

INTEROFFICE MEMORANDUM
City of Santa Clara



Date: August 1, 2014
To: City Manager for Ad hoc Neighborhood Protection Ordinance Committee
From: Director of Planning & Inspection
Subject: Draft Ordinance Amendments

Please find attached an updated version of proposed single family and boarding house ordinance amendments following the comments and discussion presented at the Committee meeting of July 7, 2014. It is anticipated that the Committee will take additional comments and engage in further discussion before giving staff direction to make further edits or to move the proposed amendments forward to City Council with a recommendation. It will be up to the Council to determine if these amendments go forward to the public review process as recommended by the Committee or with further changes or not at all. The attached draft documents have been circulated electronically to persons included on the e-mail list and these have been made available in the Permit Center as of August 1, 2014 to any interested parties.

These proposed amendment changes to the City Code attempt to accomplish three key objectives:

- 1) prohibit the establishment of new households with a significant number of unrelated adults rooming together in an unregulated boarding house arrangement within single family neighborhoods;
- 2) allow, by permit, the continuation of existing households of this type that predate the enactment of the new definitions contained herein, subject to meeting certain requirements for property maintenance and limitations on certain adverse behaviors; and
- 3) establish a refined procedure for review of development applications for large residential structures that could impact single family neighborhoods in a variety of ways, including but not limited to excessive bulk, parking demand, noise and activity.

The proposed amendments prepared by staff for the Committee's review include City-wide changes to two areas of the Santa Clara City Code (SCCC): the Zoning Code (Title 18) and the Health and Safety Code (Title 8). These changes apply Citywide and are not limited to specific geographic areas of the City.

In addition, included here is an independent but related set of City-wide changes to the property maintenance standards and public nuisance sections of Title 8. These amendments are proposed by the City Attorney for Council consideration and will go forward for review regardless of the outcome of the Committee's work on the boarding house issue. These revised standards will, if adopted, enhance the scope and detail of regulation of property conditions on all properties.

Amendments proposed in the Zoning Code include adding or changing language of definitions of "boarding house," "dormitory" and "family." Changes also specifically state the prohibition of boarding house, fraternities, sororities and dormitories from single family neighborhoods, clarifying that these are not "by right" uses of single family homes under the clarified definitions. This does not preclude any property owner from filing an application for Council consideration of a change in zoning through a public hearing process to seek a different use than is allowed under current zoning.

For existing properties where owners have previously and currently rent homes to unrelated individuals based upon the existing Code language and interpretation, such as those in close proximity to the university, these uses will be allowed to continue if owners come forward to obtain a Zoning Administrator permit. The permit would clearly disclose that the permit is revocable if proper and ongoing maintenance is lacking, repeated disturbances occur at the property, or if property is vacant for a one-year period of time, per SCCC Health and Safety Code Section 8.30.110.

Lastly, the proposed zoning amendments will specify that additions to single family homes that result in four (4) or more bedrooms will be reviewed by the City's Architectural Committee, regardless of whether they are one or two story building additions or alterations (i.e., floor plan changes). This is intended to provide more opportunity for neighborhood review and input, as the Committee policy is to provide notice to properties within 300 feet of a project site.

Kevin L. Riley
Director of Planning & Inspection