



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

Planning Commission Workshop

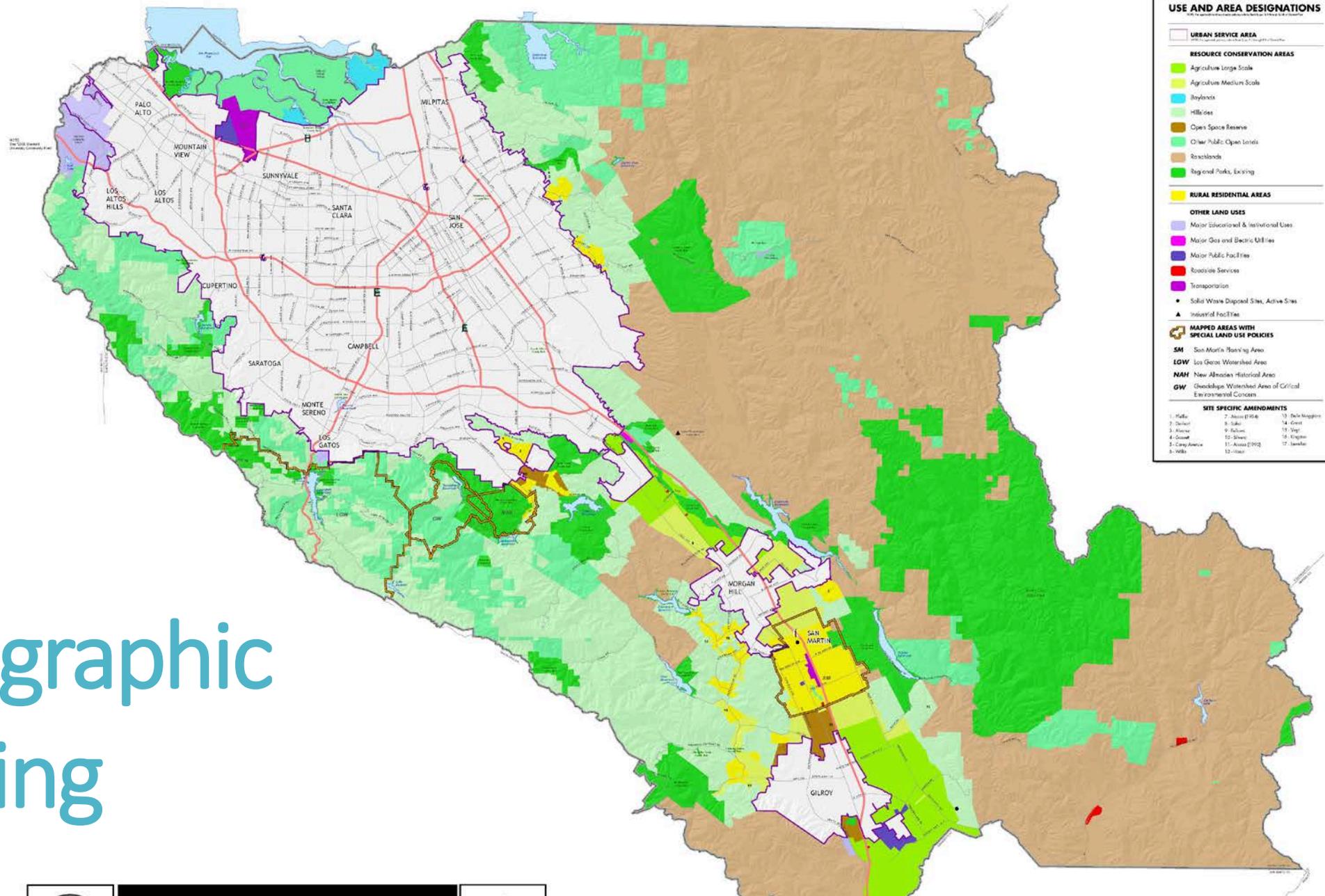
April 23, 2015

Project Background – Rural Land Use Designations

Rural Base Districts:

- A. Exclusive Agriculture
- AR. Agricultural Ranchlands
- HS. Hillside
- RR. Rural Residential

Geographic Setting



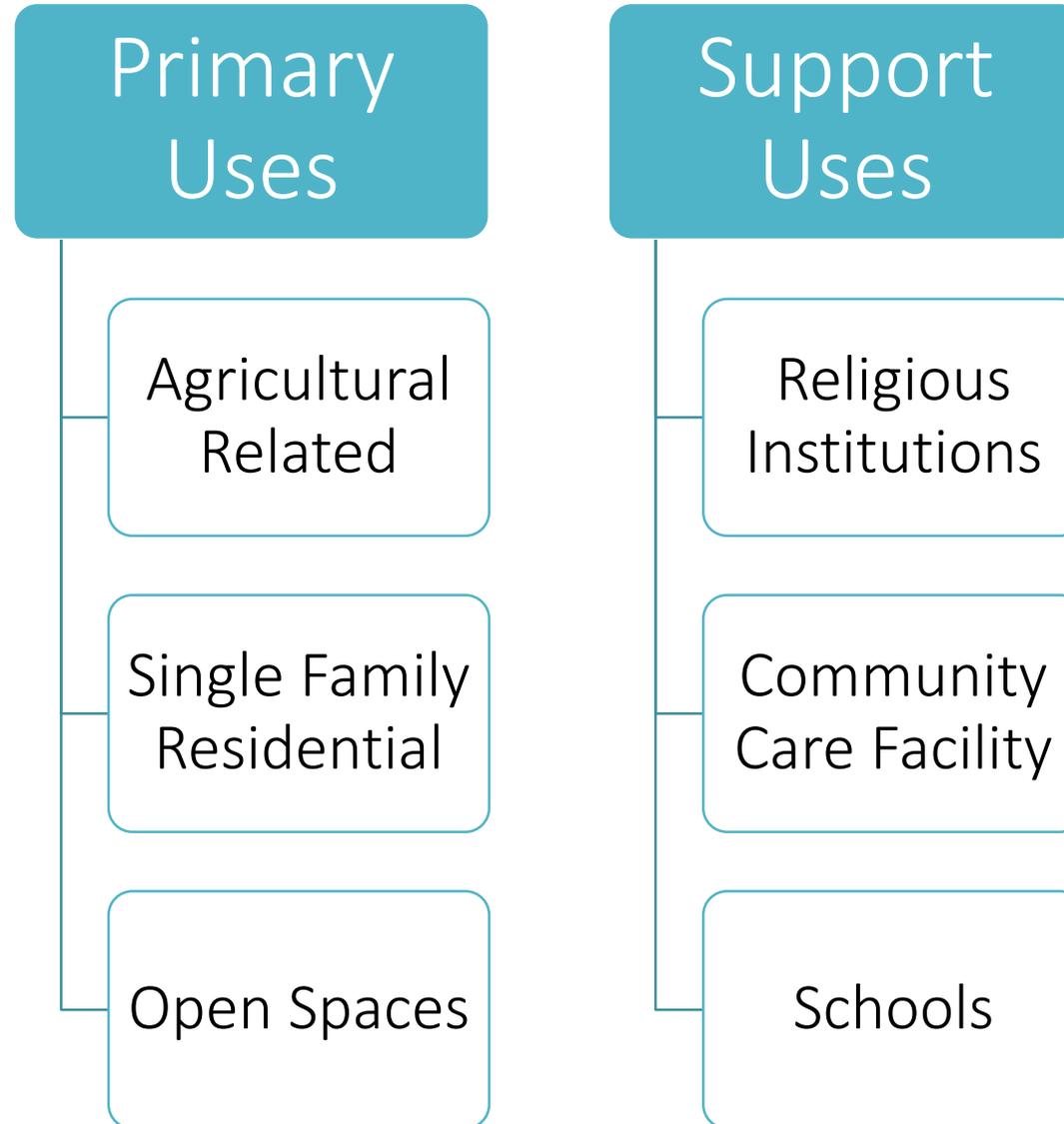
LAND USE PLAN June 2013

1995 Santa Clara County General Plan
 County of Santa Clara Planning Office • 70 W. Harding St. San Jose, CA 95110



Project Background – County General Plan

Rural Residential



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



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.

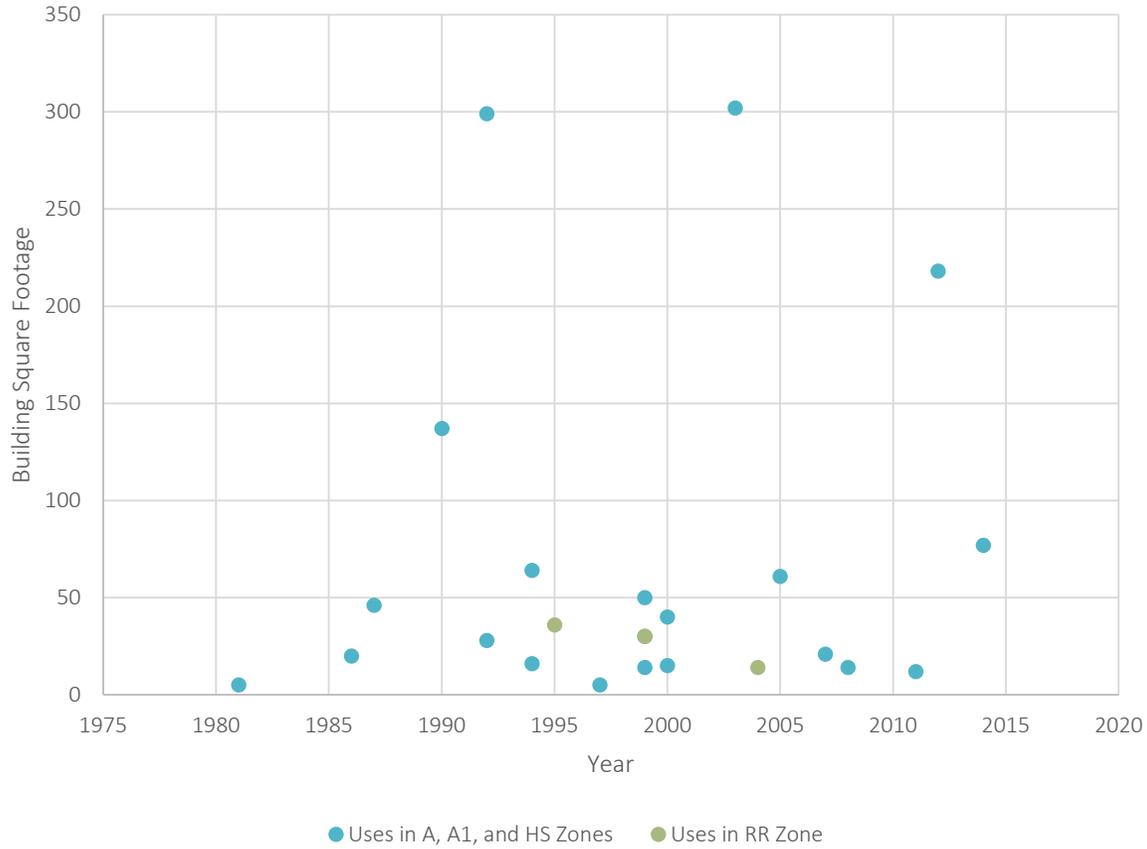
Proposed Programmatic Solution

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

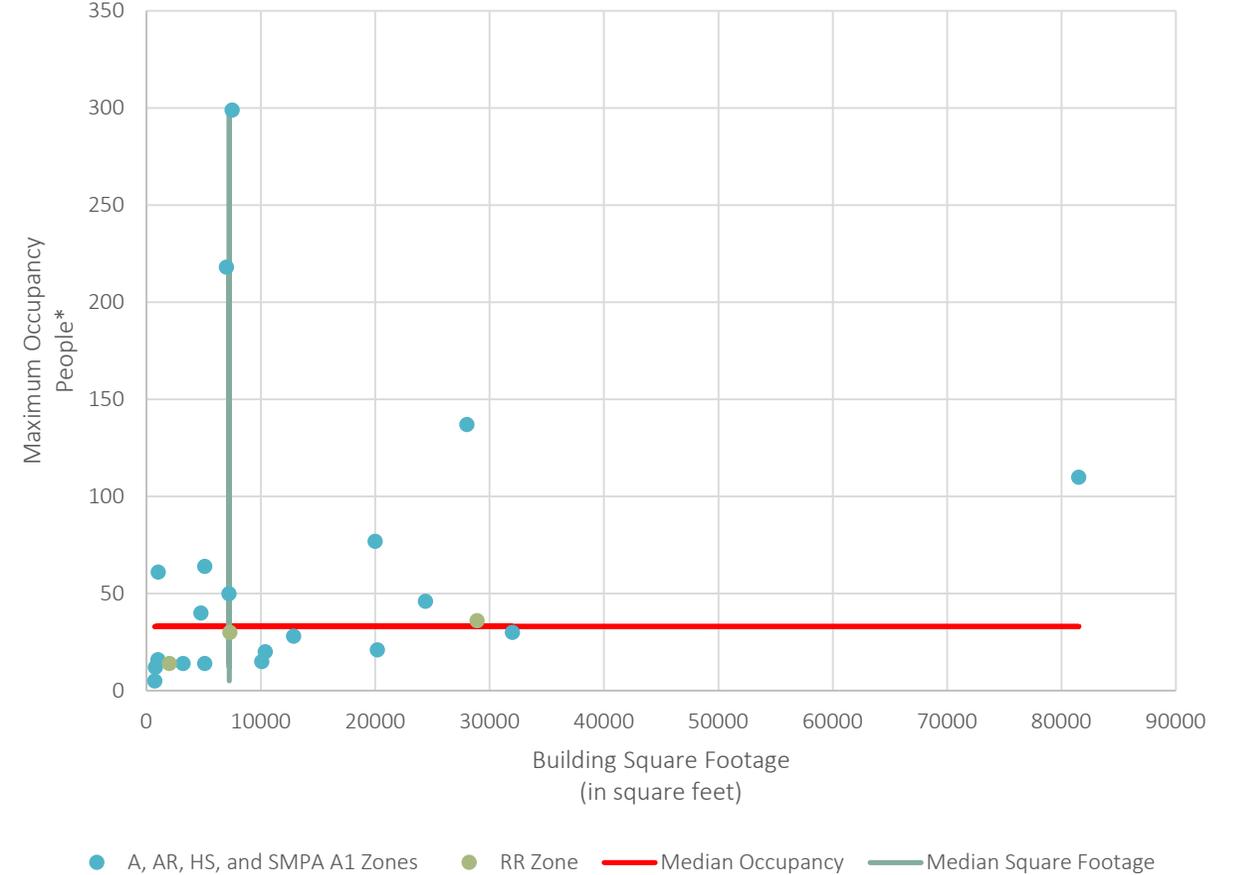
Building Size, Occupancy, Traffic Generation, Floor Area Ratio, Impervious Surface Coverage

Key Difference in Standards – Median as Thresholds

Commercial Uses Permitted in Rural Areas (1981-2014)



Commercial Uses Permitted in Rural Areas (1981-2014)



Current Medians – All Rural Districts

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

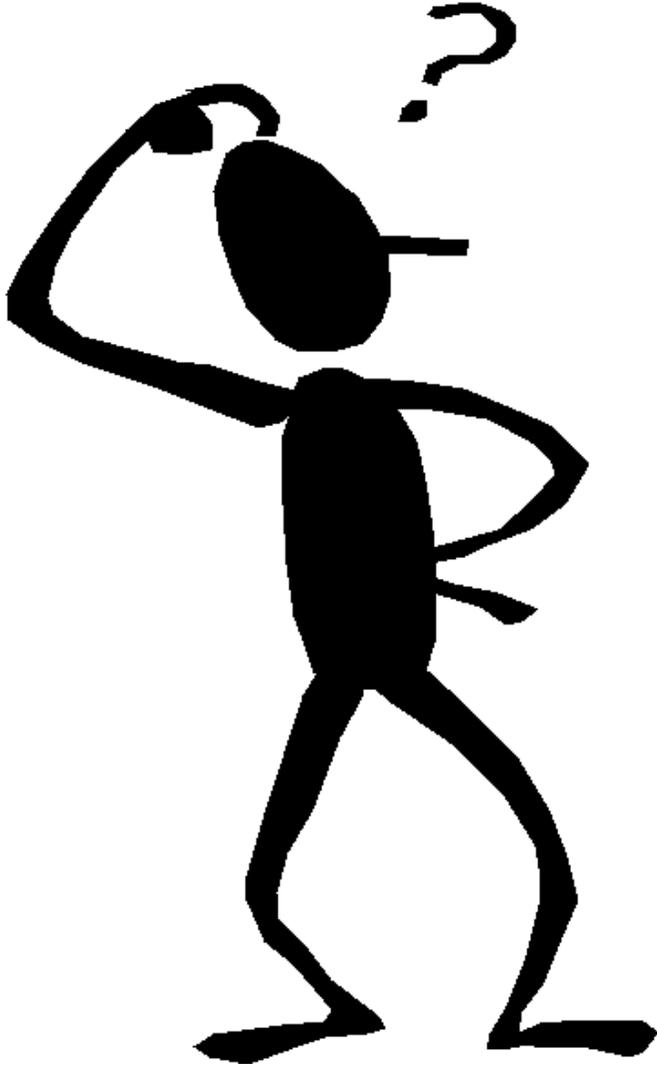
Below the
Median

- 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

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