

**RESOLUTION NO. XX-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF SANTA CLARA, CALIFORNIA APPROVING THE  
ARCHITECTURAL REVIEW TO ALLOW A SECOND STORY  
DETACHED ACCESSORY DWELLING UNIT OVER A ONE-CAR  
GARAGE AND STORAGE AT THE SITE LOCATED AT 1184  
WASHINGTON STREET, SANTA CLARA**

PLN22-00244 (Variance and Architectural Review)

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS  
FOLLOWS:**

**WHEREAS**, on June 4, 2021, Robert Mayer (“Applicant”) filed an application for a Variance for a 22’-6” height for a detached accessory dwelling unit (ADU) where 16 feet is the maximum height allowed in the R1-6L, Single-family Residential Zoning District at the site located at 1184 Washington Street, Santa Clara (“Project Site”);

**WHEREAS**, the Project Site is currently zoned as R1-6L, Single-family Residential Zoning District;

**WHEREAS**, the applicant is requesting to convert the existing two-story structure with a two-car garage located to the rear of the property into a 958 square feet Accessory Dwelling Unit (ADU) over a one-car garage and storage on the first floor. The proposed second story ADU with the maximum height of 22’-6” comprises a kitchen, living room, two bedroom, one bathroom, and an office. The proposal would retain the one-car garage and storage and add a new half bathroom on the first floor (collectively, the “Project”) as shown on the Development Plans, attached as Exhibit “Development Plans”;

**WHEREAS**, the California Environmental Quality Act (“CEQA”), Public Resources Code § 21000 *et seq.*, requires a public agency to evaluate the environmental impacts of a proposed project. CEQA contains a list of categorical exemptions for projects that are not required to undergo environmental evaluation, one of which applies to the proposed project. CEQA

Guidelines Section 15303, Class 3 New Construction or Conversion of Small Structures, establishes an exemption for the construction of second dwelling units;

**WHEREAS**, on October 27, 2022 the notice of public hearing for this item was posted within 300 feet of the Project Site and was mailed to property owners within a 300-foot radius of the Project Site; and,

**WHEREAS**, a duly noticed public hearing was held before the Planning Commission on November 9, 2022 to consider the application. At the public hearing, the Planning Commission invited and considered any and all verbal and written testimony offered in favor of and in opposition to the Project.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the Planning Commission hereby finds the above Recitals are true and correct and by this reference makes them a part thereof.
2. That the Planning Commission hereby finds that approving the Architectural Review to allow the second-story detached accessory dwelling unit falls within the CEQA Exemption of the CEQA Guidelines Section 15303 because the proposed project rehabilitates the existing detached two story structure to create a second-story ADU, one-car garage and storage.
3. That pursuant to SCCC Section 18.76.020, the Planning Commission determines that the following findings related to Architectural Review approval of the Project:

A. That any off-street parking areas, screening strips and other facilities and improvements necessary to secure the purpose and intent of this title and the general plan of the City are a part of the proposed development, in that:

- The proposed rehabilitation of the existing permitted structure in its current location and size does not create or alter any off-street parking areas, screening strips, or other facilities.
- The development provides the required two parking spaces.

- The development provides the minimum required 20' driveway length required by the R1-6L development standards.

B. That the design and location of the proposed development and its relation to neighboring developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood, will not unreasonably interfere with the use and enjoyment of neighboring developments, and will not create traffic congestion or hazards, in that:

- The proposed ADU will not cause increased traffic congestion or hazard as the project retains the one car garage on the first floor of the structure and has a long driveway to accommodate additional cars.
- Public streets are adequate in size and design to serve the single-family residence and the proposed ADU, and the proposal will not create an increase in traffic.

C. That the design and location of the proposed development is such that it is in keeping with the character of the neighborhood and is such as not to be detrimental to the harmonious development contemplated by this title and the general plan of the City, in that;

- The proposed project is compatible with adjacent residential properties as the subject site is adjacent to the existing multi-family housing to the south and addition of an ADU would not have an adverse impact.
- The second story windows on the proposed ADU are oriented away from the neighbors to preserve their privacy.
- The existing one-story residence is in scale with the appearance of the existing single family homes in the neighborhood. The proposed ADU is located to the rear and not visible from Washington Street.

D. That the granting of such approval will not, under the circumstances of the particular case, materially affect adversely the health, comfort or general welfare of persons residing or working in the neighborhood of said development, and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood, in that;

- The project is subject to the California Building Code and City Code requirements, which serve to regulate new construction to protect public health, safety and general welfare.

E. That the proposed development, as set forth in the plans and drawings, are consistent with the set of more detailed policies and criteria for architectural review as approved and updated from time to time by the City Council, in that;

- The second story ADU will be located behind the existing single family residence in a manner that is subordinate to the main structure and compatible in scale and character with the development along Washington Street.

//

//

//

//

//

//

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 9<sup>th</sup> DAY OF NOVEMBER, 2022, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: \_\_\_\_\_  
ANDREW CRABTREE  
DIRECTOR OF COMMUNITY DEVELOPMENT  
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Conditions of Approval
2. Development Plans

I:\PLANNING\2022\Project Files Active\PLN22-00244 1184 Washington Street (Mills Act, Variance)\11.09.22 PC Variance\Resolution Approving the Architectural Review.doc