

Responses to questions raised and submitted after the March 17, 2022 Community meeting regarding the Upper San Juan Development Standards

April 15, 2022

State Law Conformance		
#	Question	Response
1	What impact will the proposed standards have on housing availability in Santa Clara County? (And please don't just say the effect will be small because the # of lots in SJRD is small. Multiple "small" localized zoning decisions are what cause the dire shortage of housing in this region).	The proposed development standards will not impact the availability of housing in Santa Clara County. Under SB 330, the County is not allowed to propose development standards that would limit or impact the allowable density of development in an area without replacing the housing capacity somewhere else within the unincorporated parts of the county. With the proposed development standards, the existing maximum density of 8 units per acre (net) is maintained.
2	Santa Clara County has justified high market value assessments of land on campus based on development standards that would have permitted far denser construction than exists now (or is allowed by the University). How will this proposed significant density reduction by county influence the fair market valuations for recent and future purchases in the Upper San Juan neighborhood?	
3	It's assumed that any revision of development standards that would include down-zoning of a residential use area, would also require an equal up-zoning of residential areas within the jurisdiction, according to SB 330. A. What are the areas within the jurisdiction where this up-zoning could be applied? B. If the proposed standards for the Upper San Juan District are implemented, how many housing units would have to be up-zoned elsewhere? C. Can the residents of the San Juan Residential District, or Stanford University reject or request revisions to the proposed development standards?	See previous response to question #1. The proposed development standards will be considered by the Planning Commission and the Board of Supervisors as part of noticed public hearings that are open to the public. Any member of the public may attend the public hearing on the and submit comment to the Planning Commission and Board of Supervisors. In addition, any member of the public may submit written comments to the Planning Commission and Board of Supervisors on the proposed development standards. Public notices have been sent to list of interested parties.
4	What will be the impact of the new rules on the University's ability to build houses at the legal limit of 8 units per acre? Doesn't this push development to multifamily units?	See previous response to question #1, above.
5	Is this proposed development standard legal under SB9? Even if it is legal, isn't it just a blatant attempt to get around the law's requirements?	The proposed development standards conform with SB9 and SB 330. With the proposed development standards, the existing maximum density of 8 units per acre (net) is maintained.
6	Are the development standards for the San Juan area subject to Stanford's approval? Is SB9 applicable to Stanford residential property? Who will make the interpretation of this law and its applicability to Stanford land?	The proposed development standards are not subject to Stanford's approval, but the Department of Planning & Development staff has been working with Stanford on the standards. The property owner, Stanford University, can elect to allow development of the properties under SB9, which could include two primary units, an Accessory Dwelling Unit (ADU) and a Junior ADU (JADU).

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Application of Standards		
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7	Please present a San Juan map showing which houses don't conform to the proposed setbacks.	A map has been prepared that is available on the County's website to allow residents to view their properties and existing conformance with the proposed development standards. This map is only for the conformity of the proposed development standards (lot coverage, front setback, and lot width/frontage). This map does not review conformity with other development standards. The Map is provided online at https://tinyurl.com/sanjuanstanford
8	Please confirm the geographic area for the new development standards with a map. Will the new standards only apply to those lots within the area currently zoned R1S?	Yes, the development standards will only apply to the area currently identified as Upper San Juan that is zoned R1S- <i>Low-Density Campus Residential</i> . The Map is provided online at https://tinyurl.com/sanjuanstanford
9	For context, does the Dolores/Cabrillo project now underway uphold the proposed standards w/r/t lot width and % coverage?	The recorded map shows at least 6 of the 10 parcels don't satisfy the proposed 100-foot minimum frontage standards. However, the Cabrillo/Dolores subdivision was approved before these standards, therefore they would not be subject the new standards in their current status of development if they their building permits have been approved.
10	Will Stanford retain the ability to put in another planned developments like Dolores/Cabrillo where the lots would be much smaller?	Stanford would be able to configure lots that would need to be at-least 100-foot wide and allow for a 30-foot front setback, 25-foot rear setback and 5-foot side setbacks, and not to exceed a 20% lot coverage for a primary single-family residence.
11	How is lot coverage calculated? What counts towards lot coverage and what doesn't count?	Section 1.30.030 (Definitions of Terms) of the Zoning Code defines lot coverage as follows: The footprint of all buildings and structures over 30 inches in height. Covered patios, carports, arbors, and similar structures are counted in lot coverage. Eaves are excluded provided they do not project more than two and one-half feet.
12	Please present a San Juan map that displays approximate lot coverage of each property. The reduction in lot coverage is extreme: no limits reduced to 20%, except for 1200 ADU possible if Stanford allows them (not yet certain). 80% reduction.	There is currently no lot coverage standard in the San Juan area. Only 5 parcels (4 percent) in the Upper San Juan neighborhood exceed the proposed 20% lot coverage. The proposed lot coverage restriction is more generous that what is currently developed in the Upper San Juan area.
13	Do you have a mock map like shown on Slide 12 that illustrates what redevelopment of lots in accordance with proposed standards might look like? It's hard to imagine what the proposed numbers mean w/o mapping onto the actual existing lots.	There are a variety of possible scenarios, therefore it would require multiple maps being drawn. However, we have analyzed the standards against existing conditions and have created a methodology that can be used by members of the public for properties of interest.
14	Are these the only changes being proposed for San Juan district? Or do you foresee additional changes?	These are the recommended changes at this time. If in the future, there is a need to update standards, either due to changes in local needs or state regulations, the Department may propose updates to these standards and present to the Planning Commission and Board of Supervisors for consideration and action.

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15	<p>On slide 12, our property (located on Campus Dr) was omitted from the map. Could it be restored, please? Also, we appreciate that you are trying to set standards that the vast majority (>90%) of existing homes already meet. However, the effect of this is to set minimums that will not do a good job of preserving the neighborhood's character. Wouldn't it be better to set standards based on the median home/property, rather than outlier properties (5% or 10% of them)? After all, if every property in Upper San Juan were only to meet your new standards, the character of the area would be completely changed. Also, 100' width is unusually narrow for Upper San Juan. This would be very unusual although there are evidently a few houses like this. Finally, are there any standards designed to ensure that the character of mature landscaping and prevalent architecture are sustained going forward?</p>	<p>The property located on Campus Drive is included in the Upper San Juan Development Standards Update. There are currently no specific standards to establish lot width in Upper San Juan. The County will establish 100-foot width as a <u>minimum</u> lot width. There are no restrictions on lots being wider than 100 feet.</p> <p>Staff used the mean average methodology to establish the standards. Using a mean is a typical methodology to get an overall idea or picture of a data set.</p> <p>While there is no specific language to preserve mature landscaping, the 100-foot minimum frontage width and 30-foot front setback would preserve existing landscaping. Additionally, the proposed development standards cover rules for the placement of driveways which will also preserve existing landscaping. The County also has an existing Tree Preservation Ordinance and Guidelines to preserve trees.</p> <p>There are no architectural design standards proposed.</p>
16	<p>You gave useful data on the fractions of homes that would meet each given standard, in a one-at-a time manner. Could you please give the data for the homes that would meet ALL of the standards and which, by failing to meet one of the three standards would become non-conforming? It would be particularly useful to give a map using the form of the one in slide 12 ("As-built conditions") showing which homes would be fully conforming with the new standards and which would become non-conforming as a result of the new standards that are being proposed. You might even color-code by how many of the standards would not be met – e.g. green would be fully conforming, yellow would be non-conforming by violating one standard, orange non-conforming by violating two standards, red non-conforming by violating all three new standards. Second, what are the implications for an existing home that becomes non-conforming under the new standards, especially the implications for remodeling such a home?</p>	<p>A map has been prepared and is available on the County's website to allow residents to view their properties and existing conformance with the proposed standards. This map is for only for the conformity of the proposed development standards (lot coverage, front setback, and lot width/frontage). This map does not review conformity with other development standards.</p> <p>In general non-conforming portions of a building may remain only if they substantially maintain their structural form and integrity. Where a single-family or two-family dwelling with nonconforming setbacks is involuntarily damaged or destroyed by earthquake, fire, flood, or other casualty event, reconstruction shall not require conformance to currently applicable setbacks, with certain application conditions (see Zoning Code § 4.50.030)</p>
17	<p>What is the purpose of changing the development standards now? What is broken that needs fixing? And in whose interest is this being done?</p>	<p>Please refer to the project webpage and related most recent Board of Supervisors direction given at their June 22, 2021, meeting to the department regarding review and updating the development standards for the San Juan District. Also see video from the March 17, 2022 Community Meeting. (https://tinyurl.com/sanjuanstanford)</p>

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Individual Concern		
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18	I understand that it is Stanford's discretion about adding "granny" units. Does that mean that the units have to be within the setbacks that you put forth at the meeting? Is that going to be a county requirement or will Stanford have some say about that?	ADUs are subject to existing code (see Zoning Code § 4.10.015. - Accessory dwelling units). The property owner, Stanford University, can elect to allow development of the properties under SB9, which could include two primary units, an ADU and a JADU.
19	Will you organize an in-person meeting in which residents are able to give you feedback, not simply ask questions for you to answer?	There aren't any in-person meetings plan to receive feedback on the standards. Residents can email Bharat or Charu to ask questions regarding the general impacts of the proposed standards. For parcel specific general inquiries please call Department of Planning Development and ask to speak with a planner on duty.
20	How did the County estimate my lot coverage and how might that be different than my actual lot coverage?	The county used satellite remote sensing (LIDAR) generated data of building footprints that were measured using GIS tools. Using LIDAR, eaves and overhangs were included in the building boundary; typically, these elements would not be included in the building footprint. Therefore, most of the buildings will have a smaller building footprint than what was generated from LIDAR To get a precise account of your lot-coverage, a site survey would be required.
21	What if my lot coverage already exceeds 20%? Can I remodel my home? Can I add on to it?	If your lot coverage already exceeds 20%, you can build up to 2.5 stories without affecting lot coverage. For example, if your 20% lot coverage is 2,000 sq. ft, you can get a maximum floor area of 5,000 sq. ft. building utilizing the 2.5 story allowance.
22	If my house is at or near 20% coverage, am I permitted to build an addition?	
23	If Stanford changes its policy and allows ADUs, will the square footage of an ADU count towards my 20% lot coverage maximum?	ADUs and other units considered under SB9 will not count towards the 20% maximum lot coverage. The 20% lot coverage is applied to the primary residence only.
24	If my existing lot frontage is less than 100', how does that impact my ability to make improvements to my home?	If your lot frontage is less than 100-feet wide, it will not impact your ability to make improvements to your home.
25	Please describe the term Existing Non-Conforming. If my home doesn't meet one of the new development standards, what can I do to the structure?	In general, existing non-conforming portions of a building may remain only if they substantially maintain their structural form and integrity. Where a single-family or two-family dwelling with nonconforming setbacks is involuntarily damaged or destroyed by earthquake, fire, flood, or other casualty event, reconstruction shall not require conformance to currently applicable setbacks, with certain application conditions (see Zoning Code § 4.50.030).
26	There are substandard lots within the catchment area of these rules -- how do these rules impact them? Will exceptions be allowed for extending non-conforming walls and addition floor area allowances?	Existing non-conforming buildings may expand pursuant to our code (see Zoning Code § 4.50.030). For remodeling, in general, non-conforming portions of a building may remain only if they substantially maintain their structural form and integrity.
27	Are there new development standards being considered for Lower San Juan or other campus neighborhoods?	At this time, standards are only being considered for Upper San Juan. Standards for Lower San Juan and the other SJRD neighborhoods are not being considered.