



City of Santa Clara

Meeting Agenda

Planning Commission

Wednesday, April 16, 2025

6:00 PM

**Hybrid Meeting
City Hall Council
Chambers/Virtual
1500 Warburton Avenue
Santa Clara, CA 95050**

The City of Santa Clara is conducting Planning Commission meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely).

Via Zoom:

<https://santaclaraca.zoom.us/j/91729202898>

Webinar ID: 917 2920 2898 or

Phone:

1(669) 900-6833

Via the City's eComment

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6:00 PM REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

DECLARATION OF COMMISSION PROCEDURES

CONTINUANCES/EXCEPTIONS

CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Planning Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Planning Commission meeting when the Chair calls for these requests during the Consent Calendar review. Items listed on the Consent Calendar with associated file numbers constitute Public Hearing items.

1.A 25-434 [Planning Commission Meeting Minutes of March 19, 2025](#)

Recommendation: Approve the Planning Commission Meeting Minutes of the March 19, 2025 Meeting.

1.B 25-422 [Action to Adopt Resolutions to Approve a Conditional Use Permit and Variances \(PLN23-00513\) to Allow Expansion of an Existing Service Station by Removing a Portion of the Fuel Canopy and Two Fuel Dispensers, and by Adding a 1,605 square foot Convenience Store and Self-Service Carwash within the Rear Setback for the Store at 2455 Lawrence Expressway](#)

- Recommendation:**
- Determine** the project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (Class 3 - New Construction or Conversion of Small Structures)
 - Adopt** a Resolution Approving a Conditional Use Permit to allow expansion of an existing service station for removing a portion of fuel canopy and two fuel dispensers and adding a 1,605 square foot convenience store and a self-service carwash within the rear setbacks at 2455 Lawrence Expressway.
 - Adopt** a Resolution Approving a Variance to allow reduced rear setbacks, reduced landscaping planter depth along the street frontages, reduced required landscape screening depth, reduced required tree planter depth, and reduced required shrub planter depth in connection with a proposed expansion of an existing service station at 2455 Lawrence Expressway.

PUBLIC PRESENTATIONS

Members of the public may briefly address the Commission on any item not on the agenda.

PUBLIC HEARING

Items listed above under Items for Council Action will be scheduled for Council review following the conclusion of hearings and recommendations by the Planning Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items will not necessarily be heard on the date the minutes from this meeting are forwarded to the Council. Please contact the Planning Division office for information on the schedule of hearings for these items.

2. **25-376** [PUBLIC HEARING: Action on a Conditional Use Permit \(PLN24-00424\) to Construct a Single-Sided Digital LED Billboard as Part of a Billboard Relocation Agreement and a Minor Modification to Reduce the Required 1,500 Linear Feet Distance from Another Electronic Digital Display Message Sign, and Recommendation to the City Council to Approve Adoption of the Billboard Relocation Agreement, Located at 1700 Duane Avenue.](#)

Recommendation:

- 1) Determine the project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (Class 3 - “New Construction or Conversion of Small Structures”).
- 2) Adopt a resolution approving a Conditional Use Permit to allow for construction a single-sided digital LED billboard as part of a Billboard Relocation Agreement, located at 1700 Duane Avenue, subject to findings and conditions of approval.
- 3) Adopt a resolution approving a minor modification to reduce the required 1,500 linear feet distance from another electronic digital display message sign, located at 1700 Duane Avenue, subject to findings and conditions of approval.
- 4) Recommend to the City Council approval of the Billboard Relocation Agreement.

3. **25-436** [PUBLIC HEARING: Recommendation on a General Plan Text Amendment for the 2023-2031 Housing Element Sites Inventory List](#)

Recommendation:

Alternative 1: Adopt a Resolution to Recommend the City Council Amend the General Plan Housing Element with revisions associated with changes to the Housing Sites Inventory

- 4. **25-214** [PUBLIC HEARING: Recommendation on a General Plan Amendment to Remove the Lawrence Station Phase II, Central Expressway, and De La Cruz Focus Areas](#)

Recommendation: Alternative 1: Adopt a Resolution to Recommend the City Council Amend the General Plan to remove the Lawrence Station Phase II, Central Expressway and De La Cruz Focus Areas and make associated text edits.

- 5. **25-189** [Public Hearing: Recommendations related to the adoption of the Second Zoning Code Cleanup Ordinance and Rezoning of Properties Currently Designated TN \(Transit Neighborhood\) to R6 \(Transit Neighborhood Residential\)](#)

Recommendation:

1. Recommend that the City Council adopt the Zoning Code cleanup ordinance; and
2. Recommend that the City Council apply the R6 Transit Neighborhood District to the properties currently zoned TN on the Zoning Map, consistent with the General Plan.

- 6. **25-67** [STUDY SESSION: Mobile Food Vendors](#)

- 7. **25-464** [Planning Commission Workplan Fiscal Year 2025/2026](#)

Recommendation: There is no staff recommendation.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Special Joint City Council and Planning Commission Meeting - Tuesday, May 20, 2025

2. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update
2. Upcoming Agenda Items
3. City Council Actions

ADJOURNMENT:

The next regular scheduled meeting is on May 21, 2025 at 6:00 PM in the City Hall Council Chambers and via Zoom.

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

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In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

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Individuals who require an auxiliary aid or service for effective communication, or

any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

25-434

Agenda Date: 4/16/2025

REPORT TO PLANNING COMMISSION

SUBJECT

Planning Commission Meeting Minutes of March 19, 2025

RECOMMENDATION

Approve the Planning Commission Meeting Minutes of the March 19, 2025 Meeting.



City of Santa Clara

Meeting Minutes

Planning Commission

03/19/2025

6:00 PM

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6:00 PM REGULAR MEETING

Call to Order

Chair Saleme called the meeting to order at 6:01 p.m.

Pledge of Allegiance and Statement of Values

Secretary Crutchlow read the Statement of Values.

Roll Call

Assistant City Attorney Alexander Abbe announced that Commissioner Biagini would be attending the meeting remotely.

Present 7 - Commissioner Yashraj Bhatnagar, Commissioner Nancy A. Biagini, Commissioner Priya Cherukuru, Commissioner Qian Huang, Vice Chair Mario Bouza, Chair Lance Saleme, and Commissioner Eric Crutchlow

A motion was made by Chair Saleme, seconded by Commissioner Cherukuru to approve Commissioner Biagini's remote attendance.

Aye: 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

DECLARATION OF COMMISSION PROCEDURES

Secretary Crutchlow read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS

Planning Manager Lesley Xavier announced that Item 2 on Public Hearing Calendar will be pulled and moved to the April 16, 2025 Planning Commission Meeting.

CONSENT CALENDAR

1.A [25-347](#) Planning Commission Meeting Minutes of February 19, 2025

Recommendation: Approve the Planning Commission Meeting Minutes of the February 19, 2025 Meeting.

A motion was made by Commissioner Bouza, seconded by Commissioner Biagini to approve this item. Commissioner Cherukuru was not in attendance at the meeting and recused herself from voting.

Aye: 6 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Recused: 1 - Commissioner Cherukuru

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. [25-202](#) PUBLIC HEARING: Recommendation on a General Plan Text Amendment for the 2023-2031 Housing Element Sites Inventory List

Recommendation: Alternative 1: Adopt a Resolution to Recommend the City Council Amend the General Plan Housing Element with revisions associated with changes to the Housing Sites Inventory

Public Speaker:

Jaime Vasquez

A motion was made by Commissioner Crutchlow, seconded by Commissioner Biagini to continue this item date certain to April 16, 2025.

- Aye:** 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

3. [25-223](#) PUBLIC HEARING: Action on a Conditional Use Permit and Variances (PLN23-00513) to Allow Expansion of an Existing Service Station by Removing a Portion of the Fuel Canopy and Two Fuel Dispensers, and by Adding a 1,605 square foot Convenience Store and Self-Service Carwash within the Rear Setback for the Store at 2455 Lawrence Expressway

Recommendation:

1. **Adopt** a Resolution denying a Conditional Use Permit to allow expansion of an existing service station for removing a portion of fuel canopy and two fuel dispensers and adding a 1,605 square foot convenience store and a self-service carwash within the rear setbacks at 2455 Lawrence Expressway.
2. **Adopt** a Resolution denying a Variance to allow reduced rear setbacks, reduced landscaping planter depth along the street frontages, reduced required landscape screening depth at rear property line, and reduced required landscaping density of screening, in connection with a proposed expansion of an existing service station at 2455 Lawrence Expressway.

Associate Planner Daniel Sobczak provided the staff presentation

Mr. Surjain Bains, Owner and Mr. Muthan Ibrahim, Architect provided the Applicant Presentation.

Commissioners inquired upon the noise level of the proposed carwash and about the feasibility of the location to accommodate the carwash.

Public Speakers:

Linda

A motion was made by Commissioner Biagini, seconded by Commissioner Cherukuru to close public hearing.

Aye: 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

A motion was made by Commissioner Cherukuru, seconded by Commissioner Bouza to find the project to be exempt from CEQA regulations.

Aye: 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

A motion was made by Commissioner Huang, seconded by Commissioner Bouza to approve a variance and to note that the Conditions of Approval (COA) and approval resolutions will be brought back to the April 16, 2025 Planning Commission meeting for approval.

Aye: 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

A motion was made by Commissioner Cherukuru, seconded by Commissioner Crutchlow to approve the Conditional Use Permit with an additional condition of no detail services permitted, and approval resolutions will be brought back to the April 16, 2025 Planning Commission meeting for approval.

Aye: 7 - Commissioner Bhatnagar, Commissioner Biagini, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

4. [25-346](#) Planning Commission Discussion on Questions for a Future Study Session on Data Centers

Recommendation: There is no staff recommendation.

Planning Manager Lesley Xavier provided an overview of comments previously received from Commissioners regarding a Study Session on Data Centers.

Commissioner Biagini left the meeting at 7:56 p.m.

Commissioners provided input on various aspects of Data Centers including:

- Electric Resources bandwidth
- Does the City need additional Data Centers
- Affect of Data Centers on emissions and noise
- Data Center Land Banking
- Having the City provide limits on the number of data centers
- Water Consumption

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

2. Commissioner Travel and Training Reports, Requests to attend Trainings

Commissioners Bouza and Saleme provided updates on the Planning Commissioners Academy they attended March 5-7, 2025.

Commissioner Cherukuru provide updates on the Joint Venture Silicon Valley State of the Valley Event she attended on March 7, 2025.

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

Staff Aide II Elizabeth Elliott provided updates.

2. Upcoming Agenda Items

Planning Manager Lesley Xavier provided updates.

3. City Council Actions

Planning Manager Lesley Xavier provided updates.

ADJOURNMENT:

The meeting adjourned at 8:23 p.m. The next regular scheduled meeting is April 16, 2025.

Aye: 6 - Commissioner Bhatnagar, Commissioner Cherukuru, Commissioner Huang, Vice Chair Bouza, Chair Saleme, and Commissioner Crutchlow

Absent: 1 - Commissioner Biagini

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Agenda Report

25-422

Agenda Date: 4/16/2025

REPORT TO PLANNING COMMISSION

SUBJECT

Action to Adopt Resolutions to Approve a Conditional Use Permit and Variances (PLN23-00513) to Allow Expansion of an Existing Service Station by Removing a Portion of the Fuel Canopy and Two Fuel Dispensers, and by Adding a 1,605 square foot Convenience Store and Self-Service Carwash within the Rear Setback for the Store at 2455 Lawrence Expressway

REPORT IN BRIEF

File No(s): PLN23-00513

Applicant: Surjait Bains

Property Owner: Gadri Corporation

General Plan: Neighborhood Commercial

Classic Zoning: CN - Neighborhood Commercial

Updated Zoning: C-N - Commercial-Neighborhood

Site Area: 0.42 acres (APN: 220-18-005)

Existing Site Conditions: The project site is developed with a service station with a large canopy covering six fuel dispensers and a small kiosk in the center of the property.

Surrounding Land Uses:

- North: Multi-Family - PD - Planned Development
- East: Convenience Store - C-N - Commercial-Neighborhood
- South: Multi-Family - R3 - Medium-Density Residential
- West: Multi-Family - R3 - Medium-Density Residential

Issues: Consistency with the General Plan and Zoning Ordinance.

Staff Recommendation:

1. **Determine** the project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (Class 3 - New Construction or Conversion of Small Structures)
2. **Adopt** a Resolution Approving a Conditional Use Permit to allow expansion of an existing service station for removing a portion of fuel canopy and two fuel dispensers and adding a 1,605 square foot convenience store and a self-service carwash within the rear setbacks at 2455 Lawrence Expressway.
3. **Adopt** a Resolution Approving a Variance to allow reduced rear setbacks, reduced landscaping planter depth along the street frontages, reduced required landscape screening depth, reduced required tree planter depth, and reduced required shrub planter depth in connection with a proposed expansion of an existing service station at 2455 Lawrence Expressway.

BACKGROUND

On March 19, 2025, the Planning Commission held a public hearing for the subject Conditional Use Permit and Variance requests and found that the application for the expansion of an existing service station and the addition of an automated carwash met the required findings of the Santa Clara City Code (SCCC) Section

18.114.050 to grant a Conditional Use Permit and Section 18.124.050 to grant a Variance. The commission confirmed that the requests met the following findings:

Conditional Use Permit Findings - Section 18.114.050:

- A. The proposed use is consistent with the General Plan and any applicable specific plan;
 - a. The proposed property is not a part of any specific plan and the proposed use allows the business to expand their business, and the ability to maintain their business within the City of Santa Clara without relocating or severely limiting the ability to grow their customer base. Furthermore, the project complies with the intent of the Neighborhood Commercial General Plan Designation by maintaining the existing local-serving retail use and allowing the expansion to further meet neighborhood needs.
- B. The proposed use is allowed within the subject zone and complies with all other applicable provisions of this Zoning Code and the City Code;
 - a. The property is currently used as a Service Station and would expand as a service station with an automated self-serve carwash, and with the variances approved, the proposed use would meet all provisions in the zoning code and City Code.
- C. The design, location, size, and operating characteristics of the proposed use are compatible with the allowed uses in the vicinity;
 - a. The proposed use is near Lawrence Expressway, a large volume arterial street which adds a significant amount of noise to the surrounding area, the proposed project would not exceed the sound generated by Lawrence Expressway and would be subject to all other City Code regulations for noise, odor, dust, vibration, etc.
- D. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare; and
 - a. The proposed use is subject to all City Code regulations for noise, odor, dust, vibration, etc. and would not be detrimental to the harmonious and orderly growth of the City.
- E. The subject site is:
 - a. Physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities; and
 - i. The site is on the corner of Monroe Street and Lawrence Expressway which provide ingress and egress on either side of the property for any emergency vehicles, public service and utility vehicles, and any other maintenance required at the property.
 - b. Served by highways and streets adequate in width and improvement to carry the type and quantity of traffic the proposed use would likely generate.
 - i. The site is on the corner of Monroe Street and Lawrence Expressway which provide adequate in width and improvement to carry the type and quantity of traffic the proposed use would likely generate

Variance Findings - Section 18.124.050:

- A. There are special circumstances or conditions applicable to the subject property or existing buildings (e.g., location, shape, size, surroundings, topography, or other physical features) that do not apply generally to other properties in the vicinity under an identical zoning classification;
 - a. The specific property is hindered due to the underground storage tanks which limits the location and orientation of the built environment on the parcel
 - b. The parcel is on the corner of Lawrence Expressway and Monroe Street which limits the vehicle ingress and egress options for the property which further inhibits the possible location and

orientation of the built environment on the property which necessitates the proposed variances

- B. Strict compliance with Zoning Code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
 - a. While other parcels around the subject property are able to expand up to the full extent of what the Code allows, the subject property is not able to enjoy the same privileges due to the constraints of the property itself and the traffic flow around the property.
- C. Approving the Variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the same vicinity and zone in which the subject property is situated;
 - a. Properties within the same vicinity and zoning would be allowed to construct similar projects without variances due to the nature of their parcels, whereas the subject parcel has unique constraints which severely limit the ability of the property to expand.
- D. Granting the Variance will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the subject property in question.
 - a. The property abuts Lawrence Expressway, a high-volume arterial road which amplifies noise for the surrounding properties. The applicant has applied to mitigate any noise generated from their property and the proposed project and are required to follow all code restrictions for noise, odor, vibration, etc. The proposed project would produce less of an impact than the surrounding factors.

While the Planning Commission confirmed the above findings to grant approval of the Conditional Use Permit and variance at the March 19th hearing, there were no drafted Resolutions for approval to act on, and therefore the Planning Commission could not vote to adopt resolutions at that meeting. The resolutions have been drafted with the above findings incorporated, and the facts supporting those findings, and are attached to this report for the Commission's action.

ENVIRONMENTAL REVIEW

Staff's recommendation is that the Planning Commission approve the Conditional Use Permit and Variance resolutions attached. The project is categorically exempt per Class 3, Section 15303 (e) New Construction or Conversion of Small Structures, which allows for the construction of limited numbers of new, small facilities or structures including "accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences."

COORDINATION

This report has been coordinated with the City Attorney's Office.

FISCAL IMPACT

There is no impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by the applicant.

PUBLIC CONTACT

On January 2, 2025, a notice of public hearing was mailed to property owners within 500 feet of the project site. This project was continued to the March 19th Planning Commission hearing at the original January 15th meeting date.

Public contact was also made by posting the Commission agenda on the City's official notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the

City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. **Determine** the project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (Class 3 - New Construction or Conversion of Small Structures)
2. **Adopt** a Resolution Approving a Conditional Use Permit to allow expansion of an existing service station for removing a portion of fuel canopy and two fuel dispensers and adding a 1,605 square foot convenience store and a self-service carwash within the rear setbacks at 2455 Lawrence Expressway.
3. **Adopt** a Resolution Approving a Variance to allow reduced rear setbacks, reduced landscaping planter depth along the street frontages, reduced required landscape screening depth, reduced required tree planter depth, and reduced required shrub planter depth in connection with a proposed expansion of an existing service station at 2455 Lawrence Expressway.

Prepared by: Daniel Sobczak, Associate Planner
Reviewed by: Alexander Abbe, Assistant City Attorney
Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Resolution to Approve - Variance
2. Resolution to Approve - Conditional Use Permit
3. Web Links - Planning Commission Staff Report Packet - March 19, 2025
4. Conditions of Approval

RESOLUTION NO. XX-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN ADDITION OF A CAR WASH TO A SERVICE STATION AT 2455 LAWRENCE EXPRESSWAY, SANTA CLARA

PLN23-00513 (Conditional Use Permit, Variance)

WHEREAS, on November 06, 2023, Muthana Ibrahim (“Applicant”), on behalf of Gadri Corporation (“Owner”) made an application for the redevelopment of a 18,544 square foot parcel (Assessor’s Parcel Number: 220-18-005) located at 2455 Lawrence Expressway in Santa Clara (“Project Site”);

WHEREAS, the Project Site has a General Plan designation of Neighborhood Commercial and was zoned Neighborhood Commercial (CN) when the application was “deemed complete”, and is now currently zoned Commercial-Neighborhood (C-N);

WHEREAS, the Project Site is currently developed with an approximately 5,485 square-foot fuel canopy, six fuel dispensers, a 502 square-foot service kiosk, and site landscaping;

WHEREAS, the Applicant proposes to remove two fuel dispensers, the service kiosk, and 2,929 square-feet of fuel canopy, in order to construct a 1,605 square-foot convenience store, a 692 square-foot self-serve carwash, a 248 square-foot carwash equipment room, and retain 1,556 square feet of fuel canopy and four fuel dispensers (“Project”);

WHEREAS, the Project requires a Conditional Use Permit, Variances, and Architectural Review by the City for which the Applicant has simultaneously applied;

WHEREAS, pursuant to Section 18.34.040 of the Classic Santa Clara City Code (“SCCC”) , a Conditional Use Permit is required in order to allow an automobile service station in the CN zoning district;

WHEREAS, the Project is categorically exempt from formal environmental review under the California Environmental Quality Act (“CEQA”) pursuant to Guidelines Section 15303(e) (Class 3

- New Construction or Conversion of Small Structures), which allows for the construction of limited numbers of new, small facilities or structures including “[a]ccessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences”;

WHEREAS, pursuant to SCCC Section 18.114.050, the Planning Commission cannot grant a Conditional Use Permit without first making specific findings related to the effect of the project on public convenience, health, interest, safety, and general welfare, among other factors, based upon substantial evidence in the record;

WHEREAS, on January 2, 2025, notices of the public meeting for the Planning Commission Hearing of January 15, 2025, were mailed to all property owners within 500 feet of the Project Site boundaries; and

WHEREAS, on January 15, 2025, the Planning Commission held a duly noticed public hearing to consider the Project, at the conclusion of which, the Planning Commission voted to reopen the public hearing and continue the Project to the March 19, 2025 Planning Commission hearing to allow for the applicant to work with staff to resolve issues related to noise, landscaping, setbacks, hours of operations, and screening; and

WHEREAS, on March 19, 2025, the Planning Commission reconvened the public hearing to consider the Project, during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Project. The Planning Commission voted to unanimously approve the project.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby approves the Conditional Use Permit, to allow the redevelopment of an existing service station to construct a self-serve carwash tunnel at the rear

of the property, as depicted on Exhibit “Development Plans,” attached hereto and incorporated herein by this reference.

3. That based upon substantial evidence in the record of the hearing, including the facts stated in this resolution, the Planning Commission hereby finds that:

- A. The proposed use is consistent with the General Plan and any applicable specific plan;
 - a. The proposed property is not a part of any specific plan and the proposed use allows the business to expand their business, and the ability to maintain their business within the City of Santa Clara without relocating or severely limiting the ability to grow their customer base. Furthermore, the project complies with the intent of the Neighborhood Commercial General Plan Designation by maintaining the existing local-serving retail use and allowing the expansion to further meet neighborhood needs.
- B. The proposed use is allowed within the subject zone and complies with all other applicable provisions of this Zoning Code and the City Code;
 - a. The property is currently used as a Service Station and would expand as a service station with an automated self-serve carwash, and with the variances approved, the proposed use would meet all provisions in the zoning code and City Code.
- C. The design, location, size, and operating characteristics of the proposed use are compatible with the allowed uses in the vicinity;
 - a. The proposed use is near Lawrence Expressway, a large volume arterial street which adds a significant amount of noise to the surrounding area, the proposed project would not exceed the sound generated by Lawrence Expressway and would be subject to all other City Code regulations for noise, odor, dust, vibration, etc.

D. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare; and

a. The proposed use is subject to all City Code regulations for noise, odor, dust, vibration, etc. and would not be detrimental to the harmonious and orderly growth of the City.

E. The subject site is:

1. Physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities; and

a. The site is on the corner of Monroe Street and Lawrence Expressway which provide ingress and egress on either side of the property for any emergency vehicles, public service and utility vehicles, and any other maintenance required at the property.

2. Served by highways and streets adequate in width and improvement to carry the type and quantity of traffic the proposed use would likely generate.

a. The site is on the corner of Monroe Street and Lawrence Expressway which provide adequate in width and improvement to carry the type and quantity of traffic the proposed use would likely generate

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16th DAY OF APRIL 2025, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:

ATTEST: _____
AFSHAN HAMID
DIRECTOR OF COMMUNITY DEVELOPMENT

Attachments Incorporated by Reference:
None

RESOLUTION NO. XX-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING A VARIANCE FOR A REDUCED REAR SETBACK AND REDUCED LANDSCAPING PLANTERS AND BUFFERS TO ALLOW AN ADDITION OF A CAR WASH TO A SERVICE STATION AT 2455 LAWRENCE EXPRESSWAY, SANTA CLARA

PLN23-00513 (Conditional Use Permit, Variance)

WHEREAS, on November 06, 2023, Muthana Ibrahim (“Applicant”), on behalf of Gadri Corporation (“Owner”) made an application for the redevelopment of a 18,544 square foot parcel (Assessor’s Parcel Number: 220-18-005) located at 2455 Lawrence Expressway in Santa Clara (“Project Site”);

WHEREAS, the Project Site has a General Plan designation of Neighborhood Commercial and was zoned Neighborhood Commercial (CN) when the application was “deemed complete”, and is now currently zoned Commercial—Neighborhood (C-N);

WHEREAS, the Project Site is currently developed with an approximately 5,485 square-foot fuel canopy, six fuel dispensers, a 502 square-foot service kiosk, and site landscaping;

WHEREAS, the Applicant proposes to remove two fuel dispensers, the service kiosk, and 2,929 square-feet of fuel canopy, in order to construct a 1,605 square-foot convenience store, a 692 square-foot self-serve carwash, a 248 square-foot carwash equipment room, and retain 1,556 square feet of fuel canopy and four fuel dispensers with three parking spaces onsite (“Project”);

WHEREAS, the Project requires a Conditional Use Permit and Variances, and Architectural Review by the City for which the Applicant has simultaneously applied;

WHEREAS, the Project is categorically exempt from formal environmental review under the California Environmental Quality Act (“CEQA”) pursuant to Guidelines Section 15303(e) (Class 3 - New Construction or Conversion of Small Structures), which allows for the construction of limited numbers of new, small facilities or structures including “[a]ccessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences”;

WHEREAS, pursuant to SCCC Section 18.124.050, the Planning Commission cannot grant a Variance without first making specific findings, based upon substantial evidence in the record;

WHEREAS, on January 2, 2025, notices of the public meeting for the Planning Commission Hearing of January 15, 2025, were mailed to all property owners within 500 feet of the Project Site boundaries; and

WHEREAS, on January 15, 2025, the Planning Commission held a duly noticed public hearing to consider the Project, at the conclusion of which, the Planning Commission voted to reopen the public hearing and continue the Project to the March 19, 2025 Planning Commission hearing to allow for the applicant to work with staff to resolve issues related to noise, landscaping, setbacks, hours of operations, and screening; and

WHEREAS, on March 19, 2025 the Planning Commission reconvened the public hearing to consider the Project, during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Project. The Planning Commission voted to unanimously approve the project.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby approves the Variances for rear setback reduction from 20-feet to one foot - seven inches, reduced landscaping planter depth along the street frontages from 15 feet to a range of five to 10 feet, reduced landscaping planter depth at the rear property line from five feet to three feet 11 inches, and a reduction in the requirements for a dense landscaped buffer in each planter area.
3. That pursuant to SCCC Section 18.124.050, the Planning Commission determines that the following findings exist in support of the variance:

- A. There are special circumstances or conditions applicable to the subject property or existing buildings (e.g., location, shape, size, surroundings, topography, or other physical features) that do not apply generally to other properties in the vicinity under an identical zoning classification;
 - a. The specific property is hindered due to the underground storage tanks which limits the location and orientation of the built environment on the parcel
 - b. The parcel is on the corner of Lawrence Expressway and Monroe Street which limits the vehicle ingress and egress options for the property which further inhibits the possible location and orientation of the built environment on the property which necessitates the proposed variances
- B. Strict compliance with Zoning Code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
 - a. While other parcels around the subject property are able to expand up to the full extent of what the Code allows, the subject property is not able to enjoy the same privileges due to the constraints of the property itself and the traffic flow around the property.
- C. Approving the Variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the same vicinity and zone in which the subject property is situated;
 - a. Properties within the same vicinity and zoning would be allowed to construct similar projects without variances due to the nature of their parcels, whereas the subject parcel has unique constraints which severely limit the ability of the property to expand.

D. Granting the Variance will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the subject property in question.

- a. The property abuts Lawrence Expressway, a high-volume arterial road which amplifies noise for the surrounding properties. The applicant has applied to mitigate any noise generated from their property and the proposed project and are required to follow all code restrictions for noise, odor, vibration, etc. The proposed project would produce less of an impact than the surrounding factors.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16th DAY OF APRIL 2025, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:

ATTEST: _____
AFSHAN HAMID
DIRECTOR OF COMMUNITY DEVELOPMENT

Attachments Incorporated by Reference:
None

Web Links

PC Meeting (March 19, 2025):

Here you will find documents related to the Planning Commission meeting such as the staff report and attachments.

<https://santaclara.legistar.com/LegislationDetail.aspx?ID=7262400&GUID=628D4994-85C6-466A-86B0-5F2A30AFD2D4&Options=&Search=>

These documents are available for viewing in the Community Development Department

Conditions of Approval for Conditional Use Permit and Variance

PLN25-00513 / 2455 Lawrence Expressway

Conditional Use Permit and Variances (PLN23-00513) to Allow Expansion of an Existing Service Station by Removing a Portion of the Fuel Canopy and Two Fuel Dispensers, and by Adding a 1,605 square foot Convenience Store and Self-Service Carwash within the Rear Setback for the Store at 2455 Lawrence Expressway

GENERAL / PERFORMANCE

- G1. **Permit Expiration.** This Permit shall automatically be revoked and terminated if not used within **two years** of original grant or within the period of any authorized extensions thereof. The date of granting of this Permit is the date this Permit is approved by the decision-making body and the appeal period has been exhausted. The expiration date is **April 26, 2027.**
- G2. **Conformance with Plans.** Prior to the issuance of Building Permit, the development of the site and all associate improvements shall conform to the approved plans on file with the Community Development Department, Planning Division. No change to the plans will be made without prior review by the Planning Division through approval of a Minor Amendment or through an Architectural Review, at the discretion of the Director of Community Development or designee. Each change shall be identified and justified in writing.
- G3. **Conditions on Plans.** All conditions of approval for this Permit shall be reprinted and included within the first three sheets of the building permit plan sets submitted for review and approval. At all times these conditions of approval shall be on all grading and construction plans kept on the project site.
- G4. **Necessary Relocation of Public Facility.** If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G5. **Indemnify and Hold Harmless.** The owner or designee agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorney's fees, injuries, costs, and liabilities from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of owner or designee's project.
- G6. **Code Compliance.** The construction permit application drawings submitted to the Santa Clara Building Division shall include an overall California Building Code analysis; proposed use and occupancy of all spaces (CBC Ch. 3), all building heights and areas (CBC Ch. 5), all proposed types of construction (CBC Ch. 6), all proposed fire and smoke protection features, including all types of all fire rated penetrations proposed (CBC Ch. 7), all proposed interior finishes fire resistance (CBC Ch. 8), all fire protection systems proposed (CBC Ch. 9), and all means of egress proposed (CBC Ch. 10). Noncombustable exterior wall, floor, and roof finishes are strongly encouraged.
- a. During construction retaining a single company to install all fire related penetrations is highly recommended.

- b. The grade level lobbies shall be minimum 1-hour rated all sides and above.
 - c. All stair shafts shall be minimum 1-hour rated.
 - d. All elevator shafts shall be minimum 1-hour rated.
 - e. All trash chute shafts shall be minimum 1-hour rated.
 - f. Recommendation: provide minimum two trash chutes; one for recyclables, one for trash, each trash chute to be routed down to a grade level trash collection room.
 - g. Any trash rooms shall be minimum 1-hour rated all sides and above.
- G7. **Building Codes as Amended.** See Title 15 of the Santa Clara City Code for any amendments to the California Building Codes.
- G8. **Reach Codes.** This project is subject to the provisions of the City of Santa Clara 2022 Reach Code, effective January 2022. See Ordinance No. 2034 and/or Title 15 of the Santa Clara City Code.
- h. Chapter 15.38 – Green Building Code for additional Electric Vehicle Charging requirements for new construction.
- G9. Comply with all applicable codes, regulations, ordinances and resolutions.

OPERATIONAL CONDITIONS

DESIGN / PERFORMANCE– PRIOR TO BUILDING PERMIT ISSUANCE

- P1. **Roof Mounted Mechanical Equipment.** All roof mounted mechanical equipment shall be placed within a screened roof top enclosure depicted on the elevation drawings or located below the parapet level and shall not be visible from the ground at any distance from the building. Cross section roof drawings shall be provided at the building permit stage indicating the relative height of the screen wall or parapet. Minimum screen height or parapet depth shall be five feet or greater to match the height of any proposed equipment.
- P2. **Tree Replacement (on-site).** Trees permitted by the City for removal shall be replaced on-site as described on the approved site plans.
- P3. **Construction Management Plan.** The owner or designee shall submit a construction management plan addressing impacts to the public during construction activities including: showing work hours, noticing of affected businesses, construction signage, noise control, storm water pollution prevention, job trailer location, contractor parking, parking enforcement, truck hauling routes, staging, concrete pours, crane lifts, scaffolding, materials storage, pedestrian safety, and traffic control. The plan shall be submitted to the Director of Community Development or designee for approval prior to issuance of demolition and building permits.

DURING CONSTRUCTION -- PRIOR TO OCCUPANCY

- P4. **Construction Hours.** Construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of a residential use and shall not be allowed on recognized State and Federal holidays.

- P5. **Construction Trash/Debris.** During construction activities, the owner or designee is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- P6. **Construction Parking.** Off street parking is required to be available from the time of issuance of building permits until the issuance of certificate of occupancy. Five parking spaces shall be made available. Off-street construction parking lots are required to be maintained mud-free and dustless. If the off-street construction parking lot is located on an unpaved surface, daily street sweeping of surrounding streets is required. (SCC 18.38.030)
- P7. **Landscape Water Conservation.** The owner or designee shall ensure that landscaping installation meets City water conservation criteria in a manner acceptable to the Director of Community Development.

OPERATIONAL CONDITIONS

- P8. **Landscaping Installation & Maintenance.** The owner or designee shall ensure that the landscaping installed and accepted with this project shall be maintained on the site as per the approved plans. Any alteration or modification to the landscaping shall not be permitted unless otherwise approved by the Director of Community Development.
- P9. **Operation Hours.** Automated Carwash operation hours shall be limited to 7am to 10pm daily.
- P10. **No detailing.** No car detailing or expansion of services would be allowed at this site unless all code requirements are met.

COMMUNITY DEVELOPMENT - BUILDING DIVISION

DESIGN / PERFORMANCE– PRIOR TO BUILDING PERMIT ISSUANCE

- BD1. **Addressing.** Prior to overall construction permit application, submit to the Santa Clara Building Division, 2 copies of an addressing diagram request, to be prepared by a licensed architect or engineer. The addressing diagram(s) shall include all proposed streets and all building floor plans. The addressing diagram(s) shall conform to Santa Clara City Manager Directive #5; Street Name and Building Number Changes, and Santa Clara Building Division Address Policy For Residential and Commercial Developments. The addressing diagram(s) shall indicate all unit numbers to be based off established streets, not alleys nor accessways to garages. Allow a minimum of 10 working days for initial staff review. Please note city staff policy that existing site addresses typically are retired. Provide digital pdf printed from design software, not scanned from printed paper sheet.
 - a. Any building or structure that is demolished shall have its address retired and a new address/s shall be issued for the project.
- BD2. **Flood Zone.** The construction permit application drawings submitted to the Santa Clara Building Division shall include a copy of the latest Federal Emergency Management Agency (FEMA) Flood Zone Map: <https://msc.fema.gov/portal/home>.

The project drawings shall indicate how the project complies with the Santa Clara Flood Damage Prevention Code.

- a. FEMA Flood Zone map designations and requirements are based on the map in effect at date of Building Permit issuance.

BD3. Water Pollution Control. The construction permit application drawings submitted to the Santa Clara Building Division shall include Santa Clara Valley Urban Runoff Pollution Prevention Program Low Impact Development (LID) practices http://www.scvurppp-w2k.com/nd_wp.shtml. All projects that disturb more than one acre, or projects that are part of a larger development that in total disturbs more than one acre, shall comply with the Santa Clara Valley Urban Runoff Pollution Prevention Program Best Management Practices (BMP): http://www.scvurppp-w2k.com/construction_bmp.shtml, and shall provide a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). All site drainage and grading permit applications submitted to the Santa Clara Building Division shall include a city of Santa Clara "C3" data form, available on this web page:

- <https://www.santaclaraca.gov/our-city/departments-g-z/public-works/environmental-programs/stormwater-pollution-prevention> and will be routed to a contract consultant for review.

BD4. Submittal Requirements. The overall project construction permit application shall include the geotechnical, architectural, structural, energy, electrical, mechanical, and plumbing drawings and calculations. Prior to the issuance of the overall project construction permit, a conditions of approval review meeting must be held in city hall, which meeting must be attended by the on-site field superintendent(s). The meeting will not be held without the attendance of the on-site field superintendent(s). The on-site grading permit shall be a separate permit application to the Building Division.

DURING CONSTRUCTION – PRIOR TO OCCUPANCY

BD5. Temporary Certificates of Occupancy. Temporary Certificates of Occupancy (TCO) will not be routinely issued and will be considered on a very limited basis only when there is a clear and compelling reason for city staff to consider a TCO. A TCO will be approved only after all applicable City staff have approved in writing; Planning, P.W./ Engineering, Fire Prev., Santa Clara Water, Silicon Valley Power, and any other applicable agencies such as the Santa Clara County Health Dept., with the Building Division being the final approval of all TCO.'s.

COMMUNITY DEVELOPMENT - HOUSING DIVISION

DURING CONSTRUCTION – PRIOR TO OCCUPANCY

H1. Impact Fee. In accordance with the Santa Clara City Code chapter 17.40, this project is subject to the requirements of the Affordable Housing Ordinance which

may be met through payment of an impact fee of \$7.71 per square foot over 5,000 sq ft. This applies to the proposed convenience store, currently at 1,605sf. The fee is determined by the net square footage of the existing building to be demolished minus the square footage of the proposed new construction building multiply by the \$7.71 per square foot. Please note that the impact fee provided here is an estimate and may change if the proposed square footage changes. The Applicant shall pay impact fees prior to the issuance of the occupancy certificate of the building (all fees are based on the current Municipal Fee Schedule in effect at the time the project is approved).

FIRE DEPARTMENT

DESIGN / PERFORMANCE—PRIOR TO BUILDING PERMIT ISSUANCE

- F1. **Hazmat Clearance.** Prior to any Building Permit issuance, Hazardous Materials Closure (HMCP) is required as applicable: This is a permit is issued by the Santa Clara Fire Department, Fire Prevention & Hazardous Materials Division. Hazardous materials closure plans are required for businesses that used, handled or stored hazardous materials. While required prior to closing a business this is not always done by the business owner, and therefore should be part of the developer's due diligence. The hazardous materials closure plans demonstrate that hazardous materials which were stored, dispensed, handled or used in the facility/business are safely transported, disposed of or reused in a manner that eliminates any threat to public health and environment.
- F1. **Hazmat Clearance.** Prior to any Building Permit Issuance, a Phase II environmental assessment is required to be submitted to CRRD for review. If hazards are present that require site mitigation, cleanup, or management of chemical contaminants in soil, soil vapor, or groundwater a separate permit from one of the regulatory agencies below will be required. The type and extent of contamination on site(s) will govern which of the regulatory agencies noted below can supervise the cleanup: Department of Toxic Substances Control (DTSC); State Water Resources Control Board; or Santa Clara County, Department of Environmental Health.

If the project intends to contract with a State or County Agency for onsite/offsite environmental remediation activities the following documentation shall be provided to the Fire Prevention & Hazardous Materials Division prior to issuance of a Building Permit for demolition or grading: Oversight agency case number; and Oversight managers contact name, phone number.

For smaller projects that are not moving soil at all, a Phase I environmental assessment may be adequate. Please contact Assistant Fire Marshal Fred Chun at fchun@santaclaraca.gov for more information.

- F2. **Fire Flow Requirement.** Prior to Building Permit Issuance, provide documentation from the City of Santa Clara Water & Sewer Department that the minimum required fire-flow can be met. Fire Department fire-flow will be based on the current California Fire Code. The most restrictive departments requirement shall apply.
- F3. **Fire Hydrants.** Prior to Building Permit Issuance, building plans shall show the required number, location and distribution of fire hydrants for the buildings will be based on the current California Fire Code, Appendix C as amended. The required number of fire hydrants will be based on the fire-flow before the reduction for fire sprinklers. Both public and private fire hydrants may be required.

Prior to any Building Department Issuance, all fire department apparatus access roadways on private property are required to “be recorded” with the County of Santa Clara as Emergency Vehicle Access Easements (EVAE’s) and reviewed by the Fire Department. No other instruments will be considered as substitutions such as P.U.E, Ingress/Egress easements and/or City Right-of-Ways.

- F4. **Emergency Responder Radio Coverage System.** Prior to Building Permit Issuance, provisions shall be made for Emergency Responder Radio Coverage System (ERRCS) equipment (if needed), including but not limited to pathway survivability in accordance with Santa Clara Emergency Responder Radio Coverage System Standard.
- F5. **Fire Department Access.** Prior to the start of construction, roadways and water supplies for fire protection are required to be installed and made serviceable and maintained throughout the course of construction.
- F6. **Fire Department Access.** Prior to issuance of the Building Permit, a gate permit is required to be obtained (if needed). Openings for access gates located across fire apparatus access roads shall be a minimum of 20 feet of clear width. Gates shall also be provided with a minimum unobstructed vertical clearance of 16-feet. All gates installed on designated fire department access roads must be electrically automatic powered gates. Gates shall be provided with an emergency power or be of a fail-safe design, allowing the gate to be pushed open without the use of special knowledge or equipment. A Tomar Strobe Switch or 3M Opticom detector shall be installed to control the automatic gate(s) to allow emergency vehicles (e.g., fire, police, ems). Said device shall be mounted at a minimum height of eight to ten feet (8’ - 10’) above grade.
- F7. **Alternative Means and Methods.** Prior to any Building Permit issuance, an alternate means or methods permits to mitigate any code deficiency must be submitted and approved. Please submit this permit concurrently with the building plans. Please note specific mitigations may have been discussed during the planning process. None of these discussions are binding and can only be formally approved through submitting an AMMR permit. The AMMR permit is formally documenting that and still needs to be submitted.

- F8. **Hazmat Information.** Prior to Building Permit Issuance, a Hazardous Materials Inventory Statement including refrigerants is required to be submitted and reviewed with the Building Permit if applicable.
- F9. **Fire Safety During Construction.** Prior to Building Permit Issuance, a permit for Construction Safety & Demolition shall be submitted to the fire department for review and approval in compliance with our Construction Safety & Demolition standard.
- F10. Sprinkler system required for new buildings exceeding 1200 sqft per local fire ordinance 15.60.240.

DURING CONSTRUCTION – PRIOR TO OCCUPANCY

- F11. **Shared Fire Protection Features that Cross Property Lines.** Prior to Building Permit Final, any EVAEs or fire protection equipment (including but not limited to fire service undergrounds, sprinkler piping, fire alarm equipment, fire pumps, ERRCS) that cross property lines or is not located on the parcel of the building it serves shall have a CC&R legally recorded detailing who is responsible for maintenance and repair of the EVAE or fire protection equipment.
- F12. **Fire Protection Systems Before Occupancy.** Prior to any Certificate of Occupancy Issuance (temporary or permanent), fire-life safety systems installations must be fully installed, functional, and approved.

PUBLIC WORKS DEPARTMENT - ENGINEERING

DESIGN—PRIOR TO BUILDING PERMIT ISSUANCE

- E1. **Site Clearance.** Obtain site clearance through Public Works Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Public Works Department at (408) 615-3000 for further information.
- E2. **Easement.** Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, if any, through Public Works Department, and pay all appropriate fees, prior to start of construction.

DURING CONSTRUCTION

- E3. **Encroachment Permit.** All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be submitted within a Single Encroachment Permit to be reviewed and issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.

- E4. **Encroachment Permit.** Submit public improvement/encroachment permit plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements directly to the Public Works Department. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.
- E5. **Encroachment Permit.** All work within Santa Clara County right-of-way shall require a County encroachment permit.
- E6. **Encroachment Permit.** Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
- E7. **Encroachment Permit.** Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.
- E8. **Encroachment Permit.** Owner or designee shall provide a complete storm drain study for the 10-year and 100-year storm events. The grading plans shall include the overland release for the 100-year storm event and any localized flooding areas. System improvements, if needed, will be at developer's expense.
- E9. **Encroachment Permit.** Storm drain lateral shall discharge into existing curb face drain. Any modification or adding curb face drains shall not be permitted.
- E10. **Encroachment Permit.** Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or ten (10) feet clear of the tree trunk, whichever is greater, to the satisfaction of the City Engineer.
- E11. **Encroachment Permit.** Provide root barriers when the drip line of the mature trees covers the sidewalk. Root barriers for sidewalk protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 1.5' deep, and centered on trees. Root barriers for curb and gutter protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 2' deep, and centered on trees.
- E12. **Encroachment Permit.** Existing streetlights shall be clear of proposed sidewalk, developer shall relocate as necessary.
- E13. **Encroachment Permit.** The full width of Monroe Street along the entire project frontage shall be slurry sealed with digouts.
- E14. **Easement.** Dedicate required on-site easements for any new public utilities, and/or emergency vehicle access by means of subdivision map or approved instrument at time of development.
- E15. **Easement.** Dedicate sidewalk easements along the project frontage where public sidewalks extend into private property. Sidewalk easements are to be 1'

behind proposed back of walk where there is landscaping behind sidewalk. Sidewalk easement where hardscape is behind sidewalk is to be at back-of-walk. Cold joint is required between public sidewalk and private hardscape.

- E16. **Agreement.** If requested, owner or designee shall prepare and submit for City approval a maintenance plan for all sidewalk, curb and gutter, landscaping and irrigation system improvements installed within the public right-of-way prior to encroachment permit issuance. Such plan shall include at a minimum, maintenance requirements for trees and shrubs, in acknowledgement of developer's/property owner's obligation under Chapter 12.30 and 17.15.

PUBLIC WORKS DEPARTMENT - STORMWATER

DESIGN / PERFORMANCE—PRIOR TO BUILDING PERMIT ISSUANCE

- ST1. **Final Stormwater Management Plan.** Prior to City's issuance of Building or Grading Permits, the applicant shall develop a Final Stormwater Management Plan, update the C.3 Data Form, the Special Project Narratives and Worksheet (as appropriate), and an Erosion and Sediment Control Plan.
- ST2. **3rd Party Review of Final Stormwater Management Plan.** The Final Stormwater Management Plan and all associated calculations shall be reviewed and certified by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants, and a 3rd party review letter (on design) shall be submitted with the Plan.
- ST3. **Notice of Intent.** For project that disturbs a land area of one acre or more, the applicant shall provide a copy of the Notice of Intent (NOI) with WDID number for coverage under the State Construction General Permit. Active projects with NOI will be inspected by the City once per month during the wet season (October – April).
- ST4. **Best Management Practices.** The applicant shall incorporate Best Management Practices (BMPs) into construction plans and incorporate post-construction water runoff measures into project plans. Include the SCVURPPP Countywide Construction BMPs Plan Sheet with the plans. Applicant to add Source control measures with designations from C.3 stormwater handbook, Appendix H.
- ST5. **C.3 Treatment Facilities Construction Notes.** Include the C.3 Treatment Facilities Construction Notes on the Improvement Plans and/or Stormwater Control Plans.
- ST6. **Decorative & Recreational Water Features.** Decorative and recreational water features such as fountains, pools, and ponds shall be designed and constructed to drain to the sanitary sewer system only.
- ST7. **Small Projects.** For single-family homes and other small projects that create and/or replace 2,500 – 10,000 square feet of impervious surface area, the applicant shall implement at least one of the following site design measures:
- a. Direction of roof runoff into cisterns or rain barrels
 - b. Direction of roof, sidewalk, walkway, patio, driveway, or parking lot runoff onto vegetated areas

- c. Construction of sidewalks, walkways, patios, bike lanes, driveways, and parking lots with permeable surfaces

Plans shall specify which site design measures are selected for the project and show the direction of flow from impervious surfaces to the selected site design measures. All measures shall meet the design criteria in the 2016 C.3. Stormwater Handbook, Appendix K: Standard Specifications for Lot-Scale Measures for Small Projects.

- ST8. **Interior Floor Drains.** Interior floor drains shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST9. **Trash Enclosure Floor Drains.** Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST10. **Architectural Copper.** The use of architectural copper is prohibited.

DURING CONSTRUCTION OR OPERATION

- ST11. **Biotreatment Soil Media.** Applicant shall install biotreatment soil media that meets the minimum specifications as set forth in the SCVURPPP C.3 Stormwater Handbook. If percolation rate test of the biotreatment soil mix is not performed on-site, a certification letter from the supplier verifying that the soil meets the specified mix (the date of such document shall not be older than 3 months).
- ST12. **Stormwater Control Measure Inspection.** At critical construction phases, all stormwater control measures shall be inspected for conformance to approved plans by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants.
- ST13. **Inspections.** Permeable Pavement, Media Filter vaults, and Trash Full Capture Devices shall be inspected by a 3rd party reviewer and/or manufacturer representative for conformance with the details and specifications of the approved plans. All new pervious concrete and porous asphalt pavements should have a minimum surface infiltration rate of 100 in./hr. as described in the SCVURPPP C.3 Handbook. A map displaying the number, location and details of full trash capture devices shall be prepared as an attachment to the Operations and Maintenance (O&M) Agreement with the City.
- ST14. **Stormwater Treatment Facilities.** Stormwater treatment facilities must be designed, installed, and maintained to achieve the site design measures throughout their life in accordance to the SCVURPPP C.3 Stormwater Handbook (Chapter 6 and Appendix C).
- ST15. **Amendments to Operation & Maintenance Agreement.** Any site design measures used to reduce the size of stormwater treatment measures shall not be installed for the project without the written approval from the City, installing the corresponding resizing of other stormwater treatment measures and an amendment of the property's O&M Agreement.
- ST16. **Stormwater Pollution Prevention Messaging.** Developer shall install an appropriate stormwater pollution prevention message such as "No Dumping – Flows to Bay" on any storm drains located on private property.

ST17. **Outdoor Storage Areas.** All outdoor equipment and materials storage areas shall be covered and/or bermed, or otherwise designed to limit the potential for runoff to contact pollutants.

PRIOR TO FINAL OF BUILDING PERMIT

ST18. **As-Built Drawings.** As-Built drawing shall be submitted to the Public Works Department.

ST19. **3rd Party Concurrence Letter.** 3rd Party concurrence letter on the C.3 facilities construction shall be submitted to the Public Works Department. The letter shall be prepared by a 3rd party consultant from the SCVURPPP List of Qualified Consultants. The City reserves the right to review the 3rd party inspection report on the C.3 stormwater facility installation.

ST20. **Final C.3 Inspection.** Applicant shall schedule and City shall conduct a final C.3 inspection.

ST21. **Operation & Maintenance Agreement.** The property owner shall enter into an Operation and Maintenance (O&M) Agreement with the City for all installed stormwater treatment measures and full trash capture devices in perpetuity. Applicants should contact Public Works Dept. - Environmental Services at (408) 615-3080 or Street@SantaClaraCA.gov for assistance completing the Agreement. For more information and to download the most recent version of the O&M Agreement, visit the City's stormwater resources website at <http://santaclaraca.gov/stormwater>. Inspection of permeable pavement, media filter vaults and full trash capture devices is to be done annually by December 31 of each year.

PUBLIC WORKS DEPARTMENT - TRANSPORTATION

DURING CONSTRUCTION

TR1. **Encroachment Permit.** Traffic improvements must comply with the City of Santa Clara Standard Details and Specifications for Public Works Construction.

TR2. **Encroachment Permit.** Landscape improvements within 10 feet of a driveway must be less than 3 feet or greater than 10 feet per City Standard Detail TR-9.

TR3. **Encroachment Permit.** Design and construct minimum 5-foot wide sidewalk.

TR4. **Encroachment Permit.** Design and construct driveway in accordance with City Standard Detail ST-8.

TR5. **Encroachment Permit.** At project frontage corner, construct one ADA curb ramp in accordance with City Standard Detail ST-14 [Pedestrian Master Plan Policy 2.A.8: Prioritize improvements that improve connectivity and remove physical barriers to walking at road crossings]. Install detectable warning surface in "pork chop" island on the southeast corner of the Lawrence Expressway and Monroe Street Intersection.

TR6. **Building Permit.** Non-residential bicycle parking shall be 1 Class I spaces (5% of tenant vehicle parking) and 2 Class II spaces (5% of visitor vehicle parking - minimum 2) per 2019 California Building Code 5.106.4.

- TR7. **Building Permit.** Class I and Class II bicycle parking, as defined in SCMC 18.74.075, shall be conveniently accessible from the street, within 200 feet of a building entrance and/or highly visible areas.
- TR8. **Building Permit.** All on-site structures must be clear of Driveway and Corner Visibility Clearance Areas per City Standard Detail TR-9.
- TR9. **Building Permit.** Car wash exit shall be a min. 25 feet from the property line to allow vehicles to exit perpendicular to the driveway.
- TR10. **Building Permit.** Driver visibility clearance area near pedestrian path through car wash egress shall be maintained to provide clear view of pedestrians crossing.

STREETS DIVISION – RIGHT-OF-WAY LANDSCAPE

DESIGN/PERFORMANCE PRIOR TO ISSUANCE OF BUILDING PERMIT

- L1. **Tree Preservations Specifications.** Include [City of Santa Clara Tree Preservation/City Arborist specifications](#) on all improvement plans.
- L2. **Mature Trees.** Identify existing mature trees to be maintained. Prepare a tree protection plans for review and approval by the City prior to any demolition, grading or other earthwork in the vicinity of existing trees on the site.
- L3. **Tree Replacement.** 2:1 tree replacement ratio required for all trees removed from the right-of-way.

DURING CONSTRUCTION OR OPERATION

- L4. **No Public Root Cutting.** No cutting of any part of *public*, including roots, shall be done without securing prior approval of the City Arborist. Tree trimming/removal shall be done in accordance to the City of Santa Clara Tree Preservation/City Arborist specifications and with direct supervision of a certified arborist (Certification of International Society of Arboriculture).

PRIOR TO FINAL OF BUILDING PERMIT

- L5. **In Lieu Fee.** If 2:1 replacement ratio cannot be met for removal of right of way landscape trees, tree planting fee must be paid prior to building permit final.

STREETS DIVISION – SOLID WASTE

DESIGN/PERFORMANCE PRIOR TO ISSUANCE OF BUILDING PERMIT

- SW1. **Post-Construction Solid Waste Generation Estimation and Collection Form.** The applicant shall complete and provide the Post-Construction Solid Waste Generation Estimation and Collection Form, which includes the estimation of trash and recycling materials generated from the project. Use the City's Solid Waste Guidelines for New and Redevelopment Projects as specified by the development type. Contact the Public Works Department at Environment@SantaClaraCA.gov or (408) 615-3080 for more information.
- SW2. **Site Plan.** The applicant shall provide a site plan showing all proposed locations of solid waste containers, chutes, compactors, trash enclosures and trash staging areas. The site plan shall show the route or access for trash and recycling collectors (trucks) including vertical clearance, turning radius and street/alley

widths. All plans shall comply with the City's Solid Waste Guidelines. Solid metal roof, gates and a trench drain shall be installed within the trash enclosure and connected to the on-site sewer system.

- SW3. **Construction Waste Diversion.** For projects that involve construction, demolition or renovation of 5,000 square feet or more, the applicant shall comply with City Code Section 8.25.285 and recycle or divert at least sixty five percent (65%) of materials generated for discard by the project during demolition and construction activities. No building, demolition, or site development permit shall be issued unless and until applicant has submitted a construction and demolition debris materials check-off list. Applicant shall create a Waste Management Plan and submit, for approval, a Construction and Demolition Debris Recycling Report through the City's online tracking tool at <http://santaclara.wastetracking.com/>.
- SW4. **Authorized Service Haulers.** This project is subject to the City's Accumulation, Transportation and Disposal of Solid Waste Ordinance (Chapter 8.25 of the Municipal Codes), which requires the handling and disposal of waste by authorized service haulers. Insert the General Notes for the Construction & Demolition (C&D) Waste Management into construction plans in accordance with the City's municipal codes prior to the issuance of a Building or Grading permit. Provide the Green Halo waste online tracking number to Building staff prior to the issuance of a demolition or building permit.
- SW5. **Exclusive Franchise Hauling Area.** Project applicant shall contact the Public Works Department, Street Maintenance Division at (408) 615-3080 to verify if the property falls within the City's exclusive franchise hauling area. If so, the applicant is required to use the City's exclusive franchise hauler and rate structure for any hired debris boxes. Prior to the issuance of a Public Works clearance, the project applicant shall complete and sign the Construction and Demolition (C&D) / Waste Management Rules and Regulations Form.

DURING CONSTRUCTION OR OPERATION

- SW6. **Waste Generation Tracking.** Applicant to track all waste generated and upload debris tags to GreenHalo for City staff review.

PRIOR TO FINAL OF BUILDING PERMIT

- SW7. **Weight Tickets.** Prior to obtaining a Temporary or Final Certificate of Occupancy, individual weight tickets for all materials generated for discard or reuse by the project during demolition and construction activities shall be uploaded to Green Halo and submitted for review and approval by Environmental Services. At a minimum two (2) weeks review time is required.

SILICON VALLEY POWER

GENERAL

- SVP1. **Applicant Design Process:** available to Applicants to expedite distribution electric substructure design.
- SVP2. **SVP Rules and Regulations:** Applicant shall comply with all applicable SVP rules, regulations, standards, guidelines, and requirements, as may be amended from time to time.

SVP3. SVP Equipment Clearances:

- a. **Access Doors:** Ten (10) foot minimum clearance in front of equipment access doors.
- b. **Pad Sides:** Five (5) foot minimum clearance from pad on sides without access doors.
- c. **Truck Access:** Eighteen (18) foot minimum width on one side of the equipment pad for truck access.
- d. **Barrier pipes:** (on sides accessible to vehicles)
 - i. Thirty (30) inches from equipment sides.
 - ii. Forty-Eight (48) inches in front of access doors. (use removable bollards)

SVP4. SVP Conduit Clearances:

- a. **Longitudinal:** Five (5) foot minimum between new conduits/piping and existing/proposed SVP conduits.
- b. **Vertical:** Twelve (12) inch minimum between new conduit/pipes perpendicular to existing SVP conduits.
- c. **Poles/Posts:** Three (3) foot six (6) inches clearance required from poles (electrolier, guy stub, service clearance, self-supporting steel, and light poles), except for riser conduits. This is reduced to a three (3) foot minimum for posts (signposts, barrier pipes, bollards, fence posts, and other similar posts).
- d. **Structures:** Five (5) foot minimum is required from walls, footings, retaining walls, landscape planter, or similar permanent structures.
- e. **Subsurface Facilities:** Five (5) foot minimum from new splice boxes, pull boxes, manholes, vaults, or similar subsurface facilities.
- f. **Fire Hydrant:** Five (5) foot minimum from fire hydrant thrust block. (Extends 5 feet on either side of the hydrant in line with the radial water pipe connected to the hydrant).

SVP5. SVP Vault/Manhole Clearances:

- a. Ten (10) foot minimum between adjacent Vaults or Manholes.
- b. Three (3) foot minimum from face of curb. (bollards required for vaults).

SVP6. SVP Guy Anchor Clearances: Five (5) foot minimum clearance is required between the center of anchor line and any excavation area.

SVP7. Tree Clearances:

- a. **Conduits:** Five (5) foot minimum to tree root barrier or other subsurface wall or structure.
- b. **Equipment:** Five (5) foot minimum to tree root barrier. The tree canopy drip line cannot be over the SVP equipment.
- c. **Subsurface Facilities:** Five (5) foot minimum to any electric department facilities. Any existing trees in conflict will have to be removed.

- d. **Easements:** No trees shall be planted in SVP's U.G.E.E or P.U.E's.
 - e. **Transformer & Switch Placement:** these devices and pads may only be located outdoors. Clearances to buildings are defined in UG1225. All projects are to assume mineral oil fluid, unless otherwise approved by SVP.
- SVP8. **SVP Standards.** Applicant shall comply with the following SVP standards (as may be amended or supplemented).
- a. UG1000 - Installation of Underground Substructures by Developers
 - b. UG1250 – Encroachment Permit Clearances from Electric Facilities
 - c. UG0339 – Remote Switch Pad
 - d. OH1230 – Tree Clearances from Overhead Electric Lines
 - e. SD1235 – Tree Planting Requirements Near Underground Electric Facilities
 - f. UG1225 – Pad mounted Equipment Clearances and Protection
 - g. UG0250 – High Density Residential Metering Requirements
 - h. FO-1901 – Fiber Optic Splicing and Testing Methods
 - i. SVP Rules and Regulations – Latest Edition
- SVP9. **SVP Standards, Miscellaneous:**
- a. In the case of podium-style construction, all SVP facilities and conduit systems must be located on solid ground (aka “real dirt”) and cannot be supported on parking garage ceilings or placed on top of structures.
 - b. No splice boxes are allowed between the SVP utility connection point and the applicants main switch board.
 - c. SVP does not utilize any sub-surface (below grade) devices in its system. This includes transformers, switches, etc.
- SVP10. **Meter Locations:**
- a. For condominium or apartment, all electric meters and service disconnects shall be grouped at one location, outside of the building or in a accessible utility room. If they are townhomes or single-family residences, then each unit shall have its own meter, located on the structure. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.
 - b. All interior meter rooms at ground level are to have direct, outside access through only ONE door. Interior electric rooms must be enclosed in a dedicated electric room and cannot be in an open warehouse or office space.
- SVP11. **Underground Service Entrance**
- a. (277/480V Service or Lower) Underground service entrance conduits and conductors shall be “privately” owned, maintained, and installed per City Building Inspection Division Codes to the SVP defined utility connection point.

- b. (12KV Service) SVP terminates cable on the applicant owned switchgear.
- c. No cross-parcel distribution is allowed. SVP service points must be within the parcels that they serve.

SVP12. Code Sections:

- a. The Applicant shall provide and install electric facilities per Santa Clara City Code chapter **17.15.210**.
- b. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter **17.15.050**.
- c. The applicant shall perform, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the Applicant will dedicate the improvement to the City subject to City's acceptance the work. The applicant shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect a applicant to the electrical supply system of and by the City. After completion of the facilities installed by the Applicant, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers, meters, and other equipment that it deems necessary for the betterment of the system per Santa Clara City Code chapter **17.15.210 (2)**.

SVP13. Existing Facilities:

- a. All existing SVP facilities, onsite or offsite, are to remain unless specifically addressed by SVP personnel in a separate document. It is the Applicants responsibility to maintain all clearances from equipment and easements. The Applicant may contact SVP outside of the PCC process for clear definitions of these clearance requirements. Applicant should not assume that SVP will be removing any existing facilities without detailed design drawings from SVP indicating potential removals. Simply indicating that SVP facilities are to be removed or relocated on conceptual plans does not imply that this action has been approved by SVP.
- b. Any relocation of existing electric facilities shall be at Applicants expense.

SVP14. Generators: Non-Utility Generator equipment shall not operate in parallel with the electric utility, unless approved and reviewed by the Electric Engineering Division. All switching operations shall be "Open-Transition-Mode", unless specifically authorized by SVP Electric Engineering Division. A Generating Facility Interconnection Application must be submitted with building permit plans.

Review process may take several months depending on size and type of generator. No interconnection of a generation facility with SVP is allowed without written authorization from SVP Electric Engineering Division.

DESIGN / PERFORMANCE – PRIOR TO ISSUANCE OF BUILDING PERMIT

- SVP1. **Initial Information:** Applicant shall provide a site plan showing all existing utilities, structures, easements, and trees. The applicant shall also include a detailed panel schedule showing all current and proposed electric loads.
- SVP2. **SVP Developers Work Drawing:** Applicant shall have a developers work drawing created for the site by either an SVP estimator or through the applicant design process. All SVP standards and clearance requirements as defined in the General Section of the COA's must be met, or variance approvals must be granted by SVP. The developers' work drawing shall include but is not limited to: SVP substructure for primary, low voltage, streetlight, and fiber facilities. SVP facilities may extend off-site to the nearest utility connection point to tie-in with existing infrastructure as deemed necessary by SVP.
- SVP3. **Encroachment Permit:** Prior to issuance of Building Permits, the applicant shall submit an encroachment permit application with an **approved** SVP Developers Work Drawing for construction of electric utilities that comply with the latest edition of SVP Standards and Rules and Regulations, Electric Notes, and Electric Standard Details and Specifications.
- SVP4. **Applicants Switchgear:** All applicant main switchgear with SVP meters must meet EUSERC standards and be approved by SVP's meter shop prior to ordering. Switchgear for 12KV gear must have batteries sized for 4 hours of operation, no capacitive tripping, and 2 sets of relays, CTs, & PTs for each main. All double ended switchgear with a tie breaker, must include a kirk-key interlock scheme and an SVP provided warning label for the operation of the main tiebreaker.
- SVP5. **AMI/Fiber Building Requirements:** All projects implementing high rise metering and multi-floor infrastructure requirements shall meet the requirements outlined in UG 0250 & FO1901.

DURING CONSTRUCTION – PRIOR TO OCCUPANCY

- SVP6. **Easements:** Prior to the City's issuance of Building or Grading Permits, the applicant shall provide a dedicated underground electric utility easement (U.G.E.E) around the electric onsite facilities (Not a P.U.E). The electric utility easement shall be a minimum of 10 feet wide around conduit and 5' minimum around equipment and vault/manhole pads. Additionally, the applicant shall submit plans defining existing easements so Electric Division can verify if there are any conflicts with new proposed easements or improvements. The Applicant shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the Applicant and for the installation of utilities (Santa Clara City Code chapter 17.15.110).
- SVP7. **Coordination Study:** For any services taken at 12KV, a coordination study will need to be conducted by the applicant prior to energizing the service.
- SVP8. **Applicants Switchgear:** Applicants' switchgear will be inspected on site by SVP to ensure compliance with approved switchgear drawings. Electric meters and

main disconnects shall be installed per Silicon Valley Power Standard MS-G7, Rev. 2.

SVP9. **Electric Facilities:** Prior to the City's issuance of Occupancy, the applicant shall construct all electric utilities per the approved SVP Developers Work Drawing. SVP will inspect all electric utility installations and all other improvements encroaching on electric facilities.

SVP10. **Municipal Fees:** Prior to electric service energization, all applicable fees per the City of Santa Clara's Municipal Fee Schedule shall be paid by the applicant.

SVP11. **Costs & Expenses:** Unless expressly stated otherwise or covered by a fee to be paid by the applicant, applicant shall be responsible for all costs and expenses associated with fulfilling these conditions of approval.

OPERATIONAL CONDITIONS – AFTER OCCUPANCY

SVP12. **Access:** SVP will require 24-hour unobstructed access to all SVP equipment which includes: manholes, transformers, vaults, switches, meters, indoor electrical rooms with SVP owned equipment etc.

WATER & SEWER DEPARTMENT

DESIGN / PERFORMANCE -- PRIOR TO ISSUANCE OF BUILDING PERMIT

W1. **Recirculating Water System for Carwashes.** The proposed carwash shall have a water recirculating system that complies with City and State requirements.

W2. **Recycled Water Ready.** All onsite plumbing for non-domestic water uses (e.g. irrigation, industrial processes, cooling, etc.) shall be designed for recycled water use and shall comply with all Recycled Water regulations.

W3. **Encroachment Permit.** Prior to issuance of Building Permits, the applicant shall submit an encroachment permit application and design plans for construction of water utilities that comply with the latest edition of the Water & Sewer Utilities Water Service and Use Rules and Regulations, Water System Notes, and Water Standard Details and Specifications. In addition, prior to the City's issuance of Occupancy, the applicant shall construct all public water utilities per the approved plans. The Water & Sewer Utilities will inspect all public water utility installations and all other improvements encroaching public water utilities.

W4. **Utility Design Plans.** Utility Design Plans shall indicate the pipe material and the size of existing water, recycled water and sewer main(s). The plans shall show the nearest existing fire hydrant and the two nearest existing water main line gate valves near the project area. The plans shall show meter and backflow configurations to scale and per City of Santa Clara Water & Sewer Utilities Standard Details. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area. Fire hydrants should be located two feet behind monolithic sidewalk if sidewalk is present; two feet behind face of curb if no sidewalk is present, per City Std Detail 18. The plans shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained.

W5. **Utility Separations.** Applicant shall adhere to and provide a note indicating that all horizontal and vertical clearances comply with State and local regulations. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from

- water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas and electric utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities). No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer, potable water and/or recycled water utilities and easements.
- W6. **Separate Services.** Applicant shall submit plans showing proposed water, recycled water, sanitary sewer, and fire services connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Different types of water and recycled water use (domestic, irrigation, fire) shall be served by separate water services, each separately tapped at the water main. Tapping on existing fire service line(s) is prohibited. Approved backflow prevention device(s) are required on all potable water services.
- W7. **City Standard Meters and Backflows.** All proposed meters and backflows for all water services shall meet the current City of Santa Clara Water & Sewer Utilities Standard Details. Plans shall show meter and backflow configurations to scale.
- W8. **Existing Services.** The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. If the existing services will not be used, then the applicant shall properly abandon these services to the main per Water & Sewer Utilities standards and install a new service to accommodate the water needs of the project. The applicant shall bear the cost of any relocation or abandonment of existing Water Department facilities required for project construction to the satisfaction of the Director of Water and Sewer Utilities.
- W9. **On-Site Storm Drain Treatment.** Prior to issuance of Building Permit, the applicant shall submit plans showing any onsite storm water treatment system. The plan shall include a section detail of the treatment system. No water, sewer, or recycled water facilities shall be located within 5-feet of any storm water treatment system.
- W10. **Water Usage.** Prior to the issuance of Building Permits, the applicant shall provide documentation of water usage so the Water Division can verify the appropriate size of all proposed water meters. Please note that if the existing water services are incapable of supplying the water needs to the site, the existing services shall be abandoned, and new separate dedicated water services shall be provided for each use (domestic and irrigation).
- W11. **Landscaping.** All the landscaping for the project shall comply with the California Water Conservation in Landscaping Act, Government Code Section 65591 et. seq. All plants shall be either California native or non-invasive, low water-using or moderate water-using plants. High water-using plants and nonfunctional turf are prohibited.
- W12. **Water Features.** Prior to issuance of Building Permits, the applicant shall submit plan details for all water features (including but not limited to fountains and ponds) designed to include provisions for operating the system without City potable water supply and capable of being physically disconnected from source of potable water

supply during City declared water conservation periods, to the satisfaction of the Director of the Water & Sewer Utilities. Decorative water features may be permanently connected to the City's recycled water supply.

- W13. **Easements.** Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device onsite. The water utility easement for the water services and all other public water appurtenances shall be a minimum 15 feet wide and be adjacent to the public right-of-way without overlapping any public utility easement. Additionally, the applicant shall submit plans defining existing easements so Water Division can verify if there are any conflicts with proposed easements and water utilities.
- W14. **Underground Fire Permit.** Prior to issuance of Building Permits, applicant shall submit an underground fire permit unless otherwise waived by the Fire Department. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000. A dedicated fire service line, with an approved backflow prevention device, shall be used for on-site fire hydrants. Fire service lines required for commercial and industrial use shall be sized appropriately per fire flow demand and code requirements.

DURING CONSTRUCTION

- W15. **City Standard Meters and Backflow Installation.** No meters or backflows shall be installed prior to establishment of water service account with the Municipal Services Division of the Finance Department. The applicant shall provide a copy of the account information to the Water and Sewer Utilities Department Inspector and Meter Shop prior to installation of any meter or backflow. All meters and backflows approved for installation shall be tested prior to use. Water service connections shall not be used prior to authorization by the Water and Sewer Utilities inspector.
- W16. **Construction Water.** This project shall use recycled water for all construction water needs for onsite and offsite construction.
- W17. **Water Shortage Response Actions.** Pursuant to the City of Santa Clara's Urban Water Management Plan, during times of drought or water shortage, the City implements water shortage response actions in accordance with the level of water shortage declared. All construction activities and all new irrigation connections are subject to the Water Shortage Response Actions in effect at the time of construction and connection of the irrigation service.

Water Shortage Response Actions for Stage 2 and higher include water use restrictions that limit the use of potable water such as:

- a. prohibiting the installation of new potable water irrigation services. new irrigation connections, construction, and dust control.
- b. restrict the use of potable water used for construction and dust control if recycled water is available.

This project is subject to all the requirements and restrictions of the Water Shortage Response Actions in place or adopted during the duration of the project.

For more information, visit the City of Santa Clara Water & Sewer Utilities website at www.santaclaraca.gov/waterconservation.

PRIOR TO FINAL OF BUILDING PERMIT

- W18. **Record Drawings.** Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as-built" drawings of the public water utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities Department.
- W19. **Conditional Releases.** The applicant shall comply with all the requirements of any building permit conditional release requirements

KEY:

- G = General
- P = Planning Division
- B = Building Division
- H = Housing Division
- FR = Fire Division
- E = Engineering
- ST = Stormwater Division
- TR = Transportation division
- SW = Solid Waste Division
- L = Right-of-way Landscape Division
- SVP = Silicon Valley Power Division
- W = Water Division

ACKNOWLEDGEMENT AND ACCEPTANCE OF CONDITIONS OF APPROVAL

Permittee/Property Owner

The undersigned agrees to each condition of approval and acknowledges and hereby agrees to use the project property on the terms and conditions set forth in this permit.

Signature: _____

Printed Name: _____

Relationship to Property: _____

Date: _____

Pursuant to Santa Clara City Code 18.128.100, the applicant shall return this document to the Department, properly signed and dated, within 30-days following the date of the Acknowledgement.



Agenda Report

25-376

Agenda Date: 4/16/2025

REPORT TO PLANNING COMMISSION

SUBJECT

PUBLIC HEARING: Action on a Conditional Use Permit (PLN24-00424) to Construct a Single-Sided Digital LED Billboard as Part of a Billboard Relocation Agreement and a Minor Modification to Reduce the Required 1,500 Linear Feet Distance from Another Electronic Digital Display Message Sign, and Recommendation to the City Council to Approve Adoption of the Billboard Relocation Agreement, Located at 1700 Duane Avenue.

PROJECT IN BRIEF

File No.(s): PLN24-00514

Project: Action on a **Conditional Use Permit** (PLN24-00424) to construct a single-sided digital LED billboard as part of a Billboard Relocation Agreement, and a **Minor Modification** to reduce the required 1,500 linear foot distance from another electronic digital display message sign, and Recommendation to the City Council to approve adoption of the Billboard Relocation Agreement, located at 1700 Duane Avenue.

Applicant: Chris Martin, Outfront Media

Property Owner: Bloom Investment Company LP

General Plan: Low Intensity-Office/Research & Development

Zoning: LO-RD - Low-Intensity Office/R&D

Site Area: 0.66 acres

Existing Site Conditions: The existing on-premise sign with two faces advertising the existing COCO Home business that currently operates on the project site will remain in place.

Surrounding Uses

- **North:** US 101 Highway
- **East:** LO-RD - Low-Intensity Office/R&D, Business Office Building
- **South:** LO-RD - Low-Intensity Office/R&D, Data Center
- **West:** LO-RD - Low-Intensity Office/R&D, Landscape & Tree Services

Issues: Consistency with the General Plan and Zoning Ordinance

Staff Recommendation: 1) Determine the project to be exempt from the California Environmental Quality Act; 2) Adopt a resolution approving the Conditional Use Permit to construct a single-sided digital LED billboard as part of a Billboard Relocation Agreement, subject to findings and conditions of approval; 3) Adopt a resolution approving the Minor Modification to reduce the required 1,500 linear foot distance from another electronic digital display message sign, subject to findings and conditions of approval; and 4) Recommend to the City Council approval of the Billboard Relocation Agreement.

BACKGROUND

The applicant, Outfront Media, filed an application on August 19, 2024, to construct a new 672 square foot (14 feet by 48 feet) single-sided LED digital billboard at 1700 Duane Avenue (PLN24-00424). The display on the billboard would be mounted on a new 46-foot tall supporting column. The proposed billboard would be 60 feet in height overall from the grade to the top of the sign.

The project requires approval of a Conditional Use Permit, a Minor Modification, and approval of a Billboard Relocation Agreement. A Conditional Use Permit is required to erect an electronic billboard. A Minor Modification is proposed to reduce the required 1,500 linear foot separation distance from another electronic digital display message sign by up to 25% (375 feet). In compliance with the Billboard Relocation Agreement, the project would remove three billboard faces on El Camino Real Boulevard.

The Planning Commission can act on the Conditional Use Permit and Minor Modification, and make a recommendation to the City Council for action on the Billboard Relocation Agreement.

DISCUSSION

The proposed project is to construct a new light emitting diode (LED) billboard located within an existing paved area near the northern boundary of the subject property. The structure would include a single-sided west facing display that would be visible to vehicles traveling southbound on US Highway 101. The existing on-premise sign with two faces advertises the COCO Home business located on the site and will remain in place. See Attachment 2 for the development plans.

The proposed billboard display would cycle through a rotation of static images and would be used primarily for commercial advertisements. The sign would operate constantly, rotating advertisements every eight seconds. Other uses for the sign could include promoting community events, highlighting public awareness campaigns, and broadcasting emergency messages when necessary. The billboard would not show video or motion, nor would it emit noise or audio. The project does not propose to change the existing land use of the project property.

Santa Clara City Code (SCCC) Sections 18.42.090 (Billboards) and 18.42.140 (Electronic Digital Display Message Signs) established in 2024, include the standards to erect and operate billboards and electronic display message signs. The City has had a policy since 1978 (Ordinance No. 1365 - Attachment 4) to limit the number of billboards to improve the quality of life for its citizens.

In 2004, the City Council established a policy statement for billboard relocation with minimum criteria, later revised in 2011 (Attachment 4). The City determined that billboards, by their very nature, constitute visual clutter and blight to the appearance of the City. (SCCC Section 18.42.090.A.) Section 18.42.090.C stipulates that the City may enter into agreements to allow for the relocation of existing outdoor advertising displays, at a 3:1 ratio (3 removed, 1 new).

General Plan Conformance

The project site has a General Plan land use designation of Low Intensity-Office/Research and Development (LO-RD). This classification is intended for campus-like office development that includes office and R&D, as well as medical facilities and free-standing data centers, with manufacturing uses limited to a maximum of 20 percent of the building area. It is typically located in areas that provide a transition between light industrial and high-intensity office and R&D uses.

While a General Plan conformance finding is not a requirement for approval, on balance, the proposed project is consistent with the City's General Plan. The following policy is presented for consideration as they relate to the project:

- 5.3.1-P24 - Coordinate sign programs for commercial uses to promote continuity, improve streetscape design and reduce visual clutter.

Zoning Conformance

Section 18.42.140 (Electronic Digital Display Message Signs)

The proposed electronic billboard would be located on a site zoned LO-RD - Low-Intensity Office/R&D. In accordance with SCCC Section 18.42.140.C, a Conditional Use Permit is required for an electronic digital display message sign to be erected.

The proposed billboard is consistent with the development standards for electronic billboards except for height and sign separation. The allowed height for an electronic digital display message sign is a maximum of 25 feet, unless modified by the terms of the Conditional Use Permit (Section 18.42.0140.F.2). The proposed height of the billboard is 60 feet as requested in the Conditional Use Permit.

The approval of a Conditional Use Permit to allow an electronic digital display message sign shall be based on the following findings:

1. *The proposed electronic digital display message sign is to be located in an appropriate area as defined by Section 18.42.140.F (Development Standards);*
 - Sign Face Dimensions: The proposed sign will be 672 square feet, which is less than the maximum display area of 800 square feet, and the overall length is 48 feet, which is less than the maximum length of 60 feet
 - Height: As authorized by the Code, the height is set by the Conditional Use Permit to 60 feet for the proposed billboard, which is an appropriate height for a sign adjoining a freeway.
 - Separation: The applicant requests a Minor Modification reducing the 1,500 foot separation distance from another electronic digital display message sign to 1,187 feet.
 - Support Structure: The sign will be mounted on a single cylindrical column support, as required by the Code.
 - Cutouts and Attachments: The sign will not have cutouts or attachments.
 - Double-faced Signs: The sign will be single-faced electronic digital display message sign on a cylindrical column structure.
 - Mechanical Screening: The sign will include a b-deck enclosure to conceal back bracing, framework, structural members, and electrical equipment.
 - Owner Identification: The sign will have an owner identification side located on the bottom left corner.
 - Undergrounding of Utilities: The sign will underground all utilities as required in the Conditions of Approval.
2. *The proposed electronic digital display message sign is placed in the least visually impacting manner;*
 - The proposed electronic digital display message sign is located next to US Highway

101 and is located at least 1,125 linear feet from other electronic digital display message signs.

3. *The Conditional Use Permit contains appropriate language addressing revenue and/or other public benefits for the City;*

- The proposed Billboard Conditional Use Permit includes a Billboard Relocation Agreement, which establishes mechanisms for ensuring the removal of obsolete billboards, compensation to the City for new billboard installation, and public service and emergency announcements.

4. *The proposed electronic digital display message sign complies with all the applicable operational standards specified in Subsection G, below, unless modified by the Planning Commission, as well as all applicable Federal and State laws;*

- **Brightness:** The sign will have a brightness of maximum 5,000 nits during daytime hours and maximum 300 nits during nighttime hours. These levels comply with the City's requirements that sign's brightness should not exceed 5,000 nits during the day and 500 nits at night.
- **Dimmer Control:** The sign will have a dimmer control to adjust to respond the ambient conditions and change illumination from higher illumination level to lower lever for the time period between one half-hour before sunset and one half-hour after sunrise.
- **Brightness Review:** The sign is conditioned to a 30-day review period as required by the Zoning Code.
- **Change of Message:** The sign will operate constantly, rotating advertisements every eight seconds and change messages instantaneously without any fading in/out, scrolling, dissolving, or similar animation.
- **No Animation:** The sign will not show video or motion, nor will it emit noise or audio. The sign will not have any form of moving, animated, oscillating, or rotating images, or any other design intended to attract attention.
- **Maintenance:** The sign is conditioned to be maintained in good working order at all times. Sign will be designed and equipped to freeze the changeable message in one position or to go dark if a malfunction occurs. The sign owner will immediately stop the electronic/digital display when notified by the City that is malfunctioning or not complying with regulations of this Section.
- **Nonconforming Sign Structure:** The proposed sign will not change an existing sign or sign structure to a new electronic digital display message sign.
- **Public Service Announcements:** The sign will provide public service announcements, Amber Alerts, and other community service announcements as required in the Billboard Relocation Agreement, Zoning Code, and Conditions of Approval.

5. *The placement of the proposed electronic digital display message sign will not adversely affect residential use of property*

- The proposed billboard is not located near residential properties and proposes to remove billboard faces along El Camino Real Boulevard.

6. *The placement of the proposed electronic digital display message sign will not pose a traffic hazard.*

- The proposed sign will not create traffic hazard as it is consistent with the operational

and development standards in Section 18.42.140.

Section 18.42.90 (Billboards)

The Billboard Relocation Agreement for the proposed project requires, ultimately, the removal of three existing billboard faces in exchange for the installation of the proposed single-sided digital billboard at a new location within the City. The draft Billboard Relocation Agreement is attached to this report (Attachment 8).

To construct a new single-sided digital billboard, Outfront Media proposes to remove three existing billboard faces. The billboard face on the west side is proposed to be removed located at 2983 El Camino Real, Santa Clara, CA (6321). The other two billboard faces proposed to be removed are located at 3362 El Camino Real, Santa Clara, CA (6208/6209). Hand tools and small crane rigs would be used to remove the billboard faces and the structure. The top of the billboards would first be disassembled and removed, and then any supporting equipment.

With the removal of three billboard faces, the installation of the proposed billboard does not increase the total number of billboards from 17, in accordance with SCCC Section 18.42.090.B.5.

Minor Modification

A Minor Modification is proposed to reduce the 1,500 linear foot separation distance from another electronic digital display message sign, as required in SCCC Section 18.42.140.F.3 - Separation. A Minor Modification can be used to reduce the 1,500 linear feet by up to 25%, which would result in a minimum separation of 1,125 linear feet. Here, the proposed billboard is approximately 1,187 feet from an existing on-premise LED sign located at 3250 Jay Street. The proposed billboard is approximately 1,440 feet from an existing Clear Channel Outdoor operated LED billboard located at 1130 Duane Avenue (see Attachment 3). Although Minor Modification requests are typically decided by the Director, they may be referred to the Planning Commission for consideration and final decision (Section 18.124.040.C.2). In order to grant a Minor Modification, 4 findings are required:

1. *The site characteristics and/or existing improvements make strict adherence to the Zoning Code requirements impractical or infeasible;*
 - Strict adherence to the 1,500-foot separation distance from other electronic digital display message signs would restrict the implementation of City's policy to remove existing Billboards through the Billboard Relocation Agreement.
2. *Granting the Minor Modification will result in development compatible and consistent with the adjoining properties and the immediate neighborhood;*
 - The Billboard Relocation Agreement proposes to remove billboard faces from El Camino Real and locate a new billboard along US Highway 101, consistent with the adjoining properties and City Council policy.
3. *Granting the Minor Modification will be in conformance with the intent and purposes of the zone for the property; and*
 - Electronic Digital Display Message Signs are permitted with a Conditional Use Permit in the LO-RD zone and is appropriate for a transition area between light industrial and high-intensity office and R&D uses and along US Highway 101.
4. *There are no significant adverse impacts from the proposed Minor Modification or any adverse*

impacts have been mitigated.

- No significant adverse impacts are anticipated from the proposed Minor Modification.

ENVIRONMENTAL REVIEW

The action being considered is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (Class 3 -- New Construction or Conversion of Small Structures), in that the proposed use consists of construction of new, small structures or where only minor modifications are made in the exterior of a structure.

FISCAL IMPACT

There is no fiscal impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by the applicant.

COORDINATION

This report was coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

On March 27, 2025, a notice of public hearing on this item was mailed to property owners within 300 feet of the project site. At the time of this staff report, Planning staff have not received public comments in support or opposition to the proposed project

RECOMMENDATION

- 1) Determine the project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (Class 3 - "New Construction or Conversion of Small Structures").
- 2) Adopt a resolution approving a Conditional Use Permit to allow for construction a single-sided digital LED billboard as part of a Billboard Relocation Agreement, located at 1700 Duane Avenue, subject to findings and conditions of approval.
- 3) Adopt a resolution approving a minor modification to reduce the required 1,500 linear feet distance from another electronic digital display message sign, located at 1700 Duane Avenue, subject to findings and conditions of approval.
- 4) Recommend to the City Council approval of the Billboard Relocation Agreement.

Prepared by: Meha Patel, Assistant Planner

Reviewed by: Alexander Abbe, Assistant City Attorney

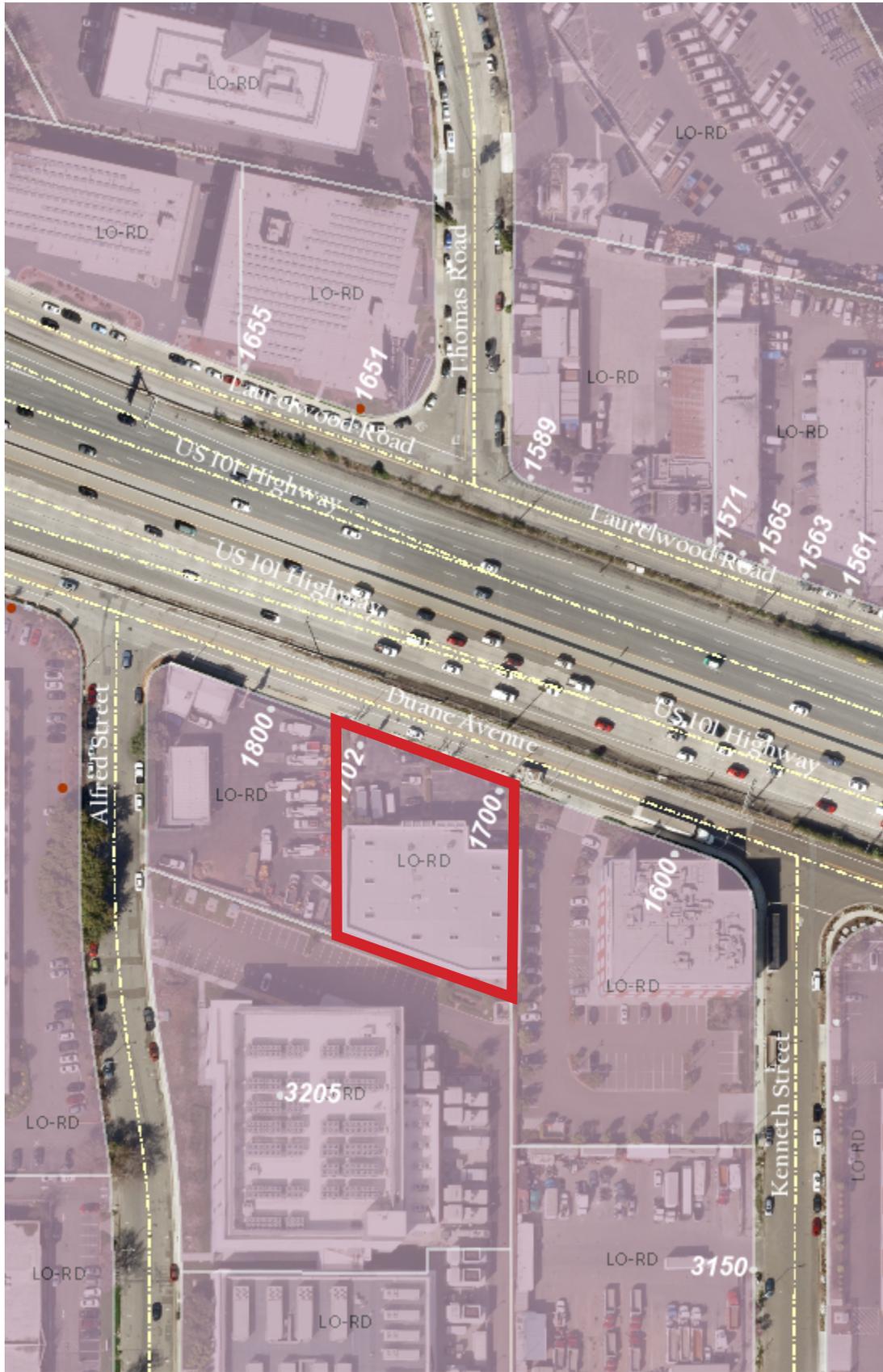
Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Vicinity Map
2. Development Plans

3. Minor Modification - Distance from Other LED Signs
4. Ordinance No. 1365 and City Council Policy Statement
5. Conditions of Approval
6. Resolution to Adopt the Conditional Use Permit
7. Resolution to Adopt the Minor Modification
8. Draft Billboard Relocation Agreement

Vicinity Map (Zoning) - 1700 Duane Ave



Legend

Residential

- R1-6L - Single Family
- R1-8L - Single Family
- R2 - Low Density Residential
- R3 - Medium Density Residential
- R4 - High Density Residential
- R5 - Very High Density Residential
- TN - Transit Neighborhood
- UC - Urban Center
- UV - Urban Village
- VR - Village Residential
- PH-R5 - Patrick Henry - Very High Density Residential
- HDF - High Density Flex
- LSAP - Lawrence Station Area Plan

Mixed Use

- MUCC - Mixed Use Community Commercial
- MUNC - Mixed Use Neighborhood Commercial
- MURC - Mixed Use Regional Commercial
- SCS - Santa Clara Station Focus Area

Public / Open Space

- OS - Parks/Open Space
- PQP - Public / Quasi Public

Commercial

- CC - Community Commercial
- CN - Neighborhood Commercial
- CR - Commercial Regional

Industrial

- HI - Industrial Heavy
- LI - Industrial Light

Office - R&D

- HO-RD - Office/R&D-High Intensity
- LO-RD - Low-Intensity Office/R&D

Form Based

- DNTW - Downtown

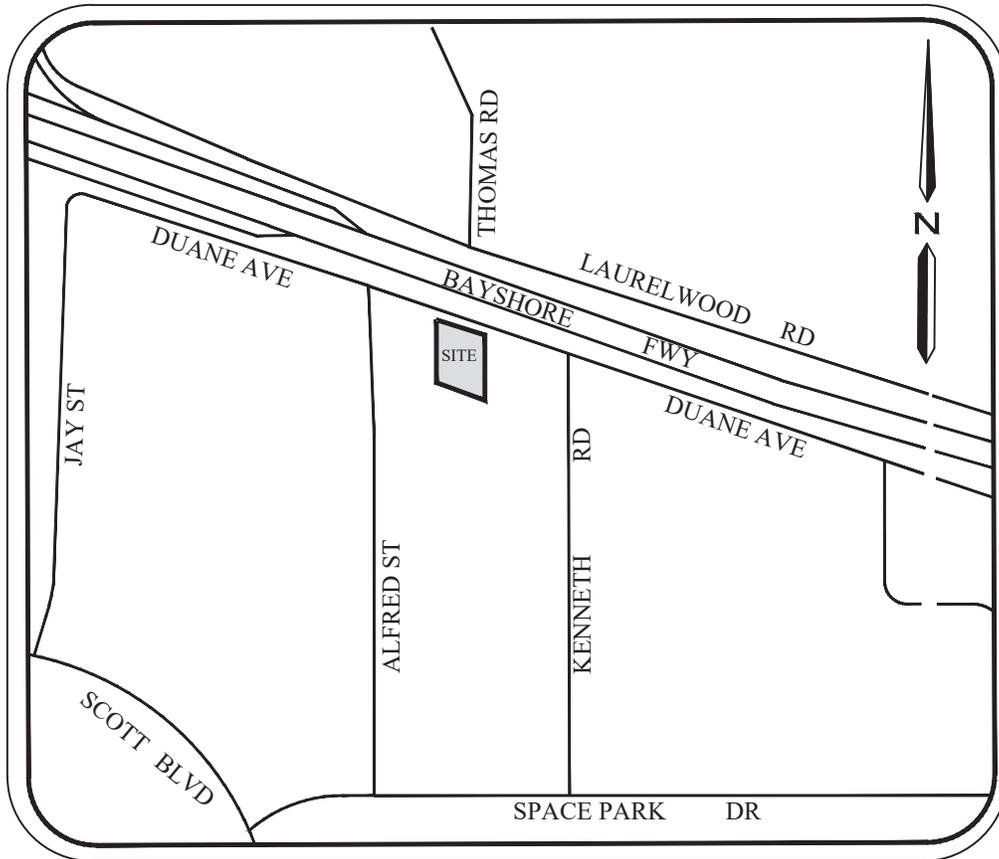
Planned Development

- PD - Planned Development
- PD-MC - Planned Development Master Community



SITE PLAN FOR OUTFRONT MEDIA

VICINITY MAP



SURVEYOR'S STATEMENT

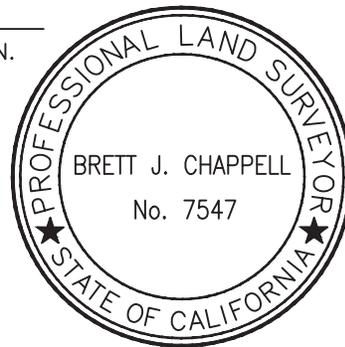
THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION.

Brett Chappell

BRETT J. CHAPPELL, PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER 7547
EXPIRATION DATE: DECEMBER 31, 2025

1/14/2025

DATE



SHEET	1 OF 5
SCALE:	NO SCALE
DATE:	1/14/2025
PREPARED BY:	BJC
Job. No.:	2024029

SITE PLAN
PROPOSED SIGN
1700 DUANE AVE
CITY OF SANTA CLARA
COUNTY OF SANTA CLARA STATE OF CALIFORNIA



**CHAPPELL
GEOMATICS, INC.**
147 N 1st Avenue
OAKDALE, CA, 95361
PHONE: (209) 845 9694
WWW.CHAPGEO.COM

UTILITY NOTES

1. UNDERGROUND UTILITIES ARE SHOWN BASED ON MARKINGS PROVIDED BY CORE DYNAMICS GPR.
PHONE: (209)715-0507
EMAIL: COREDYNAMICSGPR@GMAIL.COM
WEBSITE: COREDYNAMICSGPR.COM
2. CONTRACTORS AND OTHER PERFORMING WORK SHALL VERIFY THE EXACT LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES WITHIN CONSTRUCTION AREA.
3. SPRINKLER HEADS AND IRRIGATION LATERAL LINES ARE NOT SHOWN HEREON.
4. ADDITIONAL UNDETECTED UTILITIES MAY EXIST WITHIN THE LIMIT OF THIS SURVEY.
5. CALL UNDERGROUND SERVICE ALERT (USA) 48 HOURS PRIOR TO ANY UNDERGROUND WORK.

REFERENCED TITLE REPORT

THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED IN THE BELOW REFERENCED PRELIMINARY TITLE REPORT. NO LIABILITY IS ASSUMED FOR MATTERS OF RECORD NOT STATED IN SAID PRELIMINARY REPORT THAT MAY AFFECT THE TITLE LINES, OR EXCEPTIONS, OR EASEMENTS OF THE PROPERTY.

TITLE COMPANY: FIRST AMERICAN TITLE INSURANCE COMPANY
A NEBRASKA CORPORATION, HEREIN CALLED THE COMPANY

ORDER NO: 5026900-7098796
TITLE REPORT DATE: MARCH 11, 2024 AT 7:30 A.M.

ASSESSOR'S PARCEL NO.: 224-42-011

TOPOGRAPHIC SURVEY NOTES

1. ALL DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. PHYSICAL ITEMS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SURFACE ITEMS VISIBLE AS OF THE DATE OF THIS SURVEY. SUBSURFACE OBJECTS NOT SHOWN MAY INCLUDE, BUT ARE NOT LIMITED TO, CONCRETE FOOTINGS, SLABS, SHORING, STRUCTURAL PILES, UTILITY VAULTS, PIPING, UNDERGROUND TANKS, AND ANY OTHER SUBSURFACE STRUCTURES NOT REVEALED BY A SURFACE INSPECTION OR PER SITE IMPROVEMENT PLANS.

BASIS OF BEARINGS

THE BEARING S 69°22'12" E BEING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF DUANE AVENUE AS SHOWN ON THE PARCEL MAP FILED FOR RECORD ON JANUARY 28, 1970 IN BOOK 263 OF MAPS AT PAGE 49 IN THE OFFICE OF THE RECORDER FOR THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, WAS USED AS THE BASIS FOR ALL BEARING SHOWN HEREON.

BENCHMARK

ELEVATION: 34.45 FEET
DATUM: NAVD 88
POINT I.D.: B-4

DESCRIPTION: 2" BRASS DISK STAMPED SCBM B-4
RESET 2021
LOCATION: 1000 DUANE AVE. ON THE NW CORNER OF
A 10'X16.5' STORM DRAIN CONCRETE
STRUCTURE

ZONING

ZONING: LO-RD : LOW INTENSITY OFFICE / R&D
ACRES: 0.63
COUNTY USE: GENERAL INDUSTRIAL (16)
LOT AREA: 27,425 SQUARE FEET
LOT WIDTH/DEPTH: 160 X 182
LAND USE: INDUSTRIAL (NEC)
APN: 224-42-011

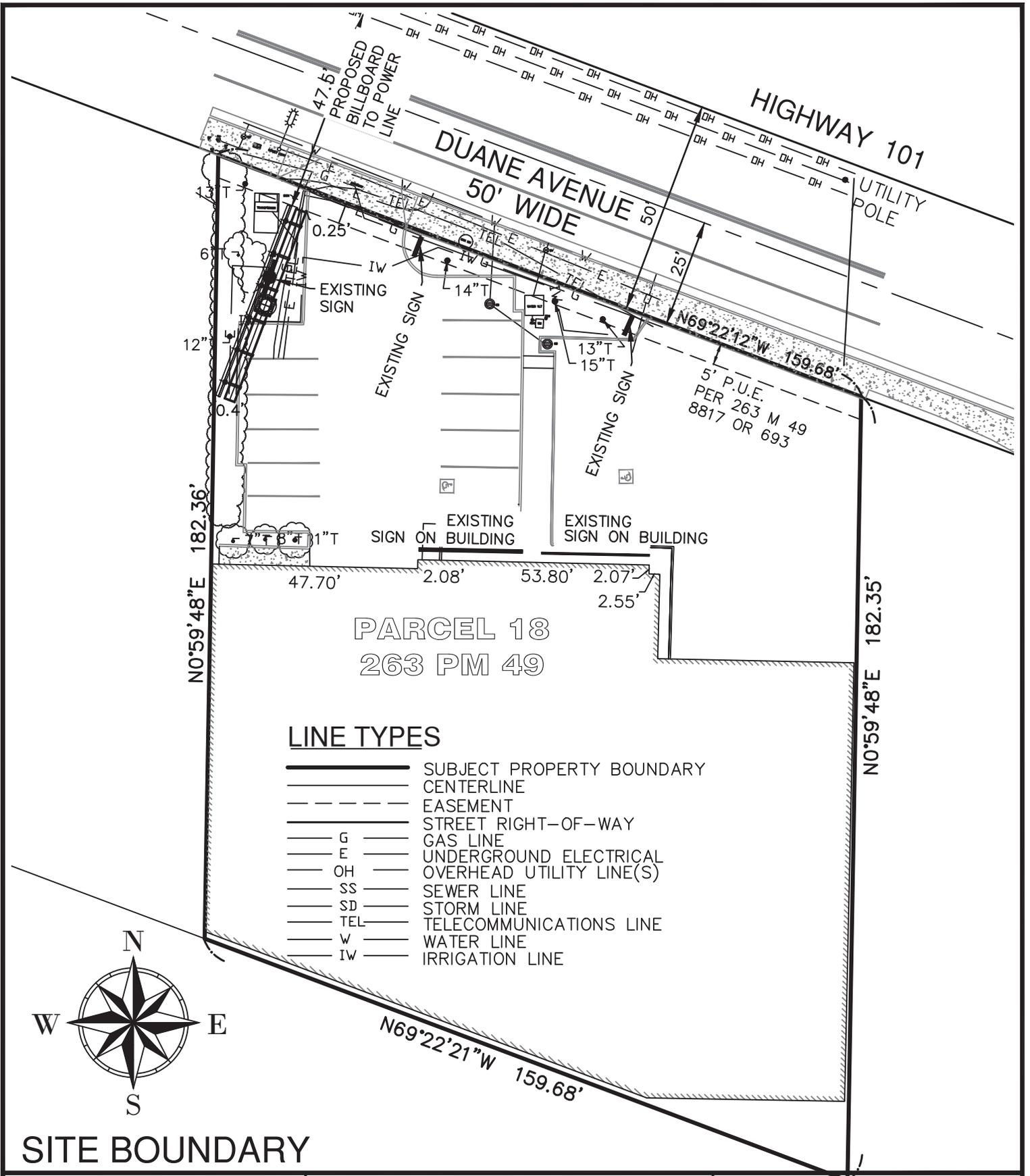
MAX SIGN AREA ALLOWED: 1200 SQ FT
PROPOSED SIGN AREA: 672 SQ FT

SHEET	2 OF 5
SCALE:	NO SCALE
DATE:	1/14/2025
PREPARED BY:	BJC
Job. No.:	2024029

SITE PLAN
PROPOSED SIGN
1700 DUANE AVE
CITY OF SANTA CLARA
COUNTY OF SANTA CLARA STATE OF CALIFORNIA

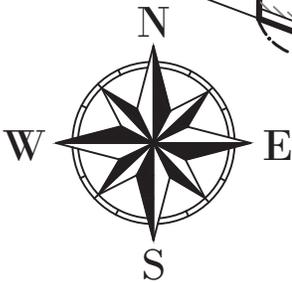


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PHONE: (209) 845 9694
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LINE TYPES

-  SUBJECT PROPERTY BOUNDARY
-  CENTERLINE
-  EASEMENT
-  STREET RIGHT-OF-WAY
-  G GAS LINE
-  E UNDERGROUND ELECTRICAL
-  OH OVERHEAD UTILITY LINE(S)
-  SS SEWER LINE
-  SD STORM LINE
-  TEL TELECOMMUNICATIONS LINE
-  W WATER LINE
-  IW IRRIGATION LINE



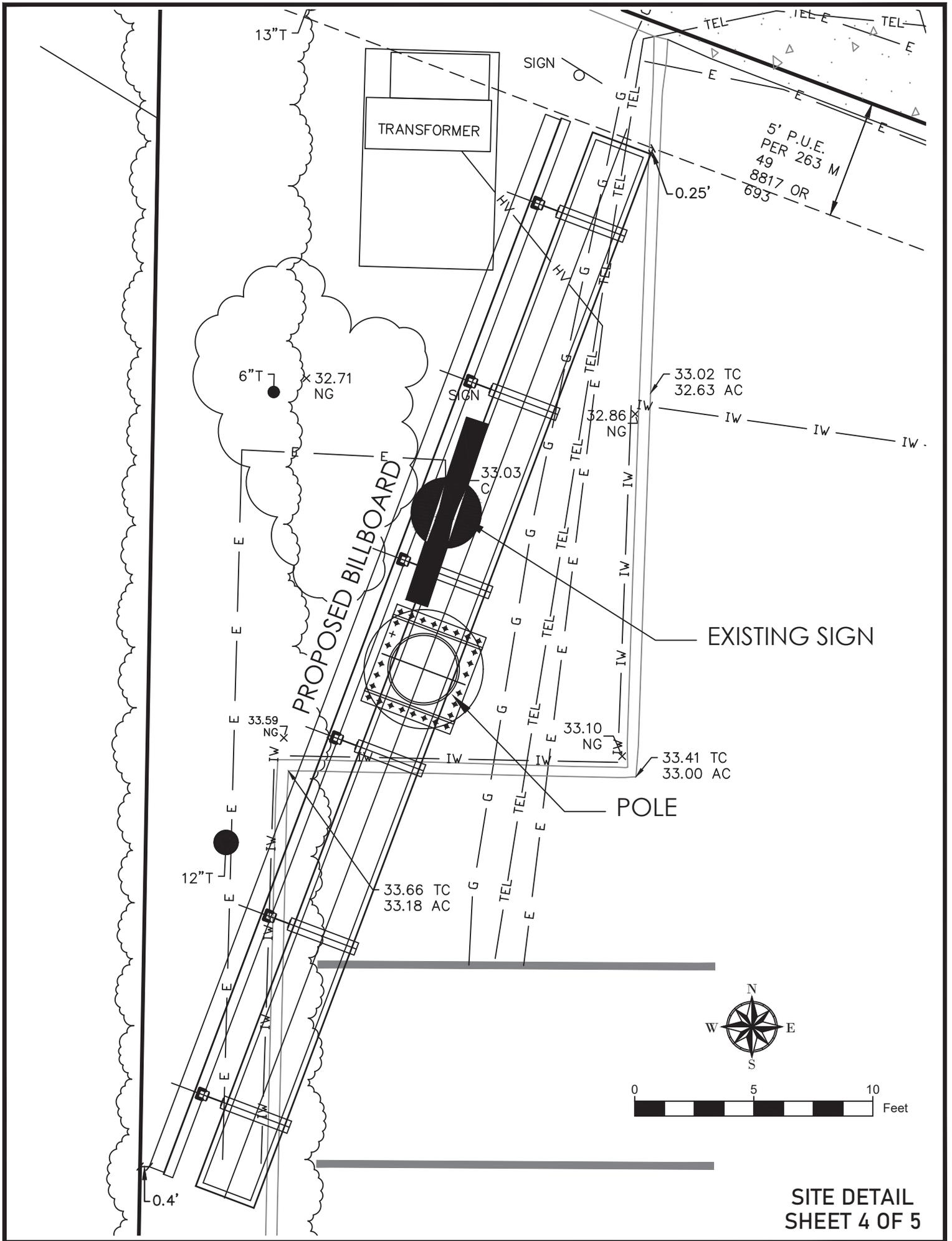
SITE BOUNDARY

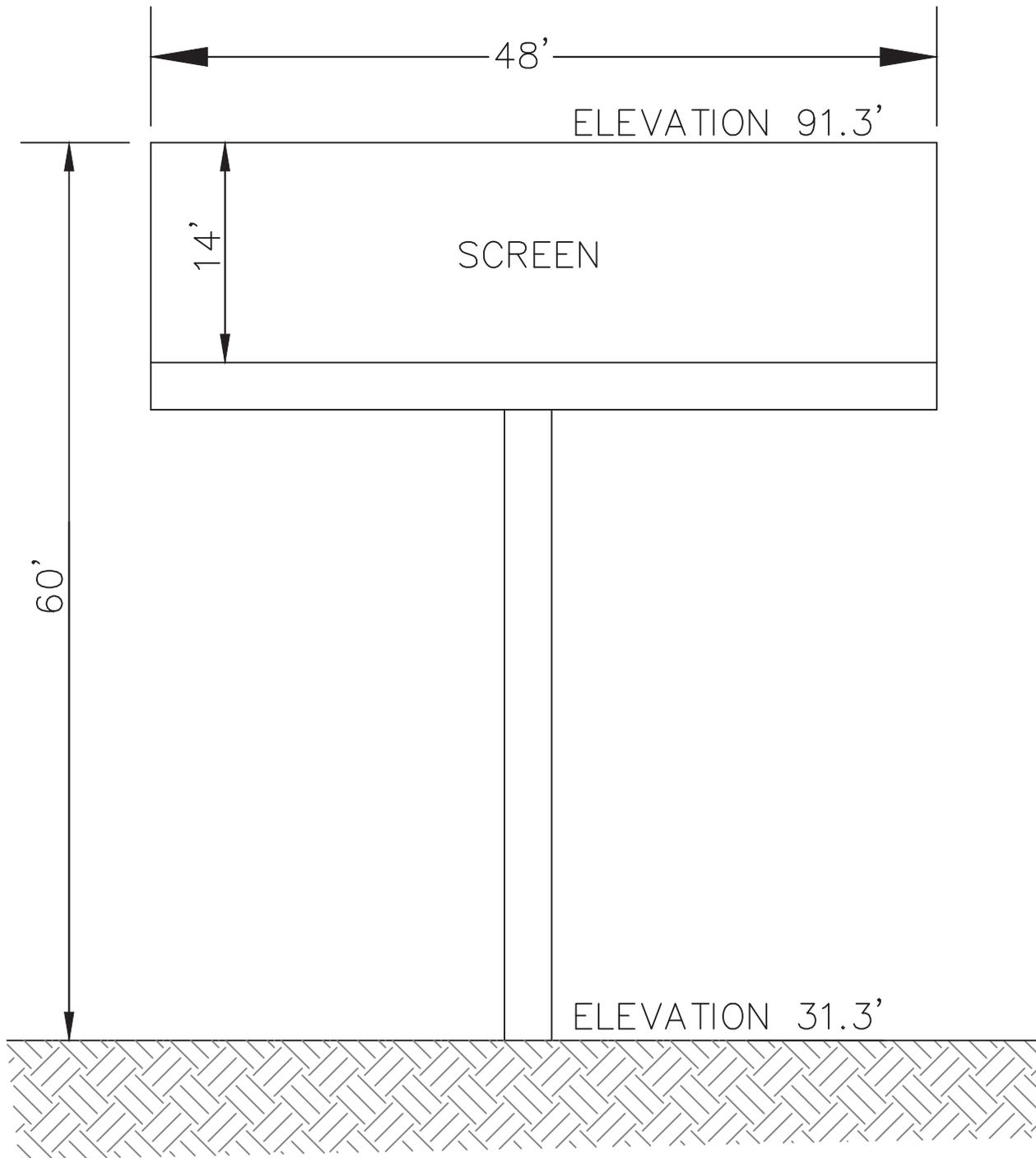
SHEET	3 OF 5
SCALE:	1"=30'
DATE:	1/14/2025
PREPARED BY:	BJC
Job. No.:	2024029

SITE PLAN
PROPOSED SIGN
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 CITY OF SANTA CLARA
 COUNTY OF SANTA CLARA STATE OF CALIFORNIA



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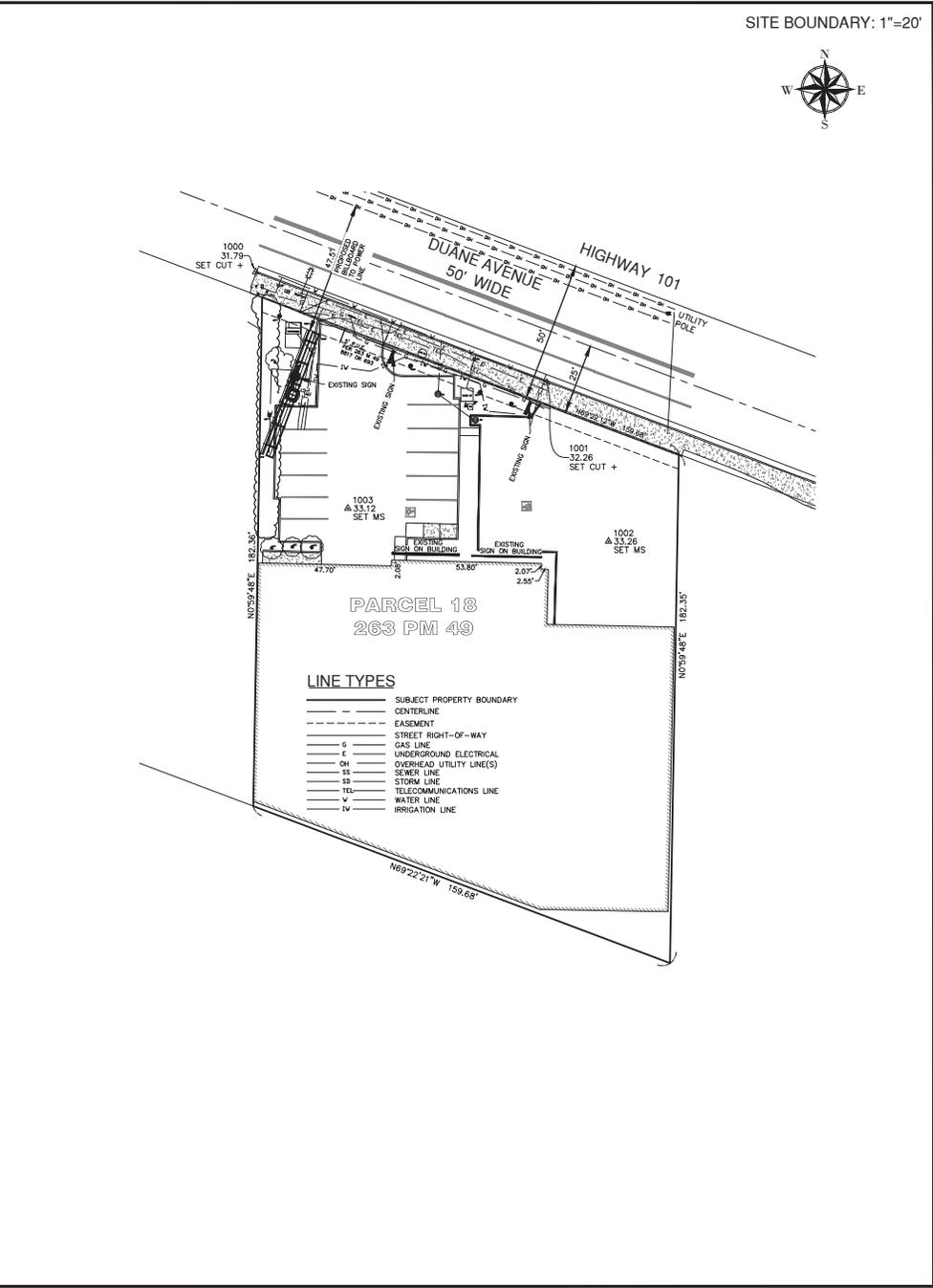
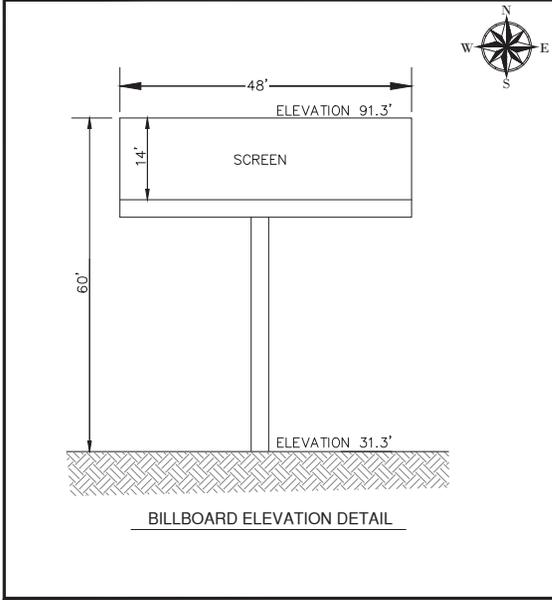
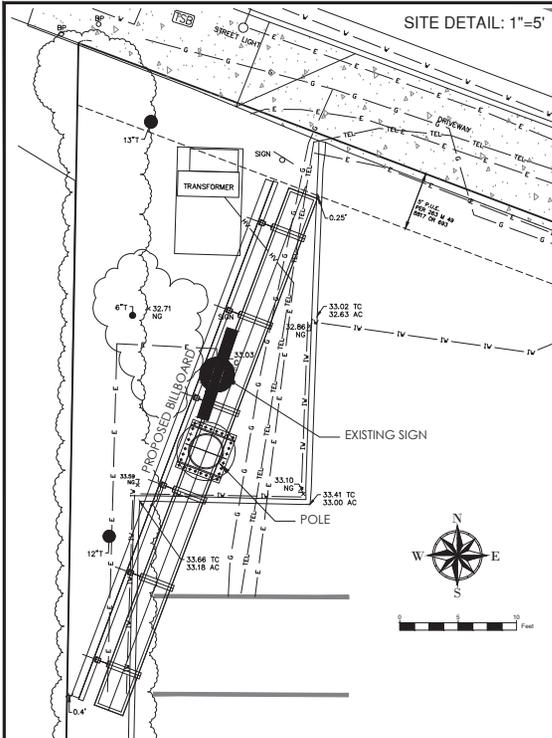
BILLBOARD ELEVATION DETAIL

SHEET	5 OF 5
SCALE:	NO SCALE
DATE:	1/14/2025
PREPARED BY:	BJC
Job. No.:	2024029

SITE PLAN
PROPOSED SIGN
1700 DUANE AVE
 CITY OF SANTA CLARA
 COUNTY OF SANTA CLARA STATE OF CALIFORNIA



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VICINITY MAP

UTILITY NOTES

- UNDERGROUND UTILITIES ARE SHOWN BASED ON MARKINGS PROVIDED BY CORE DYNAMICS GPR. PHONE: (209)715-2507. EMAIL: CORE@DYNAMICSGPR.COM. WEBSITE: CORE@DYNAMICSGPR.COM
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- SPRINKLER HEADS AND IRRIGATION LATERAL LINES ARE NOT SHOWN HEREON.
- ADDITIONAL UNDETECTED UTILITIES MAY EXIST WITHIN THE LIMIT OF THIS SURVEY.
- CALL UNDERGROUND SERVICE ALERT (USA) 48 HOURS PRIOR TO ANY UNDERGROUND WORK.

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TREE NOTE

TREE TYPES AND SIZE ARE FOR INFORMATIONAL PURPOSES ONLY. ACTUAL TYPE OF TREE, TREE SHAPE AND GROVE CONFIGURATION MAY VARY FROM ACTUAL FIELD CONDITIONS. NO WARRANTIES ARE IMPLIED WITH REGARD TO TREE INFORMATION.

REFERENCED TITLE REPORT

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TITLE COMPANY: FIRST AMERICAN TITLE INSURANCE COMPANY
A NEBRASKA CORPORATION, HEREIN CALLED THE COMPANY

ORDER NO: 5026900-7098796
TITLE REPORT DATE: MARCH 11, 2024 AT 7:30 A.M.
ASSESSOR'S PARCEL NO.: 224-42-011

TOPOGRAPHIC SURVEY NOTES

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- DIMENSIONAL TIES TO REPLEVEMENTS ARE 90° TO THE PROPERTY LINES UNLESS NOTED OTHERWISE.
- THE FIELD DATA FOR THIS SURVEY WAS COLLECTED USING A LEICA RTC 360 LASER SCANNER AND THE TRIMBLE S5 1 SECOND TOTAL STATION.
- THE TOPOGRAPHIC POINTS AND LINE WORK SHOWN HEREON WERE MAPPED FROM THE LASER SCAN POINT CLOUD.
- POINT ELEVATIONS ARE FOR THE FEATURE DESCRIBED AND DO NOT CORRESPOND PRECISELY TO THE ADJACENT HORIZONTAL LOCATION. PRECISE LINE WORK WAS DERIVED FROM THE LASER SCAN POINT CLOUD.

BASIS OF BEARINGS

THE BEARINGS S 69°22'12" E BEING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF DUANE AVENUE AS SHOWN ON THE PARCEL MAP FILED FOR RECORD ON JANUARY 25, 1970 IN BOOK 263 OF MAPS AT PAGE 49 IN THE OFFICE OF THE RECORDER FOR THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, WAS USED AS THE BASIS FOR ALL BEARINGS SHOWN HEREON.

BENCHMARK

ELEVATION: 34.45 FEET
DATUM: NAVD 83
POINT ID: B-40

DESCRIPTION: 2" BRASS DISK STAMPED SCBM B-4 RESET 2021
LOCATION: 1000 DUANE AVE. ON THE NW CORNER OF A 10'X16.5' STORM DRAIN CONCRETE STRUCTURE.

ZONING

ZONING: LQ-RD : LOW INTENSITY OFFICE / R&D
ACRES: 0.43
COUNTY USE: GENERAL INDUSTRIAL (I4)
LOT AREA: 27,425 SQUARE FEET
LOT WIDTH/DEPTH: 162 X 182
LAND USE: INDUSTRIAL (NEC)
APN: 224-42-011
MAX SIGN AREA ALLOWED: 1200 SQ FT
PROPOSED SIGN AREA: 672 SQ FT

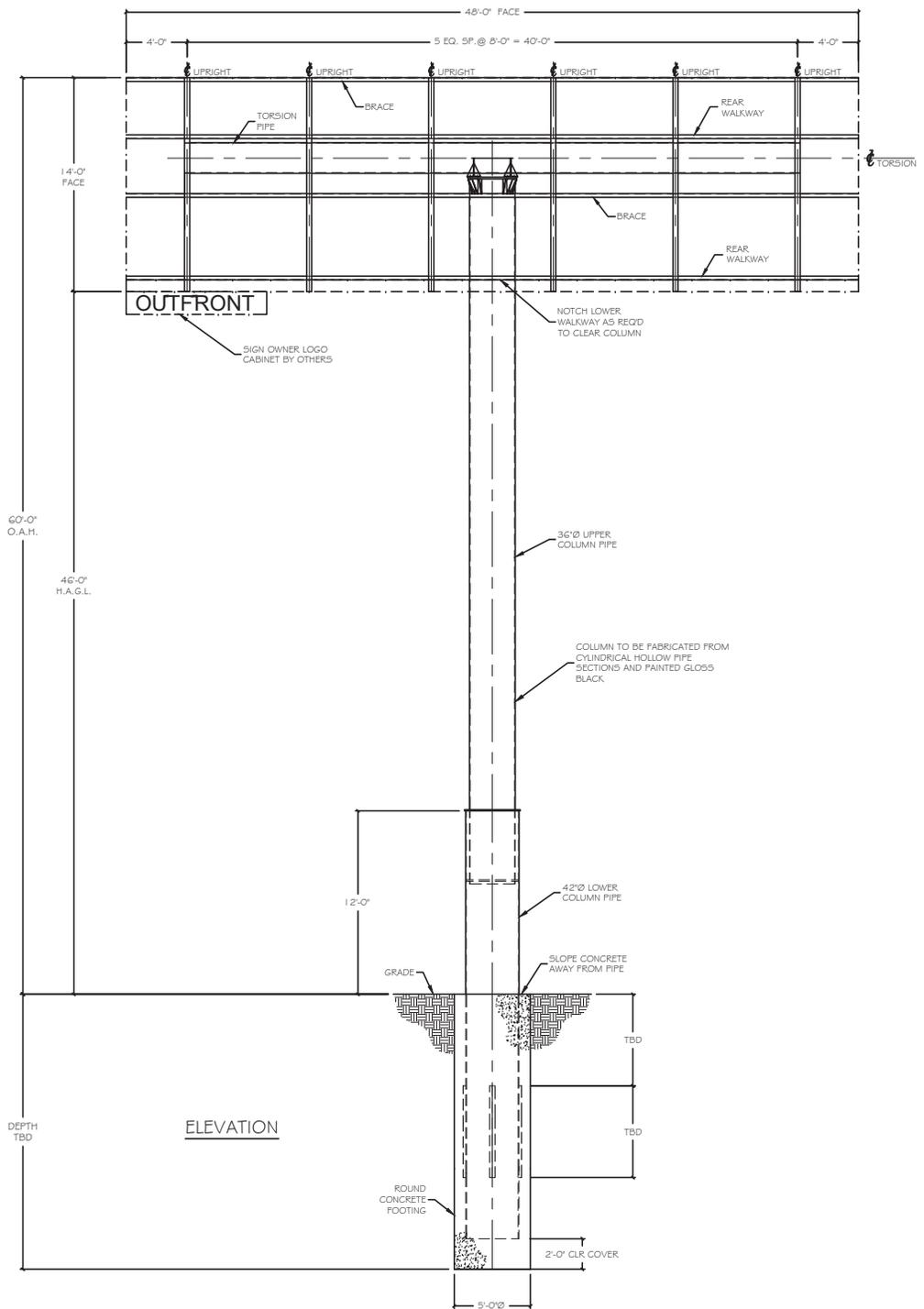
SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION.

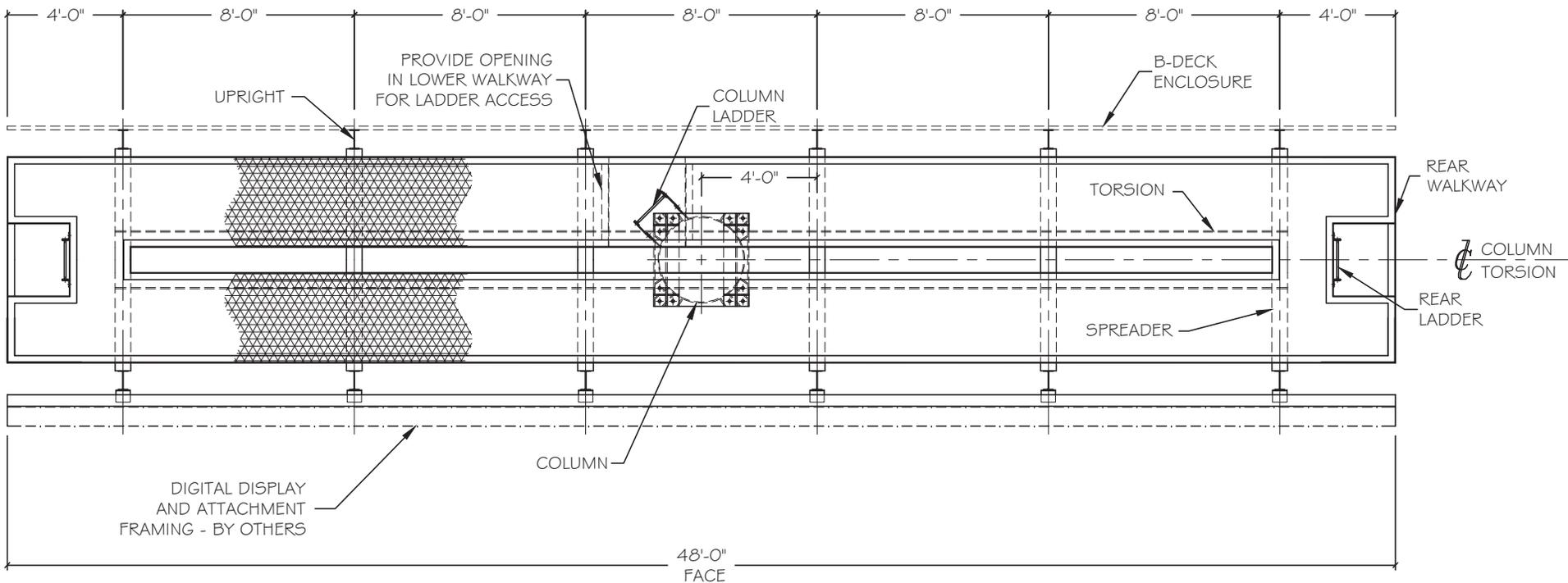
Brett Chappell
BRETT J. CHAPPELL, PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER 7547
EXPIRATION DATE: DECEMBER 31, 2025
1/14/2025
DATE

PRELIMINARY DRAWING
NOT FOR CONSTRUCTION

CUSTOMER		OUTFRONT MEDIA	
SIGN LOCATION		1700 DUANE AVE SANTA CLARA, CA	
		ENG. NO.	DR.
		G-PRELIM	JSW
		CH.	JSW
		DATE	12/26/24
JOB NO.		SHEET NO.	1 of 3



148038F - STD - LED - 80 DASH - OUTFRONT - SANTA CLARA CA 12.26.24

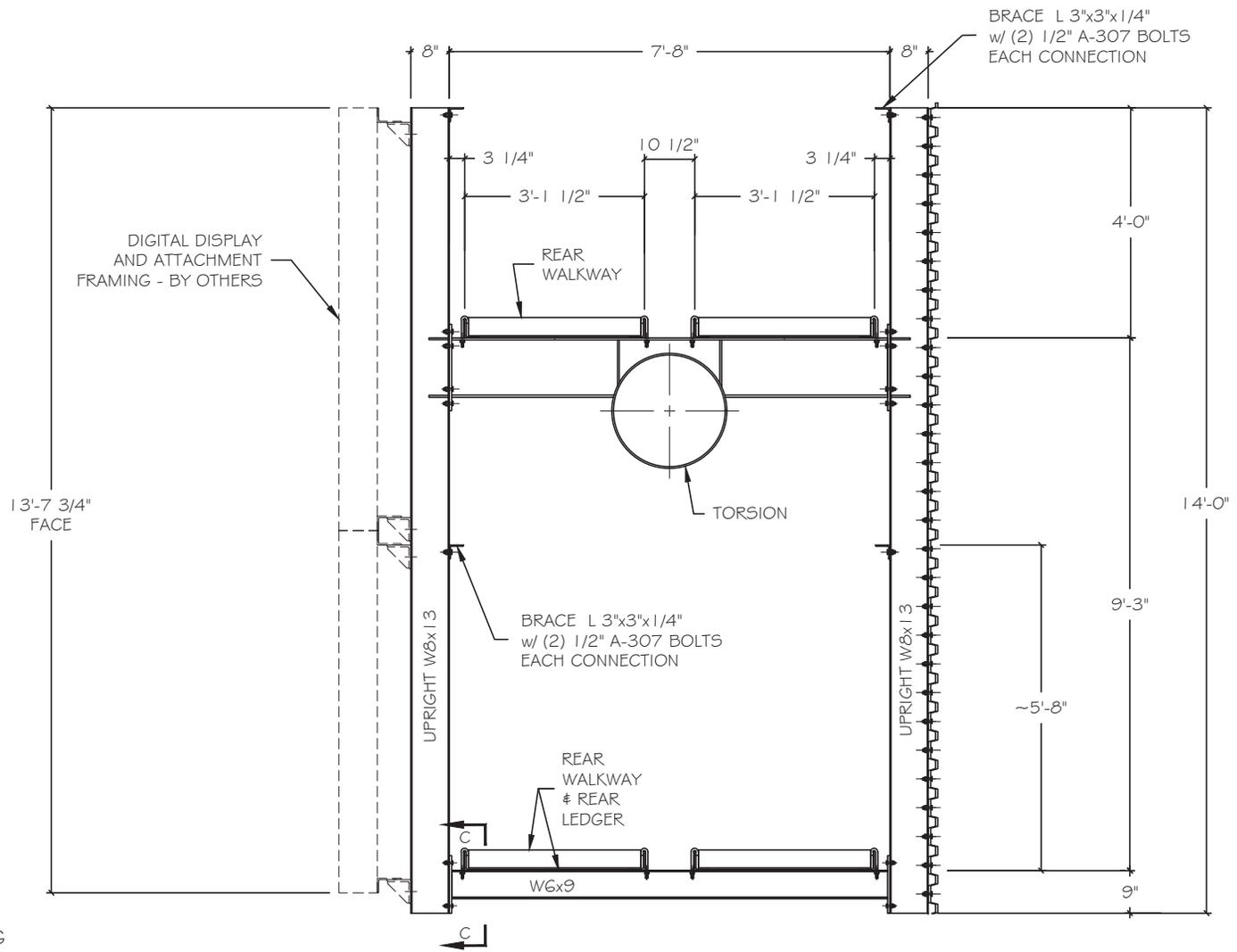


PLAN VIEW

PRELIMINARY DRAWING
NOT FOR CONSTRUCTION

CUSTOMER		14' x 48'	
OUTFRONT MEDIA		CENTER MOUNT	
SIGN LOCATION		SINGLE FACE	
1700 DUANE AVE		w/ ENCLOSURE	
SANTA CLARA, CA		LED READY	
 4425 North 24th Street, Suite 200 Phoenix, Arizona 85016 (602) 230-8634 Fax: (602) 230-9071	ENG NO.	DR.	CH.
	G-PRELIM	JSW	JSW
	DATE		
12/26/24			
JOB NO.	SHEET NO.		
	2 of 3		

14803MF - STD - LED - 80 DASH - OUTFRONT - SANTA CLARA CA 12.26.24



PRELIMINARY DRAWING
NOT FOR CONSTRUCTION

TYPICAL SECTION THRU SIGN

CUSTOMER		14' x 48'	
OUTFRONT MEDIA		CENTER MOUNT	
SIGN LOCATION		SINGLE FACE	
1700 DUANE AVE SANTA CLARA, CA		w/ ENCLOSURE	
		LED READY	
 4425 North 24th Street, Suite 200 Phoenix, Arizona 85016 (602) 230-8634 Fax: (602) 230-9071	ENG NO.	DR.	CH.
	G-PRELIM	JSW	JSW
	DATE		12/26/24
JOB NO.	SHEET NO.		
	3 of 3		

148038F - STD - LED - 80 DASH - OUTFRONT - SANTA CLARA CA 12.26.24



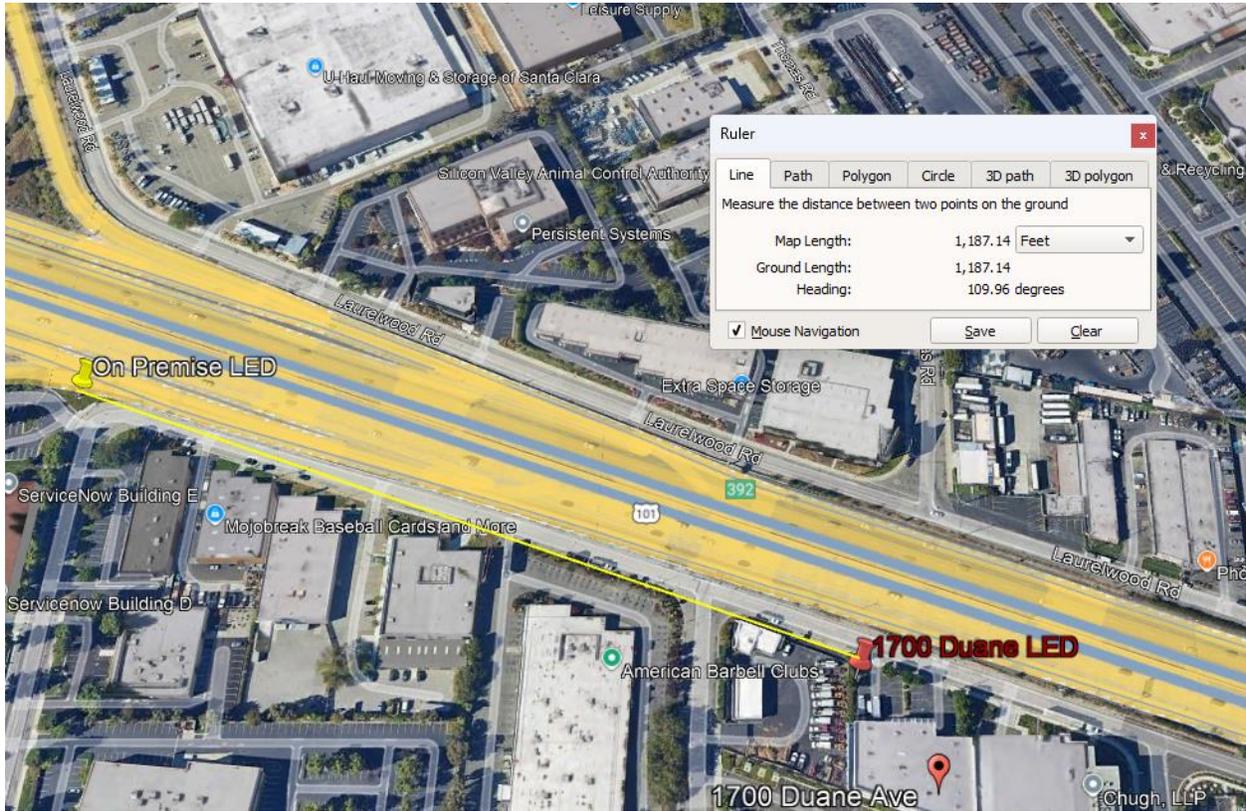
OUTFRONT

Existing Sign Height: 34'

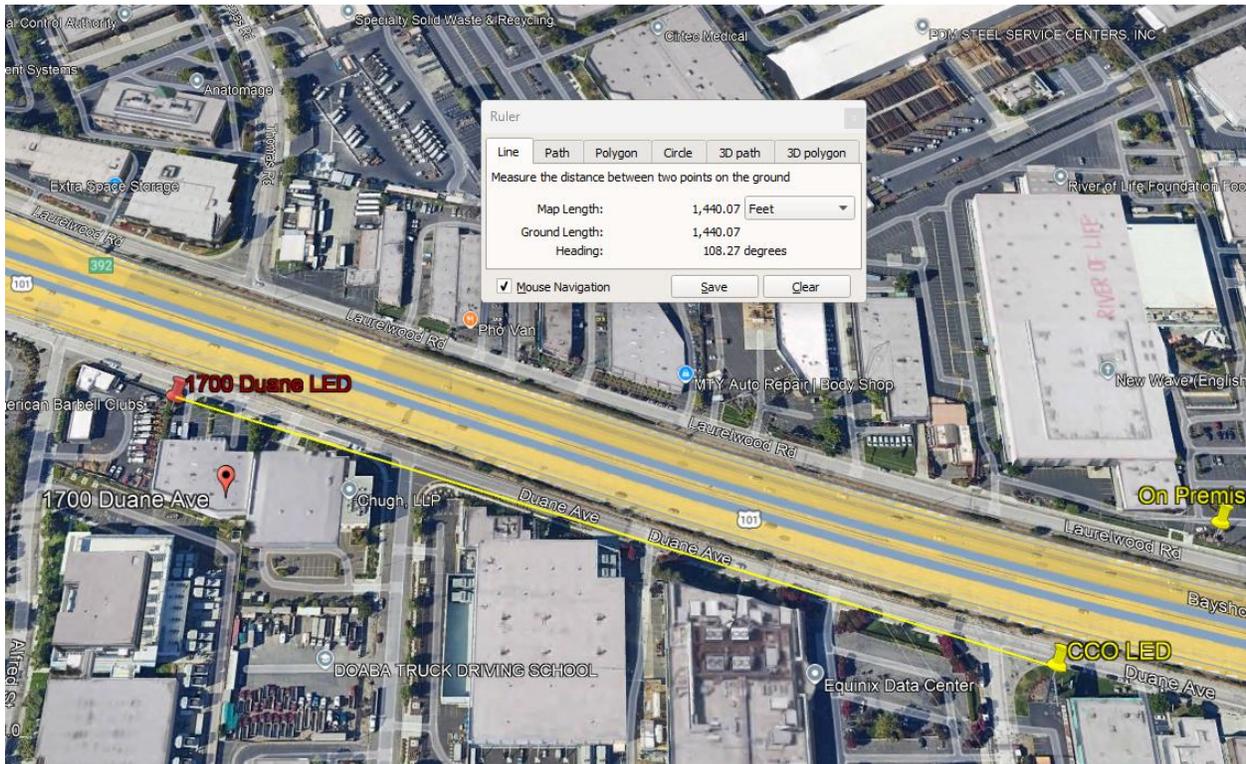


**Sign face is 14' x 48' with an overall height of 60'.
The column is made of steel and should be painted black.**

On Premise LED located near 3620 J St is approximately 1,187' from 1700 Duane



CCO LED located near 1130 Duane is approximately 1,440' from 1700 Duane



ORDINANCE NO. 1365

AN ORDINANCE OF THE CITY OF SANTA CLARA AMENDING PORTIONS OF "THE ZONING ORDINANCE OF THE CITY OF SANTA CLARA" PERTAINING TO THE REGULATION AND AMORTIZATION OF OFF-SITE ADVERTISING SIGNS

BE IT ORDAINED BY THE CITY OF SANTA CLARA, as follows:

SECTION 1: That subsection (a) of Section 40-15 of "The Zoning Ordinance of the City of Santa Clara" is hereby amended to read as follows:

(a) Time periods. There are hereby declared to be the following time periods, commencing April 17, 1969, unless otherwise expressly prescribed, within which all non-conforming signs within the City shall be altered, removed, or otherwise made to comply with the provisions of this article:

Signs painted on buildings, walls or fences - three years.

Other signs without record of City sign permit - five years.

Billboards (off-site, outdoor advertising structures) located on undeveloped property - ten years.

All other signs - seven years.

Provided that the following time periods shall apply to signs legally erected pursuant to any valid sign permit issued by City within five years immediately preceding April 17, 1969, the effective date of this zoning ordinance:

Signs painted on buildings, walls or fences - five years from date of permit.

All other signs - thirteen years from date of permit.

Provided further that the following time periods shall apply to signs which are not earlier amortized during the preceding time periods for amortization:

Signs not conforming with Section 40-21 - three years after January 1, 1978.

SECTION 2: That subsection (a) of Section 40-21 of "The Zoning Ordinance of the City of Santa Clara" is hereby amended to

read as follows:

(a) Any sign not advertising the use of premises upon which it is located or identifying said premises, including a so-called outdoor advertising sign, may be erected and maintained only as follows:

(1) To be located only in agricultural, commercial or industrial zone districts after first securing and in accordance with a finally approved use permit.

(2) Any such sign exceeding six hundred seventy two (672) square feet and/or within five hundred (500) lineal feet of any other off-site advertising sign on the same side of the street and facing in the same direction shall not be permitted.

(3) Off-site advertising shall be prohibited adjacent to any landscaped freeway as provided in Division III of this ordinance.

(4) If property upon which billboard is located is undeveloped, upon development, no new use permit will be required for continuing use on site, unless billboard is moved to a different location on site, or to another site in city.

(5) If property upon which billboard is located is already developed, the billboard may remain, so long as it is in conformance with subsections 1 through 3 inclusive above.

(6) In no event will the total of billboards in the entire city exceed sixty (60).

(7) Signs are to be painted, repaired, backed with lattice when single faced and panels aligned as appropriate and maintained in good condition.

(8) Sites of signs are to be maintained in a clean condition and landscaping is required where such is practical.

SECTION 3: That subsection (b) of Section 40-21 of "The Zoning Ordinance of the City of Santa Clara" is hereby amended to read as follows:

(b) In order to grant any use permit herein prescribed, the findings of the public body granting the use permit shall be that there is good cause therefor and that no traffic, health, safety, or welfare hazard or menace would be caused or enhanced thereby. In determining good cause therefor, considerable weight shall be given to the fact that the billboard is being replaced as a result of its removal necessitated by City governmental action as opposed to City regulation. Such conditions may be designated in connection with any use permit granted hereunder as is deemed necessary by the granting authority to secure the purposes of this article, and guarantees and evidence that such conditions will be complied with by the applicant may be required. The City Planning Department is also authorized to develop standards for the construction and maintenance of signs and the sites for signs which standards and regulations once adopted and approved by the City Council shall have the force of law and be binding as if specifically set forth in this ordinance.

SECTION 4: Penalty.

A violation of any of the provisions herein or of any regulation adopted pursuant thereto constitutes a misdemeanor and shall be punishable in accordance with the provisions of Article 57 of this ordinance.

SECTION 5: Constitutionality, severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance. The City Council of the City of Santa Clara declares that it would have passed this ordinance and every section, subsection, clause, or phrase, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases, were held to be invalid by such court.

SECTION 6: Effective Date.

This ordinance shall be in full force and effect thirty days after its final adoption, but before such adoption, it shall be duly published in accordance with the Charter of the City of Santa Clara.

PASSED FOR THE PURPOSE OF PUBLICATION BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA this 22nd day of November, 1977, by the following vote:

AYES: COUNCILMEN: Hansen, Mahan, Street and Mayor Gissler
NOES: COUNCILMEN: Kiely, Stewart and Texera
ABSENT: COUNCILMEN: None

ATTEST: 
A. S. BELICK
City Clerk
City of Santa Clara

FINALLY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, this 3rd day of January, 1978, by the following vote:

AYES: COUNCILMEN: Hansen, Kiely, Mahan, Street and Mayor Gissler
NOES: COUNCILMEN: Texera
ABSENT: COUNCILMEN: Stewart

ATTEST: 
A. S. BELICK
City Clerk
City of Santa Clara

I, A. S. Belick, City Clerk of the City of Santa Clara, do hereby certify that the within Ordinance or Resolution is a correct copy of the original, and that same has been published as required by law.


City Clerk

CITY COUNCIL POLICY STATEMENT FOR BILLBOARD RELOCATION AGREEMENTS

All Billboard Relocation Agreements shall have the following as the minimum criteria:

1. No net new billboards shall be added to the current approved total number of billboards at the time of the Relocation Agreement application.
2. Relocation is defined as raising the height or reconstructing an existing billboard, adding a face to an existing one sided billboard or replacing with a new billboard in a new location.
3. Relocation can only occur with the removal of billboards from the existing billboard inventory as of July 1, 2004.
4. Relocation can only occur based upon a sign face or panel removal ratio of 3:1 (three faces removed for each new or reconstructed face) that will result in the net reduction of sign faces.
5. The 3:1 sign face removal ratio shall apply for billboard height increases, area size increases, reconstruction or new billboards. As an example, in order to increase the height of a single faced billboard, 3 existing billboard faces would have to be removed.
6. Findings must be made which will justify the relocation of any new billboards and shall include, but not limited to: encouraging locations adjacent to freeways and expressways, restricting billboards from or near residential areas and providing a minimum of 300 foot separation from existing or proposed billboards. This policy shall not apply to the existing billboard inventory as of July 1, 2004.
7. All new billboards must provide for at least 10% charitable, non-profit use of one full face of copy exposure based on daily use (e.g. 36.5 days per year), or provide an in lieu fee to the City for each sign face that is new, reconstructed or raised in height.
8. All new or reconstructed billboards in residentially zoned or designated as residential use in the General Plan shall be considered amortized and removed after a period of not to exceed 20 years.

CITY COUNCIL POLICY STATEMENT FOR BILLBOARD RELOCATION AGREEMENTS

Revised April 2011

All Billboard Relocation Agreements shall have the following as the minimum criteria:

1. As of the adoption of this policy, there are 24 existing billboards in the City and that number shall not increase.
2. "Relocation" is defined as raising the height of an existing billboard, reconstructing an existing billboard, adding a face to an existing one sided billboard, or replacing an existing billboard with a new billboard in a new location.
3. Relocation can only occur with the removal of billboards from the existing billboard inventory as of July 1, 2004.
4. Relocation can only occur based upon a sign face or panel removal ratio of 3:1 (three faces removed for each relocated, new or reconstructed face) that will result in the net reduction of sign faces. As an example, in order to increase the height of a single faced billboard, 3 existing billboard faces would have to be removed.
5. In an effort to minimize public expense in amortizing outdoor advertising displays, the City may waive certain billboard requirements as set forth in City Code Sections 18.80.050 (height) and 18.80.220(b) (billboard general provisions), as those sections may be amended from time to time, with factual findings by the City Council which justify the relocation of billboards. Those findings shall include, but not be limited to, ensuring traffic safety and aesthetics are maintained in the City, encouraging locations adjacent to freeways and expressways, restricting billboards from or near residential areas and providing a minimum of 300 foot separation from existing or proposed billboards.
6. All relocated billboards must provide for at least 10% public service announcement use, free of charge to the City and non-profit entities, of one full face of copy exposure based on daily use (e.g. 36.5 days per year), and at least 50% of such public service announcement use shall occur during the hours of 6:00 a.m. and 9:00 p.m. daily.
7. Any relocation agreement allowing any relocated billboards in residentially zoned areas or areas designated for residential use in the General Plan shall require the removal of the billboard after a period of 20 years.
8. The consideration for City execution of a billboard relocation agreement shall be a payment to the City in the amount of a minimum of \$70,000.00 per relocated sign face.

Conditions of Approval for Conditional Use Permit

PLN24-00424 / 1700 Duane Avenue

Action on a Conditional Use Permit (PLN24-00424) to Construct a Single-Sided Digital LED Billboard as Part of a Billboard Relocation Agreement and a Minor Modification to Reduce the Required 1,500 Linear Feet Distance from Another Electronic Digital Display Message Sign, and Recommendation to the City Council to Approve Adoption of the Billboard Relocation Agreement

GENERAL / PERFORMANCE

- G1. **Permit Expiration.** This Permit shall automatically be revoked and terminated if not used within **two years** of original grant or within the period of any authorized extensions thereof. The date of granting of this Permit is the date this Permit is approved by the decision-making body and the appeal period has been exhausted. The expiration date is April 16, 2027.
- G2. **Conformance with Plans.** Prior to the issuance of Building Permit, the development of the site and all associate improvements shall conform to the approved plans on file with the Community Development Department, Planning Division. No change to the plans will be made without prior review by the Planning Division through approval of a Minor Amendment or through an Architectural Review, at the discretion of the Director of Community Development or designee. Each change shall be identified and justified in writing.
- G3. **Conditions on Plans.** All conditions of approval for this Permit shall be reprinted and included within the first three sheets of the building permit plan sets submitted for review and approval. At all times these conditions of approval shall be on all grading and construction plans kept on the project site.
- G4. **Necessary Relocation of Public Facility.** If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G5. **Indemnify and Hold Harmless.** The owner or designee agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorney's fees, injuries, costs, and liabilities from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of owner or designee's project.
- G6. **Code Compliance.** The construction permit application drawings submitted to the Santa Clara Building Division shall include an overall California Building Code analysis; proposed use and occupancy of all spaces (CBC Ch. 3), all building heights and areas (CBC Ch. 5), all proposed types of construction (CBC Ch. 6), all proposed fire and smoke protection features, including all types of all fire rated penetrations proposed (CBC Ch. 7), all proposed interior finishes fire resistance (CBC Ch. 8), all fire protection systems proposed (CBC Ch. 9), and all means of egress proposed (CBC Ch. 10). Noncombustible exterior wall, floor, and roof finishes are strongly encouraged.
- a. During construction retaining a single company to install all fire related penetrations is highly recommended.
 - b. The grade level lobbies shall be minimum 1-hour rated all sides and above.
 - c. All stair shafts shall be minimum 1-hour rated.
 - d. All elevator shafts shall be minimum 1-hour rated.
 - e. All trash chute shafts shall be minimum 1-hour rated.

- f. Recommendation: provide minimum two trash chutes; one for recyclables, one for trash, each trash chute to be routed down to a grade level trash collection room.
 - g. Any trash rooms shall be minimum 1-hour rated all sides and above.
- G7. **Building Codes as Amended.** See Title 15 of the Santa Clara City Code for any amendments to the California Building Codes.
- G8. **Reach Codes.** This project is subject to the provisions of the City of Santa Clara 2022 Reach Code, effective January 2022. See Ordinance No. 2034 and/or Title 15 of the Santa Clara City Code.
- a. Chapter 15.38 – Green Building Code for additional Electric Vehicle Charging requirements for new construction.
- G9. Comply with all applicable codes, regulations, ordinances and resolutions.

COMMUNITY DEVELOPMENT – PLANNING DIVISION

DESIGN / PERFORMANCE– PRIOR TO BUILDING PERMIT ISSUANCE

- P1. **Construction Management Plan.** The owner or designee shall submit a construction management plan addressing impacts to the public during construction activities including: showing work hours, noticing of affected businesses, construction signage, noise control, storm water pollution prevention, job trailer location, contractor parking, parking enforcement, truck hauling routes, staging, concrete pours, crane lifts, scaffolding, materials storage, pedestrian safety, and traffic control. The plan shall be submitted to the Director of Community Development or designee for approval prior to issuance of demolition and building permits.
- P2. **Single-Faced Billboard.** Signs are to be painted, repaired, backed with lattice when single-faced, and panels aligned as appropriate, and maintained in good condition.
- P3. **Public Service and Emergency Announcement.** Billboard shall be required to provide for public service announcements, including Amber/Emergency Alerts, and other community service announcements in compliance with the terms of the Conditional Use Permit and the Billboard Relocation Agreement. The amount of time each day dedicated to public service announcements that will be displayed, at no cost to the City.
- P4. **Periodic Review.** Periodic review is required to ensure compliance with the development standards and conditions of approval.
- P5. **Further Compensation.** Pursuant to the City Council Policy Statement for Billboard Relocation Agreements and the Billboard Relocation Agreement, Applicant to pay City Seventy Thousand Dollars (\$70,000.00) per billboard face for the New Billboard.
- P6. **Brightness.** Light produced by an electronic/digital display message sign shall not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face.
- P7. **Dimmer Control.** Signs shall have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower illumination level for the time period between one-half hour before sunset and one-half hour after sunset.
- P8. **Brightness Review.** Each electronic digital display message sign shall be subject to a 30-day review period during which time the Director may determine that a reduction in illumination or turning off of the sign for certain evening hours, is necessary due to negative

impacts on surrounding property or the community in general. The Director's determination shall be made without regard to the message content of the sign.

- P9. **Change of Message.** Messages displayed on an electronic digital display message sign shall be a static display without change for a minimum duration eight seconds except for those messages where the hour-and-minute, date, or temperature/weather information is updated. Messages shall be complete within each message/display without continuation in content to the next message or to any other sign. The message/display shall change instantaneously without any fading in/out, scrolling, dissolve, or similar animation.
- P10. **No Animation.** Any form of moving, animated, oscillating, or rotating images, or any other design intended to attract attention through movement or the semblance of movement on any part of the sign is prohibited at all times.
- P11. **Maintenance.** Signs shall be properly maintained in good working order at all times. Signs shall be designed and equipped to freeze the changeable message in one position or to go dark if a malfunction occurs. The sign owner shall immediately stop the electronic/digital display when notified by the City that it is malfunctioning or not complying with regulations of this Section. Installation, operation, and maintenance of new billboard should be conducted as established in the Billboard Relocation Agreement.
- P12. **Nonconforming Sign Structure.** An existing sign or sign structure that is nonconforming as to location, size, height, or other regulation shall not be changed to a new electronic digital display message sign until all nonconformities have been eliminated.
- P13. **Mechanical Screening.** Each sign structure shall include a facing of proper dimensions to conceal back bracing, framework, and structural members and/or any electrical equipment.
- P14. **Undergrounding of Utilities.** All utilities installed in connection with the electronic digital display message sign shall be underground.

DURING CONSTRUCTION -- PRIOR TO OCCUPANCY

- P15. **Construction Hours.** Construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of a residential use and shall not be allowed on recognized State and Federal holidays.
- P16. **Construction Trash/Debris.** During construction activities, the owner or designee is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- P17. **Landscape Water Conservation.** The owner or designee shall ensure that landscaping installation meets City water conservation criteria in a manner acceptable to the Director of Community Development.

OPERATIONAL CONDITIONS

- P18. **Landscaping Installation & Maintenance.** The owner or designee shall ensure that the landscaping installed and accepted with this project shall be maintained on the site as per the approved plans. Any alteration or modification to the landscaping shall not be permitted unless otherwise approved by the Director of Community Development.

COMMUNITY DEVELOPMENT - BUILDING DIVISION

DESIGN / PERFORMANCE– PRIOR TO BUILDING PERMIT ISSUANCE

- BD1. **Addressing.** Prior to overall construction permit application, submit to the Santa Clara Building Division, 2 copies of an addressing diagram request, to be prepared by a licensed architect or engineer. The addressing diagram(s) shall include all proposed streets and all building floor plans. The addressing diagram(s) shall conform to Santa Clara City Manager Directive #5; Street Name and Building Number Changes, and Santa Clara Building Division Address Policy For Residential and Commercial Developments. The addressing diagram(s) shall indicate all unit numbers to be based off established streets, not alleys nor access-ways to garages. Allow a minimum of 10 working days for initial staff review. Please note city staff policy that existing site addresses typically are retired. Provide digital pdf printed from design software, not scanned from printed paper sheet.
- a. Any building or structure that is demolished shall have its address retired and a new address/s shall be issued for the project.
- BD2. **Flood Zone.** The construction permit application drawings submitted to the Santa Clara Building Division shall include a copy of the latest Federal Emergency Management Agency (FEMA) Flood Zone Map: <https://msc.fema.gov/portal/home>. The project drawings shall indicate how the project complies with the Santa Clara Flood Damage Prevention Code.
- a. FEMA Flood Zone map designations and requirements are based on the map in effect at date of Building Permit issuance.
- BD3. **Water Pollution Control.** The construction permit application drawings submitted to the Santa Clara Building Division shall include Santa Clara Valley Urban Runoff Pollution Prevention Program Low Impact Development (LID) practices http://www.scvurppp-w2k.com/nd_wp.shtml. All projects that disturb more than one acre, or projects that are part of a larger development that in total disturbs more than one acre, shall comply with the Santa Clara Valley Urban Runoff Pollution Prevention Program Best Management Practices (BMP): http://www.scvurppp-w2k.com/construction_bmp.shtml, and shall provide a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). All site drainage and grading permit applications submitted to the Santa Clara Building Division shall include a city of Santa Clara "C3" data form, available on this web page:
- <https://www.santaclaraca.gov/our-city/departments-g-z/public-works/environmental-programs/stormwater-pollution-prevention> and will be routed to a contract consultant for review.
- BD4. **Submittal Requirements.** The overall project construction permit application shall include the geotechnical, architectural, structural, energy, electrical, mechanical, and plumbing drawings and calculations. Prior to the issuance of the overall project construction permit, a conditions of approval review meeting must be held in city hall, which meeting must be attended by the on-site field superintendent(s). The meeting will not be held without the attendance of the on-site field superintendent(s). The on-site grading permit shall be a separate permit application to the Building Division.

DURING CONSTRUCTION – PRIOR TO OCCUPANCY

- BD5. **Temporary Certificates of Occupancy.** Temporary Certificates of Occupancy (TCO) will not be routinely issued and will be considered on a very limited basis only when there is a

clear and compelling reason for city staff to consider a TCO. A TCO will be approved only after all applicable City staff have approved in writing; Planning, P.W./ Engineering, Fire Prev., Santa Clara Water, Silicon Valley Power, and any other applicable agencies such as the Santa Clara County Health Dept., with the Building Division being the final approval of all TCO.'s.

FIRE DEPARTMENT

DESIGN / PERFORMANCE—PRIOR TO BUILDING PERMIT ISSUANCE

- F1. **Hazmat Clearance.** Prior to any Building Permit issuance, Hazardous Materials Closure (HMCP) is required as applicable: This is a permit issued by the Santa Clara Fire Department, Fire Prevention & Hazardous Materials Division. Hazardous materials closure plans are required for businesses that used, handled or stored hazardous materials. While required prior to closing a business this is not always done by the business owner, and therefore should be part of the developer's due diligence. The hazardous materials closure plans demonstrate that hazardous materials which were stored, dispensed, handled or used in the facility/business are safely transported, disposed of or reused in a manner that eliminates any threat to public health and environment.
- F2. **Hazmat Clearance.** Prior to any Building Permit Issuance, a Phase II environmental assessment is required to be submitted to CRRD for review. If hazards are present that require site mitigation, cleanup, or management of chemical contaminants in soil, soil vapor, or groundwater a separate permit from one of the regulatory agencies below will be required. The type and extent of contamination on site(s) will govern which of the regulatory agencies noted below can supervise the cleanup: Department of Toxic Substances Control (DTSC); State Water Resources Control Board; or Santa Clara County, Department of Environmental Health.

If the project intends to contract with a State or County Agency for onsite/offsite environmental remediation activities the following documentation shall be provided to the Fire Prevention & Hazardous Materials Division prior to issuance of a Building Permit for demolition or grading: Oversight agency case number; and Oversight managers contact name, phone number.

For smaller projects that are not moving soil at all, a Phase I environmental assessment may be adequate. Please contact Assistant Fire Marshal Fred Chun at fchun@santaclaraca.gov for more information.

- F3. **Fire Flow Requirement.** Prior to Building Permit Issuance, provide documentation from the City of Santa Clara Water & Sewer Department that the minimum required fire-flow can be met. Fire Department fire-flow will be based on the current California Fire Code. The most restrictive departments requirement shall apply.
- F4. **Fire Hydrants.** Prior to Building Permit Issuance, building plans shall show the required number, location and distribution of fire hydrants for the buildings will be based on the current California Fire Code, Appendix C as amended. The required number of fire

hydrants will be based on the fire-flow before the reduction for fire sprinklers. Both public and private fire hydrants may be required.

F5. **Fire Department Access.** Prior to Building Permit Issuance, a five-foot all-weather perimeter pathway around the entire perimeter of the buildings to facilitate firefighter access is required to be incorporated into the Building permit submittal.

F6. **Fire Department Access.** Prior to the issuance of the Building Permit, approval for fire department apparatus access roads is required. Roadways must be provided to comply with all the following requirements:

- Fire apparatus access roadways shall be provided so that the exterior walls of the first story of the buildings are located not more than 150 feet from fire apparatus access as measured by an approved route around the exterior of each building. In addition, aerial apparatus roadways must be located so aerial apparatus will have clear access to the “entire” face/sides of the building. The minimum number of sides is project-specific and depends on the building configuration, building design, occupancy, and construction type, etc. As part of Building Permit Issuance, an alternative materials, design, and methods of construction and equipment permit application will need to be submitted for review and approval incorporating applicable mitigation measures as determined by the fire department for the lack of compliance. Please note acceptable mitigation methods may have been discussed during the planning stage. Those mitigations are not guaranteed until a formal alternate means permit is submitted concurrently with the Building Plans. Conversely, an acceptable mitigation method may not have been discussed and will be evaluated under an alternate means permit at the building permit stage.
- For underpasses, garages, gates, or anything similar that a Fire apparatus is required to drive under as part of the emergency vehicle access, 16 feet vertical clearance will be required. For all other areas, the “minimum” unobstructed vertical clearance shall not be less than 13 feet 6 inches.

or

- For all other areas, the “minimum” unobstructed vertical clearance shall not be less than 13 feet 6 inches.
- The “minimum” width of aerial roadways for aerial apparatus is 26 feet.
- The minimum inside turning radius shall be 30 feet.
- The “minimum” width of roadways for aerial apparatus is 26 feet. Aerial access roadways shall be located a minimum of 15 feet and a maximum of 30 feet from the protected building. This requirement is only applicable when Appendix D of the Fire Code is enforceable.
- Overhead utility and power lines easements shall not be located over fire apparatus access roads or between the aerial fire apparatus roads and the buildings to avoid the possibility of injury and equipment damage from electrical hazards.
- Fire apparatus access roadways shall be all-weather surface(s) designed to support a gross vehicle weight of 75,000-pounds.
- Trees at full development must not exceed 30 feet in height and not impair aerials apparatus operations to sweep opposing sides of a building. Other obstructions such

as site lighting, bio-retention, and architectural features are reviewed case-by-case to ensure they do not obstruct aerial and ground ladder access.

- Traffic control/calming devices are not permitted on any designated fire access roadway unless approved. A separate Fire Department permit is required for any barrier devices installed along fire department apparatus access roads.

Prior to any Building Department Issuance, all fire department apparatus access roadways on private property are required to “be recorded” with the County of Santa Clara as Emergency Vehicle Access Easements (EVAE’s) and reviewed by the Fire Department. No other instruments will be considered as substitutions such as P.U.E, Ingress/Egress easements and/or City Right-of-Ways.

- F7. **Emergency Responder Radio Coverage System.** Prior to Building Permit Issuance, provisions shall be made for Emergency Responder Radio Coverage System (ERRCS) equipment, including but not limited to pathway survivability in accordance with Santa Clara Emergency Responder Radio Coverage System Standard.
- F8. **Fire Department Access.** Prior to the start of construction, roadways and water supplies for fire protection are required to be installed and made serviceable and maintained throughout the course of construction.
- F9. **Fire Department Access.** Prior to issuance of the Building Permit, a gate permit is required to be obtained. Openings for access gates located across fire apparatus access roads shall be a minimum of 20 feet of clear width. Gates shall also be provided with a minimum unobstructed vertical clearance of 16-feet. All gates installed on designated fire department access roads must be electrically automatic powered gates. Gates shall be provided with an emergency power or be of a fail-safe design, allowing the gate to be pushed open without the use of special knowledge or equipment. A Tomar Strobe Switch or 3M Opticom detector shall be installed to control the automatic gate(s) to allow emergency vehicles (e.g., fire, police, ems). Said device shall be mounted at a minimum height of eight to ten feet (8’ - 10’) above grade.
- F10. **Alternative Means and Methods.** Prior to any Building Permit issuance, an alternate means or methods permits to mitigate any code deficiency must be submitted and approved. Please submit this permit concurrently with the building plans. Please note specific mitigations may have been discussed during the planning process. None of these discussions are binding and can only be formally approved through submitting an AMMR permit. The AMMR permit is formally documenting that and still needs to be submitted.
- F11. **Hazmat Information.** Prior to Building Permit Issuance, a Hazardous Materials Inventory Statement including refrigerants is required to be submitted and reviewed with the Building Permit if applicable.
- F12. **Fire Safety During Construction.** Prior to Building Permit Issuance, a permit for Construction Safety & Demolition shall be submitted to the fire department for review and approval in compliance with our Construction Safety & Demolition standard.

DURING CONSTRUCTION – PRIOR TO OCCUPANCY

- F13. **Shared Fire Protection Features that Cross Property Lines.** Prior to Building Permit Final, any EVAEs or fire protection equipment (including but not limited to fire service

undergrounds, sprinkler piping, fire alarm equipment, fire pumps, ERRCS) that cross property lines or is not located on the parcel of the building it serves shall have a CC&R legally recorded detailing who is responsible for maintenance and repair of the EVAE or fire protection equipment.

- F14. **Fire Protection Systems Before Occupancy.** Prior to any Certificate of Occupancy Issuance (temporary or permanent), fire-life safety systems installations must be fully installed, functional, and approved.

PUBLIC WORKS DEPARTMENT - ENGINEERING

DESIGN—PRIOR TO BUILDING PERMIT ISSUANCE

- E1. **Site Clearance.** Obtain site clearance through Public Works Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Public Works Department at (408) 615-3000 for further information.

DURING CONSTRUCTION

- E2. **Encroachment Permit.** All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be submitted within a Single Encroachment Permit to be reviewed and issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. **Encroachment Permit.** Submit public improvement/encroachment permit plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements directly to the Public Works Department. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.
- E4. **Encroachment Permit.** All work within state right-of-way shall require a Caltrans encroachment permit.

PUBLIC WORKS DEPARTMENT - STORMWATER

DESIGN / PERFORMANCE—PRIOR TO BUILDING PERMIT ISSUANCE

- ST1. **Final Stormwater Management Plan.** Prior to City's issuance of Building or Grading Permits, the applicant shall develop a Final Stormwater Management Plan, update the C.3 Data Form, the Special Project Narratives and Worksheet (as appropriate), and an Erosion and Sediment Control Plan.
- ST2. **3rd Party Review of Final Stormwater Management Plan.** The Final Stormwater Management Plan and all associated calculations shall be reviewed and certified by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants, and a 3rd party review letter (on design) shall be submitted with the Plan.
- ST3. **Notice of Intent.** For project that disturbs a land area of one acre or more, the applicant shall provide a copy of the Notice of Intent (NOI) with WDID number for coverage under the State Construction General Permit. Active projects with NOI will be inspected by the City once per month during the wet season (October – April).

- ST4. **Best Management Practices.** The applicant shall incorporate Best Management Practices (BMPs) into construction plans and incorporate post-construction water runoff measures into project plans. Include the SCVURPPP Countywide Construction BMPs Plan Sheet with the plans. Applicant to add Source control measures with designations from C.3 stormwater handbook, Appendix H.
- ST5. **C.3 Treatment Facilities Construction Notes.** Include the C.3 Treatment Facilities Construction Notes on the Improvement Plans and/or Stormwater Control Plans.
- ST6. **Decorative & Recreational Water Features.** Decorative and recreational water features such as fountains, pools, and ponds shall be designed and constructed to drain to the sanitary sewer system only.
- ST7. **Small Projects.** For single-family homes and other small projects that create and/or replace 2,500 – 10,000 square feet of impervious surface area, the applicant shall implement at least one of the following site design measures:
- a. Direction of roof runoff into cisterns or rain barrels
 - b. Direction of roof, sidewalk, walkway, patio, driveway, or parking lot runoff onto vegetated areas
 - c. Construction of sidewalks, walkways, patios, bike lanes, driveways, and parking lots with permeable surfaces
- Plans shall specify which site design measures are selected for the project and show the direction of flow from impervious surfaces to the selected site design measures. All measures shall meet the design criteria in the 2016 C.3. Stormwater Handbook, Appendix K: Standard Specifications for Lot-Scale Measures for Small Projects.
- ST8. **Interior Floor Drains.** Interior floor drains shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST9. **Trash Enclosure Floor Drains.** Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST10. **Architectural Copper.** The use of architectural copper is prohibited.

DURING CONSTRUCTION OR OPERATION

- ST11. **Biotreatment Soil Media.** Applicant shall install biotreatment soil media that meets the minimum specifications as set forth in the SCVURPPP C.3 Stormwater Handbook. If percolation rate test of the biotreatment soil mix is not performed on-site, a certification letter from the supplier verifying that the soil meets the specified mix (the date of such document shall not be older than 3 months).
- ST12. **Stormwater Control Measure Inspection.** At critical construction phases, all stormwater control measures shall be inspected for conformance to approved plans by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants.
- ST13. **Inspections.** Permeable Pavement, Media Filter vaults, and Trash Full Capture Devices shall be inspected by a 3rd party reviewer and/or manufacturer representative for conformance with the details and specifications of the approved plans. All new pervious concrete and porous asphalt pavements should have a minimum surface infiltration rate of 100 in./hr. as described in the SCVURPPP C.3 Handbook. A map displaying the number, location and details of full trash capture devices shall be prepared as an attachment to the Operations and Maintenance (O&M) Agreement with the City.
- ST14. **Stormwater Treatment Facilities.** Stormwater treatment facilities must be designed, installed, and maintained to achieve the site design measures throughout their life in accordance to the SCVURPPP C.3 Stormwater Handbook (Chapter 6 and Appendix C).
- ST15. **Amendments to Operation & Maintenance Agreement.** Any site design measures used to reduce the size of stormwater treatment measures shall not be installed for the project

without the written approval from the City, installing the corresponding resizing of other stormwater treatment measures and an amendment of the property's O&M Agreement.

- ST16. **Stormwater Pollution Prevention Messaging.** Developer shall install an appropriate stormwater pollution prevention message such as "No Dumping – Flows to Bay" on any storm drains located on private property.
- ST17. **Outdoor Storage Areas.** All outdoor equipment and materials storage areas shall be covered and/or bermed, or otherwise designed to limit the potential for runoff to contact pollutants.

PRIOR TO FINAL OF BUILDING PERMIT

- ST18. **As-Built Drawings.** As-Built drawing shall be submitted to the Public Works Department.
- ST19. **3rd Party Concurrence Letter.** 3rd Party concurrence letter on the C.3 facilities construction shall be submitted to the Public Works Department. The letter shall be prepared by a 3rd party consultant from the SCVURPPP List of Qualified Consultants. The City reserves the right to review the 3rd party inspection report on the C.3 stormwater facility installation.
- ST20. **Final C.3 Inspection.** Applicant shall schedule and City shall conduct a final C.3 inspection.
- ST21. **Operation & Maintenance Agreement.** The property owner shall enter into an Operation and Maintenance (O&M) Agreement with the City for all installed stormwater treatment measures and full trash capture devices in perpetuity. Applicants should contact Public Works Dept. - Environmental Services at (408) 615-3080 or Street@SantaClaraCA.gov for assistance completing the Agreement. For more information and to download the most recent version of the O&M Agreement, visit the City's stormwater resources website at <http://santaclaraca.gov/stormwater>. Inspection of permeable pavement, media filter vaults and full trash capture devices is to be done annually by December 31 of each year.

PUBLIC WORKS DEPARTMENT - TRANSPORTATION

DURING CONSTRUCTION

- TR1. **Encroachment Permit.** Traffic improvements must comply with the City of Santa Clara Standard Details and Specifications for Public Works Construction
- TR2. **Building Permit.** All on-site structures must be clear of Driveway and Corner Visibility Clearance Areas per City Standard Detail TR-9.

STREETS DIVISION

Right of Way Landscape

DESIGN/PERFORMANCE PRIOR TO ISSUANCE OF BUILDING PERMIT

- L1. **Tree Preservations Specifications.** Include [City of Santa Clara Tree Preservation/City Arborist specifications](#) on all improvement plans.
- L2. **Mature Trees.** Identify existing mature trees to be maintained. Prepare a tree protection plans for review and approval by the City prior to any demolition, grading or other earthwork in the vicinity of existing trees on the site.
- L3. **Tree Replacement.** 2:1 tree replacement ratio required for all trees removed from the right-of-way.

DURING CONSTRUCTION OR OPERATION

- L4. **No Public Root Cutting.** No cutting of any part of **public**, including roots, shall be done without securing prior approval of the City Arborist. Tree trimming/removal shall be done in accordance to the City of Santa Clara Tree Preservation/City Arborist specifications and with direct supervision of a certified arborist (Certification of International Society of Arboriculture).

PRIOR TO FINAL OF BUILDING PERMIT

- L5. **In Lieu Fee.** If 2:1 replacement ratio cannot be met for removal of right of way landscape trees, tree planting fee must be paid prior to building permit final.

Solid Waste

DESIGN/PERFORMANCE PRIOR TO ISSUANCE OF BUILDING PERMIT

- SW1. **Construction Waste Diversion.** For projects that involve construction, demolition or renovation of 5,000 square feet or more, the applicant shall comply with City Code Section 8.25.285 and recycle or divert at least sixty five percent (65%) of materials generated for discard by the project during demolition and construction activities. No building, demolition, or site development permit shall be issued unless and until applicant has submitted a construction and demolition debris materials check-off list. Applicant shall create a Waste Management Plan and submit, for approval, a Construction and Demolition Debris Recycling Report through the City's online tracking tool at <http://santaclara.wastetracking.com/>.
- SW2. **Authorized Service Haulers.** This project is subject to the City's Accumulation, Transportation and Disposal of Solid Waste Ordinance (Chapter 8.25 of the Municipal Codes), which requires the handling and disposal of waste by authorized service haulers. Insert the General Notes for the Construction & Demolition (C&D) Waste Management into construction plans in accordance with the City's municipal codes prior to the issuance of a Building or Grading permit. Provide the Green Halo waste online tracking number to Building staff prior to the issuance of a demolition or building permit.
- SW3. **Exclusive Franchise Hauling Area.** This property falls within the City's exclusive franchise hauling area. The applicant is required to use the City's exclusive franchise hauler and rate structure for any hired debris boxes. Prior to the issuance of a Public Works clearance, the project applicant shall complete and sign the Construction and Demolition (C&D) / Waste Management Rules and Regulations Form.

SILICON VALLEY POWER

GENERAL

- SVP1. Applicant to provide power to the sign from existing Main Switch Board on the parcel. SVP will not provide a separate service for the sign.
- SVP2. Sign is encroaching into the SVP easement, and all overlapping area shall be a minimum of 30 feet high for operation & maintenance of the onsite transformer.

WATER & SEWER DEPARTMENT

DESIGN / PERFORMANCE -- PRIOR TO ISSUANCE OF BUILDING PERMIT

- W1. **Encroachment Permit.** Prior to issuance of Building Permits, the applicant shall submit an encroachment permit application and design plans for construction of water utilities that comply with the latest edition of the Water & Sewer Utilities Water Service and Use Rules and Regulations, Water System Notes, and Water Standard Details and Specifications. In addition, prior to the City's issuance of Occupancy, the applicant shall construct all public

- water utilities per the approved plans. The Water & Sewer Utilities will inspect all public water utility installations and all other improvements encroaching public water utilities.
- W2. **Utility Design Plans.** Utility Design Plans shall indicate the pipe material and the size of existing water, recycled water and sewer main(s). The plans shall show the nearest existing fire hydrant and the two nearest existing water main line gate valves near the project area. The plans shall show meter and backflow configurations to scale and per City of Santa Clara Water & Sewer Utilities Standard Details. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area. Fire hydrants should be located two feet behind monolithic sidewalk if sidewalk is present; two feet behind face of curb if no sidewalk is present, per City Std Detail 18. The plans shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained.
- W3. **Utility Separations.** Applicant shall adhere to and provide a note indicating that all horizontal and vertical clearances comply with State and local regulations. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas and electric utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities). No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer, potable water and/or recycled water utilities and easements.
- W4. **Separate Services.** Applicant shall submit plans showing proposed water, recycled water, sanitary sewer, and fire services connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Different types of water and recycled water use (domestic, irrigation, fire) shall be served by separate water services, each separately tapped at the water main. Tapping on existing fire service line(s) is prohibited. Approved backflow prevention device(s) are required on all potable water services.
- W5. **City Standard Meters and Backflows.** All proposed meters and backflows for all water services shall meet the current City of Santa Clara Water & Sewer Utilities Standard Details. Plans shall show meter and backflow configurations to scale.
- W6. **Existing Services.** The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. If the existing services will not be used, then the applicant shall properly abandon these services to the main per Water & Sewer Utilities standards and install a new service to accommodate the water needs of the project. The applicant shall bear the cost of any relocation or abandonment of existing Water Department facilities required for project construction to the satisfaction of the Director of Water and Sewer Utilities.
- W7. **On-Site Storm Drain Treatment.** Prior to issuance of Building Permit, the applicant shall submit plans showing any onsite storm water treatment system. The plan shall include a section detail of the treatment system. No water, sewer, or recycled water facilities shall be located within 5-feet of any storm water treatment system.
- W8. **Water Usage.** Prior to the issuance of Building Permits, the applicant shall provide documentation of water usage so the Water Division can verify the appropriate size of all proposed water meters. Please note that if the existing water services are incapable of supplying the water needs to the site, the existing services shall be abandoned, and new separate dedicated water services shall be provided for each use (domestic and irrigation).

- W9. **Landscaping.** All the landscaping for the project shall comply with the California Water Conservation in Landscaping Act, Government Code Section 65591 et. seq. All plants shall be either California native or non-invasive, low water-using or moderate water-using plants. High water-using plants and nonfunctional turf are prohibited.
- W10. **Water Features.** Prior to issuance of Building Permits, the applicant shall submit plan details for all water features (including but not limited to fountains and ponds) designed to include provisions for operating the system without City potable water supply and capable of being physically disconnected from source of potable water supply during City declared water conservation periods, to the satisfaction of the Director of the Water & Sewer Utilities. Decorative water features may be permanently connected to the City's recycled water supply.
- W11. **Easements.** Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device onsite. The water utility easement for the water services and all other public water appurtenances shall be a minimum 15 feet wide and be adjacent to the public right-of-way without overlapping any public utility easement. Additionally, the applicant shall submit plans defining existing easements so Water Division can verify if there are any conflicts with proposed easements and water utilities.
- W12. **Underground Fire Permit.** Prior to issuance of Building Permits, applicant shall submit an underground fire permit unless otherwise waived by the Fire Department. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000. A dedicated fire service line, with an approved backflow prevention device, shall be used for on-site fire hydrants. Fire service lines required for commercial and industrial use shall be sized appropriately per fire flow demand and code requirements.

DURING CONSTRUCTION

- W13. **City Standard Meters and Backflow Installation.** No meters or backflows shall be installed prior to establishment of water service account with the Municipal Services Division of the Finance Department. The applicant shall provide a copy of the account information to the Water and Sewer Utilities Department Inspector and Meter Shop prior to installation of any meter or backflow. All meters and backflows approved for installation shall be tested prior to use. Water service connections shall not be used prior to authorization by the Water and Sewer Utilities inspector.
- W14. **Construction Water.** This project shall use recycled water for all construction water needs for onsite and offsite construction.
- W15. **Water Shortage Response Actions.** Pursuant to the City of Santa Clara's Urban Water Management Plan, during times of drought or water shortage, the City implements water shortage response actions in accordance with the level of water shortage declared. All construction activities and all new irrigation connections are subject to the Water Shortage Response Actions in effect at the time of construction and connection of the irrigation service.

Water Shortage Response Actions for Stage 2 and higher include water use restrictions that limit the use of potable water such as:

- a. prohibiting the installation of new potable water irrigation services. new irrigation connections, construction, and dust control.
- b. restrict the use of potable water used for construction and dust control if recycled water is available.

This project is subject to all the requirements and restrictions of the Water Shortage Response Actions in place or adopted during the duration of the project. For more

information, visit the City of Santa Clara Water & Sewer Utilities website at www.santaclaraca.gov/waterconservation.

PRIOR TO FINAL OF BUILDING PERMIT

- W16. **Record Drawings.** Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as-built" drawings of the public water utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities Department.
- W17. **Conditional Releases.** The applicant shall comply with all the requirements of any building permit conditional release requirements.

KEY:

- G = General
- P = Planning Division
- BD = Building Division
- F = Fire Department
- E = Engineering – Public Works Department
- ST = Stormwater – Public Works Department
- TR = Transportation – Public Works Department
- L = Landscape – Streets Division
- SW = Solid Waste – Streets Division
- SVP = Silicon Valley Power
- W = Water and Sewer Department

ACKNOWLEDGEMENT AND ACCEPTANCE OF CONDITIONS OF APPROVAL

Permittee/Property Owner

The undersigned agrees to each condition of approval and acknowledges and hereby agrees to use the project property on the terms and conditions set forth in this permit.

Signature: _____

Printed Name: _____

Relationship to Property: _____

Date: _____

Pursuant to Santa Clara City Code 18.128.100, the applicant shall return this document to the Department, properly signed and dated, within 30-days following the date of the Acknowledgement.

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING THE CONDITIONAL USE PERMIT TO CONSTRUCT A SINGLE-SIDED DIGITAL LED BILLBOARD AS PART OF A BILLBOARD RELOCATION AGREEMENT LOCATED AT 1700 DUANE AVENUE (APN: 224-42-011), SANTA CLARA, CALIFORNIA

PLN24-00424 (Conditional Use Permit)

BRIEF PROJECT DESCRIPTION: Conditional Use Permit for a Single-Sided 672 square-foot (14 feet by 48 feet) mounted on a new 40-foot-tall supporting column and 60-feet in total height, Digital LED Billboard proposed as Part of a Billboard Relocation Agreement.

WHEREAS, on August 19, 2024, Chris Martin with Outfront Media (“Applicant”) submitted an application, on behalf of Bloom Investment Company LP (“Property Owner”), for a Conditional Use Permit to construct a single-sided digital light emitting diode (LED) billboard as part of a Billboard Relocation Agreement (“Project”) on the property located at 1700 Duane Avenue, APN: 224-42-011 (“Project Site”);

WHEREAS, the Project Site has a General Plan land use designation of Low Intensity-Office/Research & Development and is currently zoned LO-RD – Low-Intensity Office/Research & Development (LO-RD);

WHEREAS, the Project is Categorically Exempt from formal environmental review per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (“CEQA”);

WHEREAS, on February 4, 2025 the application was deemed complete at the Project Clearance Committee;

WHEREAS, on April 3, 2025, the notice of public hearing for the April 16, 2025, Planning Commission meeting for this item was mailed to property owners within a 300-foot radius of the project boundaries;

WHEREAS, on April 3, 2025, a notice of the April 16, 2025 public hearing was posted in three public places in the City (specifically, at City Hall, the Central Park Library, and the Northside branch library); and

WHEREAS, on April 16, 2025, the Planning Commission conducted a duly noticed public hearing to consider the Project and all pertinent information in the record during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Project.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby approves the Conditional Use Permit to construct a single-sided digital LED billboard as part of a Billboard Relocation Agreement located at 1700 Duane Avenue, subject to the Conditions of Approval, attached hereto and incorporated herein by this reference.
3. That the Planning Commission hereby finds as follows:
 - A. The proposed electronic digital display message sign is to be located in an appropriate area as defined by Section 18.42.140.F (Development Standards);
 - a. Sign Face Dimensions: The proposed sign will be 672 square feet, which is less than the maximum display area of 800 square feet, and the overall length is 48 feet, which is less than the maximum length of 60 feet
 - b. Height: As authorized by the Code, the height is set by the Conditional Use Permit to 60 feet for the proposed billboard, which is an appropriate height for a sign adjoining a freeway.

c. Separation: The applicant requests a Minor Modification reducing the 1,500 foot separation distance from another electronic digital display message sign to 1,187 feet.

d. Support Structure: The sign will be mounted on a single cylindrical column support, as required by the Code.

e. Cutouts and Attachments: The sign will not have cutouts or attachments.

f. Double-faced Signs: The sign will be single-faced electronic digital display message sign on a cylindrical column structure.

g. Mechanical Screening: The sign will include a b-deck enclosure to conceal back bracing, framework, structural members, and electrical equipment.

h. Owner Identification: The sign will have an owner identification side located on the bottom left corner.

i. Undergrounding of Utilities: The sign will underground all utilities as required in the Conditions of Approval.:

B. The proposed electronic digital display message sign is placed in the least visually impacting manner;

a. The proposed electronic digital display message sign is located next to US Highway 101 and is located at least 1,125 linear feet from other electronic digital display message signs.

C. The Conditional Use Permit contains appropriate language addressing revenue and/or other public benefits for the City;

a. The proposed Billboard Conditional Use Permit includes a Billboard Relocation Agreement, which establishes mechanisms for ensuring the removal of obsolete billboards, compensation to the City for new billboard installation, and public service and emergency announcements

D. The proposed electronic digital display message sign complies with all the applicable operational standards specified in Section 18.42.140.G, below, unless modified by the Planning Commission, as well as all applicable Federal and State laws;

a. Brightness: The sign will have a brightness of maximum 5,000 nits during daytime hours and maximum 300 nits during nighttime hours. These levels comply with the City's requirements that sign's brightness should not exceed 5,000 nits during the day and 500 nits at night.

b. Dimmer Control: The sign will have a dimmer control to adjust to respond the ambient conditions and change illumination from higher illumination level to lower level for the time period between one half-hour before sunset and one half-hour after sunrise.

c. Brightness Review: The sign is conditioned to a 30-day review period as required by the Zoning Code.

d. Change of Message: The sign will operate constantly, rotating advertisements every eight seconds and change messages instantaneously without any fading in/out, scrolling, dissolving, or similar animation.

e. No Animation: The sign will not show video or motion, nor will it emit noise or audio. The sign will not have any form of moving, animated, oscillating, or rotating images, or any other design intended to attract attention.

f. Maintenance: The sign is conditioned to be maintained in good working order at all times. Sign will be designed and equipped to freeze the changeable message in one position or to go dark if a malfunction occurs. The sign owner will immediately stop the electronic/digital display when notified by the City that is malfunctioning or not complying with regulations of this Section.

g. Nonconforming Sign Structure: The proposed sign will not change an existing sign or sign structure to a new electronic digital display message sign.

h. Public Service Announcements: The sign will provide public service announcements, Amber Alerts, and other community service announcements as required in the Billboard Relocation Agreement, Zoning Code, and Conditions of Approval:

E. The placement of the proposed electronic digital display message sign will not adversely affect the residential use of property;

a. The proposed billboard is not located near residential properties and proposes to remove billboard faces along El Camino Real Boulevard.

F. The placement of the proposed electronic digital display message sign will not pose a traffic hazard.

a. The proposed sign will not create traffic hazard as it is consistent with the operational and development standards in Section 18.42.140

3. Effective date. The approval of this Conditional Use Permit is contingent upon the concurrent approval of the Minor Modification by the Planning Commission (or, if appealed, by the City Council), and the subsequent approval of a billboard relocation agreement by the City Council. This resolution shall become effective only upon the execution of such the billboard relocation agreement by the Applicant and the City. If the Minor Modification is not approved by the Planning Commission (or by the Council if appealed), or if the Relocation Agreement is not approved by the Council, or the Relocation Agreement is not executed by all parties, on or before October 31, 2025, then this resolution shall be of no further force and effect.

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I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16th DAY OF APRIL, 2025, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
AFSHAN HAMID, AICP
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

- Attachments Incorporated by Reference:
1. Conditions of Approval
 2. Development Plans

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING THE MINOR MODIFICATION TO REDUCE THE REQUIRED 1,500 LINEAR FEET DISTANCE FROM ANOTHER ELECTRONIC DISPLAY MESSAGE SIGN LOCATED AT 1700 DUANE AVENUE APN: 224-42-011, SANTA CLARA, CALIFORNIA

PLN24-00424 (Minor Modification)

BRIEF PROJECT DESCRIPTION: Conditional Use Permit for a Single-Sided 672 square-foot (14 feet by 48 feet) mounted on a new 40-foot-tall supporting column and 60-feet in total height, Digital LED Billboard proposed as Part of a Billboard Relocation Agreement.

WHEREAS, on August 19, 2024, Chris Martin with Outfront Media (“Applicant”) submitted an application, on behalf of Bloom Investment Company LP (“Property Owner”), for a Minor Modification to reduce the required 1,500 linear feet distance from another electronic digital display message sign (“Project”) on the property located at 1700 Duane Avenue, APN: 224-42-011 (“Project Site”);

WHEREAS, the Project Site has a General Plan land use designation of Low Intensity-Office/Research & Development and is currently zoned LO-RD – Low-Intensity Office/Research & Development;

WHEREAS, the Project is Categorically Exempt from formal environmental review per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (“CEQA”);

WHEREAS, on April 3, 2025, the notice of public hearing for the April 16, 2025, Planning Commission meeting for this item was mailed to property owners within a 300-foot radius of the project boundaries; and

WHEREAS, on April 3, 2025, a notice of the April 16, 2025 public hearing was posted in three public places in the City (specifically, at City Hall, the Central Park Library, and the Northside branch library); and

WHEREAS, on April 16, 2025, the Planning Commission conducted a duly noticed public hearing to consider the Project and all pertinent information in the record during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Project.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby approves the Minor Modification to reduce the required distance from another electronic digital display message sign, located at 1700 Duane Avenue, from 1,500 linear feet to 1,187 linear feet, subject to the Conditions of Approval, attached hereto and incorporated herein by this reference.
3. That the Planning Commission hereby finds as follows:
 - A. The site characteristics and/or existing improvements make strict adherence to the Zoning Code requirements impractical or infeasible;
 - a. Strict adherence to the 1,500-foot separation distance from other electronic digital display message signs would restrict the implementation of City's policy to remove existing Billboards through the Billboard Relocation Agreement.
 - B. Granting the Minor Modification will result in development compatible and consistent with the adjoining properties and the immediate neighborhood;
 - a. The Billboard Relocation Agreement proposes to remove billboard faces from El Camino Real and locate a new billboard along US Highway 101, consistent with the adjoining properties and City Council policy
 - C. Granting the Minor Modification will be in conformance with the intent and purposes of the zone for the property; and

a. Electronic Digital Display Message Sign are permitted with a Conditional Use Permit in the LO-RD zone and is appropriate for a transition area between light industrial and high-intensity office and R&D uses and along US Highway 101

D. There are no significant adverse impacts from the proposed Minor Modification or any adverse impacts have been mitigated;

a. No significant adverse impacts are anticipated from the proposed Minor Modification.

3. Effective date. This approval of this Minor Modification is contingent upon the concurrent approval of the Conditional use Permit by the Planning Commission (or, if appealed, by the City Council), and the subsequent approval of a billboard relocation agreement by the City Council. This resolution shall become effective only upon the execution of such the billboard relocation agreement by the Applicant and the City. If the Conditional Use Permit is not approved by the Planning Commission (or by the Council if appealed), or if the Relocation Agreement is not approved by the Council, or the Relocation Agreement is not executed by all parties, on or before October 31, 2025, then this resolution shall be of no further force and effect.

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I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16th DAY OF APRIL, 2025, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
AFSHAN HAMID, AICP
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Conditions of Approval
2. Development Plans

**BILLBOARD RELOCATION AGREEMENT
BY AND BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA
AND
OUTFRONT MEDIA LLC**

PREAMBLE

This billboard relocation agreement ("Agreement") is by and between OUTFRONT Media LLC, a Delaware limited liability company, with its principal place of business located at 90 Park Avenue, 9th Floor, New York, NY 10016 ("Advertiser"), and the City of Santa Clara, California, a chartered California municipal corporation with its primary business address at 1500 Warburton Avenue, Santa Clara, California 95050 ("City"), City and Advertiser may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

- A. California Business & Professions Code section 5412 encourages local governments and owners of billboards to enter into relocation agreements, pursuant to which local governments can continue development in a planned manner without expenditure of public funds, while allowing the continued maintenance of private investment and a medium of public communication;
- B. Section 18.42.090.B of the Code of the City of Santa Clara, California ("SCCC") limit the total number of billboards within the City limits and prohibit the construction of additional billboards, except through billboard relocation agreements pursuant to Business & Professions Code section 5412 and the City Council Policy Statement for Billboard Relocation Agreements;
- C. Pursuant to the City Council Policy Statement for Billboard Relocation Agreements, in order to receive approval of any new billboard installation, an advertiser must agree to remove three sign faces for each new sign face installed;
- D. Advertiser is the owner of a number of billboard panels and structures within the City of Santa Clara, as well as other jurisdictions, and seeks City approval for the installation of a new billboard in consideration for the removal of three (3) sign faces within the City's limits in accordance with the City Council Policy Statement for Billboard Relocation Agreements, for a total of three (3) removed sign faces ("Project"), as explained in more detail below; and
- E. As consideration for the removal of three (3) sign faces from obsolete billboards, as provided in Exhibit A, in accordance with the terms of this Agreement, City will grant Advertiser the right to construct, install, relocate, maintain and operate a new billboard with one (1) digital face as provided below.

The Parties agree as follows:

AGREEMENT PROVISIONS

1. DEFINITIONS

- A. "Obsolete Billboards" shall mean the three (3) billboard faces as listed and described in more detail in Exhibit A, entitled "Obsolete Billboards," attached hereto and incorporated herein by this reference.
- B. "Demolish" or "Demolition" shall mean the removal of sign faces, supporting structures, necessary portions of the foundations and all electrical facilities and services associated with the Obsolete Billboards.
- C. "New Billboard" shall mean the new digital billboard to be installed with one (1) digital sign face, as described and depicted in more detail and at the location indicated in Exhibit B, entitled "New Billboard," attached hereto and incorporated herein by this reference.
- D. "Removal" shall mean the hauling away from the site of all materials and debris resulting from demolition.
- E. "Repair" shall mean back-filling any foundation holes caused by the removal of the Obsolete Billboards or the New Billboard, as applicable, in order to restore the removal area at grade, and includes but is not limited to repaving, planting of landscaping or other retrofit work to bring conditions of disturbed area into a state that is safe and aesthetically compatible with the surrounding environment, to the reasonable satisfaction of the Director of Planning and Inspection.

2. TERM OF AGREEMENT

This Agreement shall commence on the "Effective Date," which is the date that the final signatory executes the Agreement. This Agreement shall terminate when the following conditions are fully satisfied:

- A. When the removal of all Obsolete Billboards listed in Exhibit A is completed, as described in Section 4; and
- B. When the New Billboard listed in Exhibit B is fully constructed and operational, including the installation of advertising materials.

3. GOVERNMENT PERMITS

This Agreement is contingent upon Advertiser receiving all required governmental approvals and permits, including but not limited to approval from the California Department of Transportation ("Caltrans"), prior to commencing work on either removal or installation.

The Parties agree that time is of the essence and further, that they will use best and reasonable efforts to cooperate in connection with any permits or approvals required from other governmental agencies and City will use its best and reasonable efforts to timely issue all City permits and approvals necessary for Advertiser's timely compliance

with this Agreement. The Parties agree to execute in a good faith effort additional supportive documents, as necessary, for Advertiser to seek and obtain the approvals described herein. The foregoing should not be interpreted to constrain the City's discretion in considering permit or approval applications submitted by Advertiser with respect to the Project.

4. REMOVAL OF OBSOLETE BILLBOARDS

Within 90 days after obtaining all required government permits pursuant to Section 3, as partial consideration for the New Billboard installation, Advertiser shall apply for a demolition permit from City for each of the Obsolete Billboards to the extent a demolition permit is required. Promptly after receipt of such demolition permit, Advertiser shall demolish the Obsolete Billboards in accordance with the provisions and requirements of the demolition permits, shall remove all materials and debris resulting from such demolition, and shall Repair the site(s) of the Obsolete Billboards. The Parties, however, agree to extend the date for removal of the Obsolete Billboards in the event there is a legal challenge to any governmental approvals contemplated under this Agreement; in the event that the date of removal is extended, Advertiser agrees that it shall not construct the New Billboard until the Obsolete Billboards are removed. Advertiser shall demonstrate, to the reasonable satisfaction of the Director of Planning Inspection, that all Repair work has been completed, and shall demonstrate, to the reasonable satisfaction of the Director of the Electric Utility, that all electric services were terminated to the Obsolete Billboards.

5. FURTHER COMPENSATION

Pursuant to the City Council Policy Statement for Billboard Relocation Agreements, as further consideration for the New Billboard installation, Advertiser agrees to pay City Seventy Thousand Dollars (\$70,000.00) per billboard face for the New Billboard (the "Billboard Fee"). Advertiser shall pay the total amount due no later than immediately prior to the issuance of the building permit for the New Billboard. City shall keep the Billboard Fee in an account that is not commingled with other municipal fees until the City issues the building permit for the New Billboard and until it receives notice from Advertiser that Advertiser has received all required permits pursuant to Paragraph 3. Advertiser shall provide such notice promptly after receiving the foregoing permits. In the event that Advertiser is unable to obtain all required permits and cannot proceed with construction of the New Billboard, Advertiser shall promptly notify the City that it is terminating the Agreement pursuant to Paragraph 12, whereupon the City shall reimburse Advertiser for the Billboard Fee within ten (10) days.

6. INSTALLATION, OPERATION AND MAINTENANCE OF NEW BILLBOARD

- A. After obtaining all required government permits pursuant to Section 3, Advertiser may install the New Billboard.
- B. Advertiser shall not operate the New Billboard, other than necessary testing that displays no paid advertising material, prior to completion of the removal of all of the Obsolete Billboards pursuant to Section 4.
- C. Advertiser shall be responsible for maintaining the New Billboard in full compliance with this Agreement and all applicable federal, state, and local laws.

Advertiser shall be responsible for any and all graffiti removal on the New Billboard. Advertisers will take all reasonable efforts to remove, clean, or abate any graffiti within two (2) business days of notification from City.

7. LIQUIDATED DAMAGES

In the event that Advertiser commences installation of any paid advertising material on the New Billboard prior to the completion of the removal of the Obsolete Billboards pursuant to Section 4, City will suffer damages and will incur other costs and expenses of a nature and amount that is difficult or impractical to determine. The Parties agree that by way of ascertaining and fixing the amount of damages, costs, and expenses, and not by way of penalty, Advertiser shall pay to City the sum of One Thousand Dollars (\$1,000.00) per day per Obsolete Billboard for each and every calendar day that the Obsolete Billboard or Billboards have not been completely removed, after the date of the installation of any paid advertising material on the New Billboard. In the event that Advertiser fails to timely pay such liquidated damages, Advertiser agrees that City may issue a stop work notice on any previously issued permits.

8. CITY ANNOUNCEMENTS ON NEW BILLBOARD

- A. Pursuant to the City Council Policy Statement for Billboard Relocation Agreements, on a daily basis Advertiser shall provide at least 10% public service announcement ("PSA") use to City, free of charge, with at least 50% of such PSA use occurring during the hours of 6:00 a.m. and 9:00 p.m. City may use such PSA time for City announcements and announcements from nonprofit organizations ("City Copy").
- B. During the Term of this Agreement, to the extent permissible under applicable laws, rules and regulations, Advertiser shall display City Copy on one digital display spot on the New Billboard on a space available basis, but subject to the mandatory minimum daily display time set forth in Section 8.A above (the "Display Time") provided that: (i) all proposed City Copy is submitted to Advertiser not less than five (5) business days prior to the date on which the City Copy is proposed to be displayed on the New Billboard (the "Copy Submission Deadline"); (ii) all City Copy shall be subject to Advertiser's standard advertising copy rejection and removal policies, which allow Advertiser, in good faith, to approve or disapprove copy and remove copy once posted or displayed that is inconsistent with those policies; and (iii) City pays for all digital production costs associated with the City Copy. City represents and warrants that all copy, content and materials supplied by City to Advertiser for display under this Agreement (i) are owned or duly licensed by City and do not infringe or misappropriate the rights of any other person or entity; (ii) comply with all applicable federal, state, and local laws, rules and regulations and any industry codes or rules by which City and/or Advertiser may be bound and do not contain any obscene, libelous, slanderous, or otherwise defamatory materials or refer in an offensive manner to the gender, race or ethnicity of any individual group; (iii) are accurate and that all claims contained therein have been substantiated; and (iv) do not infringe upon any copyright, trademark or other intellectual property or privacy right of any third party.

- C. In addition to the City's display rights set forth in Sections 8.A and 8.B. above, in the event the City Council, the City Manager, or their delegates reasonably determined that an emergency situation exists and request that Advertiser display emergency messages, Advertiser shall display such advertising immediately. Emergency messages may include, but shall not be limited to, Amber Alerts, evacuation notices, homeland security and/or public safety messages. Routine traffic alerts or notices shall not constitute emergency messages for purposes of this Agreement and the New Billboard shall not be utilized for that purpose.

9. PERFORMANCE OF WORK

Advertiser shall perform the work in a good and workmanlike manner. Advertiser shall be as fully responsible to City for the acts and omissions of its subcontractors performing work on the New Billboard, on the removal of the Obsolete Billboards, and on the Repair work, and of persons either directly or indirectly employed by them to perform work on the Billboard, as Advertiser is for the acts and omissions of persons directly employed by it to perform work on the New Billboard. Advertiser shall perform all work in a safe manner and in accordance with all federal, state and local operation and safety regulations.

10. BUSINESS TAX LICENSE REQUIRED

Advertiser must comply with Santa Clara City Code Section 3.40.060, as that section may be amended from time to time or renumbered, which requires that any person who transacts or carries on any business in the City of Santa Clara pay business license tax to the City. A business tax certificate may be obtained by completing the Business Tax Affidavit Form and paying the applicable fee at the Santa Clara City Hall Municipal Services Division.

11. RESPONSIBILITY OF ADVERTISER

Advertiser shall be responsible for the professional quality, technical accuracy and coordination of the work it performs under this Agreement. Neither City's review, acceptance, nor payments for any of the work performed under this Agreement shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement and Advertiser shall be and remain liable to City in accordance with applicable law for all damages to City caused by Advertiser's negligent performance of any work performed under this Agreement.

Any acceptance by City of plans, specifications, construction contract documents, reports, diagrams, maps and other material prepared by Advertiser shall not in any respect absolve Advertiser from complying with other applicable federal, state, county, and/or municipal laws, ordinances, regulations, rules and orders.

12. TERMINATION OF AGREEMENT

In the event that either party is in default under the terms of this Agreement, the non-defaulting party shall deliver written notice thereof to the defaulting party, and said party may cure such failure within fourteen (14) days of receipt of such notice provided that for any non-monetary default, if a cure cannot reasonably be effected within said fourteen

(14) day period, the defaulting party may continue such cure past said fourteen (14) day period, provided it commences such cure within said fourteen (14) day period and diligently pursues such cure to completion. In the event of a default that extends beyond all notice and cure periods set forth herein, the non-defaulting party shall have the right to terminate this Agreement upon not less than ten (10) days' prior written notice to the defaulting party. In addition, Advertiser retains the right to terminate the Agreement and then recover the Billboard Fee in the event there is (i) a legal challenge that is filed within 30 days of the filing of a notice of determination ("NOD") for the Project for the Project Categorical Exemption, or within 30 days of the City's execution of this Agreement or issuance of any of the final administrative approvals contemplated in this Agreement, and Advertiser has not displayed any advertising on the New Billboard or (ii) if, in Advertiser's reasonable discretion, Advertiser is unable to obtain the requisite permits pursuant to Paragraph 3 within 180 days of the Effective Date of this Agreement.

13. BINDING ON SUCCESSORS AND ASSIGNS

City and Advertiser bind themselves and their successors, executors, administrators, and assigns to all covenants of this Agreement. This Agreement shall not be assigned or transferred by Advertiser without the prior written approval of City, except to an entity controlling, controlled by or under common control with Advertiser or to an entity that acquires a majority of Advertiser's assets in the California market.

14. NO THIRD PARTY BENEFICIARY

This Agreement shall not be construed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

15. INDEPENDENT CONTRACTOR

Advertiser and all person(s) employed by or contracted with Advertiser to furnish labor and/or materials under this Agreement are independent contractors and do not act as agent(s) or employee(s) of City. Advertiser has full rights, however, to manage its employees in their performance of work under this Agreement. Advertiser is not authorized to bind City to any contracts or other obligations.

16. NO PLEDGING OF CITY'S CREDIT

Under no circumstances shall Advertiser have the authority to power to pledge the credit of City or incur any obligation in the name of City. Advertiser shall save and hold harmless the City, its City Council, its officers, employees, boards and commissions for expenses arising out of any unauthorized pledges of City's credit by Advertiser under this Agreement.

17. USE OF CITY NAME OR EMBLEM

Advertiser shall not use City's name, insignia, or emblem on the New Billboard, or in any magazine, trade paper, newspaper, or other medium, without express written consent of City.

18. FAIR EMPLOYMENT

Advertiser shall not discriminate against any employee or applicant for employment because of race, color, creed, national origin, gender, sexual orientation, age, disability, religion, ethnic background, or marital status, in violation of state or federal law.

19. HOLD HARMLESS/INDEMNIFICATION

Except as to a dispute between the Parties themselves, and to the extent permitted by law, Advertiser agrees to protect, defend, hold harmless and indemnify, with counsel reasonably acceptable to the City Attorney, the City, its City Council, commissions, officers, employees, volunteers and agents from and against any claim, injury, liability, loss, cost, and/or expense or damage, including all reasonable costs and reasonable attorney's fees in providing a defense to any claim arising therefrom, for which City shall become liable arising from Advertiser's negligent, reckless or wrongful acts, errors or omissions with respect to or in any way connected with the removal of the Obsolete Billboards and the construction, operation and removal of the New Billboard. Notwithstanding the above, and consistent with the City's representations and warranties in Paragraph 8(B), the foregoing indemnification shall not cover circumstances where a dispute arises from the posting of City Copy on the New Billboard. This Section shall survive any termination of this Agreement.

20. INSURANCE REQUIREMENTS

During the term of this Agreement, and for any time period set forth in Exhibit C, Advertiser shall provide and maintain in full force and effect, at no cost to City, insurance policies with respect to employees and vehicles assigned to perform work under this Agreement with coverage amounts, required endorsements, certificates of insurance, and coverage verifications as defined in Exhibit C, attached hereto and incorporated herein by this reference.

21. AMENDMENTS

This Agreement may be amended only with the written consent of both parties.

22. INTEGRATED DOCUMENT

This Agreement represents the entire agreement between City and Advertiser. No other understanding, agreements, conversations, or otherwise, with any representative of City prior to execution of this Agreement shall affect or modify any of the terms or obligations of this Agreement. Any verbal agreement shall be considered unofficial information and is not binding upon the City.

23. SEVERABILITY

In case any one or more of the provisions in this Agreement shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions, which shall remain in full force and effect.

24. WAIVER

The parties agree that waiver by either party of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement.

25. NOTICES

Any communication or notice which either party is required to send to the other or which either party desires to send to the other, shall be in writing and shall be either personally delivered or mailed using the United States Postal Service, postage prepaid, return receipt requested, by a recognized overnight courier service or by facsimile.

All notices to the Parties shall, unless otherwise requested in writing, be sent to City addressed as follows:

City of Santa Clara
Attn: Department of Planning & Inspection
1500 Warburton Avenue
Santa Clara, CA 95050
or by facsimile at (408) 247-9857

And to Advertiser addressed as follows:

Name: OUTFRONT Media LLC
Address: 1695 Eastshore Hwy
 Berkeley, CA 94710

If notice is sent via facsimile, a signed, hard copy of the material shall also be mailed. The workday the facsimile was sent shall control the date notice was deemed given if there is a facsimile machine generated document on the date of transmission. A facsimile transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following Monday.

26. CAPTIONS

The captions of the various sections, paragraphs and subparagraphs of this Agreement are for convenience only and shall not be considered or referred to in resolving questions of interpretation.

27. LAW GOVERNING CONTRACT AND VENUE

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California. The venue of any suit filed by either Party shall be vested

in the state courts of the County of Santa Clara, or if appropriate, in the United States District Court, Northern District of California, San Jose, California.

28. DISPUTE RESOLUTION

- A. Unless otherwise mutually agreed to by the Parties, any controversies between Advertiser and City regarding the construction or application of this Agreement, and claims arising out of this Agreement or its breach, shall be submitted to mediation within thirty (30) days of the written request of one Party after the service of that request on the other Party.
- B. The Parties may agree on one mediator. If they cannot agree on one mediator, the Party demanding mediation shall request the Superior Court of Santa Clara County to appoint a mediator. The mediation meeting shall not exceed one day (eight (8) hours). The Parties may agree to extend the time allowed for mediation under this Agreement.
- C. The costs of mediation shall be borne by the Parties equally.
- D. For any contract dispute, mediation under this section is a condition precedent to filing an action in any court. In the event of the mediation which arises out of any dispute related to this Agreement, the Parties shall each pay their respective attorney's fees, expert witness costs and cost of suit through mediation only. In the event of litigation, the prevailing Party shall recover its reasonable costs of suit, expert's fees, and attorney's fees. If mediation does not resolve the dispute, the Parties agree that the matter shall be litigated in a court of law, and not subject to the arbitration provisions of the Public Contract Code.

29. COMPLIANCE WITH ETHICAL STANDARDS

Advertiser shall:

- A. Read Exhibit D, entitled "ETHICAL STANDARDS FOR ADVERTISERS SEEKING TO ENTER INTO AN AGREEMENT WITH THE CITY OF SANTA CLARA CALIFORNIA," attached hereto and incorporated herein by this reference; and
- B. Execute Exhibit E, entitled "AFFIDAVIT OF COMPLIANCE WITH ETHICAL STANDARDS," attached hereto and incorporated by this reference.

30. AFFORDABLE CARE ACT OBLIGATIONS

To the extent Advertiser is obligated to provide health insurance coverage to its employees pursuant to the Affordable Care Act ("Act") and/or any other similar federal or state law, Advertiser warrants that it is meeting its obligations under the Act and will fully indemnify and hold harmless City for any penalties, fines, adverse rulings, or tax payments associated with Advertiser's responsibilities under the Act.

31. CONFLICT OF INTERESTS

This Agreement does not prevent either Party from entering into similar agreements with other parties. To prevent a conflict of interest, Advertiser certifies that to the best of its knowledge, no City officer, employee or authorized representative has any financial interest in the business of Advertiser and that no person associated with Advertiser has any interest, direct or indirect, which could conflict with Advertiser's faithful performance of this Agreement. Advertiser is familiar with the provisions of Government Code section 87100, et seq., and certifies that it does not know of any facts which would violate these code provisions. Advertiser will advise City if a conflict arises.

32. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

33. AUTHORITY TO EXECUTE

The Parties agree that signatures on this Agreement, including those transmitted by facsimile, shall be sufficient to bind the Parties. Advertiser represents that Advertiser's signatory to this Agreement is authorized by resolution, bylaws, constitution, or other authorization of Advertiser, which resolution, bylaw, constitution, or other authorization is currently in full force and effect, to execute this Agreement on Advertiser's behalf. The City represents that the City Manager is authorized to sign this Agreement on behalf of the City, to execute amendments thereto, and to take any other action necessary to implement this Agreement.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidence by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

APPROVED AS TO FORM:

Dated: _____

GLEN R. GOOGINS
City Attorney

JÖVAN GROGAN
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

“CITY”

OUTFRONT MEDIA, LLC
a Delaware limited liability company

Dated: _____

By: _____
(Signature of Person executing the Agreement on behalf of Advertiser)

Name: _____

Title: _____

Local Address: _____

Email Address: _____

Telephone: ____ (____) _____

Fax: ____ (____) _____

“ADVERTISER”

BILLBOARD RELOCATION AGREEMENT

**BY AND BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
OUTFRONT MEDIA LLC**

EXHIBIT A

OBSOLETE BILLBOARDS

Removal of the following Obsolete Billboards in accordance with the terms and conditions of this Agreement will support establishment of the New Billboard:

- Sign face (oriented toward west) located at 2983 El Camino Real, City of Santa Clara.
- Sign with two faces located at 3362 El Camino Real, City of Santa Clara.

Total removed: three (3) billboard sign faces

**BILLBOARD RELOCATION AGREEMENT
BY AND BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
OUTFRONT MEDIA LLC**

EXHIBIT B

NEW BILLBOARD

Advertiser is permitted to construct, install, maintain and operate the following New Billboard in accordance with the terms and conditions of this Agreement, as substantially depicted on the attached plan entitled "Development Plans" and dated April 16, 2025, and shall have the following characteristics:

- The New Billboard consists of a single-sided 14' x 48' digital LED billboard located south of Highway 101 on the COCO Home office property at 1700 Duane Ave, Santa Clara.
- The maximum ambient light output level shall be 0.3 foot-candles at a distance of 250 linear feet from the New Billboard. Light levels emitted from the New Billboard would be set to adjust based upon ambient light conditions at any time (i.e., night time versus day time).
- The New Billboard may cycle through a rotation of images, which shall not change any faster than one image every eight seconds.
- The New Billboard, including the sign structure and/or sign, will not exceed 60 feet above ground level.

**BILLBOARD RELOCATION AGREEMENT
BY AND BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
OUTFRONT MEDIA LLC**

EXHIBIT C

INSURANCE REQUIREMENTS

INSURANCE COVERAGE REQUIREMENTS

Without limiting Advertiser's indemnification of the City, and prior to commencing any of the Services required under this Agreement, Advertiser shall provide and maintain in full force and effect, at its sole cost and expense, the following insurance policies with at least the indicated coverages, provisions and endorsements:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:

\$5,000,000 each occurrence
\$5,000,000 general aggregate
\$5,000,000 products/completed operations aggregate
\$5,000,000 personal injury

2. Exact structure and layering of the coverage shall be left to the discretion of Advertiser; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.
3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Advertiser to comply with the insurance requirements of this Agreement:
 - a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;
 - b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and
 - c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01, with minimum policy limits of not less than one million dollars

(\$1,000,000) each accident using, or providing coverage at least as broad as, Insurance Services Office form CA 00 01. Liability coverage shall apply to all owned, non-owned and hired autos.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with the following limits: at least one million dollars (\$1,000,000) policy limit Illness/Injury by disease, and one million dollars (\$1,000,000) for each Accident/Bodily Injury.
2. The indemnification and hold harmless obligations of Advertiser included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Advertiser or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).
3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

D. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents ("Indemnitees") are hereby added as additional insureds in respect to liability arising out of Advertiser's work for City, using Insurance Services Office (ISO) Endorsement CG 20 10 11 85 or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.
2. Primary and non-contributing. Each insurance policy provided by Advertiser shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the Indemnitees may possess, including any self-insurance or self-insured retention they may have. Any other insurance Indemnitees may possess shall be considered excess insurance only and shall not be called upon to contribute with Advertiser's insurance.
3. General Aggregate. The general aggregate limits shall apply separately to Advertiser's work under this Agreement providing coverage at least as broad as Insurance Services Office (ISO) Endorsement CG 2503, 1985 Edition, or insurer's equivalent (CGL).
4. Cancellation.
 - a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice

shall be given at least ten (10) days prior to the effective date of non-renewal.

- b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.

5. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through D of this Exhibit C, above.

E. ADDITIONAL INSURANCE RELATED PROVISIONS

Advertiser and City agree as follows:

1. Advertiser agrees to ensure that subcontractors, and any other party involved with the Services, who is brought onto or involved in the performance of the Services by Advertiser, provide the same minimum insurance coverage required of Advertiser, except as with respect to limits. Advertiser agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Advertiser agrees that upon request by City, all agreements with, and insurance compliance documents provided by, such subcontractors and others engaged in the project will be submitted to City for review.
2. Advertiser agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Advertiser for the cost of additional insurance coverage required by this Agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.
3. The City reserves the right to withhold payments from the Advertiser in the event of material noncompliance with the insurance requirements set forth in this Agreement.

F. EVIDENCE OF COVERAGE

Prior to commencement of any Services under this Agreement, Advertiser, and each and every subcontractor (of every tier) shall, at its sole cost and expense, provide and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Agreement. Such insurance coverage shall be maintained with insurers, and under forms of policies, satisfactory to City and as described in this Agreement. Advertiser shall file with the City all certificates and endorsements for the required insurance policies for City's approval as to adequacy of the insurance protection.

**BILLBOARD RELOCATION AGREEMENT
BY AND BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
OUTFRONT MEDIA LLC**

EXHIBIT D

**ETHICAL STANDARDS FOR ADVERTISERS SEEKING TO ENTER INTO AN AGREEMENT
WITH THE CITY OF SANTA CLARA, CALIFORNIA**

Termination of Agreement for Certain Acts.

- A. The City may, at its sole discretion, terminate this Agreement in the event any one or more of the following occurs:
1. If an Advertiser¹ does any of the following:
 - a. Is convicted² of operating a business in violation of any Federal, State or local law or regulation;
 - b. Is convicted of a crime punishable as a felony involving dishonesty³;
 - c. Is convicted of an offense involving dishonesty or is convicted of fraud or a criminal offense in connection with: (1) obtaining; (2) attempting to obtain; or, (3) performing a public contract or subcontract;
 - d. Is convicted of any offense which indicates a lack of business integrity or business honesty which seriously and directly affects the present responsibility of a City contractor or subcontractor; and/or,
 - e. Made (or makes) any false statement(s) or representation(s) with respect to this Agreement.

¹ For purposes of this Agreement, the word “Consultant” (whether a person or a legal entity) also refers to “Advertiser” and means any of the following: an owner or co-owner of a sole proprietorship; a person who controls or who has the power to control a business entity; a general partner of a partnership; a principal in a joint venture; or a primary corporate stockholder [i.e., a person who owns more than ten percent (10%) of the outstanding stock of a corporation] and who is active in the day to day operations of that corporation.

² For purposes of this Agreement, the words “convicted” or “conviction” mean a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere within the past five (5) years.

³ As used herein, “dishonesty” includes, but is not limited to, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, failure to pay tax obligations, receiving stolen property, collusion or conspiracy.

2. If fraudulent, criminal or other seriously improper conduct of any officer, director, shareholder, partner, employee or other individual associated with the Advertiser can be imputed to the Advertiser when the conduct occurred in connection with the individual's performance of duties for or on behalf of the Advertiser, with the Advertiser's knowledge, approval or acquiescence, the Advertiser's acceptance of the benefits derived from the conduct shall be evidence of such knowledge, approval or acquiescence.
- B. The City may also terminate this Agreement in the event any one or more of the following occurs:
1. The City determines that Advertiser no longer has the financial capability⁴ or business experience⁵ to perform the terms of, or operate under, this Agreement; or,
 2. If City determines that the Advertiser fails to submit information, or submits false information, which is required to perform or be awarded a contract with City, including, but not limited to, Advertiser's failure to maintain a required State issued license, failure to obtain a City business license (if applicable) or failure to provide and maintain bonds and/or insurance policies required under this Agreement.
- C. In the event a prospective Advertiser (or bidder) is ruled ineligible (debarred) to participate in a contract award process or a contract is terminated pursuant to these provisions, Advertiser may appeal the City's action to the City Council by filing a written request with the City Clerk within ten (10) days of the notice given by City to have the matter heard. The matter will be heard within thirty (30) days of the filing of the appeal request with the City Clerk. The Advertiser will have the burden of proof on the appeal. The Advertiser shall have the opportunity to present evidence, both oral and documentary, and argument.

⁴ Advertiser becomes insolvent, transfers assets in fraud of creditors, makes an assignment for the benefit of creditors, files a petition under any section or chapter of the federal Bankruptcy Code (11 U.S.C.), as amended, or under any similar law or statute of the United States or any state thereof, is adjudged bankrupt or insolvent in proceedings under such laws, or a receiver or trustee is appointed for all or substantially all of the assets of Advertiser.

⁵ Loss of personnel deemed essential by the City for the successful performance of the obligations of the Advertiser to the City.

**BILLBOARD RELOCATION AGREEMENT
BY AND BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
OUTFRONT MEDIA LLC**

EXHIBIT E

AFFIDAVIT OF COMPLIANCE WITH ETHICAL STANDARDS

I hereby state that I have read and understand the language, entitled "Ethical Standards" set forth in Exhibit D. I have the authority to make these representations on my own behalf or on behalf of the legal entity identified herein. I have examined appropriate business records, and I have made appropriate inquiry of those individuals potentially included within the definition of "Advertiser" contained in Ethical Standards at footnote 1.

Based on my review of the appropriate documents and my good-faith review of the necessary inquiry responses, I hereby state that neither the business entity nor any individual(s) belonging to said "Advertiser" category [i.e., owner or co-owner of a sole proprietorship, general partner, person who controls or has power to control a business entity, etc.] has been convicted of any one or more of the crimes identified in the Ethical Standards within the past five (5) years.

The above assertions are true and correct and are made under penalty of perjury under the laws of the State of California.

OUTFRONT Media LLC

a Delaware limited liability company

By: _____
Signature of Authorized Person or Representative

Name: _____

Title: _____

NOTARY'S ACKNOWLEDGMENT TO BE ATTACHED

Please execute the affidavit and attach a notary public's acknowledgment of execution of the affidavit by the signatory. If the affidavit is on behalf of a corporation, partnership, or other legal entity, the entity's complete legal name and the title of the person signing on behalf of the legal entity shall appear above. Written evidence of the authority of the person executing this affidavit on behalf of a corporation, partnership, joint venture, or any other legal entity, other than a sole proprietorship, shall be attached.



Agenda Report

25-436

Agenda Date: 4/16/2025

REPORT TO PLANNING COMMISSION

SUBJECT

PUBLIC HEARING: Recommendation on a General Plan Text Amendment for the 2023-2031 Housing Element Sites Inventory List

BACKGROUND

The Housing Element, one of the required elements of the City's General Plan, includes policies and programs intended to help the City meet the housing needs of all current and future Santa Clara residents. State law requires that local jurisdictions update their Housing Elements every eight years and that the Housing Element be reviewed by the State Department of Housing and Community Development (HCD). HCD "certifies" housing elements that it determines to be in substantial compliance with State housing law. Since the Housing Element statutes were first enacted, six such cycles of adoption and certification have been completed. A certified Housing Element allows the City to pursue Federal and State grant funding for housing and infrastructure, such as One Bay Area Grants (OBAG) and retain local control.

At the conclusion of the three-year Housing Element Update process that began in early 2021, the City's sixth cycle Housing Element was adopted by the City Council on May 7, 2024 and certified by HCD on May 31, 2024.

One of the required components of the Housing Element is the development and maintenance of an inventory of specific sites that have been analyzed for their suitability to develop with residential uses within the eight-year planning period (2023-2031). The Sites Inventory must include sufficient capacity to meet the City's Regional Housing Needs Allocation (RHNA) in all affordability categories (i.e. Lower, Moderate, Above Moderate).

Staff is requesting an amendment to the Sites Inventory List to remove one of the sites from the list and add a recently approved project to the list as discussed below. Such action would implement the terms of a pending settlement agreement with Housing Action Coalition and would mitigate the risk of other potential challenges to the City's Housing Element. Any amendment to the General Plan, including the Housing Element, is a legislative action requiring a recommendation from the Planning Commission and action by the City Council in accordance with City Code Chapter 18.142.

DISCUSSION

The Housing Element Update process gives community members multiple opportunities to provide input and recommend revisions. During the adoption timeline of more than two years, a lobbying group known as the Housing Action Coalition (HAC) provided five separate comment letters on the City's Housing Element drafts. Many of their comments focused on the properties in the City's Sites Inventory; in order to be listed on the sites inventory, it must be reasonably foreseeable that properties will redevelop into residential uses during the planning period (2023-2031). In response,

the City conducted additional analysis, and in consultation with HCD, removed selected sites from the inventory that were unlikely to redevelop with residential uses within the 2023-2031 timeframe. The City also added additional sites to the inventory to offset the removed sites.

Nevertheless, the Housing Action Coalition continues to object to the inclusion of at least four sites that were retained in the adopted/certified Housing Element, especially the sites located within the Patrick Henry Drive Specific Plan area. The City continues to believe that it is reasonably foreseeable that most of the Patrick Henry Drive sites will redevelop during the planning period, due to the current underutilization of the properties, the age of the existing buildings, the participation of property owners during the Specific Plan process, and additional reasons stated in Housing Element Appendix C (the "Supplemental Sites Inventory Analysis"). However, the HAC maintains that these sites, due to their characteristics and multiple property ownerships, in their opinion, will not develop in the next housing cycle.

Settlement Proposal

In order to avoid the risks and costs of litigation, City staff has negotiated a proposed settlement agreement with the HAC, under which the City would agree to remove one site, 4701 Patrick Henry Drive, from the inventory, and in exchange the HAC would agree to not challenge the City's Housing Element in court. The removal of 4701 Patrick Henry Drive would still leave sufficient sites to achieve the City's Regional Housing Needs Allocation (RHNA) targets with a substantial buffer at all affordability levels, and therefore staff is proposing a General Plan Text Amendment to the 2023-2031 Housing Element Sites Inventory List to remove the site from the list. See Attachment 1, a comparison of the Sites to Meet the RHNA table from the adopted Housing Element and the proposed Housing Element Amendment.

HCD recommends all jurisdictions include a 15 to 30-percent buffer of units beyond the minimum required RHNA target numbers in all affordability categories (i.e. Lower, Moderate, and Above Moderate) to comply with the "no net loss" provisions of State Housing Element law, which requires jurisdictions to maintain a sufficient capacity to accommodate their RHNA throughout the planning period. The proposed removal of 4701 Patrick Henry Drive from the adopted Sites Inventory would decrease the recommended buffer in the lower-income category from 33-percent to 18-percent and in the moderate-income category from 31-percent to 17-percent. The buffer in the above moderate-income category would remain unchanged at 103-percent above the required RHNA. The City will still meet the overall RHNA of 11,632 units and a buffer. The removal of this site from the Inventory also does not change its current General Plan land use designation and Zoning (Village Residential), which allows conversion of all or part of the site from low-density industrial office to high-density residential uses, consistent with the Patrick Henry Drive Specific Plan.

Kylli "Mission Point" Project

On November 19, 2024, the City Council approved the Kylli "Mission Point" Project (3005 Democracy Way), a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 new residential units with a minimum 15-percent affordability requirement. This project was not included on the Sites Inventory in the Housing Element adopted and certified in May 2024. As part of the negotiations with the HAC, staff proposed that when removing 4701 Patrick Henry Drive from the inventory, the City would simultaneously, and conservatively, include only a portion (820 units) of the maximum allowed units from the recently approved Mission Point Project. Taken together, these two changes would result in a decrease in the lower-income buffer from 33-percent to 18-percent, and a

decrease in the moderate-income buffer from 31-percent to 23-percent. In the above moderate-income category, the recommended buffer would increase from 103-percent to 116-percent. The HAC indicated that it would agree to the inclusion of Mission Point as part of the settlement.

Included in this report as Attachment 2 (clean) and Attachment 3 (redlined) are excerpts from the Housing Element (Chapter 3 - AFFH, Chapter 6 - Housing Resources, and Appendix C - Supplemental Sites Inventory Analysis) showing the revisions associated with the proposed amendment. Should this amendment be approved, a copy of the revisions, along with an updated Housing Element Appendix B - Electronic Sites Inventory (Excel workbook), will be submitted to HCD for their review to confirm the residential capacity in the City's Sites Inventory remains adequate to meet its RHNA.

Recommendation

On balance, in the interest of addressing the HAC's ongoing concerns regarding the foreseeability of redevelopment of the City's Housing Element Sites Inventory, and because the proposed removal of 4701 Patrick Henry would not impact the City's ability to meet the required RHNA with a sufficient recommended buffer at all income levels, it is staff's recommendation that this site be removed from the inventory. In order to soften the impact on the buffer, staff recommends simultaneously adding the Mission Point project to the inventory.

ENVIRONMENTAL REVIEW

On January 31, 2023, the City Council approved an Addendum to the 2010-2035 General Plan Environmental Impact Report (Attachment 4) for the sixth Cycle (2023-2031) Housing Element, which concluded that it did not constitute a substantial change to the General Plan that would require major revisions to the previous EIR; that there were no substantial changes in circumstances as a result of modifications to the General Plan that would cause new or substantially more severe impacts; and, that there was no new information of substantial importance that identified new or more intense significant impacts than those identified in the General Plan EIR. The removal of a single site from the adopted Housing Element Sites Inventory would not change these conclusions.

The potential environmental impacts of the Kylli "Mission Point" Project were analyzed in an Environmental Impact Report, approved and certified by the City Council on November 19, 2024. The EIR identified impacts in the areas of traffic, greenhouse gases, energy, biology, geology and soils, cultural resources, tribal cultural resources, utilities, water quality, and hazards and hazardous materials, which with the incorporation of mitigation measures would be reduced to less than significant. The EIR also identified air quality and noise as having significant unavoidable impacts with mitigation incorporated, and for those impacts the Council adopted a Statement of Overriding Considerations.

FISCAL IMPACT

There is no fiscal impact associated with this report other than administrative staff time and expense.

COORDINATION

This report was coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website

and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

On March 5, 2025, pursuant to Government Code Section 65353 and 65355, a notice of public hearing was published in The Santa Clara Weekly, a newspaper of general circulation, regarding the Planning Commission and City Council public hearings.

On March 7, 2025, pursuant to Government Code Section 65352(a), the City mailed referral letters to tribes and outside agencies advising them of the City's intent to act on a General Plan Amendment to adopt revisions to the 2023-2031 Housing Element. The referral letters also included notice of the proposed Planning Commission and City Council hearings.

On March 14, 2025 and April 11, 2025, a GovDelivery bulletin was emailed to the City's Housing Element Update topic subscribers (3,791 as of April 8, 2025), to let them know of the availability of the draft revisions to the Housing Element and the proposed Planning Commission and City Council public hearings.

ALTERNATIVES

1. Adopt a Resolution to Recommend the City Council Amend the General Plan Housing Element with revisions associated with changes to the Housing Sites Inventory
2. Adopt a Resolution to Recommend the City Council Amend the General Plan Housing Element with revisions associated with changes to the Housing Sites Inventory, with additional revisions

RECOMMENDATION

Alternative 1: Adopt a Resolution to Recommend the City Council Amend the General Plan Housing Element with revisions associated with changes to the Housing Sites Inventory

Prepared by: John Baty, Senior Planner
Reviewed by: Alexander Abbe, Assistant City Attorney
Afshan Hamid, Director, Community Development
Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Comparison of Sites to Meet the RHNA Tables (adopted and proposed)
2. Excerpts showing revisions to Housing Element (clean)
3. Excerpts showing revisions to Housing Element (redlined)
4. Addendum
5. City Council Addendum Resolution No. 23-9188
6. Planning Commission Resolution

Sites to Meet the RHNA (May 7, 2024 Adopted Housing Element)

<i>Site/Credit Type</i>	<i>Affordability Category</i>				<i>Total Capacity</i>
	<i>Lower</i>		<i>Moderate</i>	<i>Above Moderate</i>	
	<i>Very Low [0-50% AMI]</i>	<i>Low [50-80% AMI]</i>	<i>[80-120% AMI]</i>	<i>[> 120% AMI]</i>	
Pending and Approved Projects	710	794	504	10,201	12,209
<i>Tasman East Focus Area</i>	114	239	175	3,838	4,366
<i>Patrick Henry Drive Focus Area</i>	76	75	75	1,294	1,520
<i>Lawrence Station Area Plan</i>	39	45	58	635	777
<i>Freedom Circle Focus Area</i>	54	54	54	913	1,075
<i>Other</i>	427	381	142	3,521	4,471
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	2,138	1,586	1,728	140	5,592
<i>Tasman East Focus Area</i>	268	196	318	121	903
<i>Patrick Henry Drive Focus Area</i>	1,747	1,299	1,299	-	4,345
<i>Lawrence Station Area Plan</i>	123	91	111	19	344
El Camino Real Rezoning Sites	319	236	250	-	805
Total	3,285	2,734	2,600	10,380	18,999
RHNA	2,872	1,653	1,981	5,126	11,632
<i>Surplus (buffer above RHNA)</i>	33%		31.2%	102.5%	63.3%

Sites to Meet the RHNA (Housing Element **Proposed Amendment)**

<i>Site/Credit Type</i>	<i>Affordability Category</i>				<i>Total Capacity</i>
	Lower		Moderate	Above Moderate	
	Very Low [0-50% AMI]	Low [50-80% AMI]	[80-120% AMI]	[> 120% AMI]	
Pending and Approved Projects	710	794	627	10,898	13,029
<i>Tasman East Focus Area</i>	114	239	175	3,838	4,366
<i>Patrick Henry Drive Focus Area</i>	76	75	75	1,294	1,520
<i>Lawrence Station Area Plan</i>	39	45	58	635	777
<i>Freedom Circle Focus Area</i>	54	54	54	913	1,075
<i>Other</i>	427	381	265	4,218	5,291
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	1,748	1,295	1,437	140	4,620
<i>Tasman East Focus Area</i>	268	196	318	121	903
<i>Patrick Henry Drive Focus Area</i>	1,357	1,008	1,008	-	3,373
<i>Lawrence Station Area Plan</i>	123	91	111	19	344
El Camino Real Rezoning Sites	319	236	250	-	805
Total	2,895	2,443	2,432	11,077	18,847
RHNA	2,872	1,653	1,981	5,126	11,632
<i>Surplus (buffer above RHNA)</i>	18%		23%	116%	62%

Area is contributing to overcrowding and is forcing people to move away from Santa Clara. It is possible that development pressure has been focused on the City's specific plan areas and that once these areas are built out, developers may look to redevelop older lower density buildings that are naturally occurring affordable housing. This indicates a need to build more affordable housing, and policies that prevent a net loss of affordability if older market rate buildings are redeveloped, and to potentially require relocation assistance for displaced residents.

AFFH Analysis of the Sites Inventory

An important part of the AFFH analysis is looking at where the site inventory is directing housing growth and how that will replace segregated living patterns with integrated and balanced living patterns and convert any racially or ethnically concentrated areas that may exist into areas of opportunity for households at all income levels. The site inventory in chapter 13.3 places 82.5% of the City's housing growth over the next 8 years into in HCD/TCAC Opportunity Map High or Highest Resource areas. The site inventory includes a buffer of additional units above the required RHNA so most of the following figures exceed 100%.

- 84.5 percent of the City's Very Low Income RHNA units are located in High or Highest Resource areas.
 - VLI RHNA = 2,872 units.
 - VLI Units in Sites Inventory: 252 in Highest Resource Areas (9% of VLI RHNA) and 2,169 in High Resource Areas (75.5% of VLI RHNA).
- 126 percent of the City's Low Income RHNA units located in High or Highest Resource areas.
 - LI RHNA = 1,653 units.
 - LI Units in Sites Inventory: 358 in Highest Resource Areas (22% of LI RHNA) and 1,726 in High Resource Areas (104% of LI RHNA).
- 104 percent of the City's Moderate RHNA units located in High or Highest Resource areas.
 - Moderate RHNA = 1,981 units.
 - Moderate Units in Sites Inventory: 112 in Highest Resource Areas (6% of Moderate RHNA) and 1,946 in High Resource Areas (98% of Moderate RHNA).
- 175 percent of the City's Above Moderate RHNA units located in High or Highest Resource areas.
 - Above Moderate RHNA = 5,126 units.
 - Above Moderate Units in Sites Inventory: 161 in Highest Resource Areas (3% of Above Moderate RHNA) and 8,813 in High Resource Areas (172% of Above Moderate RHNA).

The following table provides additional details on which types of units are located in different HCD/TCAC opportunity Map Areas:

Table 13.3-22: Sites Inventory Units by HCD/TCAC Opportunity Map Area

Site/Credit Type	Affordability Category				Total Capacity
	VLI	LI	Mod.	Above Mod.	
RHNA	2,872	1,653	1,981	5,126	11,632
Pending and Approved Projects	710	794	627	10,898	13,029
<i>Tasman East Focus Area SP</i>	114	239	175	3,838	4,366
<i>Patrick Henry Drive SP</i>	76	75	75	1,294	1,520
<i>Lawrence Station Area</i>	39	45	58	635	777
<i>Freedom Circle Focus Area</i>	54	54	54	913	1,075
<i>Other¹</i>	427	381	265	4,218	5,291
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	1,748	1,295	1,437	140	4,620
<i>Tasman East Focus Area SP</i>	268	196	318	121	903
<i>Patrick Henry Drive SP</i>	1,357	1,008	1,008	-	3,664
<i>Lawrence Station Area</i>	123	91	111	19	344
El Camino Real Rezoning Sites	319	236	250	-	805
Total	2,895	2,443	2,432	11,077	18,847
<i>Surplus Units</i>	23	790	451	5,951	7,215
<i>Surplus Percentage Above RHNA</i>	0.8%	47.8%	22.8%	116.1%	62%

HCD/TCAC Opportunity Map Areas															
Highest Resource				High Resource				Moderate Resource				Low Resource			
VLI	LI	Mod.	Above Mod.	VLI	LI	Mod.	Above Mod.	VLI	LI	Mod.	Above Mod.	VLI	LI	Mod.	Above Mod.
148	271	20	145	364	372	464	8,676	92	72	63	669	106	79	80	1,408
				114	239	175	3,838								
				76	75	75	1,294								
								39	45	58	635				
				54	54	54	913								
148	271	20	145	120	4	160	2,631	53	27	5	34	106	79	80	1,408
47	47	47	16	47	47	47	16	18	18	18	6	6	6	6	1
				1,625	1,204	1,326	121	123	91	111	19				
				268	196	318	121								
				1,357	1,008	1,008									
								123	91	111	19				
57	40	45	-	133	103	109	-	129	93	96	-	-	-	-	-
252	358	112	161	2,169	1,726	1,946	8,813	362	274	288	694	112	85	86	1,409

4.7%	Highest Resource	77.8%	High Resource	8.6%	Moderate Resource	9%	Low Resource
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Note:

1. Included in the "Other" category, the Mission Point Project, a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 residential units and is subject to a 10-year Development Agreement with three optional 5-year extensions, is still in the early planning stages, so to be conservative, only a portion of maximum allowable residential units have been included. The Developer has agreed to provide at least fifteen (15%) percent of their units at rents or prices affordable to very low, low and moderate income households or some combination thereof, providing an average affordability of eighty (80%) AMI with no individual affordable rental unit exceeding a maximum of one hundred percent (100%) AMI and no individual affordable for-sale unit exceeding a maximum of one hundred and twenty percent (120%) AMI.



period. As determined by ABAG, the City of Santa Clara’s allocation for the 2023-2031 planning period is 11,632 housing units, with the units distributed among the four income categories as shown in Table 13.6-1.

Table 13.6-1 City of Santa Clara RHNA 2023-2031

<i>Income Group</i>	<i>Income Category (% AMI)</i>	<i>RHNA (Housing Units)</i>	<i>Percentage of Total Housing Units</i>
Very Low	<50%	2,872	25%
Low	50-80%	1,653	14%
Moderate	80-120%	1,981	17%
Above Moderate	>120%	5,126	44%
Total		11,632	100%

Source(s): Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031, Updated March 2022.

Note(s):

1 AMI = Area Median Income

2 Pursuant to AB 2634, local jurisdictions are required to project the housing needs of extremely low-income households (0-30% AMI) and consider this income group a subset of the very low-income category. In estimating the number of extremely low-income households, a jurisdiction can use 50% of the very low-income allocation or apportion the very low-income figure based on Census data.

Progress Toward the RHNA

Since the RHNA uses June 30, 2022, as the baseline for growth projections for the 2023-2031 Housing Element planning period, jurisdictions may claim units approved and proposed that are anticipated to be complete (have a Certificate of Occupancy) after June 30, 2022.

Approved and proposed residential development projects credited toward the RHNA include a variety of affordable and market-rate projects in various stages of the development process. Most of these projects are concentrated within Specific Plan areas and along major thoroughfares, where residential development is expected to continue throughout the planning period. These projects are credited toward the RHNA based on the affordability and unit count of the development. Combined, a total of 13,029 units are expected to be completed within the planning period, as shown in Table 13.6-2.

Approved Projects

Approved residential development projects credited toward the 2023-2031 RHNA have been reviewed by Planning and other City departments for compliance with applicable Codes and regulations and have received all required planning entitlement approvals. The next step for these projects is to proceed through the building permit application review, issuance, and

construction process. All approved projects have anticipated completion and occupancy permits that will be finalized on or after June 30, 2022 and before January 31, 2031.

Historically, the drop-out rate (percentage of projects that do not develop after receiving entitlements) in the City of Santa Clara has been extremely low. Rather than drop-out completely after receiving entitlements, it is more common that projects will delay the start of construction until presented with more favorable market conditions. After receiving entitlements, the primary barrier to development has, and will likely continue to be, the availability of financing/market conditions.

Pending or Proposed Projects

Five projects in various stages of planning review are included as proposed projects. These sites are included although there is no certainty those units will be achieved because the proposals have not been approved, are currently under staff review, or are pending a formal application submittal. The identified realistic capacity for these sites is the total units included in the preliminary proposals.

To help ensure that pending and proposed projects will complete the development process and result in new units, the City has included an additional ongoing objective under Action 10, Adequate Sites Inventory. The Planning Division will include a narrative and table within the City's Annual Progress Report that describes the status of projects listed in Table 13.6-2, Pending and Approved Projects, and when an entitlement is nearing expiration, the Planning Division will proactively notify applicants to apply for an extension.

In Addition, the Zoning Code Update will allow administrative extensions for entitlements. Development approvals are generally permitted for 2 years initially, and then two 1-year administrative extensions are allowed, which saves time and eliminates that possibility of adding conditions. The current process requires going through entitlement process again for extension.

The administrative time extension process has been added to Action 9, Zoning Ordinance.

Since there is no guarantee that the projects will be approved or developed, in the case a proposed development falls through, the sites are still available to accommodate those identified units and may be able to count toward the lower-income RHNA depending on site density and size. Affordability for these projects is assumed based on the site's location per Specific Plan requirements, the City's inclusionary housing ordinance requirements, or a developer/affordable housing agreement. The status of the following projects is as of December 2023.

As shown in Table 13.6-2 below, the total of all pending and approved projects is 13,029 units, which is 1,397 units more than the City's total RHNA of 11,632 units. Because the majority of pending and approved projects fall within the above moderate affordability category (10,898 units), the City has a remaining RHNA of 4,375 units in the very low, low, and moderate affordability categories.

Site/Credit Type	AFFORDABILITY CATEGORIES				Total Units	Project Status (est. completion date)	Affordability
	Very Low [0-50% AMI]	Low [50-80% AMI]	Moderate [80-120% AMI]	Above Moderate [above 120% AMI]			
Gateway Crossings (Hunter/Storm) - Phase 2	-	42	42	756	840	Proposed	per Developer Agreement, Phase 2: affordability TBD
Mission Point/3005 Democracy Way (Kylli)			123	697	820	Approved ⁶	per Developer Agreement; affordability TBD
<i>subtotal other project(s)</i>	427	381	142	4,218	5,291		
Total Pending and Approved Projects	710	794	627	10,898	13,029		
Remaining RHNA 2023-2031	2,162	859	1,354	(5,772)	(1,397)		

Source(s): City of Santa Clara, April 2023.

Note(s): All calculations were rounded down. There are likely discrepancies due to rounding down between the row and column totals. Project Status "Approved" means a project has received all required Planning entitlements.

¹ Phase I building permit issued 4/18/22 for 311 units; the remaining 192 units are approved.

² Application expected early 2024.

³ Application expected early 2024.

⁴ 165 unit affordable senior apartment occupied.

⁵ Project's affordable housing obligation consolidated into 2302 Calle Del Mundo

⁶ The Mission Point Project, a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 residential units and is subject to a 10-year Development Agreement with three optional 5-year extensions, is still in the early planning stages, so to be conservative, only a portion of maximum allowable residential units have been included. The Developer has agreed to provide at least fifteen (15%) percent of their units at rents or prices affordable to very low, low and moderate income households or some combination thereof, providing an average affordability of eighty (80%) AMI with no individual affordable rental unit exceeding a maximum of one hundred percent (100%) AMI and no individual affordable for-sale unit exceeding a maximum of one hundred and twenty percent (120%) AMI.

- Phase 2 (2030-2034): 2,234 units
 - Housing Element (2023-2031): 5,184 units (1,520 pending/approved + 3,664 sites)
 - Ten remaining Patrick Henry Drive sites have maximum densities of 149 du/ac, one site has a maximum density of 250 du/ac, and one site has a maximum density of 99 du/ac.
 - 72% of 149 du/ac = 107 du/ac. One approved Patrick Henry Drive project has a density of 122 du/ac (Summerhill). There are pre-applications on file for projects on two other sites that have proposed densities of 123 du/ac (Sares Regis) and 148 du/ac (Walnut Hill).

For the Lawrence Station area, the realistic capacity of the remaining sites is a total of 344 units (123 VLI, 91 LI, 111 Mod, and 19 Above Mod). See Table 13.6-5. The buildout horizon for these units falls within the 6th cycle.

For the Tasman East Specific Plan area, the realistic capacity of the remaining sites not tied to approved or proposed projects is 903 units, per Table 13.6-5. When combined with the number of units already proposed or on file, the total number of units is 769 units greater than the total number of units approved as a part of the adoption of the Tasman East Specific Plan. The City is currently processing a Specific Plan amendment to increase the capacity of the plan area by an additional 1,500 units. That effort is recognized as Action 19, Tasman East Specific Plan Amendment in the Housing Plan. The buildout horizon for the Housing Element portion of these additional units is 2030.

For the Patrick Henry Drive Plan area, sites totaling 3,664 units are available during the planning period. Additionally, 1,520 units have either been proposed or approved in the Patrick Henry Drive area.

Given the fact that housing in all the City's Specific Plan areas and on the El Camino Real rezoning sites (with the adoption of the December 2023 Zoning Ordinance Amendment and spring 2024 Zoning Map Amendment) is allowed by right, the primary impediment to development of housing, according to feedback received from developers at stakeholder meetings, is the economic environment (construction and land costs) and the ability for developers to obtain financing and/or state funding (for affordable projects). Another potentially significant impediment is the provision of infrastructure, which has been addressed in the Tasman East and Patrick Henry Drive plan areas through the creation and administration of infrastructure fees for the respective areas. For the few remaining projects not yet built in the Lawrence Station Area, required infrastructure improvements will be addressed through the development review process.

Table 13.6-4 Specific Plan Land Use Designations

<i>Land Use Designation</i>	<i>Min./Max. Density</i>	<i>Meets Default Density</i>	<i>Number of Parcels Included in 6th Cycle</i>	<i>Total Acreage of Available Sites</i>
Tasman East Focus Area Specific Plan				
Transit Neighborhood (parcels less than 1 acre)	60 to 350	Yes	13	7.033
<i>Tasman East Specific Plan Subtotal</i>			13	7.033
Patrick Henry Drive Focus Area Specific Plan				
Very High Density Residential	51 to 99	Yes	1	3.8
Village Residential	60 to 149	Yes	0 ¹	9.062
High Density Flex	60 to 149	Yes	4	9.568
Urban Village	100 to 149	Yes	5	12.986
Urban Center	120 to 250	Yes	1	3.821
<i>Patrick Henry Drive Specific Plan Subtotal</i>			11	39.238
Lawrence Station Area Plan				
Low Density Residential	8 to 19	No	0	0
Medium Density Residential	20 to 36	No	3	1.993
High Density Residential	37 to 50	Yes	0	0
Very High Density Residential	51 to 100	Yes	1	3.14
<i>Lawrence Station Area Plan Subtotal</i>			4	5.133

Source(s): Patrick Henry Drive Specific Plan, March 2022. Lawrence Station Area Plan, Neighborhood Transit-Oriented Development Plan, Nov. 2016. Tasman East Focus Area Specific Plan, Nov. 2020.

Note: 1. The Patrick Henry Drive site designated Village Residential includes 26 parcels for each condominium unit and an approximately 6.8-acre common area parcel (shared parking/circulation). This site is available for redevelopment, but not included on the Sites Inventory for purposes of RHNA.

Re-use of Sites

AB 1397 (2017) requires that specific parameters be placed on sites that were used in previous Housing Element planning cycles but did not develop and are identified in the current Housing Element to meet the lower-income RHNA. However, as noted in HCD guidance documents, due to updates in the prior planning period to the General Plan or other planning activities, such as the creation of a specific plan, some sites previously identified in the Housing Element may have been rezoned during intervening years to allow a higher density, thereby increasing the potential

Site Selection

The Housing Element sites inventory, in addition to the list of pending and approved projects, includes accessory dwelling unit (ADU) projections, underutilized sites within Specific Plan areas zoned for high-density residential and mixed-use development, and the El Camino Real rezoning sites. These latter two categories have been used to demonstrate that the RHNA for the extremely low-, very low-, low- and moderate-income categories can be accommodated during the planning period. As the discussion below concludes, the sites have no identified constraints that would prevent development or reuse during the Housing Element period. Table 13.6-5 summarizes the sites inventory.

Table 13.6-5 Sites to Meet the RHNA

Site/Credit Type	Affordability Category				Total Capacity
	Lower		Moderate	Above Moderate	
	Very Low [0-50% AMI]	Low [50-80% AMI]	[80-120% AMI]	[> 120% AMI]	
Pending and Approved Projects	710	794	627	10,898	13,029
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	1,748	1,295	1,437	140	4,620
<i>Tasman East Focus Area Specific Plan</i>	268	196	318	121	903
<i>Patrick Henry Drive Focus Area Specific Plan</i>	1,357	1,008	1,008	-	3,373
<i>Lawrence Station Area Plan</i>	123	91	111	19	344
El Camino Real Rezoning Sites	319	236	250	-	805
Total	2,895	2,443	2,432	11,077	18,847
RHNA	2,872	1,653	1,981	5,126	11,632
Surplus (buffer above RHNA)	18%		23%	116%	62%

Source(s): Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031, Updated March 2022. Technical Assistance for Local Planning, Housing – Using ADUs to Satisfy RHNA, Technical Memo, March 2022. Patrick Henry Drive Specific Plan, March 2022. Lawrence Station Area Plan, Neighborhood Transit-Oriented Development Plan, Nov. 2016. Tasman East Focus Area Specific Plan, Nov. 2020.

Note(s): AMI = Area Median Income. In the Pending and Approved Projects category, the Mission Point Project, a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 residential units and is subject to a 10-year Development Agreement with three optional 5-year extensions, is still in the early planning stages, so to be conservative, only a portion of maximum allowable



SANTA CLARA HOUSING ELEMENT

residential units have been included. The Developer has agreed to provide at least fifteen (15%) percent of their units at rents or prices affordable to very low, low and moderate income households or some combination thereof, providing an average affordability of eighty (80%) AMI with no individual affordable rental unit exceeding a maximum of one hundred percent (100%) AMI and no individual affordable for-sale unit exceeding a maximum of one hundred and twenty percent (120%) AMI.

ADU Projection

Since 2017, the State legislature has passed a series of laws that significantly increase the potential for the development of ADUs and Junior ADUs (JADUs) by removing development barriers, allowing ADUs through ministerial permits, and requiring jurisdictions to include programs in their housing element that incentivize ADU development. Interest in constructing ADUs is high in Santa Clara and continues to grow. In 2018, the City issued 21 ADU building permits. In 2019, the number increased to 51 annual building permits, with similar numbers in 2020 (45 ADU building permits) and 2021 (53 ADU building permits), then increasing in 2022 to 76 ADU building permits. This represents a 262 percent increase in ADU production in Santa Clara between 2018 and 2022. The City estimates that interest will continue to increase over the next few years, given the many single-family neighborhoods citywide that create capacity for additional ADUs. As of June 2022, 53 percent (or 16,103 parcels) of total parcels were zoned for single-family housing, totaling 2,504 acres. ADUs are permitted on single-family, multi-family, and mixed-use lots, including R1, R2, and R3 zone districts, which represent a significant number of lots in Santa Clara.

As an incentive to ADU production, the City does not charge a Planning fee for review/processing ADU requests. Also, State law allows jurisdictions to charge impact fees on ADUs over 750 square feet, but the City of Santa Clara does not. The City has also exempted ADUs/JADUs from providing parking (JADUs that convert a garage space/s are required to provide replacement parking for the primary dwelling).

The slight dip in ADU production in 2020 may be due to the COVID-19 pandemic and other events of 2020. In 2022, the City had the highest number of ADU building permits to date, which is likely more representative of ADU production moving forward based on ADU trends in Santa Clara, new and pending favorable ADU legislation that created new incentives and streamlined processes to build ADUs, and the pent-up demand for additional housing in the Bay Area.

While it is impossible to predict with certainty the exact number of ADUs that will be developed during the planning period (2023-2031), the City conservatively estimates:

- An average of 49.2 ADUs per year will be constructed throughout the planning period. This reflects the average number of building permits issued for ADUs between 2018 and 2022. Given the anticipated increase in ADUs over the near term, this is a conservative estimate.

Patrick Henry Drive Focus Area Specific Plan

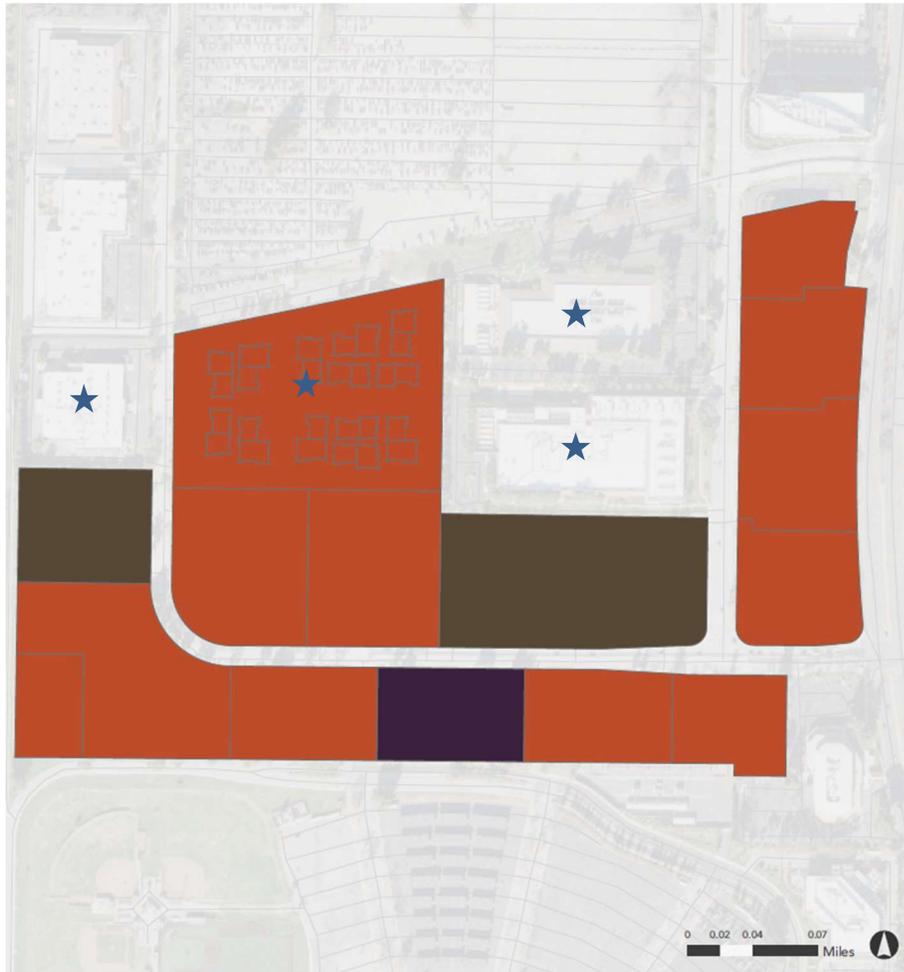
In March 2022, the City Council approved the Patrick Henry Drive Specific Plan. The planning area encompasses approximately 73.59 acres bounded by Sunnyvale and Calabazas Creek to the west, the southern edge of San Francisco Public Utilities Commission right-of-way to the north, Great America Parkway to the east, and Mission College to the south. As one of the City's first high-density residential neighborhoods, Patrick Henry Drive will add thousands of units to better balance the City's jobs-housing ratio, a share of which will be income restricted to help meet regional and local affordability goals. Several regional destinations and amenities are nearby, including Levi's Stadium, Great America Theme Park, and the Santa Clara Convention Center. The VTA light rail station at Old Ironsides and Tasman Drive is just over one-half mile, or an approximately 10-minute walk, from the center of the Specific Plan area.

The Patrick Henry Drive Specific Plan resulted from a collaborative planning effort involving the City, area property owners, and the Santa Clara community. The plan will create a 73.59-acre high-density, residential neighborhood located near regional destinations, including job-centers, transit, and other amenities. At buildout, the project will accommodate up to 12,000 new residential dwelling units and 310,000 square feet of nonresidential uses, including 200,000 square feet of new neighborhood-serving retail and public facilities, such as libraries and community spaces. New and improved pedestrian and bicycle connections, trails, and parks will link neighborhoods and enhance connections to nearby amenities and recreation destinations. Careful planning will ensure adequate infrastructure and services to support the proposed new development. Targeted residential densities range from a minimum of 51 dwelling units per acre to a maximum of 250 units per acre. These densities will help meet the demand for housing that addresses job and retail growth in the City and region.

Three projects within the Specific Plan area were counted toward the sixth cycle RHNA as approved, proposed, or under construction. Eleven remaining parcels, on approximately 30.2 acres, have been identified as sites and remain to be re-developed. Not Viable sites were identified and excluded based on existing uses. Assuming realistic capacity, on a parcel-level, the Patrick Henry Drive Focus Area Specific Plan sites identified in this Housing Element can accommodate a total of 3,373 units (see Table 13.6-5). Appendix B provides a detailed list of all sites, including assumed affordability. Appendix C provides supplemental sites inventory analysis including the availability of specific plan sites during the planning period and suitability of nonvacant sites.

There are no regulatory constraints or City-specified buildout horizons that would prevent the eleven remaining parcels from being developed in this Housing Element cycle. Sites that are unlikely to be developed in this Housing Element cycle have not been included and are shown in the Patrick Henry Drive plan as being in a later build-out horizon. As a result of the adoption of the Patrick Henry Drive Specific Plan and the associated program EIR, regulatory impediments to the development of those sites have been removed via a streamlined by-right approval process that includes CEQA tiering.

FIGURE 13.6-6 PATRICK HENRY DRIVE SITES



City of Santa Clara
Patrick Henry Drive
Specific Plan Sites

Legend

- Basemap Features**
 - Santa Clara City Limits
 - Surrounding Cities
 - Major Destinations
 - Rivers and Waterbodies
 - Parks and Open Space
 - Railways
- Specific Plan Sites**
 - Approved
 - Proposed
 - Available
 - Not Included on Inventory

Sources: Esri, County of Santa Clara OpenData 2022, City of Santa Clara 2022.



Appendix C

Supplemental Sites Inventory Analysis

Sites to Meet the RHNA

Santa Clara has taken concrete steps, including the recent adoption of multiple specific plans, to support a significant amount of new housing development within the City. There are 13,029 units in pending and approved projects with a status of either: proposed (i.e. awaiting Planning approval), approved (all required Planning entitlements secured), under construction, or occupied (See Table 13.6-2 Pending and Approved Projects).

The majority of pending and approved projects are market rate with the conservative assumption that assigns the 10,898 units from those projects into the Above Moderate (above 120% AMI) affordability category. The remaining pending and approved projects include over 2,100 restricted affordable units, because of the City's inclusionary requirements and/or the development of 100% affordable projects.

Although the total number of pending and approved units (13,029) exceeds the City's total RHNA of 11,632 units, as shown in the below table, these projects do not fully meet the City's RHNA requirement within the Very Low (0-50% AMI), Low (50-80% AMI), and Moderate (80-120% AMI) affordability categories.

In addition to the City's pending and approved projects (14,809 units) and projected ADU production (393 units), the Housing Element Sites Inventory includes redevelopment of available specific plan sites (4,620 units) and certain rezoning sites along the El Camino Real corridor (805 units).

The sites to meet the City's RHNA includes a surplus of units (buffer beyond the minimum RHNA target) in all affordability categories (i.e. Lower, Moderate, Above Moderate) above the 15 to 30-percent buffer recommended by HCD to comply with "no net loss" provisions of State Housing Element law, which requires jurisdictions to maintain a sufficient capacity to accommodate their RHNA throughout the planning period at all income levels.



Table 13.C-1 Sites to Meet the RHNA

Site/Credit Type	Affordability Category				Total Capacity
	Lower		Moderate	Above Moderate	
	Very Low [0-50% AMI]	Low [50-80% AMI]	[80-120% AMI]	[> 120% AMI]	
Pending and Approved Projects	710	794	627	10,898	13,029
<i>Tasman East Focus Area</i>	114	239	175	3,838	4,366
<i>Patrick Henry Drive Focus</i>	76	75	75	1,294	1,520
<i>Lawrence Station Area Plan</i>	39	45	58	635	777
<i>Freedom Circle Focus Area</i>	54	54	54	913	1,075
<i>Other²</i>	427	381	265	4,218	5,291
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	1,748	1,295	1,437	140	4,620
<i>Tasman East Focus Area</i>	268	196	318	121	903
<i>Patrick Henry Drive Focus Area</i>	1,357	1,008	1,008	-	3,373
<i>Lawrence Station Area Plan</i>	123	91	111	19	344
El Camino Real Rezoning Sites ¹	319	236	250	-	805
Total	2,895	2,443	2,432	11,077	18,847
RHNA	2,872	1,653	1,981	5,126	11,632
Surplus (buffer above RHNA)	18%		23%	116%	62%

Notes:

1. The El Camino Real rezoning sites are not required to accommodate a lower-income RHNA shortfall but have been included in the Sites Inventory for their contribution to the recommended RHNA buffer for lower-income units, particularly in the VLI affordability category.
2. In the "Other" category, the Mission Point Project, a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 residential units and is subject to a 10-year Development Agreement with three optional 5-year extensions, is still in the early planning stages, so to be conservative, only a portion of maximum allowable residential units have been included. The Developer has agreed to provide at least fifteen (15%) percent of their units at rents or prices affordable to very low, low and moderate income households or some combination thereof, providing an average affordability of eighty (80%) AMI with no individual affordable rental unit exceeding a maximum of one hundred percent (100%) AMI and no individual affordable for-sale unit exceeding a maximum of one hundred and twenty percent (120%) AMI.

Availability of Specific Plan Sites During the Planning Period

Planned Buildout Horizons

Tasman East Focus Area

- Specific Plan (6,000-unit capacity)
 - Phase 1 (4,500 units)
 - Phase 2 (1,500 units) *Action 19
- Housing Element (5,269 units):
 - Pending and Approved (4,366 units, estimated completion 2028)
 - 196 units occupied
 - 2,441 units under construction
 - 581 units approved (all Planning entitlements secured)
 - 1,148 units pending Planning approval
 - Available Sites (903 units, estimated completion 2030)

Patrick Henry Drive Focus Area

- Specific Plan (10,300 to 12,000-unit capacity)
 - Phase 1 (5,839 units, estimated completion 2025-2029)
 - Phase 2 (2,234 units, estimated completion 2030-2034)
- Housing Element (5,184 units, estimated completion 2030)
 - Pending and Approved (1,520 units)
 - 307 units approved (all Planning entitlements secured)
 - 1,213 units pending Planning approval
 - Available Sites (3,664 units)

Lawrence Station Area

- Specific Plan (3,500-unit capacity)
- Housing Element (846 units) completed in 5th Cycle
- Housing Element (1,121 units)
 - Pending and Approved (777 units, estimated completion 2024-2027)
 - 449 units under construction
 - 328 units approved (all Planning entitlements secured)
 - Available Sites (344 units, estimated completion 2030)

11. 4701 Patrick Henry Drive (APN: 104-53-001 through -026) Consolidated Site “O”

Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA

			Criteria 6 (Existing Site Utilization)			Criteria 7	Criteria 8	
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
9.06	60	149	52,920	0.13	1 & 2	All	1.67	1981

Use(s): Office.



This 9.06-acre industrial site was developed with approximately 52,920 square feet in multiple, mostly one-story, with some two-story office buildings (0.13 FAR) with surface parking in 1981.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), mostly one-story, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The existing buildings are almost 43 years old, indicating they may need substantial improvements or replacement for maximum financial return.
- The Village Residential Zoning District for this site has flexible development standards to facilitate redevelopment of this site, including a gross density maximum of 149 du/ac, height up to 160-feet and 12-stories, with no FAR maximum.
- This site (Great America Technology Park / Marriott Center) is currently made up of 26 separate condominium map parcels (and 1 common area parcel) with 10 separate owners. Although there are multiple owners, several of them, including one property owner who own a majority of the parcels, actively participated in the drafting of the Patrick Henry Drive Specific Plan, which has as one of its primary purposes the redevelopment of sites like 4701 Patrick Henry Drive.
- In a March 2024 conversation between the City and the majority property owner and a follow-up conversation with the broker representing the majority owners, they expressed keen interest in redeveloping their site with residential uses and noted that their existing

Public Comment on Sites Inventory

The City received public comment from the Housing Action Coalition on the adopted Housing Element objecting to the inclusion of several sites, including 4701 Patrick Henry Drive, on the sites inventory (see Appendix A Public Outreach).

Although the City continues to believe that 4701 Patrick Henry Drive is prime for redevelopment within the timeframe of the Housing Element (see evaluation criteria above), this site has been removed from the inventory. As noted in table 13.C-1, there are sufficient sites in the inventory to achieve the City's RHNA targets with a buffer at all affordability levels.

As described in Chapter 6 Housing Resources and reflected in Appendix B Electronic Sites Inventory and Appendix C Supplemental Sites Inventory Analysis, the following sites were also identified through public comments (see Appendix A Public Outreach) and have been excluded from the Sites Inventory since they are unlikely to redevelop with residential uses within the timeframe of the Housing Element:

- Tasman East Specific Plan
 - 5101 Lafayette Street (data center)
- Patrick Henry Drive Specific Plan
 - 4650 Old Ironsides Drive (data center)
 - 4700 Old Ironsides Drive (data center)
 - 4600 Patrick Henry Drive (Drawbridge parcel)
- Lawrence Station Area Plan
 - 2960 – 3030 Corvin Drive (data centers)
 - 3350 – 34420 Central Expressway (Gemini Rosemont industrial campus)
- El Camino Real Rezoning Sites
 - 3615 El Camino Real (24-hour Fitness)
 - 3735 and 3705 El Camino Real (Big Lots/Lucky)

As noted above (Appendix C), in addition to the removal of the 4701 Patrick Henry Drive site at the request of the Housing Action Coalition, six additional El Camino Real rezoning sites and one Tasman East Specific Plan site were also excluded from the inventory because it was determined that they are less likely to redevelop in the planning period.

Area is contributing to overcrowding and is forcing people to move away from Santa Clara. It is possible that development pressure has been focused on the City's specific plan areas and that once these areas are built out, developers may look to redevelop older lower density buildings that are naturally occurring affordable housing. This indicates a need to build more affordable housing, and policies that prevent a net loss of affordability if older market rate buildings are redeveloped, and to potentially require relocation assistance for displaced residents.

AFFH Analysis of the Sites Inventory

An important part of the AFFH analysis is looking at where the site inventory is directing housing growth and how that will replace segregated living patterns with integrated and balanced living patterns and convert any racially or ethnically concentrated areas that may exist into areas of opportunity for households at all income levels. The site inventory in chapter 13.3 places 82.5% of the City's housing growth over the next 8 years into in HCD/TCAC Opportunity Map High or Highest Resource areas. The site inventory includes a buffer of additional units above the required RHNA so most of the following figures exceed 100%.

- ~~97.5~~84.5 percent of the City's Very Low Income RHNA units are located in High or Highest Resource areas.
 - VLI RHNA = 2,872 units.
 - VLI Units in Sites Inventory: 252 in Highest Resource Areas (9% of VLI RHNA) and ~~2,541~~2,169 in High Resource Areas (~~88.575.5~~% of VLI RHNA).
- ~~144~~126 percent of the City's Low Income RHNA units located in High or Highest Resource areas.
 - LI RHNA = 1,653 units.
 - LI Units in Sites Inventory: 358 in Highest Resource Areas (22% of LI RHNA) and ~~2,017~~1,726 in High Resource Areas (~~122~~104% of LI RHNA).
- ~~113~~104 percent of the City's Moderate RHNA units located in High or Highest Resource areas.
 - Moderate RHNA = 1,981 units.
 - Moderate Units in Sites Inventory: 112 in Highest Resource Areas (6% of Moderate RHNA) and ~~2,114~~1,946 in High Resource Areas (~~107~~98% of Moderate RHNA).
- ~~161~~175 percent of the City's Above Moderate RHNA units located in High or Highest Resource areas.
 - Above Moderate RHNA = 5,126 units.
 - Above Moderate Units in Sites Inventory: 161 in Highest Resource Areas (3% of Above Moderate RHNA) and ~~8,116~~813 in High Resource Areas (~~158~~172% of Above Moderate RHNA).

The following table provides additional details on which types of units are located in different HCD/TCAC opportunity Map Areas:

Table 13.3-22: Sites Inventory Units by HCD/TCAC Opportunity Map Area

Site/Credit Type	Affordability Category				Total Capacity
	VLI	LI	Mod.	Above Mod.	
RHNA	2,872	1,653	1,981	5,126	11,632
Pending and Approved Projects	710	794	504,627	10,201,10,898	12,209,13,029
<i>Tasman East Focus Area SP</i>	114	239	175	3,838	4,366
<i>Patrick Henry Drive SP</i>	76	75	75	1,294	1,520
<i>Lawrence Station Area</i>	39	45	58	635	777
<i>Freedom Circle Focus Area</i>	54	54	54	913	1,075
<i>Other¹</i>	427	381	142,265	3,521,4,218	4,471,5,291
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	2,138,1,74	1,586,295	1,728,437	140	5,592,4,620
<i>Tasman East Focus Area SP</i>	268	196	318	121	903
<i>Patrick Henry Drive SP</i>	1,747,357	1,299,008	1,299,008	-	4,345,3,664
<i>Lawrence Station Area</i>	123	91	111	19	344
El Camino Real Rezoning Sites	319	236	250	-	805
Total	3,285,2,895	2,734,2,443	2,600,432	10,380,1,077	18,999,18,847
<i>Surplus Units</i>	413-23	1,081,790	619-451	5,254,5,951	7,367,7,215
<i>Surplus Percentage Above RHNA</i>	140.8%	6547.8%	3122.8%	102116.1%	6362%

HCD/TCAC Opportunity Map Areas															
Highest Resource				High Resource				Moderate Resource				Low Resource			
VLI	LI	Mod.	Above Mod.	VLI	LI	Mod.	Above Mod.	VLI	LI	Mod.	Above Mod.	VLI	LI	Mod.	Above Mod.
148	271	20	145	364	372	341,464	7,979,676	92	72	63	669	106	79	80	1,408
				114	239	175	3,838								
				76	75	75	1,294								
								39	45	58	635				
				54	54	54	913								
148	271	20	145	120	4	371,60	1,934,2,631	53	27	5	34	106	79	80	1,408
47	47	47	16	47	47	47	16	18	18	18	6	6	6	6	1
				2,015,1,625	1,495,2,04	1,617,3,26	121	123	91	111	19				
				268	196	318	121								
				1,747,1,357	1,299,1,008	1,299,1,008									
								123	91	111	19				
57	40	45	-	133	103	109	-	129	93	96	-	-	-	-	-
252	358	112	161	2,541,2,169	2,017,1,726	2,114,1,946	8,116,8,813	362	274	288	694	112	85	86	1,409

4.654.7%	Highest Resource	77.8%	High Resource	8.58.6%	Moderate Resource	89.9%	Low Resource
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Note:

1. Included in the "Other" category, the Mission Point Project, a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 residential units and is subject to a 10-year Development Agreement with three optional 5-year extensions, is still in the early planning stages, so to be conservative, only a portion of maximum allowable residential units have been included. The Developer has agreed to provide at least fifteen (15%) percent of their units at rents or prices affordable to very low, low and moderate income households or some combination thereof, providing an average affordability of eighty (80%) AMI with no individual affordable rental unit exceeding a maximum of one hundred percent (100%) AMI and no individual affordable for-sale unit exceeding a maximum of one hundred and twenty percent (120%) AMI.



period. As determined by ABAG, the City of Santa Clara’s allocation for the 2023-2031 planning period is 11,632 housing units, with the units distributed among the four income categories as shown in Table 13.6-1.

Table 13.6-1 City of Santa Clara RHNA 2023-2031

<i>Income Group</i>	<i>Income Category (% AMI)</i>	<i>RHNA (Housing Units)</i>	<i>Percentage of Total Housing Units</i>
Very Low	<50%	2,872	25%
Low	50-80%	1,653	14%
Moderate	80-120%	1,981	17%
Above Moderate	>120%	5,126	44%
Total		11,632	100%

Source(s): Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031, Updated March 2022.

Note(s):

1 AMI = Area Median Income

2 Pursuant to AB 2634, local jurisdictions are required to project the housing needs of extremely low-income households (0-30% AMI) and consider this income group a subset of the very low-income category. In estimating the number of extremely low-income households, a jurisdiction can use 50% of the very low-income allocation or apportion the very low-income figure based on Census data.

Progress Toward the RHNA

Since the RHNA uses June 30, 2022, as the baseline for growth projections for the 2023-2031 Housing Element planning period, jurisdictions may claim units approved and proposed that are anticipated to be complete (have a Certificate of Occupancy) after June 30, 2022.

Approved and proposed residential development projects credited toward the RHNA include a variety of affordable and market-rate projects in various stages of the development process. Most of these projects are concentrated within Specific Plan areas and along major thoroughfares, where residential development is expected to continue throughout the planning period. These projects are credited toward the RHNA based on the affordability and unit count of the development. Combined, a total of ~~12,209~~13,029 units are expected to be completed within the planning period, as shown in Table 13.6-2.

Approved Projects

Approved residential development projects credited toward the 2023-2031 RHNA have been reviewed by Planning and other City departments for compliance with applicable Codes and regulations and have received all required planning entitlement approvals. The next step for these projects is to proceed through the building permit application review, issuance, and

construction process. All approved projects have anticipated completion and occupancy permits that will be finalized on or after June 30, 2022 and before January 31, 2031.

Historically, the drop-out rate (percentage of projects that do not develop after receiving entitlements) in the City of Santa Clara has been extremely low. Rather than drop-out completely after receiving entitlements, it is more common that projects will delay the start of construction until presented with more favorable market conditions. After receiving entitlements, the primary barrier to development has, and will likely continue to be, the availability of financing/market conditions.

Pending or Proposed Projects

Five projects in various stages of planning review are included as proposed projects. These sites are included although there is no certainty those units will be achieved because the proposals have not been approved, are currently under staff review, or are pending a formal application submittal. The identified realistic capacity for these sites is the total units included in the preliminary proposals.

To help ensure that pending and proposed projects will complete the development process and result in new units, the City has included an additional ongoing objective under Action 10, Adequate Sites Inventory. The Planning Division will include a narrative and table within the City's Annual Progress Report that describes the status of projects listed in Table 13.6-2, Pending and Approved Projects, and when an entitlement is nearing expiration, the Planning Division will proactively notify applicants to apply for an extension.

In Addition, the Zoning Code Update will allow administrative extensions for entitlements. Development approvals are generally permitted for 2 years initially, and then two 1-year administrative extensions are allowed, which saves time and eliminates that possibility of adding conditions. The current process requires going through entitlement process again for extension.

The administrative time extension process has been added to Action 9, Zoning Ordinance.

Since there is no guarantee that the projects will be approved or developed, in the case a proposed development falls through, the sites are still available to accommodate those identified units and may be able to count toward the lower-income RHNA depending on site density and size. Affordability for these projects is assumed based on the site's location per Specific Plan requirements, the City's inclusionary housing ordinance requirements, or a developer/affordable housing agreement. The status of the following projects is as of December 2023.

As shown in Table 13.6-2 below, the total of all pending and approved projects is 12,20913,029 units, which is 577-1,397 units more than the City's total RHNA of 11,632 units. Because the majority of pending and approved projects fall within the above moderate affordability category (10,20110,898 units), the City has a remaining RHNA of 4,4984,375 units in the very low, low, and moderate affordability categories.

Site/Credit Type	AFFORDABILITY CATEGORIES					Project Status (est. completion date)	Affordability
	Very Low [0-50% AMI]	Low [50-80% AMI]	Moderate [80-120% AMI]	Above Moderate [above 120% AMI]	Total Units		
Gateway Crossings (Hunter/Storm) - Phase 2	-	42	42	756	840	Proposed	per Developer Agreement, Phase 2: affordability TBD
<u>Mission Point/3005 Democracy Way (Kylli)</u>			<u>123</u>	<u>697</u>	<u>820</u>	<u>Approved⁶</u>	<u>per Developer Agreement; affordability TBD</u>
subtotal other project(s)	427	381	142	<u>3,5214,218</u>	<u>4,4715,291</u>		
Total Pending and Approved Projects	710	794	504627	10,20110,898	12,20913,029		
Remaining RHNA 2023-2031	2,162	859	1,4771,354	(5,0755,772)	(5771,397)		

Source(s): City of Santa Clara, April 2023.

Note(s): All calculations were rounded down. There are likely discrepancies due to rounding down between the row and column totals. Project Status "Approved" means a project has received all required Planning entitlements.

¹ Phase I building permit issued 4/18/22 for 311 units; the remaining 192 units are approved.

² Application expected early 2024.

³ Application expected early 2024.

⁴ 165 unit affordable senior apartment occupied.

⁵ Project's affordable housing obligation consolidated into 2302 Calle Del Mundo

⁶ The Mission Point Project, a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 residential units and is subject to a 10-year Development Agreement with three optional 5-year extensions, is still in the early planning stages, so to be conservative, only a portion of maximum allowable residential units have been included. The Developer has agreed to provide at least fifteen (15%) percent of their units at rents or prices affordable to very low, low and moderate income households or some combination thereof, providing an average affordability of eighty (80%) AMI with no individual affordable rental unit exceeding a maximum of one hundred percent (100%) AMI and no individual affordable for-sale unit exceeding a maximum of one hundred and twenty percent (120%) AMI.

- Phase 2 (2030-2034): 2,234 units
- Housing Element (2023-2031): 5,865,184 units (1,520 pending/approved + 4,345,664 sites)
 - Ten remaining Patrick Henry Drive sites have maximum densities of 149 du/ac, one site has a maximum density of 250 du/ac, and one site has a maximum density of 99 du/ac.
 - 72% of 149 du/ac = 107 du/ac. One approved Patrick Henry Drive project has a density of 122 du/ac (Summerhill). There are pre-applications on file for projects on two other sites that have proposed densities of 123 du/ac (Sares Regis) and 148 du/ac (Walnut Hill).

For the Lawrence Station area, the realistic capacity of the remaining sites is a total of 344 units (123 VLI, 91 LI, 111 Mod, and 19 Above Mod). See Table 13.6-5. The buildout horizon for these units falls within the 6th cycle.

For the Tasman East Specific Plan area, the realistic capacity of the remaining sites not tied to approved or proposed projects is 903 units, per Table 13.6-5. When combined with the number of units already proposed or on file, the total number of units is 769 units greater than the total number of units approved as a part of the adoption of the Tasman East Specific Plan. The City is currently processing a Specific Plan amendment to increase the capacity of the plan area by an additional 1,500 units. That effort is recognized as Action 19, Tasman East Specific Plan Amendment in the Housing Plan. The buildout horizon for the Housing Element portion of these additional units is 2030.

For the Patrick Henry Drive Plan area, sites totaling 4,345,664 units are available during the planning period. Additionally, 1,520 units have either been proposed or approved in the Patrick Henry Drive area.

Given the fact that housing in all the City's Specific Plan areas and on the El Camino Real rezoning sites (with the adoption of the December 2023 Zoning Ordinance Amendment and spring 2024 Zoning Map Amendment) is allowed by right, the primary impediment to development of housing, according to feedback received from developers at stakeholder meetings, is the economic environment (construction and land costs) and the ability for developers to obtain financing and/or state funding (for affordable projects). Another potentially significant impediment is the provision of infrastructure, which has been addressed in the Tasman East and Patrick Henry Drive plan areas through the creation and administration of infrastructure fees for the respective areas. For the few remaining projects not yet built in the Lawrence Station Area, required infrastructure improvements will be addressed through the development review process.

Table 13.6-4 Specific Plan Land Use Designations

<i>Land Use Designation</i>	<i>Min./Max. Density</i>	<i>Meets Default Density</i>	<i>Number of Parcels Included in 6th Cycle</i>	<i>Total Acreage of Available Sites</i>
Tasman East Focus Area Specific Plan				
Transit Neighborhood (parcels less than 1 acre)	60 to 350	Yes	13	7.033
<i>Tasman East Specific Plan Subtotal</i>			13	7.033
Patrick Henry Drive Focus Area Specific Plan				
Very High Density Residential	51 to 99	Yes	1	3.8
Village Residential	60 to 149	Yes	1 ⁰ ¹	9.062
High Density Flex	60 to 149	Yes	4	9.568
Urban Village	100 to 149	Yes	5	12.986
Urban Center	120 to 250	Yes	1	3.821
<i>Patrick Henry Drive Specific Plan Subtotal</i>			12 ¹¹	39.238
Lawrence Station Area Plan				
Low Density Residential	8 to 19	No	0	0
Medium Density Residential	20 to 36	No	3	1.993
High Density Residential	37 to 50	Yes	0	0
Very High Density Residential	51 to 100	Yes	1	3.14
<i>Lawrence Station Area Plan Subtotal</i>			4	5.133

Source(s): Patrick Henry Drive Specific Plan, March 2022. Lawrence Station Area Plan, Neighborhood Transit-Oriented Development Plan, Nov. 2016. Tasman East Focus Area Specific Plan, Nov. 2020.

Note: 1. The Patrick Henry Drive site designated Village Residential includes 26 parcels for each condominium unit and an approximately 6.8-acre common area parcel (shared parking/circulation). This site is available for redevelopment, but not included on the Sites Inventory for purposes of RHNA.

Re-use of Sites

AB 1397 (2017) requires that specific parameters be placed on sites that were used in previous Housing Element planning cycles but did not develop and are identified in the current Housing Element to meet the lower-income RHNA. However, as noted in HCD guidance documents, due to updates in the prior planning period to the General Plan or other planning activities, such as the creation of a specific plan, some sites previously identified in the Housing Element may have been rezoned during intervening years to allow a higher density, thereby increasing the potential

Site Selection

The Housing Element sites inventory, in addition to the list of pending and approved projects, includes accessory dwelling unit (ADU) projections, underutilized sites within Specific Plan areas zoned for high-density residential and mixed-use development, and the El Camino Real rezoning sites. These latter two categories have been used to demonstrate that the RHNA for the extremely low-, very low-, low- and moderate-income categories can be accommodated during the planning period. As the discussion below concludes, the sites have no identified constraints that would prevent development or reuse during the Housing Element period. Table 13.6-5 summarizes the sites inventory.

Table 13.6-5 Sites to Meet the RHNA

Site/Credit Type	Affordability Category				Total Capacity
	Lower		Moderate	Above Moderate	
	Very Low [0-50% AMI]	Low [50-80% AMI]	[80-120% AMI]	[> 120% AMI]	
Pending and Approved Projects	710	794	504 627	10,201 10,898	12,209 13,029
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	2,138 1,748	1,586 1,295	1,728 1,437	140	5,592 4,620
<i>Tasman East Focus Area Specific Plan</i>	268	196	318	121	903
<i>Patrick Henry Drive Focus Area Specific Plan</i>	1,747 1,357	1,299 1,008	1,299 1,008	-	4,345 3,373
<i>Lawrence Station Area Plan</i>	123	91	111	19	344
El Camino Real Rezoning Sites	319	236	250	-	805
Total	3,285 2,895	2,734 2,443	2,600 2,432	10,380 11,077	18,999 18,847
RHNA	2,872	1,653	1,981	5,126	11,632
Surplus (buffer above RHNA)	33 18%		31 23%	102 116%	63 62%

Source(s): Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031, Updated March 2022. Technical Assistance for Local Planning, Housing – Using ADUs to Satisfy RHNA, Technical Memo, March 2022. Patrick Henry Drive Specific Plan, March 2022. Lawrence Station Area Plan, Neighborhood Transit-Oriented Development Plan, Nov. 2016. Tasman East Focus Area Specific Plan, Nov. 2020.

Note(s): AMI = Area Median Income. In the Pending and Approved Projects category, the Mission Point Project, a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 residential units and is subject to a 10-year Development Agreement with three optional 5-year extensions, is still in the early planning stages, so to be conservative, only a portion of maximum allowable



residential units have been included. The Developer has agreed to provide at least fifteen (15%) percent of their units at rents or prices affordable to very low, low and moderate income households or some combination thereof, providing an average affordability of eighty (80%) AMI with no individual affordable rental unit exceeding a maximum of one hundred percent (100%) AMI and no individual affordable for-sale unit exceeding a maximum of one hundred and twenty percent (120%) AMI.

ADU Projection

Since 2017, the State legislature has passed a series of laws that significantly increase the potential for the development of ADUs and Junior ADUs (JADUs) by removing development barriers, allowing ADUs through ministerial permits, and requiring jurisdictions to include programs in their housing element that incentivize ADU development. Interest in constructing ADUs is high in Santa Clara and continues to grow. In 2018, the City issued 21 ADU building permits. In 2019, the number increased to 51 annual building permits, with similar numbers in 2020 (45 ADU building permits) and 2021 (53 ADU building permits), then increasing in 2022 to 76 ADU building permits. This represents a 262 percent increase in ADU production in Santa Clara between 2018 and 2022. The City estimates that interest will continue to increase over the next few years, given the many single-family neighborhoods citywide that create capacity for additional ADUs. As of June 2022, 53 percent (or 16,103 parcels) of total parcels were zoned for single-family housing, totaling 2,504 acres. ADUs are permitted on single-family, multi-family, and mixed-use lots, including R1, R2, and R3 zone districts, which represent a significant number of lots in Santa Clara.

As an incentive to ADU production, the City does not charge a Planning fee for review/processing ADU requests. Also, State law allows jurisdictions to charge impact fees on ADUs over 750 square feet, but the City of Santa Clara does not. The City has also exempted ADUs/JADUs from providing parking (JADUs that convert a garage space/s are required to provide replacement parking for the primary dwelling).

The slight dip in ADU production in 2020 may be due to the COVID-19 pandemic and other events of 2020. In 2022, the City had the highest number of ADU building permits to date, which is likely more representative of ADU production moving forward based on ADU trends in Santa Clara, new and pending favorable ADU legislation that created new incentives and streamlined processes to build ADUs, and the pent-up demand for additional housing in the Bay Area.

While it is impossible to predict with certainty the exact number of ADUs that will be developed during the planning period (2023-2031), the City conservatively estimates:

- An average of 49.2 ADUs per year will be constructed throughout the planning period. This reflects the average number of building permits issued for ADUs between 2018 and 2022. Given the anticipated increase in ADUs over the near term, this is a conservative estimate.

Patrick Henry Drive Focus Area Specific Plan

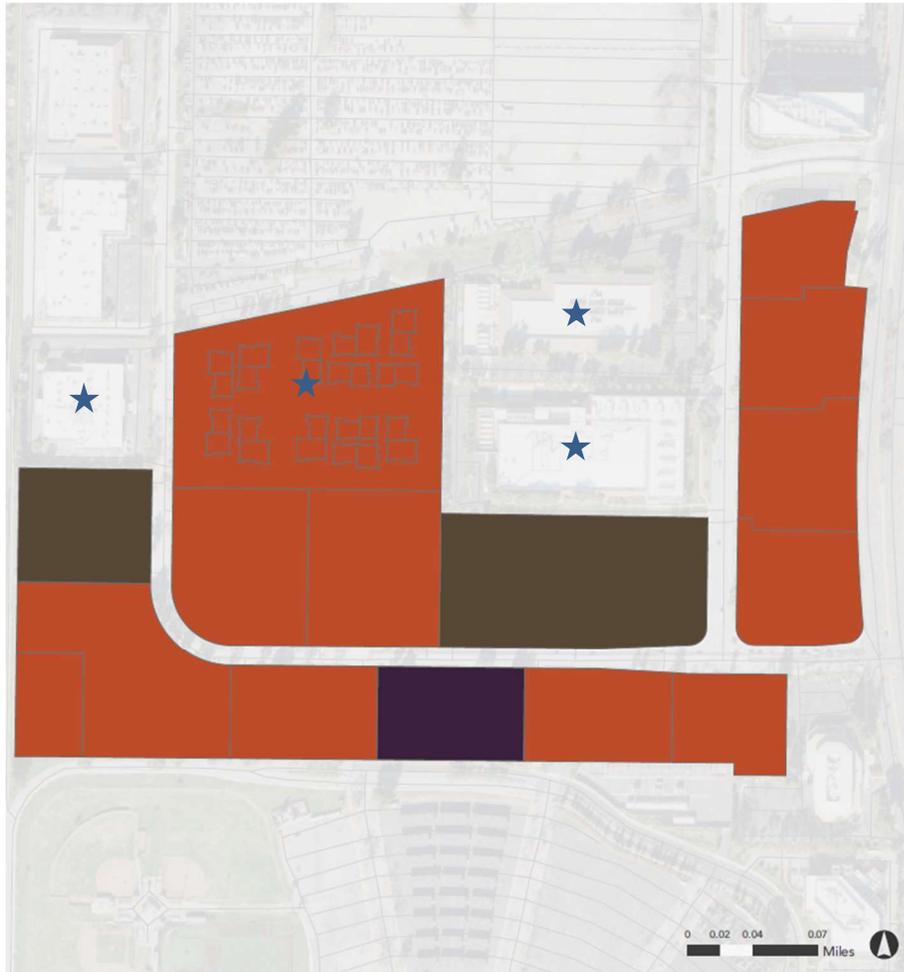
In March 2022, the City Council approved the Patrick Henry Drive Specific Plan. The planning area encompasses approximately 73.59 acres bounded by Sunnyvale and Calabazas Creek to the west, the southern edge of San Francisco Public Utilities Commission right-of-way to the north, Great America Parkway to the east, and Mission College to the south. As one of the City's first high-density residential neighborhoods, Patrick Henry Drive will add thousands of units to better balance the City's jobs-housing ratio, a share of which will be income restricted to help meet regional and local affordability goals. Several regional destinations and amenities are nearby, including Levi's Stadium, Great America Theme Park, and the Santa Clara Convention Center. The VTA light rail station at Old Ironsides and Tasman Drive is just over one-half mile, or an approximately 10-minute walk, from the center of the Specific Plan area.

The Patrick Henry Drive Specific Plan resulted from a collaborative planning effort involving the City, area property owners, and the Santa Clara community. The plan will create a 73.59-acre high-density, residential neighborhood located near regional destinations, including job-centers, transit, and other amenities. At buildout, the project will accommodate up to 12,000 new residential dwelling units and 310,000 square feet of nonresidential uses, including 200,000 square feet of new neighborhood-serving retail and public facilities, such as libraries and community spaces. New and improved pedestrian and bicycle connections, trails, and parks will link neighborhoods and enhance connections to nearby amenities and recreation destinations. Careful planning will ensure adequate infrastructure and services to support the proposed new development. Targeted residential densities range from a minimum of 51 dwelling units per acre to a maximum of 250 units per acre. These densities will help meet the demand for housing that addresses job and retail growth in the City and region.

Three projects within the Specific Plan area were counted toward the sixth cycle RHNA as approved, proposed, or under construction. ~~Twelve~~Eleven remaining parcels, on approximately ~~3930.24~~ acres, have been identified as sites and remain to be re-developed. Not Viable sites were identified and excluded based on existing uses. Assuming realistic capacity, on a parcel-level, the Patrick Henry Drive Focus Area Specific Plan sites identified in this Housing Element can accommodate a total of ~~5,8653,373~~ units (see Table 13.6-5). Appendix B provides a detailed list of all sites, including assumed affordability. Appendix C provides supplemental sites inventory analysis including the availability of specific plan sites during the planning period and suitability of nonvacant sites.

There are no regulatory constraints or City-specified buildout horizons that would prevent the ~~twelve~~eleven remaining parcels from being developed in this Housing Element cycle. Sites that are unlikely to be developed in this Housing Element cycle have not been included and are shown in the Patrick Henry Drive plan as being in a later build-out horizon. As a result of the adoption of the Patrick Henry Drive Specific Plan and the associated program EIR, regulatory impediments

FIGURE 13.6-6 PATRICK HENRY DRIVE SITES



City of Santa Clara
Patrick Henry Drive
Specific Plan Sites

Legend

Basemap Features

- Santa Clara City Limits
- Surrounding Cities
- Major Destinations
- Rivers and Waterbodies
- Parks and Open Space
- Railways

Specific Plan Sites

- Approved
- Proposed
- Available
- Not Included on Inventory

Sources: Esri, County of Santa Clara OpenData 2022, City of Santa Clara 2022.



Appendix C

Supplemental Sites Inventory Analysis

Sites to Meet the RHNA

Santa Clara has taken concrete steps, including the recent adoption of multiple specific plans, to support a significant amount of new housing development within the City. There are ~~12,209~~13,029 units in pending and approved projects with a status of either: proposed (i.e. awaiting Planning approval), approved (all required Planning entitlements secured), under construction, or occupied (See Table 13.6-2 Pending and Approved Projects).

The majority of pending and approved projects are market rate with the conservative assumption that assigns the ~~10,201~~10,898 units from those projects into the Above Moderate (above 120% AMI) affordability category. The remaining pending and approved projects include over 2,000-100 restricted affordable units, because of the City's inclusionary requirements and/or the development of 100% affordable projects.

Although the total number of pending and approved units (~~12,209~~13,029) exceeds the City's total RHNA of 11,632 units, as shown in the below table, these projects do not fully meet the City's RHNA requirement within the Very Low (0-50% AMI), Low (50-80% AMI), and Moderate (80-120% AMI) affordability categories.

In addition to the City's pending and approved projects (~~12,209~~14,809 units) and projected ADU production (393 units), the Housing Element Sites Inventory includes redevelopment of available specific plan sites (~~5,592~~4,620 units) and certain rezoning sites along the El Camino Real corridor (805 units).

The sites to meet the City's RHNA includes a surplus of units (buffer beyond the minimum RHNA target) in all affordability categories (i.e. Lower, Moderate, Above Moderate) above the 15 to 30-percent buffer recommended by HCD to comply with "no net loss" provisions of State Housing Element law, which requires jurisdictions to maintain a sufficient capacity to accommodate their RHNA throughout the planning period at all income levels.



Table 13.C-1 Sites to Meet the RHNA

Site/Credit Type	Affordability Category				Total Capacity
	Lower		Moderate	Above Moderate	
	Very Low [0-50% AMI]	Low [50-80% AMI]	[80-120% AMI]	[> 120% AMI]	
Pending and Approved Projects	710	794	504 <u>627</u>	10,204 <u>10,898</u>	12,209 <u>13,029</u>
<i>Tasman East Focus Area</i>	114	239	175	3,838	4,366
<i>Patrick Henry Drive Focus</i>	76	75	75	1,294	1,520
<i>Lawrence Station Area Plan</i>	39	45	58	635	777
<i>Freedom Circle Focus Area</i>	54	54	54	913	1,075
<i>Other²</i>	427	381	142 <u>265</u>	3,524 <u>4,218</u>	4,471 <u>5,291</u>
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	2,138 <u>1,748</u>	1,586 <u>1,295</u>	1,728 <u>1,437</u>	140	5,592 <u>4,620</u>
<i>Tasman East Focus Area</i>	268	196	318	121	903
<i>Patrick Henry Drive Focus Area</i>	1,747 <u>1,357</u>	1,299 <u>1,008</u>	1,299 <u>1,008</u>	-	4,345 <u>3,373</u>
<i>Lawrence Station Area Plan</i>	123	91	111	19	344
El Camino Real Rezoning Sites ¹	319	236	250	-	805
Total	3,285 <u>2,8</u>	2,734 <u>2,4</u>	2,600 <u>2,432</u>	10,380 <u>11,077</u>	18,999 <u>18,847</u>
RHNA	2,872	1,653	1,981	5,126	11,632
Surplus (buffer above RHNA)	33<u>18</u>%		31<u>23</u>%	102<u>116</u>%	63<u>62</u>%

Notes:

1. The El Camino Real rezoning sites are not required to accommodate a lower-income RHNA shortfall but have been included in the Sites Inventory for their contribution to the recommended RHNA buffer for lower-income units, particularly in the VLI affordability category.

1.2. In the "Other" category, the Mission Point Project, a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 residential units and is subject to a 10-year Development Agreement with three optional 5-year extensions, is still in the early planning stages, so to be conservative, only a portion of maximum allowable residential units have been included. The Developer has agreed to provide at least fifteen (15%) percent of their units at rents or prices affordable to very low, low and moderate income households or some combination thereof, providing an average affordability of eighty (80%) AMI with no individual affordable rental unit exceeding a maximum of one hundred percent (100%) AMI and no individual affordable for-sale unit exceeding a maximum of one hundred and twenty percent (120%) AMI.

Availability of Specific Plan Sites During the Planning Period

Planned Buildout Horizons

Tasman East Focus Area

- Specific Plan (6,000-unit capacity)
 - Phase 1 (4,500 units)
 - Phase 2 (1,500 units) *Action 19
- Housing Element (5,269 units):
 - Pending and Approved (4,366 units, estimated completion 2028)
 - 196 units occupied
 - 2,441 units under construction
 - 581 units approved (all Planning entitlements secured)
 - 1,148 units pending Planning approval
 - Available Sites (903 units, estimated completion 2030)

Patrick Henry Drive Focus Area

- Specific Plan (10,300 to 12,000-unit capacity)
 - Phase 1 (5,839 units, estimated completion 2025-2029)
 - Phase 2 (2,234 units, estimated completion 2030-2034)
- Housing Element (~~5,865~~5,184 units, estimated completion 2030)
 - Pending and Approved (1,520 units)
 - 307 units approved (all Planning entitlements secured)
 - 1,213 units pending Planning approval
 - Available Sites (~~4,345~~3,664 units)

Lawrence Station Area

- Specific Plan (3,500-unit capacity)
- Housing Element (846 units) completed in 5th Cycle
- Housing Element (1,121 units)
 - Pending and Approved (777 units, estimated completion 2024-2027)
 - 449 units under construction
 - 328 units approved (all Planning entitlements secured)
 - Available Sites (344 units, estimated completion 2030)

11. 4701 Patrick Henry Drive (APN: 104-53-001 through -026) Consolidated Site "O"

Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA

			Criteria 6 (Existing Site Utilization)			Criteria 7	Criteria 8	
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
9.06	60	149	52,920	0.13	1 & 2	All	1.67	1981

Use(s): Office.



This 9.06-acre industrial site was developed with approximately 52,920 square feet in multiple, mostly one-story, with some two-story office buildings (0.13 FAR) with surface parking in 1981.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), mostly one-story, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The existing buildings are almost 43 years old, indicating they may need substantial improvements or replacement for maximum financial return.
- The Village Residential Zoning District for this site has flexible development standards to facilitate redevelopment of this site, including a gross density maximum of 149 du/ac, height up to 160-feet and 12-stories, with no FAR maximum.
- This site (Great America Technology Park / Marriott Center) is currently made up of 26 separate condominium map parcels (and 1 common area parcel) with 10 separate owners. Although there are multiple owners, several of them, including one property owner who own a majority of the parcels, actively participated in the drafting of the Patrick Henry Drive Specific Plan, which has as one of its primary purposes the redevelopment of sites like 4701 Patrick Henry Drive.
- In a March 2024 conversation between the City and the majority property owner and a follow-up conversation with the broker representing the majority owners, they expressed keen interest in redeveloping their site with residential uses and noted that their existing

**~~Table 13.C-2 Sites to Meet the RHNA – Hypothetical
with 4701 Patrick Henry Drive Site Removed~~**

Public Comment on Sites Inventory

The City received public comment from the Housing Action Coalition on the adopted Housing Element objecting to the inclusion of several sites, including 4701 Patrick Henry Drive, on the sites inventory (see Appendix A Public Outreach).

Although the City continues to believe that 4701 Patrick Henry Drive is prime for redevelopment within the timeframe of the Housing Element (see evaluation criteria above), ~~even if~~ this site ~~was~~ has been removed from the inventory. ~~As noted in table 13.C-1, there~~ City would still have are sufficient sites in ~~its~~ the inventory to achieve ~~its~~ the City's RHNA targets with a buffer at all affordability levels ~~(see Table 13.C-2).~~

As described in Chapter 6 Housing Resources and reflected in Appendix B Electronic Sites Inventory and Appendix C Supplemental Sites Inventory Analysis, the following sites were also identified through public comments (see Appendix A Public Outreach) and have been excluded from the Sites Inventory since they are unlikely to redevelop with residential uses within the timeframe of the Housing Element:

- Tasman East Specific Plan
 - 5101 Lafayette Street (data center)
- Patrick Henry Drive Specific Plan
 - 4650 Old Ironsides Drive (data center)
 - 4700 Old Ironsides Drive (data center)
 - 4600 Patrick Henry Drive (Drawbridge parcel)
- Lawrence Station Area Plan
 - 2960 – 3030 Corvin Drive (data centers)
 - 3350 – 34420 Central Expressway (Gemini Rosemont industrial campus)
- El Camino Real Rezoning Sites
 - 3615 El Camino Real (24-hour Fitness)
 - 3735 and 3705 El Camino Real (Big Lots/Lucky)

As noted above (Appendix C), in addition to the removal of the 4701 Patrick Henry Drive site at the request of the Housing Action Coalition, six additional El Camino Real rezoning sites and one Tasman East Specific Plan site were also excluded from the inventory because it was determined that they are less likely to redevelop in the planning period.

Web Links

City of Santa Clara 2023-2031 6th Cycle Housing Element Update – Addendum to the City of Santa Clara General Plan Environmental Impact Report:

<https://santaclara.legistar.com/View.ashx?M=F&ID=12854349&GUID=21A89EDE-6BC3-4B44-85BF-BF66B6979AE6>

This document is available for viewing in the Community Development Department

RESOLUTION NO. 23-9188

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, TO ADOPT AN ADDENDUM TO THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT, FOR ADOPTION OF THE 6TH CYCLE HOUSING ELEMENT (2023-2031)

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

WHEREAS, the California legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives.” (Gov. Code Section 65589.5.); and

WHEREAS, the legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.” (Gov. Code Section 65589.5.); and

WHEREAS, the legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that “In 2018, California ranked 49th out of the 50 states in housing units per capita... California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years”; and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Santa Clara (City) regional housing need allocation (RHNA) of 11,632 housing units, comprised of 2,872 very-low income units, 1,653 low-income units, 1,981 moderate-income units, and 5,126 above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, the City of Santa Clara has prepared its Housing Element Update for the years 2023-2031 (the Housing Element); and

WHEREAS, as provided in Government Code Section 65350 et. seq., the Housing Element constitutes a General Plan Amendment; and

WHEREAS, the Project approvals will include a resolution approving the Addendum to the General Plan EIR; and a resolution approving the General Plan Amendment (collectively, the “Approvals”);

WHEREAS, the City has prepared an Addendum to the 2010-2035 General Plan Environmental Impact Report adopted by the City Council on November 16, 2010, and to the environmental review documents that were prepared for subsequent amendments to the General Plan that affected housing development in the City, including but not limited to the December 2013 Climate Action Plan Negative Declaration; the February 2016 Mission Town Center EIR; the 2016 Related Santa Clara EIR; the November 2016 Lawrence Station Area Plan EIR; the July 2018 575 Benton Project Addendum; the July 2019 Gateway Crossings EIR; the March 2022 Patrick Henry Drive Specific Plan EIR; the June 2022 Climate Action Plan Addendum; and the June 2022 Freedom Circle Future Focus Area EIR (collectively, the “Subsequent Documents”), all of which provide environmental clearance for all of the units in the 6th cycle Housing Sites Inventory;

WHEREAS, a notice of the public hearing on the proposed General Plan Amendment was published in the Santa Clara Weekly, a newspaper of general circulation for the City, on December 11, 2022, for the January 11, 2023 Planning Commission Meeting and the January 31, 2023 City Council meeting; and

WHEREAS, on January 11, 2023, the Planning Commission opened the public hearing to consider the proposed General Plan Amendment, and then continued the hearing to January 23, 2023; and

WHEREAS, on January 20, 2023, the City published a revised draft Housing Element with the changes required by HCD (see Housing Element Exhibit A – HCD Comments and Responses) and requested public comment on the draft; and

WHEREAS, on January 23, 2023, the Planning Commission resumed the previously-opened public hearing to consider the proposed General Plan Amendment, and then subsequently continued the hearing to January 26, 2023; and

WHEREAS, the Planning Commission reviewed the Addendum to the General Plan EIR, in accordance with the requirements of CEQA, along with the City Staff report pertaining to the Project, and all evidence received at a duly noticed public hearing on January 26, 2023. All these documents and evidence are incorporated herein by reference into this Resolution; and

WHEREAS, the Planning Commission recommended that the City Council approve the Addendum to the General Plan EIR, in accordance with CEQA for the Project; and

WHEREAS, on January 31, 2023, the City Council conducted a public hearing, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed Addendum to the General Plan EIR.

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

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the City Council hereby finds that the Addendum to the General Plan EIR has been completed in compliance with CEQA.
3. That the City Council hereby finds that the Addendum to the General Plan EIR has been presented to the Council, which reviewed and considered the information and analysis contained therein, and that the Addendum represents the independent judgment of the Council.
4. That the City Council hereby finds that the proposed General Plan Amendments do not involve substantial changes to the General Plan that would require major revisions to the previous EIR or Subsequent Documents.
5. That the City Council hereby finds that there is no substantial change in circumstances as a result of modifications to the General Plan that would require major revisions to the previous EIR and Subsequent Documents or cause new or substantially more severe significant impacts.

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6. That the City Council hereby finds that there is no new information of substantial importance that identifies new or more intense significant impacts than those identified in the General Plan EIR and Subsequent Documents.

7. Based on the findings set forth in this Resolution and the evidence in the City Staff Report, the City Council approves the Addendum to the General Plan EIR, in accordance with CEQA for the Project.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 31ST DAY OF JANUARY 2023, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	Park
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST: 
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO THE GENERAL PLAN TO REMOVE ONE SITE (4701 PATRICK HENRY DRIVE) FROM AND ADD ONE SITE (3005 DEMOCRACY WAY) TO THE ADOPTED HOUSING ELEMENT SITES INVENTORY AND MAKE ASSOCIATED TEXT EDITS

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Santa Clara (City) regional housing needs allocation (RHNA) of 11,632 housing units, comprised of 2,872 very-low income units, 1,653 low-income units, 1,981 moderate-income units, and 5,126 above moderate-income units;

WHEREAS, the State Department of Housing and Community Development (HCD) recommends all jurisdictions include a 15 to 30-percent buffer of units beyond the minimum required RHNA target numbers in all affordability categories (i.e. Lower, Moderate, and Above Moderate) to comply with the “no net loss” provisions of State Housing Element law, which requires jurisdictions to maintain sufficient capacity to accommodate their RHNA throughout the planning period;

WHEREAS, on May 7, 2024 the City Council adopted the City’s sixth cycle (2023-2031) Housing Element with sites identified that can accommodate housing units meeting the City’s RHNA with a substantial buffer of units in all affordability categories;

WHEREAS, on May 31, 2024 the State Department of Housing and Community Development (HCD) issued a letter indicating that the City’s adopted Housing Element was in substantial compliance with State Housing Element law;

WHEREAS, on January 31, 2023, the City Council adopted Resolution No. 23-9188, approving an Addendum to the 2010-2035 General Plan Environmental Impact Report adopted by the City Council on November 16, 2010, and to the environmental review documents that were prepared for subsequent amendments to the General Plan that affected housing development in the City,

all of which provide environmental clearance for all of the units in the 6th cycle Housing Element Sites Inventory;

WHEREAS, on November 19, 2024, the City Council adopted Resolution No. 24-9396, adopting and certifying an Environmental Impact Report for the Kylli “Mission Point” project;

WHEREAS, at various stages during the three-year Housing Element Update process, comment letters received from the Housing Action Coalition (HAC) resulted in the removal of several properties from the City’s Housing Element Sites Inventory after analysis and consultation with HCD indicated those sites were unlikely to redevelop with residential uses within the timeframe of the Housing Element;

WHEREAS, the HAC continues to object to the inclusion of one site (4701 Patrick Henry Drive) that was retained in the adopted and certified Housing Element; and,

WHEREAS, although the City continues to believe that it is reasonably foreseeable that 4701 Patrick Henry Drive will redevelop within the planning period, for the reasons stated in Housing Element Appendix C Supplemental Sites Inventory Analysis, its removal from the inventory would still leave sufficient sites to achieve the City’s Regional Housing Needs Allocation (RHNA) targets with a substantial buffer at all affordability levels;

WHEREAS, on November 19, 2024, the City Council approved the Mission Point Project (3005 Democracy Way), a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 new residential units with a minimum 15-percent affordability requirement, and the Mission Point Project does not currently appear in the Housing Element Sites Inventory;

WHEREAS, the combined addition of units from the 3005 Democracy Way site and removal of units from the 4701 Patrick Henry Drive site would result in a decrease in the lower-income buffer from 33-percent to 18-percent and a decrease in the moderate-income buffer from 31-percent to 23-percent. In the above moderate-income category, the recommended buffer would increase from 103-percent to 116-percent;

WHEREAS, a General Plan Amendment is required for the proposed changes to the adopted Housing Element Sites Inventory;

WHEREAS, Santa Clara City Charter Section 1007 requires that the Planning Commission provide input to the City Council on any proposed General Plan Amendment;

WHEREAS, Government Code Section 65353 requires the Planning Commission to hold a public hearing prior to making a recommendation on the General Plan Amendment;

WHEREAS, on March 5, 2025, a notice of the public hearing on the proposed General Plan Amendment was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, for the Planning Commission Hearing to be conducted on March 19, 2025 and for the City Council Hearing to be conducted on April 29, 2025;

WHEREAS, on March 19, 2025, the Planning Commission opened the public hearing to consider the proposed General Plan Amendment, and then continued the hearing to April 16, 2025;

WHEREAS, the Planning Commission has reviewed the General Plan Amendment; and

WHEREAS, on April 16, 2025, the Planning Commission held a duly noticed public hearing to consider the proposed revisions to the adopted 6th Cycle Housing Element during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor and in opposition to the General Plan Amendment.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the Planning Commission finds and determines that the General Plan Amendment is in the interest of the public good for the following reasons:

- A. The proposed Amendment is deemed to be in the public interest, in that the revision to the adopted Housing Element Sites Inventory is consistent and compatible with the rest of the City's General Plan and any implementation programs that may be

affected, in that the proposed removal of one site and addition of another site is consistent with the General Plan's Land Use and Circulation policies, and does not increase development capacity and does not introduce new or revised policies or programs under the General Plan, as amended.

- B. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that the impacts of the Housing Element are disclosed by the General Plan EIR as addended by subsequent amendments to the General Plan EIR as addended by subsequent amendments to the General Plan that affected housing developments in the City, including but not limited to the December 2013 Climate Action Plan Negative Declaration; the February 2016 Mission Town Center EIR; the 2016 Related Santa Clara EIR; the November 2016 Lawrence Station Area Plan EIR; the July 2018 575 Benton Project Addendum; the July 2019 Gateway Crossings EIR; the March 2022 Patrick Henry Drive Specific Plan EIR; the June 2022 Climate Action Plan Addendum; and the June 2022 Freedom Circle Future Focus Areas EIR. The impacts of the Kylli "Mission Point" project were analyzed and mitigated in an Environmental Impact Report adopted and certified by the City Council on November 19, 2024.
- C. The potential impacts of the proposed General Plan Amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that the Housing Element creates a policy framework that provides opportunities for the development of housing in the City through the year 2031. The impacts of the Housing Element have been disclosed through the CEQA process, and the Planning Commission has determined that any impacts from the proposed revisions to the adopted Housing Element remain within the scope of the General Plan EIR, as addended, and the Kylli Mission Point EIR.

3. The Planning Commission recommends City Council approval of the revisions to the May 7, 2024 Adopted 6th Cycle Housing Element (2023-2031) as provided in Attachment 1 (Revisions to Housing Element – redlined) showing revisions to the Housing Element, plus any non-substantive edits or corrections, including those that may be directed by the State Department of Housing and Community Development (HCD) after their review of the revisions to the adopted Housing Element.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16TH DAY OF APRIL, 2025, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
AFSHAN HAMID
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Revisions to Housing Element - redlined
S:\Attorney\RESOLUTIONS\Form Resolution-Planning Commission.doc



Agenda Report

25-214

Agenda Date: 4/16/2025

REPORT TO PLANNING COMMISSION

SUBJECT

PUBLIC HEARING: Recommendation on a General Plan Amendment to Remove the Lawrence Station Phase II, Central Expressway, and De La Cruz Focus Areas

BACKGROUND

The City's General Plan has nine Focus Areas that includes four Focus Areas south of the Caltrain corridor and five Future Focus Areas north of the Caltrain corridor, as shown in the Focus Areas map (Attachment 1). The purpose of these Focus Areas is to encourage improvements and new development tailored to the character and quality of these areas and represent locations with opportunities for more intense development.

The proposed General Plan Amendment will remove the following three Focus Areas: Lawrence Station Phase II (west of Lawrence Expressway), Central Expressway, and De La Cruz. Staff proposes to remove these three focus areas in that the existing conditions are inconsistent with future housing goals.

DISCUSSION

The General Plan has a multi-phase implementation strategy to guide development. Phasing provides the foundation for continued re evaluation of the development and service goals of the General Plan. In practice, Focus Areas have represented locations with anticipation of residential development opportunities. The Downtown, Tasman East and Lawrence Station Focus Areas have resulted in the development of a Precise Plan and Specific Plans with significant amounts of new residential development. Over time, the City has satisfied housing needs in these new Specific Plans and other areas as outlined in the sixth cycle of the General Plan's Housing Element.

The adopted Housing Element demonstrates that the City has adequate capacity to produce housing during this sixth cycle, which is generally co-terminus with the timeframe of the City of Santa Clara General Plan. The City created a variety of sites to develop high-density housing during this cycle, including the Tasman East and Patrick Henry Drive specific plans, and the approved Greystar Freedom Circle residential development project.

The Lawrence Station Phase II Focus Area, and the Central Expressway and De La Cruz Future Focus Areas, are not ideal locations to convert to housing due to the existing industrial and office land uses. The Central Expressway Future Focus area has a dense concentration of data centers that would be unlikely to convert to housing and be incompatible with housing should it be developed. Some of the properties are in an undesirable location under the San Jose Mineta International Airport flight path, in the case of the De La Cruz Future Focus Area. As for Lawrence Expressway Phase II, owners of industrial and office properties in this area have no current interest in redevelopment for housing.

To reflect these conditions, the City proposes a General Plan Text Amendment and Land Use Diagram Amendment to remove the De La Cruz and Central Expressway Future Focus Areas, and the Lawrence Station West Focus Area from the General Plan and continue to apply the Heavy Industrial, Light Industrial, and Low Intensity Office Research & Development (R&D), land use designations to these areas consistent with existing uses.

The amendment will revise texts and land use diagrams associated with the subject Focus Areas. The

revisions will primarily affect Chapter 5.4, Focus Areas, of the City's General Plan.

ENVIRONMENTAL REVIEW

The City prepared an Addendum to the 2010-2035 General Plan Environmental Impact Report (Attachment 2) for the sixth Cycle (2023-2031) Housing Element, which considered the removal of the subject Focus Areas. The Addendum concluded that there is no substantial change to the General Plan that would require major revisions to the previous EIR; that there is not a substantial change in circumstances as a result of modifications to the General Plan that would cause new or substantially more severe impacts; and, that there is no new information of substantial importance that identifies new or more intense significant impacts than those identified in the General Plan EIR. With the adoption of Resolution No. 23-9188 (Attachment 3) at a public hearing on January 31, 2023, the City Council approved the Addendum to the General Plan EIR.

FISCAL IMPACT

There is no fiscal impact to the City for processing the requested application other than administrative time and expense for staff to draft this report and coordinate the environmental assessment.

COORDINATION

This report was coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

On March 20, 2023, Planning staff had a community outreach meeting to present this General Plan Amendment. Property owners within 500 feet of the subject Focus Areas were notified. There were twenty people in attendance and two spoke regarding affordable housing in this area and redevelopment of housing elsewhere in the City. There is no affordable housing requirement in this area unless there is a proposal for a residential redevelopment. Residential development will be focused in new specific plans areas and where there are residential land uses designation on the General Plan map.

On January 29, 2025, pursuant to Government Code Section 65352(a), the City mailed referral letters to Native American tribes and outside agencies advising them of the City's intent to act on a General Plan Amendment to remove the subject Focus Areas.

On April 2, 2025, pursuant to Government Code Section 65353 and 65355, a notice of public hearing was published in The Weekly, a newspaper of general circulation, regarding the Planning Commission and City Council public hearings.

ALTERNATIVES

1. Adopt a Resolution to Recommend the City Council Amend the General Plan to remove the Lawrence Station Phase II, Central Expressway and De La Cruz Focus Areas and make associated text edits.
2. Adopt a Resolution to Recommend the City Council Amend the General Plan to remove the Lawrence Station Phase II, Central Expressway and De La Cruz Focus Areas and make associated text edits, with additional revisions.

RECOMMENDATION

Alternative 1: Adopt a Resolution to Recommend the City Council Amend the General Plan to remove the Lawrence Station Phase II, Central Expressway and De La Cruz Focus Areas and make associated text edits.

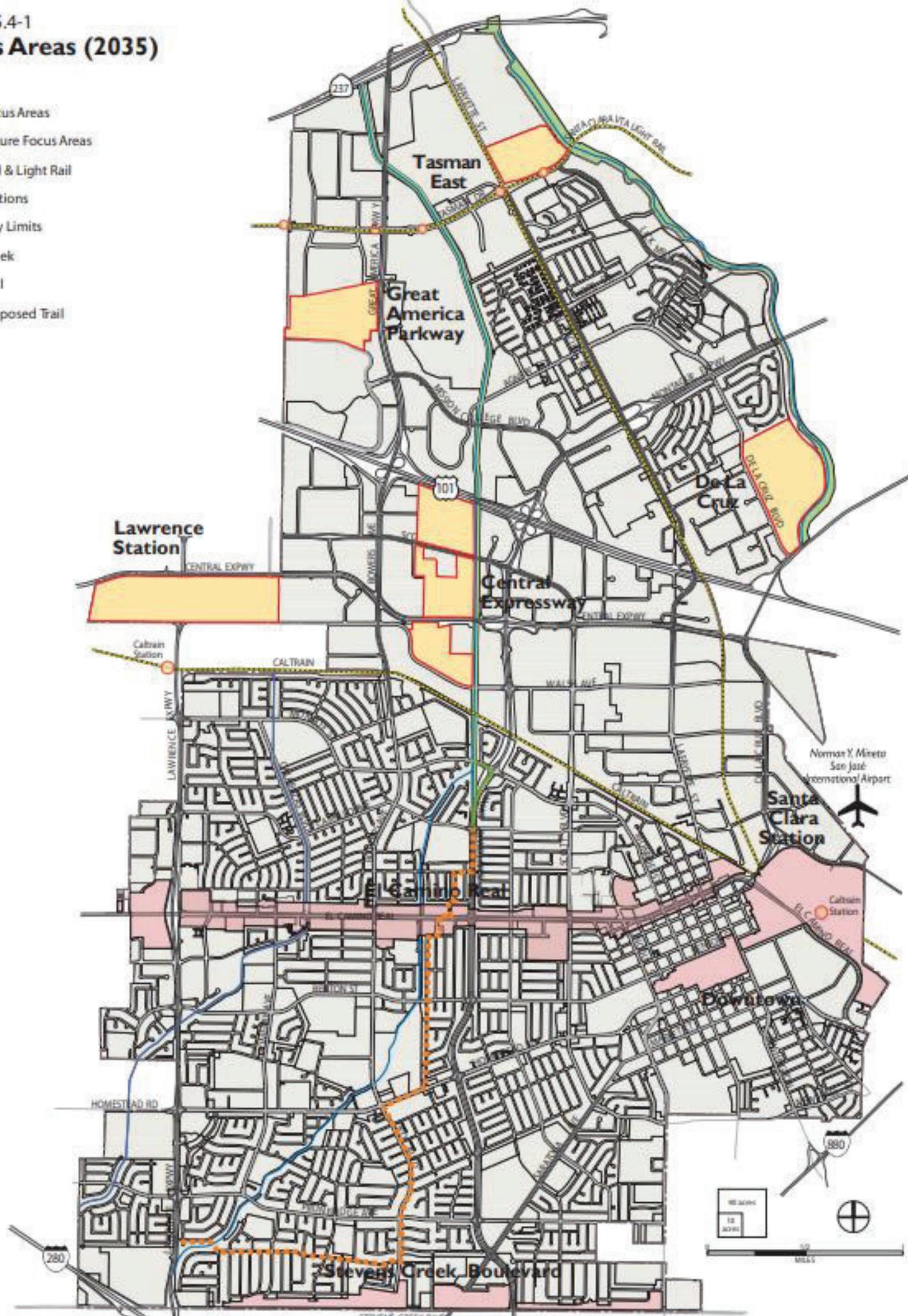
Prepared by: Steve Le, Senior Planner
Reviewed by: Alexander Abbe, Assistant City Attorney
Reviewed by: Sheldon S. Ah Sing, Development Review Officer
Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Map of Focus Areas and Removal Areas
2. Addendum (Hyperlink)
3. City Council Addendum Resolution No. 23-9188
4. Planning Commission Resolution
5. General Plan Chapter 5.4 Focus Areas_Clean
6. General Plan Chapter 5.4 Focus Areas_Markup

Figure 5.4-1
Focus Areas (2035)

- Focus Areas
- Future Focus Areas
- Rail & Light Rail
- Stations
- City Limits
- Creek
- Trail
- Proposed Trail



De La Cruz Focus Areas



Central Expressway Focus Area



Lawrence Station Phase II Focus Area



RESOLUTION NO. 23-9188

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA,
TO ADOPT AN ADDENDUM TO THE GENERAL PLAN
ENVIRONMENTAL IMPACT REPORT, FOR ADOPTION OF THE
6TH CYCLE HOUSING ELEMENT (2023-2031)**

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

WHEREAS, the California legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives.” (Gov. Code Section 65589.5.); and

WHEREAS, the legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.” (Gov. Code Section 65589.5.); and

WHEREAS, the legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that “In 2018, California ranked 49th out of the 50 states in housing units per capita... California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years”; and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Santa Clara (City) regional housing need allocation (RHNA) of 11,632 housing units, comprised of 2,872 very-low income units, 1,653 low-income units, 1,981 moderate-income units, and 5,126 above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, the City of Santa Clara has prepared its Housing Element Update for the years 2023-2031 (the Housing Element); and

WHEREAS, as provided in Government Code Section 65350 et. seq., the Housing Element constitutes a General Plan Amendment; and

WHEREAS, the Project approvals will include a resolution approving the Addendum to the General Plan EIR; and a resolution approving the General Plan Amendment (collectively, the “Approvals”);

WHEREAS, the City has prepared an Addendum to the 2010-2035 General Plan Environmental Impact Report adopted by the City Council on November 16, 2010, and to the environmental review documents that were prepared for subsequent amendments to the General Plan that affected housing development in the City, including but not limited to the December 2013 Climate Action Plan Negative Declaration; the February 2016 Mission Town Center EIR; the 2016 Related Santa Clara EIR; the November 2016 Lawrence Station Area Plan EIR; the July 2018 575 Benton Project Addendum; the July 2019 Gateway Crossings EIR; the March 2022 Patrick Henry Drive Specific Plan EIR; the June 2022 Climate Action Plan Addendum; and the June 2022 Freedom Circle Future Focus Area EIR (collectively, the “Subsequent Documents”), all of which provide environmental clearance for all of the units in the 6th cycle Housing Sites Inventory;

WHEREAS, a notice of the public hearing on the proposed General Plan Amendment was published in the Santa Clara Weekly, a newspaper of general circulation for the City, on December 11, 2022, for the January 11, 2023 Planning Commission Meeting and the January 31, 2023 City Council meeting; and

WHEREAS, on January 11, 2023, the Planning Commission opened the public hearing to consider the proposed General Plan Amendment, and then continued the hearing to January 23, 2023; and

WHEREAS, on January 20, 2023, the City published a revised draft Housing Element with the changes required by HCD (see Housing Element Exhibit A – HCD Comments and Reponses) and requested public comment on the draft; and

WHEREAS, on January 23, 2023, the Planning Commission resumed the previously-opened public hearing to consider the proposed General Plan Amendment, and then subsequently continued the hearing to January 26, 2023; and

WHEREAS, the Planning Commission reviewed the Addendum to the General Plan EIR, in accordance with the requirements of CEQA, along with the City Staff report pertaining to the Project, and all evidence received at a duly noticed public hearing on January 26, 2023. All these documents and evidence are incorporated herein by reference into this Resolution; and

WHEREAS, the Planning Commission recommended that the City Council approve the Addendum to the General Plan EIR, in accordance with CEQA for the Project; and

WHEREAS, on January 31, 2023, the City Council conducted a public hearing, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed Addendum to the General Plan EIR.

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

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the City Council hereby finds that the Addendum to the General Plan EIR has been completed in compliance with CEQA.
3. That the City Council hereby finds that the Addendum to the General Plan EIR has been presented to the Council, which reviewed and considered the information and analysis contained therein, and that the Addendum represents the independent judgment of the Council.
4. That the City Council hereby finds that the proposed General Plan Amendments do not involve substantial changes to the General Plan that would require major revisions to the previous EIR or Subsequent Documents.
5. That the City Council hereby finds that there is no substantial change in circumstances as a result of modifications to the General Plan that would require major revisions to the previous EIR and Subsequent Documents or cause new or substantially more severe significant impacts.

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6. That the City Council hereby finds that there is no new information of substantial importance that identifies new or more intense significant impacts than those identified in the General Plan EIR and Subsequent Documents.

7. Based on the findings set forth in this Resolution and the evidence in the City Staff Report, the City Council approves the Addendum to the General Plan EIR, in accordance with CEQA for the Project.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 31ST DAY OF JANUARY 2023, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	Park
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO THE GENERAL PLAN TO REMOVE THE LAWRENCE STATION PHASE II FOCUS AREA AND THE CENTRAL EXPRESSWAY AND DE LA CRUZ FUTURE FOCUS AREAS, AND MAKE ASSOCIATED TEXT EDITS

WHEREAS, a General Plan Amendment is required to remove the Lawrence Station Phase II Focus Area, and the Central Expressway and De La Cruz Future Focus Areas;

WHEREAS, the amendment will revise the text and land use diagrams associated with the subject Focus Areas.

WHEREAS, the City Council certified the Environmental Impact Report for the 2010-2035 General Plan on November 16, 2010 (the “General Plan EIR”);

WHEREAS, thereafter, the City Council adopted a series of environmental review documents that were prepared for subsequent amendments to the General Plan that affected housing development in the City, including but not limited to the December 2013 Climate Action Plan Negative Declaration; the February 2016 Mission Town Center EIR; the 2016 Related Santa Clara EIR; the November 2016 Lawrence Station Area Plan EIR; the July 2018 575 Benton Project Addendum; the July 2019 Gateway Crossings EIR; the March 2022 Patrick Henry Drive Specific Plan EIR; the June 2022 Climate Action Plan Addendum; and the June 2022 Freedom Circle Future Focus Areas EIR (collectively, the “Subsequent Documents”);

WHEREAS, on January 31, 2023, the City Council adopted Resolution No. 23-9188, adopting an Addendum to the General Plan Environmental Impact Report, as addended by the Subsequent Documents, for adoption of the sixth Cycle Housing Element (2023-2031), which considered the removal of the subject Focus Areas from the General Plan (the “2023 Addendum”);

WHEREAS, Santa Clara City Charter Section 1007 requires that the Planning Commission provide input to the City Council on any proposed General Plan Amendment;

WHEREAS, Government Code Section 65353 requires the Planning Commission to hold a public hearing prior to making a recommendation on the General Plan Amendment;

WHEREAS, on April 2, 2025, a notice of the public hearing on the proposed General Plan Amendment was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, for the Planning Commission Hearing to be conducted on April 16, 2025, and for the City Council Hearing to be conducted on May 27, 2025;

WHEREAS, the Planning Commission has reviewed the General Plan Amendment; and

WHEREAS, on April 16, 2025, the Planning Commission held a duly noticed public hearing to consider the proposed revisions to the General Plan during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor and in opposition to the General Plan Amendment.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission finds and determines that the General Plan Amendment is in the interest of the public good for the following reasons:
 - A. The proposed Amendment is deemed to be in the public interest, in that the update will more accurately reflect development projections in response to shifting market conditions, as other focus areas have moved forward, additional housing developments have been proposed outside of focus areas, and the three areas in question have continued to effectively serve industrial and R&D users;
 - B. The proposed Amendment is consistent and compatible with the rest of the City's General Plan and any implementation programs that may be affected, in that the proposed removal of the three focus areas is consistent with the existing uses and land use designations, the focus areas are not necessary to achieve the City's

regional housing needs allocation and the sites are not listed on the adopted Housing Element Sites Inventory; and the Amendment does not increase development capacity and does not introduce new or revised policies or programs under the General Plan, as amended.

C. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that the impacts of the deletion of the focus areas were considered in the 2023 Addendum, which concluded that the proposal would not require major revisions to the General Plan EIR as addended and would not cause new or substantially more severe significant impacts, and that there was no new information of substantial importance that identified new or more severe significant impacts than those identified in the General Plan EIR and the Subsequent Documents;

D. The potential impacts of the proposed General Plan Amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that the proposed Amendment would merely continue the existing land uses on the affected properties. The impacts of the deletion of the focus areas have been disclosed through the CEQA process, and the Planning Commission has determined that any impacts from the proposed revisions remain within the scope of the General Plan EIR, as addended.

3. The Planning Commission hereby recommends that the City Council amend Figure 5.2-2 (Land Use Diagram Phase II: 2015-2023) of Section 5.3 (“Land Use”) of Chapter 5 (“Goals and Policies”) of the 2010-2035 General Plan by modifying the land use designations for the properties South of Central Expressway, West of Lawrence Expressway, and North of Kifer Road, to reflect their current land use designation, Light Industrial.

4. The Planning Commission hereby recommends that the City Council amend Figure 5.2-3 (Land Use Diagram Phase III: 2023-2035) of Section 5.3 (“Land Use”) of Chapter 5 (“Goals and Policies”) of the 2010-2035 General Plan by (1) modifying the land use designations for the properties South of Central Expressway, West of Lawrence Expressway, and North of Kifer Road, to reflect their current land use designation, Light Industrial; (2) modifying the land use designations for the properties North of the Caltrain tracks, South of the 101 freeway, West of San Tomas Aquino Creek and East of Bowers Avenue that are shown as High Density Residential to reflect their current land use designation, Light Industrial; and (3) modifying the land use designations for the properties north of West Trimble Road, East of De La Cruz Boulevard, West of the Guadalupe River, and South of Eastwood Circle that are shown as Medium Density Residential to reflect their current land use designations: Light Industrial, Heavy Industrial, and Low Intensity Office/R&D.

5. That the Planning Commission hereby recommends that the City Council amend Figure 5.4-1 (“Focus Areas (2035)”) of Section 5.4 (“Focus Areas”) of Chapter 5 (“Goals and Policies”) of the 2010-2035 General Plan to reflect the above changes.

6. That the Planning Commission hereby recommends that the City Council amend Section 5.4.7 (“Future Focus Areas Goals and Policies”) of Chapter 5 (“Goals and Policies”) of the 2010-2035 General Plan by revising the bulleted list after the first paragraph to delete “Central Expressway” and “De La Cruz”.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16TH DAY OF APRIL, 2025, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
AFSHAN HAMID
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Map of Focus Areas and Removal Areas
2. General Plan Chapter 5.4, Focus Areas Clean
3. General Plan Chapter 5.4, Focus Areas Markup

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5.4 FOCUS AREAS

Focus Areas are an important component of the General Plan. The goals, policies and illustrations for these areas provide guidance for development. Focus Areas have the potential to significantly define the City's identity. These areas include major corridors and destinations, new centers of activity around transit stations, and new residential neighborhoods. Because of their integral location, changes in these areas offer an opportunity to implement the General Plan Major Strategies to enhance the City's quality of life and foster economic vitality. Focus Area design and land use policies are in addition to the City-wide land use policies included in Section 5.2: Land Use.

The General Plan has nine Focus Areas, listed below. These include three Focus Areas south of the Caltrain corridor and one Future Focus Areas north of the Caltrain corridor, as shown in Figure 5.4-1. Focus Areas represent locations with opportunities for more intense development with limited impact on existing neighborhoods. Future Focus Areas are only identified for Phases II and III of the Plan and require conformance with the applicable Prerequisite Policies in Section 5.1: Prerequisites, including approval of a comprehensive plan for each area, prior to implementation.

Focus Areas

- El Camino Real Focus Area
- Santa Clara Station Focus Area
- Stevens Creek Boulevard Focus Area

Future Focus Areas

- Freedom Circle Focus Area

Figure 5.4-1
Focus Areas (2035)

- Focus Areas
- Future Focus Areas
- Rail & Light Rail
- Stations
- City Limits
- Creek
- Trail
- Proposed Trail



The following sections provide descriptions, including the associated goals and policies, of each of the six, near-term Focus Areas, along with existing conditions, proposed land uses and priorities for alternate transportation modes. Future Focus Areas are discussed in general terms, with goals and policies to guide future planning in these areas.

5.4.1 El Camino Real Focus Area Goals and Policies

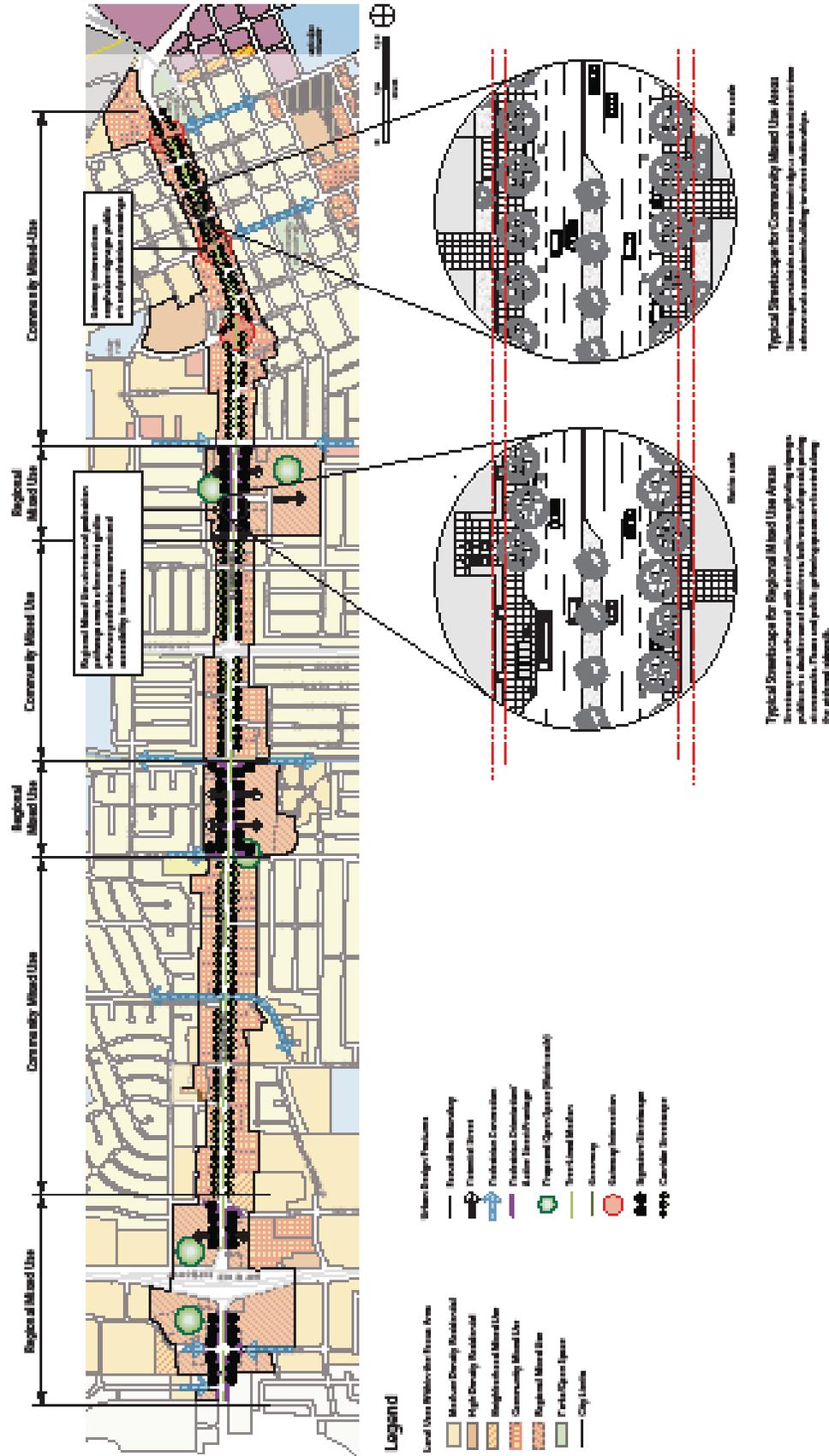
The El Camino Real Focus Area is the City's most visible and identifiable commercial corridor. As a primary east-west route and State highway, it is central to, and provides commercial services for, many of the City's residential neighborhoods. Because most properties were developed in the 1950-60s and are presently underutilized, this corridor provides a unique opportunity for revitalization that could positively define this corridor and promote the City's economic vitality.

Development along El Camino Real is currently comprised of a mix of small-scale auto-oriented commercial uses and services and mid- to large-scale strip mall developments. A wide, high-speed right-of-way, coupled with inconsistent landscaping and narrow sidewalks, reduces pedestrian accessibility. Building heights are generally one story, with parking located towards the street edge. Many of the properties within the Focus Area are relatively shallow, close to single-family neighborhoods, limiting the potential for high-intensity development.

The General Plan vision for El Camino Real is to transform this Focus Area from a series of automobile-oriented strip-malls to a tree-lined, pedestrian- and transit-oriented corridor with a mix of residential and retail uses. Larger properties, designated as Regional Mixed Use and located at key intersections, will provide the primary catalyst for this transformation. These properties provide opportunities for commercial and transit destinations, with an emphasis on mixed-use and higher-intensity development. Pedestrian-oriented retail at these locations can provide services for surrounding neighborhoods. Higher-density residential at appropriate locations and enhanced streetscape design will encourage pedestrian movement and transit use. Pedestrian pathways will foster walkability and improve access to transit, stores, restaurants and neighborhood schools. Connections to surrounding neighborhoods will also encourage neighborhood activities.

The Regional Mixed Use designation should be developed with a minimum 0.15 FAR for commercial uses. Overall development heights would typically be between three and five stories. Transition Goals and Policies in Section 5.5.2, in conjunction with the El Camino Real Focus Area Policies, require that this development respect the scale and character of adjacent residential uses to promote neighborhood compatibility. Design elements, like wide sidewalks, special paving materials and signature landscaping, will help define these areas as pedestrian- and transit-friendly. The plan on Figure 5.4-2 illustrates these concepts.

Figure 5.4-2
 El Caminito Real Focus Area



The predominate designation on properties located between the larger Regional Mixed Use designated properties, is Community Mixed Use. Within the El Camino Real Focus Area, this designation may be implemented consistent with either Community Commercial, or Medium Density Residential, or a combination of both. Future development in these areas would be characterized by lower-intensity mixed-, or single-use, development with signature landscaping, streetscape design, signage and public art, to contribute to the area's identity of this Focus Area. Building design and scale should represent the City's historic character, with two- and three-story structures and special attention to articulation and proportion. The area can serve as a gateway into the City and help define a boundary for the City's historic core. Pedestrian connections to the Downtown and Old Quad should be emphasized. Again, General Plan Transition Goals and Policies would apply throughout the El Camino Real Focus Area.

Transit, including a Bus Rapid Transit or similar facility, is envisioned along the entire corridor and would take priority over single occupancy vehicles. Within Regional Mixed Use developments, transit, bicycle and pedestrian circulation would have priority. To support this emphasis, intersections in the El Camino Real Focus Area may be exempted from the City-wide LOS standard for vehicles on a case-by-case basis until the City completes the prerequisite for an alternate Level of Service under Policies 5.1.1-P12, P13, and P14. This corridor should emphasize levels of service for pedestrian and transit circulation rather than single-occupancy vehicles.

El Camino Real Focus Area Goals

- 5.4.1-G1 An economically viable mix of uses along El Camino Real that attracts upscale retail uses.
- 5.4.1 -G2 High quality design that respects the scale and character of adjacent residential neighborhoods and historic resources and creates a walkable environment.
- 5.4.1 -G3 Concentration of higher-intensity commercial and residential development at key intersections with Regional Mixed Use designations.
- 5.4.1 -G4 Pedestrian, bicycle and transit priority for mobility in the El Camino Real Focus Area.

El Camino Real Focus Area Policies

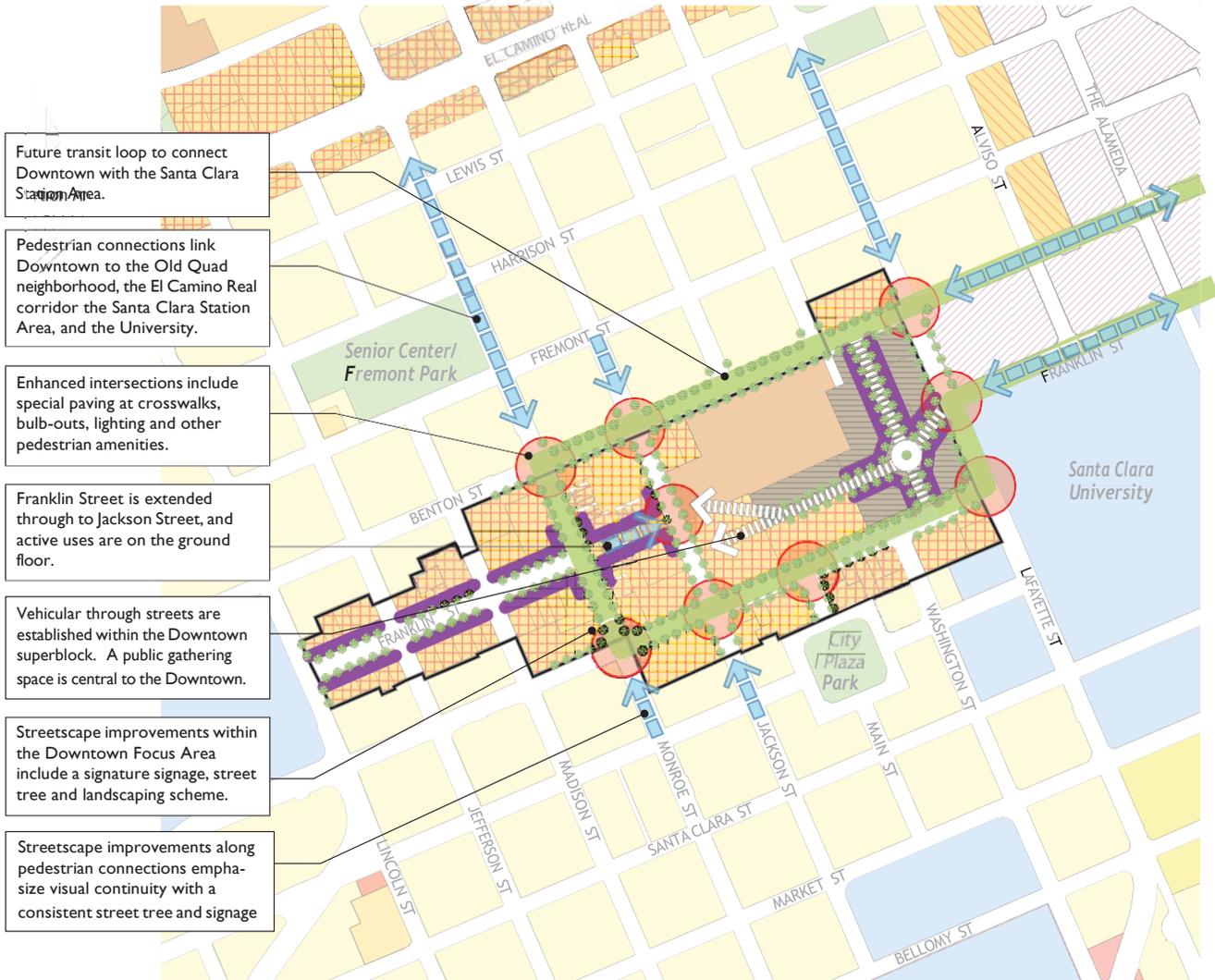
- 5.4.1 -P1 Require that the mix of uses is consistent with the Regional Mixed Use land use classification and that development is pedestrian-oriented, with enhanced streetscapes, publicly accessible open space and plazas, and connections to surrounding neighborhoods.
- 5.4.1 -P2 Allow new development under the Community Mixed Use designation for exclusively residential or commercial uses provided that it meets the minimum requirements for the Medium Density Residential or Community Commercial land use classifications.
- 5.4.1 -P3 Allow a ten percent increase in the maximum residential density if access to regularly scheduled transit to the Santa Clara Station, Lawrence Station and employment centers north of the Caltrain corridor is within one-quarter mile.
- 5.4.1 -P4 Explore allowing higher densities/intensities at key intersections where there are parcels of significant size with primary access to sites, provided that new development will not have an adverse impact on the existing, adjacent residential neighborhoods.
- 5.4.1 -P5 Provide appropriate transition between new development in the Focus Area and adjacent uses consistent with General Plan Transition Policies.
- 5.4.1 -P6 Encourage lower profile development, in areas designated for Community Mixed Use in order to minimize land use conflicts with existing neighborhoods.

- 5.4.1 -P7 Require provision of open space, or payment of in-lieu fees for open space, consistent with City regulations to adequately serve new development.
- 5.4.1 -P8 Orient ground floor retail and residential entries to the public sidewalk on El Camino Real.
- 5.4.1 -P9 Residential development should include front doors, windows, stoops, porches, and bay windows or balconies along street frontages.
- 5.4.1 -P10 Encourage structured and below-grade, rather than surface, parking in new development, to ensure that space at the ground level is devoted to active uses.
- 5.4.1 -P11 Locate parking at the side or rear of parcels and active uses along street frontages.
- 5.4.1 -P12 Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the El Camino Real Focus Area.
- 5.4.1 -P13 Encourage the retention of on-street parking, particularly adjacent to Community Mixed Use designated properties.
- 5.4.1 -P14 Encourage public art, special signage, banners and landscaping throughout the Focus Area, including features that would connect the corridor with Downtown.
- 5.4.1 -P15 Provide publicly accessible open space and transit stops in each Regional Mixed-Use area.
- 5.4.1 -P16 Facilitate the implementation of streetscape improvements consistent with those illustrations in Figures 5.4-2.
- 5.4.1 -P17 Explore options with Caltrans to relinquish the El Camino Real right-of-way to the City of Santa Clara.
- 5.4.1 -P18 Work with Valley Transportation Authority to improve transit access, information and frequency along El Camino Real, including the implementation of a Bus Rapid Transit or similar transit service near Regional Mixed-Use areas.
- 5.4.1 -P19 Work with Valley Transportation Authority and Caltrans toward a roadway design for El Camino Real that includes narrower and/or reduced travel lanes, enhanced pedestrian facilities, wider sidewalks, street trees, planted medians, and enhanced signage and lighting, as well as transit and bicycle lanes without increasing overall right-of-way requirements.
- 5.4.1 -P20 Exempt El Camino Real intersections within this Focus Area from the City-wide Level of Service standard for vehicles on a case-by-case basis or until an alternate standard is adopted in conformance with the Prerequisite requirements.
- 5.4.1 -P21 Exclude Specified Regulated Businesses from the El Camino Real Focus Area, except under certain circumstances within the Community Mixed-Use designation.
- 5.4.1 -P22 Exclude new auto oriented uses and drive through establishments from the El Camino Real Focus Area, except new service stations may be approved under the Community Mixed-Use designation provided that the total number of service stations between Lawrence Expressway and Lafayette Street does not exceed the number existing as of January 1, 2010.
- 5.4.1 -P23 Prepare a precise plan for the segment of El Camino Real between Scott Boulevard and the western City limits to ensure new development is coordinated and its design is consistent with what is envisioned for the Focus Area.

5.4.2 Downtown Focus Area Goals and Policies



Figure 5.4-3
Downtown Focus Area



Legend

Land Uses Within the Focus Area

- High Density Residential
- Community Mixed Use
- Downtown Core

Urban Design Features

- Focus Area Boundary
- Potential Street
- Pedestrian Connection
- Pedestrian Orientation/ Active Street Frontage
- Enhanced Intersection
- Transition Zone
- Signature Streetscape
- Downtown / BART Transit Loop



Located in the historic Old Quad neighborhood and near both Santa Clara University and the Santa Clara Transit Station, a revitalized Downtown will provide a focal point for the City. The Downtown Focus Area includes the two blocks of Franklin Square and eight former blocks previously consolidated under the Federal Urban Renewal program in the 1960s. Properties adjacent to this core area also offer opportunities for a mix of commercial and residential uses that would support a compact and walkable district. A Downtown Plan for a portion of the area was endorsed by the City Council in 2007 to serve as a catalyst for revitalization. A unique Downtown destination will serve both local and regional interests. The vision, as illustrated on the conceptual plan in Figure 5.4-3, includes boutique shopping, restaurants, public gathering places and civic venues, as well as a transit loop connection to the Santa Clara Station Area, in order to promote increased pedestrian activity.

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

Throughout the Downtown Focus Area, pedestrian and bicycle circulation should be promoted in lieu of increasing vehicular travel lanes. Streets in this Focus Area may be exempt from the City-wide vehicle level of service on a case-by-case basis until the City completes the Prerequisite for an alternative Level of Service under Policies 5.1.1-P12, P13 and P14. Connections to nearby destinations, such as Santa Clara Station, Santa Clara University, the Old Quad neighborhood and City Hall, should be emphasized for pedestrian movement. The Downtown Focus Area includes a future transit loop to connect the Downtown to these areas.

Downtown Focus Area Goals

- 5.4.2 -G1 A Downtown that serves as a primary, pedestrian-oriented commercial and cultural destination.
- 5.4.2 -G2 New Downtown development that is integrated with older existing development with respect to intensity, scale and character.
- 5.4.2 -G3 Higher-intensity development that is concentrated in the area designated as Downtown Core.
- 5.4.2 -G4 Pedestrian and transit priority for mobility in the Downtown Focus Area.

Downtown Focus Area Policies

- 5.4.2 -P1 Establish Downtown as a destination, with a mix of entertainment and cultural activities, eating and drinking establishments, local-serving office and commercial uses, residential development, and public spaces.
- 5.4.2 -P2 Consider relocating existing City offices to the Downtown Focus Area, and establishing a Civic Center with high density residential uses. Replace existing City offices with senior and affordable housing.
- 5.4.2 -P3 Allow new development under the Community Mixed Use designation on properties of less than one-half acre for exclusive residential or commercial uses provided that it meets the minimum

requirements for the Medium Density Residential or Community Commercial land use classifications.

- 5.4.2 -P4 Allow a maximum combined residential and commercial Floor Area Ratio of 2.0 within the Downtown Core area as delineated on Figure 5.4-4.
- 5.4.2 -P5 Encourage the development of a public square to promote Downtown activity and community orientation.
- 5.4.2 -P6 Encourage public spaces and art throughout Downtown to support pedestrian activity and gathering places.
- 5.4.2 -P7 Apply the General Plan Transition and Historic Preservation policies for new development at the edges of Downtown in order to respect the scale and character of the adjacent historic Old Quad neighborhood.
- 5.4.2 -P8 Transition development west of El Camino Real with no more than two to three stories adjacent to existing residential development.
- 5.4.2 -P9 Consider transferring density from the western portion and edges of Downtown (to minimize impacts to existing residential uses) to the eastern portion of the Focus Area to take advantage of its proximity to the Caltrain station and future BART station.
- 5.4.2 -P10 Integrate established and new uses through pedestrian connections, streetscape, and complementary architecture and site design.
- 5.4.2 -P11 For new mixed-use development, locate medium- and high-density residential uses on upper floors with active retail uses at ground level and oriented to street frontages.
- 5.4.2 -P12 Residential development should include front doors, windows, stoops, porches, bay windows or balconies along street frontages.
- 5.4.2 -P13 Explore allowing live-work spaces to enhance Downtown as an artist district.
- 5.4.2 -P14 Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the Downtown Focus Area.
- 5.4.2 -P15 Encourage parking consolidation and alternate parking provisions within Downtown.
- 5.4.2 -P16 Minimize surface parking and require parking below-grade or in structures that have active uses along street frontages.
- 5.4.2 -P17 Promote pedestrian-friendly streetscapes with trees, benches, outdoor seating, kiosks, amenities, banners and signature signage, and landscaping that reflect the historic neighborhood character.
- 5.4.2 -P18 Facilitate the implementation of streetscape improvements consistent with those illustrated in Figure 5.4-4.
- 5.4.2 -P19 Exempt Downtown intersections within this Focus Area from the City-wide Level of Service standard for vehicles on a case-by-case basis or until an alternate standard is adopted in conformance with the Prerequisite requirements.
- 5.4.2 -P20 Work with Valley Transportation Authority (VTA) to implement a Downtown loop for transit access to Santa Clara Station.
- 5.4.2 -P21 Exclude auto-oriented uses, drive-through establishments and Specified Regulated Businesses from the Downtown Focus Area.

5.4.3 Santa Clara Station Focus Area Goals and Policies

The Santa Clara Station Focus Area is the 244-acre portion located within the City of Santa Clara of a larger, multi-jurisdictional planning area. As illustrated on Figure 5.4-5, the area is generally bounded by De La Cruz Boulevard, Reed Street, and Martin Avenue to the northeast, and Franklin Street and El Camino Real to the southwest. At the center of this area is the existing Santa Clara Transit Station, which is served by Caltrain, Altamont Commuter Express, and Valley Transportation Authority (VTA) bus service. The Station, itself will include the Bay Area Rapid Transit (BART) terminus of the planned Fremont, San José and Santa Clara extension, as well as a future Automated People Mover to the Norman Y. Mineta San José International Airport (Airport). The Station will be a major transit hub for the Bay Area and supports the Major Strategies to promote sustainability and economic vitality.

Existing development of low-intensity retail, office, residential and light industrial uses along El Camino Real would generally be replaced by larger scale, mixed-use development. The Santa Clara Station Focus Area will serve as a gateway into the City, improve the City's economic base with expanded office, hotel and retail uses, maximize opportunities for residential development and provide improved pedestrian, bicycle and transit connections.

The vision for the Santa Clara Station Focus Area, defined in detail on Figure 5.4-5, offers an opportunity to establish a new gateway into the City, as well as to expand the City's economic base with new office, hotel and retail uses and add high-density residential development in order to maximize the use of existing and planned transit. The Santa Clara Station Focus Area is planned for mixed-use, transit-oriented development, including a central roadway, or "main street" to provide connections within the area and link a series of public spaces. Higher-intensity mixed-use adjacent to the Station could be developed at the maximum height regulated by the Federal Aviation Administration. Building intensity and height would be reduced to a smaller-scale for residential uses in proximity to the Old Quad neighborhood and Downtown Focus Area. Approximately 1,650 new residential units and 2,000,000 square feet of non-residential uses, including hotels, are expected. Discretionary Use and Transition Policies apply to the Santa Clara Station Focus Area.

Within the Santa Clara Station Focus Area, pedestrian and bicycle circulation have priority and may be exempt from the City-wide level of service for vehicles on a case-by-case basis until the City completes the Prerequisite for an alternate Level of Service under Policies 5.1.1-P12, P13 and P14. Roadways within this Focus Area, such as Coleman Avenue and De La Cruz Boulevard, that provide access to the Santa Clara Transit Station and associated parking facilities, however, would be subject to the vehicle level of service standards.

Santa Clara Station Focus Area Goals

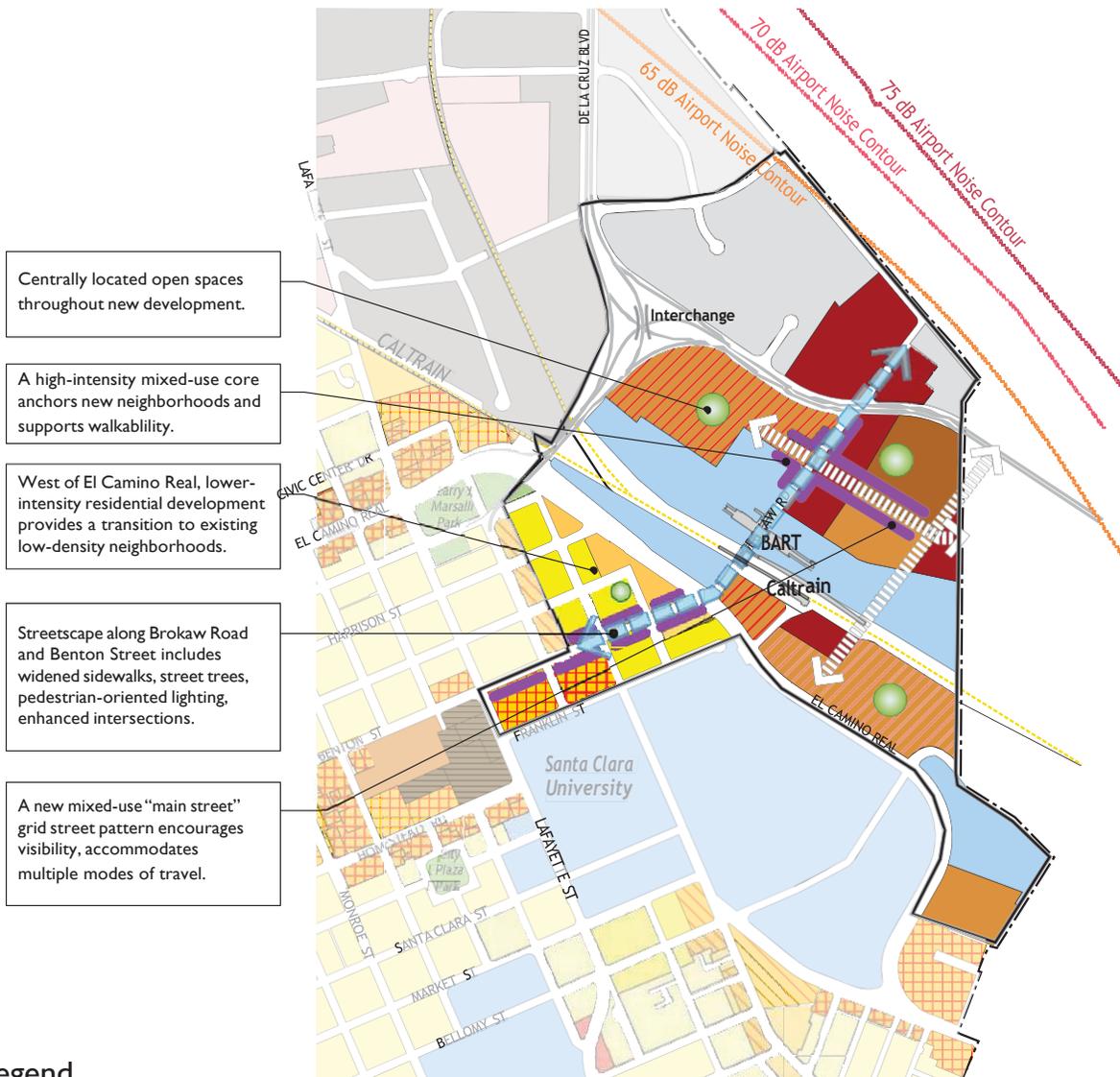
- 5.4.3 -G1 Development in proximity to the Santa Clara Station that capitalizes on transit and results in high intensity uses.
- 5.4.3 -G2 A mix of uses, with emphasis on office, hotel and residential development.
- 5.4.3 -G3 A link between the Santa Clara Station and a variety of transit options that offer viable transportation alternatives throughout the City and the region.
- 5.4.3 -G4 Pedestrian and bicycle priority within the Santa Clara Station Focus Area with transit and vehicular priority to access the Station.

Santa Clara Station Focus Area Policies

- 5.4.3 -P1 Allow a range of development intensities, with the potential for up to 3.0 Floor Area Ratio, for



Figure 5.4-4
Santa Clara Station Focus Area



- Centrally located open spaces throughout new development.
- A high-intensity mixed-use core anchors new neighborhoods and supports walkability.
- West of El Camino Real, lower-intensity residential development provides a transition to existing low-density neighborhoods.
- Streetscape along Brokaw Road and Benton Street includes widened sidewalks, street trees, pedestrian-oriented lighting, enhanced intersections.
- A new mixed-use "main street" grid street pattern encourages visibility, accommodates multiple modes of travel.

Legend

Land Uses Within the Focus Area

- Santa Clara Station Low Density Residential (8-18 du/ac)
- Santa Clara Station Medium Density Residential (19-36 du/ac)
- Santa Clara Station High Density Residential (37-50 du/ac)
- Santa Clara Station Very High Density Residential (51-90 du/ac)
- Santa Clara Station Regional Commercial (up to 3.0 FAR) (with an emphasis on office and hotel uses)
- Santa Clara Station Regional Mixed Use (Santa Clara Station Regional Commercial + Santa Clara Station High Density Residential) (with an emphasis on residential and commercial uses)
- Santa Clara Station Community Mixed Use Commercial (up to 0.45 FAR) + Santa Clara Station Medium Density Residential
- Santa Clara Station Public/Quasi Public (Intensity based on policies 5.3.1, 5.5.1 and 5.9.2)
- Santa Clara Station Light Industrial (up to 0.6 FAR)
- City Limits



Urban Design Features

- Focus Area Boundary
- Potential Street
- Pedestrian Connection
- Pedestrian Orientation/Active Street Frontage
- Proposed Open Space (Not to scale)

the area northeast of El Camino Real.

- 5.4.3 -P2 Maximize residential development within walking distance of the Station, particularly on the northeast side of the Caltrain corridor.
- 5.4.3 -P3 Provide pedestrian-oriented ground floor uses and a network of parks and public spaces to serve both residential and non-residential development.
- 5.4.3 -P4 Encourage the development of centrally located public open space of approximately 1.5 acres to serve Santa Clara Station Focus Area residents and employees.
- 5.4.3 -P5 Provide approximately of 7.0 acres of publicly accessible open space within the area designated for residential and/or commercial uses.
- 5.4.3 -P6 Provide pedestrian-oriented retail uses to serve new residential development, Station visitors and area employees.
- 5.4.3 -P7 Provide appropriate transition between new development and adjacent uses consistent with General Plan Transition Policies.
- 5.4.3 -P8 Facilitate the implementation of development and infrastructure improvements using Figure 5.4-5 as a guide for projects and streetscapes in the Santa Clara Station Focus Area.
- 5.4.3 -P9 Encourage streetscape design with street trees, wider sidewalks, pedestrian-oriented lighting, curb bulb-outs and special paving and/or striping within the Focus Area to emphasize accessibility.
- 5.4.3 -P10 Orient building street frontages to the ground level with residential entries, stoops and windows, and commercial store fronts.
- 5.4.3 -P11 Encourage parking consolidation, alternate parking arrangements or reduced parking ratio within the Santa Clara Station Focus Area to promote the use of alternate transportation modes.
- 5.4.3 -P12 Minimize surface parking by requiring below-grade or structured parking facilities with active uses along street frontages.
- 5.4.3 -P13 Provide new street, bicycle and pedestrian networks that encourage visibility, accommodate multiple modes of travel and maximize connections, particularly through large sites and to the Downtown and Santa Clara University.
- 5.4.3 -P14 Encourage alternative modes of travel to and from the Station, including biking, walking and shuttles.
- 5.4.3 -P15 Prioritize vehicular and transit transportation modes on roadways, such as Coleman Avenue and De La Cruz Boulevard, that provide access to the Station and prioritize pedestrian and bicycle transportation modes on internal streets within the Santa Clara Station Focus Area.
- 5.4.3 -P16 Exempt intersections that do not provide a direct link to the Station and associated parking from the City-wide Level of Service standards for vehicles on a case-by-case basis or until alternate standards are adopted in conformance with the Prerequisite requirements.
- 5.4.3 -P17 Work with appropriate transportation agencies and surrounding cities to maximize rail and bus transit to and from the Station.
- 5.4.3 -P18 Retain Light Industrial and Office/Research and Development uses northeast of Coleman Avenue and De La Cruz Boulevard.
- 5.4.3 -P19 Exclude auto-oriented uses, drive-through establishments and Specified Regulated Businesses from the Santa Clara Station Focus Area.

- 5.4.3 -P20 Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the Santa Clara Station Focus Area.

5.4.4 Stevens Creek Boulevard Focus Area Goals and Policies

The Stevens Creek Boulevard Focus Area is located on the northern side of Stevens Creek Boulevard, at the southern border of the City between Winchester Boulevard and Lawrence Expressway. Just to the east of this Focus Area are Valley Fair Mall and Santana Row, both of which are regional commercial destinations. Like El Camino Real, Stevens Creek Boulevard is a major east-west arterial roadway, with local and regional-serving commercial uses. Sales of automobiles and durable goods, like furniture and recreational vehicles, are the primary businesses in this area and are integral to the corridor's vitality. Also, like El Camino Real, the older building stock, extensive signage, lack of landscaping and wide right-of-way in this Focus Area detract from the visual quality. Additionally, most of the area has relatively shallow parcels that abut single-family residential uses.

New development in the Focus Area will gradually replace existing development. New, non-residential development is expected with up to 0.6 FAR and higher-intensity, two- to three-story showrooms to maximize the use of smaller parcels and minimize conflicts with surrounding neighborhoods. Professional offices could be a secondary use to the primary retail commercial uses. The application of Transition policies, included in Section 5.5: Neighborhood Compatibility will address appropriate development scale, particularly on smaller lots, in order to promote compatibility between new development and existing residences. Vehicular access is a priority along Stevens Creek Boulevard to support the primary commercial uses, with transit access a priority for the mixed-use development planned near Saratoga Avenue and Stevens Creek Boulevard. Parking, loading and bus rapid transit, in conjunction with streetscape amenities, street trees and wider sidewalks illustrated on Figure 5.4-6 should be incorporated into the street design along the corridor. While the City expects that the land uses along the corridor will generally retain their auto-oriented character, the streetscape is expected to be improved to better accommodate multimodal travel including transit, pedestrian, and bicycle facilities.

Stevens Creek Boulevard Focus Area Goals

- 5.4.4 -G1 Stevens Creek Boulevard Focus Area retains its prominence as a regional destination for sales of vehicles and durable and large commodity goods.
- 5.4.4 -G2 Higher-intensity development concentrated adjacent to the Stevens Creek Boulevard right-of-way and near the intersection with Saratoga Avenue.
- 5.4.4 -G3 Retail uses along Stevens Creek Boulevard that are compatible with adjacent residential neighborhoods.
- 5.4.4 -G4 Vehicular and transit priority along Stevens Creek Boulevard.

Stevens Creek Boulevard Focus Area Policies

- 5.4.4 -P1 All density and intensity for new development should be consistent with the specified land use designation as defined for the Land Use Diagram classifications.
- 5.4.4 -P2 Provide appropriate transitions between new development and adjacent uses consistent with General Plan Transition Policies.
- 5.4.4 -P3 In cooperation with the City of San José, promote development and streetscape design

Figure 5.4-5
Stevens Creek Focus Area



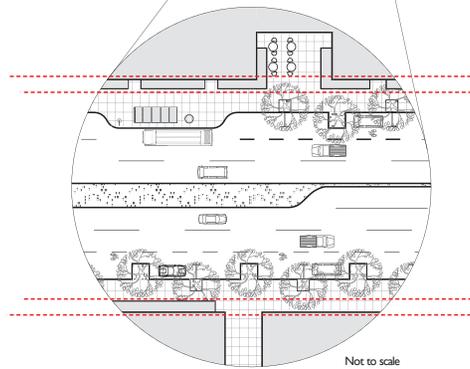
Legend

Land Uses Within the Focus Area

- Regional Commercial
- Neighborhood Mixed Use
- Community Mixed Use
- City Limits

Urban Design Features

- Focus Area Boundary
- Pedestrian Connection
- Pedestrian Orientation/Active Street Frontage
- Proposed Open Space (Not to scale)
- Tree-Lined Median
- Transition Zone
- Signature Streetscape
- Corridor Streetscape



Illustrative Streetscape for Regional Commercial Areas

Streetscapes are enhanced with street furniture, wayfinding signage, public art, a double row of street trees, bulb-outs and special paving at crosswalks. Plazas and public gathering spaces are located along the widened sidewalk. Streetscape design features and travel lane configurations shown are illustrative and do not preclude implementation of alternative street design to accommodate future transit and the like.

consistent with those illustrated in Figure 5.4-5.

- 5.4.4 -P4 Work with the City of San José to coordinate streetscape design standards for street trees, sidewalks and planted median islands.
- 5.4.4 -P5 Allow flexible sign standards to attract regional-serving retail businesses and to provide visibility for through traffic in the Stevens Creek Boulevard Focus Area.
- 5.4.4 -P6 For new mixed use development, residential uses should be located on upper floors, with active commercial uses at the ground level and oriented to Stevens Creek Boulevard.
- 5.4.4 -P7 Residential development should include front doors, windows, stoops, porches or bay windows along street frontages.
- 5.4.4 -P8 Provide private and common open space with all new residential development.
- 5.4.4 -P9 Provide internal pedestrian connections to surrounding neighborhoods and across Saratoga Avenue for new mixed-use development.
- 5.4.4 -P10 Promote multimodal transit accessibility at Stevens Creek Boulevard and Saratoga Avenue.
- 5.4.4 -P11 Work with Valley Transportation Authority to implement a Bus Rapid Transit or similar transit service along Stevens Creek Boulevard, retaining on-street parking and median islands for landscaping.
- 5.4.4 -P12 Encourage efficient use of land for retail uses through consolidated, shared and structured parking.
- 5.4.4 -P13 Provide adequate off-street loading areas that do not conflict with bicycle, transit or automobile movements for new commercial development.
- 5.4.4 -P14 Promote variably timed on-street parking and loading to accommodate business needs along the street, outside of vehicle lanes and median areas, if feasible.
- 5.4.4 -P15 Prohibit loading and unloading in residential areas and on residential streets.

5.4.5 Lawrence Station Focus Area Goals and Policies

Serving as one of the gateways from the west, the Lawrence Station Focus Area will become a vibrant, mixed use community conveniently located within a ½ mile of the Lawrence Caltrain Station. This Focus Area is bounded by Central Expressway on the north, Calabazas Creek to the east, Kifer Road to the south, and the City Limits to the west. At approximately 92 acres, this area is underutilized and developed with light industrial and office uses, some of which are vacant, with large expanses of surface parking lots.

The Lawrence Station Focus Area will be redeveloped into a lively neighborhood that contains a mix of housing, commercial, and open space. Providing a diversity of housing types in mid-rise buildings, this neighborhood will contain a mix of uses that address the basic needs of residents with easy access to transit due to its proximity to the Lawrence Caltrain Station. With the large concentration of jobs in the area, the Lawrence Station Focus Area can provide much needed housing to serve employees in and around the City. In addition, two open space areas will be developed on-site to provide residents with recreational opportunities and visual relief from the urban fabric. Direct connections from the area to the Caltrain Station will be incorporated, as well as linkages to the existing and proposed parks, schools, linear parks, and multi-use trails in the vicinity to promote a healthy lifestyle and provide opportunities to walk, bike, or take public transit to destinations. Emphasis will be placed on the public realm, where neighborhood streetscapes will have shade trees that create an intimate outdoor space, wide sidewalks, lighting, and other amenities to create a pedestrian-oriented environment.

Lawrence Expressway bisects the Focus Area, and the area east of the Expressway will include medium and high density residential, which is anticipated to occur in Phase II of General Plan implementation. Areas west of the site will remain as light industrial in Phase II and will be redeveloped into medium and high density residential in Phase III of the General Plan. At buildout, the Lawrence Station Focus Area will contain approximately 3,412 to 4,620 high density residential units, and 1,756 to 3,324 medium density residential units. Two neighborhood retail areas planned for the area are envisioned to provide essential daily services within walking distance of surrounding residents. Parking will be provided in structures and out of public view.

Lawrence Station Focus Area Goals

- 5.4.5 -G1 An urban neighborhood that contains a dynamic mix of housing types, supportive retail uses, and open spaces that are designed and maintained to enhance livability.
- 5.4.5 -G2 Adequate open space areas that serve as neighborhood focal points, providing for recreation, gathering, and socialization.
- 5.4.5 -G3 A variety of mobility choices with direct linkages to the nearby Lawrence Caltrain Station, parks, schools, open space areas and trails, encouraging walking, biking, and transit use.
- 5.4.5 -G4 New development that is compatible with surrounding uses and consistent with the proposed Lawrence Caltrain Station Area Plan in the City of Sunnyvale.

Lawrence Station Focus Area Policies

- 5.4.5 -P1 Create a gateway from the west to provide a sense of identity and arrival into the City.
- 5.4.5 -P2 Establish a mixed use neighborhood that contains a diversity of housing types, commercial and open space areas that are compatible with and integrated into the surrounding uses.
- 5.4.5 -P3 Provide two publically accessible open space areas within the Lawrence Station Focus Area that are accessible to all residents, adequate to meet their activity needs, and consistent with the General Plan requirements and other City regulations.
- 5.4.5 -P4 Ensure future connections from on-site open space areas to the existing and planned linear parks and multi-use trails in the proposed Lawrence Station Area Plan in Sunnyvale.
- 5.4.5 -P5 Incorporate direct linkages to the Lawrence Caltrain Station to promote transit use.
- 5.4.5 -P6 Coordinate with Caltrain and other transit providers to improve transit access, information to residents, and frequency to serve the Focus Area.
- 5.4.5 -P7 Provide a minimum of two areas of neighborhood retail that are conveniently located to meet the daily needs of residents and to maximize opportunities for walking or biking.
- 5.4.5 -P8 Require new buildings to maintain a consistent setback/build-to-line from the public right-of-way in order to create a well-defined public sidewalk and street.
- 5.4.5 -P9 Encourage residential buildings to be grouped to create effective outdoor spaces that respect the privacy of residents and adjacent uses.
- 5.4.5 -P10 Require that building facades and entrances directly face street frontages, with a high proportion of transparent windows facing the street for commercial uses.
- 5.4.5 -P11 Encourage sensitive design and site planning to minimize the scale of larger buildings through use of building massing, setbacks, façade articulation, fenestration, varied parapets and roof lines, and pedestrian-scaled architectural details.
- 5.4.5 -P12 Encourage parking to be located in structures to minimize its visibility from streets and public

spaces.

- 5.4.5 -P13 Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the Lawrence Station Focus Area.
- 5.4.5 -P14 Encourage new development to build to a green neighborhood rating standard.
- 5.4.5 -P15 Work with the City of Sunnyvale to ensure compatibility of new mixed use development in the Focus Area with the surrounding future uses in the Lawrence Station Area Plan.
- 5.4.5 -P16 Provide appropriate transitions between new development in the Focus Area and adjacent industrial uses and future development consistent with General Plan Transition Policies.
- 5.4.5 -P17 Require that future development in the Lawrence Station Focus Area be comprehensively planned through preparation of a specific plan and accompanying technical studies.
- 5.4.5 -P18 Allow higher residential densities through the specific plan process.

5.4.6 Tasman East Focus Area Goals and Policies

Located in the northern portion of the City, the Tasman East Focus Area will be a high density neighborhood that provides housing in close proximity to jobs, retail, services and entertainment. The Tasman East Focus Area is bounded by Lafayette Street to the west, Tasman Drive and the Santa Clara VTA Light Rail line to the south, Guadalupe River to the east and the Santa Clara Golf Course to the north. Currently, the Focus Area is underutilized and contains light industrial uses that include primarily low-scale (one- to two stories) tilt-up buildings. Surface parking is located along the street frontages.

At approximately 45 acres, this Focus Area will be transformed into a high density residential community with mid-rise buildings that are served by neighborhood commercial, shared open space areas, and structured parking. Densities will range from 37 to 50 units per gross acre, with the potential to accommodate up to 2,285 units and building heights of three to five stories. A minimum of 10.55 acres of park and open space areas will be provided to support recreational activities and social gathering.

The Focus Area provides for new housing opportunities close by and conveniently connected to jobs and services, encouraging alternative travel modes. Three public transportation providers serve the Focus Area, including the Santa Clara Valley Transportation Authority (VTA), providing both light rail and bus service at the Lick Mill and Tasman Station, as well as Amtrak and the Altamont Corridor Express (ACE) served by the Great America station. A safe and continuous network of pedestrian paths will be provided with enhanced streetscapes, landscaping, street furnishings and other pedestrian amenities that encourage residents to walk or bike to open space areas, retail uses, and nearby jobs. Connections will be provided to the Guadalupe River Trail and Ulistac Natural Area located along the eastern boundary of the Focus Area, San Thomas Aquino Creek Trail to the west, and to the surrounding open space areas. In addition, there will be pedestrian connections to the residential uses to the south to foster neighborhood interaction and activities.

Tasman East Focus Area Goals

- 5.4.6 -G1 A vibrant, high density neighborhood with integrated on-site open space, recreational amenities, and neighborhood serving commercial uses.
- 5.4.6 -G2 Convenient access to nearby employment, retail, services, entertainment, and other community supportive facilities and services.
- 5.4.6 -G3 Direct connections to transit, nearby trails and open space areas encouraging the use of alternative modes of transportation and fostering a healthy lifestyle.
- 5.4.6 -G4 New housing and supporting uses that are integrated with existing residential uses to the south

and compatible with former landfill uses in the north. **Tasman East Focus Area Policies**

- 5.4.6 -P1 Establish Tasman East as a high density residential neighborhood that provides residents with access to commercial services and open space located on-site and in the surrounding areas.
- 5.4.6 -P2 Provide direct linkages from Tasman East to the Santa Clara Valley Transportation Authority, Amtrak, and Altamont Corridor Express stations and transit stops to promote transit use for access to services and jobs.
- 5.4.6 -P3 Work with appropriate transportation agencies, businesses, and surrounding cities to maximize rail and bus transit to and from the stations.
- 5.4.6 -P4 Promote pedestrian-friendly design that includes features such as shade trees, streetscapes that contain lighting and landscaping, street furniture, pedestrian and bike paths, limited driveway curb cuts, traffic-calming features, and pedestrian street crossings.
- 5.4.6 -P5 Provide publicly accessible open space within the Tasman East Focus Area that is accessible to all residents, adequate to meet their activity needs, and consistent with the General Plan requirements and other City regulations.
- 5.4.6 -P6 Ensure new residential development contains public open spaces that are connected by trails and bikeways, and to other open space networks such as the Guadalupe River Trail, Ulistac Natural Area, San Thomas Aquino Creek Trail, and the Santa Clara Golf and Tennis Club.
- 5.4.6 -P7 Provide for future connections, which encourage walking and bicycling, to the new development in the north when it is redeveloped to promote accessibility between the two areas.
- 5.4.6 -P8 Discourage new development that has an adverse impact on public services such as schools.
- 5.4.6 -P9 Provide appropriate transition between new development in the Tasman East Focus Area and adjacent residential uses consistent with General Plan Transition Policies.
- 5.4.6 -P10 Conduct a study to determine if a buffer is needed between sensitive development in Tasman East and the former landfill to the north.
- 5.4.6 -P11 Require new buildings to maintain a consistent setback/build-to-line from the public right-of-way in order to create a well-defined public sidewalk and street.
- 5.4.6 -P12 Encourage residential buildings to be grouped to create effective outdoor space that respect the privacy of residents and adjacent uses.
- 5.4.6 -P13 Require that building facades and entrances directly face street frontages, with a high proportion of transparent windows facing the street for nonresidential uses.
- 5.4.6 -P14 Encourage sensitive design and site planning to minimize the scale of larger buildings through use of building massing, setbacks, façade articulation, fenestration, varied parapets and roof lines, and pedestrian-scaled architectural details.
- 5.4.6 -P15 Encourage parking to be located in structures to minimize their visibility from streets and public spaces.
- 5.4.6 -P16 Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the Tasman East Focus Area.
- 5.4.6 -P17 Encourage new development to build to a green neighborhood rating standard.
- 5.4.6 -P18 Require new development to comply with the local floodplain management ordinance to ensure

the safety of residents.

- 5.4.6 -P19 Require that future development in the Tasman East Focus Area be comprehensively planned through preparation of a specific plan and accompanying technical studies.
- 5.4.6 -P20 Allow higher residential densities through the specific plan process.

5.4.7 Future Focus Areas Goals and Policies

Future Focus Areas are identified for Phase III of the General Plan. Each of these areas requires additional planning as prerequisites for development. Future Focus Areas are located north of the Caltrain corridor, adjacent to existing transit hubs or along major transportation corridors. The Future Focus Areas represent a change from existing underutilized office and industrial uses to higher-density residential and mixed-use neighborhoods with a full complement of supportive services. Careful planning of each area is essential to ensure the provision of adequate infrastructure and services, an appropriate interface with surrounding development and access to transit, open space and recreation. The Future Focus Areas are delineated by a red outline in Figure 5.4-1 and include:

- Freedom Circle

The Land Use Diagram designates future land uses and their location for each Future Focus Area. Confirmation and/or changes to these land use designations will occur in the context of the comprehensive planning process required as a prerequisite for residential development in any of these areas. General Plan Goals and Policies for the Future Focus Areas provide a guide for these planning efforts.

5.4 FOCUS AREAS

Focus Areas are an important component of the General Plan. The goals, policies and illustrations for these areas provide guidance for development. Focus Areas have the potential to significantly define the City's identity. These areas include major corridors and destinations, new centers of activity around transit stations, and new residential neighborhoods. Because of their integral location, changes in these areas offer an opportunity to implement the General Plan Major Strategies to enhance the City's quality of life and foster economic vitality. Focus Area design and land use policies are in addition to the City-wide land use policies included in Section 5.2: Land Use.

The General Plan has nine Focus Areas, listed below. These include three Focus Areas south of the Caltrain corridor and one Future Focus Areas north of the Caltrain corridor, as shown in Figure 5.4-1. Focus Areas represent locations with opportunities for more intense development with limited impact on existing neighborhoods. Future Focus Areas are only identified for Phases II and III of the Plan and require conformance with the applicable Prerequisite Policies in Section 5.1: Prerequisites, including approval of a comprehensive plan for each area, prior to implementation.

Focus Areas

- El Camino Real Focus Area
- Santa Clara Station Focus Area
- Stevens Creek Boulevard Focus Area

Figure 5.4-1
Focus Areas (2035)

- Focus Areas
- Future Focus Areas
- Rail & Light Rail
- Stations
- City Limits
- Creek
- Trail
- Proposed Trail



Future Focus Areas

- Freedom Circle Focus Area

The following sections provide descriptions, including the associated goals and policies, of each of the six, near-term Focus Areas, along with existing conditions, proposed land uses and priorities for alternate transportation modes. Future Focus Areas are discussed in general terms, with goals and policies to guide future planning in these areas.

5.4.1 El Camino Real Focus Area Goals and Policies

The El Camino Real Focus Area is the City's most visible and identifiable commercial corridor. As a primary east-west route and State highway, it is central to, and provides commercial services for, many of the City's residential neighborhoods. Because most properties were developed in the 1950-60s and are presently underutilized, this corridor provides a unique opportunity for revitalization that could positively define this corridor and promote the City's economic vitality.

Development along El Camino Real is currently comprised of a mix of small-scale auto-oriented commercial uses and services and mid- to large-scale strip mall developments. A wide, high-speed right-of-way, coupled with inconsistent landscaping and narrow sidewalks, reduces pedestrian accessibility. Building heights are generally one story, with parking located towards the street edge. Many of the properties within the Focus Area are relatively shallow, close to single-family neighborhoods, limiting the potential for high-intensity development.

The General Plan vision for El Camino Real is to transform this Focus Area from a series of automobile-oriented strip-malls to a tree-lined, pedestrian- and transit-oriented corridor with a mix of residential and retail uses. Larger properties, designated as Regional Mixed Use and located at key intersections, will provide the primary catalyst for this transformation. These properties provide opportunities for commercial and transit destinations, with an emphasis on mixed-use and higher-intensity development. Pedestrian-oriented retail at these locations can provide services for surrounding neighborhoods. Higher-density residential at appropriate locations and enhanced streetscape design will encourage pedestrian movement and transit use. Pedestrian pathways will foster walkability and improve access to transit, stores, restaurants and neighborhood schools. Connections to surrounding neighborhoods will also encourage neighborhood activities.

The Regional Mixed Use designation should be developed with a minimum 0.15 FAR for commercial uses. Overall development heights would typically be between three and five stories. Transition Goals and Policies in Section 5.5.2, in conjunction with the El Camino Real Focus Area Policies, require that this development respect the scale and character of adjacent residential uses to promote neighborhood compatibility. Design elements, like wide sidewalks, special paving materials and signature landscaping, will help define these areas as pedestrian- and transit-friendly. The plan on Figure 5.4-2 illustrates these concepts.

The predominate designation on properties located between the larger Regional Mixed Use designated properties, is Community Mixed Use. Within the El Camino Real Focus Area, this designation may be implemented consistent with either Community Commercial, or Medium Density Residential, or a combination of both. Future development in these areas would be characterized by lower-intensity mixed-, or single-use, development with signature landscaping, streetscape design, signage and public art, to contribute to the area's identity of this Focus Area. Building design and scale should represent the City's historic character, with two- and three-story structures and special attention to articulation and proportion. The area can serve as a gateway into the City and help define a boundary for the City's historic core. Pedestrian connections to the Downtown and Old Quad should be emphasized. Again, General Plan Transition Goals and Policies would apply throughout the El Camino Real Focus Area.

Transit, including a Bus Rapid Transit or similar facility, is envisioned along the entire corridor and would take priority over single occupancy vehicles. Within Regional Mixed Use developments, transit, bicycle and pedestrian circulation would have priority. To support this emphasis, intersections in the El Camino Real Focus Area may be exempted from the City-wide LOS standard for vehicles on a case-by-case basis until the City completes the prerequisite for an alternate Level of Service under Policies 5.1.1-P12, P13, and P14. This corridor should emphasize levels of service for pedestrian and transit circulation rather than single-occupancy vehicles.

El Camino Real Focus Area Goals

- 5.4.1-G1 An economically viable mix of uses along El Camino Real that attracts upscale retail uses.
- 5.4.1 -G2 High quality design that respects the scale and character of adjacent residential neighborhoods and historic resources and creates a walkable environment.
- 5.4.1 -G3 Concentration of higher-intensity commercial and residential development at key intersections with Regional Mixed Use designations.
- 5.4.1 -G4 Pedestrian, bicycle and transit priority for mobility in the El Camino Real Focus Area.

El Camino Real Focus Area Policies

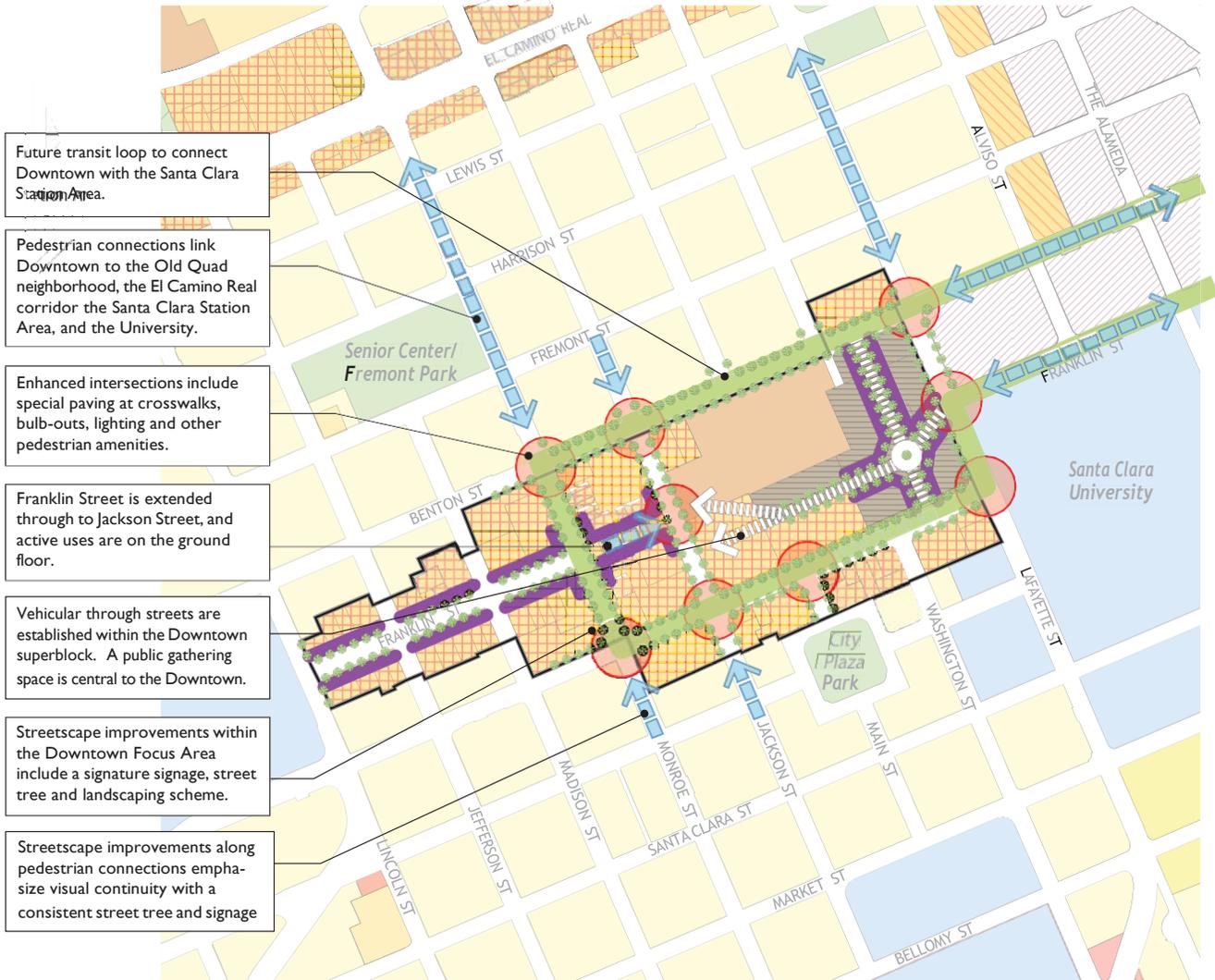
- 5.4.1 -P1 Require that the mix of uses is consistent with the Regional Mixed Use land use classification and that development is pedestrian-oriented, with enhanced streetscapes, publicly accessible open space and plazas, and connections to surrounding neighborhoods.
- 5.4.1 -P2 Allow new development under the Community Mixed Use designation for exclusively residential or commercial uses provided that it meets the minimum requirements for the Medium Density Residential or Community Commercial land use classifications.
- 5.4.1 -P3 Allow a ten percent increase in the maximum residential density if access to regularly scheduled transit to the Santa Clara Station, Lawrence Station and employment centers north of the Caltrain corridor is within one-quarter mile.
- 5.4.1 -P4 Explore allowing higher densities/intensities at key intersections where there are parcels of significant size with primary access to sites, provided that new development will not have an adverse impact on the existing, adjacent residential neighborhoods.
- 5.4.1 -P5 Provide appropriate transition between new development in the Focus Area and adjacent uses consistent with General Plan Transition Policies.
- 5.4.1 -P6 Encourage lower profile development, in areas designated for Community Mixed Use in order to minimize land use conflicts with existing neighborhoods.

- 5.4.1 -P7 Require provision of open space, or payment of in-lieu fees for open space, consistent with City regulations to adequately serve new development.
- 5.4.1 -P8 Orient ground floor retail and residential entries to the public sidewalk on El Camino Real.
- 5.4.1 -P9 Residential development should include front doors, windows, stoops, porches, and bay windows or balconies along street frontages.
- 5.4.1 -P10 Encourage structured and below-grade, rather than surface, parking in new development, to ensure that space at the ground level is devoted to active uses.
- 5.4.1 -P11 Locate parking at the side or rear of parcels and active uses along street frontages.
- 5.4.1 -P12 Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the El Camino Real Focus Area.
- 5.4.1 -P13 Encourage the retention of on-street parking, particularly adjacent to Community Mixed Use designated properties.
- 5.4.1 -P14 Encourage public art, special signage, banners and landscaping throughout the Focus Area, including features that would connect the corridor with Downtown.
- 5.4.1 -P15 Provide publicly accessible open space and transit stops in each Regional Mixed-Use area.
- 5.4.1 -P16 Facilitate the implementation of streetscape improvements consistent with those illustrations in Figures 5.4-2.
- 5.4.1 -P17 Explore options with Caltrans to relinquish the El Camino Real right-of-way to the City of Santa Clara.
- 5.4.1 -P18 Work with Valley Transportation Authority to improve transit access, information and frequency along El Camino Real, including the implementation of a Bus Rapid Transit or similar transit service near Regional Mixed-Use areas.
- 5.4.1 -P19 Work with Valley Transportation Authority and Caltrans toward a roadway design for El Camino Real that includes narrower and/or reduced travel lanes, enhanced pedestrian facilities, wider sidewalks, street trees, planted medians, and enhanced signage and lighting, as well as transit and bicycle lanes without increasing overall right-of-way requirements.
- 5.4.1 -P20 Exempt El Camino Real intersections within this Focus Area from the City-wide Level of Service standard for vehicles on a case-by-case basis or until an alternate standard is adopted in conformance with the Prerequisite requirements.
- 5.4.1 -P21 Exclude Specified Regulated Businesses from the El Camino Real Focus Area, except under certain circumstances within the Community Mixed-Use designation.
- 5.4.1 -P22 Exclude new auto oriented uses and drive through establishments from the El Camino Real Focus Area, except new service stations may be approved under the Community Mixed-Use designation provided that the total number of service stations between Lawrence Expressway and Lafayette Street does not exceed the number existing as of January 1, 2010.
- 5.4.1 -P23 Prepare a precise plan for the segment of El Camino Real between Scott Boulevard and the western City limits to ensure new development is coordinated and its design is consistent with what is envisioned for the Focus Area.

5.4.2 Downtown Focus Area Goals and Policies



Figure 5.4-3
Downtown Focus Area



Legend

Land Uses Within the Focus Area

- High Density Residential
- Community Mixed Use
- Downtown Core

Urban Design Features

- Focus Area Boundary
- Potential Street
- Pedestrian Connection
- Pedestrian Orientation/Active Street Frontage
- Enhanced Intersection
- Transition Zone
- Signature Streetscape
- Downtown / BART Transit Loop



Located in the historic Old Quad neighborhood and near both Santa Clara University and the Santa Clara Transit Station, a revitalized Downtown will provide a focal point for the City. The Downtown Focus Area includes the two blocks of Franklin Square and eight former blocks previously consolidated under the Federal Urban Renewal program in the 1960s. Properties adjacent to this core area also offer opportunities for a mix of commercial and residential uses that would support a compact and walkable district. A Downtown Plan for a portion of the area was endorsed by the City Council in 2007 to serve as a catalyst for revitalization. A unique Downtown destination will serve both local and regional interests. The vision, as illustrated on the conceptual plan in Figure 5.4-3, includes boutique shopping, restaurants, public gathering places and civic venues, as well as a transit loop connection to the Santa Clara Station Area, in order to promote increased pedestrian activity.

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

Throughout the Downtown Focus Area, pedestrian and bicycle circulation should be promoted in lieu of increasing vehicular travel lanes. Streets in this Focus Area may be exempt from the City-wide vehicle level of service on a case-by-case basis until the City completes the Prerequisite for an alternative Level of Service under Policies 5.1.1-P12, P13 and P14. Connections to nearby destinations, such as Santa Clara Station, Santa Clara University, the Old Quad neighborhood and City Hall, should be emphasized for pedestrian movement. The Downtown Focus Area includes a future transit loop to connect the Downtown to these areas.

Downtown Focus Area Goals

- 5.4.2 -G1 A Downtown that serves as a primary, pedestrian-oriented commercial and cultural destination.
- 5.4.2 -G2 New Downtown development that is integrated with older existing development with respect to intensity, scale and character.
- 5.4.2 -G3 Higher-intensity development that is concentrated in the area designated as Downtown Core.
- 5.4.2 -G4 Pedestrian and transit priority for mobility in the Downtown Focus Area.

Downtown Focus Area Policies

- 5.4.2 -P1 Establish Downtown as a destination, with a mix of entertainment and cultural activities, eating and drinking establishments, local-serving office and commercial uses, residential development, and public spaces.
- 5.4.2 -P2 Consider relocating existing City offices to the Downtown Focus Area, and establishing a Civic Center with high density residential uses. Replace existing City offices with senior and affordable housing.
- 5.4.2 -P3 Allow new development under the Community Mixed Use designation on properties of less than one-half acre for exclusive residential or commercial uses provided that it meets the minimum

requirements for the Medium Density Residential or Community Commercial land use classifications.

- 5.4.2 -P4 Allow a maximum combined residential and commercial Floor Area Ratio of 2.0 within the Downtown Core area as delineated on Figure 5.4-4.
- 5.4.2 -P5 Encourage the development of a public square to promote Downtown activity and community orientation.
- 5.4.2 -P6 Encourage public spaces and art throughout Downtown to support pedestrian activity and gathering places.
- 5.4.2 -P7 Apply the General Plan Transition and Historic Preservation policies for new development at the edges of Downtown in order to respect the scale and character of the adjacent historic Old Quad neighborhood.
- 5.4.2 -P8 Transition development west of El Camino Real with no more than two to three stories adjacent to existing residential development.
- 5.4.2 -P9 Consider transferring density from the western portion and edges of Downtown (to minimize impacts to existing residential uses) to the eastern portion of the Focus Area to take advantage of its proximity to the Caltrain station and future BART station.
- 5.4.2 -P10 Integrate established and new uses through pedestrian connections, streetscape, and complementary architecture and site design.
- 5.4.2 -P11 For new mixed-use development, locate medium- and high-density residential uses on upper floors with active retail uses at ground level and oriented to street frontages.
- 5.4.2 -P12 Residential development should include front doors, windows, stoops, porches, bay windows or balconies along street frontages.
- 5.4.2 -P13 Explore allowing live-work spaces to enhance Downtown as an artist district.
- 5.4.2 -P14 Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the Downtown Focus Area.
- 5.4.2 -P15 Encourage parking consolidation and alternate parking provisions within Downtown.
- 5.4.2 -P16 Minimize surface parking and require parking below-grade or in structures that have active uses along street frontages.
- 5.4.2 -P17 Promote pedestrian-friendly streetscapes with trees, benches, outdoor seating, kiosks, amenities, banners and signature signage, and landscaping that reflect the historic neighborhood character.
- 5.4.2 -P18 Facilitate the implementation of streetscape improvements consistent with those illustrated in Figure 5.4-4.
- 5.4.2 -P19 Exempt Downtown intersections within this Focus Area from the City-wide Level of Service standard for vehicles on a case-by-case basis or until an alternate standard is adopted in conformance with the Prerequisite requirements.
- 5.4.2 -P20 Work with Valley Transportation Authority (VTA) to implement a Downtown loop for transit access to Santa Clara Station.
- 5.4.2 -P21 Exclude auto-oriented uses, drive-through establishments and Specified Regulated Businesses from the Downtown Focus Area.

5.4.3 Santa Clara Station Focus Area Goals and Policies

The Santa Clara Station Focus Area is the 244-acre portion located within the City of Santa Clara of a larger, multi-jurisdictional planning area. As illustrated on Figure 5.4-5, the area is generally bounded by De La Cruz Boulevard, Reed Street, and Martin Avenue to the northeast, and Franklin Street and El Camino Real to the southwest. At the center of this area is the existing Santa Clara Transit Station, which is served by Caltrain, Altamont Commuter Express, and Valley Transportation Authority (VTA) bus service. The Station, itself will include the Bay Area Rapid Transit (BART) terminus of the planned Fremont, San José and Santa Clara extension, as well as a future Automated People Mover to the Norman Y. Mineta San José International Airport (Airport). The Station will be a major transit hub for the Bay Area and supports the Major Strategies to promote sustainability and economic vitality.

Existing development of low-intensity retail, office, residential and light industrial uses along El Camino Real would generally be replaced by larger scale, mixed-use development. The Santa Clara Station Focus Area will serve as a gateway into the City, improve the City's economic base with expanded office, hotel and retail uses, maximize opportunities for residential development and provide improved pedestrian, bicycle and transit connections.

The vision for the Santa Clara Station Focus Area, defined in detail on Figure 5.4-5, offers an opportunity to establish a new gateway into the City, as well as to expand the City's economic base with new office, hotel and retail uses and add high-density residential development in order to maximize the use of existing and planned transit. The Santa Clara Station Focus Area is planned for mixed-use, transit-oriented development, including a central roadway, or "main street" to provide connections within the area and link a series of public spaces. Higher-intensity mixed-use adjacent to the Station could be developed at the maximum height regulated by the Federal Aviation Administration. Building intensity and height would be reduced to a smaller-scale for residential uses in proximity to the Old Quad neighborhood and Downtown Focus Area. Approximately 1,650 new residential units and 2,000,000 square feet of non-residential uses, including hotels, are expected. Discretionary Use and Transition Policies apply to the Santa Clara Station Focus Area.

Within the Santa Clara Station Focus Area, pedestrian and bicycle circulation have priority and may be exempt from the City-wide level of service for vehicles on a case-by-case basis until the City completes the Prerequisite for an alternate Level of Service under Policies 5.1.1-P12, P13 and P14. Roadways within this Focus Area, such as Coleman Avenue and De La Cruz Boulevard, that provide access to the Santa Clara Transit Station and associated parking facilities, however, would be subject to the vehicle level of service standards.

Santa Clara Station Focus Area Goals

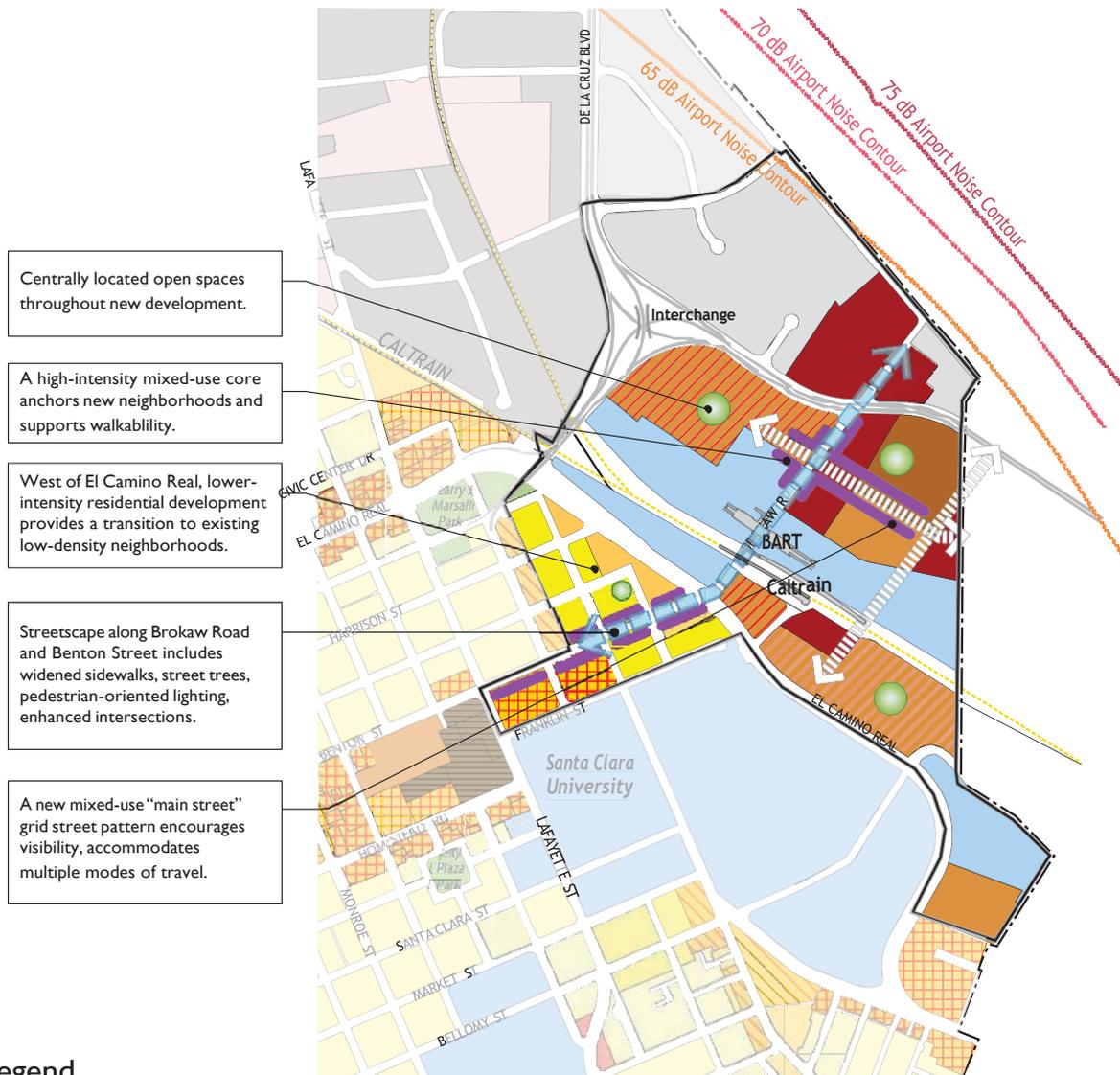
- 5.4.3 -G1 Development in proximity to the Santa Clara Station that capitalizes on transit and results in high intensity uses.
- 5.4.3 -G2 A mix of uses, with emphasis on office, hotel and residential development.
- 5.4.3 -G3 A link between the Santa Clara Station and a variety of transit options that offer viable transportation alternatives throughout the City and the region.
- 5.4.3 -G4 Pedestrian and bicycle priority within the Santa Clara Station Focus Area with transit and vehicular priority to access the Station.

Santa Clara Station Focus Area Policies

- 5.4.3 -P1 Allow a range of development intensities, with the potential for up to 3.0 Floor Area Ratio, for



Figure 5.4-4
Santa Clara Station Focus Area



- Centrally located open spaces throughout new development.
- A high-intensity mixed-use core anchors new neighborhoods and supports walkability.
- West of El Camino Real, lower-intensity residential development provides a transition to existing low-density neighborhoods.
- Streetscape along Brokaw Road and Benton Street includes widened sidewalks, street trees, pedestrian-oriented lighting, enhanced intersections.
- A new mixed-use "main street" grid street pattern encourages visibility, accommodates multiple modes of travel.

Legend

Land Uses Within the Focus Area

- Santa Clara Station Low Density Residential (8-18 du/ac)
- Santa Clara Station Medium Density Residential (19-36 du/ac)
- Santa Clara Station High Density Residential (37-50 du/ac)
- Santa Clara Station Very High Density Residential (51-90 du/ac)
- Santa Clara Station Regional Commercial (up to 3.0 FAR) (with an emphasis on office and hotel uses)
- Santa Clara Station Regional Mixed Use (Santa Clara Station Regional Commercial + Santa Clara Station High Density Residential) (with an emphasis on residential and commercial uses)
- Santa Clara Station Community Mixed Use Commercial (up to 0.45 FAR) + Santa Clara Station Medium Density Residential
- Santa Clara Station Public/Quasi Public (Intensity based on policies 5.3.1, 5.5.1 and 5.9.2)
- Santa Clara Station Light Industrial (up to 0.6 FAR)
- City Limits



Urban Design Features

- Focus Area Boundary
- Potential Street
- Pedestrian Connection
- Pedestrian Orientation/Active Street Frontage
- Proposed Open Space (Not to scale)

the area northeast of El Camino Real.

- 5.4.3 -P2 Maximize residential development within walking distance of the Station, particularly on the northeast side of the Caltrain corridor.
- 5.4.3 -P3 Provide pedestrian-oriented ground floor uses and a network of parks and public spaces to serve both residential and non-residential development.
- 5.4.3 -P4 Encourage the development of centrally located public open space of approximately 1.5 acres to serve Santa Clara Station Focus Area residents and employees.
- 5.4.3 -P5 Provide approximately of 7.0 acres of publicly accessible open space within the area designated for residential and/or commercial uses.
- 5.4.3 -P6 Provide pedestrian-oriented retail uses to serve new residential development, Station visitors and area employees.
- 5.4.3 -P7 Provide appropriate transition between new development and adjacent uses consistent with General Plan Transition Policies.
- 5.4.3 -P8 Facilitate the implementation of development and infrastructure improvements using Figure 5.4-5 as a guide for projects and streetscapes in the Santa Clara Station Focus Area.
- 5.4.3 -P9 Encourage streetscape design with street trees, wider sidewalks, pedestrian-oriented lighting, curb bulb-outs and special paving and/or striping within the Focus Area to emphasize accessibility.
- 5.4.3 -P10 Orient building street frontages to the ground level with residential entries, stoops and windows, and commercial store fronts.
- 5.4.3 -P11 Encourage parking consolidation, alternate parking arrangements or reduced parking ratio within the Santa Clara Station Focus Area to promote the use of alternate transportation modes.
- 5.4.3 -P12 Minimize surface parking by requiring below-grade or structured parking facilities with active uses along street frontages.
- 5.4.3 -P13 Provide new street, bicycle and pedestrian networks that encourage visibility, accommodate multiple modes of travel and maximize connections, particularly through large sites and to the Downtown and Santa Clara University.
- 5.4.3 -P14 Encourage alternative modes of travel to and from the Station, including biking, walking and shuttles.
- 5.4.3 -P15 Prioritize vehicular and transit transportation modes on roadways, such as Coleman Avenue and De La Cruz Boulevard, that provide access to the Station and prioritize pedestrian and bicycle transportation modes on internal streets within the Santa Clara Station Focus Area.
- 5.4.3 -P16 Exempt intersections that do not provide a direct link to the Station and associated parking from the City-wide Level of Service standards for vehicles on a case-by-case basis or until alternate standards are adopted in conformance with the Prerequisite requirements.
- 5.4.3 -P17 Work with appropriate transportation agencies and surrounding cities to maximize rail and bus transit to and from the Station.
- 5.4.3 -P18 Retain Light Industrial and Office/Research and Development uses northeast of Coleman Avenue and De La Cruz Boulevard.
- 5.4.3 -P19 Exclude auto-oriented uses, drive-through establishments and Specified Regulated Businesses from the Santa Clara Station Focus Area.

- 5.4.3 -P20 Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the Santa Clara Station Focus Area.

5.4.4 Stevens Creek Boulevard Focus Area Goals and Policies

The Stevens Creek Boulevard Focus Area is located on the northern side of Stevens Creek Boulevard, at the southern border of the City between Winchester Boulevard and Lawrence Expressway. Just to the east of this Focus Area are Valley Fair Mall and Santana Row, both of which are regional commercial destinations. Like El Camino Real, Stevens Creek Boulevard is a major east-west arterial roadway, with local and regional-serving commercial uses. Sales of automobiles and durable goods, like furniture and recreational vehicles, are the primary businesses in this area and are integral to the corridor's vitality. Also, like El Camino Real, the older building stock, extensive signage, lack of landscaping and wide right-of-way in this Focus Area detract from the visual quality. Additionally, most of the area has relatively shallow parcels that abut single-family residential uses.

New development in the Focus Area will gradually replace existing development. New, non-residential development is expected with up to 0.6 FAR and higher-intensity, two- to three-story showrooms to maximize the use of smaller parcels and minimize conflicts with surrounding neighborhoods. Professional offices could be a secondary use to the primary retail commercial uses. The application of Transition policies, included in Section 5.5: Neighborhood Compatibility will address appropriate development scale, particularly on smaller lots, in order to promote compatibility between new development and existing residences. Vehicular access is a priority along Stevens Creek Boulevard to support the primary commercial uses, with transit access a priority for the mixed-use development planned near Saratoga Avenue and Stevens Creek Boulevard. Parking, loading and bus rapid transit, in conjunction with streetscape amenities, street trees and wider sidewalks illustrated on Figure 5.4-6 should be incorporated into the street design along the corridor. While the City expects that the land uses along the corridor will generally retain their auto-oriented character, the streetscape is expected to be improved to better accommodate multimodal travel including transit, pedestrian, and bicycle facilities.

Stevens Creek Boulevard Focus Area Goals

- 5.4.4 -G1 Stevens Creek Boulevard Focus Area retains its prominence as a regional destination for sales of vehicles and durable and large commodity goods.
- 5.4.4 -G2 Higher-intensity development concentrated adjacent to the Stevens Creek Boulevard right-of-way and near the intersection with Saratoga Avenue.
- 5.4.4 -G3 Retail uses along Stevens Creek Boulevard that are compatible with adjacent residential neighborhoods.
- 5.4.4 -G4 Vehicular and transit priority along Stevens Creek Boulevard.

Stevens Creek Boulevard Focus Area Policies

- 5.4.4 -P1 All density and intensity for new development should be consistent with the specified land use designation as defined for the Land Use Diagram classifications.
- 5.4.4 -P2 Provide appropriate transitions between new development and adjacent uses consistent with General Plan Transition Policies.
- 5.4.4 -P3 In cooperation with the City of San José, promote development and streetscape design

Figure 5.4-5
Stevens Creek Focus Area



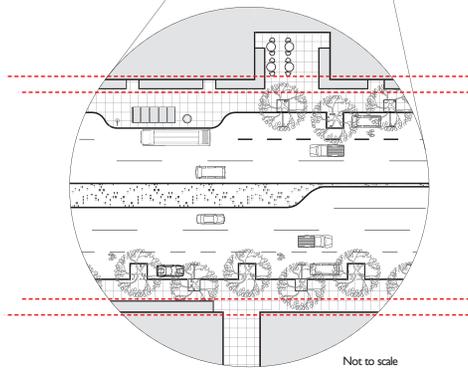
Legend

Land Uses Within the Focus Area

- Regional Commercial
- Neighborhood Mixed Use
- Community Mixed Use
- City Limits

Urban Design Features

- Focus Area Boundary
- Pedestrian Connection
- Pedestrian Orientation/Active Street Frontage
- Proposed Open Space (Not to scale)
- Tree-Lined Median
- Transition Zone
- Signature Streetscape
- Corridor Streetscape



Illustrative Streetscape for Regional Commercial Areas

Streetscapes are enhanced with street furniture, wayfinding signage, public art, a double row of street trees, bulb-outs and special paving at crosswalks. Plazas and public gathering spaces are located along the widened sidewalk. Streetscape design features and travel lane configurations shown are illustrative and do not preclude implementation of alternative street design to accommodate future transit and the like.

consistent with those illustrated in Figure 5.4-5.

- 5.4.4 -P4 Work with the City of San José to coordinate streetscape design standards for street trees, sidewalks and planted median islands.
- 5.4.4 -P5 Allow flexible sign standards to attract regional-serving retail businesses and to provide visibility for through traffic in the Stevens Creek Boulevard Focus Area.
- 5.4.4 -P6 For new mixed use development, residential uses should be located on upper floors, with active commercial uses at the ground level and oriented to Stevens Creek Boulevard.
- 5.4.4 -P7 Residential development should include front doors, windows, stoops, porches or bay windows along street frontages.
- 5.4.4 -P8 Provide private and common open space with all new residential development.
- 5.4.4 -P9 Provide internal pedestrian connections to surrounding neighborhoods and across Saratoga Avenue for new mixed-use development.
- 5.4.4 -P10 Promote multimodal transit accessibility at Stevens Creek Boulevard and Saratoga Avenue.
- 5.4.4 -P11 Work with Valley Transportation Authority to implement a Bus Rapid Transit or similar transit service along Stevens Creek Boulevard, retaining on-street parking and median islands for landscaping.
- 5.4.4 -P12 Encourage efficient use of land for retail uses through consolidated, shared and structured parking.
- 5.4.4 -P13 Provide adequate off-street loading areas that do not conflict with bicycle, transit or automobile movements for new commercial development.
- 5.4.4 -P14 Promote variably timed on-street parking and loading to accommodate business needs along the street, outside of vehicle lanes and median areas, if feasible.
- 5.4.4 -P15 Prohibit loading and unloading in residential areas and on residential streets.

5.4.5 Lawrence Station Focus Area Goals and Policies

Serving as one of the gateways from the west, the Lawrence Station Focus Area will become a vibrant, mixed use community conveniently located within a ½ mile of the Lawrence Caltrain Station. This Focus Area is bounded by Central Expressway on the north, Calabazas Creek to the east, Kifer Road to the south, and the City Limits to the west. At approximately 92 acres, this area is underutilized and developed with light industrial and office uses, some of which are vacant, with large expanses of surface parking lots.

The Lawrence Station Focus Area will be redeveloped into a lively neighborhood that contains a mix of housing, commercial, and open space. Providing a diversity of housing types in mid-rise buildings, this neighborhood will contain a mix of uses that address the basic needs of residents with easy access to transit due to its proximity to the Lawrence Caltrain Station. With the large concentration of jobs in the area, the Lawrence Station Focus Area can provide much needed housing to serve employees in and around the City. In addition, two open space areas will be developed on-site to provide residents with recreational opportunities and visual relief from the urban fabric. Direct connections from the area to the Caltrain Station will be incorporated, as well as linkages to the existing and proposed parks, schools, linear parks, and multi-use trails in the vicinity to promote a healthy lifestyle and provide opportunities to walk, bike, or take public transit to destinations. Emphasis will be placed on the public realm, where neighborhood streetscapes will have shade trees that create an intimate outdoor space, wide sidewalks, lighting, and other amenities to create a pedestrian-oriented environment.

Lawrence Expressway bisects the Focus Area, and the area east of the Expressway will include medium and high density residential, which is anticipated to occur in Phase II of General Plan implementation. Areas west of the site will remain as light industrial in Phase II and will be redeveloped into medium and high density residential in Phase III of the General Plan. At buildout, the Lawrence Station Focus Area will contain approximately 3,412 to 4,620 high density residential units, and 1,756 to 3,324 medium density residential units. Two neighborhood retail areas planned for the area are envisioned to provide essential daily services within walking distance of surrounding residents. Parking will be provided in structures and out of public view.

Lawrence Station Focus Area Goals

- 5.4.5 -G1 An urban neighborhood that contains a dynamic mix of housing types, supportive retail uses, and open spaces that are designed and maintained to enhance livability.
- 5.4.5 -G2 Adequate open space areas that serve as neighborhood focal points, providing for recreation, gathering, and socialization.
- 5.4.5 -G3 A variety of mobility choices with direct linkages to the nearby Lawrence Caltrain Station, parks, schools, open space areas and trails, encouraging walking, biking, and transit use.
- 5.4.5 -G4 New development that is compatible with surrounding uses and consistent with the proposed Lawrence Caltrain Station Area Plan in the City of Sunnyvale.

Lawrence Station Focus Area Policies

- 5.4.5 -P1 Create a gateway from the west to provide a sense of identity and arrival into the City.
- 5.4.5 -P2 Establish a mixed use neighborhood that contains a diversity of housing types, commercial and open space areas that are compatible with and integrated into the surrounding uses.
- 5.4.5 -P3 Provide two publically accessible open space areas within the Lawrence Station Focus Area that are accessible to all residents, adequate to meet their activity needs, and consistent with the General Plan requirements and other City regulations.
- 5.4.5 -P4 Ensure future connections from on-site open space areas to the existing and planned linear parks and multi-use trails in the proposed Lawrence Station Area Plan in Sunnyvale.
- 5.4.5 -P5 Incorporate direct linkages to the Lawrence Caltrain Station to promote transit use.
- 5.4.5 -P6 Coordinate with Caltrain and other transit providers to improve transit access, information to residents, and frequency to serve the Focus Area.
- 5.4.5 -P7 Provide a minimum of two areas of neighborhood retail that are conveniently located to meet the daily needs of residents and to maximize opportunities for walking or biking.
- 5.4.5 -P8 Require new buildings to maintain a consistent setback/build-to-line from the public right-of-way in order to create a well-defined public sidewalk and street.
- 5.4.5 -P9 Encourage residential buildings to be grouped to create effective outdoor spaces that respect the privacy of residents and adjacent uses.
- 5.4.5 -P10 Require that building facades and entrances directly face street frontages, with a high proportion of transparent windows facing the street for commercial uses.
- 5.4.5 -P11 Encourage sensitive design and site planning to minimize the scale of larger buildings through use of building massing, setbacks, façade articulation, fenestration, varied parapets and roof lines, and pedestrian-scaled architectural details.
- 5.4.5 -P12 Encourage parking to be located in structures to minimize its visibility from streets and public

spaces.

- 5.4.5 -P13 Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the Lawrence Station Focus Area.
- 5.4.5 -P14 Encourage new development to build to a green neighborhood rating standard.
- 5.4.5 -P15 Work with the City of Sunnyvale to ensure compatibility of new mixed use development in the Focus Area with the surrounding future uses in the Lawrence Station Area Plan.
- 5.4.5 -P16 Provide appropriate transitions between new development in the Focus Area and adjacent industrial uses and future development consistent with General Plan Transition Policies.
- 5.4.5 -P17 Require that future development in the Lawrence Station Focus Area be comprehensively planned through preparation of a specific plan and accompanying technical studies.
- 5.4.5 -P18 Allow higher residential densities through the specific plan process.

5.4.6 Tasman East Focus Area Goals and Policies

Located in the northern portion of the City, the Tasman East Focus Area will be a high density neighborhood that provides housing in close proximity to jobs, retail, services and entertainment. The Tasman East Focus Area is bounded by Lafayette Street to the west, Tasman Drive and the Santa Clara VTA Light Rail line to the south, Guadalupe River to the east and the Santa Clara Golf Course to the north. Currently, the Focus Area is underutilized and contains light industrial uses that include primarily low-scale (one- to two stories) tilt-up buildings. Surface parking is located along the street frontages.

At approximately 45 acres, this Focus Area will be transformed into a high density residential community with mid-rise buildings that are served by neighborhood commercial, shared open space areas, and structured parking. Densities will range from 37 to 50 units per gross acre, with the potential to accommodate up to 2,285 units and building heights of three to five stories. A minimum of 10.55 acres of park and open space areas will be provided to support recreational activities and social gathering.

The Focus Area provides for new housing opportunities close by and conveniently connected to jobs and services, encouraging alternative travel modes. Three public transportation providers serve the Focus Area, including the Santa Clara Valley Transportation Authority (VTA), providing both light rail and bus service at the Lick Mill and Tasman Station, as well as Amtrak and the Altamont Corridor Express (ACE) served by the Great America station. A safe and continuous network of pedestrian paths will be provided with enhanced streetscapes, landscaping, street furnishings and other pedestrian amenities that encourage residents to walk or bike to open space areas, retail uses, and nearby jobs. Connections will be provided to the Guadalupe River Trail and Ulistac Natural Area located along the eastern boundary of the Focus Area, San Thomas Aquino Creek Trail to the west, and to the surrounding open space areas. In addition, there will be pedestrian connections to the residential uses to the south to foster neighborhood interaction and activities.

Tasman East Focus Area Goals

- 5.4.6 -G1 A vibrant, high density neighborhood with integrated on-site open space, recreational amenities, and neighborhood serving commercial uses.
- 5.4.6 -G2 Convenient access to nearby employment, retail, services, entertainment, and other community supportive facilities and services.
- 5.4.6 -G3 Direct connections to transit, nearby trails and open space areas encouraging the use of alternative modes of transportation and fostering a healthy lifestyle.
- 5.4.6 -G4 New housing and supporting uses that are integrated with existing residential uses to the south

and compatible with former landfill uses in the north. **Tasman East Focus Area Policies**

- 5.4.6 -P1 Establish Tasman East as a high density residential neighborhood that provides residents with access to commercial services and open space located on-site and in the surrounding areas.
- 5.4.6 -P2 Provide direct linkages from Tasman East to the Santa Clara Valley Transportation Authority, Amtrak, and Altamont Corridor Express stations and transit stops to promote transit use for access to services and jobs.
- 5.4.6 -P3 Work with appropriate transportation agencies, businesses, and surrounding cities to maximize rail and bus transit to and from the stations.
- 5.4.6 -P4 Promote pedestrian-friendly design that includes features such as shade trees, streetscapes that contain lighting and landscaping, street furniture, pedestrian and bike paths, limited driveway curb cuts, traffic-calming features, and pedestrian street crossings.
- 5.4.6 -P5 Provide publicly accessible open space within the Tasman East Focus Area that is accessible to all residents, adequate to meet their activity needs, and consistent with the General Plan requirements and other City regulations.
- 5.4.6 -P6 Ensure new residential development contains public open spaces that are connected by trails and bikeways, and to other open space networks such as the Guadalupe River Trail, Ulistac Natural Area, San Thomas Aquino Creek Trail, and the Santa Clara Golf and Tennis Club.
- 5.4.6 -P7 Provide for future connections, which encourage walking and bicycling, to the new development in the north when it is redeveloped to promote accessibility between the two areas.
- 5.4.6 -P8 Discourage new development that has an adverse impact on public services such as schools.
- 5.4.6 -P9 Provide appropriate transition between new development in the Tasman East Focus Area and adjacent residential uses consistent with General Plan Transition Policies.
- 5.4.6 -P10 Conduct a study to determine if a buffer is needed between sensitive development in Tasman East and the former landfill to the north.
- 5.4.6 -P11 Require new buildings to maintain a consistent setback/build-to-line from the public right-of-way in order to create a well-defined public sidewalk and street.
- 5.4.6 -P12 Encourage residential buildings to be grouped to create effective outdoor space that respect the privacy of residents and adjacent uses.
- 5.4.6 -P13 Require that building facades and entrances directly face street frontages, with a high proportion of transparent windows facing the street for nonresidential uses.
- 5.4.6 -P14 Encourage sensitive design and site planning to minimize the scale of larger buildings through use of building massing, setbacks, façade articulation, fenestration, varied parapets and roof lines, and pedestrian-scaled architectural details.
- 5.4.6 -P15 Encourage parking to be located in structures to minimize their visibility from streets and public spaces.
- 5.4.6 -P16 Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the Tasman East Focus Area.
- 5.4.6 -P17 Encourage new development to build to a green neighborhood rating standard.
- 5.4.6 -P18 Require new development to comply with the local floodplain management ordinance to ensure

the safety of residents.

- 5.4.6 -P19 Require that future development in the Tasman East Focus Area be comprehensively planned through preparation of a specific plan and accompanying technical studies.
- 5.4.6 -P20 Allow higher residential densities through the specific plan process.

5.4.7 Future Focus Areas Goals and Policies

Future Focus Areas are identified for Phase III of the General Plan. Each of these areas requires additional planning as prerequisites for development. Future Focus Areas are located north of the Caltrain corridor, adjacent to existing transit hubs or along major transportation corridors. The Future Focus Areas represent a change from existing underutilized office and industrial uses to higher-density residential and mixed-use neighborhoods with a full complement of supportive services. Careful planning of each area is essential to ensure the provision of adequate infrastructure and services, an appropriate interface with surrounding development and access to transit, open space and recreation. The Future Focus Areas are delineated by a red outline in Figure 5.4-1 and include:

- Freedom Circle

The Land Use Diagram designates future land uses and their location for each Future Focus Area. Confirmation and/or changes to these land use designations will occur in the context of the comprehensive planning process required as a prerequisite for residential development in any of these areas. General Plan Goals and Policies for the Future Focus Areas provide a guide for these planning efforts.



Agenda Report

25-189

Agenda Date: 4/16/2025

REPORT TO PLANNING COMMISSION

SUBJECT

Public Hearing: Recommendations related to the adoption of the Second Zoning Code Cleanup Ordinance and Rezoning of Properties Currently Designated TN (Transit Neighborhood) to R6 (Transit Neighborhood Residential)

BACKGROUND

At the January 9, 2024 City Council meeting, the Council adopted the comprehensive Zoning Code Update. The City Council adopted the accompanying Zoning Map on July 16, 2024, and adopted the first Zoning Code clean-up ordinance on August 20, 2024, which included the advisory that subsequent clean-up ordinances would be on the horizon. The Zoning Code update was a substantial body of work. As an on-going update, staff periodically brings clean-up ordinances to address clerical inconsistencies within the document or areas needing further clarification based on implementation of the new zoning code. This report and resolution represent the second minor code clean-up ordinance.

DISCUSSION

The City is bringing forward its second “clean-up” ordinance for the Zoning Code Update, which includes:

Recognizing existing patterns of development and building usage:

- Allowing minor industrial uses in the LO-RD Low-Intensity Office/R&D District. This use functions as a catch-all for the wide variety of industrial uses that do not create external effects, including noise, odor or dust. Allowing minor industrial uses in the LO-RD District reflects current building usage patterns and is based on feedback from industrial property owners and brokers.

Better aligning allowed uses in zoning districts with the General Plan and with the zoning district purpose statement:

After administering the Zoning Code for more than six months, Planning staff identified the need for a number of changes to better align allowed uses with the stated purpose of the zoning district, including:

- Allowing medical offices in mixed-use districts, giving more opportunity for medical offices to be closer to residents
- Removing ambulance services from mixed-use districts
- Allowing ambulance services in the LI Light Industrial District, where potential noise conflicts have less impact on quality of life
- Allowing vehicle rental in the LO-RD Low-Intensity Office/R&D District (subject to a Minor Use Permit) and the LI Light Industrial District (Permitted)
- Allowing Equipment Sales and Rental Facilities as a permitted use in the HI Heavy Industrial District
- Allowing doggie daycare (enumerated use: Kennels) in the LI Light Industrial district as a permitted use
- Clarifying that corporation yards are a part of the major industrial use category

Other Policy changes:

- Expanding single-family legal non-conforming parking provisions (single-family and duplexes allowed to expand with no covered parking provided)
- Re-including a 20' x 20' interior dimension for garages, separate from the 17' x 18' parking requirement
- Narrowing the use of Minor Modifications to only include conditions created by the lot or building and

- not by the result of additional development (building height and decreases in yard area)
- Clarification of the applicability of daylight planes, including new diagrams
- Incorporating the allowed non-residential uses of the TN Transit Neighborhood District into the R6 Transit Neighborhood District and recommending that the City Council apply the R6 District to properties currently designated as TN on the Zoning Map, consistent with the General Plan

Errata:

- Updating the wireless section of the Zoning Code to be consistent with recent changes to Federal law
- Updating the Density Bonus section of the Zoning Code to incorporate the latest changes from the Government Code
- Adding language from the Government Code which allows the Community Development Director, based on substantial evidence, to require parking near a major transit stop where parking is not normally required. The Director is required to make a finding that the lack of parking would have a substantial negative impact on providing low- and very-low-income housing, providing housing for special needs or if the lack of parking would adversely impact existing residential or commercial parking within a half-mile of the development project.
- Making word usage consistent and parallel
 - o For instance: medical services, general in the PQP District
 - o Squaring graphics language with the code text
 - o Squaring language in the Historic Preservation section with the rest of the code
- Updating graphics to reflect the current policy environment
 - o Using the sight-distance triangle from the City's Department of Public Works
 - o Single-family diagrams to include setbacks
- Clarifying the range of office uses allowed in the PHD High-Density Flex District
- Calling out the minimum 0.1 commercial FAR in MU-CC and the minimum 0.2 commercial FAR in the MU-VHD District (not currently listed)
- Removing the unnecessary requirement for notarization of appeals
- Removing language about the provision of electronic notice as a legal option (can be used as a supplemental form of noticing)
- Eliminating the allowance for 24-hour notice for off-site parking permits and temporary use permits, and making it parallel to other mailed notices (10 days)
- Spelling and punctuation mistakes

The Planning Commission resolution recommending approval of the clean-up ordinance is included as Attachment 1. The proposed Zoning Code Amendment is included as Attachment 2, with code changes presented in strikethrough and underline, or highlighted as part of a table.

ENVIRONMENTAL REVIEW

Given that the Zoning Code Update is an implementation action for the 2010 General Plan Update, the City prepared an Addendum to the 2010-2035 General Plan Environmental Impact Report (EIR) to cover adoption of the Zoning Code, Zoning Map, and related General Plan Amendments. The Addendum indicated that the adoption of the Zoning Code Update would not result in environmental impacts beyond those described in the General Plan Update EIR. At the conclusion of the public hearing on November 15, 2023, the Planning Commission voted to recommend that the City Council approve the Addendum, and on December 19, 2023, the City Council adopted the Addendum. The recommended actions all fall within the scope of the adopted Addendum.

FISCAL IMPACT

Adoption of the Second Zoning Code Cleanup Ordinance and associated Zoning Map Amendments for the R6 District would fully implement the City's General Plan land use diagram. These actions would involve no additional resources beyond those indicated at the time of Zoning Code adoption.

COORDINATION

This item was coordinated with the City Attorney's Office.

PUBLIC CONTACT

A newspaper notice was published in the April 3, 2025 issue of the Santa Clara Weekly describing the proposed adoption of the Second Zoning Code Cleanup Ordinance and the proposed changes to the Zoning Map.

Public contact was also made by posting the Planning Commission agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

ALTERNATIVES

1. Provide an alternate recommendation to the City Council different from adopting the Zoning Code clean-up ordinance and applying the revised R6 Transit Neighborhood District, or any of its additional provisions.

RECOMMENDATION

1. Recommend that the City Council adopt the Zoning Code cleanup ordinance; and
2. Recommend that the City Council apply the R6 Transit Neighborhood District to the properties currently zoned TN on the Zoning Map, consistent with the General Plan.

Prepared by: John Davidson, Principal Planner, Community Development

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Afshan Hamid, Director of Community Development

ATTACHMENTS

1. 2nd Zoning Code Clean-Up Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, MAKING “CLEANUP” AMENDMENTS TO THE ZONING CODE UPDATE, INCLUDING UPDATING THE CITY’S WIRELESS PROVISIONS TO BE CONSISTENT WITH FEDERAL LAW, UPDATING THE DENSITY BONUS PROVISIONS TO INCORPORATE RECENT CHANGES TO THE GOVERNMENT CODE, REVISING THE REASONABLE ACCOMMODATION PROVISIONS AS A PART OF THE HOUSING ELEMENT UPDATE, ADDING SMOKE SHOPS AS AN ENUMERATED USE, MODIFYING USE TABLES TO REFLECT THE RANGE OF USES EXISTING IN COMMERCIAL AND INDUSTRIAL DISTRICTS, INCORPORATING THE NON-RESIDENTIAL USE PROVISIONS OF THE TN TRANSIT NEIGHBORHOOD DISTRICT INTO THE CODE, UPDATING FIGURES, AND MAKING TERMS INTERNALLY CONSISTENT IN TITLE 18 (“ZONING”) OF “THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA”

WHEREAS, on January 9, 2024 the City of Santa Clara (the “City”) adopted the first comprehensive update of the City’s Zoning Code in over 50 years (the “Zoning Code Update”); and

WHEREAS, the 2010-2035 General Plan is the City’s vision for future development; and

WHEREAS, the City’s Zoning Code is the primary regulatory tool that implements the General Plan; and

WHEREAS, under Government Code Section 65860, the General Plan and Zoning Ordinance of a jurisdiction are required to be consistent with each other; and

WHEREAS, on August 20, 2024, the City Council adopted the First Zoning Code “Clean-Up” Ordinance;

WHEREAS, there is now a need to adopt a second clean-up ordinance to the recently adopted Zoning Code Update to address errata and omissions from the original approval, including updating the City’s wireless provisions to be consistent with recent changes to

federal law: and

WHEREAS, the City is proposing to amend the City's density bonus provisions to incorporate recent changes to the state's Government Code; and

WHEREAS, the City also wishes to add "Smoke Shops" as an enumerated use with an associated definition, and

WHEREAS, the City is including changes to the Zoning code requested by the state Department of Housing and Community Development through the Housing Element Update process, including focusing the Reasonable Accommodation process on the consistency with the Federal Fair Housing Act; and

WHEREAS, the City is proposing to incorporate the provisions of the HT Historic Combining District into the updated Zoning Code; and

WHEREAS, the City is proposing to also incorporate the non-residential use provisions of the former TN Transit Neighborhood District into the updated Zoning Code; and

WHEREAS, the City is proposing to update figures and terms for the purpose of internal consistency in the zoning; and

WHEREAS, the City Council has reviewed the proposed second Zoning Code cleanup ordinance; and

WHEREAS, on December 19, 2023, before acting on the Zoning Code Update, the City reviewed and considered the potential environmental impacts of the Zoning Code Update and determined that as the primary implementation tool of the General Plan, the environmental effects of the proposed Zoning Code Update were consistent with 2010-2035 General Plan EIR, as addended, and that the proposed Zoning Code Update did not alter the conclusions of the adopted General Plan EIR, as addended create new

environmental impacts; and

WHEREAS, as an implementing action of the Zoning Code Update, the proposed second Zoning Code cleanup ordinance falls within the scope of the December 19, 2023 Addendum;

WHEREAS, on April 16, 2025, the Planning Commission conducted a duly noticed public hearing to consider the Zoning Code cleanup ordinance, at the conclusion of which, the Planning Commission voted to recommend adoption of the Zoning Code cleanup ordinance; and

WHEREAS, on May 27, 2025, the City Council conducted a duly noticed public hearing to consider the Zoning Code cleanup ordinance, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed amendments.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

SECTION 1: That Table 1-1, “Zones Implementing the General Plan”, of Chapter 18.06, “Zoning Map and Zones”, of Title 18, “Zoning”, of “The Code of the City of Santa Clara, California” (“SCCC”) is hereby amended to read as follows:

**Table 1-1
ZONES IMPLEMENTING THE GENERAL PLAN**

Zoning Map Symbol	Zone Name	Allowable Density or Intensity	Corresponding General Plan Land Use Designations
Residential Zones			
R1-6L	Single-Family Residential	0.1 - 10 DU/AC	Very Low Density Residential
R1-8L	Single-Family Residential, Larger Parcel	0.1 - 10 DU/AC	Very Low Density Residential
R2	Low-Density Residential	8 - 19 DU/AC	Low Density Residential
R3	Medium-Density Residential	20 - 36 DU/AC	Medium Density Residential

**Table 1-1
ZONES IMPLEMENTING THE GENERAL PLAN**

Zoning Map Symbol	Zone Name	Allowable Density or Intensity	Corresponding General Plan Land Use Designations
R4	High-Density Residential	37 - 50 DU/AC	Medium Density Residential
R5	Very-High-Density Residential	51 - 100 DU/AC	Very High Density Residential
PH-R5	Patrick Henry Very-High-Density Residential	51 – 100 DU/AC	Very High Density Residential
R6	Transit Neighborhood Residential	60 - 350 DU/AC	Transit Neighborhood
UV	Urban Village	100-149 DU/AC	Urban Village (Patrick Henry Drive Plan)
VR	Village Residential	60 - 149 DU/AC	Village Residential (Patrick Henry Drive Plan)
UC	Urban Center	120 - 250 DU/AC	Urban Center (Patrick Henry Drive Plan)
HD-Flex	High Density Flex	60 - 149 DU/AC 2.0 FAR	High Density Flex (Patrick Henry Drive Plan)
Commercial Zones			
C-C	Commercial-Community	0.5 FAR	Community Commercial
C-N	Commercial-Neighborhood	0.4 FAR	Neighborhood Commercial
C-R	Commercial-Regional	0.6 FAR	Regional Commercial
Mixed-Use Zones			
MUNC	Mixed Use-Neighborhood Commercial	20 - 36 DU/AC 0.1 FAR minimum	Neighborhood Mixed Use
MUCC	Mixed Use Community Commercial	20 - 36 DU/AC 0.1 FAR minimum	Community Mixed Use
MURC	Mixed Use-Regional Commercial	37 - 50 DU/AC 0.15 FAR minimum	Regional Mixed Use
MU-VHD	Mixed Use-Very High Density Residential	51-120 DU/AC 0.2 FAR minimum	Very High Density Mixed Use; Santa Clara Station Very High Density Residential
Office and Industrial Zones			
LO-RD	Low-Intensity Office/R&D	1.0 FAR	Low-Intensity Office/R&D
HO-RD	Office/R&D-High Intensity	2.0 FAR	High-Intensity Office/R&D
LI	Industrial-Light	0.6 FAR	Light Industrial
HI	Industrial-Heavy	0.45 FAR	Heavy Industrial
Special Purpose Zones			
OS	Parks/Open Space	N/A	Parks/Open Space
PQP	Public/Quasi Public	N/A	Public/Quasi Public
HT	Historic Combining	N/A	N/A
PD	Planned Development	N/A	N/A
	Planned Development – Master Community	N/A	N/A
LSAP	Lawrence Station Area Plan	8 - 19 DU/AC	Low Density Residential
		20 - 36 DU/AC	Medium Density Residential
		37 - 50 DU/AC	High Density Residential
		51-100 DU/AC	Very High Density Residential
		N/A	Parks/Open Space
		N/A	Public/Quasi Public

SECTION 2: That Table 2-2, “Patrick Henry Drive Residential Zones Allowed Uses and Permit Requirements”, of Chapter 18.10, “Residential Zones”, of Title 18, “Zoning”, of “The Code of the City of Santa Clara, California” (“SCCC”) is hereby amended to read as follows:

**Table 2-2
Patrick Henry Drive Residential Zones Allowed Uses and Permit Requirements**

Residential Zones Permit Requirements					
Land Use (see Article 8 for land use definitions).	PH-R5	UV HD-Flex	VR	UC	Additional Regulations
P Allowed by Right MUP Minor Use Permit (Chapter 18.114) CUP Conditional Use Permit (Chapter 18.114) TUP Temporary Use Permit (Chapter 18.122) - Not allowed					
Residential Uses					
Dwelling, Accessory Units	P	P	P	P	Chapter 18.60.020
Dwelling, Multifamily	P	P	P	P	
Dwelling, Single-Family	-	-	-	-	
Dwelling, Two-Family	-	-	-	-	Chapter 18.24
Employee Housing	P	P	P	P	
Home Occupations	P	P	P	P	Chapter 18.60.120
Live-Work Facilities	MUP	MUP	MUP	MUP	Chapter 18.60.130
Mobile Home Park	-	-	-	-	
Organizational Houses	-	-	-	-	
Rooming and/or Boarding Houses	-	-	-	-	
Supportive Housing	P	P	P	P	
Transitional Housing	P	P	P	P	
Human Services Uses					
Assisted Living Facilities	CUP	CUP	CUP	CUP	Chapter 18.60.080
Day Care Homes, Up to 14 Children	P	P	P	P	
Community Care Facility, Small	P	P	P	P	
Community Care Facility, Large	CUP	CUP	CUP	CUP	
Emergency Shelters	-	-	-	-	Chapter 18.60.110
Recreation, Education, and Public Assembly Uses					
Community Gardens	P	P	P	P	
Parks and Public Plazas	P	P	P	P	
Places of Assembly	CUP	CUP	CUP	CUP	
Public Schools	CUP	CUP	CUP	CUP	
Private Schools	CUP	CUP	CUP	CUP	
Utility, Transportation, and Communication Uses					
Public Safety Facilities	P	P	P	P	

**Table 2-2
Patrick Henry Drive Residential Zones Allowed Uses and Permit Requirements**

Residential Zones Permit Requirements					
P Allowed by Right MUP Minor Use Permit (Chapter 18.114) CUP Conditional Use Permit (Chapter 18.114) TUP Temporary Use Permit (Chapter 18.122) - Not allowed					
Land Use (see Article 8 for land use definitions).	PH-R5	UV HD-Flex	VR	UC	Additional Regulations
Wireless Telecommunications Facilities, Co-location/Small Cell	P	P	P	P	Chapter 18.66
Retail, Service, and Office Uses					
Bed and Breakfast Inns	-	-	-	-	Chapter 18.60.050
Retail	P	P	P	P	
Off-sale of alcohol	P	P	P	P	
Restaurants, including on-sale of alcohol	P	P	P	P	
Bars	CUP	CUP	CUP	CUP	
Office	P	P	P	P	For Office Uses in the HD-Flex zone, see Table 2-5

SECTION 3: That Table 2-3, “Residential Zone Development Standards”, of Chapter 18.10, “Residential Zones”, of Title 18, “Zoning”, of the SCCC is hereby amended as follows:

**Table 2-3
Residential Zone Development Standards**



Development Feature (minimum unless otherwise indicated)	R1-6L	R1-8L	R2	R3	R4	R5	R6	Additional Regulations
Parcel Area (minimum) area required for each NEWLY CREATED parcel.								
Parcel Area	6,000	8,000	7,000	8,500	8,500	10,000	None	
A Street Frontage (feet)	60	70	50	60	70	70	None	
Structure Coverage (maximum percentage)								
Parcel Area (less than 10,000 sq. ft.)	40%	40%	45%	60%	80%	None	None	
Parcel Area (10,000 sq. ft. or greater)	40%	40%	45%	None	None	None	None	
Setbacks (minimum) -Property lines are measured in feet, with those adjacent to the street measured from the face of the curb., adopted plan line, or edge of right-of-way.								
B Front	20	20	15	10	10	10	10	Section 18.30.050
C Front, second story	25	25	n/a	n/a	n/a	n/a	n/a	
Side, Corner	10	10	10	10	15	15	15	
Side, corner second story	15	15	n/a	n/a	n/a	n/a	n/a	
D Side, Interior	5	6 and 9	5	5	10	10	10	Section 18.10.04(B) Section 18.30.050
E Side, interior, second story	10	11 and 14	n/a	n/a	n/a	n/a	n/a	
F Rear, single-story	20	20	10	10	20	20	20	Section 18.30.050
Rear, multi-story	20	20	15	15	20	20	20	Section 18.30.050
G Length of driveway approach	20	20	20	20	20	20	20	
Height (maximum) measured in feet								
Height (within 20 feet of the R1-6L, R1-8L, and R2 zones)	25	25	32	32	32	32	32	Section 18.30.040

**Table 2-3
Residential Zone Development Standards**



Development Feature (minimum unless otherwise indicated)	R1-6L	R1-8L	R2	R3	R4	R5	R6	Additional Regulations
H Height (all other zones)	25	25	32	40	80	100	200	Section 18.30.040
Number of Stories (maximum)								
Number of Stories and the Daylight Plane	All structures adjacent to R1 and R2 zones shall include a 45-degree daylight plan off the property line to implement a compatible transition between structures.							
Number of Stories	2	2	2	4	8	10	20	
Gross Residential Density (minimum to maximum) shown in number of dwelling units per acre								
Allowable Density	0.1-10	0.1-10	8-19	20-36	37-50	51-99	85-350	
Recreation Space for Multi-Family Dwellings (minimum) measured in square feet per dwelling unit								
Private Recreation Space (required for a minimum of 50 percent of units)	None	None	None	60	60	40	40	
Common Recreation Space (per unit)	None	None	None	200	200	200	200	
Additional Regulations								
Residential Accessory Structures	Chapter 18.32							
Density Bonus and Affordable Housing	Chapter 18.64							
Fences, Walls, Hedges, and Screens	Chapter 18.34							
Landscaping Standards	Chapter 18.36							
Off-Street Parking Regulations and Design Standards	Chapter 18.38							
Performance Standards	Chapter 18.40							
Sign Standards	Chapter 18.42							

SECTION 4: That Table 2-5, “Office and Industrial Uses, HD Flex Zone Allowed Uses

and Permit Requirements”, of Chapter 18.10, “Residential Zones”, of Title 18, “Zoning”, of the SCCC is hereby amended as follows:

**Table 2-5
Office and Industrial Uses, HD Flex Zone Allowed Uses and Permit Requirements**

Office and Industrial Uses, HD Flex Zone		
Permit Requirements		
	P	Allowed by Right
	MUP	Minor Use Permit (Chapter 18.124)
	CUP	Conditional Use Permit (Chapter 18.124)
	TUP	Temporary Use Permit (Chapter 18.122)
	-	Not allowed
Land Use (see Article 8 for land use definitions).	HD-Flex	Additional Regulations
Residential Uses		
Caretaker housing	CUP	
Transitional housing facilities	-	
Human Services Uses		
Community care facilities, small	-	
Community care facilities, large	-	
Emergency shelters	-	Section 18.60.110
Recreation, Education, and Public Assembly Uses		
Cemeteries and mausoleums	-	
Crematories	-	
Fitness facilities	P	
Parks and public plazas	P	
Public schools	CUP	
Private schools	CUP	
Public/private colleges and universities	-	
Equipment/machine/vehicle training facilities	CUP	
Vocational/trade schools	-	
Vehicle Oriented Uses		
Mobile Fueling Delivery	-	
Utility, Transportation, and Communication Uses		
Parking facilities	CUP	
Wireless telecommunications facilities and towers, co-location/small cell	P	Chapter 18.66
Wireless telecommunication facilities and towers, minor (less than 70 feet)	MUP	Chapter 18.66
Wireless telecommunication facilities and towers, major (70 feet or higher)	CUP	Chapter 18.66
Park and ride facilities	P	
Broadcasting and recording studios	-	
Fuel storage and distribution centers	-	
Transit stations and terminals	P	
Utility facilities and infrastructure	CUP	
Retail, Service, and Office Uses		

**Table 2-5
Office and Industrial Uses, HD Flex Zone Allowed Uses and Permit Requirements**

Office and Industrial Uses, HD Flex Zone Permit Requirements		
	P	Allowed by Right
	MUP	Minor Use Permit (Chapter 18.124)
	CUP	Conditional Use Permit (Chapter 18.124)
	TUP	Temporary Use Permit (Chapter 18.122)
	-	Not allowed
Land Use (see Article 8 for land use definitions).	HD-Flex	Additional Regulations
Ambulance Services	P	
Banks and Financial Establishments, General	P	
Banks and Financial Establishments, Stand-alone ATM	P	
Business Support Centers	P	
Call Centers	P	
Data Centers	CUP	Section 18.60.090
Data Centers, Ancillary	P	Section 18.60.090
Equipment Sales and Rental Facilities	P	
Hotels and Motels	P	
Kennels	P	
Maintenance and Repair Services	P	
Medical Services	P	
Mobile Food Vendors	P/MUP	18.60.280
Offices	P	
Outdoor Dining and Seating (Ancillary)	P	Section 18.16.040(B) Section 18.60.140
Personal Services (Ancillary)	P	Section 18.16.040(B)
Restaurants (Ancillary)	P	Section 18.16.040(B)
Retail Establishments (Ancillary)	P	Section 18.16.040(B)

SECTION 5: That a new Subparagraph c, “Attached Accessory Structure Setbacks”, is added to Paragraph 2, “Accessory Structures”, of Subsection B, “Specific Residential Regulations”, of Section 18.10.040, “Other Applicable Regulations”, of Chapter 18.10, “Residential Zones”, of Title 18, “Zoning”, of the SCCC to read as follows:

“c. Attached Accessory Structure Setbacks. Attached accessory structures are subject to the same setbacks as the primary structure.”

SECTION 6: That Tables 2-7 through 2-18 of Article 2, “Article 2 – Zones, Allowable Uses, and Development Standards”, are re-numbered to Tables 2-8 through 2-18 respectively.

SECTION 7: That a new Subsection D, “R6 Transit Neighborhood District Non-Residential Ground Floor Uses”, is added to Section 18.10.040, “Other Applicable Regulations”, of Chapter 18.10, “Residential Zones”, of Title 18, “Zoning”, of the SCCC as follows:

D. R6 Non-Residential Ground Floor Uses

Table 2-7		
R6 Transit Neighborhood District Non-Residential Ground Floor Uses		
R6 Non-Residential Uses		
Permit Requirements		
P	Allowed by Right	
MUP	Minor Use Permit (Chapter 18.114)	
CUP	Conditional Use Permit (Chapter 18.114)	
TUP	Temporary Use Permit (Chapter 18.122)	
-	Not allowed	
Land Use (see Article 8 for land use definitions).	R6	Additional Regulations
Human Services Uses		
Child Day Care Facilities	P	Section 18.60.070, Note 1
Child Day Care Homes, Up to 14 Children	P	Note 1
Recreation, Education, and Public Assembly Uses		
Commercial Recreation Facilities, Indoor	P	
Commercial Recreation Facilities, Outdoor	P	
Fitness Facilities	P	
Libraries	P	
Museums	P	
Parks and Public Plazas	P	
Places of Assembly	P	
Pre-schools, Nursery Schools	P	Note 1
Public Schools	P	
Private Schools	CUP	
Public/Private Colleges and Universities	P	
Theaters and Auditoriums	P	
Vocational/Trade Schools	P	
Utility, Transportation, and Communication Uses		
Parking Structures	CUP	
Diesel Back-up Generators	P	Section 18.60.260
Photovoltaic Systems	P	
Retail, Service, and Office Uses		
Alcoholic Beverage Sales and Service	P	Section 18.60.040

**Table 2-7
R6 Transit Neighborhood District Non-Residential Ground Floor Uses**

R6 Non-Residential Uses		
Permit Requirements		
	P	Allowed by Right
	MUP	Minor Use Permit (Chapter 18.114)
	CUP	Conditional Use Permit (Chapter 18.114)
	TUP	Temporary Use Permit (Chapter 18.122)
	-	Not allowed
Land Use (see Article 8 for land use definitions).	R6	Additional Regulations
Ambulance Services	CUP	
Animal Sales and Grooming Facilities	P	
Banks and Financial Establishments, General	P	
Banks and Financial Establishments, Stand-alone ATM	P	
Bars	CUP	
Business Support Centers	P	
Catering Companies	P	
Co-working space	P	Note 1
Equipment Sales and Rentals	P	
Garden Centers/Plant Nurseries	P	
Hotels and Motels	CUP	
Kennels	CUP	
Live Entertainment, Incidental	P	
Live Entertainment, Standalone Uses	CUP	Section 18.12.040(A)(5)
Maintenance and Repair Services	P	
Medical Services, General	P	
Mobile Food Vendors	P/MUP	18.60.280
Nightclubs	CUP	
Offices	P	Note 1
Outdoor Displays and Sales	CUP	Section 18.60.150
Outdoor Dining and Seating	P	Section 18.60.140
Outdoor Walk-up Facility	P	Appurtenant to a retail use
Personal Services	P	
Personal Services, Restricted	MUP	Section 18.60.170
Restaurants	P	
Retail Establishments		
General, Small Format	P	
General, Medium Format	MUP	
General, Large Format	CUP	
Smoke Shops	CUP	
Smoking Lounges	MUP	Chapter 8.37
Veterinary Facilities	MUP	
Neighborhood Light Industrial Uses		
Printing and Publishing Facilities	P	
Wineries, Distilleries, Breweries, and Micro-Breweries	P	
Garment manufacturing	P	
Artists' Studios	P	

Note 1: This use is also allowed on the second and third floors of mixed-use buildings."

SECTION 8: That Figure 2-1, “Vertical Mixed-Use”, and Figure 2-2, “Horizontal Mixed-Use”, of Chapter 18.14, “Mixed Use Zones”, of Title 18, “Zoning”, of the SCCC are re-numbered to Figures 2-3 and 2-4, respectively.

SECTION 9: That a new Subsection D, “Transition Standards”, and Associated Figures 2-1, “Rear Property Line Daylight Plane”, and Figure 2-2, “Side Property Line Daylight Plane” is added to Section 18.10.040, “Other Applicable Regulations”, of Chapter 18.10, “Residential Zones”, of Title 18, “Zoning”, of the SCCC to read as follows:

“D. Transition Standards.

1. Maximum Height Adjacent to Residential. Building Height Limits Abutting Residential Zoning Districts, 45-degree Daylight Plane height transitions are required for any new development adjacent to single family and duplex residential zoning districts, measured from the property line. Rear property line daylight planes extend 40 feet from the rear property line; side property line daylight planes start at 15 feet above grade and extend the full height of the building. See Figures 2-1 and 2-2.”

Maximum Height Adjacent to Residential in the Rear Setback -
Daylight Plane applied for 40 feet setback, starting at 0-foot height

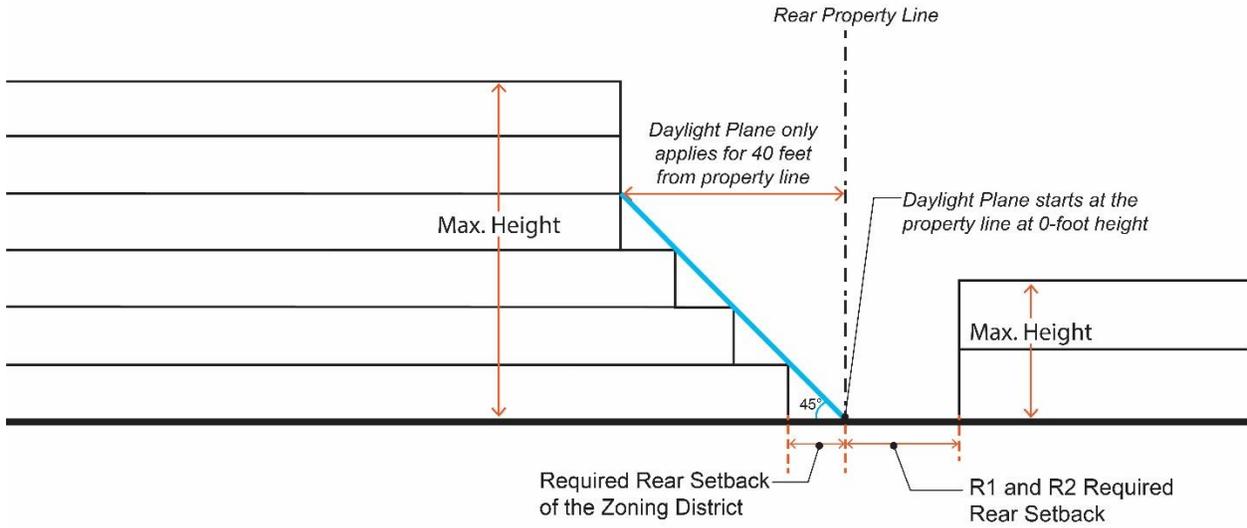


Figure 2-1. Rear Daylight Plane.

Maximum Height Adjacent to Residential in the Side Setback -
Daylight Plane Starting at 15-foot Height

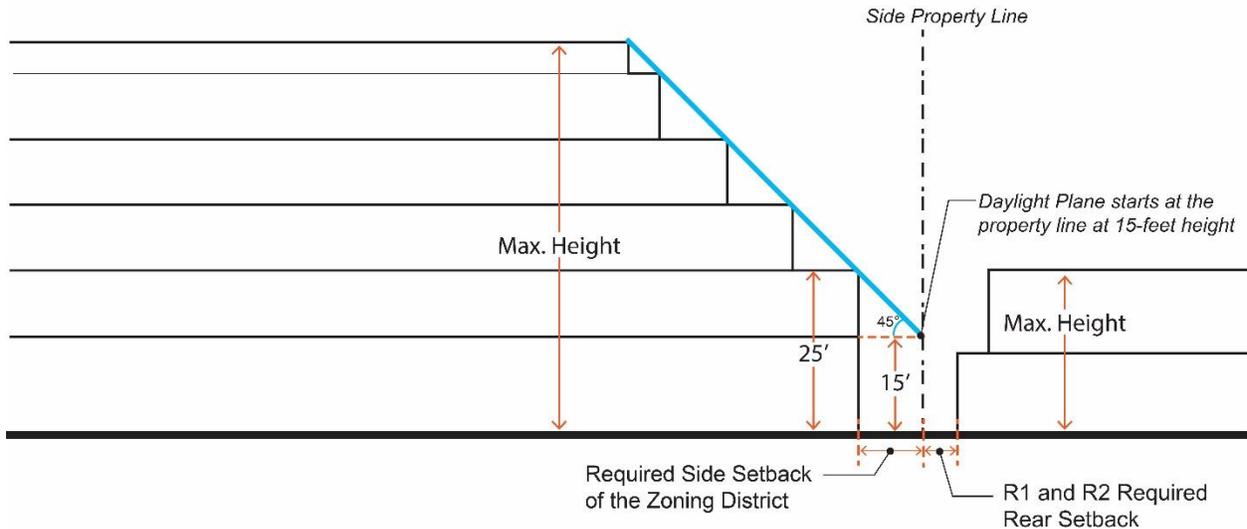


Figure 2-2. Side Daylight Plane.

SECTION 10: That Table 2-8, “Commercial Zones Allowed Uses and Permit Requirements”, of Chapter 18.12, “Commercial Zones”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

**Table 2-8
Commercial Zones Allowed Uses and Permit Requirements**

Commercial Zones Permit Requirements				
P Allowed by Right MUP Minor Use Permit (Chapter 18.114) CUP Conditional Use Permit (Chapter 18.114) TUP Temporary Use Permit (Chapter 18.122) - Not allowed				
Land Use (see Article 8 for land use definitions).	C-N	C-C	C-R	Additional Regulations
Residential Uses				
Caretaker Housing	-	P	P	Section 18.60.060
Dwelling, Multifamily	MUP	MUP	MUP	Section 18.12.040(A)(7)
Employee Housing	-	-	-	
Home Occupations	-	-	-	Section 18.60.120
Live-Work Facilities	MUP	MUP	MUP	Section 18.60.130
Single-Room Occupancy (SRO) Facilities	-	P	P	
Supportive Housing	-	-	P	
Transitional Housing Facilities	-	-	P	
Human Services Uses				
Assisted Living Facilities	-	CUP	-	Section 18.60.080
Child Day Care Facilities	P	P	P	Section 18.60.070
Residential Care Facilities, six or fewer residents	P	P	P	
Residential Care Facilities, seven or more residents	MUP	MUP	MUP	
Community Care Facilities	CUP	CUP	CUP	
Child Day Care Homes, Up to 14 Children	-	-	-	
Low-barrier Navigation Centers		P	P	
Emergency Shelters	-	P	P	Section 18.60.110
Recreation, Education, and Public Assembly Uses				
Cemeteries and Mausoleums	-	CUP	-	
Commercial Recreation Facilities, Indoor	CUP	P	P	
Commercial Recreation Facilities, Outdoor	-	P	P	
Fitness Facilities	MUP	P	P	
Libraries	P	P	P	
Mortuaries and Funeral Homes	-	P	P	
Museums	-	P	P	
Parks and Public Plazas	P	P	P	
Recreational Vehicle Parks	-	-	CUP	
Places of Assembly	P	P	P	
Public Schools	P	P	P	
Private Schools	CUP	CUP	CUP	

P Allowed by Right
MUP Minor Use Permit (Chapter 18.114)
CUP Conditional Use Permit (Chapter 18.114)
TUP Temporary Use Permit (Chapter 18.122)
- Not allowed

Land Use (see Article 8 for land use definitions).	C-N	C-C	C-R	Additional Regulations
Public/Private Colleges and Universities	P	P	P	
Theaters and Auditoriums	-	P	P	
Vocational/Trade Schools	P	P	P	
Utility, Transportation, and Communication Uses				
Broadcasting and Recording Studios	-	P	P	
Parking Structures	-	CUP	CUP	
Public Safety Facilities	P	P	P	
Wireless Telecommunication Facilities and Towers, Co-location/Small Cell	P	P	P	Chapter 18.66
Wireless Telecommunication Facilities and Towers, Minor (less than 70 feet)	MUP	MUP	MUP	Chapter 18.66
Wireless Telecommunication Facilities and Towers, Major (70 feet or higher)	CUP	CUP	CUP	Chapter 18.66
Transit Stations and Terminals	-	CUP	CUP	
Utility Facilities and Infrastructures	CUP	CUP	CUP	
Diesel Back-up Generators	P	P	P	Section 18.60.260
Photovoltaic Systems	P	P	P	
Retail, Service, and Office Uses				
Adult Businesses Uses	-	-	CUP	Chapter 18.62
Alcoholic Beverage Sales and Service	P	P	P	Section 18.60.040
Ambulance Services	-	CUP	CUP	
Animal Sales and Grooming Facilities	P	P	P	
Banks and Financial Establishments, General	P	P	P	
Banks and Financial Establishments, Stand-alone ATM	P	P	P	
Bars	CUP	CUP	CUP	
Bed and Breakfast Inns	CUP	-	-	Chapter 18.60.050
Building Material Stores and Yards	-	P	P	
Business Support Centers	P	P	P	
Drive-in/Drive-through Establishments	CUP	CUP	CUP	Section 18.60.100
Equipment Sales and Rentals	-	P	P	
Garden Centers/Plant Nurseries	-	P	P	
Hotels and Motels	CUP	CUP	CUP	
Kennels	-	CUP	CUP	
Live Entertainment, Incidental	P	P	P	
Live Entertainment, Standalone Uses	MUP/CUP	MUP/CUP	MUP/CUP	Section 18.12.040(A)(5)
Maintenance and Repair Services	-	P	P	
Medical Services, General	P	P	P	
Mobile Food Vendors	P/MUP	P/MUP	P/MUP	18.60.280

P	Allowed by Right
MUP	Minor Use Permit (Chapter 18.114)
CUP	Conditional Use Permit (Chapter 18.114)
TUP	Temporary Use Permit (Chapter 18.122)
-	Not allowed

Land Use (see Article 8 for land use definitions).	C-N	C-C	C-R	Additional Regulations
Nightclubs	CUP	CUP	CUP	
Offices	P	P	P	
Outdoor Displays and Sales	MUP	CUP	CUP	Section 18.60.150
Outdoor Dining and Seating	MUP	MUP	MUP	Section 18.60.140
Personal Services	P	P	P	
Personal Services, Restricted	-	MUP	MUP	Section 18.60.170
Restaurants	P	P	P	
Retail Establishments				
General, Small Format	P	P	P	
General, Medium Format	-	MUP	MUP	
General, Large Format	-	CUP	CUP	
Smoke Shops	-	CUP	CUP	
Smoking Lounges	-	MUP	CUP	Chapter 8.37
Veterinary Facilities	-	MUP	P	
Vehicle Oriented Uses				
Car Wash and Detailing Facilities, Full-Service	-	CUP	MUP	
Car Wash and Detailing Facilities, Self-Service	-	MUP	P	
Mobile Fueling Delivery	P	P	P	
Vehicle Service Stations	-	MUP	CUP	Section 18.60.220
Vehicle Rental Facilities, General	-	CUP	MUP	
Vehicle Rental Facilities, Limited	-	P	P	
Vehicle Rental Facilities, Office Only	P	P	P	
Vehicle Sales Facilities, General	-	-	CUP	Section 18.60.210
Vehicle Sales Facilities, Wholesale	-	CUP	CUP	Section 18.60.210
Vehicle Repair Facilities, Minor	-	-	P	Section 18.60.200
Vehicle Repair Facilities, Major	-	CUP	CUP	Section 18.60.200
Vehicle Parts Sales	-	P	P	
Industrial, Manufacturing, and Processing Uses				
Personal Storage Facilities	-	-	CUP	
Printing and Publishing Facilities	-	P	P	
Wineries, Distilleries, Breweries, and Micro-Breweries	-	MUP	MUP	

SECTION 11: That Subparagraph a, “Maximum Height Adjacent to Residential” of Paragraph 2, “Transition Standards”, of Subsection A, “General Commercial Regulations,” of Section 18.12.040, “Other Applicable Regulations” of Chapter 18.12, “Commercial Zones”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

“a. **Maximum Height Adjacent to Residential.** Building Height Limits Abutting Residential Zoning Districts, 45-degree Daylight Plane height transitions are required for any new development adjacent to single family and duplex residential zoning districts, measured from the property line. Rear property line daylight planes extend 40 feet from the rear property line; side property line daylight planes start at 15 feet above grade and extend the full height of the building. See Figures 2-1 and 2-2.”

SECTION 12: That Table 2-11, “Mixed Use Zones Allowed Uses and Permit Requirements” of Chapter 18.14, “Mixed Use Zones”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

**Table 2-11
Mixed Use Zones Allowed Uses and Permit Requirements**

Mixed Use Zones Permit Requirements						
	P	Allowed by Right				
	MUP	Minor Use Permit (Chapter 18.114)				
	CUP	Conditional Use Permit (Chapter 18.114)				
	TUP	Temporary Use Permit (Chapter 18.122)				
	-	Not allowed				
Land Use (see Article 8 for land use definitions).	MU-NC	MU-CC	MU-RC	MU-VHD	Additional Regulations	
Residential Uses						
Caretaker Housing	CUP	-	-	P	Section 18.60.060	
Dwelling, Multifamily	P	P	P	P		
Employee Housing	P	-	-	-		
Home Occupations	P	P	P	P	Section 18.60.120	
Live-Work	P	P	P	P	Section 18.60.130	
Single-Room Occupancy (SRO) Facilities	-	P	P	-		
Supportive Housing	P	P	P	P		
Transitional Housing	-	-	-	P		
Human Services Uses						
Assisted Living Facilities	-	CUP	-	CUP	Section 18.60.080	
Child Day Care Facilities	P	P	P	P	Section 18.60.070	
Community Care Facilities	CUP	CUP	-	CUP		

**Table 2-11
Mixed Use Zones Allowed Uses and Permit Requirements**

Mixed Use Zones Permit Requirements					
P Allowed by Right MUP Minor Use Permit (Chapter 18.114) CUP Conditional Use Permit (Chapter 18.114) TUP Temporary Use Permit (Chapter 18.122) - Not allowed					
Land Use (see Article 8 for land use definitions).	MU-NC	MU-CC	MU-RC	MU-VHD	Additional Regulations
Residential Care Facilities, six or fewer residents	P	P	-	P	
Residential Care Facilities, seven or more residents	MUP	MUP	-	MUP	
Day Care Homes, Up to 14 Children	P	P	P	-	
Low Barrier Navigation Centers	P	P	P	P	
Emergency Shelters	-	-	-	P	Section 18.60.110
Recreation, Education, and Public Assembly Uses					
Cemeteries and Mausoleums	-	-	-	CUP	
Community Gardens	MUP	MUP	MUP	-	
Commercial Recreation Facilities, Indoor	MUP	P	P	CUP	
Commercial Recreation Facilities, Indoor-Outdoor	-	-	-	P	
Fitness Facilities	P	P	P	P	
Libraries	P	P	-	P	
Museums	P	P	P	P	
Parks and Public Plazas	P	P	P	P	
Places of Assembly	MUP	CUP	CUP	P	
Public Schools	P	P	P	P	
Private Schools	CUP	CUP	CUP	CUP	
Public/Private Colleges and Universities	P	P	P	P	
Theaters and Auditoriums	P	P	P	P	
Vocational/Trade Schools	-	P	P	P	
Utility, Transportation, and Communication Uses					
Broadcasting and Recording Studios	-	-	-	P	
Park and Ride Facilities	P	P	P	-	
Parking Structures	MUP	MUP	MUP	P	Section 18.14.040 (l)
Public Safety Facilities	P	P	P	P	
Wireless Telecommunications Facilities and Towers, Co-location/Small Cell	P	P	P	P	Chapter 18.66
Wireless Telecommunication	MUP	MUP	MUP	MUP	Chapter 18.66

**Table 2-11
Mixed Use Zones Allowed Uses and Permit Requirements**

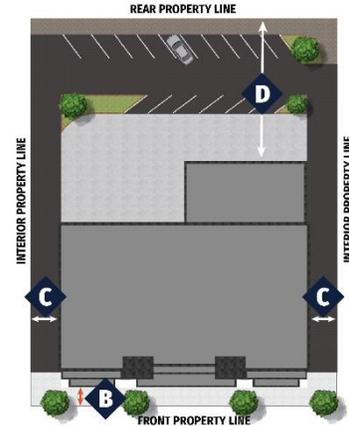
Mixed Use Zones Permit Requirements					
P Allowed by Right MUP Minor Use Permit (Chapter 18.114) CUP Conditional Use Permit (Chapter 18.114) TUP Temporary Use Permit (Chapter 18.122) - Not allowed					
Land Use (see Article 8 for land use definitions).	MU-NC	MU-CC	MU-RC	MU-VHD	Additional Regulations
Facilities and Towers, Minor (less than 70 feet)					
Wireless Telecommunication Facilities and Towers, Major (70 feet or higher)	-	CUP	CUP	CUP	Chapter 18.66
Transit Stations and Terminals	P	P	P	CUP	
Utility Facilities and Infrastructure	CUP	CUP	CUP	CUP	Section 18.14.040 (M)
Photovoltaic Systems	P	P	P	P	
Retail, Service, and Office Uses					
Alcoholic Beverage Sales and Service	P	P	P	P	Section 18.60.040
Ambulance Services	CUP	CUP	-	CUP	
Animal Sales and Grooming Facilities	P	P	P	P	
Banks and Financial Establishments, General	P	P	P	P	
Banks and Financial Establishments, Stand-alone ATM	P	P	P	P	
Bars	CUP	CUP	CUP	CUP	
Bed and Breakfast Inns	-	-	-	CUP	
Business Support Centers	P	P	MUP	P	
Drive-in/Drive-through Establishments	CUP	-	-	CUP	Section 18.60.100
Equipment Sales and Rentals	-	-	-	P	
Garden Centers/Plant Nurseries	-	-	-	P	
Hotels and Motels	P	P	P	CUP	Section 18.14.040 (O)(2)
Kennels	MUP	MUP	-	-	
Live Entertainment, Incidental	P	P	P	P	
Live Entertainment, Standalone	MUP/CUP	MUP/CUP	MUP/CUP	MUP/CUP	Section 18.14.040 (K)
Maintenance and Repair Services	P	P	P	P	
Medical Services, General	P	P	P	P	
Mobile Food Vendors	P/MUP	P/MUP	P/MUP	P/MUP	18.60.280
Nightclubs	CUP	-	CUP	CUP	
Offices	P	P	P	P	

**Table 2-11
Mixed Use Zones Allowed Uses and Permit Requirements**

Mixed Use Zones Permit Requirements					
P Allowed by Right MUP Minor Use Permit (Chapter 18.114) CUP Conditional Use Permit (Chapter 18.114) TUP Temporary Use Permit (Chapter 18.122) - Not allowed					
Land Use (see Article 8 for land use definitions).	MU-NC	MU-CC	MU-RC	MU-VHD	Additional Regulations
Outdoor Dining and Seating	MUP	MUP	MUP	MUP	Section 18.60.140
Outdoor Displays and Sales	CUP	CUP	CUP	CUP	Section 18.60.150
Personal Services	P	P	P	P	
Personal Services, Restricted	MUP	MUP	MUP	MUP	Section 18.60.170
Restaurants	P	P	P	P	
Retail Establishments:					
General, Small Format	P	P	P	P	
General, Medium Format	P	MUP	P	MUP	
General, Large Format	CUP	-	CUP	CUP	
Smoke Shops	-	CUP	CUP	-	
Veterinary Facilities	P	P	P	MUP	
Vehicle Oriented Uses					
Vehicle Service Stations	-	CUP	CUP	-	
Vehicle Rental Facilities, Limited	MUP	-	-	-	
Vehicle Rental Facilities, Office Only	P	-	-	-	
Vehicle Repair Facilities, Minor	MUP	-	-	-	Section 18.60.200
Industrial, Manufacturing, and Processing Uses					
Printing and Publishing Facilities	P	P	P	P	
Wineries, Distilleries, Breweries, and Micro-Breweries	MUP	MUP	MUP	MUP	

SECTION 13: That Table 2-12, “Mixed-Use Zone Development Standards” of Chapter 18.14, “Mixed Use Zones”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

**Table 2-12
Mixed-Use Zone Development Standards**



Development Feature (minimum unless otherwise indicated)	MU-NC	MU-CC	MU-RC	MU_VHD	Additional Regulations
Parcel Area - area required for each NEWLY CREATED parcel.					
Parcel Area (min)	None	None	None	None	
A Street Frontage (feet)	None	None	100	None	
Density (where residential is proposed)					
Minimum Density (units/acre)	19	20	37	50	
Maximum Density (units/acre)	36	36	50	120	
Setbacks - Setback lines are measured in feet, from the back of walk.					
B Front setback (min/max)	0	0* or 5 10	0* or 5 10	None	Section 18.14.040(A) Section 18.30.050 *Can be reduced to 0 feet if the total area is less than 20 feet
B Front setback for other ground floor uses (min/max)	0	10/15	10/15	None	
Side, Corner	0	0	0	None	Section 18.14.040(J) Section 18.30.050
C Side, Interior (adjacent to R1 and R2 zones)	10	10	10	None	Section 18.14.040(J) Section 18.30.050
C Side, Interior (adjacent to all other zones)	None	None	None	None	Section 18.14.040(J) Section 18.30.050
D Rear, Single-Story (adjacent to R1 and R2 zones)	10	10	10	None	Section 18.30.050
D Rear (adjacent to all other zones)	10	10	10	None	

**Table 2-12
Mixed-Use Zone Development Standards**



Development Feature (minimum unless otherwise indicated)	MU-NC	MU-CC	MU-RC	MU_VHD	Additional Regulations
D Rear, Multi-Story (adjacent to R1 and R2 zones)	15	15	15	None	
Height (maximum) measured in feet					
E Height (within 20 feet of the R1 and R2 zones)	32	32	32	None, limited by FAA restrictions	Section 18.30.040
E Height (all other zones)	32	40	60	None, limited by FAA restrictions	Section 18.30.040
Maximum Number of Stories	3	4	6	None, limited by FAA restrictions	
Commercial Floor Area Ratio (FAR)					
Minimum Floor Area Ratio (FAR)	0.1	0.1	0.2	0.2	
Additional Regulations					
Residential Accessory Structures	Chapter 18.32				
Density Bonus and Affordable Housing	Chapter 18.64				
Fences, Walls, Hedges, and Screens	Chapter 18.34				
Landscaping Standards	Chapter 18.36				
Multi-Story Step-backs	Section 18.14.040(F)				
Off-Street Parking Regulations and Design Standards	Chapter 18.38				

**Table 2-12
Mixed-Use Zone Development Standards**



Development Feature (minimum unless otherwise indicated)	MU-NC	MU-CC	MU-RC	MU_VHD	Additional Regulations
Performance Standards					Chapter 18.40
Sign Standards					Chapter 18.42
Solid Waste Enclosures					Section 18.30.060

SECTION 14: That Paragraph 1, “Maximum Height Adjacent to Residential” of Subsection G, “Transition Standards”, of Section 18.14.040, “Other Applicable Regulations” of Chapter 18.14, “Mixed Use Zones”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

“1. Maximum Height Adjacent to Residential. Building Height Limits Abutting Residential Zoning Districts, 45-degree Daylight Plane height transitions are required for any new development adjacent to single family and duplex residential zoning districts, measured from the property line. Rear property line daylight planes extend 40 feet from the rear property line; side property line daylight planes start at 15 feet above grade and extend the full height of the building. See Figures 2-1 and 2-2.”

SECTION 15: That Subsection A, “Table 2-14 Office and Industrial Zone Allowed Uses and Permit Requirements” of Section 18.16.020, “Office and Industrial Land Uses and Permit Requirements”, of Chapter 18.16, “Office and Industrial Zones”, of Title 18, “Zoning”, of the SCCC to read as follows:

“A. Table 2-14—Office and Industrial Zone Allowed Uses and Permit Requirements. Table 2-14 indicates the Principal Uses allowed within each office and industrial zone and any permits required to establish the use, in compliance with Article 6 (Permit Processing Procedures) and Article 7 (Zoning Ordinance Administration).”

SECTION 16: That Table 2-14, “Office and Industrial Zones Allowed Uses and Permit Requirements”, of Chapter 18.16, “Office and Industrial Zones” of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

**Table 2-14
Office and Industrial Zones
Allowed Uses and Permit Requirements**

Office and Industrial Zones					
Permit Requirements					
	P	Allowed by Right			
	MUP	Minor Use Permit (Chapter 18.114)			
	CUP	Conditional Use Permit (Chapter 18.124)			
	TUP	Temporary Use Permit (Chapter 18.122)			
	-	Not allowed			
Land Use (see Article 8 for land use definitions).	LO-RD	HO-RD	LI	HI	Additional Regulations
Residential Uses					
Caretaker Housing	CUP	CUP	CUP	CUP	Section 18.60.060
Transitional Housing Facilities	-	-	MUP	-	
Human Services Uses					
Community Care Facilities	MUP	-	-	-	
Low-barrier Navigation Centers	-	-	MUP	-	
Emergency Shelters	-	-	MUP	-	Section 18.60.110
Recreation, Education, and Public Assembly Uses					
Cemeteries and Mausoleums	-	-	CUP	CUP	
Commercial Recreation Facilities, Indoor	MUP	MUP	-	-	Required to be located in a General Plan Exception Area
Commercial Recreation Facilities, Outdoor	MUP	MUP	-	-	Required to be located in a General Plan Exception Area

**Table 2-14
Office and Industrial Zones
Allowed Uses and Permit Requirements**

Office and Industrial Zones						
Permit Requirements						
	P	Allowed by Right				
	MUP	Minor Use Permit (Chapter 18.114)				
	CUP	Conditional Use Permit (Chapter 18.124)				
	TUP	Temporary Use Permit (Chapter 18.122)				
	-	Not allowed				
Land Use (see Article 8 for land use definitions).	LO-RD	HO-RD	LI	HI	Additional Regulations	
Commercial recreation Facilities, Outdoor Ancillary	P	P	-	-		
Crematories	-	-	CUP	CUP		
Fitness Facilities	P	P	-	-		
Parks and Public Plazas	P	P	P	P		
Public Schools	P	-	-	-		
Private Schools	CUP	-	-	-		
Public/Private Colleges and Universities	CUP	-	-	-		
Equipment/Machine/Vehicle Training Facilities	CUP	CUP	P	-		
Vocational/Trade Schools	CUP	-	-	-		
Utility, Transportation, and Communication Uses						
Broadcasting and Recording Studios	P	-	-	-		
Fuel Storage and Distribution Centers	-	-	-	CUP		
Park and Ride Facilities	P	P	P	P		
Parking Facilities	CUP	CUP	CUP	CUP		
Wireless Telecommunications Facilities and Towers, Co-location/Small Cell	P	P	P	P	Chapter 18.66	
Wireless Telecommunication Facilities and Towers, Minor (less than 70 feet)	MUP	MUP	MUP	MUP	Chapter 18.66	
Wireless Telecommunication Facilities and Towers, Major (70 feet or higher)	CUP	CUP	CUP	CUP	Chapter 18.66	
Transit Stations and Terminals	P	P	P	P		
Utility Facilities and Infrastructure	CUP	CUP	CUP	CUP		
Electric Power Plants	MUP	MUP	MUP	MUP	Section 18.60.260	
Diesel Back-up Generators	P	P	P	P	Section 18.60.260	
Water Wells	MUP	MUP	MUP	MUP		
Photovoltaic Systems	P	P	P	P		
Fuel Cells	P	P	P	P		
Retail, Service, and Office Uses						
Ambulance Services	P	P	P	-		
Banks and Financial Establishments, General	P	P	-	-		
Banks and Financial Establishments, Stand-alone ATM	P	P	-	-		
Business Support Centers	P	P	P	P		

**Table 2-14
Office and Industrial Zones
Allowed Uses and Permit Requirements**

Office and Industrial Zones						
Permit Requirements						
	P	Allowed by Right				
	MUP	Minor Use Permit (Chapter 18.114)				
	CUP	Conditional Use Permit (Chapter 18.124)				
	TUP	Temporary Use Permit (Chapter 18.122)				
	-	Not allowed				
Land Use (see Article 8 for land use definitions).	LO-RD	HO-RD	LI	HI	Additional Regulations	
Call Centers	P	P	CUP	-		
Data Centers	CUP	CUP	CUP	CUP	Section 18.60.090	
Data Centers, Ancillary	P	P	P		Section 18.60.090	
Hotels and Motels	P	P	CUP	CUP		
Kennels	P	-	P	-		
Maintenance and Repair Services	P	P	P	-		
Medical Services	P	P	-	-		
Mobile Food Vendors	P/MUP	P/MUP	P/MUP	P/MUP	18.60.280	
Offices	P	P	-	-		
Outdoor Dining and Seating (Ancillary)	P	P	CUP	-	Section 18.16.040(B) Section 18.60.140	
Personal Services (Ancillary)	P	P	-	-	Section 18.16.040(B)	
Restaurants (Ancillary)	P	P	MUP	MUP	Section 18.16.040(B)	
Retail Establishments (Ancillary)	P	P	P	P	Section 18.16.040(B)	
Vehicle Oriented Uses						
Mobile Fueling Delivery	P	P	P	P		
Transit Services and Dispatch	MUP	-	MUP	MUP		
Vehicle Service Stations	-	-	-	CUP	Section 18.60.220	
Vehicle Rental, General	MUP	-	P	-		
Vehicle Repair Facilities, Minor	-	-	P	-	Section 18.60.200	
Vehicle Repair Facilities, Major	-	-	CUP	P	Section 18.60.200	
Vehicle Storage Facilities	MUP	P	MUP	P		
Vehicle Dismantling Facilities	-	-	-	CUP		
Vehicle Impound Facility	-	-	-	CUP		
Industrial, Manufacturing, and Processing Uses						
Freight Yards/Truck Terminals	-	-	CUP	CUP		
Hazardous Material Storage Facilities	-	-	-	CUP		
Equipment Sales and Rental Facilities	P	P	P	P		
Industrial, Minor	P	P	P	P		
Industrial, Major	-	-	CUP	P		
Outdoor Storage, no on-site building	-	-	CUP	MUP	Section 18.16.040, C.3.e.(4), C.4.c Section 18.60.160	
Laundry and Dry-Cleaning Plants	-	-	P	P		
Printing and Publishing Facilities	P	P	P	P		
Recycling Facilities						
Reverse Vending and Collection Boxes	-	-	P	P	Section 18.60.180	
Collection Small	-	-	P	P	Section 18.60.180	

**Table 2-14
Office and Industrial Zones
Allowed Uses and Permit Requirements**

Office and Industrial Zones Permit Requirements					
P Allowed by Right MUP Minor Use Permit (Chapter 18.114) CUP Conditional Use Permit (Chapter 18.124) TUP Temporary Use Permit (Chapter 18.122) - Not allowed					
Land Use (see Article 8 for land use definitions).	LO-RD	HO-RD	LI	HI	Additional Regulations
Collection, Processing, and Transfer	-	-	MUP	MUP	Section 18.60.180
Research and Development Facilities	P	P	P	P	
Storage					
Personal Storage Facilities	CUP	-	CUP	-	
Warehouse	P	P	P	P	
Wholesaling and Distribution Centers	-	CUP	P	P	

SECTION 17: That Paragraph 1, “Commercial Ancillary Uses” of Subsection B, “General Office and Industrial Regulations,” of Section 18.16.040, “Other Applicable Regulations”, of Chapter 18.16, “Office and Industrial Zones”, of Title 18, “Zoning”, of the SCCC to read as follows:

“18.16.040 – Other Applicable Regulations

A. In addition to the standards specified in Article 3 (Regulations Applicable to All Zones) and Article 4 (Standards for Specific Land Uses), the following other applicable mixed-use regulations shall be applicable in the specific office and industrial zones:

B. General Office and Industrial Regulations.

1. Commercial Ancillary Uses. Commercial-~~support~~ ancillary uses are allowed in the LO-RD and HO-RD zones. In the LI and HI zones, commercial ancillary uses ~~and~~ may be granted with approval of a Minor Use Permit by the Zoning Administrator ~~in the LI and HI zones~~ when the uses are found to comply with all of the following provisions:

- a. The uses are intended to support and serve employees and visitors in the immediate area.
- b. Uses shall be located entirely within structures occupied by the primary use.
- c. Ancillary uses shall occupy no more than 10 percent of the gross floor area of any structure or a maximum of 20,000 square feet, whichever is less.
- d. Ancillary uses are limited to the following:
 - (1) Retail Establishments.
 - (2) Personal Services Establishments.
 - (3) Restaurants.
 - (4) Alcohol service incidental to a restaurant.
 - (5) Drinking Establishments, subject to a Conditional Use Permit.
 - (6) Outdoor Seating, ancillary to a restaurant.
 - (7) Banks and Financial Establishments.”

SECTION 18: That Subparagraph a, “Maximum Height Adjacent to Residential”, of Paragraph 3, “Transition Standards”, of Subsection B, “General Office and Industrial Regulations,” of Section 18.16.040, “Other Applicable Regulations”, of Chapter 18.16, “Office and Industrial Zones”, of Title 18, “Zoning”, of the SCCC is amended to read as follows:

“3. Transition Standards.

- a. **Maximum Height Adjacent to Residential.** ~~Shall be located a minimum of 150~~

~~feet from all residential.~~ Building Height Limits Abutting Residential Zoning Districts, 45-degree Daylight Plane height transitions are required for any new development adjacent to single family and duplex residential zoning districts, measured from the property line. Rear property daylight planes extend 40 feet from the rear property line; side property line daylight planes start at 15 feet above grade and extend the full height of the building. See Figures 2-1 and 2-2.

SECTION 19: That Paragraph 3, “Light Industrial Zone”, of Subsection C, “Specific Office and Industrial Regulations”, of Section 18.16.040, “Other Applicable Regulations”, of Chapter 18.16, “Office and Industrial Zones”, of Title 18, “Zoning”, of the SCCC is amended to read as follows:

“3. Light Industrial Zone (LI).

- a. Height. Low-intensity uses such as Data Centers are allowed a maximum height of 90 feet.
- b. Development Review. Any structure with an FAR greater than the General Plan allows shall be occupied by a lower intensity use in the Light Industrial Zone as determined by the Review Authority.
- c. Offices. Offices may occupy no more than 20 percent of the structure floor area
- d. Medical offices are not allowed.
- e. The following uses are only allowed as ancillary to the primary use:
 - (1) Equipment Sales and Rental Facilities;
 - (2) Maintenance and Service Repairs;
 - (3) Offices; and
 - (4) Outdoor Storage on up to and including 25% of the lot area, subject to the

development standards of Code Section 18.60.160. Outdoor storage occupying more than 25% of the site is subject to the approval of a Minor Use Permit.”

SECTION 20: That Paragraph 4, “Heavy Industrial Zone”, of Subsection C, “Specific Office and Industrial Regulations”, of Section 18.16.040, “Other Applicable Regulations”, of Chapter 18.16, “Office and Industrial Zones”, of Title 18, “Zoning”, of the SCCC is amended to read as follows:

4. Heavy Industrial Zone (HI).

- a. Offices. Offices may occupy no more than 10 percent of the structure floor area.
- b. Medical offices are not allowed.

c. Outdoor Storage on up to and including 50% of the lot area is allowed, subject to the development standards of Code Section 18.60.160. Outdoor storage occupying more than 50% of the site is subject to the approval of a Minor Use Permit.”

SECTION 21: That Table 2-17, “Special Purpose Zones Allowed Uses and Permit Requirements”, of Chapter 18.18, “Special Purpose Zones” of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

**Table 2-17
Special Purpose Zones Allowed Uses and Permit Requirements**

Special Purpose Zones			
Permit Requirements			
P	Allowed by Right		
MUP	Minor Use Permit (Chapter 18.124)		
CUP	Conditional Use Permit (Chapter 18.124)		
TUP	Temporary Use Permit (Chapter 18.122)		
-	Not allowed		
Land Use (see Article 8 for land use definitions).	OS	PQP	Additional Regulations
Residential Uses			
Supportive Housing Facilities	-	CUP	
Transitional Housing Facilities	-	CUP	
Human Services Uses			
Child Day Care Facilities	-	MUP	Section 18.60.070
Community Care Facilities	-	MUP	
Low-barrier Navigation Centers	-	MUP	
Emergency Shelters	-	MUP	Section 18.60.110
Medical Services, Hospitals	-	CUP	

Medical Services, General	-	P	
Recreation, Education, and Public Assembly Uses			
Cemeteries and Mausoleums	-	CUP	
Community Gardens	MUP	P	Section 18.18.040
Libraries	P	P	
Museums	-	P	
Parks and Public Plazas	P	P	
Commercial Recreation Facilities, Outdoor	P	CUP	Section 18.18.040(B)
Places of Assembly	-	CUP	
Public Schools	-	P	
Private Schools	-	CUP	
Public/Private Colleges and Universities	-	CUP	
Theaters and Auditoriums	-	CUP	
Vehicle Oriented Uses			
Mobile Fueling Delivery	-	P	
Utility, Transportation, and Communication Uses			
Public Safety Facilities	-	P	
Wireless Telecommunications Facilities and Towers, Co-location	-	P	Chapter 18.66
Wireless Telecommunication Facilities and Towers, Minor (less than 70 feet)	MUP	MUP	Chapter 18.66
Wireless Telecommunication Facilities and Towers, Major (70 feet or higher)	-	CUP	Chapter 18.66
Transit Stations and Terminals	-	P	
Utility Facilities and Infrastructure	CUP	CUP	
Electric Power Plants	-	MUP	Section 18.60.260
Diesel Back-up Generators	-	MUP	Section 18.60.260
Water Wells	-	MUP	
Photovoltaic Systems	-	P	
Fuel Cells	-	P	
Retail, Service, and Office Uses			
Mobile Food Vendors	-	P/MUP	18.60.280
Offices	-	P	
Outdoor Dining and Seating	-	MUP	
Retail Establishments, Ancillary	-	MUP	

SECTION 22: That Section 18.30.020, “Permitted Projections Into Required Setback

Areas” of Chapter 18.30, “Site Planning and General Development Standards”, of Title 18, “Zoning”, of the SCCC is amended as follows:

“18.30.020 – Permitted Projections into Required Setback Areas

In applying the regulations of this Section, the following features of a structure shall not be included in the parcel coverage and may project into a required setback to the extent specified. None of the identified exceptions shall be permitted if they encroach into an adopted plan line, right-of-way, or public use easement.

A. Bay windows, Chimneys, Cornices, canopies, eaves or other projections that do not increase the volume of space enclosed by the structure may project up to two feet into a required side yard setback or three feet into a required front or rear yard setback.

B. Fire escapes may project into a required setback up to four feet, six inches.

C. Covered front porches including architectural features and roof projections, patios, decks, stairs, ramps, railings and landings may project up to six feet into a required front or corner side yard setback and may project up to three feet from the parcel line in any rear yard setback.

D. In order to qualify for this exception, bay window and chimney projections may not occupy more than 33 percent the length of the structure wall on which they are located.

E. Equipment and/or structures enclosing equipment (e.g., solar panels, water storage tanks, heating equipment, or similar mechanical equipment that does not emit noise) that are attached to a primary structure or an accessory structure shall be permitted to encroach into a required rear or side setback area of the primary building, provided

they do not encroach more than 50 percent of the depth of the rear or side setback.”

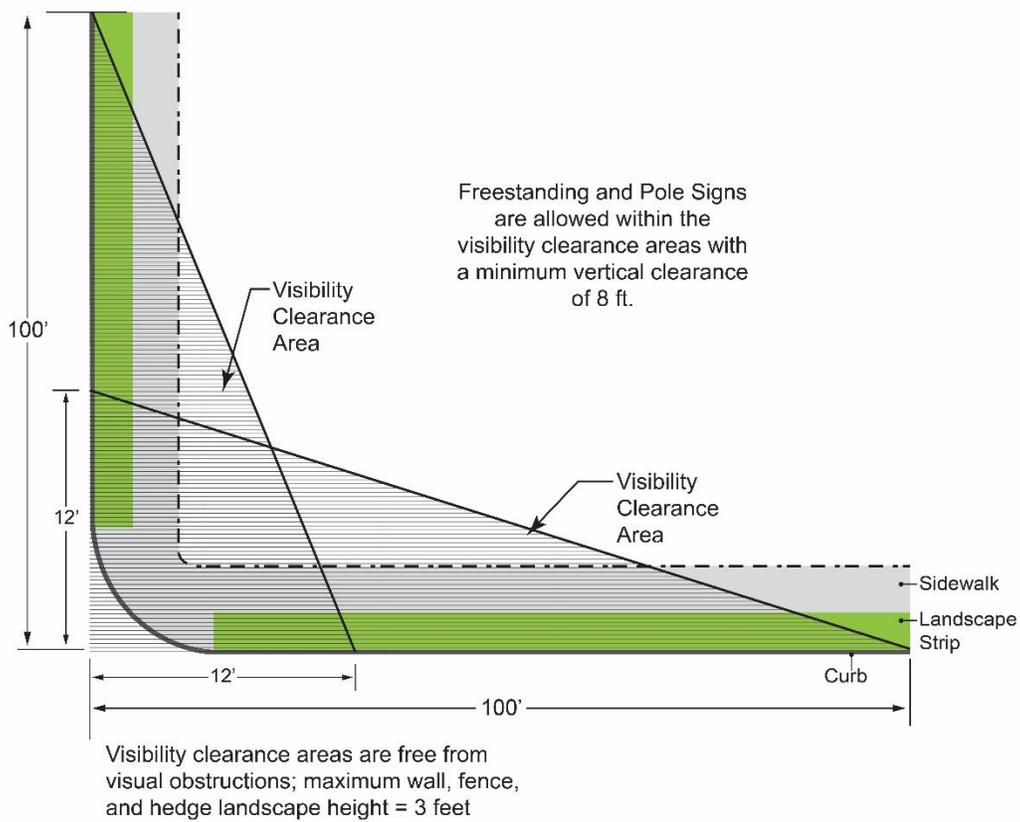
~~F. Decks limited to maximum 3 feet in height may project up to 10 feet into any required rear setback, provided they maintain a minimum 3-foot interior side setback.~~

SECTION 23: That Code Section 18.30.030, “Sight-Distance Triangle” and Figure 3-1, “Sight-Distance Triangle”, of Chapter 18.30, “Site Planning and General Development Standards”, of Title 18, “Zoning”, of the SCCC is hereby renamed “Visibility Clearance Areas”, and amended as follows:

“18.30.030 – ~~Sight-Distance Triangle~~ Visibility Clearance Areas

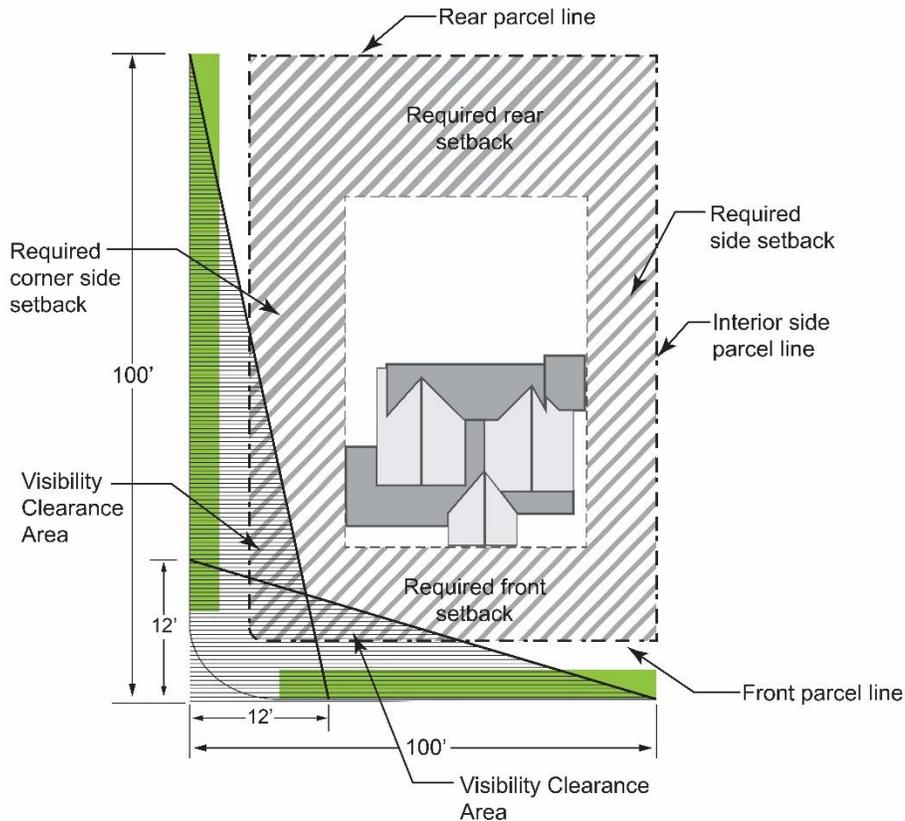
No fence, wall, hedge or shrubbery higher than three feet above the top of the grade shall be installed or maintained within the ~~sight distance triangles~~ visibility clearance areas, at public roadway intersections and private driveways. The dimensions of these Visibility Clearance Areas ~~sight distance triangles~~, and any exceptions, shall be determined by the Director of Public Works. See Figure 3-1. (~~Sight-Distance Triangle~~ Visibility Clearance Area) ~~(illustrative, based on speed of the roadway).~~

Figure 3-1. Visibility Clearance Areas



SECTION 24: That Figure 3-3, “Setback Measurements” of Chapter 18.30, “Site Planning and General Development Standards”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

[“Figure 3-3. Setback Measurements”](#)



SECTION 25: That Subsection B (“No Parking Required Near Major Transit Stops”) of Section 18.38.030 (“Off-Street Vehicle Parking Requirements”) of Chapter 18.38 (“Off-Street Parking Regulations and Design Standards”) of Title 18 (“Zoning”) of “The Code of the City of Santa Clara, California” (“SCCC”) is hereby amended to read as follows:

“B. **No Parking Required Near Major Transit Stops.** Notwithstanding any other provision of this Code, no parking is required for any use within one-half mile of a major transit stop, unless the Director of Community Development makes any of the following written findings, supported by substantial evidence, within 30 days of an application

becoming complete, in which case the City's standard parking requirements shall apply:

1. Not imposing the City's parking requirements would have a substantial negative impact on the City's ability to meet its share of the regional housing need in accordance with Government Code Section 65584 for low- and very low income households;
2. Not imposing the City's parking requirements would have a substantial negative impact on the City's ability to meet any special housing needs for the elderly or persons with disabilities identified in the Housing Element's analysis required by Government Code Section 65583(a)(7); or
3. Not imposing the City's parking requirements would have a substantial negative impact on the existing residential or commercial parking within one-half mile of the development project."

SECTION 26: That Paragraph 1, "Parking within Sight Distance Triangle", of Subsection A, "Location and Design", of Section 18.38.060, "General Parking Standards" of Chapter 18.38, "Off-Street Parking Regulations and Design Standards", of Title 18, "Zoning", of the SCCC, is hereby retitled "Parking within the Vision Clearance Area", and amended to read:

"1. Parking within ~~Sight Distance Triangle~~ the Vision Clearance Area. Parking is prohibited within the required ~~sight distance triangle~~ vision clearance area (Section 18.30.030)."

SECTION 27: That Figure 3-13, "Motorcycle Parking Configuration", through Figure 3-30, "Window Sign", of Article 3, "Site Planning and General Development Standards," of Title

18, "Zoning", of the SCCC, are hereby renumbered as Figure 3-14 through 3-31, respectively.

SECTION 27: That a new Subsection D, "Single- and Two-Family Dwellings", of Section 18.38.060, "General Parking Standards" of Chapter 18.38, "Off-Street Parking Regulations and Design Standards", of Title 18, "Zoning", of the SCCC, is amended to read:

"D. Single- and Two-Family Dwellings. Off-street parking and driveways for single-family attached and attached dwellings, and two-family attached dwellings shall meet the following requirements:

1. All vehicles, including motor vehicles, trailers, or vessels which are inoperable or incapable of movement under their own power and/or without current registration, shall be stored entirely within an enclosed structure and shall not be parked or stored in any required front yard within a residential zone.
2. Each parking space shall be at least 8.5 feet wide by 18 feet deep.
3. The minimum driveway width shall be 10 feet.
4. Minimum driveway length between parking and any public right-of-way line, not including alleys, shall be a minimum of 20 feet.
5. Parking shall be provided on the same lot as the dwelling.
6. Parking shall not be located within the required setbacks, except for Approved accessory structures may be allowed in setbacks where authorized by Section 18.60.030 (Accessory Structures and Uses).
7. The required parking shall not be located within the required yard area, except the

required parking may be provided in the rear yard only when an alley is available for access.

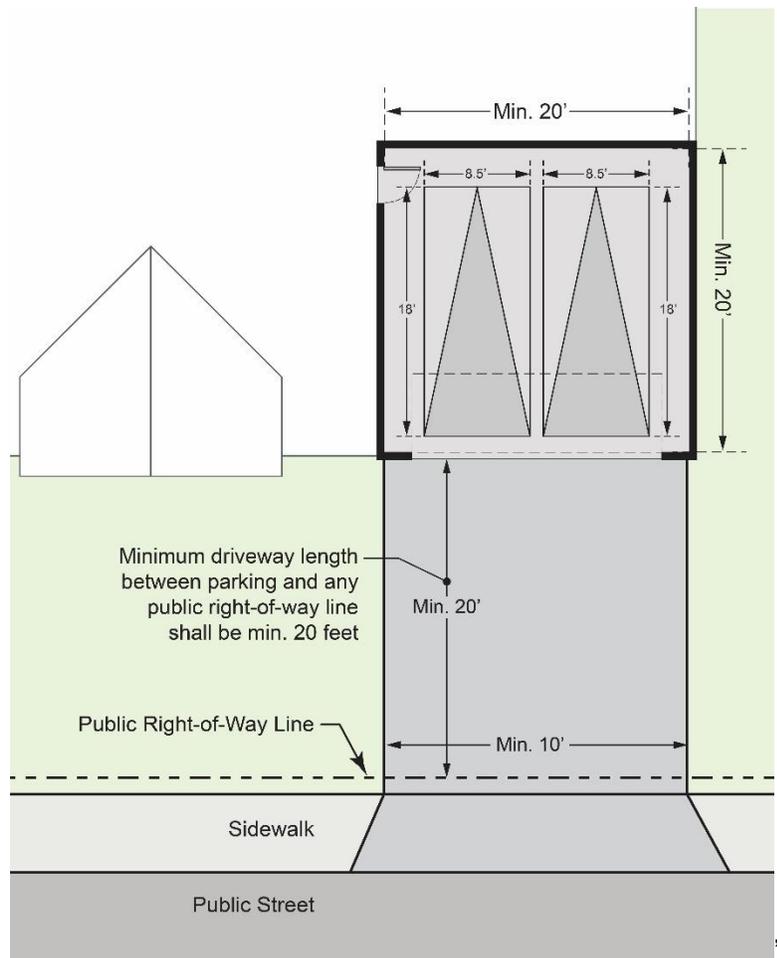
8. All vehicles are required to be parked on a continuously paved surface. Driveways and driveway approaches shall be paved.

9. For single family dwellings, the interior dimensions of the garage or carport are required to be 20' x 20'. See Figure 3-13.

10. All vehicles, boats, and trailers, in the required front yard shall be parked perpendicular to the street, unless the legal driveway configuration dictates otherwise.

Figure 3-13

Single-Family Garage Dimensions.



SECTION 28: That the definition of the term, “Temporary Sign” in Section 18.42.030, “Definitions”, of Chapter 18.42, “Sign Standards”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

“Temporary Sign. A sign intended to be displayed for a limited period ~~only, including, but not limited to, any sign, display board, handbill, poster, banner, pennant, streamer, whirligig, valance or advertising display constructed of plastic, paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials (with or without structural frame).~~ of time.”

SECTION 29: That Paragraph 3 of Subsection A, “Exempt Signs”, of Section 18.42.070, “Exempt Signs”, of Chapter 18.42, “Sign Standards”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

“3. Holiday displays and decorations, only when not creating a traffic hazard or located within any visual setback area in the ~~sight distance triangle~~ vision clearance area;”

SECTION 30: That Paragraph 1, “On-site Subdivision Signs” of Subsection C, “Temporary On-site Commercial Signs”, of Section 18.42.100, “Temporary Signs”, of Chapter 18.42, “Sign Standards”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

“1. On-site Subdivision Signs.

a. Sign Permits for on-site subdivision signs may be issued at any time after recordation of the final subdivision map and shall be removed following the sale of the final home or parcel. All signs shall then be removed upon expiration of the Sign Permit, unless renewal of the permit for a period of not more than one additional 12-month period is approved by the Director; and

(1) On-site subdivision signs shall be continuously maintained, not adversely affect the use and appearance of existing structures or landscaping and shall not create hazardous traffic conditions. On-site subdivision signs are subject to all the following standards: The construction of any sign shall be in strict compliance with the provisions of this Chapter and all other laws of the City.

(2) All signs shall be removed from the property prior to the sale of the final parcel.

(3) All signs shall be located on the subdivision site which they advertise.

(4) Signs shall not exceed 10 feet in height.

(5) No sign shall exceed 32 square feet in area.

(6) Identification signs are allowed provided no more than one sign for every five parcels with a maximum of four signs. Signs shall not exceed six square feet in area.

(7) If the on-site subdivision sign is within the ~~sight-distance triangle~~ vision clearance area of any driveway or intersection, it shall not exceed two feet, six inches in height.

(8) Signs are allowed on parcels with a model home, provided they do not exceed four in number and six square feet each in area. Signs shall be removed immediately after the sale of the final parcel or home.

(9) Illuminated residential signs are prohibited.”

SECTION 31: That Subsection C, “Directional and Directory Signs”, of Section 18.42.120, “Standards for Specific Sign Types”, of Chapter 18.42, “Sign Standards”, of

Title 18, "Zoning", of the SCCC is hereby amended to read as follows:

"C. Directional and Directory Signs.

1. Directional Signs. See Figure 3-20 (Directional Sign).

a. Directional signs shall not be counted against allowable sign area, unless the signs include business logo, name, or advertising. If a business logo, name, or advertising is a component of a directional sign, then the area of the sign devoted to the logo, name, or advertising will be counted toward the allowable sign square footage.

b. If the directional sign is located within the ~~sight distance triangle~~ vision clearance area of any driveway or intersection, it shall not exceed three feet in height.

c. Directional signs shall not exceed six square feet of sign area.

d. External illumination is permitted.

e. Freestanding signs shall not be located on the subject property and not within a dedicated utility easement.

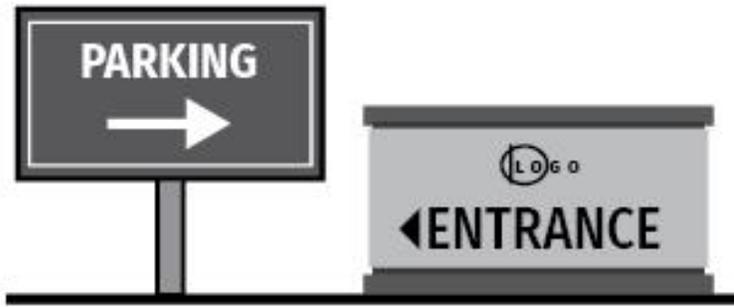
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Figure 3-20

Directional Sign

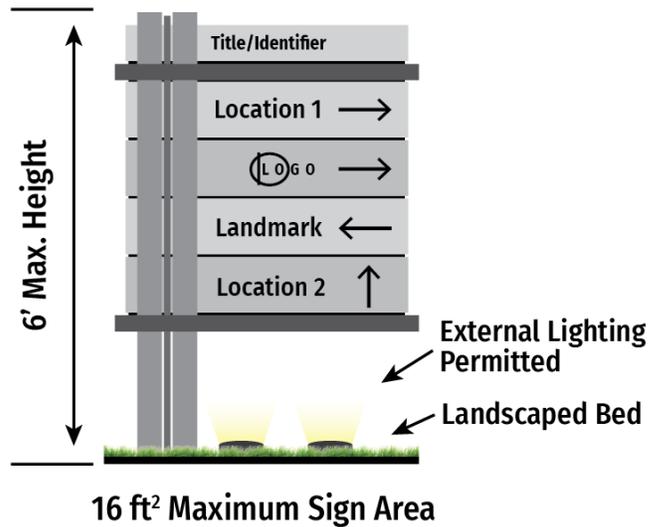


6 ft² Maximum Sign Area

2. Directory Signs. See Figure 3-21 (Directory Sign).
 - a. Directory signs shall not be counted in the allowable sign area based on frontage, unless the business logo, name, or advertising is used. If a logo is a component of a directory sign, then the square footage of the portion of the sign that is advertising the specific establishment will be counted toward the total allowable square footage of sign area.
 - b. Directory signs shall not exceed 16 square feet of sign area.
 - c. Directory signs shall not exceed six feet in height.
 - d. If the directory sign is located within the ~~sight distance triangle~~ vision clearance area of any driveway or intersection, it shall not exceed three feet in height.
 - e. Directory signs shall be placed in a landscaped bed and shall have a minimum of two square feet of landscaping for every square foot of sign area measured at the base of the sign.
 - f. External or internal illumination is permitted. External illumination by downward lighting is prohibited.

Figure 3-21

Directory sign



SECTION 32: That of Subsection E, “Freestanding and Monument Signs”, of Section 18.42.120, “Standards for Specific Sign Types”, of Chapter 18.42, “Sign Standards”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

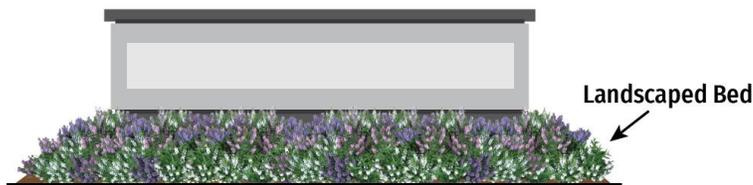
- “E. Freestanding and Monument Signs.
 - 1. Freestanding Signs.
 - a. A freestanding sign is allowed by the provisions of this Chapter provided the freestanding sign complies with the provisions of this Chapter.
 - b. Freestanding signs may not exceed 150 square feet of sign area per individual sign (a double-sided freestanding sign would equal 75 square feet per side).
 - c. Freestanding signs not exceeding six feet in height and thirty 30 square feet in total sign area are allowed, at a minimum setback of four feet behind parcel line.
 - d. Freestanding signs shall not exceed a height of 20 feet.

- e. If the freestanding sign is within the ~~sight distance triangle~~ vision clearance area of any driveway or intersection, it shall not exceed three feet in height.
 - f. Freestanding signs shall not be located within a dedicated utility easement.
 - g. To ensure the readability, the minimum letter size required on all freestanding signs shall be 10 inches. Sign copy shall not be located closer than one half-letter height to the sign edge or other line of copy.
 - h. External illumination with a hooded floodlight is prohibited. Internal illumination is permitted.
 - i. Freestanding signs shall be placed in a landscaped bed and shall have a minimum of two square feet of landscaping for every square foot of sign area measured at the base of the sign.
2. Monument Signs. See Figure 3-22 (Monument Sign).
- a. A Monument sign is allowed by the provisions of this Chapter provided the monument sign complies with the provisions of this Chapter.
 - b. Monument signs may not exceed 100 square feet of sign area per individual sign (a double-sided freestanding sign would equal 50 square feet per side).
 - c. Monument signs not exceeding four feet in height and thirty 20 square feet in total sign area are allowed, at a minimum setback of four feet behind parcel line.
 - d. Monument signs shall not exceed a height of 12 feet.

- e. If the monument sign is within the ~~sight distance triangle~~ vision clearance area of any driveway or intersection, it shall not exceed three feet in height.
- f. Monument signs shall not be located within a dedicated utility easement.
- g. To ensure the readability, the minimum letter size required on all monument signs shall be six inches. Sign copy shall not be located closer than one half-letter height to the sign edge or other line of copy.
- h. External illumination with a hooded floodlight is permitted. Internal illumination is permitted.
- i. Monument signs shall be placed in a landscaped bed and shall have a minimum of two square feet of landscaping for every square foot of sign area measured at the base of the sign.

Figure 3-22

Monument Signs



SECTION 33: That Paragraph 3, “Service Station Gas Price Sign”, of Subsection I, “Price and Menu Boards”, of Section 18.42.120, “Standards for Specific Sign Types”, of Chapter 18.42, “Sign Standards”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as

follows:

- “3. Service Station Gas Price Sign. See Figure 3-27 (Service Station Gas Price Sign).
 - a. Service station gas price sign shall not exceed 25 square feet of sign area for each side of a double-sided sign.
 - b. The service station gas price sign is not allowed to be located within the ~~sight distance triangle~~ vision clearance area of any driveway or intersection.
 - c. No more than two service station gas price signs are permitted per service station. Each of the allowed two service station gas price signs is permitted to have two sides.
 - d. External illumination is prohibited.
 - e. Static LED price figure displays are permitted.
 - f. Service Station Gas Price Sign shall be placed within a landscaped bed and shall have two square feet of landscaping for every square foot of sign area measured at the base of the menu board.

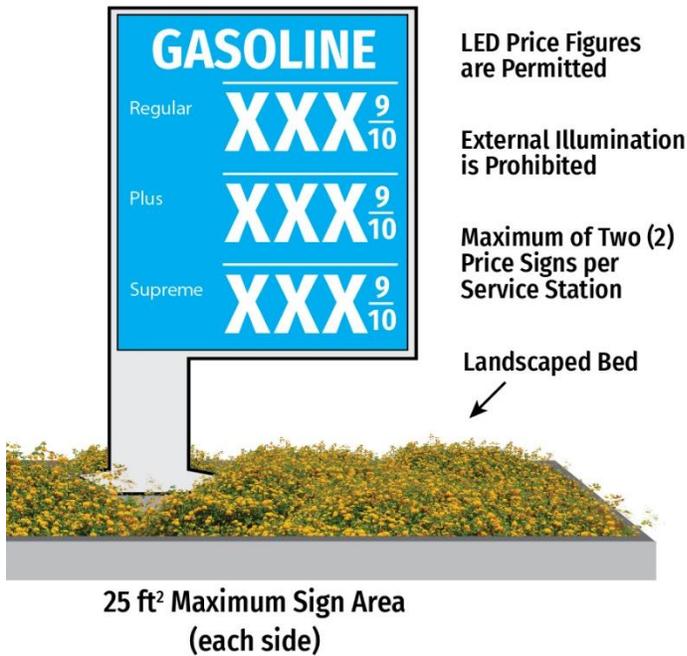


Figure 3-28

Service Station Gas Price Sign”

SECTION 34: That Paragraph 2, “Additional development standards for detached ADUs greater than one story and 18 feet in height”, of Subsection E, “Development Standards for ADUs and JADUs on Single-Family, Multi-Family, and Mixed-Use Parcels”, of Section 18.60.020, “Accessory Dwelling Units”, of Chapter 18.60, “Standards for Specific Land Uses”, of Title 18, “Zoning” of the SCCC is hereby amended to read as follows:

“2. Additional development standards for detached ADUs greater than one story and 18 feet in height.

- a. Height limit: 1.5 stories, 25 feet
- b. Setback, rear, one-story elements: 4 feet.
- c. Setback, rear, multi-story elements: 15 feet.

- d. Setback, side, one- and one-and-a-half-story elements: 4 feet
- e. Setback, side, multi-two-story elements: 9 feet
- f. Maximum width for dormers: 40 percent of the subject building elevation.
- g. Egress windows: Egress windows shall face the primary residence, as opposed to the neighboring properties.”

SECTION 35: That Subsection G, “ADUs subject to Parcel Coverage, Floor Area Ratio (FAR), and Open Space Requirements”, of Section 18.60.020, “Accessory Dwelling Units”, of Chapter 18.60, “Standards for Specific Land Uses”, of Title 18, “Zoning” of the SCCC is hereby amended to read as follows:

“G. ADUs subject to Parcel Coverage, Floor Area Ratio (FAR), and Open Space Requirements. ADUs and JADUs are subject to front setback requirements, parcel coverage, FAR, and open space requirements, but only to the extent that such requirements would still allow for:

“~~4.~~—A detached or attached ADU of 800 square feet, that is at least 18 feet in height with four-foot rear yard and four-foot side yard setbacks. Setbacks and side yard setbacks to be constructed in compliance with all other applicable City development standards.”

~~2.—An attached ADU, staying within the existing Building Space, and constructed in compliance with all other applicable City development standards.~~

SECTION 36: That Subsection A, “Purpose”, of Section 18.60.250, “Short-Term Rentals of Residential Property”, of Chapter 18.60, “Standards for Specific Land Uses”, of Title

18, "Zoning" of the SCCC is hereby amended to read as follows:

"A. **Purpose.** The purpose of this Section is to allow limited short-term rental of residential property, which are rentals of 30 days or less in length, while preserving housing stock and the residential character of neighborhoods, through the use of registration, regulations, and standards, in order to reduce potential impacts on adjacent properties and to ensure the collection of Transient Occupancy Taxes under SCCC Chapter 3.25."

SECTION 37: That Paragraph 6 ("Student Housing") of Subsection A ("Resident Requirements") of Section 18.64.020 ("Eligibility for Bonus, Incentives, or Concessions") of Chapter 18.64 ("Density Bonus and Affordable Housing") of Title 18 ("Zoning") of the SCCC is hereby amended to read as follows:

"6. Student Housing. Twenty percent of the dwelling units are for lower income students in a student housing development, subject to the provisions specified in Subsection 18.64.030.A.6 (Bonus for Student Housing Development), below, and which meets the following requirements:

- a. All units in the student housing development will be used exclusively for undergraduate, graduate, or professional students who are currently enrolled in at least six credit-hours, or who within the past six months were enrolled in at least six credit-hours, at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges. In order to be eligible under this Subparagraph, the developer shall, as a condition of

receiving a Certificate of Occupancy, provide evidence to the City that the developer has done either of the following:

- (1) entered into an operating agreement or master lease with one or more institutions of higher education for the institution(s) to occupy all units of the student housing development with students or recent former students from such institution(s). Such an operating agreement or master lease is not violated or breached if, in any subsequent year, there are not sufficient students enrolled or previously enrolled in an institution of higher education to fill all units in the student housing development; or
- (2) Established a system for confirming its renters' status as students to ensure that all units of the student housing development are occupied with students from an institution of higher education.

- b. The applicable units in the student housing development for lower income students will be used for, and occupied by, lower income students. For purposes of this clause, "lower income students" means students who have a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award recipients as specified in subdivision (k) of Section 69432.7 of the Education Code. The eligibility of a student under this subparagraph shall be verified by an affidavit, award letter, or letter of eligibility provided by the institution of higher education that the student is enrolled in, or by the California Student Aid Commission that the student receives or is eligible for financial aid, including an institutional grant or fee

waiver, from the college or university, the California Student Aid Commission, or the federal government;

- c. The rent provided in the applicable units of the development for lower income students shall be calculated at 30 percent of 65 percent of the area median income for a single-room occupancy unit type.
- d. The development will provide priority for the applicable affordable units for lower income students experiencing homelessness. A homeless service provider, as defined in paragraph (3) of subdivision (d) of Section 103577 of the Health and Safety Code, or institution of higher education that has knowledge of a person's homeless status may verify a person's status as homeless for purposes of this Subparagraph.
- e. No rental bed reserved for lower income students shall be tied to a specific bedroom. No property management policy shall prevent a lower income student from sharing a room or unit with a non-lower income student."

SECTION 38: That Paragraph 4 ("Moderate Income Households in a Common Interest Development") of Subsection A ("Resident Requirements") of Section 18.64.020 ("Eligibility for Bonus, Incentives, or Concessions") of Chapter 18.64 ("Density Bonus and Affordable Housing") of Title 18 ("Zoning") of the SCCC is amended to read as follows:

"4. **Moderate Income Households in a For-Sale Development.** Ten percent of the dwelling units in a for-sale development are for persons and families of moderate income, as defined in Health and Safety Code Section 50093, provided that all units in the development are offered to the public for purchase;"

SECTION 39: That a new Subsection G is hereby added to 18.64.020 (“Eligibility for Bonus, Incentives, or Concessions”) of Chapter 18.64 (“Density Bonus and Affordable Housing”) of Title 18 (“Zoning”) of the SCCC to read as follows:

G. Residential Care Facilities for the Elderly. A Residential Care Facility for the Elderly, as defined in Section 1569.2 of the Health and Safety Code, which meets the residency requirements of subsection A and the eligibility requirements of Section 18.64.030, qualifies as a housing development subject to this Chapter.”

SECTION 40: That Table 4-5 (“Bonus for Lower Income Households”) of Paragraph 1 (“Bonus for Lower Income Household Units”) of Subsection A (“Density Bonus”) of Section 18.64.030 (“Allowed Density Bonuses”) of Chapter 18.64 (“Density Bonus and Affordable Housing”) of Title 18 (“Zoning”) of the SCCC is amended to read as follows:

**Table 4-5
Bonus for Lower Income Households**

Percentage of Low-Income Units Proposed	Percentage of Density Bonus
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
16	29
17	30.5
18	32
19	33.5
20	35
21	38.75
22	42.5
23	46.25
24	50

SECTION 41: That Table 4-6 (“Bonus for Very Low-Income Households”) of Paragraph 2 (“Bonus for Very-Low Income Household Units”) of Subsection A (“Density Bonus”) of Section 18.64.030 (“Allowed Density Bonuses”) of Chapter 18.64 (“Density Bonus and Affordable Housing”) of Title 18 (“Zoning”) of the SCCC is amended to read as follows:

**Table 4-6
Bonus for Very-Low Income Households**

Percentage of Very-Low Income Units Proposed	Percentage of Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35
12	38.75
13	42.5
14	46.25
15	50

SECTION 42: That Paragraph 4 (“Bonus for Moderate Income Units in Common Interest Development”) and Table 4-7 (“Bonus for Moderate-Income Households”) of Subsection A (“Density Bonus”) of Section 18.64.030 (“Allowed Density Bonuses”) of Chapter 18.64 (“Density Bonus and Affordable Housing”) of Title 18 (“Zoning”) of the SCCC is amended to read as follows:

“4. Bonus for Moderate Income Units in a Common-Interest For-Sale Development. A housing development that is eligible for a bonus in compliance with the criteria specified in Subparagraph 18.64.020.A.4 (Moderate Income Households in a Common-Interest For-Sale Development) shall be entitled to a density bonus calculated in compliance with Table 4-7 (Bonus for Moderate-Income Households):

**Table 4-7
 Bonus for Moderate-Income Households**

Percentage of Moderate-Income Units Proposed	Percentage of Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29
35	30
36	31
37	32
38	33
39	34
40	35
41	38.75
42	42.5
43	46.25
44	50

SECTION 43: That Table 4-8 (“Basic Bonus”) of subparagraph a (“Basic Bonus”) of Paragraph 12 (“Density Bonus for Land Donation”) of Subsection A (“Density Bonus”) of

Section 18.64.030 (“Allowed Density Bonuses”) of Chapter 18.64 (“Density Bonus and Affordable Housing”) of Title 18 (“Zoning”) of the SCCC is hereby renumbered as Table 4-11.

SECTION 44: That Paragraph 6 (“Bonus for Student Housing Development with Low-Income Units”) of Subsection A (“Density Bonus”) of Section 18.64.030 (“Allowed Density Bonuses”) of Chapter 18.64 (“Density Bonus and Affordable Housing”) of Title 18 (“Zoning”) of the SCCC, as well as subparagraph a, including clauses 1 through 4, and subparagraph b, are hereby deleted and replaced with the following:

“6. Bonus for Student Housing Development with Low-Income Units. A housing development that is eligible for a bonus in compliance with the criteria specified in Subparagraph 18.64.020.A.6 (Student Housing) shall be entitled to a density bonus calculated in compliance with Table 4-8 (Bonus for Low-Income Student Housing). For purposes of calculating a density bonus granted pursuant to this paragraph, the term “unit” as used in this section means one rental bed and its pro rata share of associated common area facilities:

**Table 4-8
Bonus for Low-Income Student Housing**

Percentage of Low Income Units Proposed	Percentage of Density Bonus
20	35
21	38.75
22	42.5
23	46.25
24	50

SECTION 45: That a new Subsection F is hereby added to Section 18.64.030 (“Allowed Density Bonuses”) of Chapter 18.64 (“Density Bonus and Affordable Housing”) of Title 18

("Zoning") of the SCCC to read as follows:

F. Additional Density Bonus Pursuant to AB 1287 (2023). A project that provides sufficient affordable units to qualify for a 50% density bonus pursuant to paragraphs 1, 2, or 4 of subsection A, which also commits to providing additional affordable units, shall be eligible for an additional density bonus as follows, unless a lesser percentage is proposed by the applicant:

- 1. **Additional Bonus for Very-Low Income Units.** A housing development that provides additional units for Very Low-Income Households meeting the requirements of Section 18.64.020.A.2 shall be entitled to an additional density bonus calculated in compliance with Table 4-9 (Additional Bonus for Very Low-Income Households):

**Table 4-9
Additional Bonus for Very Low-Income Households**

Additional Percentage of Very Low-Income Units Proposed	Percentage of Additional Density Bonus
5	20
6	23.75
7	27.5
8	31.25
9	35
10	38.75

- 2. **Additional Bonus for Moderate-Income Units.** A housing development that provides additional for-sale units for Moderate Income Households meeting the requirements of Section 18.64.020.A.4 shall be entitled to an additional density bonus calculated in compliance with Table 4-10 (Additional Bonus for Moderate-Income Households):

Table 4-10

Additional Bonus for Moderate-Income Households

Percentage of Additional Moderate-Income Units Proposed	Percentage of Additional Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35
12	38.75
13	42.5
14	46.25
15	50

SECTION 46: That Subsection B (“Number of Incentives”) of Section 18.64.040 (“Allowed Incentives or Concessions”) of Chapter 18.64 (“Density Bonus and Affordable Housing”) of Title 18 (“Zoning”) of the SCCC is amended to read as follows:

“B. Number of Incentives. The applicant shall receive the following number of incentives or concessions:

1. One Incentive or Concession. One incentive or concession for a project that includes at least 10 percent of the dwelling units for lower income households, at least five percent for very low-income households, at least 10 percent for persons and families of moderate income in a ~~common interest~~ for-sale development, or at least 20 percent for lower income students in a student housing development.
2. Two Incentives or Concessions. Two incentives or concessions for a project that includes at least ~~20-17~~ percent of the dwelling units for lower income households, at least 10 percent for very low-income households, at least 20 percent for persons and families of moderate income in a ~~common interest~~

for-sale development, or at least 23 percent of the total units for lower income students in a student housing project.

3. Three Incentives or Concessions. Three incentives or concessions for a project that includes at least ~~30-24~~ percent of the dwelling units for lower income households, at least 15 percent for very low-income households, or at least 30 percent for persons and families of moderate income in a ~~common interest~~ for-sale development.
4. Four Incentives or Concessions. Four incentives or concessions for projects that include at least 16 percent of the units for very low income households or at least 45 percent for persons and families of moderate income in a development in which the units are for sale.
5. Five Incentives or Concessions. Five incentives or concessions for a 100 percent affordable project that is eligible for a bonus under paragraph 18.64.020.A.7. In addition, if such a project is located within one-half mile of a major transit stop, or is located in a very low vehicle travel area as defined in Government Code Section 65915, the applicant shall also receive a height increase of up to three additional stories, or 33 feet.”

SECTION 47: That Subsection B (“Number of Parking Spaces Required”) of Section 18.64.050 (“Parking Requirements in Density Bonus Projects”) of Chapter 18.64 (“Density Bonus and Affordable Housing”) of Title 18 (“Zoning”) of the SCCC is hereby amended to read as follows:

“B. Number of Parking Spaces Required.

1. Default Parking Ratio. At the request of the applicant, the City shall not

require vehicular parking for a project that complies with the requirements of Section 18.64.020 (Eligibility for Bonus, Incentives, and Concessions), above, inclusive of handicapped and guest parking, that exceeds the following ratios:

- a. Zero or one bedroom: One on-site parking space per unit.
 - b. Two or three bedrooms: ~~Two~~ 1.5 on-site parking spaces per unit.
 - c. Four or more bedrooms: Two- and one-half on-site parking spaces per unit.
 - d. Student Housing Developments: Zero parking spaces.
2. Notwithstanding paragraph 1, above, if a development is located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development, then, upon the request of the applicant, the City shall not impose a vehicular parking requirement.”
3. Notwithstanding paragraph 1, above, if a development consists solely of rental units, exclusive of a manager’s unit(s), with an affordable housing cost to lower income families, as specified in Health and Safety Code Section 50052.5, then, upon the request of the applicant, the City shall not impose a vehicular parking ratio, if the development meets any of the following conditions:
- a. The development is located within one-half mile of a major transit stop, and there is unobstructed access to the major transit stop from the development.

- b. The development is a for-rent housing development for individuals who are 55 years of age or older that complies with Sections 51.2 and 51.3 of the Civil Code, and the development has either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.
- c. The development is a special needs housing development, as defined in Health and Safety Code Section 51312, and the development has either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.
- d. The development is a supportive housing development, as defined in Health and Safety Code Section 50675.14.

- 4. Parking Study. Notwithstanding paragraphs 2. and 3., above, if the City, or an independent consultant, has conducted an areawide or citywide parking study in the last seven years, then the City may impose a higher vehicular parking ratio not to exceed the ratio described in Subparagraph B.1 (Default Parking Ratio) above, based upon substantial evidence found in the parking study, that includes, but is not limited to, an analysis of parking availability, differing levels of transit access, walkability access to transit services, the potential for shared parking, the effect of parking requirements on the cost of market-rate and subsidized developments, and the lower rates of car ownership for low-income and very low income individuals, including seniors and special needs individuals. The City shall pay the costs of any

new study. The City shall make findings, based on a parking study completed in compliance with this Paragraph, supporting the need for the higher parking ratio.”

SECTION 48: That Paragraph 2 (“Moderate Income Dwelling Units in Common Interest Developments – 10 Years”) of Subsection A (“Duration of Affordability”) of Section 18.64.070 (“Continued Affordability”) of Chapter 18.64 (“Density Bonus and Affordable Housing”) of Title 18 (“Zoning”) of the SCCC is hereby amended to read as follows:

“2. **Moderate Income Dwelling Units in ~~Common-Interest~~ For-Sale Developments – 10 Years.** The continued availability of moderate-income dwelling units in a ~~common-interest~~ for-sale development shall be maintained for a minimum of 10 years, or a longer time if required by City policy or ordinance.”

SECTION 49: That Chapter 18.66 (“Wireless Telecommunications Facilities”) of Title 18 (“Zoning”) of “The Code of the City of Santa Clara, California” (“SCCC”) is hereby amended to read as follows:

"18.66.010 – Purpose and Applicability

A. **Purpose.** This Chapter establishes locational, developmental, and operational standards and permit requirements consistent with Federal law to: regulate the placement and design of wireless telecommunication facilities so as to preserve the unique visual character of the City, promote the aesthetic appearance of the City, and to ensure public safety and welfare; and to acknowledge and provide the community benefit associated with the provision of advanced wireless telecommunication services within the City.

B. Applicability. The requirements of this Chapter shall apply to all wireless telecommunications facilities located within the City, except for the following:

1. Telecommunications facilities placed in the public rights of way, which are governed by Chapter 12.65 (Telecommunications Facilities In Public Rights-of-Way).
2. Handheld devices (i.e., cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers), and similar devices.
3. A consumer-end antenna described in 47 C.F.R. § 1.4000, including but not limited to a satellite dish that is one meter (39 inches) or less in diameter or diagonal measurement located in a residential or mixed-use zone, subject to the following :
 - i. If mounted on a mast, the antenna is mounted no higher than needed to receive or transmit an acceptable quality signal and in no event higher than 12 feet above roofline; or
 - ii. Consumer-end antennas proposed for properties located on the Historic Resources Inventory or the California Register of Historic Resources shall apply to the Director for a Significant Property Alteration (SPA) permit for small projects.
4. A satellite earth station (SES) antenna of two meters (78 inches) or less in diameter or diagonal measurement, located in a non-residential or mixed-use zone, that is designed to transmit or receive radio communications by satellite or terrestrial communications antenna. These antennas shall require a Building Permit and approval of the placement by the Director to

ensure safety, and to avoid tripping hazards and the creation of an attractive nuisance, shall be placed whenever possible, on the top of structures as far from the edge of rooftops towards the rear of the structure to minimize the view from the public rights-of-way.

5. Wireless telecommunication facilities and/or components of these facilities used solely for public safety purposes, installed and operated by authorized public safety agencies (e.g., City 911 emergency services, police, and/or fire department, first responder medical services, hospitals, etc.), are exempt from the provisions of this Chapter.

18.66.020 – Definitions

The following definitions shall apply to this Chapter.

Antennas. An apparatus designed for the purpose of emitting or receiving radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to Federal Communications Commission (Commission or FCC) authorization, for the transmission or reception of writing, signs, signals, data, images, pictures, and sounds of all kinds. For purposes of this definition, the term “antenna” does not include an unintentional radiator, mobile station, or device authorized under 47 CFR Subpart G, as may be amended

Base Station. The term “base station” shall have the same meaning as in 47 C.F.R. Section 1.6100, as may be amended.

Co-location or Co-Located Facility. The mounting or installation of transmission equipment on an existing wireless tower or base station for the purpose of transmitting and/or receiving radio frequency signals for communication purposes.

Concealed Facility. A wireless telecommunications facility that is integrated as an

architectural feature of an existing supporting structure or any new wireless telecommunications facility that is camouflaged or concealed so that the presence of the facility is either: (1) virtually imperceptible to the casual observer, such as an antenna behind louvers on a building, or inside a steeple or similar structure; or (2) camouflaged so as to blend in with its surroundings to such an extent that, to a casual observer, it does not appear to be a wireless telecommunications facility. To qualify as a concealed facility, the facility in question must match the character of its surroundings and the type of item that it is mimicking in size, scale, shape, dimensions, color, materials, function, and other attributes as closely as possible. The elements that make a facility a concealed facility are concealment elements.

Concealment Element. Any design feature, including but not limited to painting, landscaping, shielding requirements and restrictions on location, proportions, or physical dimensions in relation to the surrounding area or supporting structures that are intended to and do make a wireless telecommunications facility or its supporting structure less visible or obtrusive to the casual observer.

Consumer-end antennas. Antennas which are either: subject to the Federal Communications Commission (FCC) Over-the-Air-Receiving Devices Rule (47 C.F.R. § 1.4000) placed at an end user's premises used solely for the purpose of the provision of services to that end user; or solely for amateur radio communications.

DAS. Distributed Antenna System.

Dish Antenna. Any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia-shaped and is used to transmit and/or receive electromagnetic signals.

Eligible Facilities Request. As defined in 47 C.F.R. § 1.6100(b)(3), as may be amended.

FCC. Federal Communications Commission, or the Federal successor agency, responsible for regulating telecommunications in the United States.

Monopole. A single unguayed pole-structure erected on the ground (e.g., bare ground, concrete slab or footing), to support one or more wireless telecommunication antennas and connecting appurtenances.)

Radiofrequency (RF) Radiation. Radiation from the portion of the electromagnetic spectrum with frequencies between 3 kilohertz (3 kHz) and 300 gigahertz (GHz), including microwaves, television VHF and UHF signals, radio signals, and low to ultra-low frequencies.

Radome. A dome or other structure protecting radar equipment.

Repeater. Small receiver/relay transmitter of relatively low power output designed to provide service to areas that are not able to receive adequate coverage directly from a base or primary station. "Repeater" as used in this ordinance does not include Wi-Fi range extenders and boosters intended for in-home use.

Slimline Monopole. A monopole with a maximum allowable height of 75 feet, including the antenna, that uses antennas shielded by a radome projecting less than three feet from the center of the pole,.

Stealth Technology/Techniques. Camouflaging methods applied to wireless telecommunication towers, antennas and/or other facilities, which result in the facilities appearing to be something else (for example, a clock tower).

Substantial Change. A modification to an eligible support structure meeting the criteria

of 47 C.F.R. § 1.6100(b)(7), as may be amended.

Transmission Equipment. Equipment that facilitates transmission of any FCC-licensed or authorized wireless service, as described in more detail in 47 C.F.R. § 1.6100(b)(8), as may be amended.

Visual Impact. An adverse effect on the visual and/or aesthetic environment. This may derive from blocking of a view, or introduction of elements that are incompatible with the scale, texture, form or color of the existing natural or human-made landscape, including the existing character surrounding the proposed wireless telecommunication facility site.

Wireless Telecommunication (or Telecommunications) Facility. A facility at a fixed location, including all associated equipment, which supports the FCC-licensed transmission and/or receipt of electromagnetic/radio signals. Wireless telecommunication facilities include cellular radiotelephone service facilities, personal communications service facilities (including wireless Internet), specialized mobile radio service facilities, and commercial paging service facilities. Components of these types of facilities can consist of the following: antennas, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of signals, telecommunication towers or similar structures supporting the equipment, equipment structures, parking area, and other accessory development.

Wireless Telecommunication Tower (Cell Tower/Tower). Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities. It includes, but is not limited to, masts, poles, monopoles, guyed towers, lattice towers, and freestanding towers.

18.66.030 – Exemptions from Discretionary Permits

The following wireless telecommunication facilities are exempt from the discretionary permit requirements of this Chapter. However, each wireless telecommunication facility shall comply with all applicable requirements of State and Federal law, the remaining requirements of this Chapter, and the issuance of a nondiscretionary Zoning Clearance.

- A. Replacement or modification of a previously allowed facility or equipment, or collocation of new transmission equipment, that does not substantially change the physical dimensions of the existing facility or equipment and qualifies as an “eligible facilities request” under 47 CFR § 1.6100, as may be amended.
- B. Temporary mobile wireless facilities intended or used to provide wireless services on a temporary or emergency basis, such as a large-scale special event in which more users than usual gather in a confined location or when a disaster requires additional service capabilities. Temporary wireless telecommunications facilities include, without limitation, cells on wheels (COW), sites on wheels (SOW), cells on light trucks (COLTs), or other similar wireless telecommunications facilities: (1) that will be in place for less than two weeks in duration (or such other longer time as the City may allow in light of the event or emergency); (2) for which any required notice is provided to the FAA; (3) that do not require marking or lighting under FAA regulations; (4) that will be less than 100 feet in height; and (5) that will either involve no excavation or involve excavation only as required to safely anchor the facility, where the depth of previous disturbance exceeds the proposed construction depth (excluding footings and other anchoring mechanisms) by at least two feet. Applicants may seek an extension for any such installation, which extension shall be subject to the discretion of the Director, based upon a review of

the ongoing need for the temporary facility, as well as any relevant impact assessments, and provided that any such extension requests are accompanied by detailed justification and other documentation deemed necessary by the Director.

- C. Any modification or maintenance activities carried out as part of the routine operation of wireless telecommunication facilities that do not result in substantial change.
- D. Any other facilities that are exempt from City approval by State or Federal statute.

18.66.040 – Permits Required

No wireless telecommunication facility except those designated in Section 18.66.030 (Exemptions from Discretionary Permits) shall be installed, erected, or modified in the City without the approval of either a Conditional Use Permit or Minor Use Permit, in addition to a Zoning Clearance, in compliance with the list of allowable land uses specified in Article 2 (Zones, Allowable Uses, and Development Standards) and the following.

- A. **Conditional Use Permit.** Conditional Use Permit approval is required for all new wireless telecommunication facilities and wireless telecommunication towers that exceed 70 feet in height, or do not meet the definition of slimline monopole subject to this Chapter.
- B. **Minor Use Permit.** Minor Use Permit approval is required for the extension of an existing wireless telecommunication facility and if the existing wireless telecommunication tower will be 70 feet or less feet in height and meets the definition of slimline monopole. A Minor Use Permit is also required for a Concealed Facility of any height.
- C. **Conditions.** In approving a Conditional Use Permit or Minor Use Permit, the

appropriate Review Authority may impose conditions as it deems reasonable, necessary, and appropriate to further the purposes of this Chapter, including, but not limited to, redesign or relocation of the proposed facility and resubmittal of a revised proposal for further consideration.

D. **Zoning Clearance.** A nondiscretionary Zoning Clearance is required for co-location of new transmission equipment on an existing permitted wireless telecommunication tower or facility, where the co-location does not substantially change the physical dimensions of the existing facility or equipment and qualifies as an “eligible facilities request” under 47 CFR § 1.6100, as may be amended. Multiple service providers may submit one application for all intended co-located facilities. Prior to the issuance of a Zoning Clearance all the following requirements shall be met for the proposed facility. The wireless telecommunications facility:

1. Shall be consistent with current zoning regulations; and
2. Was previously granted discretionary review approval.

18.66.050 – Application Requirements

A. **Requirements.** In addition to the information required for a Conditional Use Permit, Minor Use Permit, or Zoning Clearance application in Article 6 (Permit Processing Procedures) the application for a wireless telecommunication facility subject to discretionary permitting shall also include all the following:

1. **Boundary Map.** A map with locations and boundaries of the coverage areas and a search ring analysis for all of the applicant’s tower sites existing, approved but not yet constructed, applicant submitted but not yet approved, and planned future sites. The Boundary Map shall also include

all of the following:

- a. Indicate any existing communication towers located within a four-mile radius of the proposed site(s), the operators of each tower, the tower heights, and attempts to collocate.
- b. Identify any airport facility located within a four-mile radius of the proposed site(s).

2. **Site Specific Map.** The applicant shall submit a detailed map for each proposed site coverage area including all the following:

- a. Identify all structures, roads, highways, and residences; and
- b. Identify all feasible locations for comparable facilities within each coverage area.

3. **Service Map Required.** The applicant shall provide a vicinity map of the geographic service area for the proposed facility, including the service area of the applicant's existing sites in the local service network. The documentation shall provide a detailed description of the coverage or capacity demand that the facility is intended to address.

4. **Parcel Specific Information.** The applicant shall provide copies of any land use easements or lease restrictions which would prohibit co-location (on existing wireless telecommunication facilities) or share locations (next to an existing wireless telecommunication facilities) by other service providers.

5. **Explanation of Technology.** The applicant shall provide a detailed explanation of the type of technology to be used and types of services to be provided by each wireless telecommunication facility site/installation.

6. **Health Certification.** The applicant shall supply detailed information regarding general and occupation radio frequency exposure and mitigation measures acceptable to the Director for the proposed facility; shall certify compliance with applicable FCC standards for radio frequency radiation; and shall comply at all times with all applicable health requirements and standards pertaining to electromagnetic and/or radio frequency radiation.
7. **Co-Location.** All new towers shall allow for co-location of public safety transmission equipment when deemed feasible by the Director. Such co-location shall be considered feasible if there is a mutual agreement between the tower owner and the public safety entity, ensuring that technical compatibility, structural capacity, and the potential for interference with existing services have been addressed to the satisfaction of each party.

B. Information required Before Issuance of Building Permits. The applicant shall provide the City with all the following items before the issuance of a Building Permit:

1. An acceptable type of financial security (i.e., a letter of credit), to ensure that the approved facility is properly maintained and to guarantee that the facility is dismantled and removed if non-operative or abandoned for a minimum 30-day period or upon expiration of the permit from the City, whichever first occurs;
2. A proposed wireless telecommunication tower lighting plan; and

18.66.060 – Location Requirements

A. Tower Placement in Commercial Zones. Wireless telecommunication towers

located within a Commercial zone shall be separated by a minimum distance of 200 feet from any other wireless telecommunication towers, and there shall be no more than two towers on a single parcel, unless the towers are located on a publicly owned parcel.

B. Facility Placement Near Residential and Mixed-Use Structures. In all zones, wireless communications facilities shall be separated by a minimum distance of 300 feet of any residential or mixed-use structure or any other existing wireless communications facility except as follows.

1. When located on any existing nonresidential structure or on any existing utility pole, provided the location complies with all the following:
 - a. The co-location is in full compliance with the California Public Utilities Commission Joint Pole Association General Order 95, Rule 94, and any other applicable State or Federal regulations.
 - b. Existing wireless communications facilities to be used for co-location shall have been previously approved for a Conditional Use Permit or a Minor Use Permit, including modification of an existing Conditional Use Permit or Minor Use Permit. Legal nonconforming facilities do not qualify for co-location.
 - c. All new accessory equipment and enclosures are located underground or screened from public view as approved by the Director.
 - d. Unless shown in the submitted application documentation to the satisfaction of the Director to not be technically feasible, all

antennas and/or antenna panels shall be flush mounted and limited in number to that amount necessary to achieve the required coverage or service objective described in the project application.

2. The proposed wireless telecommunication facility will replace or modify an existing wireless telecommunication facility for purposes of co-location, or qualifies as an Eligible Facilities Request.

18.66.070 – Facility Design and Developmental Standards

All wireless telecommunication facilities shall be located, developed, and operated in compliance with all of the following standards:

A. Height and Separation Requirements.

1. The height of a wireless telecommunication tower shall be measured from the natural undisturbed ground surface below the center of the base of the tower to the top of the tower or to the point of the highest piece of equipment attached to the tower.
2. Wireless telecommunications facilities and related equipment shall be safely erected and maintained at a height which does not exceed the surrounding conditions, improvements, and circumstances.
3. Wireless telecommunications facilities shall maintain at least one foot of separation to residential uses (located on or off-site) for each one foot of tower height.

B. Colors and Materials. All antennas, poles, towers, or related equipment, including ancillary support equipment, shall have a nonreflective finish and shall be painted or otherwise treated to match or blend with the primary background and minimize

visual impacts. Antennas attached to a structure shall be painted or otherwise treated to match the exterior of the structure or the antenna's background color.

- C. **Concealment Elements and Stealth Features.** Wireless telecommunications facilities shall incorporate concealment elements and stealth features to blend the tower and other elements of the wireless telecommunications facility into its natural surroundings to the maximum extent possible. This is typically achieved through camouflaging the tower to look like trees or other similar natural-looking features in the vicinity, but for building façades or rooftops, could include design elements appropriate in size, proportion and design to the building itself. After installation, concealment elements may be modified and/or enlarged if they do not result in a different degree of concealment. After installation, stealth features may not be modified if the modifications would defeat the stealth effect.
- D. **Equipment Cabinets.** A wireless telecommunication facility shall not exceed four equipment cabinets.
- E. **Screening, Landscaping.** All ground mounted equipment, antennas, poles, or towers shall be sited to be screened by existing development, topography, or vegetation. Ground mounted facilities shall be screened with structures or located underground or in areas where substantial screening by existing structures or vegetation can be achieved. Additional new vegetation or other screening may be required by the Review Authority. The applicant shall use the smallest and least visible antennas possible to accomplish the owner/operator's coverage objectives.
- F. **Additional Screening and Landscaping.** As part of project review and the imposition of conditions of approval, the Review Authority may require additional

screening and/or landscaping, under-grounding, an alternative color scheme, or relocation of a tower or ancillary equipment to a less obtrusive area of the site where it would have a less prominent visual presence due to slope, topography, size, or relationship to the public rights-of-way.

- G. **Lighting.** If required by the City or State or Federal regulations, wireless telecommunication towers shall be lighted, with lighting hooded/shielded and directed downward and away from adjoining properties and the public rights-of-way. No blinking or flashing lights shall be allowed unless required by State or Federal regulations. Lighting may be permitted where part of an appropriate stealth design.
- H. **Power.** The provision of power to and within a communication facility site shall be installed underground, unless, in the determination of the Review Authority, conditions on the site render undergrounding infeasible.
- I. **Backup Power Supply.** Any backup power supply (i.e., generator) and associated fuel storage tanks to support the backup power supply shall be enclosed within a structure and screened to the satisfaction of the Director.
- J. **Signs.** No advertising signs or logos other than a maximum three-square foot nameplate shall be allowed on a tower and related facilities, and no other signage shall be permitted except as part of an approved stealth or concealment design, or as required by federal or state law.
- K. **HRI Properties.** If a proposed facility would be located on, or within 200 feet of, a property listed on the City's Historic Resource Inventory, then a Significant Property Alteration Permit shall be required

18.66.080 – Operation and Maintenance Standards

A. Contact and Site Information. The owner or operator of any wireless facility shall submit and maintain current at all times basic contact and site information. The owner or operator shall notify the City of any changes to the information submitted within 30 days of any change, including change of the name or legal status of the owner or operator. At a minimum this information shall include all the following:

1. Name, address, telephone numbers and legal status of the owner of the facility, including official identification numbers and FCC certification, and if different from the owner, the identity and legal status of the person or entity responsible for operating the facility;
2. Name, address, and telephone numbers (land line(s) and mobile) of a local contact person for emergencies;
3. Type of service provided; and
4. Identification signs, including emergency phone numbers (land line(s) and mobile) of the utility provider, shall be posted at all communication facility sites.

B. Facility Maintenance. All wireless telecommunication facilities and related equipment, including lighting, fencing, screening, shields, cabinets, yards, and poles shall be maintained in good repair, free from trash, debris, litter, graffiti, and other forms of vandalism, and any damage from any cause shall be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight. Coloration, stealth elements and other elements designed to conceal

the facility shall be maintained and replaced as necessary to serve the purposes for which the conditions were established.

- C. **Landscaping Maintenance.** All trees, foliage, and other landscaping elements on a wireless telecommunication facility site, whether or not used as screening, shall be maintained in good condition at all times in compliance with the approved landscape plan. The facility owner or operator shall be responsible for replacing any damaged, dead, or decayed landscaping as promptly as reasonably possible. Amendments or modifications to the landscape plan shall require approval by the Director. The Review Authority may also require a landscape maintenance agreement.
- D. **Noise.** Each wireless telecommunication facility shall be operated to minimize the generation of noise that is audible from off the site. Backup generators shall only be operated during periods of power outages and shall not be tested on weekends or holidays. At no time shall equipment noise from any source exceed the noise standards in Chapter 9.10 of the SCCC (Regulation of Noise and Vibration).
- E. **Exterior Lighting.** Any exterior lighting shall be manually operated and used only during night maintenance or emergencies, unless otherwise required by applicable Federal law or FCC rules. The lighting shall be constructed or located so that only the intended area is illuminated, and off-site glare is fully controlled. Light fixtures shall be low wattage, hooded, and directed downward and away from adjoining properties.
- F. **Site Inspection Required.** Each owner or operator of a facility shall routinely and regularly inspect each site to ensure compliance with the standards identified in

this Section.

18.66.090 – Discontinuance and Site Restoration

- A. All equipment exclusively associated with the wireless telecommunication facility shall be removed from the site within 30 days of the discontinuance of the use and the site shall be restored to its original preconstruction condition or better, subject to the approval of the Director.
- B. The service provider shall provide the City with a notice of intent to vacate a site a minimum of 30 days before site vacation.
- C. This removal requirement, and appropriate bonding requirements, shall be included in the terms of a lease for a facility on public property.
- D. A private lease for a facility located on private property is encouraged to include terms for equipment removal, since the property owner shall be ultimately responsible for removal of the equipment.”

SECTION 50: That Paragraph 1, “One-car Garages”, of Subsection A, “Residential Expansions,” of Section 18.92.040, “Allowed Improvements and Expansions of Nonconforming Structures”, of Chapter 18.92, “Nonconforming Structures” of Title 18, “Zoning” of the SCCC is hereby amended to read as follows:

“1. ~~One-car garages~~ Residences with legal nonconforming parking. Expansions of single-family dwellings and duplexes ~~retaining only a one-car garage for each unit, with legal nonconforming parking are~~ allowed up to a maximum 1,000 square foot expansion of floor area. For purposes of this Subparagraph, a “maximum 1,000 square foot expansion” includes all expansions in the aggregate since the parcel or structure became nonconforming.”

SECTION 51: That Subsection A, “Parking Spaces and Improvements” of Section 18.98.020, “Nonconformities Regarding Off-Street Parking and Loading” of Chapter 18.98, “Other Specific Nonconforming Provisions” of Title 18, “Zoning” of the SCCC is hereby amended to read as follows:

“A. Parking Spaces and Improvements.

1. Any nonconformity with respect to off-street parking spaces or improvements may continue indefinitely, except that with any change, expansion, or intensification of use, the additional off-street parking required for the change, expansion, or intensification shall be provided in compliance with Chapter 18.38 (Off-Street Parking Regulations and Design Standards).

2. The only exception to this provision is found in Subsection 18.92.040 A.1. (~~Residences with legal nonconforming parking One-car Garages~~), which allows retention ~~of a one-car garage legal nonconforming parking~~ in certain specified circumstances.”

SECTION 52: That Table 6-1, “Review Authority”, of Chapter 18.112, “Application Processing Procedures”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

**Table 6-1
Review Authority**

Type of Action	Applicable Code Citation	Role of Review Authority ⁽¹⁾⁽²⁾		
		Director	Planning Commission	Council
A. Administrative Permits and Actions				
Architectural Review				
Review of Single-Family Res.	18.120	Decision	Appeal	Appeal
Review of All Other Items	18.120	Decision		Appeal
Density Bonus for Affordable Housing	18.64	Decision	Appeal	
Minor Modifications	18.124	Decision	Appeal	
Minor Use Permits	18.114	Decision	Appeal	
Off-Site Parking Permit	18.116	Decision	Appeal	
Reasonable Accommodation	18.118	Decision	Appeal	

**Table 6-1
Review Authority**

Sign Permits/Comprehensive Sign Programs	18.42	Decision	Appeal	
Temporary Use Permits	18.122	Decision	Appeal	
Zoning Clearances	18.126	Issuance	Appeal	
B. Quasi-Judicial Permits and Actions				
Conditional Use Permits	18.114		Decision	Appeal
Major Modifications	18.114		Decision	Appeal
Minor Modifications	18.114	Decision	Appeal	
Historic Preservation – SPAs for Small Projects	18.130	Decision	Appeal	
Historic Preservation – SPAs for Major Alterations	18.130	Decision	Appeal	
Variances	18.124		Decision	Appeal
C. Legislative Actions				
General Plan Text/Map Amendments	18.142		Recommend	Decision
Specific Plans and Amendments	18.142		Recommend	Decision
Zoning Code Text/Zoning Map Amendments	18.142		Recommend	Decision
D. Subdivision Maps and Other Approvals				
Tentative Maps, Final and Parcel Maps	See Title 17 (Development), Chapter 17.05 (Subdivisions)			
Lot Line Adjustments, Mergers, and Approvals	See Title 17 (Development), Chapter 17.05 (Subdivisions)			
Notes:				
1. "Decision" means that the Review Authority makes the final decision on the matter; "Appeal" means that the Review Authority may consider and decide upon appeals to the decision of an earlier decision making body, in compliance with Chapter 18.144 (Appeals); "Issuance" means that the Review Authority may consider and grant the request in compliance with this Zoning Code; "Recommend" means that the Review Authority should provide preliminary review and forward input to the decision-making Review Authority for consideration.				
2. Any Review Authority may defer action and refer the request to the next higher Review Authority level for consideration and final action. In cases where the Council is specified as the Review Authority, the Council shall be the final level of review.				

SECTION 53: That Chapter 18.118, "Reasonable Accommodation," of Title 18, Zoning, of the SCCC is hereby amended to read as follows:

"18.118.010 - Purpose

A. Provides Procedures.

1. This Chapter provides a procedure to request Reasonable Accommodation for individuals with disabilities seeking equal access to housing pursuant to the Federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act (hereafter "fair housing laws"), to provide individuals with disabilities reasonable accommodation in rules, policies, practices and procedures to ensure equal access to

housing and facilitate the development of housing for individuals with disabilities, under State and Federal law, in the application of zoning laws and other land use regulations, policies, and procedures.

2. It is a further purpose of this Chapter to provide a procedure for individuals with disabilities to make requests for, and be provided, reasonable accommodation with respect to development standards, building regulations, rules, policies, practices, and/or procedures of the City, including land use and zoning regulations, policies, practices and procedures of the jurisdiction to comply fully with the intent and purpose of fair housing laws. ~~when reasonable accommodation is warranted based upon substantial evidence.~~

~~B. Typical Adjustment. A Reasonable Accommodation is typically an adjustment to physical design standards (e.g., setbacks) to accommodate the placement of wheelchair ramps or other exterior modifications to a dwelling in response to the needs of a disabled resident.~~

18.118.020 – Applicability

A. Eligible Applicants.

1. A request for Reasonable Accommodation may be made by any individual with a disability, their representative, or any entity, when the application of a zoning law or other land use regulation, policy, or practice acts as a barrier to fair housing opportunities.

2. An individual with a disability is an individual who has a physical or mental impairment that limits one or more major life activities, anyone who is regarded as having this type of impairment, or anyone who has a record of this type of impairment; but not including an individual's current, illegal use of a controlled substance, unless an individual

has a separate disability.

B. Eligible Request.

1. A request for Reasonable Accommodation may include a modification or exception to the practices, rules, and standards for the development, siting, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide an individual with a disability equal opportunity to housing of their choice.

2. A request for Reasonable Accommodation shall comply with Section 18.118.030 (Application Filing, Processing, and Review), below.

3. Reasonable Accommodation does not include an accommodation that would:

- (a) Impose an undue financial or administrative burden on the City; or
- (b) Require a fundamental alteration in the nature of the City's land use policies or zoning regulations.

C. Department Notice.

1. Notice of the availability of Reasonable Accommodation shall be prominently displayed at public information counters in the Department advising the public of the availability of the procedure for eligible individuals.

2. Forms for requesting Reasonable Accommodation shall be available to the public in the Department.

D. Assistance with Request. If an individual with a disability or representative needs assistance in making a request for Reasonable Accommodation, or appealing a determination regarding Reasonable Accommodation, the Department will endeavor to provide the assistance necessary to ensure that the process is accessible to the applicant

or representative. The applicant may be represented at all stages of the proceeding by an individual designated by the applicant as his or her representative or a developer or provider of housing for individuals with disabilities.

E. Other Obligations Not Affected. A Reasonable Accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.

F. Laws Remain in Effect During Processing. While a request for Reasonable Accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

18.118.030 – Application Filing, Processing, and Review

A. Application. An application for a Reasonable Accommodation shall be filed and processed in compliance with Chapter 18.112 (Application Processing Procedures). The application shall include the information and materials specified in the most up-to-date Department handout for Reasonable Accommodation applications, together with the required fee in compliance with the Fee Schedule. Initial review of the application, including time requirements and requests for information, shall be as provided in Section 18.112.060 (Initial Review of Application). The applicant shall sign the application under penalty of perjury, attesting to the accuracy of the application and all of the accompanying materials.

B. Filing with Other Land Use Applications. If the project involves both a request for Reasonable Accommodation and some other discretionary approval (e.g., Architectural Review, Conditional Use Permit, etc.), the applicant shall file the information required by Subsection A. (Application), above, together with the materials required for

the other discretionary approval.

~~C. Responsibility of the Applicant. It is the responsibility of the applicant to provide evidence sufficient to support each of the findings required by Section 18.118.060 (Findings and Decision), below.~~

18.118.040 – Review Authority

A. Director. A request for Reasonable Accommodation shall be reviewed, and a decision shall be made, by the Director if no approval is sought other than the request for Reasonable Accommodation.

B. Other Review Authority. A request for Reasonable Accommodation submitted for concurrent review with another discretionary land use application shall be reviewed (and approved or denied) by the Review Authority reviewing the discretionary land use application.

C. Available Actions. The applicable Review Authority shall take one of the following actions regarding a request for Reasonable Accommodation:

1. Grant the Reasonable Accommodation request, based upon the findings specified in Section 18.118.060 (Findings and Decision), below;
2. Grant the Reasonable Accommodation request, subject to specified conditions;
3. Deny the Reasonable Accommodation request; or
4. Refer the determination of the Reasonable Accommodation request to the Planning Commission who shall render a determination on the application.

18.118.050 – Review Procedures

A. Review Authority.

1. For applications only for a request for Reasonable Accommodation, the Director shall make a written decision and either approve, conditionally approve, approve with modifications, or deny a request for Reasonable Accommodation in compliance with Section 18.118.060 (Findings and Decision), below.

2. For applications for other permits accompanying a request for Reasonable Accommodation, the written decision on whether to approve, conditionally approve, approve with modifications, or deny the request for Reasonable Accommodation shall be made by the Review Authority responsible for reviewing the other discretionary land use permit application(s) in compliance with the applicable review procedure for the discretionary review. The decision to approve or deny the request for Reasonable Accommodation shall be made in compliance with Section 18.118.060 (Findings and Decision), below.

B. Notice of City's Intent. Upon submittal of a completed application for Reasonable Accommodation and subsequent to an application being deemed complete, the Department shall prepare a notice of City's intent to approve, deny, or refer the Reasonable Accommodation request in compliance with this Chapter. The notice of City's intent shall be prepared and disseminated as follows:

1. Content of Notice. The notice of City's intent shall provide a detailed description of the subject property, the Reasonable Accommodation request, and the findings in compliance with Section 18.118.060 (Findings and Decision), below. Additionally, the notice of City's intent shall include information on the public

comment period for the request.

2. Mailing of Notice. The notice of City's intent shall be mailed to the applicant and the property owner of record of the property that is the subject of the Reasonable Accommodation request, and all neighboring properties abutting the subject property within 30 days from the submittal of a completed application for Reasonable Accommodation.

C. Applicability. A Reasonable Accommodation request that is granted in compliance with this Chapter shall not, in and of itself, require the approval of a Variance. The Reasonable Accommodation shall be subject to the following provisions:

1. The Reasonable Accommodation shall only be applicable to a residential structure occupied by one or more individuals with a disability.

2. The Reasonable Accommodation shall only be applicable to the specific use for which an application is made.

3. The Reasonable Accommodation is subject to any and all Building Code permit and inspection requirements of the City and all other applicable zoning regulations and procedures.

4. The applicable Review Authority may impose additional conditions on the approval of a Reasonable Accommodation request that are consistent with the purposes of this Chapter.

18.118.060 – Findings and Decision

The written decision to approve, conditionally approve, approve with modifications, or deny a request for Reasonable Accommodation shall be based on consideration of all of the following factors:

- A. ~~The physical attributes of the property and structures;~~
- B. Whether the housing, which is the subject of the request, will be used by an individual with disabilities protected under fair housing laws; ~~with a disability;~~
- C. Whether the request for Reasonable Accommodation is necessary to make specific housing available to an individual with disabilities protected under the fair housing laws; ~~to an individual with a disability;~~
- D. Whether the requested Reasonable Accommodation would impose an undue financial or administrative burden on the City;
- E. Whether the requested Reasonable Accommodation would require a fundamental alteration in the nature of a City program, policy, procedure, or law, including but not limited to land use and zoning; and
- ~~F. Whether alternative Reasonable Accommodations may provide an equivalent level of benefit.~~

18.118.070 – Rescission of Approval of Reasonable Accommodation

- A. Rescission. An approval or conditional approval of an application made in compliance with this Chapter shall be conditioned to provide for its rescission or automatic expiration under appropriate circumstances (e.g., the disabled individual vacates the subject site), unless allowed to remain in compliance with Subsection B. (Discontinuance and Exceptions), below.
- B. Discontinuance and Exceptions.
 - 1. Any change in use or circumstances that negate the basis for the approval of the Reasonable Accommodation shall require its termination and removal within 180 days.

2. Notwithstanding Subparagraph 1, the applicable Review Authority may allow a Reasonable Accommodation to apply to subsequent occupants, if the Review Authority makes all of the findings specified in Section 18.118.060 (Findings and Decision), above, in any of the following circumstances:

a. The modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with this Zoning Code; or

b. The accommodation is to be used by another qualifying individual with a disability, and the Review Authority makes the findings in Section 18.118.060 (Findings and Decision).

3. The Review Authority may request the applicant or the successor(s)-in-interest to the property to provide documentation that subsequent occupants are qualifying individuals with disabilities. Failure to provide the documentation within 10 30 days of the date of a request by the Review Authority shall constitute grounds for discontinuance by the City of a previously approved Reasonable Accommodation.

18.118.080 – Information identified as confidential.

Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

18.118.090 – Deemed Granted

If the Review Authority fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time period allotted, the request shall be deemed granted.

18.118.080 ~~18.118.100~~ - Post-Decision Procedures

The procedures and requirements in Chapter 18.128 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 7 (Zoning Code Administration) shall apply following the decision on a Reasonable Accommodation application.”

SECTION 54: That Subsection B, “Minor Modifications”, of Section 18.124.020, “Applicability”, of Chapter 18.124, “Variances and Minor Modifications”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

“B. Minor Modifications.

1. The Director shall have the authority to grant only the following Minor Modifications in compliance with this Chapter, and only after first making the findings specified in Section 18.124.050 (Findings and Decision), below:
 - a. Minor Modifications of the vehicle parking space and loading space requirements;
 - b. Minor Modifications of ~~height, area, and~~ yard regulations;
 - c. Minor Modifications of fence, wall, and hedge regulations;
 - d. Minor Modifications of other requirements of this Zoning Code not specifically required to be referred to the Planning Commission.”

SECTION 55: That Subsection C, “Approval of Permits When Designation is Pending”, of Section 18.130.040, “HRI Property Designation” of Chapter 18.130, “Historic Preservation”, of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

“Approval of Permits When Designation is Pending. Except as provided in Section 18.130.080 (Unsafe or Dangerous Conditions), no Building Permit, Demolition Permit, or other permit that would result in a major alteration of the property shall be

issued for any property when an HRI designation application has been initiated with the Department as specified in Subsection B. (Initiation of Designation) until all hearings on the matter are concluded. ~~Minor alterations and small~~ Small projects may still be approved.”

SECTION 56: That Subsection B, “Timing and Form of Appeal”, of Section 18.144.030, “Filing and Processing of Appeals,” of Chapter 18.144, “Appeals,” of Title 18, “Zoning”, of the SCCC is hereby amended to read as follows:

“B. Timing and Form of Appeal. An appeal shall be submitted in writing and shall specifically state the pertinent facts and the basis for the appeal.

1. The pertinent facts and the basis for the appeal shall include, at a minimum, the specific grounds for the appeal, where there was an error or abuse of discretion by the previous Review Authority in the consideration and action on the matter being appealed, and/or where the decision was not supported by the evidence on the record.

2. The appeal shall be filed with the Department or City Clerk, as applicable, within seven days following the actual date the decision was rendered.

a. An appeal addressed to the Planning Commission shall be filed with the Department; and

b. An appeal addressed to the Council shall be filed with the City Clerk.

3. The appeal shall be accompanied by the filing fee identified in the Fee Schedule.

a. The appeal fees are established to cover the cost of the following items as are required for the particular case: field investigation; preparation of necessary reports; preparation of site maps; mailing notices; printing and posting notices and legal

publications.

b. These fees, no part of which shall be refundable, shall be paid to the Department or City Clerk, as applicable, at the time the appeal is filed.

4. The appeal shall be accompanied by a written verification by at least one of the petitioners attesting to the truth and correctness of all facts and maps and other graphic materials presented with the appeal petition. ~~The verification shall be signed before a notary public or other officer authorized to administer oaths.~~

5. Once an appeal is filed, any approval of the subject project is stayed until the appeal is processed and a final decision is rendered by the applicable Review Authority.”

SECTION 57: That Subsection B, “Method of Notice Distribution,” of Section 18.146.020, “Notice of Hearing,” of Chapter 18.146, “Public Notices and Hearings,” of Title 18, “Zoning”, of the SCCC is hereby amended as follows:

“Method of Notice Distribution. Notice of a public hearing required by this Chapter for a planning permit, amendment, appeal, or other approval shall be given as follows.

1. Mailing for a Hearing Before the Director or Planning Commission - With a Public Hearing. Notice shall be mailed, postage prepaid, or delivered at least 10 days before the scheduled hearing date to all of the following. If mailed, the notice shall be deemed delivered two days after being mailed.

a. Project Site Owner(s) and the Applicant. The owner(s) of the property being considered in the application or the owner’s authorized agent, the applicant (at the addresses designated on the application), and any appellant(s).

b. Local Agencies – Only for Development Agreements, General Plan Amendments, and Specific Plans and Amendments. Each local agency expected to provide roads, schools, streets, water, wastewater collection, or other essential facilities or services to the property which is the subject of the application, whose ability to provide those facilities and services may be significantly affected.

c. Affected Owners.

(1) All Public Hearings – 300 feet. Except as otherwise provided in Subparagraph c. (2), below, all owners of real property, as shown on the latest tax assessor's records, located within a radius of 300 feet of the exterior boundaries of the property that is the subject of a public hearing. The radius may be increased as determined to be necessary and desirable by the Director based on the nature of the proposed project.

(2) Alternative to Mailing. If the number of property owners to whom notice would be mailed in compliance with Subsection c. (1)., above is greater than or equal to 1,000, the Director may choose instead to provide a one-eighth page newspaper advertisement in one newspaper of general circulation within the City.

d. Persons Requesting Notice. Any person who has filed a written request for notice with the Director and has paid the required fee to cover the cost of this mailing.

~~e. Exceptions to the 10-day Notice Provision. The only exceptions to the 10-day notice provision shall be for Off-Site Parking Permits and Temporary Use Permits which shall only require a 24-hour notice.~~

2. Alternative Notice for the Director's Decision - Without a Public Hearing. If approval is by the Director without a public hearing, the following requirements shall apply:

a. Except as otherwise provided in Subparagraph b., notice shall be given ~~by~~

~~electronic notice only~~ to the owner/applicant and the abutting property owners (i.e., abutting and across the street).

b. Notice is not required to be given to abutting property owners in applications for minor modifications to permits where there are no significant issues, as determined by the Director.

c. A newspaper notice is not required.

d. A notice of **Architectural Review** decisions by the Director without a public hearing shall also be posted on the City's website at the same time notice is provided to the owner/applicant.

3. Publication.

a. Publication for Development Agreements, General Plan Amendments, and Specific Plans. Notice of a public hearing for a development agreement, development agreement amendment, General Plan amendment, or specific plan shall be published at least once in a newspaper of general circulation in the City at least 10 days before the scheduled hearing date.

b. No publications shall be required for approvals not listed in Subparagraph a.

4. Posting Notices. Notices of public hearing shall be posted as follows:

a. For development agreements, at least one additional paper notice shall also be posted on the project site, fronting on an improved public street.

b. Each paper notice shall be headed by the word "Notice," in letters not less than one inch in height.

c. The person posting the notices shall file a Certificate of Posting together with a copy of the notice with the City Clerk.

- d. The notice shall be posted in at least three public places.
- e. All notices shall be posted at least five days, but 10 days for development agreements, before the public hearing.
- f. A notice of all public hearings shall also be posted on the City's website.

5.4. Additional Notice. In addition to the types of notice required above, the Director may provide any additional notice with content or using a distribution method as the Director determines is necessary or desirable.

6.5. Errors. Any substantive defect or error appearing in any notice shall not divest the Director, Planning Commission, or Council of jurisdiction nor invalidate any proceedings.”

SECTION 58: That the definition “Accessory Dwelling Unit (ADU)”, of Section 18.160.010, “A’ Definitions”, of Article 8, “Definitions”, of Title 18, “Zoning”, of the SCCC is revised to read as follows:

“Accessory Dwelling Unit (ADU). Residential dwelling unit with permanent provisions for living, sleeping, eating, cooking, and sanitation that is located on the same lot as an existing single-family or multi-family dwelling. An ADU is intended for the habitation by one or more persons, and may take one of the following two (2) forms:

- Detached. The unit is separated from the primary single-family dwelling.
- Attached. The unit is attached to the primary single-family dwelling (i.e., an addition). This includes converted ADUs (i.e., a garage conversion) and Junior Accessory Dwelling Units.”

SECTION 59: That the definition “Basement”, of Section 18.160.020, “B’ Definitions”, of Article 8, “Definitions”, of Title 18, “Zoning”, of the SCCC is revised to read as follows:

“Basement. The portion of a structure between the floor and ceiling that is partly

below and partly above grade, but so located that the vertical distance from grade to floor ~~of the basement below~~ is less than the vertical distance from grade to ceiling.”

SECTION 60: That the definition “Industrial, Major”, of Section 18.160.090, “I’ Definitions”, of Article 8, “Definitions”, of Title 18, “Zoning”, of the SCCC is revised to read as follows:

“**Industrial, Major.** Manufacturing, fabrication, processing, and assembly of materials in a raw form. Uses in this category typically create substantial amounts of smoke, gas, odor, dust, sound, or other objectionable influences that might be obnoxious to persons on an adjacent site. Uses include but are not limited to, product assembly and distribution, vehicle and boat assembly, corporation yards, aggregate processing facilities, plastics and rubber products manufacturing, chemical product manufacturing, lumber and wood product manufacturing, petroleum refining, and pulp and pulp product industries.”

SECTION 61: That a new definition “Smoke Shop”, us added to Section 18.160.190, “S’ Definitions”, of Article 8, “Definitions”, of Title 18, “Zoning”, of the SCCC to read as follows:

“**Smoke Shop:** Any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco, vaping, compressed gas (i.e. nitrous oxide), or cannabis paraphernalia. Any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes or tobacco as an ancillary sale shall not be defined as a “smoke shop” and is not subject to the restrictions in this chapter.”

SECTION 62: That a new definition for “Student Housing Development” is hereby added to Section 18.160.190 (“S’ Definitions”) of Article 8 (“Definitions”) of Title 18 (“Zoning”) of

the SCCC to read as follows:

“Student housing development’ means a development that contains bedrooms containing two or more bedspaces that have a shared or private bathroom, access to a shared or private living room and laundry facilities, and access to a shared or private kitchen.”

SECTION 63: That a new definition entitled “Transit Services and Dispatch” is added to Section 18.160.200 (“T’ Definitions”) of Article 8 (“Definitions”) of Title 18 (“Zoning”) of the SCCC to read as follows:

“Transit Services and Dispatch. Facility where buses, limousines, airporters and shuttles are stored and dispatched from.”

SECTION 64: That the definition for Sight Distance Triangle is deleted from Section 18.160.190 (“S” Definitions), renamed “Visibility Clearance Area”, and is added to Section 18.160.220 (“V’ Definitions”) of Article 8 (“Definitions”) of Title 18 (“Zoning”) of the SCCC to read as follows:

“Visibility Clearance Area. A space on a corner parcel and any driveway or alley in which all visual obstructions (e.g., structures and plantings), that inhibit visibility and thus cause a hazard to traffic and pedestrian safety are prohibited. (See also Site Planning and General Development Standards, Section 18.30.030).”

SECTION 65: That the cross-references to other sections of the code are updated to reflect the correct target destination.

SECTION 66: Ordinances Repealed. With exception of the provisions protected by the savings clause, all ordinances (or parts of ordinances) in conflict with or inconsistent with this ordinance are hereby repealed.

SECTION 67: Savings clause. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

SECTION 68: Effective date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of “The Charter of the City of Santa Clara, California.”

PASSED FOR THE PURPOSE OF PUBLICATION this 27th day of May, 2025, by the following vote:

AYES:	COUNCILORS:
NOES:	COUNCILORS:
ABSENT:	COUNCILORS:
ABSTAINED:	COUNCILORS:

ATTEST:

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None



City of Santa Clara

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Agenda Report

25-67

Agenda Date: 4/16/2025

REPORT TO PLANNING COMMISSION

SUBJECT

STUDY SESSION: Mobile Food Vendors

DISCUSSION

Planning Manager Lesley Xavier will provide a presentation on the Zoning Code regulations for Mobile Food Vendors that were added with the adoption of the Updated Zoning Code and the process for permitting a Mobile Food Vendor.



Agenda Report

25-464

Agenda Date: 4/16/2025

REPORT TO PLANNING COMMISSION

SUBJECT

Planning Commission Workplan Fiscal Year 2025/2026

BACKGROUND

The City Manager's Office and City Clerk's Office are implementing an annual workplan process for all Boards, Committees, and Commissions within the City. For the Planning Commission who has a set scope per Charter and is quasi-judicial body, no workplan is needed, but a broad-based list of types of items needed to conduct business such as relevant training may go before the bodies.

DISCUSSION

At the February 19, 2025 Planning Commission meeting the Commission discussed the draft workplan. The draft workplan was developed based on past study session requests, past conference attendance, and the list of land use priorities that the Planning Commission presented to the City Council for its consideration during its priority setting process in 2024. Attachment 1 to this report is the current draft of the workplan.

Following completion, the workplan will be reviewed and approved by the Planning Commission at their May 21, 2025 meeting with a corresponding Council presentation. At a June or July City Council meeting, the Chair and/or Vice Chair will present the workplan to the City Council.

RECOMMENDATION

There is no staff recommendation.

Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Draft Planning Commission Workplan FY25-26



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

PLANNING COMMISSION

CHARTER, CITY CODE, AND
WORK PLAN

FY 2025/26

City Charter

City Charter Section 1007 Planning Commission - Duties and powers states that the Planning Commission shall have power and be required to:

- (a) After a public hearing thereon, recommend to the City Council the adoption, amendment, or repeal of the General Plan or any part thereof for the physical development of the City;
- (b) Exercise such functions with respect to land subdivisions, planning, and zoning as may be prescribed by ordinance; and
- (c) Exercise such planning, zoning, environmental or other function as now or may be hereafter authorized by the State of California in so far as they do not conflict with the provisions of this Charter.

City Code

Title 18 – Zoning Code, of the City of Santa Clara City Code includes the following Chapters that outlines the role of the Planning Commission.

Chapter 18.112.020 Authority for Land Use and Zoning Decisions

The Planning Commission is the Review Authority on:

- Conditional Use Permits and Major Modifications, and
- Variances.

The Planning Commission is a recommending body to the City Council on:

- General Plan Land Use and Text Amendments,
- Specific Plan Land Use and Text Amendments, and
- Zoning Code Text and Map Amendments.

18.114.050 – Findings and Decision – Conditional Use Permit and Major Modifications

- A. The proposed use is consistent with the General Plan and any applicable specific plan;
- B. The proposed use is allowed within the subject zone and complies with all other applicable provisions of this Zoning Code and the City Code;
- C. The design, location, size, and operating characteristics of the proposed use are compatible with the allowed uses in the vicinity;
- D. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare; and
- E. The subject site is:
 - 1) Physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities;
 - 2) and Served by highways and streets adequate in width and improvement to carry the type and quantity of traffic the proposed use would likely generate.

18.124.050 – Findings and Decision – Variances

Required Variance Findings. The Review Authority may approve a Variance application only after first making all the following findings:

- A. There are special circumstances or conditions applicable to the subject property or existing

- buildings (e.g., location, shape, size, surroundings, topography, or other physical features) that do not apply generally to other properties in the vicinity under an identical zoning classification;
- B. Strict compliance with Zoning Code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
 - C. Approving the Variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the same vicinity and zone in which the subject property is situated; and Granting the Variance will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the subject property in question.

18.142.040 - Planning Commission Action on Amendments

- A. All Amendments. After the public hearing, the Planning Commission shall forward a written recommendation to the Council whether to approve, approve in modified form, or deny the proposed amendment.
- B. Recommendations on Zoning Code and Zoning Map Amendments. A recommendation for approval, approval in modified form, or denial of a Zoning Code or Zoning Map amendment shall require the affirmative vote of the majority of the entire membership of the Planning Commission. In the event the Planning Commission is unable to reach agreement on a recommendation, the amendment shall be forwarded to the Council with no recommendation.
- C. Recommendations on General Plan Amendments. A recommendation for approval or approval in modified form of a General Plan amendment shall require the affirmative vote of the majority of the entire membership of the Planning Commission. In the event the Planning Commission is unable to reach agreement on a recommendation, the amendment shall be forwarded to the Council with a recommendation of denial.

Title 17 – Development, Chapter 17.05 Subdivisions, of the City of Santa Clara City Code includes the following Chapters that outline the role of the Planning Commission as it relates to the division of land within the City.

Chapter 17.05.110 – Responsibilities

(g) Planning Commission. The Planning Commission shall be responsible for making recommendations for approval, conditional approval, or denial of the tentative map for subdivisions of five or more lots or units and reporting its recommendations to the City Council; and hearing of appeals for minor subdivisions of four or fewer parcels.

The Planning Commission’s recommendation to approve or conditionally approve or deny the tentative map, are based on finding that the proposed subdivision, together with the provisions for its design and improvement, is consistent or not consistent with the General Plan adopted by the City of Santa Clara and all applicable provisions of this Code.

Workplan

Based on the Charter, the Planning Commission is a quasi-judicial body which acts in an advisory capacity to the City Council in all matters pertaining to the physical development of the City and consists of seven commissioners that are volunteers and are appointed by the City Council.

As prescribed by Ordinance, after a public hearing, the Commission makes a recommendation to the City Council on:

- General Plan Amendments
- Zoning of Real Property
- Changes to the Zoning Code
- Land Subdivisions

And, after a public hearing, the Commission takes final action, except in the event of an appeal, for the granting of any:

- Conditional Use Permit and Major Modification
- Variances
- Appeals of Director's Decision's

Per the City Code, when making decisions, the Planning Commission must find that a project is:

- consistent with the General Plan
- any applicable Specific Plan
- the subject zone
- applicable provisions of the Zoning Code and the City Code
- that the design, location, size, and operating characteristics of the proposed use are compatible with the allowed uses
- that the operation of the use at the location would not be detrimental to the harmonious and orderly growth of the City or constitute hazard to the public convenience, health, interest, safety, or general welfare
- that the site is physically suitable for the project/use in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access and public services and utilities
- that the site is served by highways and streets adequate in width and improvement to carry the type and quantity of traffic the proposed use would likely generate

To make informed decisions, the Commission seeks trainings on topics relevant to their decision making by attending conferences and procuring study sessions on relevant topics. These items are reflected in their workplan. In addition, during the course of its work, the Planning Commission has also identified a list of land use priorities for City Council to consider during its priority setting process, which is also reflected in the workplan.

1. Conferences and Trainings

Action	Subcommittee	Timeline	Notes	Budget
Joint Venture Silicon Valley State of the Valley		March 7, 2025	\$100 per ticket	
LCC Planning Commissioner Academy		March 2025	\$660 per ticket	
APA National Conference		Online April 23-25, 2025 Denver March 29–April 1, 2025	Online: \$350 (member), \$400 (non-member) In-Person: \$785 (member), \$1,225 (non-member)	
APA California Conference		Monterey, CA September 28 – October 1, 2025	Member: \$782.50 Non-member: \$966.25 <i>(early-bird rate before July 28th \$100 off)</i>	
Institute for Local Government (ILG)			Webinars and Trainings - No upcoming	
State of the City				
CEQA				

2. Study Sessions

Action	Subcommittee	Timeline	Notes	Budget
Yearly Housing Legislation Enacted by the State Legislature		January 15, 2025	Presented by Assistant CAO	
ULI Study Session		February 13, 2025		
Mobile Food Vendor Ordinance		April 16, 2025	Presented by staff	
CEQA		May 21, 2025	Presented by David J. Powers & Associates	Free
Data Centers		Tentatively Scheduled for May 20, 2025	Joint Study Session w/ City Council	
Infrastructure Planning to Support Future Growth				
Due Process Requirements (e.g. how to respond to reporters)			Assistant CAO	

3. Land Use Priorities for Council Consideration

Action	Subcommittee	Timeline	Notes	Budget
Data Center Standards and Location Requirements				
Entertainment District				
Supportive Housing Solutions – Tiny Homes; Moveable Homes				
Sustainability				
Vacant & Blighted Building Ordinance				
Skilled Labor Policy				
Citizen Commission Overseeing SVP				