



## Agenda Report

20-204

Agenda Date: 2/11/2020

### 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 January 28, 2020 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 February 5, 2020, and copies were posted in three public places.

This is the second time Ordinance No. 2011 has come before the Council for adoption. The Council previously considered adoption of the ordinance at the January 14, 2020 meeting, but at that time the Council voted to continue the matter to add two types of projects to the list of developments that would have to undergo a public hearing before approval. Because this was a substantive change to the ordinance, it was necessary to re-introduce the ordinance at the meeting on January 28, 2020.

The Ordinance now comes to Council for final 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

In order to incorporate these additional types of projects, staff revised the draft ordinance, and the Council voted to re-introduce it at the January 28, 2020 meeting. As revised, the 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**

A summary of proposed Ordinance No. 2011 was published to the Santa Clara Weekly on February 5, 2020, 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