

County of Santa Clara
San Martin Planning Advisory Committee



DATE: February 26, 2020, Regular Meeting
TIME: 7:00 PM
PLACE: South County Office Building
80 West Highland Avenue, San Martin, CA 95046

AGENDA

In compliance with the Americans with Disabilities Act and the Brown Act, those requiring accommodations in this meeting should notify the Clerk of the San Martin Planning Advisory Committee no less than 24 hours prior to the meeting at (408) 299-5001, or TDD (408) 993-8272.

Please note: To contact the Commission and/or to inspect any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to all or a majority of the Board of Supervisors (or any other commission, or board or committee) less than 72 hours prior to that meeting, visit our website at <http://www.sccgov.org> or contact the Clerk at (408) 299-5001 or 80 West Highland Avenue, San Martin, CA 95046, during normal business hours.

Persons wishing to address the Commission on a regularly scheduled item on the agenda are requested to complete a request to speak form and give it to the Deputy Clerk. (Government Code Section 54953.3.) Individual speakers will be called by the Chairperson and are requested to limit their comments to two minutes. Groups of speakers on a specific item are asked to limit their total presentation to a maximum of twenty minutes for each side of the issue.

COMMUTE ALTERNATIVES: The Board of Supervisors encourages the use of commute alternatives including public transit, bicycles, carpooling, and hybrid vehicles.

For public transit trip planning information, contact the VTA Customer Service Department at (408) 321-2300 Monday through Friday between the hours of 6:00 a.m. to 7:00 p.m., and on Saturday from 7:30 a.m. to 4:00 p.m. Schedule information is also available on the web at www.vta.org.

Bicycle parking racks are available in the James McEntee, Sr., Plaza in front of the County Government Center building. If this Board or Commission does not meet in the County Government Center, please contact VTA for related routes.

Notice to the Public

The San Martin Planning Advisory Committee may take other actions relating to the issues as may be determined following consideration of the matter and discussion of the recommended actions.

Opening

1. Call to Order/Roll Call.
2. Pledge of Allegiance.
3. Public Comment.

This item is reserved for persons desiring to address the Committee on any matter within the subject matter jurisdiction of the Committee that is not on this agenda. Members of the public who wish to address the Committee on any item not listed on the agenda should complete a Request to Speak Form and give it to the Deputy Clerk. The Chairperson will call individuals to speak in turn.

Speakers are limited to the following: three minutes if the Chairperson or designee determines that five or fewer persons wish to address the Committee; two minutes if the Chairperson or designee determines that between six and fourteen persons wish to address the Committee; and one minute if the Chairperson or designee determines that fifteen or more persons wish to address the Committee.

The law does not permit Committee action or extended discussion of any item not on the agenda except under special circumstances. If Committee action or response is requested, the Committee may place the matter on a future agenda. Statements that require a response may be referred to staff for reply in writing.

Regular Agenda - Items for Discussion

4. Approve minutes of the January 22, 2020 Special Meeting.
5. Consider and make advisory recommendations to the Planning Commission relating to modifications to an Ordinance, originally considered by the Committee on January 22, 2020, amending various sections of County of Santa Clara Ordinance Code Appendix I (Zoning) for the purpose of regulating Accessory Dwelling Units (ADUs) in accordance with State law, including Junior Accessory Dwelling Units (JADUs) and Movable Tiny Homes. California Environmental Quality Act (CEQA): Statutorily exempt pursuant to California Public Resources Code Section 21080.17 and Section 15282(h) of the CEQA Guidelines. Location: Countywide. Supervisorial District: All. File No.: PLN20-001.

Possible action:

- a. Forward a favorable or unfavorable advisory recommendation to the Planning Commission to find the Ordinance is statutorily exempt from CEQA pursuant to Public Resource Code Section 21080.17, which exempts the adoption of an ordinance by a city or county to implement the provision of Section 65852.2 of the Government Code relating to ADUs.
- b. Forward a favorable or unfavorable advisory recommendation to the Planning Commission to amend the County of Santa Clara Ordinance Code Appendix I (Zoning) for the purpose of regulating ADUs in accordance with State law, including JADUs and Movable Tiny Homes.

Other Business

6. Discuss potential procedural changes relating to when the Committee considers applications and holds regular meetings.
7. Receive report from Chairperson.
8. Receive reports from Committee members.
9. Receive report relating to activities of the Department of Planning and Development, Planning Commission, and Board of Supervisors.
10. Propose future agenda items.

Announcements

11. Announcements and correspondence:

- a. There are currently two vacancies on the Committee. For internet access to the vacancies list and applications, visit <http://www.sccgov.org/sites/cob/bnc>.
- b. The County of Santa Clara provides reimbursement to appointed Commissioners for family care expenses incurred during the time spent performing their official County duties. For additional information, please contact the Office of the Clerk of the Board at (408) 299-5001.
- c. Receive correspondence.

Adjourn

12. Adjourn to the next regular meeting on Wednesday, March 25, 2020, at 7:00 p.m. at the South County Office Building, 80 West Highland Avenue, San Martin.

County of Santa Clara
San Martin Planning Advisory Committee



DATE: January 22, 2020, Special Meeting
TIME: 7:00 PM
PLACE: South County Office Building
80 West Highland Avenue, San Martin, CA 95046

MINUTES

Opening

1. Call to Order/Roll Call.

Chairperson Hineser called the meeting to order at 7:01 p.m. A quorum was present.

Attendee Name	Title	Status	Arrived
Trina Hineser	Chairperson	Present	
James Poore	Vice Chairperson	Present	
Michael Brookman	Member	Present	
Diane Dean	Member	Present	
Monica Winders	Member	Present	

2. Pledge of Allegiance.

The Pledge of Allegiance was recited.

3. Public Comment. (ID# 100184)

Two individuals addressed the Committee.

Regular Agenda - Items for Discussion

4. Approve schedule of San Martin Planning Advisory Committee meetings for calendar year 2020. (ID# 100018)

4 RESULT: APPROVED [5 TO 0]
MOVER: James Poore, Vice Chairperson
SECONDER: Diane Dean, Member
AYES: Hineser, Poore, Brookman, Dean, Winders

5. Approve minutes of the October 23, 2019 Regular Meeting.

5 RESULT: APPROVED [5 TO 0]
MOVER: Diane Dean, Member
SECONDER: Monica Winders, Member
AYES: Hineser, Poore, Brookman, Dean, Winders

6. Consider and make advisory recommendations to the Planning Commission relating to an Ordinance amending various sections of County of Santa Clara Ordinance Code Appendix I (Zoning) for the purpose of regulating Accessory Dwelling Units (ADUs) in accordance with State law, including Junior Accessory Dwelling Units (JADUs) and Movable Tiny Homes. California Environmental Quality Act (CEQA): Statutorily exempt pursuant to California Public Resources Code Section 21080.17 and Section 15282(h) of the CEQA Guidelines. Location: Countywide. Supervisorial District: All. File No.: PLN20-001. (ID# 100116)

Possible action:

- a. Forward a favorable or unfavorable advisory recommendation to the Planning Commission to find the Ordinance is statutorily exempt from CEQA pursuant to Public Resource Code Section 21080.17, which exempts the adoption of an ordinance by a city or county to implement the provision of Section 65852.2 of the Government Code relating to ADUs.
- b. Forward a favorable or unfavorable advisory recommendation to the Planning Commission to amend the County of Santa Clara Ordinance Code Appendix I (Zoning) for the purpose of regulating ADUs in accordance with State law, including JADUs and Movable Tiny Homes.

Joanna Wilk, Associate Planner, Department of Planning and Development, provided an overview of the proposed regulations, including information relating to nomenclature; JADUs, parking, owner occupancy, and procedural requirements; new development standards; inclusion of Movable Tiny Homes not required by State law; requisite findings; and, public outreach. Ms. Wilk stated that staff recommends forwarding favorable advisory recommendations to the Planning Commission to find the project is exempt from CEQA and to approve the proposed amendments.

Discussion ensued relating to the differences between ADUs and JADUs; definition of and requirements for Movable Tiny Homes, including distinction from recreational vehicles; notice of permit applications; occupancy requirements; height restrictions; water services and billing; postal service; parking; relationship of Amendments to agricultural housing; code enforcement, including staffing to support increase in applications and tenants; tenant rights; potential restriction on rents; permitting; and, taxes.

Three individuals addressed the Committee.

On motion of Chairperson Hineser, seconded by Member Poore, the Committee voted 4-1, with Member Dean voting no, to forward a favorable advisory recommendation to the Planning Commission to find the proposed Ordinance is statutorily exempt from CEQA pursuant to Public Resource Code Section 21080.17, which exempts the adoption of an ordinance by a city or county to implement the provision of Section 65852.2 of the Government Code relating to ADUs.

On motion of Vice Chairperson Poore, seconded by Member Brookman, the Committee voted unanimously to forward a favorable advisory recommendation to the Planning Commission to amend County of Santa Clara Ordinance Code Appendix I (Zoning) for the purpose of regulating ADUs in accordance with State law, including JADUs and excluding Movable Tiny Homes.

On motion of Chairperson Hineser, seconded by Member Dean, the Committee voted unanimously to advise the Planning Commission and Board of Supervisors that it is not rejecting the potential for Movable Tiny Homes, but is instead requesting additional research and analysis of various issues, including, but not limited to, other ordinances relating to San Martin, architectural design, compatibility, taxes, registration with the Department of Motor Vehicles, no on-street parking, a clear definition of Movable Tiny Homes, no holding tanks, additional public outreach, and water assessment fees.

6 RESULT: APPROVED [UNANIMOUS]
MOVER: James Poore, Vice Chairperson
SECONDER: Michael Brookman, Member
AYES: Hineser, Poore, Brookman, Dean, Winders

7. Receive report from the Department of Planning and Development relating to the development of Building Electrification Reach Codes for potential adoption by the Board of Supervisors. (ID# 100201)

Michael Alvarez, Acting Building Official, Department of Planning and Development, and John Supp, Silicon Valley Clean Energy, provided information relating to guiding principles and key elements of the proposed County Reach Codes intended to establish energy efficiency standards beyond the State-mandated Building Standards Code set forth in Title 24 of the California Code of Regulations.

7 RESULT: RECEIVED

Other Business

8. Receive report from Chairperson.

No report was received.

Minutes Acceptance: Minutes of Jan 22, 2020 7:00 PM (Regular Agenda - Items for Discussion)

9. Receive reports from Committee members.

Member Dean reported that residents of San Martin are no longer receiving information from the Perchlorate Citizens Advisory Committee following the departure of Bob Cerutti, although residents do occasionally receive updates from Central California.

9 RESULT: RECEIVED

10. Receive report relating to activities of the Department of Planning and Development, Planning Commission, and Board of Supervisors.

No report was received.

11. Propose future agenda items.

Chairperson Hineser requested that staff compare the Committee's governing documents for alignment with those of other advisory bodies. Chairperson Hineser also requested a report relating to the status of applications to serve on the Committee and why they have not been approved, including, but not limited to, applications from San Martin residents Stephen McHenry, Joe Cambareri, and Cathy Easley. Chairperson Hineser further requested that the Director of County Airports, Roads and Airports Department, provide a report in First Quarter 2020 relating to recent information exchanged with the Federal Aviation Administration regarding the San Martin Airport. Member Brookman commented that three individuals who expressed interest to him in serving on the Committee ultimately stated they would not due to perceived ineffectiveness with Committee meetings the night before Planning Commission meetings.

Announcements

12. Announcements and correspondence:

- a. There are currently two vacancies on the Committee. For internet access to the vacancies list and applications, visit <http://www.sccgov.org/sites/cob/bnc>.
- b. The County of Santa Clara provides reimbursement to appointed Commissioners for family care expenses incurred during the time spent performing their official County duties. For additional information, please contact the Office of the Clerk of the Board at (408) 299-5001.
- c. Receive correspondence.
No correspondence was received.

Adjourn

- 13. Adjourn to the next regular meeting on Wednesday, February 26, 2020, at 7:00 p.m. at the South County Office Building, 80 West Highland Avenue, San Martin.**

Chairperson Hineser adjourned the meeting at 9:37 p.m.

Respectfully submitted,

Peggy Doyle

Deputy Clerk