

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SANTA CLARA,
CALIFORNIA TO ESTABLISH CITYWIDE OBJECTIVE
STANDARDS FOR MULTI-FAMILY AND MIXED-USE
RESIDENTIAL PROJECTS BY ADDING A NEW CHAPTER
18.27 TO TITLE 18 (“ZONING”) OF “THE CODE OF THE
CITY OF SANTA CLARA, CALIFORNIA”**

WHEREAS, Senate Bill 35 (2017) allows eligible multifamily and residential mixed-use development proposals meeting certain affordability requirements to utilize a streamlined ministerial approval process, provided that the projects comply with “objective zoning standards, objective subdivision standards, and objective design review standards” as provided in California Government Code Sections 65913.4;

WHEREAS, the Housing Accountability Act, Government Code Section 65589.5, limits a public agency’s authority to disapprove certain housing development project that comply with applicable, objective general plan and zoning standards and criteria in effect as of the application completeness date;

WHEREAS, Senate Bill 330 (2019), also known as the “Housing Crisis Act,” limits cities’ authority to enact subjective design standards, and provides that eligible residential projects are only subject to applicable, objective general plan and zoning standards in effect at the time an application is deemed complete;

WHEREAS, “objective zoning standards, objective subdivision standards, and objective design review standards” is defined as: “standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal” under Government Code Section 65913.14(a)(5);

WHEREAS, the City now intends to adopt objective standards that would apply to multifamily and residential mixed-use projects subject to SB 35, SB 330, the Housing Accountability Act, or any other applicable state law;

WHEREAS, as an implementing action of the 2010 – 2035 General Plan, the proposed city-wide objective standards for multi-family and mixed-use residential projects ordinance falls within the scope of the January 31, 2023 Addendum to the 2010 – 2035 General Plan EIR.

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

SECTION 1: That the Table of Contents of Article 2, “Zones, Allowable Uses, and Development Standards”, of Title 18, “Zoning”, of “The Code of the City of Santa Clara, California” (“SCCC”) is hereby amended to read as follows:

Article 2 – Zones, Allowable Uses, and Development Standards

July 2025

Title 18 – Zoning Code

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SECTION 2: That a new Chapter 18.27, “Objective Design Standards for City-wide Multi-Family and Residential Mixed-Use Projects”, is added to Article 2, “Zones, Allowable Uses, and Development Standards”, of Title 18, “Zoning”, of the SCCC and will read as shown on Attachment 1 (“Proposed Zoning Code Amendment”).

SECTION 3: Savings clause. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred, or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

Section 4: 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 March, 2026, 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:

1. Proposed Zoning Code Amendment