

SOUTH COUNTY JOINT PLANNING ADVISORY COMMITTEE
Draft Meeting Minutes

Date: Wednesday, March. 19, 2015

Location: Morgan Hill City Council Chambers

Roll Call:

Chairperson Mike Wasserman (Board of Supervisors District 1)
Dennis Delisle (Public-at-large)
Jim Divittorio (Public-at-large)
Terry Aulman (Gilroy City Council Member)
Robert Cerruti (San Martin Planning Advisory Committee)
Marc Rauser (Santa Clara County Planning Commissioner)
Joseph Mueller – (Morgan Hill Planning Commissioner)
Gordon Siebert (Morgan Hill City Council Member)
One other gentleman

Staff Attendees:

Colleen Tsuchimoto (SCC Planner III)
Manira Sandhir, AICP (SCC Planner II)
Rob Eastwood, AICP (SCC Interim Planning Manager)
Kirk Girard (SCC Interim Director – Department of Planning and Development)
Roland Velasco (District 1 Land Use Aide)
Andrew Crabtree (Morgan Hill Community Development Director)

General Public: Approximately 40 people

Open Public Hearing Comments:

Doug Muir – Morgan Hill resident expressed interest in Priority Conservation Areas

Second speaker (Solani??) - Expressed concerns about fracking and water quality impacts related to that.

3rd Speaker – Was concerned about Marijuana Dispensaries.

4th Speaker (Bob ??) also spoke about water quality impacts related to fracking.

Jerman Garcia – Had concerns about habitat impacts to fish species due to lack of water in creeks.

Agenda Item Number 5: General Plan and Zoning Ordinance Amendments addressing “Local Serving” policy provisions for the rural unincorporated areas of the County.

Public hearing comments

Dhruv Khanna – concerned that historic wineries should be preserved and not limited to local residents. Restaurant regulations of 1200 sq. ft. is too restrictive. CEQA covers all the traffic and noise impacts. The proposed code updates should be presented to the farm community.

Trina Hineser – The definition of local serving is misconstrued - it does not constitute “exclusion of others”. The current definition is designed to protect San Martin residents. No standard practice exists, opposition is usually ignored, giving planners more discretion on how to proceed. Agree that specific guidelines are needed for protecting local serving definition. Residents should have the opportunity to define what local serving means.

Jeannin Croft – Water well, septic, and drainage should be added to the list for more criteria to research for ordinance. Equestrian community should be exempt from ordinance. Local serving means no new traffic. Projects with water and drainage impacts due to runoff from hills should not be considered, and water quality concerns should be directed in the ordinance. San Martin is an equestrian community and doesn’t want retail stores, additional traffic. Stop sign and road improvements have been a nuisance

There should be rules on where cemeteries can be established.

Donnie Croft – It’s not about xenophobia, but about water resources and keeping what you have.

Michael Deegan– New residents in area - population is growing over time. There are not enough data points to create a threshold. Policies should be less restrictive. EIR standards should be incorporated into the findings on a project by project basis instead. Water experts should be consulted on graveyard impacts to water quality.

Linda – Standards should not be changed. The local serving standards are suited for the San Martin community and prevent big box development. A 1,200 sq. ft. restaurant standard meets the local serving definition.

Gary McDowen – There are people sell real estate without regard to zoning that creates conflict. Zoning should not allow for inappropriate uses in the community. Realtors do not disclose all the proper regulations and disrupt harmony of local serving standards.

Michael Brookman (SMNA President) – Ordinance should comply with all federal and state regulations. Due process is important. SMPAC meeting should have been held before the public outreach meetings. Adjusting the ordinance is faulty and will lead to abuse by applicants who find weaknesses in the language of the new ordinance. Traffic, and urbanization are not rural characteristics. Key questions: “what is “local-serving?” - a block/a neighborhood/ entire unincorporated county.”

John Durham – Advised coming to San Martin to provide pictures for future presentations. Asked for clarification on RLUIPA sections relevant to policies please clarify. Asked why there is a lag of 15 years for an ordinance update to comply with the 2000 RLUIPA.

Suzanne M – Percolation pond testing is inadequate. More strict water quality standards are needed for new development. There should be no bias and/or prejudice in the decision-making process, all requirements should be fulfilled.

SCJPAC committee comments:

Key pointers:

1. There appears to be a disconnection between median square footage and median occupancy for institutional uses - too many people in too little space.
2. Can Morgan Hill growth boundary be expanded to accommodate larger development?
Chairperson clarified no.
3. Institutional uses are of benefit to communities and RLUIPA also provides protections to them.
4. How will future growth opportunities and expansions be considered for businesses and institutional uses to allow them to thrive?
5. Provide more clarification on which land uses it does and doesn't apply to, for instance equestrian uses. Provide clarity on what exactly is being proposed. Anything not included in local-serving should not be in the data.
6. Please specify what the range and the median is for uses only within San Martin.
7. Add a link to RLUIPA on website.
8. Exclude only religious institutions from local-serving requirement.
9. 10,000 square foot limit also seems incompliant with RLUIPA; not the "least restrictive" requirement.
10. Bring to SMPAC early enough for feedback.
11. Identify limits on occupancy related to septic system requirements and wells based on property size.
12. Standards for cemeteries not included.

Other issues not related to the proposal

- Perchlorate contamination at Sgt. Ranch
- Intersection of Harding/California Avenue has flooding/runoff problems.
- Cemeteries should be approved in the County only at specific locations to prevent water quality contamination
- San Martin Ave. stop sign is a nuisance.
- Why are SMPAC meetings constantly being cancelled? Community wants monthly meetings.
- Future SCJPAC meeting should cover water concerns for South County with presentation from SCVWD.