

**AGENDA
REGULAR MEETING
Wednesday, October 9, 2002
1:15 p.m.**

Chambers of the Board of Supervisors
70 West Hedding Street, First Floor, East Wing
San Jose, CA 95110

CHAIRPERSON: Linda J. LeZotte
COMMISSIONERS: Blanca Alvarado, Donald F. Gage, Suzanne Jackson, Susan Vicklund-Wilson
ALTERNATES: Patricia Figueroa, Pete McHugh, Chuck Reed, Mary Lou Zoglin

The items marked with an asterisk (*) are included in the Consent Agenda and will be taken in one motion. At the beginning of the meeting, anyone who wants to discuss a consent item should make a request to remove that item from the Consent Agenda.

If you wish to participate in the following proceedings, you are prohibited from making a campaign contribution of more than \$250 to any commissioner or alternate. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until three months after a final decision is rendered by LAFCO. No commissioner or alternate may solicit or accept a campaign contribution of more than \$250 from you or your agent during this period if the commissioner or alternate knows, or has reason to know, that you will participate in the proceedings. If you or your agent have made a contribution of more than \$250 to any commissioner or alternate during the twelve (12) months preceding the decision, in the proceeding that commissioner or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the commissioner or alternate returns the campaign contribution within thirty (30) days of learning both about the contribution and the fact that you are a participant in the proceedings.

1. ROLL CALL

2. PUBLIC PRESENTATIONS

This portion of the meeting is reserved for persons desiring to address the Commission on any matter not on this agenda. Speakers are limited to **THREE** minutes. All statements that require a response will be referred to staff for reply in writing.

3. APPROVE MINUTES OF AUGUST 14, 2002 MEETING

PUBLIC HEARINGS

4. CITY OF SAN JOSE 2002 URBAN SERVICE AREA (USA) AMENDMENT

(Continued from August 14, 2002 meeting)

A request by the City of San Jose to expand its USA to include the following four areas:

Area A - 17-acre portion of APN 015-40-005 located at the western terminus of Dixon Landing Road;

Area B - 8-acre portion of APN 652-08-009 located on Murillo Avenue, opposite of Groesbeck Hill Park;

Area C - 8-acre portion of APN 654-03-009 located about 1,070 feet east of Murillo Avenue and 380 feet north of Quimby Road; and

Area D - 9-acre portion of APN 678-13-013 located on the northeast side of Piercy Road and about 400 feet west of Tennant Avenue.

Possible Action: The City of San Jose has requested a further continuance to the December LAFCO meeting to be able to provide all necessary information for processing application.

5. GILROY 1999 USA AMENDMENT: GILROY SPORTS PARK

(Continued from the June 13, 2002 and August 14, 2002 meeting)

A request by the City of Gilroy to include into its USA, 140 acres comprising the Sports Park and adjacent commercial and residential properties located West of Monterey Road and South of Luchessa Avenue, and potential annexation of three parcels (APNs 808-21-030, 808-21-028, and 808-21-026) that comprise the Sports Park.

Possible Action: Consider the USA amendment and/or potential annexation of the three parcels that comprise the Sports Park.

6. COMMENTS ON THE COUNTY'S ANALYSIS OF POSSIBILITY OF ALLOWING URBAN SCALE LARGE GROUP ASSEMBLY FACILITIES (LGAF) IN RURAL UNINCORPORATED AREAS

Consider and accept LAFCO staff report.

Possible Action: Authorize staff to submit comments on the County's analysis of possibility of allowing LGAFs in rural unincorporated areas of Santa Clara County.

7. REPORT ON WEST LOYOLA ANNEXATION & SEWER PROJECT

(Continued from August 14, 2002 meeting)

Possible Action: Accept staff report

8. LAFCO ANNUAL REPORT (Fiscal Year 2001-2002)

(Continued from August 14, 2002 meeting)

Possible Action: Accept July 2001-June 2002 LAFCO Annual Report

9. EXECUTIVE COMMISSIONER'S REPORT

(Continued from August 14, 2002 meeting)

9.1 Greenbelt Alliance's Coyote Valley Visioning Project (CVVP)

Invitation to participate on the CVVP Partnership Committee

Possible Action: Authorize staff to participate on CVVP Partnership Committee

9.2 2002 CALAFCO Annual Conference (November 13-15, 2002)

Possible Action: Authorize staff and interested Commissioners to attend the conference and authorize travel expenses funded by the LAFCO budget

9.3 CALAFCO Executive Board Nominations

10. PENDING APPLICATIONS

There are no pending applications

11. WRITTEN CORRESPONDENCE

11.2 Newspaper Articles

12. ADJOURN

Adjourn to the next regular business meeting on Wednesday, December 11, 2002.

NOTE TO COMMISSIONERS:

Upon receipt of this agenda, please contact Emmanuel Abello, LAFCO Clerk at (408) 299-5088 if you are unable to attend the LAFCO meeting.

In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Clerk of the Board's Office 24 hours prior to the meeting at (408) 299-4321, TDD (408) 993-8272.

SANTA CLARA COUNTY
Local Agency Formation Commission

MINUTES

WEDNESDAY, AUGUST 14, 2002

1. ROLL CALL

The Local Agency Formation Commission (LAFCO) of Santa Clara County convenes this 14th day of August 2002 at 1:19 p.m. in the Chambers of the Board of Supervisors, County Government Center, 70 West Hedding Street, San Jose, California, with the following members present: Chairperson Linda J. LeZotte, and Commissioners Donald Gage, Suzanne Jackson and Susan Vicklund-Wilson. Commissioner Wilson states that in order to avoid a conflict of interest, Commissioner Patricia Figueroa will represent her during the hearing for the Gilroy 1999 Urban Service Area (USA) Amendment (Gilroy Sports Park). Supervisor Alvarado is absent.

The LAFCO staff in attendance include Neelima Palacherla, LAFCO Executive Officer; Lizanne Reynolds, LAFCO Counsel; Dunia Noel, LAFCO Analyst; and, Ginny Millar, LAFCO Surveyor.

The meeting is called to order by Chairperson LeZotte and the following proceedings are had, to wit:

2. PUBLIC PRESENTATIONS

There is no public presentation.

3. APPROVE MINUTES OF JUNE 13, 2002 MEETING

On motion of Commissioner Gage, seconded by Commissioner Wilson, it is ordered on a vote of 3-0, with Commissioner Jackson abstaining and Commissioner Alvarado absent, that the minutes of June 13, 2002 meeting be approved, as submitted.

4. APPROVAL OF CONSENT CALENDAR

On motion of Commissioner Gage, seconded by Commissioner Wilson, it is unanimously ordered on a vote of 4-0, with Commissioner Alvarado absent, that the consent calendar be approved.

4.1* CUPERTINO SANITARY DISTRICT, VERDE VISTA No. 13

On motion of Commissioner Gage, seconded by Commissioner Wilson, it is unanimously ordered, on a vote of 4-0, with Commissioner Alvarado absent, that the

annexation of a 1.09 acre property located at 20520 Verde Vista Lane to the Cupertino Sanitary District, designated as Verde Vista No. 13 be approved (Resolution No. 0210), and the protest proceedings be waived.

PUBLIC HEARINGS

5. RECONSIDERATION OF MORGAN HILL 2001 USA AMENDMENT: AREA 1 - SUNNYSIDE AVENUE (STODDARD)

This being the time and place set for public hearing to consider a request by Roberta and Richard Stoddard, property owners, to reconsider the application by the City of Morgan Hill to amend its USA to include Area 1 (Sunnyside Avenue), Chairperson LeZotte declares the hearing open.

Neelima Palacherla states that the reconsideration is a two-step process for which the Commission may decide whether to (a) accept the request, and (b) if accepted, hold the public hearing after this item, or continue to the October 9, 2002 meeting as requested by the applicant's counsel. In response to an inquiry by Commissioner Gage, Ms. Palacherla advises that the basis for the denial still exists because Morgan Hill continues to have more than five years supply of vacant residential land.

Catherine Abate, adjacent property owner, citing her letters to LAFCO dated June 10 and August 12, 2002, indicates that she objects to the reconsideration because the City's approval of the application stipulated that there will be no road connection to Sunnyside Avenue.

In response to an inquiry by Commissioner Gage, Ms. Lizanne Reynolds responds him that the motion for reconsideration must be supported by new or different facts that could not have been presented previously.

Richard Stoddard, property owner, states that the City will benefit because of a new road, water system and utilities and that a new road connection will have a four-way intersection at Sunnyside Avenue to ease traffic flow. In response to an inquiry by Commissioner Wilson, Mr. Stoddard states that this is a new information because it was not yet decided where to build the road, and that the City already benefited from the project with a storm drain system. Commissioner Jackson notes that there is no new information to warrant reconsideration.

Receiving no further request from the public to speak, the Chairperson orders that the hearing be closed.

On motion of Commissioner Wilson, seconded by Commissioner Jackson, it is unanimously ordered that the request for reconsideration for the Morgan Hill 2002 USA Amendment -Area 1 (Sunnyside Avenue) be denied.

On the inquiry of Bruce Tichinin, legal counsel for the landowners, Ms. Reynolds states that the resolution was prepared after the Commission voted on June 13, 2002 and that the resolution on the denial has been adopted as reflected in the Minutes of the June 13, 2002 meeting. Ms. Palacherla adds that after the Commission votes, a resolution will be drafted by staff and signed by the Chairperson.

6. CITY OF SAN JOSE 2002 USA AMENDMENT

Ms. Palacherla advises that the City of San Jose has requested that LAFCO continue the hearing to October 9, 2002 to complete the filing requirements.

On motion of Commissioner Jackson, seconded by Commissioner Gage, it is unanimously ordered, on a vote of 4-0, with Commissioner Alvarado absent, that the discussion on the San Jose 2002 USA Amendment be continued to the October 9, 2002 meeting.

7. GILROY 1999 USA AMENDMENT: GILROY SPORTS PARK

Commissioner Pat Figueroa assumes representation for Commissioner Wilson.

This being the time and place set for public hearing to consider the Gilroy 1999 USA Amendment (Gilroy Sports Park), Chairperson LeZotte declares the hearing open.

Ms. Palacherla reports that the City of Gilroy applied to include the Gilroy Sports Park and the adjacent parcels in June 1998. However, at that time LAFCO staff had requested that the environmental analysis reflect the proposed land use designation in the City's General Plan. The City conducted the analysis and resubmitted the application in April 2002. She states that the City is proposing to expand its USA to include five parcels for the Sports Park, totaling 85 acres; 3 parcels for a residential neighborhood, totaling 28 acres; and 6 parcels for commercial development, totaling 27 acres. She reports that development of the Sports Park could take place in the County without LAFCO approval and that the City would like to include it within its jurisdiction to enable the City to benefit from property tax exemption and provide services directly to the facility. She notes that the City proposes to also include the adjacent lands to make the Sports Park contiguous to the City boundaries.

Ms. Palacherla advises that staff recommends denial of the inclusion of these areas into USA because (a) the proposed project would convert about 140 acres of prime agricultural lands to urban uses, (b) it may encourage development of the lands to the west and the south of the Sports Park, and (c) the City has over nine years supply of residential land and over 18 years of commercial lands within its boundaries. Instead, she proposes that the three Sports Park parcels be included within the City limits pursuant to Government Code Section 56742 which allows non-contiguous properties to be annexed if owned by the City and are used for municipal purposes. She further proposes that the annexation of the three Sports Park parcels under this provision be conditioned on the City (a) applying a pre-zoning designation, and (b) implementing its mitigation measures for the loss of agricultural lands. She advises that the City's Environment Impact Report (EIR) identifies two potentially significant impacts: (1) the loss of prime agricultural resources, and (2) exterior traffic noise, and it further stated that the agricultural preserve would serve as partial mitigation for the loss of agricultural lands. She points out that since the City's General Plan removed 660 acres of prime agricultural lands from the agricultural preserve, the mitigation no longer exists. She recommends that LAFCO impose substitute mitigation measures which are included in the City's General Plan: (a) purchase of an equal amount of prime agricultural land and to transfer its ownership to the Open Space Authority (OSA); (b) purchase of development rights on agricultural land within OSA and transfer of the rights to OSA; or (c) payment to the OSA of an amount equal to the above in lieu of a purchase. Ms. Palacherla advises that the hearing may be continued to October 9, 2002 to allow time to evaluate the feasibility of mitigation measures. She concludes by stating that staff recommends that the Commission (a) deny the Gilroy 1999 USA amendment, and (b) approve the annexation of the Sports Park to the City pursuant to Government Code Section 56742, conditioned on application of a pre-zoning designation and implementation of mitigation measures for loss of agricultural lands.

William Faus, Planning Manager, City of Gilroy, directs attention to two maps, one depicting the 14 parcels proposed for annexation in terms of the residential and commercial developments in the area. He continues by noting that the second map illustrates the Sports Park in relation to the entire city. He states that the Sports Park is a long term project which is consistent with LAFCO policy, particularly Item "6-b", which allows the conversion of lands other than open space uses to promote orderly

and efficient growth of a city. He adds that the Sports Park is part of a linear park system and park preserves (e.g., nature parks, soccer, football fields etc.), from U.S. Highway 101 to U.S. Highway 152.

Tom Springer, Mayor, City of Gilroy, requests approval of the USA amendment because the City is willing to mitigate its negative impacts by building sound barriers along Luchessa Avenue, and, as an added mitigation, de-annex lands in the two flag-shaped territories within the city limits, with a combined area of about 63 acres. He also states that the annexation will not generate pressure for premature land conversions to the south and west of the Sports Park because the City Council has recently rejected a proposal for a housing development in that area. He continues by stating that the commercial area to the east will serve the needs of visitors to Sports Park and generate the revenues needed to support the operation of the facility.

Sam Chuck, owner of an adjacent property, directs attention to an aerial map and states that an island will be created if only the Sports Park is annexed.

Michael McDermott, a member of the Barberi family, requests the inclusion of the Barberi property because it complements the Sports Park, the City is able to provide services, it is directly adjacent to the present city USA boundary, and is within the City's Sphere of Influence. He also notes that it is in line with Gilroy's General Plan because of the planned development in that area, and agrees with LAFCO policies because it will improve the USA boundary of Gilroy.

William Lindsteadt, Executive Director, Gilroy Economic Development Corporation, expresses support for the inclusion of the properties around the Sports Park because the facility is funded by local tax dollars, and because it will fill in the open space in the City limit and remove the hazards of farming in the area.

Frank Caliri, landowner, reads a letter from Daniel Fiorio, a farmer, requesting approval and stating that he farmed the area for the past 10 years and finds that it is no longer suitable for agriculture.

Richard Barberi, landowner, reads a letter from Dirk Buchser, a landowner, stating that specialty-niche agriculture, direct marketing of products and agro-tourism are no longer profitable due to the objections by neighboring businesses to the order and by-products generated by agriculture.

Anna Barberi, landowner, advises that agriculture is not viable on her property because the 100 feet restriction in the application of pesticides along the Monterey Road

has reduced the amount of farmland by four acres, and the same restriction on the boundary with the Sports Park would further reduce the farmland by another eight acres. She also expresses concern for the safety of the children coming into the farm from the Sports Park.

Bill Blocher, landowner, requests for the inclusion of his 12-acre property because it is no longer viable to farm because it is surrounded by developed areas, after substantial portions were taken away for U.S. Highway 101, the Santa Clara Valley Water District (SCVWD) and the Sports Park.

James Blocher, landowner, reads a letter from Scott Lynch, owner of Bob Lynch Ford car dealership, stating that the Blocher property should be annexed to eliminate chemical-laden dust that impacted the car dealership since 1969 and which may endanger the children in the Sports Park.

Ralph Santos, a local farmer who farmed both the Barberi and Blocher properties, states that the parcels are no longer suited for agriculture because they are small and facilities like cold storage are expensive and require large spaces, and their proximity to the Sports Park will increase the likelihood of vandalism of farm equipment.

Connie Rogers, Save Open Space-Gilroy, states that she supports the annexation of only three Sports Park parcels because the City's General Plan already acquired 660 acres and the City has enough inventory of residential and commercial lands. She also points out that the Sports Park can coexist with agriculture.

Anne Crealock, Greenbelt Alliance, notes that the Commission should be carefully consider the type of land being traded by the City to mitigate the loss of prime agricultural land and adds that creating an island by including only three Sports Park parcels is the least destructive choice.

Craig Breon, Executive Director, Santa Clara Valley Audubon Society, commends the staff for the recommendation and addressing such a complicated issue. He states that the annexation of only the Sports Park parcels creates an island, however, it fits into the parameters of Government Code Section 56742. He notes that some of the lands around the Sports Park may be annexed in 10 or 25 years, however, they are not needed at this time. He proposes that a timeline be established for the mitigation measures. Finally, citing the comments of the farmers who spoke against agriculture, he states that the issue of agricultural viability is difficult to determine in the absence of a large scale study in this region.

Receiving no further requests from the public to speak, the Chairperson orders that the hearing be closed.

Commissioner Gage notes that these lands are no longer viable for agriculture due to the proximity to developed areas and restrictions on chemical use reduce the amount of land that can be farmed. He comments on a case where Gilroy residents mistook the smell of tomatoes for sewage odor. He also comments on a 10-acre development-locked property near a hospital and the Outlets that cannot be farmed. Commissioner Jackson asks about the other parcels around the Sports Park and Ms. Palacherla advises that a strip of land near the Sports Park is owned by SCVWD and will continue to be unincorporated. Commissioner Jackson informs the Commission that there is a gas tank in that area which may endanger the safety of the nearby homes. In response to an inquiry of Commissioner Figueroa, Ms. Palacherla reports that staff did not propose a timeline for the implementation of mitigation measures because the City Council is yet to take up the matter, and that the annexation will not be recorded until the mitigation has been complied with. Ms. Reynolds expresses agreement with Ms. Palacherla's statement.

In response to an inquiry by Chairperson LeZotte, Ms. Palacherla advises that staff has not discussed with the City the possibility of a land swap as a mitigation measure, and that main reason for excluding the residential and commercial parcels is because the City has adequate vacant residential and commercial lands. Chairperson LeZotte comments that 35 acres of land is not a small amount of land to farm and adds that there is reason behind LAFCO policies which may be amended although they should not be violated. Commissioner Gage recommends that this item be continued to October 9, 2002, and Commissioners Jackson and Figueroa concur. Commissioner Gage notes that continuation of discussions will allow Commissioner Alvarado, who visited the area, to participate. Ms. Reynolds comments that the land swap and the mitigation of agricultural lands are two different issues, and Commissioner Gage states that the land swap will remove the "flags" and clean up Gilroy's boundary. Mayor Springer informs the Commission that the Gilroy City Council will take up on its September 2, 2002 meeting the required pre-zoning, mitigation of lands for the Sports Park, mitigation of the lands to the north and east of the Sports Park and consider the removal of two flag-shaped areas from the City limits. In response to an inquiry by Ms. Palacherla, Mayor Springer states that the third item will decrease Gilroy's supply of

vacant land, however, he notes that he cannot determine at this time what impact it will have on the City's five-year land supply.

On motion of Commissioner Gage, seconded by Commissioner Jackson, it is unanimously ordered, on 4-0 vote, with Commissioner Alvarado absent, that the hearing for Gilroy 1999 USA Amendment be continued to October 9, 2002 LAFCO meeting.

Commissioner Gage leaves at 3:07 p.m.

8. LAFCO SERVICE REVIEWS

Ms. Palacherla requests authority from the Commission for staff to conduct Service Reviews for (a) countywide fire services, (b) countywide water services, and (c) comprehensive service reviews for North County, South County, West Valley and Central County, and (e) establish priorities for Service Reviews in these sub-regions. On the query of Commissioner Jackson, Ms. Palacherla states there could be related studies undertaken by other agencies and organizations, however, these Service Reviews will be undertaken by LAFCO pursuant to the Cortese-Knox-Hertzberg Act.

Harold Topples, Cupertino Sanitary District, expresses concern that the Service Reviews may result in the District being made a subsidiary of the City of Cupertino. He informs the Commission that this may create problems because the District serves parts of Saratoga, Los Altos, Sunnyvale and incorporated areas of the County. By making the District's SOI co-terminus with Cupertino, the District will be prevented from providing sewer to additional households, particularly since there is no other agency capable of providing sanitary sewer service in the area.

On motion of Commissioner Jackson, seconded by Commissioner Figueroa, the staff recommendation is unanimously approved on a vote of 4-0, with Commissioner Alvarado absent.

Commissioner Jackson leaves at 3:12 p.m., and the Commission loses quorum.

Chairperson LeZotte requests public comment, and there are no requests to speak.

On order of the Chairperson, there being no objection, it is ordered that the following items be held to October 9, 2002:

Item No. 10: Report on West Loyola Annexation & Sewer Project

Item No. 11: LAFCO Annual Report (FY 2001-02)

Item No. 12: Executive Officer's Report

- Greenbelt Alliance's Coyote Valley Visioning Project
- CALAFCO Annual Conference (Nov. 13-15, 2002)
- CALAFCO Executive Board Nominations

Item No. 13: Pending Applications

Item No. 14: Written Correspondence

9. ADJOURNMENT

On order of the Chairperson, there being no objection, the meeting is adjourned at 3:14 p.m. to the next regular meeting to be held on Wednesday, October 9, 2002 at 1:15 p.m. in the Chambers of the Board of Supervisors, County Government Center, 70 West Hedding Street, San Jose, California.

Linda J. LeZotte, Chairperson
Local Agency Formation Commission

ATTEST:

Emmanuel Abello, LAFCO Clerk

Please refer to your August 14th LAFCO meeting packet for the following items:

- Item #7
- Item #8
- Item #9

October 1, 2002

TO: LAFCO
FROM: Neelima Palacherla, Executive Officer
SUBJECT: **Gilroy Urban Service Area Amendment (USA) - 1999
Gilroy Sports Park and Adjacent Areas**

Agenda Item # 5

Please see LAFCO staff report dated August 6 2002 and May 31, 2002 for staff recommendation, background and project analysis.

Based on the attached letter dated September 27, 2002 from the City of Gilroy (Attachment A), the City has completed pre-zoning of the 3 Sports Park parcels. City staff is currently working on the mitigation policies but do not have any specific timelines for their completion.

At this time, the Commission may consider the following four alternative actions:

1. Continue the project (with consent from the City) and work with the City to establish a future LAFCO hearing date that would allow the City enough time to provide the appropriate agricultural mitigation plan consistent with the City's General Plan policy.
2. Conditionally approve annexation of only the three (3) parcels with APNs 808-21-030, 808-21-0128 and 808-21-026 (LAFCO staff recommendation in August 6 staff report) pursuant to Government Code Section 56742 based on the City of Gilroy adopting (within the next 6 months) and implementing the appropriate agricultural mitigation plan consistent with the City's General Plan policy.

The CEQA actions* including the Statement of Overriding Considerations required for this action are included in the LAFCO Analyst's report dated August 6, 2002.

3. Conditionally approve expansion of the urban service area to include the Sports Park and adjacent parcels (808-21-018, 021, 009, 016, 029, 031) based on the City of Gilroy adopting (within the next 6 months) and implementing the appropriate agricultural mitigation plan consistent with the City's General Plan policy.

The CEQA actions* required for this action are included in the LAFCO Analyst's report dated August 6, 2002. The following statement of overriding consideration may be substituted for that included in the LAFCO Analyst's report dated August 6, 2002:

LAFCO finds that because of economic, social, and other considerations, the benefits of the project outweigh the unavoidable loss of prime agricultural land, the potential unavoidable loss of prime agricultural land on adjacent properties, the unavoidable impact of noise from the Sports Park at the adjacent planned residential area to the north, the unavoidable impact of noise from traffic on Monterey Road at the planned residential area west of Monterey Road, and the unavoidable impact of noise from traffic on Thomas Road-West Luchessa Avenue at the planned residential area south of West Luchessa Avenue.

First the proposed project will create a valuable and unique recreational and park resource not currently available to the public. Second, the project is in an area where urban services are immediately available.

4. Deny the project.

* For both actions 2 and 3, a Statement of Overriding Considerations is necessary because the project's agricultural and traffic noise impacts will remain significant despite the imposition of all feasible mitigation measures.



City of Gilroy

COMMUNITY DEVELOPMENT DEPARTMENT

Norman S. Allen, P.E., Director

Planning Division	(408) 846-0440	FAX (408) 846-0429
Engineering Division	(408) 846-0450	FAX (408) 846-0429
Building, Life & Environmental Safety Division	(408) 846-0430	FAX (408) 846-0429
Housing & Community Development	(408) 846-0290	FAX (408) 846-0429

September 27, 2002

Neelima Palacherla, Executive Officer
Local Agency Formation Commission
Santa Clara County, County Government Center
11th Floor, East Wing
70 West Hedding Street
San Jose, CA 95110

AGENDA ITEM #5 ATTACHMENT A

Re: Gilroy Urban Service Area Amendment

Dear Neelima,

I have attached a listing of the issues from the August 14 LAFCO hearing regarding the City's USA application. In response to LAFCO, the City has completed the following:

1. City staff has been meeting with the Open Space Authority and the Land Trust of Santa Clara County to begin preparing a policy for agricultural mitigation pursuant to the General Plan EIR. At this time, we do not have specific timelines for the completion and adoption of this program.
2. The City Council discussed the possible de-annexation of six parcels at their retreat on Friday, September 20. Of the six parcels, approximately half of the acreage would qualify as prime agricultural lands. City staff contacted the owners for their feedback on possible de-annexation. Based on a resounding opposition by the property owners, the City Council came to the consensus that the City would not proceed forward with de-annexation of these properties.
3. On September 3, 2002, the City Council voted to pre-zone the three parcels for the Sports Park facility (APN 808-21-026, 28, 030) to Park/Public Facility. The resolution is currently being prepared and will be available to send to you next week. The pre-zone for the adjacent parcels will be considered by the Planning Commission at a public hearing on October 3 and is scheduled for hearing with the City Council on October 7.

Based on our previous conversation regarding possible continuance of the City's USA request, the City of Gilroy requests that our application remain on the October LAFCO agenda for a final resolution of this matter.

If you have any questions or need any additional information, please feel free to contact William Faus or myself

Sincerely,

Cydney Casper
Planner II
ccasper@ci.gilroy.ca.us

cc: William Faus, Planning Manager

7351 Rosanna Street, Gilroy, CA 95020

AUGUST 14, 2002, LAFCO MEETING

Friday, September 27, 2002

At their August 14 meeting, LAFCO continued the City's Sports Park USA request [as well as a LAFCO annexation proposal] to October 9, 2002, in order to give the City sufficient time to address and respond to the following issues:

- 1 Provide LAFCO with a schedule for implementing the "agricultural" EIR mitigation measures, developed for the City's General Plan update. [specifically 4.4-A, 4.4-B, and 4.4-C]
- 2 Provide LAFCO with specific information [as well as an action plan] involving **63.69 acres**, two areas of the City that would be de-annexed under a proposal suggested by Mayor Tom Springer.

→ **North Monterey Road**, 2 parcels, totaling 30.74 acres
783-18-007, 15.372 ac. [Berns, San Jose]
783-18-008, 15.372 ac. [Berns, San Jose]

→ **East Leavesley Road**, 4 parcels, totaling 32.95 acres
835-15-024, 2.79 ac. [Berns, San Jose]
835-15-026, 2.79 ac. [Scheiza, Gilroy]
835-15-028, 13.686 ac. [Nakashima, San Jose]
835-15-053, 13.68 ac. [Nakashima, San Jose]

- 3 Complete the pre-zoning of the Sports Park and adjacent properties.
[note: adjacent properties would include: 808-21-018, 021, 016, 029, and 031]

It appeared that LAFCO might be in a position to reconsider re-consider adding the Sports Park properties, as well as the adjacent parcels, into the City's USA, [as well as potential Sports Park annexation] if the City is able to address the above three items.

October 10, 2002

TO: Santa Clara County Local Agency Formation Commission (LAFCO)
FROM: Neelima Palacherla, Executive Officer
SUBJECT: **Re: Comment Letter Concerning County Report Entitled "Analysis of the Possibility of Allowing Urban Scale, Large Group Assembly Facilities (LGAFs) in Rural Unincorporated Areas of Santa Clara County"**

Agenda Item # 6

RECOMMENDATION

1. Authorize staff to submit a comment letter on behalf of LAFCO to the County of Santa Clara in response to the County of Santa Clara's Report entitled "Analysis of Possibility of Allowing Urban Scale, Large Group Assembly Facilities (LGAFs) in Rural Unincorporated Areas of Santa Clara County."

PROJECT DESCRIPTION

The County Planning Office's Report (see Attachment A) entitled "Analysis of Possibility of Allowing Urban Scale, Large Group Assembly Facilities (LGAFs) in Rural Unincorporated Areas of Santa Clara County" does not include specific recommendations for LAFCO to comment on. Although the subject of the report is a potential change in County land-use policy, a change in County land-use policy could directly and/or indirectly impact LAFCO of Santa Clara County.

The Santa Clara County Board of Supervisor's Housing, Land Use, Environment, and Transportation (HLUET) Committee will be holding a special meeting regarding the Report on October 24th. Therefore LAFCO staff believes that it is appropriate to relay our initial concerns to the County at this time, prior to the development of recommendations.

Of particular concern to LAFCO is how a change in County land-use policy would impact the joint urban development policies adopted by LAFCO, the County, and the Cities, as well as, the Urban Service Area concept. Additionally, LAFCO is concerned about how a change in County land-use policy could potentially impact the type of applications before LAFCO, such as USA expansion requests and extension of service requests. LAFCO staff's specific comments are presented below (see "Staff Comments") for Commission review, comment, and authorization to submit these comments to the County for consideration at the October 24th HLUET meeting.

BACKGROUND

Origins of the County Study and Attached Report

In recent years, the County has received a number of inquiries concerning the development of large private schools, churches, and a number of other kinds of urban scale, large group assembly facilities (LGAFs) in rural unincorporated areas. Some of the organizations making these inquiries have been non-profit organizations that indicate their organizations and others like them have difficulty finding suitable, affordable sites within existing urban areas of Santa Clara County.

The County's current General Plan policies allow a wide variety of assembly uses but not at an urban scale. The County's basic urban development policies state that urban development should occur only in cities and not in rural unincorporated areas. LGAF proponents have asked the Board of Supervisors to consider amending the County's General Plan to provide opportunities so that they can develop in rural unincorporated areas.

The County Board of Supervisors asked the County Planning Office to prepare a report (see Attachment A) providing background information and policy options that would enable the Board to weigh the potential advantages and disadvantages of changing County policies to allow development of urban scale LGAFs in certain rural unincorporated areas. The Report does not include any staff recommendations. The Report was distributed to LAFCO and a number of other government agencies for their review and comment.

STAFF COMMENTS

LAFCO is Mandated by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000

The primary objectives of LAFCO as mandated by the State are to:

- Encourage the orderly formation of local government agencies,
- Preserve agricultural land resources and open space,
- Discourage urban sprawl, and
- Encourage the efficient provision of services

The current County, Cities and LAFCO joint urban development policies closely reflect these primary objectives.

Allowing Urban Scale LGAFs in Rural Unincorporated Areas Is Not Consistent with LAFCO Policies and the Urban Service Area Concept

It has been a longstanding LAFCO, County and Cities policy that urban development should occur within incorporated areas and that cities should plan for orderly urban development through the use of urban service area (USA) boundaries that would determine the timing and location for the most efficient extension of urban infrastructure and urban services. These policies serve as a keystone to other land development policies

in Santa Clara County. Therefore, allowing urban scale LGAFs in rural unincorporated area is not consistent with LAFCO policies and could result in the premature conversion of agricultural lands and open space, could encourage urban sprawl, and could potentially result in the inefficient provision of services.

Furthermore, allowing urban scale LGAFs in rural unincorporated areas that are outside of a City's USA would be contrary to the Urban Service Area (USA) concept. A city's USA boundary should provide through some combination of redevelopment, infill or expansion, sufficient land or development potential to accommodate five years of projected urban growth. The USA boundary may be amended as needed over time to allow annexation of lands deemed necessary to accommodate projected urban growth. Unincorporated areas outside a cities' USA area are intended for non-urban, low density uses. Therefore, Cities and the County should plan for urban scale LGAFs to occur within incorporated areas and/or areas within a city's USA.

Cities and Special Districts Cannot Provide or Extend Services to LGAFs Located Outside of Their Boundaries Without LAFCO Approval

Under Government Code 56133(a), "a city or special district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the LAFCO in the affected county." State Law (Government Code 56133) and Santa Clara LAFCO policies require annexation prior to extension of services beyond an agency's boundaries. Furthermore, State Law, with very narrow exceptions, prohibits the extension of services beyond an city's or agency's sphere of influence.

County Should Carefully Consider the Long-Term Viability of Onsite Services for Urban Scale LGAFs in the Rural Unincorporated Area

The Report highlights some of the difficulties of identifying potential sites for an urban scale LGAFs in the unincorporated area of the County. The physical, health, and safety constraints present in the rural unincorporated areas combined with the lack of critical infrastructure (public sewer and water) make locating LGAFs in the rural area extremely difficult. Even if LGAFs are allowed in situations where essential services (septic system, water, etc.) can be provided onsite by the property owner/user, the long-term viability of such onsite systems may be questionable for such urban scale LGAFs. Therefore, the County should consider how the County would deal with approved/developed LGAFs that no longer can provide those essential services (septic system, water) onsite due to environmental constraints.

Failure of these essential onsite services (septic system, water) would result in landowners seeking replacement services from a nearby city or special district. The extension of these replacement services could have growth inducing impacts on the adjacent and surrounding area and could result in the premature conversions of agricultural lands and open space, urban sprawl and the inefficient provision of services.

Therefore, the County should carefully evaluate the long-term viability of urban scale LGAFs in the rural unincorporated area and not just the current viability of urban scale LGAFs.

Conclusion

Allowing urban scale LGAFs in rural unincorporated areas is not consistent with longstanding LAFCO, County, and Cities urban development policies and the urban service area (USA) concept. If these urban scale LGAFs were to need service extensions in the future, LAFCO would require annexation prior to approving those extensions of services. One of the many requirements for annexation is that the lands must be within a city's USA to be considered for annexation. Therefore allowing urban scale LGAFs in rural unincorporated areas is not consistent with various LAFCO policies (annexation, urban service area, and out-of-agency contract for services).

Attachment

Attachment A - "Analysis of the Possibility of Allowing Urban Scale, Large Group Assembly Facilities (LGAFs) In Rural Unincorporated Areas of Santa Clara County"

**ANALYSIS OF THE POSSIBILITY OF
ALLOWING URBAN SCALE,
LARGE GROUP ASSEMBLY FACILITIES (LGAFs)
IN RURAL UNINCORPORATED AREAS OF SANTA CLARA COUNTY**

**Findings and Policy Options
for Consideration by the Santa Clara County
Board of Supervisors**

**PUBLIC REVIEW DRAFT
FOR YOUR REVIEW AND COMMENT**

*See pages 3 and 4 for information regarding how you can
submit comments regarding this draft report.*

Santa Clara County Planning Office

September 2002

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FOR YOUR REVIEW AND COMMENT

Purpose of This Report

This draft report was prepared, at the request of the Santa Clara County Board of Supervisors, to provide information about issues relating to potential changes in basic County land use policies that would allow urban scale, large group assembly facilities (e.g. private schools, churches, conference centers, etc.) in certain rural unincorporated areas.

The areas included in this study are: a portion of the Coyote Valley; South Almaden Valley; the South Valley around the cities of Morgan Hill and Gilroy; and the unincorporated community of San Martin.

Distribution of This Draft Report

This draft report is being distributed for review and comment to organizations, agencies, and concerned individuals as a way of verifying, correcting, and supplementing the preliminary information gathered by County Planning Office staff and summarized in this report – and for obtaining input regarding the preliminary policy issues and options it contains. Based on the comments received, staff will prepare a revised version for consideration by the Board of Supervisors.

In addition to distributing printed copies of this report to various organizations and agencies, the County Planning Office has posted this report on its website (www.sccplanning.org) in PDF format that can be downloaded and printed using Adobe Acrobat Reader software, which is available free at www.adobe.com.

Preliminary List of Policy Questions and Options

This report contains a list of basic policy questions and options for community and Board of Supervisors consideration. They are presented in summary diagram form in Appendix B and addressed in somewhat greater detail in the “Policy Issues and Options” chapter.

No Staff Recommendations

Planning Office staff is making no policy recommendations at this time. After receiving further input staff will prepare a revised report with its recommendations for consideration by the Board of Supervisors.

Distribution to Government Agencies

In addition to being distributed to a number of community organizations that may have an interest in the LGAF issue, this report is being distributed for review and comment to a number of government agencies and organizations, including:

- Agencies responsible for providing services to development in rural unincorporated areas
- Agencies whose regulatory responsibilities may affect LGAFs
- Agencies whose services or facilities might be impacted by LGAFs in rural areas
- Agencies with planning or growth management responsibilities within this LGAF study area, and
- Cities whose existing facilities and future growth options may be impacted by LGAFs developed in rural unincorporated areas

Opportunities and Avenues for Your Input

On Thursday, October 24th, a special meeting regarding this report will be held by the Santa Clara County Board of Supervisors' Housing, Land Use, Environment, and Transportation (HLUET) Committee. The meeting will be held at 9:30 am in the Isaac Newton Sentor Auditorium located on the first floor in the County Administration Building at 70 W. Hedding Street in San Jose.

You may present your comments in person to the HLUET Committee at that meeting, or you may submit your comments in writing prior to the meeting.

To be included in the HLUET packet for the meeting on October 24th, your written comments need to be received by the County Planning Office no later than noon on Friday, October 18th.

Written comments regarding this draft may be submitted in any of the following ways:

- By mail: LGAF Comments, Santa Clara County Planning Office, 70 W. Hedding Street, San Jose CA 95110
- By fax: (408) 288-9198 (Attn: LGAF Comments); or
- By email: Christopher.Golden@pln.co.santa-clara.ca.us (Note: There is a hyphen between "santa" and "clara" in this email address.)

INTRODUCTION

Origins of This Study

In recent years, the County has received a number of inquiries concerning the development of large private schools, churches, and a number of other kinds of urban scale, large group assembly facilities (LGAFs) in rural unincorporated areas.

Some of the organizations making these inquiries have been non-profit organizations that indicate their organizations and others like them have difficulty finding suitable, affordable sites within existing urban areas of Santa Clara County. They emphasize various benefits the community receives through services and programs their organizations provide.

The County's current General Plan policies allow a wide variety of assembly uses but not at an urban scale. The County's basic urban development policies state that urban development should occur only in cities and not in rural unincorporated areas. LGAF proponents have asked the Board of Supervisors to consider amending the County's General Plan to provide opportunities so that they can develop in rural unincorporated areas.

The Board of Supervisors asked the County Planning Office to prepare this report providing background information and policy options that would enable the Board to weigh the potential advantages and disadvantages of changing County policies to allow development of urban scale LGAFs in certain rural unincorporated areas.

Geographic Areas Included in Study

The Board directed County Planning Office staff to focus its study on a portion of the Coyote Valley; South Almaden Valley; the South Valley around the cities of Morgan Hill and Gilroy; and the unincorporated community of San Martin.

The Board expressly excluded from the study area the portions of the Coyote Valley designated as "Greenbelt" in the City of San Jose's General Plan. The Board also did not include hillside areas where issues such as access, geologic hazards, fire safety, visual impacts and others become more significant.

Unincorporated urban pockets were excluded because County policies call for these areas to be annexed into their surrounding cities when they are developed or substantially redeveloped. Please see the attached map which depicts the geographic focus of this study.

Study Results

This report was designed to provide information and provide a framework for decision making. No staff recommendations are being made at this time.

FINDINGS

This chapter presents the staff findings concerning large group assembly facilities, the current constraints to their development in rural unincorporated areas of the county, and various other related topics.

LGAFs – An Overview

Defining the Term “Large Group Assembly Facilities” (LGAFs)

County land use policies allow a limited range of small scale, low intensity assembly facilities in most rural land use designations. The types of uses include educational, religious, cultural, outdoor recreation and entertainment. Actual land use policies vary among the different designations. (Subsequent sections of this report contain text of some of the more relevant County policies and regulations.)

However, the common theme among the regulations is that these types of uses must:

- Have small structures
- Attract small numbers of people
- Serve a rural population

In contrast, large group assembly facilities have the following common characteristics.

- Attract large numbers of people
- Serve a large population, drawing from the urban population as well as the rural population.

The term “large group assembly facilities,” abbreviated LGAFs and pronounced EL’ GAFFS, was created by County Planning Office staff as a way of referring collectively to these uses.

An LGAF Classification System

The Board of Supervisors requested the Planning Office to inquire of and interview organizations that might be interested in building LGAFs in order to create prototypes for consideration in this paper. Staff found that there are a variety of combinations of potential uses making the creation of a single prototype difficult. Nonetheless, for purposes of this paper, staff proposes the following three broadly defined types of LGAFs. They are not mutually exclusive but do represent a spectrum of types of uses.

Minimal Structure, Field Sports Facilities

These uses draw from a regional service area and are auto dependent. Typically there are a small number structures and limited coverage compared with the land area devoted to field or open spaces. These uses operate seven days a week and

generate large numbers of people at different events. The estimate is that 500-800 people may attend a single major event. Daily events may be smaller.

Medium Scale Facilities

These uses serve both rural and urban populations. The operators of this type of LGAF want structures that are somewhat larger than currently allowed by the County. These LGAFs involve a variety of actual uses and operate on a seven-day-a-week basis. The buildings are typically single story surrounded by parking and are auto oriented. Typical events may generate 500 -1,000 people. The developers may or may not want to expand eventually to a regional scale facility.

Regional Scale Facilities

Developers of these facilities usually want to locate on sites of 15 acres or larger. These LGAFs usually involve a variety of uses and operate on a seven-day-a-week basis. The number and scale of the buildings is large but typically are single story and have at-grade parking. The main assembly building may be 40,000 square feet or larger and events will regularly generate 1,000 to 5,000 persons. These uses draw from a regional service area.

Limited County Ability for County to Select Preferred LGAFs

The County's ability to allow some kinds of LGAF uses in rural unincorporated areas, while excluding others, is limited.

In general, if the County wishes to allow particular kinds of LGAFs, it should also allow other LGAFs which would be of similar scale and have similar characteristics and impacts. It would be difficult to justify, for example, allowing private, non-profit high schools while excluding for-profit vocational training schools, or allowing faith-based retreat facilities without also allowing for-profit conference centers.

Consequently, if the County decides to allow urban scale LGAFs in rural unincorporated areas, it will likely allow whole categories of similar uses, not just individual uses from within these larger categories. For this, and other reasons, it will be impossible to know in advance which particular LGAF uses will actually get developed, if the County changes its policies to allow them in rural unincorporated areas.

Recent History of LGAF Requests

Over the past decade, as land prices have continued to rise and vacant land within urban areas of Santa Clara County has diminished, the number of inquiries the County has received concerning the possibility of developing all types of urban scale projects within the County has increased. The same is true for LGAFs.

The number of inquiries peaked a couple of years ago during the height of the "dot.com bubble" when urban land prices and rents in the urban area were rising significantly. Since the bubble burst, the County Planning Office has received few inquiries regarding LGAFs or other urban scale development. It is speculated that this decline is the result of 1. Increased opportunities within urban areas that have become available and are more affordable; 2. A decline in the economic resources available to organizations that

had been seeking locations to build LGAFs; and, 3. LGAF proponents changing their plans to take advantage of opportunities that have arisen to locate their facilities within urban areas.

County General Plan Policy Overview

The Board of Supervisors requested the Planning Office examine County land use policies and determine where policies might need to change if LGAFs are to be accommodated within the focused geographic areas.

The following is a highlighting of County policy. Staff determined that, most likely, significant changes to the County's core General Plan policies and related Zoning Ordinance provisions may need to occur to open rural unincorporated areas to urban scale LGAF uses.

More than 30 years ago, the County of Santa Clara, its fifteen cities, and the Santa Clara County Local Agency Formation Commission (LAFCO) agreed to a set of fundamental, countywide urban development policies.

These basic, countywide urban development policies contained two major provisions:

1. Urban development should occur only within incorporated areas annexed to cities (and, therefore, not within rural unincorporated areas), and
2. The cities should plan for orderly urban development through the use of officially adopted urban service area (USA) boundaries that would determine the timing and location for the most efficient extension of urban infrastructure and urban services. To amend their urban service area boundaries, cities must obtain approval from LAFCO.

These policies were subsequently incorporated into the County's 1980 and 1995 General Plans as core policies on which a number of other policies are based. The County's Zoning Ordinance reflects these General Plan policies. Cities also incorporate these basic principles in their General Plans and land use policies. Consequently, staff concluded it would require amendments to both the County's General Plan and the Zoning Ordinance to allow large group assembly facilities of any kind in unincorporated areas.

Because State law requires internal consistency within local general plans, allowing exceptions to these basic urban development policies will require changes in the following policies, as well as in other policies located in various parts of the Plan that are based on and reflect these policies:

"Urban development shall occur only within cities' urban service areas (USAs) and under city jurisdiction. The County shall not allow urban development on unincorporated lands outside cities' urban service areas." (Policy C-GD 02)

"Urban land uses should be in cities and served by centralized wastewater treatment systems." (Policy C-HS 43) also (Policy R-HS 40)

"For lands outside cities' Urban Service Areas (USAs) under the County's land use jurisdiction, only non-urban, low density uses shall be allowed." (Policy R-GD 02)

"Urban development should occur only in the cities and where the full array of urban services can be provided." (Policy SC 01.10)

Some of these policies were developed in joint collaboration with one or more of the cities and are also reflected in the cities' general plans. This includes, for example, the South County Joint Area Plan that was adopted by the County and the cities of Morgan Hill and Gilroy. If the Board of Supervisors decides to make changes to these joint policies, it should consider whether to seek similar changes in the cities' plans and policies.

Cities' Policies and Practices Regarding LGAFs

The Board requested the Planning Office interview the planning staffs from San Jose, Gilroy and Morgan Hill to understand their policies and practices regarding LGAFs. The following highlights the information received from these planning agencies during these interviews and in previous conversations.

All city representatives stated that they allow large scale assembly facilities within their respective cities and have a positive track record to affirm their policies. San Jose augments their policies with staff to help facilitate non-profit organizations to locate sites and process applications with the City. San Jose has also altered its regulations to accommodate large facilities with shared parking and in re-use or infill situations. Morgan Hill and Gilroy have not yet made these accommodations, in part because they have received fewer LGAF applications and have been able to accommodate them under their existing regulations. San Jose staff stated that they will be including the accommodation of assembly facilities in their Coyote Valley specific plan. This information from the cities' staffs contrasts with statements of some potential LGAF developers who believe that cities discourage these types of uses.

All three cities believe that there are sufficient sites within their respective cities to accommodate the Medium Scale facilities. They acknowledge that any use needing more than 10 acres will have difficulty finding sites in their respective cities. Regional Facilities will most likely need larger than ten acres and all users will be in competition for these sites with for-profit ventures.

The cities' staffs expressed various concerns about the possibility that the County might allow Medium Scale or Regional Scale Facilities in the rural unincorporated areas around their cities.

Some were concerned that the accommodation of such facilities in rural unincorporated areas would cause a departure from the basic land use tenet of compact urban development that is a foundation of joint city/County planning and agreements. Such development would be growth inducing, causing premature development of surrounding lands, and would interfere with the orderly planning and eventual development of their cities. Some mentioned concerns about the traffic impacts on city streets that might result from County-approved urban uses being developed around their perimeter.

City staff suggested that part of the solution to the problems that certain kinds of LGAFs are facing could be resolved by the LGAF proponents changing the design of their

facilities to better fit within urban areas (i.e. re-design them to be more urban and transit-oriented, and less suburban and automobile-oriented).

Cities were more supportive of the possibility of the County allowing Minimal Structure, Field Sports Facilities in rural areas, particularly for facilities serving youth, because such facilities, by their very nature, require large amounts of open space, which is in very limited supply within urban areas. They expressed some concerns, however, about potential premature conversion of agricultural lands, traffic impacts, and conflicts with future planned uses in some areas.

Locating LGAFs in Rural Areas – An Overview

The Board asked staff to identify potential sites for LGAFs in the unincorporated area of the County. Staff found this task more problematic due to physical and health and safety constraints present in the rural areas. Staff found that all areas have physical limitations. Also rural areas lack critical infrastructure, particularly public sewer and water, which would be available to LGAFs located in urban areas.

This section also examines the idea that some LGAF developers believe that rural sites are cheaper than urban sites. In reality, the cost of providing and maintaining alternate systems, together with other costs of developing rural sites that would generally not be incurred in urban areas, may make development of LGAFs in rural areas no less expensive than in urban areas.

In Santa Clara County, the County does not provide public sanitary sewers, storm sewers, or water facilities. These facilities are generally provided by cities and/or some special purpose districts.

State law severely limits the ability of cities and other agencies to provide urban services and facilities outside their jurisdictional boundaries. In addition, local policies discourage cities from extending urban facilities into rural areas until these areas are needed for urban development and the city can serve them efficiently.

As a consequence, LGAFs located in rural unincorporated areas would not have access to public sanitary and storm sewer as well as water facilities. They would have to provide these essential needs by themselves, onsite.

Onsite Wastewater Disposal Challenges

According to the Santa Clara County Department of Environmental Health, a typical 3-bedroom, single family home generates about 450 gallons of wastewater per day. By comparison, they estimate that a private high school (grades 9-12) with 500 students, classrooms, a gymnasium, and an industrial kitchen would generate about 11,000 gallons per day of wastewater – or an amount equal to 25 single family homes. (The amount would be higher if the facilities were used regularly for special events such as sporting events or other activities that brought in large numbers of people.) The San Jose-Santa Clara Water Pollution Control Plant staff estimates that a large, full-service church with activities 7 days a week would generate an average of around 13-14,000 gallons per day of wastewater – an amount equal to about 30 single family homes.

For septic systems to function properly in rural areas, it is important that (1) the soil where the leach field is located be of a porosity that allows for the effluent to percolate at an appropriate rate, and (2) there be enough distance between the trench bottom and the seasonal high ground water level.

Many locations within the rural South Valley and the Coyote Valley have failed the percolation test required for approval of a single family residential septic system due to soils that percolate too slowly or too rapidly or due to high groundwater tables. If some of these areas are problematic for septic systems serving individual homes, they would be even more problematic for septic systems that need to accommodate significantly larger volumes of sewage.

In areas where the soil percolates more slowly, larger amounts of land would be needed to provide for septic systems.

Since soil and groundwater conditions are often site-specific, and the amount of wastewater generated would vary depending upon the size and nature of the LGAF involved, individual studies would be required for each potential site to determine its feasibility for a septic system, especially for those involving high volumes of wastewater. Consequently, if the County were to amend its General Plan policies to allow urban scale, large group assembly facilities in rural areas, there is no way to predict in advance how many sites might actually prove feasible for LGAFs or where, specifically, they might be located.

Most urban scale LGAFs that might seek to locate in rural areas of the county would probably generate more than 2,500 gallons per day and thus would need to obtain special discharge permits from the appropriate Regional Water Quality Control Board. For most of the South Valley area, this would be the Central Coast RWQCB located in San Luis Obispo; for Coyote Valley, this would be the San Francisco Bay RWQCB located in Oakland.

Issuance of a discharge permit by the RWQCB would depend on whether the proposed wastewater system can meet the standards of the "basin plan" for that area. In areas where there is an existing nitrate contamination problem, such as parts of Coyote Valley and the South Valley, a conventional septic system may not be adequate to meet the standards of the basin plan. In order to meet basin plan standards in such areas and obtain a wastewater discharge permit from the Regional Board, a more extensive (and more expensive) onsite wastewater treatment system may need to be constructed.

If such a system is required, it must be operated and maintained by a State-licensed operator.

Flood Protection Facilities

Some of the areas being considered in this study as potential sites for LGAFs lie within flood plains identified by the Federal Emergency Management Agency (FEMA). The Santa Clara Valley Water District, the local agency primarily responsible for providing flood protection in Santa Clara County, generally does not develop flood protection facilities for rural areas not planned for urban development. So some rural areas currently vulnerable to flooding may not receive flood protection for many years to come. In some cases, it may be possible to reduce flood risks for individual LGAFs through onsite flood protection improvements.

Runoff Detention Facilities

A growing concern in recent years has been the contribution of runoff from large impervious surfaces, such as parking lots and large buildings, to flooding and surface water pollution. State and federal regulatory agencies are requiring local agencies to implement more effective measures to mitigate these impacts.

As a consequence, projects such as LGAFs that normally would have large areas of impervious surfaces (such as parking lots and large buildings) are generally required to construct onsite runoff detention and/or treatment facilities so that the runoff from the site occurs more slowly and contains fewer pollutants.

For LGAFS in rural areas, this may require the acquisition of additional land and construction of runoff detention facilities, which will increase overall project costs.

Water Supply Facilities for Fire Protection Will Increase Project Costs

Facilities built to accommodate large groups of people in areas where connection to a public water system is not possible must have adequate onsite water supplies and water pressure for fire safety reasons. This typically is accomplished through the construction of large water storage tanks.

For example, according to the Santa Clara County Fire Marshal's Office, a private school with 500 students and a total of 42,000 square feet of classroom space would need to construct and keep full an emergency water storage tank or tanks with 180,000 gallons or more of storage capacity, depending upon the type of building construction, the number of buildings, and the distance between buildings.

Domestic Water Supply Requirements

Domestic water supplies serving more than 25 persons are regulated by the State Health Department, which requires that the water supply meet certain health standards. Consequently, any LGAFs developed in rural unincorporated areas would need to obtain a permit from the State.

In rural areas of the South Valley and Coyote Valley where there are existing nitrate contamination problems in the upper aquifers, the State may require that LGAFs filter their drinking water to reduce nitrate concentrations to acceptable levels.

Offsite Improvements

One of the unavoidable impacts of LGAFs, wherever they are located, is likely to be increased traffic. Most of the rural roads in this LGAF study area are narrow, two-lane roads that are designed only to accommodate rural levels of traffic.

Development of LGAFs along these rural roads and the increased traffic they will bring might necessitate roadway and traffic safety improvements (such as installing turn lanes and possibly even traffic signals).

These are improvements that the LGAF developer would have to pay for.

Availability of Emergency Services

Emergency services available in rural unincorporated areas are not equivalent to emergency services available in urban areas.

Fire response capabilities to fight structure fires involving large group assembly facilities in rural areas, for example, may be limited by:

- Extended response times

Because the rural area is very large and the number of fire stations serving these rural areas is very small, response times for firefighters to reach rural area fires are generally extended compared to urban response times.

In addition, since large structure fires require more personnel to fight, additional agencies would need to be called in under "mutual aid" agreements. Depending upon their locations relative to the site of the fire and how soon they were called upon, the response times of these other agencies could also be extended, especially when measured from the time the fire is first reported.

- Substandard rural roads

Substandard rural road conditions (including substandard road surfaces and road widths, inadequate road signage, and/or limited turnaround radii) can extend response times and/or hamper firefighting efforts once the vehicles arrive on the scene.

Fire protection services in rural areas of Coyote Valley and South County are provided primarily by the California Department of Forestry (CDF), under contract with the South Santa Clara County Fire District. In the event of a fire in an LGAF located in a rural unincorporated area that required more equipment or personnel than CDF had available, CDF would have to call on either the Gilroy Fire Department, the San Jose Fire Department, or the Santa Clara County Fire Department (a special district that provides fire protection services under contract to Morgan Hill) for assistance under "mutual aid" agreements.

CDF would also be the "first responder" for most medical emergencies that might arise at LGAFs located in rural unincorporated areas.

No Way to Determine In Advance the Feasibility of Individual Sites

It is virtually impossible for the County to determine in advance which individual sites within the rural unincorporated area may be feasible for LGAF development, due to:

- The wide variety of LGAF uses and sizes,
- The variability of soil and groundwater conditions that may limit the feasibility of LGAFs in particular locations, and
- The differences in financial resources that different organizations and businesses may have available to use in overcoming site constraints and the challenges of operating "off the grid" (i.e. without access to city sewer and water lines)

Consequently, even though the County might re-designate certain rural areas to allow LGAF development, there is no way of knowing whether any sites in those areas would ultimately prove to be feasible for particular LGAF development proposals.

Area-by-Area Overview of Local Constraints

This section reviews different opportunities on a sub-area basis. No recommendations are provided.

SAN JOSE

Environmental Constraints – Coyote Valley

High groundwater conditions are common in the area. A number of properties have failed the percolation tests necessary to demonstrate the feasibility of a septic system for an individual, single-family residence.

High nitrate levels exist in the groundwater in some locations.

Portions of the area lie within the flood plains of Coyote Creek and Hale Creek.

Coyote Valley Greenbelt

The Board of Supervisors expressly directed County Planning Office staff to exclude the Coyote Valley Greenbelt from the LGAF study.

Coyote Valley Urban Reserve and Campus Industrial Areas

The portions of the Coyote Valley that are not within the Coyote Valley Greenbelt are designated as either "Campus Industrial" or "Urban Reserve" in the City of San Jose's General Plan.

The City of San Jose recently indicated that it is about to begin the preparation of a specific plan for all of Coyote Valley, including the "Campus Industrial" and "Urban Reserve" areas.

San Jose City Planning Department staff has indicated that, were the County to begin approving LGAFs in these areas at this time, it would make the task of developing a specific plan for the area more difficult because the City would have to "plan around" the LGAFs the County approved.

They also indicated that the plan developed for the "Urban Reserve" area would be for a "full service" community that would include provision for churches and other LGAFs.

South Almaden Valley – County's "Open Space Reserve" Land Use Designation

Most of the unincorporated flat land areas in the South Almaden Valley are designated on the County's General Plan Land Use Map as "Open Space Reserve."

This designation was applied as an interim designation for areas "for which no permanent land use designation was applied pending future joint studies by affected jurisdictions of desired long term land use patterns."

It is among the most restrictive land use designations in the General Plan. Agriculture and open space are the only uses allowed. Commercial, industrial, and institutional uses are expressly prohibited in areas with this designation.

It was intended that this designation would eventually be replaced by permanent land use designations determined through joint study with the City of San Jose.

The San Jose Redevelopment Agreement

The County has a legal agreement with the City of San Jose which acknowledges (1) the impacts of San Jose's redevelopment areas on the finances of the County, and (2) the impacts of County land use decisions in unincorporated areas on City service demands and future planning options.

Under the terms of the agreement, the County must comply with certain consultation procedures with the City before making changes in its land use policies within the City's "sphere of influence." The Coyote Valley Urban Reserve and Campus Industrial Areas fall within the City's sphere of influence, as does the South Almaden Valley Urban Reserve.

MORGAN HILL

Environmental Constraints

High groundwater conditions are common in the area. A number of properties have failed the percolation tests necessary to demonstrate the feasibility of a septic system for an individual, single-family residence.

High nitrate levels exist in the groundwater in some locations.

Some areas along Llagas Creek and its tributaries are subject to flooding.

County General Plan Policies Regarding the Morgan Hill UGB

Several years ago, the County participated with the City of Morgan Hill to delineate a long term urban growth boundary (UGB) for the city, as the County's General Plan encourages cities to do. As a result, the City adopted a UGB.

At that time, the County adopted a General Plan amendment that is intended to help reinforce the City's UGB. This amendment included General Plan Policy R-LU 176, which states for unincorporated lands inside the City's UGB:

"Avoid land uses and development which would potentially conflict with future annexation and the optimal utilization of lands within the UGB. Allow only those interim uses which are consistent with intended future development."

This amendment also included General Plan Policy R-LU 181, which states for unincorporated lands outside the City's UGB:

"Maintain the County's commitment to agricultural, open space, and other allowable nonurban uses and densities, consistent with the intent of the Resource Conservation

land use designations. Current minimum parcel sizes, development standards, and guidelines applicable to rural unincorporated lands should remain in effect."

SAN MARTIN

Environmental Constraints

High levels of nitrates exist in the groundwater throughout much of the San Martin area.

In order to minimize further nitrate contamination from septic systems, County land use policies for the area (1) require that new parcels created through subdivisions must be at least 5 acres, and (2) do not allow secondary dwellings.

High groundwater conditions exist in parts of the area.

Some parts of the area lie within the flood plain of Llagas Creek.

San Martin Area Policies

The County's General Plan contains an entire section devoted to planning policies for the unincorporated San Martin area. These policies reflect community concerns about (1) protecting groundwater resources from further contamination, and (2) avoiding premature introduction of urban scale uses until a master plan has been developed for the community and plans for providing sewers to the community have been prepared. The following are some of the General Plan policies for the San Martin area:

San Martin should be viewed as a distinct entity, containing unique rural characteristics. Care should be taken to prevent premature commitment of land for uses which would restrict future options for the community. (Policy R-LU 114)

The density and location of future land divisions should reflect the recommendations of the San Martin Area Water Quality Study (1981) and take into consideration subsequent studies of ground water quality. (Policy R-LU 115)

Prior to any significant increase in the types or densities of land use in the San Martin area, a master plan addressing both land use and infrastructure issues must be prepared and adopted by the Board of Supervisors.

Projects considered "significant" would be those that (a) involve changes to the minimum lot sizes allowed in the San Martin area or (b) some expansion or intensification in the types of uses currently allowed in either the rural residential areas or those zoned for commercial and industrial uses.

The master utility/infrastructure component of this plan would include provision for fire protection, street improvements, a unified water distribution system, a

wastewater management system (sewers), and area-wide drainage improvements. Methods of financing the master-planned improvements and designation of the government entities which would administer and operate certain of the improvements should be included in the adopted plan. (R-LU 117)

GILROY

Environmental Constraints

High groundwater conditions are common in the areas to the east and south of the city.

Much of the area to the east and south of the city lies within the flood plain of the Llagas Creek and its tributaries.

Gilroy Agricultural Preserve

The largest unincorporated flatland area around the perimeter of Gilroy lies to the east and south of the city, in what the County refers to as the Gilroy Agriculture Preserve. For decades, the County has been encouraging that this area be permanently preserved for agriculture.

Several years ago, the County revised the Agricultural zoning district that is applied to this area and deleted from the list of allowable uses a number of uses that were deemed incompatible with agricultural preservation, including churches.

County's "Open Space Reserve" Land Use Designation

Virtually all of the remaining unincorporated flat land areas around Gilroy that are not in the Gilroy Agriculture Preserve are designated on the County's General Plan Land Use Map as "Open Space Reserve."

This designation was applied as an interim designation for areas "for which no permanent land use designation was applied pending future joint studies by affected jurisdictions of desired long term land use patterns."

It is among the most restrictive land use designations in the General Plan. Agriculture and open space are the only uses allowed. Commercial, industrial, and institutional uses are expressly prohibited in areas with this designation.

It was intended that this designation would eventually be replaced by permanent land use designations determined through joint study with the City of Gilroy. That joint study has not yet occurred.

POLICY ISSUES AND OPTIONS

A SERIES OF POLICY QUESTIONS

Because there are no staff recommendations, staff is providing a decision matrix to help people think through information provided in this report. Subsequent reports will contain specific recommendations.

A Complicated Topic

Issues with regard to allowing the development of large group assembly facilities in rural unincorporated areas can become very complex, for a number of reasons, including:

- The wide variety of LGAF uses,
- The challenges and constraints of establishing urban uses "off the grid" in areas with various environmental constraints,
- The numerous County policies and ordinances involved, and
- The uncertainties regarding what outcomes may result if the County changes its policies.

A Simplified Set of Policy Questions

While acknowledging that this can be a very complex issue with many different options, staff has sought to distill the complexities down to the following series of interrelated questions for community and Board of Supervisors consideration:

1. Should the County amend its General Plan and Zoning Ordinances to allow large group assembly facilities in rural unincorporated areas?
 - A. If YES, then:
 1. What kinds of LGAFs should be allowed?
 2. Where should they be allowed?
 - a. What general geographic area(s) of the county?
 - b. Within the preferred geographic area(s), should they be limited to areas the cities have designated for future urban development?
 3. How large should LGAFs in rural areas be allowed to be?
 4. How should the above be accomplished?

B. If NO, then:

1. What additional actions, if any, should the County take to encourage cities to increase their efforts to accommodate LGAFs within existing and future urban areas?
2. What additional actions, if any, should the County take to clarify its existing regulations regarding group assembly facilities in rural areas?

QUESTION #1:

SHOULD LGAFs BE ALLOWED IN RURAL UNINCORPORATED AREAS?

The Central Question

The central question that arises from this LGAF study is:

Should the County amend its General Plan and Zoning Ordinances to allow large group assembly facilities in rural unincorporated areas?

Stated another way, the question is this:

Do the potential community benefits that are likely to result from LGAF development in rural unincorporated areas outweigh the benefits of maintaining an unequivocal policy regarding where urban development should occur in Santa Clara County?

Other Decisions Depend on Answer to Central Question

Depending upon the Board of Supervisors' decision regarding this central question, there may be additional questions that need to be addressed.

If, for example, the Board decides that an exception to the County's urban development policies is warranted for LGAFs, then it must decide the answers to another series of questions, including:

- What kinds of LGAFs should be allowed?
- Where should LGAFs be allowed to be developed?
- How large should LGAFs in rural areas be allowed to be?, and
- How should the necessary policy and ordinance changes be accomplished?

Conversely, if the Board decides not to make an exception to the County's basic urban development policies, it should consider the following questions:

- Should the County encourage the cities to increase their efforts to accommodate LGAFs within their existing and future urban areas?
- Should the County clarify its Zoning Ordinance provisions with regard to maximum sizes for rural scale LGAFs?
- Should the County establish a minimum parcel size for rural scale LGAFs in rural areas?

**QUESTION #1.A.1:
WHAT KINDS OF LGAFs SHOULD BE ALLOWED?**

If the answer to the general question about whether to allow LGAFs in rural unincorporated areas is "Yes," then another question that needs to be answered is: What kinds of LGAFs should be allowed?

Some Basic LGAF Categories

As was indicated in the introduction to this report, LGAFs involve a number of different uses and perform a variety of different functions. In general, LGAFs tend to fall within the following five general categories:

- Educational
- Cultural
- Religious
- Recreational
- Entertainment

Option #1: Allow All Categories of LGAFs

One policy option for consideration would be to amend the County's General Plan and Zoning Ordinances to allow all five categories of LGAFs.

Option #2: Allow Only Educational, Religious, and Recreational LGAFs

A second policy option would be to allow only the LGAF categories that are allowed in the County's Ranchlands ("AR") zoning district – Educational, Religious, and Recreational – because these, arguably, are the most consistent with the basic intent of the General Plan to "keep rural areas rural" (a paraphrase of the County's General Plan).

This option would allow the following kinds of LGAFs to be developed:

- Private schools, academies, and universities
- Private technical training schools
- Religious worship and ancillary facilities
- Conference centers
- Retreats
- Outdoor sports facilities (e.g. soccer fields, stadiums)
- Rodeo arenas
- Wineries with party / special event facilities

- Commercial group picnic areas
- Car, horse, or motorcycle racing tracks

**QUESTION #1.A.2:
WHERE SHOULD LGAFs BE ALLOWED?**

If the answer to the general question about whether to allow LGAFs in rural unincorporated areas is "Yes," then another question that needs to be answered is: Where should LGAFs be allowed?

Two Different Geographical Issues

The question of where LGAFs should be allowed can be approached from at least two different perspectives. One involves general geographic location and the other involves relationships to the future plans of the cities.

These two questions are:

- a. Where within the LGAF study area should LGAFs be allowed? and
- b. Should LGAFs be limited to areas the cities have designated for future urban development?

Question "a": Where Should They Be Allowed?

The LGAF study area includes the following general areas:

1. San Jose
 - A. Coyote Valley
 1. Urban Reserve Area
 2. Campus Industrial Area
 - B. South Almaden Valley Urban Reserve
2. Morgan Hill
 - A. North of Morgan Hill
 - B. East of Morgan Hill
 - C. South of Morgan Hill
3. San Martin (an unincorporated community)
4. Gilroy
 - A. South and East of Gilroy
 - B. North of Gilroy

The question is: Which of these areas (or sub-areas within these areas) should LGAFs be allowed in?

Policy Options for Question “a”

The options would include:

a.1: All of these areas

This option would allow LGAFs everywhere within the LGAF study area that the proposed LGAF can meet health and safety requirements.

a.2: One or more areas or sub-areas

This option would allow LGAFs in one or more of these areas or sub-areas within these areas (for example, north of Gilroy, but not to the east and south of Gilroy – because the latter has been designated as an agricultural preserve) provided that the proposed LGAF can meet health and safety requirements.

Question “b”: Should LGAFs Be Limited to Areas Designated for Future Urban Development?

Another way of looking at the LGAF location issue is based on city plans for the future. Each of the three cities in the LGAF study area (San Jose, Morgan Hill, and Gilroy) has delineated some lands outside their current urban service area boundaries as lands they intend to develop for urban purposes sometime within the next 20-30 years. (They generally have not yet prepared specific plans for how, exactly, these areas should be developed.)

This raises the following question: If the County wishes to allow urban scale LGAFs in rural unincorporated areas, should it limit them to areas the cities have designated for future urban development?

Policy Options for Question “b”

The options are simply:

b.1: Yes

b.2: No

An argument for the “Yes” option would be that this would limit LGAFs to areas where they would eventually be able to connect to city sewer and water lines and become part of an urban area.

An argument for the “No” option is that it could complicate the cities’ task of developing specific plans for these areas since they would have to “plan around” the LGAFs the County had already approved in these areas.

QUESTION #1.A.3:
HOW LARGE SHOULD LGAFs IN RURAL AREAS BE ALLOWED TO BE?

If the answer to the general question about whether to allow LGAFs in rural unincorporated areas is "Yes," then another question that needs to be answered is: How large should LGAFs in rural areas be allowed to be?

LGAFs Come In Various Sizes

The sizes of the LGAFs for which the County has received inquiries or which LGAF proponents have indicated would be desirable range from around 15,000 square feet of building area up to around 40,000 square feet.

This raises the basic question of: How large should LGAF structures in rural areas be allowed to be?

Policy Options for Question #3

The general options are:

1. Unlimited size (i.e. as large as can be supported by the constraints of the site on which it is located)
2. Limited in size with regard to the total area of the buildings on the site

If the Board wished to limit the size of LGAFs, it could do so in either of two ways:

- By adopting a specific maximum number of square feet, or
- By limiting total square feet to a fixed percentage of the size of the parcel on which they are located (This approach is commonly referred to as a "floor area ratio" or FAR approach, which allows larger buildings on larger sites.)

If the Board wishes to consider absolute size limits (vs. FAR limits), the basic options might be:

- a. 10,000 square feet, as is currently the limit in areas designated "Agriculture – Medium Scale",
- b. Some amount greater than 10,000 square feet, or
- c. Some amount less than 10,000 square feet

The Board should also consider whether to establish minimum parcel size requirements for LGAFs. Currently there are no such requirements in the General Plan or the Zoning Ordinance.

[Note: The Board may wish to address these maximum size and minimum parcel size issues, in order to achieve greater clarity and consistency among current County Zoning Ordinance provisions, regardless of whether it decides to change current County urban development policies.]

**QUESTION #1.A.4:
HOW SHOULD POLICY CHANGES
TO ALLOW LGAFS IN RURAL AREAS BE ACCOMPLISHED?**

Various General Plan and Zoning Ordinance Changes May Be Required

Implementing a change in County policies to allow large group assembly facilities in rural unincorporated areas would require amendments to both the County's General Plan and Zoning Ordinance.

At a minimum, it would require changes to the County's basic urban development policies that state that urban development should occur only within cities and not in rural unincorporated areas.

This would require amending the basic urban development policies as well as a number of other policies that are based on or reflect these basic policies. (It would also require re-writing the background text that accompanies and provides the rationale for these policies to explain the LGAF exceptions to these basic policies.)

In addition, it would require amending the General Plan policies for one or more General Plan land use designations, or creation of a new designation and related zoning district.

Need to Amend General Plan Land Use Designation Policies

Each of the existing General Plan land use designations that are most commonly applied to rural unincorporated flatland areas contains policies that limit or prohibit the development of urban scale and/or urban serving LGAFs.

The General Plan's policies for the "Rural Residential" land use designation state:

"... Commercial, industrial, and institutional uses may be established only where they serve the needs of the resident population and result in a net overall reduction in travel demand." [Policy R-LU 57]

The General Plan's policies for the "Open Space Reserve" land use designation state:

"No commercial, industrial, and institutional uses shall be allowed." [Policy R-LU 47]

The General Plan's policies for the "Agriculture" land use designation state:

"Allowable uses shall be limited to:

- Agriculture and ancillary uses;*
- Uses necessary to directly support local agriculture; and*
- Other uses compatible with agriculture which clearly enhance the long term viability of local agriculture and agricultural lands."*
[Policy R-LU 11]

None of these, as they are currently written, would allow the development of urban scale LGAFs on the lands to which they are applied

Amendments to these policies to allow urban scale LGAFs would apply to all lands throughout the County to which the amended land use designation policies are applied.

Another option would be to create a new General Plan land use designation and related zoning district specifically related to urban scale LGAFs that could be applied through a case-by-case General Plan amendment process.

Policy Options

In addition to amending the County's General Plan to allow exceptions to the County's basic urban development policies, which would be necessary if the Board wishes to allow urban scale LGAFs in rural unincorporated areas, the Board would also have to decide among the following options involving General Plan land use designations:

- A. Amend the General Plan policies and related Zoning Ordinance provisions for one or more of the following General Plan land use designations:
 - 1. Agriculture, and/or
 - 2. Rural Residential, and/or
 - 3. Open Space Reserve, or
- B. Create a new General Plan land use designation and related Zoning Ordinance provisions specifically related to LGAFs in rural areas that could be applied through a case-by-case General Plan amendment process.

Each of these options would require environmental impact analysis, including analysis of their growth-inducing impacts.

Appendix A: BASIC QUESTIONS AND POLICY OPTIONS

ALLOW LGAFs?

Should LGAFs be allowed in rural unincorporated areas?

NO →

CLARIFY CURRENT POLICIES?

Should current policies regarding maximum building sizes and minimum parcel sizes be clarified?

▼ **YES**

WHAT USES?

What kinds of LGAFs should be allowed in rural unincorporated areas?

OPTIONS:

- Recreational?
- Religious?
- Educational?
- Other?

WHAT LOCATIONS?

Where should LGAFs be allowed in rural unincorporated areas?

OPTIONS

San Jose

- Coyote Valley – Urban Reserve Area
- Coyote Valley – Campus Industrial Area
- South Almaden Valley Urban Reserve

Morgan Hill

- North of Morgan Hill
- East of Morgan Hill
- South of Morgan Hill
- San Martin** (an unincorporated community)

Gilroy

- South and East of Gilroy
- North of Gilroy

HOW LARGE?

How large should LGAFs in rural unincorporated areas be allowed to be?

OPTIONS

- 10,000 sq ft
- > 10,000 sq ft
- < 10,000 sq ft

HOW TO IMPLEMENT?

How should policy changes be implemented?

OPTIONS

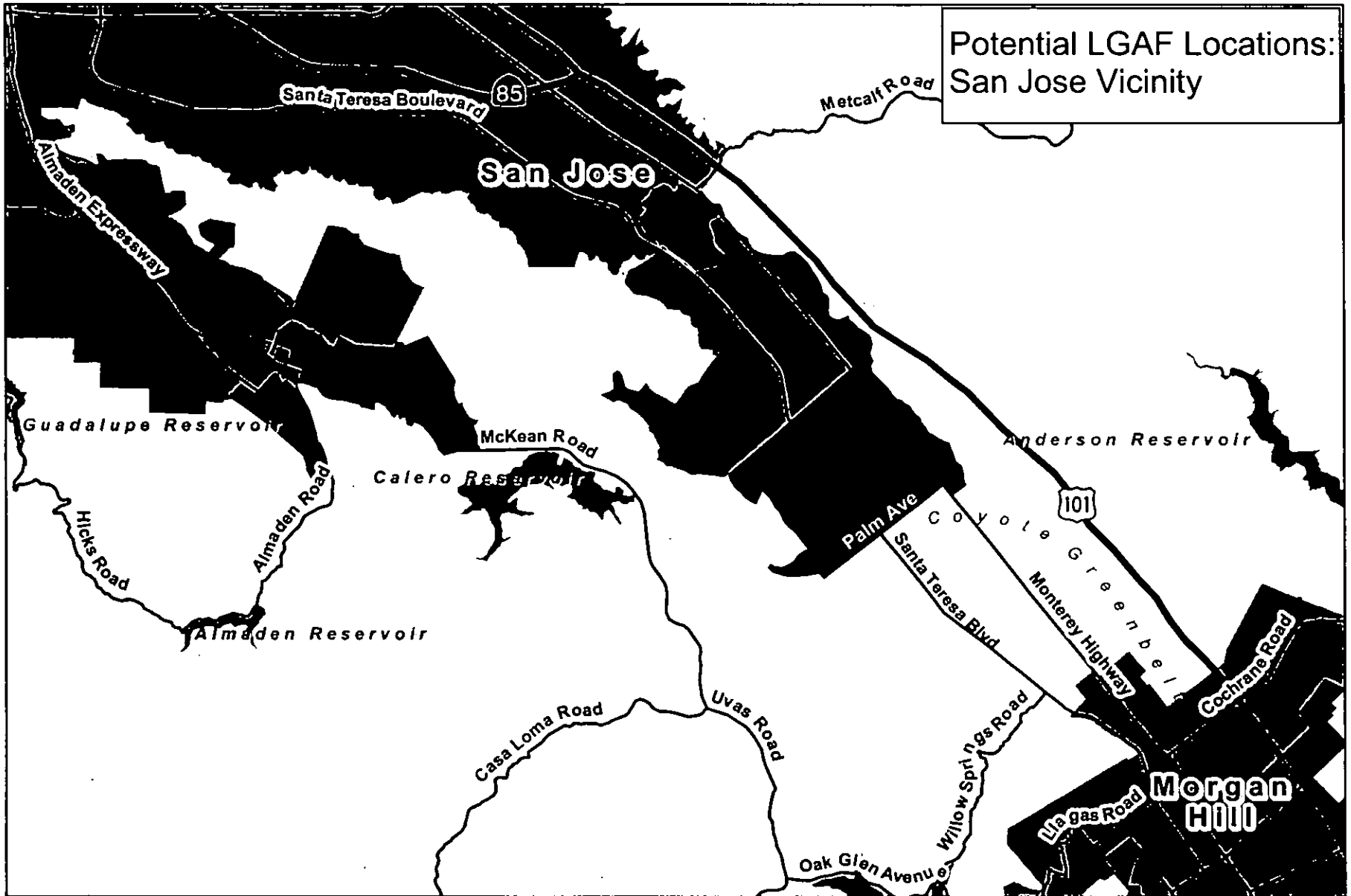
- Amend basic urban development policies
- Amend land use designation policies:
 - "Agriculture"
 - "Rural Residential"
 - "Open Space Reserve"
- Create a new land use designation category

APPENDIX B: MAPS ILLUSTRATING LOCATION OPTIONS

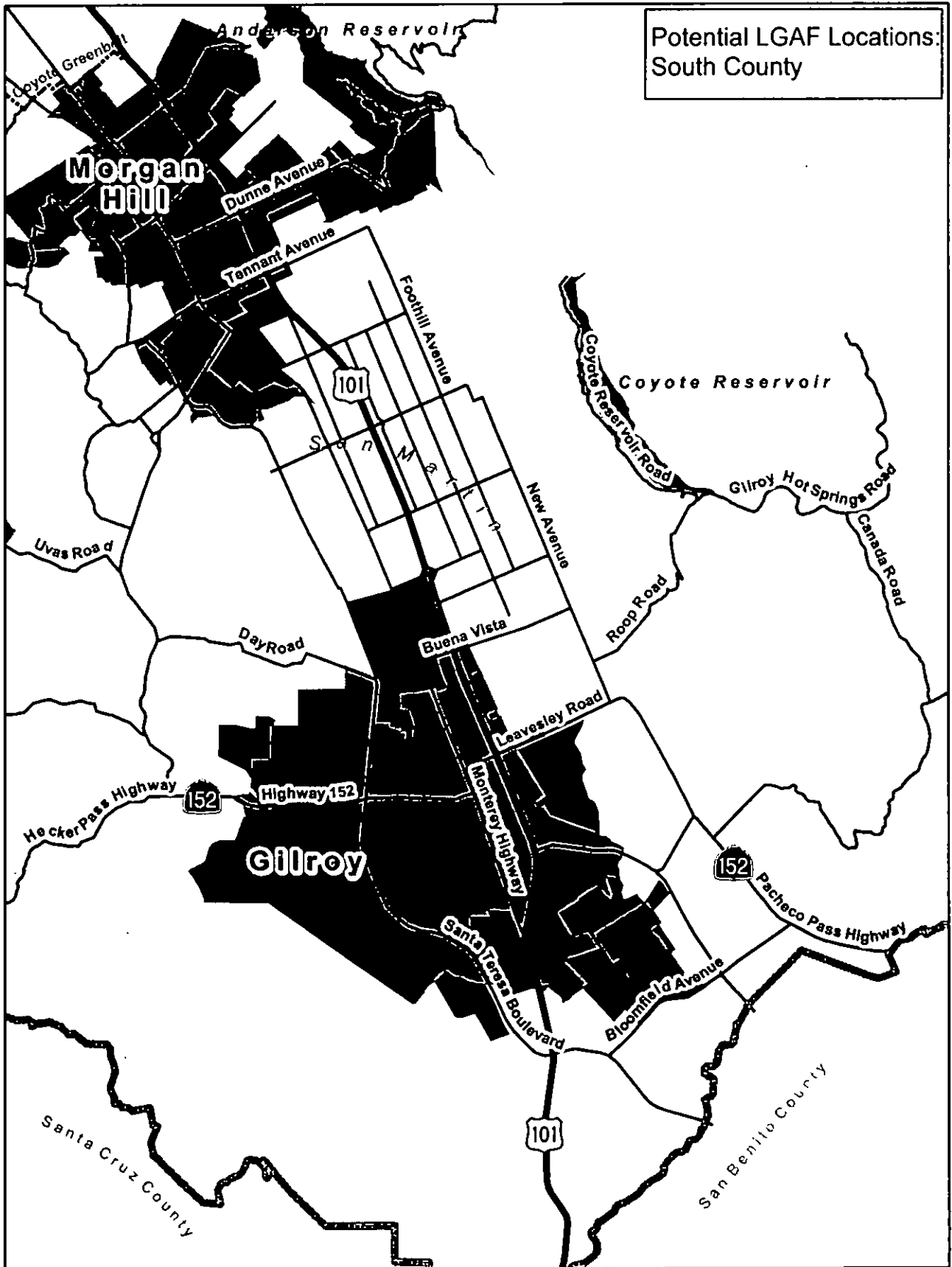
CONTENTS





Map B1: San Jose Vicinity

Map B2: South County Vicinity



Potential LGAF Locations:
South County



-  Lands Inside Current City Urban Service Area Boundaries
-  Lands Outside Current City Urban Service Area Boundaries, But Inside City Long Term Urban Growth Boundaries
-  Flatland Areas Outside City Long Term Urban Growth Boundaries (Approx)
-  Hillside Areas (Approx)



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YOUR COMMENTS AND QUESTIONS

ORAL COMMENTS:

Oral comments regarding this draft may be presented at a special meeting of the Santa Clara County Board of Supervisors' Housing, Land Use, Environment, and Transportation (HLUET) Committee to be held on Thursday, October 24th at 9:30 am in the Isaac Newton Sentor Auditorium of the County Administration Building at 70 W. Hedding Street in San Jose. (Note: Pay parking is available in the Civic Center Parking Garage at 171 W. Hedding Street, located one block west of the County Building.)

WRITTEN COMMENTS:

Written comments regarding this draft may be submitted in any of the following ways:

- By mail: LGAF Comments, Santa Clara County Planning Office, East Wing, 7th Floor, 70 W. Hedding Street, San Jose CA 95110
- By fax: (408) 288-9198 (Attn: LGAF Comments); or
- By email: Christopher.Golden@pln.co.santa-clara.ca.us (Note: There is a hyphen between "santa" and "clara" in this email address.)

To be included in the HLUET packet for the meeting on October 24th, your written comments need to be received by the County Planning Office no later than noon on Friday, October 18th.

QUESTIONS:

If you have questions regarding this draft report, contact either:

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REPORT AVAILABLE ONLINE

This report may be viewed, downloaded, and printed from the Santa Clara County Planning Office website: www.sccplanning.org