone for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9, |
| e) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 32 |
| f) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3,4,26 |

DISCUSSION:

According to *Soils of Santa Clara County*, and GIS maps using data from the California Department of Conservation and US Department of Agriculture, the project area consists of eight soil types and a majority of the site contains non-prime agricultural soils. The non-prime agricultural soils identified at the project site include: Keefers clay loam (KeC2), Gilroy clay loam 15 to 30% slope (GoE2), Gilroy clay loam 30 to 50% slope (GoF), Riverwash (Rg), and Cortina very gravelly loam (CoB). These soils are classified as Class III to Class VIII soils. Approximately 2.84 acres of the lot on the frontage of the site contains prime agricultural soils (Class I to II), which include Keefers clay loam 0 to 2% slope (KeA), Pleasanton loam 0 to 2% slope (PoA), and Pleasanton gravelly loam 0 to 2% slope (PpA). The frontage area with the prime agricultural soils is significantly less than the 10 acres significance threshold.

The Zoning Districts on the property are Rural Residential (RR-5Ac-d1), and General Use (A1-5Ac-d1). The site does not contain any timberland. Oak woodland is located adjacent to Llagas Creek over 150 ft. away from the proposed development area on an adjacent northern parcel. No oak woodland will be removed or altered as a result of the project. The site is not subject to a Williamson Act Contract.

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The project will not convert 10 or more acres of farmland classified as prime to non-agricultural uses. The subject lot is vacant and is currently not used for agriculture. The area on site designated with prime farmland soils (2.84 acres) utilizes a portion of the proposed parking lot, access road, detention pond and cemetery.

FINDING:

The project would have no significant impact to agriculture and forest resources.

| C. AIR QUALITY | | | | | |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|----------|
| Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. | | | | | |
| WOULD THE PROJECT: | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5,29, 30 |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5,29, 30 |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5,29, 30 |
| d) Expose sensitive receptors to substantial Pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5,29, 30 |

DISCUSSION:

~~In June 2010, BAAQMD adopted updated draft California Environmental Quality Act (CEQA) Air Quality Guidelines and finalized them in May 2011 (BAAQMD, 2011). These guidelines superseded previously adopted agency air quality guidelines and were intended to advise lead agencies on how to evaluate potential air quality impacts.~~

In late 2010, the Building Industry Association filed a lawsuit in Alameda Superior Court, challenging BAAQMD's CEQA Guidelines on the grounds that the agency did not comply with CEQA. In March of 2012, the Court ruled that the BAAQMD CEQA Guidelines constitute a project under CEQA and that the District must "set aside all approvals in [the resolution approving the Guidelines] and ... not disseminate these or any new approvals of officially sanctioned air quality thresholds of significance until the District fully complies with CEQA." The claims made in the case concerned the CEQA impacts of adopting the thresholds. Those issues are not relevant to the scientific soundness of the BAAQMD's analysis of what level of air quality analysis should be deemed significant. The County has determined that these thresholds are based on substantial evidence, as identified in Appendix D of the Guidelines, and has therefore incorporated them into this Initial Study.

This proposed project entails the construction of one new 5,000 sq. ft. prayer hall, 2,800 sq. ft. multipurpose hall, and several detached bathroom structures (approx. two 450 sq. ft. structures). The operation of these buildings (including future vehicle traffic associated with proposed

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activities) would create air emissions (criteria pollutants) that are significantly below the BAAQMD screening thresholds. According to BAAQMD CEQA Guidelines, the significance threshold for air emission impacts for an institutional use (place of worship) is 439,000 sq. ft. of floor space. The proposal includes a much smaller building footprint (8,700 sq. ft). Therefore, GHG emissions from operation of the proposed project would be significantly less than the BAAQMD size threshold.

The additional traffic volume of up to 53 cars that would be generated in a worst case scenario for a 200-person event (for 1 car per 4 occupants, and 1 car per employee [3 employees]) would generate emissions that are below screening thresholds for potentially significant carbon monoxide impacts per BAAQMD standards. According to BAAQMD CEQA Guidelines adopted in June 2010, a significant carbon monoxide impact consists of more than 24,000 vehicles per hour of traffic volumes at affected intersections.

Fugitive dust will be created during the construction of the prayer hall, multipurpose hall, parking lot, cemetery, restroom facilities, septic system, detention pond, and access driveways. However, standard dust control measures, as stipulated by the Bay Area Air Quality Management District (BAAQMD), would be used to ensure that any air quality impacts remain less than significant during construction including fugitive dust from NO_x (noxides of nitrogen) and PM10 (respirable particulate matter with aerodynamic resistance diameter of 10 micrometers) emissions.

Construction and operation of the facilities would not exceed BAAQMD maximum thresholds. According to BAAQMD CEQA Guidelines adopted in May 2011, a significant fugitive dust emission impact includes 54 pounds of daily average NO_x emissions, and 82 daily average pounds of PM10 emissions.

FINDING:

The project would have no significant impacts to air quality.

| D. BIOLOGICAL RESOURCES | | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|---------------------------------|
| WOULD THE PROJECT: | IMPACT | | | | SOURCES |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 7, 17b, 17o, |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3,7, 8a, 17b, 17e, 22d, 22e, 33 |

| | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|---------------|
| c) Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) or tributary to an already impaired water body, as defined by section 303(d) of the Clean Water Act through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 7, 17n, 33 |
| d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 31, 32 |
| e) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,7, 17b, 17o |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3,4, 17i |
| g) Conflict with any local policies or ordinances protecting biological resources: | | | | | |
| i) Tree Preservation Ordinance [Section C16]? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,3,31, 32 |
| ii) Wetland Habitat [GP Policy, R-RC 25-30]? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 8a |
| iii) Riparian Habitat [GP Policy, R-RC 31-41]? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 8a, |

DISCUSSION:

The State Department of Fish & Game Diversity Database maps show no endangered, threatened, or species of special concern within or near the site. Maps prepared for the proposed Santa Clara Valley Habitat Conservation Plan identify the property as rural residential land with no sensitive biological habitat on-site. The site has no serpentine soils. No trees would be removed. Llagas Creek is located on an adjacent parcel north of the site, which is in the City of Morgan Hill. The creek is separated from the project site by a low hill.

The project complies with County’s General Plan policies to protect riparian and freshwater habitat regulations. The County’s General Plan Policy R-RC 37 requires a 150 ft. setback (buffer) area from the top bank of creeks predominately in its natural state. This policy is required to protect waterways and water quality, and to avoid adverse impacts of adjacent development for habitat, sedimentation, biochemical, thermal and aesthetic impacts. The proposed site plans show that Llagas Creek is located approximately 400 ft. from the nearest proposed building pad area of the cemetery grounds, 250 ft. from the proposed building pad area for the prayer hall and multipurpose hall, 420 ft. from the proposed septic system, and 480 ft. from the proposed parking lot.

FINDING:

The project would have no significant impacts to biological resources.

| E. CULTURAL RESOURCES | | | | | |
|-----------------------|--------------------------------|----------------------------|------------------------------|-----------|--------|
| WOULD THE PROJECT | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With | Less Than Significant Impact | No Impact | |

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| | | Mitigation Incorporated | | | |
|--|--------------------------|----------------------------|--------------------------|-------------------------------------|-------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Section 17 of County Ordinance Code) -- i.e. relocation, alterations or demolition of historic resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 16, 19, 40, 41 |
| b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5 of the CEQA Guidelines? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 19, 40, 41, |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2,3,4,,40,41 |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2, 40,41 |
| e) If within New Almaden Historic area, conflict with General Plan policies of this designated special policy area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8a |

DISCUSSION:

The California Historical Resources Northwest Information Center indicated that the proposed project area has a low possibility of containing unrecorded archaeological site(s). Further study was not recommended. This recommendation was based on the negative findings confirmed in several archaeological studies for the subject property ("Study # 34561, completed by Carter in 2007, and Study # 4286 completed by King & Hickman in 1973). The California Historical Resources Northwest Information Center has also indicated that 1955 USGS quad maps depict a building in the proposed project area. The property is currently vacant with no structures.

A previous archaeological report, "Cultural Resource Evaluation For the Project Area at 14065 Monterey Road in the County of Santa Clara," by Archaeological Resource Management dated October 15, 2007 was submitted by the applicant. The evaluation confirmed that there are no recorded archaeological sites on the subject property. A general surface reconnaissance was conducted by an archaeologist for open land surfaces, and a controlled intuitive reconnaissance was performed for exposed banks and inclines within the project area. No cultural materials were found. The report concludes that the project would have no impacts to cultural resources.

In the event that human skeletal remains are encountered, the applicant is required under County Ordinance Code Section B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.

FINDING:

The project would have no significant impact to cultural resources.

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| F. GEOLOGY AND SOILS | | | | | |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|-----------------------|
| WOULD THE PROJECT: | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6, 17c, 43 |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6, 17c, 18b |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6, 17c, 17n, 18b |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6, 17L, 118b |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6, 14, 23, 24 |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2, 3, 17c, 23, 24, 42 |
| d) Be located on expansive soil, as defined in the report, <i>Soils of Santa Clara County</i> , creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 14, 23, 24, |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 6, 23, 24, |
| f) Cause substantial compaction or over-covering of soil either on-site or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 6 |
| g) Cause substantial change in topography or unstable soil conditions from excavation, grading, or fill? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2, 3, 6, 17j, 42 |

DISCUSSION:

The site is located within a County Landslide geologic hazard zone. The project area contains expansive soil with a range from none to moderate erosion hazard potential.

The County Geologist required a geologic report prepared by a geologic consultant to evaluate the potential for any landslide to occur on-site and associated erosion impacts of the proposed development. Geologic report, "Engineering Geologic Investigation – Proposed Mosque and Subdivision APN 779-06-002, 14045 Monterey Road, Santa Clara County, California" dated November 20, 2007, by Steven F. Connelly, and subsequent Geologic Updated Review Letter, dated June 13, 2011 by Steven Connolly was prepared, submitted and subsequently approved by the County Geologist. The geologic report and letter concludes that there are no landslide hazards or associated erosion impacts in the areas of proposed development.

The geologic consultant Steve Connolly assessed the geologic conditions on the property by reviewing geologic maps and reports, conducting a site reconnaissance, consulting with the County Geologist, and excavating and logging of 5 test pits. No evidence of landslides was observed within the proposed development areas or within the proposed excavation for building pad and cut slope. An active shallow debris landslide was observed towards a steep hillslope above Llagas Creek on the northeast corner of the property. This landslide is over 200 ft. away from the proposed structures and other improvements. The geologic report recommends a minimum 25 foot building setback to mitigate any potential landslide hazards from the active landslide debris. There are no active earthquake faults or liquefaction zones on-site; and no evidence of ground cracking was observed within the proposed building site area during the site reconnaissance and investigation. The geologic report and geologic update letter concludes that the proposed building site areas and excavation are not within any geologic hazard areas on-site.

The County Geologist requires the submittal of a Geotechnical Engineer's Plan Review Letter prior to issuance of building and grading permits to confirm the proposed grading (cut and fill specifications) are appropriate for the site conditions. A Construction Observations Letter is also required verifying the grading work was completed in conformance with the approved plans and specifications. This letter must be submitted prior to grading completion.

The project will be subject to Santa Clara County's Policies and Standards Pertaining to Grading and Erosion Control. The required grading will be carried out in accordance with the recommendations set forth by the County Grading Ordinance. At the time of construction, all graded areas shall be reseeded in conformance with the County Grading Ordinance to ensure that the project will minimize the potential for erosion on the site. All other land use and engineering aspects of this project will be conditioned by the recommendations set forth by the County Land Development Engineering Office.

FINDING:

The project would have no significant geologic impacts.

| G. GREENHOUSE GAS EMISSIONS | | | | | SOURCE |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|--------|
| WOULD THE PROJECT | IMPACT | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |

Climate Change Discussion

In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill No. 32; California Health and Safety Code Division 25.5, Sections 38500, et seq.), which limits statewide greenhouse gas (GHG) to 1990 levels and establishes a goal of achieving these

emissions reductions by 2020 (representing a 25 percent reduction in emissions). AB 32 requires the California Air Resources Board (CARB) to adopt a comprehensive blueprint for limiting greenhouse gas emissions by the end of 2008 and complete the necessary rulemaking to implement that plan by the end of 2011. The AB 32 Climate Change Scoping Plan was approved in August 2011.

In addition, the adoption of SB 97 in 2007 mandates that the California Office of Planning and Research (OPR) prepare CEQA Guidelines which establish standards for evaluating greenhouse gas emissions including the creation of feasible mitigation measures. The California Resource Agencies adopted amendments to the CEQA Guidelines for Greenhouse Gas Emissions on December 30, 2009, which became effective on March 18, 2010. The modified CEQA Guidelines require that public agencies in California evaluate greenhouse gas emissions within their CEQA documents, using either qualitative or quantitative methods. Although the modified CEQA guidelines prescribe that CEQA documents must evaluate Greenhouse Gas emissions and determine if emissions will be significant, they do not establish a clear methodology or quantitative thresholds for making this determination.

In November 2009, The Bay Area Air Quality Management District (BAAQMD) published proposed revisions to its CEQA Guidelines for addressing Air Quality impacts. These updated Guidelines included proposed quantitative thresholds for Greenhouse Gas Emissions, establishing both a “bright line” threshold of significance for GHG emissions and also an efficiency threshold. Using a methodology that models how new land use development in the San Francisco Bay area can meet AB 32 GHG reduction goals, the BAAQMD Guidelines establish a significance threshold of 1,100 metric tons of CO² per year. In addition to this bright line threshold, the Guidelines include an “efficiency” threshold to be used for urban high density, transit oriented development projects that are intended to reduce vehicle trips but may still result in overall emissions greater than 1,100 metric tons per year. These proposed GHG thresholds were adopted by the BAAQMD Board of Directors on June 2, 2010.

In late 2010, the Building Industry Association filed a lawsuit in Alameda Superior Court, challenging BAAQMD’s CEQA Guidelines on the grounds that the agency did not comply with CEQA. In March of 2012, the Court ruled that the BAAQMD CEQA Guidelines constitute a project under CEQA and that the District must “set aside all approvals in [the resolution approving the Guidelines] and ... not disseminate these or any new approvals of officially sanctioned air quality thresholds of significance until the District fully complies with CEQA.” The claims made in the case concerned the CEQA impacts of adopting the thresholds. Those issues are not relevant to the scientific soundness of the BAAQMD’s analysis of what level of GHG emissions should be deemed significant. The County has determined that these thresholds are based on substantial evidence, as identified in Appendix D of the Guidelines, and has therefore incorporated them into this Initial Study.

This proposed project entails the construction of the following structures: one new 5,000 sq. ft. prayer hall, 2,800 sq. ft. multipurpose hall, and several detached bathroom structures (approx. two 450 sq. ft. structures). The construction and use of these structures would create greenhouse gas emissions that are significantly below the BAAQMD screening thresholds. According to BAAQMD CEQA Guidelines, the significance threshold for greenhouse gas emission impacts for an institutional use (place of worship) is 61,000 sq. ft. of floor space. The proposal includes a much smaller building footprint (8,700 sq. ft). Therefore, GHG emissions from operation of the proposed project would be significantly less than the BAAQMD size threshold.

Due to the relatively small scale of the project, which is less than BAAQMD significance thresholds as discussed above, and compliance with existing County and State requirements as discussed below, it is anticipated that the proposed project will not result in any cumulative considerable greenhouse gas emissions.

The project is required to comply with the County’s Green Building Ordinance which applies mandatory green building requirements to new non-residential development. These measures include higher energy efficiency standards and requirements to minimize water usage and the use of natural resources. When building permit plans are submitted, the applicant is required to demonstrate how all buildings that are 5,000 sq. ft. or more comply with U.S Green Building Council Leadership in Energy and Environmental Design (LEED) Certification requirements. Prior to final inspection of the buildings, the applicant is required to demonstrate how the buildings were constructed to Green Building Standards per the California Green Building Standards Code (CALGreen) non residential and LEED certification requirements.

FINDING:

The project would have no significant greenhouse gas emissions impacts.

| G. HAZARDS & HAZARDOUS MATERIALS | | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|------------|
| WOULD THE PROJECT | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2, 3, 5 |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 46 |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 47 |
| e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 22a |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5, 48 |
| g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires including where wildlands are adjacent to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4, 17g |

Attachment: Attachment D PC Staff Report Exhibit C (64492 : Appeals of the Planning Commission decision granting approval of Cordoba

| | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------|
| | urbanized areas or where residences are intermixed with wildlands? | | | | <input checked="" type="checkbox"/> | 1, 3, 5, 31 |
| h) | Provide breeding grounds for vectors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5, 31 |
| i) | Proposed site plan result in a safety hazard (i.e., parking layout, access, closed community, etc.)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3 |
| j) | Involve construction of a building, road or septic system on a slope of 30% or greater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 17n |
| k) | Involve construction of a roadway greater than 20% slope for a distance of 300' or more? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 17n |

DISCUSSION:

The project does not propose the use of any type of hazardous materials. Site development for the new buildings, roads and septic system is on a slope less than 30%, and does not include constructing roadways on 20% slope for a distance of 300 ft. or more.

The property is located in the South Santa Clara County Fire Response Area. At the time of site development the applicant shall meet all requirements of the County Fire Marshal's Office for fire protection and fire prevention which may include, but not be limited to, providing on-site fire flow, a fire hydrant, an automatic fire sprinkler system, and appropriate driveway turnouts and turnarounds for fire engines.

FINDING:

The project would have no significant impacts related to hazards and hazardous materials.

| H. HYDROLOGY AND WATER QUALITY | | | | | |
|---|--------------------------------|--|------------------------------|-------------------------------------|---------|
| WOULD THE PROJECT: | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 34, 36 |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 4 |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 17n, |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Note policy regarding flood retention in watercourse and restoration of riparian vegetation for West | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 17p |

| | | | | | | |
|------------------------|---|--------------------------|--------------------------|--------------------------|-------------------------------------|------------------|
| Branch of the Llagas.) | | | | | | |
| e) | Create or contribute increased impervious surfaces and associated runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5, 36, 21a |
| f) | Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5 |
| g) | Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 17p, 18b, 18d |
| h) | Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 18b, 18d |
| i) | Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2, 3, 4, 17p |
| j) | Be located in an area of special water quality concern (e.g., Los Gatos or Guadalupe Watershed)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4, 6a, |
| k) | Be located in an area known to have high levels of nitrates in well water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4, 20b, 20c |
| l) | Result in a septic field being constructed on soil where a high water table extends close to the natural land surface? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3 |
| m) | Result in a septic field being located within 50 feet of a drainage swale; 100 feet of any well, water course or water body or 200 feet of a reservoir at capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 17e |
| n) | Conflict with Water Collaborative Guidelines and Standards for Land Uses Near Streams? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 22d, 22e |

DISCUSSION:

As discussed in the biological resources section, Llagas Creek is located on an adjacent parcel north of the site located in City of Morgau Hill. There is no mapped 100 year flood hazard area on site.

The project is in compliance with County’s regulations for protection of riparian and freshwater habitat. In accordance with County General Plan Policy R-RC37, a 150 ft. setback (buffer) area is required from top bank of creeks predominately in its natural state. This policy is required in order to protect waterways providing for water quality, and to avoid adverse impacts of adjacent development for habitat, sedimentation, biochemical, thermal and aesthetic impacts. As shown on proposed site plans, Llagas Creek is located approximately 400 ft. away from the proposed building pad area of the cemetery grounds, 250 ft. away from the building pad area for the proposed prayer hall and multipurpose hall, 420 ft. away from the proposed septic system, and 480 ft. away from the proposed parking lot.

New on-site septic waste water tank and leachfields shall be installed for the proposed prayer hall, multipurpose hall and restroom facilities, and domestic water shall be provided by connection to San Martin Water Works or alternate water system shall be approved and installed to Department of Environmental Health (DEH) standards. No septic fields are proposed within 100 ft. of any waterway and well setbacks as required by DEH.

DEH has confirmed that the area designated for the septic fields meets County standards, and contains low permeability soils. County General Plan policy R-LU146 identifies soils of high permeability as those with permeability rates exceeding 6 inches per 60 minutes, as delineated on the maps of Soils of Santa Clara County. Percolation rate for area for the proposed septic fields is 1 inch per 108 minutes, which is significantly lower than the thresholds defined for permeable soils.

A groundwater study prepared by hydrogeologist Jeremy Wire of Geoconsultants, Inc. dated August 27, 2007 (Ground-Water Level Determination, Septic Disposal System, APN 779-06-002, 14045 Monterey Road, San Martin, California) confirms that there are no high ground water levels where septic systems are proposed. The hydrogeologist indicates that the anticipated depth to groundwater on the area of the site being considered for septic disposal ranges from 17 feet to 25 feet depending on the topographic elevation. The hydrogeologist reviewed data from Michael Batz (of Batz Environmental Consulting), Santa Clara Valley Water District historic well data, soil and ground water data for the designed septic disposal system, and also performed a site reconnaissance to observe surface soil conditions.

An addendum groundwater study prepared by hydrogeologist Jeremy Wire of Geoconsultants, Inc. dated April 10, 2012, confirms that there are no high groundwater levels where the cemetery is proposed. The hydrogeologist indicates that the anticipated depth to groundwater on the area proposed for cemetery grounds ranges from 17 feet to 37 feet depending on the topographic elevation. The grave sites are proposed to be placed 5 to 6 feet underground. The hydrogeologist reviewed data on soil and ground water conditions for the vicinity of the site including information provided by the previous ground water study, historic data records (for 2005 to current year) provided by the Santa Clara Valley Water District regarding well water data, and also performed a site reconnaissance to observe present site conditions and confirm locations of nearby water well that might be impacted by the proposed cemetery.

The addendum groundwater study confirms that permeability of the soils within the cemetery area are low (0.06 to 0.20 inches per hour), significantly below the high permeability rate standard of 6 inches per hour per the County General Plan. The nearest water well is approximately 200 feet southeast of the southwest corner of the proposed cemetery area. The addendum groundwater study concludes that due to the lateral difference of 200 feet, along with the low permeability of the subsoils, the proposed cemetery would not result in any adverse effects on the nearby well.

The proposed cemetery was reviewed by the California Regional Water Quality Control Board Central Coast Region (RWQCB) in compliance with State water regulations. The RWQCB reviewed the groundwater studies, and evaluated the proposed cemetery's compliance with State water quality regulations to water quality, waste discharge and groundwater. Per a letter to the applicant dated May 16, 2012, the RWQCB has determined that the proposed cemetery will not have any significant water quality impacts due to the following conditions as follows:

- 1) Chemical leaching and potential pollution of chemicals is not an issue, because no chemicals or additives are involved in the process of preparing and placing the deceased human bodies in the cemetery on-site. Preparation of bodies is done at an off-site licensed morgue before brought to the cemetery for burial. No onsite morgue is proposed.
- 2) A minimum five-foot separation shall be maintained between highest anticipated groundwater level of 17 ft. deep and the bottom of the grave sites and septic system leach

- field trenches containing the discharge piping. The graves are proposed to be buried 5 to 6 feet below ground level that exceed the 5 feet separation requirement.
- 3) The distance between the septic system leachfield discharge and cemetery plots is such that the two systems will not adversely affect water quality given the proposed design flow rate to the leachfields.
 - 4) The soil column underneath the burial site will have absorptive capacity and biological decomposition characteristics similar to those processes of the septic system, with slower percolation rates as demonstrated by the site specific soil studies and hydrogeological reports prepared.
 - 5) Groundwater mounding from the proposed discharge to the septic system is minimal underneath the septic system leachfields rising to a worst case scenario of potential rise in groundwater elevation of 1/3 a foot over a one year period when utilizing a constant flow rate of 2,500 gallons per day per RWQCB calculations of hydraulic numeric modeling of the proposed discharge utilizing a flow rate to the septic system exceeding actual design flow.
 - 6) Supplemental water may be provided by West San Martin Water Works, Inc., water purveyor, and the existing unused well on the proposed shall be properly abandoned.
 - 7) The distance to the nearest operational well is greater than 200 feet. This is more than the required setback distance of 100 ft. as required in the Central Coast Region Basin Plan for septic systems and protection of groundwater supply wells.
 - 8) The nearest operational well is sealed from the ground surface to 50 feet below ground surface, provided a protective barrier (i.e. sanitary seal) for groundwater.
 - 9) The proposed septic system and cemetery are located outside the flood zone which is limited to a narrow area along the northern property boundary.
 - 10) The proposed waste discharges are underground and located approximately 150 feet away from Llagas Creek, which is greater than the Central Coast Region Plan required setback of 100 feet.
 - 11) The majority of stormwater or surface flow runs in a south-southeast direction away from the northern property boundary and Llagas Creek. More specifically, the proposed septic system and cemetery are in an area where stormwater flow is separated from Llagas Creek by a ridge (area of topographically higher elevation) along the northern property boundary (i.e. the ridge separates the septic system and cemetery area from Llagas Creek). Given that the discharges are underground, and in the event runoff or surfacing of water occurs near the septic system and cemetery, the site topography will cause the water to runoff away from Llagas Creek; therefore RWQCB has determined there is no threats from the septic system and cemetery to surface water from flooding or stormwater runoff flows.

Drainage will not be substantially altered. A drainage retention pond with drainage inlets from the access driveway and parking lot shall be constructed as shown on site plans along with riprap and grassy swales surrounding the proposed structures to retain surface runoff. Final drainage plans shall be prepared prior to final grading permit issuance that details all the drainage calculations and other technical drainage requirements per compliance with County Drainage Ordinance and Land Development Engineering's requirements.

Drainage calculations report dated April 21, 2011 by RI Engineering, Inc. evaluated storm drainage conditions for the project. As assessed, in the report, storm drainage runoff will be directed away from the proposed buildings onsite grading and by grass lined swales. Runoff along paved roads and parking areas will be captured by catch basins and transported through

closed pipes to the proposed detention pond. The proposed detention pond has been designed to collect and hold the storm water runoff.

FINDING:

The project would have no significant impacts to hydrology and water quality.

| I. LAND USE | | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|--------------------|
| WOULD THE PROJECT: | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2, 4 |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8a, 9, 18a |
| c) Conflict with special policies: | | | | | |
| i) San Martin &/or South County? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 8a, 20 |
| ii) Los Gatos Specific Plan or Lexington Watershed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 8a, 22b, 22c |
| iii) Guadalupe Watershed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 8a |
| iv) Stanford? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8a, 21 |
| v) City of Morgan Hill Urban Growth Boundary Area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8a, 17a |
| vi) West Valley Hillside Preservation Area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 8a |
| vii) Water Collaborative (Guidelines and Standards for Land Use Near Streams) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 22d, 22e |

DISCUSSION:

The subject property's Zoning Districts are Rural Residential (5 acre min. lot size in Santa Clara Valley watershed area (RR-5Ac-d1)) and General Use (5 acre min. lot size in Santa Clara Valley watershed area (A1-5Ac-d1)). The General Plan Land Use Designation is Rural Residential (RR).

The RR and A1 Zoning Districts allow a religious institutional use (church) and cemetery use subject to obtaining Use Permit, ASA, and Grading approvals. These permits have been applied for as required. Design Review requirements are incorporated into the ASA conditions of approval. The project shall comply with the County Zoning Ordinance and General Plan policies.

The project would not conflict with special policies of San Martin and South County. The site is located within San Martin Planning Area and San Martin Industrial Use Permit Area. The proposed use is not a classified industrial use (religious institution/cemetery); therefore the Industrial Use Permit Area policies for industrial uses are not applicable for the findings and conditions of the Use Permit, ASA, and Grading approvals. The San Martin Integrated Design Plan policies are in compliance per design criteria specified as discussed in Aesthetics Section of this Initial Study. New landscaping, color, massing and overall design of structures must comply

with San Martin Integrated Design Plan, and County Design Review requirements as specified in the conditions of approval.

FINDING:

The project would have no significant land use impacts.

| J. NOISE | | | | | |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|-----------------|
| WOULD THE PROJECT: | IMPACTS | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8a, 13, 22a, 45 |
| b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 13, 45 |
| c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 5, 45 |
| d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 5, 45 |
| e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or private airstrip would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 5, 22a |

DISCUSSION:

The proposal includes the construction and use of two main buildings (an approximately 5,000 sq. ft. prayer hall, and 2,800 sq. ft. multipurpose hall) along with 2 acres of cemetery plots and gravel paths, and two (2) detached bathroom structures, the outdoor play field and picnic area, with a parking lot, septic system, drainage pond, and access driveway. Proposed hours of operation and uses are described in the project description section in detail.

Amplified music and broadcasting is not proposed. No over-night events and accommodations are proposed. The conditions of the Use Permit will note that no amplified music and broadcasting and no overnight and accommodations are allowed.

According to County Noise Ordinance regulations, maximum exterior noise (over 30 minutes in an hour) allowed from 7 a.m. to 10 p.m. is 55 decibels (dBA), and 45 dBA from 10 p.m. to 7 a.m. at the nearest residence. The nearest residence is approximately 250 ft. away from the proposed cemetery on an adjacent parcel located west of the site. According to County General Plan thresholds for exterior noise, a maximum of 55 dB Day-Night-Average Sound Level (DNL) is allowed to nearest residence and park / open space uses. Adjacent to the property towards the north of the site is a County Park - Silveira Park contains a trail to be designed in the future as a

planned trail route for hiking, off-road cycling and equestrian use on the Park property adjacent to Llagas Creek more than 200 ft away from the proposed prayer hall and multipurpose hall.

With the exception of prayer service during Ramadan, no events or activities are proposed to occur during the evening hours (after 10pm) as defined in the County Noise Ordinance. Due to the distance between the proposed facility and nearest residence and type of use / hours proposed, on-site operations are not expected to result in any significant noise impacts. Noise from all uses and events must comply with the County Noise Ordinance and General Plan thresholds.

The noise levels created during the construction of this project could create a temporary disturbance to neighboring properties. The project shall conform to the County Noise Ordinance. The County Noise Ordinance (Section B11-152) sets maximum exterior noise levels for land use categories, and compliance with these specifications will ensure that the neighboring properties are not significantly impacted. Construction and operation of the project would not create any significant noise impacts.

FINDING:

The proposed project would have no significant noise impacts.

| K. POPULATION AND HOUSING | | | | | |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|------------|
| WOULD THE PROJECT: | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Induce substantial growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4 |
| b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 3, 4 |

DISCUSSION:

The project proposes one new prayer hall, a multipurpose hall for a church, cemetery, parking lot, septic system, and road improvements. The lot is currently vacant. Occupancy is limited to maximum of 80 persons on a daily basis due to the septic system limitation, and some special events to accommodate up to 150 or 200 persons.

No housing would be displaced. The site is currently vacant with no structures.

FINDING:

The project would not significantly impact population and housing.

| L. PUBLIC SERVICES | | |
|--------------------|--------|----|
| WOULD THE PROJECT: | IMPACT | |
| | YES | NO |
| | | |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|--------------|
| a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | | |
| i) Fire Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 5 |
| ii) Police Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 5 |
| iii) School facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5 |
| iv) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5, 17h |
| v) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5 |

DISCUSSION:

The project would neither require any significant expansion nor substantially alter the provision of public services. Roadway, drainage and other site improvements shall be constructed as required to facilitate the proposed buildings.

FINDING:

The project would not significantly impact public services.

| M. RESOURCES AND RECREATION | | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|-----------------|
| WOULD THE PROJECT: | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 3, 6, 44 |
| b) Result in the loss of availability of a locally-important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 3, 6, 8a |
| c) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 4, 5, 17h |
| d) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |
| e) Be on, within or near a public or private park, wildlife reserve, or trail or affect existing or future recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 17h, 21a |
| f) Result in loss of open space rated as high priority for acquisition in the "Preservation 20/20" report? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 27 |

DISCUSSION:

The project would not result in the loss of any mineral resources or increase the use of any parks or other recreation facilities.

The nearest County park- Silveria Park within City of Morgan Hill is adjacent to the subject property north of the site. The park will not be impacted by the project activities per County Parks and Recreation Dept.'s determination. As noted in the agency's comments, a portion of planned Trail Route R3, the Benito-Clara Trail, is located within Silveria County Park, along Llagas Creek, north of the subject property to be designed as a trail route for hiking, off-road cycling and equestrian use. Since the planned trail is not on or adjacent to where proposed improvements and facilities are to be built, there are no impacts to the future trail.

FINDING:

The project would not have a significant impact to resources and recreation.

Attachment: Attachment D PC Staff Report Exhibit C (64492 : Appeals of the Planning Commission granting approval of Cordoba

| N. TRANSPORTATION / TRAFFIC | | | | | |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|-----------------------|
| WOULD THE PROJECT: | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 4, 5, 6, 7, 49, 52 |
| b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6, 49, 50, 52 |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5, 6, 7, 52 |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3, 5, 6, 7, 52 |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5, 48, 52 |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8a, 21a |
| g) Not provide safe access, obstruct access to nearby uses or fail to provide for future street right of way? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3, 6, 7, 52 |

DISCUSSION:

The project includes construction and operation of a 5,000 sq. ft. prayer hall, 2,800 sq. ft. multi-purpose hall, parking lot with 59 parking spaces, 2 detached outdoor bathroom structures (approx. 450 sq. ft. each), outdoor play field and picnic area, detention pond, and 2 acres of cemetery grounds. Proposed hours of operation and uses are described in the project description section.

The applicant’s traffic consultant, Rick Engineering Company, submitted a report dated December 1, 2011. The title of the report is “The Cordoba Center Project; Santa Clara County, CA (J-16497) Revised Trip Generation Analysis and Evaluation of Impacts.”

Within the report, the number of car trips generated from the project were projected at a range of 24 to 188 average daily trips (ADT) for 30 to 200 people based on the type of activity and occupancy proposed for events and uses. The vehicle occupancy ranges from 2 to 4 people per car based on the type of activity or event based on the attendance data provided by the applicant.

The report estimates at the most the generation of 116 ADT for the annual open house to accommodate up to 200 people. Operation of the facility on a weekly basis outside of special events would generate significantly less traffic trips (up to 24 ADT based on 30 persons).

This assumes, as required in the conditions of approval, that not more than one use will occur onsite at the same time. For example, cemetery services or other religious services will not coincide at the same time as youth retreats, annual festivals or other large events.

The traffic report indicates that the project traffic would not significantly impact traffic patterns on Monterey Rd. Most of the trips are expected to occur during non peak traffic hours. Peak hours are defined as 7 to 9 a.m. on weekdays, and 4 to 6 p.m. on weekdays. If the annual Muslim festivals or youth retreats occur on weekdays, there may be some inbound traffic during the AM and PM peak hours.

The traffic consultant evaluated the proposed access driveway. An evaluation of access in the report concludes that left turn and right turn improvements are needed for the flow of traffic entering and exiting the project site for vehicle access safety. Improvements that would address this deficiency are discussed in the mitigations section below.

On-site parking includes spaces for 59 vehicles, including 5 handicapped parking stalls, 16 stalls in paved parking area, and 43 overflow parking stalls located in front of the proposed prayer hall and multipurpose hall. The County parking requirements for religious institutions is 1 parking space per 4 occupants, and 1 parking space per staff member. With a proposed maximum occupancy of 200 people for special events, and 3 staff members – a minimum of 53 parking spaces are required, including a minimum of 3 handicapped parking stalls.

The parking demand analysis in the traffic report confirms that there is adequate parking for the occupants and staff as proposed by constructing a 59 stall parking lot (one lot divided up for main parking [paved] and overflow parking unpaved). According to the vehicle occupancy analysis provided by the applicant, assuming 3 to 4 people per car, the peak demand for large events that include 200 people would require, at the most, 58 parking spaces.

The County Roads and Airports Dept. requirements do not permit parking on Monterey Road. "No Parking" signs would be installed along the west side of Monterey Road adjacent to the project site. Permits to install the signs must be obtained through the County Roads and Airports Dept. With the parking analysis concluding sufficient parking on-site year round for regular religious service and periodic larger events, all parking would be maintained on-site for the uses and events.

Encroachment permits are required from County Roads and Airports Department, for the new access driveway, signs and any drainage improvements off the right-of-way of Monterey Road.

The traffic report has been reviewed and accepted by the County Roads and Airports Department. As recommended in the traffic report, the mitigation measures below are required to mitigate potential impacts for safe vehicle access for cars entering and exiting the proposed access driveway.

MITIGATION:

1) A detailed Signing and Striping Plan shall be submitted for Roads and Airports Dept. approval prior to final grading permit issuance that incorporates the following:

a) Existing median striping on Monterey Road south of the project driveway shall be modified to provide a two-way left turn lane for approximately 150' northbound approach for vehicles to enter/exit the project site.

b) Existing median striping on Monterey Road south of the project driveway shall include a Right Turn Only sign for traffic exiting the project site.

c) "No Parking Any Time" signs shall be installed along the west side of Monterey Road (adjacent to the project site).

2) The road improvements of approved Signed and Striping Plan shall be installed prior to final inspection.

FINDING:

The project would not have any significant impacts to transportation/traffic resources for safety ingress and egress given compliance with the above mitigation measures.

| O. UTILITIES AND SERVICE SYSTEMS | | | | | |
|---|--------------------------------|--|------------------------------|-------------------------------------|------------------|
| WOULD THE PROJECT: | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5, |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5, 21a, 38 |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5 |
| d) Require new or expanded entitlements in order to have sufficient water supplies available to serve the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5, 21, |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5 |
| f) Not be able to be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 5 |
| g) Be in non-compliance with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5, 6 |

DISCUSSION:

Attachment: Attachment D PC Staff Report Exhibit C (64492 : Appeals of the Planning Commission decision granting approval of Cordoba

The project will not exceed the capacity of existing utilities and service systems or result in the construction of new facilities that could cause significant environmental effects. Furthermore, the project will be in compliance with any statues or regulations relative to solid waste water, and will not employ equipment that would introduce interference with any telecommunication system.

A septic system shall be approved and constructed for the new structures in accordance with County Department of Environmental Health requirements for septic system permit prior to building permit issuance. Domestic water shall be provided by an approved individual water system approved to County Department of Environmental Health standards.

FINDING:

The project would have not significant utility or service system impacts.

| P. MANDATORY FINDING OF SIGNIFICANCE | | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|---------|
| WOULD THE PROJECT: | IMPACT | | | | SOURCE |
| | YES | | | NO | |
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1 to 52 |
| b) Does the project have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1 to 52 |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1 to 52 |

DISCUSSION:

As discussed in the project description, this application proposes a Use Permit, Architecture & Site Approval (ASA), and Grading Approval for a new religious institution and cemetery for the South Valley Islamic Center. The facilities are referenced in application submittal materials as the "Cordoba Center." Proposed hours of operation, and occupancy limits for various functions and events are described in detail in the project description section of this Initial Study. Cordoba Center includes three (3) employees. Cordoba Center is proposed to be open 6 a.m. to 11 p.m. daily for use by its employees and members for individual prayers. No indoor or outdoor amplified music or broadcasting is proposed. No permanent signs are proposed at this time except for the County Roads and Airport Department required "no parking signs" along the

Attachment: Attachment D PC Staff Report Exhibit C (64492 : Appeals of the Planning Commission decision granting approval of Cordoba

frontage of the site on Monterey Rd, and signs within parking lot to identify main and overflow parking areas.

Proposed improvements include two main buildings (an approximately 5,000 sq. ft. prayer hall, and 2,800 sq. ft. multipurpose hall). Other improvements to accommodate the uses include a main paved parking lot and overflow gravel parking lot to accommodate 59 total parking spaces including a minimum of three (3) employee parking spaces, and three (3) handicapped spaces with 16 paved parking spaces in main parking lot, and gravel overflow parking lot area of 43 parking spaces; a septic system for the buildings (ou-site waste water treatment septic tank and leachfields that accommodates 80 persons), driveway for access to the parking lots; new landscaping, 2 acres of cemetery plots and gravel paths, outdoor playfield and picnic area, detention pond for drainage, and two (2) detached 450 sq. ft. bathroom structures. Standard dust control measures, as stipulated by the Bay Area Air Quality Management District (BAAQMD), will be used to ensure that any air quality impacts remain less than significant during construction and operation of the facility including in the gravel parking area. Domestic and fire emergency water shall provided by connection to West San Martin Works, or alternate water system approved by County Fire Marshal and Dept. of Environmental Health.

Grading for the improvements includes approximately 4,179 cubic yards of cut, and 3,466 cubic yards of fill for building pads for the new structures, and construction of the parking lot areas, and access driveways and picnic grounds patio space. No grading is needed to establish the cemetery grounds. Individual plots will be placed on natural contours on a level slope.

Mitigations for aesthetics (visual) and traffic/road safety impacts are incorporated into the Environmental Assessment.

FINDING:

The proposed project would not have a significant impact to any environmental resource. On the basis of this Initial Study, a Mitigated Negative Declaration shall be prepared for this project. The project will not significantly degrade the quality of the environment, or have substantial adverse effects on human beings directly or indirectly or have any cumulatively considerable impacts.

REFERENCES

Cultural Resources

- 1) "Cultural Resource Evaluation for the project area at 14065 Monterey Road in the County of Santa Clara," by Archaeological Resource Management, October 15, 2007.

Geology

- 2) "Engineering Geologic Investigation – Proposed Mosque & Subdivision – APN 779-06-002, 14045 Monterey Road, Santa Clara County, California," by Steven F. Connolly, November 20, 2007.
- 3) "Plan Review Letter – Proposed Mosque," by Steven F. Connolly, June 13, 2011.

Hydrology/Water Quality

- 4) "Drainage Calculations Report for SCVIC – The Cordoba Center at Monterey Road Santa Clara County Morgan Hill, California APN 779-06-002," by RI Engineering Company, April 21, 2011.
- 5) "Ground-Water Level Determination Septic Disposal System, APN 779-06-002, 14045 Monterey Road San Martin, California," by Geoconsultants, Inc., August 27, 2007.
- 6) "Ground-Water Conditions Update Proposed Cordoba Center, APN 779-06-002, 14045 Monterey Road San Martin, California," by Geoconsultants, Inc., April 10, 2012.
- 7) "Land Disposal Program: Cordoba Center Project, 14065 Monterey Road, San Martin, Santa Clara County – Summary of Water Quality Evaluation," by Central Coast Regional Water Quality Control Board, May 16, 2012.

Traffic

- 8) "The Cordoba Center Project, Santa Clara County, CA (J=16497) Revised Trip Generation Analysis and Evaluation of Impacts," by Rick Engineering Company, December 1, 2011

Environmental Information Form

2. Field Inspection
3. Project Plans
4. Working knowledge of site and conditions
5. Experience With Other Projects of This Size and Nature
6. County Expert Sources: Geologist, Fire Marshal, Roads & Airports, Environmental Health, Land Development Engineering, Parks & Recreation, Zoning Administration, Comprehensive Planning, Architectural & Site Approval Committee Secretary
7. Agency Sources: Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, Midpeninsula OpenSpace Regional District, U.S. Fish & Wildlife Service, CA Dept. of Fish & Game, Caltrans, U.S. Army Corps of Engineers, Regional Water Quality Control Board, Public Works Depts. of individual cities, Planning Depts. of individual cities,
 - 8a. Santa Clara County (SCC) General Plan
 - 8b. The South County Joint Area Plan
 9. SCC Zoning Regulations (Ordinance)
 10. County Grading Ordinance
 11. SCC Guidelines for Architecture and Site Approval
 12. SCC Development Guidelines for Design Review
 13. County Standards and Policies Manual (Vol. I - Land Development)
 14. Table 18-1-B of the Uniform Building Code (expansive soil regulations) [1994 version]
 15. Land Use Database
 16. Santa Clara County Heritage Resource (including Trees) Inventory [computer database]
 17. GIS Database
 - a. SCC General Plan Land Use, and Zoning
 - b. USFWS Critical Habitat & Riparian Habitat
 - c. Geologic Hazards
 - d. Archaeological Resources
 - e. Water Resources
 - f. Viewshed and Scenic Roads
 - g. Fire Hazard
 - h. Parks, Public Open Space, and Trails
 - i. Heritage Resources - Trees
 - j. Topography, Contours, Average Slope
 - k. Soils
 - l. HCP Data (habitat models, land use coverage etc)
 - m. Air photos
 - n. USGS Topographic
 - o. Dept. of Fish & Game, Natural Diversity Data
 - p. FEMA Flood Zones
 - q. Williamson Act
 - r. Farmland monitoring program
 - s. Traffic Analysis Zones
- Base Map Overlays & Textual Reports (GIS)
18. Paper Maps
 - a. SCC Zoning
 - b. Barclay's Santa Clara County Local Street Atlas
 - c. Color Air Photos (MPSI)
 - d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding
 - e. Soils Overlay Air Photos
 - f. "Future Width Line" map set
19. CEQA Guidelines [Current Edition]

Area Specific: San Martin, Stanford, and Other AreasSan Martin

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

Stanford

- 21a. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP) and Environmental Impact Report (EIR)
- 21b. Stanford Protocol and Land Use Policy Agreement

Other Areas

- 22a. South County Airport Comprehensive Land Use Plan and Palo Alto Airport comprehensive Land Use Plan [November 19, 2008]
- 22b. Los Gatos Hillside Specific Area Plan
- 22c. County Lexington Basin Ordinance Relating to Sewage Disposal
- 22d. User Manual Guidelines & Standards for Land Uses Near Streams: A Manual of Tools, Standards and Procedures to Protect Streams and Streamside Resources in Santa Clara County by the Santa Clara Valley Water Resources Protection Collaborative, August 2005 - Revised July 2006.
- 22e. Guidelines and Standards for Land Use Near Streams: Streamside Review Area - Summary prepared by Santa Clara County Planning Office, September 2007.
- 22f. Monterey Highway Use Permit Area

Soils

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

Agricultural Resources/Open Space

25. Right to Farm Ordinance
26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"
27. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]
28. Williamson Act Ordinance and Guidelines (current version)

Air Quality

29. BAAQMD Clean Air Plan (1997)
30. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development - Guidelines for Assessing Impacts of Projects & Plans" [current version]

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

31. Site-Specific Biological Report
32. Santa Clara County Tree Preservation Ordinance Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts, Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications
33. Clean Water Act, Section 404
34. Riparian Inventory of Santa Clara County, Greenbelt Coalition, November 1988

Initial Study Source List*

35. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]
36. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]
37. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]
38. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"
39. County Environmental Health Department Tests and Reports

Archaeological Resources

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

Geological Resources

42. **Site Specific Geologic Report**
43. State Department of Mines and Geology, Special Report #42
44. State Department of Mines and Geology, Special Report #146

Noise

45. County Noise Ordinance

Hazards & Hazardous Materials

46. Section 21151.4 of California Public Resources Code
47. State Department of Toxic Substances, Hazardous Waste and Substances Sites List
48. County Office of Emergency Services Emergency Response Plan [1994 version]

Transportation/Traffic

49. Transportation Research Board, "Highway Capacity Manual", Special Report 209, 1995.
50. SCC Congestion Management Agency, "Monitoring and Conformance report" (Current Edition)
51. Official County Road Book
52. **Site-specific Traffic Impact Analysis Report**

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

PLANNING
ATTN: COLLEEN ODA
*** PONY*****



County of Santa Clara
Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110

Administration Development Services Fire Marshal Planning
Phone: (408) 299-6740 (408) 299-5700 (408) 299-5760 (408) 299-5770
Fax: (408) 299-6757 (408) 279-8537 (408) 287-9308 (408) 288-9198

Notice of Intent to Adopt a Mitigated Negative Declaration

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

| File Number | TAZ | APN(s) | Date |
|--|-----|---|--------|
| 2145-11P-11A-11G-11EA | 351 | 779-06-002 | 6/6/12 |
| Project Name | | Project Type | |
| Cordoba Center Religious Facility and Cemetery | | Use Permit, Architecture and Site Approval, Grading | |
| Owner | | Applicant | |
| South County Partners, LLC | | Gary Carnes | |
| Project Location | | | |
| The subject property is a 15.77-acre vacant parcel located at 14065 Monterey Highway. It is adjacent to the City of Morgan Hill in an unincorporated area of the County within the San Martin Planning Area and San Martin Industrial Use Permit Area. | | | |
| Project Description | | | |
| <p>This application proposes a Use Permit, Architecture & Site Approval (ASA), and Grading Approval for a new religious institution and cemetery for the South Valley Islamic Center. The facilities are referenced in application submittal materials as the "Cordoba Center", and include a prayer hall building (5,000 sq. ft.), a multipurpose hall building (2,800 sq. ft.), outdoor play area and fields [including 2 patio picnic grounds and 2 outdoor restrooms (450 sq. ft. of structures)], and approximately 2 acres of cemetery grounds.</p> <p>The prayer hall and multipurpose hall would be clustered together in the southeast corner of the parcel and set back approximately 160 feet from Monterey Road. The maximum height of the two buildings would be approximately 25 feet, and the two buildings would be separated from each other by a 30-foot-wide corridor that would include a driveway for passenger drop-offs and deliveries. The play area and fields would be located along the southern edge of the parcel, west of the main parking area. The proposed cemetery would be located in the southwest corner of the property. Driveway access from Monterey Road as well as the main parking area would be located along the southern edge of the parcel. Proposed hours of operation and occupancy limits for various functions and events are described below.</p> <p><u>Prayer Hall and Multipurpose Hall</u> A central area for afternoon prayer services would operate on Friday afternoons between 1:30 to 2:30 p.m., with up to 50 occupants attending. Daily services from 9:30 p.m. to 11 p.m. would be held during the month of Ramadan (Ramadan dates vary each year based on the lunar calendar), with up to 30 persons attending those services.</p> <p>Two (2) Sunday school classrooms would operate on Sundays from 11 a.m. to 1 p.m., excluding summer school break, for a maximum total occupancy of 30 students, 2 teachers, and up to 3 volunteer parents.</p> <p>The 2,800 s.f. multipurpose building includes a central banquet hall area to be used for dinners, proposed to include monthly potluck dinners on 1st Saturday each month between 7 to 10 p.m. for up to 50 persons. During the month of Ramadan, weekend dinners (Saturdays, Sundays) would occur from 6 to 8 p.m. for up to 70 persons.</p> | | | |

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Outdoor Play Area and Fields

This outdoor area is an ancillary outdoor space to be used for larger events as described above in excess of 80 persons, and includes a play yard and field area for students attending Sunday school and youth retreats, and picnic grounds for the Cordoba Center members.

Outdoor youth retreats are proposed to occur up to twice a month between June and August and up to four days total (on weekends) between September to May. Retreats would occur between 9 a.m. and 6 p.m. with 150 students, and 15 adults maximum occupancy. The retreats are single day events.

Special Events:

In addition to the events described above, several special events are proposed to occur at the facility which would occur attendance of up to 150 persons. This includes special religions and educational events, festivals associated with Ramadan, and a Community Soup Kitchen. One annual open house is also proposed to accommodate up to 200 persons.

Cemetery Grounds

The proposed 2 acre cemetery area will include grave sites (typically 5 to 6 feet deep) with tombstones. The total number of graves has not been determined. Graves shall be prepared for Cordoba Center members as needed and installed using the natural topography of the site. Gravel pathway between grave sites is for pedestrian access only; no vehicles allowed on the premises of the cemetery ground. The access driveway adjacent to the cemetery site shall be used for vehicles that are transporting the deceased bodies with coffins.

Funeral services are proposed to occur between 1 p.m. to 6 p.m. to accommodate up to 150 persons (not to exceed the 6 planned events within the occasional religious services as described of the prayer hall).

Grading for the facility improvements would include approximately 4,179 cubic yards of cut, and 3,466 cubic yards of fill for building pads for the new structures and construction of the parking lot areas, and access driveways and picnic grounds patio space. No grading would be needed to establish the cemetery grounds. Individual plots would be placed on natural contours on a level slope.

Purpose of Notice

The purpose of this notice is to inform you that the County Planning Staff has recommended that a Mitigated Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, finds that although the proposed project could initially have a significant effect on the environment, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur.

A public hearing for the proposed project is tentatively scheduled for the Planning Commission on July 12, 2012 in the County Government Center – Board Chambers. Public hearing date is subject to change. It should be noted that the approval of a Mitigated Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.

| | | |
|------------------------------|-----------------------------|---------------------------|
| Public Review Period: | Begins: June 7, 2012 | Ends: July 6, 2012 |
|------------------------------|-----------------------------|---------------------------|

Public Comments regarding the correctness, completeness, or adequacy of this mitigated negative declaration are invited and must be received on or before the end of public review period. Such comments should be based on specific environmental concerns. Written comments should be addressed to the **County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, 7th Floor, East Wing, San Jose, CA 95110**, Oral comments may be made at the hearing. A file containing additional information on this project may be reviewed at the Planning Office under the file number appearing at the top of this form. For additional information regarding this project and the Mitigated Negative Declaration, please contact **Colleen Oda** at (408) 299-5797, Colleen.Oda@pln.sccgov.org.

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

- (1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110
- (2) Planning Office Website www.sccplanning.org (Environmental Documents under "Quick Links")
- (3) Morgan Hill Library: 660 West Main Avenue Morgan Hill, CA 95037
- (4) Gilroy Library: 350 W. Sixth Street Gilroy, CA 95020

Agencies sent a copy of this document

CA Regional Water Quality Control Board Central Coast Region, Santa Clara Valley Water District, City of Morgan Hill Planning Dept., City of Gilroy Planning Dept., South Santa Clara County Fire District San Martin Water District

Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:

AESTHETIC MITIGATION:

- (1) *A final landscape plan shall be submitted for approval prior to final grading permit issuance that meets the County Landscape Ordinance and San Martin Integrated Design Plan requirements.*

The preliminary landscape plans submitted show a variety of trees, including cedar, coast live oak, ash, crape myrtle, palm, locust, pepper, elm, golden rain, and olive, to be located surrounding the proposed buildings, parking lot, cemetery, and adjacent to Monterey Road. The final landscape plans must include water conservation measures, irrigation, and other requirements as specified in the landscape conditions.

- (2) *A lighting plan shall be submitted for approval prior to building permit issuance. Any new outdoor lighting shall not adversely affect night time views. Lighting shall be designed to ensure that no direct offsite spill of light or glare will occur.*
- (3) *Maximum Light Reflectivity Value (LRV) for all new structures that includes exterior walls, trim and roof is limited to 45. Prior to final building permits issuance, color samples shall be submitted that comply with the LRV requirement.*
- (4) *Prior to building permit issuance, color samples, and specificity of building materials shall be submitted for approval.*

Per the San Martin Integrated Design Plan, building materials for new structures must be natural looking (i.e. adobe, wood, stone, brick, smooth stucco or timber). Materials such as metal sheeting and excessive use of glass are inappropriate. Roofing materials such as ceramic, concrete or terra cotta tiles; standing seam metal, pressure treated fire resistant wood shake; composition or asphalt shingles may be required. Colors shall generally be earth tone, or otherwise subdued to minimize visibility from the valley floor.

The submitted elevations show a building style (1 story ranch style building) of rural characteristics consistent with the architectural styles encouraged in the San Martin Integrated Design Plan. The building material and colors are not specified at this time.

(5) Show compliance with (-d1) massing requirements on final building pennit plans. Maximum horizontal length of a continuous wall plane shall be 80 feet or less. Maximum height of a wall plane, including foundation and other continuous components, shall be 24 feet, with the following exceptions: (a) Any architectural component where façade dimension does not exceed 18 horizontal feet, or (g) multiple such components (18 horizontal feet maximum) where combined horizontal dimension does not exceed 25% of the total horizontal dimension of the façade.

The preliminary elevations and floor plans submitted appear to show that the massing requirements can be met with minor revisions to the building design. Structurally detailed elevation and floor plans to be prepared for the building permit plans shall meet the massing requirements for compliance with the Zoning Ordinance -d1 Design Review requirements.

TRAFFIC ROAD SAFETY MITIGATION

1) A detailed Signing and Striping Plan shall be submitted for Roads and Airports Dept. approval prior to final grading permit Issuance that incorporates the following:

- a) Existing median striping on Monterey Road south of the project driveway shall be modified to provide a two-way left turn lane for approximately 150' northbound approach for vehicles to enter/exit the project site.
- b) Existing median striping on Monterey Road south of the project driveway shall include a Right Turn Only sign for traffic exiting the project site.
- c) "No Parking Any Time" signs shall be installed along the west side of Monterey Road (adjacent to the project site).

2) The road improvements of approved Signed and Striping Plan shall be installed prior to final inspection.

A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Mitigated Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

Prepared by:
For Colleen Oda, Planner III

David M. Rader for Colleen Oda
Signature

6/6/12
Date

Approved by:
Rob Eastwood, Principal Planner, AICP

[Signature]
Signature

6/6/12
Date

Attachment: Attachment D PC Staff Report Exhibit C (64492 : Appeals of the Planning Commission decision granting approval of Cordoba