


8/22/2023

Item 2



Zoning Code Update


City Council Study Session

Item 2 RTC 23-786

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Community Development

August 22, 2023

1



Zoning Code Update

Study Session Agenda

Purpose: Prepare City Council adoption hearing in November 2023

1. Background & Need for Update
2. Outreach
3. Organization & Format of New Zoning Code
4. Implementing the General Plan
5. Code Changes
6. Changes Required by Recent State Law & City's Housing Element
7. Accompanying General Plan Amendments
8. Zoning Code Map Adoption
9. Next Steps
10. Q&A

2

POST MEETING MATERIAL

1



Background & Need for Update

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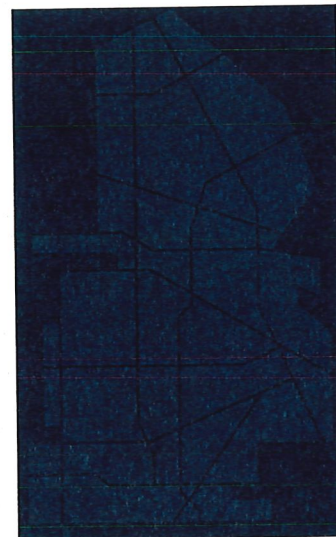
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Zoning Code Update

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



4

4



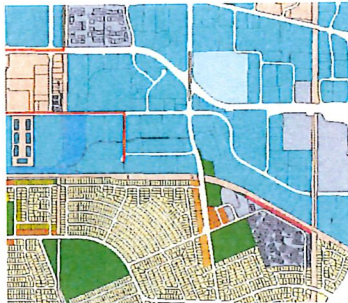
Zoning Code Update

What is Zoning?

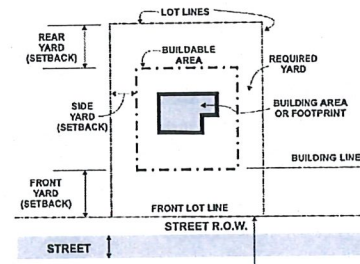
Title 18
ZONING*

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-SL - Single-Family, Larger Lot Area Zoning Districts
- 18.12 Regulations for R1-SL - Single-Family Zoning Districts
- 18.13 Two-Unit Dwelling Residential Development and Urban Lot Splits
- 18.14 Regulations for R2-7L - Duplex Zoning Districts
- 18.14 Regulations for R3-18D - Low-Density Multiple-Dwelling Zoning Districts
- 18.16 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 Map



Development Standards

Zoning Code



Zoning Code Update

Santa Clara Timeline

- | | | |
|------------------------------------------------------|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1969-2023
Individual
Zoning Code
Amendments | } | <ul style="list-style-type: none"> 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

7

7



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

8

8



Outreach

9

9



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)

10

10



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

11

11



Organization & Format of New Zoning Code

12

12



Zoning Code Update

Organization of Code

Formatted for ease of use:

- Allowed uses and development standards are presented in tables
- 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 to the extent. The Zoning Code, together with the Zoning Map, is hereby deemed to comply with current State planning, zoning, and development laws, Chapters or the amendments of any amended laws shall be made by reference to compliance with Chapter 18.14C (Amendments).

Table 2-8
Mixed Use Zone Development Standards

Development Standard (Reference to Chapter 18.14C)	MU1AC	MU1CC	MU1DC	MU1MC	Additional Regulations
Maximum Building Height (feet)	None	None	None	None	
Maximum Floor Area Ratio (FAR)	None	None	None	None	
Maximum Lot Coverage (%)	None	None	None	None	
Maximum Lot Area (sq. ft.)	None	None	None	None	
Maximum Lot Width (feet)	None	None	None	None	
Maximum Lot Depth (feet)	None	None	None	None	
Maximum Lot Area (sq. ft.)	None	None	None	None	
Front Lotsetback (feet)	0	0'	0'	None	Section 18.14.0205 Section 18.30.0205 Can be reduced to 5 feet if the lot area is less than 25,000 sq. ft.
Front Lotsetback for other ground floor uses (feet)	0	0'	0'	None	
Side Lotsetback (feet)	0	0	0	None	Section 18.14.0205 Section 18.30.0205
Back Lotsetback (feet)	10	10	10	None	Section 18.14.0205 Section 18.30.0205
Maximum number of stories	None	None	None	None	Section 18.14.0205 Section 18.30.0205

2-30 June 2023 Public Review Draft - Santa Clara Zoning Code, Title 18



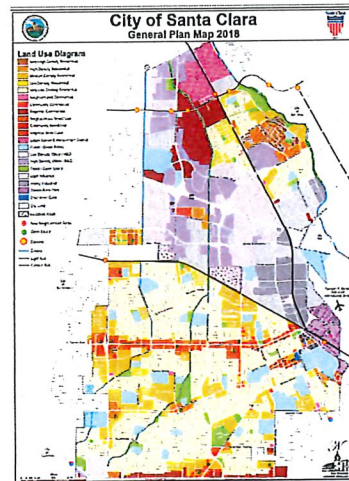
Implementing the General Plan



Zoning Code Update

Implementing the General Plan

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



Code Changes



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



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





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

19

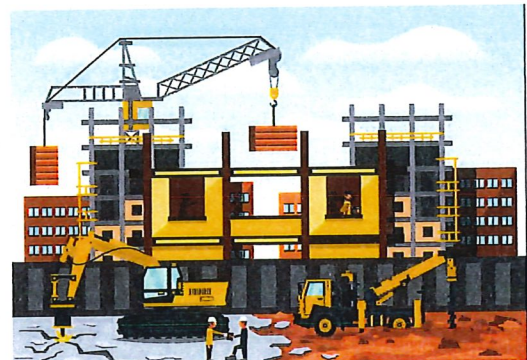
19



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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



20

20



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



21

21



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

22

22



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

23

23



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



24

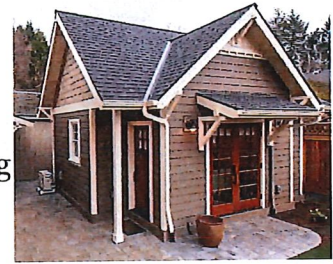
24



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 t
 - 1,200 sq. ft for larger lots
- **Stories:**
 - Attached: 2
 - Detached: 1.5



25

25



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 mee

26

26



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

27

27



Changes Required by Recent State Law & City's Housing Element

28

28



Zoning Code Update

Changes Resulting from State Law

- Residential developments in commercial areas (AB2011 and SB6)
 - Subject to prevailing wage requirements
- Relaxation of ADU standards
 - Increased ADU height near transit (SB897)
 - Waiving the front setback requirement if an 800 square foot ADU can't be built (AB2221)
- Density Bonus enhancements, including for shared housing (AB682) and commercial projects (AB1551)

28

29



Zoning Code Update

Changes Resulting from State Law (continued)

- Requiring cities to allow emergency shelters in more zoning districts and closer to transit (AB 2339)
- Prohibition on requiring public hearing for residential projects that only involve interior reconfigurations regarding bedroom count (AB916)
- Prohibition on requiring parking within 1/2 mile of a major transit stop (AB2097) and for affordable housing (AB2334)

30

30



Zoning Code Update

Changes Resulting from State Response to City's Housing Element

- A wider variety of residential housing choices, including:
 - Single-Room Occupancy buildings (SROs), Supportive Housing, Low-barrier navigation centers
 - Must be Permitted in Multi-Family and Mixed-Use Zoning Districts

31

31



Accompanying General Plan Amendments

32

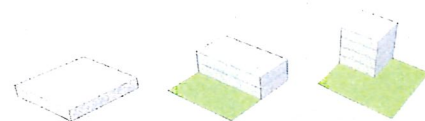
32



Zoning Code Update

Accompanying General Plan Text Amendments

- Removal of the limitations on manufacturing in the Low- and High-Intensity Office/R+D General Plan Designations
- Removal of prohibition on Medical Facilities in the areas designated High Intensity Office/R+D
- Modify the definition of Floor Area Ratio (FAR) to clarify that FAR calculation is based on the building mass above grade (excludes basements and below-grade parking)



Examples of 1.0 FAR for 10,000 sq ft lot and building



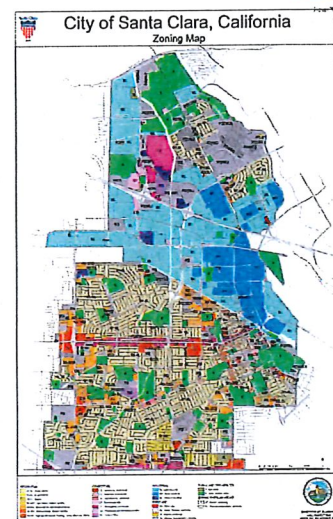
Zoning Code Map Adoption



Zoning Code Update

Zoning Code Map Adoption

- State law requirement to have Zoning and General Plan match
- Rezone properties with newly created zoning districts that match their General Plan designation



Zoning Code Update

Timing of Zoning Code Actions

- 1) Adoption of Zoning Code Update & General Plan Text Amendments, November 2023
- 2) Zoning Code Map Adoption, January 2024



Zoning Code Update

Timing of Zoning Code Actions (continued)

- Sections to be in effect prior to map adoption are those not affected by Zoning Map adoption including:
 - New permit processes such as Minor Use Permits
 - Simplified outdoor seating and entertainment permits
 - All single-family residential code changes
- Sections related to newly created Zoning Districts will only be effective after Zoning Map adoption

37

37



Next Steps

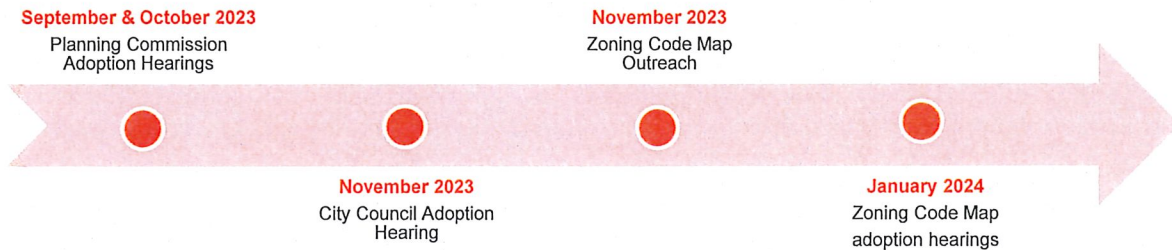
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38



Zoning Code Update

What's Next?



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Questions & Answers



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