

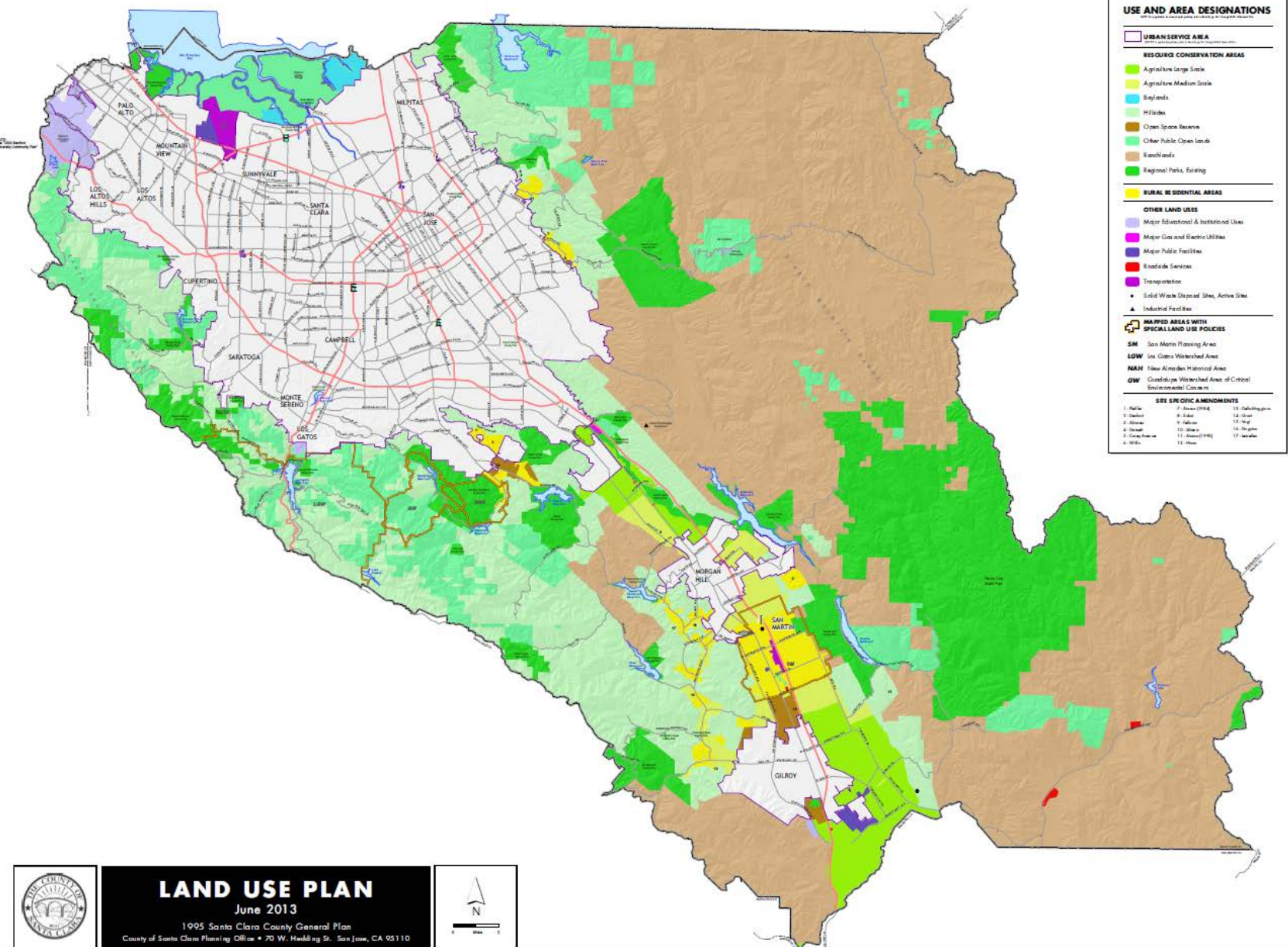
Feb 2019 Community Outreach: Zoning Amendments for Non- Residential Uses in Rural Areas

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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

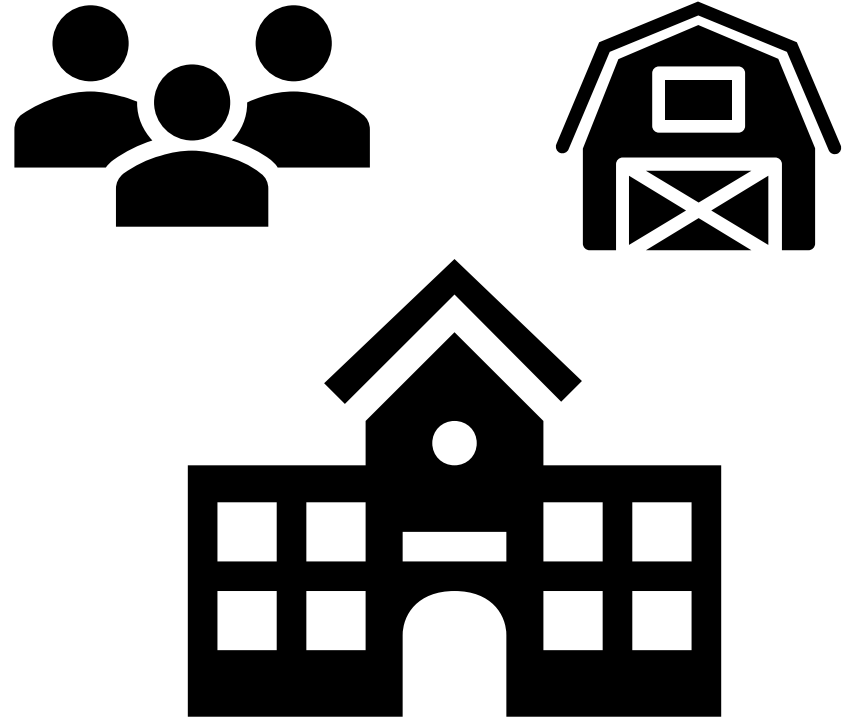
Golf Courses

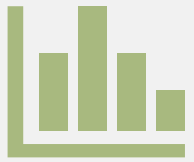
Reception Facilities

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



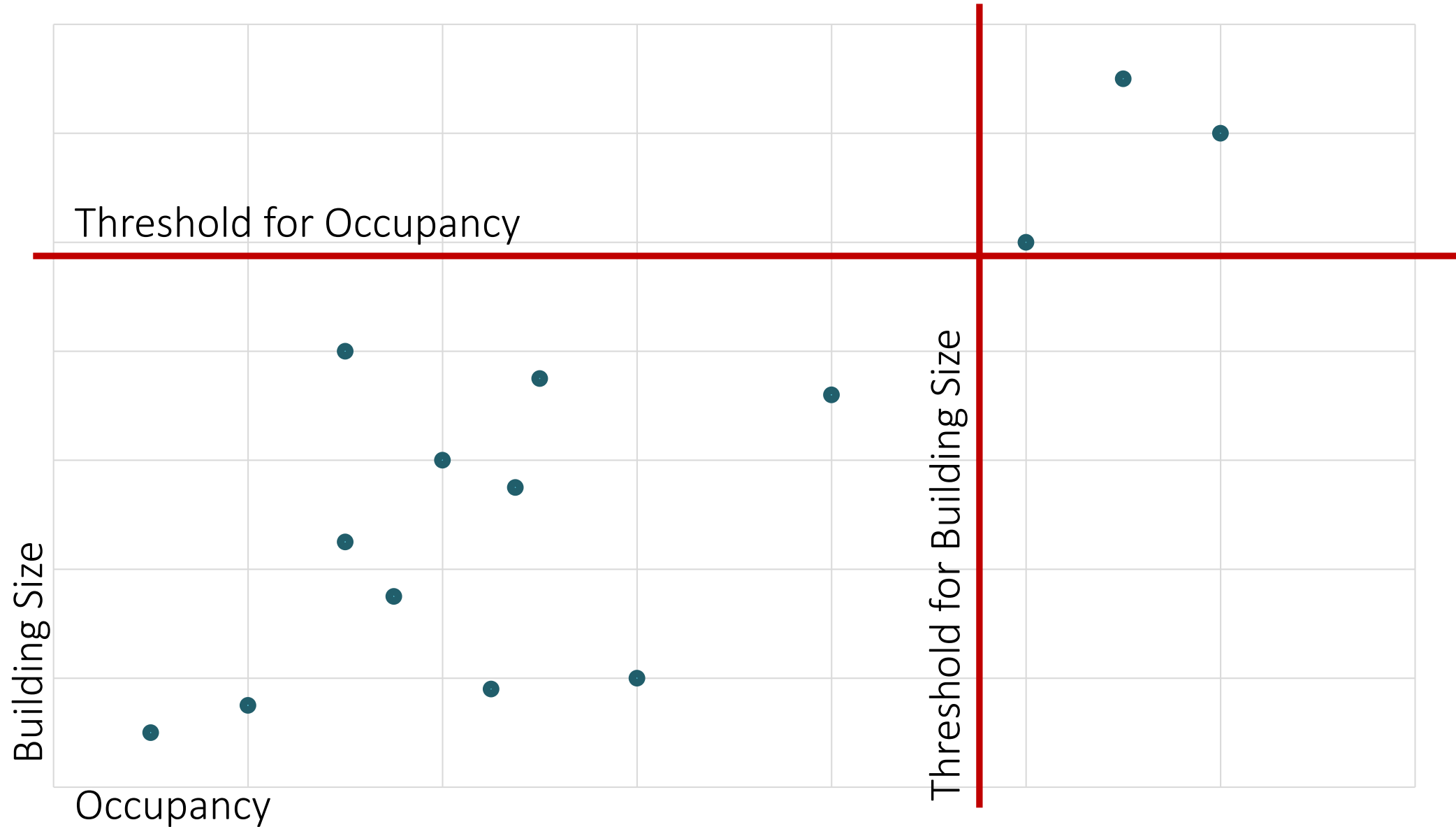
Established a 75th Percentile (3rd
Quartile) Living Threshold



Identified Additional Criteria and
Findings (Section 2.20.090)

Adopted Local- Serving Provisions in 2015

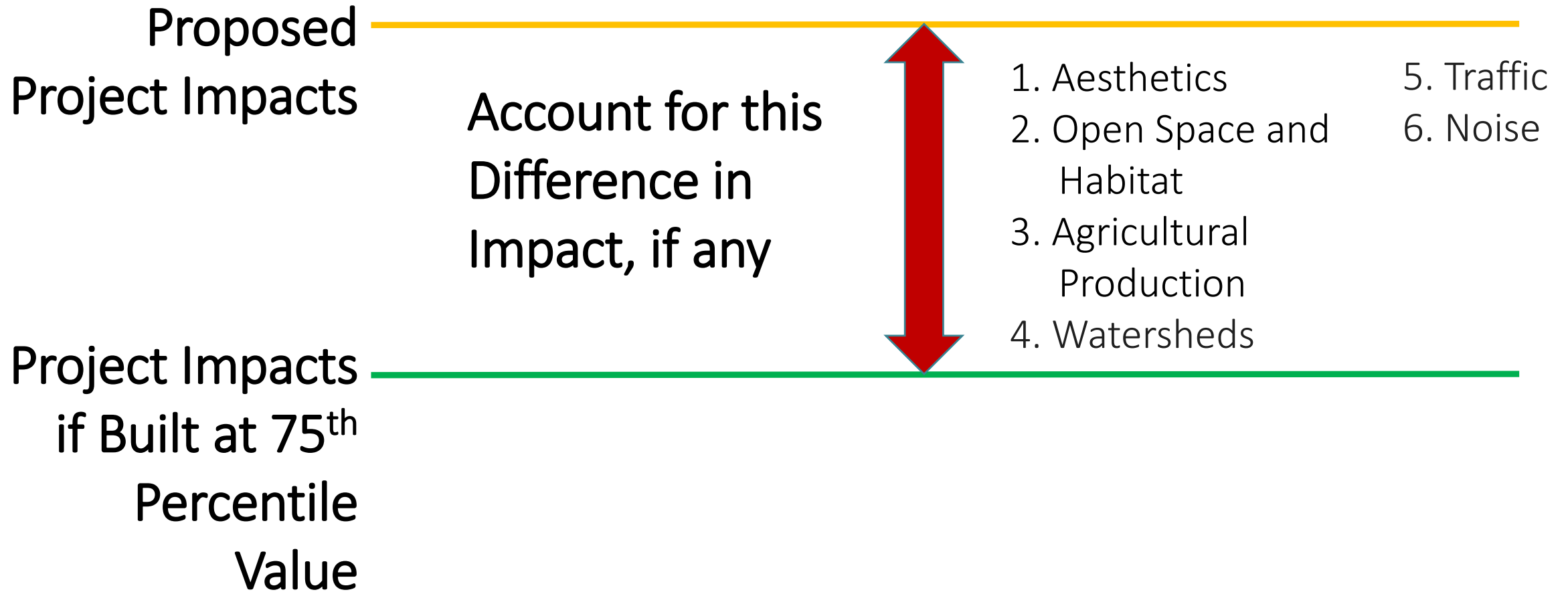
Concept behind Historic Data and Thresholds



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 th 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 th 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 & Nonprofit Hospitals & Clinics Nonprofit Institutions Religious Institutions Schools</p>	<p>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</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 & Nonprofit Hospitals & Clinics Nonprofit Institutions Religious Institutions Schools</p>	<p>Agricultural Sales - Farmers' Markets Bed & Breakfast Inns Butcheries Cemeteries Historic Structures – Use Conversion Kennels-Commercial Museums Nurseries-Retail Reception Facilities Recycling Facilities – Composting & Wood Recycling Rodeos & Equestrian Events Stables-Commercial Veterinary Clinics & 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	

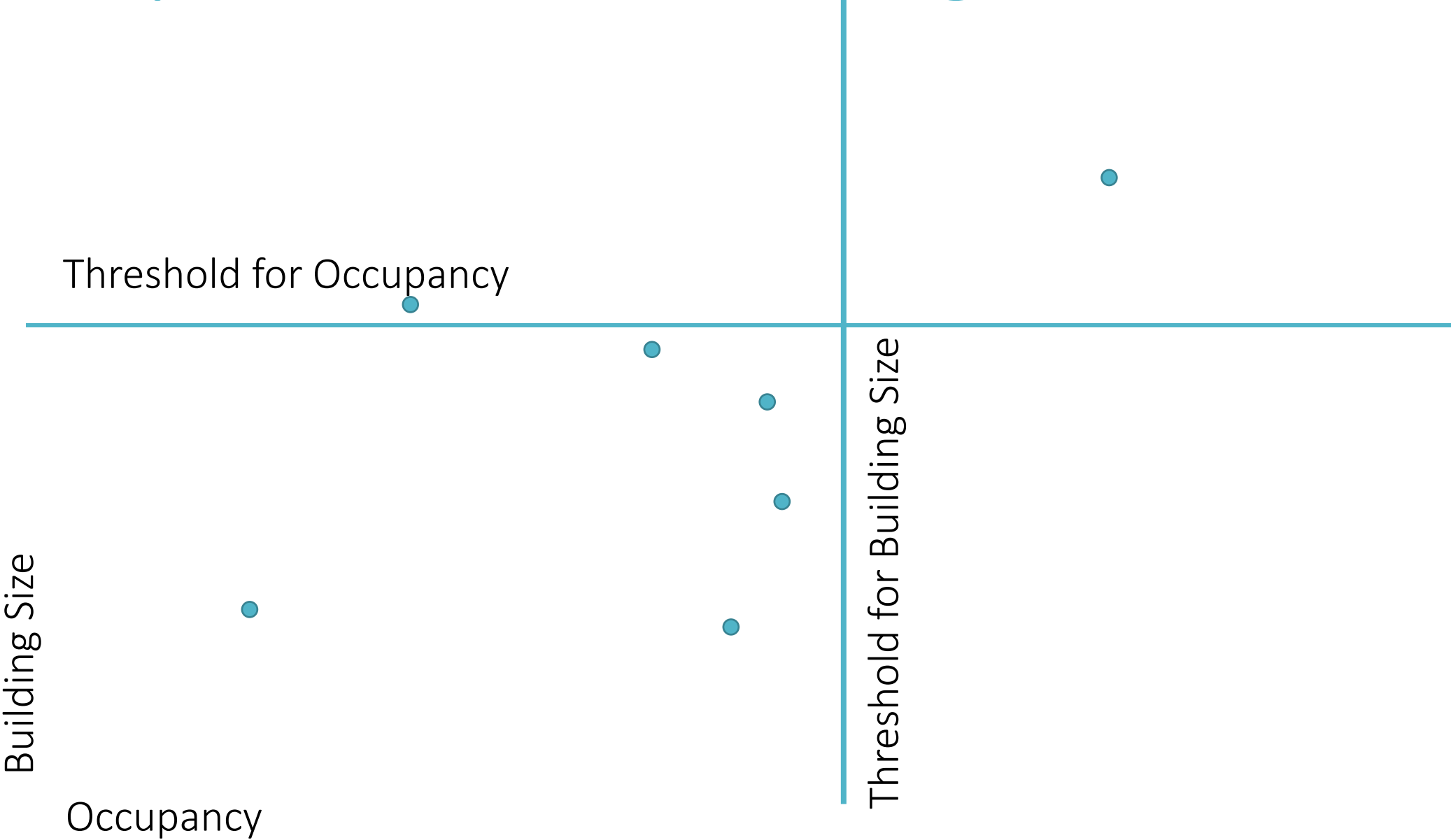
Apply Existing ZO Section 2.20.090 (AR, HS, and RR)

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

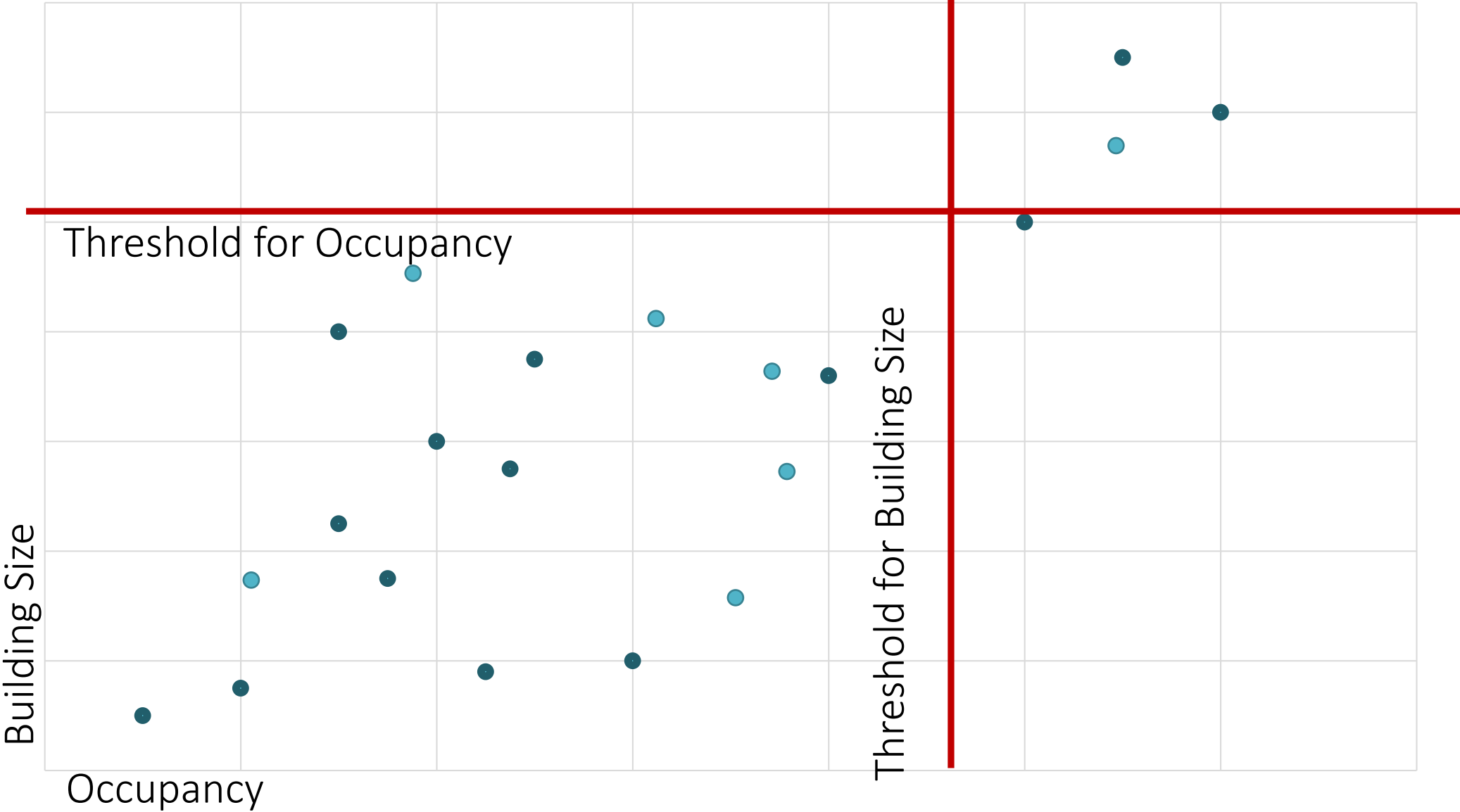
- B. Above Threshold –Evaluate

- C. Required Finding

Update Data and Resulting Thresholds



Update Data and Resulting Thresholds



Existing and Proposed Thresholds (AR)

	75 th 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 th 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 th 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 th 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 13th, 14th, and 19th – Community Outreach Meetings

February 20th – Focused Outreach Meeting with Wineries

February 27th – San Martin Planning Advisory Committee

February 28th – 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

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Questions and Comments