

CHAPTER 1

INTRODUCTION

**1A. GENERAL INTRODUCTION TO THE GUIDELINES AND STANDARDS FOR LAND USE NEAR STREAMS**

This User’s Manual has been developed to provide essential information to local permitting agencies, homeowners, and developers about the requirements and procedures related to the Proposed Guidelines and Standards for Land Use Near Streams (Guidelines and Standards) in Santa Clara County. The Guidelines and Standards have been developed as part of a cooperative decision-making process known as the Santa Clara Valley Water Resources Protection Collaborative (Collaborative). All of the cities, the County, the Santa Clara Valley Water District, citizen, business, agriculture and community groups in Santa Clara County are members of the Collaborative.

In 2003, these organizations joined as the Collaborative with the goals of:

1. **Identifying and addressing typical issues associated with development next to streams;**
2. **Developing clear, consistent guidance to property owners and developers about how to design and**

**construct streamside development projects in a way that protects streams and streamside resources;**

3. **Clarifying and streamlining the permitting process for streamside property owners throughout the County; and**
4. **Developing Guidelines and Standards for streamside developments that focus on local control of the permitting process for these lands.**

By working together to protect streams and streamside resources, both property owners and local communities will benefit from healthier streams and riparian resources, reduced erosion, more safety for streamside residents and structures, improved flood protection and water quality, and, in many instances, increased property values if trees and streamside amenities are left intact or enhanced.

*A river is the report card for its watershed.*  
-Alan Levere, Connecticut Department of Environmental Protection, 2000

**1B. CONTENTS OF THE PROPOSED GUIDELINES AND STANDARDS FOR LAND USE NEAR STREAMS**

The Guidelines and Standards are designed to address land use activities near streams and to protect surface and groundwater



Photo Courtesy of Urban Advantage

## INTRODUCTION

quality and quantity in Santa Clara County. They are based on a recent compilation of the existing practices the Santa Clara Valley Water District (SCVWD) uses when reviewing permits for land uses near streams under its current requirements based on Ordinance 83-2. Each Guideline and Standard is tied to a specific land use activity (i.e., structures built near channels, encroachments, grading and drainage, erosion repair, etc.).

The Guidelines and Standards are intended to be used for the purposes of development review of proposed land use activities for new development, major redevelopment and where appropriate, single family units. In developing the Guidelines and Standards, the Collaborative has considered how to make them realistic, implementable, and easy to administer. They are designed to ensure that single family property owners are not unduly burdened by extensive or expensive permit requirements.

Finally, the Guidelines and Standards are intended to compliment existing regulations, such as the City/County/SCVWD National Pollutant Discharge Elimination System (NPDES) Permitting Program provisions, which address some related water quality issues. It is assumed that each jurisdiction will also continue to follow these and other existing regulations that protect streams and/or surface water quality.

### 1C. APPLICATION OF THE GUIDELINES AND STANDARDS

Each city, the County and SCVWD all have slightly different permitting processes, and based on these, will implement the Guidelines and Standards and related Permitting Tools in ways that reflect each communities' permit, building and planning processes. To ensure that the permitting processes remain clear, consistent and fair, there will be an 18 month transition period, starting in September 2005 and ending in February 2007, as the cities, the County, and SCVWD evaluate how best to incorporate these practices and commence to apply them to local streamside land use activities. By early 2006, the Santa Clara

Valley Water District plans to incorporate the Guidelines and Standards into an ordinance which replaces existing Ordinance 83-2.

By February 2007, each city and the County will choose how it wants to integrate the Guidelines and Standards into its existing processes and what level of responsibility it wants to assume in permitting land use activities in and near streams. The SCVWD will keep its permit authority for activities within its right-of-way.

### 1D. PURPOSE AND CONTENTS OF THE USER MANUAL

This User Manual is designed to provide in one location a list of the Guidelines and Standards, copies of the model Permitting Tools that outline the types of information that will be required in the permitting process, as well as specific guidance for homeowners and developers.

The specific sections of this User's Manual are listed below:

**Chapter 1** - *Introduction*

**Chapter 2** - *Permitting Tools for Guidelines and Standards*

**Chapter 3** - *Guidelines and Standards for Land Use Near Streams*

**Chapter 4** - *Design Guides for the Guidelines and Standards for Land Use Near Streams*

**Chapter 5** - *Guidance for Homeowners*

**Chapter 6** - *Guidance for Developers*

**Chapter 7** - *Model Enhanced Practices*

**Chapter 8** - *SCVWD Ordinance 83-2*

**Chapter 9** - *GIS Mapping Tool to Support Stream Protection*

We hope you find this User Manual useful. If you have questions related to its use or contents, please contact your local planning or public works department or the Community Projects Review Unit at the Santa Clara Valley Water District.

**1E. QUICK REFERENCE GUIDE TO THIS MANUAL**

<b>IF YOU ARE . . .</b>	<b>THEN . . .</b>
<p><b>Wondering how best to use the User Manual...</b></p>	<p>Read this Easy Reference Guide. The User Manual is targeted to a diverse audience of planners, designers, engineers, decision makers, and citizens. It can be used in a variety of ways.</p> <p>For more information please call the Planning or Public Works department in your local jurisdiction. For additional information, you may also contact the Santa Clara Valley Water District at (408) 265-2607, ext. 2258.</p>
<p><b>Working for a local government agency that has a role in reviewing and approving projects for land use near streams</b></p>	<p>Read Chapter 3 to understand the Guidelines and Standards, and Chapter 2 for information on related Permitting Tools. In addition, please read Chapter 9 to find out how to use the web-based GIS Mapping Tool to help you in reviewing streamside projects.</p>
<p><b>A developer considering how to integrate stream protection measures into your project plans...</b></p>	<p>Read the Guidance for Developers in Chapter 6. Read Chapters 3 for information on specific Guidelines and Standards, and Chapter 7 to find out ways to integrate Model Enhanced Practices into your project. Also, Chapter 9 provides you information on how to access and use a web-based GIS Mapping Tool to learn more about water resource protection issues related to your property.</p>
<p><b>An engineer or architect developing plans for a project near a stream...</b></p>	<p>Review the Guidelines and Standards in Chapter 3, and use the Design Guides in Chapter 4. Also, read the Model Enhanced Practices in Chapter 7, and information on how to access and use a web-based GIS Mapping Tool in Chapter 9.</p>
<p><b>A homeowner concerned about the stream on or near your property...</b></p>	<p>Read the Guidance for Homeowners in Chapter 5, including Best Management Practices. Also, please look over the Introduction to the Guidelines and Standards (G&amp;S's) in Chapter 3 to learn more about any specific G&amp;S's that may apply to your particular project. In addition, please read Chapter 5 to find out how you may be able to incorporate Model Enhanced Practices into your project. Finally, please consult Chapter 9 to learn how you can access and use a web-based GIS Mapping Tool to learn more about water resource protection issues related to your property.</p>
<p><b>Curious about best practices and the benefits of integrating land use planning and stream stewardship...</b></p>	<p>Read Chapter 7 to learn more about Model Enhanced Practices.</p>