Ordinance No. 26-2354

BEING AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMPBELL ADOPTING URGENCY MEASURES IMPLEMENTING SENATE BILL NO. 450, AS FURTHER MODIFIED BY ASSEMBLY BILL NO. 1061 (2025), SUPERSEDING AND REPLACING PRIOR INTERIM REGULATIONS AND INCORPORATING REVISED UNIFORM OBJECTIVE ZONING, SUBDIVISION, AND DESIGN STANDARDS FOR THE SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT. (FILE NO. PLN-2026-41)

WHEREAS, on September 16, 2021, the Governor of the State of California signed into law Senate Bill No. 9, "An act to amend Section 66452.6 of, and to add Sections 65852.21 and 66411.7 to, the California Government Code, relating to land use," which requires ministerial approval of a housing development of no more than two units in a single-family zone (proposed housing development), the subdivision of a parcel zoned for residential use into two parcels (urban lot split), or both.

WHEREAS, on September 19, 2024, the Governor of the State of California signed into law Senate Bill No. 450, "An act to amend Sections 65852.21 and 66411.7 of the California Government Code, relating to land use," which prohibits the imposition of non-uniform objective zoning, design, and subdivision standards on proposed housing developments and urban lot splits in single-family residential zones, establishes a 60-day timeline for local agency review and action, and updates requirements for demolition and environmental findings.

WHEREAS, Senate Bill No. 450 further specifies that objective zoning, design, and subdivision standards must relate to parcel design and improvements and allows local agencies to impose more permissive standards than the underlying zoning.

WHEREAS, Senate Bill No. 450 deems urban lot split and two-unit housing development applications approved if not acted upon within the 60-day period and requires agencies to provide detailed feedback for any denied applications to ensure applicants can address deficiencies.

WHEREAS, on October 10, 2025, the Governor of the State of California signed into law Assembly Bill No. 1061, "An act to amend Sections 65852.21 and 66411.7 of the California Government Code, relating to land use," which further modifies the statutory framework governing ministerial review and objective standards for certain housing developments and urban lot splits in single-family residential zones, including clarifications regarding historic resource exceptions and related procedural and applicability requirements.

WHEREAS, certain zoning and subdivision standards of the City of Campbell Zoning and Subdivision Codes, respectively, and their permitting procedures are inconsistent with Sections 65852.21 and 66411.7 of the California Government Code, as amended by Senate Bill No. 450.

WHEREAS, the provisions of Senate Bill No. 450 and Assembly Bill No. 1061 went into effect on January 1, 2025 and January 1, 2026, respectively, and without locally codified objective design standards and implementation procedures consistent with these statutes, the law presents a current and immediate threat to the public peace, health, safety, and

welfare, in that certain existing zoning and subdivision standards are in conflict with Senate Bill No. 450, as amended by Assembly Bill No. 1061, and could create uncertainty for applicants, potential legal conflicts, and delays in implementing state-mandated housing solutions.

WHEREAS, Government Code Sections 65852.21(a)(5)(A) and 66411.7(a)(3)(F)(i), as amended by Assembly Bill No. 1061, refer to a "contributing structure" located within a historic district included on the California Register of Historical Resources or within a historic district listed or designated pursuant to a city or county ordinance; and although Chapter 21.33 (Historic Preservation) does not separately define the term "contributing structure," the City Council finds that the principal structures located within the Alice Avenue Historic District that are not designated as landmarks fall within this category because the District was designated based on a shared historic context, reflected in its architectural character, integrity, and development pattern dating from 1917 to 1940, and such structures therefore contribute to the historic character and integrity for which the District was designated.

WHEREAS, on January 13, 2025, the City Council adopted Ordinance No. 2321 as an interim urgency ordinance, which has since been extended and remains in effect through January 1, 2027.

WHEREAS, the City Council now desires to adopt updated urgency measures to reflect subsequent changes in state law and implementation requirements, and this ordinance is intended to supersede and replace Ordinance No. 2321, as extended, in its entirety.

WHEREAS, pursuant to Section 65852.21(j) and Section 66411.7(n) of the California Government Code, a local agency may adopt an ordinance to implement the law.

WHEREAS, pursuant to Section 65858 of the California Government Code and Section 21.60.090 of the Campbell Municipal Code, the City Council may take appropriate action to adopt urgency measures as an interim ordinance.

WHEREAS, this interim ordinance establishes urgency measures to eliminate the imposition of non-uniform objective zoning, design, and subdivision standards, establish a 60-day timeline for local agency action, and modify requirements for demolition and environmental findings.

WHEREAS, it is not the intent of this interim ordinance to deny approvals needed for the development of projects with a significant component of multifamily housing.

WHEREAS, in light of the foregoing findings, the City Council further finds that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is in conflict with this ordinance would result in that threat to public health, safety, or welfare.

WHEREAS, adoption of this interim ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to California Government Code Section 65852.21(k), as it pertains to the implementation of Senate Bill No. 450.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CAMPBELL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1 (PURPOSE): This interim ordinance establishes temporary provisions to Title 21 (Zoning) and Title 20 (Subdivision and Land Development) of the Campbell Municipal Code to facilitate the construction of up to two residential units and the creation of urban lot splits, as specified by California Government Code Sections 66452.6, 65852.21, and 66411.7. These provisions ensure compliance with state law by prohibiting the imposition of non-uniform objective zoning, design, and subdivision standards. The provisions of this interim ordinance shall supersede any conflicting provisions within Title 21 (Zoning) and Title 20 (Subdivision and Land Development). Zoning and design review standards in the Zoning Code that are not affected by this interim ordinance shall remain in full force and effect.

SECTION 2 (APPLICABILITY): This interim ordinance applies to the construction, alteration, and expansion of all structures, as well as to voluntary applications for urban lot splits, on all properties located within the R-1 (Single-Family Residential) Zoning District and certain properties within the P-D (Planned Development) Zoning District, with a Low Density Residential General Plan land use designation. Property owners or their authorized representatives may continue to exercise subdivision rights for conforming subdivisions in compliance with Title 20 (Subdivision and Land Development) of the Campbell Municipal Code and the California Subdivision Map Act.

SECTION 3 (GENERAL SUBDIVISION STANDARDS): This interim ordinance adopts by reference the addition of Chapter 20.13 (Subdivision Standards), the revisions to Section 20.16.030 (Action on tentative parcel maps), and the deletion of Section 20.16.035 (Exception to access requirements), as established by Interim Ordinance No. 2313 and extended by Interim Ordinance No. 2317. These changes shall remain in effect under the provisions of this interim ordinance, notwithstanding the expiration of Interim Ordinance No. 2317. Further, Section 20.36.110 (Lots—Size, shape, side lines, divisions and interior) is replaced as follows:

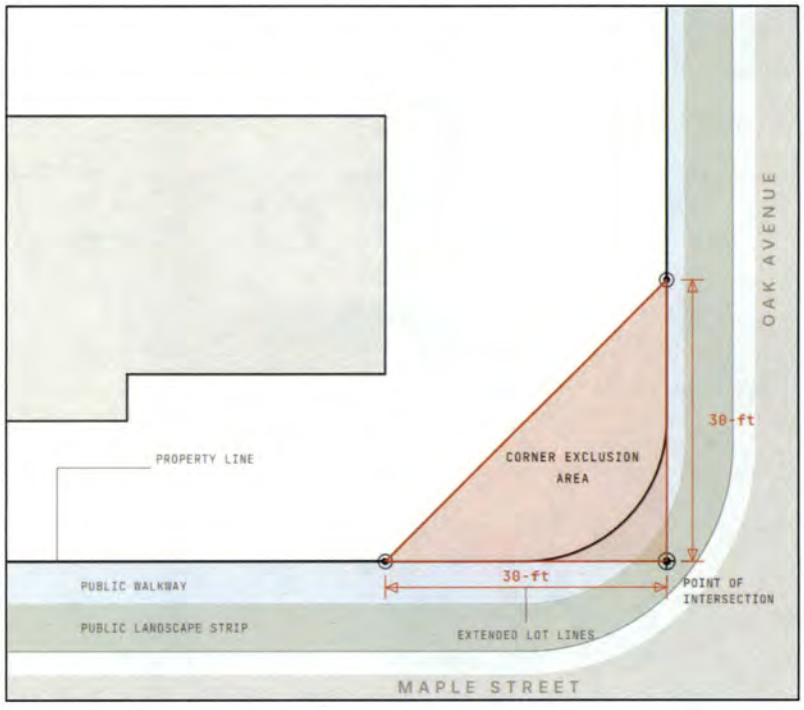
(a) Purpose. This section establishes objective subdivision standards related to the design of new lots and reconfiguration of existing lots.

(b) Applicability. This section applies to the creation of new lots through subdivision and to the reconfiguration of existing lots through a lot line adjustment. This section does not apply to lots created in conjunction with a housing development project subject to the Multi-Family Development Design Standards (MFDDS), as adopted pursuant to Chapter 21.07 (Housing Development Regulations).

(c) Zoning compliance. All lots created pursuant to this section shall comply with the applicable standards of Title 21 (Zoning), including minimum lot area, minimum lot width, and minimum public street frontage, except as otherwise provided by this interim ordinance.

(d) Definitions. For purposes of this section, the following terms shall have the meanings set forth below:

i. "Corner exclusion area" means the triangular area on a corner lot, as defined by Chapter 21.72 (Definitions), formed by (1) extending the two lot lines abutting the public right-of-way until they intersect; (2) measuring thirty (30) feet from that point of intersection along each such extended lot line; and (3) connecting the endpoints of those measurements with a straight line, as illustrated, below:



ii. "Existing lot line" means a lot line that existed immediately prior to the filing of a tentative map, parcel map, or lot line adjustment application.

iii. "Newly created lot line" means a lot line that did not exist prior to the filing of a tentative map, parcel map, or lot line adjustment application, that extends between two points where the line meets another lot line or a public right-of-way line, or where the lot line changes direction or where curvature begins, ends, or changes. "Newly created lot line" does not include an existing lot line that forms the boundary of the parcel being subdivided solely because one or more newly created lot lines intersect that existing lot line. "Newly created lot line" also does not include a lot line created or modified by the dedication or vacation of public right-of-way.

(e) Number of lot lines resulting from a subdivision. The total number of newly created lot lines resulting from a subdivision shall not exceed the number of lots created. Each newly created lot line shall be a straight line.

(f) Number of lot lines resulting from a lot line adjustment. The total number of newly created lot lines resulting from a lot line adjustment shall not exceed the number of parcels subject to the adjustment, even if the number of existing lot lines between the parcels is greater prior to the adjustment. Each newly created lot line shall be a straight line.

(g) Prohibited lot configurations. A subdivision or lot line adjustment shall not create or modify lot lines in a manner that results in any of the following:

i. A lot with frontage upon two public streets that is not located at the intersection of such streets.

ii. A lot divided by a city boundary line.

iii. A lot without frontage upon a public street or without independent access from a public street, including a lot with access solely across another lot.

iv. A lot without sufficient emergency vehicle access from the public street, as specified by the applicable Standard Details and Specifications of the Santa Clara County Fire Department.

v. A lot where any portion of a newly created lot line is located within the corner exclusion area of the existing parcel subject to subdivision or lot line adjustment.

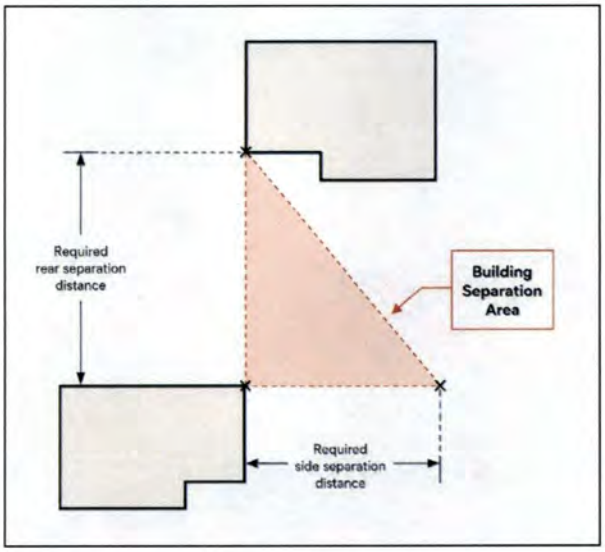
SECTION 4 (DEFINITIONS): The following terms shall have the meanings assigned to them in this interim ordinance and shall supersede or supplant the definitions provided in Chapter 21.72 (Definitions) of the Campbell Municipal Code.

An "attic" means that part of the interior of a building immediately below a roof, above the ceiling of a story, and within the roof framing, which is unheated and unfinished as to remain uninhabitable, and which is not accessible by a stairway or door (access may only be provided via a floor hatch with a drop-down ladder to the story below). A space not satisfying this definition shall instead be defined as a "story" or "half-story".

"Completed application" means an application for a development project, including an application for a tentative parcel map or subdivision map, or a ministerial application for a Zoning Clearance, that has been deemed complete by the Community Development Director pursuant to Government Code Section 65943.

"Building separation distance" means the minimum distance between two building or structures on the same lot must be separated from each other as required by Title 21 (Zoning), including separations between accessory structures, separations between primary structures, separations between primary structures and accessory structures, and separations between accessory dwelling units and other structures. Where two buildings are diagonally situated from each other, the applicable building separation distances shall extend from the side and rear of the buildings to form a triangular "building separation area", as illustrated by Figure 1, which shall also be clear of any building or structure. The separation distance is measured as the shortest horizontal distance between the exterior walls of the two structures, except as provided in Section 21.18.040.B (Exceptions)

Figure 1 – Building Separation Area



"Demolition" means any act or process that may cause partial or total razing, removal, destruction or dismantling of a structure, whether or not permitted by the City. Also includes construction of a new structure using portions of an original structure pursuant to Chapter 18.32 (Determination of Scope of Work).

"Dormer" means a roofed architectural projection that is set within and projects from a sloping roof plane and does not continue or extend upward from the exterior wall plane below. A dormer may contain a window, door, louver, vent, or similar opening, as illustrated by Figure 2 (Dormer).

Figure 2 – Dormer



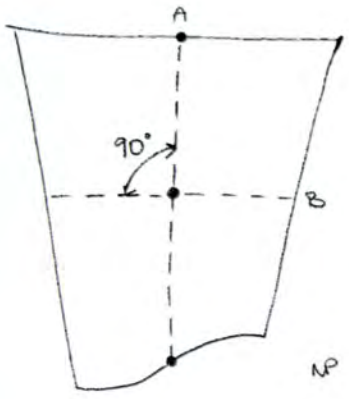
"Unenclosed" means open to the outdoors on at least one side from the finished floor or grade to the underside of the roof or overhead structure, except for posts, columns, and open railings. A side containing a wall or other permanent solid barrier shall not be considered open.

"Lot width" means the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. This measurement is illustrated as line B in Figure 3 (Lot Width Measurement), drawn perpendicular to the lot depth (line A) at its midpoint.

Figure 3 – Lot Width Measurement

A= Line drawn from midpoint of front and rear property line.

B= Line rotated 90° from (A) at midpoint.



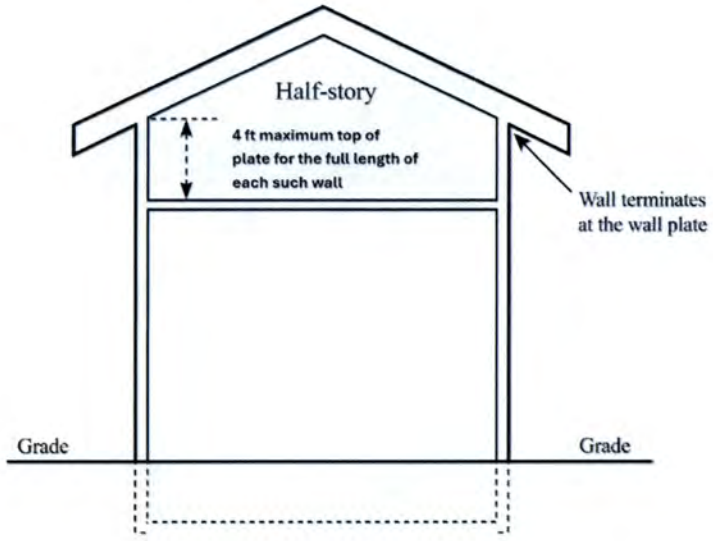
"Open space, usable" means an area with minimum length and width dimensions of 10-feet, excluding the required front setback between the structure and the street property line, and any required landscaping area. The open space area may be occupied by recreation facilities (e.g., deck, patio, playground equipment, porch, swimming pool, etc.) provided it is open on at least two sides and not covered by a roof or canopy. When serving multiple-family dwelling units, a private open space area may be provided for each dwelling unit, or all the required space may be combined in one common area.

"Public right-of-way" means areas of land acquired by the City or other public entity by easement or fee title reserved exclusively for public use, including, but not limited to streets, street-parking, sidewalks, alleys, drainage works, landscaping, and stormwater management. Public right-of-way shall not include areas of land encumbered by non-exclusive public easements nor by any private easements.

"Street, public" means a vehicular roadway identified as a "local," "collector," or "arterial" street as depicted on the General Plan Roadway Classifications Diagram (Figure T-1) and defined by this Zoning Code, which is located within the public right-of-way. Does not include the "freeway" or "expressway" roadway classifications, public pedestrian/bicycle trails, or public alleyways.

"Story, half" means the uppermost story of a building located beneath a gable, hip or gambrel roof, or a combination thereof, where the wall plates on at least two opposite exterior walls are not more than four feet above the finished floor of the story for the full length of each such wall, and where exterior wall planes forming the perimeter of the story terminate at the wall plates, except for dormers, as illustrated in Figure 4 (Half Story).

Figure 4 – Half Story



SECTION 5 (URBAN LOT SPLITS): Chapter 20.14 (Urban Lot Splits) is hereby amended in its entirety to read as set forth in the following revised Chapter 20.14 (Urban Lot Splits).

Chapter 20.14 URBAN LOT SPLITS

20.14.010 Purpose.

This Chapter implements the subdivision procedures of the California Housing Opportunity and More Efficiency (HOME) Act, originally enacted by Senate Bill No. 9 (2021), and amended by Senate Bill No. 450 (2024) and Assembly Bill No. 1061 (2025). These laws aim to streamline the subdivision processes, facilitate the creation of smaller residential lots, and encourage a diverse range of housing types, thereby expanding opportunities for affordable and efficient housing solutions.

20.14.020 Applicability.

This Chapter applies exclusively to voluntary applications for tentative parcel maps to facilitate urban lot splits in accordance with Government Code Sections 66452.6 and 66411.7.

20.14.030 Definitions.

In addition to the terms defined by Section 4 (Definitions) of this interim ordinance and Chapter 21.72 (Definitions) of the Campbell Municipal Code, the following terms shall have the following meanings as used in this Chapter. Where a conflict may exist, the definitions provided in this section shall prevail over any other definition.

"Acting in concert" means persons, as defined by Section 82047 of the California Government Code as that section existed as of January 1, 2022, acting jointly to pursue development of real property whether or not pursuant to a written agreement and irrespective of individual financial interest.

"Alteration" means any construction or physical change in the arrangement of rooms or the supporting members of a building or change in the relative position of buildings on a site, or substantial change in appearances of any building.

"Existing structure" means a lawfully constructed building that received final building permit clearance prior to January 1, 2022 and which has not been expanded on or after January 1, 2022.

"Urban lot split" means a ministerial application for a tentative parcel map to subdivide an existing parcel located within a single-family residential zone into two parcels, as authorized by Government Code Sections 66452 and 66411.7.

"Nonconforming zoning condition" means a lawful physical improvement or use of land on a property that does not conform with current zoning standards as defined by Section 21.58.030 (Definitions). Also means unlawful physical improvements or use of land that may be subject to Chapter 21.70 (Enforcement).

20.14.035 Site eligibility.

A tentative parcel map for an urban lot split may only be created on parcels satisfying all of the following general requirements. Applications for parcels not satisfying these requirements shall not be accepted by the community development director pursuant to Section 21.38.040.E (Community Development Director's determination):

A. Zoning district. A parcel that is located within the R-1 (Single-Family Residential) Zoning District, or within the P-D (Planned Development) Zoning District, provided that the parcel has a Low Density Residential General Plan land use designation, as specified in Section 21.04.020, Table 2-1 (Zoning Districts and General Plan Designations) and is not subject to a legacy permit.

B. Historic property. A parcel that is not listed on the City of Campbell Historic Resource Inventory as a Landmark, as defined by Chapter 21.33 (Historic Preservation).

C. Legal parcel. A parcel which has been legally created in compliance with this Title and the Subdivision Map Act (Government Code Section 66410 et seq.), as applicable at the time the parcel(s) was created. The City Engineer may require a certificate of compliance to verify conformance with this requirement.

D. Prior subdivision. A parcel that was not created by a parcel map approved pursuant to Government Code Section 66411.7 or by a parcel map or subdivision map pursuant to Government Code Section 66499.41.

E. Hazardous waste site. A parcel that is not identified as a hazardous waste site pursuant to Government Code Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section 25356.

   Exception: This restriction shall not apply where the parcel has been cleared for residential use or mixed-use development by the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control.

F. Flood zone. A parcel that is not located within a special flood hazard area subject to inundation by the one percent annual chance flood (one hundred-year flood), as shown on official maps published by the Federal Emergency Management Agency (FEMA)

   Exception: This restriction shall not apply if FEMA has issued a Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) for the parcel(s), or where a condition of tentative map approval can ensure that future dwellings constructed upon the new

parcels may be made to comply with Chapter 21.22 (Flood Damage Prevention), as determined by the Floodplain Administrator.

G. Earthquake fault zone. A parcel that is not located within a delineated earthquake fault zone, as identified in official maps published by the State Geologist.

   Exception: This restriction shall not apply where a condition of tentative map approval can ensure that future dwelling units constructed upon the new parcels resulting from the urban lot split will comply with the applicable seismic protection building code standards, including those adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5, commencing with Section 18901, of Division 13 of the Health and Safety Code) and Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2 of the Government Code, as determined by the Building Official.

H. Natural habitat. A parcel that is not recognized by the City as a habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

I. For a parcel where a prior dwelling unit(s) was demolished within the last three years, the demolished unit(s) must not have been occupied by a tenant at any time during the three years preceding the date of the tentative parcel map application for an urban lot split. The date of demolition shall be either the date a demolition permit was issued or the date the City documented that an unlawful demolition was performed without a permit.

   Exception: This restriction shall not apply to housing that was destroyed by earthquake, fire, flood, wind, or other calamity or act of God or the public enemy, clearly beyond the control of the property owner.

20.14.040 Objective subdivision standards.

The new lots proposed by a tentative parcel map for an urban lot split shall comply with the minimum parcel size, minimum lot width, and minimum public frontage requirements specified by Section 6 (Objective Subdivision Standards), and all other applicable objective subdivision standards set forth in Section 3 (General Subdivision Standards), of the interim ordinance amending this Chapter.

20.14.050 General requirements and restrictions.

The following requirements and restrictions apply to all proposed urban lot splits allowed by this Chapter:

A. Adjacent parcels. Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously conducted an urban lot split to create an adjacent parcel as provided for in this Chapter.

B. Applicant eligibility. Notwithstanding Section 21.38.030.A (Eligibility for filing), an applicant for a tentative parcel map for an urban lot split shall be a natural person who intends to occupy one of the resulting parcels as their principal residence for a minimum of three years, as required by Government Code Section 66411.7(g)(1). The

subject parcel may be owned by an individual, trust, or legal entity, including a limited liability company or corporation, provided that the owner authorizes the applicant to file the application and to sign the affidavit required by subsection E.

C. Dedication and easements. The community development director shall not require dedications of rights-of-way nor the construction of offsite improvements, however, may require recording of easements necessary for the provision of public services and facilities.

D. Existing structures. Existing structures located on a parcel subject to an urban lot split shall not be subject to a setback requirement. However, any such existing structures shall not be located across the shared property line resulting from an urban lot split, as specified by Section 21.18.040.A.5. This restriction shall not preclude the creation of adjacent or connected structures with walls meeting at a shared property line, provided that the structures meet building code safety standards sufficient to allow separate conveyance as individual dwelling units

E. Intent to occupy. Prior to recordation of a parcel map, the applicant shall sign an affidavit provided by the community development director attesting that the applicant intends to occupy one of the newly created parcels as their principal residence for a minimum of three years from the date of the approval of the urban lot split (or issuance of a certificate of occupancy for a new dwelling in the case of a vacant lot).

   Exception: This requirement shall not apply to an applicant that is "community land trust," as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or a "qualified nonprofit corporation" as described in Section 214.15 of the Revenue and Taxation Code.

F. Nonconforming conditions. The City shall not require, as a condition of approval of the tentative parcel map application, the correction of nonconforming zoning conditions. However, no new nonconforming conditions may result from the urban lot split other than as specified by Table 2 (General Development Standards – Single-Family Residential District). This provision shall not be construed as to prevent the City from taking enforcement action to remedy unlawful nonconforming zoning conditions pursuant to Chapter 21.70 (Enforcement) following tentative parcel map approval for an urban lot split.

G. Number of dwelling units. No parcel created through an urban lot split shall be allowed to include more than two existing dwelling units as defined by Government Code section 66411.7(j)(2). Any excess dwelling units that do not meet these requirements shall be relocated, demolished, or otherwise removed prior to recordation of a parcel map. As a condition of tentative parcel map approval, the community development director shall require recordation of a deed restriction on each new lot created by an urban lot split to document this restriction prior to, or concurrent with, recordation of the parcel map.

H. Park impact fee. A fee in-lieu of parkland dedication pursuant to Chapter 20.24 (Park Impact Fees and Park Land Dedication Subdivisions) is not required. However, construction of new dwelling units on lots created by an urban lot split may be subject to a park impact fee in accordance with Chapter 13.08 (Park Impact Fees and Park Land Dedication Developments).

I. Tree removal permits. Notwithstanding Section 21.32.050 (Protected trees), protected tree(s) may be removed in conjunction with an approved tentative parcel map application without a Tree Removal Permit when the tree(s) directly conflicts with emergency vehicle access to the lot or when removal is necessary to retain an existing dwelling unit, and the subdivision cannot feasibly be redesigned to preserve the tree(s). Any approved tree removal shall occur after the City Engineer's approval of the parcel map, but prior to its recordation. Any protected tree removed shall be subject to payment of an in-lieu fee pursuant to Section 21.32.110 (Site Limitations and In-Lieu Fee for Replacement Trees).

J. Subsequent subdivision. A parcel created through an urban lot split shall not be further subdivided pursuant to Government Code Sections 66411.7 or 66499.41. The subdivider shall sign a covenant provided by the community development director documenting this restriction. The covenant shall be recorded on the title of each parcel concurrent with recordation of the parcel map.

K. Restrictions on demolition. The proposed urban lot split shall not require the demolition or alteration of any of the following:

1. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
2. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power;
3. Housing that has been occupied by a tenant in the last three years; or
4. A historic resource located on a property within a designated historic district, as defined in Chapter 21.33 (Historic Preservation).

L. Storm drain area fee. Prior to recordation of a parcel map, the applicant shall pay the required Storm Drain Area fee, as set by the City's Schedule of Fees and Charges.

M. Utilities. Utilities serving new parcels that cross property lines shall be placed in appropriate public or private easements. The requirements of the utility providers shall be satisfied prior to recordation of a parcel map.

N. Zoning and design standards. Construction of dwelling units upon the lots created by an urban lot split shall be subject to the objective zoning and design standards provided by Section 8 (Objective Zoning Standards),Section 9 (Required Parking), and Section 10 (Objective Design Standards) of the interim ordinance adopting this provision that apply uniformly to properties in the R-1 (Single-Family Residential) Zoning District. If any such standard(s) would have the effect of physically precluding the construction of two units on either of the resulting parcels of the urban lot split or that would result in a unit size of less than 800 square feet, the provisions for an exception in Section 11 (Exceptions) of the interim ordinance adopting this provision shall be followed.

20.14.060 Application process.

Applications for urban lot splits shall be submitted and processed in compliance with the following requirements:

A. Application type. An urban lot split shall be reviewed by the community development director as a ministerial application for a tentative parcel map, as required by Section 20.16.020 (Tentative parcel map).

B. Application filing. Applications for a tentative parcel map for an urban lot split, along with all required materials and fees, shall be filed with the community development department, in accordance with Chapter 21.38 (Application Filing, Processing, and Fees).

C. Review process. The community development director shall ministerially review tentative parcel map applications for urban lot splits in accordance with Chapter 20.16 (Parcel Map Procedures). If the community development director determines that the tentative parcel map is eligible for approval as an urban lot split and complies with the objective standards and general requirements of this Chapter, the tentative parcel map shall be approved. The community development director shall approve or deny a completed tentative parcel map application for an urban lot split within 60 days from the date the application is deemed complete. If no action is taken within the 60-day period, the application shall be deemed approved by operation of law.

D. Conditions of approval. Approval of a tentative parcel map for an urban lot split may include standard conditions of approval that are objective, non-discretionary, and broadly applicable to tentative parcel maps, as necessary to fulfill the requirements of this Chapter or any other applicable provision of the Campbell Municipal Code.

E. Approval expiration. Approval of a tentative parcel map shall be valid for a period of two years in accordance with Section 20.16.033 (Expiration of tentative parcel maps). Within this period, a parcel map must be recorded with the Office of the Santa Clara County Clerk Recorder, as specified by Section 21.56.030 (Permit time limits and extensions).

F. Final map. Following approval of a tentative parcel map, the applicant shall file for a parcel map with the public works department, including all required application materials and payment of required fees. The city engineer shall ministerially approve the parcel map if it is consistent with the community development director's tentative parcel map approval, including any conditions of approval. Pursuant to Government Code Section 66463(b), the city engineer is authorized to accept, on behalf of the city, any easements necessary for the provision of public services and facilities, as shown on the parcel map, provided such easements are consistent with the tentative parcel map approval. City council approval of the parcel map shall not be required unless the subdivider voluntarily offers dedications of public rights-of-way.

G. Denial. The community development director may deny an application for a tentative parcel map for an urban lot split that meets the requirements of this section only if the building official makes a written finding, based upon a preponderance of the evidence, that dwelling units to be constructed upon the proposed new parcel(s) would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of California Government Code Section 65589.5, upon the public health and safety for which there is no feasible

method to satisfactorily mitigate or avoid the specific, adverse impact. An adverse impact to the physical environment shall not be a basis for denial.

H. Appeals. A decision of the community development director on a tentative parcel map for an urban lot split is a ministerial action and not appealable.

SECTION 6 (OBJECTIVE SUBDIVISION STANDARDS): The minimum lot area, minimum lot width, and minimum public street frontage of parcels proposed in new conforming subdivisions, urban lot splits, or lot line adjustments in the R-1 (Single-Family Residential) Zoning District shall be as specified by Table 1 (Parcel Standards – Single-Family Zoning District), which shall supersede conflicting provisions in Section 21.08.040 (Residential subdivision standards).

Table 1
(Parcel Standards – Single-Family Residential Zoning District)

<table>
<tr><th rowspan="2">Zoning Map Symbol</th><th colspan="2">Minimum Lot Area (1)</th><th colspan="2">Minimum Lot Width (2)</th><th rowspan="2">Minimum Public Street Frontage</th></tr>
<tr><th>Conforming Subdivisions</th><th>Urban Lot Splits</th><th>Conforming Subdivisions (3)</th><th>Urban Lot Splits</th></tr>
<tr><td>R-1-6</td><td>6,000 square feet</td><td rowspan="5">1,200 square feet

AND

Each lot ≥ 40% of the area of the original parcel</td><td>60 feet</td><td rowspan="5">25 feet</td><td rowspan="5">• 25 feet (Non-Flag Lots)

• 12 feet (Flag Lots) (4)</td></tr>
<tr><td>R-1-8</td><td>8,000 square feet</td><td>70 feet</td></tr>
<tr><td>R-1-9</td><td>9,000 square feet</td><td>70 feet</td></tr>
<tr><td>R-1-10</td><td>10,000 square feet</td><td>80 feet</td></tr>
<tr><td>R-1-16</td><td>16,000 square feet</td><td>80 feet</td></tr>
</table>

Notes:

(1) The minimum lot area for a flag lot shall not include the access corridor portion of the lot. Further, for conforming subdivisions (i.e., those not created by an urban lot split), flag lots shall have a minimum lot area equal to ten percent (10%) greater than the minimum identified, excluding the access corridor portion of the lot.

(2) The minimum lot width for a flag (rear) lot shall not include the access corridor portion of the lot.

(3) Except for lots created on the bulb of a cul-de-sac which shall be subject to a minimum lot width of 60 feet.

(4) The access corridor of a flag lot shall be in fee as part of the parcel and not as an easement and shall be of a maximum width of fifteen (15) feet.

(5) Existing lots located within the boundaries of the Campbell Village Neighborhood Plan shall not be subdivided or reconfigured by a Lot Line Adjustment to create a flag lot configuration.

SECTION 7 (NUMBER OF UNITS): The number of primary dwelling units permitted on a property within the R-1 (Single-Family Residential) Zoning District shall be as follows in accordance with Government Code Sections 65852.21 and 66411.7:

A. Minimum allowed. Up to two (2) primary dwelling units are permitted, irrespective of any conflict with the maximum density specified by the General Plan land use designation for the property, except for properties designated as a landmark or located

within a historic district pursuant to Chapter 21.33 (Historic Preservation), which shall be limited to a maximum of one (1) primary dwelling unit.

B. Maximum allowed. More than two (2) primary dwelling units may be permitted if the total number does not exceed the maximum density specified by the General Plan land use designation for the property.

C. Exception. No parcel created through an urban lot split in accordance with Section 5 (Urban Lot Splits) of this interim ordinance shall be allowed to include more than two dwelling units as defined by California Government Code section 66411.7(j)(2).

D. Dwelling unit type. Primary dwelling units may take the form of detached single-family dwellings, attached townhomes, and/or duplexes. A duplex may consist of two dwelling units in a side-by-side or front-to-back configuration within the same structure or one dwelling unit located atop of another dwelling unit within the same structure.

SECTION 8 (OBJECTIVE ZONING STANDARDS): All land uses and structures, and alterations to existing land uses and structures in the R-1 (Single-Family Residential Zoning District), shall be designed, constructed, and/or established in compliance with the requirements in Table 2 (General Development Standards – Single Family Residential District), in addition to the development standards contained in Article 3 (e.g., landscaping, fences, parking and loading) and Article 4 (e.g., accessory structures), which shall supersede conflicting provisions in Section 21.08.050 (Residential development standard).

Table 2
General Development Standards – Single-Family Residential District

Development Standard	**Neighborhood Plan (1) | Zoning District Map Symbol**						
	Not Within an Area Plan	**Within an Area Plan**					
		CVNP	**STANP**	**CVNP**	**STANP (2)**		
	R-1-6			**R-1-8**	**R-1-8**	**R-1-9**	**R-1-10 & R-1-16**
Main Structure Maximum Height (3)(4)	35 feet		28 feet				
Main Structure Maximum Stories	2 ½ stories			2 stories	2 ½ stories		
Maximum Lot Coverage (5)	40%			45%	35%		
Maximum Floor Area Ratio (FAR) (5)	0.45						
Minimum Useable Open Space (6)	750 square feet (per lot)						
Minimum Building Separation Distance (7) (8)	5 feet						
Minimum Main Structure Property Line Setbacks (8) (9)							
Front	20 feet						25 feet
Rear	4 feet						
Interior Side (10)	4 feet						
Street Side (where applicable)	4 feet (11)						

Development Standard	Neighborhood Plan (1) | Zoning District Map Symbol						
	Not Within an Area Plan	Within an Area Plan					
		CVNP	STANP	CVNP	STANP (2)		
	R-1-6			R-1-8	R-1-8	R-1-9	R-1-10 & R-1-16
Parking Facilities (12)	25 feet						

Notes:

(1) The abbreviation "STANP" designates the San Tomas Area Neighborhood Plan and "CVNP" designates the Campbell Village Neighborhood Plan. The boundaries of both neighborhood plans are identified by Figure LU-2 (Special Planning Areas) of the General Plan. The standards and requirements provided in this table shall prevail over any conflict with a neighborhood plan, including any allowance for an exception to the maximum FAR or required setbacks.

(2) Consistent with STANP Land Use Policy 'D', parcels that do not meet the minimum lot size requirement for the district in which it is located (e.g. a 6,000 square foot lot located in the R-1-10 Zoning District) may exercise the side and rear setbacks and lot coverage requirements of the most restrictive zoning district in which the lot would be conforming (e.g. the setback and lot coverage requirement for a 6,000 square foot lot in an R-1-10 Zoning District would be based on the standards for the R-1-6 zoning district.)

(3) See Section 21.18.050 (Exceptions to height provisions), for exceptions to the maximum height requirement.

(4) The height of main structures shall be measured from finished grade, irrespective of any neighborhood plan provision to the contrary.

(5) For properties subject to the STANP or CVNP, the maximum FAR and Lot Coverage shall be calculated excluding the access corridor of a flag lot from the net lot area.

(6) See definition for "Open space, usable," for specific standards for the required open space area.

(7) This standard applies to the required separation between primary dwelling units, accessory dwelling units, and accessory structures, and any combination thereof.

(8) See Section 21.18.040.B (Exceptions) for exceptions to setback and building separation distance requirements.

(9) No setback shall be required for an existing main structure, or a main structure constructed in the same location and to the same dimensions as an existing main structure.

(10) No interior side setback shall be required between individual townhomes, provided that building code safety standards are satisfied as to allow conveyance as a separate fee parcel.

(11) To ensure adequate site visibility for pedestrian and vehicular safety, in no circumstance shall a structure be constructed or placed within the triangular areas of a property as depicted in Figures 3-1 and 3-2 of Section 21.18.060 (Fences, walls, lattice and screens).

(12) Applies to the vehicular entry to garages, carports, and uncovered parking stalls, measured perpendicularly from the public right-of-way to the nearest point of the garage door, the threshold to a carport or garage entry (without doors), or the outer edge of a parking stall, respectively. All other applicable setbacks continue to apply to these parking facilities. This setback does not apply to parking facilities with vehicular entries that are parallel to the public right-of-way.

SECTION 9 (REQUIRED PARKING). The parking requirement contained in Table 3-1 (Parking Requirements by Land Use) Section 21.28.040, Table 3-1 (Parking Requirements by Land Use) is hereby amended to read as follows with strikethroughs (~~strikethroughs~~) indicating deleted text and underlining (underlining) indicating added text:

Properties in the R-1 (Single-family) ~~dwelling~~ Zoning District	~~2~~ 1 spaces for each unit~~, 1 of which shall be covered.~~

SECTION 10 (OBJECTIVE DESIGN STANDARDS). This section establishes objective design standards for the construction of new primary dwelling units to ensure design quality, neighborhood compatibility, and predictability in the review process.

A. Applicability. Except for a housing development project processed pursuant to Government Code section 65852.28, the objective design standards in Table 3 apply as follows:

1. Neighborhood Plan Areas. All standards in Table 3 apply to the construction of a new primary dwelling unit on a property in the R-1 (Single-Family Residential) Zoning District that is subject to either the San Tomas Area Neighborhood Plan or the Campbell Village Neighborhood Plan, as depicted on General Plan Figure LU-2 (Special Planning Areas).
2. Citywide Standard. Standard No. 3.d (Upper-Story Windows) applies to the construction of a new primary dwelling unit on all properties in the R-1 (Single-Family Residential) Zoning District citywide, including properties outside the Neighborhood Plan Areas.

B. Scope. This subsection identifies the types of construction subject to the objective design standards in Table 3 and clarifies the treatment of existing portions of a structure and work that does not constitute construction of a new primary dwelling unit.

1. New Dwellings. A new primary dwelling unit subject to subsection A shall comply with the objective design standards in Table 3.
2. New Structures Using Portions of an Original Structure. Construction of a new structure using portions of an original structure, as defined in Chapter 18.32 (Determination of Scope of Work), shall be subject to this section in the same manner as the construction of a new primary dwelling unit. Existing portions of the original structure may be retained without compliance with Table 3 where no change is made to their exterior form, exterior wall or roof framing, or location of exterior openings.
3. Excluded Work. Additions, exterior alterations, and ordinary maintenance and repair to an existing primary dwelling unit are not subject to this section unless the work constitutes construction of a new structure using portions of an original structure pursuant to paragraph 2.

C. Objective Design Standards. The objective design standards in Table 3 shall apply in accordance with subsections A and B. An architectural element or building feature that is not expressly regulated by Table 3 is not subject to the requirements of this section.

Table 3

Objective Design Standards for New Primary Dwellings – Single-Family Residential District

No.	Objective Design Standard	
1. Materials and Colors		
1.a.	**Number of Wall Colors**	No more than two wall colors may be used on each building elevation.

No.	Objective Design Standard	
Note(s): (1) The term "wall colors" includes painted, integrally colored, and factory-finished stucco and siding, but excludes the intrinsic naturally occurring coloration of materials such as unpainted metal, unpainted wood, tile, stone, brick, and glass. (2) Colors applied solely to architectural trim, including window and door surrounds, fascia, cornices, corner boards, and similar narrow decorative elements, do not count toward the maximum number of wall colors. (3) For purposes of this standard, a building elevation includes all exterior wall surfaces facing the same direction, regardless of offsets, projections, or changes in wall plane.		
1.b.	**Number of Wall Materials**	Up to two permitted wall materials, plus one accent material, may be used on the dwelling.
Note(s): (1) Permitted wall materials include: stucco, horizontal or vertical fiber cement siding (any profile), horizontal or vertical wood siding (any profile), and horizontal or vertical engineered (composite) wood siding (any profile). (2) When the combined area of glass and framing within a continuous glazed assembly exceeds 50 percent of the surface area of the wall, without interruption by a wall material, the glazed assembly shall constitute an impermissible wall material. (3) Stacked stone or brick veneer may be used as the accent material, provided that it does not exceed 25 percent of the total exterior wall surface area of any building elevation, as defined in Standard No. 1.a, Note (3).		
1.c.	**Number of Roofing Materials**	Up to two permitted roofing materials may be used on the dwelling.
Note(s): (1) Roofed architectural features such as dormers and porches are not subject to the overall roofing material limit. However, the permitted roofing material types listed in Note (2) continue to apply to these features. (2) Permitted roofing materials include: asphalt composite shingles, photovoltaic shingles, standing seam metal, clay tile, concrete tile, and slate shingles. Roof-mounted photovoltaic panels may be installed over any permitted roofing material and shall not be counted as a separate roofing material.		
2. Building Form		
2.a.	**Roof Form and Pitch**	Roof forms shall be limited to hipped, cross-hipped, hipped-and-valley, front gable, and side gable forms, or a combination thereof, with a pitch between 4:12 and 8:12.
Note(s): (1) The roof structure of dormers, porches, and entryway elements shall comply with the requirements of this section, except that shed forms are also permitted.		
2.b.	**Plate Height**	The plate height of each story shall not exceed 12 feet.
Note(s): (1) The term "plate height" means the vertical distance from the finished floor of a story to the underside of the top plate of the exterior wall framing for that story.		

No.	Objective Design Standard	
2.c.	**Finished Floor Height**	The finished floor height of the first story shall not exceed 18 inches.
Note(s): (1) Finished floor height is measured vertically from the finished grade adjacent to the structure to the finished floor surface of the first story.		
2.d.	**Columns and Pillars**	Columns and pillars shall not exceed 14 feet in height or the first-story plate height of the dwelling, whichever is lower.
Note(s): (1) This standard applies to vertical elements that function as structural or decorative supports for a roof, porch, or entry feature. (2) Column and pillar height is measured from the finished floor of the structure or grade at the base of the column or pillar, whichever is lower, to the top of the beam, cap, or roof element it supports.		
3. Architectural Features		
3.a.	**Front Door Openings**	A front door opening shall not exceed six feet in width or nine feet in height.
Note(s): (1) The term "front door opening" means the framed opening occupied by the operable door or doors. It does not include sidelights, transom windows, trim, pilasters, arches, pediments, or other elements of a front door surround regulated by Standard No. 3.b. (2) Where a dwelling has more than one exterior entry door facing a street, the term "front door" means the entrance located on the building elevation bearing the address identification approved pursuant to California Fire Code Section 505.1. (3) Door opening width is measured between the inside faces of the door frame, and height is measured from the finished floor at the threshold to the underside of the structural header above the door opening.		
3.b.	**Front Door Surrounds**	A front door surround shall not exceed 14 feet in height.
Note(s): (1) The term "front door surround" means the architectural assembly that frames a front door opening, including sidelights, transom windows, trim, pilasters, arches, and pediments. The term does not include a roofed or covered feature that projects farther from the wall than an allowable eave projection specified by Section 21.18.040.B.1 (Architectural Features), which shall be governed as a porch. (2) The height of a front door surround is measured vertically from the finished floor at the door threshold to the highest point of the surround.		
3.c.	**Porches**	A porch shall have a minimum depth of five feet. The height of a porch shall not exceed 150 percent of the first-story plate height of the dwelling.
Note(s): (1) The term "porch" means a roofed, unenclosed exterior area that projects farther from the building wall than an allowable eave projection specified by Section 21.18.040.B.1 (Architectural Features) and does not meet the		

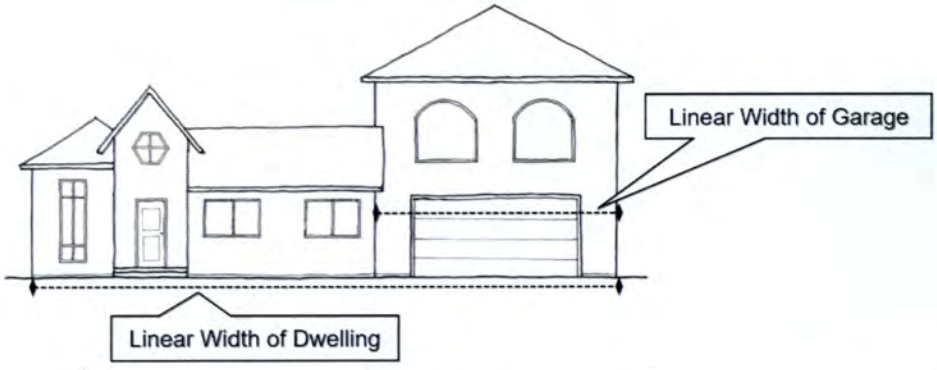
No.		Objective Design Standard
		definition of an "attached patio cover" in Standard No. 3.h (Attached Patio Covers). A porch may be raised or located at or near finished grade and may extend along one or more building elevations. (2) Porch depth is measured perpendicular to the exterior wall, from the exterior wall to the innermost face of the porch railing or the outermost column, whichever is farther from the wall, or to the outer edge of the porch floor where no railing or column is provided. (3) The height of a porch is measured vertically from finished grade to the highest point of the porch roof. (4) For purposes of this standard, the first-story plate height shall be the plate height of the exterior wall of the dwelling from which the porch projects. Where a porch projects from exterior walls having different first-story plate heights, the maximum height shall be determined separately for each portion of the porch based on the wall from which that portion projects.
3.d.	**Upper-Story Windows**	Windows on stories above the first story that are located less than eight feet from a rear or interior side property line shall have a minimum sill height of six feet above finished floor.
Note(s): (1) Sill height is measured vertically from the finished floor of the story on which the window is located to the lowest point of the window glazing, regardless of interior stairways, landings, or split-level configurations. (2) This standard applies to operable and non-operable windows, including transoms or clerestories, where the lowest point of the window glazing is below the required sill height. (3) Distance to a property line is measured horizontally from the exterior of the window glazing to the nearest point on the applicable property line.		
3.e.	**Balconies, Decks, and Rooftop Terraces**	Balconies are permitted only on the front building elevation and shall include solid, obscure side walls. Rooftop terraces and rooftop decks are prohibited. For properties subject to the Campbell Village Neighborhood Plan, a balcony or upper-level deck shall not extend along a building wall adjacent to a side property line or be located within 20 feet of a rear property line when either property line adjoins a parcel in the R-1 (Single-Family Residential) Zoning District. These restrictions do not apply to a balcony or deck that is fully inset behind a building wall, with no opening along the side or rear elevation.
Note(s): (1) An opaque or obscure glass balcony wall shall be considered a permissible solid wall. (2) The phrase "fully inset behind a building wall" means the balcony or deck is enclosed on three sides by exterior walls of the dwelling, with no portion of its opening facing a side or rear elevation.		
3.f.	**Garage Width**	Standard. The linear width of an attached garage shall not exceed 50 percent of the linear width of the primary dwelling unit for properties subject to the San Tomas Area Neighborhood Plan, or 40 percent for properties subject to the Campbell Village Neighborhood Plan. A garage may exceed these limits only when an alternative design feature, described below, is incorporated. Alternative. In lieu of the specified maximum garage width, one of the following alternative design elements may be incorporated: a. The garage, across its full linear width as described in Note (1), shall be recessed a minimum of five feet behind the remainder of the primary dwelling unit, forming offset building walls; or

No.		Objective Design Standard
		b. A trellis constructed of wood or metal shall be installed over the full width of the garage door and attached to the front elevation of the primary dwelling unit. Exception. The requirements of this standard shall not apply where the garage door is oriented away from the street (i.e., a "side entry" garage).

Note(s):

(1) The term "linear width of the garage" means the full width of the garage structure, including the garage door(s) and any wall area extending between the outermost points of the garage walls.

(2) The term "linear width of the primary dwelling unit" means the full extent of the building's front elevation, including the attached garage, regardless of variations in building wall planes, as illustrated below:



3.g.	**Attached Patio Covers**	An attached patio cover shall be subject only to the requirements of this standard. a. The height of an attached patio cover shall not exceed 14 feet. b. Where a solid roof is provided, the roof pitch shall not exceed 8:12. A solid roof with a pitch of 4:12 or greater shall use one of the allowable roofing materials identified in Standard No. 1.c (Number of Roofing Materials).

Note(s):

(1) The term "attached patio cover" means a solid or slatted roof structure constructed over a patio or deck and attached to an exterior wall of a primary dwelling, where the roof structure is not formed by a continuation or extension of the dwelling's rafters, trusses, joists, beams, or other roof or floor framing members. A roof structure formed by such a continuation or extension is not an attached patio cover for purposes of this standard and shall be considered part of the primary dwelling. An attached patio cover may be prefabricated or site-built and may be supported by posts, columns, or other structural supports bearing on separate footings. The area beneath the attached patio cover shall remain unenclosed.

(2) The height of an attached patio cover is measured vertically from the finished surface of the patio or deck beneath the patio cover to the highest point of the roof structure.

SECTION 11 (EXCEPTIONS). If any standard in this interim ordinance or the Campbell Municipal Code would physically preclude the construction of up to two primary dwelling units or prevent either unit from achieving a minimum floor area of eight hundred (800) square feet, the Community Development Director shall grant an exception to the applicable standard(s) to the minimum extent necessary to allow a unit of at least 800 square feet, as specified by this section.

A. Determination. The Community Development Director shall grant exceptions to development standards in the following priority order and only to the minimum extent necessary to resolve a physical constraint. Exceptions that do not remove a physical constraint shall not be granted.

1. Elimination of the rear setback (for parcels with a rear property line abutting a non-residentially zoned property or roadway);
2. Elimination of the interior-side setback (for parcels with a side property line abutting a non-residentially zoned property or street);
3. Reduction of the garage entry setback/minimum driveway depth to no less than 20 feet;
4. Required parking may be uncovered (rather than covered);
5. Elimination of the minimum parking requirement;
6. Increase to the maximum floor area ratio (FAR);
7. Increase to the maximum lot coverage;
8. Reduction to the minimum required private open space;
9. Increase to the number of allowable stories to three stories at a maximum height of 35 feet;
10. Allowance to remove a "protected tree(s)" pursuant to Chapter 21.32 (Tree Protection Regulations) without an otherwise required Tree Removal Permit; then
11. Reduction or elimination of any other standard not identified.

SECTION 12 (PROPERTY LINE ENCROACHMENTS): Section 21.18.040.A (Requirements) is hereby amended to add a new subsection '5,' to read as follows:

5. No portion of any building, including eaves or roof overhangs, shall extend beyond a property line, or into an access easement or the public right-of-way.

SECTION 13 (CHAPTER 21.25): Chapter 21.25 (Two-Unit Housing Development) of the Campbell Municipal Code is hereby repealed.

SECTION 14 (ACCESSORY STRUCTURES). The following requirements shall prevail over any other provisions to the contrary in Section 21.36.020 (Accessory Structures):

A. Setbacks. Accessory structures shall meet all setback requirements for primary structures of the applicable zoning district in which they are located, irrespective of any conflicting requirement specified by an area or neighborhood plan.

B. Location. Accessory structures may be located anywhere on a lot, except for usable open space areas and required minimum setbacks for primary structures.

C. Design criteria. Accessory structures shall not be subject to any design requirements.

SECTION 15 (DRIVEWAYS). Notwithstanding Section 21.28.090.A (Driveway Separation), no setback from a side property line shall be required for a driveway serving a single-family residential property where surface runoff is prevented from flowing onto the adjoining property

by sloping the driveway to drain away from the side property line, installing a drainage system, or using pervious pavers designed to infiltrate runoff.

SECTION 16 (HISTORIC PRESERVATION). Any requirement for a Historic Resource Alteration Permit to alter, expand by addition, or demolish a designated Structure of Merit pursuant to Chapter 21.33 (Historic Preservation), when proposed in association with an urban lot split or housing development pursuant to Government Code Sections 65852.21 and 66411.7, respectively, shall not apply.

SECTION 17 (LEGACY PERMITS). Notwithstanding the limitations of Section 21.56.060.E (Legacy Permits), a primary dwelling unit constructed pursuant to a legacy permit on a parcel with a General Plan land use designation that directly corresponds to the R-1 (Single-Family Residential) Zoning District, as specified in Section 21.04.020, Table 2-1 (Zoning Districts and General Plan Designations), may be altered or expanded by addition, provided that the work complies with the development standards set forth in Section 8 (Objective Zoning Standards). Where the work constitutes construction of a new structure using portions of an original structure, as defined in Chapter 18.32 (Determination of Scope of Work), the work shall also comply with Section 10 (Objective Design Standards). For purposes of applying Section 10, the parcel shall be treated as a parcel in the R-1 (Single-Family Residential) Zoning District.

SECTION 18 (ZONING CLEARANCE APPROVAL): Notwithstanding Section 21.42.020 (Site and architectural review permit required) and Section 21.56.060 (Amendments to an approved project), construction of new primary dwelling unit or alteration or expansion of an existing primary dwelling in compliance with this interim ordinance shall be ministerially reviewed by consideration of a Zoning Clearance in compliance Chapter 21.40 (Zoning Clearances). If the Community Development Director determines that an application for a Zoning Clearance complies with the objective standards and general requirements of this interim ordinance and the Campbell Municipal Code and that the parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of California Government Code Section 65913.4, the Zoning Clearance shall be approved. The Community Development Director shall render a decision on the Zoning Clearance application within 60 days from the date the application is deemed complete. If no action is taken within the 60-day period, the application shall be deemed approved.

SECTION 19 (ZONING CLEARANCE DENIAL): The Community Development Director may deny an application for Zoning Clearance that meets the requirements of this interim ordinance only if the Building Official issues a written finding—based on a preponderance of the evidence—that the proposed dwelling unit(s) would have a specific, adverse impact (as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5) on the public health and safety, and that no feasible method exists to satisfactorily mitigate or avoid this impact. An adverse impact to the physical environment shall not be a basis for denial.

SECTION 20 (SEVERABILITY): If any section, subsection, sentence, clause, or phrase of this interim ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the interim ordinance. The City Council hereby declares that it would have passed this interim ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 21 (STATE LAW). Any provision of this interim ordinance which is inconsistent with Sections 66452.6, 65852.21, or 66411.7 of the California Government Code shall be interpreted in a manner which is the most limiting on the ability to allow construction of two units to effectuate an urban lot split, but which is consistent with State law. The provisions of this interim ordinance shall supersede and take precedence over any inconsistent provision of the Campbell Municipal Code to that extent necessary to effect the provisions of this interim ordinance for the duration of its effectiveness.

SECTION 22 (APPLICATIONS IN PROGRESS): Notwithstanding Section 21.01.050.E (Effect of Zoning Code Changes on Projects in Progress), this interim ordinance shall not apply to (1) a land use permit application that was filed with the Community Development Department and for which all required fees were paid before the effective date of this ordinance, regardless of whether the application has been deemed complete, or (2) any land use permit application submitted after that date if a related request for a determination of "new structure using portions of the original structure," pursuant to Chapter 18.32 (Determination of Scope of Work), was filed with the Building Division before the effective date of this ordinance. Applicants may voluntarily withdraw such applications at any time and seek a partial refund of fees in compliance with Section 21.38.030.D (Refunds).

SECTION 23 (TERMINATION OF PRIOR INTERIM ORDINANCE): Interim Ordinance No. 2321, as extended by Interim Ordinance No. 2323 and No. 2339, shall no longer be in force or effect.

SECTION 24 (PUBLICATION): The City Clerk shall cause this interim ordinance or a summary thereof to be published at least once in a newspaper of general circulation within 15 days after its adoption in accordance with Government Code Section 36933.

SECTION 25 (EFFECTIVENESS): This interim ordinance shall become effective immediately upon adoption for a period of 45 days, unless extended by the City Council.

PASSED AND ADOPTED this 3rd day of August, 2026 by the following roll call vote:

AYES: Councilmembers: Lopez, Hines, Scozzola, Bybee
NOES: Councilmembers: None
RECUSED: Councilmembers: Furtado
ABSENT: Councilmembers: None

APPROVED:

Daniel E. Furtado, Mayor

ATTEST:

Andrea Sanders, City Clerk

ORDINANCE NO. 26-2354

COMMUNITY DEVELOPMENT DIRECTOR INTERPRETATIONS

Pursuant to Campbell Municipal Code Chapter 21.02 (Interpretation of Provisions)

The following is a running record of interpretations issued by the Community Development Director concerning the provisions of Ordinance No. 26-2354 pursuant to Chapter 21.02 of the Campbell Municipal Code.

Date	Ordinance Provision	Subject	Interpretation
August 19, 2026	Section 10, Table 3, Standard 2.a	Plate Height	For purposes of Standard 2.a (Plate Height), where a dwelling has varying plate heights, compliance with the 12-foot maximum plate height shall be based on the predominant plate height of that story. A localized portion of a story, such as a great room, vaulted space, or other open-to-above area, may have a plate height exceeding 12 feet, provided that more than 50 percent of the floor area of that story is within portions of the building having an exterior wall plate height of 12 feet or less.