



Agenda Report

19-765

Agenda Date: 8/14/2019

REPORT TO PLANNING COMMISSION

SUBJECT

Recommendation on an Amendment to the Zoning Code, Santa Clara City Code Chapter 18.76 Architectural Review and other clarifying changes (continued from May 22, 2019)

BACKGROUND

At the May 22, 2019 Planning Commission meeting, the Planning Commission discussed a proposed Zoning Code amendment that would modify the City's Architectural Review process, including the composition of the Architectural Committee, with the goals of addressing potential due process conflicts for Planning Commissioners, establishing clearer policy guidance for appeals, streamlining the review process for non-controversial projects, eliminating double appeals and utilizing standard staff level public hearings practices found to be effective in other jurisdictions.

At the March 5, 2019 City Council meeting, staff received direction from the City Council to amend Chapter 18.76 of the Santa Clara City Code (SCCC) to revise the architectural review procedure, replacing the Architectural Committee with an administrative process. The City Council also provided direction to include design feedback from architectural professionals in the design review process and to maintain the City Council as the hearing authority for all appeals of architectural review public hearing actions. The March 5, 2019 City Council agenda report on this matter is attached (Attachment 2).

DISCUSSION

The Planning Commission discussed the proposal and gave staff direction to revise the proposed ordinance to keep the Architectural Committee as the initial decision maker for public hearing items, but to change the composition of the Architectural Committee to three Planning Commissioners, with all appeals going to the City Council. The Planning Commission also wanted to use the number of bathrooms as a criterion for determining which single-family houses were subject to a public hearing, and to include properties on the historic resources inventory undergoing exterior additions or demolition as hearing items for the Architectural Committee. Those changes have been incorporated into the draft ordinance, which is attached.

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. Should the Council adopt the staff recommendation to add architectural consultation on multifamily projects, the

City would initially charge applicants the time and materials cost for this consultation service. After data is collected on the typical cost of this service, the City would bring forward a new Architectural Consultation fee to be added to the City's Fee schedule.

COORDINATION

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

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>> or at the public information desk at any City of Santa Clara public library.

Staff previously received input on the architectural review hearing process through outreach at a community workshop at the outset of the comprehensive Zoning Code update and at a Neighborhood University Relations Committee meeting.

RECOMMENDATION

Alternative 1:

Recommend City Council adopt an Ordinance to amend Chapter 18.76 Architectural Review of the City of Santa Clara Zoning Code to amend the existing Architectural Committee process to modify the composition of the Architectural Committee to be composed of three Planning Commissioners, to clarify which projects are subject to Architectural Review by the Architectural Committee, to clarify that decisions are appealable to the City Council on a *de novo* basis and changes to the appeal procedures so that appeals are available to the applicant, property owners, and residents within 500 feet of the project boundary.

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Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

1. Architectural Review Ordinance, 6-12-2019
2. Agenda Report 18-325 to Planning Commission dated 5-22-2019