

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing, 7th Floor

70 West Hedding Street

San Jose, CA 95110

Phone: (408) 299-5700

www.sccplandev.org



April 1, 2022

RE: Thousand Trails Recreation Vehicle (RV) Park

Dear Interested Parties:

This correspondence is intended to provide an update on the use permit application to expand the Thousand Trails Recreation Vehicle (RV) Park, located at 12895 Uvas Road, Morgan Hill, unincorporated county (Assessor's Parcel No. 756-43-024). The subject use permit application is a request to add 57 RV spaces on an approximately 7-acre parcel located directly south and contiguous to the existing RV Park consisting of 66-acres and over 300 RV sites. The Department of Planning & Development will resume its review of this application shortly and will provide you with updates on the application and opportunities for the public to provide input in the upcoming months.

By way of background, Thousand Trails filed its application materials on February 26, 2021, the Department accepted the materials and converted them to a formal application on March 8, 2021. The Department issued an incompleteness determination on April 7, 2021. Thousand Trails appealed the incompleteness determination to the Planning Commission on the grounds that the Department failed to meet its 30-day deadline to determine if the application was complete or incomplete under the Permit Streamlining Act—a state law governing the timelines for discretionary development permits. Under the Permit Streamlining Act, if a completeness determination is not made within the 30-day period, the application is deemed complete by operation of law. At a meeting on May 27, 2021, the Planning Commission denied Thousand Trails' appeal and voted to uphold the Department's incompleteness determination.

Separately, on May 25, 2021, the Board of Supervisors approved amendments to the County's General Plan and Zoning Ordinance (the "Amendments") eliminating RV parks in three zoning districts where they were previously allowed in the unincorporated county, including the zoning district where the Thousand Trails RV Park is located. The Amendments took effect on June 25, 2021, but include a grandfathering clause for pending applications. Under the grandfathering clause, applications deemed complete before June 25, 2021 must be processed under the regulations in effect before the Amendments.

In July 2021, Thousand Trails filed two separate legal actions against the County. The first challenges the County's adoption of the Amendments under the California Environmental

Quality Act (CEQA), and the second challenges the timeliness of the County's incompleteness determination.

After settlement discussions between Thousand Trails and the Office of the County Counsel occurred as required by state law, the Board of Supervisors authorized settlement of these two cases. The court approved the parties settlement agreement on February 23, 2022. For reference, the executed agreement is attached. Briefly, Thousand Trails agreed to immediately stay the CEQA lawsuit and to immediately dismiss the lawsuit contesting the County's incompleteness determination. In exchange, the County (1) agreed to a court order determining that the use permit application to expand the Thousand Trails RV Park was deemed complete by operation of law on April 1, 2021, and (2) agreed to process and review the application pursuant to the grandfathering clause of the Amendments. However, the settlement does not require the County to approve the application to expand the Thousand Trails RV Park. Instead, the Department will review the application and apply the General Plan and Zoning Ordinance provisions in effect immediately before the Amendments were adopted. The agreement also does not require the County to modify its General Plan or Zoning Ordinance, to reconsider the Amendments, or to take any other legislative or administrative action. Finally, the agreement does not require the County to pay any costs or attorney's fees incurred by Thousand Trails RV Park in bringing these lawsuits. The Board of Supervisors authorized settlement of these two cases and the court approved the settlement on February 23, 2022.

In the coming months, you will continue to receive updates from the Department about the processing of the application and opportunities for the public to provide input on the application. We will also update the Department's webpage for this project with supplemental material as it becomes available. Please let me know if you have any questions.

Thank you.

DocuSigned by:

Jacqueline R. Onciano

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Director, Department of Planning & Development
County of Santa Clara