



Legislation Details (With Text)

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**Title:** Action on Introduction of Ordinance No. 2011 Amending Chapter 18.76, (“Architectural Review”) of Title 18 (“Zoning”) and Making Other Clarifying Changes  
[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Architectural Review Ordinance 01-21-20, 2. Council Minutes 04-07-98, 3. Council Minutes 05-02-00, 4. PASS TO PRINT ORDINANCE NO. 2011

Date	Ver.	Action By	Action	Result
1/28/2020	1	City Council and Authorities Concurrent	Approved	Pass

**REPORT TO COUNCIL**

**SUBJECT**

Action on Introduction of Ordinance No. 2011 Amending Chapter 18.76, (“Architectural Review”) of Title 18 (“Zoning”) and Making Other Clarifying Changes  
[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

**BACKGROUND**

At the December 10, 2019 Council meeting, the City Council voted to approve the introduction of Ordinance No. 2011, which would revise the City’s architectural review process. Under the ordinance, most architectural review would be conducted by City staff, rather than an Architectural Committee. Certain projects would still undergo a public hearing, but the hearing would be conducted by the Director of Community Development instead of the Architectural Committee.

At the January 14, 2020 meeting, the Council considered the ordinance for adoption, but voted to continue the Ordinance to add two types of projects to the list of development that would have to undergo a public hearing before approval. That revised ordinance is before the Council tonight.

Because this was a substantive change to the ordinance, it is necessary to re-introduce the ordinance tonight. If the introduction is approved by Council tonight, the ordinance will return to the Council again on February 11, 2020 for adoption.

**DISCUSSION**

Under proposed Ordinance No. 2011, most architectural review would occur at staff level, with a subset of approvals requiring a public hearing before the Director of Community Development, including multifamily developments, large-scale non-residential development, and properties on the Historic Resources Inventory (HRI). As originally proposed, the following type of single-family homes

would also require a public hearing:

- Five or more bedrooms;
- Five or more bathrooms; or
- Two or more bedrooms with direct exterior access

At the January 14, 2020 Council meeting, resident Bob O'Keefe requested that the Council expand this list to include two other types of single-family development projects that currently undergo public hearings:

- second-story additions; or
- projects involving demolitions

After receiving this testimony, the Council continued the item so that the ordinance could be revised to include these two additional types of projects.

Staff researched the issue and determined that the City Council established the policy for second-story additions on April 7, 1998. The minutes from that meeting provide:

“MOTION was made by Mahan, seconded and unanimously carried (Gillmor absent), that, per the Director of Planning and Inspection (4/3/98), the Council approve the concept of giving public notification to homes within 100 feet of proposed second story additions to single family homes and direction to the Architectural Committee to include this concept in the Architectural Committee’s procedural revisions . . . .”

Regarding demolitions, on May 2, 2000, the City Council established the following policy:

“MOTION was made by Matthews, seconded and carried with Diridon abstaining (owns property within 300 feet of a home that might be demolished) (Gillmor absent), that the Council direct that demolition permits not currently reviewed by another body be referred to the Architectural Review Committee with appeals to the Council . . . .”

In order to incorporate these policies, the revised ordinance would require a public hearing if a single-family development project will construct a new second story or expand an existing second story, or will demolish an existing structure (other than a non-habitable accessory structure).

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

### **FISCAL IMPACT**

There is no fiscal impact to the City other than administrative staff time and expense.

### **COORDINATION**

This report has been coordinated with the Community Development Department.

## **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

## **RECOMMENDATION**

Introduce Ordinance No. 2011 Amending Chapter 18.76, ("Architectural Review") of Title 18 ("Zoning") of "The Code of the City of Santa Clara, California" and Making Other Clarifying Changes.

Reviewed by: Brian Doyle, City Attorney

Approved by: Deanna J. Santana, City Manager

## **ATTACHMENTS**

1. Ordinance No. 2011 - Introduction
2. Excerpt of Council Minutes of April 7, 1998
3. Excerpt of Council Minutes of May 2, 2000