



Hillsides

Description and Intent

R-LU 16

Hillsides: Mountainous lands and foothills unsuitable and/or unplanned for annexation and urban development. Lands so designated shall be preserved largely in natural resource-related and open space uses in order to:

- a. support and enhance rural character;
- b. protect and promote wise management of natural resources;
- c. avoid risks associated with the natural hazards characteristic of those areas; and
- d. protect the quality of reservoir watersheds critical to the region's water supply.

R-LU 17

These lands also contain such important resources as grazing lands, mineral deposits, forests, wildlife habitat, rare or locally unique plant and animal communities, historic and archeological sites, and recreational and scenic areas of regional importance, which serve to define the setting for the urbanized portions of Santa Clara County. Given the importance of these lands to the county's overall quality of life, allowable uses shall be consistent with the conservation and wise use of these resources and levels of development shall be limited to avoid increased demand for public services and facilities.

Allowable Uses

R-LU 18

All allowable uses must be consistent with the basic intent of the 'Hillside' designation. The range of allowable uses shall be limited to:

- a. agriculture and grazing;
- b. mineral extraction;
- c. parks and low-density recreational uses and facilities;
- d. land in its natural state;
- e. wildlife refuges;
- f. very low density residential development; and

- g. commercial, industrial, or institutional uses, which by their nature
 - 1) require remote, rural settings; or
 - 2) which support the recreational or productive use, study or appreciation of the natural environment.

Development Policies - Residential Density

R-LU 19

The standard allowable density of residential development shall be that of one dwelling unit per 160 acres, unless the development is proposed as a "cluster development." If development is proposed as a residential cluster, the allowable density shall be as determined by the "20-160 acre variable slope-density formula." Residential development proposals must be designed as a cluster in order to utilize the 20-160 acre variable slope-density formula. (see illustration of 20-160 slope-density formula)

- a. If the average slope of the parcel is 10% or less, the average area per dwelling unit shall be 20 acres.
- b. If the average slope of the parcel is 50% or above, the average area per dwelling unit shall be 160 acres.

Cluster Residential Development - Requirements for Developed Area and Mandatory Open Space Dedication

R-LU 20

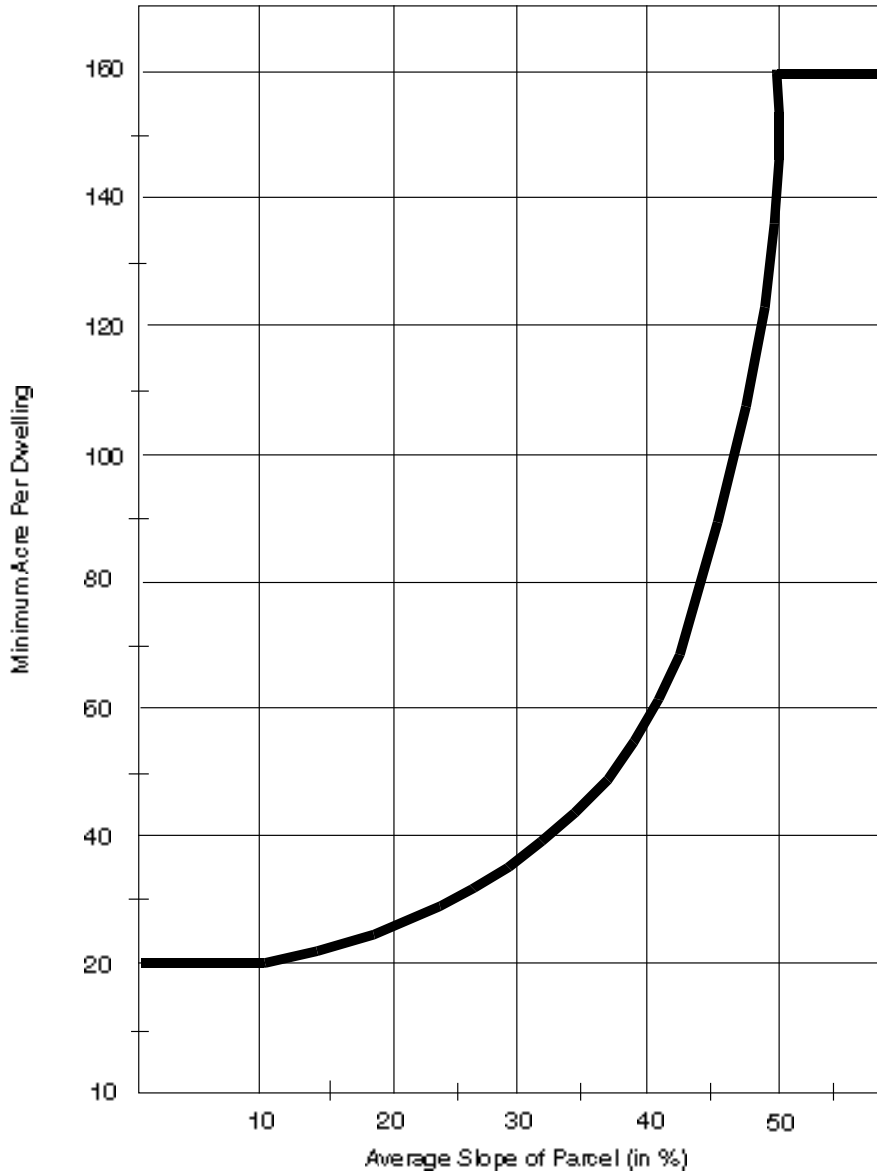
Proposed cluster residential developments shall adhere to the following:

1. Developed Area: the building envelopes for all residences and the locations of all other permitted uses proposed as accessory structures shall be specified in the design, the combined area of which shall not exceed 10% of the gross acreage of the site:
 - a. if the property is under Land Conservation (Williamson Act) contract, the contract must be canceled or modified to exclude the portion of the site that is to be developed;
 - b. no individual parcel created for residential development shall be less than 2 acres in size;

(cont'd.)



20 - 160 Acre "Slope-Density" Formula



If average slope is:	Average area per parcel is approximately:
10% or less	20 ac.
15%	22 ac.
20%	26 ac.
25%	30 ac.
30%	36 ac.

If average slope is:	Average area per parcel is approximately:
35%	44 ac.
40%	58 ac.
45%	85 ac.
50%+	160 ac.



2. Open Space: it is mandatory that no less than 90% of the land area shall be preserved permanently as open space through dedication of an open space or conservation easement precluding any future development:
 - a. those portions of the land permanently preserved as open space shall be configured as large, contiguous and usable areas;
 - b. the open space may be dedicated through easements over portions of individually-owned parcels or may be configured as separate parcels owned in common or individually;
 - c. the open space area shall be privately controlled and not accessible to the public unless the area is deeded to a public agency or entity willing to undertake responsibilities of ownership, maintenance, and public access [designated trail corridors may traverse such areas if proposed as part of the Regional Parks, Trails, and Scenic Highways Plan]; and
 - d. land uses allowed within the area dedicated as permanent open space shall be limited to agricultural or other limited resource-related uses, and to non-commercial recreational facilities of an ancillary nature to the cluster residential development and for use by residents only.
3. The locations of roads, building sites, septic system leach fields, or other major features of development must be accurately identified on the proposed subdivision map, and they shall:
 - a. avoid areas of natural hazards and avoid adverse impacts upon natural and heritage resources.
 - b. be required to mitigate or reduce potentially significant adverse environmental impacts to an insignificant level, particularly regarding water quality, through such means as adequate setbacks from water resources, avoidance of areas with high percolation rates and/or high ground water tables.
4. Building sites and access roads should be located such that areas of the site which pose a significant hazard, such as landslides, very steep slopes, fault traces, or floodways, are placed within the portion of the site that is dedicated as permanent open space.
5. Roads, building sites, and other facilities shall not be allowed to create major, lasting visible scars on the landscape.
6. Structures on or near ridgelines shall be located, constructed, and/or landscaped so that they do not create a significant adverse visual impact as seen from the Valley floor.

Design Principles for Cluster Residential Subdivision Proposals

R-LU 21

Design of the cluster development shall incorporate the following basic principles:

1. Site layout shall demonstrate efficiency in the location and length of roadways, driveways, and other basic infrastructure improvements or extensions.
2. Roads shall be of adequate design, capacity, and construction to accommodate traffic associated with the development safely, efficiently, and with minimal long term maintenance needs.

Residential Development Policies – One Time 2-Lot Subdivisions

R-LU 22

Two Lot Subdivisions: For any two-lot subdivision of land, the average area per dwelling unit shall be as determined by the variable slope-density formula, and neither a cluster permit nor dedication of permanent open space shall be required, provided that:

- a. the parcel in question was not itself created after 1980; and
- b. any subsequent subdivision of the two lots so created shall adhere fully to the density and development requirements of the General Plan and all applicable County ordinances.



Development Policies – Los Gatos Watershed

R-LU 23

Los Gatos Watershed: Significant portions of the area within the Los Gatos (Lexington Reservoir) Watershed are divided into patterns of small, non-conforming parcels.

1. These lands are not and shall not be designated “Rural Residential” or other similar designation of increased density, on account of the multitude of existing, severely sub-standard development conditions and the prevalence of many unresolvable development constraints.
2. All portions of the Los Gatos Watershed shall be designated ‘Hillsides’ and development on existing parcels shall be required to meet the standards and policies of the County General Plan and the provisions of applicable County ordinances.
3. Further policy guidance is provided by means of the Los Gatos Watershed Land Use Policies (see Special Areas Policies section).

Development Policies – Steep Slope Areas

R-LU 24

New development, whether through subdivision or on existing, legal parcels (“single-site development”) shall not be allowed on building sites in excess of 30% average slope unless:

- a. the proposed site is a more feasible, suitable location for development than alternative locations on the parcel proposed for development; and
- b. technical feasibility and environmental impact have been assessed and demonstrated through required studies, tests, and analyses of site conditions and characteristics.

Development Policies – Non-Residential Development Densities

R-LU 25

Non-residential land uses allowed in ‘Hillsides’ areas shall be of a generally low density or low intensity nature, depending on the use, as is consistent with the basic intent of the Hillsides designation to preserve the resources and rural character of the land. Non-residential uses shall:

- a. avoid or minimize any potentially significant adverse environmental impacts;
- b. provide adequate access to safely accommodate potential traffic without significantly impacting local transportation routes;
- c. demonstrate no significantly increased risks associated with natural hazards;
- d. not create adverse visual impacts as viewed from the Valley floor or from adjacent public recreational areas; and
- e. cause no significant increase in the demand for public services or infrastructure, including potential impacts on school districts.

R-LU 26

For recreational, commercial, or other uses which permit or involve overnight accommodations for temporary guests, allowable densities and the design of development shall also adhere to the following principles:

- a. proposed densities must be consistent with the scale of the allowed recreational or commercial use, if applicable;
- b. design and appearance shall blend harmoniously with the natural setting; and
- c. development shall be located, and if possible, clustered within the minimum area necessary to accommodate it, in order to avoid or reduce the need for improvements and minimize any potential environmental impacts.



R-LU 27

Land uses proposed for inclusion within the Hillside zoning ordinance may be evaluated for conformity with the intent of this land use designation by various measures of land use intensity, including but not limited to:

- a. waste water generation rates;
- b. traffic generation rates;
- c. extent of grading, vegetation removal, drainage modifications, or other alteration of the natural environment;
- d. noise or other nuisance potential; and
- e. growth-inducing potential.

Development Policies - Non-Residential Open Space Preservation

R-LU 28

For all uses allowed in Hillside areas other than agricultural and single-family residential land uses, open space preservation by means of easement dedication may be required in order to:

- a. protect the public health, safety and general welfare;
- b. prevent or mitigate potentially significant adverse environmental impacts; and/or
- c. to create perimeter areas that adequately buffer neighboring properties from adverse off-site impacts of the proposed land use.

R-LU 29

The nature and duration of an open space or conservation easement shall be commensurate with:

- a. the nature of the land use;
- b. the duration to which that use has been entitled through County permitting procedures; and
- c. the extent of alterations made to the natural landscape.

R-LU 30

Land uses which do not receive a permanent entitlement should not be required to dedicate open space or conservation easements of permanent nature, unless required as a mitigation for alterations made to the natural landscape.

Development Policies - RV Parks

R-LU 31

Recreational vehicle (RV) parks shall primarily serve the needs of the traveling public for short term accommodations.

- (a) At least sixty-five (65%) percent of all spaces within an RV park shall be designed for and designated as short-term occupancy spaces (i.e., fewer than 30 days);
- (b) Twenty-five (25) percent of the total number of spaces may accommodate stays of up to one-hundred eighty (180) days;
- (c) Ten (10) percent of the total number of park spaces may accommodate stays of up to three-hundred sixty (360) days.

[Amended Dec. 5, 1995, File #: 6010-00-00-95GP; and August 5, 1997, File #6010-00-00-96GP]

Policy R-LU 32 deleted. See NOTE below.

R-LU 33

Recreational vehicle park development should conform to the adopted policies, ordinances and design guidelines of the County of Santa Clara.

NOTE: Policies R-LU 32 and 34 were deleted by an amendment to the General Plan adopted Dec. 5, 1995. [File #: 6010-00-00-95GP]



Ranchlands

Description and Intent

R-LU 35

Ranchlands: Lands predominantly used as ranches in rural unincorporated areas of the county, remote from urbanized areas and generally less accessible than other mountain lands. Important resources include reservoir watersheds for regional water supply, grazing lands, mineral resources, forests and wildlife habitat, rare or locally unique plant and animal communities, historic and archeological sites, and recreational and scenic areas of importance that also serve to define the setting for the urban areas.

R-LU 36

The general intent of the Ranchlands designation is to maintain the existing conditions of very low intensity uses, rural lifestyle, and limited public access. Development policies shall protect and enhance the continued use of the land for ranching.

R-LU 37

Population shall be held to a minimum, and land uses shall be of a nature and intensity which do not require higher levels of public services than those presently provided.

R-LU 38

Subdivision and parcel creation data, including the issuance of certificates of compliance, shall be collected and monitored. If subdivision activity reaches the thresholds established by the policies of the General Plan, Ranchlands policies shall be evaluated for possible revision.

Allowable Uses

R-LU 39

The primary use shall be ranching. Other allowable uses shall be:

- a. agriculture;
- b. low intensity recreational uses;
- c. mineral extraction;
- d. land in its natural state;
- e. hunting;
- f. wildlife refuges;
- g. very low density residential development; and
- h. very low intensity commercial, industrial, or institutional uses, provided that they primarily support ranching activities or the enhancement, protection, study or appreciation of the natural resources of the area.

Development Policies – General Principles for Ranchlands Areas

R-LU 40

General principles governing development and land division in Ranchlands areas shall be as follows:

1. No large ranches shall be allowed to fully divide into small parcels.
2. The function of allowed subdivisions shall be for the following, provided that very little population is added to Ranchlands areas:
 - a. help ranchers trade land;
 - b. raise capital in times of need;
 - c. help settle estates; and
 - d. provide for family divisions.
3. The right of ranchers to build residences and to divide “Williamson Act” property under the terms of existing Land Conservation contracts is affirmed.
4. There shall be a limit to the number of parcels created within the Ranchlands area.
5. The rural character of the area shall not be changed, and land use decisions shall prevent an influx of people into the Ranchlands area.



Development Policies – Allowable Densities

R-LU 41

Density of development in areas designated ‘Ranchlands’ shall be determined by application of the “20-160 acre variable slope-density formula,” or, if not employed, 160 acres per dwelling unit.

1. Clustering of development in Ranchlands shall not be allowed.
2. The minimum parcel size shall in no case be less than 20 acres.

Development Policies – Subdivision and Parcel Creation Limitations

R-LU 42

Individual subdivision proposals in Ranchlands areas shall be subject to the following limitations:

1. At the time of the application, the entire area of contiguous land holdings owned by the applicant shall be included in the application, even though the proposed subdivision may only affect a portion of that area.
2. Major subdivisions of 5 lots or more shall be discouraged.
3. No subdivision of land into parcels less than 160 acres shall be approved for a land holding where the division would result in the approval of more than four lots within the holding during any three year period.

R-LU 43

Cumulative land division activity shall be limited for areas designated Ranchlands, according to the following provisions:

1. The ‘Ranchlands’ shall be separated into two geographic areas, Area A to the north of Coe State Park, and Area B to include the remainder of the ‘Ranchlands’.
2. Within Area A:
 - a. no more than 40 parcels that are less than 160 acres each may be created in any calendar year;
 - b. no more than 75 parcels that are less than 160 acres each may be created in any three consecutive years; and
 - c. no more than 20 parcels may be created which are greater than 160 acres each in any calendar year.

3. Within Area B:
 - a. no more than 20 parcels may be created that are less than 160 acres each in any calendar year;
 - b. no more than 38 parcels may be created that are less than 160 acres each in any consecutive three years; and
 - c. no more than 10 parcels greater than 160 acres each may be created in any calendar year.
4. Parcels created without obtaining building site approval are restricted from use as building sites, as indicated on the approved subdivision map, and shall count towards the total of the number of parcels which may be created according to the aforementioned limitations, subsections (b) and (c).

Development Policies – Road and Access Requirements

R-LU 44

Ranch roads serving the internal needs of the ranches may be of gravel or hard dirt surface, and of widths suitable for ranching uses. Such roads shall not be considered acceptable for the purpose of subdivision approval unless they meet all applicable County standards regarding access for the Ranchlands areas. Routine maintenance of ranch roads shall not require grading permits provided that road alignments are not changed.