STAFF REPORT
Zoning Administration
October 4, 2018
Item #4

Staff Contact: Lara Tran
(408) 299-5759/ lara.tran@pln.sccgov.org

File: 11306 - 18SP
Special Permit for a detached accessory building (pool cabaña) containing more than two internal plumbing fixtures.

Summary: Special Permit to allow more than two plumbing fixtures (five fixtures proposed) in a 544 sq. ft. pool house pursuant to § 4.20.020(I).

Owner: Devesh Patel and Shital Patel
Applicant: Devesh Patel and Shital Patel
Lot Size: 0.4 acres
APN: 336-11-006
Supervisorial District: #5

Gen. Plan Designation: USA (Los Altos)
Zoning: R1E-20-n1
Address: 420 Valley View Drive
Present Land Use: Single Family Res.
Approved Building Site: Yes

RECOMMENDED ACTIONS
A. Accept a Categorical Exemption, under Section 15303(e) of the CEQA Guidelines, Attachment A
B. Grant Special Permit Approval, subject to conditions 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 a conversion of the existing 544 square foot garage to a pool cabaña with more than two (2) plumbing fixtures. The structure includes one (1) full bath with two (2) additional plumbing fixtures resulting in a total of five (5) plumbing fixtures. There is no proposed grading, or tree removal as the project is a conversion of an existing structure into a pool cabaña. The proposed location of the pool cabaña is in the rear yard of the lot, adjacent the existing pool, approximately 12 feet and 52 feet from the side property lines, and 30 feet from the rear property line.

The lot is a 0.4-acre parcel located at the northwest corner of Valley View Drive and Knoll Drive, in the unincorporated area of Santa Clara County. Associated site improvements include demolition of the existing breezeway and removal of the pool equipment shed adjacent to the existing garage. As a separate building permit, the applicant will construct a new 625 square-foot garage adjacent to the proposed pool cabaña to accommodate the required minimum one (1) covered parking space per County Zoning Ordinance Section 4.30.030.

Setting/Location Information
The subject property is located in the northern portion of the unincorporated area of Santa Clara County, east of Highway 280, at the northwest corner of Valley View Drive and Knoll Drive. The lot was created with the Summerhill Heights Subdivision Tract. The neighborhood character consists of a mix of original ranch style homes built in the 1950s and modern homes built in 2010 ranging from 1,500– 3,000 square feet.

REASONS FOR RECOMMENDATIONS

A. Environmental Review and Determination (CEQA)
The proposed project qualifies for a Categorical Exemption, Section 15303 (Class 3e) for accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences in a residential zone.

B. Project/Proposal
1. **General Plan**: Urban Service Area (USA) – Los Altos.

2. **Approved Building Site**: Yes. – Summerhill Heights Subdivision, Tract 248.

3. **Zoning Standards**: The proposed project satisfies the required development standards for accessory structures, as summarized below:

   **Setbacks (R1E)**: Located in rear half of lot, within the rear yard, or at least 75-feet from the front property line.

   **Maximum Height**: 12-feet average (between ridge and top plate with hip or gable roof with a maximum of 16 ft.)

   **Stories**: 1 story
4. Compliance with Development Standards (Accessory Structures) and Specific Findings (Restrictions on Plumbing Fixtures).

The proposed garage conversion into a pool cabaña has a height of 15 feet (built with a building permit in 1950) which is within 16 foot maximum height for accessory structures. The location of the pool cabaña conforms to the development standards stipulated for accessory structures (located in the rear yard of the property or at least 75 ft. from the front property line), and the pool cabaña is not designed to be used for dwelling purposes or overnight accommodations. The proposed layout of the pool cabaña includes one (1) full bath with an open lounge/patio area. The proposed accessory building is approximately 544 square feet in size. As such, the pool cabaña is of an appropriate size and design for the intended use and complies with the specific findings for “Restrictions on Plumbing Fixtures,” pursuant to Section 4.20.020(I)(2).

5. Special Permit:

In addition to specific findings identified in Section 4 above, accessory structures (such as a pool house) with more than two (2) internal plumbing fixtures are also subject to a Special Permit (Chapter 5.60). In the following discussion, the scope of review findings for a Special Permit are delineated in **bold** type, and an explanation of how the project meets the required findings is in plain text below. The Zoning Administrator is required to make findings to approve the project.

**A. The proposed use conforms with the general plan, with the zoning ordinance, and with all standards applicable to the proposed use that have been adopted by the Planning Commission or Board of Supervisors;**

As discussed in Section 4 of this report, the project conforms to all standards stipulated in County General Plan and Zoning Ordinance. The existing garage being converted into a pool cabaña meets the accessory average height of 12 feet or the maximum 16 ft. height total. The height of the proposed pool cabana (existing garage) is15 feet (built with a building permit in 1950) and will be maintained within the overall height limit of 16 ft.

The location of property is within the -n1 (Los Altos) combined zoning district which has a floor area limitation. Per County Zoning Ordinance Section 3.40.030(2)(c), floor area would include cumulative area of accessory structures over 500 s.f. The project proposes conversion of an existing accessory structure of 544 s.f., and therefore, would count towards the overall floor area of the entire property. Staff reviewed the floor area calculations signed and stamped by Chris Spaulding Architect to confirm the project will not exceed the allowable floor area of 4,343 square feet, or 23.5% of the total lot area (18,430 square feet).

**B. The site is adequate for the proposed use, including but not limited to being of adequate size and shape to accommodate all facilities and development**
features to integrate the use into the surrounding area and to provide any necessary or appropriate buffers between the use and the surrounding area;

The site is adequate to accommodate the proposed pool cabaña. The subject site is approximately 0.4 acres, and the proposed pool cabaña satisfies the required setbacks for residential accessory structures, (rear yard or at least 75 feet from front property line). The proposed layout in the pool cabaña is of an appropriate design to have one (1) full bath and a lounge area. Furthermore, the structure is existing and will not create any new additional impacts to neighboring properties. As such, the area of the property and the location of the proposed structure offers adequate separation and provides a buffer between the proposed use and the surrounding uses and/or neighborhood.

C. The proposed use will not be detrimental to the public health, safety, or general welfare. In this respect the zoning administrator shall further find, without limitation, that:

1. Adequate off-street parking, loading and unloading areas (if applicable) and handicapped access will be provided;

As the existing garage is proposed for conversion into a pool cabaña, the applicant will build a 625 square-foot detached garage adjacent to the proposed pool cabaña to accommodate the required minimum one (1) covered parking space per County Zoning Ordinance Section 4.30.030.

2. Appropriately designed site access will be provided, including safe and adequate access for fire and emergency vehicles (including secondary access where deemed necessary by the fire marshal);

Fire sprinklers will not be needed for the proposed structures as the pool cabaña is not enclosed by a perimeter wall on one of its sides and the garage is not a living quarter. Existing breezeway will be demolished to separate the pool cabaña from the main residence. The structures are appropriately designed for safe and adequate access for fire and emergency access.

3. The use will not adversely affect water quality. Adequate wastewater treatment, disposal and sanitation facilities will be provided and will satisfy all applicable local, state and federal requirements;

The property is an urban lot and has sewer service with the City of Los Altos. The proposed structure has access to a sewer lateral and would also be connected to the sanitary sewer system.

4. The use will not be detrimental to the adjacent area because of excessive noise, odor, dust or bright lights;
This project would be permitted “by-right” if the application only included two (2) plumbing fixtures. The installation of more than two (2) plumbing fixtures would not create noise, odor, dust or excessive light impacts. Furthermore, residential and accessory uses shall be subject to the County Noise Ordinance.

5. **The use will not substantially worsen traffic congestion affecting the surrounding area;**

Not applicable.

6. **Erosion will be adequately controlled; and**

Standard conditions and BMP’s are conditioned and will be required through building permit review.

7. **Adequate storm drainage management exists or will be provided and will comply with all applicable local, state and federal requirements.**

Special Permit is only for the conversion of the existing garage to a pool cabaña and the proposal of more than 2 plumbing fixtures. The plans show an addition to the single-family residence and the construction of a new garage to meet the residential parking requirements. The Special Permit by itself would not trigger the requirement of a Drainage Permit. However, LDE is reviewing the entire site plan which proposes additions to the main residence including construction of a new garage with a new asphalt/concrete driveway, which would exceed 2,000 s.f. of new impervious surface, triggering the requirement for a Drainage Permit.

**BACKGROUND**

The property was created as part of the Summerhill Heights Tract Map No. 248 recorded on February 26, 1948. The existing residence was built in 1950 with some additions made to the main house in 1964 and 1966 (as shown in building permit history).

The current owners, Devesh Patel and Shital Patel, applied for a Special Permit on June 5, 2018, which was subsequently deemed incomplete on July 5, 2018. After submitting all required information, on September 11, 2018, Staff deemed the application complete. A public notice was mailed to all property owners within a 300-foot radius on September 25, 2018 and published in the Post Record on September 20, 2018.

**STAFF REPORT REVIEW**

Prepared by: Lara Tran, Associate Planner
Reviewed by: Leza Mikhail, Principal Planner/Zoning Administrator
Attachments:  1) Notice of Exemption from CEQA
2) Preliminary Conditions of Approval
3) Location and Vicinity Map
4) Proposed Plans
ATTACHMENT A

Notice of Exemption from CEQA

To: County Clerk-Recorder
County of Santa Clara

Office of Planning & Research
PO Box 3044, Room 222
Sacramento, CA 95812-3044

<table>
<thead>
<tr>
<th>Project Title</th>
<th>File Number (if applicable)</th>
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<tr>
<td>Special Permit for a pool cabaña at 420 Valley View Drive, Los Altos</td>
<td>11306-18SP</td>
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<table>
<thead>
<tr>
<th>Project Location</th>
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<tbody>
<tr>
<td>420 Valley View Drive, northwest corner of Valley View Drive and Knoll Drive in unincorporated Los Alto, CA. Zoning R1E-20-n1.</td>
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<tr>
<th>Public Agency Approving Project</th>
<th>Person or Agency Carrying Out Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>County of Santa</td>
<td>Lara Tran, Associate Planner</td>
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<tr>
<th>Project Description (including purpose and beneficiaries of project)</th>
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<tbody>
<tr>
<td>Special Permit to convert the existing 544 square foot garage to a pool cabaña with more than two (2) plumbing fixtures. The structure includes one (1) full bath with two (2) additional plumbing fixtures for a total of five (5) plumbing fixtures. There is no proposed grading as the project is a conversion of an existing structure into a pool cabaña.</td>
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Exempt Status check one/indicate type of State CEQA Guidelines section number:

- [x] 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:

The proposed project qualifies for a Categorical Exemption, Section 15303 (Class 3e) for accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences in a residential zone. No unusual circumstances exist as to constitute significant environmental effects, per subsection 15000.2(c).

<table>
<thead>
<tr>
<th>County Contact Person</th>
<th>Title</th>
<th>Telephone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lara Tran</td>
<td>Associate Planner</td>
<td>(408) 299-5759</td>
</tr>
</tbody>
</table>

Date: 9/26/18
Signature:

Name/Title: Lara Tran, Associate Planner

Approved by:

File 11306-18SP
420 Valley View Drive

Zoning Administration Meeting
October 4, 2018 Item #4
ATTACHMENT B

SPECIAL PERMIT
Preliminary Conditions of Approval

11306 – 18SP

Owner/Applicant: Devesh Patel and Shital Patel
File Number: 11306-18SP
Location: 420 Valley View Drive, Los Altos (APN: 336-11-006)
Project Description: Special Permit for a pool cabaña with three or more plumbing fixtures

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>
<thead>
<tr>
<th>Agency</th>
<th>Name</th>
<th>Phone</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning</td>
<td>Lara Tran</td>
<td>(408) 299-5759</td>
<td><a href="mailto:lara.tran@pln.sccgov.org">lara.tran@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@cep.sccgov.org">darrin.lee@cep.sccgov.org</a></td>
</tr>
<tr>
<td>Land Development Engineering</td>
<td>Darrell Wong</td>
<td>(408) 299-5735</td>
<td><a href="mailto:darrell.wong@pln.sccgov.org">darrell.wong@pln.sccgov.org</a></td>
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<tr>
<td>Building Inspection Office</td>
<td></td>
<td>(408) 299-5700</td>
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STANDARD CONDITIONS OF APPROVAL

Planning
1. Development must take place in accordance with the approved plans, prepared by Chris Spaulding Architect, submitted on August 21, 2018.

2. Subject pool house may not be used for dwelling purposes or overnight accommodations.

Environmental Health
3. All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays for the duration of construction.

Building Inspection Office
4. For detailed information about the requirements for a building permit, obtain a Building Permit Application Instruction handout from the Office of Building Inspection or visit
their website (www.sccbuilding.org).

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO BUILDING PERMIT ISSUANCE

Planning

5. **Prior to building permit issuance** of the pool cabaña, the building permit for the new 625 ft. garage needs to be issued. As the single-family residence requires at least one (1) covered parking space, the building permit conversion of the existing garage to a pool cabaña will not be issued until the building permit for the proposed 625 square foot garage is issued.

6. **Prior to building permit issuance**, apply for a demolition permit to remove the existing breezeway.

7. **Prior to building permit issuance**, provide F.A.R. calculations signed and stamped by licensed architect, licensed land surveyor, or registered civil engineer.

8. Pursuant to §5.20.125, record a Notice of Permit and Conditions with the County Office of Clerk-Recorder, to ensure that successor property owners are made aware that certain conditions of approval shall have enduring obligation. Evidence of such recordation shall be provided **prior to building permit issuance**.

Land Development Engineering

9. Existing and set permanent survey monuments shall be verified by inspectors **prior to final acceptance of the improvements** by the County. Any permanent survey monuments damaged or missing shall be reset by a licensed land surveyor or registered civil engineer authorized to practice land surveying and they shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.

10. The building plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period). Include the County’s Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set.

11. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.

Drainage

12. **Prior to building permit issuance**, the net increase of impervious area as a part of this project shall be stated on the Building Plans. If the net increase of impervious area exceeds 2,000 s.f, the project will require a drainage permit to be separately obtained from the building permit for the conversion of the existing garage to a cabana. The
drainage permit plans and calculations may be submitted concurrently with the building permit for review.

Utilities
13. All new on-site utilities, mains and services shall be placed underground and extended to serve the proposed development. All extensions shall be included in the building plans. Off-site work should be coordinated with any other undergrounding to serve other properties in the immediate area.

Storm Water Treatment - SF Bay watershed
14. Include one of the following site design measures in the project design: (a) direct hardscape and/or roof runoff onto vegetated areas, (b) collect roof runoff in cisterns or rain barrels for reuse, or (c) construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces. Though only one site design measure is required, it is encouraged to incorporate as many site design measures as possible into the project. For additional information, please refer to the C.3 Stormwater Handbook (April 2012) available at the following website:


Department of Environmental Health
15. Prior to building permit issuance, provide a sewer connection permit/project clearance from the City of Los Altos Sanitary District.

16. Prior to building permit issuance, provide a water service connection letter from the water purveyor.
This map created by the Santa Clara County Planning Office. The GIS data was compiled from various sources. While deemed reliable, the Planning Office assumes no liability.

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File: 11306-18SP
APN: 336-11-006
420 Valley View Drive, Los Altos

Vicinity Map
ATTACHMENT C
<table>
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<tr>
<th>Section A-A</th>
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<tr>
<td>1/4&quot; = 1'-0&quot;</td>
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**NORTHWEST (VALLEY VIEW DR) ELEVATION**

**SOUTHEAST ELEVATION**

**NORTHEAST ELEVATION**

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**Proposed Remodel & Addition for Patel Residence, 420 Valley View Dr, Santa Clara Co, California**

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**CAL GREEN NOTES**

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**Floor Area Details**

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<th>Room Type</th>
<th>Existing</th>
<th>Proposed</th>
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<tbody>
<tr>
<td>Master Bath</td>
<td>200</td>
<td>250</td>
<td>450</td>
</tr>
<tr>
<td>Master Closet</td>
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<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Office</td>
<td>0</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL</td>
<td>200</td>
<td>350</td>
<td>550</td>
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**Notes:**

1. **Typical Eave:** No Scale

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**Specifications:**

- **Building Material:** Concrete Block
- **Roof:** Pitched Roof
- **Windows:** Double Pane, Low-E
- **Doors:** Prehung, 96" x 80"
- **Paint:** Sherwin Williams

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**Materials:**

- **Concrete:** C-2000
- **Roof:**沥青瓦片
- **Windows:** Low-E Glass
- **Doors:** Solid Wood

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**Environmental Notes:**

- **Energy Efficiency:** Enhanced insulation, LED lighting, energy-star rated appliances
- **Water Conservation:** Low-flow fixtures, greywater system
- **Material Selection:** Recycled content, locally sourced materials

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**References:**

- **Architect:** Chris Spaulding
- **Engineer:** 
- **Builder:** 

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**Drawing Scale:** 1/4" = 1'-0"