

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, CA 95110
Phone: (408) 299-5700
www.sccplandev.org



November 3, 2022

REVISED POLICY LETTER

The Department of Planning and Development has revised this letter to clarify that the policy items related to the Tier 2 Design Review determination have been eliminated. This project, as submitted has been determined to be a Tier 1 Design Review project and subject to the requirements of a Tier 1 project. The original letter date of November 3, 2022 has not changed. Given the time it has taken for the County to conduct research related to Design Review, the Department will allow, in this one instance, an extension to 10% resubmittal fee to December 27, 2023.

David Faria
PO Box 1029
Morgan Hill, CA

submittals.mhengineering@gmail.com

*** VIA EMAIL ***

FILE NUMBER: PLN22-184
SUBJECT: Building Site Approval, Design Review Tier II, and Grading Approval for a new Single-Family Residence (4,294 SF) with an attached garage (973 SF), a detached ADU (1,199 SF), and a detached barn (2,412 SF).
SITE LOCATION: 0 Hayes Ln, San Martin CA 95046 (APN: 779-44-014)
DATE RECEIVED: October 7, 2022

Dear David Faria,

Staff has reviewed your application received on the above date. Please see a list of Additional Information regarding the Building Site Approval, Design Review, and Grading Approval for a new Single-Family Residence (4,294 SF) with an attached garage (973 SF), a detached ADU (1,199 SF), and a detached barn (2,412 SF) at Hayes Ln, San Martin.

The information in this section is/are not incomplete item(s) and are not required to deem the application complete for processing. The information in this section is informational only and can be discussed further if desired with County Staff.

Additional Information

1. The proposed floor plan for the detached barn (2,412 SF) on Sheet AB2.1 appears to have three (3) internal plumbing fixtures (including a sink, a shower, and a toilet). Pursuant to County Zoning Ordinance § 4.20.020 (I), residential accessory buildings shall have no more than two (2) internal

plumbing fixtures, unless a special permit is obtained. References for the special permit requirements are provided below. Revising the number of plumbing fixtures to no more than two would not require a special permit application to be submitted.

§ 4.20.020 (I) Restrictions on Plumbing Fixtures.

Plumbing in accessory buildings shall be limited as follows:

- 1) *Residential accessory buildings shall have no more than two (2) internal plumbing fixtures (“internal” excludes outdoor showers, spigots, or other fixtures mounted on an exterior wall), unless otherwise provided in sub-paragraph 2, below. If a half bath is proposed, the fixtures may include a toilet and a sink within a room minimally sized to accommodate only those two fixtures. For the purposes of this restriction, a water heater shall not be considered a plumbing fixture.*
- 2) *Residential accessory buildings (such as pool houses) with more than two (2) internal plumbing fixtures may be allowed if a special permit is obtained, per Chapter 5.60, and all of the following specific findings are made:*
 - a) *Must conform to the development standards specified in this chapter. More restrictive setbacks may be required in order to mitigate detrimental impacts on neighboring properties.*
 - b) *May not be used for dwelling purposes or overnight accommodation.*
 - c) *Must be of an appropriate size and design for the intended use, and should be configured in a manner that is clearly inappropriate and impractical for dwelling purposes.*

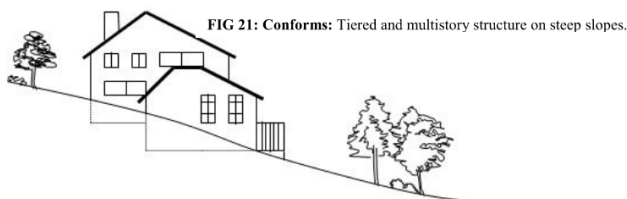
For the requirements of the special permit application refer to the website link below.

<https://plandev.sccgov.org/how/apply-permit/special-permit>

2. Grading Findings require substantial conformance with applicable provisions of the [Guidelines for Grading and Hillside Development](#), adopted by the Board of Supervisors. As currently proposed, Staff has concerns with the site design and may not make the findings required by *County Grading and Hillside Development Guidelines*. Staff recommends including steps in the building foundations and varied roof heights and plans, and incorporating a tiered design approach to reduce visual bulk.

Guidelines for Grading and Hillside Development

*Guideline 11: New buildings located on steeper slopes that are visually prominent should incorporate a **tiered design approach** in order to reduce building massing and visual bulk. Design methods include steps in the building foundations and varied roof heights and planes. (Refer Policies R-GD—27, R-GD-32)*



Attached Structure

3. Pursuant to County Zoning Code § 4.20.020 (G), the term “attached” shall include structures that are rigidly joined by structural components. As the proposed garage and main house are connected by roofs that are rigid structures, the garage is considered “attached” to the main house.

If you have questions regarding this letter, please contact me at lulu.pang@pln.sccgov.org or (408) 299-5718 to discuss or schedule an appointment.

Warm regards,

Handwritten signature of Lulu Pang in cursive script.

Lulu Pang
Assistant Planner

cc:
Samuel Gutierrez, Principal Planner