

**FINAL
INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION**

for

1900 WARBURTON RESIDENTIAL PROJECT

**CITY OF SANTA CLARA
CALIFORNIA**

April 2018



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Chapter 1. Background Information

PROJECT DATA

1. Project Title: 1900 Warburton Residential Project

2. Lead Agency Name and Address:

City of Santa Clara
Planning Division
1500 Warburton Avenue
Santa Clara, CA 95051

3. Contact Person and Phone Number:

Rebecca Bustos, Associate Planner
(408) 615-2464
rbustos@santaclaraca.gov

4. Property Owner & Project Applicant:

Samir Sharma, 1900 Warburton LLC
1495 Flamingo Way
Sunnyvale, CA 94087
(206) 931-4169

5. Project Location: The project is located on approximately 0.56 acres at 1900 Warburton Avenue, between Scott Boulevard and Civic Center Drive in the City of Santa Clara.

Assessor's Parcel Number (APN) 224-20-027

6. Project Summary: The project is the development of 12 condominiums and demolition of an existing building (florist shop) on an infill site.

7. Santa Clara General Plan Designation:

Medium Density Residential

8. Zoning Designation:

OG (General Office)

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Chapter 2. Project Description

PROJECT LOCATION

The project is proposed within the City limits of Santa Clara, in Santa Clara County (refer to Figure 1), on Assessor's Parcel Number (APN) 224-20-027. The project is located on an approximately 0.56 acre site at 1900 Warburton Avenue. The property is currently occupied by a florist shop, consisting of a single-story building and parking/driveway areas. The rear of the property is essentially undeveloped and contains scattered trees. An aerial photograph showing the project site and surrounding area is presented in Figure 2. Site photos are presented in Figure 3.

The site is surrounded by residential uses to the north, south, and east. An office building is located to the west. Nearby commercial uses include a gas station to the northwest.

PROJECT DESCRIPTION

The applicant proposes to construct 12 condominiums on the site. This includes 11 market rate units and one below market rate unit to meet local market demand for housing in the City of Santa Clara. The site plan is provided in Figure 4 and floor plans are illustrated in Figure 5. Elevations showing typical architectural features of the residential development are presented in Figure 6. Details of the proposed project are described below.

Residential Development. The residential development proposes 12 condos in three, three-story buildings (see Figure 4). Building 1 will accommodate six units, and Buildings 2 and 3 will accommodate three units each. An outdoor common area is proposed between Buildings 2 and 3, and a walkway is proposed along the site's east boundary. The proposed condos have two different floor plans, Plans 1 and 2, as shown in Figure 5. Plan 1 units are 2,430 square feet and Phase 2 units are 2,197 square feet; each plan includes three bedrooms, three baths, and a two-car garage. The proposed three-story buildings will have a maximum height of 45 feet. The proposed architectural style of the proposed buildings is modern Mediterranean (see Figure 6).

Access and Parking: Access to the site will be provided from a single driveway off Warburton Drive. Parking will be provided by a two car garage for each unit. An additional three spaces are proposed for guest parking.

Lighting. The project would introduce new nighttime light sources from exterior lighting for the proposed residential use. All exterior lighting would be required to comply with the City's Community Design Guidelines, which restricts the height of exterior lighting fixtures and requires that the fixtures shield and direct light away from adjacent properties.

Grading. Development of the project will involve the approximate excavation of 656 cubic yards (CY) of cut and eight CY of fill, requiring the export of 656 CY of material.

Utilities. The project includes the provision of services and utilities to serve the project, including water, storm drainage, wastewater, and solid waste. The stormwater control plan for the project site is presented in Figure 7 and includes permeable pavers, pervious concrete pavement, and landscaping.

Public Improvements. The project proposes the following public improvements: new driveway cut, sidewalk improvements, and new curb/gutter.

Landscaping/Tree Removal. The project proposes landscaping on the site as shown in the landscape plan in Figure 8. The project proposes to remove 10 existing trees on the project site and replace them in accordance with the City's General Plan policies.

PROJECT SCHEDULE

The project is scheduled to start construction in Summer 2018 and complete construction within approximately 12 months.

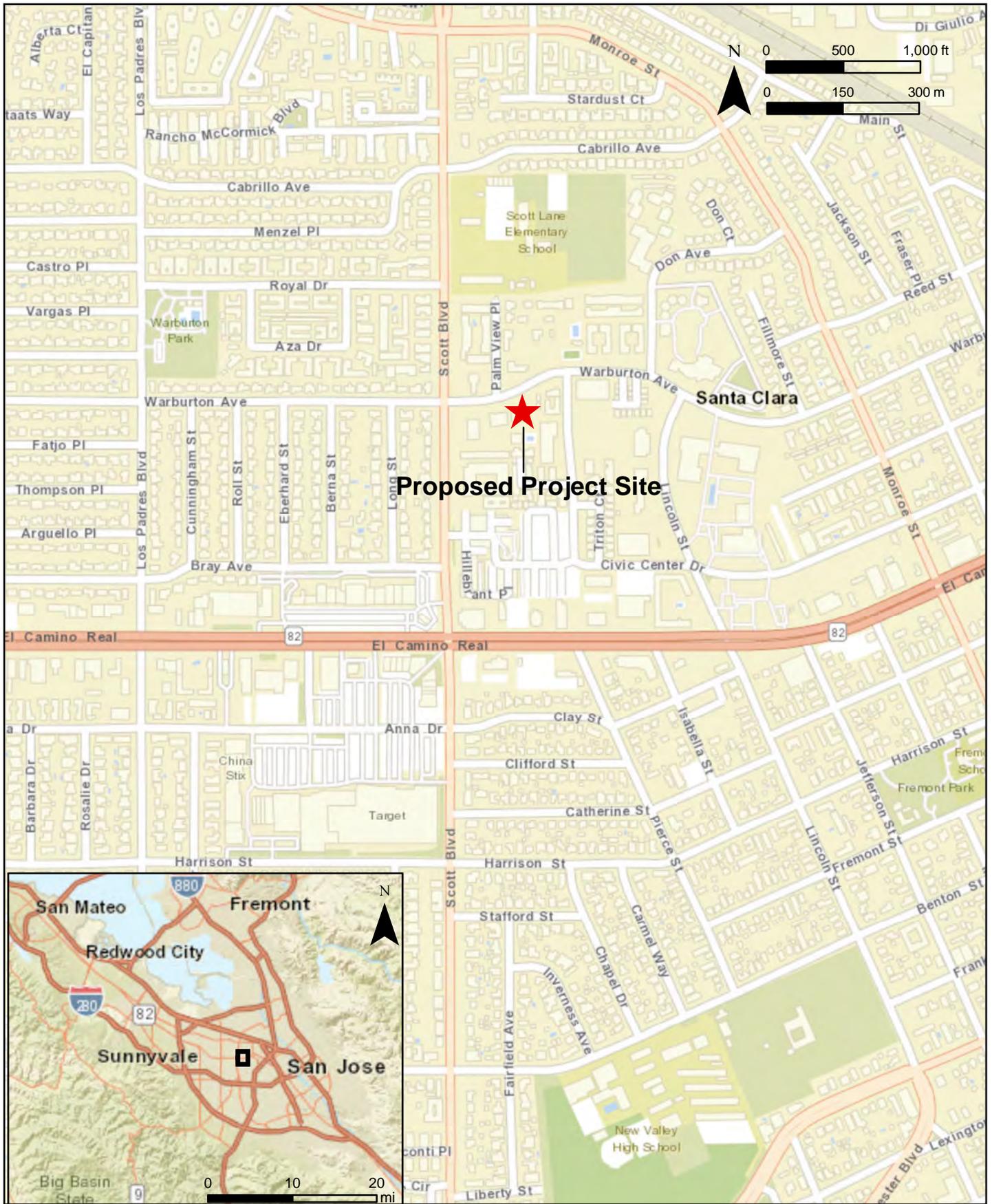
PROJECT OBJECTIVES

The objective of the project is to provide 12 condos to meet the housing demands in the City of Santa Clara community.

PROJECT APPROVALS

The project will require the following approvals:

- City of Santa Clara – Development Review, Zoning Amendment, Vesting Tentative Map, and Architectural Review. In addition, the project will require a demolition permit, grading permit, and building permit from the Santa Clara Building Division.



Location Map

1900 Warburton Avenue
Initial Study

Figure

1



Source: Google Earth, October 2017

Aerial Map

1900 Warburton Avenue
Initial Study

Figure

2



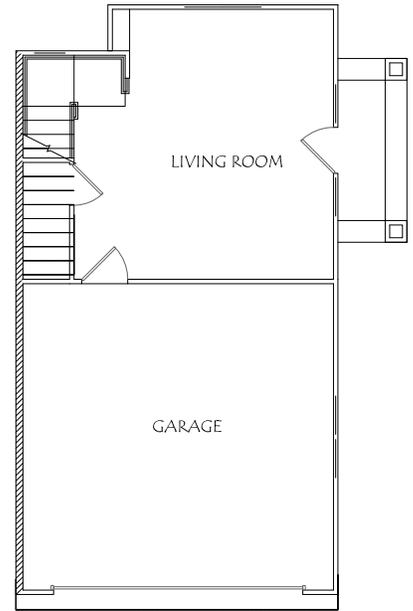
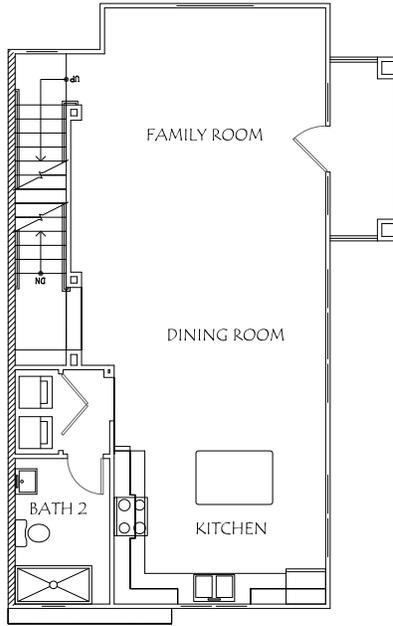
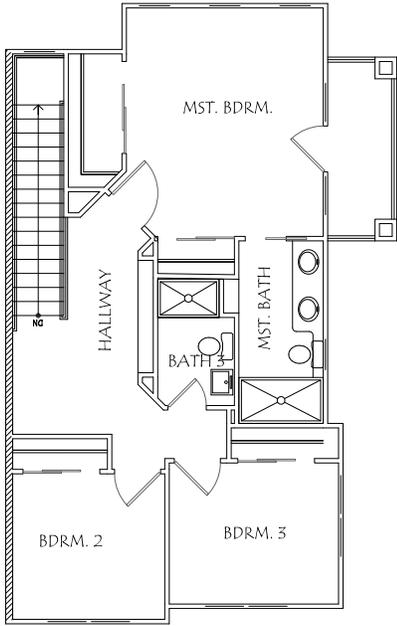
Photo 1. View of the existing building on the project site from Warburton Ave.



Photo 2. View looking west of the existing parking area of the project site.



Site Photos

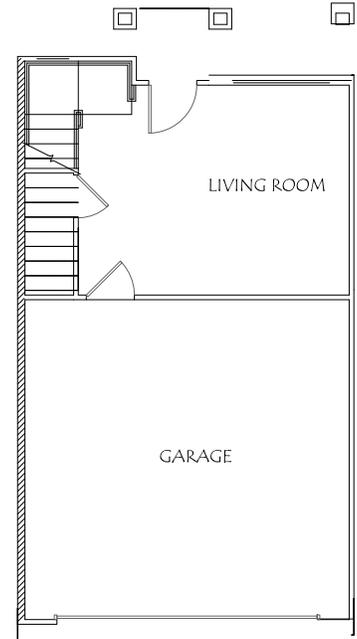
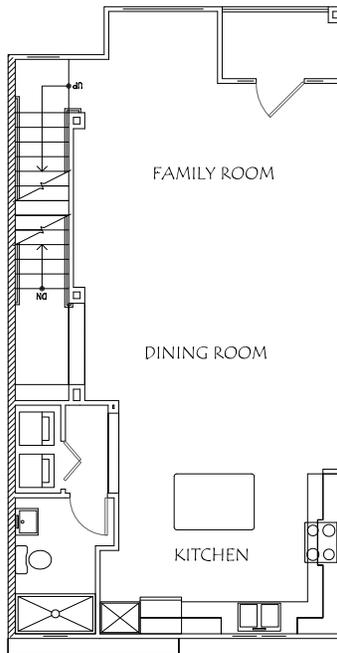
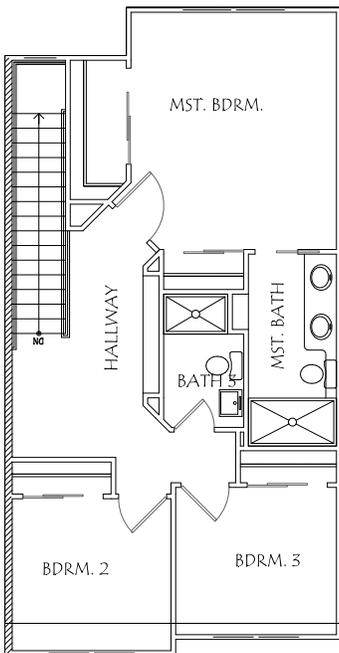


THIRD FLOOR PLAN
829 SQFT

SECOND FLOOR PLAN
811 SQFT

FIRST FLOOR PLAN
790 SQFT

PLAN 1- 2,430 SQFT



THIRD FLOOR PLAN
751 SQFT

SECOND FLOOR PLAN
721 SQFT

FIRST FLOOR PLAN
725 SQFT

PLAN 2- 2,197 SQFT

Source: LPMD Architects, October 2017

Conceptual Floor Plans

1900 Warburton Avenue
Initial Study

Figure

5



ELEVATION - VIEW FROM WARBURTON



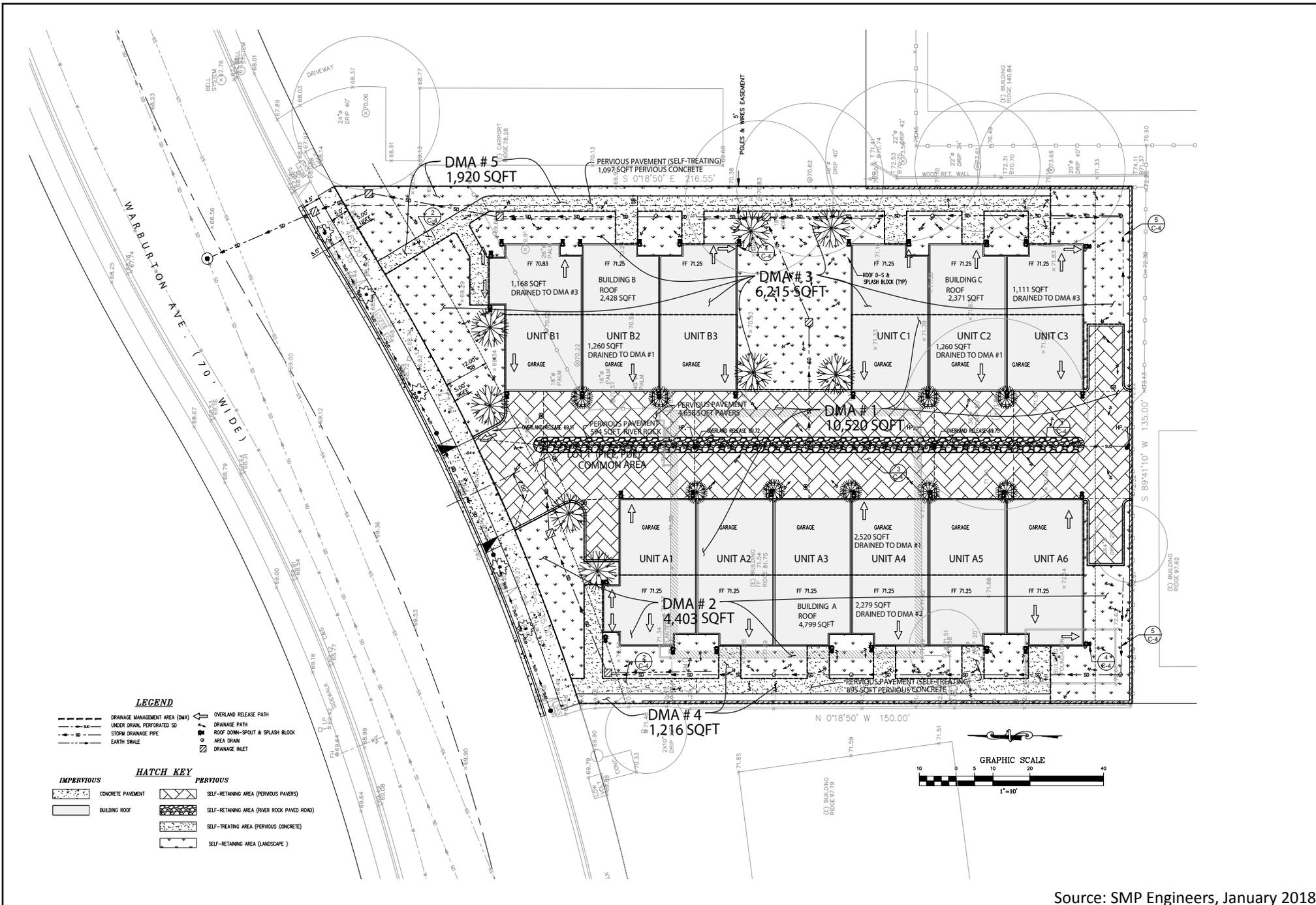
FRONT ELEVATION - VIEW FROM WALKWAY

Source: LPMD Architects, October 2017

Conceptual Elevations - Typical

1900 Warburton Avenue
Initial Study

Figure
6



Source: SMP Engineers, January 2018

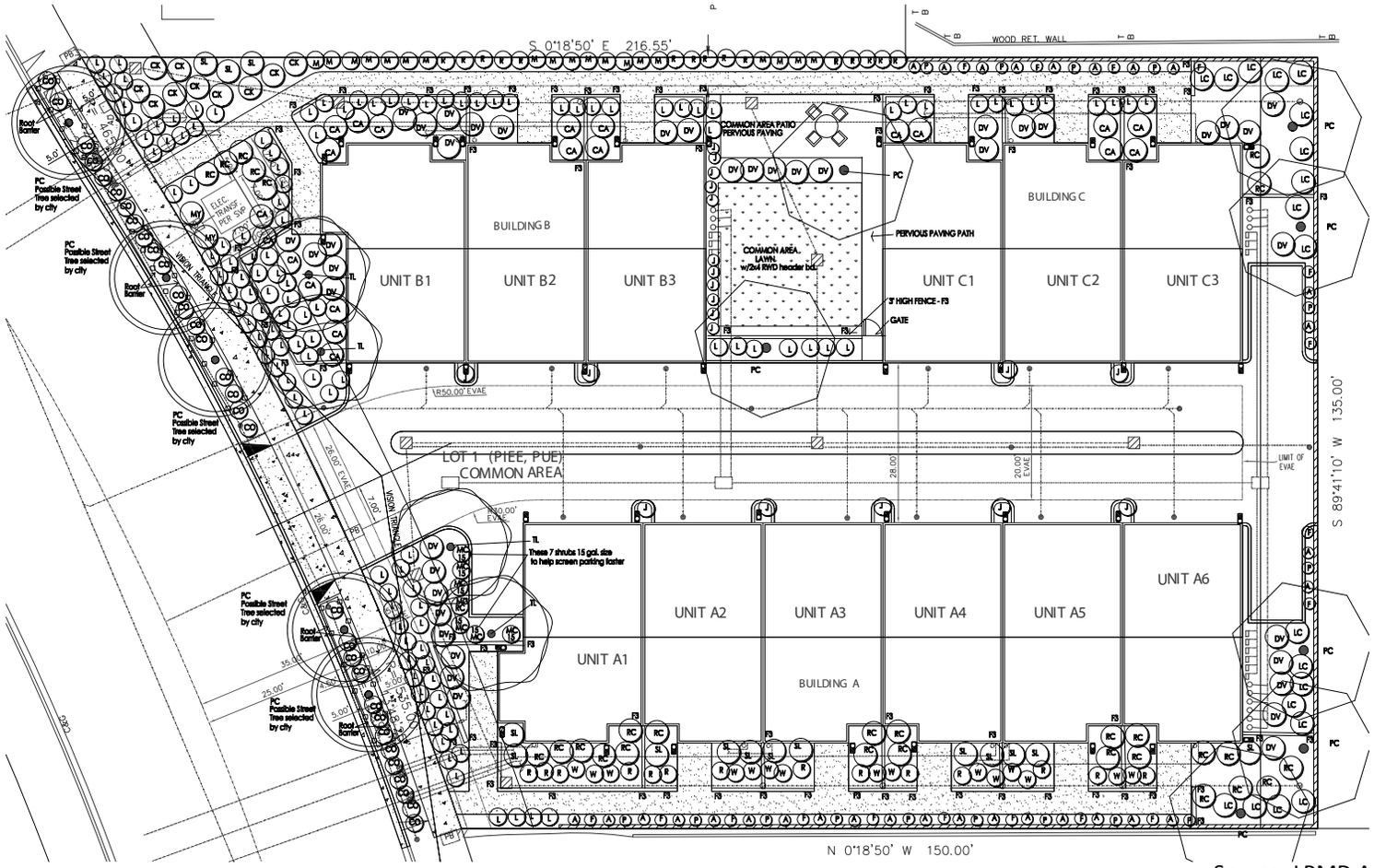
Stormwater Control Plan

1900 Warburton Avenue
Initial Study

Figure
7

Plant Legend

KEY	SIZE	WATER USE	BOTANICAL NAME	COMMON NAME
TREES				
TL	24" box	LOW	Loganostroma indica Tucacara	Crape Myrtle
PC	24" box	LOW	Pistacia chinensis Keith Dawey (male only)	Chinese Pistache
VINES				
F	5	MED	Ficus pumila	Climbing Fig
P	5	MED	Parthenocissus vitacea	Eastern Ivy
Both of these vines can grip and climb on the concrete block wall without wires				
MEDIUM SHRUBS				
RC	5	LOW	Rhaphirolepis minor	India Hawthorne
DV	5	LOW	Dielsia vegeta	Fortnight Lily
LC	5	LOW	Laropetalum fraxetabery	Myrtle
MC	15	LOW	Mytilus communis	Myrtle
CA	5	LOW	Cassia argentea (C. ovata)	Jackie Plant
CK	5	LOW	Calamagrostis Karl Foerster	Pacific Reed Grass
GROUND COVERS				
L	1	LOW	Lamandra flexosa	Mexican Breeze
SL	1	LOW	Salvia leucantha	Purple Lantana
M	1	LOW	Lantana montevidensis purple	Purple Lantana
W	1	LOW	Lantana montevidensis white	White Lantana
R	1	LOW	Ruzicoccus Callagwood Ingram	Rosemary
J	1	LOW	Juncus patens	Grey Rush
A	1	MED	Agapanthus Peter Pan	Lily of the Nile
CO	1	LOW	Coprosma 1848	
MY	1	LOW	Myoporum parvifolium	
LAWN	sod	HIGH	Turf sod	
FS	3 foot High Fences for Individual Rent yards			



Source: LPMD Architects, February 2018

Conceptual Landscape Plan

1900 Warburton Avenue
Initial Study

Figure
8

Chapter 3. Environmental Evaluation

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The key environmental factors potentially impacted by the project are identified below and discussed within Chapter 3. Environmental Setting and Impacts. Sources used for analysis of environmental effects are cited in parenthesis after each discussion, and are listed in Chapter 4. References.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Rebecca Bustos
Signature

3/13/18
Date

Rebecca Bustos
Printed Name

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
2. All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. “Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

- a) The significance criteria or threshold, if any, used to evaluate each question; and
- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL SETTING AND IMPACTS

The following section describes the environmental setting and identifies the environmental impacts anticipated from implementation of the proposed project. The criteria provided in the CEQA environmental checklist was used to identify potentially significant environmental impacts associated with the project. Sources used for the environmental analysis are cited in the checklist and listed in Chapter 4 of this Initial Study.

A. AESTHETICS

Setting

Photographs of the project property are presented in Figure 3, and an aerial photo is provided in Figure 2. The project site is currently occupied by a florist shop that consists of a single story building, parking/driveway areas, an undeveloped yard, and scattered trees. The site does not contain any features that are considered important visual/aesthetic resources. The site is surrounded by residential and commercial uses.

The State Scenic Highways Program is designed to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. The project site is not located within or near any scenic highways.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
1. AESTHETICS. Would the project:					
a) Have a substantial adverse effect on a scenic vista?				X	1, 2
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X	1, 2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X		1, 2
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X		1, 2

Explanation

- a) **No Impact.** The existing visual character of the project area is that of a suburban residential and commercial neighborhood. The site does not afford any notable scenic vistas. The visual changes from replacement of the existing commercial florist use with 12 condos in three-story buildings with a maximum height of 45 feet would not adversely impact scenic vistas.
- b) **No Impact.** The project site is not located within any state-designated scenic routes. The project would not damage scenic resources, such as rock outcroppings and historic buildings. The existing building on the site is not a historically significant structure, as described further in E. Cultural Resources. Based on the site plan, the project could remove 10 of the 11 existing trees on the site, which would be replaced in conformance with relevant General Plan policies.
- c) **Less Than Significant Impact.** The project would alter the existing visual character of the site by replacing an existing florist shop with 12 condos in three new three-story buildings. Conceptual elevations of the project are shown in Figure 6. The new residential buildings would be consistent with nearby primarily residential development in the area. The project proposes to remove 10 trees for the project, which would be replaced in conformance with relevant General Plan policies, as further described in D. Biological Resources. In addition, landscaping would be provided as part of the project as shown in Figure 8.

Final design plans would be subject to review by the City's Architectural Committee, to assure that the project conforms to Santa Clara's adopted Community Design Guidelines. These guidelines were developed to support community aesthetic values, preserve neighborhood character, and promote a sense of community. In conclusion, the project would not substantially degrade the existing visual character or quality of the site and its surroundings.

- d) **Less Than Significant Impact.** The project site is located in an area of existing ambient night lighting associated with the surrounding residential and commercial uses as well as street lighting along Warburton Avenue. The project does not propose any major sources of lighting or glare. All lighting would conform to the City's Community Design Guidelines and be shielded to direct light downwards and meet the guidelines height restrictions. The project would have a less-than-significant impact on light and glare.

B. AGRICULTURAL AND FOREST RESOURCES

Setting

In California, agricultural land is given consideration under CEQA. According to Public Resources Code §21060.1, "agricultural land" is identified as prime farmland, farmland of statewide importance, or unique farmland, as defined by the U.S. Department of Agriculture land inventory and monitoring criteria, as modified for California. CEQA also requires consideration of impacts on lands that are under Williamson Act contracts. The project area is identified as "urban/built-up land" on the Santa Clara County Important Farmlands Map.

CEQA requires the evaluation of forest and timber resources where they are present. The site does not contain any forest land as defined in Public Resources Code section 12220(g), timberland as

defined by Public Resources Code section 4526, or property zoned for Timberland Production as defined by Government Code section 51104(g).

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source(s)
2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	2
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	2
d) Result in the loss of forest land or conversion of forest land to non-forest uses?				X	2
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X	2, 4

Explanation

- a) **No Impact.** The project site is an infill property and designated as “Urban and Built-Up Land” on the Important Farmlands Map for Santa Clara County and does not contain any prime farmland, unique farmland, or farmland of statewide importance. The project would not affect agricultural land.
- b) **No Impact.** The project site is an infill property and is not zoned for agricultural use and does not contain lands under Williamson Act contract; therefore, no conflicts with agricultural uses would occur.
- c) **No Impact.** The project would not impact forest resources since the site does not contain any forest land as defined in Public Resources Code section 12220(g), timberland as defined by Public Resources Code section 4526, or property zoned for Timberland Production as defined by Government Code section 51104(g).

- d) **No Impact.** See c) above. No other changes to the environment would occur from the project that would result in the loss of forest land or conversion of forest land to non-forest uses.
- e) **No Impact.** As per the discussion above, the project would not involve changes in the existing environment which, due to their location or nature, could result in conversion of farmland or forest land, since none are present on this infill property.

C. AIR QUALITY

Setting

The project is located within the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the local agency authorized to regulate stationary air quality sources in the Bay Area. The Federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these Acts, the U.S. Environmental Protection Agency and the California Air Resources Board (CARB) have established ambient air quality standards for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NO_x), particulate matter (PM₁₀), sulfur dioxide (SO₂), and lead (Pb). Secondary criteria pollutants include ozone (O₃), and fine particulate matter (PM_{2.5}).

The U.S. EPA administers the National Ambient Air Quality Standards (NAAQS) under the Federal Clean Air Act. EPA sets the NAAQS and determines if areas meet those standards. Violations of ambient air quality standards are based on air pollutant monitoring data and judged for each air pollutant. Areas that do not violate ambient air quality standards are considered to have attained the standard. EPA has classified the region as a nonattainment area for the 8-hour O₃ standard and the 24-hour PM_{2.5} standard. The Bay Area has met the CO standards for over a decade and is classified as an attainment area by the U.S. EPA. The U.S. EPA has deemed the region as attainment/unclassified for all other air pollutants, which include PM₁₀. At the State level, the Bay Area is considered nonattainment for ozone, PM₁₀ and PM_{2.5}.

The BAAQMD is primarily responsible for assuring that the federal and state ambient air quality standards are attained and maintained in the Bay Area. The BAAQMD's May 2017 CEQA Air Quality Guidelines update the 2010 CEQA Air Quality Guidelines, addressing the California Supreme Court's 2015 opinion in the *California Building Industry Association vs. Bay Area Air Quality Management District* court case.

The BAAQMD, along with other regional agencies (e.g., ABAG and MTC), develop plans to reduce air pollutant emissions. The most recent clean air plan is the Bay Area 2017 Clean Air Plan: Spare the Air, Cool the Climate (2017 CAP), adopted by the BAAQMD in April 2017. This is an update to the 2010 CAP, and centers on protecting public health and the climate. The 2017 CAP identifies a broad range of control measures. These control measures include specific actions to reduce emissions of air and climate pollutants from the full range of emission sources and is based on the following four key priorities:

- Reduce emissions of criteria air pollutants and toxic air contaminants from all key sources.
- Reduce emissions of "super-GHGs," such as methane, black carbon, and fluorinated gases.

- Decrease demand for fossil fuels (gasoline, diesel, and natural gas).
- Decarbonize our energy system.

Toxic Air Contaminants

Toxic air contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer). TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State, and federal level.

Sensitive Receptors

The BAAQMD defines sensitive receptors as facilities where sensitive population groups are located, including residences, schools, childcare centers, convalescent homes, and medical facilities. Land uses such as schools and hospitals are considered to be more sensitive than the general public to poor air quality because of an increased susceptibility to respiratory distress within the populations associated with these uses. The closest sensitive receptors to the project site are multi-family residences adjacent to site to the east and south, and residences across Warburton Avenue to the north (see Figure 2).

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?			X		2, 5
b) Violate any air quality standard or contribute to an existing or projected air quality violation?		X			2, 5
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X		2, 5
d) Expose sensitive receptors to substantial pollutant concentrations?			X		2, 5
e) Create objectionable odors affecting a substantial number of people?			X		2

Explanation

- a) **Less Than Significant Impact.** The Bay Area is currently designated as a nonattainment area for the State and federal ozone standards, the State respirable particulate matter (PM₁₀) standard, and the State and federal fine particulate matter (PM_{2.5}) standards. The Bay Area 2005 Ozone Strategy and the 2017 Bay Area Clean Air Plan (CAP) were developed by BAAQMD to address the ozone nonattainment issues. To date, no PM₁₀ or PM_{2.5} plans have been prepared or are required under State air quality planning law.

See b) below. Since the proposed development of 12 condos would not exceed the screening thresholds or other criteria established in the BAAQMD CEQA Guidelines, the project is considered to be in compliance with the 2017 CAP and with the Ozone Strategy.

- b) **Less Than Significant With Mitigation Incorporated.** The City of Santa Clara relies on the thresholds recommended in the BAAQMD's 2017 CEQA Guidelines for evaluation of air quality impacts of proposed development, which are supported by substantial evidence. The BAAQMD CEQA Guidelines include screening levels and thresholds for evaluating air quality impacts in the Bay Area. The BAAQMD identifies screening criteria based on the size of proposed projects. For the "condo/townhouse, general" land use category, the screening size for operational impacts is 451 units. At 12 units, the proposed development is well below this screening threshold. Therefore, operation of the project would not result in significant air quality impacts. Construction impacts are described below.

Construction Impacts

Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. Fugitive dust emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. Fugitive dust emissions would also depend on soil moisture, silt content of soil, wind speed, and the amount of equipment operating. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

The BAAQMD screening size for construction impacts is 240 units. Projects that fall below this threshold are considered by BAAQMD to have less-than-significant construction phase air pollutant emissions, provided all of the District's Basic Construction Mitigation Measures are included in the project design and implemented during construction. Implementation of the measures recommended by BAAQMD would reduce the air quality and fugitive dust related impacts during construction of the project to a less-than-significant level.

Mitigation Measure AQ-1: The contractor shall implement the best management practices listed below during construction activities.

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - A publicly visible sign shall be posted at the site with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- c) **Less Than Significant Impact.** See discussion b) above. The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard, since the project size is well below BAAQMD screening levels for criteria pollutants.
- d) **Less Than Significant Impact.** Due to the project size, the operational emissions of criteria pollutants would be less-than-significant because the project is below the BAAQMD screening criteria and would implement Basic Construction Mitigation Measures described in b) above. Operation of the project is not expected to cause any localized emissions that could expose sensitive receptors to unhealthy air pollutant levels. No stationary sources of TACs, such as generators, are proposed as part of the project.

Construction activity requires diesel-powered equipment, which emits diesel particulate matter (DPM), a known carcinogen and toxic air contaminant (TAC). DPM is a human carcinogen and that chronic (long-term) inhalation exposure to DPM poses a chronic health risk. The majority of heavy diesel equipment usage would occur during the construction phase, which would have a relatively brief duration (four to five months). The project would implement the BAAQMD's best management practices, which include requirements for reduced idling time and proper equipment maintenance for diesel equipment, which would reduce emissions from this equipment and minimize potential impacts to nearby receptors. Given the short construction period and incorporation of best management practices, the impact from DPM during project construction is considered less-than-significant.

- e) **Less Than Significant Impact.** The proposed residential use would not create new sources of odor. During construction, use of diesel powered vehicles and equipment could temporarily generate localized odors, which will cease upon project completion. Implementation of abatement measures for construction period emissions identified in b) will further assure that this impact is less-than-significant.

D. BIOLOGICAL RESOURCES

Setting

The project site is located within an urbanized area of Santa Clara. The existing property is currently occupied by a florist shop, and contains some vegetation and 11 scattered trees. Due to the disturbed nature of the site, it has a relatively low habitat value.

Trees

An arborist report was prepared for the project by Kielty Arborist Services LLC (September 11, 2017), and is contained in Appendix A. The arborist report identified 11 existing trees on the project site, as well as five offsite trees that could be affected by project development.

Chapter 12.35 of the Santa Clara City Code requires a permit from the Superintendent of Streets for the removal or alteration of any tree, plant, or shrub on public property. No street trees are located on the frontage of the project site. Although the City does not require a permit for removal of private trees, it does regulate their removal through General Plan policies. Land Use Policy 5.3.1-P10 requires new development to provide street trees and provision of replacement trees for trees removed at a minimum 2:1 replacement ratio (i.e., two replacement trees for every tree removed). Conservation Policy 5.10.1-P3 calls for preservation of all City-designated Heritage Trees. Conservation Policy 5.10.1-P4 requires protection of all healthy cedars, redwoods, oaks, olives, bay laurel, and pepper trees of any size and all other trees over 36 inches in circumference, as measured 48 inches above grade. Policy 5.10.1-P4 applies to trees on private property as well as those on public property or in public rights-of-way.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
4. BIOLOGICAL RESOURCES. Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X			1, 2
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X	1, 2
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	1, 2
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X			1, 2
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		1, 2, 3
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X	1, 2

Explanation

- a) **Less Than Significant with Mitigation Incorporated.** Mature trees on and adjacent to the project site may provide nesting habitat for migratory birds, including raptors (birds of prey). Raptors and their nests are protected under the Migratory Bird Treaty Act of 1918 and California Fish and Game Code Sections 3503 and 3503.5. These species could be disturbed during tree removal and construction activities. This represents a potentially significant impact that will be reduced to a less-than-significant level with Mitigation Measure BIO-1.

Mitigation Measure BIO-1: The contractor shall implement the mitigation below prior to initiating any construction activities.

BIO-1 If possible, schedule construction between September 1 and January 31 to avoid the nesting season for raptors and other migratory birds. If this is not possible, pre-construction surveys for nesting birds shall be conducted by a qualified biologist or ornithologist to identify active nests that may be disturbed during project implementation. Projects that commence construction between February 1 and April 30 shall conduct pre-construction surveys for nesting birds within 14 days of the onset of construction. Between May 1 and August 31, preconstruction surveys shall be conducted no more than 30 days prior to the initiation of construction activities. Pre-construction surveys shall be conducted by a qualified biologist or ornithologist for nesting birds within the onsite trees as well as all trees within 250 feet of the site. If the survey does not identify any nesting birds that would be affected by construction activities, no further mitigation is required.

If an active nest is found in or close enough to the construction area to be disturbed by these activities, the qualified biologist or ornithologist, shall, in consultation with the California Department of Fish and Wildlife (CDFW), designate a construction-free buffer zone (typically 250 feet for raptors and 100 feet for non-raptors) around the nest to ensure that no nests of species protected by the Federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code will be disturbed during construction activities. The buffer shall remain in place until the breeding season has ended and/or a qualified biologist or ornithologist has determined that the nest is no longer active. The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Santa Clara Building Department prior to the issuance of any grading or building permit.

- b) **No Impact.** The project site is disturbed and does not contain, or lie adjacent to, any sensitive natural communities or riparian habitat; therefore, the project would not adversely impact any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or USFWS.
- c) **No Impact.** The project site is disturbed and does not contain, or lie adjacent to, any wetland resources; therefore, the project would not adversely affect federally protected wetlands as defined by Section 404 of the Clean Water Act.
- d) **Less Than Significant with Mitigation Incorporated.** With the inclusion of the mitigation for nesting birds (Mitigation Measure BIO1), the project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- e) **Less Than Significant Impact.** The project site contains 11 trees. In addition, the arborist evaluated five trees adjacent to the site. These trees are listed by type, size, and condition in Table 1 below. None of these trees are identified by the City as Heritage Trees.

Table 1 Trees on & Adjacent to Project Site					
No.	Species	Scientific Name	Trunk Diameter (in.)	Condition 1=poor 5=excellent	Proposed Action
1	Avocado	<i>Persea Americana</i>	11.4	2	Remove
2	Privet	<i>Ligustrum japonicum</i>	6.3	3	Remove
3	Italian stone pine	<i>Pinus pinea</i>	34.6	2	Remove
4	Monterey pine	<i>Pinus radiata</i>	22 (est)	3	Retain (Neighbor's tree)
5	Monterey pine	<i>Pinus radiata</i>	21 (est)	2	Retain (Neighbor's tree)
6	Monterey Pine	<i>Pinus radiata</i>	24 (est)	2	Retain (Neighbor's tree)
7	Australian willow	<i>Geijera parviflora</i>	18 (est)	3	Retain (Neighbor's tree)
8	Deodar cedar	<i>Cedrus deodara</i>	19.2	4	Remove
9	Mexican Fan Palm	<i>Washintonia robusta</i>	22	4	Remove
10	Mexican fan palm	<i>Washingtonia robusta</i>	22	4	Remove
11	Mexican fan palm	<i>Washingtonia robusta</i>	22	4	Remove
12	Mexican fan palm	<i>Washingtonia robusta</i>	22	4	Remove
13	Chinese elm	<i>Ulmus parviflora</i>	4.5	3	Remove
14	Avocado	<i>Persea Americana</i>	4-3	3	Remove
15	Holly oak	<i>Quercus ilex</i>	2	3	Remove
16	Olive	<i>Ole europaea</i>	8-10	3	Retain (Neighbor's tree)

Based on the site plan, it is anticipated that 10 of the trees on the site would require removal for development of the project. Construction of the project could also affect trees on adjacent properties with canopies that overhang the project site. General Plan Land Use Policy 5.3.1-P10 requires new development to provide street trees and provision of replacement trees for trees removed at a minimum 2:1 replacement ratio. Conservation Policy 5.10.1-P4 requires protection of all healthy cedars, redwoods, oaks, olives, bay laurel, and pepper trees of any size and all other trees over 36 inches in circumference, as measured 48 inches above grade. Policy 5.10.1-P4 applies to trees on private property as well as those on public property or in public rights-of-way.

The project would retain the existing Deodar cedar on the site, which is 60.6 inches in circumference. The project would remove five trees in good condition that are over 36 inches in circumference, including an Italian stone pine and four Mexican fan palms. The applicant would be required to comply with Land Use Policy 5.3.1-P10 as a condition of project approval. The proposed landscape plan includes planting 16 new trees on the site. The project applicant will commit to planting the remaining four trees offsite to meet the minimum replacement requirement of 20 trees.

As a standard permit condition, the following measure would be implemented by the project to protect adjacent offsite trees that may be impacted by project construction.

- To safeguard the health of trees offsite, the project contractor shall follow the tree protection guidelines provided in the arborist report (see Appendix A).
- f) **No Impact.** The project site is not located within the boundaries of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional or state habitat conservation plan.

E. CULTURAL RESOURCES

Setting

The site is currently occupied by a florist shop, which consists of a 2,230 square foot main building with a 2,650 square foot attached warehouse/storage area. The building original main building was constructed in 1959. Prior to 1959, the site was used for agricultural purposes (i.e., orchards).

Historic Resources

Because the existing building on the site is more than 50 years old, a historic evaluation was performed to determine its historical significance. This evaluation was completed by Archives & Architecture (September 21, 2017) and is contained in Appendix B.

The project site is not currently listed in the California Register of Historic Resources (CRHR) or the National Register of Historic Places (NRHP). Based on the results of the historic evaluation, the existing building does not appear to be eligible for listing in either of these registers. As indicated in the State Historic Resources Evaluation forms (DPR 523) prepared for the property, the site does not appear to qualify for listing on the California or National Registers as an individual property, and demolition would not result in an adverse effect on a historic resource under CEQA (see Appendix B).

In addition, the project is not identified within the City of Santa Clara Smart Permit Center as being historically significant, and is not currently listed on the City's Historic Resources Inventory. It is not located within 100 feet of any properties that the City of Santa Clara has identified as historically significant. Review of the building using the City of Santa Clara Inventory designation criteria, which is used to consider historical significance for properties within the City's jurisdiction. The Criteria for Local Significance were adopted on April 20, 2004, by the City of Santa Clara City Council. This commercial building, although having undergone some changes to the rear over the years, has sufficient integrity to its period of significance to be considered representative of its 1959 build date. However, the property is not historically significant based on the historic review, and does not appear eligible for listing on the City of Santa Clara's Architecturally or Historically Significant Property Inventory (see additional discussion in Appendix B).

Archaeological and Tribal Resources

The project site has been disturbed by previous development, including the existing development and former agricultural uses. The property does not contain any known archaeological or tribal resources.

California Assembly Bill (AB) 52 went into effect on July 1, 2015, and establishes a new category of CEQA resources for “tribal cultural resources” (Public Resources Code §21074). The intent of AB 52 is to provide a process and scope that clarifies California tribal government’s involvement in the CEQA process, including specific requirements and timing for lead agencies to consult with tribes on avoiding or mitigating impacts to tribal cultural resources. AB 52 also creates a process for consultation with California Native American Tribes in the CEQA process. Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project. The Public Resources Code requires avoiding damage to tribal cultural resources, if feasible. If not, lead agencies must mitigate impacts to tribal cultural resources to the extent feasible.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
5. CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA 15064.5?			X		1, 2, 7
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA 15064.5?		X			1, 2
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			1, 2
d) Disturb any human remains, including those interred outside of formal cemeteries?			X		1, 2
TRIBAL CULTURAL RESOURCES: Would the project:					
e) Cause a substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
1. Listed or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X		1, 2

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X		1, 2

Explanation

- a) **Less Than Significant Impact.** The project site is not currently listed in the California Register of Historic Resources (CRHR), the National Register of Historic Places (NRHP), or the City’s Historic Resources Inventory. Based on the results of the historic evaluation, it was determined that the existing building does not appear to be eligible for listing in the CRHR, NRHP, or the City’s Inventory. Demolition of the existing building on the site, therefore, would not result in an adverse effect on a historic resource under CEQA (see Appendix B).
- b) **Less Than Significant With Mitigation Incorporated.** No known prehistoric archaeological or Native American tribal resources exist within the project area. The project site has been graded and disturbed over the years by previous development. The likelihood of encountering archaeological resources during construction activities is considered low. However, it is possible that unknown buried prehistoric cultural artifacts could be uncovered during construction. This represents a potentially significant adverse impact. Implementation of the following mitigation would reduce this potential impact to a less-than-significant level.

Mitigation Measure CR-1: The following shall be included in the construction documents and specifications.

- In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall cease. The Director of Planning and Inspection shall be notified and a qualified archeologist retained to examine the find and make appropriate recommendations. These recommendations could include collection, recordation, and analysis of any significant cultural materials. A formal report of findings documenting any data recovery during monitoring shall be submitted to the Director of Community Development and the Northwest Information Center at Sonoma State University in Rohnert Park.
- The project applicant shall fund and implement the mitigation in accordance with Section 15064.5(c)–(f) of the CEQA Guidelines and Public Resources Code Section 21083.2.

- In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall cease. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding the proper burial that shall be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

- c) **Less Than Significant with Mitigation Incorporated.** No paleontological resources have historically been identified in the project area and, therefore, it is unlikely that the project would destroy a unique paleontological resource or unique geologic feature. However, it is possible that buried paleontological resources could be encountered during construction activities. Any destruction of unique paleontological resources during excavation/clearing activities would be a potentially significant impact. Implementation of the following measure would reduce this potential impact to a less-than-significant level:

Mitigation Measure CR-2: The following measure shall be included in all construction documentation and specifications.

- If any paleontological resources are encountered during site grading or other construction activities, all ground disturbance activities shall cease and a qualified paleontologist retained to identify and evaluate the scientific value of the resources and recommend mitigation measures to document and prevent any significant adverse effects on any significant resources. Significant paleontological resources shall be salvaged and deposited in an accredited and permanent scientific institution, such as the University of California, Museum of Paleontology.

- d) **Less Than Significant Impact.** Though unlikely, human remains may be encountered during construction activities. Implementation of standard permit conditions, identified in b) above, would avoid impacts associated with disturbance to human remains.

- e) **Less Than Significant Impact.** Tribal cultural resources consider the value of a resource to tribal cultural tradition, heritage, and identity in order to establish potential mitigation, and to recognize that California Native American tribes have expertise concerning their tribal history and practices. The City of Santa Clara sent a notification letter to a list of Native American contacts provided by the NAHC in compliance with AB 52 on January 23, 2018. At the time of preparation of this Initial Study, the City had yet to receive any requests for notification from tribes. Because no project-specific tribal consultation requests were received, impacts to tribal resources are expected to be less-than-significant.

- f) **Less Than Significant Impact.** See e) above.

F. GEOLOGY AND SOILS

Setting

The City of Santa Clara is located in the Santa Clara Valley, a broad alluvial-covered plain lying between the Santa Cruz Mountains to the west and the Diablo Range to the east. The valley and entire San Francisco Bay region are within an area known as the Coast Range Geomorphic Province, an area where the geology is dominated by the deformation of the earth's surface due to the movement of the Pacific and North American tectonic plates; the San Andreas Fault system lies along the intersection of these two plates.

The City of Santa Clara is located in the seismically active coastal area of California. This area is classified as Seismic Zone 4, the most seismically active zone in the U.S. Earthquakes can occur along any of the region's active faults, including the nearby San Andreas, Hayward, and Calaveras fault zones.

The site is currently occupied by a florist shop. The rear of the property contains weedy vegetation and several trees. The project site is located at elevation of approximately 70 feet above mean sea level. Regionally, the general topographic slope of the area is northerly, though the site is relatively flat.

The majority of the City of Santa Clara is located in the liquefaction hazard zone, as identified by the County of Santa Clara pursuant to the Seismic Hazards Mapping Act. Lateral spreading is commonly associated with liquefaction. Soil and geologic hazards of concern in the City of Santa Clara are primarily related to expansive soils, weak soils, and artificial fill (City of Santa Clara 2010-2035 General Plan EIR, January 2011).

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
6. GEOLOGY AND SOILS. Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X	1, 2
ii) Strong seismic ground shaking?			X		1, 2
iii) Seismic-related ground failure, including liquefaction?			X		1, 2
iv) Landslides?			X		1, 2
b) Result in substantial soil erosion or the loss of topsoil?			X		1, 2

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		1, 2
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X		1, 2
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X	1, 2

Explanation

- ai) **No Impact.** The site is not located within a State of California Earthquake Fault Hazard Zone and no known active faults cross the site. The risk of ground rupture within the site is considered low. The project is not mapped within an Alquist-Priolo Earthquake Fault Zone. The project will be designed and developed in accordance with the California Building Code guidelines to avoid or minimize potential damage from seismic shaking on the project site as described below.
- aii) **Less Than Significant Impact.** Due to its location in a seismically active region, the proposed development would be subject to strong seismic ground shaking during its design life, in the event of a major earthquake on any of the region’s active faults. This poses a risk to proposed structures and infrastructure. Seismic impacts would be minimized by implementation of standard engineering and construction techniques in compliance with the requirements of the California and Uniform Building Codes for Seismic Zone 4, which require buildings to be designed to resist the anticipated level of seismic ground shaking and includes standards for mitigating seismic hazards.
- aiii) **Less Than Significant Impact.** The project site, as is most of the City of Santa Clara, is located in an area of high liquefaction potential. Lateral spreading, another form of seismic ground failure, is generally associated with liquefaction. As described in aii) above, the project would be required to comply with the latest version of the California Building Code, which requires buildings to be designed to resist the anticipated level of seismic ground shaking.
- aiv) **Less Than Significant Impact.** The project site has no appreciable vertical relief and is not subject to landslides.
- b) **Less Than Significant Impact.** Development of the project would require minor grading that could result in a temporary increase in erosion. The City would require the applicant to implement Best Management Practices (BMPs) for erosion control during project construction as a condition of approval. This condition is consistent with General Plan Safety Policy 5.10.5-P17, which requires that grading and other construction activities comply with the Association of Bay Area Governments’ Manual of Standards for Erosion

and Sediment Control Measures and with the California Stormwater Quality Association (CASQA), Stormwater Best Management Practice Handbook for Construction.

- c) **Less Than Significant Impact.** See aiii) above.
- d) **Less Than Significant Impact.** The project site is located in an area that contains moderately expansive soils (Santa Clara General Plan EIR, January 2011). Expansive soils shrink and swell under varying moisture conditions and can damage structures. The General Plan EIR concluded that hazards associated with expansive soils would be reduced to acceptable levels by enforcement of existing regulations and adopted City policies. Specifically, General Plan Safety Policies 5.10.5-P5 through 5.10.5-P10. Policy 5.10.5-P6 require that new development be designed to meet current safety standards and conform to applicable building codes intended to reduce risks associated with geologic conditions. The project would be required to comply with the CBC, UBC, and City codes, which include safety standards for the design and construction of buildings on expansive soils and under static and dynamic (seismic) conditions.
- e) **No Impact.** The project does not include any septic systems. The proposed project would tie into the City's existing sanitary sewer system.

G. GREENHOUSE GAS EMISSIONS

Setting

Various gases in the earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO₂), methane (CH₄), ozone (O₃), water vapor, nitrous oxide (N₂O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation.

Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, codifies the State of California's GHG emissions target by directing CARB to reduce the state's global warming emissions to 1990 levels by 2020. AB 32 was signed and passed into law in September 2006. Since that time, CARB, CEC, the California Public Utilities Commission (CPUC), and the Building Standards Commission have all been developing regulations that will help meet the goals of AB 32 and Executive Order S-3-05. A Scoping Plan for AB 32 was adopted by CARB in December 2008. It contains the State of California's main strategies to reduce GHGs from business as usual (BAU) emissions projected in 2020 down to 1990 levels. BAU is the projected emissions in 2020, including increases in emissions caused by growth, without any GHG reduction measures. The Scoping Plan has a range of GHG reduction actions, including direct regulations, alternative compliance mechanisms, monetary and

non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

The City of Santa Clara adopted a Climate Action Plan on December 3, 2013 for the purpose of reducing the emissions of greenhouse gases.¹ The Climate Action Plan establishes a comprehensive GHG emissions reduction strategy to enable the City to achieve its fair share of the statewide emissions reduction of 15% below 2008 levels by 2020, consistent with AB 32. The Climate Action Plan identifies strategies and measures to be taken for a series of focus areas that include coal-free and large renewables, energy efficiency, water conservation, transportation and land use, and waste reduction to achieve the overall emission reduction target. The Plan also includes an adaptive management process to incorporate new technology and provide response mechanisms when goals are not being met.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source(s)
7. GREENHOUSE GAS EMISSIONS. Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		1, 3
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X		1, 3

Explanation

a) **Less Than Significant Impact.** The BAAQMD Guidelines identify screening thresholds for operational GHG emissions. For the land use category “condo/townhouse, general,” the screening level is 87 units. At 12 units, the project is far below the screening level and would not result in a significant impact related to GHG emissions. In addition, although the measures identified in the City’s Climate Action Plan generally require action by the City, the project would help promote the goals in the Plan as follows:

- Use of landscaping with low water use requirements consistent with the Water Conservation Focus Area.
- Planting of trees and other landscaping consistent with the City’s Urban Heat Island Effect Focus Area.
- Recycling at least 50 percent of the construction and demolition debris, consistent with Reduction Strategy 4.2.

¹ City of Santa Clara, City of Santa Clara Climate Action Plan, adopted December 3, 2013. <http://santaclaraca.gov/home/showdocument?id=10170>.

In addition, the project must comply with the California Energy Code and the California Green Code, which require measures for energy efficiency, water efficiency and conservation, material conservation, and resource efficiency, all of which reduce GHG emissions. Based on the above discussion, the project would not conflict with implementation of recommended actions in AB 32 and the City's Climate Action Plan, intended to reduce GHG emissions by 2020.

- b) **Less Than Significant Impact.** The project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, as described in a) above.

H. HAZARDS AND HAZARDOUS MATERIALS

Setting

A Phase I Assessment was performed for the project site by Phase-I Environmental Services (September 12, 2017). In addition, a Limited Phase II Site Screening study was completed to determine the potential for agricultural chemicals in onsite soils. Both reports are contained in Appendix C.

Phase I Assessment

The Phase I Assessment was prepared in accordance with the American Society for Testing and Materials (ASTM) E 1527-13, and included the following: 1) site inspection; 2) interview with the property contacts; 3) review of historical sources; 4) review of regulatory agency records; and 5) a regulatory database search. The project site is occupied by a florist shop that includes a 2,230 square foot main building with a 2,650 square foot warehouse/storage area. The site's first commercial development and building construction took place in 1959. According to historical aerial photographs, prior to development the property was part of an orchard dating to at least 1948.

On September 7, 2017, a sight inspection was performed for the project site. All accessible interior and exterior areas of the property were inspected during the inspection. The site inspection discovered no evidence of improper use, spillage, storage, or disposal of hazardous materials. No stained soil or chemically distressed vegetation was noted in the tree planter or bare soil areas on the site.

After reviewing the pertinent vicinity environmental databases and history, the Phase I Assessment concluded that no sites in the project vicinity, including the project site, are of significant environmental concern. All of the sites listed in the database are either No Further Action or Closed cases, confined area cases, down or cross-gradient sites, related to soils only, or are located at too great a distance to be of significant environmental concern to the site.

The site was previously part of a fruit orchard during a time when organochloride pesticides and heavy metals were commonly used in farming operations. Because the property is being developed for residential uses, the testing of shallow soils for pesticides and heavy metals was recommended, as described below.

Limited Phase II Assessment

The Limited Phase II Site Screening study was performed for the project site to evaluate the presence/absence of agricultural chemicals based on the former orchard use of the site prior to 1959. On September 28, 2017, soil samples were collected from four locations on the property (see Appendix C). Soil samples were collected from 0” to 6” below grade surface (bgs) from each of the collection points. The samples were analyzed at a State certified lab. The results are summarized below.

- Chlordane, 4,4'DDE, dieldrin, arsenic, and lead from some soil samples tested above the environmental screening limits (ESLs)² for residential direct exposure.
- The soluble threshold limit concentrations (STLC) showed that all chemical constituents were below the total threshold limit concentration (TTLC) for hazardous waste disposal limits, indicating that soils requiring excavation will likely be candidate for disposal as non-hazardous.
- Arsenic was detected in each of the four samples exceeded the residential ESL; however, these concentrations were found to be well within average background levels that are known to be common in the San Francisco Bay Area, and generally not actionable by local regulatory agency standards.
- The levels of organochlorine pesticides (OCPs) present in samples were below construction worker exposure ESLs. However, one sample (B-1) contained lead at 210 ppm, which exceeded the construction worker ESL of 160 ppm.

Based on these findings, several recommendations are identified to address the environmental conditions and remedial requirements for residential development of the site, as described below under “Impacts and Mitigation.”

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		1, 2, 8

² Based on the screening limits established by the San Francisco Bay Regional Water Quality Control Board (RWQCB).

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X			1, 2, 8
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?		X			1, 2, 8
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	1, 2, 8
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X	1, 2
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X	1, 2
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		1, 2
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X	1, 2

Explanation

- a) **Less Than Significant Impact.** The project would not entail the routine use and/or transport of hazardous materials. The proposed residential use would use common chemicals such as cleaners and disinfectants. These materials will not be of a type or quantity to pose a significant hazard to the public and safety or the environment. These products would be handled and stored in accordance with the manufacturer’s specifications.
- b) **Less Than Significant with Mitigation Incorporated.** Prior agricultural activities on the project site have resulted in the presence of pesticide residuals and heavy metals in on-site soils. Release of these materials during construction represents a potentially significant impact. The Phase II soil study recommends a series of measures to address the environmental conditions and remedial requirements for residential development of the site related to the previous agricultural activities. These measures are identified in the mitigation below, which would reduce this impact to a less-than-significant level.

Mitigation Measure HAZ-1: The project applicant shall implement the following measures prior to issuance of a grading permit.

- Retain a qualified professional to identify the areas on the site that will be covered with concrete, asphalt paving, foundations, etc. to prevent human exposure to subsurface soils, and those areas that will not.
- Develop and implement a subsurface sampling plan to delineate the vertical and horizontal extents of the contaminants of concern in the areas of potential exposure on the site.
- Open a voluntary clean-up case with Santa Clara County Department of Environmental Health and present the findings of the study.
- Under Santa Clara County oversight, excavate and properly dispose of the affected soils in these areas and collect post-excavation confirmatory soil samples.
- Develop a Site Management Plan (SMP) that addresses construction worker safety during construction of the project to address identified contaminants of concern on the site, subject to review and approval of the Santa Clara County Department of Environmental Health and Santa Clara Fire Department.

Building Demolition

Given the age of the existing building, which was constructed when the use of lead-based paint (LBP) and asbestos-containing building materials (ACBM) was typical, the presence of LBP and ACBM are likely. If not addressed properly, exposure to these substances would result in potential health hazards to construction workers, which represents a significant impact. Implementation of the following mitigation measures would reduce the impact to a less-than-significant level.

Mitigation Measure HAZ-2: The project applicant shall implement the following measure prior to issuance of a demolition permit.

- Retain a qualified consultant to prepare a comprehensive survey for asbestos-containing building materials (ACBM). Sampling for ACBM shall be performed in accordance with the sampling protocol of the Asbestos Hazard Emergency Response Act (AHERA). If ACBM is identified, all friable asbestos shall be removed prior to building demolition by a State-certified Asbestos Abatement Contractor, in accordance with all applicable State and local regulations. The BAAQMD shall be notified 10 days in advance of any required abatement work. The project applicant shall provide the City of Santa Clara Building Inspection Division with a copy of the notice required by BAAQMD for asbestos abatement work, prior to and as a condition of issuance of the demolition permit.

Mitigation Measure HAZ-3: The project applicant shall implement the following measure prior to issuance of a demolition permit.

- Retain a qualified a survey for lead-based paint (LBP). If LBP is identified, lead abatement shall be performed in compliance with all federal, State, and local regulations applicable to work with LBP and disposal of lead-containing waste. A State-certified Lead-Related Construction Inspector/Assessor shall provide a lead clearance report after the lead abatement work in the building is completed. The project applicant shall provide a copy of the lead clearance report to the City of Santa Clara Building Inspection Division prior to issuance of a demolition permit.
- c) **Less Than Significant Impact with Mitigation Incorporated.** The Merry Merry Play preschool, Scott Lane preschool, and Scott Lane Elementary school are all located within ¼ mile of the project site. However, the project would not result in the release of hazardous materials into the environment with implementation of mitigation measures, as described in a) and b) above.
- d) **No Impact.** The project site is not located on a site that is included on a list of hazardous materials sites as per Government Code Section 65962.5 (Cortese List).
- e) **No Impact.** The nearest airport to the project site is Norman J. Mineta San Jose International Airport, located approximately 1.3 miles east of the site. The project site is not located within the Santa Clara County Comprehensive Land Use Plan for the airport. The proposed 12-unit residential project would not result in a safety hazard for people residing or working within two miles of an airport.
- f) **No Impact.** The project site is not located within the vicinity of a private airstrip and would not result in a safety hazard to airstrip operations.
- g) **Less Than Significant Impact.** The proposed project would not interfere with any adopted emergency or evacuation plans. The project would not create any barriers to emergency or other vehicle movement in the area and will be designed to incorporate all Fire Code requirements.
- h) **No Impact.** The project would not expose people or structures to risk of loss, injury or death from wildland fires as it is located in a developed area that is not prone to such events.

I. HYDROLOGY AND WATER QUALITY

Setting

There are no surface waterways on the project site. The nearest waterway is Saratoga Creek, located about 4,000 feet west of the site. According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps, the site is within Zone X. Zone X is defined as the "area outside the 500-year flood and protected by levee from the 100-year flood."

Any construction or demolition activity that results in land disturbance equal to or greater than one acre must comply with the Construction General Permit (CGP), administered by the State Water

Resources Control Board (SWRCB). The CGP requires the installation and maintenance of Best Management Practices (BMPs) to protect water quality until the site is stabilized. However, the City of Santa Clara requires all new construction projects, regardless of size, to implement construction stormwater BMPs throughout the construction period. Prior to the commencement of construction or demolition, the project must file a Notice of Intent (NOI) with the SWRCB and develop, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of stormwater pollutants associated with construction activities.

In the City of Santa Clara, development projects must comply with the National Pollutant Discharge Elimination System (NPDES) permit (NPDES Permit No. CAS612008) issued to the Santa Clara Valley Urban Runoff Pollution Prevention Program and other Bay Area jurisdictions by the RWQCB (NPDES Order No. R2-2015-0049). The revised Municipal Regional Stormwater Permit (MRP) was adopted on November 19, 2015 and became effective on January 1, 2016. The current MRP consolidates the multiple countywide permits previously issued to member agencies in the San Francisco Bay Area under a single MRP regulating stormwater discharges from municipalities and local agencies in Alameda, Contra Costa, San Mateo, and Santa Clara counties and the cities of Fairfield, Suisun City, and Vallejo. The City of Santa Clara Public Works Department is responsible for administering the MRP in Santa Clara.

Any private or public development project that would create or modify 10,000 square feet or more of impervious surfaces must comply with Provision C.3. The size threshold is reduced to 5,000 square feet for certain special land use categories, which include auto service facilities, retail gasoline outlets, restaurants, and uncovered parking lots. Projects subject to Provision C.3 must include low impact development (LID) measures to capture and perform onsite treatment of all stormwater from the site prior to its discharge, including rainwater falling on building include auto service facilities, retail gasoline outlets, restaurants, and uncovered parking lots. Project applicants are required to implement appropriate source control and site design measures and to design and implement stormwater treatment measures in order to reduce the discharge of stormwater pollutants to the maximum extent practicable (MEP), a standard established by the 1987 amendments to the federal Clean Water Act.

In the new MRP, Provision C.3 also requires small projects with 2,500 square feet to 10,000 square feet of new and replaced impervious surfaces and detached single-family home projects that create and/or replace 2,500 square feet or more of impervious surfaces to install at least one site design measure to reduce uncontrolled stormwater runoff. Examples of potential site design measures include:

- Directing roof runoff into cisterns or barrels for reuse.
- Conserving natural areas, including existing trees, other vegetation, and soils.
- Minimizing impervious surfaces.
- Constructing sidewalks, walkways, patios, and/or parking lots with pervious pavements.
- Minimizing stormwater runoff by directing runoff from roofs, sidewalks, walkways, driveways, and/or uncovered parking lots onto vegetated areas.

The proposed project would create approximately 9,598 square feet of impervious surfaces, which is below the 10,000 square foot threshold for a regulated project subject to Provision C.3 compliance. However, since the project would replace more than 2,500 square feet of impervious surfaces, it would be required by the City to install one or more of the site design features listed above.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
8. HYDROLOGY AND WATER QUALITY. Would the project:					
a) Violate any water quality standards or waste discharge requirements?			X		1, 2
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (for example, the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	1, 2
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.			X		1, 2
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			X		1, 2
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X		1, 2
f) Otherwise substantially degrade water quality?			X		1, 2
g) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X	1, 2
h) Place within a 100-year flood-hazard area structures which would impede or redirect flood flows?				X	1, 2
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X		1, 2
j) Inundation by seiche, tsunami, or mudflow?				X	1, 2

Explanation

- a) **Less Than Significant Impact.** The proposed 12-unit condo development would not violate any water quality standards or waste discharge requirements as described in c) and e) below.
- b) **No Impact.** The project would not deplete or otherwise affect groundwater supplies because it would not access groundwater. In addition, the project would not deplete/otherwise impact groundwater recharge. See also c) below.

- c) **Less Than Significant Impact.** Construction of the project would require grading activities that could result in a temporary increase in erosion affecting the quality of storm water runoff. This increase in erosion is expected to be minimal, due to the small size and flatness of the site. The City of Santa Clara requires all new construction projects, regardless of size, to implement construction stormwater BMPs throughout the construction period. The project applicant would be required as a condition of approval to comply with the City's BMP requirements.

The project would create approximately 9,598 square feet of impervious surfaces. The project proposes two of the site design features required by Provision C.3 of the MRP for development of new impervious surfaces in the 2,500 to 10,000 square foot range. The driveway and parking areas consist of permeable pavers and pervious concrete pavement that would allow stormwater to percolate into the ground, thereby filtering pollutants. In addition, stormwater would be discharged from developed areas into proposed landscaped areas containing interceptor trees. These features would reduce runoff discharged from the site and provide on-site filtering of the runoff.

In conclusion, the construction and operation of the project would not alter the existing drainage pattern of the site or area in such a way that it would result in substantial erosion or siltation on- or off-site.

- d) **Less Than Significant Impact.** See c) above. The project would create approximately 9,598 square feet of impervious surfaces. The project proposes to implement a stormwater control plan to manage runoff that includes permeable pavers, pervious concrete pavement, and landscaping that incorporates interceptor trees. The project site is not located in a flood plain and would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.
- e) **Less Than Significant Impact.** The project proposes to connect to the City's existing storm drainage system. The project is not expected to contribute runoff that will exceed the capacity of existing or planned stormwater drainage systems or result in substantial additional sources of polluted runoff. See also c) above.
- f) **Less Than Significant Impact.** Surface runoff from the site may contain urban pollutants. Runoff from the site could include oil, grease, and trace metals from the driveways and parking areas. The project could also generate urban pollutants related to the use of fertilizers, pesticides, and herbicides on landscaped areas. The project will implement a stormwater control plan to treat runoff. See also c) and d) above.
- g) **No Impact.** The project is not located within a 100-year floodplain or flood hazard zone as mapped by FEMA (site is within Zone X).
- h) **No Impact.** The project site is located outside the 100-year floodplain (Zone X) and will not significantly impede or redirect flood flows.
- i) **Less Than Significant Impact.** See g) and h) above. The project site is located within the inundation zone of the Lexington Dam, based on the City's General Plan EIR. The actual extent and depth of inundation in the event of a failure would depend on the volume of storage in the reservoir at the time of failure. The project would comply with Chapter 15.45

of the City Code, Prevention of Flood Damage Code, which includes methods and provisions for requiring that land uses vulnerable to floods be protected against flood damage during initial construction. Furthermore, the City, along with other Bay Area jurisdictions, adopted a Regional Hazard Mitigation Plan to reduce loss due to large-scale disaster events, including dam or levee failure, by increasing preparedness, response efficiency, and loss mitigation. According to the General Plan EIR, the City’s compliance with the measures called out in the Regional Hazard Mitigation Plan and the compliance with Chapter 15.45 of the City Code would ensure any impacts related to exposure of the project site to flood hazards from dam failure are less-than-significant.

- j) **No Impact.** The project site is not located in an area subject to significant seiche, tsunami, or mudflow risk.

J. LAND USE

Setting

The project site is located in an urbanized area within the City of Santa Clara limits. The project site is designated Medium-Density Residential in the City’s General Plan. The project site is currently zoned OG (General Office). The Medium-Density Residential designation allows residential development at densities ranging from 20 to 36 units per gross acre. This density range accommodates a variety of housing types, and is primarily intended for areas with access from collector or arterial streets or in close proximity to neighborhood centers and mixed uses. Building types can include a combination of low-rise apartments, townhouses, and rowhouses with garage or below-grade parking.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
9. LAND USE AND PLANNING. Would the project:					
a) Physically divide an established community?				X	1, 2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X	1, 2, 3
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?				X	1

Explanation

- a) **No Impact.** The project is proposed on an infill site in an urban area that is currently developed. The proposed 12-unit condo development will not physically divide an established community.
- b) **No Impact.** The project is consistent with the Medium-Density Residential General Plan designation of the site. The project proposes condos at a residential density of about 21 du/ac (12 units on 0.56 acre), which is consistent with the allowable density on the site of 20-36 units per gross acre. The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.
- c) **No Impact.** The project site is not located within any applicable Habitat Conservation Plan or Natural Community Conservation Plan.

K. MINERAL RESOURCES

Setting

Under the Surface Mining and Reclamation Act of 1975 (SMARA), the State Mining and Geology Board has not identified any mineral resources within the City of Santa Clara.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
10. MINERAL RESOURCES. Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	1, 2
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	1, 2

Explanation

- a), b) **No Impact.** The project would not result in a significant impact from the loss of availability of a known mineral resource.

L. NOISE

Setting

Noise is measured in decibels (dB), and is typically characterized using the A-weighted sound level or dBA. This scale gives greater weight to the frequencies to which the human ear is most sensitive. The City establishes 55 dBA CNEL³ as the noise level limit compatible with residential land uses. The City's noise guidelines state that where the exterior noise level is greater than 55 dBA CNEL and less than 70 dBA CNEL, the design of the project should include measures to reduce noise levels to acceptable levels. Noise levels exceeding 70 dBA CNEL are considered incompatible with residential land uses. Residential land uses proposed in noise environments exceeding 70 dBA CNEL should generally be avoided except when the residential use is entirely indoors and interior noise levels can be maintained at 45 dBA CNEL or less. Section 9.10.040 of the City Code limits noise levels at single and multi-family residences to 55 dBA Leq during the daytime (7 am - 10 pm) and 50 dBA Leq during the nighttime (10 pm - 7 am). To ensure consistency with the City Code related to compatibility of residential uses with noise levels, a project-specific acoustical analysis will be prepared as required by the City of Santa Clara as a condition of approval to assure final design reduces interior noise levels to 45 dBA CNEL or less.

The noise environment of the project area is dominated by vehicular traffic along Warburton Avenue. The site may also be affected by aircraft overflights. The project site is located near existing residential and commercial land uses. The nearest noise sensitive receptors are adjacent multi-family residences located east and south of the site.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
11. NOISE. Would the project result in					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?			X		1, 2
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			X		1, 2
c) Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X		1, 2
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X		1, 2
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X	1, 2

³ Community Noise Equivalent Levels (CNEL) is the average A-weighted noise level over 24 hours, with a 5 dBA penalty applied in the evening from 7- 10 pm and a 10 dBA penalty applied between 10 pm and 7 am.

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
11. NOISE. Would the project result in					
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X	1, 2

Explanation

- a) **Less Than Significant Impact.** Noise generated by project construction is addressed in d) below. Operation of the project would generate noise from vehicle travel to/from the site including personal vehicles and delivery vehicles. The project is not expected to substantially increase noise levels above those currently generated by the existing commercial use on the site. In addition, the 12 proposed residential units would not double the existing traffic volumes on nearby roadways, which is the amount that creates a perceptible increase in traffic-generated noise.
- b) **Less Than Significant Impact.** No existing sources of groundborne vibration, such as a railroad line, are located near the project site. The proposed 12-unit residential project would not generate excessive ground borne vibration or ground borne noise levels. Construction activities could result in minor vibration effects, which would be temporary and cease upon project completion.
- c) **Less Than Significant Impact.** See a) above.
- d) **Less Than Significant Impact.** Construction activities generate considerable amounts of noise, especially during earth-moving activities when heavy equipment is used. Construction of the project would involve demolition, grading, foundation placement, building development, and paving. The hauling of excavated materials will generate truck trips and associated noise along local roadways. Given that certain pieces of construction equipment can generate noise levels of 85 dBA or louder at a distance of 50 feet, project-related construction activities would temporarily raise ambient noise levels in the project vicinity, affecting existing residential uses to the east, south, and north.

The City of Santa Clara does not consider short-term construction noise to be a significant impact provided it complies with the limits on construction hours established in the City’s Noise Ordinance. City Code Section 9.10.230 limits construction activity to the hours of 7 am to 6 pm daily except Saturday, when the hours are limited to 9 am to 6 pm. Construction is prohibited on Sundays and holidays.

- e) **No Impact** The Mineta San Jose International Airport is located approximately 1.3 miles east of the project site. According to the Santa Clara County Comprehensive Land Use Plan, the project site is located outside the 65 dBA CNEL contour line for aircraft activities at Mineta San Jose International Airport.
- f) **No Impact.** The project site is not located within the vicinity of a private airstrip.

M. POPULATION AND HOUSING

Setting

The City of Santa Clara has a population of 123,983 people and an average household size of 2.73 persons per household, according to California Department of Finance 2017 estimates. The proposed residential project is intended to meet the local demand for housing.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
12. POPULATION AND HOUSING. Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	1, 2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	1, 2
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	1, 2

Explanation

- a) **No Impact.** Based on California Department of Finance data, the project would generate a population of approximately 32 persons (2.73 persons per household). The proposed development of 12 condos would not result in substantial population growth. The project is consistent with the General Plan land use designation for the site (Medium Density Residential) and would generate population consistent with the growth assumed for the site in the General Plan.
- b) **No Impact.** The proposed project is proposed on a site occupied by a commercial use (florist shop) and would not displace existing housing or require the construction of replacement housing.
- c) **No Impact.** See b) above.

N. PUBLIC SERVICES

Setting

Fire Protection: Fire response to the project site is provided by the Santa Clara Fire Department (SCFD). The SCFD has 10 fire stations throughout the City and utilizes eight engines, two trucks, one rescue/light unit, three ambulances, one hazardous materials unit, and one command vehicle. The nearest fire station to the project site is Fire Station No. 2, located at 1900 Walsh Avenue approximately 1.8 miles from the project site.

Police Protection: Police protection to the project site is provided by the Santa Clara Police Department (SCPD). The SCPD operates out of two stations: the headquarters located at 601 El Camino Real, approximately one mile from the project, and a substation located at 3992 Rivermark Parkway, located about 2.75 miles from the site.

Schools: The project site is served by the Santa Clara Unified School District (SCUSD). Schools nearest the site are Westwood Elementary School, Helios Middle School, and Lincoln High School. The project would be subject to the School Facilities Mitigation Fee, which has been deemed by the State of California to provide full mitigation for the impacts of a development project on the provision of adequate school facilities.

Parks: The City of Santa Clara Parks and Recreation Department (Department) provides parks and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreation facilities, and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of January 2018, the Department maintains and operates Central Park, a 45.04-acre community park, 28 neighborhood parks (122.67 acres), five mini parks (2.59 acres), public open space (16.13 acres improved and 40.08 acres unimproved resulting in 56.21 acres), recreational facilities (14.76 acres improved, 9.04 acres unimproved and excluding SCG&TC/BMX resulting in 23.8 acres), recreational trails (7.59 acres), and joint use facilities (48.52 acres) throughout the City totaling approximately 257.3 improved acres. Community parks are over fifteen acres, neighborhood parks are one to fifteen acres and mini parks are typically less than one acre in size.

The nearest mini park is Rotary Park, located about 0.15 miles away, less than a 10-minute walk from the project site at 1490 Don Avenue. Rotary Park is approximately 0.2 acres, located behind the Triton Museum of Art. The park contains a small children's play apparatus, picnic tables and a sitting area. The closest neighborhood park is Warburton Park & Pool, located about a 10 minute walk from the project site at 2250 Royal Drive. Warburton Park & Pool provide the Warburton Swim Center, picnic areas, BBQs, a play area, basketball courts, and a restroom facility.

Libraries: The City of Santa Clara has three libraries: the Central Park Library located at 2635 Homestead Road; the Northside Branch Library at 695 Moreland Way; and the Mission Library and Family Reading Center at 1098 Lexington Street.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
13. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:					
a) Fire protection?			X		1, 2
b) Police protection?			X		1, 2
c) Schools?			X		1, 2
d) Parks?			X		1, 2
e) Other public facilities?			X		1, 2

Explanation

- a) **Less Than Significant Impact.** The project would result in an incremental increase in the demand for fire protection services. The final project design will incorporate the appropriate fire safety measures in consultation with the Santa Clara Fire Department. The project will not significantly impact fire protection services or require the construction of new or remodeled facilities.
- b) **Less Than Significant Impact.** The project would result in an incremental increase in the demand for police protection services. The final project design will incorporate the appropriate security measures in consultation with the Santa Clara Police Department. The project will not significantly impact police protection services or require the construction of new or remodeled facilities.
- c) **Less Than Significant Impact.** The project will result in an incremental increase in the demand for school services. Students generated by the project would attend schools in the SCUSD. Pursuant to Senate Bill 50, which became effective in 1998, payment of the School Facilities Mitigation Fee has been deemed by the State to be full and complete mitigation for the impacts of a development project on the provision of adequate school facilities. The proposed project would be required to pay the applicable School Facilities Mitigation Fee, which is based on the number of new housing units developed. With payment of these fees, the project would have a less-than-significant impact on schools.
- d) **Less Than Significant Impact.** Santa Clara City Code Chapter 17.35 requires new residential development to provide adequate park and recreational land and/or pay a fee in lieu of parkland dedication pursuant to the State of California Quimby Act (Quimby) and/or the Mitigation Fee Act (MFA). The City is meeting the standard of 3.0 acres per 1,000 residents per the Quimby provisions of the City Code and 2.53 acres per 1,000 residents per the MFA provisions of the City Code. The proposed project would be required to pay a fee

in-lieu of parkland dedication to help mitigate the impacts of housing development growth on existing parkland).

- e) **Less Than Significant Impact.** The proposed project would result in an incremental increase in library services in the City. The modest increase in population would not require construction of new facilities to meet project-generated demand.

O. RECREATION

Setting

The City of Santa Clara Parks and Recreation Department (Department) provides parks and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreation facilities, and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of January 2018, the Department maintains and operates Central Park, a 45.04-acre community park, 28 neighborhood parks (122.67 acres), five mini parks (2.59 acres), public open space (16.13 acres improved and 40.08 acres unimproved resulting in 56.21 acres), recreational facilities (14.76 acres improved, 9.04 acres unimproved and excluding SCG&TC/BMX resulting in 23.8 acres), recreational trails (7.59 acres), and joint use facilities (48.52 acres) throughout the City totaling approximately 257.3 improved acres. Community parks are over fifteen acres, neighborhood parks are one to fifteen acres and mini parks are typically less than one acre in size.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
14. RECREATION. Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X		1, 2
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?			X		1, 2

Explanation

- a), b) **Less Than Significant Impact.** Santa Clara City Code Chapter 17.35 requires new residential development to provide adequate park and recreational land and/or pay a fee in-lieu of parkland dedication pursuant to the State of California Quimby Act (Quimby) and/or the Mitigation Fee Act (MFA). The City is meeting the standard of 3 acres per 1,000 residents per the Quimby provisions of the City Code and 2.53 acres per 1,000 residents per the MFA provisions of the City Code. The proposed project would be required to pay a fee in-lieu of parkland dedication to help mitigate the impacts of housing development growth on existing parkland and recreational facilities.

P. TRANSPORTATION

Setting

Access to the project site is from Warburton Avenue, which is identified as a collector in the General Plan. Regional access to the site is from the El Camino Real (state route 82) and U.S. 101. In the project area, Warburton Avenue is a two-lane roadway (one lane each direction) with sidewalks on both sides of the street. Crosswalks are located at the signalized intersection of Scott Boulevard and Warburton Avenue. No bicycle facilities are located in the immediate project vicinity. On-street parking is available along both sides of Warburton Avenue in the project area. A speed limit of 25 miles per hour (mph) is posted along the roadway.

The Santa Clara Transit Station is located approximately 1.5 miles southeast of the project site at 1001 Railroad Avenue, and provides access to train services including Caltrain, Amtrak, and Altamont Corridor Express (ACE). Within the project vicinity, the Santa Clara Valley Transportation Authority (VTA) provides bus routes along El Camino Real and Monroe in the vicinity of the site. These include the following:

Route 60: Winchester Transit Center to Great America

Route 22: Palo Alto Transit Center to Eastridge Transit Center via El Camino

Route 32: San Antonio Shopping Center to Santa Clara Transit Center

The nearest bus stops to the project are located near the intersections of El Camino/Lincoln Street and Warburton Avenue/Monroe Street, both about 1,500 feet from the site.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source(s)
15. TRANSPORTATION/TRAFFIC. Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X		1, 2
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X		1, 2
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X	1, 2
d) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?				X	1, 2

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source(s)
e) Result in inadequate emergency access?			X		1, 2
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X		1, 2

Explanation

- a) **Less Than Significant Impact.** The project is the development of 12 condominiums on the site. Based on standard trip generation rates for condominiums, the project would generate approximately 70 daily traffic trips, including five trips during the AM peak hour and six trips during the PM peak hours (ITE Trip Generation Manual, 9th Edition). These project trips do not subtract the current trips generated to/from the project site by the existing florist shop. The very small amount of traffic generated by the project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system.
- b) **Less Than Significant Impact.** VTA is responsible for ensuring local government conformance with the Congestion Management Program (CMP) for Santa Clara County, a program aimed at reducing regional traffic congestion. A quantified analysis of the project's consistency with the Santa Clara County CMP was not required because the threshold for CMP analysis is 100 net new peak-hour trips. As stated earlier, the project would generate a maximum of six trips during the peak hours. Therefore, the project would not conflict with the Santa Clara County CMP.
- c) **No Impact.** The project is the development of 12 residential units in three-story buildings and would not affect air traffic.
- d) **No Impact.** The proposed development of 12 residential units would not substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment). Safe access is provided to the site via Warburton Avenue. In addition, the proposed project would not alter the roadway network.
- e) **Less Than Significant Impact.** The project would not result in inadequate emergency access since it will be required to comply with all Fire Department codes and regulations regarding access.
- f) **Less Than Significant Impact.** The development of 12 residential units would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities given the small size and scale of proposed project.

Q. UTILITIES AND SERVICE SYSTEMS

Setting

Utilities and services are furnished to the project site by the following providers:

- Wastewater Treatment: treatment and disposal provided by the San José/Santa Clara Water Regional Wastewater Facility (RWF); sanitary sewer lines owned and maintained by the City of Santa Clara
- Water Service: City of Santa Clara Water Utility
- Storm Drainage: City of Santa Clara
- Solid Waste: Mission Trail Waste System

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
16. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		1, 2
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		1, 2
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		1, 2
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		1, 2
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X		1, 2
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		1, 2
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X		1, 2

Explanation

- a) **Less Than Significant Impact.** The proposed project would generate residential effluent, not industrial or agricultural wastewater. The proposed project consists of 12 residential units, and would not result in a significant increase in wastewater generation. The proposed

project, therefore, is not expected to cause the RWF to exceed applicable requirements set by the Regional Water Quality Control Board. See also b) below.

- b) **Less Than Significant Impact.** The proposed project will incrementally increase water demands and wastewater generation; however, this increase is not expected to require or result in the construction of new water or wastewater treatment facilities or any expansion of existing facilities as described below.

Water is provided to the project site by the City of Santa Clara Water Utility. The system consists of more than approximately 335 miles of water mains, 26 active wells, and seven storage tanks with approximately 28.8 million gallons (mg) of water capacity. Drinking water is provided by an underground aquifer (accessed via the City's wells) and by two wholesale water importers: the Santa Clara Valley Water District (SCVWD), imported from the Sacramento-San Joaquin Delta, and the San Francisco Hetch-Hetchy System, imported from the Sierra Nevada. The three sources are used interchangeably or are blended together. A water recharge program administered by SCVWD from local reservoirs and imported Sacramento-San Joaquin Delta water enhances the dependability of the underground aquifer. The current water treatment capacity is expected to be adequate for existing projected demand.

Wastewater from the project would be treated at the RWF. The current treatment capacity of the plant is 167 mgd and average daily flows during the peak week of 2017 was 107 mgd.⁴ According to the Santa Clara General Plan EIR, implementation of future development under the 2010-2035 General Plan would have a less-than-significant impact on wastewater treatment capacity. Since the project is consistent with the land use designation and population assumed for the site in the General Plan EIR, the proposed project would have a less-than-significant impact on wastewater treatment capacity.

- c) **Less Than Significant Impact.** The project site is currently partially developed with a florist shop, pavement, and vacant land. The project would create approximately 9,598 square feet of impervious surfaces. The project proposes to implement a stormwater control plan to manage runoff that includes permeable pavers, pervious concrete pavement, and landscaping that incorporates interceptor trees (see Figure 7). The project proposes to connect to the City's existing storm drainage system and is not expected to require or result in the construction of new storm water drainage facilities or expansion of existing facilities.
- d) **Less Than Significant Impact.** See b) above. Sufficient water supplies are available to serve the project from existing entitlements and resources. The 2010-2035 General Plan includes policies to ensure a safe and reliable potable water supply to meet present and future needs through promotion of water conservation, expansion of the use of recycled water, and appropriate coordination with SCVWD. Based on the current Santa Clara Urban Water Management Plan, the City does not anticipate the need for new water supply entitlements beyond those it has already obtained. The minor incremental demand for water for the proposed project has been included in the City's future water demand projections. The project would not result in the need for new water supplies and infrastructure that were not

⁴ Source: "City of San Jose, Environmental Services Department, Tributary Agencies' Estimated Available Plant Capacity – 2017."

previously planned. Therefore, the project's impact on water supply, treatment and distribution facilities would be less-than-significant.

- e) **Less Than Significant Impact.** See b) above. The project would not impact wastewater treatment services, since adequate capacity is available to serve the project demand.
- f) **Less Than Significant Impact.** The project would not generate substantial solid waste that would adversely affect any landfills. Solid waste collection service is provided to the project site by the Mission Trail Waste System. Collected non-recyclable waste would be disposed of at the Newby Island Landfill located in San Jose. The General Plan EIR evaluated potential impacts on waste disposal capacity that would result from implementation of the 2010-2035 General Plan. Although the City has a waste disposal contract to dispose of the City's waste at Newby Island Landfill through 2024, and the landfill has sufficient available capacity to operate through 2024, it is currently unknown whether the City will extend the contract with Newby Island Landfill (if additional capacity remains) or contract with the operator of another landfill. Given the uncertainty of the future availability of solid waste disposal capacity through the entire planning horizon of the General Plan through 2035, the EIR concluded that implementation of the 2010-2035 General Plan would have a significant and unavoidable impact on solid waste disposal capacity. Because this impact was previously disclosed, and the proposed project is consistent with the land use designation for the site, further analysis of this impact is not required.

The project's impact on solid waste disposal during project construction would be reduced through required compliance with Section 8.25.285 of the City Code, which requires all projects involving construction, demolition, or renovation of 5,000 square feet or more of building area to recycle, reuse, or otherwise divert at least 50 percent of the construction and demolition debris or divert the amount specified in the applicable California Green Building Code, whichever is most restrictive.⁵

- g) **Less Than Significant Impact.** See f) above. The project will comply with federal, state, and local statutes and regulations related to solid waste.

⁵ Within 60 days of completing the project, the applicant must submit a construction and demolition debris recycling report or face a monthly fine until compliance is achieved.

R. MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
17. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X			1-8
b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.			X		1-8
c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?			X		1-8

Explanation

- a) **Less Than Significant with Mitigation Incorporated.** Based on the analysis provided in this Initial Study, the proposed project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Mitigation measures and standard permit conditions are identified for potential impacts of the project on special status species (nesting birds) and potential disturbance to buried archaeological resources during construction to reduce these effects to a less-than-significant level.
- b) **Less Than Significant Impact.** The project represents infill development on a property that is currently occupied by a florist shop. Under Section 15065(a) (3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” Based on the analysis provided in this Initial Study, the proposed 12-unit residential project would not significantly contribute to cumulative impacts.

- c) **Less Than Significant Impact.** Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, implementation of mitigation measures and standard permit conditions would reduce these impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. Based on the analysis provided in this Initial Study, the proposed project would not result in environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Chapter 4. References

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3. City of Santa Clara General Plan
4. Santa Clara County Important Farmlands Map
5. BAAQMD 2017 CEQA Guidelines
6. Arborist Report, 2017
7. Historical Evaluation, 2017
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