

**FINAL REPORT**

**LAND USE ELEMENT**  
**CITY OF SARATOGA, CALIFORNIA**

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**BACKGROUND REPORT AND**  
**GUIDELINES FOR AREA DEVELOPMENT**

**PREPARED FOR:**  
**CITY OF SARATOGA**

**JUNE 6, 2007**

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**BACKGROUND REPORT AND  
GOALS, POLICIES, AND IMPLEMENTATION MEASURES**

**PREPARED FOR:  
CITY OF SARATOGA**

**PREPARED BY:**

Ungo-McCormick Consulting  
Jerry Haag, Urban Planner

**JUNE 6, 2007**

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## **INTRODUCTION**

### **Purpose**

Saratoga's low density residential land use pattern is well-established and unlikely to change. This Element describes the history of land use planning in Saratoga, discusses the major issues that face the City, and presents the goals and policies that will determine how land use and growth will be managed in Saratoga over the next 20 to 25 years.

Consistent with State Law, this Land Use Element describes the general location and extent of land uses within Saratoga for housing, business, open spaces, civic and other uses. It also includes standards for population density and land use intensity for the various types of land uses encompassed in the Element. This Element is intended to serve as a central framework for the entire General Plan and as a guide to planners, the general public and decision makers as to the desired pattern of development for Saratoga.

### **Relationship to Other Elements**

According to State Planning Law, each Element is distinct and all the Elements together comprise the General Plan. All Elements of the General Plan are interrelated to a degree, and certain goals and policies of each Element may also address issues that are the primary subjects of other Elements. The integration of overlapping issues throughout the Elements provides a strong basis for implementation of plans and programs, and achievement of community goals. This Element establishes the planned land use pattern for Saratoga based on historic development and the community's vision for the future. Land use planning takes into consideration housing needs identified in the Housing Element, natural and manmade hazards and development constraints identified in the Safety Element, and the open space and conservation goals and policies that are outlined in the Open Space/Conservation

Element. Alternatively, the other Elements ensure that infrastructure, utilities and public facilities are available to accommodate planned land uses, and that the unique qualities of Saratoga are safeguarded and enhanced. Finally, a circulation plan is established in the Circulation Element to accommodate increased traffic from planned uses in accordance with the Land Use Element.

## **BACKGROUND**

### ***Regional Setting***

The City of Saratoga is located in the westerly portion of Santa Clara County just southwest of the major metropolitan community of San Jose and approximately 35 miles south of San Francisco. Saratoga is found at the southerly end of the San Francisco peninsula.

The north, south and easterly portion of the community is sited on an historic alluvial plain shared with the adjacent communities of Cupertino, San Jose, Los Gatos and Monte Sereno. The westerly portion occupies low-lying foothills of the Santa Cruz Mountains and is adjacent to unincorporated properties within Santa Clara County.

Major regional access to the community is provided by State Route 85 (SR-85), a six-lane freeway linking to US 280 in Cupertino and US 101 to the north in Mountain View, US 101 south in San Jose, and to SR 17 to north San Jose and southwest to Santa Cruz County. Local roadways linking Saratoga to surrounding communities include Saratoga-Los Gatos Road, Saratoga Avenue, Highway 9 and Saratoga-Sunnyvale Road.

**Figure LU 1** shows the regional setting of Saratoga.

### ***Saratoga's Planning Area***

Saratoga's Planning Area consists of all properties located within the incorporated boundary of the City, as well as lands within the City's Sphere of Influence. As of 2006, lands within

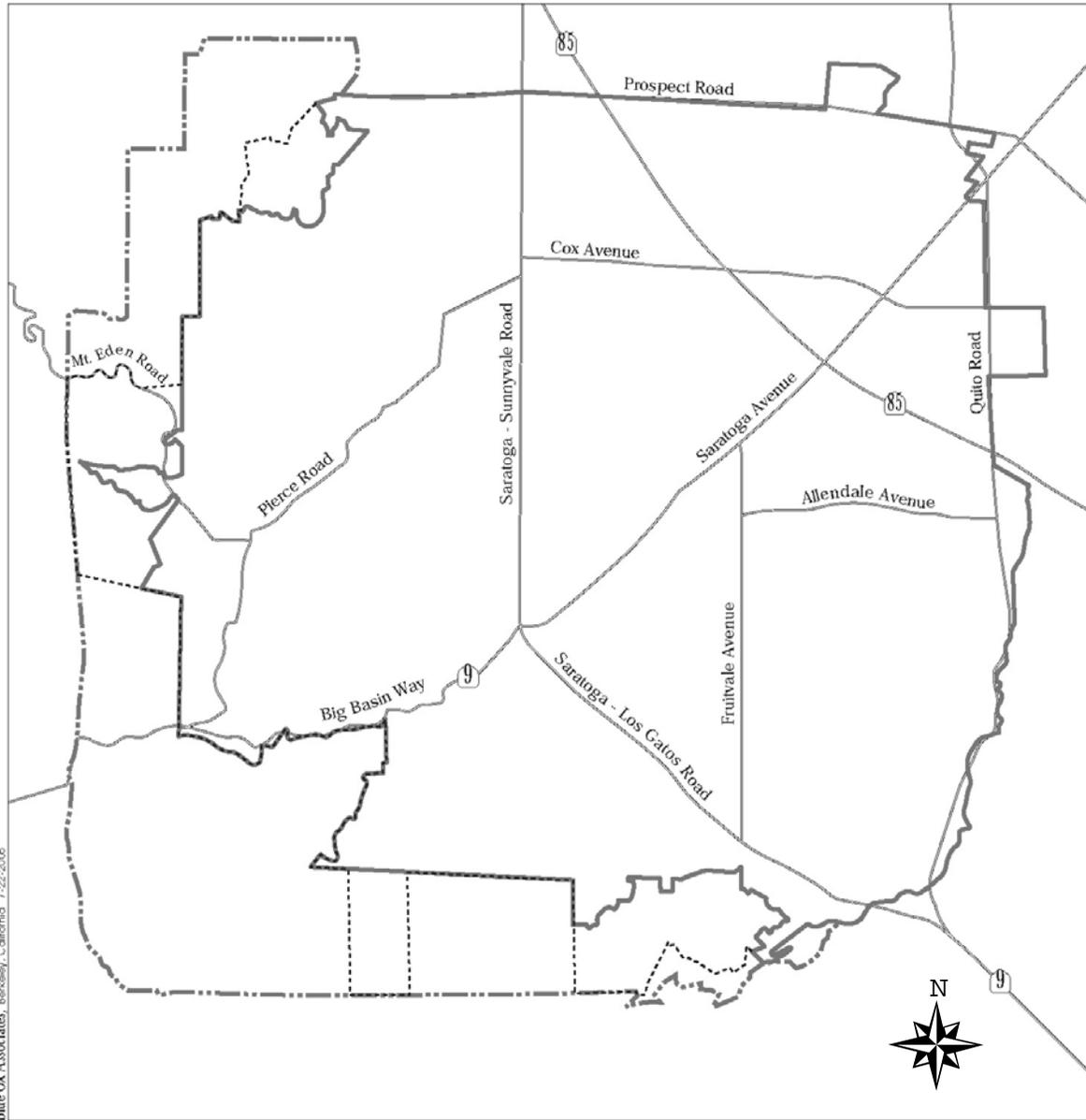
the City limits consists of approximately 12.8 square miles, The Sphere of Influence consists of approximately 4 square miles of unincorporated lands that are anticipated ultimately to be annexed by the City.

**Figure LU 2** depicts Saratoga’s Planning Area.



*Saratoga Civic Center*





SOURCE: City of Saratoga, July 2006.

**Exhibit LU-2**  
**SARATOGA PLANNING AREA**

- City Limit
- - - - - Sphere of Influence Boundary
- ..... Urban Services Boundary

0    1/4    1/2    1 mile

### ***Historical Overview of Saratoga***

The City of Saratoga was incorporated in 1956. The town had its beginning more than a century earlier in 1848 when William Campbell built a sawmill, about 2.5 miles above and west of the present village, along what is now Highway 9. The area's earliest inhabitants had been Indians, building homes near the mouth of the canyon at what an early map noted as Campbell's Gap. Saratoga is situated at the entrance to a historic pass in the redwood forested Santa Cruz Mountains. Artifacts have been found along Saratoga Creek where the Ohlone Indians camped while on their way through the pass to the ocean beyond.

In 1850-51, Martin McCarty, who had leased the sawmill, built a toll road connecting it to the village, to expedite the hauling of lumber. McCarty also had a survey made, laying out the town of McCartysville, and a post office was established under that name in 1855.

The town's brief industrial production, a short-lived furniture factory, grist mill, tannery, paper and pasteboard mills, was commemorated in the post office name of Bank Mills in 1863. The discovery of mineral springs with a content similar to that of Congress Spring at Saratoga Springs, New York, led to the renaming of the town to Saratoga in 1865. Pacific Congress Springs inspired the construction of an elaborate resort hotel, which flourished for almost forty years (about two miles above the village), until it was destroyed by fire in 1903.

The resort image lingered through succeeding years, even as agriculture became the dominant industry in Saratoga and the Santa Clara Valley. Vineyards and a few scattered orchards remain as a reminder of this era, which was brought to a close with the valley's rapid urbanization following World War II.

Saratoga's first "master plan" was adopted in 1969 and a new General Plan was adopted in

1974. The City Council updated and adopted a new General Plan in 1983.

### ***Local Planning Initiatives***

Several provisions have become part of Saratoga's planning practice through the initiative process.

Initiative powers are guaranteed in the California constitution and permit citizens to place any legislative matter on the ballot by gathering signatures.

*Measure G:* In March 1996, the voters of the City of Saratoga approved an initiative, known as Measure G, to change the text of the Land Use Element of the 1983 General Plan to require that certain amendments to the Land Use Element may only be made by a vote of the people. On April 23, 1996, the City Council certified the results of the March 26, 1996 election and adopted a resolution incorporating the Measure G amendments in the Land Use Element. These land use policies were set forth to protect the character of Saratoga's residential neighborhoods.

This initiative provides assurance by giving greater stability to the City's General Plan, to protect the residential and recreational open space areas in the City. The initiative requires, with certain exceptions, a vote of the people to permit General Plan amendments that: (1) redesignate residential lands to commercial, industrial or other land use designations, (2) increase densities or intensities of residential land use, or (3) redesignate recreational open space lands to other land use designations. This initiative does not affect the City's existing regulations that authorize the creation of second dwelling units, nor does the initiative interfere with the City's obligation, under State Law, to revise the Housing Element every five years.

The text of Measure G is incorporated in the Land Use Element by this reference.

*Measure A.* In April 1980, the citizens of Saratoga adopted an initiative directing preparation of a specific plan for the Northwest Hillside of the City of Saratoga and adjacent County lands in accordance with the initiative and the Community Planning Objectives of the 1974 General Plan.

The primary goal of the initiative was “to conserve the City’s natural rural character” by controlling the density of development in the hill areas and allowing development in an environmentally sensitive manner. Special development problems were noted, such as street slopes, potential landslide and difficult access. Citizen participation was required at all stages.

In accordance with the requirements of Measure A, in June 1980 the City Council designated an 11-member Citizens Advisory Committee. The committee began bi-monthly meetings on June 26, 1980, inspecting the Study Area, reviewing related City and County documents and meeting with various experts from responsible agencies and land use consultants, which led to the adoption of the Hillside Specific Plan.

**Stadium Initiative:** In 1977, the voters of Saratoga adopted an initiative ordinance prohibiting stadiums of any size or any other facilities with a similar use within any zoning district. The initiative ordinance provided for temporary portable equipment for cultural events on any track or field upon two-thirds vote of the City Council after a duly noticed public hearing and a finding that the particular event will not be unduly disturbing to the City. Facilities at elementary or secondary schools or facilities built by private, nonprofit, youth-oriented organizations such as the Little League or American Youth Soccer organizations are exempt from these limitations.

***Specific Plans:***

*Hillside Specific Plan:* The Hillside Specific Plan was prepared to meet the requirements of the Measure A Initiative and State Law. How-

ever, its more important purpose is to set up guidelines for the development of the northwestern hillside, including policies and action programs with land use maps that are more detailed than the General Plan. It is intended to better link the Saratoga General Plan with subdivision and zoning regulations, while not being a site-specific development plan. The Specific Plan was reviewed and updated by the Saratoga City Council in 1994. The Specific Plan is incorporated by reference in the Land Use Element.

*Saratoga Village Specific Plan:* The Saratoga Village area has been identified for many years as an area of ongoing community interest because of its special historic and environmental assets, and the desire to build upon these assets to maintain and enhance its unique character. The Saratoga 1974 General Plan contained an adopted Saratoga Village Design Plan. The 1983 General Plan designated the Saratoga Village as Planning Area J, one of twelve planning areas, and included a policy to develop a specific plan for the Saratoga Village, incorporating the previous Saratoga Village Plan. In May 1988 the Saratoga City Council adopted the Saratoga Village Task Force Report, and the comments from the report of Area J’s Citizen Advisory Committee. In 1987, a Saratoga Village Planning Program was completed and was the basis for the Saratoga Village Specific Plan, which was adopted by the Saratoga City Council in May 1988.

The main goals of the Saratoga Village Specific Plan are aimed at:

1. Preserving and enhancing the small-scale, pedestrian character of the Village to make the area more inviting to potential shoppers and diners;
2. Preserving and enhancing the architectural and landscape character of the area;
3. Improving parking and circulation;
4. Encouraging a traditional town center mix of specialty shops, restaurants, convenience shops, services and residences; and
5. Conserving historic structures.

The Saratoga Village Specific Plan establishes land use, zoning circulation, parking and design policies and implementation programs that are aimed at implementing these goals in the preservation and improvement of the small-scale, pedestrian character of the Village. The rezonings, design guidelines and parking circulation programs are intended only for the commercial areas along Big Basin Way, Highway 9 and Saratoga Avenue. The Saratoga Village Plan is incorporated by reference.

**Exhibit LU 3** shows the general boundaries of the Hillside Specific Plan and Saratoga Village Specific Plan. The specific boundaries of each area are described within the each document.

*Saratoga-Sunnyvale Gateway District.* The Saratoga-Sunnyvale Gateway District comprises the commercially designated properties on Saratoga-Sunnyvale Road between Prospect Road and the railroad tracks. In 2003, the City Council adopted the Saratoga-Sunnyvale Road Gateway Improvement Master Plan to guide improvements within the public street right-of-way within the District. In addition, the City Council adopted Guidelines to provide direction for the design of mixed-use projects that include commercial and residential uses, as provided for in the General Plan Housing Element. The Gateway Design Guidelines are incorporated by reference.

### ***Existing Land Uses***

The predominant land use in Saratoga is residential, most of which is low density, single-family on individual lots. Medium density residential uses, comprised primarily of smaller apartment and condominium units, are found near the intersections of Saratoga Avenue and State Route 85, Prospect Road and Saratoga-Sunnyvale Road, and adjacent to the downtown “Saratoga Village”.

Major commercial and shopping areas include the downtown “Saratoga Village” located along

Big Basin Way, at the intersection of Saratoga-Sunnyvale Road, Saratoga-Los Gatos Road and Saratoga Avenue. The downtown area includes a range of restaurants, specialty retail, professional offices and personal services. Smaller commercial areas are located along Saratoga-Sunnyvale Road between Prospect Road and the railroad tracks, Saratoga-Sunnyvale Road south of Cox Avenue, near the intersection of Saratoga Road and Cox Avenue and west of Saratoga Avenue south on Prospect Road.

There are no sites within Saratoga which are used or designated for industrial purposes.

Other major land uses in the community include the Saratoga Civic Center, located on the west side of Fruitvale Avenue and the Saratoga Community Library, located on Saratoga Avenue near its intersection with Fruitvale Avenue.

Saratoga is generally served by four elementary school districts, three high school districts and two community college districts. Only one of the elementary school districts, Saratoga Union School District, is located entirely within the city. All other elementary school districts overlay other cities.

Currently, in addition to the public schools listed above, there are three private elementary (K-8) schools, and several nursery schools and daycare centers serving the Saratoga community.

Saratoga is served by a significant amount of land devoted to parks and natural areas that are free and open to the public for recreational use. These lands are located both within the city-limits and in the adjacent unincorporated hillside areas of the Sphere of Influence. They include city-owned parks and open spaces, as well as public lands that are owned and operated by Santa Clara County Parks and the Mid-Peninsula Open Space District.

With the exception of the hillside areas and Williamson Act properties, Saratoga is almost built

out. There are approximately 900 acres of vacant land in the Saratoga, Of these, approximately 700 acres are in hillside areas and 109 acres are under Williamson Act contracts. Lands within the hillside areas are generally subject to significant constraints such as steep slopes and unstable soils.

Saratoga is located in the North Central Flood Zone of the Santa Clara County Water District. The creeks in the City that are under District jurisdiction are Calabazas, Rodeo, Saratoga, Wildcat, Vasona and San Tomas Creeks. In general, flooding from these creeks has been confined to the relatively narrow flood plain directly adjacent to the creeks.

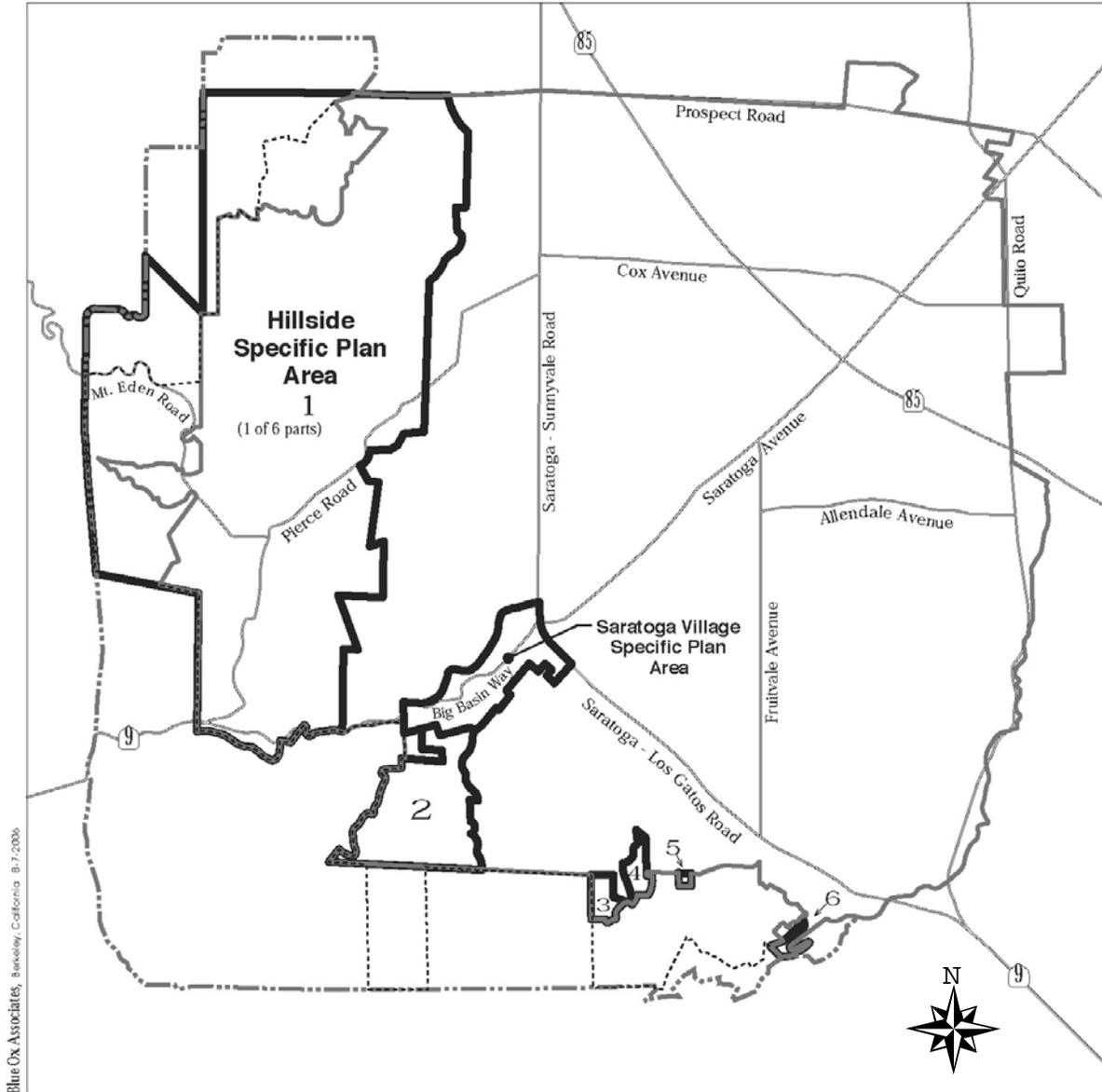
**Exhibit LU-4** shows the location and extent of the 100-year flood plain as identified by the Federal Emergency Management Agency (FEMA).



*City parks and trails*



*Saratoga Library*



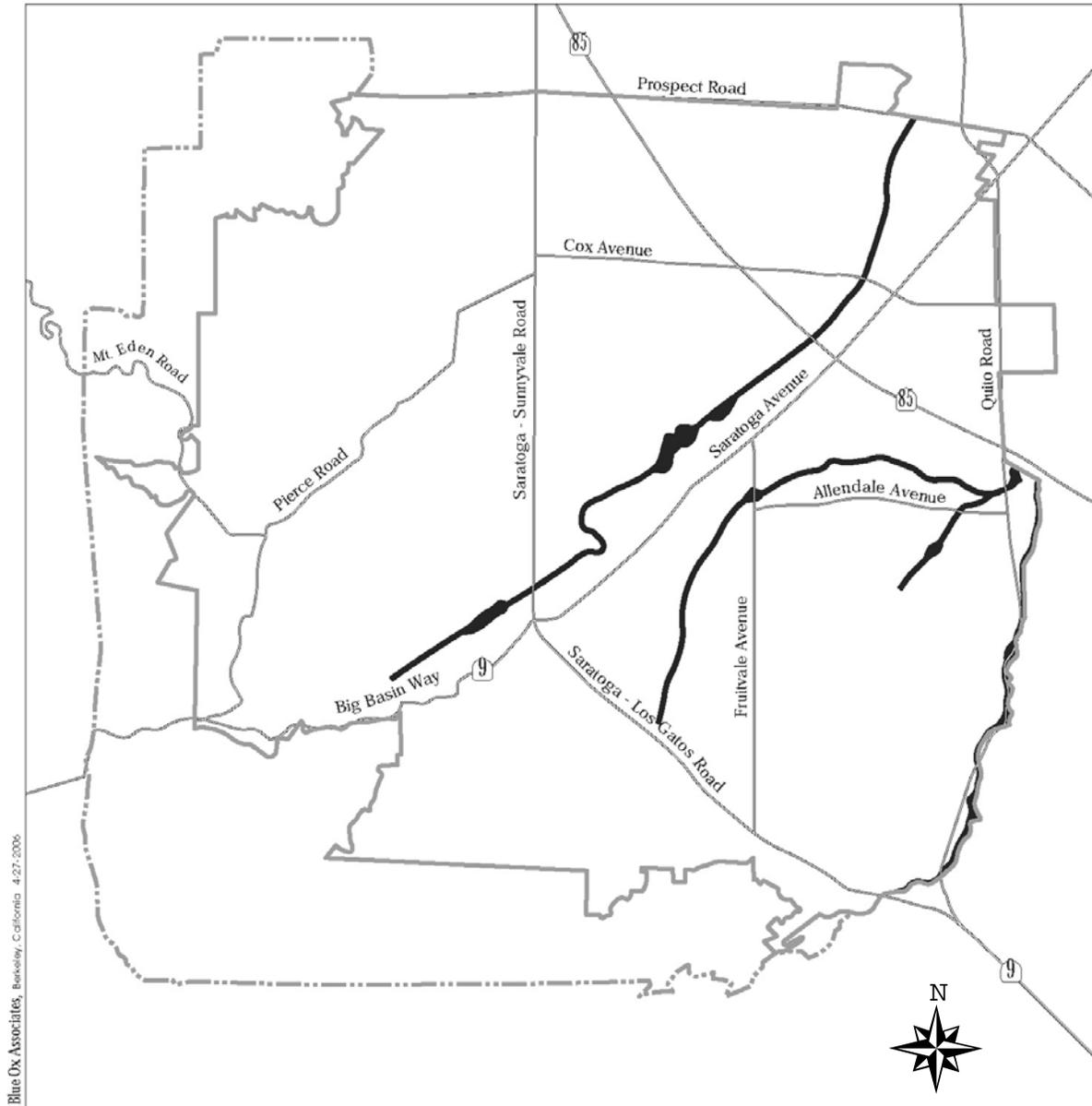
Blue Cx Associates, Berkeley, California 8-7-2006

SOURCE: City of Saratoga, July 2006.

**Exhibit LU-3**  
**SPECIFIC PLAN AREAS**

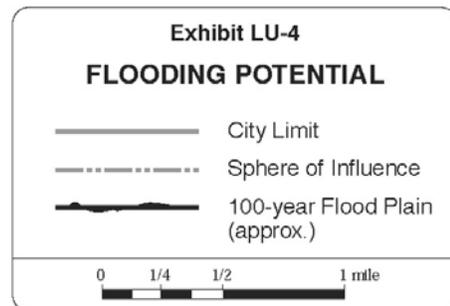
	City Limit
	Sphere of Influence
	Urban Services
	Specific Plan Boundary

0    1/4    1/2    1 mile



Blue Ox Associates, Berkeley, California 4-27-2006

SOURCE: FEMA, Flood Insurance Rate Map, City of Saratoga, 3 July 1997.



## LAND USE PLAN

### *A Vision for Saratoga*

A valid and useful General Plan needs to provide a common goal to which the community strives. This vision then becomes the touchstone by which future decisions concerning land use and other factors are made.

Consistent with the Land Use Element goals and Policies, the City's vision of Saratoga is expressed in the following statements:

#### *Saratogans value:*

- *The natural beauty of the City and its hillsides. Development must be environmentally sound and preserve the city's natural beauty.*
- *Saratoga's historical past. Historic assets throughout the city should be preserved and protected.*
- *Saratoga's small town, residential character which includes semi-rural and open space areas. Saratoga was developed as a city with low density housing. Its residents value quality educational facilities, neighborhood parks for recreation, cultural opportunities and community involvement for all ages.*
- *Saratoga Village. The Saratoga Village is both an historic asset and the economic center of the City. It is important to protect both the historic importance of the Village and the economic viability of the Village and other commercial areas in the City.*

### *Land Use Categories*

The Land Use Plan identifies the land use composition throughout the Saratoga Planning Area to achieve the desired community character as expressed in this vision.

All properties within the Saratoga Planning Area have been grouped into land use categories as shown on the Land Use Map, which is included as an integral part of the Land Use Element as **Exhibit LU-5**.

Listed on the following pages are the land use categories that appear on the Land Use Map, along with the type and intensity of use allowed in each category. Land use densities are per net area, and net area is generally defined as the remaining portion of the gross site area after deducting portions within the right-of-way of existing or future public streets, private streets, easements, quarries or areas which are classified by the City Geologist at "Md" or "Mrf". Impervious coverage limitations are intended to minimize runoff resulting from development of the parcel. Impervious coverage is defined as any structure or constructed surface that disrupts the aesthetics of the landscape,

### *Residential*

Residential land use is broken down into 6 sub-categories. The first 4 categories allow single-family dwellings, horticultural and agricultural use, and accessory uses compatible with single-family dwellings. The fifth category allows multi-family dwellings, single-family dwellings, horticultural and agricultural use, and accessory uses compatible with residential use. In residential areas, it is understood that other uses such as schools can be permitted. The sixth category allows multi-family densities in various zoning districts if the site is designated P-D residential and upon receipt of a use permit.

Flexibility in terms of density and development would be allowed in the area if a project furthered the goals of the Housing Element. The six sub-categories and the density and intensity of uses permitted in these subcategories are as follows:

A. *Residential Hillside Conservation*. Maximum density of 0.5 DU/net acre (du/ac) or 1.55 people/acre. Maximum intensity of building and impervious surface coverage: 15,000 square feet or 25 percent of site area, whichever is less.

B. *Very Low Density Single Family*. Maximum density of 1.09 du/ac or 3.38 people/acre.

Maximum intensity of building and impervious surface coverage: 35 percent of net site area.

C. *Residential Low Density Single-Family*. Maximum density of 2.18 DU/net acre or 6.76 people/acre. Maximum intensity of building and impervious surface coverage: 45 percent of net site.

D. *Medium Density Residential (M10, M12, M15)*.

1. M-10-maximum density of 4.35 DU/net acre /acre or 13.5 people/acre.
2. M-12.5-maximum density of 3.48 DU/net acre-or 10.8 people/acre.
3. M-15-maximum density of 2.90 DU/net acre or 9.0 people/acre.

In all cases above, the maximum intensity of building and impervious surface coverage is: 50% - 60% of site area.

E. *Multi-family* – Maximum density of 14.5 DU/net acre or 27-45 people/acre. Maximum intensity of building coverage: 40% of site area.

F. *P-D (Planned Development) Residential*: 4.35 to 12.45 DU/net acre or 13.5 to 38.6 people per acre. Maximum intensity of building coverage: 25% - 35% of site area. All projects proposed on sites with this designation shall require use permit approval a provided for in Article 16 of the Zoning Ordinance.-

It should be noted that any discussion of the number of people per acre is not meant to act as a limit to family size or maximum number of people that would be permitted to live on a site. The population densities given are meant only to act as a guide to the average number of people likely to occupy a given area.

### ***Commercial/Office***

Commercial land is broken into two general subcategories. Densities and intensities of uses permitted in these subcategories are as follows:

- *Commercial Retail (CR)*: There are five main commercial areas in the City with this designation. The main commercial areas include Downtown Big Basin Way (including Neale’s Hollow), Argonaut Shopping Center, the Gateway, Quito Shopping Center and the Center at Prospect and Lawrence (including nearby Big Tree Center). These commercial areas serve the community and/or their immediate neighborhood. They are not regional in orientation and tend to be located in relatively small complexes. Maximum intensity of building coverage is 60% of net site area, except as regulated by an applicable specific plan.

Commercial uses in the downtown Village Area are regulated by the Village Specific Plan (adopted in 1988 and as may be revised by City Council from time to time), including building coverage and height.

Where a new commercial development is to be located adjacent to or across from an established single-family or multi-family residential use, appropriate landscape buffers shall be required that are at least equal to the setbacks of the adjacent residential district. No single tenant of said development shall exceed 15,000 square feet of floor area.

- *Professional Administrative (PA)*: The maximum intensity of building coverage for this designation is 0.30 of net site area. This designation may conditionally allow small scale professional schools and similar uses.

In 2004, the City implemented a residential mixed-use ordinance, which establishes standards for mixed use development. Mixed uses are allowed by use permit in commercial and office zones within the City of Saratoga. Mixed use is defined as the development of a lot or building with two or more different land uses,

such as residential, commercial, office or public. The purpose of the mixed use development standards is to further accommodate the City's fair share of the regional housing need and to implement the policies of the Housing Element of the General Plan, adopted in 2002, in a consistent manner throughout the various commercial and office zoned districts of the City. It is further the goal of these standards to protect existing and future commercial development by establishing standards to ensure compatibility of adjoining commercial and residential uses. (*Refer to the Saratoga Housing Element regarding the Density Bonus program*).

### ***Community Facilities Sites***

All institutional, public and quasi-public uses fall into this category. Educational uses such as:

- Elementary schools, junior high schools, high schools, and the West Valley Community College are the uses that make up this subcategory. The open space and recreation areas of these sites are part of the City's open space inventory and help supplement city park use. Only school facilities or uses compatible with those facilities and adjacent uses are allowed in this land use category.
- Public facilities, such as, the Civic Center, the Community Library, two fire stations and public schools and institutions (e.g. West Valley College) are also included in this category. They are institutional uses under government control that provide a public service.
- This designation also includes private institutional uses, including but not limited to, religious uses (churches, synagogues, religious schools), convalescent homes, private schools, the cemetery, the electrical substation, and the Odd Fellows Home. These are institutional uses that provide a public service but are not controlled by a publicly-elected governing board.

All uses or their expansions, including building intensity, are evaluated through the use permit process as set forth in the Zoning Ordinance and must comply with criteria indicating their compatibility with adjacent uses. For quasi-public uses, a master plan may be required for all structures, changes of use, and improvements in the quasi-public designation. If required, the master plan shall be approved before approval of any buildings and other improvements.

### ***Open Space/Resource Protection***

Open space land use is broken down into five subcategories. The density and intensity of the uses permitted in these subcategories are as follows:

- ***Managed Resource Production (OS-MR)***. This designation consists primarily of the orchard lands, water reservoirs and lands that are under Williamson Act Contracts within the City. Single-family dwellings associated with agricultural uses are permitted at a maximum density of 1 dwelling unit per 4 acres. Only structures directly related to the maintenance of these open space uses are permitted on the sites within this designation.
- ***Outdoor Recreation (OS-OR)***. This subcategory consists of City or County parks or lands designated for those uses. Only recreational facilities (i.e. playground equipment, recreational courts, etc.), structures necessary to support the parks or structures of particular historic value are permitted in these areas. These sites are considered to be of particular value for recreational purposes. Some parks, such as Hakone Gardens, the Heritage Orchard and Villa Montalvo, preserve significant vegetation features.
- ***Hillside Open Space (OS-H)***. This designation covers all areas within Saratoga's Sphere of Influence that are not designated

as parks or OS-MR. This designation allows uses which support and enhance a rural character, promote the wise use of natural resources and avoid natural hazards. Uses include agriculture, mineral extraction, parks and low intensity recreational facilities, land in its natural state, wildlife refuges and very low intensity residential development. Other support uses related to the uses already listed may also be permitted. Allowed residential is between 1 dwelling unit per 20 acres to 1 dwelling unit per 160 acres based on a slope density formula subject to stringent criteria. These criteria apply to the Sphere of Influence portion of the General Plan.

- *Private Ownership (OS-P)*. The Saratoga Country Club Golf Course is currently the only site that falls under this designation. This site includes a significant amount of private open space totaling approximately 1000 acres.
- *Public Use Corridor (PUC)*. The PUC designation is applied to the former railroad corridor extending through the northerly portion of Saratoga in a northwest to southeast direction. This designation allows public multi-use recreational trails.

### ***Overall Height Limit***

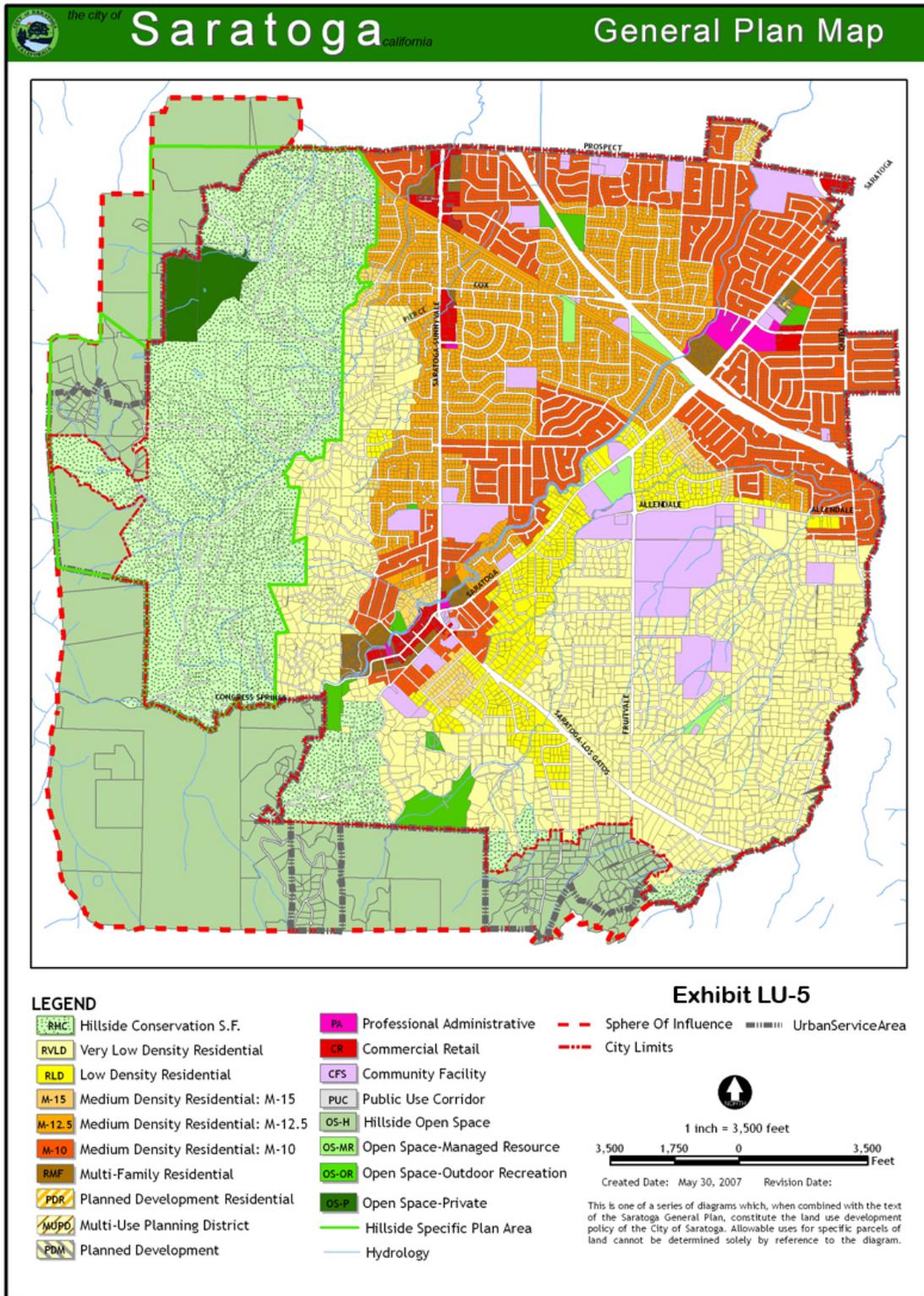
No structures in Saratoga shall be over two stories in height except that the maximum height of structures located within the Saratoga Village Area boundary (as defined by the Saratoga Village Area Plan, adopted in 1988), shall be regulated by the development standards of the Village Area Plan, as may be revised by City Council from time to time. Public schools and community colleges may be exempt from this height restriction.

On sites used for quasi-public uses, a three-story structure will be allowed provided the slope underneath the three-story area is 10%

or more and a stepped pad is used (Resolution 2285 adopted 11/7/85).



*Heritage Orchard*



**Table LU-1  
Land Use Categories**

LAND USE	MAXIMUM DU/ACRE OR PEOPLE PER ACRE	MAXIMUM ALLOWABLE COVERAGE	SUMMARY DESCRIPTION OF USE
<b>RESIDENTIAL LAND USES</b>			
Residential Hillside Conservation (RHC)	0.5 du/ac or 1.55 people/acre	25% of site area, or 15,000 s.f. whichever is less	Single-family dwellings
Residential Very Low Density (RVLD)	1.09 du/ac or 3.38 people/acre	35% of site area	Single-family dwellings
Residential Low Density (RLD)	2.18 du/net acre or 6.76 people/acre	45% of site area	Single-family dwellings.
Medium Density M-10 M-12.5 M-15	4.35 du/net acre or 13.5 people/acre 3.48 du/net acre or 10.8 people/acre 2.90 du/net acre or 9.0 people/acre		Single-family dwellings.
Residential Multi-Family (RMF)	14.5 du/ac or 27-24 people/acre	40% of site area	Detached and attached single-family dwellings, condominiums, duplexes and apartments.
Planned Development Residential (PDR)	4.35 - 12.45 du/acre or 13.5 - 38.6 people/acre	25-35% of site area	Mix of single-family and multi-family densities and housing types.
<b>COMMERCIAL LAND USES</b>			
Commercial Retail (CR)	**	60% of net site area, except as regulated by an applicable specific plan.	Commercial uses/centers serving community and/or neighborhood; not regional in orientation. Refer to Saratoga Village Specific Plan for uses, height and lot coverage permitted in Specific Plan area.
Professional Office (PO)	**	30% of site area	Professional offices uses permitted; serves as transition zone between commercial and residential areas.
<b>PUBLIC AND QUASI-PUBLIC FACILITIES LAND USES</b>			
Community Facilities Sites (CFS)	varies	varies	Public, civic and quasi-public (private institutional uses, including but not limited to, religious uses (churches, synagogues, religious schools and the novitiate), convalescent homes, private schools, the cemetery, the electrical substation, and the Odd Fellows Home.
<b>OPEN SPACE LAND USES</b>			
Open Space – Outdoor Recreation (OS-OR)	1 du/ 4 acres	N/A	City or County parks or lands designated for those uses. Only recreational facilities (i.e. playground equipment, recreational courts, etc.), structures necessary to support the parks or structures of particular historic value are permitted in these areas. These sites are considered to be of particular value for recreational purposes.
Open Space – Private (OS-P)		N/A	Consists of open space resources under private ownership (i.e. Saratoga Country Club Golf Course)
Open Space – Managed Resources (OS-MR)		N/A	Consists primarily of orchard lands, water reservoirs and lands that are under Williamson Act Contract. Only single-family dwellings or structures directly associated with agricultural use are permitted.
Hillside Open Space (HOS)	1 du/20 acres to 1 du/160 acres (based on a slope density formula subject to stringent criteria)	25% or 12,000 square feet whichever is less	Covers all areas within Saratoga’s Sphere of Influence (SOI) not designated as parks or OS-MR. Uses include agricultural, mineral extraction, parks and low intensity recreational facilities, land in its natural state, wildlife refuges and very low intensity residential development and support uses of those listed above. These criteria apply to the SOI portion of the General Plan
Public Use Corridor (PUC)	N/A	N/A	Applies to the railroad corridor and allows multi-use trails.
<p>• Overall Height Limit – No structure permitted over two stories in height except for structures located within the Saratoga Village boundary (as defined by the Saratoga Village Area Plan, (1988) which shall be regulated by the “Village Plan”) or for quasi-public uses, a three-story structure is allowed provided the slope underneath the three-story area is 10% or more and a stepped pad is used.</p> <p>•• Mixed residential/commercial uses are permitted in all commercial lands, with a maximum of 20 dwelling units per acre excluding density bonuses for very low-income, low-income, or senior housing. The residential portion shall not exceed 50% of the total floor area, ( 850 sq. ft. for a one-bedroom unit-1,250 sq. ft for a two-bedroom unit), with an increase of 10% of the total floor area permitted for the site, for projects that provide below-market-rate housing. Total site coverage may also be increased by 10% for a project containing below market-rate housing.</p>			

## **LAND USE ISSUES**

The following land use conditions also apply to special situations within Saratoga.

### ***Height Limitations***

In 2002, at the request of the Saratoga Woods Neighborhood, the City Council established a single-story limitation for residences in the Saratoga Woods Neighborhood. This neighborhood is generally bordered by Cox Avenue to the south, Saratoga Avenue to the east, Saratoga Creek to the west and Prospect High School to the north. This restriction precludes any new second story additions. The existing second story dwellings are exempt from this restriction. Outside of the Saratoga Woods Neighborhood, two-stories are permitted but no single-family dwelling shall exceed twenty-six feet in height without a use permit. The Saratoga Woods Neighborhood is shown in **Figure LU-6**.

### ***Secondary Dwellings***

Within the residential designation, secondary residential dwelling units are allowed as a permitted use. The structure itself may require Design Review approval if required by the Zoning Ordinance. A second dwelling unit is defined as an attached or detached residential dwelling unit which provides complete living facilities including permanent provisions for living, cooking, sleeping and sanitation. In conjunction with the Housing Element, if the property owner records an affordability covenant restricting rental occupancy of their second unit to very low or low-income households at affordable levels, the property owner may exceed both the maximum total allowable floor area and the maximum allowable site coverage for the site by 10%.

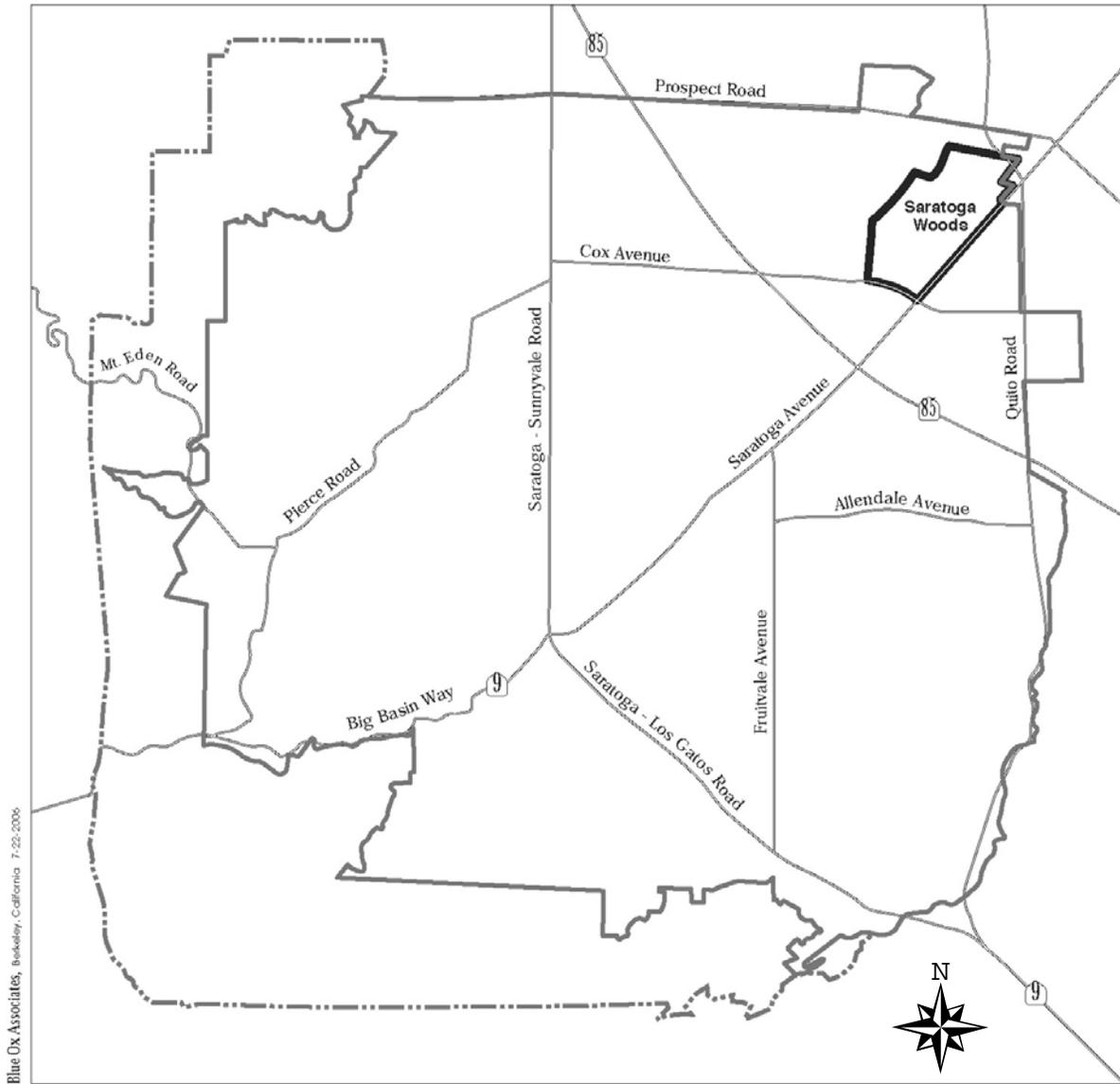
### ***Historic Resources***

In recognition of the historic character of Saratoga, the City has adopted an Historic Preservation Ordinance to protect its irreplaceable heritage resources.

In 1982 the Heritage Preservation Commission was established by the City Council to assist with and encourage the preservation of Saratoga's heritage resources, inventory historic resources, recommend to the City Council specific resources that should have historic designations, and act as an advisory body to the City Council, Planning Commission, and other agencies as to the impact of proposed new development on historic resources.

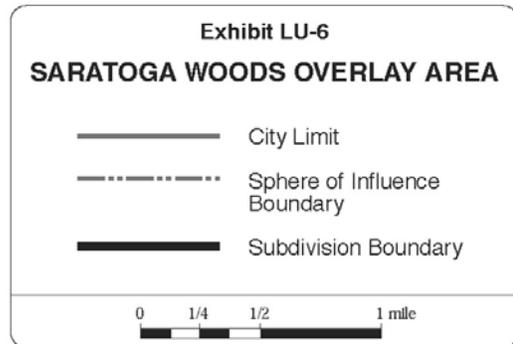
In addition to several local historic structures, features and sites, the City Council has designated two heritage lanes as local landmarks. The City Council has designated the brick portion of Austin Way west of Highway 9 as a Heritage Lane. The bricks of Austin Way were laid around 1904 when the railway ran alongside Austin Way. The trolley line connected Saratoga to San Jose and was in operation until 1933. The Saratoga segment of Austin Way is one of the very few remaining sections of brick highway paving to be found. A permit and discretionary review are required, pursuant to the Zoning Ordinance, for encroachments or excavations in the City right-of-way. In addition, the City Council has designated Saratoga Avenue between Fruitvale Avenue and 14301 Saratoga Avenue as a Heritage Lane. Saratoga Avenue from Fruitvale to the Village continues to be, as it was in the past, one of the most important entrances to the City and a route leading to the heart of the village. The street is characterized by two traffic lanes lined by mature trees and several historic residences. Fencing, walls, and development applications for residences located along this Heritage Lane require discretionary review pursuant to the Zoning Ordinance.

A list of local historic landmarks and heritage lanes is available in the City's Community Development Department.



Blue Ox Associates, Berkeley, California 7-22-2006

SOURCE: City of Saratoga, July 2006.



The following historic resources, which are listed on the National and/or State of California

Register, are located within the Saratoga Planning Area:

- *The Warner Hutton House, located at 1377 Fruitvale Avenue.*
- *Paul Masson Mountain Winery, located on Pierce Road.*
- *Miller-Melone Ranch, located at 12795 Saratoga-Sunnyvale Road.*
- *The Saratoga Foothill Club, located at 20399 Park Place.*
- *The Saratoga Toll Road, generally located at the beginning of Third Street and Big Basin Way.*
- *Villa Montalvo, located at 14800 Montalvo Road.*
- *The Welch-Hurst Building, located at 15800 Sanborn Road.*
- *Saratoga Village Library, located at 14410 Oak Street.*

### ***Mineral Resources***

Mineral resources in the Saratoga vicinity are limited primarily to sandstone and shale. Currently, there are no mines or quarries known to be operating in Saratoga or its Sphere of Influence.

### ***Timber Production***

Section 65302 (a) (1) of the California Government Code requires that General Plans address timber production in their land use elements. There are no timber production areas in the Saratoga Planning Area that would be affected by the Land Use Element. The City regulates all tree removal operations through its Tree Ordinance.

### ***Military Facilities***

Section 65302 (a) (2) of the California Government Code requires that land use elements of General Plans address military facilities. There are no military facilities in or adjacent to the Saratoga Planning Area that would be affected by the Land Use Element,

### ***Solid and Liquid Waste Disposal Provision***

Solid and liquid waste material is treated and disposed of outside of the Saratoga Planning Area.

### ***Population Trends***

Saratoga has not experienced substantial population growth for several decades. By 1979, most of the vacant, developable land was built upon. Most population growth since 1980 has been largely due to changes in household size within existing dwellings. Because Saratoga is nearly built out, except for hillside areas, there has been little new housing construction over the past 25 years, other than demolition and replacement of existing housing stock.

According to the State of California Department of Finance, Saratoga's population as of January 2005 was 30,850. This figure does not include residents within the city's unincorporated Sphere of Influence. Population projections prepared by the Association of Bay Area Governments (ABAG) show that the City can anticipate a total population of 31,700 in 2010, 32,400 in 2015 and 33,300 in 2020. These are only projections and actual population may change somewhat due to local economic and other conditions or constraints.

### ***Employment Trends***

Saratoga's predominant low-density residential pattern provides limited employment opportunities. There are no industrial or manufacturing plants, large-scale research and development facilities, or "big box" commercial structures. The largest employers are Safeway, Longs, Gene's Market, West Valley Community College, schools and the City Government Center. This trend is not expected to change.

## **ADMINISTERING AND IMPLEMENTING THE LAND USE ELEMENT**

The Land Use Element, similar to all other Elements, is not a static document. State Law allows the City to approve amendments to the Land Use Element up to four times per calendar year. The Land Use Element is implemented through a variety of methods, including the Saratoga Zoning Ordinance, specific plans, annexation policies and the City's Capital Improvement Budget. These are described below.

### ***Zoning Ordinance***

Saratoga has adopted a Zoning Ordinance as part of the larger Municipal Code. The Zoning Ordinance classifies properties within the community into a series of zoning districts, each containing a list of permitted and conditionally-permitted land uses, development regulations, and provides for review of individual development applications to ensure consistency with the and Zoning Ordinance.

### ***Specific Plans***

California Government Code allows cities and counties to adopt Specific Plans for portions of a community that provide a mid-level land use regulation for lands governed by the Specific Plan. Currently, the City has adopted a Specific Plan for the Northwest Hillside area and a Specific Plan for the downtown business district, known as The Saratoga Village Specific Plan.

### ***Design Guidelines***

Saratoga has adopted Design Guidelines for The Saratoga Village Specific Plan area and for commercial properties in the Saratoga-Sunnyvale Road Gateway District located along Saratoga-Sunnyvale Road between Prospect Road and the railroad tracks. The purpose of these Guidelines is to guide new and redeveloped uses and new development or property redevelopment in a manner that enhances the unique character of each area. Additionally, the Gateway District Guidelines provide direction for the design of mixed-use projects that introduce a component of residential uses within the

Gateway District, as provided for in the General Plan Housing Element. In recognition of the city's unique character and the desire to protect the residential characteristics of its neighborhoods, the City Council has adopted the Residential Design Handbook. This handbook serves to guide the homeowner, architects, developers and builders in designing new single-family homes or remodeling of existing homes, in a manner that is compatible with surrounding properties. In addition, it serves as the guide to staff, Planning Commission and City Council in the single-family design review process.

### ***Area Plans***

Twelve Area Plans have been adopted to address development, infrastructure and other issues within distinct sub-areas of Saratoga. These Area Plans are separate from the Land Use Element and are found in Chapter 4 of the General Plan.

### ***Annexations***

The City of Saratoga may annex properties within the unincorporated portion of Santa Clara County into the City of Saratoga. To be considered for annexation, properties must be located within the boundaries of the adopted Saratoga Sphere of Influence. Upon annexation, the City may extend urban services to these areas, and the properties annexed are subject to zoning requirements and all other land use regulations adopted by the City of Saratoga. Annexations must be approved by the Santa Clara County Local Agency Formation Commission (LAFCO).

### ***Capital Improvement Program***

The City of Saratoga has adopted a Capital Improvement Program (CIP) that establishes priorities for the maintenance, rehabilitation, expansion or construction of new capital facilities within the community. Typically this includes parks, public buildings, infrastructure and similar facilities. By State Law, the City must find that the CIP is consistent with the General Plan prior to the adoption of the CIP.

## GOALS AND POLICIES AND IMPLEMENTATION MEASURES

The following goals, policies and implementation measures have been adopted to ensure that the vision of Saratoga can be achieved. The term “goal” designates a desired end state which the Land Use Element attempts to achieve. A “policy” is a specific statement that guides decision making. It indicates a commitment of the agency to a particular course of action. The term “Implementation Measure” describes specific methods or actions that the City can take to achieve each goal and related policies.

### *Residential Land Use*

**Goal LU 1:** Maintain the predominantly small-town residential character of Saratoga which includes semi-rural and open space areas.

**Policy LU 1.1:** Affirm that the city shall continue to be predominately a community of single-family detached residences.

**Policy LU 1.2:** Continue to review all residential development proposals to ensure consistency with Land Use Element goals and Policies.

**Policy LU 1.3:** Ensure that existing undeveloped sites zoned single-family detached residential remain so designated.

**Policy LU 1.4:** Review and update Area Plans on a periodic basis to ensure that they reflect the desires and needs of each neighborhood.

**Policy LU 1.5:** Ensure that all development proposals are consistent with the spirit and requirements established by Measure G.

### **Implementation:**

**LU 1. a.** The City shall continue to utilize the Residential Design Handbook and design review process to ensure consistency with Residential Land Use Goals and Policies.

**Responsible Agency:** Community Development Department/Planning Commission  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** 1.1, 1.2, 1.3, 1.5

**LU.1.b.** The City Council shall initiate the update of the Area Plans as part of the update process.

**Responsible Agency:** Community Development Department  
**Funding Source:** General Plan Fees  
**Time Frame:** TBD  
**Related Policies:** 1.4

### *Commercial, Office and Public Land Use*

**Goal LU 2:** Encourage the economic viability of Saratoga’s existing commercial and office areas and their accessibility by residents, taking into account the impact on surrounding residential areas.

**Policy LU 2.1:** Non-residential development shall be confined to sites presently designated on the General Plan Map for non-residential uses. Existing non-residential zoning shall not be expanded nor new non-residential zoning districts added.

**Policy LU 2.2:** Non-residential uses shall be buffered from other uses by methods such as setbacks, landscaping, berms, and sound-walls as determined through the Design Review process.

**Policy LU 2.3:** The City shall revise the zoning ordinance to allow bed and breakfast establishments as conditional uses in commercial or residential zoning districts where such uses have not previously been permitted and where such uses would be appropriate. *(The Zoning Ordinance currently provides for bed and breakfast establishments as conditional uses in commercial and professional office districts.)*

**Policy LU 2.4:** The City shall work with commercial property owners and merchants to encourage appropriate modernization and

upgrading of retail establishments consistent with the historic character of the community to provide pleasant shopping experiences.

**Policy LU 2.5:** The City shall monitor Zoning Ordinance standards to ensure that non-residential parking standards are adequate to minimize spill-over of parking into adjacent neighborhoods.

**Implementation:**

**LU.2.a.** When considering applications for non-residential developments, the City shall continue to utilize the design review process to ensure consistency with Commercial and Office Land Use Goals and Policies.

**Responsible Agency:** Community Development Department/Planning Commission.  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 2.1, 2.2, 2.4, 2.5

**Goal LU 3:** Promote the long-term fiscal soundness of the City of Saratoga through careful analysis of land use decisions and fiscal practices.

**Policy LU 3.1:** The City shall consider the economic impact of all land use decisions on the City budget through the preparation of fiscal impact analyses for major development proposals.

**Policy LU 3.2:** The City shall adopt regulations authorizing exactions in the form of improvements or fees required from developers to compensate the City for their fair share of direct and indirect economic effects that arise from proposed development and to insure implementation of the General Plan.

**Implementation:**

**LU.3.a.** Revise the Municipal Code to include requirement for a fiscal analysis for major development proposals as part of the subdivision and conditional use permit process.

**Responsible Agency:** Planning Commission/City Council  
**Funding Source:** General Fund

**Time Frame:** FY 2007-2008  
**Related Policies:** LU 3.1

**Implementation:**

**LU.3.b.** Continue to update the fees schedule on a yearly basis to compensate the City for economic effects of development.

**Responsible Agency:** Planning Commission/City Council  
**Funding Source:** General Fund  
**Time Frame:** Yearly  
**Related Policies:** LU 3.2

**Goal LU 4:** Provide sufficient land area for public, quasi-public and similar land uses in Saratoga.

**Policy LU 4.1:** Periodically monitor the amount and type of land needed for City public uses and facilities and report to City Council through the annual City budgetary process and Capital Improvement Program.

**Implementation:**

**LU.4.a.** Update the City-owned Properties Report (2003) and gather public input on status and use of properties for report to City Council to help set priorities and determine funding for improvements at facilities.

**Responsible Agency:** Public Works/City Council  
**Funding Source:** Capital Improvement Budget  
**Time Frame:** FY 2009-2010  
**Related Policies:** LU 4.1

**Neighborhood Protection**

**Goal LU 5:** Relate development proposals to existing and planned street capacities to avoid excessive noise, traffic, and other public safety hazards so as to protect neighborhoods. If it is determined that existing streets need to be improved to accommodate a project, such improvements shall be in place or bonded for prior to issuance of building permits.

**Policy LU 5.1:** Prior to approval, the decision making body shall consider the cumulative traffic impacts of single-family residential projects of 4 or more lots, multi-family residential projects of eight or more units, and commercial projects designed for an occupancy load of more than 30 persons. This may be accomplished through the completion of traffic impact analyses prepared by qualified traffic engineers or transportation planners.

**Policy LU 5.2:** Development proposals shall be evaluated against City standards and guidelines to assure that the related traffic, noise, light, appearance, and intensity of the proposed use have limited adverse impact on the area and can be fully mitigated.

**Policy LU 5.3:** The capacity of existing streets shall be recognized prior to tentative building site or subdivision approval of any project. New development shall be designed to minimize disruption to the area caused by an increase in through or heavy traffic.

**Policy LU 5.4:** Through the development review process, ensure that adjoining neighborhoods are protected from noise, light, glare and other impacts resulting from new or expanded non-residential developments.

**Policy LU 5.5:** Consistent with the initiative ordinance adopted by the City in 1977, stadium uses in Saratoga shall be limited as follows:

- (a) Neither a stadium of any size nor any other facility with a similar use but different name shall be permitted in any zoning district. A "stadium" is a track and/or field which has any one or more of the following: permanent or portable seating (other than field-level seating for participating athletes), permanent or portable lighting, permanent or portable sound system, press box, scoreboard, restrooms or concession stands, and on which any inter-school events or other

spectator-oriented events of any kind are held.

- (b) Temporary portable equipment for cultural events (other than sports events or rock concerts) may be utilized on any track or field upon a two-thirds vote of the City Council after a duly noticed public hearing and a finding that the particular event will not be unduly disturbing to the City.
- (c) This policy shall not apply to facilities at elementary and secondary (junior and senior high) schools or facilities built by private, nonprofit, youth-oriented organizations such as Little League or the American Youth Soccer organization.

This policy is specific and does not require an implementation measure.

**Implementation:**

**LU.5.a.** Through the design review and subdivision review process, the City shall require that all major development projects include traffic and environmental review to ensure adherence with Neighborhood Protection Goals and Policies.

**Responsible Agency:** Community Development Department  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 5.1 – LU 5.4

**Environmental and Resource Protection**

**Goal LU 6:** Protect natural resources and amenities through appropriate land use and related programs.

**Policy LU 6.1:** Incorporate specific standards and requirements into the Zoning Ordinance to preserve and protect sensitive watershed areas on hillsides within the community.

**Policy LU 6.2:** Development proposals shall incorporate stormwater quality features, in-

cluding but not limited to grassy bio-swales, to protect surface and subsurface water quality.

**Policy LU 6.3:** Continue to implement the City's Construction Materials Recycling Program to reduce the quantity of construction debris in local landfills.

**Policy LU 6.4:** The General Plan shall continue to enforce and implement existing tree protection policies, especially in regards to native trees.

**Policy 6.5:** Encourage the use of renewable resources and energy conservation.

**Implementation:**

**LU.6.a.:** Amend the Zoning Ordinance and standard conditions of approval to require that development applications conform to stormwater pollution prevention best management practices.

**Responsible Agency:** Community Development Department  
**Funding Source:** General Fund  
**Time Frame:** FY 2008-2009  
**Related Policies:** LU 6.1, 6.2

**LU.6.b.:** Continue to distribute information regarding the City's Construction Materials Recycling Program during the building permitting process.

**Responsible Agency:** Community Development Department  
**Funding Source:** General Fund  
**Time Frame:** Ongoing  
**Related Policies:** LU 6.3

**LU.6.c.:** Continue to require arborist review for all development projects in accordance with the City's Tree Ordinance.

**Responsible Agency:** Community Development Dept/Planning Commission  
**Funding Source:** Development Fees

**Time Frame:** Ongoing  
**Related Policies:** LU 6.4

**Williamson Act Contracts and Agricultural Protection**

**Goal LU 7:** Protect existing agricultural resources and encourage expansion of this use.

**Policy LU 7.1:** Encourage renewal and discourage cancellation of Williamson Act contracts to preserve agricultural lands.

**Policy LU 7.2:** Encourage agricultural and open space landowners to voluntarily protect their land.

**Policy LU 7.3:** Encourage agricultural use on suitable land with protection for nearby residences as appropriate.

**Implementation:**

**LU.7.a.** When processing cancellations of Williamson Act contracts, the City shall only support cancellation if it can verify consistency with General Plan policies and Department of Conservation requirements for cancellations.

**Responsible Agency:** Community Development Dept/Planning Commission/City Council  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 7.1

**LU.7.b.** Continue to utilize the design review process to ensure appropriate buffers are provided where residential properties are adjacent to agriculturally designated lands.

**Responsible Agency:** Community Development Dept/Planning Commission  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 7.3

### **Hillside Development**

**Goal LU 8:** The natural beauty of the West Valley hillsides area shall be maintained and protected for its contribution to the overall quality of life of current and future generations.

**Policy LU 8.1:** Development proposals shall minimize impacts to ridgelines, significant natural hillside features, including but not limited to steep topography, major stands of vegetation, especially native vegetation and oak trees, and watercourses.

**Policy LU8.2:** Adhere to the Hillside Specific Plan (derived from Measure A) which is incorporated herein by this reference.

#### **Implementation:**

**LU.8.a.:** Continue to utilize the design review process for all development in the western hillsides and ensure adherence to the City's Hillside Specific Plan.

**Responsible Agency:** Community Development Department/Planning Commission  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 8.1, 8.2

**Goal LU 9:** Preserve the rural nature of the hills by limiting incompatible development.

**Policy LU 9.1:** Limit Expansion of Urban Development in the hillside areas.

**Policy LU 9.2:** Limit the amount of grading within hillside areas to the minimum amount needed for dwellings and access.

#### **Implementation:**

**LU.9.a.:** Ensure protection of the hillside areas by designating medium density, multi-family residential and non-residential land uses in Land Use Map in the flatland areas only, where they are considered more appropriate. Parks in the hillsides may be permitted provided they are planned in a manner that is compatible with the rural nature of the area.

**Responsible Agency:** Community Development Department/Planning Commission  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 9.1

**LU.9.b.:** Require that all development applications in the hillsides include a grading plan, that cut and fill quantities be provided, and that access roads and dwelling size be consistent with the objective of minimizing grading.

**Responsible Agency:** Community Development Dept/Planning Commission  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 9.2

**Goal LU 10:** Minimize the visual impacts of hillside development, especially on ridgetops.

**Policy LU 10.1:** Require development proposals in hillside areas to undertake visual analyses and mitigate significant visual impacts.

#### **Implementation:**

**LU.10.a.:** Continue to adhere to the Residential Design Handbook during design review for residential developments in the hillside areas.

**Responsible Agency:** Community Development Department/Planning Commission  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 10.1

**Goal LU 11:** Foster closer interjurisdictional cooperation and coordination concerning land use and development issues.

**Policy LU 11.1:** Adhere to Joint Hillside Land Use Objectives that will assure basic consistency of hillside land use policies among the West Valley jurisdictions. The West Valley Cities and the County should work together to achieve the shared goal of preserving the natural beauty of the West Valley Hillsides.

**Policy LU 11.2:** Continue to work within the adopted Joint Planning Objectives and Land Use principles for West Valley Hill-sides Areas to reinforce existing policies.

**Implementation:**

**LU.11.a.:** Continue to coordinate with West Valley Cities to work toward the preservation of the West Valley Hillsides, consistent with Measure A.

**Responsible Agency:** Community Development Department  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 11.2

**Historic Character/Cultural Resources**

**Goal LU 12:** Recognize the heritage of the City by seeking to protect historic and cultural resources, where feasible.

**Policy LU 12.1:** Enhance the visual character of the City by encouraging compatibility of architectural styles that reflect established architectural traditions.

**Policy LU 12.2:** Develop zoning and other incentives for property owners to preserve historic resources and seek out historic designations for their respective properties.

**Policy LU 12.3:** In order to create an incentive for the protection of historic structures, modify the Zoning Ordinance to allow the Planning Commission to have the authority to modify any of the development regulations in the Ordinance, if the subject of the application is a structure which has been designated as an historic landmark.

**Policy LU 12.4:** The City shall continue to participate in the Mills Act program which allows property owners of historic residences a reduction of their property tax.

**Policy LU 12.5:** Encourage public knowledge, understanding and appreciation of the City's past and foster civic and neighborhood pride and sense of identity based upon the recognition and use of the City's heritage resources.

**Policy LU 12.6:** The Heritage Preservation Commission shall regularly update the City's Historic Resources Inventory.

**Policy LU 12.7:** Development proposals impacting any of the City's heritage land and/or any historic resources listed on any local or state inventory shall be reviewed by Heritage Preservation Commission and the Planning Commission, as required.

**Policy LU 12.8:** For any project development affecting structures that are 50 years of age or older, conduct an historic review.

**Policy LU 12.9:** Conduct reconnaissance-level analyses of new development projects to ensure that no significant archeological, prehistoric, paleontological Native American resources would be disturbed. If such resources are found, appropriate steps shall be taken, consistent with CEQA requirements to protect these resources.

**Implementation:**

**LU.12.a.:** Continue to utilize the design review process and Historic Preservation Ordinance to ensure preservation of significant cultural resources.

**Responsible Agency:** Community Development Department/Heritage Preservation Commission  
**Funding Source:** General Fund  
**Time Frame:** Ongoing  
**Related Policies:** LU 12.1, 12.3, 12.7, 12.8, 12.9

**LU.12.b.:** Continue to allow owners of designated historic landmarks to participate in the Mills Act.

**Responsible Agency:** Community Development Department/Planning Commission/City Council  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 12.2, 12.4

**LU.12.c.:** Update Historic Resources Inventory and Landmark List, and publish on the City Website information regarding incentives for preservation of heritage properties.

**Responsible Agency:** Community Development Department/Heritage Preservation Commission  
**Funding Source:** General Fund  
**Time Frame:** Ongoing  
**Related Policies:** LU12.5, 12.6

### *Design Review*

**Goal LU 13:** The City shall use the design review process to assure that new construction and major additions thereto are compatible with the site and the adjacent surroundings.

**Policy LU 13.1:** Utilize the design review process and the California Environmental Quality Act in the review of proposed residential and non-residential projects to promote high quality design, to ensure compliance with applicable regulations, to ensure compatibility with surrounding properties and use, and to minimize environmental impacts. Special attention shall be given to ensuring compatibility between residential and non-residential uses (e.g., land use buffering).

**Policy LU 13.2:** When considering development proposals, including new construction, remodeling and/or additions to existing buildings, the city shall adhere to applicable adopted design guidelines, such as, but not limited to, the Residential Design Handbook, the Village Plan Design Guidelines

and the Saratoga-Sunnyvale Road Gateway Guidelines, as may be adopted and revised by City Council from time to time.

### **Implementation:**

**LU.13.a.:** Continue to use the design review process for all development applications and ensure that all projects adhere to applicable design guidelines (i.e. Residential Design Handbook, Saratoga-Sunnyvale Road Gateway Area Design Guidelines and Village Plan Design Guidelines).

**Responsible Agency:** Community Development Department/Heritage Preservation/Planning Commission  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 13.1, 13.2

### *Annexations*

**Goal LU 14:** Seek to achieve appropriate and contiguous City boundaries to provide for the efficient delivery of public services and to create a greater sense of community.

**Policy LU 14.1:** Land shall not be annexed to Saratoga unless it is contiguous to the existing city limits, within the Sphere of Influence, and it is determined by the city that public services can be provided without unreasonable cost to the City and dilution of services to existing residents.

**Policy LU 14.2:** The City shall evaluate its designated unincorporated Urban Service Areas to determine if the areas are compatible with the County's Local Agency Formation Commission Policies and are appropriate for annexation and urban development.

**Policy LU 14.3:** The City shall periodically review annexation policies and procedures to ensure compliance with most current land use changes.

### **Implementation:**

**LU.14.a.:** Coordinate all applications for annexations with LAFCO to insure that annexations are consistent with current LAFCO policies.

**Responsible Agency:** Community Development Dept/Planning Commission  
**Funding Source:** Development Fees  
**Time Frame:** Ongoing  
**Related Policies:** LU 14.2, 14.3

### ***Air Quality***

*(Note: The following goals and policies are included to supplement the goals and policies contained in the Air Quality Section of the General Plan.)*

**Goal LU 15:** Improve local and regional air quality by ensuring all development projects incorporate all feasible measures to reduce air pollutants.

**Policy LU 15.1:** Require development projects to comply with Bay Area Air Quality Management District (BAAQMD) measures to reduce fugitive dust emissions due to grading and construction activities.

**Policy LU 15.2:** Encourage use of trip demand measures as part of major commercial and office development projects to reduce dependence on auto use.

**Policy LU 15.3:** Discourage the use of wood burning fireplaces by limiting to one per residence, including outdoor/patio fireplaces.

### **Implementation:**

**LU.15.a.:** Amend the standard conditions of approval for all new development projects to

require that all projects comply with Bay Area Air Quality Management District (BAAQMD) dust emission reduction measures and to encourage trip demand measures for major non-residential projects.

**Responsible Agency:** Community Development Dept/Planning Commission  
**Funding Source:** General Plan Fund  
**Time Frame:** FY 2007-2008  
**Related Policies:** LU 15.1, 15.2

### ***Zoning Ordinance Review and Amendment***

**Goal LU 16:** Review and amend (as needed) the Zoning Ordinance to provide consistency with the General Plan updates, new state legislation and court decisions.

**Policy LU 16.1:** Consider Zoning Ordinance amendments that implement the use and development of goals, policies, and plan objectives identified in the adopted 2006 Land Use Element and Land Use Map of the General Plan.

### **Implementation:**

**LU.16.a.:** Amend the Zoning Ordinance and/or Zoning Map, as needed, to ensure consistency with the Goals and Policies of the General Plan Land Use Element Update.

**Responsible Agency:** Community Development Dept/Planning Commission/City Council  
**Funding Source:** General Plan Fund  
**Time Frame:** FY 2007-2008  
**Related Policies:** LU 15.3, 16.1

