

**County of Santa Clara**  
**Board of Supervisors**  
Supervisorial District One  
Supervisor Donald F. Gage



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BOS 040709 1

DATE: April 7, 2009

TO: Board of Supervisors

FROM:

*Donald F. Gage*

Donald F. Gage  
Supervisor, District 1

SUBJECT: Referral to administration to address the issues of county planning policies regarding solitary "accessory structures."

**RECOMMENDED ACTION**

Direct administration to report back to the Housing, Land Use, Environment and Transportation Committee on options to address the issue of there being no way under county policy to build a shed or other accessory structure without first building a house or other main structure.

**REASONS FOR RECOMMENDATION**

This issue first came to my attention when working with a constituent who owns a parcel that is 3/4 of an acre near Morgan Hill. Under county development standards, the site is too small to build a house on, and the constituent has no desire to do so. He uses the property for recreation for his family.

Following county procedure, the constituent asked to be able to construct a tool shed on the property, of the kind generally found prefabricated at home improvement stores, in which to store his tools for maintaining the property and his recreational equipment.

However, because a shed is considered an "accessory structure," under county policy, it needs to be accessory to something, such as a house. As stated previously, the property could not support a house, and therefore, under current county policy, the constituent cannot construct a shed.

Staff did brainstorm about possible solutions for the constituent, and came up with the possibility of the constituent installing an underground vault. That option, though, would have required a building permit and quite possibly a grading permit, turning what should have been an endeavor of a few hundred dollars into something far more expensive.

While I do not believe this is a common problem, I do believe there is a more practical and cost-effective solution. I would ask that staff develop options to address this issue and bring them back to HLUET. Staff may also consider limiting the square footage of such structures, perhaps to 200 square feet and under.