

# County of Santa Clara

Department of Planning and Development  
Planning Office

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December 9, 2022

Pavagada Anil & Vijaya Datt  
Barsana LLC  
40742 Greystone Terrace  
Fremont, CA  
E-mail: [vijay.datt@ihf-usa.org](mailto:vijay.datt@ihf-usa.org)

**\*\* SENT BY EMAIL ONLY \*\***

**FILE NUMBER:** PLN22-006  
**SUBJECT:** Building Site Approval, Design Review (Tier II), Special Permit, and Grading Approval for a new single-family residence, ADU/JADU, animal shelter with three plumbing fixtures, seasonal agricultural employee housing, and associated improvements.  
**SITE LOCATION:** Old Calaveras Road, (APN:029-35-007)  
**DATE RECEIVED:** November 9, 2022

Dear Pavagada Anil & Vijaya Datt:

Your application for a Building Site Approval, Design Review (Tier II), Special Permit, and Grading Approval was received on the above date and is **incomplete**. For application processing to resume, you must resolve the following issues and submit the information listed below.

Resubmittals are made by appointment over video chat with the Planning Division counter and must include all requested information along with a completed application form (which is used to track the resubmittal). Once the information is submitted, the Planning Division will distribute the plans, reports and/or information to the appropriate staff or agency for review.

If you have any questions about the information being requested, you should first call the person whose name is listed as the contact person for that item. They represent a particular specialty or division and can provide details about the requested information.

An appointment is required for all future resubmittals. Please contact me at (408) 299-5799, or [joanna.wilk@pln.sccogv.org](mailto:joanna.wilk@pln.sccogv.org) to schedule a meeting.

Submit revised electronic plans and a written response addressing the following items. All items must be addressed and included in the submittal.

## PLANNING OFFICE

Contact Joanna Wilk at (408) 299-5799, or [joanna.wilk@pln.sccogv.org](mailto:joanna.wilk@pln.sccogv.org) for information regarding the following items:

1. Please revise the visual simulation to include the revised design with the animal shelter and the seasonal agricultural housing and ALL retaining walls. Please include a visual simulation from the north of the subject property as well.
2. Please submit a revised grading justification form as the proposal has changed since the original submittal. Please explain the need for the grading utilized for the parking area for the seasonal agricultural employee housing, the new animal shelter, the berm on the western side of the home, and the fill under the driveways. Staff is looking for an explanation of how the grading is the *minimal* grading necessary for the proposed use.
3. The project scope has changed since the last submittal to include an animal shelter with a full bathroom (3 or more plumbing fixtures with a sink, toilet and shower) and seasonal agricultural housing. Both of which require two separate Special Permits. Please pay the additional invoiced fee in the Public Portal.
4. Seasonal Ag Housing is only allowed on the property for 180 days of the year. The property owner shall declare the specific occupancy period dates for each housing unit annually and submit that information to the Planning Director by January 31 of each year. All such housing shall be removed from the site outside of the declared occupancy period dates. Please submit materials specifying what dates the seasonal agricultural employee housing will be onsite.
5. All seasonal agricultural housing shall include on-site access to either individual or shared living, sleeping, eating, cooking, and sanitation facilities, including a full kitchen and bathroom. Please submit materials noting where the seasonal agricultural workers will have access to the services cited above.
6. All seasonal agricultural housing facilities that generate wastewater shall be directly connected to approved water and wastewater systems that comply with the Ordinance Code. Please show on the site plan the wastewater systems associated with the seasonal agricultural residences.
7. Please note *how many* seasonal agricultural employee units will be located on the property. Where mobile homes and movable tiny homes are used for agricultural employee housing, additional state permitting requirements may apply under the Mobilehome Parks Act (Health & Safety Code § 18200 et seq.) or the Special Occupancy Parks Act (Health & Safety Code § 18860 et seq.) and regulations promulgated thereunder.

8. Seasonal agricultural housing units are permitted by utilizing Movable Tiny Homes. Please demonstrate how the seasonal agricultural units adhere to the following Movable Tiny Home regulations. Additional detail can be found on the Movable Tiny Home [checklist](#).
  - a. Shall adhere to all setback, height, and floor area limitations pursuant to Section 4.10.015(D).
  - b. Shall be a self-contained unit that complies with all State of California requirements, is constructed in compliance with American National Standards Institute (ANSI) 119.5 standard as certified by an accredited qualified thirdparty inspector, and is licensed and registered with the California Department of Motor Vehicles.
  - c. Shall not move under its own power.
  - d. Shall be no larger than allowed by state law for movement on public highways.
  - e. Shall have at least 100 square feet of enclosed space.
  - f. Shall be directly connected to an approved water source, an onsite wastewater treatment system or sanitary sewer system, and electric utilities. Holding tanks that are incorporated into the original design of the structure shall not be used for the purposes of waste storage, and shall be directly connected to the approved onsite wastewater treatment system or sanitary sewer.
  - g. The undercarriage (wheels, axles, tongue and hitch) shall be hidden from view.
  - h. All wheels and leveling or support jacks shall sit on a surface acceptable to the County Building Official or designee. 9
  - i. Mechanical equipment shall be incorporated into the original design of the structure, and shall not be located on the roof or added on to the exterior of the unit.
  - j. Shall have the following design elements to maintain the character of the residential neighborhood:
    - i. Shall not include corrugated aluminum or fiberglass siding and shall not be a shipping container or cargo container.
    - ii. Shall use cladding and trim materials on the exterior of movable tiny homes for residential appearance and to provide adequate thermal insulation and weather resistance. Materials may include, but are not limited to, single piece composite, vinyl siding, laminates, or interlocked sheathing.
    - iii. Windows shall be at least double pane glass and labeled for building use, and shall include exterior trim.

#### **LAND DEVELOPMENT ENGINEERING**

Contact Ed Duazo at [ed.duazo@pln.sccgov.org](mailto:ed.duazo@pln.sccgov.org) for information regarding the following items:

9. Previously, it was unclear whether the proposed animal shelters were residential or non-residential in nature. Based on the current plans, the livestock shelter appears to be non-residential in nature, with a store, bathroom, and office. Based

on the non-residential nature of the animal shelter, the project is subject to NPDES Municipal Regional Permit (MRP) stormwater treatment requirements. Submit a C.3 Questionnaire and demonstrate how run-off from the regulated impervious areas (generally, the access road leading up to the animal shelter, the animal shelter, and any associated impervious area) is being addressed with regards to stormwater treatment. The C.3 Questionnaire is available on-line at: [https://stgenpln.blob.core.windows.net/document/Stormwater\\_CWP\\_Questionnaire\\_NC.pdf](https://stgenpln.blob.core.windows.net/document/Stormwater_CWP_Questionnaire_NC.pdf). (Note: Effective July 1, 2023, based on the newly adopted MRP, gravel and base rock surfaces will be considered impervious area. If conditional approval is not obtained prior to July 1, 2023, then the gravel parking area and gravel pad should be considered impervious.)

10. The easement agreement shows the general location of the easements (Exhibit C); however, the agreement does not define the location of the easements. Provide easement documentation that includes metes and bounds to define and specify the location of the easements.
11. Clarify how all impervious run-off leading up to the animal shelter is being routed to stormwater treatment. It's unclear where road run-off captured from the catch basins at approximately Sta 9+50 and beyond reach stormwater treatment.
12. Provide preliminary drainage calculations to demonstrate that the two existing infiltration ponds have capacity to serve not only as stormwater treatment, but also to mitigate the increase in run-off created by the new impervious areas. Per County drainage policy, increased run-off is to be mitigated such that post-developed flows do not exceed pre-project peak rates for the 10-year and 100-year design storms. It's unclear whether the infiltration ponds have sufficient capacity to meet the mitigation requirement. In addition, the infiltration ponds are intended to provide stormwater treatment and run-off mitigation for the improvements associated with County Record No. PLN20-125. Demonstrate that the infiltration ponds provide sufficient treatment and capacity for both projects
13. On Sheet C1.4, road improvements are shown extending beyond the 40-foot ingress/egress easement. Revise the plans (or easement) so that all proposed off-site improvements are contained within easements. If these improvements are within the emergency access easement, then show the location and limits of the emergency access easement.

#### **DEPARTMENT OF ENVIRONMENTAL HEALTH**

Contact Darrin Lee at (408) 299-5748, or [darrin.lee@cep.sccgov.org](mailto:darrin.lee@cep.sccgov.org) for information regarding the following:

14. Septic feasibility testing results have been uploaded to Accela along with a septic design narrative. The required geotechnical report related to septic functionality and slope stability has been uploaded into Accela however the area addressed in this geotechnical report is not the same area as the proposed septic system and is thus incomplete. Please submit this geotechnical report and any required edits to

Monica Huato (408)918-3451 [monica.huato@deh.sccgov.org](mailto:monica.huato@deh.sccgov.org) for review. This is a separate submittal to DEH and additional review fees may apply.

15. For the depicted well, contact Dept. of Environmental Health (Jeff Camp, 408-918-3473) to obtain water clearance prior to Building Site Approval. Please see County of Santa Clara Standards and Policies Manual Vol.2 Section 1.3.3 B.1.

#### **FIRE MARSHAL**

Contact Alex Goff at [Alex.Goff@sccfd.gov](mailto:Alex.Goff@sccfd.gov) regarding the following:

16. Per last meeting, the site proposes a commercial Animal Shelter and Ag Housing near the entrance to the site. A standard fire hydrant is to be shown along the path of travel to these structures to ensure the hydrant is easily located if a fire were to occur. Currently, the only hydrant is located after these structures. Hydrant to be located within 400 ft. exterior path of travel to all portions of the structure.

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If the requested information is not submitted within 180 days, you will be required to pay a fee of 10% of the application fee at the time the information is submitted. All requested information must be submitted within 1 year of the date of this letter and will not be accepted after 1 year. **Partial submittals will not be processed.** Fees required at the time of resubmittal will be those in effect at that time.

Please note that the application for Building Site Approval, Design Review (Tier II), Special Permits, and Grading Approval was charged a minimum fee and will be charged additional fees to continue processing when the initial payment is exhausted.

As of the date of this letter, approximately 0-25% of your initial deposit associated with your applications have been spent on the processing of your application.

If you have any additional questions regarding this application, please call me at (408) 299-5799 or [joanna.wilk@pln.sccgov.org](mailto:joanna.wilk@pln.sccgov.org). to discuss or schedule an appointment.

Sincerely,



Joanna Wilk  
Senior Planner