



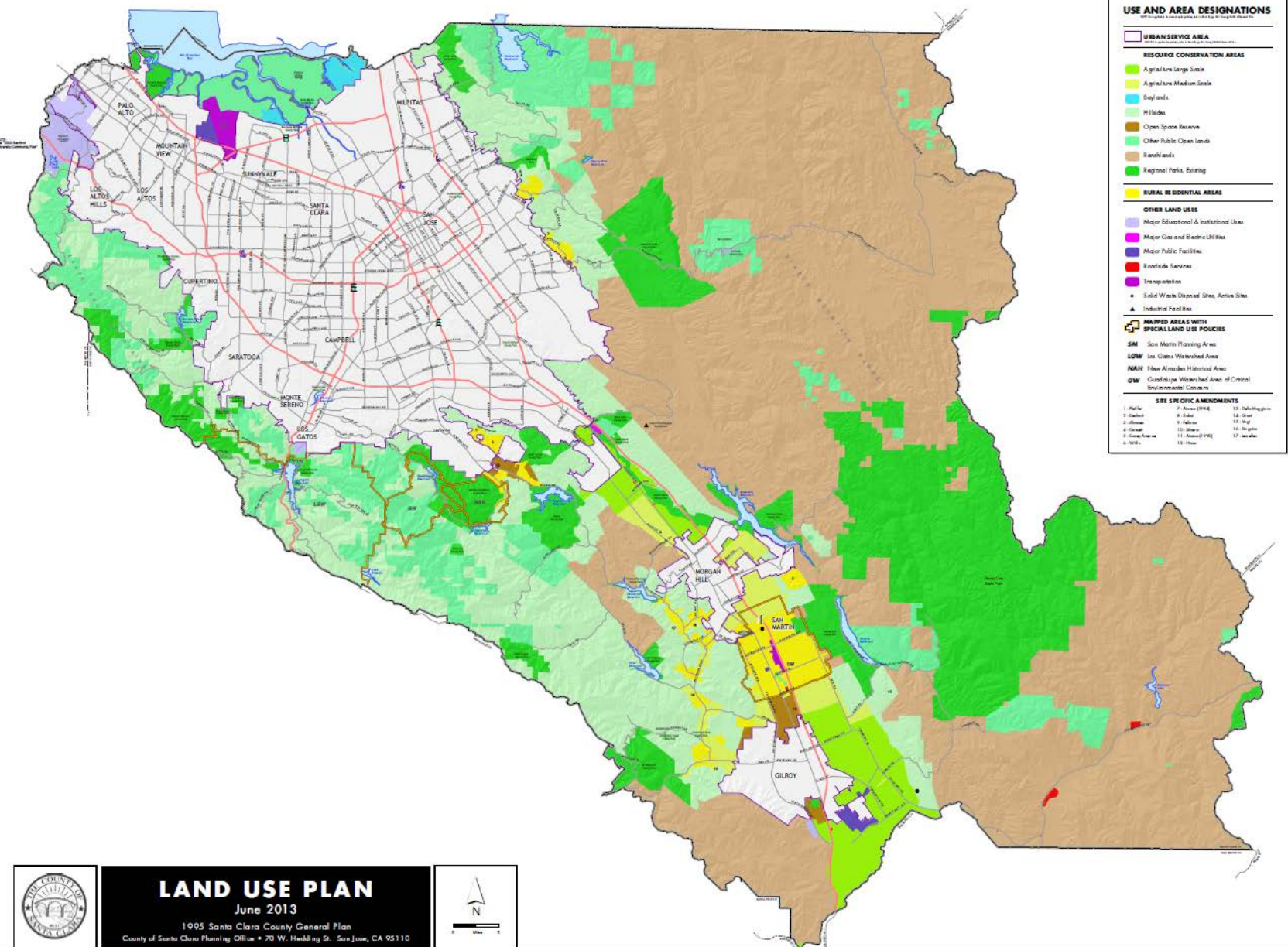
## Feb 2019 Community Outreach: Zoning Amendments for Non- Residential Uses in Rural Areas

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Department of Planning and Development



# Overview

1. Project Background
  - a. General Plan Intent
  - b. Project History
  - c. Zoning Provisions (2015 updates)
2. Current Challenges
3. Proposed Updates



# General Plan (GP) - Rural Designated Areas

1. Agriculture – Large Scale (A-40) and Medium Scale (A-20)
2. Hillside (HS)
3. Agricultural Ranchlands (AR)
4. Rural Residential (RR)

# Project History - 2015

1. Updated General Plan Policy R-LU57
2. Updated Zoning Ordinance to add quantitative standards for certain uses known as Local-Serving Uses
3. Adopted an accompanying Local Serving Data Document
4. Other Miscellaneous Edits

# County General Plan Land Use Policies in Rural Areas

## Primary Uses

Agricultural  
Related

Single Family  
Residential

Open Space

## Support Uses – subject to Local-serving Provisions

Religious  
Institutions

Hospitals and  
Clinics

Schools

## Compatible Uses

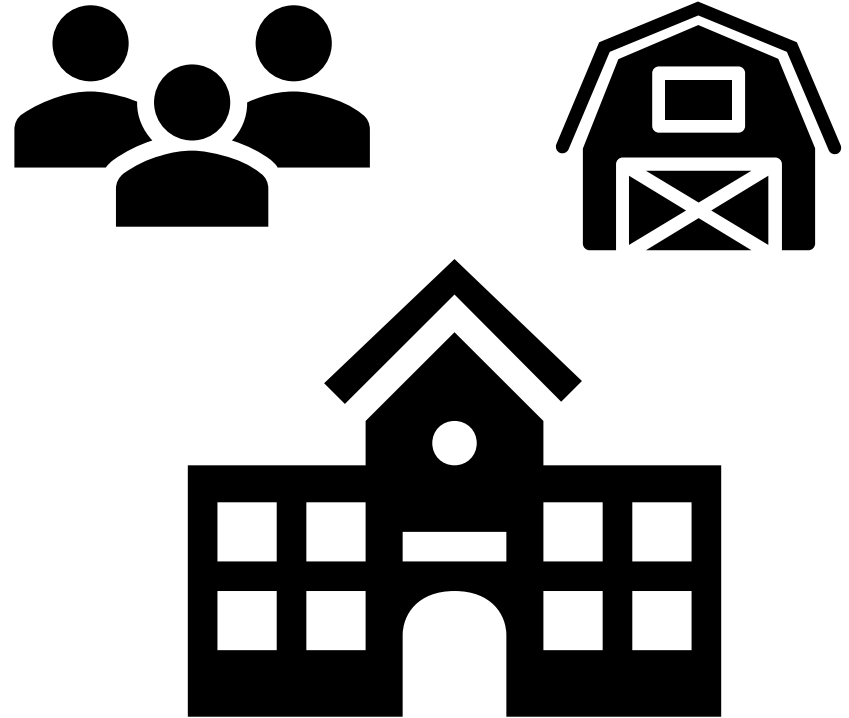
Golf Courses

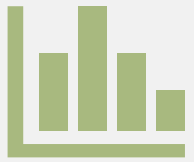
Reception Facilities

Commercial  
Kennels

# Uses Subject to Local-serving Provisions

1. Clubs – Private and Non-Profit
2. Hospitals and Clinics
3. Manufacturing: Small Scale Rural
4. Non-Profit Institutions
5. Religious Institutions
6. Retail Sales and Services – Local Serving
7. Schools
8. Commercial Uses within the San Martin Commercial and Industrial Use Permit areas.





Documented Approved  
Uses (Local Serving  
Data Document)

Building size  
Occupancy



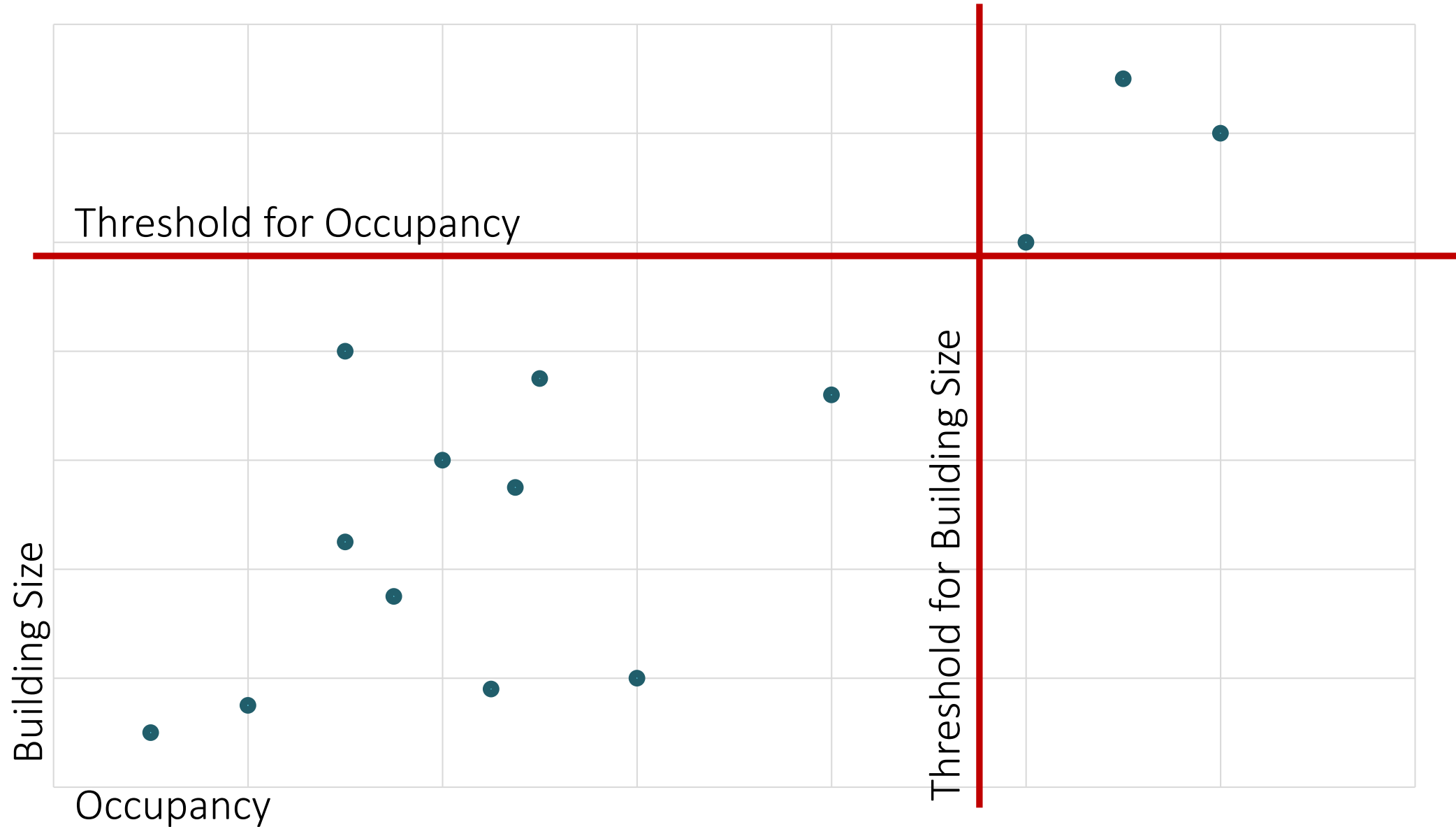
Established a 75<sup>th</sup> Percentile (3<sup>rd</sup>  
Quartile) Living Threshold



Identified Additional Criteria and  
Findings (Section 2.20.090)

## Adopted Local- Serving Provisions in 2015

# Concept behind Historic Data and Thresholds

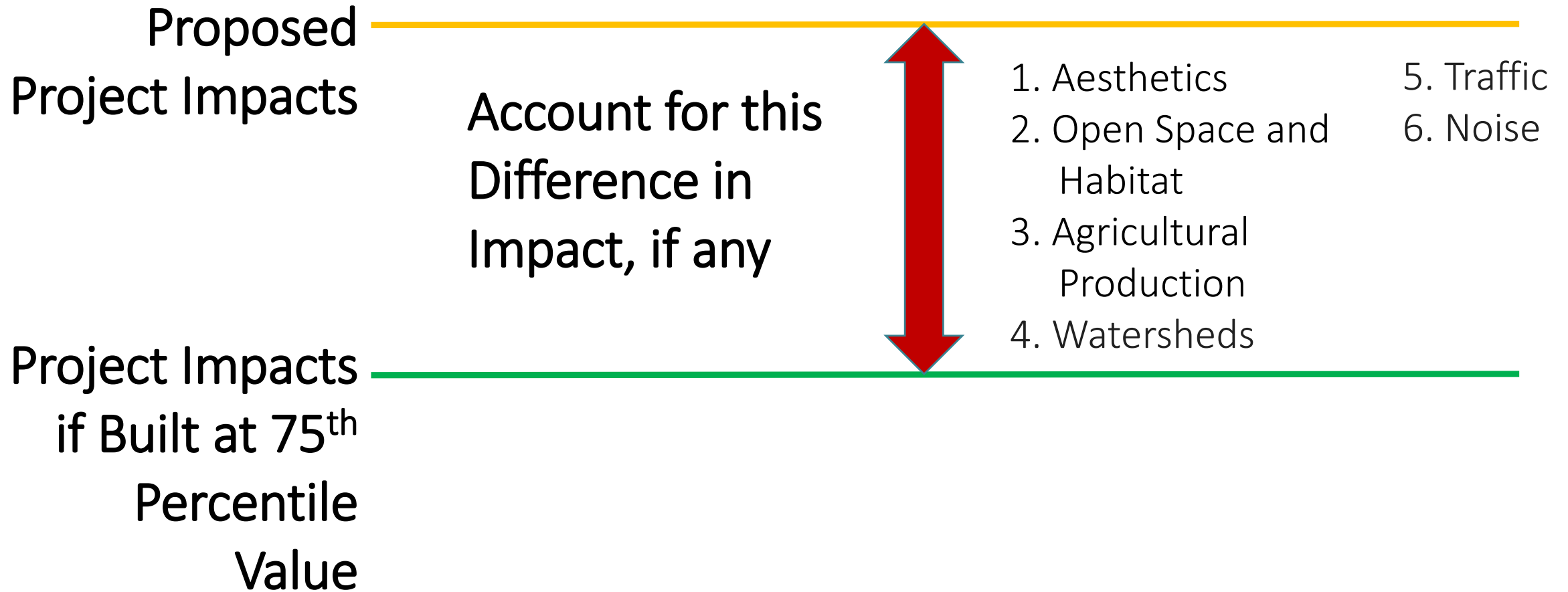




# Existing ZO Section 2.20.090

- A. Equal to or Less than Threshold – Local-Serving Use
- B. Above Threshold – Evaluate (and Compare Proposed Project and Project at Threshold) Size, Scale and Intensity Impacts for:
  - 1. Aesthetics
  - 2. Open Space and Habitat
  - 3. Agricultural Production
  - 4. Watersheds
  - 5. Traffic
  - 6. Noise
- C. Required Finding - the Delta difference in impacts has been reduced to maximum extent feasible

# Graphic Representation – ZO Section 2.20.090



# Institutional Thresholds

	75 <sup>th</sup> Percentile Thresholds	
	Rural Residential (RR) District	Hillsides (HS) and Ag Ranchlands (AR) Zoning
Daily (people)	50	70
Events (people)	220	320
Building Size (square feet)	6,510	8,480

# Commercial Thresholds\*

	75 <sup>th</sup> Percentile Thresholds
People (Daily)	30
Building Size (square feet)	16,440

\*San Martin Commercial Use Permit Area only.



## Supplemental Use Regulations in A Zoning

2) The proposed uses are intended, designed, and sized to primarily serve the local rural unincorporated population.

# Chronology since 2015 Updates

**October 2015** – Board Adopted General Plan and Zoning Updates, Required a 1-year Status Report.

**August/September 2016** – SMPAC and Planning Commission Hearing on 1-year Status Report with amendments proposed for clarity and consistency, including:

- A. Fixed threshold instead of living threshold,
- B. Treatment of Mixed-uses, and
- C. Clarity on Definitions.

**October 2016** – Board Referred back to Planning Commission at Department request.

**November 2016** – SMPAC and Planning Commission, PC continued to a date uncertain. 14

# January 2019 - Challenges Remain



Local-serving Terminology  
Implications



Inequitable Application of  
Local-Serving Provisions to  
Other Similar Uses



Implementation Challenges  
- Outstanding Issues

# Proposed Approach

1. Update “Local-serving” to “Rural Compatible”
2. Amend the Zoning Ordinance and Local Serving Data Document
3. Expand uses subject to these zoning provisions



# Additional Uses Subject to Rural Compatible Provisions



## Primary Uses

Agricultural Related

Single Family

Residential

Open Space



## Support Uses – Local-serving

Religious Institutions

Hospitals & Clinics

Schools



## Compatible Uses

Golf Courses

Reception Facilities

Commercial Kennels

# Resulting List of Uses – A (Agriculture)

## USES CURRENTLY ALLOWED THROUGH DISCRETIONARY LAND USE APPROVALS

### SUBJECT TO EXISTING LOCAL-SERVING STANDARDS

Camps & Retreats  
Cemeteries  
Golf Courses & Country Clubs  
Golf Driving Ranges  
Hospitals & Clinics  
Recreational Playgrounds & Sports Fields  
Residential – Communal Institutional  
Nonprofit Institutions  
Religious Institutions  
Schools

### NOT CURRENTLY SUBJECT TO THESE PROVISIONS

Bed & Breakfast Inns  
Clubs – Private & Nonprofit  
Historic Structure – Use Conversion  
Hunting & Fishing Preserves  
Kennels-Commercial  
Museums  
Nurseries-Retail  
Offices  
Radio-controlled Model Aircraft Facilities  
Reception Facilities  
Recycling Facilities – Composting & Wood Recycling  
Veterinary Clinics & Hospitals

# Updated List of Uses - A

Bed & Breakfast Inns	Nonprofit Institutions
Camps & Retreats	Nurseries-Retail
Cemeteries	Offices
Clubs – Private & Nonprofit	Radio-controlled Model Aircraft Facilities
Golf Courses & Country Clubs	Reception Facilities
Golf Driving Ranges	Recreational Playgrounds & Sports Fields
Historic Structure – Use Conversion	Recycling Facilities – Composting & Wood Recycling
Hospitals & Clinics	Religious Institutions
Hunting & Fishing Preserves	Residential – Communal Institutional
Kennels-Commercial	Schools
Museums	Veterinary Clinics & Hospitals

USES CURRENTLY ALLOWED THROUGH DISCRETIONARY LAND USE APPROVAL

SUBJECT TO EXISTING LOCAL-SERVING STANDARDS	NOT CURRENTLY SUBJECT TO THESE PROVISIONS
<p>Clubs – Private &amp; Nonprofit                      Hospitals &amp; Clinics                      Nonprofit Institutions                      Religious Institutions                      Schools</p>	<p>Bed &amp; Breakfast Inns                      Cemeteries                      Entertainment – Outdoor Seasonal                      Golf Courses &amp; Country Clubs                      Historic Structures – Use Conversion                      Kennels-Commercial                      Museums                      Nurseries-Retail                      Reception Facilities                      Recreational Vehicle Parks                      Recycling Facilities – Composting &amp; Wood                      Recycling                      Stables-Commercial                      Swim &amp; Tennis Clubs                      Veterinary Clinics &amp; Hospitals</p>

Resulting List of  
 Uses –  
 HS zoning

# Updated List of Uses – HS Zoning

Bed & Breakfast Inns	Nurseries-Retail
Clubs – Private & Nonprofit	Reception Facilities
Cemeteries	Recreational Vehicle Parks
Entertainment – Outdoor Seasonal	Recycling Facilities – Composting & Wood Recycling
Golf Courses & Country Clubs	Religious Institutions
Historic Structures – Use Conversion	Schools
Hospitals & Clinics	Stables-Commercial
Kennels-Commercial	Swim & Tennis Clubs
Museums	Veterinary Clinics & Hospitals
Nonprofit Institutions	

USES CURRENTLY ALLOWED THROUGH A DISCRETIONARY LAND USE APPROVAL

Resulting List of  
Uses – AR  
zoning

SUBJECT TO EXISTING LOCAL-SERVING STANDARDS	NOT CURRENTLY SUBJECT TO THESE PROVISIONS
<p>Clubs – Private &amp; Nonprofit Hospitals &amp; Clinics Nonprofit Institutions Religious Institutions Schools</p>	<p>Agricultural Sales - Farmers' Markets Bed &amp; Breakfast Inns Butcheries Cemeteries Historic Structures – Use Conversion Kennels-Commercial Museums Nurseries-Retail Reception Facilities Recycling Facilities – Composting &amp; Wood Recycling Rodeos &amp; Equestrian Events Stables-Commercial Veterinary Clinics &amp; Hospitals</p>

# Updated List of Uses – AR Zoning

Bed & Breakfast Inns	Nonprofit Institutions
Clubs – Private & Nonprofit	Nurseries-Retail
Cemeteries	Reception Facilities
Entertainment – Outdoor Seasonal	Recycling Facilities – Composting & Wood Recycling
Golf Courses & Country Clubs	Religious Institutions
Historic Structures – Use Conversion	Rodeos & Equestrian Events
Hospitals & Clinics	Schools
Kennels-Commercial	Stables-Commercial
Museums	Veterinary Clinics & Hospitals

# Resulting List of Uses – RR zoning

## USES CURRENTLY ALLOWED THROUGH A DISCRETIONARY LAND USE APPROVAL

### SUBJECT TO EXISTING LOCAL-SERVING STANDARDS

Clubs – Private & Nonprofit  
Hospitals & Clinics  
Nonprofit Institutions  
Religious Institutions  
Schools

### NOT CURRENTLY SUBJECT TO THESE PROVISIONS

Bed & Breakfast Inns  
Cemeteries  
Entertainment – Outdoor Seasonal  
Golf Courses & Country Clubs  
Historic Structures – Use Conversion  
Kennels-Commercial  
Museums  
Nurseries-Retail  
Reception Facilities  
Recreational Vehicle Parks  
Recycling Facilities – Composting & Wood Recycling  
Stables-Commercial  
Swim & Tennis Clubs  
Veterinary Clinics & Hospitals



# Updated List of Uses – RR Zoning

Bed & Breakfast Inns	Nurseries-Retail
Cemeteries	Reception Facilities
Clubs – Private & Nonprofit	Recreational Vehicle Parks
Entertainment – Outdoor Seasonal	Recycling Facilities – Composting & Wood Recycling
Golf Courses & Country Clubs	Religious Institutions
Historic Structures – Use Conversion	Schools
Hospitals & Clinics	Stables-Commercial
Kennels-Commercial	Swim & Tennis Clubs
Museums	Veterinary Clinics & Hospitals
Nonprofit Institutions	

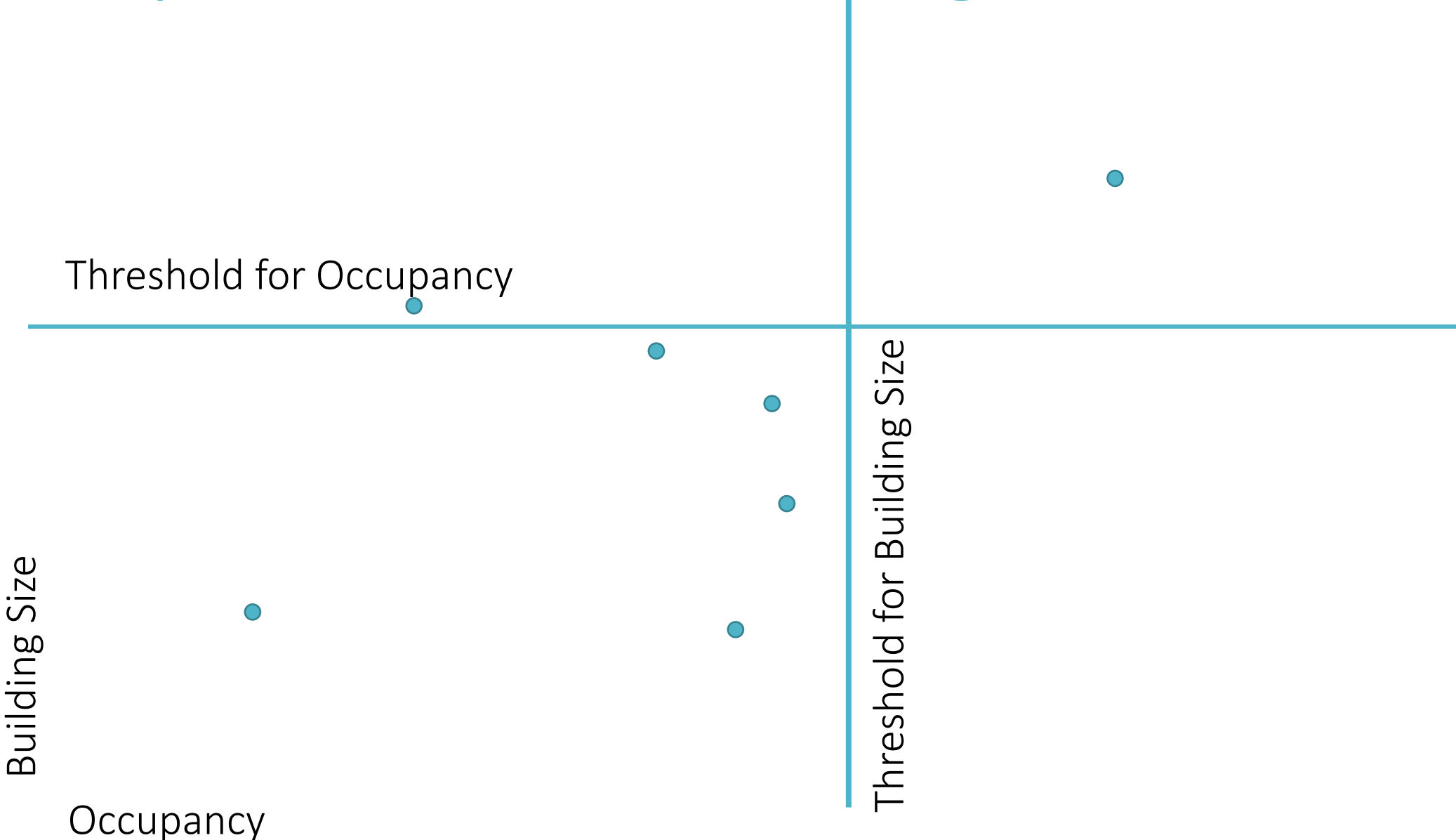
# Apply Existing ZO Section 2.20.090 (AR, HS, and RR)

A. Equal to or Less than Threshold – Local-Serving Use

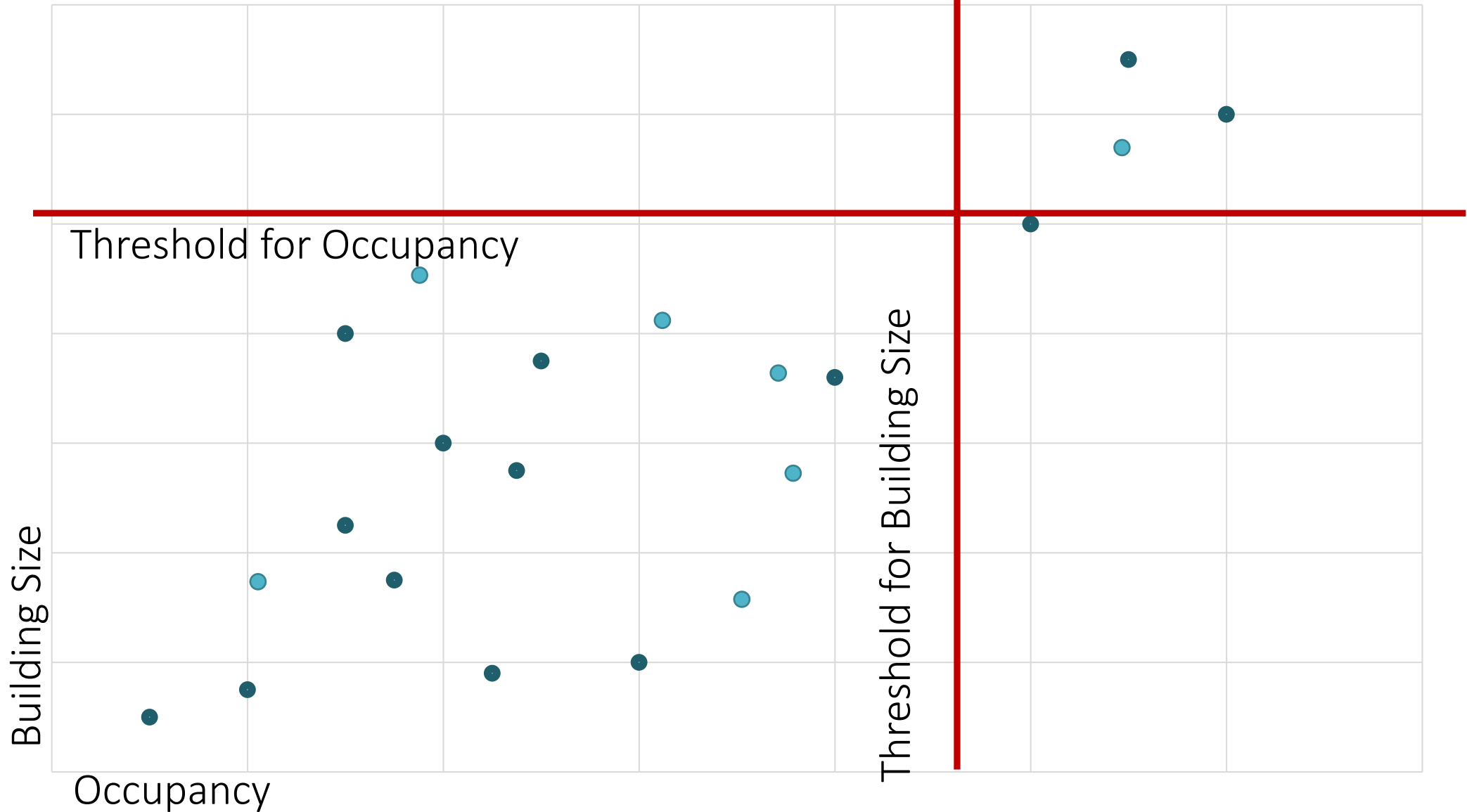
B. Above Threshold –Evaluate

C. Required Finding

# Update Data and Resulting Thresholds



# Update Data and Resulting Thresholds



# Existing and Proposed Thresholds (AR)

	75 <sup>th</sup> Percentile Thresholds		
	EXISTING	PROPOSED (if Countywide)	PROPOSED (if by zoning)
Daily (people)	70	200	230
Events (people)	320	390	N/A
Building Size (square feet)	8,480	13,380	5,800

# Existing and Proposed Thresholds (HS)

	75 <sup>th</sup> Percentile Thresholds		
	EXISTING	PROPOSED (if Countywide)	PROPOSED (if by zoning)
Daily (people)	70	200	270
Events (people)	320	390	270
Building Size (square feet)	8,480	13,380	18,750

# Existing and Proposed Thresholds (RR)

	75 <sup>th</sup> Percentile Thresholds		
	EXISTING	PROPOSED (if Countywide)	PROPOSED (if by zoning)
Daily (people)	50	200	100
Events (people)	220	390	400
Building Size (square feet)	6,510	13,380	9,780*

# Existing and Proposed Thresholds (San Martin Comm. Use Permit Area)

	75 <sup>th</sup> Percentile Thresholds		
	EXISTING	PROPOSED (if Countywide)	PROPOSED (if by zoning)
Daily (people)	30	200	30
Events (people)	n/a	390	n/a
Building Size (square feet)	16,440	13,380	20,000



# Apply Equitably Existing Supplemental Use Regulations (A Zoning)

- 1) Prohibit such uses in Agriculture - Large Scale, and
- 2) Allow them in Agriculture – Medium Scale only where
  - A. The property is of marginal value for agriculture,
  - B. The project is rural compatible in terms of its design, size, scale, and intensity\*, and
  - C. All structural coverage is limited to 10,000 square feet.

\*Existing Language - The proposed uses are intended, designed, and sized to primarily serve the local rural unincorporated population.

Proposed Language - In rural districts, such uses shall be sized and designed to be consistent with the rural character and the environment.

# SUMMARY OF KEY CHANGES

## The proposed amendments:

1. Expand list of uses that are proposed to be subject to rural compatible provisions
2. Update terminology
3. Update numerical thresholds

## The proposed amendments DO NOT:

1. Affect residential uses, or uses allowed by right.
2. Do not allow any additional uses in the rural areas, not previously allowed.
3. Change the Methodology or the Findings for review.

# Other Proposed Amendments

1. Local Serving Data document proposed to be Rural Compatibility Data Document
2. Zoning Map Amendment for two Parcels for Vertical Consistency
3. Update other Use Classification Definitions and Supplemental Use Regulations, for example:
  - A. Community Care
  - B. Informational Displays
  - C. Ag Sales and Nurseries
  - D. Wineries\*

## PREVIOUSLY REVIEWED IN 2016

4. Fixed Threshold instead of Living Threshold– 10 years minimum.
5. Clarify Building Square Footage/Floor Area definition to be consistent
6. Clarify Double-Height Provisions (Spaces with ceiling height 15 ft or higher)
7. Clarify how Mixed Uses are Treated

# Wineries – Focused Outreach Feb 20th

1. Update definition to relate Wineries to Agriculture –
  - a. either on-site vineyards or processing locally grown grapes,
  - b. Industrial wineries – not allowed in rural areas.
  
2. Evaluate Reception and Event Uses – Possible Approaches
  - a. Subject Wineries to same standards as other assembly uses.
  - b. Subject other assembly uses, such as reception facilities and religious institutions the same flexibility as wineries.
  - c. An approach that does both – small-scale events are treated the same and allowed by right, larger scale events require use permits.

# Uses with Existing Different Standards (not proposed to be amended)

1. Community Care – Expanded – Supplemental Use Regulations Section 4.10.090
2. Manufacturing – Small Scale Rural – Capped at 2,400 sq. ft. of manufacturing use
3. Restaurant & Bars – Limited and Full Service – Capped at 1,200 sq. ft.
4. Retail Sales & Services – Local Serving – Capped at 1,200 sq. ft.

# Next steps

February 13<sup>th</sup>, 14<sup>th</sup>, and 19<sup>th</sup> – Community Outreach Meetings

February 20<sup>th</sup> – Focused Outreach Meeting with Wineries

February 27<sup>th</sup> – San Martin Planning Advisory Committee

February 28<sup>th</sup> – Planning Commission Public Hearing

March – SMPAC and PC - Public Hearings, if needed

April – Board of Supervisors Public Hearing

# Resources:

## Project Webpage:

[https://www.sccgov.org/sites/dpd/PlansOrdinances/Studies/Pages/zo\\_amendments.aspx](https://www.sccgov.org/sites/dpd/PlansOrdinances/Studies/Pages/zo_amendments.aspx)

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Questions and Comments