



City of Santa Clara

Meeting Agenda

Historical & Landmarks Commission

Thursday, January 6, 2022

6:00 PM

Virtual Meeting

Pursuant to California Government Code section 54953(e) and City of Santa Clara Resolution 21-9038, the Historical and Landmarks Commission meeting will be held by teleconference only. No physical location will be available for this meeting; however, the City of Santa Clara continues to provide methods for the public to participate remotely:

- Via Zoom:

- o <https://santaclaraca.zoom.us/j/97233262035> or

- o Phone: 1 (669) 900-6833

Webinar ID: 972 3326 2035

Public Comments prior to meeting may be submitted via email to PlanningPublicComment@santaclaraca.gov no later than noon on the day of the meeting. Clearly indicate the project address, meeting body, and meeting date in the email.

PUBLIC PARTICIPATION IN ZOOM WEBINAR:

Please follow the guidelines below when participating in a Zoom Webinar:

- The meeting will be recorded so you must choose 'continue' to accept and stay in the meeting.
- If there is an option to change the phone number to your name when you enter the meeting, please do so as your name will be visible online and will be used to notify you that it is your turn to speak.
- Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
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CALL TO ORDER AND ROLL CALL

CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Historical and Landmarks Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Historical and Landmarks Commission meeting when the Chair calls for these requests during the Consent Calendar review.

1. 22-1771 [Historical and Landmarks Commission Minutes of November 4, 2021](#)

Recommendation: Approve the Historical and Landmarks Commission Minutes of November 4, 2021.

PUBLIC PRESENTATIONS

Members of the public may briefly address the Commission on any item not on the agenda.

GENERAL BUSINESS

The following items from this Historical and Landmarks Commission agenda will be scheduled for further review following the conclusion of hearings and recommendations by the Historical and Landmarks Commission. Please contact the Planning Division office for information on the schedule of hearings for these items.

2. 22-966 [STUDY SESSION: Zoning Code Update](#)

STAFF REPORT

1. Berryessa Adobe Maintenance

COMMISSIONERS REPORT

1. Subcommittee Reporting - 20 minutes
2. Board and Committee Assignments - 15 minutes

Board/Committee

Santa Clara Arts and Historic Consortium
Historic Preservation Society of Santa Clara
Old Quad Residents Association
Development Review Hearing
BART/ High Speed Rail/ VTA BRT Committee
Zoning Ordinance Update
El Camino Real Specific Plan Community Advisory Committee
Downtown Revitalization

Lead/Alternate

Leung / Romano
Vargas-Smith / Leung
Leung / Romano
Romano / Vargas-Smith
Vargas-Smith / Swartzwelder
Romano / Swartzwelder
Leung
Vargas-Smith / Romano

3. Announcements and Other Items - 10 minutes
4. Commissioner Travel and Training Requests - 10 minutes

ADJOURNMENT

The next regular scheduled meeting is on Thursday, February 3, 2022 at 6 p.m.

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

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City of Santa Clara

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Agenda Report

22-1771

Agenda Date: 1/6/2022

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Historical and Landmarks Commission Minutes of November 4, 2021

RECOMMENDATION

Approve the Historical and Landmarks Commission Minutes of November 4, 2021.

Reviewed by: Jeff Schwilk, Associate Planner

Approved by: Gloria Sciara, Development Review Officer

ATTACHMENTS

1. Historical and Landmarks Commission Minutes of November 4, 2021



City of Santa Clara

Meeting Minutes

Historical & Landmarks Commission

11/04/2021

6:00 PM

Virtual Meeting

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CALL TO ORDER AND ROLL CALL

Chair Leung called the meeting to order at 6:01 p.m.

Commissioner Celso joined the meeting at 6:30 p.m. due to internet connectivity issues.

Present 7 - Commissioner Amy Kirby, Chair Patricia Leung, Vice Chair Ana Vargas-Smith , Commissioner Michael Celso , Commissioner Megan Swartzwelder , Commissioner Kathleen Romano, and Commissioner Ed Stocks

CONSENT CALENDAR

1.A [21-1497](#) Historical and Landmarks Commission Minutes of October 7, 2021

Recommendation: Approve the Historical and Landmarks Commission Minutes of October 7, 2021.

Commissioner Romano abstained from voting on the consent calendar due to her absence at the October 7 meeting.

A motion was made by Commissioner Vargas-Smith, seconded by Commissioner Kirby to approve the consent calendar.

Aye: 6 - Commissioner Kirby, Chair Leung, Vice Chair Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Stocks

Abstained: 1 - Commissioner Romano

PUBLIC PRESENTATIONS

Chair Leung inquired about a stop work order issued for the property located at 1155 Washington Street. Staff explained that the order has been issued due to commencement of construction activity prior to the issuance of a building permit.

GENERAL BUSINESS

2. [21-1462](#) Significant Property Alteration (SPA) Permit to replace existing foundation, convert existing first floor basement and attic to living area, minor interior and exterior alterations, and window replacement and installation of a roof shed dormer at the rear of an existing historic single family residence located at 1037 Harrison Street

Recommendation: Recommend that the Historical and Landmarks Commission finds that the proposed project as illustrated in the Development Plans does not destroy or have a significant adverse effect on the integrity of the designated property; that the alterations are compatible with the existing structure; that the rehabilitation of the structure meets the Secretary of Interior Standards, and recommend approval of the SPA Permit for the scope of work shown in the Development Plans to the Director of Community Development, subject to conditions.

The property owner shall submit a SPA Permit application for evaluation and appropriate replacement of the windows not shown on the Development Plans that have been removed to date without the requisite analysis.

Associate Planner Debby Fernandez provided the staff presentation.

Property Owner Tom Chan spoke also spoke about the project and answered questions from the Commission.

Public Speaker(s): Jonathan Evans
Randolf Jurrat

A motion was made by Commissioner Vargas-Smith, seconded by Commissioner Romano to close the public hearing.

Aye: 7 - Commissioner Kirby, Chair Leung, Vice Chair Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, Commissioner Romano, and Commissioner Stocks

The Commission noted that the project plans were missing details regarding descriptions and dimensions of existing and proposed exterior siding, windows, trim and architectural features. The Commission also commented that the Historic Resources Survey Report (DPR) and Secretary of the Interior Analysis were inaccurate as they were prepared prior to the recent window changes.

A motion was made by Commissioner Romano, seconded by Commissioner Vargas-Smith to recommend denial of the staff recommendation and of the plans as proposed, and a continuance to allow time for the owner to revise the plans to include specific details on the materials and dimensions of the existing and proposed exterior siding materials that are similar but differentiated, all window changes, window and door trim and architectural features, and also to have the Historic Resources Survey Report (DPR) and Secretary of the Interior Analysis revised to include review of the recent window replacements.

Aye: 7 - Commissioner Kirby, Chair Leung, Vice Chair Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, Commissioner Romano, and Commissioner Stocks

3. [21-1507](#) Significant Property Alteration (SPA) Permit to add 528 square feet to the rear of the first floor and to convert an existing 567 square foot basement to habitable space for an existing historic single-family residence located at 450 Monroe Street

Recommendation: Recommend that the Historical and Landmarks Commission find that the proposed project located at 450 Monroe Street would not have a significant adverse effect on the integrity of the designated property; that the alterations are compatible with the existing structure; that the rehabilitation of the structure meets the Secretary of Interior Standards; and recommend approval of the SPA Permit to the Director of Community Development, subject to conditions.

Associate Planner Jeff Schwilk provided the staff presentation.
Property Owner Laura Esber and **Applicant Daniel Warren, Warren Design**, spoke regarding the project and answered questions from the Commission.

Public Speaker(s): Jonathan Evans

A motion was made by Commissioner Romano, seconded by Commissioner Vargas-Smith to close public hearing.

Aye: 7 - Commissioner Kirby, Chair Leung, Vice Chair Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, Commissioner Romano, and Commissioner Stocks

A motion was made by Commissioner Romano, seconded by Commissioner Stocks to approve staff recommendation subject to the preparation of an updated Historic Resources Survey Report (DPR) and Secretary of the Interior Standards (SIS) analysis report, and provided they find/support the project will meet the Secretary of the Interior's Standards for Rehabilitation including specific analysis of the following items of question to the Commission:

- 1) Identification/analysis of the 1986 addition it its extent compared with the original house, and of the proposed rear addition.
- 2) Front wood work on house and its preservation.
- 3) Any removal/replacement/alteration of front porch wood architectural detailing and board siding beneath the front porch to create the proposed basement window well egress beneath.
- 4) Appropriateness of proposed 4-panel accordion style doors on rear elevation of the addition.
- 5) Proposed windows.
- 6) Proposed trim size on rear door.
- 7) The reuse/application of the existing attic vent (or similar new attic vent) on the rear wall of the house to the proposed rear wall of the addition.
- 8) Identification of the potential contributing significance of the rear shed in its current location and the proposed relocation of it.

Aye: 7 - Commissioner Kirby, Chair Leung, Vice Chair Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, Commissioner Romano, and Commissioner Stocks

STAFF REPORT

1. Berryessa Adobe Maintenance

Staff Liaison Jeff Schwilk reported on the Commission's request from the October 7, 2021 meeting for an update on the estimated timeframe for completion of the contract, the estimated commencement for the maintenance work, and on the possibility of providing for volunteer work such as to help rehabilitate the gardens and noted that refinements to the contract for maintenance work (including conditions assessment) between the City and consultant are still progressing and should be wrapped up soon, but there is not a specific date for completion and execution of the contract at this time.

Mr. Schwilk also stated that the City's Streets Division currently maintains the yard and garden at the Berryessa Adobe and noted that anyone interested in volunteering to maintain the garden may contact **Chuck Quanz, Public Works Supervisor of the Streets Division**.

COMMISSIONERS REPORT

1. Subcommittee Reporting - 20 minutes

There were no subcommittee reports.

2. Board and Committee Assignments - 15 minutes

Board/Committee	Lead/Alternate
Santa Clara Arts and Historic Consortium	Leung / Romano
Historic Preservation Society of Santa Clara	Vargas-Smith / Leung
Old Quad Residents Association	Leung / Romano
Development Review Hearing	Romano / Vargas-Smith
BART/ High Speed Rail/ VTA BRT Committee	Vargas-Smith / Swartzwelder
Zoning Ordinance Update	Romano / Swartzwelder
El Camino Real Specific Plan Community Advisory Committee	Leung
Downtown Revitalization	Vargas-Smith / Romano

Commissioners present reported on assignments.

3. Announcements and Other Items - 10 minutes

Chair Leung and **Commissioner Romano** reported on the October Commission Assistance Mentoring Program (CAMP) training workshop they participated along with **Historical Advisor Lorie Garcia** and **Architectural Advisor Craig Mineweaser**, and announced another upcoming CAMP training workshop would be occurring in San Jose on December 2nd and 3rd.

4. Commissioner Travel and Training Requests - 10 minutes

There were not any travel or training requests.

ADJOURNMENT

A motion was made by Commissioner Romano, seconded by Commissioner Stocks to adjourn the meeting.

The meeting adjourned at 10:24 p.m.

The next regular scheduled meeting is on Thursday, December 2, 2021 at 6 p.m.

Aye: 7 - Commissioner Kirby, Chair Leung, Vice Chair Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, Commissioner Romano, and Commissioner Stocks

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Agenda Report

22-966

Agenda Date: 1/6/2022

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

STUDY SESSION: Zoning Code Update

DISCUSSION

The Community Development Department is preparing a comprehensive update to the City of Santa Clara Zoning Code. The City of Santa Clara's current Zoning Code has not been comprehensively updated since it first came into effect in 1969.

The City has been working with Mintier-Harnish, the City's Zoning Code Update consultant, since late 2017. The goal of the Zoning Code Update process is to develop a more up-to-date, readable and relevant Zoning Code that better aligns with the City's General Plan.

To frame the issue of Historic Preservation in relation to the Zoning Code, it is important to understand the policies in the General Plan that the Zoning Code is meant to implement.

Relationship of the Zoning Code to the General Plan

As a part of the General Plan Update process in 2010, residents and stakeholders indicated the importance of historic preservation and neighborhood compatibility. These topics were considered important enough to merit their own sections in the Goals and Policies Chapter of the General Plan.

The General Plan recognizes the importance of preserving and cultivating the City's residential neighborhoods, most clearly stated in its Major Strategies. The excerpt below is from Major Strategy 4.2, Preserve and Cultivate Existing Neighborhoods.

The General Plan recognizes the importance and value of the City's neighborhoods and promotes opportunities for improvements as an important part of cultivating neighborhood character. In addition, the Plan promotes preservation through goals and policies for neighborhood integrity that address the scale, density and design of new development adjacent to existing homes.

Relevant Historic Preservation goals for this discussion are:

5.6.2 P1: Evaluate any proposed changes to properties within 100 feet of historic resources on the City's list of Architecturally or Historically Significant Properties for potential negative effects on the historic integrity of the resource or its historic context.

5.6.2 P2: Require that changes to properties that contribute to the context of a historic resource are compatible in scale, materials, design, height, mass and use with the historic resource or its context.

Relevant Transition policies are:

5.5.2 P1: Require that new development incorporate building articulation and architectural features, including front doors, windows, stoops, porches or bay windows along street frontages, to integrate new development into existing neighborhoods.

5.5.2 P2: Implement design review guidelines for setback, heights, materials, massing, articulation and other standards to support Transition Policies and promote neighborhood compatibility.

The Zoning Code Update is the primary regulatory implementation tool of the 2010 General Plan Update. The Zoning Code codifies the land use designations of the General Plan into zoning districts with development standards that regulate the use of land in the City of Santa Clara, including allowed uses, densities, and development standards such as building height limits, required setbacks, and the maximum amount of building coverage allowed on a lot.

Zoning Code standards and processes relevant to Historic Preservation

The Zoning Code update largely keeps the development standards and allowed densities of single-family districts intact. By doing that, the zoning code recognizes General Plan Major Strategy 4.2, to preserve and cultivate existing neighborhoods.

Major Strategy 4.2 and Preservation Goal 5.6.2-P1 as noted above were further examined and implemented in 2017, with adoption of Chapter 18.106 of the Zoning Code - the City's Historic Preservation Ordinance, which established a 200-foot HLC referral process to provide for the evaluation of potential impacts of certain development projects on Historic Resource Inventory (HRI) listed properties in the City.

The code update helps to provide relief for owners of older properties by removing the need for a variance to extend a legal non-conforming side setback to the rear of a house.

The updated code also carries over the current code section 18.62.030(a) that allows property owners to determine their minimum front setback by averaging the existing nonconforming front setbacks of four or more primary/main buildings on a block face. This is important because many of the homes in the Old Quad are situated at varying front setbacks, some of which are much less than the 1969 code requirement of 20' - because they were either constructed closer to the streets or the streets were widened leaving them at substandard setbacks.

The code update also increases to six feet the distance that covered, unenclosed porches can encroach into the front setback, consistent with the intent of General Plan transition policy 5.5.2-P1.

The Zoning Code Update implements the Transition policies of the General Plan by requiring a 45-degree daylight plane for buildings in mixed use districts within 150 feet of abutting residential. A 45-degree daylight plane would limit building heights to the equivalent measurement that the building wall is away from the adjoining residential property line. In other words, a 50-foot tall building would have to be set back 50 feet from adjoining residential.

New Standards for Single-Family Districts

A number of new development standards in single-family zoning districts that are relevant to the HLC's charge include:

- Restrictions on making additions to houses with one-car garages are proposed to be lessened, which would make it easier for property owners to invest in and to upgrade their properties.
- Development standards to allow one-and-a-half story accessory dwelling units (ADUs). A half-story is a second level where most of the volume of the floor is contained inside of the pitched portion of the roof.
- Additional clarifying language has been added to delineate the prohibited activities in the front and side yards of residential uses, to reduce neighborhood impacts from storage of inoperative vehicles, construction materials, and recreational equipment including ping-pong tables and inflatable pools.

Additional regulations that could affect the way that existing residences are used include:

- Additional provisions to prevent overcrowding in residences by requiring a minimum of common living area, which is defined as the kitchen, dining room, living room, and any other common rooms, but excluding hallways and bathrooms. The new regulations would require a minimum of 25% of the floor area to be dedicated to common living area.
- New provisions to limit short-term rentals of residential dwellings, which are less than 30 days in length. Under the proposed regulations, unhosted short-term rentals would be limited to 90 days in a calendar year and would be required to pay Transient Occupancy Tax (TOT). Short-term rentals would also be subject to occupancy limits, based on the size of the dwelling unit.

Future Planning Efforts

The zoning code update is a document that applies to the full extents of the City of Santa Clara. But it is important to recognize that the zoning code will be undergoing additional revisions relevant to Historic Preservation, especially in the Old Quad, as other long-range planning efforts are brought forward to the City Council for adoption.

Those include the El Camino Real Specific Plan, the Downtown Precise Plan, and the eventual Santa Clara Station Area Plan, which taken together include the majority of neighborhoods adjoining the Old Quad.

Next Steps

The draft zoning code will be available for review and comment on the City's website for a minimum of 45 days. City staff will compile and address comments as a part of the recommendation hearings before the Planning Commission and adoption hearings before the City Council in the first half of 2022.

ENVIRONMENTAL REVIEW

This is an information report only and no action is being taken by the City Council and no environmental review under the California Environmental Quality Act ("CEQA") is required at this time. The Comprehensive Zoning Update will undergo environmental review and an environmental

document will be brought to the City Council when the Council considers the Update for approval.

FISCAL IMPACT

There is no impact to the City other than administrative time.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the agenda on the City's official-notice bulletin board outside City Hall Council Chambers.

RECOMMENDATION

Provide comments to Planning Division staff and Note and File the report.

Drafted by: John Davidson, Principal Planner, Community Development Department

Reviewed by: Jeff Schwilk, Liaison to the Historical Landmarks Commission

Approved by: Gloria Sciara, Development Review Officer