

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA, TO APPROVE A GENERAL PLAN AMENDMENT  
TO MODIFY THE TEXT OF THE COMMUNITY MIXED-USE LAND  
USE DESIGNATION FOR PROPERTIES IN THE DOWNTOWN  
FOCUS AREA AND MAKE RELATED CHANGES TO GENERAL  
PLAN POLICIES**

PLN2020-14457 (General Plan Amendment and Rezoning)

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, on June, 16 2020, Lamb Partners, LLC (“Owner”) made an application for a General Plan Amendment in connection with development of a 0.87-acre site located at 906-950 Monroe Street and 1341 Homestead Road (APN: 269-20-086, 269-20-087, and 269-20-095), which is currently developed with a 6,537 square foot commercial building and three existing single-family residences (“Project Site”);

**WHEREAS**, the Owner applied for a General Plan Amendment to modify the Community Mixed Use (CMU) land use designation and associated policies so that the CMU designation would allow for a density of up to 70 dwelling units per acre on mixed-use sites within the Downtown Focus Area that meet the following criteria: 1) The property is located within 0.25 miles of a fixed route bus service with service intervals no longer than 15 minutes during peak commute hours; 2) The development provides ground floor retail uses at a minimum FAR of 0.10; 3) If the project site is listed on the City’s Historic Preservation and Resource Inventory or the California Register of Historical Resources, any development affecting the historically significant structure shall be performed in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties; and 4) The project provides for affordable housing through the payment of in-lieu fees and/or includes affordable units;

**WHEREAS**, the Owner has simultaneously applied for a Rezone of the Project Site from General Office (OG), Historic Combining (HT), and Community Commercial to Planned Development (PD) and a Vesting Tentative Subdivision Map to allow an a residential mixed-use development

consisting of 50 condominium units in a six-story structure, four townhomes, and three existing single-family residences with onsite and offsite improvements (“Project”), as shown on the Development Plans, attached hereto and incorporated herein by this reference;

**WHEREAS**, in conformance with CEQA, the Environmental Impact Report (EIR) prepared for the Project and was noticed and circulated for a 45-day public review period from October 14, 2022 to November 30, 2022;

**WHEREAS**, Santa Clara City Charter Section 1007 and Government Code Section 65353 require the Planning Commission to make a recommendation on any General Plan Amendment;

**WHEREAS**, on July 13, 2023, the Planning Commission conducted a duly noticed public hearing, at the conclusion of which, the Commission voted unanimously (7-0) to recommend that the City Council approve the General Plan Amendment;

**WHEREAS**, on June 28, 2023, a notice of public hearing for the City Council meeting of August 22, 2023 was published in the *Weekly*, a newspaper of general circulation for the City;

**WHEREAS**, on August 11, 2023, notices of the public hearing for the City Council meeting of August 22, 2023 were posted within 300 feet of the Project Site and mailed to all property owners within 1,000 feet of the property, according to the most recent Assessor’s roll;

**WHEREAS**, the City Council reviewed the EIR, City staff report pertaining to the Project and all evidence at a duly noticed public hearing on August 22, 2023, at which time all interested persons were given an opportunity to provide testimony and submit evidence. All these documents and evidence are herein incorporated by reference into this Resolution.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. General Plan Amendment Findings. that the City Council finds and determines that the General Plan Amendment is in the interest of the public good for the following reasons:

A. The proposed amendment is deemed to be in the public interest, in that:

The Project is located in an urbanized area served by existing infrastructure and municipal services. The Project would contribute 53 multi-family dwelling units to the City's housing stock in proximity to a mixed use and transportation corridor with access to neighborhood and community commercial uses, support services, local and regional transit facilities, outdoor open space and recreation areas. The Project provides a residential mixed-use development consisting of 50 condominium units in a six-story structure, four townhomes, and three existing single-family residences with onsite and offsite improvements. The Project would contribute to the City's housing stock and lessen the jobs/housing imbalance in support of the City's General Plan Land Use and Housing goals and policies. The Project observes several of the Transition Policies of the General Plan in site and building design to integrate into the community, and the proposal would modify policies that are inconsistent with the proposal. The Project would implement project conditions of approval to avoid and reduce impacts of development.

B. The proposed General Plan Amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected, in that:

The Project would combine and redevelop underutilized commercial and residential parcels to provide housing and commercial opportunities for the Downtown Focus Area, which support the City's Housing Goals and assist the City in achieving RHNA targets for production of affordable housing units as mandated by the State, and in accordance with the City's Affordable Housing ordinance.

C. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that:

An Environmental Impact Report (EIR) was prepared for the Project and was noticed and circulated for a 45-day public review period from October 14, 2022 to November 30, 2022. The City notified the public agencies which have jurisdiction by law with respect to the Project, as well

as other interested persons, organizations and agencies, and the City sought the comments of such persons, organizations and agencies. The City prepared and circulated written responses to the comments received during the Comment Period and included those responses in a Final Environmental Impact Report (“FEIR”), in accordance with CEQA.

D. The potential impacts of the proposed General Plan Amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that:

A Mitigation Monitoring and Reporting Program has been prepared for implementation with Project development to reduce potentially significant impacts identified in the EIR to less than significant.

3. That pursuant to Government Code § 65358, the City Council hereby amends the General Plan by revising the definition of “Community Mixed Use” contained in Subsection 5.2.2 (“Land Use Classifications and Diagram”) of Section 5.2 (“Land Use Diagram”) of Chapter 5 (“Goals and Policies”) to read as follows:

**“Community Mixed Use**

This classification is a combination of the Community Commercial and Medium Density Residential designations and is intended to encourage a mix of residential and commercial uses along major streets. Auto-oriented uses are not appropriate in this designation, except under certain circumstances within the El Camino Real Focus Area. Parking should be behind buildings, below-grade or in structures, to ensure that active uses face public streets. Retail, commercial and neighborhood office uses, at a minimum FAR of 0.10, are required in conjunction with residential development.

***Except as otherwise provided below***, the density shall be between 20 and 36 units per acre.

***Notwithstanding the foregoing, a density range of 20 to 70 units per acre shall apply if all of the following are true:***

- 1. The property is located within the Downtown Focus Area;***

2. ***The property is located within 0.25 miles of a fixed route bus service with service intervals no longer than 15 minutes during peak commute hours;***
3. ***The development provides ground floor retail uses at a minimum FAR of 0.10;***
4. ***If the project site is listed on the City's Historic Preservation and Resource Inventory or the California Register of Historical Resources, any development affecting the historically significant structure shall be performed in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties;***
5. ***The project provides affordable housing through the payment of in-lieu fees and/or includes affordable units, in compliance with the City's Affordable Housing Ordinance, but shall instead provide 20% of the units at affordable housing prices such that the distribution of affordable units averages to a maximum of 100% Area Median Income; and***
6. ***The project site frontage is along the west side of Monroe Street and is also located south of Franklin Street and north of Homestead Road***

4. That the City Council hereby amends Policy 5.5.2-P5 of Subsection 5.5.2 ("Transition Goals and Policies") of Section 5.5 ("Neighborhood Compatibility") of Chapter 5 ("Goals and Policies") of the General Plan to read as follows:

***5.5.2-P5 Except for properties located in the Downtown Focus Area with a frontage along the west side of Monroe Street that are also located south of Franklin Street and north of Homestead Road, require that new development provide an appropriate transition to surrounding neighborhoods.***

5. That the City Council hereby amends Policy 5.5.2-P7 of Subsection 5.5.2 ("Transition Goals and Policies") of Section 5.5 ("Neighborhood Compatibility") of Chapter 5 ("Goals and Policies") of the General Plan to read as follows:

***5.5.2-P7 Except for properties located in the Downtown Focus Area with a frontage along the west side of Monroe Street that are also located south of Franklin Street and***

**north of Homestead Road**, for buildings of three stories or greater, increase the setback of upper stories where they abut lower-intensity residential uses.”

6. That the City Council hereby amends the second paragraph of Subsection 5.4.2 (“Downtown Focus Area Goals and Policies”) of Section 5.4 (“Focus Areas”) of Chapter 5 (“Goals and Policies”) of the General Plan to read as follows:

“The Downtown Focus Area offers opportunities for place-making and for a unique destination in the City to serve both local and regional interests. Revitalization will support the Major Strategies for City identity and community vitality. Connecting streets and increasing access to transit will attract residents and visitors. This vision for Santa Clara’s also includes approximately 130,000 square feet of retail and commercial uses along with almost 400 new residences on the approximately seven-acre site designated as Downtown Core on Figure 5.4-3. Development under this designation could be at intensities of almost 2.0 FAR, with building heights between five and eight stories. **For properties with a frontage along the west side of Monroe Street that are also located south of Franklin Street and north of Homestead Road, the maximum height shall be six stories.** Allowed building intensity and heights in the remainder of the Downtown Focus Area are typically lower, with maximum heights between three and four stories. Policies related to Areas of Historic Sensitivity, in Section 5.6: Historic Preservation, and to transitions, in Section 5.5: Neighborhood Compatibility, also apply in respect to maintaining the existing character and development patterns of the surrounding area, excluding the properties designated as Downtown Core. ”

7. That, based on the findings set forth in this Resolution and the evidence in the City Staff Report and such other evidence as received at the public hearing on this matter the City Council hereby approves the General Plan Amendment.

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8. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 22nd DAY OF AUGUST 2023, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

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NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA