File: PLN16-10755  
Design Review Approval for a new barn

Summary: Design Review approval to construct a new 3,800 square foot barn proposed within 100 feet of Idylwild Road, which is a scenic road. Associated site improvements include a driveway and fire truck turnaround, and wharf fire hydrant. Associated grading consists of 95 cubic yards of cut and 30 cubic yards of fill.

Owner: Robert Emami  
Applicant: Robert Emami  
Lot Size: 4.62 acres  
APN: 558-38-002 & 018  
Supervisiorial District: 1

Gen. Plan Designation: Hillsides  
Zoning: HS-sr  
Address: 0 Idylwild Road, Los Gatos CA  
Present Land Use: Vacant  
HCP: N/A

RECOMMENDED ACTIONS
A. Accept the determination that the proposed project qualifies for a Categorical Exemption, under Section 15303 (Class 3(f)) – New construction or conversion of small structures, Attachment A.
B. Grant Design Review approval, subject to the Conditions of Approval outlined in Attachment B.

ATTACHMENTS INCLUDED
Attachment A – Proposed CEQA Determination  
Attachment B – Proposed Conditions of Approval  
Attachment C – Location & Vicinity Map  
Attachment D – Proposed Plans
PROJECT DESCRIPTION

The proposed project is to construct a new 3,800 square foot barn located within 100 feet of Idylwild Road, which is a scenic road. Associated site improvements include a driveway and fire truck turnaround, and wharf fire hydrant. Associated grading consists of 95 cubic yards of cut and 30 cubic yards of fill. A Building Site Approval and Grading Approval for a single-family residence was recently approved by the Planning Division, with a Condition of Approval by County Roads and Airport to dedicate additional roadway. As a result of the roadway dedication, the barn became located within the 100-foot scenic road setback area and requires Design Review. The project under review is only for the barn within the scenic road setback area.

Setting/Location Information

The subject parcel is approximately 4.6 acres in size and is currently vacant. Access to the subject property is via a public maintained road, Idylwild Road, which bisects the property. The approved residence would be located on the south side of Idylwild Road. The property is located in the unincorporated Los Gatos, above Lexington Reservoir.

The subject property has an existing dirt road that leads to the building pad, which is flat. The property is a gently sloping parcel with a mixture of trees and shrubs. The slope of the subject lot is approximately 20%. Parcels surrounding the subject property are also larger rural lots and developed with a mixture of one (1) to two (2) story single-family residences.

REASONS FOR RECOMMENDATIONS

A. Environmental Review and Determination (CEQA)

The proposed project qualifies for a Categorical Exemption, Section 15303 (Class 3f) for new construction or conversion of small structures.

B. Project/Proposal

1. General Plan: The project includes construction of an accessory structure within the HS-sr combined zoning district, with no jurisdictional Urban Service Area. The General Plan land use designation for the subject parcel Hillsides, which is intended to allow low density single-family residential use with accessory structures.

2. Building Site Approval: Per County Ordinance Section C12-307 and C12.309.2, Building Site Approval is required for new single-family or two-family dwellings, including any HS zoning district. An application for Building Site Approval was approved on April 26, 2019.

3. Zoning Standards. The proposed project satisfies the required development standards as summarized below:

   Front Setback: 30 feet (Design Review required within 100 ft. of scenic road
   Side Setbacks: Per UBC
   Rear Setback: Per UBC

File No. PLN16-10755
Zoning Administration Hearing June 12, 2019
C. Design Review Findings:

All Design Review applications are subject to the scope of review as listed in §5.50.040 of the County Zoning Ordinance. The overall purpose of design review is to encourage quality design and mitigate potential adverse visual impacts of development. Additionally, for development within 100 feet of a Scenic Road, Design review is required to ensure development is compatible with the scenic road. In the following discussion, the scope of review criteria is in bold, and an explanation of how the project meets the required standard is in plain text below.

1. Mitigation of any adverse visual impacts from proposed structures, grading, vegetation removal and landscaping;

The property is heavily wooded and slopes up from Idylwild Road. A total of twelve (12) trees would be removed as a result of construction of the barn and driveway, seven (7) of these are ordinance size protected trees (12-inches in diameter 4 feet from grade). A mixture of existing mature trees, non-protected trees and shrubs would be removed, as recommended by either the project Arborist or Roads and Airports, for site clearance visibility. The Arborist Report prepared for the project by Vaughn Forestry dated, June 27, 2018, includes these removal recommendations and mitigations for replacement, which will provide visual screening of the barn as viewed from Idylwild Road. This mitigation has been included as a Condition of Approval.

The design of the proposed barn is similar to a two-story residence, which will help the proposed barn fit into the neighborhood character. The proposed barn is 35-feet tall from finished grade and is a two-story design that includes natural colors and materials with a Light Reflectivity Value (LRV) of 45 or less. Maintaining this LRV is included as a Condition of Approval. As such, Staff recommends that this finding can be made.

2. Compatibility with the natural environment;

The barn is proposed in an appropriate location on the subject property. The building pad would require grading into the hill for the rear of the barn. The proposed cut is reasonable and would not create an unnatural appearance or scarring, as seen from the scenic road. The Applicant could have proposed additional cut into the hill to maintain 100 feet or more from the edge of the Idylwild Road, which would have also avoided Design Review. However, staff finds that the minimal grading and tree replacement to accommodate screening of the barn and improvements creates a design that is compatible with the natural environment, and this finding can be made.
3. Conformance with the “Design Review Guidelines,” adopted by the Board of Supervisors;

The primary goal of the County Design Review Guidelines is to maintain the predominantly natural character of hillsides areas and areas along designated scenic roads in Santa Clara County. The proposed project conforms to the Design Review Guidelines as the siting of the proposed barn utilizes a majority of existing flat area on the site and its related improvements (driveway) are designed to follow the natural contours and to minimize excessive grading. The bulk and mass of the building has been designed to minimize long and tall wall planes and is broken up by incorporating varied roof planes, windows and doors. Also, the design of the barn simulates a single-family residence to additionally help the structure blend into the neighborhood. As a Condition of Approval, exterior colors for the barn façade, trim and roof materials are to have a Light Reflectivity Value less than or equal to 45. As conditioned, Staff recommends this finding can be made.

4. Compatibility with the neighborhood and adjacent development;

The proposed residence is in keeping with the characteristics of the surrounding neighborhood. The neighboring parcels are developed with low density single-family development and surrounded by dense trees to minimize impacts on privacy and view of neighboring properties, which the subject project is also consistent with. The architectural styles are predominantly Mediterranean for the newer developments or ranch style for the older homes. There are four (4) new residences currently under construction in the immediate neighborhood. The proposed barn is a two-story design, however it would not be obtrusive or stand out compared to the other developed parcels in the immediate vicinity and is compatible with the immediate neighborhood. Staff recommends this finding can be made.

5. Compliance with applicable zoning district regulations; and

Residential accessory use is an allowed use in HS Hillside zoning district, and the project complies with the HS zoning regulations. The proposed barn exceeds all required setbacks (30-feet from all property lines) and meets the maximum allowed height of 35-feet. As such, Staff recommends that this finding can be made.

6. Conformance with the general plan, any applicable specific plan, or any other applicable guidelines.

The General Plan Growth and Development Chapter for Rural Unincorporated Areas contains specific policies under Strategy #3, to Ensure Environmentally Safe and Aesthetic Hillside Development. To address policies intended to minimize or avoid unnecessary grading and for development of lots which propose hilltop or ridgeline development, the applicant has designed the project with a modest building footprint and has located the barn away from the steepest slope of the property.
The subject parcel is not located on or near a ridgeline and has no visibility toward the portion of the lower hillsides or valley floor.

As such, as conditioned, the project would be in conformance with the General Plan and this finding can be made.

BACKGROUND

The applicant originally submitted application for a Design Review on December 14, 2016, along with a Building Site Approval and Grading Approval request. Multiple revisions to the design of the residence, grading and access ultimately moved the subject barn outside of the 100-foot scenic road setback, resulting in no need for Design Review. However, after implementing County Roads and Airport conditions to expand the right-of-way, the applicant determined that the barn would actually be located within the 100-foot scenic road setback. As the original Design Review application fee was never refunded, Staff applied the recent request by the applicant to allow the barn in the scenic road to the originally submitted Design Review application fee. The project was deemed complete on April 22, 2019. A public notice was mailed to all property owners within a 300-foot radius on May 28, 2019, and was also published in the Post Record Newspaper on May 28, 2019.

STAFF REPORT REVIEW

Prepared by: Mark J. Connolly, Senior Planner / Deputy Zoning Administrator

Reviewed by: Leza Mikhail, Principal Planner / Zoning Administrator
ATTACHMENT A

Notice of Exemption from CEQA

To: County Clerk-Recorder  ☑  Office of Planning & Research
   County of Santa Clara
   PO Box 3044, Room 222
   Sacramento, CA  95812-3044

Project Title  Emami Design Review for a barn within a scenic road  File Number (if applicable)  File PLN16-10755

Project Location
0 Idylwild Road, Los Gatos, CA

Public Agency Approving Project
Project
County of Santa Clara

Person or Agency Carrying Out Project
Mark J Connolly, Senior Planner

Project Description (including purpose and beneficiaries of project)
Design Review to construct a new 3,800 square foot barn proposed within 100 feet of Idylwild Road, which is a scenic road. Associated site improvements include a driveway and fire truck turnaround, and wharf fire hydrant. Associated grading consists of 95 cubic yards of cut and 30 cubic yards of fill.

Exempt Status check one/indicate type of State CEQA Guidelines section number;

☐ Categorical Exemption [CEQA Guidelines 15301-15333]:
☐ Statutory Exemption [CEQA Guidelines 15260-15285]:
☐ Declared Emergency [15269(a)]:
☐ Emergency Project [15269(b)(c)]:
☐ General Rule [CEQA Guidelines 15061(b)(3)]:

Reasons the project is exempt:
Class 15303 (f)
New construction or conversion of small structures.

County Contact Person  Title  Telephone Number
Mark J. Connolly  Senior Planner  (408) 299-5786

Date: 6/7/19  Signature: 

File No. PLN16-10755
Zoning Administration Hearing June 12, 2019
PRELIMINARY
DESIGN REVIEW
CONDITIONS OF APPROVAL

Date: June 12, 2019
Owner/Applicant: Robert Emami
Location: Idylwild Road (Lot 169) (APN’s 558-38-002, 018)
File Number: 10755-15B-15G
CEQA: Categorically Exempt - Section 15303 (Class (f))

Project Description: Design Review for a barn within 100 feet of a scenic road.

If you have any question regarding the following preliminary Conditions of Approval, call the person whose name is listed as the contact for that agency. He or she represents a particular specialty or office and can provide details about the conditions of approval.

<table>
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<tr>
<th>Agency</th>
<th>Name</th>
<th>Phone</th>
<th>E-mail</th>
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<tbody>
<tr>
<td>Planning</td>
<td>Mark Connolly</td>
<td>(408) 299-5786</td>
<td><a href="mailto:mark.connolly@pln.sccgov.org">mark.connolly@pln.sccgov.org</a></td>
</tr>
<tr>
<td>Environmental Health</td>
<td>Darrin Lee</td>
<td>(408) 299-5748</td>
<td><a href="mailto:darrin.lee@pln.sccgov.org">darrin.lee@pln.sccgov.org</a></td>
</tr>
<tr>
<td>Geology</td>
<td>Jim Baker</td>
<td>(408) 299-5735</td>
<td><a href="mailto:jim.baker@pln.sccgov.org">jim.baker@pln.sccgov.org</a></td>
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<tr>
<td>Fire Marshal</td>
<td>Alex Goff</td>
<td>(408) 299-5763</td>
<td><a href="mailto:alex.goff@sccfd.org">alex.goff@sccfd.org</a></td>
</tr>
<tr>
<td>Building Inspection</td>
<td></td>
<td>(408) 299-5700</td>
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<tr>
<td>Land Development</td>
<td>Ed Duazo</td>
<td>(408) 299 5733</td>
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<td>Engineering</td>
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STANDARD CONDITIONS OF APPROVAL

Building Inspection
1. For detailed information about the requirements for a Building Permit, obtain a Building Permit Application Instruction handout from the Building Inspection Office or visit the website at www.sccbuilding.org

Planning
2. Development shall take place in accordance with the approved plans, prepared by KDA Architecture dated Feb 5, 2018, and Kier and Wright Engineers dated November 16, 2018. Changes to the approved plans will require review and approval of a modified application with the Planning and Development Department.

3. Existing zoning is HS-sr. (Hillsides with a Scenic Road) Maintain the following minimum setbacks:
Front Setback: 30 feet (Design Review required within 100 ft. of scenic road
Side Setbacks: Per UBC
Rear Setback: Per UBC
Height: 35 feet tall
Stories: 2

4. All Conditions of the Arborist Report Prepared by Vaughn Forestry, and dated June 27, 2018, shall be followed.

5. Prior to the issuance of the first permit, a final Landscape Plan shall be submitted showing replacement trees per the Arborist report in the designated areas shown on Figure 3

6. Exterior colors for the barn façade, trim and roof materials are to have a Light Reflectivity Value less than or equal to 45, and shall be constructed pursuant to the approved color pallet.

7. All conditions of the April 26, 2019 Building Site Approval and Grading shall remain in full force and effect and shall be supplemented by these Condition of Approval for Design Review (File 10755-16B-16G) to allow a barn in the 100-foot scenic road setback.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO OCCUPANCY OR ONE YEAR FROM THE DATE OF THE LAND DEVELOPMENT AGREEMENT, WHICHEVER COMES FIRST

Planning

8. Prior to final inspection, contact Mark J. Connolly at 408 299 5786, at least a week in advance to schedule a site visit to verify the approved exterior colors have been installed as approved and existing landscaping is maintained.