



## Agenda Report

20-1450

Agenda Date: 1/14/2020

### REPORT TO COUNCIL

#### **SUBJECT**

Action on Adoption of 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

[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

#### **BACKGROUND**

At the December 10, 2019 Council meeting, proposed Ordinance No. 2011 was introduced and passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812, a summary of proposed Ordinance No. 2011 was published by The Weekly on December 18, 2019, and copies were posted in three public places. The Ordinance now comes to Council for final adoption.

#### **DISCUSSION**

Proposed Ordinance No. 2011 would modify the City's architectural review process, in the interest of streamlining the review process and avoiding any potential due process issues associated with appeals. At the December 10, 2019 Council meeting, the Council considered two alternatives for the ordinance, one that would have maintained an Architectural Committee but change the composition to three Planning Commissioners ("Alternative 1") and another that would establish an administrative hearing process conducted by staff ("Alternative 2").

The Council selected Alternative 2, under which staff will make a determination to approve or deny the architectural design of a project based upon the consistency of the project with adopted ordinances and guidelines. In most cases the initial staff action could then be appealed, once, to a higher decision-making body (e.g., the Planning Commission or the City Council). Generally, this process reduces the time and costs associated with architectural review, particularly for routine items, while allowing more controversial projects to progress to review by a higher hearing body.

The Planning Commission would, however, remain involved in the architectural review of properties listed on the Historic Resource Inventory (HRI) as well as projects located within 200 feet of HRI properties. The Architectural Committee currently issues Significant Properties Alteration (SPA) permits for such properties; under the Proposed ordinance, the Planning Commission would issue the SPA permits. The Planning Commission would also act as the appeal body for single-family residential projects, while all other architectural appeals would be considered by the City Council alone.

#### **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 and the Finance Department.

**PUBLIC CONTACT**

A summary of proposed Ordinance No. 2011 was published to the Santa Clara Weekly on December 18, 2019, and copies were posted in three public places and made available for public inspection at the City Clerk's Office.

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**

Adopt 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