

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING AND CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING CEQA FINDINGS WITH RESPECT THERETO, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE EL CAMINO REAL SPECIFIC PLAN**

SCH # 2019059029

El Camino Real Specific Plan Environmental Impact Report

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

**WHEREAS**, the City intends to adopt the El Camino Real Specific Plan, a Specific Plan for a transit-oriented, pedestrian-friendly corridor of up to 6,200 residential units with supportive commercial uses, located on approximately 250 acres along the 3.2 mile El Camino Real corridor between the western City limits and Lafayette Street in the east, which is currently largely developed with auto oriented uses;

**WHEREAS**, the El Camino Real Specific Plan is intended to be a tree-lined, pedestrian- and transit-oriented corridor with a mix of residential and retail uses;

**WHEREAS**, the El Camino Real area will include a variety of forms of urban housing, including podium buildings, mid-rise residential mixed-use buildings, and medium density townhomes;

**WHEREAS**, a Specific Plan is a tool for providing regulatory direction for specific parts of a city, and can include policy guidance, regulatory requirements, and design guidelines;

**WHEREAS**, the proposed El Camino Real Specific Plan is consistent with the Goals and Policies of the El Camino Real Focus Area in the General Plan;

**WHEREAS**, as a part of implementing the Specific Plan, the City intends to adopt a General Plan Amendment ("GPA") to align the General Plan land use diagram by changing the existing land use designations of the Project Site from Community Mixed Use and Regional Mixed Use to Regional Commercial Mixed Use (55-100 dwelling units per acre; 0.20 FAR of commercial required), Corridor Mixed Use (45-65 dwelling units per acre; commercial allowed but not

required), Corridor Residential (16-45 dwelling units per acre; commercial allowed but not required), and Ground Floor Commercial Overlay which requires commercial uses at specific sites;

**WHEREAS**, the GPA includes an amendment to Appendix 8.13 (the Climate Action Plan) setting forth vehicle trip reduction targets for the new Land Use designations of Regional Commercial Mixed Use, Corridor Mixed Use, and Corridor Residential;

**WHEREAS**, the City is also proposing to adopt an ordinance to amend Title 18, the Zoning Code, to create the new El Camino Real Corridor zoning districts;

**WHEREAS**, the Project approvals will include this Resolution No. [REDACTED] (the “CEQA Resolution”); Resolution No. [REDACTED] (the “General Plan Amendment Resolution”); Resolution No. [REDACTED] (the “Specific Plan Resolution”); and Resolution No. [REDACTED] (the “Zoning Resolution”) (collectively, the “Approvals”);

**WHEREAS**, on May 7, 2019 the City of Santa Clara (“City”) distributed a Notice of Preparation of a Draft Environmental Impact Report (“DEIR”) for the El Camino Real Specific Plan that included a total of 6,200 dwelling units and a reduction of 395,000 square feet of commercial uses and on May 7, 2019 posted the Notice at the Santa Clara County Clerk’s office, soliciting guidance on the scope and content of the environmental information to be included in the DEIR;

**WHEREAS**, the DEIR was prepared in accordance with CEQA and the City circulated copies of the DEIR and Notice of Availability to the public agencies which have jurisdiction by law with respect to the Project, as well as to other interested persons, organizations and agencies, and the City sought the comments of such persons, organizations and agencies on December 10, 2020 for a 45-day review period, ending on January 25, 2021 (“Comment Period”);

**WHEREAS**, the City prepared written responses to the comments received during the Comment Period and included those responses in a Final Environmental Impact Report (“FEIR”). The FEIR consists of a list of agencies and organizations to whom the DEIR was sent, a list of the comment letters received on the DEIR, revisions to the text of the DEIR, responses to

comments received on the DEIR, and copies of comment letters. The FEIR was distributed for public review on April 19, 2021;

**WHEREAS**, the DEIR and FEIR constitute the EIR for the Project;

**WHEREAS**, the EIR identified certain significant and potentially significant adverse effects on the environment that would be caused by the Project as proposed;

**WHEREAS**, the EIR outlined various mitigation measures that would substantially lessen or avoid the Project's significant effects on the environment, as well as alternatives to the Project as proposed that would provide some environmental advantages;

**WHEREAS**, the City is required, pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code § 21000 et seq.), to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects of the Project;

**WHEREAS**, the EIR analyzed three No Project alternatives for the El Camino Real area, including an alternative that contemplates the existing conditions remaining substantially the same (No Project/No Redevelopment Alternative), a No Project alternative that considers full build-out under the existing land use designations (No Project Alternative), and a "No Project/Commercial, Residential, and Office Redevelopment Alternative," along with a Reduced Development alternative;

**WHEREAS**, Public Resources Code § 21081, subdivision (a) requires a lead agency, before approving a project for which an EIR has been prepared and certified, to adopt findings specifying whether mitigation measures and, in some instances, alternatives discussed in the EIR, have been adopted or rejected as infeasible;

**WHEREAS**, the "CEQA Findings" attached to this Resolution is a set of Findings of Fact prepared in order to satisfy the requirements of Public Resources Code § 21081, subdivision (a);

**WHEREAS**, as the CEQA Findings explain, the City Council intends to adopt the Specific Plan, associated General Plan Amendments, and Zoning Ordinance Amendment (the “Project”);

**WHEREAS**, the City Council has determined that none of the alternatives addressed in the EIR, would be both feasible and environmentally superior to the Project as proposed. All of the No Project alternatives and the Reduced Development alternative would not sufficiently satisfy the Project Objectives. The details supporting these determinations are set forth in the CEQA Findings;

**WHEREAS**, in taking this course, the City Council has acted consistent with the CEQA mandate to look to project mitigations and/or alternatives as a means of substantially lessening or avoiding the environmental effects of projects as proposed;

**WHEREAS**, all of the significant and potentially significant environmental effects associated with the Project can either be substantially lessened or avoided through the inclusion of mitigation measures proposed in the EIR;

**WHEREAS**, the City Council, in reviewing the Project, intends to adopt all mitigation measures set forth in the EIR;

**WHEREAS**, on May 10, 2021, the Planning Commission conducted a duly noticed public hearing to consider the EIR, MMRP and CEQA Findings, at the conclusion of which the Commission voted to recommended that the City Council approve and certify the EIR and adopt the MMRP and CEQA Findings;

**WHEREAS**, a notice of the public hearing on the proposed project was published in the Santa Clara Weekly, a newspaper of general circulation for the City, on June 2, 2021;

**WHEREAS**, notices of the public hearing on the proposed project were mailed to all property owners within 300 feet of the Project Site, according to the most recent assessor’s roll, on **May XX**, 2021;

**WHEREAS**, the City Council reviewed the EIR and Mitigation Monitoring and Reporting Program, attached as the “MMRP”, as well as a set of CEQA Findings and, in accordance with

the requirements of CEQA, along with the City Staff report pertaining to the EIR for the Project (SCH # 2019059029), and all evidence received at a duly noticed public hearing on June 15, 2021. All of these documents and evidence are incorporated herein by reference into this Resolution; and

**WHEREAS**, on June 15, 2021, 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 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 EIR has been completed in compliance with CEQA.
3. That the City Council hereby finds the EIR has been presented to the Council, which reviewed and considered the information and analysis contained therein.
4. That the City Council hereby finds, pursuant to Public Resources Code Section 21081 and California Code of Regulations, Title 14, Section 15091, that all of the proposed mitigation measures described in the EIR are feasible, and therefore will become binding upon the City and affected landowners and their assigns or successors in interest when the Project is approved.
5. That the City Council hereby finds that none of the Project Alternatives set forth in the EIR can feasibly substantially lessen or avoid those significant adverse environmental effects not otherwise lessened or avoided by the adoption of all feasible mitigation measures.
6. That, in order to comply with Public Resources Code Section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program as set forth in the attached "MMRP". The Program is designed to ensure that, during project implementation, the City, affected

landowners, their assigns and successors in interest and any other responsible parties comply with the feasible mitigation measures identified. The MMRP identifies, for each mitigation measure, the action to be taken and the party responsible for implementation.

7. Based on the findings set forth in this Resolution, the evidence in the City Staff Report, and the attached CEQA Findings, the City Council approves and certifies the EIR, adopts the CEQA findings, and adopts the MMRP, all in accordance with CEQA for the Project.

8. That pursuant to CEQA Guidelines Section 15091(e), the City Council hereby designates the Planning Division of the Community Development Department as the location for the documents and other material that constitute the record of proceedings upon which this decision is based, and designates the Director of Community Development as the custodian of records.

9. 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 COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A SPECIAL MEETING THEREOF HELD ON THE 15TH DAY OF JUNE, 2021, 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: