

# County of Santa Clara

Department of Planning and Development  
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## MEMORANDUM

To: Planning Commission

From: Manira Sandhir, AICP, Planner II *MS.*  
Colleen Tsuchimoto, Planner III *CT*

Date: May 28, 2015

Subject: **Agenda Item #8 – Local Serving Policy Provisions**  
Supplemental Packet – Revised Zoning Ordinance Section 2.20.090 and 75<sup>th</sup> Percentile Values

Staff has made modifications to the original Zoning Ordinance language proposed in the new Section 2.20.090, to add clarity and consistency with other sections of the zoning ordinance. In addition, after community input at the San Martin Planning Advisory Committee (SMPAC) meeting on May 27, 2015, the word “flooding” has been added to Section 2.20.090 B.iv. Please see attached Amended Exhibit B.

Based on community recommendations at the SMPAC meeting on May 27, 2015, and further consideration from Planning Staff, the 75<sup>th</sup> percentile values for Institutional Uses within the Rural Residential zoning district has been separated from other rural zoning districts. Their distinction corresponds with how rural districts are treated within the General Plan. The Agricultural, Agricultural Ranchlands, and Hillside districts are classified as resource conservation areas and have different policies from the Rural Residential areas. Therefore, staff proposes modifications to Table 1.1 as shown in Amended Exhibit C.

### Exhibits:

Amended Exhibit B – Staff proposed modifications to the Zoning Ordinance

Amended Exhibit C – Proposed modifications to the 75<sup>th</sup> Percentile Values

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AMENDED  
EXHIBIT B

ZONING ORDINANCE AMENDMENTS FOR LOCAL  
SERVING USES

**SECTION 3:** The following new Section 2.20.090 of Chapter 2.20, Article 2 of Appendix I, Zoning, of the County of Santa Clara Ordinance Code, is hereby established to read as follows (additions are underlined):

**§ 2.20.090 Local-Serving Uses**

Local-serving uses are intended to provide goods and services to the resident rural population. For the purposes of this section, the term “local-serving uses” refers to certain institutional and commercial uses that may be allowed in rural districts if their size, scale and intensity is typical of local serving uses in a rural community.

- A. The size, scale and intensity of the use shall be evaluated in accordance with *Local-Serving Uses in Rural Districts Data Repository* document, on file with the Department of Planning and Development and as updated from time-to-time by the Department. Uses deemed to be an appropriate size, scale and intensity by the approval authority because the building square footage and maximum number of people are each less than or equal to the applicable 75 percentile values listed in Table 1.1 may be authorized in rural districts in accordance with any other requirements, findings, and criteria otherwise required by the zoning ordinance.
- B. A use whose building square footage or maximum number of people are more than or equal to the applicable 75 percentile values listed in Table 1.1, shall prepare an analysis of size, scale and intensity to assess impacts to rural resources and character; including aesthetics, scenic resources, open space and habitat, agricultural production, watersheds and traffic. The analysis shall include evidence that the proposed use is consistent with applicable General Plan policies governing rural land development, and reduces impacts to rural resources and character to the maximum extent feasible is in accordance compliance with all of the following general criteria:

**1. Aesthetics** - The scale and massing of the building(s) and improvements shall be minimized and designed to be compatible with the existing rural setting, taking into consideration the surrounding open space, scenic resources, ridgelines, agricultural uses, and rural residences;.

**2. Open Space and Habitat** - The ~~development~~ use shall be sized and designed to minimize disturbance of natural landscapes and biological communities.

**3. Agricultural Production** - The ~~development~~ use shall retain agricultural productivity and minimize conflicts with surrounding agricultural lands. Any loss of agricultural productivity shall be quantified and minimized to the extent feasible.

**3. Watersheds** - The ~~developments~~ size, scale and intensity of the use shall not create a hazard to water quality or create significant drainage, flooding, erosion or sediment impacts. Increases in impervious surface area, drainage volumes and erosion levels over pre-project conditions shall be quantified and minimized to the extent feasible.

**5. Traffic** - The use shall not generate ~~substantial~~ significant additional new traffic that creates a safety hazard or impairs local rural roads. New traffic associated with the use should not increase traffic levels significantly above pre-project conditions.

**C. Impact Reduction** - The use shall be consistent with applicable General Plan policies governing rural land development, and reduce impacts to rural resources and character to the maximum extent feasible.

Uses where the building square footage or maximum number of people are more than or equal to the applicable 75 percentile values listed in Table 1.1 may be authorized in rural districts following review of the analysis and in accordance with any other requirements, findings, and criteria otherwise required by the zoning ordinance.

AMENDED  
EXHIBIT C

LOCAL SERVING USES IN RURAL DISTRICTS - DATA  
REPOSITORY

**Table 1.1. Thresholds (75<sup>th</sup> Percentile) for Local-Serving Indicators**

	Maximum Number of People	Building Square Footage
<u>Rural Residential Zone*</u>	<u>50 (daily)</u>	<u>6,000</u>
	<u>250 (special events)</u>	
<u>All Other Zones</u>		
Commercial Uses	28	<u>10,075</u>
<u>Institutional Uses (Other Rural Districts)</u>	<del>67-86</del> (daily average)	<del>10,000</del> <u>15,179**</u>
	<del>310-340</del> (special events)	

\*Only institutional local-serving uses are permitted in rural residential zones.

\*\*The exclusive agriculture zone has a 10,000 square foot building size maximum limit on certain institutional uses.