



**Los Gatos Hillside Specific Plan**

**R-LU 111**

The jointly adopted 'Los Gatos Hillside Specific Plan' shall serve to implement the provisions of the Land Use Element of the Santa Clara County General Plan for those lands included within the Study Area Boundary of the Specific Plan. Refer to the Specific Plan (not contained within the General Plan) for the allowable uses and densities permitted for each sub-area of the lands governed by the Specific Plan.

1. All policy provisions of the Specific Plan shall be deemed compatible with the County's General Plan.
2. For areas governed by the "20-160 acre variable slope density formula," development must fully conform to Hillside policies concerning clustering of residential development and open space dedication.

**R-LU 112**

Urban development shall not occur outside of city jurisdiction. Unincorporated land within the Urban Service Area of the Town of Los Gatos and which is suitable for urban development:

- a. should be annexed at a time consistent with the development schedule of the city; and
- b. shall conform to the city's General Plan.

**San Martin Planning Area**

**Area Boundaries**

**R-LU 113**

The San Martin Planning Area boundary encompasses the area between Maple Avenue on the North; Masten Avenue on the South; the East Foothills and West Foothills (excluding those areas annexed to Morgan Hill). It excludes that part of the current study area which lies west of Monterey Road and between the hill crest north and paralleling California Avenue and West Middle Avenue. [see map p. Q-21] [Amended Mar. 9, 1999; File# 7200-00-00-98GP]

**General Policies**

**R-LU 114**

San Martin is a rural unincorporated community governed by the County Board of Supervisors. Furthermore, San Martin should be viewed as a distinct geographic entity, unique within the rural unincorporated areas of Santa Clara County and having a unique rural identity and character within the South County area. Care should be taken to prevent premature commitment of land for uses which would restrict future options for the community. In order to best preserve future options for the San Martin community and environs, San Martin shall remain a rural community, predominantly non-urban and residential in nature. [Amended Mar. 9, 1999; File# 7200-00-00-98GP]

**R-LU 114.1**

Policies, permit decision-making, and other matters subject to the discretion of the County and Board of Supervisors shall also take into consideration the desire and intent of the community to preserve and enhance the character, identity, and importance of the village core area of San Martin, being that area most central to the distinct identity of San Martin. [Amended Mar. 9, 1999; File# 7200-00-00-98GP]



**R-LU 114.2**

In keeping with the general policies governing San Martin, no further introduction of Roadside Services land use designations within the San Martin Planning Area shall be permitted, unless through subsequent amendment to this policy or subsequent to and in conformance with the adoption of a master land use and infrastructure plan referred to in policy R-LU 117. Limited modification of the Industrial and/or Commercial Use Permit Area boundaries may be considered through the General Plan amendment process, if consistent with the following principles and criteria:

- a. Proposed modifications would not conflict with residential uses or be inconsistent with the primarily rural residential and agricultural land use patterns of San Martin;
- b. Proposed modifications to expand a Use Permit Area boundary would be limited to parcels immediately adjacent to the existing boundaries; and
- c. Proposed modifications would not likely cause significantly increased traffic from outside the community or other objectionable impacts to the area or surrounding properties.

[Amended Mar.9, 1999; File# 7200-00-00-98GP; Mar. 20, 2007; File# 1323-72-32-06GP]

**R-LU 114.3**

The intent of policy R-LU 114.2 is to limit the extent of possible expansion of the Use Permit Area boundaries. Future expansion proposals, whether through successive incremental applications for General Plan amendments or through proposals for a significant number of boundary expansions in any given yearly application filing period, may indicate a need to re-evaluate policy enabling limited expansion through privately-initiated applications. The County may at any time suspend acceptance of such applications, or require additional planning analysis and recommendations regarding the long term implications and cumulative impacts of such boundary modification proposals, or both. The County may refuse to accept for processing a privately-initiated application for a General Plan amendment not deemed substantially consistent

with fundamental or applicable goals and policies of the General Plan, including those for the San Martin Planning Area, and Policies R-LU 114.2 and R-LU 114.3, in particular.

[Amended Mar. 20, 2007; File# 1323-72-32-06GP]

**R-LU 115**

The density and location of future land divisions should reflect the recommendations of the San Martin Area Water Quality Study (1981) and take into consideration subsequent studies of ground water quality.

**R-LU 116**

The County endorses the concept of community participation by residents and property owners in the decisions affecting San Martin. For that purpose, there shall be a San Martin Planning Advisory Committee whose members are appointed by the Board of Supervisors to represent the community and to advise the Planning Department, Planning Commission, and others in matters of interest to the community.

[Amended Mar. 9, 1999; File# 7200-00-00-98GP]

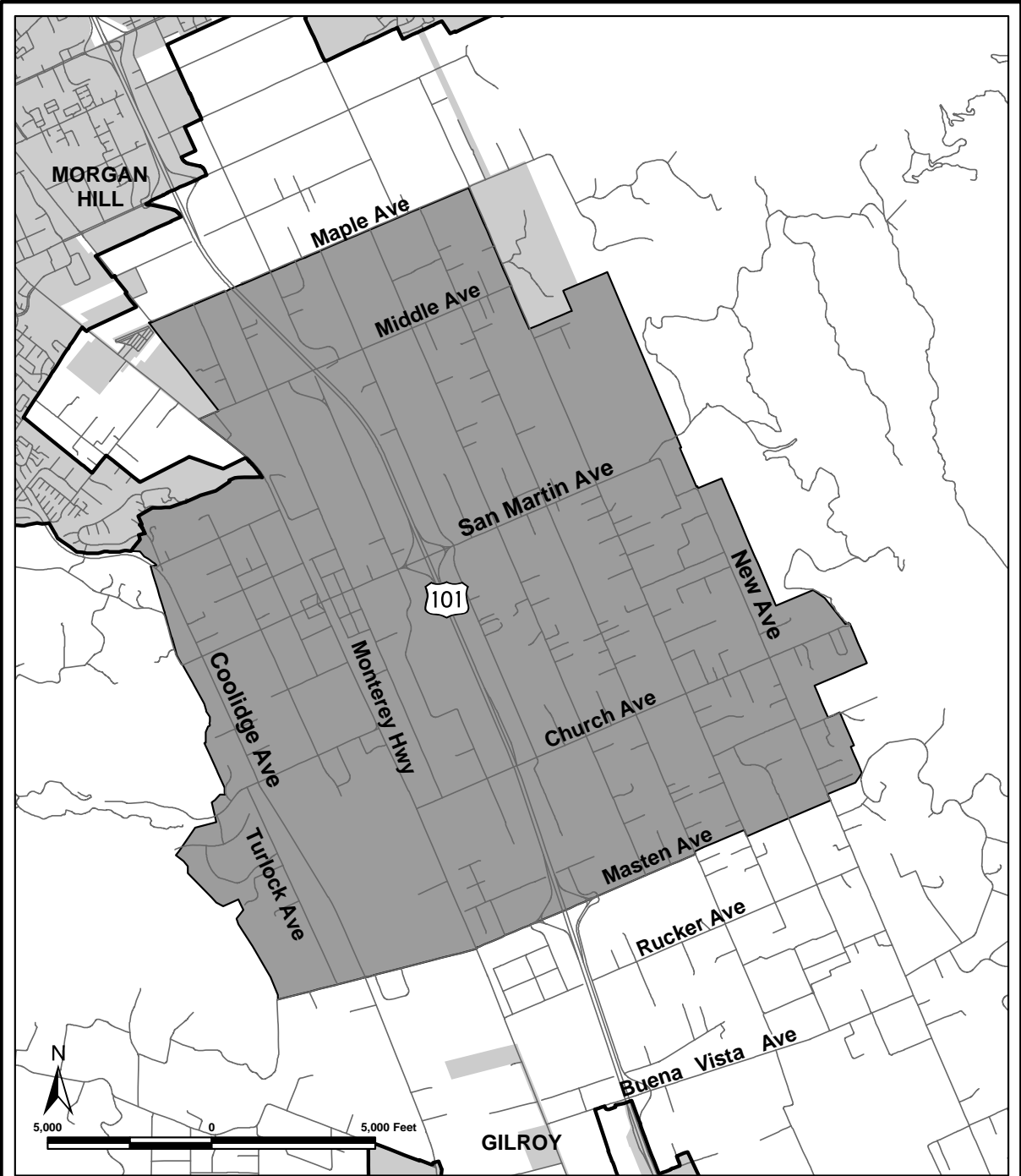
**Master Plan as a Prerequisite to Significant Land Use or Intensity Changes**

**R-LU 117**




Prior to any significant increase in the types or densities of land use in the San Martin area, a master plan addressing both land use and infrastructure issues must be prepared and adopted by the Board of Supervisors. Projects considered "significant" would be those that

- (a) involve changes to the minimum lot sizes allowed in the San Martin area or
- (b) some expansion or intensification in the types of uses currently allowed in either the rural residential areas or those zoned for commercial and industrial uses.

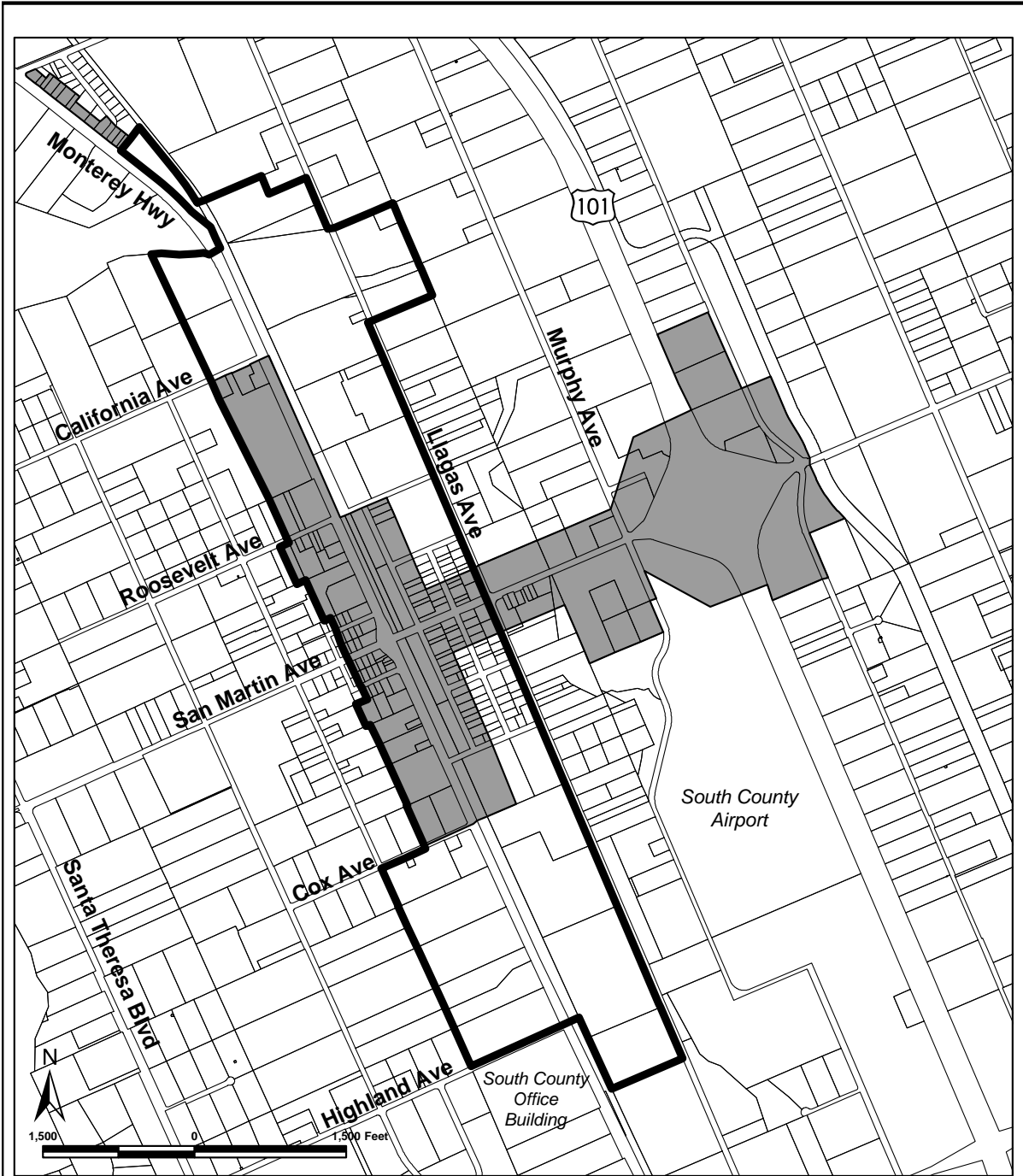
The master utility/infrastructure component of this plan would include provision for fire protection, street improvements, a unified water distribution system, a wastewater management system (sewers), and area-wide drainage improvements. Methods of financing the master-planned improvements and designation of the government entities which would administer and operate certain of the improvements should be included in the adopted plan.



# San Martin Planning Area

-  San Martin Planning Area
-  Urban Service Area
-  City

April 2007



# San Martin Use Permit Areas

- Industrial Use Permit Area
- Commercial Use Permit Area

Amended on March 20, 2007  
File 1323-06GP

**R-LU 117.1**

Connections to sewers in the San Martin area will be subject to the following conditions:

- a. No sewer connections will be allowed for private projects in the San Martin area until such time as an area-wide plan for infrastructure has been approved by the Board of Supervisors.
- b. Public facilities and services operated by either a public or non-profit agency may be granted a sewer connection without being required to develop a master utility/infrastructure plan if it can be found that such a connection would not induce significant growth within the community.

[R-LU 117 amended and R-LU 117.1 adopted May 9, 1995; File # 5967-00-00-95GP]

**R-LU 118**

Any future development plan of San Martin should include street landscaping standards, setback and sign standards, historical resource policies, policies for undergrounding public utilities, and policies regarding other improvements.

**Non-Residential Design Guidelines****R-LU 119**

Non-residential development in the San Martin Planning Area shall conform to adopted development and design guidelines for the San Martin Community.

**Industrial Use Permit Area****R-LU 120**

The intent of the Industrial Use Permit Area is to make provision for the maintenance and development of such light industrial uses as are of benefit to the community and environs through the appropriate discretionary permitting procedures. Such uses are allowed in addition to any of those uses which may be allowed within the applicable General Plan designation and zoning district.

- a. Light industrial uses may be located only within the Industrial Use Permit Area Boundary. [See map p. Q-22]

- b. New or significantly expanded uses may be established and conducted only upon issuance of a use permit and architecture and site approval.
- c. Heavy industrial uses shall not be allowed. [Amended Dec. 5, 1995; File #: 6009-00-00-95GP; Mar. 9, 1999; File# 7200-00-00-98GP]

**R-LU 120.1**

In the vicinity of Llagas Creek, particularly in areas of highly permeable soils, industrial uses should be situated and designed to prevent any form of harmful waste discharges into the creek. These uses should be light industrial in character and have low water usage. The value of the riparian habitat and the beauty of the creek should be maintained and enhanced. [Amended Mar. 9, 1999; File# 7200-00-00-98GP]

**R-LU 121**

New or significantly expanded industries may be allowed on septic systems only if they can comply with the current regulations of the County Septic System Ordinance.

**R-LU 122**

New or significantly expanded industrial uses may be allowed only if served by hydrants and water supply in sufficient volume and pressure for fire suppression.

**R-LU 123**

New or significantly expanded industrial uses may be allowed only if they can be adequately drained by a storm drainage system. On-site surface coverage should be limited to a small percentage of the total lot area in order to not create significant volumes of runoff waters.



### Commercial Use Permit Area

#### **R-LU 124**

The intent of the Commercial Use Permit Area is to make provision for the maintenance and development of such commercial uses as are of benefit to the community and environs through the appropriate discretionary permitting procedures. Such uses are allowed in addition to any of those uses which may be allowed within the applicable General Plan designation and zoning district. New or significantly expanded uses may be permitted only on property within the boundary of the San Martin Commercial Use Permit Area and upon issuance of a use permit and architecture and site approval. [See map p. Q-22]

[Amended Mar. 9, 1999; File# 7200-00-00-98GP]

#### **R-LU 125**

In vicinity of Llagas Creek, particularly in the areas of highly permeable soils, commercial uses should be situated and designed to prevent any form of harmful waste discharge in the creek. The value of the riparian habitat and the beauty of the creek should be maintained and enhanced.

[Amended Dec. 5, 1995; File #: 6009-00-00-95GP; Mar. 9, 1999; File# 7200-00-00-98GP]

#### **R-LU 126**

Eligibility of certain properties for commercial development should be based on consideration of their location, traffic flow, and proximity to residential and other commercial uses, among other factors. Proposed uses which contribute to the enhancement of the commercial village core area shall be encouraged.

[Amended Mar. 9, 1999; File# 7200-00-00-98GP]

#### **R-LU 127**

New commercial land uses within the commercial or industrial use permit areas shall be of a local-serving nature, with the exception of properties immediately adjacent to the San Martin Avenue / Highway 101 freeway interchange that are east of Murphy Avenue, where uses may be allowed which are not necessarily of a

local-serving nature. Local-serving uses shall be defined as only those uses which provide support services for agriculture or satisfy the local day-to-day commercial needs of the residents of San Martin and do not result in significant additional traffic from outside the community. [Amended Dec. 5, 1995; File #: 6009-00-00-95GP; Mar. 9, 1999; File# 7200-00-00-98GP]

#### **R-LU 128**

All development in freeway interchange areas shall rigorously comply with the San Martin Non-Residential Development and Design Guidelines, and shall be designed to enhance the scenic quality of Highway 101.

#### **R-LU 129**

Those types of commercial uses which generate high volumes of sanitary waste waters, for example motels and restaurants, should not be allowed to develop on septic tanks, unless provision can be made for special treatment devices in conjunction with and compliance with County septic tank regulations and specific approval by the Regional Water Quality Control Board officials. No new septic systems should be developed in the highly permeable soils of Llagas Creek.

[Amended Dec. 5, 1995; File #: 6009-00-00-95GP]

#### **R-LU 130**

New or significantly expanded commercial uses may be allowed only if they can be served by an adequate storm drainage system.

#### **R-LU 131**

Prior to establishment or expansion of a commercial use, an assured, dependable, and adequate water supply both in volume and pressure for fire suppression shall be demonstrated for the specific use.

#### **R-LU 132**

Future extensive development of commercial land uses should only occur when the full range of service infrastructure has been provided. The standards and guidelines for the amount of commercial land use would be established in conjunction with an urban density land use and development plan for the area.

**R-LU 133**

Criteria should be established to allow cottage-type industry (defined as commercial type uses that are somewhat more intense than home-occupations and less intense than those generally requiring a use permit) outside of the Commercial and Industrial Use Permit areas designated herein.

**Public and Quasi-Public Uses****R-LU 134**

County expansion of or new County facilities in San Martin requiring either construction or relocation should be reviewed with local residents and property owners prior to being established in the community.

**R-LU 135**

Prior to changing any policies regarding the South County Airport, constructing new airport facilities, or modifying existing airport structures, the proposed changes should be reviewed with residents and property owners of the San Martin Area.

[Amended Dec. 5, 1995; File #: 6009-00-00-95GP]

**Residential Land Uses****R-LU 136**

Residential land use and development patterns shall remain the preferred and predominant use pattern in the San Martin Planning Area. Establishment of allowed non-residential uses in areas of existing or planned rural residential land use should be allowed only with the utmost consideration for the potential adverse impact of such uses upon the residential character and quality of life of the community.

[Amended Dec. 5, 1995; File #: 6009-00-00-95GP; Mar. 9, 1999; File# 7200-00-00-98GP]

**R-LU 137**

Within the established commercial/industrial use permit areas a residential use may be continued or developed on the same parcel as an industrial or commercial use so long as there is adequate area for construction and maintenance of separate septic systems for each use on the parcel.

**Allowable Densities and Minimum Parcel Sizes****R-LU 138**

The density of development for lands designated 'Rural Residential' within the San Martin Area shall be as determined by the "5-20 acre variable slope density formula," unless such lands have been determined to be of less than 10% average slope and officially zoned "RR-5Ac." accordingly.

[Amended Mar. 9, 1999; File# 7200-00-00-98GP]

**R-LU 139**

The density of development for lands designated other than 'Rural Residential' within the San Martin Planning Area shall be determined by the allowable densities of their base General Plan land use designation.

**R-LU 140**

Residential development within the Rural Residential Areas of San Martin shall be allowed to cluster, provided that the open space portions of the development are protected as permanent open space. The minimum parcel size within a rural residential cluster subdivision shall be no less than 1 acre.

**Agricultural Land Uses****R-LU 141**

Agricultural uses should be encouraged to continue.

**R-LU 142**

New development should be compatible with existing agricultural uses.

**R-LU 143**

New and expanded intensive agricultural uses which have the potential for generating significant volumes of organic waste discharges may be permitted subject to use permit (i.e. mushroom farms, dairies, animal feed lots, poultry farms).



### Areas of Special Environmental Concern

#### R-LU 144

Within the San Martin area, certain areas are defined as being of particular concern for development activity. These include lands within federal floodways, within Special Flood Hazard Rate Zones, and lands with soils of high permeability. The following policies are intended to address land use and development within such areas of San Martin.

[Amended Dec. 5, 1995; File #: 6009-00-00-95GP]

#### R-LU 145

In the areas of Federal Floodways and Soils of High Permeability activities permitted should be limited to those specific uses which:

- a. do not provide the potential for contamination of surface runoffs;
- b. will not require additional septic systems; and
- c. will not add potential for generating significant volumes of organic liquid wastes or nitrates to the ground water aquifers.

#### R-LU 146

For the purposes of these policies, soils of high permeability are defined as those with permeability rates exceeding 6 inches per hour as delineated on the maps of Soils of Santa Clara County, 1968.

[Amended Dec. 5, 1995; File #: 6009-00-00-95GP]

#### R-LU 147

In the area designated a Special Flood Hazard in the National Flood Insurance Program, any development shall comply with special regulations regarding the construction and improvement of structures, mobile homes, water and sewer systems adopted by the County Board of Supervisors in order to minimize flood damage and potential contamination of surface waters.

### Scenic Highway

#### R-LU 148

The portion of Highway 101 (South Valley Freeway) in San Martin should be considered a scenic highway.

## Monterey Highway Use Permit Area

### Use Permit Area Boundaries

#### R-LU 149

The Monterey Highway Use Permit Area shall consist of properties with access to and fronting on Monterey Road from Metcalf Road south the county boundary, excluding the Urban Service Areas of the cities of San Jose, Morgan Hill, and Gilroy and lands within the San Martin Commercial and Industrial Use Permit Areas.

### Land Uses

#### R-LU 150

While the predominant land use in the rural unincorporated areas of South County is agriculture, the County recognizes that there are along Monterey Road, within the areas designated 'Agriculture' and 'Rural Residential,' established, non-agricultural land uses serving the South County community. It is the policy of the County that they continue within the 'Agriculture' and 'Rural Residential' land use designations so that the needs of the South County may be served, provided that their legal status is secured in conformance with the following policies.

#### R-LU 151

Legally established land uses fronting Monterey Highway, south of Metcalf Road, in areas designated 'Agriculture' and 'Rural Residential' shall continue as allowable uses by right or by use permit, depending on the regulations governing their original establishment. To protect the area from undesirable strip commercial development, additional service uses will not be extended along Monterey Road.