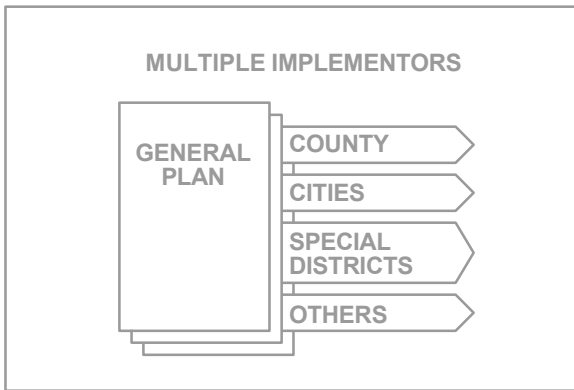


Various Amendments to the County's General Plan for Consistency with  
the 2023-2031 Housing Element Update

Amendments to the Executive Summary of the County's General Plan  
(Part 1, Book A, Page A-5)



- Empower the residents of these areas to participate directly in the elections and decisions of the surrounding cities, whose decisions are most likely to impact them and whose services and facilities they are often already using or dependent upon.

The Plan acknowledges, however, that annexation of lands within some of the larger urban unincorporated areas may not occur for some time or is otherwise infeasible. In the meantime, the County is obligated to exercise its land use authority to assure conformity of development within these areas with that of surrounding areas, development proposals within these areas must conform to the uses allowed in the surrounding Where feasible, the County will be guided by the relevant city's general plan.

In addition, where unincorporated urban areas are in need of revitalization, the Plan proposes cooperative planning efforts that involve the residents and property owners of the area, the County, and the surrounding city.

[See the Urban Unincorporated Areas "General Land Use Management" Chapter.]

**MULTIPLE IMPLEMENTORS OF THIS GENERAL PLAN**

Although this document is, technically, the County's General Plan, it is not intended for implementation by the County alone.

Successful implementation of its policies will depend upon the voluntary, supportive actions of many different agencies – particularly the county's fifteen cities who are primarily responsible for development within the county's urban areas.

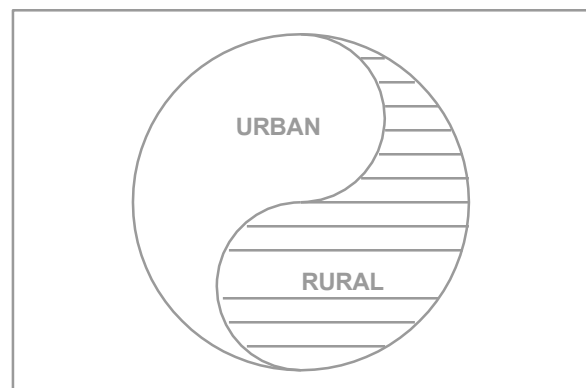
Although it is not legally required that the land use decisions of the cities conform to the County's General Plan, most of the county's cities have policies in their general plans that are very similar to those in this General Plan. Consequently, implementation of their own plans will also contribute to implementation of the County's General Plan.

Achieving the Plan's vision will also require supportive actions by local special districts and agencies (such as the Santa Clara Valley Water District, the Congestion Management Agency, the Midpeninsula Regional Open Space District, and the Santa Clara County Open Space Authority) as well as various regional, state, and federal agencies.

**URBAN AND RURAL FUTURES ARE INTERRELATED**

The General Plan recognizes that the future of the county's urban and rural areas are inseparable. Unless, for example, we provide for sufficient housing within existing urban areas affordable to households of all income levels, the pressures to build in the hillsides and in prime agricultural areas will only increase. Consequently, we must collectively devote as much attention and energy to developing livable urban communities within a framework of compact development, that meet the needs of our growing population, as we do to the preservation of the county's scenic open space lands.

Unless we focus on effective implementation of both the urban and the rural policies of this Plan, neither is likely to be fully successful.



Amendments to the Growth and Development Chapter of the  
County's General Plan

(Part 2, Book A, Pages B-1 *et seq.*)

## Summary

### CHALLENGES TO MANAGING URBAN GROWTH

Perhaps the pre-eminent challenge facing Santa Clara County as a whole over the next decade and into the 21st century will be successfully managing and accommodating urban growth. Problems of traffic congestion, housing supply and affordability, and many others are intrinsically related to the most fundamental policies and decisions to be made concerning the amount, rate, location and patterns of urban growth.

The following points provide an overview of conditions as we enter the 1990s:

- Santa Clara County will continue to grow in population and employment through the 1990s, although at lower rates than in recent decades.
- The overall quality of life in the county will be significantly affected, for better or worse, depending upon how and where future growth is accommodated.
- For a variety of reasons, most of the county's future growth should be accommodated within existing urban areas, rather than by expanding into non-urban areas.
- Through the strategies and policies for managed, balanced growth, Santa Clara County can provide a better balance of urban land uses, more affordable housing, an improved overall transportation system, and enhanced livability of our communities.

### STRATEGIES FOR ACCOMMODATING FUTURE URBAN GROWTH

On a countywide scale, this Plan proposes a three-part strategy for managing and accommodating urban growth. That overall growth management strategy includes the following concepts, or "strategies," which form the outline of sections within this chapter:

#### Strategy #1: Promote Compact Urban Development Patterns

##### Sub-strategies:

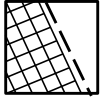
- A) Manage Urban Expansion
- B) Make More Efficient Use of Existing Urban Areas

#### Strategy #2: Achieve More Balanced Urban Growth and Development

#### Strategy #3: Improve Coordinated, Countywide Planning

These strategies are based in part on Santa Clara County's past experience with rapid, uncontrolled urban growth and its quality of life impacts. They reflect the principles of balanced growth and sustainable economic development. The strategy for urban growth management articulated in this chapter recognizes the value of a growing, diversifying economy and population, but also the need to accommodate that growth without sacrificing overall quality of life. Overall quality of life need not be compromised by growth if that growth is well managed.

In this regard, the strategies and policies of this chapter are designed to promote the goals contained within the theme of Managed, Balanced Growth of the Vision Statement of this General Plan. Directly or indirectly, nearly every goal for the future of Santa Clara County expressed within the Vision Statement is related in some way to our ability to manage and accommodate urban growth. Whether one is concerned with the fiscal condition of our local governments, with open space preservation, retaining agricultural lands, housing affordability, traffic congestion, or a variety of other important concerns, the prospects for improvement are diminished in the absence of effective strategies for managing and accommodating growth.



## Background

### OVERVIEW OF URBAN DEVELOPMENT, 1950-1990

Since the 1950s, Santa Clara County has been one of the fastest growing metropolitan areas in the country. Population more than doubled from 290,000 in 1950 to over 640,000 in 1960, and nearly doubled again by 1970 (1,065,500). The benefits of rapid economic growth have been many: generally higher standards of living, and greater influence and prestige in the region, state and world.

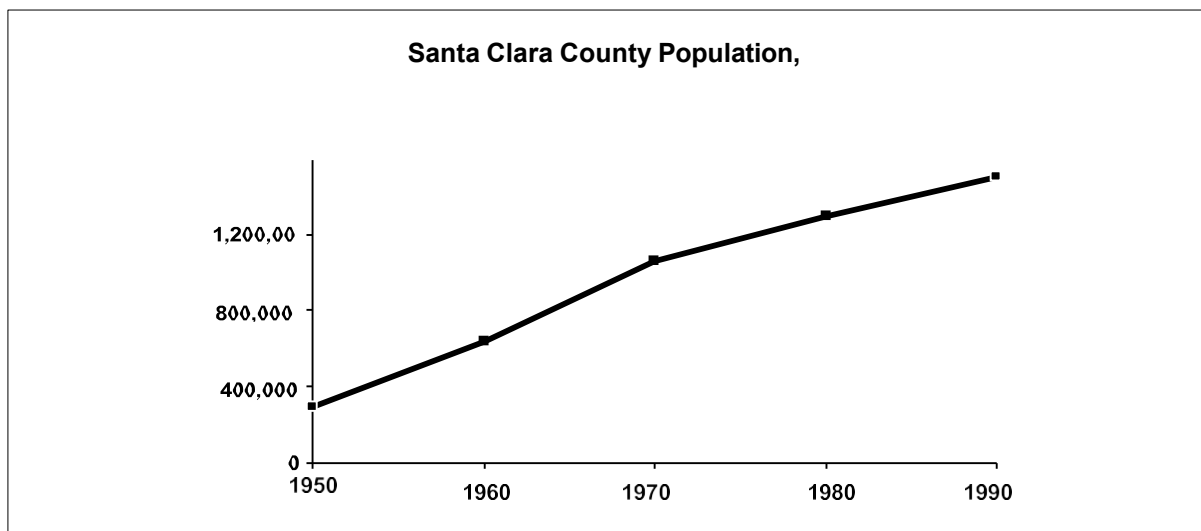
As population and employment rose, cities typically grew at their fringes. In the North Valley, agricultural lands were converted to housing and commercial development until most of the open space between cities was developed at low suburban densities. Employment growth in the semiconductor and computer manufacturing industries centered in the northwest, along the Silicon Valley corridor, as housing development expanded southward. With seemingly ample supplies of easily developable lands there seemed no overriding reason to constrain expansion of the urban areas at low densities. Population growth and economic diversity seemed especially important

to Santa Clara County, which had been a predominantly agricultural economy somewhat overshadowed in the region by other metropolitan areas.

### PATTERNS OF URBAN SPRAWL

The automobile facilitated decentralization of development, aspects of which are often disparaged as "urban sprawl." In Santa Clara County, much urban expansion followed no logical sequence or pattern. The northern valley in particular gained national notoriety as a textbook example of unmanaged, leapfrogging development and sprawl.

The causes of this outcome are understandable if not justifiable. The cities and the County each promoted urban development in order to augment the local tax base and exert territorial control. Lacking effective controls on urban expansion, all jurisdictions competed against each other for development, resulting in "annexation wars." Other factors include the basic economics of land supply. The costs of undeveloped land tend to decrease as distance from the urban center increases, providing an incentive for development to leapfrog over urbanized areas into distant undeveloped areas despite the availability of existing undeveloped lands closer to the center.



## THE 1973 URBAN DEVELOPMENT/OPEN SPACE (UD/OS) PLAN

In response to the haphazard, uncoordinated urban growth of the 1950s and 60s, in the early 1970s the County and the cities developed a basic framework of policies to manage future urban expansion. This system was defined in the Urban Development/Open Space Plan (UD/OS) adopted by the County and the cities in 1973, and subsequently incorporated within the guidelines and policies of the Santa Clara County LAFCO.

The central concept of the policy framework established in this jointly adopted plan was that future urban expansion take place on a staged, orderly basis only under cities' jurisdiction, and that the County no longer allow urban development under its jurisdiction. The plan explicitly rejected the prospect of continued and indefinite expansion of urban development into hillsides and the remaining valley agricultural lands.

That policy framework remains as a cornerstone of LAFCO and County General Plan policy today. (The County's land use designations and development regulations for the rural unincorporated areas are in effect the reciprocal of the joint policies which allow future urban development only under cities' jurisdictions. County land use policy is intended to prevent urban development outside urban service areas. A notable exception to this is the 1985 tri-party agreement between the County, City of Palo Alto, and Stanford University which allows for limited types of "urban development" within Stanford lands outside of city urban service areas.)

The policies created do not foreclose the possibility of further urban expansion by cities; instead, they discourage haphazard and inefficient sprawl and protect from development in natural hazard and resource areas.

The basic components of the countywide urban development policy are as follows:

- since 1973, the policy of the Board of Supervisors has been that new urban development occur only in cities or

on Stanford lands;

- each of the fifteen cities allows urban development only within established areas scheduled to be annexed and receive urban services, (the Urban Service Areas, or "USAs" (see sidebar)); and
- changes to the boundaries of the USAs are possible on an annual basis subject to approval by the county's Local Agency Formation Commission, or LAFCO.

[Note: Urban expansion may also occur through the incorporation of a community as a new city, or through the creation, or "formation," of special districts. Policies regarding incorporations and district formations follow.]

## Strategies, Policies and Implementation



### **Strategy #1: Promote Compact Urban Development Patterns**

If Santa Clara County is to successfully manage future urban growth and accommodate most of it within existing urban areas, we collectively must promote the concepts of compact urban form and compact development patterns. There are several basic aspects, or sub-strategies of this overall strategy, listed below, which are critical to its successful implementation.

Sub-Strategies:

- A) Manage urban expansion by:
  - i. controlling Urban Service Area expansion;
  - ii. establishing long term urban growth boundaries;
  - iii. controlling the formation of special districts and new cities (incorporations).
- B) Make more efficient use of the existing supply of lands in urbanized areas, by:
  - i. promoting compact urban development patterns,
  - ii. affirmatively furthering fair housing, and
  - iii. mixed use developments.



### Urban Service Areas: Definitions And Explanations

State law defines an 'Urban Service Area' (or USA) as all developed, undeveloped, or agricultural lands, either incorporated or unincorporated, within a city's Sphere-of-Influence, which are served by urban facilities, utilities, and services or which are proposed to be served by urban facilities, utilities, and services during the first five years of an adopted capital improvement program of a city, if the city adopts that type of program for those facilities, utilities, and services. [Govt. Code Sect. 56080]

In other words, a city's USA boundary should provide through some combination of redevelopment, infill or expansion, sufficient land or development potential to accommodate five years of projected urban growth. The USA boundary location may be amended as needed over time to allow annexation of lands deemed necessary to accommodate projected urban growth. LAFCO, the Local Agency Formation Commission, has ultimate authority over this and other boundary changes.

A city's policies for managing Urban Service Area boundaries controls the timing and location of future urban expansion under its jurisdiction. Depending on the local situation, these policies encourage infill of existing vacant lands as well. (The total amount and rate of growth is determined not by the location of the USA boundary but by the cities' general plans, infrastructure capacity, or in some cases geographic constraints, among the various factors involved).

The Urban Service Area boundary differs in concept from a city's Sphere of Influence, or SOI. As strictly defined by state law, the SOI delineates the probable ultimate physical area of a local governmental entity, such as a city or special district. State law requires that all governmental entities have a defined SOI boundary. Unlike the USA boundary concept, which delineates those areas a city intends to annex and provide with services in a five year time period, the SOI concept has no temporal dimension. In addition, local application of SOI boundaries varies throughout the state of California.

Santa Clara County is unique in that it is the only county to have employed the USA

concept to manage urban growth, minimize urban sprawl and efficiently provide urban services. Furthermore, portions of the system of USA boundaries in Santa Clara County function as the "probable ultimate physical" boundary of a city. For example, the City of San Jose has through its General Plan established a "Greenline Strategy" which fixes the probable ultimate physical boundaries of the city at the location of its existing USA boundary, with minor exceptions, such as the Urban Reserves. San Jose's USA contains far more than five years worth of development potential, and its redevelopment and infill policies are intended to create additional development potential over time without actual physical expansion.

In Santa Clara County, SOI boundaries function primarily to delineate those areas over which cities may extend long range planning authority, but which are not intended for annexation and urban development. For all the cities, SOI is still a useful planning tool, because it provides each city with the authority to review development proposals in unincorporated areas for consistency with the land use policies outlined in each city's general plan.

The currently delineated USA boundaries in Santa Clara County were determined primarily by the following factors or criteria:

- the amount of vacant land supply within cities and development potential remaining with the cities;
- the exclusion of lands generally unsuited for urban development and densities, including those characterized by steep slopes, geologic, seismic, flood and fire hazards, and those for which there is limited access;
- the need to protect valuable natural resources, such as wildlife habitat, riparian corridors; and
- the high costs of providing and maintaining certain areas with urban services, particularly areas with geologic or other natural hazards.

Currently by state law, cities of Santa Clara County may annex lands within their USA boundaries without LAFCO review if the proposals meet certain conditions. This procedure is referred to generally as "city-conducted" annexations.



	<p><b>Sub-Strategy A: Manage Urban Expansion</b></p>
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**CONTROLLING URBAN SERVICE AREA EXPANSION**

The policies of the County’s General Plan are consistent with and reinforce those of LAFCO concerning future urban development and expansion.

There are many factors which the LAFCO must take into account when considering a city’s request to expand an Urban Service Area boundary. No one criteria stated in the LAFCO guidelines or policies can solely determine whether proposals to expand USA boundaries into unincorporated lands should be permitted.

Among the factors LAFCO applies concerning USA boundary changes are the following:

- the need for the area being proposed for annexation in order to accommodate expected growth;
- how the proposal furthers the goal of compact, contiguous urban development patterns;
- whether the governmental agencies involved have the capacity to provide needed urban services efficiently;
- whether valuable agricultural lands are adversely impacted; and
- the effects of the proposal upon “balanced growth” objectives [see section and policies for Achieving More Balanced Urban Growth and Development].

During the period from 1980 to 1990, there were relatively few significant expansions of the urbanized area compared to previous decades. Many north valley cities have grown to the point where further expansion is limited either by topographic constraints, fiscal constraints, or the boundaries of other jurisdictions.

Although the potential for urban expansion has lessened somewhat over time, the strategies and policies discouraging unnecessary expansion are no less important today for the purposes of preserving natural resources and open space, avoiding development in hazardous areas,

minimizing the costs of extending urban services, and promoting compact development within the urban areas. The County’s policies embody the jointly adopted UD/OS Plan of 1973, the locally adopted policies of the LAFCO, and the role of County government in upholding the jointly adopted plan.

	<p><b>Policies and Implementation</b></p>
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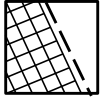
**C-GD 1**  
Most of the future urban growth of Santa Clara County should be accommodated within the existing urban areas, through infill development, rather than through expansion of the urbanized area into hillsides and resource areas.

**C-GD 2**  
Urban development shall occur only within cities’ urban service areas (USAs) ~~and under city jurisdiction~~ or on Stanford lands. The County shall not allow urban development on unincorporated lands outside cities’ urban service areas.

**C-GD 3**  
Urban service areas should generally include only those areas suited for urban development. Development of such areas should be:

- a. reasonably serviceable with public facilities and services;
- b. relatively free from risks associated with natural hazards;
- c. without substantial adverse environmental impact;
- d. not likely to create severe off-site impacts on surrounding areas; and
- e. without cumulative adverse impacts on the county’s water supply watersheds or any other natural resource.

**C-GD 4**  
Development activity should minimize degradation of the natural environment and avoid diminishment of heritage resources.



### **C-GD 5**

Lands generally unsuited for urban development may be allowed to annex to cities or be included in urban service areas only if the land is preserved as a non-urban, open space use.

### **C-GD 6**

Hazard and resource areas with the following characteristics shall be considered unsuited for urban development:

- a. flood potential, including areas designated as floodways, tidal zones, coastal high hazard areas and federal flood insurance rate zones by the National Flood Insurance Program;
- b. seismic and geologic hazards (see Safety chapter for complete description of types of seismic and geologic hazards);
- c. sanitary landfill sites;
- d. areas of soil creep, saturated soils, and areas where the water table is 3 feet or less below the surface;
- e. prime agricultural soils;
- f. bay wetlands;
- g. water supply watersheds;
- h. riparian corridors; and
- i. areas generally above 15% slope.

### **C-GD 7**

Urban expansion should be planned on a staged, orderly basis, consistent with applicable plans (e.g. city, County, countywide plans) and the availability of needed urban services and facilities. The discouragement of expansion of cities' Urban Service Areas should be recommended to the LAFCO.

### **C-GD 8**

Proposals to annex lands or expand a city's urban service area boundaries shall be approved only if:

- a. the city, special districts and affected school districts have the ability to provide all needed public services and facilities to the area within five years and without lessening existing levels of service;
- b. the existing supply of land within the city's USA accommodates no more than five years of planned growth;
- c. the area proposed for urban development is contiguous to existing urbanized areas.

### **C-GD 9**

Proposals to annex lands or expand the USA of a city for the purpose of adding lands planned for employment should be approved only if:

- a. lands planned for employment overall do not exceed the capacity of the city's planned housing supply; or
- b. the city's housing element of its general plan can document that the housing needs of all segments of the community population are being met as stipulated by state law.

### **C-GD 10**

Expansions of urban service areas to increase employment-related land uses should not be approved for cities where the existing or planned employment exceeds the capacity of the existing or planned housing supply unless modifications to the city's general plan and/or zoning are made to offset any increase in the imbalance of land uses.

### **C-GD 11**

Unincorporated lands intended for urbanization should be annexed to cities at a time consistent with cities' development schedules.

### **C-GD 12**

Annexation outside of Urban Service Areas shall not be permitted.

### **C-GD 13**

City lands outside of Urban Service Areas and no longer planned for urbanization within the time frame of the city's general plan should be considered for de-annexation. Lands so removed shall be designated a land use compatible with the city's and County's general plans.



## Implementation Recommendations

### *C-GD(i) 1*

Undertake periodic review of locally adopted LAFCO guidelines and policies. Amend LAFCO guidelines and policies for improved consistency with County policies regarding annexations and urban services area boundary changes where advisable.

### *C-GD(i) 2*

Maintain the County's land use, zoning and development regulations which govern development for the rural unincorporated areas and are intended to prevent urban development outside of cities' USAs. (See Rural Unincorporated Area Issues and Policies for elaboration.)

### *C-GD(i) 3*

Continue support for city's efforts to promote appropriate infill of existing vacant lands and redevelopment through their general plans, development regulations, specific plans, as well as other implementing mechanisms.

## COYOTE VALLEY

Coyote Valley lies between the southernmost part of urbanized San Jose and the northern edge of the City of Morgan Hill. It is one of the few remaining non-urbanized areas of high quality soils and large-scale agricultural land holdings in the county. The northern end of this area is currently included within the Urban Service Area of San Jose. All of Coyote Valley lies within the City of San Jose's Sphere of Influence, or planning area.

In 2019, the State legislature passed Assembly Bill 948, which declared Coyote Valley to be an area of statewide significance, acknowledging it as a unique landscape providing agricultural, wildlife, recreational, climate, and other natural infrastructure benefits. Coyote Valley is well-suited to provide regional climate resilience, including flood attenuation from improved wetlands, increased water supply from groundwater recharge, and carbon sequestration from natural and working lands.

### **The Role Of The Local Agency Formation Commission (LAFCO)**

LAFCOs were created by the state in 1963, and enabling legislation related to LAFCOs has been amended several times, most recently by the "Cortese-Knox Government Reorganization Act of 1985." Their basic purpose is to "encourage orderly growth and development through logical formation and determination of local agency boundaries." {Govt. Code 56001} LAFCOs are not empowered to determine planning goals for local governments.

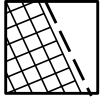
The types of proposed boundary changes LAFCO may approve or deny include:

- Annexation: the addition of territory to a governmental entity (antonym: Detachment)
- Incorporation: the creation of a city (antonym: Disincorporation)
- Formation: the creation of a special district (antonym: Dissolution)
- Transfer: the exchange of territory between two or more governmental entities

The stated objectives of the LAFCO as defined by the California Association of LAFCOs are:

- to encourage orderly formation of local governmental agencies;
- to preserve agricultural land resources; and
- to discourage urban sprawl.

The LAFCO of Santa Clara County consists of two members of the County Board of Supervisors, a representative of the City of San Jose, one other city representative, and a member of the public appointed by the other four members. The Santa Clara County LAFCO, in conjunction with the cities and County, adopted the basic policies and guidelines contained in the Urban Development/Open Space Plan of 1973. These guidelines and policies augment those identified in statutes that LAFCO must use in evaluating proposals for any governmental boundary change, most notably annexations and urban service area expansions. LAFCO must also consider how proposals for boundary changes conform to applicable city and County general plans.



The State’s declaration of Coyote Valley as a resource of statewide significance is consistent with the County’s longstanding greenbelt designation for the area.

Since 1980, the policies of the County’s General Plan have recommended that Coyote Valley should remain in agricultural or other non-urban uses. In 2021, the City of San Jose amended its General Plan policies to establish an “Agricultural Overlay” for the majority of the area. In northern Coyote Valley, the City of San Jose also amended the land use designation to “Open Space Parklands and Habitat” for several properties that have been acquired for permanent protection.

In making these changes, the City of San Jose is pursuing a new vision for Coyote Valley consistent with the County’s longstanding vision for unincorporated areas, as a unique asset of natural and agricultural lands that should be preserved as a resource for the community.

The County also has an important role to play in terms of development allowed to occur while the lands remain unincorporated and preserving Coyote Valley as an agricultural greenbelt area and a unique resource for climate resilience, while allowing development that is compatible with and necessary to support working farmland. Land uses should remain in large and medium scale agriculture to prevent development that would not be consistent with the State, County, and City of San Jose objectives area to preserve the natural resources of the area and increase regional climate resilience. [See Growth and Development Chapter–Rural Unincorporated Area Issues and Policies, for further elaboration.]

 **Policies and Implementation**

**C-GD 14 [RESERVED]**

**C-GD 15 [RESERVED]**

**C-GD 16 [RESERVED]**

**C-GD 17**

For the purposes of resource conservation and regional climate resilience planning for Coyote Valley should provide for the following:

- a. permanent preservation of hillsides and valley floor in agricultural uses and open space;
- b. retention of a greenbelt of non-urban uses and densities between San Jose and Morgan Hill; and
- c. protection of a scenic corridor adjacent to Highway 101.

**C-GD 18**

Anticipated impacts on the South County cities and other jurisdictions from development in Coyote Valley should be adequately mitigated to less than significant levels.

**Implementation Recommendations**

**C-GD(i) 4**

Employ County General Plan policies for Coyote Valley during the process of:

- a. LAFCO review of proposed annexations and Urban Service Area expansions into Coyote Valley by the city of San Jose; and
- b. reviewing San Jose’s proposals for specific land use and development patterns for Coyote Valley.

**C-GD(i) 5**

Pursue a consistent regional approach, in collaboration with the City of San Jose, to development regulations and voluntary preservation incentives in Coyote Valley, such as:

- a. development requirements and standards intended to protect the natural resource base;
- b. property tax reduction programs like the Williamson Act, Farmland Security Zone, and Open Space Easement programs;
- c. permanent preservation efforts through agricultural conservation easements;
- d. investment in the natural and agricultural landscape through grant programs; and,

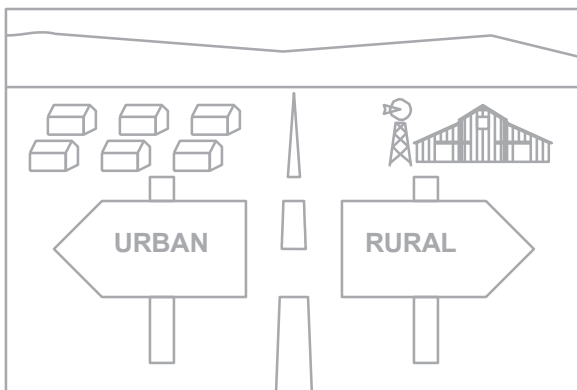
- e. development of an environmental credits program, designed to balance the impacts of development across jurisdictions with the nature-based public benefits of rural preservation.

### **ESTABLISHING LONG TERM URBAN GROWTH BOUNDARIES (UGBS)**

Jointly-adopted policies of the cities and the County of Santa Clara have established cities' "urban service area" boundaries for the purpose of guiding the timing and location of urban development. These boundaries function as "short term" urban growth boundaries that generally indicate the areas within which each city is willing and able to provide urban services and facilities over a five year period.

Long term urban growth boundaries may also be a useful tool for local governments in Santa Clara County to plan for and manage urban expansion over periods longer than five years. The 1980 General Plan recommended that such boundaries be established which would define the ultimate "limit of future urban expansion" for each city within the county (Policy LU 97).

Long term urban growth boundaries would delineate areas each city sees as appropriate and needed for future urban growth over the next 20 years, and conversely, would also indicate those areas not deemed appropriate or necessary to accommodate projected needs for urban lands.



As such, they would complement the existing system of urban service area boundaries by providing a longer term framework within which incremental expansion of urban service area boundaries could take place.

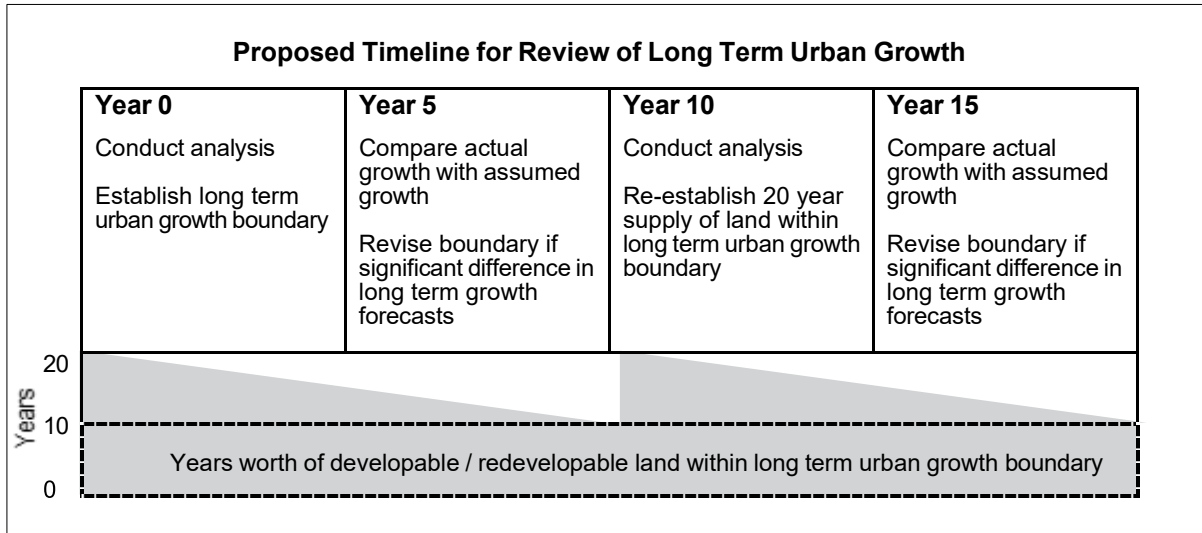
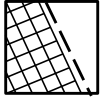
### **■ Purposes and Potential Benefits of Long Term Urban Growth Boundaries**

Long term urban growth boundaries have several basic purposes or functions. In and of themselves, they delineate areas intended for future urbanization from those not intended for urban uses. However, as a part of the overall countywide strategy for managing and accommodating future urban growth, they can be instrumental in:

- promoting compact urban form and development patterns;
- protecting valuable natural resource areas;
- preventing urbanization of hazard areas; and
- enhancing greenbelt opportunities.

In addition to these overall functions, long term urban growth boundaries may provide a wide variety of benefits to local governments, landowners, and the general public:

- For local governments, they could provide a useful tool for:
  - i directing the location and extent of future urbanization, and
  - ii planning for needed infrastructure improvements and efficiently providing urban services.
- For landowners, they would increase the certainty over long-term land use in urban fringe areas, providing:
  - i disincentives for speculative land purchases, and
  - ii a surer sense of whether and when lands might be needed for urban purposes. For example, farmers would be given a more solid basis for making long term investment decisions concerning purchases of land, equipment, or other major capital outlays.



- For the general public, long term growth boundaries would provide:
  - i greater assurance that important natural resource areas and critical hazard areas will be protected from urbanization, and
  - ii additional assurance that extending urban development into new areas will not result in reductions of urban service levels received by existing neighborhoods.

■ **Criteria for Delineating Long Term Urban Growth Boundaries**

There are a number of criteria, or factors, which would need to be included in the methodology of delineating long term urban growth boundaries including:

- population and economic forecasts for growth;
- estimates of the total land supply needed to accommodate forecasted growth;
- types of development to be accommodated, whether only residential, or also commercial, industrial, and all other types of land uses;
- the desired density of development within existing urban areas (infill) and within expansion areas to promote transit use, air quality, housing affordability;
- types and location of natural resource areas to be protected from urban development;

- types and location of natural hazard areas to be avoided, as well as geologic, topographic, and other physical constraints to urban development;
- contiguity of future urbanization to existing urban areas;
- fiscal capacity of local governments to provide needed levels of urban services, as well as available infrastructure capacity and limitations; and
- the duration of the boundaries (20 years), the frequency of review, and re-establishment procedure set forth under the guidelines approved by the Local Agency Formation Commission (LAFCO) and local jurisdictions.

■ **Adoption Alternatives and Enforcement**

There are three basic alternatives by which long term urban growth boundaries might be adopted and enforced. These are as follows:

- Cities could individually delineate and adopt growth boundaries. Some cities have already adopted similar types of planning boundaries for their own purposes.
- The County and an individual city could mutually define and adopt an urban growth boundary and the policies for land use within and outside of the boundary line.
- The County and a collection of cities could enter into a mutual process for defining and adopting such boundaries.

Absent state law requiring long term urban growth boundaries, such boundaries can be effective only if subscribed to and adopted by cities. The cities must be directly involved in the delineation and adoption of these boundaries. In addition, school districts and various other major special districts are directly impacted by the long-term growth decisions of the cities, and these governmental agencies should also be involved in the process of delineation and adoption in some way to prevent unforeseen adverse impacts on the services these agencies provide.

Regardless of the adoption procedure used to establish the boundary, a regional or subregional governing body should be designated to enforce adherence to the long term urban growth boundary and to administer periodic reviews of the boundary. For instance, the Santa Clara County Local Agency Formation Commission (LAFCO) might adopt local policies regarding the establishment, enforcement and review procedures for urban growth boundaries over time.

#### ■ Review of Long-Term Urban Growth Boundaries

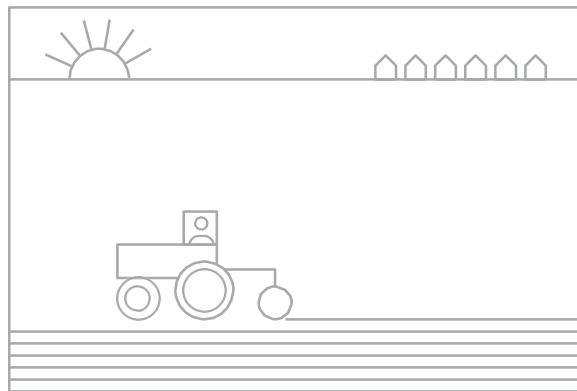
Long-term growth boundaries should initially contain 20 years of urban growth potential, whether accommodated through infill patterns, urban expansion, or a combination of approaches, depending on the particular circumstances of a jurisdiction. However, they must also allow for flexibility if the assumptions and growth projections under which the boundaries were established are not borne out.

The “timeline” for the long-term urban growth boundary would provide two junctures for review of the boundary location. Five years after the 20-year boundaries are delineated, there should be an initial check primarily to determine if the basic growth projections are in keeping with current conditions. Barring major differences between the current and projected levels of population and economic growth, the Urban Growth Boundary (UGB) would remain in its original location until the 10 year review. However, new information regarding any of the criteria originally employed in locating the UGB could potentially require a more extensive

review and possible revision if the information were significantly different from original conditions.

For example, were new information to reveal the presence of a previously unknown fault line or other natural hazard affecting lands within the UGB, changes to the location of the boundary might be warranted to the extent necessary to correct the situation. Conversely, were growth rates to exceed projections and require additional land supply within the UGB, a change to the boundary might be needed to correct for the deficiency. However, any five-year revision to the location of the UGB, for whatever purpose, would have to include all factors or criteria employed in establishing the boundary, weighing growth factors, environmental factors, as well as various planning principles.

At ten years from the time the UGB was delineated, a comprehensive review would be undertaken to re-establish a supply of vacant or redevelopable land sufficient to accommodate 20 years of projected urban growth and development. The review methodology must incorporate the procedures and criteria by which the boundary lines were originally delineated. By evaluating the urban growth boundary at ten years rather than fifteen, when only 5 years of urban land supply remains available, cities will be able to make optimum use of the UGB as a mechanism for long term infrastructure planning and urban services provision.

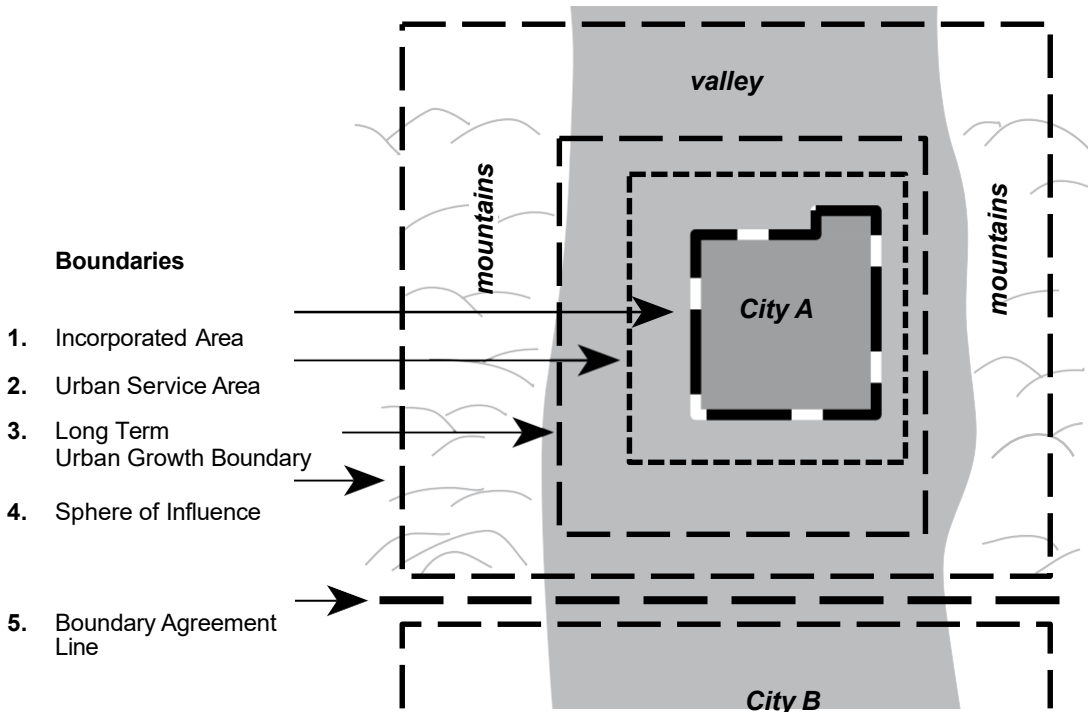




### Glossary of Jurisdictional and Growth Management Boundary Terms

Boundary	Definition / Description
1. Incorporated Area Boundary	"City limits"; Delineates lands currently annexed to city.....
2. Urban Service Area (USA) Boundary	Delineates areas currently provided with urban services, facilities, and utilities or proposed to receive such services within 5 years
3. Long Term Urban Growth Boundary (UGB)	Delineates areas appropriate for and likely to be needed for urban purposes within the next 20 years.....
4. Sphere of Influence (SOI) Boundary	In Santa Clara County, generally defined as city's planning area (i.e. area covered by general plan); often includes hillside areas the city has designated for non-urban uses and does not intend to provide with urban services. (State defines as the probable ultimate physical boundaries and service area of the city.).....
5. Boundary Agreement Line	Delineates limits beyond which a city will not be allowed to annex territory.

### Hypothetical Relationships Among Jurisdictional and Growth Management Boundaries





■ **Augmenting Long-Term Urban Growth Boundaries**

Portions of some long term urban growth boundaries may coincide with boundaries which cities have established as permanent limits beyond which they do not ever intend to extend urbanization. In such instances, additional tools or methods may be needed to assure that lands outside these boundaries in fact remain permanently in non-urban uses. These may include various forms of public acquisition of land or easements, transfer of density or development rights, or other mechanisms. In other instances, where lands lying outside an urban growth boundary may eventually be needed for urban uses beyond the 20-year time horizon of the boundary, property tax abatement by means of Williamson Act contracts may be appropriate.

■ **County Land Use Policy in Relation to Long-Term Urban Growth Boundaries**

Finally, once long-term urban growth boundaries have been established, it should be the policy of the County to maintain rural unincorporated lands within these boundaries in large parcels. This will help ensure that when the time comes for them to be incorporated into the urban area, they can be efficiently developed as large, well-planned neighborhoods with adequate community facilities and amenities rather than as a series of small, unrelated subdivisions.



*C-GD 19*

The County, cities, and other affected governmental entities within Santa Clara County should establish long term urban growth boundaries for the purposes of:

- a. providing clear indication of the desired direction, location, and extent of long term urban expansion;
- b. providing adequate protection for natural resource and hazard areas from urbanization; and
- c. ensuring efficient urban services provision.

*C-GD 20*

If adopted, long term urban growth boundaries should initially include sufficient land supply to accommodate the projected needs for urban land in various uses for a period of 20 years.

*C-GD 21*

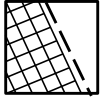
Long term urban growth boundaries should not include:

- a. important natural resource areas;
- b. natural hazard areas; or
- c. land supply in excess of that needed for projected urban growth

*C-GD 22*

Long term urban growth boundaries (UGBs) containing a 20 year supply of available land for urban development should be reviewed periodically to determine if there is a need to revise their location.

- 1. Initial review of the growth projections and other factors or criteria on which an UGB has been established should occur after five years.
- 2. Revisions to the existing location of an UGB may be warranted if projections prove substantially out of keeping with current conditions and projections five years after initial delineation. New information concerning other factors may also warrant revising the UGB's location to the extent necessary to correct the given situation.
- 3. Ten years following the delineation of an UGB, a comprehensive review should occur in order to re-establish a 20-year supply of land within the UGB.



### Implementation Recommendations

#### *C-GD(i) 5*

Define and initiate a process for mutually delineating long-term urban growth boundaries for the cities of Santa Clara County. The procedures should include the following:

- a. identification of affected governmental entities;
- b. research and implementation of a methodology for estimating land supply needs and land supply monitoring;
- c. identification of areas to be excluded from urban development on the basis of natural resource or hazard protection; and
- d. manner in which long-term urban growth boundaries will be adopted by affected cities and the County, as well as the means of enforcement and frequency of assessment.

### CONTROLLING THE FORMATION OF SPECIAL DISTRICTS AND NEW CITY INCORPORATIONS

#### ■ Special Districts

Special districts and special assessment districts are governmental entities created for the purpose of providing one or more services within a specified geographic area. Services provided by such entities vary greatly in scope and extent of territory served. For example, a special district may be formed among a group of property owners for the purpose of providing a particular type of needed service, such as water supply or sewage disposal. In other cases, the district may include several cities or counties, such as the Santa Clara Valley Water District (SCVWD) or the Bay Area Air Quality Management District (BAAQMD).

Reasons for strictly regulating the creation of special districts and assessment districts include:

- The need to certify that adequate revenues will be available to the district to provide funding for its service(s).

- The need to limit the number of single-purpose districts, both to make inter-governmental coordination of service providers more feasible, and to ensure that service provision in general does not become so fragmented that accountability suffers.
- The need to uphold the basic policies of the County and cities regarding location of urban development.

With regard to the latter, special districts pose several potential problems. Without policies and regulations to control formations, water supply and sewage disposal districts could be created in order to foster development in locations where it would otherwise not be allowed. Such development could in turn create the need for additional or higher levels of public services than have been planned for the area. In order to prevent urban development from occurring in urban transition areas or on unincorporated lands where it otherwise would not be appropriate, the County generally prescribes lower levels of urban services than would be available within cities.

As with other governmental organization and boundary change proposals, LAFCO must evaluate the proposed special district according to several criteria before approving or denying the request.

Each special district proposal must demonstrate that:

- the district will be fiscally capable of providing the proposed services;
- there is a demonstrable need for the service;
- the service proposed will not unnecessarily duplicate or overlap services provided by existing governmental entities; and
- the uses served by the district are in conformance with the policies of applicable plans, including the County's General Plan.

In Santa Clara County, there are currently 33 special districts. School districts are not subject to regulation by the LAFCO and follow separate procedures for formation.

## ■ New City Incorporations

Incorporation is the formal term used to describe the creation of a new city. Although in the 1990s and beyond there are few if any unincorporated communities which have potential to incorporate as new cities, the same basic criteria apply as those which govern special district formation. The most critical factor involved for approval of incorporation is the ability to generate tax revenues sufficient to provide the full complement of needed urban services and facilities. In addition, new cities should not be created on lands that would not generally be deemed suitable for urban development at any urban density. The cities' Urban Service Areas have already been established to generally exclude natural hazard and resource areas. Potential new city incorporations should also avoid such areas for urban development.



### ***Policies and Implementation***

#### ***C-GD 23***

Annexation to cities should take precedence over annexation to or formation of a special district. Proposals for the formation of a new special district must demonstrate that the need for services cannot be better met through annexation to a city or an existing special district.

#### ***C-GD 24***

Any proposal to provide urban services by means of a special district should be evaluated to ensure:

- a. that the area has been designated for development compatible with the types and intensity of the proposed urban service or facility, and
- b. that the service plan is consistent with the applicable general plans of the County and affected city(s).

#### ***C-GD 25***

Proposals for the formation of a special district or new city incorporation should not be approved unless proponents can demonstrate that there is a sufficient revenue base to support the new services without diminishing the tax base of existing governmental entities.

#### ***C-GD 26***

The formation and activities of special districts should be consistent with adopted urban development policies of the Local Agency Formation Commission, the cities, and the County.

#### ***C-GD 27***

Consolidation of special districts should be encouraged in order to assure cost-effective public service provision and eliminate unnecessary duplication of governmental entities.

#### ***C-GD 28***

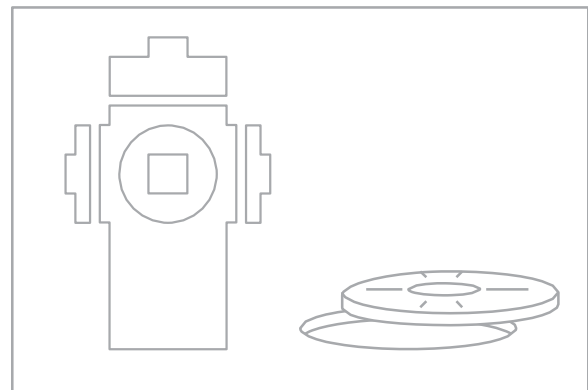
Proposals for incorporation must demonstrate that:

- a. the need for municipal services or control cannot be better satisfied by an existing city or the County;
- b. the proposed new city will be able to raise sufficient revenues to fund required services at the desired level; and
- c. areas deemed generally unsuitable for urban development, such as those with natural hazards or critical resources, are not planned for development.

### **Implementation Recommendations**

#### ***C-GD(i) 6***

Undertake periodic review of the effectiveness of locally adopted LAFCO guidelines and policies. Amend LAFCO guidelines and policies for improved consistency with County policies regarding special districts, if necessary.





**Sub-Strategy B:  
Make More Efficient Use of Existing  
Urban Areas**

ABAG projections indicate that from 1990-2000, Santa Clara County will grow in population by 200,000, from approximately 1.5 to 1.7 million. That total is roughly the combined 1990 population of the cities of Sunnyvale (117,000), Milpitas (50,000), and Campbell (36,000). (Total population growth from 1980-1990 was just over 202,500).

During the 1990s and beyond, Santa Clara County will continue to evolve from a collection of suburban, low density cities into a more densely populated and developed metropolitan area. If most of our future urban growth is to be accommodated efficiently within existing urban areas, we must not only proactively manage urban expansion, but also make more efficient use of available lands within the urban areas. Compact and mixed-use development, in conjunction with urban service area and growth boundary policies, will help maximize development potential, as well as contribute to a number of other vital community goals, such as transit feasibility and air quality.

The jointly adopted, countywide urban development policies acknowledge that a certain amount of outward expansion will undoubtedly be needed (See Growth Projections). Efforts to promote higher density urban development will not preclude continued single-family housing development. However, infill of vacant lands and redevelopment of underutilized areas should receive priority over urban expansion.

With more than 80% of future growth anticipated to occur in the 13 "North County" cities where the majority of the population now resides, it will become even more imperative to rely on compact development to efficiently accommodate population increases. In many instances, geographic and jurisdictional boundary constraints to expansion make it impossible to accommodate new population and economic growth through expansion.

**COMPACT AND MIXED USE URBAN DEVELOPMENT**

■ **Definitions of Compact and Mixed Use Development**

"Compact development" is a term generally used to refer to urban development at higher densities, applied in selected areas and coupled with increased emphasis on innovative urban design to enhance the livability of these areas. "Mixed use developments" are those which combine in varying proportions residential, commercial, retail, services, office, or even institutional land uses in a single development project. "Compact development" then, is but one of several means of achieving compact urban form for the metropolitan area as a whole, in addition to such means as policies that encourage infill development, channeling growth into existing urban areas rather than by means of continuous outward expansion.

Mixed use developments promote accessibility to work, goods and services without automobile transport by placing a variety of uses in close proximity. The scale on which mixed use developments are planned may range from small projects that blend in with existing urban landscapes to very large scale "urban activity centers," or transit "nodes," so called because such centers can provide a land use focus for the development of mass transit, particularly light rail.

■ **Benefits of Compact and Mixed Use Development**

The principles of compact and mixed use urban development are being increasingly emphasized in many cities' plans for growth and redevelopment. Examples include several Specific Plans developed by San Jose for areas including Communications Hill, the Jackson-Taylor area, and a portion of the Lincoln-Auzerais area now referred to as "Midtown." The cities of Mountain View and Sunnyvale have also incorporated these principles into planning for the redevelopment of central city areas. Other examples could be noted, as well. These beginnings of an urban renaissance promise many advantages over traditional low density, highly segregated land use patterns.

In brief, the benefits of these alternative patterns of urban development include:

- Densities sufficient to support transit services and investments;
- Improved access to goods, services and employment locations;
- Efficient use of utilities and other basic infrastructure;
- Enhanced community identity, amenities, and sense of place through better design;
- Increased variety of housing types; and
- Improved viability of downtowns.

### CHALLENGES AND OPPORTUNITIES

Increased urban densities demand greater emphasis on adequate, innovative urban design and adequate urban services and amenities. In addition to promoting access to and use of transit services, compact and mixed use developments must also maintain the livability of our urban communities with:

- accessible urban open space, commons, and recreational areas;
- adequate safety and security of neighborhoods, both in terms of design and security services; and
- adequate levels of urban service and facilities, including school facilities.

Blending compact and mixed use developments into the existing low density urban landscape may also present certain challenges in terms of urban design and infrastructure capacity. Increased market acceptance of compact and mixed use developments will also depend upon higher quality, innovative designs for compact and mixed use projects. For example, open space, safety, and adequate urban services and facilities are particularly important for families with young children.

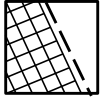
An additional obstacle to higher densities and mixed land use is the increasing “NIMBY” phenomenon, or “not in my back yard” response frequently raised by opponents of proposals for higher density housing or other perceived threats to established neighborhoods. NIMBY factions have challenged proposals for senior housing, multi-family housing for low and moderate income households, and other

special needs housing, among other developments, on grounds ranging from property values and community character to traffic and noise issues. The concerns of such groups are real and often well-founded. Much of the public’s impression of higher density, compact and mixed use development has been formed in reaction to older developments which exhibited poor design, such as lack of open space and amenities, insufficient circulation and parking, and other inadequacies that impacted existing neighborhoods.

However, the challenge for the future must be to accommodate needed housing and a variety of other locally unwanted land uses by means of innovative, high quality urban design and careful land use planning. When viewed from a strictly localized, neighborhood perspective, each neighborhood may seem to be an inappropriate location for the project. However, local decision-makers must view the need for the proposed facility or project from a communitywide perspective, in which case there inevitably will be some locations that are more suitable and appropriate than others. In fact, more and more of the general public now recognize the limitations imposed by the NIMBY perspective.

For example, for the first time ever, a majority of respondents to the annual Bay Area Poll (51% to 38%) supported infill over urban expansion to accommodate future growth, even if that means higher densities (1991 poll). To bolster this trend, there is an increasing need for coalition-building, exemplary developments that demonstrate effective solutions, and public education to balance local and community-wide perspectives.





Much of the land within our cities is built out, and not all of our urban landscape presents opportunities for compact or mixed use developments. However, opportunities do exist, whether through infill of vacant lands, redevelopment near downtowns, or in conjunction with transit corridors and stations.



## **Policies and Implementation**

### **C-GD 29**

Land use and development patterns that enhance the cost effectiveness of transportation and other urban infrastructure investments should be encouraged.

### **C-GD 30**

Cities should make maximum use of vacant or underutilized lands within the existing urban area for application of compact and mixed use development principles. Wherever possible, expansion of the urbanized area should also incorporate such principles.

### **C-GD 31**

Mixed land use and compact developments should be encouraged in urban areas wherever appropriate and compatible with city applicable land use plans and existing development for the purposes of enhancing community identity, creating more affordable housing, affirmatively furthering fair housing, reduced auto dependency, trip reduction, and improved environmental quality.

### **C-GD 32**

Mixed land use and compact development should be encouraged which clusters employment, residential, and the types of land uses, goods, and services customarily needed on a daily basis around transit stations, along transit corridors, and in other appropriate urban locations.

### **C-GD 33**

Cities' and County's land use plans should be coordinated and consistent with long range master plans for light rail and other transit services.

### **C-GD 34**

Planning must ensure that adequate services and amenities are available to urban areas proposed for compact development and/or mixed use centers, including but not limited to adequate:

- a. urban open space, commons, and recreational spaces;
- b. public safety and security;
- c. urban services and infrastructure, including dependent care and school facilities; and
- d. transportation system capacity, both streets and transit services.

### **C-GD 35**

Employment area densities should be increased wherever practical to support efficient public transit service.

### **C-GD 36**

Ensure adequate citizen involvement in proposals for alternative urban land use patterns.

## **Implementation Recommendations**

### **C-GD(i) 7**

Implement compact and mixed use development through modifications to cities' general plans, zoning, and development ordinances.

### **C-GD(i) 8**

Encourage local urban design and architectural professions to promote concepts of compact and mixed used development and design excellence through a variety of means, including:

- a. design exercises and competitions for candidate project sites;
- b. seminars within professional and civic organizations; and
- c. presentations to local legislative bodies and advisory commissions on land use, housing, and transportation.

### **C-GD(i) 9**

Develop on an interjurisdictional basis a countywide ("sub-regional") plan for land use and infrastructure capacity which incorporates recommendations and policies regarding alternative land use and development patterns from the Congestion Management Plan, T-2010, and city and County general plans.

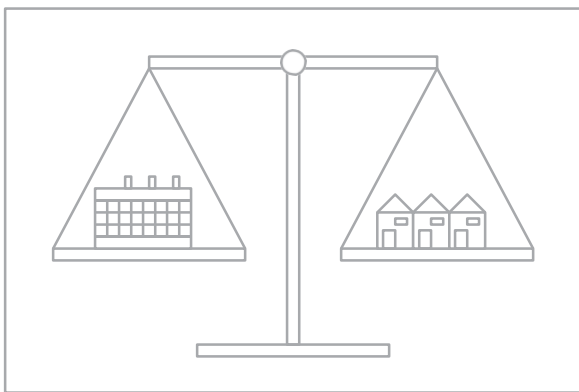


**Strategy #2:  
Achieve More Balanced Growth  
and Development**

## PAST AND FUTURE CHALLENGES

For much of its recent past, Santa Clara County's economy has centered upon its agricultural base. The name "Valley of Heart's Delight" was a testament to the relatively unproblematic nature of urban life in a predominantly rural setting. The county's transformation over the last two decades into an economy of manufacturing, high technology, and related activities known as "Silicon Valley" ushered in an era of unprecedented prosperity. Unfortunately, employment growth and rapid urban decentralization have also spawned a cluster of interrelated urban problems with which the region must now contend, including traffic congestion, housing unaffordability, and fiscal instability.

As we enter the 1990s, the challenge of the future is no longer one of coping with the impacts of rapid employment growth on housing supply, infrastructure, and environmental quality. The economy of Santa Clara County now faces many challenges, including mounting international competition, as well as job losses due to recession, industry maturation, and other structural economic changes. What once seemed a secure economic future is now a question mark.



The challenge for the future will be how to maintain moderate, sustainable levels of economic growth on which a growing population will depend for jobs and on which governments depend for revenues to fund essential services. For that to happen, we must be more successful in meeting our housing, open space, air quality, and human service needs, among other issues that form the very foundation of sustainable economic growth. That "balancing of objectives" is the essence of the second major strategy of this General Plan for managing and accommodating future urban growth—achieving more balanced urban growth and development.

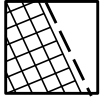
## IMPACTS OF UNBALANCED GROWTH

From the 1960s until the early 1980s, two major growth trends predominated. First, employment and economic growth generally outpaced housing supply, infrastructure, and urban services capacity.

Secondly, the vast majority of housing development occurred at ever-growing distances from major employment centers. The first trend resulted in large numerical "imbalances" between the various "components" of urban growth. The second trend resulted in large-scale geographic separation of residential development from major employment areas, or a kind of "spatial imbalance," as it has been referred to. These two trends, and the various adverse impacts described below became known as the problem of "jobs-housing imbalance."

The principal impacts of these numerical and spatial imbalances have been clear for some time:

- increased travel and commute distances, which have overburdened the county's roads and highways;
- increased automobile dependency;
- increased housing affordability problems, especially in "job-rich" cities;
- increased amounts of automobile emissions affecting air quality;
- overburdened urban services and facilities; and
- financial strains upon those cities which have a preponderance of housing in relation to employment land uses.



These impacts or problems are not solely the result of the “jobs-housing” growth imbalances described generally above; however, each has been adversely affected in some way by growth imbalances. Another aspect of the overall problem which should not be overlooked has to do with “fiscalization of land use.”

Local governments must rely largely upon locally- derived sales and property tax revenues as sources of funding. As a result, cities have tended to favor commercial, retail and industrial land uses over residential, which generally demands more in government services than it provides in property tax revenues. Proposition 13 exacerbated this problem significantly, increasing the tendency to give preference to revenue-generating land uses in long range land use planning, hence the term “fiscalization of land use.”

Part of any solution to the problems of growth imbalances must address the fundamental way local governments are financed or the distribution of local government revenues. Otherwise, the disincentives to balanced growth inherent in our existing finance system will continue to work against other efforts to alleviate housing shortages and affordability problems. Fiscal stability of “job-poor” cities will also continue to suffer, compounding the difficulties of maintaining service levels to existing urban development.

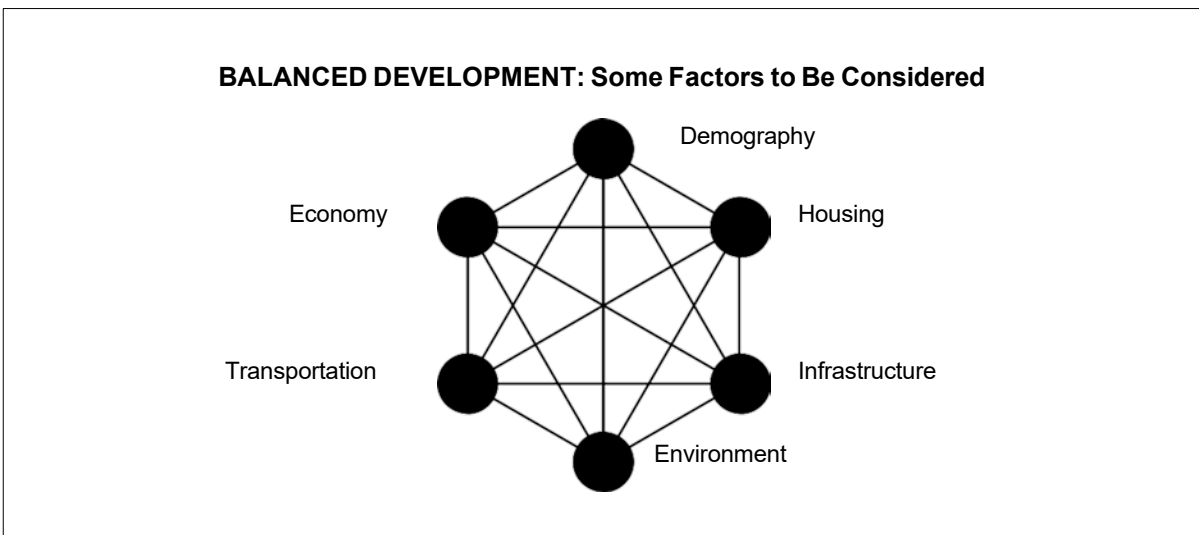
## REFINING THE CONCEPT OF A “JOBS HOUSING BALANCE”

The problem with a two-dimensional term like “jobs-housing balance” is that it obscures the other major elements or variables in the growth management equation, such as environment, infrastructure, and public services. It is also overly-simplistic in another sense. “Jobs-housing balance” implies that all that is needed to solve the problem is to achieve some sort of numerical balance or parity between employment and housing, irrespective of issues such as housing location, housing costs, public service levels, transportation system impacts, and environmental impacts.

The broader concept of “balanced urban growth and development” more accurately reflects the scope of issues involved and the need to solve for multiple objectives, or “variables” in the growth management equation. This concept of balancing multiple objectives is illustrated in the graphic below.

In a nutshell, the strategy describes a general approach to urban problem-solving which promotes the following:

- consistent rates of future urban growth;
- rectifying past growth imbalances and ensuring consistency between employment, housing, infrastructure and services at “build-out” as described by cities’ general plans; and





- solutions which reflect the multi-dimensional nature of our urban problems.

Economic growth and diversification have created unprecedented prosperity for many of the residents of Santa Clara County. Choosing not to accommodate further growth is not really a solution to our urban problems at all. Solutions which work against other important objectives are equally undesirable, such as urban development which increases automobile dependence. Achieving more balanced urban growth and development countywide and among individual cities will be critical if we are to (a) prevent economic gains and overall quality of life from being further eroded, and (b) extend the promise of a better future to those who have not equally benefited from that general prosperity.

#### **PRINCIPAL ASPECTS OF A BALANCED GROWTH AND DEVELOPMENT STRATEGY**

The feasibility of achieving more balanced urban growth and development is complicated by numerous factors. These factors include:

- high percentage of households with two or more workers, which complicates commuting patterns and residential location choices;
- widely dispersed instead of geographically concentrated employment land uses; and
- limited infrastructure capacity or development potential in some areas to accommodate higher density, infill development.

Those difficulties should not obscure the need to increase our efforts as described below. These issue areas represent the principal aspects of a multi-dimensional approach to balanced urban growth and development. Each is further elaborated upon in the chapters which more specifically address these issues.

#### **■ Housing-Related Principles**

- Supply should be available that is adequate to overall demand based on employment, household diversity, and the number of households which contain no employed person(s).

- Increase the proximity of employment and housing to the greatest extent possible.
- Affordability of housing should be commensurate with household income distribution.
- Housing policies should be fair for all residents and aim to address any unfair practices and policies of the past.

#### **■ Transportation/ Urban Infrastructure Aspects**

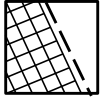
- Increase multi-modal system capacity to meet current needs.
- Place greater emphasis on transportation demand management, higher density land use close to transit, and improved transit systems to meet future needs.
- Efforts to reduce spatial imbalances should not have effect of merely shifting congestion from freeways and expressways onto local street systems.
- Levels of government services and facilities in general should be equal to the demand created by population and employment.

#### **■ Environmental Aspects**

- Accommodate employment and population growth such that environmental quality is maintained and enhanced.
- Place emphasis on resource conservation and restoration, open space preservation, recreational opportunities, and habitat conservation that increases as employment and population increase.

#### **■ Other Critical Aspects**

- Balance growth and development for North Valley and for South Valley (south of Coyote Valley) as separate sub-regions.
- Address “fiscalization of land use” as an underlying cause of unbalanced growth.
- Planning for higher land use densities, including employment areas, capable of supporting cost-effective transit service over the long term.
- Impacts of imbalanced growth on neighboring counties in terms of development pressures, traffic congestion, and housing affordability.



**Factors Affecting Implementation of a Balanced Growth Strategy**

Balanced urban growth and development is a strategy for achieving:

- a. consistent rates of current growth;
- b. consistent amounts of future development at “build-out,” indicated by long-range land use plans for
  - employment land uses,
  - housing supply,
  - transportation capacity,
  - public services and facilities (“infrastructure”), and
- c. development that is consistent with environmental goals and standards.

Many jurisdictions and regions of the country attempting to define balanced growth and development objectives have chosen only to address the employment and housing dimensions of the strategy, or “jobs-housing balance.” Even with this limited approach, defining what “balance” means in terms of ratios requires taking into account a variety of characteristics and statistical information which varies by city and sub-area, including total job estimates and incomes, the number of workers per household, the number of housing units, the number of households, vacancy rates, and housing cost factors. Determining the appropriate area in which to achieve a certain ratio of housing to employment creates an additional layer of complexity.

Whether balance is sought on a regional, sub-regional or countywide, city, neighborhood or project level, there can be many limitations to the feasibility and the potential effectiveness of implementing a balanced urban growth and development strategy. The most important to note are the following:

**Factor 1:** Employment centers in Santa Clara County are highly dispersed over an immense North Valley metropolitan area, and less than 50% of peak hour traffic is strictly “commuter” traffic.

**Effect:** Efforts to increase housing supply and proximity of housing to employment may not significantly reduce congestion without system-

wide measures to reduce travel demand and single-occupancy vehicle (SOV) use, improve traffic flows, increase transit service and ridership. (see Transportation Chapter)

**Factor 2:** There may be limited land supply and infrastructure capacity in many portions of the urban area.

**Effect:** There is a need to more equitably distribute local government revenues in order to offset costs to jurisdictions which accommodate the housing needs of other cities’ workforces, and the need to review local land use plans in order to promote mixed use and compact developments along planned transit corridors.

**Factor 3:** There are large numbers of households with two or more workers, which complicates the choice of residential location for many whose jobs are not in close proximity.

**Effect:** Even if perfectly balanced urban growth and development conditions existed in Santa Clara County, not all households would choose to or be able to reside in close proximity to workplaces, for reasons of commute distances, housing costs, need for dependent care services, or other personal preferences.

**Factor 4:** Increasing the overall housing supply relative to employment alone does not obviate the need to ensure that more of those units are affordable, in desired and appropriate locations, and of an adequate variety of housing types.

**Effect:** Improved planning and coordination are needed to provide housing of the type, location, and cost characteristics needed within each jurisdiction.



## **Policies and Implementation**

### **C-GD 37**

Within the urban areas of Santa Clara County, a balance should be achieved and maintained between employment levels, housing supply, infrastructure capacity, and environmental quality.

### **C-GD 38**

Increases in employment should be consistent with the following:

- a. the rate of housing supply increase;
- b. the ability of cities and districts to provide needed urban services and infrastructure without lessening levels of service to existing neighborhoods; and
- c. the attainment of environmental quality standards.

### **C-GD 39**

Geographic separation of housing and employment should be reduced to the maximum extent possible through a variety of means, including:

- a. increased housing opportunity in job-rich cities where feasible;
- b. mixed use and compact development patterns, including on-site housing for employment centers; and
- c. increased housing densities along transit corridors, or “transportation-efficient land use,” combined with mixed use “urban activity centers” at transit stations.

### **C-GD 40**

Improved balance between employment and housing opportunities should include the need for:

- a. increased overall supply and more varied types of housing;
- b. housing costs commensurate with household income distribution;
- c. housing to accommodate populations with special needs, including the elderly, persons with disabilities, households of five or more people, female-headed households, extremely low-income households, farmworkers, and people experiencing homelessness; and
- d. increased proximity of housing to employment centers.

### **C-GD 41**

Cities should take maximum advantage of the development potential of their vacant land supply and underutilized industrial/commercial lands to achieve more balanced growth and development.

### **C-GD 42**

Disincentives to achieving more balanced urban growth and development inherent in the current system of local government finance should be reduced or eliminated.

## **Implementation Recommendations**

### **C-GD(i) 10**

Monitor the effects of efforts to achieve more balanced urban growth and development. Indicators of improvements in balanced development include:

- a. rates of housing development;
- b. congestion levels on major roads and intersections;
- c. rates of employment increase and housing development;
- d. air quality improvements;
- e. no. of trips by single-occupancy vehicles; and
- f. public attitudes.

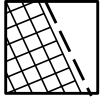
### **C-GD(i) 11**

Utilize the development of a countywide plan for land use and infrastructure to achieve more balanced urban growth and development:

1. Coordinate cities’ long-range land use plans with long-range master plans for light rail and other transit service investments.
2. Calculate potential employment, housing, and infrastructure capacity at build-out levels as indicated by each cities’ long-range plans for land use, housing, and transportation/ circulation.
3. Evaluate alternative scenarios for countywide land use and development for growth impacts upon infrastructure investments, schools, as well as others.

### **C-GD(i) 12**

On a multi-jurisdictional level, promote coalitions of cities to cooperatively plan for mutual areas of concern to mitigate past growth imbalances.



**C-GD(i) 13**

On a municipal level, particularly for “job-rich cities,” reduce discrepancies between employment and housing supply as much as is feasible through various means, including:

- a. land use and rezoning studies to promote balanced growth and development; and
- b. initiate “linkage” policies or other means that ensure more consistent rates of new employment, housing and infrastructure capacity (e.g.: below-market rate inclusionary housing policies).

**C-GD(i) 14**

On the site-specific or project level, encourage mixed-use development and increased densities to promote accessibility to work and other daily trip-generating destinations, such as dependent care, retail, and recreational uses.

**C-GD(i) 15**

Initiate studies of mechanisms of reforming local government finance to reduce disincentives to achieving more balanced urban growth and development (also known as: “fiscalization of land use”). Coordinate with state legislative committees to develop proposals.



**Strategy #3:  
Improve Coordinated, Countywide Planning**

The third major component of the countywide strategy for managing and accommodating future urban growth is improved countywide coordination and planning. This section will address:

- the rationale for improved coordination and countywide planning;
- sources and components of a countywide plan; and
- means of implementing the plan.

[Note: The subject of regional and sub-regional governance is further addressed in the Governance chapter].

**RATIONALE FOR A COUNTYWIDE PLAN**

**■ Fragmentation of Planning Authority**

Rapid population and economic growth, coupled with haphazard expansion of urban development over the last several decades has left a legacy of highly fragmented local planning and land use authority. With 15 cities, over 30 special districts, the County government, and a multitude of public agencies conducting their own planning for their own needs, planning for the future of the county as a whole has been lacking. No unified vision of the county’s future physical development played a part in the various planning activities conducted by this collection of local governments. This, unfortunately, is just as true in 1994 as it was in 1980, despite a general increase in the level of coordination between jurisdictions for particular purposes.

Cities and districts can and often do have very different needs and problems facing them; however, as we approach the 21st century, numerous problems affecting all or nearly all jurisdiction call for collective, or countywide approaches.

Amendments to the Housing Chapter for Countywide Issues and Policies of  
the County's General Plan  
(Part 2, Book A, Page E-1)

# Housing

*Countywide Issues and Policies*



NOTE: The Housing Chapter of Part 2, Countywide Issues and Policies, of Book A of the 1995-2010 Santa Clara County General Plan has been superseded in its entirety by the County of Santa Clara Housing Element Update ~~2015-2022~~2023-2031.

The Housing Element Update is Appendix 4, Part 6, Book B of the General Plan.

(Adopted ~~June 10, 2014~~October 17, 2023. File ~~7764-10GP~~).

Amendments to the Housing Chapter for Rural Unincorporated Area  
Issues and Policies of the County's General Plan

(Part 3, Book B, Page L-1)

# Housing

*Rural Unincorporated Area Issues and Policies*



NOTE: The Housing Chapter of Part 3, Rural Unincorporated Issues and Policies, of Book B of the 1995-2010 Santa Clara County General Plan has been superseded in its entirety by the County of Santa Clara Housing Element Update ~~2015-2022~~2023-2031.

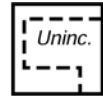
The Housing Element Update is Appendix 4, Part 6, Book B of the General Plan.

(Adopted ~~June 10, 2014~~October 17, 2023. File ~~7764-10GP~~).



Amendments to the General Land Use Management Chapter of the  
County's General Plan

(Part 4, Book B, Pages R-1 *et seq.*)



## Summary

This section of the General Plan addresses the issues of general land use management and development within urban unincorporated areas of Santa Clara County, i.e., unincorporated lands within the cities' Urban Service Area boundaries. These areas consist primarily of "pockets" or islands of unincorporated land surrounded by incorporated territory, most of which are fully developed, and some areas of not fully developed lands at the periphery of the incorporated areas.

The major policy directions or "strategies" defined by the General Plan for the urban unincorporated areas are to:

- Strategy #1: Promote Eventual Annexation**
- Strategy #2: Ensure Conformity of Development with Cities' General Plans**
- Strategy #3: Provide services as Efficiently and Equitably as Possible**

The strategies and policies included in this chapter build upon those of the 1980 General Plan, emphasizing that urban unincorporated islands and pockets should be eventually annexed to cities. However, the revised strategies and policies reflect a conscious shift from some of the approaches articulated in the 1980 Plan that relied on the use of disincentives or somewhat punitive approaches to promoting annexation of urban unincorporated lands. Examples of such negative approaches include policies that the County apply substantially more restrictive zoning districts than would a city, to discourage unincorporated development from occurring, and setting County development fees higher than city fees for similar types of development in the island areas, or "pockets."

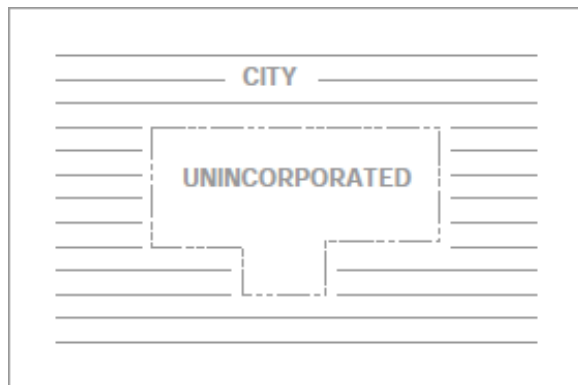
The revised strategies and policies encourage all interested parties to work cooperatively with each other, including the cities, the County, citizens and any special districts involved in providing services to urban unincorporated residents and businesses, in order to develop long term plans for the urban unincorporated

areas that will facilitate their eventual annexation. Although some areas may not annex in the near future, the long term goal remains for all lands within cities' Urban Service Areas to eventually become incorporated by the surrounding city. In the interim, it is incumbent upon the County to ensure that land use and development within these areas conforms with that which considers what is prescribed by the applicable city's general plan and that services are provided in the most efficient and equitable manner possible.

## Background

### RELEVANCE OF THE COUNTYWIDE "URBAN DEVELOPMENT POLICIES"

The jointly-adopted, countywide "urban development policies" of Santa Clara County have now been in place for two decades. These growth management policies, which require that urban development occur only within cities' Urban Service Areas and under city land use jurisdiction, were adopted in the early 1970s in response to unprecedented urban growth during the 1950s and 1960s. Earlier, in 1967, the Board of Supervisors adopted a policy which directed landowners to annex to a city if they intended to develop their land for urban uses. This policy was followed in 1971 with a local LAFCO policy that all urban development should occur within cities, and that each city must define an "urban service area" map (see side bar).





**Definitions of Terms Used:**

**Unincorporated island:**

Unincorporated land which is completely surrounded by a city or town, regardless of size.

**Unincorporated pocket:**

Similar to an island, except that it is not completely surrounded by city or town boundaries. Pockets are generally located on the periphery of cities or towns within the urban service area. Local Agency Formation Commission (LAFCO): LAFCOs were formed by the State Legislature in 1963 to discourage urban sprawl, preserve agricultural lands and encourage the orderly formation of local agencies, including cities and special districts. All jurisdictional boundary changes as well as urban service area and sphere of influence boundaries must be approved by this five-member commission.

**Urban service area:**

California Government Code section 56080 defines an urban service area as: "developed, undeveloped, or agricultural land, either incorporated or unincorporated, within the sphere of influence of a city, which is served by urban facilities, utilities, and services or which are proposed to be served during the first five years of an adopted capital improvement program of the city if the city adopts that type of program for those facilities, utilities, and services."

The original urban service area boundaries in Santa Clara County were developed by LAFCO in cooperation with each city during the mid- 1970s, and then formally adopted by LAFCO. The Commission must approve any change to these boundaries.

**City Conducted Annexations:**

Cities within Santa Clara County have the unique ability to approve their own annexations within the established urban service area, bypassing LAFCO approval. Special legislation which allows this to occur was achieved as a result of the unique urban development policies agreed upon between the County and the cities.

**Municipal Organization Act of 1977 (MORGA):**

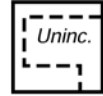
Adopted by the State Legislature in 1977, the MORGA Act consolidated the various laws on city incorporation and annexation into one law. One of its most noteworthy aspects was the island annexation provision, which remained in effect until January 1981. This authorized cities to annex territory without an election in substantially developed unincorporated islands or pockets less than 100 acres, to encourage annexation of such islands. Such annexations could be initiated by city councils or by the Board of Supervisors.

The County entered into urban development agreements with all fifteen cities in the early 1970's. Several important consequences of the urban development policies should be noted. First, since the County and cities expected that all lands within USAs would eventually be annexed and subject to city land use authority, until 2023 the County considered defers to the cities' general plans in determining what the appropriate urban uses and densities should be in a given area. Secondly, cities are permitted to conduct "city- sponsored" annexation of lands located within their USAs without LAFCO hearings and approval, thereby streamlining annexation procedures once a property is within the USA. Thirdly, unincorporated development under County jurisdiction cannot occur on properties eligible for annexation within an urban service area unless the landowner is refused annexation by the city.

**TYPES OF URBAN UNINCORPORATED AREAS – ISLANDS AND "POCKETS"**

The scattered and often haphazard development patterns of the two decades prior to the adoption of the joint "urban development policies" often resulted in some areas being fully urbanized without being annexed. As development continued outward, other large areas were "leapfrogged" and left in County land use jurisdiction, both developed and undeveloped. As a consequence, today the Urban Service Areas of many cities contain scattered, urbanized, unincorporated lands, completely or nearly surrounded by incorporated city lands.

These areas are referred to in state enabling legislation as "islands" and more often locally as "urban pockets." Most often, the actual devel-



opment of the “pockets” generally pre-dates the institution of the countywide urban development policies in the early 1970s.

The pockets range in size from several blocks to whole neighborhoods or communities. Some of the larger urban pockets, such as the Burbank or Cambrian areas within San Jose, have long maintained a distinct history and enduring sense of community identity. Other pockets, although smaller and primarily residential in nature, also share a strong sense of neighborhood identity. In other cases, residents of some of the smaller pocket areas identify more or less with the larger municipality in which they are located.

The County and the cities recognize the importance of maintaining the historical attributes and sense of community shared by many of the urban unincorporated pockets, and it is the intent of this General Plan that the physical and social environments of these areas be maintained and enhanced, where possible, in conjunction with the other major objectives and requirements of state law outlined in the strategies of this chapter of the Plan.

### **ANNEXATION HISTORY OF POCKETS**

The larger pockets have remained unincorporated over time despite past city annexation attempts, and even despite state laws which allowed forced annexations from 1977-1980 (see sidebar on the Municipal Organization Act, or MORGA). In some instances, past annexation attempts have been unsuccessful due to strong resistance from unincorporated residents and businesses. For example, before 1978, property taxes were generally lower in the unincorporated areas than in the incorporated areas.

Although implementation of Proposition 13 has virtually eliminated discrepancies between incorporated and unincorporated area property tax rates, it is still a common misconception that property taxes will rise upon annexation. In other more rare instances, residents supported annexation, but were faced with a city’s opposition due to the capital costs of required infrastructure improvements.

### **URBAN SERVICE PROVISION ISSUES**

In general, it has been more difficult and expensive for the County to serve the urban unincorporated areas than it would have been for the surrounding cities, by virtue of the fact that the areas are dispersed through a metropolitan area of several hundred square miles and due to the variety of conditions encountered. For example, for some pocket or island areas, the County contracts with a city police department for such services, whereas in other cases the County Sheriff’s office provides basic security services.

Historically, it has not been the role of the County government to fully provide urban services and infrastructure, as evidenced by the absence of a County public works department. Furthermore, since the joint urban development policies were instituted, County, LAFCO, and city policies have emphasized that the only governmental entities that will be responsible for urban services are the cities and special districts, under the guidance of the Local Agency Formation Commission of the County.

As a result, the County has very few mechanisms or resources for providing and maintaining urban infrastructure and services. The picture is further complicated by the inefficiencies of having to ensure services are provided for the many small, widely scattered areas that are surrounded or substantially surrounded by cities. Consequently, it is common that the residents of such areas generally receive lower levels of urban services than the surrounding city residents. In other cases, residents of urban unincorporated areas may utilize certain types of city-provided services, such as parks and libraries, for which they pay no property taxes to support.

To minimize the complexities and inequities of urban service provision, the adopted policies of the County, the cities and LAFCO state that urban islands and pockets should be annexed, just as undeveloped lands intended for future urbanization within the USA should be when development occurs. However, without improved cooperation between the jurisdictions and the residents involved, and joint planning to help resolve or minimize issues that have



delayed annexation in the past, some pockets have ~~may remained~~ unincorporated for ~~decades, some time to come.~~ Such long-range ~~planning efforts will be needed not only to bring~~ some unincorporated areas into conformance with the policies, plans and development standards of the surrounding cities, but as a matter of simply trying to maintain the quality of life for residents until such time as annexation is possible.

**Strategies, Policies and Implementation**

The General Plan contains three basic strategies or overall policy directions for managing land use and development in the urban unincorporated areas. They consist of the following:

- Strategy #1: Promote Eventual Annexation
- Strategy #2: Ensure Conformity of Development with Cities' General Plans.
- Strategy #3: Provide Services as Efficiently and Equitably as Possible

**Strategy #1: Promote Eventual Annexation**

A basic premise of the countywide joint urban development land use policies is that urban development should ~~shall~~ occur only in cities, which have the capability of providing urban services to their residents and businesses. Planning for and providing services to urban development is the responsibility of the cities in cooperation with the special districts involved, such as sanitation, waste collection and disposal, and school districts. As such, it is intended that any lands included within the Urban Service Area of a city would eventually be annexed.

Annexation of existing urban unincorporated areas or "pockets" benefits both the County and cities, in that it simplifies and reduces the expense of providing urban services to the many scattered urban unincorporated areas, and because the cities then receive property taxes from those areas, which help pay for services

heretofore used by the residents before annexation, such as libraries and parks. Residents and businesses also gain a voice in city government issues, and communities gain representation on the City Council.

Finally, although some island residents may perceive that it is not presently in their interest to become integrated with the surrounding city, ultimately, the long term, comprehensive planning capabilities needed to maintain and enhance the built environment will only be available from the cities and special districts, in coordination with the County. Replacing and updating urban services and infrastructure, such as roads and sewers, rehabilitating and upgrading the aging housing stock, and maintaining other aspects of the built environment, not to mention social and community service needs, are formidable tasks, and not without financial costs.

These are tasks for which the County alone does ~~will not have~~ all of the resources needed. Eventually, the County, the cities, special districts, and residents of the presently urban unincorporated islands will need to work together to a far greater extent than in the past to accomplish these necessary objectives, in order to maintain the livability of their communities and neighborhoods. Improving the physical and social environment through cooperative planning, even with the ultimate goal of facilitating eventual annexation, should not be considered in conflict with other valid objectives, such as retaining a strong sense of community or neighborhood identity.

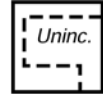
**Policies and Implementation**

**U-LM 1**

Urban unincorporated areas within city Urban Service Areas should eventually be annexed into the city.

**U-LM 2**

The quality, integrity, and community identity of existing residential and commercial areas in urban unincorporated areas should be maintained and, where possible, enhanced.



**U-LM 3**

To facilitate eventual annexation and improve overall quality of life, various land use planning and other related studies should be conducted in cooperation with the applicable surrounding city for those large urban unincorporated areas that ~~still have not been~~ are unlikely to be annexed in the short term future.

**U-LM 4**

Cities should have the opportunity to annex individual parcels eligible for “city-conducted” annexation prior to the submittal of significant land development applications for those parcels.

**U-LM 5**

If a parcel is eligible for annexation, with the exception of sites designated as opportunity sites in the County Housing Element, certain applications ~~should may~~ not be accepted by the County for processing unless accompanied by a statement from the applicable city indicating annexation was considered and denied. Such applications include:

- a. development applications for new residences or other new development (architectural and site approval, building permit, or building site approval); and
- b. subdivisions, use permits or zoning district changes.

**Implementation Recommendations**

**U-LM(i) 1**

Develop special area plans to bring urban pockets into general compliance with city plans, policies and development standards over time. Special area plans should also be considered for multi-family housing projects, mixed-use development, agricultural employee housing, and other projects intended to comply with state law or address significant public policy priorities. (Implementors: Cities, County, LAFCO, local residents and property owners)

**U-LM(i) 2**

Elicit the cooperation and support of cities, community leaders and special district representatives in developing and implementing long range plans intended to facilitate annexation.  
(Implementor: County, Cities)

**U-LM(i) 3**

Develop and distribute information on the implications and consequences of annexation, in order to dispel misconceptions that annexation will cause higher property taxes. (Implementor: Cities and LAFCO, with County participation, as appropriate)

**U-LM(i) 4**

Prepare informational brochures and community newsletters regarding annexation and related issues for distribution to residents and property owners, and make public presentations available to community council other neighborhood meetings in the unincorporated island areas. (Implementor: Cities and LAFCO, with County participation, as appropriate)

**U-LM(i) 5**

Evaluate and simplify the annexation process where possible, and develop a streamlined application for annexing developed urban islands and pockets. (Implementor: Cities and LAFCO, with County participation, as appropriate).

**U-LM(i) 6**

Work toward making the annexation process affordable to residents and inform them how they can lower their annexation fees by bringing together more neighbors to share fees. (Implementor: Cities, with County participation, as appropriate)

**U-LM(i) 7**

Develop incentives for applicants to include neighboring parcels in their proposals, such as a “finder’s fee reduction” for successfully including more neighbors in an annexation action. (Implementor: Cities, with County participation, as appropriate)

**U-LM(i) 8**

Provide necessary technical support and expertise to residents of islands and pockets during the preparation of annexation applications, including environmental work and mapping. (Implementor: Cities, LAFCO)



**Strategy #2:  
Ensure Conformity of Development  
With Cities' General Plans**

Within cities' Urban Service Areas (USAs), the County ~~does~~ has not historically applied any General Plan designation or classification of prescriptive land uses or densities to unincorporated parcels since the early 1970s. Instead, allowable land uses and densities ~~were~~ determined by the applicable city's general plan. This arrangement reflected ~~s~~ one aspect of the division of authority between the cities and the County under the jointly-adopted countywide "urban development policies," which served the County for half a century. These policies assumed that all urban unincorporated areas ~~would~~ eventually be annexed by the cities, so it ~~is~~ was appropriate that the city which will have ultimate jurisdiction over an area should have the ongoing authority to plan for what are presently unincorporated areas.

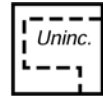
However, as the cities still have not annexed a large number of unincorporated parcels within their USAs for five decades since the policies were adopted, this has left the County in a difficult position and resulted in significantly higher regional housing need allocations (RHNA) for the County. As the State's and County's housing crisis continues to deepen following the 2008 housing mortgage crash, these sites cannot continue to be held in reserve, and those most suitable for high-density housing must be allowed to develop for those purposes. This is both a public policy priority from the County's perspective, and also a necessary one in order to meet the County's legal obligations to adopt a Housing Element that demonstrates the ability to fulfill the County's RHNA, which increased over 1,000 percent for the 2023-2031 planning period, and other requirements of the state Planning and Zoning Law.

The responsibilities of the jurisdictions (County and city) are fairly straightforward. For urban unincorporated lands ineligible for annexation

or for which annexation has been refused or ~~is otherwise infeasible~~ deferred, the County is obligated to exercise its land use authority, including establishing appropriate general plan policies and zoning ordinances, and administering current planning functions, such as permit processing, zoning administration, and code enforcement. Where feasible, the County will continue to be guided by the relevant city's ~~whereas, each city addresses through its general plan and other~~ the long range planning issues of policies related to land use, density and other issues.

Despite the fact that the cities' annexation of unincorporate pockets has been delayed well past the timeframe anticipated in the County General Plan, the County still intends ~~In order~~ to ensure that development permitted under County jurisdiction is generally in conformance with what would be permitted according to each city's general plan, and intends to continue the County-applying ~~zoning districts and development regulations that are~~ compatible with the applicable city's general plan designation. Exceptions from this general approach include sites designated as housing opportunity sites in the Housing Element, and potentially for other development projects for multi-family housing, mixed-use housing projects, and other types of projects for the purpose of complying with state laws or addressing significant public policy priorities (e.g., agricultural worker housing). Given the variety and complexity of some cities' development regulations, it is infeasible for the County to attempt to administer the actual regulations of the cities.

~~When there are differences between County and city development regulations of some consequence, such as for setbacks, building height and bulk restrictions, or other standards, the County may be able to adjust its standards to minimize those inconsistencies. In any case,~~ The County strives to work cooperatively with the applicant, the applicable city, and other interested parties to ensure that the resulting development is as consistent as possible with the policies and regulations of the city involved and will not present future problems for either the property owner, the city, or adjacent residents.



**→ Policies and Implementation**

**U-LM 6**

County land use and development regulations within a city Urban Service Area shall be generally compatible with the applicable city's general plan designations and accompanying policies, except for designated housing opportunity sites, the development of multi-family housing, mixed-use housing projects, and other types of projects intended to comply with state law or address significant public policy priorities (e.g., agricultural worker housing).

**U-LM 7**

Subdivisions, use permits and zone changes for unincorporated property within a city Urban Service Area shall conform with the applicable land use and density criteria of the city's general plan with the exception of housing opportunity sites, multi-family housing, mixed use housing projects, and other types of projects intended to comply with state law or address significant public policy priorities (e.g., agricultural worker housing).

**U-LM 8**

To the extent feasible in light of often competing policy objectives, County zoning, land development, and building regulations should be designed and administered to:

- a. preserve and enhance the quality of existing urban unincorporated areas;  
~~and~~
- b. maintain community identity, through heritage resource preservation, conservation of historic structures and places, and other similar measures;  
~~and~~
- c. facilitate the production of much needed housing units, affordable to all residents of the County.





**U-LM 9**

In cases where significant differences exist between County and city development standards (i.e. setbacks, height, bulk regulations), resulting in potentially inappropriate development or conflicts, the County should consider adjusting or modifying its ordinances and standards to minimize problems and achieve greater conformance with city standards, except for projects involving multi-family and mixed-use housing.

**U-LM 10**

With the exception of housing opportunity sites, multi-family housing, mixed use housing projects, and other types of projects intended to comply with state law or address significant public policy priorities (e.g., agricultural worker housing), No applications for subdivisions, use permits or zone changes for property within any city's Urban Service Area may be accepted by the County for processing unless it is accompanied by a statement from the applicable city affirming city general plan conformance.

**Implementation Recommendation**

**U-LM(i) 9**

Review all present County zoning districts applied within Urban Service Areas and compare with applicable city general plan designations. Identify significant inconsistencies and, where appropriate if needed, rezone inappropriately zoned areas to zoning districts that conform with city general plans.

**U-LM(i) 10**

Inform cities of County general plan conformance policies so that policies and authority are fully understood by city staff and officials.

**U-LM(i) 11**

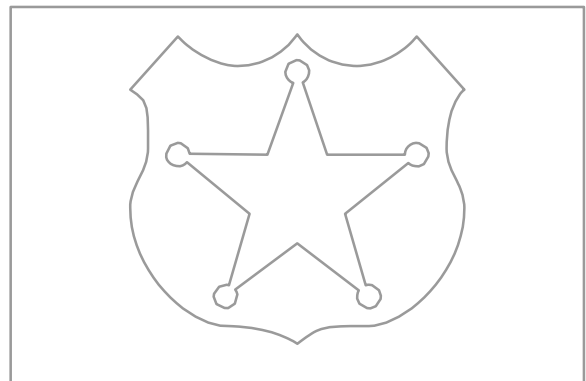
Evaluate County and city development standards and regulations for possible inconsistencies of significance and modify County regulations where appropriate necessary to rectify or minimize the impacts of inconsistencies. {relates to policy 6}

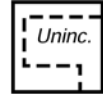


**Strategy #3:  
Provide Services as Efficiently and Equitably as Possible**

Although joint County, city, and LAFCO policies promote the annexation of urban "pockets," partly on the basis that urban services are most efficiently provided by cities, in reality many developed urban unincorporated areas may not be annexed in the immediately foreseeable future. In the interim, the County should ensure that necessary urban services and facilities are provided as efficiently and cost-effectively as possible to these areas. Not only does the County have a responsibility to provide basic levels of urban services to urban unincorporated area residents, but by maintaining and upgrading existing services and facilities, the County and the cities facilitate the ultimate annexation of these areas.

Nevertheless, it remains difficult for local governments to pay for basic urban services, much less improve upon them, in light of outcomes of Prop 13. Since the passage of Proposition 13 in 1978, new funding sources have become virtually non-existent, due to the 2/3 voter approval requirement for new taxes and reduced growth in property tax revenues overall. Because it is recognized that cities should not be expected to provide services without compensation, the financial burden falls to the County. Therefore, cooperation among jurisdictions to explore creative, cost effective measures becomes the only option to costly provision of services in the unincorporated urban areas.





**➔ Policies and Implementation**

***U-LM 11***

Urban services shall be provided to residents and businesses of unincorporated urban areas in the most efficient, cost effective and equitable manner possible, using cooperative efforts by all jurisdictions involved.

***U-LM 12***

Increased levels of service within the urban unincorporated areas should be provided on a cost recovery basis whenever possible.

***U-LM 13***

Cities should not be expected to provide urban services, either directly or indirectly, to urban unincorporated areas unless through contractual arrangements or as part of improvements to area services or infrastructure that are of recognized benefit to both unincorporated and incorporated areas.

***U-LM 14***

In order to anticipate long term service and infrastructure needs and to facilitate the eventual annexation of urban unincorporated areas, the County, LAFCO, cities, and urban unincorporated area residents should cooperatively explore and develop long term plans for urban service provision, integration of services, and infrastructure maintenance and replacement, where appropriate.

**Implementation Recommendations**

***U-LM(i) 12***

Contracts with the cities should be arranged whenever practical, to provide service to islands or pockets which are inefficient for the sheriff or fire protection districts to serve. (Implementor: County, Cities)

***U-LM(i) 13***

Consult with individual cities and sanitation/sanitary districts towards the long term integration of small-scale sewer systems into larger systems, where appropriate, to improve delivery of sewer services.

***U-LM(i) 14***

Develop street master plans and development standards and policies that are compatible with those of the surrounding cities in the unincorporated islands and pockets. (Implementor: County)

***U-LM(i) 15***

Develop storm drain master plans and standards that are compatible with those of the cities for any storm drainage system which must connect to a city system. (Implementor: County)

***U-LM(i) 16***

The County should require dedicated easements for roads, sewers and utilities that are compatible with city pre-zoning and master plans.

***U-LM(i) 17***

Explore the use of Community Development Block Grant funds (CDBG) and other Federal or State funds to finance needed improvements in major unincorporated islands and pockets.

Amendments to Appendix 4 of the County's General Plan  
(Part 4, Book B, Page X-1)



# Housing Element Update

## 20152023-20222031

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*Appendix #4*

Page is replaced with the [Housing Element PDF](#)