Local-Serving Uses in Rural Districts: General Plan and Zoning Updates

Planning Commission Workshop

April 23, 2015
Project Background – Rural Land Use Designations

Rural Base Districts:

• A. Exclusive Agriculture
• AR. Agricultural Ranchlands
• HS. Hillside
• RR. Rural Residential
Geographic Setting
Project Background – County General Plan
Rural Residential

- Primary Uses
  - Agricultural Related
  - Single Family Residential
  - Open Spaces

- Support Uses
  - Religious Institutions
  - Community Care Facility
  - Schools
Project Background – Current Challenges

General Plan Policy (R-LU 57 in Particular)
• Do not Align with Actual Practice
• Practical Difficulties in Implementation of Traffic Related Policy
• Religious Land Use and Institutionalized Persons Act (RLUIPA) Compliance
Project Background – Goals

• Maintain General Plan “Local Serving” Intent and Principles

• Provide a Practical Approach to Implement Local Serving Intent
Public Process

1. Prepare Initial Approach and Present to the Community
2. Receive Public Comment
3. Revise Approach in Response to Comments
4. Conduct Initial Planning Commission Hearing
5. Public Hearings and Input
6. BofS Decision
Proposed Solution – Initial

General Plan Policy and Zoning Ordinance Amendments

- Relate Project Allowability to “size, scale and intensity” of use
  
  Premise: Local serving will be something that fits locally in terms of relative size to the surrounding.

New Guidelines

- Use existing and past development approvals to guide future review and approval process.
Proposed Guidelines

• Documents Existing Approved Uses
  ▪ Building size
  ▪ Occupancy
  ▪ Events
  ▪ After Public Input
    ▪ Traffic
    ▪ Floor Area Ratio (FAR)
    ▪ Impervious Surface Coverage

• Establishes Size, Scale and Intensity Parameters for Proposed Uses

• Provides Guidelines for Such Uses
Public Outreach Efforts

1. Two Outreach Meetings
   *February 25th (South County)*; and
   *February 26th (East San Jose Foothills)*

2. Comments Consolidated and Reviewed

3. Staff Meeting with San Martin Neighborhood Alliance representatives (*March 16th*)

4. South County Joint Planning Advisory Committee – Public Meeting *March 19, 2015*
Community Input – Key Highlights

1. Local-serving Language
   • Not adequately defined in General Plan
   • Community feels strongly about retaining language

2. Statistical Approach based on Historic Approvals

3. Impacts may Increase
   • Traffic
   • Drainage
   • Water Quality
   • Noise
   • Visual Resources
   • Rural Character

4. Code Enforcement Follow-through
Community Input - Not Too Big!!

VS.
Proposed Programmatic Solution

1. Change General Plan Policy Language to Clarify the Rural Qualities and Resources the “Local Serving” Policies are Intended to Preserve and Protect

2. Revise General Plan and Zoning Ordinance to Reflect the Use of Size, Scale and Intensity as Indicators of Impacts to Rural Qualities and Resources

3. Identify Clear Thresholds in Guidelines and Require Rural Resources Impact Report for Larger Projects

*Building Size, Occupancy, Traffic Generation, Floor Area Ratio, Impervious Surface Coverage*
Key Difference in Standards – Median as Thresholds

Commercial Uses Permitted in Rural Areas (1981-2014)

- Uses in A, A1, and HS Zones
- Uses in RR Zone

Commercial Uses Permitted in Rural Areas (1981-2014)

- A, AR, HS, and SMPA A1 Zones
- RR Zone
- Median Occupancy
- Median Square Footage
<table>
<thead>
<tr>
<th>Current Medians – All Rural Districts</th>
</tr>
</thead>
</table>

**Institutional Uses**
- 55 people (daily average)
- 123 people (events)
- 6,000 square feet

**Commercial Uses**
- 29 people (daily average)
- 7,089 square feet
Example: Project Review Process

Below the Median
- Generally suitable
- Should meet all other requirements

Above the Median
- Design Project to Fall Below Thresholds of Guidelines
- Prepare a Rural Resources Impact Study
School Example

**Current Policy**
- Difficult to Implement
- No clarity

**Proposed Approach**
- Establishes Measurable Standards
- Easier to Implement and Enforce
Project Status on Incorporating Solutions

1. General Plan and Zoning Ordinance – *Updated Language in Exhibit A*

2. Revise Guidelines – *Underway*
   - Further clarification on which use classifications are considered local serving
   - Data for trip generation and Floor Area Ratio has been collected and is being vetted
   - Guidelines are being revised to identify clear thresholds and process for Rural Resources Impact Report
Tentative Schedule

• 4/23/15 – Planning Commission Informational Hearing

• 5/27/15 - San Martin Planning Advisory Committee Makes Recommendations

• 5/28/15 - Planning Commission Makes Recommendations

• June – Board of Supervisors Action
Frequently Asked Questions:

• Which sections of RLUIPA do we need to be consistent with? *U.S. Code Title 42 Chapter 21C - § 2000cc - Protection of land use as religious exercise*

• Is the intent of the General Plan being diluted with these changes? *These changes will maintain status quo*

• Does the removal of the traffic language remove evaluation of all traffic impacts? *Traffic protections suited for rural areas will be incorporated in guidelines*
Frequently Asked Questions:

• What constitutes a Rural Resources Impact Study? *Still under evaluation*

• When will the next draft Guidelines be available? *In May, prior to the next SMPAC meeting*

• How will additions to legal non-conforming uses be addressed? *Legal non-conforming projects do not count towards data set for establishing parameters. Updates will apply to all new and modified projects.*
Questions and Comments

Santa Clara County Contact Information:

Planners:
Manira Sandhir, AICP and Colleen Tsuchimoto
(408) 299-5770
Manira.Sandhir@pln.sccgov.org
Colleen.Tsuchimoto@pln.sccgov.org

Interim Planning Manager:
Rob Eastwood, AICP
(408) 299-5792
Rob.Eastwood@pln.sccgov.org