



COMMITTEE FOR
GREEN FOOTHILLS

FOR IMMEDIATE RELEASE

March 6, 2002

Contact:

Denice Dade, Legislative Advocate, Santa Clara County (650) 968-7243

NEWS RELEASE

Draft zoning language for foothills seriously flawed

PALO ALTO, CA – Some 15 months after approval of the Stanford Community Plan in December 2000, Santa Clara County has begun the process of creating new zoning for the Stanford foothills, lands now designated as Open Space / Field Research (OS/FR). This policy will govern the development of the Stanford foothills region.

The draft language describing protections for these lands is seriously flawed, and includes loopholes that will allow development without protection of the sensitive foothills region. Committee for Green Foothills is urging the Santa Clara County Planning Commissioners to revise the regulations to address a number of issues and ensure that the language does – as the Board of Supervisors intended – provide adequate long-term protection for foothills open space.

The Santa Clara County Planning Commission will be reviewing the draft zoning for the OS/FR District on Thursday, March 7th, at 1:30pm at the Santa Clara County Building, 70 West Hedding Street, in San Jose.

Draft language does not provide necessary protections for foothills district

In the Community Plan, the Board of Supervisors directed that language for this new zoning district be modeled after that in the County's Hillside clustering program.

However, the draft language provided by Planning staff for the OS/FR District:

- Does not establish a clear mechanism for permanent dedication of hillside lands (as does the clustering model in the County's Hillside zoning district);
- Requires protection only when Stanford subdivides (which is rare);
- Is vague and imprecise;
- Does not establish development density limitations, including floor-area limits and intensity limits; and
- Allows the minimum parcel size to be waived when clustering is to occur – effectively eliminating the protective intent of clustering (which allows more intense development on a small portion of a large developable parcel while requiring permanent dedication of the remaining 90% of the parcel).

The proposed OS/FR District zoning should contain specific, well-defined direction typically provided by a County zoning code, such as development density -- including floor-area limitations, intensity standards and specific findings. Further, the language should require that any development approval triggers a commensurate dedication of open space in the foothills region.

...continued

Draft policy indicates Stanford may continue to receive special treatment

The draft policy includes two particularly egregious loopholes that suggest that the County may continue to provide special treatment to Stanford rather than treating the University as it does other developers.

First, the draft language in the policy's "clustering" provision does not require the dedicated land to be contiguous with the developed area, as is required in the County's existing policies. The policy even goes so far as to allow this dedicated land to be placed in Special Conservation Area -- which is already protected from development. Allowing these areas to be used or counted as open space in exchange for development in the OS/FR District violates the intent of clustering, and this "double-dipping" is a clear run-around of the Community Plan. This policy does not provide a mechanism for dedication of the hillsides in the OS/FR District, as the Community Plan directs.

Second, the policy provides an unprecedented and inappropriate level of discretion given to the Architecture and Site Approval (ASA) Committee, rendering some protections provided for in the zoning definition essentially worthless.

The draft policy would give this non-elected committee the right to establish building height, setbacks, floor-area limitations, intensity of use limits, and new road standards. The resulting vague policy essentially establishes no standards for these important development criteria – standards that exist in other County zoning regulations. Additionally, the ASA Committee is predominately composed of County staff members, not elected officials, and thus has no direct public accountability. This arrangement does not provide the level of public scrutiny and participation necessary for these types of policy decisions. Giving this non-elected committee this level of discretion is inconsistent with other County zoning policies, and offers the opportunity for special treatment of the university.

Environmental group asks Planning Commission to revise language

Committee for Green Foothills, a leading environmental advocacy organization active in Santa Clara and San Mateo Counties, has asked the Commission to direct staff to revise the zoning language so that it provides the specific and accurate language required of its other zoning districts, and establishes a mechanism that guarantees dedication of foothills land when development occurs in the foothills, in accordance with the Community Plan.

Copies of the Committee for Green Foothills' letter to the Planning Commission are available from the Committee or on our website, www.GreenFoothills.org

About Committee for Green Foothills

Committee for Green Foothills is a regional grassroots organization working to establish and maintain land-use policies that protect the environment throughout San Mateo and Santa Clara Counties. Committee for Green Foothills, established in 1962, is a Bay Area leader in the continuing effort to protect open space and the natural environment of our peninsula.

More information is available at www.GreenFoothills.org.

###