



Zoning Code Update

Planning Commission Study Session

September 20, 2023

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**City of
Santa Clara**
The Center of What's Possible

Zoning Code Update

Study Session Agenda

Purpose: Prepare Planning Commission for making a recommendation at the recommendation hearing in October 2023

1. Background & Need for Update
2. Outreach
3. Organization & Format of New Zoning Code
4. Implementing the General Plan
5. Code Changes
6. Q&A

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Background & Need for Update

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Zoning Code Update

Planning Process & Tools

- Advance Planning — plans for future
 - General Plan is a parcel-by-parcel citywide plan
 - Specific/Precise Plans are neighborhood plans
 - Policies that guide development ex. Climate Action Plan
- Current Planning — implements form & function of the General Plan
 - Zoning regulates use and development standards



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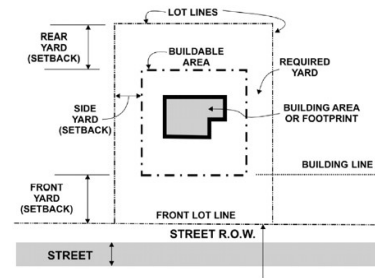
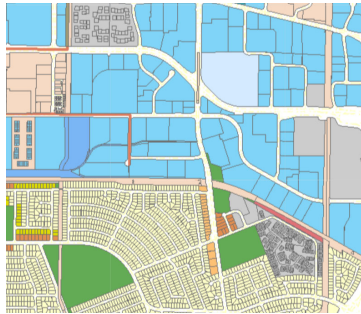
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Zoning Code Update

What is Zoning?

- Title 18
ZONING***
- Chapters:
- 18.02 Adoption, Title, Intent, Interpretation and Purpose
 - 18.04 Zoning Districts
 - 18.06 Definitions
 - 18.08 Regulations for A - Agricultural Zoning Districts
 - 18.10 Regulations for R1-8L - Single-Family, Larger Lot Area Zoning Districts
 - 18.12 Regulations for R1-6L - Single-Family Zoning Districts
 - 18.13 Two-Unit Dwelling Residential Development and Urban Lot Splits
 - 18.14 Regulations for R2-7L - Duplex Zoning Districts
 - 18.16 Regulations for R3-16D - Low-Density Multiple-Dwelling Zoning Districts
 - 18.18 Regulations for R3-25D - Moderate-Density Multiple-Dwelling Zoning Districts
 - 18.20 Regulations for R3-36D - Medium-Density Multiple-Dwelling Zoning Districts
 - 18.22 Regulations for Various Mixed Use Combining Zoning Districts
 - 18.23 Regulations for the Lawrence Station Area Plan Zoning District (LSAP)
 - 18.24 Regulations for R3-M - Mobile Home Park Zoning Districts
 - 18.25 Regulations for the Transit Neighborhood (TN) Zoning District
 - 18.26 Regulations for R3-RV - Recreational Vehicle Park Zoning Districts
 - 18.27 Regulations for the Patrick Henry Drive Area (PHD) Zoning Districts
 - 18.28 Reserved
 - 18.30 Regulations for OA - Professional Office Zoning Districts



Zoning Code

Zoning Map

Development Standards



Zoning Code Update

Santa Clara Timeline

- 1969-2023 Individual Zoning Code Amendments
- 1969 Current Zoning Code Adopted
- 2012 First Comprehensive Update Initiated
- 2017 Re-start of Comprehensive Update with New Consultant
- 2018-2021 Outreach Meetings
- 2022 Draft Zoning Code Update Posted for Public Review
- 2023 Adoption of Zoning Code Update
- 2024 Adoption of Zoning Code Map



Zoning Code Update

City Council Input

November 7, 2017 - Approval of Consultant Contract for Mintier Harnish
July 10, 2018 - Council Study Session
August 20, 2019 - Council & Planning Commission Joint Study Session
October 8, 2019 - Council & Planning Commission Joint Study Session
August 22, 2023 - Council Study Session
November 2023 - Adoption Hearing

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Zoning Code Update

Need for Update

- Fix known problems through simplification and modernization
- Implementation of the General Plan
- Integrating changes as required by State law
- Implementing specific actions called out in the Housing Element

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Outreach

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Zoning Code Update

Outreach

- Eight community meetings on general & specific Zoning Code Update topics (single family standards, occupancy in residences, & short-term rentals)
- 2019 community survey (over 500 responses)
- City Council & Planning Commission Study Sessions
- Draft Zoning Code posted for comment in Summer of 2022 (90 comments)

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Zoning Code Update

Outreach (continued)

- Other Commissions and NGOs
 - Historical & Landmarks Commission
 - Neighborhood-University Relations Committee (NURC)
 - Economic Development, Communications & Marketing Committee
 - Bicycle and Pedestrian Advisory Committee (BPAC)
 - Silicon Valley Central Chamber of Commerce
 - Old Quad Residents Association

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Organization & Format of New Zoning Code

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Zoning Code Update

Organization of Code

Formatted for ease of use:

- Allowed uses and development standards are presented in tables
- Districts of the same type are presented in one chapter
- Easier to compare between districts
- Explanatory graphics to explain signage regulations, setbacks, etc.

Chapter 18.14

Mixed Use Zones

in this Zoning Code as the Zoning Map. Any additional maps adopted shall also be a part of this Zoning Code by reference. This Zoning Code, together with the Zoning Map, is hereby adopted in compliance with current state planning, zoning, and development laws. Changes to the boundaries of any identified zones shall be made by ordinance in compliance with Chapter 18.14.2 (Amendments).

Table 2.0
Mixed-Use Zone Development Standards

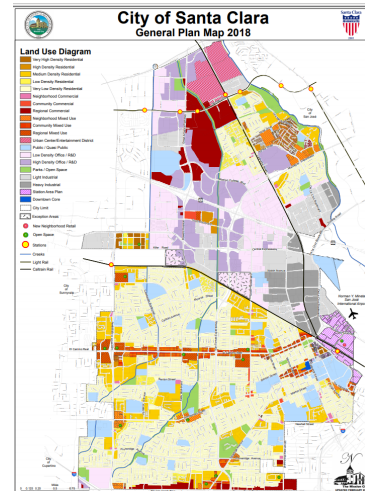
	Development Standards				
	MU-NC	MU-CC	MU-RC	MU_VND	
Development Feature (minimum unless otherwise indicated)					
Height (feet) (maximum)	None	None	None	None	
Front setback (feet) (minimum)	None	None	None	None	
Side setback (feet) (minimum)	None	None	None	None	
Maximum Density (units per acre)	300	300	300	300	
Setbacks (Setback lines are measured in feet from the back of yard)					Section 18.14.2(2)(b) Section 18.14.2(2)(c) *Can be reduced to 5 feet if the lot area is less than 20,000 sq ft
Front setback for other ground floor uses (feet) (minimum)	0	0	0	0	
Side, Corner	0	0	0	0	
Sign, exterior (adjacent to R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16, R17, R18, R19, R20, R21, R22, R23, R24, R25, R26, R27, R28, R29, R30, R31, R32, R33, R34, R35, R36, R37, R38, R39, R40, R41, R42, R43, R44, R45, R46, R47, R48, R49, R50, R51, R52, R53, R54, R55, R56, R57, R58, R59, R60, R61, R62, R63, R64, R65, R66, R67, R68, R69, R70, R71, R72, R73, R74, R75, R76, R77, R78, R79, R80, R81, R82, R83, R84, R85, R86, R87, R88, R89, R90, R91, R92, R93, R94, R95, R96, R97, R98, R99, R100, R101, R102, R103, R104, R105, R106, R107, R108, R109, R110, R111, R112, R113, R114, R115, R116, R117, R118, R119, R120, R121, R122, R123, R124, R125, R126, R127, R128, R129, R130, R131, R132, R133, R134, R135, R136, R137, R138, R139, R140, R141, R142, R143, R144, R145, R146, R147, R148, R149, R150, R151, R152, R153, R154, R155, R156, R157, R158, R159, R160, R161, R162, R163, R164, R165, R166, R167, R168, R169, R170, R171, R172, R173, R174, R175, R176, R177, R178, R179, R180, 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Zoning Code Update

Implementing the General Plan

- Mixed-use districts for mixed-use corridors
- New office and industrial districts
- New Public/Quasi-Public district



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Code Changes

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Zoning Code Update

Streamlining Processes - New tools

- New administrative Special Permit process for temporary outdoor uses:
 - carnivals
 - pumpkin patches
- New Minor Use Permit is an administrative process for non-controversial projects
- More outdoor seating allowed by right



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Zoning Code Update

Encourage Placemaking – Live Entertainment

- Incidental live entertainment at restaurants is permitted during regular hours of food service
- Stand-alone live entertainment away from residences requires Minor Use Permit



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Zoning Code Update

Simplified Parking to Facilitate Re-Tenancing

- Based on area of a nonresidential building, instead of other metrics
- Higher thresholds before new tenants of existing buildings need additional parking

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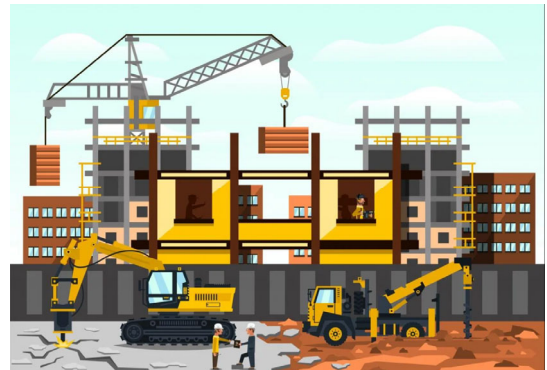
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Zoning Code Update

Construction Parking

- Development projects over 100 units or 100,000 square feet for non-residential projects.
- Spaces are required to be available throughout the life of the construction phase



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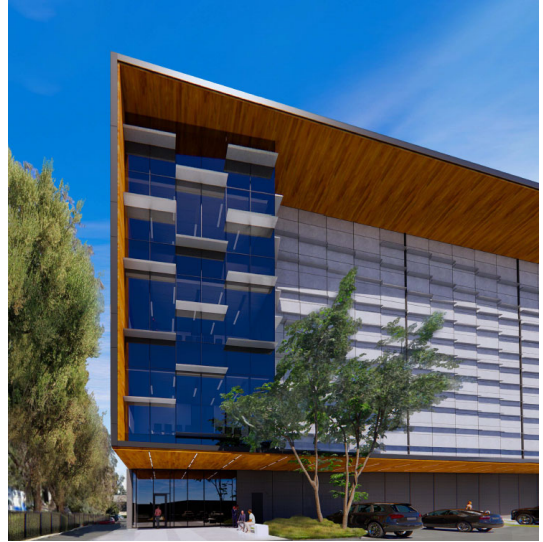
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Zoning Code Update

Data Centers - Height Allowance

- Modern data centers have denser footprints
- Allows up to 90ft in height, which reflects height approved through recent projects with modifications, variances, & PD zonings
- Compatible with surrounding forms of industrial development



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Zoning Code Update

Occupancy in a Residence

- This effort includes several years of community outreach through the Neighborhood University Relations Committee and with residents of the Old Quad neighborhood
- Staff will bring forward an ordinance addressing this topic separately, after the Zoning Code update has been completed
- Staff will continue working with the community to make sure that the City's approach is effective while remaining fully compliant with legal requirements

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Zoning Code Update

Common Habitable Area

- Applicable to new construction Single-Family Residences and Duplexes
- Creating a minimum percentage (%) of habitable floor area available to all for common use (ex: dining room, living room, kitchen)
 - Garages and hallways are not considered common use areas
- Minimum common habitable area for new construction must be **25%** of total habitable area for single-family residences

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Zoning Code Update

Single Family Provisions - Covered porches in the setback

- **Existing:** Open uncovered porches or landing places not exceeding 3 feet in height may project to within three feet of any side lot line, and not exceeding 6 feet into any required front yard.
- **Proposed:** Allow a 6 foot encroachment into the required front setback for covered porches



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Zoning Code Update

Single Family Provisions - ADU Development Standards

- **Height:**
 - Attached or detached: 25 ft
- **Size:**
 - Attached: 50% of the living area of the main dwelling (up to 1,000 sq. ft.)
 - Detached:
 - 1,000 sq. ft. for lots less than 5,500 sq. ft.
 - 1,200 sq. ft. for larger lots
- **Stories:**
 - Attached: 2
 - Detached: 1.5



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Zoning Code Update

Single Family Provisions - Nonconforming Setbacks

- **Existing:** Any new additions to residences need to meet the current setbacks regardless of the existing nonconforming setbacks.
- **Proposed:** Allow homeowners to match the existing nonconforming side setback down to a minimum of 3 feet for one-story additions to the rear of the house.

*Helpful for properties in the Old Quad as many properties have narrow lots and existing residences do not meet

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Zoning Code Update

Short Term Rentals (STR)

- For rentals < 30 days in length
- Registration requires property owner signature and payment of Transient Occupancy Tax (TOT)
- Properties can be rented:
 - 90 days in a calendar year without the owner present but local contact required when the owner is away
 - Continuously when owner is present
- STR proposed outside defined standards:
 - Requires a Minor Use Permit
- Compliance will be monitored by an outside contactor

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Zoning Code Update

Planned Development Zonings

- The purpose of the PD Planned Development Zone is to designate property with a minimum project size of 25 acres, where special consideration of the site and surroundings are necessary to allow creative development solutions that do not meet the allowed use regulations and/or development standards of the base zone.
- Must still be in compliance with, and implement, the General Plan

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Zoning Code Update

October 11, 2023 meeting topics

- Zoning Code changes resulting from state law
- Changes made resulting from the Housing Element Update
- Required General Plan Amendments prior to Zoning Code adoption
- Zoning Code sections in effect prior to Zoning Map approval
- Zoning Map approval process

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Questions & Answers

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Zoning Code Update

Planning Commission Study Session

September 20, 2023