

City of  
Santa Clara

Old Quad Neighborhood  
Zoning Ordinance Update

April 29, 2019



**City of  
Santa Clara**  
The Center of What's Possible

# Meeting Ground Rules

- **Respect for All Opinions Raised**
- **Everyone Raises their Hand and Waits to be Called on**
- **No Talking Over Others**
- **Provide An Opportunity for Others to Speak**



# Why are we here?

- Zoning Code Update process—this is a follow up to a meeting a December 3 meeting. Planning has been working on outreach related to this topic for past few years
- Address on-going neighborhood concerns regarding overcrowding in single family residences and duplexes



# Regulatory Framework

- All City laws must be consistent with Federal Fair Housing Laws
  - Cannot create laws that discriminate
  - Cannot define family



# What's Also In the Works

- **Proposing Regulations on Short-Term Rental Regulations (Air BB/VRBO, etc)**
  - Today the City has no specific regulations on Short Term Rentals
  - Not to be discussed extensively tonight but regulations which limit period of time for hosted and unhosted short-term rentals (short-term rentals last fewer than 30 days) are under development and also proposed with the Zoning Code Update



# Potential Approaches

- Replacing the Zoning Code term of 'boarding house' and replacing it with more precise regulations:
  - Adding standards requiring common open space in single-family residences & duplexes
  - Adding a maximum number of individuals in addition to the main household that can occupy a residence
  - Enforcing these new proposed regulations



# Current Definitions

- **“Boarding house or rooming house”** means a dwelling, other than a hotel, where lodging or lodging and meals for two or more persons is provided for compensation. 18.06.010(b)
- **“Housekeeping unit”** means an individual or group of persons occupying a dwelling unit that has a single kitchen. 18.06.010(h)



# Proposed Changes to Code Definitions

- **Remove** definition of “**Boarding house**”
  - Outdated term
- **Revise** definition of “**Single Housekeeping unit.**” Means an individual or group of persons occupying a dwelling unit used as a common living arrangement. Evidence of a common living arrangement may include some or all of the following: sharing living expenses, such as rent or mortgage payments, food and utility costs, a single lease, or shared chores. ~~that has a single kitchen.~~





# Common Habitable Area

- Applicable to Single-Family Residences and Duplexes
- Creating a minimum percentage (%) of habitable floor area available to all for common use (ex: dining room, living room, kitchen)
  - Garages and hallways are not considered common use areas
- Minimum common habitable area could be appropriate at 25%-30% (TBD on exact percentage) for single-family residences
- Percentage of habitable floor area available for common use in duplexes is ***to be determined***



# Occupancy in a Residence

- Creating a cap number of individuals per unit based on unit size:
  - One Family Dwelling = three individuals (in addition to single housekeeping unit)
  - Duplex = two individuals per unit (in addition to single housekeeping unit)
  - Multiple Dwelling Unit = two individuals per unit (in addition to single housekeeping unit)



# Limiting Occupancy within a Residence

- The primary single housekeeping unit can either be renters or owners of the unit/house
- A primary single housekeeping unit would **not be included** in the number of number regulated
  - The number of individuals regulated would be in *addition* to the primary housekeeping unit



# How to handle existing arrangements when new regulations are in place?

- Any legal nonconforming uses that do not have the minimum habitable floor area % have a period of time (not yet determined, perhaps 2 years) to modify structures into compliance to provide adequate habitable floor area (obtaining any appropriate permits necessary)
- Any legal nonconforming uses ***after the sunset period*** would need to obtain a Conditional Use Permit to allow commercial activity



# Enforcement of New Standards

- Enforcement of number of guests provision will occur after a period of time (not yet determined, perhaps 2 years) to provide adequate notice
- All property owners will be encouraged to discontinue nonconforming practice as guests move out



# Process & Next Steps

- **Two additional meetings are being arranged to** cover the same information presented on April 29, 2019.
- Online Surveys To Be Sent Out to residents for further feedback
- Continue to Work with Interested Parties to develop proposed changes
- Study Session provided to Planning Commission & City Council on this topic
- Zoning Ordinance Update considered by Planning Commission City Council Winter of 2019/2020
- City Contact: Reena Brilliot, Planning Manager ( [RBrilliot@SantaClaraCA.Gov](mailto:RBrilliot@SantaClaraCA.Gov) )



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