

February 14, 2022

Project Description

The proposed project is to provide a commercial portable restroom and fencing operation designed to temporarily store clean portable restrooms and fencing for redelivery to customer job sites and special event venues (*as part of a Machinery & Equipment Rental Service*). The pumping and cleaning of portable restrooms will happen offsite at approved designated customer locations; the project site will only be for the storage of clean and empty portable restrooms and fencing. The NWC #5 site is generally located at the northeast corner of Monterey Highway and California Avenue, San Martin (APN 779-09-060 and 779-09-061). The site is currently located outside the Urban Service Area, has a general plan designation of Rural Residential, and has the San Martin commercial and industrial overlay over the project site. The use is allowed due to the commercial and industrial overlay with a use permit (*see Appendix A for preliminary Applicant responses to County policy and finding concerns*). The site layout took great care to preserve the agriculture portion of the property and provide privacy to the neighbors.

The site will consist of the following:

- The portable restrooms and temporary fencing operation will not be open to the public;
- An outside gravel storage area will only be used for the storage of clean portable restrooms and temporary fencing;
- An architecturally compliant 360 SF employee restroom and storage building;
- A septic facility will be provided on site to meet applicable health standards for the restroom building;
- A paved area for vehicle maneuvering and parking for 10 employees, including 1 ADA stall and 11 company route/delivery/pick-up truck/trailer parking spaces;
- Storm water will be treated on site to meet the RWQCB post construction standards;
- Project area perimeter screening will be provided, including both landscaping and a 7.5-foot-high sight obscuring fence.
- The project has been carefully designed to address the visions and policies expressed in the San Martin Integrated Design Plan, which includes the following considerations/ attributes: 1) The project area will only utilize a small centrally located portion of the overall site for the proposed commercial use; 2) The commercial use perimeter will feature sight obscuring wood-slat chain-link fencing; and, 3) Perimeter enhancement landscaping will be placed just outside the proposed fencing. The use of these considerations/ attributes will: A) Create physical separation between our neighbors mitigating potential compatibility, noise and/or privacy concerns; B) Result in the retention of open space and enhancement vegetation plantings, which all mitigate potential neighborhood vista concerns; and, C) Strike a reasonable balance between the

allowance for commercial and industrial use and retention of substantial areas for continued agricultural practices on a multi-zoned site. Collectively, the benefits of the proposed design will allow the project to integrate nicely into the existing character of our immediate neighborhood as well as the overall San Martin Planning Area.

Operational Characteristics / Activities:

Employees. A maximum 10 employees (may vary depending on work load). Employees will not always be present during hours of operation; upon arriving to work and after completing administrative/scheduling activities; employees will load and unload portable restrooms and fencing as outlined below.

Hours of Operation. The business will typically operate 5 days a week, from 5:00 AM to 7:00 PM. During peak event seasons, the business may operate 7 days a week, 24 hours a day.

Average Daily Trips. The average number of vehicle trips for the project is estimated to be forty (40) trips per day; 20 ADT for employees (10 to the site from ~ 5:40 to 6:00 AM; 10 from the site at ~8:00 to 8:20 PM); and 20 ADT for trucks (10 from the site from ~6:15 to 10:00 AM; 10 to the site from ~4:00 to 8:00 PM).

Delivery vehicles. The delivery vehicles to be used include commercial trucks and trailers. The largest trucks anticipated will be 65 feet (tractor with 53-foot trailer).

Vehicle movement and Site Access. The site will utilize an existing access to Monterey Highway via an improved paved driveway that includes a right-in-only and right-out-only “pork-chop” access design. Vehicle movement and scheduling will be varied depending on demand; departure and return travel times will also vary widely depending on customer locations. Travel movement will be exclusively south bound along the Monterey corridor (both to and from) with the installation of a right-in-only and right-out-only project access to Monterey. (Truck movement times are demonstrated in “Average Daily Trips” above, which anticipate approximate 4-hour departure and return windows.)

Noise. Intermittent noise from typical vehicle movement is anticipated. Loading and unloading of portable restrooms and fencing will be done by hand; no forklift use is proposed.

Delivery and Pick-up of Portable restrooms and fencing. Typically, employees will load their assigned vehicle for the work day with clean portable restrooms and fencing to be delivered to approved customer locations. Employees will unload empty portable restrooms and fencing from completed customer locations.

Portable restroom cleaning. No servicing of portable restrooms will occur onsite. All portable restrooms are pumped, cleaned and prepped at designated, approved locations off-site prior to being returned to the onsite storage area. All wastewater is disposed of off-site at legally approved dump facilities.

Route Service of Portable restrooms. Typically, the employees will report to the location to get their assigned vehicle for the day. To prepare the vehicle they will fill it with fresh water and stock their toilet paper and cleaning products for the servicing of the portable restrooms on their assigned routes. The trucks are water-tight and are inspected annually by the County. They are dumped off-site at a legally designated dump facility. They are dumped when full, usually when the trucks are near the dump facility.

Water/Septic

- Use of the existing on-site well for fire and domestic. A water tank will be provided for fire flow. Water will be used to maintain water tank levels for fire flow, restrooms and landscaping.
- The site will provide percolation tests and profiles to provide an on-site drainfield to service the 360 SF restroom and storage building;

Landscaping/Screening

- Exterior landscaping plantings and wood-slatted chain-link fencing with climbing vine plantings is proposed to provide neighborhood visual buffering and security. Although the San Martin Integrated Design Plan guidelines generally discourages the use chain link for fencing, its use in this case will be preferable in light of: A) The significant length of fence; B) The landscaping plantings around the project perimeter and fencing vine plantings; C) The relative durability of fencing materials over standard wood fencing; and D) The viewing distances from off-site vantage points. In fact, a vine covered wood slatted fence with additional perimeter landscape buffer enhancements will likely be more aesthetically pleasing in the long run than a wooden fence; will be easier to maintain; and will blend in better in our neighborhood.

Signage

- An aesthetically designed entrance sign will comply with signage regulations.

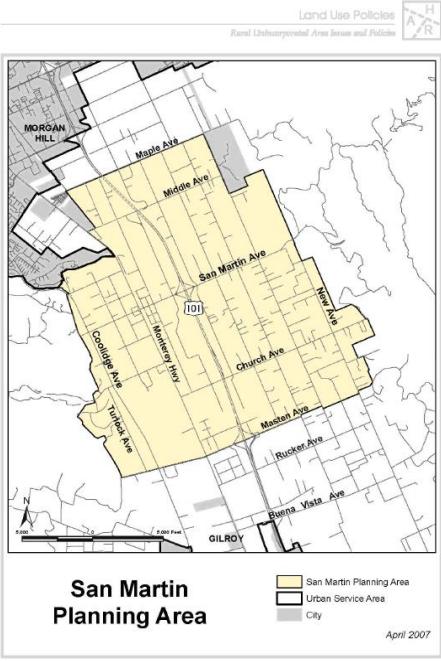
In conclusion, we have carefully considered our community's desire to preserve and enhance our San Martin neighborhood and look forward to working with Staff and our community to address any potential concerns and further develop the proposal and design.

APPENDIX A

Subject: Preliminary Applicant Responses to County Policy/Findings Concerns provided in PLN20-039 PRE

Use Proposal: Outdoor Storage of Portable Restrooms, Fencing and Associated Equipment as part of a Machinery & Equipment Rental Service

Site Location: 13755 Monterey Road, San Martin (APN: 779-09-061)

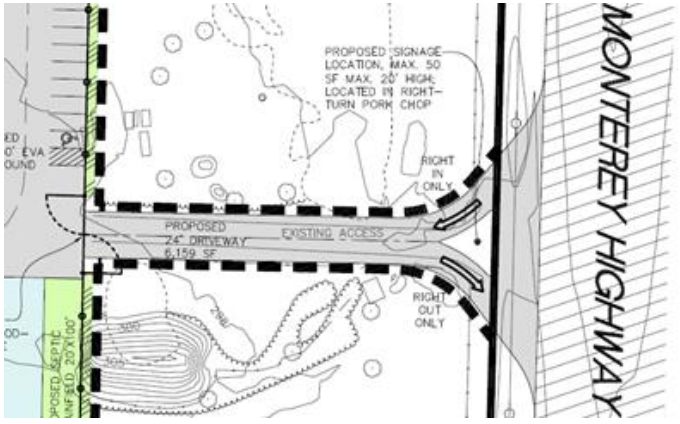
General Plan Policies Table		
	County Policy Concerns from PLN20-039 PRE <i>(underline added for areas of concern identified by Planning Staff)</i>	Preliminary Applicant Responses
1	<p>R-LU 57 (page Q – 11) Residential, agricultural and open space uses are the primary uses. <u>Commercial, industrial and institutional uses may be established only where they are sized to be local serving in nature.</u></p> 	<p>Policy R-LU 57 expressly allows for commercial uses that are “sized to be local serving in nature”, which is defined in Policy R-LU 127 and Zoning Ordinance Section 2.20.090.</p> <p>Our project will be local serving in nature. Being centrally located in San Martin, the first and primary service area will be within the immediate San Martin Planning Area. The following are some anticipated example activities/uses that need/utilize this type of service in the San Martin Planning Area (<i>including but not limited to</i>): farm operations; orchard operations; barn raising events; San Martin downtown cleanup events; equestrian operations; festivals; carnivals; airport events; museum events; Lions Club events; circus events; winery events; athletic events; San Martin family picnic fun day events; home construction projects; commercial/ industrial field operations; San Martin area commercial development projects; roadway intersection clean-up events; San Martin July 4th downtown San Martin flags raising events; public works projects (e.g. road construction, etc.); private special events; weddings, birthdays, anniversaries, garage sales, etc.</p> <p>Consistent with any service business in the San Martin Planning Area, while the primary service area will certainly be San Martin, services may also be provided beyond the greater San Martin Planning Area on an as requested basis. It is anticipated services can reasonably be provided within a ~15-25-mile radius.</p>
2	<p>R-LU 114 (page Q-19) San Martin is a rural unincorporated community governed by the County Board of Supervisors. Furthermore, San Martin should be viewed as a distinct geographic entity, unique within the rural unincorporated areas of Santa Clara County and having a unique rural identity and character within the South County area. Care should be taken to prevent premature commitment of land for uses which would restrict future options for the community. In order to best preserve future options for the San Martin community and environs, <u>San Martin shall remain a rural community, predominantly nonurban and residential in nature.</u></p>	<p>Our project is consistent with the general policy direction that the San Martin Planning Area remain a rural community, predominantly nonurban and residential in nature. With the exception of the very limited and discrete area predetermined and mapped for potential commercial and/or industrial development with the approval of a Use Permit, the vast majority of the San Martin Planning Area will remain rural, nonurban in nature. Consistent with this policy and the areas identified for future commercial and industrial development, our proposal will only utilize a very small centrally located portion of our overall site identified for industrial and/or commercial development. Limiting and isolating the area of our proposal creates physical separation between our neighbors and includes project perimeter enhancements that will be supportive of the pre-existing atmosphere of our neighborhood.</p>

		<p>Additionally, limiting project area, adding buffer enhancements, retaining agricultural areas and creating physical separation between our neighbors will mitigate any potential compatibility, noise and/or privacy concerns and continue to provide a rural sense of community.</p>
3	<p><u>R-LU 114.1 (page Q-19) Policies, permit decision-making, and other matters subject to the discretion of the County and Board of Supervisors shall also take into consideration the desire and intent of the community to preserve and enhance the character, identity, and importance of the village core area of San Martin, being that area most central to the distinct identity of San Martin.</u></p>	<p>The “village core” area is not defined by a boundary, but is described first and foremost as that area “located around the intersection of San Martin Avenue and Monterey Road.” [P. II - 2 of SM Integrated Design Plan. 1st ppgh, Section B]. Our proposal lies just north of what has been considered the more densely developed village core area being between 800 and 1700 feet north of Roosevelt Avenue.</p> <p>Nonetheless, our proposal has carefully considered our community’s desire to preserve and enhance the San Martin. Consistent with this policy and the areas identified for future commercial development, our proposal will only utilize a very small centrally located portion of our overall site, creating physical separation between our neighbors. The site will be utilized in such a way as to minimize disturbances to adjoining properties, preserve Monterey Road frontage for existing and future allowed uses, maintain 70%+ in open space, and involves minimal building. Our proposal includes perimeter enhancements that are supportive in preserving and enhancing the general character, identity and importance of the San Martin.</p>
4	<p><u>R-LU 119 (page Q – 23) Non-residential development in the San Martin Planning Area shall conform to adopted development and design guidelines for the San Martin Community contained within the “San Martin Integrated Design Guidelines.”</u></p>	<p>Our preliminary design is a careful and thoughtful result of the review and integration of the San Martin design guidelines. Moreover, the project design will be fully reviewed and may be conditioned and/or amended to be determined fully compliant through the County review and approval process. This policy confirms the expectation and opportunity to apply for non-residential development (both commercial and industrial) in the pre-designated San Martin Planning Area.</p>
5	<p><u>R-LU 120 (page Q – 23) The intent of the Industrial Use Permit Area is to make provision for the maintenance and development of such light industrial uses as are of benefit to the community and environs through the appropriate discretionary permitting procedures. Such uses are allowed in addition to any of those uses which may be allowed within the applicable General Plan designation and zoning district.</u></p>	<p>Our proposed use should not be considered industrial in nature or character. The definitions provided in County Code 2.10 identify industrial uses as those involving “Production and processing of goods from raw materials or fabricated items”, as well as “the dismantling, reduction or destruction of materials or items, and storage of salvage materials and items.” Our use includes none of these attributes and will be much less impactful than typical industrial uses, including many already existing in the SM Use Permit Area.</p>
6	<p><u>R-LU 126 (page Q – 24) Eligibility of certain properties for commercial development should be based on consideration of their location, traffic flow, and proximity to residential and other commercial uses, among other factors. Proposed uses which contribute to the enhancement of the commercial village core area shall be</u></p>	<p>Consistent with this policy, a portion of our site has been predetermined eligible to apply for both commercial and industrial development in the San Martin Planning Area. Our design proposal has been carefully and thoughtfully designed to consider our existing residential neighbors, existing commercial neighbors and existing industrial neighbors, etc. All necessary studies and reports will be provided in order to analyze and assure compliance with all applicable requirements. E.g., a Traffic Impact Analysis will be provided addressing the continued use and improvement of an existing access to Monterey, etc.</p>











	<i>encouraged.</i>	
7	<i>RLU-127 (page Q – 24) New commercial land uses within the commercial or industrial use permit areas shall be sized to be of a local-serving nature, with the exception of properties immediately adjacent to the San Martin Avenue / Highway 101 freeway interchange that are east of Murphy Avenue, where uses may be allowed which are not necessarily of a local-serving nature. <u>Local-serving uses shall be defined as only those uses which provide support services for agriculture or commercial needs of the residents of San Martin.</u></i>	Our project will be local-serving by providing support services for agricultural and commercial needs, including but not limited to: <u>San Martin Planning Area Agricultural Needs</u> for farm operations; orchard operations; vineyard operations; barn raising events; equestrian operations; etc. <u>San Martin Planning Area Commercial Needs</u> for San Martin area commercial development projects; public works projects (e.g. <i>road construction, etc.</i>); festivals; carnivals; airport events; museum events; Lions Club events; circus events; winery events; athletic events; home construction projects; commercial/ industrial field operations; San Martin area commercial development projects; special commercial events; etc.

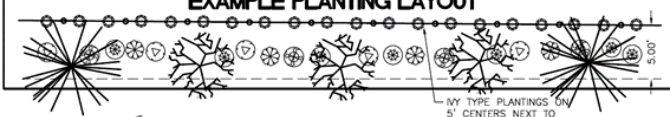
Use Permit Findings Table		
	County Finding Concerns from PLN20-039 PRE <i>(underline added for areas of concern identified by Planning Staff)</i>	Preliminary Applicant Responses
8	<i>A. The proposed use <u>conforms with the general plan, with the zoning ordinance, and with all other standards and guidelines applicable to the proposed use that have been adopted by the Planning Commission or Board of Supervisors;</u></i>	Our preliminary design is a thoughtful result of the review and integration of the general plan and other applicable standards and guidelines. Moreover, the project will be fully reviewed and may be conditioned and/or amended as determined necessary to be fully compliant through the County review and approval process.
9	<i>B. The site is adequate for the proposed use, including but not limited to being of adequate size and shape to accommodate all facilities and development features to <u>integrate the use into the surrounding area and to provide any necessary or appropriate buffers between the use and the surrounding area;</u></i>	Our proposal has carefully considered our community’s desire to preserve and enhance San Martin. Consistent with this direction, our proposal will only utilize a very small centrally located portion of our overall site, creating physical separation between our neighbors, as well as including perimeter enhancements that will serve as a visual buffer. <u>North-side Project Separation</u> – our project area is located 100 feet south of the northerly neighbor’s property line; our Gravel Storage Area is 300 feet south of our neighbor’s property line. <u>South-side Project Separation</u> – Our project area is more than 450 feet north of our neighbor’s property lines to the south. <u>East-side Project Separation</u> – Our project area is more than 212 feet west of the Monterey Highway corridor to the east. <u>West-side Project Separation</u> – Our project area is more than 208 feet east of our neighbor’s property lines to the west.
10	<i>B. The proposed use, by its nature, scale, intensity or design, will <u>not impair the integrity and character of the zoning district or neighborhood, and will not be significantly detrimental to any important and distinctive features of the site's natural setting;</u></i>	Our proposal will not impair the integrity or character of the sm Combining Zoning District (3.90.030(A)) in that: A) It is commercial in nature; B) Not one of the prohibited uses stated therein; and, C) Its impacts will be minimal in terms of operational characteristics. Consistent with these goals and in balance with the zoning allowance for commercial and industrial uses, our proposal has carefully considered our community’s desire to preserve and enhance San Martin in our proposed design.
11	<i>C. The proposed use will not be detrimental to the public health, safety or general welfare. In this respect the Planning Commission shall further find, without limitation, that:</i> <i>1. Adequate off-street parking, loading and unloading areas (if applicable), and</i>	Site Access: The site will utilize an existing access point to Monterey Highway via an improved paved driveway that includes a right-in-only and right-out-only “pork-chop” access design. Travel movement will be exclusively south bound along the Monterey corridor (<i>both to and from</i>) with the installation of a right-in-only and right-out-only project access to Monterey. A Traffic Impact Analysis will be provided minimally

<p>handicapped access will be provided;</p> <p>2. <u>Appropriately designed site access will be provided, including safe and adequate access for fire and emergency vehicles (including secondary access where deemed necessary by the fire marshal);</u></p> <p>3. <u>The use will not adversely affect water quality. Adequate wastewater treatment, disposal and sanitation facilities will be provided and will satisfy all applicable local, state and federal requirements;</u></p> <p>4. <u>The use will not be detrimental to the adjacent area because of excessive noise, odor, dust or bright lights;</u></p> <p>5. <u>The use will not substantially worsen traffic congestion affecting the surrounding area;</u></p> <p>6. <u>Erosion will be adequately controlled; and</u></p> <p>7. <u>Adequate storm drainage management exists or will be provided and will comply with all applicable local, state and federal requirements. If all of the above findings cannot be made, the application shall be denied.;</u></p>	<p>addressing the continued use and improvement of an existing access to Monterey as well as safe and adequate access for emergency vehicles, etc.</p>  <p>Noise: Intermittent noise from typical vehicle movement is anticipated. Loading and unloading of portable restrooms and fencing will be done by hand; no forklift use is proposed. The internal design for vehicle circulation provides for continuous forward movement, minimizing the need for backing-up vehicles.</p> <p>Traffic Congestion: A Traffic Impact Analysis will be provided analyzing existing projected conditions. The project is not anticipated to substantially worsen traffic congestion with the development of a right-in-only and right-out-only “pork-chop” design access on to Monterey. Additionally, the average number of vehicle trips for the project estimated to be only forty (40) trips per day; 20 ADT for employees and 20 ADT for trucks.</p>
---	---

Architecture & Site Approval Findings Table		
	County Finding Concern from PLN20-039 PRE <i>(underline added for areas of concern identified by Planning Staff)</i>	Preliminary Applicant Responses
12	A. <u>Adequate traffic safety, on-site circulation, parking and loading areas, and insignificant effect of the development on traffic movement in the area;</u>	On-site Circulation for the site will utilize an existing access point to Monterey Highway via an improved paved driveway that includes a right-in-only and right-out-only “pork-chop” access design will include the installation of a right-in-only and right-out-only project access to Monterey. The internal design for vehicle circulation provides for continuous forward movement, minimizing the need for backing-up vehicles, as well as a dedicated emergency vehicle turn-around. A Traffic Impact Analysis will be provided to assure safety, etc.
13	B. <u>Appearance of proposed site development and structures, including signs, will not be detrimental to the character of the surrounding neighborhood or zoning district;</u>	The proposed structure will be designed by a professional Architect to meet all architectural requirements to assure their appearance will not be detrimental to the character of the existing surrounding neighborhood. Architectural designs will be reviewed, modified as determined necessary, and approved through the appropriate County approval process.
14	C. <u>Appearance and continued maintenance of proposed landscaping will not be detrimental to the character of the surrounding neighborhood or zoning district;</u>	A formal landscaping plan will be provided by a licensed landscape architect to ensure all planting designs, installations and maintenance practices meet the applicable requirements, and are in keeping with the character of the neighborhood and San Martin Planning Area. The landscaping plan will be reviewed, modified as determined necessary, and approved

through the appropriate County approval process.

EXAMPLE LANDSCAPE SCREENING SCHEDULE				
SYMBOL	SCIENTIFIC NAME	COMMON NAME	TYPE	WATER USE
	ROBINIA PSEUDOACACIA	BLACK LOCUST	TREE	VERY LOW
	ELAEAGNUS ANGUSTIFOLIA	RUSSIAN OLIVE	TREE	VERY LOW
	YUCCA GLAUCA	SOAPWEED YUCCA	BUSH	VERY LOW
	OPUNTIA SPP. & CVS. (CA NATIVES AND NON-NATIVES)	PRICKLY PEAR/CHOLLA	BUSH	VERY LOW
	PARTHENOCISSUS TRICUSPIDATA	BOSTON IVY	VINE	LOW
	ADENOSTOMA FASCICULATUM	CHAMISE	GROUND COVER	VERY LOW
	ATRIPLEX CA NATIVE SPECIES	SALTBUSH	GROUND COVER	VERY LOW
	ATRIPLEX SEMIBACCATA	AUSTRALIAN SALTBUSH	GROUND COVER	VERY LOW

EXAMPLE PLANTING LAYOUT	
	

15 *G. No significant increase in noise levels;*

No significant increases in noise levels are anticipated. There will only be intermittent noise from typical vehicle movement. Loading and unloading of portable restrooms and fencing will be done by hand; no forklift use is proposed. The internal design for vehicle circulation provides for continuous forward movement, minimizing the need for backing-up vehicles.

16 *I. Conformance with the general plan and any applicable area or specific plan, or, where applicable, city general plan conformance for property located within a city's urban service area; and*

The project has been carefully and thoughtfully designed to comply with the General Plan policies and implementation strategies, as well as the San Martin Integrated Design Plan and Guidelines. The overall project will be reviewed, modified as determined necessary, and approved through the appropriate County approval process.

17 *J. Substantial conformance with the adopted "Guidelines for Architecture and Site Approval" and any other applicable guidelines adopted by the County.*

All structures will be designed by a professional Architect to meet all architectural requirements to assure their appearance will not be detrimental to the character of the existing surrounding neighborhood. Architectural designs will be reviewed, modified as determined necessary, and approved through the appropriate County approval process.