

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, AMENDING TITLE 18 OF “THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA” TO ADD CHAPTER 18.25, REGULATIONS FOR THE TRANSIT NEIGHBORHOOD ZONING DISTRICT, MODIFYING PARKING DIMENSIONS IN CHAPTER 18.74, PARKING REGULATIONS, ADDING A NEW SECTION 17.40.115 TO CHAPTER 17.40, CITYWIDE AFFORDABLE HOUSING REQUIREMENTS, TO SPECIFY DENSITY INCENTIVES APPLICABLE TO THE TRANSIT NEIGHBORHOOD ZONING DISTRICT, AND CHANGING THE ZONING DESIGNATION FROM LIGHT INDUSTRIAL (ML) TO TRANSIT NEIGHBORHOOD (TN) FOR THE AREA BOUNDED BY TASMAN DRIVE TO THE SOUTH, THE GUADALUPE RIVER TO THE EAST, THE SANTA CLARA GOLF CLUB TO THE NORTH, AND LAFAYETTE STREET TO THE WEST

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara (the “City”) intends to allow for the development of high-density residential neighborhoods, such as the Tasman East Specific Plan area;

WHEREAS, on November 13, 2018, the City Council approved a Specific Plan for the Tasman East Area, which contemplates a transit-oriented pedestrian-friendly neighborhood of up to 4,500 residential units with supportive retail uses, proximate to the Lick Mill Light Rail Station;

WHEREAS, the Tasman East Area is one of the “Future Focus Areas” identified in the City’s General Plan, each of which is intended to be a walkable urban neighborhood, with parking reflective of a variety of available transit modes, including bicycle parking;

WHEREAS, the General Plan contemplates that Future Focus Areas will include a variety of forms of high-density urban housing, including podium buildings, residential towers, and residential mixed-use buildings;

WHEREAS, the Tasman East Area is currently zoned Light Industrial (ML), which allows for uses

such as manufacturing, processing, repairing and storing products;

WHEREAS, the Santa Clara City Code (“SCCC”) currently does not include any zoning district that would permit residential densities above 100 Dwelling Units per acre; and,

WHEREAS, in order to effectuate the Project and the higher-density residential uses envisioned by the General Plan, it therefore is necessary to (a) create a new high-density residential zoning district, (b) rezone the Tasman East Area to that new zoning district, (c) establish affordable housing requirements and density incentives for the district, and (d) create standards for uniformly sized parking spaces (“unistalls”).

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA, AS FOLLOWS:

SECTION 1: That a new Chapter 18.25, “Regulations for the Transit Neighborhood (TN) District”, is hereby added to Title 18 (entitled “Zoning”), of “The Code of the City of Santa Clara, California” (“SCCC”) as follows:

“Chapter 18.25

Regulations for the Transit Neighborhood (TN) Zoning District

18.25.010 Application.

The regulations set forth in this chapter apply to all Transit Neighborhood (TN) zoning districts.

18.25.020 Intent.

This zone is designed to implement the Transit Neighborhood General Plan designation, creating a high-density, transit-oriented residential district with supportive retail services. Transit Neighborhoods are expected to be implemented over time, and the district contains provisions for the continuation of existing industrial buildings and uses.

18.25.030 Permitted uses.

- (a) Multiple-family dwellings.
- (b) Home occupation as defined under Chapter 18.06 SCCC.
- (c) Live/work units.
- (d) Supportive housing, subject to the same standards and restrictions as other dwelling units under this chapter.
- (e) Transitional housing, subject to the same standards and restrictions as other dwelling units under this chapter.
- (f) Housing for the Ambulatory Aged.
- (g) On the ground floor of multi-family dwelling structures, or in buildings intended solely for retail use, any use permitted in the CC Community Commercial district (Chapter 18.36 SCCC), CN Neighborhood Commercial district (Chapter 18.34 SCCC), or OG General Office district (Chapter 18.32 SCCC), each as amended, except that auto repair and auto sales, other than product showcase venues, are not permitted, subject to the regulations set forth in this chapter.
- (h) Outdoor seating and dining areas appurtenant to retail uses.
- (i) Live entertainment that is wholly incidental to an otherwise permitted commercial use.
- (j) Outdoor walk-up facility appurtenant to retail uses.
- (k) On-sale of alcohol appurtenant to restaurant uses.
- (l) Neighborhood Light Industrial uses, with a public facing component, including but not limited to breweries, wineries, catering companies, garment manufacturing, and crafts and artists' studios. Such uses shall be operated completely within an enclosed

building.

18.25.040 Conditional uses.

(a) On the ground floor of multi-family dwellings, or in buildings intended solely for retail use, any use identified as a Conditional Use in the CC Community Commercial district (Chapter 18.36 SCCC), CN Neighborhood Commercial district (Chapter 18.34 SCCC), or OG General Office district (Chapter 18.32 SCCC), each as amended, subject to the regulations set forth in this chapter.

(b) Cocktail lounges, bars, and taverns, involving the on-sale of alcohol without meals.

(c) Live entertainment as a primary use.

(d) Stand-alone parking garage.

18.25.050 Existing buildings and uses.

(a) Notwithstanding any other provision in this Chapter, the lawful use of buildings existing prior to the adoption of this Chapter may continue and none of the other sections of this Chapter 18.25 shall apply, as though the prior zoning of the parcel remained in place, until such time as the existing use (including any expansions) has been discontinued in its entirety, at which time the prior zoning shall become inapplicable and the other sections of this Chapter shall apply from that point forward.

(b) Allowed Uses. For parcels with legal uses of buildings existing prior to the adoption of this chapter, permitted uses of the prior zoning district are allowed, and none of the other sections of this Chapter 18.25 shall apply to such building and use, until such time as the existing use (including any expansions) has been discontinued in its entirety.

(c) Conditional Uses. For parcels with legal uses of buildings existing prior to the

adoption of this chapter, conditional uses of the prior zoning district are conditionally permitted, and none of the other sections of this Chapter 18.25 shall apply, until such time as the existing use (including any expansions) has been discontinued in its entirety.

(d) Development Standards. For parcels with legal uses of buildings existing prior to the adoption of this chapter, development standards of the prior zoning district shall apply, and none of the other sections of this Chapter 18.25 shall apply, until such time as the existing use (including any expansions) has been discontinued in its entirety.

18.25.060 Development standards.

(a) Maximum Dwelling Unit Density. For the Transit Neighborhood district, the maximum dwelling unit density is 350 dwelling units per acre.

(b) Minimum Dwelling Unit Density. For the Transit Neighborhood district, the minimum dwelling unit density is 100 dwelling units per acre.

(c) Minimum Lot area. None.

(d) Minimum Lot Width. None.

(e) Building Height Limits. The maximum height limit in the Transit Neighborhood district is 220 feet in height.

(f) Front Yard requirements. None.

(g) Side yards requirements. None.

(h) Maximum Building Coverage. No maximum, subject to providing adequate pervious area to meet stormwater requirements.

18.25.070 Parking requirements.

(a) Minimum Parking Requirements.

(1) The minimum parking requirement for grocery stores is one (1) parking

space per 500 square feet of building area.

(2) The minimum parking requirements for all other commercial uses, including restaurants, is one (1) parking space per 1,000 square feet of building area.

(3) Residential units: one parking space per unit.

(4) Residential units with a floor area of less than 550 square feet: 0.5 spaces per unit.

(5) Guest parking associated with residential uses: One space per 20 units.

(6) Home for the Ambulatory Aged: One space per employee plus 0.1 space per unit.

(b) Shared Parking. Parking shared among uses is encouraged, and up to 20% of parking spaces provided may be shared between two uses. For the purposes of this title, those parking spaces shared between two uses counts towards the parking requirement of both.

(c) Unbundled Parking. A maximum of one parking space shall be rented or sold with each unit. Additional parking spaces shall be rented or sold separately.

(1) As an alternative to renting or selling parking spaces separately from residential unit, property managers may implement a parking preference program, with prospective renters without cars put on a separate waiting list from renters with cars, and renters being chosen alternately from the two lists.

(d) Minimum Bicycle Parking Requirements.

(1) For each multi-family unit, one Class 1 parking space per two units and one Class 2 bike rack, accommodating two bikes, per 15 units is required.

(2) For retail or restaurant uses, for every 1,000 square feet of floor area, one Class 2 bike rack (accommodating two bikes) is required. In addition, one Class 1 parking space is required for every 30 employees or fraction thereof.

18.23.080 Additional development standards.

(a) Lighting and Security.

(1) Open parking areas and common open space areas shall include lighting which provides a minimum illumination of one footcandle. Lighting fixtures shall be weather and vandal resistant. Lighting shall reflect away from residential areas and public streets.

(2) All main entrance doors to individual dwelling units shall be equipped with one hundred eighty (180) degree door viewer. Each main entrance door shall be equipped with a deadbolt lock with a cylinder guard, a minimum of one-inch bolt projection and a maximum security strike plate.

(3) All sliding glass doors and ground floor windows shall be equipped with auxiliary locks, as approved by the Chief of Police.

(b) Trash Disposal. Each property shall provide accessible trash disposal areas. If not screened within a garage or structure, each disposal area shall be screened from public view. Such enclosures shall provide area of sufficient size to accommodate trash and recycling bins for residential and commercial uses on-site. Trash compactors shall be located within an enclosed building.”

SECTION 2: That a new section 18.74.035 is hereby added to Chapter 18.74, Parking Regulations, of Title 18 (entitled “Zoning”), of “The Code of the City of Santa Clara, California” (“SCCC”) to read as follows:

“18.74.035 Uniform parking stalls and drive aisles.

As an alternative to a mixture of standard-size and compact spaces, off-street parking facilities may be designed with 100% uniform-size stalls, measuring eight-and-a-half (8.5) feet in width and seventeen (17) feet in depth. For parking facilities using the uniform stall dimensions, the minimum drive aisle width is twenty-four (24) feet.”

SECTION 3: That a new section 17.40.115 is hereby added to Chapter 17.40, Citywide Affordable Housing Requirements, of Title 17 (entitled “Development”), of “The Code of the City of Santa Clara, California” (“SCCC”) to read as follows:

“17.40.115 Density Incentive – Tasman East Specific Plan.

(a) Notwithstanding any other provision of this Chapter, for either ownership or rental housing developed under the Transit Neighborhood Zoning Designation in the Tasman East Specific Plan Area, the following affordable housing requirements apply:

Project Density	Incremental Affordable Housing Requirement (Phase I – project applications filed through August 1, 2019)	Incremental Affordable Housing Requirement (Phase II – project applications filed after August 1, 2019)
Density ≤ 120 DU/AC	10%	15%
120 DU/AC < Density ≤ 140 DU/AC	8%	12%
Density > 140 DU/AC	5%	10%

(b) The affordability requirement is calculated on an incremental basis, meaning that for a project with a density of greater than 140 DU/AC in Phase I, the portion that equates to the first 120 DU/AC of density would be calculated using the 10% affordability requirement, with the affordability requirement being 8% for the increment of units greater

than 120 and less than or equal to 140 DU/AC, and 5% for the increment of units over 140 DU/AC.

(c) Affordable units shall be priced such that the distribution of affordable units in a development averages to a maximum of one hundred percent (100%) area median income.”

SECTION 4: That all parcels in the Tasman East Area are hereby rezoned from Light Industrial (ML) to Transit Neighborhood (TN).

SECTION 5: Effective date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of “The Charter of the City of Santa Clara, California.”

PASSED FOR THE PURPOSE OF PUBLICATION this XX day of November, 2018, by the following vote:

AYES:	COUNCILORS:
NOES:	COUNCILORS:
ABSENT:	COUNCILORS:
ABSTAINED:	COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None