

# Rental housing is hard to find in Belmont for parents, children

By Terry Robertson  
Times Tribune Staff

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**BELMONT** — Parents with minor children have a slim chance of finding rental housing in this apartment-rich community.

Of the 20 apartment buildings recently surveyed by the city's planning staff, only 36% would allow parents with children under 18 years old to move in. The rest specifically have set policies against renting to adults with children.

There are 3,153 apartment units in the city.

Planning Commissioner William Moore thinks that a more thorough study, including single-family rentals, would show that as many as 85% to 90% of the city's rental units ban children from living on their premises.

He has introduced an ordinance to the commission which would put an end to this kind of discrimination within city limits.

"I have been aware for some time that parents with children would have difficulty getting in a house or an apartment," Moore said. "I've been sitting on the Planning Commission for some time and occasionally an applicant (seeking permission to build rental units) will indicate he'd rather not rent to families with children.

"People just don't rent where there are children involved. What's happening is blatantly discriminatory and I'd like to see it changed."

Essentially Moore's ordinance would ban discrimination against minors in all rentals except in buildings which have been specifically established for senior citizens and in exceptionally small units.

A violation of the ordinance, if approved by the Planning Commission and the City Council, could cost a landlord from \$250 to \$500 in fines.

But it is doubtful that Moore's ordinance will be passed by the commission in its original form.

When it came before the Planning Commission earlier this week several commissioners raised questions about the need for adult housing in the city.

One of the strongest opponents to the blanket ordinance was Commissioner Donald Heiman. He made it clear that he opposes discrimination against parents with minors.

But "what about the single man who's say 34 years old and wants to live in a place with people his own age or a young couple who wants to live near other young couples without children?" he asked rhetorically. "There's no exception in the ordinance for those people. I think we should look at that."

Other commissioners felt the same way and the ordinance was put aside until Aug. 20 so that it could be amended to allow for those exceptions.

Moore's anti-discrimination ordinance also could be faced with problems in the courts. In May a Santa Clara County Superior Court judge issued a preliminary injunction halting a similar county ordinance there based on two higher, but seemingly conflicting precedents.

On the first ground the judge ruled that the Rumford Fair Housing Act of 1964, which makes it illegal to discriminate in housing based on race, creed, color and religion, does not mention age.

Secondly, the judge cited the Unruh Civil Rights Act which prohibits arbitrary discrimination in rentals based on age or presence of children, thus making a local ordinance somewhat redundant.

The case is now in appellate court and could go as high as the state Supreme Court.

But none of this will hinder Commissioner Moore's as far as he's concerned.

"I'm going to make it illegal in Belmont to discriminate against children," he said. "If somebody wants to take it on in court then all they can do is overturn the ordinance."

## Belmont housing units OK

**BELMONT** — Builders were given the Planning Commission's tentative approval Monday night to go ahead with their plans for a 21-unit housing complex at Ralston Avenue and Hallmark Drive.

The only thing left undecided was whether wood shingles or redwood siding would be acceptable in the design.

The City Council, too, will have to decide tonight whether Enshallah Developments may build the housing project on the southwest side of the intersection that has acted as the vacant gateway to the 600-home Hallmark subdivision for 10 years.

Enshallah originally wanted to build the housing project using wood shingling on the side, but South County Fire inspectors questioned its fire safety and suggested wood siding as an alternative.

On that basis, the planners requested that Enshallah Developers come back to the commission in two weeks with drawings showing how the design would look with the wood siding.

The rest of the developer's plans were approved unanimously so that the project could move along through city government.

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Dec 5, 1979

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Tribune  
Aug 9, 1979

Housing  
Engineer Bulletin  
Nov. 18, 1997

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# Housing wins round in Belmont

## ENVIRONMENT

### City Council overturns planning decision

BY AMY BELL  
Staff Editor

The battle to save open space in San Juan Canyon encountered a hurdle at the Nov. 12 Belmont City Council meeting after council members overturned two actions taken by the Planning Commission concerning potential housing developments in the area.

In a last action before the new council takes over on Nov. 25, the council voted 3-2 to allow two applicants to build approximately 3,000-square-foot houses on Ralston Ranch Road.

Typically, city ordinances only allow construction of one 1,200-square-foot home on one lot in that area, or a 1,650-square-foot home on two combined lots.

But the applicants, Karl Deneke and Surinder P. Goswamy, each own two combined lots and requested the Planning Commission allow each to build a home of approximately 3,000 square feet in floor area ratio, similar to most of the homes already in that location.

"The plans for these homes are consistent with existing homes in the area," said Councilmember Adele Della Santina. "Construction of the homes would require minimal grading and tree removal. It is

not detrimental to public safety or welfare."

But the Planning Commission, city staff and some council members did not feel that allowing the larger homes was beneficial to the canyon area.

"I think the council should be consistent with what was done on the Pringle development," said Councilmember Pam Rianda. In that case, the applicants were required to purchase a third lot and donate it as open space.

"These other options were given to the applicants and they did not want to pursue them," Rianda said.

However, the majority of the council did not think that Deneke and Goswamy should be forced to buy another lot.

"The design and placement of these proposed homes will not effect canyon open space," said Mayor Gary Harris. "Both projects are very compatible with the neighborhood which averages about 3,400 square feet per home."

Currently, if a person wants to build a 1,200-square-foot home on a single lot, they do not have to go through the Planning Commission or the City Council. If an applicant wants to build a larger home, he or she must seek approval.

But the question of how to preserve open space in the canyon comes down to either building several small homes on individual lots or building fewer, but

## HOUSING: Debate continues

Ranch and future open space," said Council member Coralin Feierbach.

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larger, homes on combined lots. Currently, council cannot agree on how to answer this dilemma.

But one larger home on two lots would provide more open space than two smaller homes on two lots, according to members of council.