

BOS February 15, 2005
Agenda Item 14B

County of Santa Clara

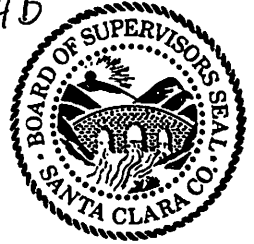
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James T. Beall, Jr.
Supervisor Fourth District

To: Board of Supervisors

From: Supervisor James T. Beall, Jr., District Four

Supervisor Blanca Alvarado, District Two

James T. Beall Jr.
B. Alvarado

Date: February 10, 2005

Re: Viewshed Protection Referral

Recommended Actions

1. Direct staff to report-back to the Board of Supervisors with options for a ridgeline/viewshed protection ordinance.
2. Direct staff to report-back on model city ordinances within Santa Clara County that address ridgeline/viewshed protection.
3. Direct staff to provide planning and enforcement options for the Planning Department to utilize existing tools, such as Architecture and Site Approval (ASA), Environmental Impact Report (EIR), and Geographic Information Systems (GIS), in implementing future ridgeline/viewshed protection policies.
4. Direct staff to prepare a budget proposal that outlines the cost of planning and implementing a ridgeline/viewshed ordinance, including contract options.

Background

As Chairperson in 2001, Supervisor Beall facilitated a Land Use Workshop to discuss existing and future land use issues and tools that would address a multitude of challenges and policies within the Planning Department. Following this workshop, the Board of Supervisors reviewed and adopted a workplan for the Planning Department that reflected the Board's priorities and expectations. On numerous occasions as the Board discussed specific land use hearings, Boardmembers commented on the need for clarity in our General Plan regarding viewshed protection and increasing requests for super-sized residential homes (e.g. Bansal appeal and Moody Road).

In our opinion, the existing design review guidelines adopted by the Board of Supervisors in 1998 do not provide the necessary ordinances and policies to protect the hillsides and ridgelines of Santa Clara County. There is a need for stronger and uniform regulations and clear development

standards that will provide practical guidelines for developers as well as decrease the likelihood of appeals. Reducing uncertainty for homeowners and developers is one of our goals.

A potential method of reducing confusion and frustration is to adopt ordinances and enforce planning guidelines that are compatible with city regulations found within our county. Specific changes in policy and review standards for single site developments will also provide open-space protection. We believe the proposed recommendations are an important first step towards comprehensive protection of Santa Clara County hillsides and ridgelines.

The Planning Department indicated that it intends to return to the Board of Supervisors with the viewshed study pilot project, containing recommendations for implementation of countywide ridgeline/viewshed protection policies. We request that the above recommendations be included in the report-back and that staff provide a report to the full Board of Supervisors prior to April 2005