City of Santa Clara 2023-2031 6th Cycle Housing Element Update

Addendum to the City of Santa Clara General Plan Environmental Impact Report

Lead Agency:

City of Santa Clara
Planning Division
1500 Warburton Avenue
Santa Clara, California 95050

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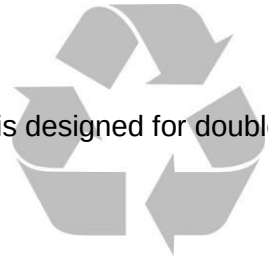

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1 Introduction

This document has been prepared to serve as an addendum to the previously certified Santa Clara 2010-2035 General Plan Integrated Final Environmental Impact Report (EIR) (SCH # 2008092005), which was certified in January 2011, and subsequent environmental documents prepared for General Plan amendments made for the various focus areas, Specific Plan areas, and Climate Action Plans. The City's Housing Element was last updated in 2014 in compliance with State Housing Element Law. The adoption of the proposed Housing Element update is consistent with the state law requirement that each city and county update the housing element of its general plan every eight years in order to establish and update housing and land use strategies reflective of changing needs, resources, and conditions. The City of Santa Clara (City) is the lead agency for the environmental review of the proposed City of Santa Clara General Plan Housing Element Update (project) for the 2023-2031 planning period.

1.1 – Purpose and Authority

Pursuant to CEQA, the proposed Housing Element Update constitutes a "*project"* that is subject to analysis and determination of environmental effects under CEQA (Public Resources Code Section 21000, *et seq.*) and the CEQA Guidelines (14 California Code of Regulations Section 15000, *et. seq*.). This Addendum, its appendices, and related supporting environmental documents have been prepared to determine whether and to what extent the General Plan EIR and associated amendments prepared for the General Plan EIR are sufficient to address the potential impacts of the proposed Housing Element, or whether additional documentation is required under CEQA. The proposed project requires discretionary approval by the City of Santa Clara and review by the California Department of Housing and Community Development (HCD). As the project initiator, and because of the legislative approvals involved, the City of Santa Clara is the Lead Agency with respect to this Addendum pursuant to §15367 of the CEQA Guidelines. Specifically, the Project requires the City of Santa Clara's approval of a General Plan Amendment. No other governmental agencies have discretionary permitting authority with respect to approval of the proposed Project, and no Trustee Agencies, as defined in §21070 of the CEQA Statutes, has jurisdiction over resources such that Trustee agency approval is required for entitlement approval.

Under CEQA, the City must determine whether the proposed changes would require a new or supplemental EIR, or whether an addendum would suffice. Section 2, *Project Description*, provides detailed description of the proposed changes. In determining whether an addendum is the appropriate document to analyze the modifications to the project and its approval, State CEQA *Guidelines* Section 15164 (addendum to an EIR or Negative Declaration) states:

a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

1.2 – Addendum Analysis and CEQA Guidelines

This Addendum has been prepared pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, 15164, and 15168(c). This Addendum evaluates the project's potential environmental effects in light of those effects previously disclosed in the 2010 General Plan EIR and CEQA documents related to subsequent General Plan amendments to determine whether any of the conditions described in Guidelines Section 15162 calling for subsequent CEQA review have occurred. The General Plan EIR is available for review at the City's Planning Division, 1500 Warburton Avenue, Santa Clara, California 95050. CEQA Guidelines Section 15164(a) provides that the lead agency "*shall prepare an addendum* to a previously certified EIR if *some changes or additions are necessary* but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Sub-Section (c) further provides that an "addendum need not be circulated for public review but can be included in or attached to the final EIR," and Sub-Section (e) states that a "brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included" in the addendum, the agency's findings, or elsewhere in the administrative record.

CEQA Guidelines Section 15168(c)(2) provides that "if the agency finds that pursuant to Section 15162, no subsequent EIR will be required, the agency can approve the activity as being within the scope of the project covered by the EIR" and that "[w]hether a later activity is within the scope of an EIR is a factual question that the lead agency determines based on substantial evidence in the record." Sub-Section (c)(4) further provides that "[w]here the later activities involve site-specific operations, the agency *should use a written checklist or similar device* to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the EIR." According to CEQA *Guidelines* Section 15162, once an EIR has been certified, no subsequent or supplemental EIR shall be prepared for a project unless the lead agency determines that one or more of the following occurs:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

    a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

    b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

An addendum may be prepared if some changes or additions are necessary to a certified EIR and none of the above-stated conditions apply (CEQA *Guidelines* Section 15164). Per the above, this Addendum functions as both an "addendum" and a "written checklist," as called for in CEQA Guidelines Section 15164(a) and 15168(c)(4). As such, this Addendum analyzes the proposed project's potential environmental effects in light of those effects disclosed in General Plan EIR consistent with Guidelines Section 15162. Based on a review of the proposed project (as described in Section 2, *Project Description*) and surrounding circumstances (i.e., the Environmental Setting), this addendum concludes that there is no substantial change proposed that would require major revisions to the previous EIR; that there is no substantial change in circumstances as a result of project modifications that would cause new or substantially more severe significant impacts (see Section 3, *Environmental Impacts and Mitigation Measures*); and, that there is no new information of substantial importance that identifies new or more intense significant impacts (CEQA *Guidelines* Section 15162).

1.3 – Tiering

Section 15152 et al of the CEQA Guidelines describes "tiering" as a streamlining tool as follows:

(a) "Tiering" refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.

(b) Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including general plans, zoning changes, and development projects. This approach can eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy, or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration. Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable significant environmental effects of the project and does not justify deferring such analysis to a later tier EIR or negative declaration. However, the level of detail contained in a first tier EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed.

(c) Where a lead agency is using the tiering process in connection with an EIR for a large-scale planning approval, such as a general plan or component thereof (e.g., an area plan or community plan), the development of detailed, site-specific information may not be feasible but can be deferred, in many instances, until such time as the lead agency prepares a future environmental document in connection with a project of a more limited geographical scale, as long as deferral does not prevent adequate identification of significant effects of the planning approval at hand.

(d) Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to affects which:

(1) Were not examined as significant effects on the environment in the prior EIR; or

(2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means.

(e) Tiering under this section shall be limited to situations where the project is consistent with the general plan and zoning of the city or county in which the project is located, except that a project requiring a rezone to achieve or maintain conformity with a general plan may be subject to tiering.

(f) A later EIR shall be required when the initial study or other analysis finds that the later project may cause significant effects on the environment that were not adequately addressed in the prior EIR. A negative declaration shall be required when the provisions of Section 15070 are met.

(1) Where a lead agency determines that a cumulative effect has been adequately addressed in the prior EIR that effect is not treated as significant for purposes of the later EIR or negative declaration and need not be discussed in detail.

(2) When assessing whether there is a new significant cumulative effect, the lead agency shall consider whether the incremental effects of the project would be considerable when viewed in the context of past, present, and probable future projects. At this point, the question is not whether there is a significant cumulative impact, but whether the effects of the project are cumulatively considerable. For a discussion on how to assess whether project impacts are cumulatively considerable, see Section 15064(i).

(3) Significant environmental effects have been "adequately addressed" if the lead agency determines that:

(A) they have been mitigated or avoided as a result of the prior environmental impact report and findings adopted in connection with that prior environmental report; or

(B) they have been examined at a sufficient level of detail in the prior environmental impact report to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.

(g) When tiering is used, the later EIRs or negative declarations shall refer to the prior EIR and state where a copy of the prior EIR may be examined. The later EIR or negative declaration should state that the lead agency is using the tiering concept and that it is being tiered with the earlier EIR.

(h) There are various types of EIRs that may be used in a tiering situation. These include, but are not limited to, the following:

(1) General Plan EIR (Section 15166)
(2) Staged EIR (Section 15167)
(3) Program EIR (Section 15168)
(4) Master EIR (Section 15175)

(5) Multiple-family residential development/residential and commercial or retail mixed-use development (Section 15179.5)
(6) Redevelopment project (Section 15180)
(7) Projects consistent with community plan, general plan, or zoning (Section 15183)

This Addendum for the 2023-2031 Housing Element Update has been prepared to tier from the General Plan "Program" EIR of the City of Santa Clara dated January 2011 (See Appendix A), and subsequent environmental documents prepared for subsequent General Plan amendments. For the City of Santa Clara, documents by which the analysis recorded herein has been tiered from are available for public review at:

City of Santa Clara
Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050

1.4 – Organization and Scope

Although this document is not an initial study, in the interest of thorough disclosure this document has been organized to comply with Section 15063 of the State CEQA Guidelines, which sets forth the required contents of an Initial Study. These include:

- A description of the project, including the location of the project (see Section 2)
- Identification of the environmental setting (see Section 2.8)
- Identification of environmental effects by use of a checklist, matrix, or other methods, provided that entries on the checklist or other form are briefly explained to indicate that there is some evidence to support the entries (see Section 3)
- Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls (see Sections 2.6 and 2.7)
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study (see Section 5.1)

1.5 – Conclusions

The City of Santa Clara may approve the proposed project based on this Addendum. The impacts of the proposed project remain within the impacts previously analyzed in the General Plan EIR and associated amendments (CEQA Guidelines Section 15164). The proposed project does not require any major revisions to the General Plan EIR. No new significant information or changes in circumstances surrounding the proposed project have occurred since the approval of the General Plan EIR and EIR's related to subsequent specific plans and area plans that amended the General Plan. Therefore, the previous CEQA analyses completed for the General Plan EIR and associated amendments remain adequate. The applicable mitigation measures and/or conditions of approval from the General Plan EIR and associated amendments would be imposed on the proposed project as described herein. The proposed project does not require preparation of a new subsequent or supplemental EIR, due to either the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. As illustrated herein, the proposed project is consistent with the findings of the General Plan EIR and associated amendments and would involve only minor changes; therefore, an Addendum is appropriate CEQA compliance for the proposed project.

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2 Project Description

2.1 – Project Title

City of Santa Clara 2023-2031 6th Cycle Housing Element Update

2.2 – Lead Agency Name and Address

City of Santa Clara
Planning Division
1500 Warburton Avenue
Santa Clara, California 95050

2.3 – Contact Person and Phone Number

John Davidson, Principal Planner
(408) 615-2478

2.4 – Project Location

The City of Santa Clara is located in north-central Santa Clara County (See Exhibit 1, Regional Context Map). Santa Clara is at the southern end of the San Francisco Bay, approximately 40 miles south of the City of San Francisco. The Planning Area encompasses all incorporated areas located within the boundaries of the City of Santa Clara.

2.5 – Environmental Setting

The City of Santa Clara is essentially built out and the existing land use pattern is predominantly characterized by single family neighborhoods, retail commercial corridors, and industrial/office employment centers (See Exhibit 2, Existing General Plan Land Use Map). These uses are largely separated by major transportation facilities located in the City. U.S. Highway 101 traverses east-west through the center of the City, while State Route 237 is located to the north and Interstates 880 and 280 skirt the southeast and southwest corners of the City, respectively. Existing transit lines include Caltrain, Altamont Commuter Express (ACE), Capitol Corridor, and Valley Transportation Authority (VTA) bus and light rail. The City of Santa Clara covers approximately 18.4 square miles of land, and is completely surrounded by neighboring cities: San José to the north, east and south, and Sunnyvale and Cupertino to the west. The City is located at the center of the Santa Clara Valley, between the Santa Cruz Mountains to the southwest and the Diablo Range to the northeast. Three seasonal creeks run through the City and empty into the southern portion of the San Francisco Bay: the San Tomas Aquino, Saratoga and Calabazas Creeks. Additionally, the City is bordered by the Guadalupe River to the northeast.

2.6 – General Plan Land Use Designations

Existing General Plan residential and mixed-use land use designations that support housing development within the City of Santa Clara include: Very Low Density Residential, Low Density Residential, Medium Density Residential, High Density Residential, Very High Density Residential, Neighborhood Mixed Use, Community Mixed Use, Regional Mixed Use, Downtown Core, Santa Clara Station Area, Urban Center/Entertainment, Transit Neighborhood, Village Residential, Urban Village, Urban Center, and High Density Flex.

2.7 – Zoning Districts

Existing zoning districts that support housing development within the City of Santa Clara include: R1-8L – Single-Family Larger Lot Area, R1-6L – Single-Family, R2-7L – Duplex, R3-18D – Low-Density Multiple-Dwelling, R3-25D – Moderate-Density Multiple-Dwelling, R3-36D – Medium-Density multiple-Dwelling, R3-M – Mobile Home Park, MU – Mixed Use, TMU – Transit-Oriented Mixed Use, VHDMU – Very High Density Mixed Use, TN – Transit Neighborhood, LSAP – Lawrence Station Area Plan, PH-R5-100 – Patrick Henry Very-High-Density Residential Zone, UV-149D – Urban Village, VR-149D – Village Residential, UC-250D – Urban Center, and HD Flex – High Density Flex.

2.8 – Project Description

The proposed Project would amend the 2010-2035 City of Santa Clara General Plan. The City Council adopted the General Plan on November 16, 2010, and concurrently certified an Environmental Impact Report. Since that time, the Council has adopted a series of General Plan amendments, for which each one was accompanied by either an addendum to the General Plan EIR, a negative declaration, or a subsequent EIR. The most significant of these amendments are listed below:

- December 3, 2013: Adoption of 2013 Climate Action Plan and Negative Declaration
- December 4, 2014: Adoption of 2015 – 2023 Housing Element and revisions to land use policies and EIR Addendum
- June 28, 2016: Related Santa Clara Project and EIR
- February 23, 2016: Mission Town Center EIR
- November 29, 2016: Lawrence Station Area Plan and EIR
- July 17, 2018: 575 Benton Project and Addendum to Mission Town Center EIR
- July 9, 2019: Gateway Crossings Project and EIR
- March 22, 2022: Patrick Henry Drive Specific Plan and EIR
- June 7, 2022: Adoption of 2022 Climate Action Plan and EIR Addendum
- June 7, 2022: Freedom Circle Future Focus Area Plan, 3905 Freedom Circle Mixed-Use Project, and EIR

References in this document to the "Subsequent EIRs" include all of the environmental documents listed above.

The specific amendments contemplated include the adoption of the 2023–2031 Housing Element of the Santa Clara General Plan, implementation of identified programs and polices set forth in the draft Housing Element, and General Plan text amendments that would allow for zoning code standards to align with current uses (See Appendix B). The State of California has mandated that all local jurisdictions within the Bay Area have approved updated Housing Elements to reflect current "fair share" housing allocations for each City and County. The State Housing and Community Development Department (HCD) reviews all Housing Elements to determine compliance with State Law governing the content of these Elements.

Housing Element Requirements

The Housing Element is one of seven required elements of the General Plan. It addresses existing and future housing needs of persons in all economic segment groups and serves as a tool for decision-makers and the public in understanding and meeting housing needs in Santa Clara. While the law does not require local governments to actually construct housing to meet identified needs, it does require that the community address housing needs in its discretionary planning actions by creating opportunities for

housing in the land use plan and facilitating housing development through policy. Housing Elements are legal documents, included within a community's General Plan, that identify housing related conditions, provide an assessment of housing needs for the next eight-year period of time, identify housing resources, identify housing opportunities and constraints, and establish policies, programs, and quantified housing objectives to achieve City housing needs.

Statutory Requirements

State law requires that all housing elements address four key topics: 1) housing needs, 2) constraints to housing development, 3) housing resources, and 4) a housing plan. Analysis of these topics provides the foundation for the preparation of a housing element. Article 10.6, Section 65580 – 65589.11, Chapter 3 of Division 1 of Title 7 of the Government Code sets forth the legal requirements for a housing element and encourages the provision of affordable and decent housing in suitable living environments for all communities to meet statewide goals. The 2023-2031 Housing Element update is a policy document of the City of Santa Clara regarding current and projected future housing needs, and the City's goals, policies, and programs to address those identified needs, and represents a focused update to the City's adopted 2015-2023 Housing Element, which was found to be fully in compliance with State law by the California Department of Housing and Community Development (HCD).

Housing Needs Assessment

Several factors influence the demand for housing in Santa Clara. The four major needs categories considered in the Housing Element include: 1) current population and population growth, including age, race, ethnicity, and employment; 2) household characteristics, including household type, income levels, and the presence of special needs populations; 3) housing stock characteristics, including overcrowding, housing condition, and housing cost; and 4) housing needs of "special needs groups" such as persons with disabilities, the elderly, large households, farmworkers, female-headed households, and people experiencing homelessness.

The City of Santa Clara 2023-2031 Housing Element profiles key community demographics and examines the related housing needs of various groups, including owners versus renters, lower-income households, overcrowded households, elderly households, special needs groups, and homeless persons. This information is detailed in the Housing Element Update (See Appendix B). California Housing Element law requires a quantification of each jurisdiction's share of the regional housing need as established in the RHNA-Plan prepared by the jurisdiction's council of governments. The California Department of Housing and Community Development (HCD), in conjunction with the Association of Bay Area Governments (ABAG), determine a projected housing need for the region covered by ABAG. This share, known as the Regional Housing Needs Allocation (RHNA), is 441,776 new housing units for the 2023-2031 planning period throughout the ABAG region. ABAG has, in turn, allocated this share among its constituent jurisdictions, distributing to each its own RHNA divided along income levels. The City of Santa Clara has a RHNA of 11,632 housing units to accommodate in the housing element period, with the units distributed among the four income categories shown in Table 1 (City of Santa Clara RHNA (2023-2031)).

Table 1
City of Santa Clara RHNA 2023-2031

Income Group	Income Category (%AMI)	RHNA (Housing Units)	Percentage of Total Housing Units
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 considers 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 Towards the RHNA

Since the RHNA uses June 30, 2022, as the baseline for growth projections for the Housing Element planning period of 2023 to 2031, jurisdictions may count units approved, proposed, or under construction that are anticipated to be complete (have a Certificate of Occupancy) after June 30, 2022. Proposed and approved residential development projects credited toward the RHNA include a variety of affordable and market rate projects in various stages of the development process. Many of these projects are concentrated within Specific Plan areas and along major thoroughfares. Approved and proposed projects are credited toward the RHNA based on the affordability and unit count of the development. A total of 12,712 units from the following approved and proposed project list are expected to be completed within the planning period. Combined, these pipeline projects can accommodate 12,712 total units as shown in Table 2 (Approved and Proposed Projects). Although there is a surplus of above moderate units, the City has a remaining RHNA of 1,033 moderate-income units and 3,698 lower-income units to be addressed through ADU projections and site identification.

Table 2
Approved and Proposed Projects

Site/Credit Type	Total Units	Project Status
Tasman East Focus Area Specific Plan		
TE 2233 Calle Del Mundo (St. Anton)	196	Under Construction
TE 2300 Calle De Luna (Related)	700	Under Construction
TE 5123 Calle Del Sol (Ensemble) - Phase I & II	503	Approved/Under Construction
TE 2200 Calle De Luna (Holland)	580	Approved
TE 2225 Calle de Luna & 2232 Calle del Mundo	371	Approved
TE 2263 Calle Del Mundo (Ensemble)	301	Approved
TE 2302/2310 Calle Del Mundo (Ensemble)	151	Approved
TE 2343 Calle Del Mundo (Summerhill)	347	Approved
TE 2354 Calle Del Mundo (Ensemble)	89	Approved
TE 2101 Tasman Drive (Related)	950	Proposed
TE 5185 Lafayette (Ensemble)	271	Proposed
Patrick Henry Drive Focus Area Specific Plan		
PHD Summerhill	300	Proposed
PHD Sares Regis	800	Pre-application 1
PHD Walnut Hill	416	Pre-application 2
Lawrence Station Area Plan		
LSAP 3580 Rambla Pl (Summerhill)	286	Under Construction
LSAP 2961 Corvin Drive (Toll Brothers)	38	Under Construction
LSAP 3305 Kifer Road (Toll Brothers)	45	Under Construction
LSAP 3517 Ryder St (Westlake Urban)	328	Approved
Freedom Circle Focus Area		

3905 Freedom Circle Mixed-Use Project (Greystar)	1,075	Approved
Other		
Villa Bella Residential Project	56	Under Construction
3035 El Camino Real Residential Project	48	Under Construction
3945 Stevens Creek Blvd - The Meridian	59	Under Construction
2330 Monroe Street Affordable Housing Project (Freebird)	65	Under Construction
Agrihood Mixed-Use Development Project	361	Under Construction
Laguna Clara II (Equity)	183	Under Construction
Gateway Crossings (Hunter/Storm) - Phase 1	725	Under Construction
Clara Gardens - 3550 El Camino Real	120	Approved/Under Construction
1530-1540 Pomeroy Avenue Residential Project	8	Approved
Related Santa Clara - Phase 1	1,680	Approved
Gateway Crossings (Hunter/Storm) - Phase 2	840	Proposed
950 Monroe Street Mixed-Use Project	54	Proposed
TOTAL PENDING AND APPROVED PROJECTS	**11,946**	

Source(s): City of Santa Clara, June 2022.
Note(s): All calculations were rounded down. There are likely discrepancies due to rounding down between the row and column totals.
1 Application expected Dec 2022
2 Application expected early 2023

Approved Projects

Approved projects have been reviewed for compliance with applicable Codes and regulations and have received planning entitlement approval. Projects will proceed through the building permit application review, issuance, and construction process within the planning period.

Projects Under Construction

These projects are under construction, with anticipated completion and occupancy permits to be finalized after June 30, 2022.

Pending/Under Review Projects

Approved projects have been reviewed for compliance with applicable Codes and regulations and have received planning entitlement approval. Projects will proceed through the building permit application review, issuance, and construction process within the planning period.

Default Density Assumptions

The California Government Code states that if a local government has adopted density standards consistent with the population-based criteria set by State law (at least 30 units per acre for Santa Clara), HCD is obligated to accept sites with those density standards (30 units per acre or higher) as appropriate for accommodating the jurisdiction's share of regional housing need for lower-income households. Default density is considered by the State sufficient to provide market-based incentives for the development of housing for lower-income households.

The Santa Clara General Plan (adopted in 2010) identifies ten Focus Areas appropriate for higher density residential and mixed-use development. A detailed discussion of density assumptions and the affordability level of sites is included below.

Site Suitability and Lot Consolidation

Consistent with Housing Element law related to the suitability of small and large sites, the inventory of lower-income sites is limited to parcels between 0.5 and 10 acres in size. Due to the City's historical parcelization pattern, the inclusion of small sites in the inventory is expected. To adhere to State law and HCD guidance, small sites (under 0.5 acres) are not used to meet the lower-income RHNA. There

are 10 available sites included in the inventory with a parcel size under 0.5 acres. All of these are located in the Tasman East Specific Plan area and range between 0.458 and 0.482 acres. Parcels of similar size have been developed with residential within the last housing element cycle in the Tasman East Specific Plan area. While these sites have densities that are appropriate for lower-income RHNA sites and meet the default density standard, they are all credited toward the moderate- and above moderate-income categories. No sites in the inventory are larger than 10 acres. Although many of the parcels identified as sites are adjacent to one another, no lot consolidation is assumed.

Realistic Capacity and Suitability of Non-Vacant Sites

Housing Element law requires jurisdictions to demonstrate that the land inventory is adequate to accommodate that jurisdiction's share of the region's projected growth. Santa Clara has a remaining RHNA of 4,985 units to be achieved through the identification of sites. The City has various residential and mixed-use development opportunities on sites that are currently available, although all sites are non-vacant. All available sites are within Specific Plan areas. Each project demonstrates that the project's actual density was developed higher than the minimum density allowed. Because each Specific Plan has its own distinct land use designations and affordability requirements, realistic capacity for available sites was calculated based on the average of percent above minimum density allowed per Specific Plan of existing and approved projects. Percent above the minimum density allowed was used to remain conservative, realistic, and to account for the wide range of Specific Plan densities allowed (from 20 du/ac in Lawrence Station to 350 du/ac maximum in Tasman East). In every case, claiming realistic capacity using the methodology and assumptions defined here yields total unit counts below the maximum density allowed.

Development Trends and Realistic Capacity

Current development trends in the Specific Plan areas show that a range of medium to high residential density is feasible, realistic, and appropriate to accommodate housing for all income levels. Since the City's adoption of the Lawrence Station Area Plan and Tasman East Specific Plan, Santa Clara has seen an uptick in development and development interest.

Densities Appropriate for Accommodating Lower-Income Housing

The capacity of sites that allow development densities of at least 30 units per acre are credited toward the lower-income RHNA based on State law. The California Government Code states that if a local government has adopted density standards consistent with the population-based criteria set by State law (at least 30 units per acre for Santa Clara), HCD is obligated to accept sites with those density standards (30 units per acre or higher) as appropriate for accommodating the jurisdiction's share of regional housing need for lower-income households. All available sites included in this inventory, except for three sites zoned Medium Density Residential (20-36 du/ac), have density standards of 30 units per acre or higher. Located within the Lawrence Station Area Plan, the three sites zoned Medium Density Residential (20 – 36 du/ac) are credited toward the moderate- and above-moderate income categories. To create a more conservative and realistic estimate of affordability for Santa Clara, available sites that qualify for one hundred percent affordable units based on the allowed density are split evenly between the very low-, low-, and moderate-income categories 33.33 percent, 33.33 percent, and 33.33 percent, respectively.

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 housing capacity of the site. Because the zoning characteristics of such a site have changed, that site can be considered a new site for the purposes of the housing element inventory.

All sites in this Housing Element are Specific Plan and focus area parcels, including some previously identified in the fifth cycle. Parcels identified in the fifth cycle subsequently rezoned to a higher density through their respective Specific Plan processes were not rezoned to accommodate a shortfall; rather, the rezoning was conducted to implement General Plan policy. Thus, no sites are subject to the reuse provisions of AB 1397 (2017).

No Net Loss Provision

Government Code Section 65863 stipulates that a jurisdiction must ensure that its Housing Element inventory can accommodate its share of the RHNA by income level throughout the planning period (2023-2031). If a jurisdiction approves a housing project at a lower density or with fewer units by income category than identified in the Housing Element, it must quantify at the time of approval the remaining unmet housing need at each income level and determine whether there is sufficient capacity to meet that need. If not, the city must “identify and make available” additional adequate sites to accommodate the jurisdiction’s share of housing need by income level within 180 days of approving the reduced-density project. This provision is commonly referred to as the "no net loss” provision of Housing Element law.

ADU Projections

Since 2017, the State legislature has passed a series of laws that significantly increase the potential for development of accessory dwelling units (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). This represents a 152 percent increase in ADU production in Santa Clara between 2018 and 2021. 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 zoning 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 . The slight dip in ADU production in 2020 may be due to the COVD-19 pandemic and other events of 2020. In 2021, 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 43 ADUs per year will be constructed throughout the planning period. This reflects the average number of building permits issued for ADUs between 2018 and 2021. Given the anticipated increase in ADUs over the near term, this is a conservative estimate.
- A total of 344 ADUs can be predicted to be constructed during the planning period.

The affordability assumptions for ADU projections are based on ABAG's ADU affordability analysis endorsed by HCD.[1]

Site Selection

The Housing Element sites inventory, in addition to the list of pending and approved projects, includes accessory dwelling unit (ADU) projections and vacant and underutilized sites within Specific Plan areas zoned for high-density residential and mixed-use development. 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 3 (Sites to Meet the RHNA), below, summarizes the sites inventory.

Table 3
Sites to Meet the RHNA

Site	Affordability Category				Total Capacity
	Very Low	Low	Moderate	Above Moderate	
Pending and Approved Projects	390	320	811	9,566	11,946
ADU Projection	102	102	102	34	340
Available Specific Plan Sites	3,049	3,049	3,354	305	9,808
Total	**3,541**	**3,471**	**4,267**	**9,905**	**22,094**
RHNA	**2,872**	**1,653**	**1,981**	**5,126**	**11,632**
Difference	**+669**	**+1,818**	**+2,286**	**+4,779**	**+10,462**

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

Available Specific Plan Sites

Plan Bay Area 2050 Growth Geographies

The Metropolitan Transportation Commission (MTC) and ABAG jointly adopted Plan Bay Area 2050 in October 2021. Thirty-five strategies make up the heart of the plan to improve housing, the economy, transportation, and the environment across the Bay Area's nine counties. Throughout Plan Bay Area 2050, Growth Geographies are geographic areas used to guide where future growth in housing and jobs would be focused under the plan's strategies over the next 30 years. These geographies are identified for growth either by local jurisdictions or because of their proximity to transit or access to opportunity. All sites included in the Housing Element are considered Priority Development Areas (PDAs), defined as areas generally near existing job centers or frequent transit that are locally identified (i.e., identified by towns, cities, or counties) for housing and job growth.

[1] *ABAG estimates an affordability breakdown of ADUs as follows: 30% very low-income, 30% low-income, 30% moderate-income, and 10% above moderate-income. Technical Assistance for Local Planning, Housing – Using ADUs to Satisfy RHNA, Technical Memo, March 2022.*

2010-2035 General Plan Focus Areas, Focus Area Plans, and Related Planning Efforts

In 2010, the City of Santa Clara adopted its comprehensive 2010-2035 General Plan, which included identification of nine focus areas throughout the City, listed in Table 4 (General Plan Focus Areas). These areas were chosen for their potential to significantly define Santa Clara's identity as a place in transition from a suburb to a regional economic center. The opportunity to develop at a higher density near transit is central to this new identity. A comprehensive plan, such as a specific plan, is a required prerequisite for new residential development within a focus area. The purpose of these plans and the prerequisite requirements ensure that new neighborhoods are self-sufficient, with easy access to retail, services, and public amenities. Specific Plans also ensure that adequate public services and facilities are provided in tandem with new development. In 2014, the City initiated updates to the Housing Element and Land Use policies that identify and require future development to be comprehensively planned through the preparation of Specific Plans within the Lawrence Station and Tasman East Focus Areas. Of the nine focus areas identified in the 2010-2035 General Plan, four have resulted in Specific Plans, three of which have been adopted. The Freedom Circle Future Focus Area was added to the General Plan in June 2022, while preparation of this sixth cycle Housing Element was well underway. A specific plan has not been drafted or adopted for this focus area, and therefore the focus area, with the exception of the Greystar site that had its own approved General Plan Amendment and Rezoning to allow residential development, was not included in the sites inventory. However, properties within that planning area could become available during the planning period if a specific plan were adopted, helping to guard against the loss of affordable housing capacity.

Table 4
General Plan Focus Areas

2010-2035 General Plan Focus Area	Related Planning Effort	Status
Downtown Focus Area	Santa Clara Downtown Precise Plan	Draft, Nov. 2022
Santa Clara Station Focus Area	None	N/A
Stevens Creek Boulevard Focus Area	None	N/A
El Camino Real Focus Area	El Camino Real Specific Plan	Draft May 2021
Lawrence Station Focus Area	Lawrence Station Area Plan	Adopted Nov. 2016
Tasman East Focus Area	Tasman East Focus Area Specific Plan	Adopted Nov. 2018; Revised, Nov. 2020
Great America Parkway Focus Area	Patrick Henry Drive Focus Area Specific Plan	Adopted, Mar. 2022
Freedom Circle Focus Area	Freedom Circle Future Focus Area Plan	Adopted, June 2022
Central Expressway Focus Area	None	N/A
De La Cruz Focus Area	None	N/A

Source(s): City of Santa Clara 2010-2035 General Plan, Nov. 2010. 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.

Focus Areas and Specific Plans

A considerable portion of Santa Clara is designated for specific plan development. The City has three approved Specific Plans with a significant number of sites and residential development capacity remaining. Combined, the sites identified in the Lawrence Station, Tasman East, and Patrick Henry Drive Specific Plan areas have enough capacity to satisfy the outstanding RHNA (i.e., the remaining RHNA after pending and proposed projects in Table 2), with 6,336 total units distributed among the four income categories as shown in Tables 3 and 4. The Specific Plan areas provide opportunities for development of market-rate and affordable housing. Development types authorized by the approved

Specific Plans include multi-unit and mixed-use development. None of the listed Specific Plan areas have any site restrictions or governmental constraints that would impede development. Further detail is provided in the following sections. The Specific Plan sites have a high level of certainty to develop given that:

- Through the adoption and implementation of each City-initiated Specific Plan, all parcels within each area have been re-zoned to accommodate high density residential development.
- Specific parameters for densities, uses, development standards, and minimum affordability requirements have already been established.
- No recent, significant enhancements have been made to these sites.
- Infrastructure is either in place, or planned for, in support of proposed land uses, addressing transportation, wet utilities, solid waste management, and energy services and systems. For both the Tasman East and Patrick Henry Drive Specific Plans, an infrastructure fee has been created to apportion costs between developers in the Plan Areas.
- Redevelopment of nonresidential uses into high density residential and mixed-use has already occurred, illustrating developer and property owner interest and the financial feasibility of site redevelopment.
- All land use designations within the Specific Plan areas have established minimum densities.
- No land use designation in the Tasman East Specific Plan or Lawrence Station Area Plan areas allows for stand-alone nonresidential uses.
- The City has financial resources available to support the development of affordable housing.
- All developments in the Tasman East Specific Plan area adhere to the affordable housing requirements referenced in Section 17.40.115 of the Santa Clara City Code. For-sale and rental affordable units shall be maintained as affordable housing for not less than 20 years applicable to for-sale units and 55 years applicable to rental units.
- In recognition of the conversion of employment uses to residential land, the Patrick Henry Specific Plan calls for a higher level of affordability than is required by ordinance. Affordable housing requirements for the Patrick Henry Specific Plan will provide 15 percent affordable units split equally between three affordability levels of 50 percent, 80 percent, and 120 percent of Area Median Income (AMI).
- Additionally, affordability by design in Specific Plan areas is encouraged, with the development of smaller units targeted for those who desire a walkable, urban lifestyle.

Tasman East Focus Area Specific Plan

Adopted in November 2018, the Tasman East Specific Plan regulates the development of 46.1 acres of land located near the City's northern boundary. Approved for the development of 4,500 units, full buildout of the area will likely occur by 2038. The Specific Plan area includes 34 parcels situated east of Lafayette Street, north of Tasman Drive, west of the Guadalupe River Trail, and south of the Santa Clara Tennis and Golf Club property. Each parcel of one acre or more in size is required to accommodate a minimum density of 100 dwelling units per acre. Each parcel of less than one acre in size is required to achieve a minimum density of 60 dwelling units per acre. There are no density maximums for individual parcels. Approximately half of the Tasman East Specific Plan's parcels, on 31 acres, have been redeveloped from a mix of light industrial and business park uses to a high density residential neighborhood with a mix of uses at the ground floor. Eleven projects within the Specific Plan area were counted toward the sixth cycle RHNA as approved, proposed, or under construction. The area's remaining parcels, on 10 acres, have been identified as sites and remain to be re-developed. Assuming the realistic capacities, on a parcel-level, the remaining Tasman East Specific Plan area sites identified in this Housing Element can accommodate a total of 913 units.

Lawrence Station Area Plan

The Santa Clara Lawrence Station Area Plan Area is located northeast of the Lawrence Caltrain Station, bounded by Central Expressway to the north, Kifer Road to the South, Lawrence Expressway to the west, and Calabazas Creek to the east, encompassing approximately 72 acres (65 acres of developable land area excluding existing public right-of-way). Adopted in 2016, the Lawrence Station Area Plan is largely developed. Residential uses have replaced the areas original uses: one- and two-story buildings, generally occupied by light industrial (including manufacturing and warehousing uses), office (including R&D and data centers), and various other commercial uses. Originally approved for the development of 3,500 residential units, 13 parcels, on approximately 30 acres, remain to be developed and are included in this Housing Element's site selection. Assuming realistic capacities, on a parcel-level, the remaining Lawrence Station Area Plan sites identified in this Housing Element can accommodate a total of 2,756 units.

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 other 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. Assuming the realistic capacities, on a parcel-level, the Patrick Henry Drive Specific Plan sites identified in this Housing Element can accommodate a total of 6,139 units.

General Plan Amendment

The proposed Housing Element Update includes amendments to the General Plan removing the following three Future Focus Areas: Lawrence Station Phase II, De La Cruz, and Central Expressway. (These Future Focus Areas were determined internally to have limited value for residential uses based on existing uses both in and around the to-be-deleted Future Focus Areas. None of these future focus areas were included in the inventory of sites for potential future housing element, in either the proposed housing element or any prior housing element. The project also amends the General Plan to make the High-Intensity Office District more relevant to current business practices by removing the 10% cap on manufacturing uses in the High-Intensity Office/Research and Development designation and removing the 20% manufacturing cap from the Low-Intensity Office/Research and Development designation. The General Plan Amendment also proposes to allow medical facilities on a limited basis in the Low- and High-Intensity Office/Research and Development designations.

Proposed Housing Element Update Goals and Policies

The Housing Element Update's goals and policies have been established to meet state law housing requirements and support the City's vision of providing decent housing and a suitable living environment for every resident. The Housing Plan identifies the City's goals for neighborhood conservation, housing production, housing support, and housing opportunities. The goals are supported by policies which are implemented through a series of actions. To make adequate provision for the housing needs for people of all income levels, the Housing Element Update includes the following goals and policies:

Goal A ***Create and maintain high-quality, livable, and diverse housing stock within the City of Santa Clara.***

Policy A-1: Maintain and improve the quality of residential housing stock, address housing deficiencies and prevent future blight through the encouragement of ongoing maintenance, rehabilitation, and conservation of existing housing stock.

Policy A-2: Provide residential code enforcement for conformance with City Code and Zoning Ordinance regulations.

Policy A-3: Utilize objective design standards to streamline the housing development process.

Policy A-4: Seek collaborative efforts with regional entities and utility service providers to subsidize and incentivize residential energy and water conservation.

Policy A-5: Proactively plan for sufficient housing capacity through infill development that is compatible with existing neighborhoods and through the preparation of neighborhood plans that will support the development of new, complete neighborhoods.

Goal B ***Designate suitable vacant or underutilized sites for new residential development.***

Policy B-1: Identify potential sites for affordable housing units in areas of "high opportunity" as defined by the state.

Policy B-2: Encourage the building of high-density housing on appropriate vacant or underutilized sites.

Policy B-3: Identify and facilitate the award of local, regional, state, and federal funding sources to support housing development, housing infrastructure, and amenities.

Policy B-4: Identify and potentially designate surplus land that can accommodate low, very-low, and extremely low-income residential development.

Policy B-5: Encourage high density residential development utilizing the City's higher density and mixed-use residential designations in proximity to transit and other residential services.

Goal C ***Increase special needs housing opportunities for persons of all economic levels.***

Policy C-1: The City shall collaborate with services agencies and community-based organizations to prioritize loans and grants toward housing for seniors, persons with disabilities, persons with mental illness, large families with children, female-headed households, victims of domestic violence, and people who are experiencing homelessness.

Policy C-2: Improve proximity and connections between special needs housing and high-quality transit stops, job centers, educational institutions, day care, open space, community services, and healthy food options.

Policy C-3: Participate in local, regional, State, and federal programs and efforts that support affordable, transitional, supportive, and permanent housing and address the needs of disadvantaged populations and those experiencing homelessness.

Policy C-4: Ensure compliance with all State and federal regulations relating to housing opportunities and the prevention of discrimination based on religion, gender, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or mental or physical disability and any other protected classes under federal and State law.

Goal D ***Promote a variety of housing types, tenure, and location, including higher density where possible, especially for lower and moderate income and special needs households.***

Policy D-1: Continue to identify and apply for funding that supports the development of housing for extremely-low and very low-income residents and special needs households.

Policy D-2: Continue to utilize General Plan land use and zoning updates to provide increased opportunity and flexibility in providing a variety of housing types and tenure.

Policy D-3: Periodically review the City's ordinances, policies, and procedures and make changes as necessary to reduce or remove constraints to housing development.

Policy D-4: Promote the use of density bonuses and development incentives to facilitate a variety of housing types and tenure.

Policy D-5: Encourage the construction of accessory and junior accessory dwelling units through outreach, education, and links to regional technical assistance.

Goal E ***Affirmatively further fair housing by increasing access to opportunity, reducing displacement impacts, reducing cost burden, targeting outreach to lower income residents, and rehabilitating substandard living conditions.***

Policy E-1: Improve access to opportunity by working to improve the quality of life for residents of lower income communities, as well as supporting residents' mobility and access to 'high resource' neighborhoods.

Policy E-2: Work to reduce displacement of lower income residents from Santa Clara and to reduce the impact of relocation on low-income households.

Policy E-3: Conduct proactive outreach in areas of the City with less access to opportunity, to build awareness of services including fair housing complaint investigation, landlord tenant mediation, eviction and homelessness prevention counseling, and opportunities to apply for new affordable housing through the HouseKeys application portal.

Policy E-4: Conduct regular outreach, education, and affirmative marketing with community partners that have access to populations experiencing disproportionate housing problems and

encourage early participation from a diverse set of residents and other stakeholders in the development of long-range plans and the review of new development proposals.

Policy E-5: Increase public participation by translating public outreach documents (e.g., flyers, surveys) as part of the public participation process and when marketing the City's affordable housing lotteries.

Policy E-6: Continue to provide, when appropriate and feasible, options for either virtual, in-person, or hybrid community meetings to allow for broader community participation.

Housing Element Update Implementing Actions

Each Goal outlined in the Housing Plan is supported by one or more policies, which are often implemented by specific actions. Many of the identified actions below will implement multiple policies and goals. Some policies offer direction to Staff and appointed/elected officials in making decisions related to the provision of housing but are not implemented through specific housing programs.

Action 1: Provision of a Variety of Housing Types

The City of Santa Clara supports and encourages the development of a variety of housing types to rent and to own in a variety of locations to maintain social and economic diversity in the community. During the Housing Element planning period, the City will promote the development of accessory units, affordable one- and two-story additions to single-family homes, and other lower income housing alternatives.

Action 2: Affordable Housing Ordinance

The City's Affordable Housing Ordinance requires developers of residential developments of 10 or more units to provide the following:

- Rental projects - 15% of rental units must be affordable to renters of extremely low, very low, low, and moderate income households, as long as the distribution of affordable units averages to a maximum of 100% of AMI.
- For sale/ownership projects - 15% of units must be affordable to extremely low, very low, low, and moderate income households, as long as the distribution of affordable units averages to a maximum of 100% of AMI.

The Affordable Housing Ordinance has two components: Below Market Rental (BMR) program and Below Market Purchase (BMP) program. The City offers BMR and BMP units to income-qualified households. This program is an important tool for providing very low, low, and moderate income housing opportunities.

Action 3: Affordable Housing Incentives and Facilitation

For-profit and nonprofit developers play a significant role in providing affordable housing in Santa Clara. The City will proactively encourage and facilitate the development efforts of developers and organizations for the construction of affordable housing for lower income households, particularly those with special needs including seniors, large households, extremely low income households, households with persons who have disabilities (including developmental disabilities), and licensed residential care homes.

Action 4: Maintenance of Housing Stock

Since 1976, the City of Santa Clara has assisted more than 1,000 homeowners to rehabilitate and increase the value of their homes through the Neighborhood Conservation and Improvement Program (NCIP). Under the direction of the City of Santa Clara Housing and Community Services Division and

in partnership with Rebuilding Together Silicon Valley, NCIP offers technical and financial assistance to qualified homeowners. The program is designed for citywide households with gross incomes at or below 80 percent of County median income. Various types of minor and major repairs may be addressed including accessibility improvements, re-roofing, plumbing, heating/cooling, electrical, termite damage, foundation, and weatherization. The costs for home repairs are covered through a grant or a loan depending on the size of the project. The Multi-Family Affordable Energy Efficiency program allows for the City's special revenue funds in partnership with Silicon Valley Power (SVP) to pay for energy consultants to recommend and create a scope of work for specific SVP project rebates. The program also allows for the City to provide assistance for the cost of installation and facilitate the grant administration process.

Action 5: Preservation of Assisted Rental Housing

To meet the housing needs of persons of all economic groups, the City is committed to guarding against the loss of housing units reserved for lower income households. Five assisted rental projects in Santa Clara are identified to be at potential low risk of conversion to market rate use in 2028-2031.

Action 6: Acquisition of Multi-Family Housing

As a strategy to expand the City's affordable housing inventory, Santa Clara will continue to explore opportunities for the acquisition/rehabilitation of multi-family housing. As funding permits, the City will work with nonprofit organizations to acquire and rehabilitate deteriorating and distressed properties and convert them into affordable rental housing for lower income households, including those with special needs.

Action 7: Code Enforcement Program

Code enforcement is essential to ensuring housing conservation and rehabilitation. The City maintains a strong housing inspection and code enforcement program to ensure adequate maintenance of the housing stock and quality of residential neighborhoods. In an average year, the City receives several thousand complaints related to possible code enforcement violations. In many cases, the responsible party for the code violation is given the opportunity to voluntarily correct the situation and comply with current codes without a penalty.

Action 8: Neighborhood Relations Programs

Since 1990, the Neighborhood-University Relations Committee (NURC) (formerly Student Housing Committee) has been responsible for reviewing student housing issues. NURC meets regularly to facilitate on-going communication and problem solving among City officials, neighborhoods, property owners and Santa Clara University (SCU) officials and students. Santa Clara University has established a Residency Requirement for Freshman and Sophomore students, with some exceptions, to live on campus. In 2022 the City convened an ad hoc Homelessness Task Force which will be replaced in 2023 with a permanent Housing Commission. The new commission will advise on the use of the City's federal CDBG and HOME funds, and on the City's homelessness response efforts.

Action 9: Zoning Ordinance

The City is currently undertaking a comprehensive update to its Zoning Ordinance to reflect the current goals and policies of the 2010-2035 General Plan. As part of this update, the City will reconsider, and revise, if appropriate, its provisions for parking, mixed use developments, shared housing and residential care facilities, employee housing, and SRO housing. The update is expected to be completed in early 2023. The comprehensive Zoning update is intended to bring consistency between the Zoning Ordinance and the General Plan, implementing the General Plan goals by facilitating mixed use development and higher density residential development, protecting existing neighborhoods, and incentivizing redevelopment with appropriate development standards and streamlined procedures.

Action 10: Adequate Sites Inventory
The City is committed to ensuring that adequate sites at appropriate densities remain available during the planning period, as required by law. The residential sites analysis completed for the 2023-2031 Housing Element indicates the City can accommodate its RHNA of 11,632 units, including 2,872 very low income units, 1,653 low income units, 1,981 moderate income units, and 5,126 above moderate income units.

Action 11: Impact Fees
The City charges various impact fees to provide essential services and facilities to serve new development. The City will conduct an impact fee study to compare the City's fees with surrounding and similar jurisdictions.

Action 12: Affordable Housing Funding
The City will continue to explore gaining access to additional resources that provide a steady funding stream for affordable housing. These may include, funding from the Bay Area Housing Finance Authority, County, State, federal, housing or land trust funds, and private sector support, partnerships, or philanthropy.

Action 13: Residential Development
Development in the City has primarily occurred as the recycling of existing marginal commercial and industrial uses into higher density multi-family housing. As such, the City has not yet experienced direct displacement of lower income households due to new development. As redevelopment of existing uses continues, the City will evaluate potential displacement of residents, and develop and adopt measures, as appropriate, to address the risk of direct or indirect displacement of those existing residents. The City will monitor such measures biannually for effectiveness and make necessary adjustments.

Action 14: Housing Choice Voucher Program
The Section 8 Housing Choice Voucher Program extends rental subsidies to very low income households, as well as elderly and disabled persons. The subsidy represents the difference between 30 percent of the monthly income and the allowable rent determined by the Section 8 program. Vouchers permit tenants to locate their own housing and rent units beyond the federally determined fair market rent in an area. The City's role in this action will be to advocate for more Housing Choice Vouchers for Santa Clara residents.

Action 15: Homeownership for First-Time Buyers
The City continues to create affordable ownership units through its Inclusionary Housing Policy. HouseKeys partners with Santa Clara staff to offer the units created through the Inclusionary Housing - Below Market Purchase (BMP) program to income-qualified households. The intent of the BMP program is to offer low and moderate income homebuyers an opportunity to purchase a home they would not ordinarily be able to afford. If a BMP homeowner wishes to sell the home between 6-20 years after purchase, they must pay back the City's remaining note value and a share of the equity increase. Other resources for affordable homeownership are also available to Santa Clara residents. These include the Housing Trust Silicon Valley, Mortgage Credit Certificates, Habitat for Humanity, and Santa Clara County's Office of Supportive Housing.

The Housing Trust Silicon Valley Empower Homebuyers SCC program provides loans to low- and moderate-income homebuyers in Silicon Valley in the form of low-interest, second mortgages and down-payment assistance. Santa Clara residents are eligible for two types of assistance offered by the Housing Trust, mortgage assistance and gap assistance. The Mortgage Credit Certificate Program (MCC), administered by the County of Santa Clara Office of Affordable Housing, provides financial assistance to first-time homebuyers. The Santa Clara County MCC tax credit reduces the federal

income taxes of qualified borrowers purchasing qualified homes, thus having the effect of a mortgage subsidy. The current tax credit rate is up to 15 percent of the interest paid to the lender on the first loan. Habitat for Humanity East Bay/Silicon Valley provides ownership opportunities for first-time homebuyers via a sweat equity and savings plan programs. Households, friends, and family contribute 250-500 hours of sweat equity into the construction of their homes.

Santa Clara County's Measure A also set aside funds to assist first time homebuyers. In 2023, the County will roll out new programs that help low income households attain home ownership.

Additionally, SB 9, signed into law in September of 2021 and effective January 1, 2022, allows property owners within single-family residential zones to build two units and/or to subdivide an existing lot into two parcels, for a total of four units that can each be sold as separate units, can help enable affordable home ownership for first time buyers.

Action 16: Fair Housing Program

The City contracts with a qualified fair housing services provider to provide fair housing services to its residents. Currently, the City utilizes Project Sentinel, a nonprofit agency that provides information and dispute resolution services to tenants, landlords, and roommates. Since 2009, Project Sentinel has assisted over 1,000 Santa Clara households and landlords to resolve disputes through counseling, conciliation, and mediation.

Action 17: Homeless Services

In 2022 the City convened a six-month Homelessness Taskforce. The Taskforce included stakeholders with a range of perspectives and experience to help identify priorities and provide recommendations related to the development of a local plan to reduce homelessness and its impacts. Additionally, the City's Police Department conducts outreach through the Community Response Team and the Housing and Community Services Division administers grants to several local agencies that offer services to the homeless. The following agencies have received funding from the City:

- WeHope Dignity on Wheels Mobile Shower and Laundry Service
- Santa Clara County Homelessness Prevention System (HPS)
- Santa Clara County case management for permanent supportive housing clients
- Next Door Solutions to Domestic Violence
- Emergency Housing Consortium
- St. Justin Community Ministry
- Bill Wilson Center
- Abode Services
- Community Technology Alliance
- InnVision

Action 18: Shared Housing

Shared housing can be an affordable housing alternative for seniors and other lower income seniors, disabled, and special needs residents when sufficient support and property management services are included. The City can support this housing type through acquisition and rehabilitation subsidies.

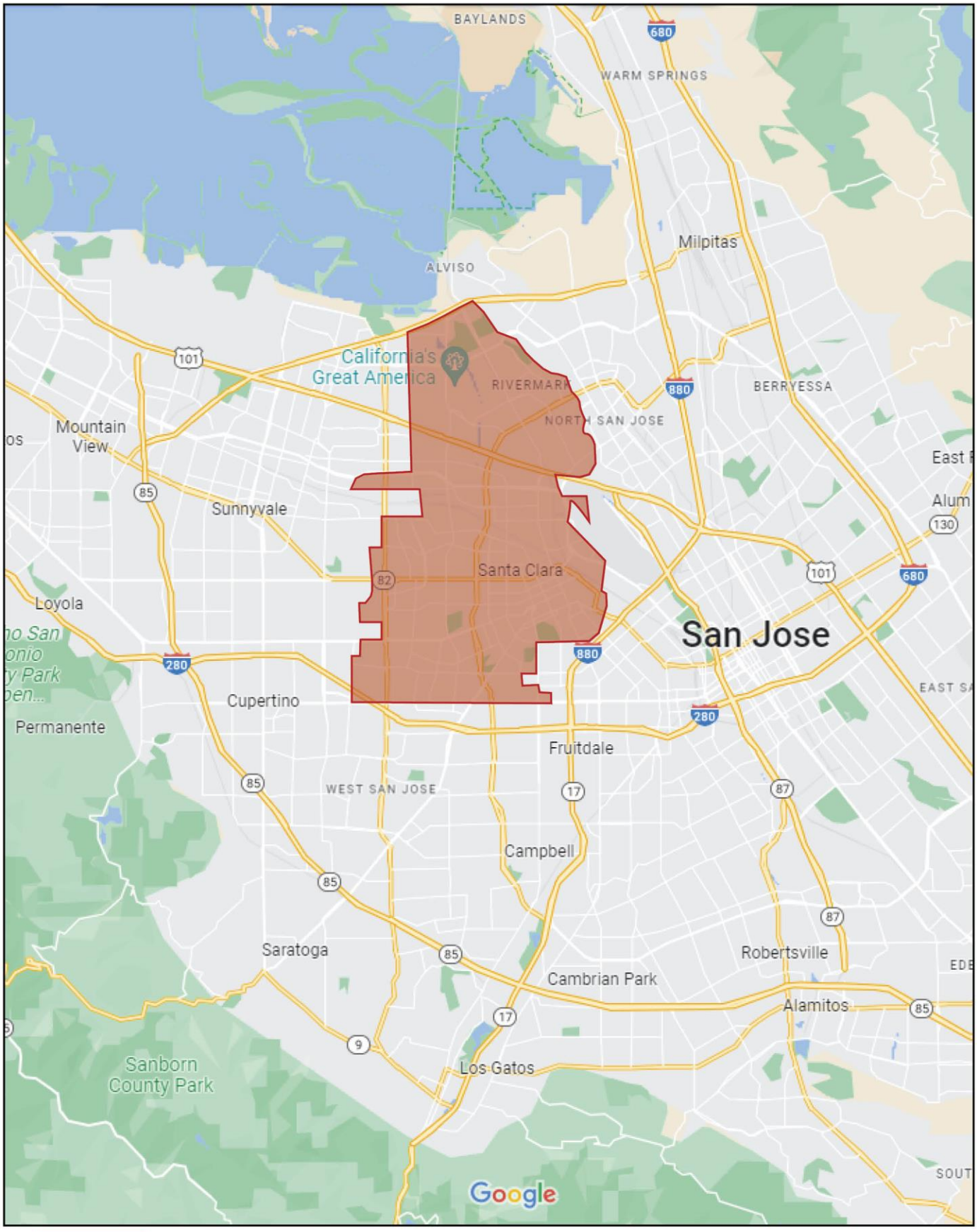
2.9 – Required Approvals

The project would require the following approvals:

- General Plan Amendment to adopt the Housing Element and text amendments to remove the square footage limitations on manufacturing in the low- and high-intensity office districts.
- General Plan Amendment to remove the De La Cruz, Central Expressway and Lawrence Station Phase II Future Focus Areas.
- General Plan Text Amendment to remove the square footage limitations on manufacturing and to allow medical facilities in limited circumstances in the low- and high-intensity office districts.
- Adoption of the Zoning Code Update to implement Action 1 (provision of a variety of housing types) and Action 9 (Zoning Code Update) in the Implementing Actions section of the Housing Element document.

2.10 – Other Public Agency Whose Approval is Required

- None.



- City of Santa Clara Corporate Boundary

Exhibit 1 Regional Context Map

Santa Clara 2023-2031 6th Cycle Housing Element Update
Santa Clara, California

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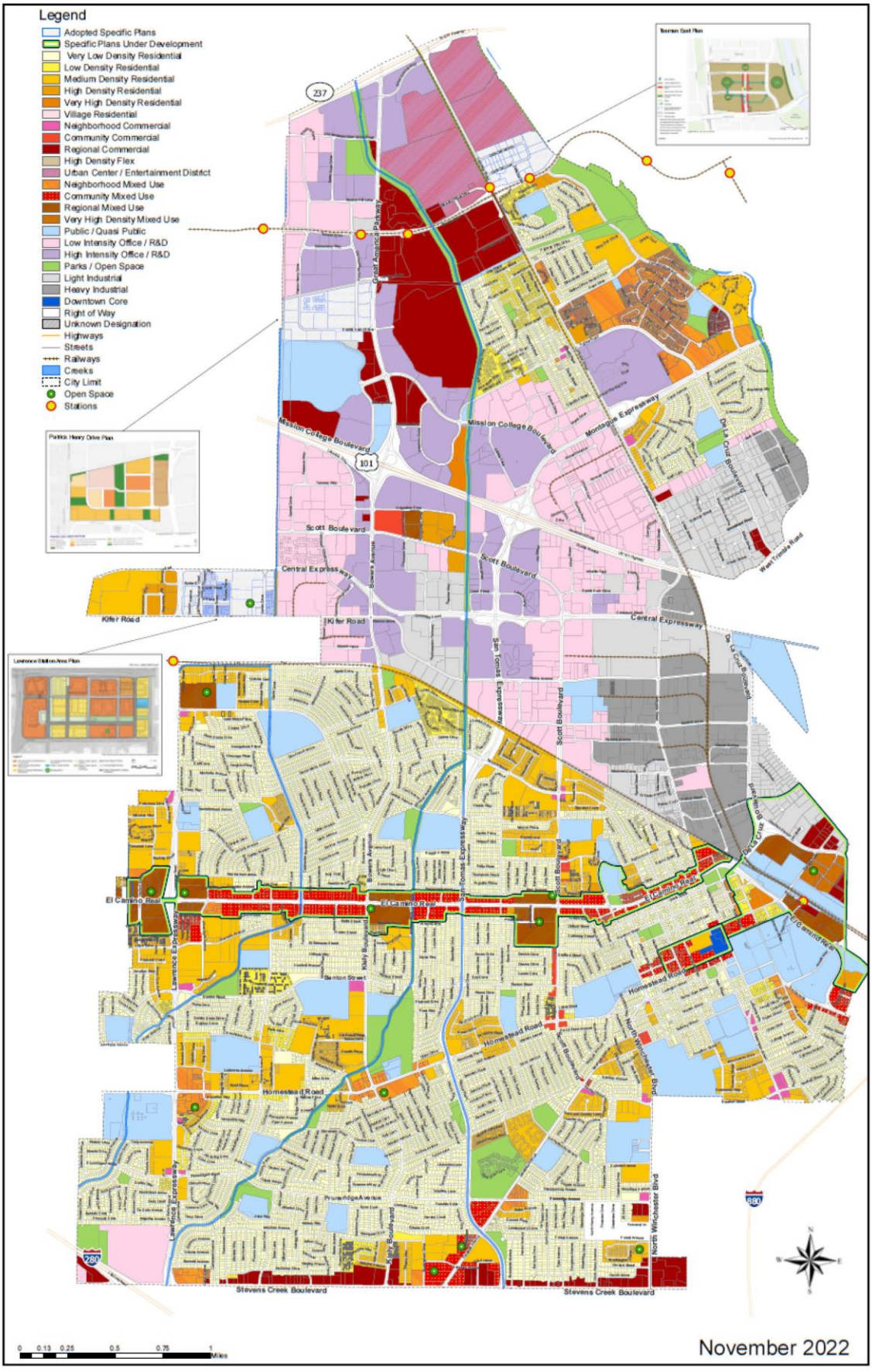

Exhibit 2 Existing General Plan Land Use Map

Santa Clara 2023-2031 6th Cycle Housing Element Update

Santa Clara, California

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3 Determination

3.1 – Environmental Categories Potentially Affected

The environmental categories checked below were identified in the General Plan EIR and subsequent amendments as being a 'Potentially Significant Impact,' and the following Sections of this Addendum identify to what degree the proposed project contributes to these previously identified significant impacts.

☐	Aesthetics	☐	Agriculture Resources	☑	Air Quality
☑	Biological Resources	☐	Cultural Resources	☐	Energy
☐	Geology /Soils	☑	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials
☐	Hydrology / Water Quality	☐	Land Use / Planning	☐	Mineral Resources
☑	Noise	☑	Population / Housing	☐	Public Services
☐	Recreation	☑	Transportation/Traffic	☐	Tribal Cultural Resources
☑	Utilities / Service Systems	☐	Wildfire	☐	Mandatory Findings of Significance

3.2 – Determination

☐	The project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☐	Although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	The project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	The project MAY have a 'potentially significant impact' or 'potentially significant unless mitigated' impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☑	The project could have a significant effect on the environment, but all of its potentially significant effects (a) have been adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION. As such, no further environmental documentation (e.g., a subsequent EIR) is required.

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4 Evaluation of Environmental Impacts

The purpose of this Addendum is to evaluate the CEQA environmental checklist categories in terms of any changed conditions from the approved General Plan EIR and subsequent amendments to the proposed project (e.g., project changes, changed circumstances, or new information of substantial importance) that may produce a changed environmental result (e.g., a new significant impact or substantial increase in the severity of a previously identified significant effect) pursuant to CEQA Guidelines Section 15162, 15164, and 15168(c). As such, the Addendum's checklist analysis uses the standard environmental categories provided in Appendix G of the CEQA Guidelines but provides answer columns for evaluation consistent with the considerations listed in Guidelines Section 15162(a). Mitigation measures identified in the General Plan EIR and applicable to the proposed project are discussed under each environmental Section and are listed in Section 5 – Applicable Mitigation Measures. As discussed in the following Sections, the proposed project would not result in new significant environmental effects or a substantial increase in the severity of impacts previously identified by the General Plan EIR and subsequent amendments.

EXPLANATION OF CHECKLIST EVALUATION CATEGORIES (COLUMNS)

Effect Not Examined in the General Plan EIR?

Pursuant to CEQA Guidelines Section 15168(c)(1), this column indicates whether the project would have effects that were not previously examined by the General Plan EIR and subsequent EIRs, which new effects could necessitate subsequent CEQA review.

Conclusion in the General Plan EIR and Subsequent EIRs?

This column summarizes the conclusion of the General Plan EIR and subsequent EIRs concerning the environmental issue listed under each topic.

Proposed Changes Involving New or More Severe Impacts?

Pursuant to CEQA Guidelines Section 15162(a)(1), this column indicates whether any changes represented by the proposed project would result in new significant environmental impacts not previously identified or mitigated by the General Plan EIR and subsequent EIRs or whether the changes would result in a substantial increase in the severity of a previously identified significant impact.

New Circumstances Involving New or More Severe Impacts?

Pursuant to CEQA Guidelines Section 15162(a)(2), this column indicates whether there have been substantial changes with respect to the circumstances under which the project would be undertaken that would require major revisions to the General Plan EIR and subsequent EIRs due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

New Information Showing New or More Severe Impacts?

Pursuant to CEQA Guidelines Section 15162(a)(3), this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the General Plan EIR and subsequent EIRs were certified, shows any of the following:

(A) The project would have one or more significant effects not discussed in the General Plan EIR and subsequent amendments;

(B) Significant effects previously examined would be substantially more severe than shown in the General Plan EIR and subsequent amendments;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives that are considerably different from those analyzed in the General Plan EIR and subsequent amendments would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If the additional analysis completed as part of this environmental review were to find that the conclusions of the General Plan EIR and subsequent EIRs remain the same and no new significant impacts are identified, or identified impacts are not found to be substantially more severe, or additional mitigation is not necessary, then the question would be answered "No," and no subsequent environmental review would be required.

DISCUSSION FOLLOWING CHECKLIST EVALUATION

A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers regarding the proposed project in relation to the General Plan EIR and subsequent EIRs. The discussion provides information about the particular environmental issue, how the project relates to the issue, and the status of any mitigation that may be required or that has already been implemented. Applicable mitigation measures from the General Plan EIR and subsequent EIRs that apply to the proposed project are listed under each environmental category. The text of the General Plan EIR mitigation measures are included at the end of each of the topical sections. The summary of each of the subsequent Specific Plan EIR's has been excerpted and are included in Appendix C, and each of the summaries includes the mitigation measures for each of the subsequent Specific Plan EIR's.

Conclusion

Each Section ends with a summary of the conclusion of the preceding analysis.

4.1 – Aesthetics

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Have a substantial adverse effect on a scenic vista?	Yes	Less than Significant Impact	No	No	No
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within view from a state scenic highway?	Yes	Less than Significant Impact	No	No	No
c) In non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Yes	Less than Significant Impact	No	No	No
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Yes	Less than Significant Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Scenic Vistas. The General Plan EIR noted that there are no scenic vistas within the City, but the City of Santa Clara offers many views of the community and surrounding natural features, including panoramic views of the Santa Cruz Mountains and the Diablo Range and stretches of open space and undeveloped land in the Ulistac Natural Area. It was further noted that these scenic vistas can be viewed from the system of roadways and formal and informal public trails throughout the City, but private views of these resources from residential neighborhoods are currently obstructed by adjacent development. The General Plan EIR found that development and redevelopment under the 2010-2035 General Plan could obstruct views of these scenic vistas from the system of roadways and formal and informal public trails throughout the City. However, it was noted that the 2010-2035 General Plan includes a range of policies that provide program-level mitigation for effects to the scenic vistas and ensure high quality design that maintains the quality of these scenic vistas and ensures their importance in the City's future.

Therefore, it was determined that implementation of General Plan policies and existing programs would minimize effects to the existing scenic vistas and impacts would be less than significant.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, project impacts would be similar to the General Plan EIR. *Therefore, the proposed Housing Element would have a less than significant effect on scenic vistas.*

(b) Scenic Resources within a State Scenic Highway. The General Plan EIR noted that development under the 2010-2035 General Plan has the potential to alter the City's scenic resources. It was also noted that the El Camino Real Focus Area would serve as a gateway into the City and help define the boundary of the City's historic core, and transition goals and policies, in conjunction with the El Camino Real Focus Area policies require that this development respect the existing historic character and development patterns of the surrounding area. It was further noted that the Downtown Focus Area offers opportunities for place-making and for a unique destination in the City to serve both local and regional interests, and that revitalization will support the Major Strategies for City identity and community vitality. The General Plan EIR found that policies related to Areas of Historic Sensitivity and to transitions would also apply in order to respect the existing character and development patterns of the surrounding area. It was found that most development would go through the City's architectural review process prior to issuance of building permits, and would be reviewed for consistency with the City's Design Guidelines. It was further found that the City's scenic resources would be managed consistent with City adopted regulations and policies, in combination with State regulations. Implementation of proposed policies and existing programs would minimize effects to the existing scenic resources. *Therefore, the General Plan EIR determined that implementation of General Plan policies and existing programs would minimize effects to the existing scenic resources and impacts would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, project impacts would be similar to the General Plan EIR. *Therefore, the proposed Housing Element would have a less than significant effect on scenic resources within a State Scenic Highway.*

(c) Degrade Existing Visual Character. The General Plan EIR noted that new development and redevelopment under the General Plan would be substantial enough, and would occur at key locations throughout the City, such that it could have the potential to degrade the visual character of the City without appropriate planning and oversight. However, the General Plan EIR noted that most development would go through the City's architectural review process prior to issuance of building permits, and would be reviewed for consistency with the City's Design Guidelines. In addition, it was noted that Focus Areas within which much of the changes would occur are strategically designed to protect the integrity of residential neighborhoods, and changes to public spaces, including roadways, would be designed to upgrade the aesthetic environment. The General Plan EIR found that the City's visual character would be maintained consistent with City adopted regulations and policies, in combination with State regulations. It was further noted that the General Plan includes a range of policies to ensure high quality design that supports and enhances the aesthetic qualities and character of the City and minimize or avoid adverse effects on the existing visual character. *Therefore, the General Plan EIR determined that implementation of General Plan policies and existing programs would minimize effects to the existing visual character and impacts would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including

subsequent EIRs related to specific plans or area plans, project impacts would be similar to the General Plan EIR. *Therefore, the proposed Housing Element would have a less than significant effect on the existing visual character of the area.*

(d) Light and Glare. The General Plan EIR noted that new development and redevelopment under the 2010-2035 General Plan has the potential to create additional light or glare in the City, and sources of light and glare would include external housing lights, street-lights, parking lot lights, security lights, vehicular headlights, internal building lights, and reflective building surfaces and windows. It was also noted that most new development would go through the City's architectural review process prior to issuance of building permits, and would be reviewed for consistency with the City's Design Guidelines. The General Plan EIR found that the City's light and glare would be reduced and managed consistent with City adopted regulations and policies, in combination with State regulations. It was also found that the 2010-2035 General Plan includes a range of policies to provide program-level mitigation for effects to the neighborhoods from new light and glare resources and ensure high quality design that maintains the quality of existing neighborhoods and reduces light and glare. *Therefore, the General Plan EIR determined that implementation of General Plan policies and existing programs would minimize effects of light and glare and impacts would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, project impacts would be similar to the General Plan EIR. *Therefore, the proposed Housing Element would have a less than significant effect related to light and glare.*

Cumulative Impacts

The General Plan EIR noted that visual and scenic resources are generally localized, although specific resources can be regional in nature, such as vistas of a mountain range. It was also noted that build-out of the General Plan would be limited to redevelopment of existing urbanized areas within Santa Clara, as there are only a small number of vacant undeveloped parcels remaining in the City. Further, it was noted that cumulative development within Santa Clara by other public agencies (i.e., the public school districts), or in adjacent communities (i.e., San Jose), would also largely consist of 'recycling' of existing developed parcels for new urban land uses or intensification of existing land uses. The General Plan EIR determined that implementation of the General Plan, including implementation of design review process and incorporation of applicable policies regulating the appearance of new development, would not result in impacts to regional visual and scenic resources, such as the Valley's surrounding hillsides, in that new and redevelopment would not be of a scale or density to affect regional visual and scenic resources. *Therefore, the General Plan EIR determined that the City's contribution to cumulative regional visual and scenic resource impacts would be less than significant.*

The Planning Area is completely urbanized and cumulative impacts related to aesthetics were analyzed in the General Plan EIR and were determined to be less than significant. The proposed Housing Element Update would be required to implement General Plan EIR Mitigation Measures 4.10-1 and 4.10-2. *Therefore, the cumulative aesthetic impact from the proposed Housing Element Update would be less than significant.*

Conclusion

The General Plan EIR determined that implementation of the 2010-2035 General Plan in accordance with proposed policies and actions would result in less than significant aesthetic and visual character impacts and no mitigation measures were required. The proposed Housing Element Update would

implement General Plan policies and existing programs and would not substantially impact the aesthetic or visual character of the Planning Area. The RHNA allocation described in the proposed Housing Element Update would be within the amount of residential development potential analyzed in the General Plan EIR and subsequent EIRs, and would result in similar less than significant aesthetic impacts. The proposed project would be within the scope of what was evaluated in the General Plan EIR and subsequent amendments and would not produce new or substantially more severe environmental impacts. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.2 – Agriculture and Forest Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No	Not Examined	No	No	No
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No	Not Examined	No	No	No
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104 (g))?	No	Not Examined	No	No	No
d) Result in loss of forest land or conversion of forest land to non-forest use?	No	Not Examined	No	No	No
e) Involve other changes in the existing environment which, due to their location or nature, could result in	No	Not Examined	No	No	No

conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?					

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Designated Farmland. The General Plan EIR did not analyze impacts related to conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The City of Santa Clara is almost completely urbanized and there are very few undeveloped parcels in the Planning Area. While there are locations in the City designated (A) Agricultural, there are no lands designated by the Farmland Mapping and Monitoring Program as being Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. *Therefore, the proposed Housing Element Update would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.*

(b) Williamson Act. The General Plan EIR did not analyze impacts related to Williamson Act contracts. The City of Santa Clara is almost completely urbanized and there are very few undeveloped parcels in the Planning Area. There are no lands within the City under a Williamson Act contract. *Therefore, the proposed Housing Element Update would not conflict with existing zoning for agricultural use, or a Williamson Act contract.*

(c) Forest Zoning. The General Plan EIR did not analyze conflicts with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104 (g)). There are no areas of the City zoned as forest land or timberland resources. *Therefore, the proposed Housing Element Update would not conflict with existing zoning for forest land or timberland.*

(d) Loss or Conversion of Forestland. The General Plan EIR did not analyze impacts related to the loss of forest land or conversion of forest land to non-forest use. However, there are no areas of the City zoned as forest land, and the Planning Area and does not contain any forest land resources. *Therefore, the proposed Housing Element Update would not result in the loss or conversion of forest land*.

(e) Other Changes. The General Plan EIR did not analyze impacts related to the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. The Housing Element Update does not re-zone or re-designate any parcel within the City from agricultural uses or zones to other uses. In addition, the Housing Element Update does not propose any specific development that would result in the conversion of farmland to non-agricultural use; Inventory Sites identified within the Housing Element Update are located within urban areas. There are no parts of the City designated as timberland, forest land, or farmland; as such, implementation of the Housing Element Update would not result in a conversion of these land uses to another use. Development associated with implementation of the Housing Element Update would not result in the conversion of any agricultural or forest land to non-agricultural or non-forest uses. *Therefore, the impact would be less than significant.*

Cumulative Impacts

The General Plan EIR did not analyze cumulative impacts related to the loss of agricultural or forest land. The City of Santa Clara is almost completely urbanized and is designated in Farmland Mapping and Monitoring Program as “Urban and Built-Up Land”. Implementation of the proposed Housing

Element Update would not result in the loss or conversion of agricultural or forest uses. *Therefore, the cumulative agriculture and forest resources impact from the proposed Housing Element Update would be less than significant.*

Conclusion

No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The project does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.3 – Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Conflict with or obstruct implementation of the applicable air quality plan?	Yes	Significant and Unavoidable Impact	No	No	No
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Yes	Significant and Unavoidable Impact	No	No	No
c) Expose sensitive receptors to substantial pollutant concentrations?	Yes	Significant and Unavoidable Impact	No	No	No
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Yes	Less than Significant with Mitigation Incorporated	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Conflict with AQMP. The General Plan EIR noted that population projections under the General Plan are slightly above the *Bay Area 2005 Ozone Strategy* and the *Bay Area 2010 Clean Air Plan.* However, it was also noted that the rate of VMT growth is less than half the rate of population growth. *Therefore, the General Plan EIR determined that the 2010-2035 General Plan would be consistent with the CAP and project impacts would be less than significant.*

The General Plan EIR also noted that the Air District has a long history of implementing control measures to reduce ozone precursor emissions from stationary, area, mobile and transportation sources, and transportation control measures (TCMs) were designed to reduce emissions from motor vehicles by reducing vehicle trips and vehicle miles traveled. The General Plan EIR also noted that TCMs may also reduce vehicle use, vehicle idling or traffic congestion, and that the TCMs address State ozone planning requirements for the Bay Area. The General Plan EIR found that the policies under the 2010-2035 General Plan support and reasonably implement the applicable *Bay Area 2005 Ozone Strategy* and the *Bay Area 2010 Clean Air Plan* TCMs. *Therefore, the General Plan EIR determined that the 2010-2035 General Plan would be consistent with the TCMs and project impacts*

would be less than significant. However, the subsequent Specific Plan EIR for the Lawrence Station Area Plan found that implementation of the Specific Plan would result in a significant and unavoidable impact and there are no feasible mitigation measures that reduce the impact to less than significant.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, project impacts would be similar to and no greater than those evaluated in the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would also conflict with the applicable AQMP and have a significant and unavoidable impact.*

(b) Cumulatively Considerable Net Increase in Criteria Pollutant Emissions. The General Plan EIR noted that new development and redevelopment allowed under the 2010- 2035 General Plan could increase the concentration of air pollutants. However, the General Plan EIR found that implementation of General Plan policies and existing regulations and programs would substantially reduce air pollutants. *Therefore, the General Plan EIR determined that implementation of the General Plan would not result in a cumulatively considerable net increase in any criteria pollutant emission and impacts would be less than significant. However, subsequent EIRs for the Tasman East SP, the Patrick Henry Drive SP, and the Freedom Circle Future Focus Area (FFA) found that construction related impacts would require implementation of mitigation measures to reduce impacts to less than significant and operational impacts would be significant and unavoidable even with incorporation of mitigation. Therefore, this impact is significant and unavoidable and the following subsequent EIR mitigation measures will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measures AQ-1.1, AQ-1.2, AQ-2.1, AQ-2.2, and AQ-2.3.
- Patrick Henry Drive SP EIR – See Mitigation Measures 5-2A, 5-2B, 5-2C, and 5-2D.
- Lawrence Station SP EIR – See Mitigation Measures AQ-4, AQ-5, AQ-6, and AQ-7.
- Freedom Circle FFA EIR – See Mitigation Measures 5-3A, 5-3B, 5-3C, and 5-3D.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, the proposed Housing Element would not result in a more significant impact than has been previously analyzed.*

(c) Exposure of Sensitive Receptors Substantial Pollutant Concentrations. The General Plan EIR found that new development and redevelopment allowed under the 2010- 2035 General Plan could result in construction dust emissions that could affect local and regional air quality. *However, the General Plan EIR found that implementation of General Plan policies and existing regulations and programs would substantially reduce construction dust emissions and impacts would be less than significant.* The General Plan EIR also found that implementation of the 2010-2035 General Plan may involve the placement of sensitive receptors (e.g., new residences) near localized sources of Toxic Air Contaminants (TACs). The General Plan EIR subsequently found that the 2010-2035 General Plan does not provide adequate buffers between existing sources of TAC and new residences or sensitive receptors. *As such, the General Plan EIR determined that incorporation of Mitigation Measure 4.10-1 would reduce this impacts to less than significant. The subsequent EIR for the Lawrence Station SP also found implementation of mitigation measures would reduce impacts to less than significant. However, subsequent EIRs for the Patrick Henry Drive SP and the Freedom Circle FFA found that impacts would be significant and unavoidable even with incorporation of mitigation measures.*

Therefore, subsequent EIRs have determined that this impact is significant and unavoidable and the following subsequent EIR mitigation measures will apply to the proposed Housing Element Update:

- Lawrence Station SP EIR – See Mitigation Measures AQ-1, AQ-2, and AQ-3
- Patrick Henry Drive SP EIR – See Mitigation Measures 5-3A and 5-2B.
- Freedom Circle FFA EIR – See Mitigation Measures 5-3A, 5-3B, 5-3C, and 5-3D.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, the proposed Housing Element would not result in a more significant impact than has been previously analyzed.*

(d) Other Emissions Such as Odors. The General Plan EIR noted that implementation of the 2010-2035 General Plan may involve the placement of sensitive receptors (e.g., new residences) near localized sources of odors. The General Plan EIR subsequently found that the 2010-2035 General Plan does not provide adequate buffers between sources of odors and new residences or sensitive receptors. As listed in the Mitigation Measures section below, the General Plan EIR found that the addition of Policy 5.1.1-P25 to the Prerequisite section and Policy 5.10.5-P34 to the Safety section would require minimum screening or buffer distances between emissions sources and sensitive receptors. As such, the General Plan EIR included incorporation of Mitigation Measures 4.10-2. Additional mitigation measures have been incorporated in subsequent EIRs and are included here by reference. *Therefore, the General Plan EIR determined that impacts from implementation of the General Plan would be less than significant with incorporation of mitigation measures. Subsequent EIRs also determined that this impact would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, project impacts would be similar to the General Plan EIR. *Therefore, implementation of the proposed Housing Element would have a less than significant effect.*

Cumulative Impacts

The General Plan EIR noted that air pollution is a regional issue affected by climate, land uses, and topography. The General Plan EIR also noted that Section *4.10, Air Quality* includes a detailed analysis of the cumulative air quality conditions related to build-out of the 2010-2035 General Plan, as well as the General Plan's conformance with the existing Bay Area 2005 Ozone Strategy and the draft 2010 Bay Area Clear Air Plan, which have been based on regional ABAG projections. The General Plan EIR found that the 2010-2035 General Plan would conform with the current and proposed long-range air quality plans for the Bay Area. *Therefore, the General Plan EIR determined that implementation of the General Plan would result in a less than cumulatively considerable contribution to cumulative air quality impacts.*

The Planning Area is completely urbanized and cumulative impacts related to air quality were analyzed in the General Plan EIR and were determined to be less than significant. The proposed Housing Element Update would be required to implement General Plan EIR Mitigation Measures 4.10-1 and 4.10-2 as well as subsequent Specific Plan EIR mitigation measures incorporated by reference. *Therefore, the cumulative air quality impact from the proposed Housing Element Update would be less than significant.*

Conclusion

The proposed Housing Element Update would not conflict with or obstruct implementation of the applicable air quality plan and would not result in a cumulatively considerable net increase of any criteria pollutant. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and subsequent EIRs. Future housing developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to the mobile, energy, and area sources that cumulatively contribute to criteria pollutant levels and associated air pollution in the Basin. Development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. General Plan EIR Mitigation Measures 4.10-1 and 4.10-2, as described below, would also be applicable to the development associated with implementation of the Housing Element Update. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur, nor would the significant unavoidable impacts identified in the General Plan EIR be worsened. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required.

Applicable General Plan EIR Mitigation Measures

MM 4.10-1: Policy 5.1.1-P25 should be added to the Prerequisite section as follows:

> Policy 5.1.1-P25: Prior to the implementation of Phase II,[ii] the City will include a Community Risk Reduction Plan (CRRP) for acceptable TAC concentrations consistent with the BAAQMD CEQA Guidelines, including risk and exposure reduction targets, measures to reduce emissions, monitoring procedures, and a public participation process.

Policy 5.10.5-P34 should be added to the Safety section as follows:

> Policy 5.10.5-P34: Include minimum setbacks of 500 feet for roadways with average daily trips of 100,000 or more and 100 feet for railroad tracks for new residential or other uses with sensitive receptors, unless a project-specific study identifies measures such as, site design, tiered landscaping, air filtration systems, windows design to reduce exposure, demonstrating that the potential risks can be reduced to acceptable levels.

MM 4.10-2: Policy 5.10.5-P35 should be added to the Safety section as follows:

> Policy 5.10.5-P35: Establish minimum buffers between odor sources and new residential or other uses with sensitive receptors, consistent with the BAAQMD guidelines, unless a project-specific study demonstrates that these risks can be

[ii] Note that Policy 5.1.1-P25 was modified as part of the 2014 General Plan Update, which was adopted with a MND. As modified, the Policy now directs the preparation of the CRRP prior to implementation of Phase III, rather than Phase II.

reduced to acceptable levels.

4.4 – Biological Resources

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or	Yes	Less than Significant with Mitigation Incorporated	No	No	No

ordinance?					
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Yes	Less than Significant Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Listed or Sensitive Species. The General Plan EIR found that new development under the 2010-2035 General Plan would result in minimal direct impacts due to habitat loss since there are very few vacant, undeveloped parcels left in the City proposed for urban development that provide habitat value. The General Plan EIR noted that the vast majority of new development anticipated under the 2010-2035 General Plan would occur on parcels already developed with an urban use. However, the General Plan EIR found that future development of vacant parcels containing ruderal grasslands has the potential to impact the Congdon's tarplant, should the tarplant be present at the time of development. Further, the General Plan EIR found that development of vacant parcels could result in impacts to individual burrowing owls if owls moved onto the site prior to project construction. In addition, it was noted that if owls are using active nests when construction activity commences, grading of the site could result in destruction of nests and individual owls. The General Plan EIR found that development under the 2010-2035 General Plan would be required to comply with State and federal regulations regarding special-status species. In addition, it was found that General Plan policies would reduce the potential for impacts on the special-status species considered most likely to use habitat in the City. As such, mitigation measures 4.9-1 and 4.9-2 were incorporated into the General Plan EIR to ensure avoidance of Congdon's tarplant and burrowing owl. *Therefore, the General Plan EIR determined that impacts to species identified as a candidate, sensitive, or special status species would be less than significant with incorporation of mitigation. Subsequent EIRs for the Tasman East SP, the Patrick Henry Drive SP, the Lawrence Station Area Plan, and the Freedom Circle FFA also found that impacts to special status species would be less than significant with incorporation of mitigation measures. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measures BIO-1.1, BIO-2.1, BIO-2.2, BIO-2.3, BIO-2.4, BIO-3.1, BIO-5.1, BIO-5.3, and BIO-5.4.
- Patrick Henry Drive SP EIR – See Mitigation Measures 6-3 and 6-4.
- Lawrence Station SP EIR – See Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-2.
- Freedom Circle FFA EIR – See Mitigation Measures 6-3 and 6-4.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

(b) Riparian or Sensitive Habitat. The General Plan EIR found that redevelopment of urban parcels adjacent to riparian corridors along Calabazas Creek, San Tomas Aquino Creek, and Guadalupe River

has the potential to indirectly affect the habitat value of the riparian corridor. It was further noted that the De La Cruz and Tasman East Focus Areas are each immediately west of the Guadalupe River riparian corridor, separated by an earthen levee, and future redevelopment of each Focus Area, in particular, could affect wildlife movement along the Guadalupe River. Additionally, it was noted that the east bank of the Guadalupe River adjacent to Santa Clara is under the jurisdiction of the City of San Jose and is included within the draft Valley HCP boundary, and the Valley HCP's conservation strategy to ensure urban development on the east side of the Guadalupe River doesn't further degrade the riparian corridor's habitat value is to apply the City of San Jose's Riparian Corridor Policy. In addition, the General Plan EIR found that the 2010-2035 General Plan includes updated biological policies that address impacts to riparian habitats. As described in the General Plan EIR, the City of Santa Clara has adopted the Water Collaborative's Guidelines and Standards for Land Uses Near Streams, and the two riparian protection policies (5.10.1-P2 and 5.10.1-P5) are functionally equivalent and will ensure that new and redevelopment on either bank of the Guadalupe River doesn't significantly impact wildlife movement along the Guadalupe River. Finally, it was found that there are no other sensitive natural communities present in the City. *Therefore, the General Plan EIR determined that impacts to riparian habitat or other sensitive natural communities would be less than significant. However, subsequent EIRs for the Tasman East SP, the Patrick Henry Drive SP, and the Freedom Circle FFA found that mitigation is required to reduce potential impacts to sensitive habitat to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measure BIO-4.1.
- Patrick Henry Drive SP EIR – See Mitigation Measure 6-2.
- Freedom Circle FFA EIR – See Mitigation Measure 6-2.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

(c) Riparian/Wetlands. The General Plan EIR noted that wetlands and other waters are protected under the federal Clean Water Act and the State's Porter-Cologne Water Quality Control Act, and are under the jurisdiction of the U.S. Army Corps of Engineers and the San Francisco Bay Regional Water Quality Control Board. It was further noted that Federal and State regulations require avoidance of impacts to the extent feasible, and compensation for unavoidable losses of jurisdictional wetlands and waters. The General Plan EIR found that development along the City's watercourses would have some potential to affect jurisdictional waters and wetlands. *The General Plan EIR determined that compliance with existing regulations and proposed General Plan policies would ensure impacts on state or federally protected wetlands would be less than significant. However, subsequent EIRs for the Tasman East SP found that mitigation is required to reduce potential impacts to wetlands to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measure BIO-6.1, BIO-6.2, BIO-7.1, BIO-8.1, BIO-8.2, BIO-9.1, BIO-9.2, and BIO-9.3.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including

subsequent EIRs related to specific plans or area plans, the impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

(d) Wildlife Movement. The General Plan EIR noted that the creeks that flow through the City provide the primary wildlife movement corridors, and therefore future development near the creeks has the potential to disrupt or disturb wildlife movements along the creek corridors. However, the General Plan EIR found that the City's implementation of the Water Collaborative's Guidelines and Standards for Land Uses Near Streams would minimize the potential for impacts to wildlife movement. *Therefore, the General Plan EIR determined impacts to the movement of any native resident or migratory fish or wildlife species would be less than significant. The subsequent EIR for the Tasman East SP also found that mitigation is required to reduce potential impacts to wildlife movement to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measure BIO-3.1.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

(e) Local Policies. The General Plan EIR noted that there is a City ordinance currently in effect to protect trees on public property, and the General Plan proposes a new policy that would afford protection to specified trees on private property. *Therefore, the General Plan EIR determined that Development under the 2010-2035 General Plan would not conflict with the existing tree ordinance and impacts would be less than significant. However, the subsequent EIRs for the Tasman East SP and the Lawrence Station SP found that mitigation is required to reduce potential impacts from tree removal to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measures BIO-10.1 and BIO-10.2.
- Lawrence Station SP EIR – See Mitigation Measures BIO-3a and BIO-3b.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

(f) Habitat Conservation Plans. The General Plan EIR found that the City is not located within the study area, but rather adjacent to, the Valley Habitat Conservation Plan (HCP). It was also found that future nitrogen emissions attributable to the General Plan's net new development in 2035 would constitute approximately 1.5 percent of total emissions and would represent a less than cumulatively considerable contribution to nitrogen deposition impacts to the serpentine grassland special status flora and fauna being addressed in the Valley HCP. *Therefore, the General Plan EIR and subsequent EIRs*

determined that conflicts with the provisions of an adopted Habitat Conservation Plan would be less than significant.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts and no mitigation is required.*

Cumulative Impacts

The General Plan EIR noted that there is minimal vacant, undeveloped land within Santa Clara that provides suitable habitat for rare, threatened, or endangered flora or fauna, and that most suitable habitat in the City is concentrated along the several creek corridors. It was also noted that the predominant biologic impacts associated with implementation of the 2035 General Plan would occur to common, urban-adapted species. In the rare instances where future development would involve a site with a special status species, appropriate mitigation, including avoidance, would be implemented to reduce the impacts to a less than significant level. Therefore, the General Plan EIR determined that new construction and redevelopment within the City of Santa Clara would not contribute to cumulative impacts to special status plants and animals present within the City. As further discussed in Section *4.9 Biology* of the General Plan EIR, regional nitrogen deposition impacts to serpentine habitat in southern San Jose is a cumulative issue being addressed by the Local Partner agencies participating in the Valley HCP. However, for the reasons provided in Section *4.9,* Santa Clara's NOx contribution from new development allowed under the 2035 General Plan was determined to be less than cumulatively considerable. Finally, it was also determined that Nitrogen Oxides (NOx) emissions associated with the City's electrical utility, Silicon Valley Power, would be mitigated on an ongoing basis through management of serpentine habitat on Coyote Ridge in San Jose. *Therefore, the General Plan EIR determined that cumulative biological impacts would be less than significant.*

The Planning Area is an almost completely urbanized area and most of the Planning Area is designated in the City's General Plan and Zoning Code for urban development. Cumulative impacts related to the Housing Element Update in conjunction with other similar projects in the area were analyzed in the Environmental Impact Report prepared for the City of Santa Clara 2010-2035 General Plan and subsequent EIRs and were determined to be less than significant with mitigation incorporated. *Therefore, the cumulative biological resources impact from the proposed Housing Element Update would be less than significant.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect on any sensitive species or habitat, on any wetlands, with the movement of any native resident or migratory fish or wildlife species, and will not conflict with local policies or ordinances protecting biological resources or with a habitat conservation plan. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and subsequent EIRs. Future housing developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to biological resources impacts. Development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. General Plan EIR Mitigation Measures 4.9-1 and 4.9-2, as described below, would also be applicable to the development associated with implementation of the Housing

Element Update. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

MM 4.9-1: **Congdon's Tarplant Program Mitigation:** On parcels with ruderal grasslands, surveys will be conducted prior to future development to document the presence/absence of Congdon's tarplant. In the event the species is present, the project design will incorporate an adequate buffer, as determined by a qualified biologist, to ensure the Congdon's tarplant is not threatened by development.

MM 4.9-2: **Burrowing Owl Program Mitigation:** Future development on parcels with ruderal grasslands will include the following standard measures to reduce potential WBO impacts to a less than significant level:

1. Determine Burrowing Owl Presence

a. Breeding Season Surveys

Standardized surveys are necessary to determine presence (or presumed absence) of burrowing owls for the purposes of inventory, monitoring, avoidance of take, and determining appropriate mitigation. In California the breeding season begins as early as February 1 and continues through August 31. The California Burrowing Owl Consortium (Consortium) survey protocol specifies a multi-phase approach, which is recommended in order to adequately evaluate burrowing owl use of an area and to inform the CEQA process. The Department recommends that the Consortium survey protocol for breeding season surveys be adhered to (4 survey visits spread evenly (roughly every 3 weeks) during the peak of the breeding season, from April 15-July 15) The habitat assessment, intensive burrow surveys and burrowing owl surveys should include the area within 150 meters of the project boundaries (approximately 500 feet).

b. Non-Breeding Season Surveys (Including Winter)

Surveys during the non-breeding season (September 1- January 31) are recommended by the Department but are not generally required because burrowing owls are much more difficult to detect during the non-breeding season, and the number or type of surveys that would be needed to detect presence then has not been studied or quantified. Negative results during any nonbreeding season surveys are not conclusive proof that owls do not use the site. Because of this complication, the DFG recommends breeding season surveys as the first step, but project applicants should consult with the Department if burrowing owls have been documented on the project site during the non-breeding season.

2. Avoid Impacts (destruction, disturbance) to Individual Owls

a. Pre-Construction Surveys for Owl Presence

Pre-construction surveys (usually initiated during the non-breeding season) are necessary for assessing owl presence at a site within a short time period before site modification is scheduled to begin. Pre-construction surveys are supplemental to the existing breeding season survey protocol (4 survey visits spread evenly during the peak of the breeding season, from April 15- July 15). Initial pre-construction surveys should be conducted no more than 30 days prior to ground-disturbing activities (for example, disking, clearing, grubbing, grading). Generally, at a minimum, 4 survey visits on at least 4 separate days will be necessary, The time lapse between surveys and site disturbance should be as short as possible and will be determined by DFG based on specific project conditions but generally should not exceed 7 days. Additional surveys are necessary when the initial disturbance is followed by periods of inactivity or the development is phased spatially and/or temporally over the project area. Biologists conducting pre-construction surveys should expend enough effort, based on the above criteria, to assure with a high degree of certainty that take of owls will not occur once site modification and grading activities begin. The report should be submitted to the DFG for review.

b. Buffer Zones Around Occupied Burrows (Year-Round)

Buffer zones to protect burrowing owls from direct disturbance should be implemented pursuant to the Consortium Guidelines and the Department's Staff Report (1995). Generally, the buffers recommended in these reports for protecting burrowing owls from disturbance is 75 meters (250 feet) from occupied burrows during the breeding season and 50 meters (160 feet) from occupied burrows during the non-breeding season. Consultation with the Department may result in site-specific buffer specifications, on a case-by-case basis.

c. Passive Relocation

If construction will directly impact occupied burrows, eviction of owls should occur outside the nesting season to prevent injury or mortality of individual owls. No burrowing owls will be evicted from burrows during the nesting season (1 February through 31 August) unless evidence indicates that nesting is not actively occurring (e.g., because the owls have not yet begun nesting early in the season, or because young have already fledged late in the season). Relocation of owls during the non-breeding season will be performed by a qualified biologist using one-way doors, which should be installed in all burrows within the impact area and left in place for at least two nights. These one-way doors will then be removed and the burrows backfilled immediately prior to the initiation of grading. Furthermore, should the Valley HCP, once adopted, include a regional WBO mitigation program that would be available to future projects in Santa Clara, future projects may have a feasible option to mitigate for their individual impacts to loss of WBO foraging and/or nesting habitat by participating in the Valley HCP's program.

4.5 – Cultural Resources

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section15064.5?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section15064.5?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	Yes	Less than Significant with Mitigation Incorporated	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Historical Resources. The General Plan EIR noted that future development under the 2010-2035 General Plan has the potential to impact, either directly or indirectly, historic resources, both those that are currently listed, and those that have yet to be identified and evaluated. It was also noted that the General Plan's Phase III prerequisite policy to conduct a citywide survey prior to Phase III (2025)[iii] would encompass buildings constructed prior to 1975 (i.e., buildings constructed prior to 1975 would be at least 50 years of age in 2025), and would identify whether additional buildings have achieved historic significance over time. Further it was noted that buildings over 50 years of age would be evaluated prior to demolition or substantial alteration on a case-by-case basis. The General Plan EIR found that implementation of General Plan policies and programs, including application of the California Historic Building Code and the City's Combining Historic Districts, the City's design review process, and referral of projects involving historic resources to the Historical and Landmarks Commission, would serve to minimize historic resources impacts. *Therefore, the General Plan EIR determined that implementation of proposed policies and existing programs would reduce potential historical resources impacts to less than significant. However, the subsequent EIRs for the Patrick Henry Drive SP, the Lawrence Station SP, and the Freedom Circle FFA found that mitigation is required to reduce potential impacts to historical resources to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

[iii] In the 2014 General Plan Update, the Phases of the General Plan were shifted to line up with the housing element update schedule. Phase III is now slated to commence in 2023.

- Patrick Henry Drive SP EIR – See Mitigation Measure 7-1.
- Lawrence Station SP EIR – See Mitigation Measure CUL-1.
- Freedom Circle FFA EIR – See Mitigation Measure 7-1.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the historic resources impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

(b) Archaeological Resources. The General Plan EIR found that future development and redevelopment and construction activities under the 2010-2035 General Plan may result in direct or indirect impacts to both prehistoric and historic archaeological resources. It was also noted that construction activities such as grading and excavation may result in the accidental destruction or disturbance of archaeological sites. Further, it was found that all areas of the City hold potential for the presence of prehistoric archaeological resources, with the exception of current and former stream channels and areas with artificial fill. However, the General Plan EIR found that 2010-2035 General Plan includes a range of policies to ensure the protection of archaeological resources. The General Plan EIR found that existing federal, State, and local regulations address the provision of studies to identify archaeological and paleontological resources; application review for projects that would potentially involve land disturbance; provide a project-level standard condition of approval that addresses unanticipated archaeological and or paleontological discoveries; and requirements to develop specific mitigation measures if resources are encountered during any development activity. *Therefore, the General Plan EIR determined implementation of General Plan policies and existing programs would reduce the impact to archaeological resources to less than significant. However, the subsequent EIRs for the Tasman East SP, the Patrick Henry Drive SP, the Lawrence Station SP, and the Freedom Circle FFA found that mitigation is required to reduce potential impacts to archaeological resources to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measures CUL-1.1, CUL-1.2, and CUL-1.3
- Patrick Henry Drive SP EIR – See Mitigation Measure 7-2.
- Lawrence Station SP EIR – See Mitigation Measure CUL-2 and CUL-3.
- Freedom Circle FFA EIR – See Mitigation Measure 7-3.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the archaeological resources impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

(c) Human Remains. The General Plan EIR noted that implementation of the 2010-2035 General Plan would allow development and redevelopment, including grading, of sensitive areas, possibly disturbing human remains, including those outside of formal cemeteries. However, it was found that existing regulations, including the California Public Resources Code. Section 5097.98, would afford protection for human remains discovered during development activities. In addition, review and protection are afforded by CEQA for those projects subject to discretionary action, particularly for activities that could

potentially disturb human remains. Further, it was noted that SB 18 requires consultation regarding Native American sites and artifacts, but the potential for project-level impacts to unidentified and unrecorded tribal cultural places remains moderate to high. As such, it was found that future excavation and grading activities could result in impacts to human remains. However, it was determined that Public Resources Code Section 5097.98 mandates the process to be followed in the event of a discovery of any human remains, and would mitigate all potential impacts. *Therefore, the General Plan EIR determined that implementation existing programs would reduce the impact to human remains to less than significant. However, the subsequent EIRs for the Tasman East SP, the Patrick Henry Drive SP, the Lawrence Station SP, and the Freedom Circle FFA found that mitigation is required to reduce potential impacts to buried human remains to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measures CUL-1.1, CUL-1.2, and CUL-1.3.
- Patrick Henry Drive SP EIR – See Mitigation Measure 7-2.
- Lawrence Station SP EIR – See Mitigation Measure CUL-5.
- Freedom Circle FFA EIR – See Mitigation Measure 7-3.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the buried human remains impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with already identified mitigation incorporated.*

Cumulative Impacts

The General Plan EIR found that projects in the City and other cumulative projects in the area would implement mitigation that avoids or substantially lessens potentially significant impacts to cultural resources, as required by State law. These mitigation strategies would typically involve pre-construction identification surveys; significance evaluations; consultation with tribal descendant communities; culturally and legally appropriate treatment of human remains; archaeological construction monitoring; resource documentation; and data recovery for unavoidable impacts. These mitigation strategies would generally avoid or substantially lessen the severity of impacts to cultural resources. *Therefore, the General Plan EIR determined that the City's contribution to cumulative effects associated with cultural resources is less than cumulatively considerable and impacts would be less than significant.*

The Planning Area is an almost completely urbanized area and most of the Planning Area is designated in the City's General Plan and Zoning Code for urban development. Cumulative impacts related to the Housing Element Update in conjunction with other similar projects in the area were analyzed in the Environmental Impact Report prepared for the City of Santa Clara 2010-2035 General Plan and subsequent EIRs and were determined to be less than significant with incorporation of mitigation measures. *Therefore, the cumulative cultural resources impact from the proposed Housing Element Update would be less than significant.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect on any historical resources, archaeological resources, or buried human remains. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the

General Plan EIR and subsequent Specific Plan SP EIRs. Future housing developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to cultural resources impacts; however, development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. The mitigation measures of the subsequent EIRs, as referenced above, would also be applicable to development associated with implementation of the Housing Element Update. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation measures are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.6 – Energy

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Yes	Less than Significant Impact	No	No	No
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency??	Yes	Less than Significant Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a-b) Energy Consumption. The General Plan EIR found that while the substantial new residential, commercial, and industrial development allowed under the 2010-2035 General Plan would result in increased overall consumption of energy compared to existing levels, the new development would not consume energy in a manner that is wasteful, inefficient, or unnecessary. Policies in the General Plan will serve to reduce growth in energy consumption to the extent feasible. It was also found that new construction would be required to meet Title 24 building energy efficiency standards, including the new CALGreen requirements. In addition, the General Plan EIR noted that the Climate Action Plan (discussed in Section *4.16 Climate Change* of the General Plan EIR) would focus on efforts to increase energy conservation and efficiency as a means of reducing greenhouse gas emissions. *Therefore, the General Plan EIR determined that the 2010-2035 General Plan would result in less than significant impacts. Similarly, the subsequent EIRs for the Tasman East SP, the Patrick Henry Drive SP, the Lawrence Station SP, and the Freedom Circle FFA also found that impacts would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the energy impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts.*

Cumulative Impacts

The General Plan EIR noted that the geographic area for cumulative energy impacts is the State of California, which includes the areas serviced by electrical and natural gas utility providers. The General Plan EIR also noted that *Section 4.16 Climate Change* of the General Plan EIR provides Plan-level analysis that places the 2010-2035 General Plan's growth within the cumulative context for California's

2020 and 2050 climate change goals. As discussed in the Climate Change section of the General Plan EIR, the City was committed to the preparation and implementation of a Climate Action Plan to ensure the proposed General Plan would be consistent with the state's 2020 emissions targets, and would contribute a less than cumulatively considerable amount toward future GHG levels. Achieving 2020 emissions levels would necessarily entail increased energy conservation and efficiency, and utilization of renewable sources. In addition to Santa Clara, it was noted that the cities of San Jose and Sunnyvale were (at the time) each developing Climate Action Plans to address their respective 2020 emissions. In addition, all other projects constructed within Santa Clara, including projects under subsequent Specific Plans, are required to comply with the policies of the General Plan, plus existing local, state and federal regulations to prevent the inefficient use of energy. Finally, it was found that future development within the electrical and natural gas utility providers' service area would also be required to adhere to applicable local regulations, including the provisions of Title 24, designed to prevent use of energy. *Therefore, the General Plan EIR determined that cumulative impacts to energy from development under the General Plan would be less than significant with compliance to relevant legislative regulations and General Plan policies.*

Subsequent program EIRs, including Lawrence Station Area Plan EIR, the Tasman East Specific Plan EIR, the Patrick Henry Drive Specific Plan EIR, and the Freedom Circle Focus Area EIR all indicate that the implementation of the respective plans would be expected to result in replacement of older, less energy-efficient structures with newer structures built to the latest building code standards, which would increase the efficiency of electricity consumed within the City. The proposed higher density land uses would result in more efficient energy use compared to energy use for lower density land uses (e.g., "sprawl") due to more residents being close to transit, which would reduce the amount of transportation energy spent on commuting. The proposed increase in residential development overall would be expected to result in a reduction in outcommuting and a decrease in the associated expenditure of transportation energy. Therefore, by ensuring the buildings are energy efficient, placing the buildings in a low VMT area, and providing space for a mix of uses and amenities that promote non-automobile transportation options, the project would use resources in a non-wasteful and efficient manner. In addition, implementation of the City's 2022 Climate Action Plan would reduce natural gas consumption and increase electricity demand by incentivizing conversion of existing buildings to all electric energy use. Proposed actions relating to improving energy efficiency action would reduce the amount of energy used by new and existing development throughout the City by retrofitting existing municipal facilities, and incentivizing home energy upgrades. *Therefore, the conclusions of the General Plan EIR regarding energy usage, as amended by subsequent program EIRs and the Climate Action Plan addendum remain less than significant.*

The Planning Area is an almost completely urbanized area and cumulative impacts related to climate change and energy were analyzed in the General Plan EIR and subsequent EIRs and were determined to be less than significant. The City of Santa Clara has an adopted Climate Action Plan which ensures individual projects incorporate measures to reduce their energy use to less than significant levels. The state appears to have adequate supplies of energy and is implementing state policies intended to reduce energy use and greenhouse gas emissions. Thus, there is no cumulative impact related to wasteful use of energy or adequate supply of energy. *Therefore, the proposed Housing Element Update would not contribute towards any significant cumulative energy impact and the impact would be less than significant.*

Conclusion

The proposed Housing Element Update would not result in the wasteful, inefficient, or unnecessary consumption of energy resources and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The RHNA allocation described in the Housing Element Update

would be within the amount of residential development analyzed within the General Plan EIR and subsequent EIRs. Future housing developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to energy resources impacts. Development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.7 – Geology and Soils

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Yes	Less than Significant Impact	No	No	No
ii) Strong seismic ground shaking?	Yes	Less than Significant Impact	No	No	No
iii) Seismic-related ground failure, including liquefaction?	Yes	Less than Significant Impact	No	No	No
iv) Landslides?	Yes	Less than Significant Impact	No	No	No
b) Result in substantial soil erosion or the loss of topsoil?	Yes	Less than Significant Impact	No	No	No
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Yes	Less than Significant Impact	No	No	No

d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2022), creating substantial direct or indirect risks to life or property?	Yes	Less than Significant Impact	No	No	No
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No	Not Examined	No	No	No
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Yes	Less than Significant with Mitigation Incorporated	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a.i) Fault Rupture. The General Plan EIR noted that the City does not contain any faults mapped as Alquist-Priolo Earthquake Fault zones. There are also no other faults that extend through the City. Because there are no known active earthquake faults within the limits of the City of Santa Clara, the risk for surface fault rupture is considered low within the City. *Therefore, the General Plan EIR determined that this impact would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the potential fault-related impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts.*

(a.ii) Strong Seismic Ground Shaking. The General Plan EIR noted that because the city is in relatively close proximity to several major fault zones, the California Building Code, as adopted by the City of Santa Clara, requires that seismic design features be incorporated in construction and redevelopment projects in Santa Clara. The primary purpose of the seismic design requirements of the building code is to avoid loss of life. *Therefore, the General Plan EIR determined that this impact would be less than significant with adherence to existing regulations.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, strong seismic ground shaking impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with adherence to existing regulations.*

(a.iii) Seismic-Related Ground Failure/Liquefaction. The General Plan EIR noted that under the County of Santa Clara Hazard Mapping, most of Santa Clara is considered susceptible to liquefaction

hazards (refer to Figure 4.5-3), and development and redevelopment allowed under the 2010-2035 General Plan would occur within these areas. In addition, it was noted that there are areas near creeks, such as along the Guadalupe River, where lateral spreading could occur. As such, it was found that future projects approved under the 2010-2035 General Plan within the liquefaction hazard area would be required under the Seismic Hazard Mapping Program and building code and City Code requirements to evaluate site-specific liquefaction and ground failure hazards and mitigate those hazards to an acceptable level. *Therefore, the General Plan EIR determined that this impact would be less than significant with adherence to existing regulations.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the potential seismic-related ground failure impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with adherence to existing regulations.*

(a.iv) Landslides/Seismically-Induced Waves. The General Plan EIR noted that because the City is located on gently sloping and nearly flat valley floor topography, it is not subject to risk of landslides; and the landslide hazard mapping compiled by the County of Santa Clara shows the City is outside the landslide hazard zone. Therefore, it was determined that there are no areas within the City susceptible to landslides. The General Plan EIR also noted that because the City is not located within a tsunami inundation area, development and redevelopment anticipated under the General Plan would not be exposed to substantial risks associated with tsunamis. Locally, the General Plan EIR found that seiches due to seismic shaking could occur in shallow lakes, reservoirs, or percolation ponds in Santa Clara and the surrounding area, and sloshing of water out of a lake or basin onto the surrounding area could result in water damage, erosion and some slope failure. However, it was found that there are no lakes or reservoirs within the City, but several ponds, including the City's two retention basins, (located near State Route 237 and the Union Pacific Railroad Line, and the Great America Parkway and San Tomas Aquino Creek). It was also found that Lexington Reservoir is located approximately nine miles from the City. However, the potential for loss of life from this hazard is low. *Therefore, the General Plan EIR determined that this impact would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the potential landslide and seismically-induced wave impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with adherence to existing regulations.*

(b) Soil Erosion. The General Plan EIR noted that grading and ground disturbance increases the potential for accelerated erosion by removing protective vegetation or cover and changing natural drainage patterns. However, it was also noted that for future development over one acre in size, erosion hazards would be minimized through implementation of site-specific erosion measures in SWPPPs under the NPDES General Construction Permit and grading and excavation requirements in the City's City Code. Given that many future development projects would be on properties less than one acre, it was further noted that requirements for BMPs under the City's NPDES Municipal Permit, urban runoff policies, and the City Code would be the primary means of enforcing erosion control measures through the grading and building permit process. *Therefore, with the regulatory programs currently in place, the General Plan EIR determined that possible impacts of accelerated erosion during construction associated with development and redevelopment would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the potential erosion impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with adherence to existing regulations.*

(c) Unstable Geologic Unit. The General Plan EIR found that development under the 2010-2035 General Plan would be required to incorporate the seismic design features of the California Building Code in construction and redevelopment projects in Santa Clara. *Therefore, the General Plan EIR determined that the impact would be less than significant. However, the subsequent EIRs for the Patrick Henry Drive SP and the Freedom Circle FFA found that mitigation is required to reduce potential impacts to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Patrick Henry Drive SP EIR – See Mitigation Measure 8-3.
- Freedom Circle FFA EIR – See Mitigation Measure 8-6.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the ground instability impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

(d) Expansive Soils. The General Plan EIR noted that soil and geologic hazards of concern in the City of Santa Clara are primarily related to expansive soils, weak soils, and artificial fill and the City primarily consists of well-drained loamy soils formed on alluvial sediments. It was also noted that soils include loam and clay loam at the surface and in the very shallow subsurface, overlying gravelly sandy clay loam and fine sandy clay loam present at depth and such units are typically moderate to very highly expansive. It was further noted that in general, alluvial fan sediments become increasingly finer grained with greater distance from the mountains and because of this expansion potential is generally moderate in the southern City's alluvial fan and plain soils and high in the alluvial plain/valley floor soils of the northern City. The General Plan EIR also found that where expansive soils are present, foundations and pavements can be damaged when solids go through cycles of wetting and drying. Weak compressible soils are located at the City's northernmost edge and weak soils can compress, collapse, or spread laterally under the weight of buildings and fill. It was also noted that artificial fill has been placed under buildings throughout the City, and non-engineered fill can result in excessive settlement of structures, pavement, and utilities. It was found that because the City is located on gently sloping and nearly flat valley floor topography, it is not subject to risk of landslides; landslide hazard mapping compiled by the County of Santa Clara shows the City is outside the landslide hazard zone. Therefore, the General Plan EIR determined that there are no areas within the City susceptible to landslides. The General Plan EIR found that new development under the 2010-2035 General Plan would occur primarily as intensification of previously developed areas throughout the City and hazards associated with expansive soils, weak soils, and artificial fill would be reduced and managed consistent with City adopted regulations and policies, in combination with State building regulations. In addition, it was noted that the 2010-2035 General Plan includes updated hazards policies that address geologic and seismic hazards and provide program-level mitigation for geologic, soil and landslide hazards within the City. While the General Plan EIR determined that new development and redevelopment allowed under the 2010- 2035 General Plan could occur in areas with identified soil hazards, implementation of General

Plan policies and existing regulations and programs would substantially reduce hazards to people and property. *Therefore, the General Plan EIR determined this impact would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the potential soil expansion impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with adherence to existing regulations.*

(e) Septic Systems. The General Plan EIR did not analyze impacts related to septic systems. The proposed Housing Element Update does not include provisions permitting use of septic systems and future development resulting from implementation of the Housing Element Update would be required to connect to the existing municipal wastewater conveyance and treatment system provided by the City of Santa Clara. *Therefore, impacts related to the ability of soils to adequately support the use of septic systems would not occur as a result of the proposed project.*

(f) Paleontological Resources. The General Plan EIR found that new development and redevelopment under the 2010-2035 General Plan has the potential to directly or indirectly destroy a unique paleontological resource or unique geologic feature. However, the General Plan EIR found that implementation of General Plan policies and existing programs would minimize this effect. *Therefore, the General Plan EIR determined that impacts would be less than significant. However, the subsequent EIRs for the Tasman East SP, the Patrick Henry Drive SP, the Lawrence Station Area Plan, and the Freedom Circle FFA found that mitigation is required to reduce potential impacts to paleontological resources to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measure CUL-2.1.
- Patrick Henry Drive SP EIR – See Mitigation Measure 8-4.
- Lawrence Station SP EIR – See Mitigation Measure CUL-4.
- Freedom Circle FFA EIR – See Mitigation Measures 8-7 and 8-8

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the paleontological resources impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

Cumulative Impacts

The General Plan EIR found that geologic conditions are highly localized and implementation of the 2010-2035 General Plan would generally not result in cumulative geologic impacts, unless growth under the Plan would exacerbate a regional cumulative geologic issue (e.g., fault zone, massive landslide) affecting an extensive area covering multiple jurisdictions. There are no such regional geologic features in Santa Clara. *Therefore, the General Plan EIR determined that the City's contribution to regional cumulative impacts related to geology and soils, would be less than significant.*

The Planning Area is an almost completely urbanized area and most of the Planning Area is designated in the City's General Plan and Zoning Code for urban development. Cumulative geology and soils impacts related to the Housing Element Update in conjunction with other similar projects in the area were analyzed in the Environmental Impact Report prepared for the City of Santa Clara 2010-2035 General Plan and subsequent EIRs and were determined to be less than significant with incorporation of mitigation measures. *Therefore, the cumulative geology and soils impact from the proposed Housing Element Update would be less than significant.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect related to fault rupture, strong seismic ground shaking, seismic-related ground-failure and liquefaction, landslides and seismically-induced waves, soil erosion, expansive soils, and septic systems and would require mitigation measures to reduce potential impacts to paleontological resources to less than significant. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and subsequent Specific Plan SP EIRs. Future housing developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to geology and soils impacts; however, development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. The paleontological resources mitigation measures of the subsequent EIRs, as referenced above, would also be applicable to development associated with implementation of the Housing Element Update. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.8 – Greenhouse Gas Emissions

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Yes	Significant and Unavoidable	No	No	No
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Yes	Significant and Unavoidable	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

a) Greenhouse Gas Emissions. The General Plan EIR determined that the City's projected 2020 GHG emissions, without further reduction via a Climate Action Plan, would constitute a cumulatively considerable contribution to global climate change by exceeding the average carbon-efficiency standard necessary to meet statewide 2020 goals as established by AB 32. It was also determined that Citywide 2035 GHG emissions are projected to exceed efficiency standards necessary to maintain a trajectory to meet long-term 2050 state climate change reduction goals. However, achieving the substantial emissions reductions will require policy decisions at the federal and state level and new and substantially advanced technologies that cannot today be anticipated, and are outside the City's control, and therefore cannot be relied upon as feasible mitigation strategies. *Therefore, given the uncertainties about the feasibility of achieving the substantial 2035 emissions reductions, the General Plan EIR determined that the City's contribution to climate change for the 2035 timeframe is significant and unavoidable.*

In 2022, the City adopted a Climate Action Plan that included measures and actions that would reduce overall citywide GHG emissions by approximately 550,553 $MTCO_2e$ per year, resulting in citywide GHG emissions of 946,487 $MTCO_2e$ in 2030, below the 2030 target of 950,040 $MTCO_2e$ per year. The 2022 Climate Action Plan addendum indicated that the 2022 CAP would not generate GHG emissions that may have a significant impact on the environment or conflict with a plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. With the adoption of the 2022 Climate Action Plan, impacts from greenhouse gas emissions would be *less than significant, and would have less impact than the adopted 2010 General Plan EIR.*

Impacts from greenhouse gas emissions described in the Lawrence Station Area Plan EIR, the Tasman East Specific Plan EIR, and the Patrick Henry Drive Specific Plan EIR all found that the proposed projects would meet the City's efficiency metric threshold, and would be consistent with policies from the 2013 Climate Action Plan.

Emissions from the Freedom Circle Focus Area were determined to be greater than the City's efficiency metric threshold, and as a result the EIR included two mitigation measures (9-1A and 9-1B) for projects in the plan area. These measures included the requirement for individual projects to implement transportation demand management programs, and to use GHG-free electricity sources. With the incorporation of the required mitigation measures, impacts from greenhouse gas emissions would be *less than significant, and would have less impact than the adopted 2010 General Plan EIR.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the greenhouse gas emissions impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR, subsequent EIRs, and to the 2022 Climate Action Plan addendum. *Therefore, similar to the General Plan EIR as addended by the Climate Action Plan, implementation of the proposed Housing Element Update would result in less than significant greenhouse gas emissions impacts.*

b) Conflict with Applicable Plan. The General Plan EIR determined that the City's projected 2035 GHG emissions would constitute a cumulatively considerable contribution to global climate change by exceeding the average carbon-efficiency standard necessary to maintain a trajectory to meet statewide 2050 goals as established by EO S-3-05. *Therefore, the General Plan EIR determined that this impact would be significant and unavoidable.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR, subsequent EIRs and the Climate Action Plan addendum.

Therefore, similar to the General Plan EIR as addended by the Climate Action Plan, implementation of the proposed Housing Element Update would result in less than significant greenhouse gas emissions impacts.

Cumulative Impacts

The General Plan EIR found that Citywide 2035 GHG emissions are projected to exceed efficiency standards necessary to maintain a trajectory to meet long-term 2050 state climate change reduction goals. However, it was found that achieving the substantial emissions reductions will require policy decisions at the federal and state level and new and substantially advanced technologies that cannot today be anticipated, and are outside the City's control, and therefore cannot be relied upon as feasible mitigation strategies. *Therefore, given the uncertainties about the feasibility of achieving the substantial 2035 emissions reductions, the General Plan EIR determined that the City's contribution to climate change for the 2035 timeframe is conservatively determined to be cumulatively considerable.*

The Planning Area is an almost completely urbanized area and cumulative impacts related to climate change and energy were analyzed in the General Plan EIR, and subsequent EIRs, and were determined to be significant and unavoidable. *Similarly, the cumulative greenhouse gas emissions impact from the proposed Housing Element Update would be significant and unavoidable.*

Conclusion

The proposed Housing Element Update would result in significant and unavoidable greenhouse gas emission impacts. However, the RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and subsequent EIRs. Future housing developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to greenhouse gas emissions impacts. Development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No feasible mitigation exists to mitigate the significant unavoidable impact.

4.9 – Hazards and Hazardous Materials

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Yes	Less than Significant Impact	No	No	No

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Yes	Less than Significant Impact	No	No	No
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Yes	No Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a-c) Hazardous Materials Use/Potential for Accidental Releases. The General Plan EIR noted that the 2010-2035 General Plan allows for a greater mix of uses, including location of residential uses in proximity to businesses which could expose sensitive receptors to hazardous materials used, stored or disposed of as waste by industrial or in some cases, commercial, operations. It was also noted that hazardous materials presently stored and used in Santa Clara include flammable liquids, acids, and similar substances, and that some of these substances are routinely transported and kept in large enough amounts that improper handling or an accidental spill or leak could result in off-site consequences that could adversely impact nearby workers or the public. It was further noted that placement of additional sensitive receptors near facilities that could have an accidental release of a hazardous substance that would have off-site consequences, or conversely, location of a new industrial, commercial or institutional use that uses or stores toxic substances near sensitive receptors, including within ¼ mile of schools, could increase the risk of adverse health effects in the event of an accidental release. In addition to housing, it was found that new sensitive receptors such as schools and day care centers will be developed within the General Plan Focus Areas. As such, it was determined that new development and redevelopment allowed under the 2010- 2035 General Plan could place sensitive uses in proximity to industrial, commercial or institutional hazardous materials users, and an accidental release of hazardous materials that travels off-site could pose health or safety risks to these sensitive land uses. However, it was found that the 2010-2035 General Plan includes updated hazards policies that address proper hazardous materials use and storage and the proximity of sensitive uses to substantial hazards from accidental release of hazardous materials and provide program-level mitigation for risks associated with the use, storage, and disposal of hazardous materials within the City. *Therefore, the General Plan EIR determined that implementation of General Plan policies for adequate mitigation or separation buffers between uses and existing regulations and programs would substantially reduce hazards to people and the environment to less than significant. However, the subsequent EIRs for the Tasman East SP and the Lawrence Station SP found that mitigation is required to reduce potential impacts from hazardous materials to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measures HAZ-1.1, HAZ-1.2, HAZ-1.3, HAZ-1.4, HAZ-1.5, and HAZ-1.6..
- Lawrence Station SP EIR – See Mitigation Measure HAZ-1, HAZ-2, and HAZ-3.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the hazardous materials impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and

subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

(d) Government Code Section 65962. The General Plan EIR found that the presence of hazardous materials on future development and redevelopment sites could result in hazardous materials exposure of construction workers during site preparation, demolition, and/or construction of new structures. Contaminated airborne dust could also migrate off-site during demolition or construction activities and affect adjacent land uses if improperly controlled. It was further found that within Santa Clara a variety of chemical compounds associated with fuels, oil, flammable liquids, metals, pesticides or other hazardous substances originating from historical and/or current land uses may be found in soils that will be disturbed by future development or redevelopment. It was also noted that releases of hazardous materials, such as volatile organic compounds and metals, into the environment could affect future residents or users through direct contact or, in the case of volatile organic compounds, inhalation of soil vapors. The General Plan EIR noted that contaminated groundwater, where encountered during site redevelopment activities, could also result in potential health risks to construction workers or the public, and if excavations extend to the groundwater table, dewatering could be required and extracted contaminated groundwater would require on-site management and/or treatment. Additionally, it was found that potentially hazardous environmental conditions from reported hazardous materials spills and releases are found in virtually all of the Focus Areas of the City. While a number of these reports represent cases considered closed by Responsible Agencies such as the Regional Water Quality Control Board, where there are changes in land uses or excavation into contaminated areas, a reevaluation of potential hazards and soil or groundwater management may be warranted. It was also found that development and redevelopment allowed under the 2010-2035 General Plan could occur on or near contaminated properties located throughout the City, and localized contamination of soil, soil vapor and ground water could adversely impact human health or the environment if not appropriately addressed and/or mitigated. Finally, the General Plan EIR found that there are no DTSC sites within the City included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

The General Plan EIR went on to note that remodel and repair activity, and demolition work in residential and commercial structures that disturbs asbestos-containing building materials may cause the release of asbestos fibers into the air, resulting in health impacts to workers, building occupants and the general public. It was also noted there is no known health threat if asbestos-containing materials are in generally good condition and are left undisturbed, and friable asbestos-containing material (i.e., material that can be crumbled, crushed or reduced to powder by hand pressure when dry) and non-friable asbestos-containing material that will be made friable during renovation or demolition are subject to regulation. As such, it was found that the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines require the removal of potentially friable asbestos-containing material prior to building demolition or renovation that may disturb these materials. In addition, the General Plan EIR found that demolition and renovation of buildings also have the potential to release lead particles to the air, resulting in health impacts to workers, building occupants and the general public. As such, it was determined that applicable OSHA regulations must be followed; these include requirements for worker training, air monitoring and dust control, among others, and any debris or soil containing lead must be disposed appropriately. Finally, the General Plan EIR found that new development and redevelopment allowed under the 2010- 2035 General Plan could occur in areas with soil or groundwater contamination or involve demolition of buildings containing hazardous building materials. *However, it was determined that implementation of General Plan policies and existing regulations and programs would substantially reduce hazards to people and the environment to less than significant. Similarly, the subsequent EIRs for the Tasman East SP and the Lawrence Station SP found that mitigation is required to reduce potential impacts from hazardous materials to less than significant. Therefore, this impact would be less*

than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:

- Tasman East SP EIR – See Mitigation Measures HAZ-1.1, HAZ-1.2, HAZ-1.3, HAZ-1.4, HAZ-1.5, and HAZ-1.6..
- Lawrence Station SP EIR – See Mitigation Measure HAZ-1, HAZ-2, and HAZ-3.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the hazardous materials impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with existing mitigation measures incorporated.*

(e) Airport Land Use Plan. The General Plan EIR found that new development and redevelopment allowed under the 2010- 2035 General Plan could occur in localized areas with identified building height and safety restrictions for Mineta San Jose International Airport. However, the General Plan EIR determined that implementation of General Plan policies and existing regulations and programs would substantially reduce aviation hazards to people and property. *Therefore, the General Plan EIR determined that impacts would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the potential airport land use impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts.*

(f) Emergency Plans. The General Plan EIR noted that the City of Santa Clara Hazardous Materials Division responds to emergency calls related to hazardous materials within the City, and the City also participates in the ABAG Local Hazards Plan and also has adopted a City of Santa Clara Emergency Plan (2008). The General Plan EIR also noted that the City does not maintain formal evacuation routes, as the most appropriate routes away from an area that may have been affected by a major disaster would be determined by the location and type of incident. It was determined that it may be necessary to restrict travel on certain roadways within the redevelopment and development areas under the 2010-2035 General Plan to facilitate construction activities such as demolition, material hauling, construction, staging, and modifications to existing infrastructure, and such restrictions could include lane closures, lane narrowing, and detours, which would be temporary but could continue for extended periods of time. As such, it was found that lane restrictions, closures, and/or detours could cause an increase in traffic volumes on adjacent roadways, which could affect emergency response routes. However, the General Plan EIR determined that redevelopment and development under the 2010- 2035 General Plan would include preparation a Traffic Management Plan, which would demonstrate where construction activities could interfere with emergency response routes and other traffic. With this information, the City is able to adequately plan around potential blocks in emergency right-of-way and would have the right to deny or halt construction activities if they would result in an adverse impact on public safety. *Therefore, the General Plan EIR determined that implementation of General Plan policies and existing regulations and programs, would substantially reduce the impairment of emergency response plans to less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including

subsequent EIRs related to specific plans or area plans, the potential impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts.*

(g) Wildfire Risks. The General Plan EIR noted that the California Department of Forestry and Fire Hazard Protection is responsible for the identification of very high fire hazard severity zones and transmission of these maps to local government agencies, and found that there are no wildfire hazards in the City of Santa Clara. *Therefore, the General Plan EIR determined there would be no project impacts related to wildland fires.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the potential wildfire impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in no impacts.*

Cumulative Impacts

The General Plan EIR noted that hazardous materials and other public health and safety issues are generally site-specific or affect localized areas and would not be significantly affected by other development in northern Santa Clara County. *Therefore, the General Plan EIR determined that the City's contribution to regional cumulative impacts related to hazards and hazardous materials would be less than significant.*

The Planning Area is an almost completely urbanized area and most of the Planning Area is designated in the City's General Plan and Zoning Code for urban development. Cumulative hazards and hazardous materials impacts related to the Housing Element Update in conjunction with other similar projects in the area were analyzed in the Environmental Impact Report prepared for the City of Santa Clara 2010-2035 General Plan and subsequent EIRs and were determined to be less than significant with incorporation of mitigation measures. *Therefore, the cumulative hazards and hazardous materials impact from the proposed Housing Element Update would be less than significant.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect related to airport land use plans and wildfire but would require mitigation measures to reduce potential impacts related to hazardous materials transport, use, or accidental release and hazardous materials waste sites to less than significant. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and subsequent Specific Plan SP EIRs. Future housing developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to hazards and hazardous materials impacts; however, development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. The hazards and hazardous materials mitigation measures of the subsequent EIRs, as referenced above, would also be applicable to development associated with implementation of the Housing Element Update. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial

changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.10 – Hydrology and Water Quality

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water supply?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Yes	Less than Significant Impact	No	No	No
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:					
i) result in substantial erosion or siltation on- or off-site;	Yes	Less than Significant Impact	No	No	No
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	Yes	Less than Significant with Mitigation Incorporated	No	No	No
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Yes	Less than Significant Impact	No	No	No

iv) impede or redirect flood flows?	Yes	Less than Significant Impact	No	No	No
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Yes	Less than Significant Impact	No	No	No
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Yes	Less than Significant Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Violate Water Quality Standards or Degrade the Water Supply. The General Plan EIR found that ground-disturbing activities related to construction under the 2010-2035 General Plan could result in accelerated erosion on work sites including increased input of fine sediments into the City's storm drains and ultimately into area creeks and the Bay. It was also found that construction would use various hazardous substances such as vehicle fuels and lubricants, paving media, paints, solvents, etc.; accidental release or discharge of any of these substances could adversely affect water quality, endanger aquatic life, and/or result in violation of water quality standards. The General Plan EIR noted that all construction on sites of one acre or larger is required to manage discharge of storm water runoff under the Clean Water Act, through the preparation and implementation of a SWPPP. It was also noted that for future development over one acre in size, erosion hazards would be minimized through implementation of site-specific erosion measures in SWPPPs under the NPDES General Construction Permit and grading and excavation requirements in the City Code. However, given that many future development projects would be on properties less than one acre in size, it was noted that requirements for BMPs under the City's NPDES Municipal Permit, urban runoff policies, and the City Code would be the primary means of enforcing erosion control measures through the grading and building permit process. Additionally, it was noted that the City is committed to ensuring that construction-related grading complies with the erosion and sediment control BMPs set forth in the California Storm Water Quality Association's (CASQA) Storm Water Best Management Practice Handbook for Construction and with the erosion and sediment control plan recommendations of the ABAG Manual of Standards for Erosion and Sediment Control Measures. *With regulatory programs currently place, it was determined that the possible impacts of accelerated erosion during construction associated with development and redevelopment would be less than significant.*

The General Plan EIR noted that new impervious surfaces can increase the delivery of polluted runoff to area storm drains and ultimately to San Francisco Bay, and this is especially true during the "first flush" at the beginning of the storm season, when urban pollutants that have accumulated during the dry season are washed from paved surfaces. However, the General Plan EIR also noted that the City adheres to the terms of the NPDES permitting, which requires all developments that create one acre or more of impervious surface to incorporate design measures to reduce pollutant discharge to the maximum extent practicable, including site design measures, source controls, and storm water treatment measures that municipalities are to require of developments to ensure water quality. Given that many future development projects would be on properties less than one acre, requirements under the City's NPDES Municipal Permit, urban runoff policies, and the City Code would be the primary means of enforcing control measures after development is complete. With regulatory programs currently in place, the General Plan EIR determined that the possible impacts of accelerated runoff and decrease

in water quality after construction is complete for the development and redevelopment would be less than significant. *Therefore, it was determined that implementation of General Plan policies and existing programs would minimize water quality hazards to be less than significant. However, the subsequent Specific Plan EIR for the Lawrence Station SP found that mitigation is required to reduce potential impacts to water quality to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measure, which will apply to the proposed Housing Element Update:*

- Lawrence Station SP EIR – See Mitigation Measure HYD-1.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the water quality impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with mitigation incorporated.*

(b) Groundwater Supplies. The General Plan EIR found that new development and redevelopment under the 2010-2035 General Plan would have the potential to add new areas of impervious (paved or hardscaped) surface to the City, potentially decreasing infiltration and local recharge of shallow groundwater. However, it was also found that only a very small portion of the City (about 26 acres at the City's southwest corner) is within the recharge area for the potable water aquifer, and this area is developed as residential. It was further found that some regional commercial development was planned for this area, but it would be infill and redevelopment in areas that have previously been developed. As such, the net addition of impervious surface area was expected to be small, and would be further reduced by the minimization of paved and impervious surfaces and the promotion of measures to facilitate infiltration in conformance with the requirements under section C.3 of the NPDES Permit. *Therefore, given the City's existing developed and extensively hardscaped character, limited overall influence on potable aquifer recharge, and the 2010-2035 General Plan commitment to minimize hardscape and promote infiltration, the General Plan EIR determined that impacts related to interference with groundwater recharge would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the groundwater supply impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, impacts from implementation of the proposed Housing Element Update would be similar to the General Plan EIR and would result in less than significant impacts.*

(c.i-c.iv) Alter Drainage Patterns. The General Plan EIR noted that development often requires grading that alters natural drainage patterns. It was also noted that in the City, as in other densely developed Bay Area communities, natural drainage patterns have already been substantially modified to accommodate existing development. It was further noted that additional infill and redevelopment under the 2010-2035 General Plan could entail further modification, and both the City's industrial and commercial areas are expected to change from lower to higher intensity development. The General Plan EIR found that new development within the Planning Area would result in some potential for increased erosion and siltation both on- and off-site because grading and ground disturbance associated with development in these areas could increase the potential for accelerated erosion by changing natural drainage patterns. As such, the General Plan EIR found that for all future development and redevelopment on sites that are one acre or greater in size, erosion hazards would be minimized through implementation of site-specific erosion measures in SWPPPs under the NPDES General

Construction Permit and grading and excavation requirements in the City Code. It was further found that future development projects on properties of less than one acre would be subject to requirements for BMPs under the City's NPDES Municipal Permit, urban runoff policies, and the City Code, and the primary means of enforcing erosion control measures are through the grading and building permit process. Finally, it was found that the City also implements the "Guidelines and Standards for Lands Near Streams" in the City's entitlement and permitting functions, where applicable. *Therefore, with regulatory programs currently in place, the General Plan EIR determined that possible impacts of accelerated erosion during construction associated with development and redevelopment would be less than significant.*

The General Plan EIR went on to note that development proposed under the 2010-2035 General Plan would occur adjacent to water courses throughout the City, which has the potential to alter the course of the drainage pattern near the stream or river and increase flooding. It was also noted that extensive site modifications would have some potential to increase local site runoff and/or contribute to localized flooding, particularly where high density and mixed uses generally increases the percentage of impermeable surfaces. However, the General Plan EIR found that these hazards would be minimized through implementation of site-specific measures in SWPPPs under the NPDES General Construction Permit and by grading and excavation requirements in the City Code. Given that many future development projects would be on properties less than one acre, it was noted that requirements for BMPs under the City's NPDES Municipal Permit, urban runoff policies, and the City Code would be the primary means of enforcing control measures through the grading and building permit process. *Therefore, with regulatory protections in place, the General Plan EIR determined that impacts related to increases in surface runoff would be less than significant.*

The General Plan EIR noted that although the City is largely built out, development under the 2010-2035 General Plan would add quantities of impervious surface (including both buildings and pavement), potentially decreasing infiltration and increasing runoff. However, it was noted that for future development over one acre in size, storm water runoff would be minimized through implementation of site-specific measures in SWPPPs under the NPDES General Construction Permit and grading and excavation requirements in the City Code. In addition, given that many future development projects would be on properties less than one acre, it was noted that requirements for BMPs under the City's NPDES Municipal Permit, urban runoff policies, and the City Code would be the primary means of enforcing control measures through the grading and building permit process. The General Plan EIR further noted that the City Code and building code include provisions for postconstruction effective management of storm water runoff. *Therefore, with regulatory programs currently in place, the General Plan EIR determined that potential impacts of additional runoff to the storm water drainage system associated with development and redevelopment would be less than significant. However, the subsequent Specific Plan EIR for the Tasman East found that mitigation is required to reduce potential impacts from on- or off-site flooding to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measures HYD-1.1.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the drainage pattern impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with existing mitigation incorporated.*

(d) Other Water-Related Risks or Pollution. The General Plan EIR found that new development and redevelopment under the 2010-2035 General Plan would have the potential to expose people or structures to increased risk of loss, injury, or death related to flooding, mudflow, debris flow, sea level rise, tsunami, or seiche. *However, the General Plan EIR determined that implementation of General Plan policies and existing programs would reduce impacts to less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, other water-related risks related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with implementation of General Plan policies and existing programs.*

(e) Conflict with Water Quality or Groundwater Management Plans. The General Plan EIR did not analyze impacts related to conflicts with water quality or groundwater management plans. Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, the proposed Housing Element Update would not exacerbate a conflict with any water quality or groundwater management plans.*

Cumulative Impacts

The General Plan EIR noted that new development in the City and surrounding jurisdictions sharing the same watersheds (Guadalupe River, Calabazas Creek, and San Thomas Aquino Creek) may alter local drainage and runoff characteristics. It was also noted that storm water drainage systems are generally provided by local governments for areas within their jurisdictions, and are not provided on a regional basis. Therefore, the General Plan EIR determined that the City's contribution to cumulative regional impacts associated with storm water drainage systems would be less than significant. In terms of water quality, the General Plan EIR found that increased cumulative urbanization would be expected to increase vehicle traffic and related releases of automobile-related pollutants, including petroleum hydrocarbons, metals, and sediment, drain from roads into surface waters and which could have a cumulative impact to local watersheds. As such, it was noted that development in Santa Clara and adjacent cities would be required to comply with applicable NPDES permits, as discussed in *Section 4.4, Hydrology and Water Quality*, which would require that projects implement Best Management Practices (BMPs) to treat storm water runoff, prior to its discharge, to the maximum extent practicable. *Therefore, the General Plan EIR determined that compliance with applicable NPDES permits, as the permits are amended over the course of the General Plan's 25 year planning horizon, would reduce cumulative hydrology and water quality impacts to a less than significant level.*

The Planning Area is an almost completely urbanized area and most of the Planning Area is designated in the City's General Plan and Zoning Code for urban development. Cumulative hydrology and water quality impacts related to the Housing Element Update in conjunction with other similar projects in the area were analyzed in the Environmental Impact Report prepared for the City of Santa Clara 2010-2035 General Plan and subsequent EIRs and were determined to be less than significant with incorporation of mitigation measures. *Therefore, the cumulative hydrology and water quality impact from the proposed Housing Element Update would be similar to the impacts analyzed in the General Plan EIR and less than significant.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect related to violations of water quality standards or degradation of the water supply, groundwater supplies, altered drainage patterns, other water-related risks, or conflicts with the applicable water quality plan. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and subsequent Specific Plan SP EIRs. Future housing developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to hydrology and water quality impacts; however, development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. The hydrology and water quality mitigation measures of the subsequent EIRs, as referenced above, would also be applicable to development associated with implementation of the Housing Element Update. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.11 – Land Use and Planning

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Physically divide an established community?	Yes	Less than Significant Impact	No	No	No
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Yes	Less than Significant Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Divide an Established Community. The General Plan EIR found that changes in land use that would occur upon the implementation of General Plan would not result in the physical division of an established community. The General Plan EIR noted that the Land Use policies and programs of the 2010-2035 General Plan encourage the preservation or enhancement of the existing, primarily residential community through infill development, open space opportunities, and development of compatible uses that will enhance the existing character of Santa Clara. The EIR also noted that the General Plan contains specific Land Use policies for compatibility that would reduce the amount of conflict between differing land uses. *Therefore, the General Plan EIR determined that this impact would be less than significant.*

Since the proposed Housing Element Update does not include any changes to the circulation policies or the general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would not divide an established community and would result in less than significant impacts.*

(b) Conflict with Applicable Plans. The General Plan EIR found that new development and redevelopment under the 2010-2035 General Plan has the potential to conflict with a responsible agency's applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. However, it was determined that implementation of General Plan policies and existing programs would minimize this effect. *Therefore, the General Plan EIR determined that project impacts would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore,*

implementation of the proposed Housing Element Update would not conflict with applicable plans and would result in less than significant impacts.

Cumulative Impacts

The General Plan EIR did not analyze cumulative impacts related to land use and planning. The Planning Area is an almost completely urbanized area and most of the Planning Area is designated in the City's General Plan and Zoning Code for urban development. However, cumulative land use and planning impacts related to the Housing Element Update in conjunction with other similar projects in the area were analyzed in the Environmental Impact Reports prepared for the subsequent EIRs and were determined to be less than significant. *Therefore, the cumulative land use and planning impact from the proposed Housing Element Update would be less than significant.*

Conclusion

The proposed Housing Element Update would not divide an established community or conflict with an applicable land use plan. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR. Future housing developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to land use and planning impacts. Development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.12 – Mineral Resources

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Yes	No Impact	No	No	No
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Yes	No Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a-b) Known Mineral Resources/Loss of Mineral Resources. The General Plan EIR found that the City is located in an area zoned MRZ-1 for aggregate materials by the State of California. MRZ-1 zones are areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence. The General Plan EIR found that there are no significant mineral resources present in the City boundaries. In addition, it was found that there are no exploitable oil or gas resources within the City, and new development and redevelopment under the 2010-2035 General Plan would not affect locally important mineral resources as there are none present in the City. *Therefore, it was determined that there would be no impact.*

There are no known significant mineral resources in the City and there are no exploitable oil or gas resources within the City. *Therefore, the proposed Housing Element Update would not result in the loss of availability of a known or locally important mineral resource.*

Cumulative Impacts

The General Plan EIR did not analyze cumulative impacts related to the loss of known mineral resources or mineral resources recovery sites. However, the General Plan EIR found that the Planning Area is not known to support significant mineral resources of any type, and no mineral resources are currently being extracted in the City. *Therefore, the proposed Housing Element Update would not result in cumulative mineral resources impacts.*

Conclusion

The proposed Housing Element Update would not result in the loss of known mineral resources or mineral resources recovery sites. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR. Future housing

developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to mineral resources impacts. Development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.13 – Noise

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Yes	Significant and Unavoidable Impact	No	No	No
b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Yes	Less than Significant Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Substantial Increase in Noise Levels.

Temporary/Construction Noise

The General Plan EIR found that new development and redevelopment under the 2010-2035 General Plan would cause a temporary or periodic increase in construction noise exposure above ambient levels. However, it was determined that implementation of Mitigation Measure 4.14-3 would reduce potential construction noise impacts to less than significant. *Similarly, the subsequent EIRs for the Tasman East SP, the Patrick Henry Drive SP, the Lawrence Station SP, and the Freedom Circle FFA also found that mitigation can reduce potential temporary construction-related impacts to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measures NV-2.1 and NV-2.2.
- Patrick Henry Drive SP EIR – See Mitigation Measure 13-1.
- Lawrence Station SP EIR – See Mitigation Measure NOI-3.

- Freedom Circle FFA EIR – See Mitigation Measures 13-1 and 13-2.

Operational Noise

The General Plan EIR also found that new development and redevelopment under the 2010-2035 General Plan would result in increased traffic noise, and the increases would be substantial for residential land uses along Tasman Drive between Lafayette Street and the easternmost City limits. As such, the General Plan EIR incorporated Mitigation Measure 4.14-2 to reduce traffic noise impacts. *However, because implementation of this measure cannot be guaranteed and may not be feasible, the General Plan EIR determined that this impact would be significant and unavoidable. Similarly, the subsequent EIRs for the Patrick Henry Drive SP, the Lawrence Station SP, and the Freedom Circle FFA found that this impact would be significant and unavoidable even after incorporation of mitigation. Therefore, this impact would remain significant and unavoidable with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Patrick Henry Drive SP EIR – See Mitigation Measures 13-3 and 13-4.
- Lawrence Station SP EIR – See Mitigation Measures NOI-1 and NOI-2.
- Freedom Circle FFA EIR – See Mitigation Measures 13-5 and 13-6.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the operational noise impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, impacts from implementation of the proposed Housing Element Update would be similar to those analyzed in the General Plan EIR and would result in significant and unavoidable operational noise impacts, and less than significant construction impacts with the application of mitigation measures.*

(b) Excessive Vibration. The General Plan EIR found that new development and redevelopment under the 2010-2035 General Plan could expose people to excessive ground vibration levels exceeding FTA guidelines. However, the General Plan EIR determined that implementation of Mitigation Measure 4.14-1 along with General Plan policies would minimize vibration impacts. As such, the General Plan EIR included incorporation of Mitigation Measures 4.10-1. Further, the General Plan EIR determined that the City would require individual development projects to undergo project-specific environmental review. If project-level significant vibration impacts are identified, site-specific mitigation measures will be required under CEQA. *Therefore, the General Plan EIR determined that vibration impacts would be less than significant with mitigation incorporated. Similarly, the subsequent EIRs for the Tasman East SP, the Patrick Henry Drive SP, and the Freedom Circle FFA found that mitigation measures could reduce potential impacts from excessive vibration to less than significant. Therefore, this impact would be less than significant with incorporation of the following subsequent EIR mitigation measures, which will apply to the proposed Housing Element Update:*

- Tasman East SP EIR – See Mitigation Measures NV-1.1, NV-1.2, NV-1.3, NV-1.4, and NV-1.5.
- Patrick Henry Drive SP EIR – See Mitigation Measure 13-2.
- Freedom Circle FFA EIR – See Mitigation Measures 13-3 and 13-4.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the vibration impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs.

Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts with existing mitigation incorporated.

(c) Airport/Airstrip Noise. The General Plan EIR found that new development and redevelopment under the 2010-2035 General Plan would exceed Santa Clara County Airport Land Use Commission (ALUC) noise thresholds, which could expose individuals living and working within the plan area to excessive aircraft noise. However, it was found that compliance with the local airport land use plan and the City's acceptable noise level standards as well as implementation of General Plan policies would effectively reduce potential program-level aircraft noise impacts. The City will require that individual development projects undergo project-specific environmental review. If significant project-level aircraft noise impacts are identified, specific mitigation measures will be required under CEQA. *Therefore, the General Plan EIR determined there would be a less than significant impact.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would not expose people residing or working in the project area to excessive noise levels and would result in less than significant impacts.*

Cumulative Impacts

The General Plan EIR noted that noise impacts are generally experienced locally as opposed to regionally. It was also noted that future increases in noise from buildout of the Mineta International Airport Master Plan, the BART to Silicon Valley extension project, and the High-Speed Rail project would all contribute to future noise conditions that would affect specific areas of Santa Clara. However, it was found that the future development allowed under the General Plan would not contribute to the railway or airport-related noise. It was further found that residents could be exposed to ongoing construction noise if multiple projects are clustered in an area and are constructed simultaneously or in sequence over a period of years, and increased traffic from build-out of the General Plan would contribute to a significant increase in traffic noise levels on roadway segments throughout the region, beyond accepted thresholds in various communities. *Therefore, the General Plan EIR determined that this impact, and the City's contribution to it with build-out of the General Plan, would be significant and unavoidable. The EIR further found that there was no feasible mitigation available to reduce cumulative impacts to levels of insignificance.*

The Planning Area is an almost completely urbanized area and most of the Planning Area is designated in the City's General Plan and Zoning Code for urban development. Cumulative noise impacts related to the Housing Element Update in conjunction with other similar projects in the area were analyzed in the Environmental Impact Report prepared for the City of Santa Clara 2010-2035 General Plan and subsequent EIRs and were determined to be significant and unavoidable. *Therefore, the cumulative noise impact from the proposed Housing Element Update would also be significant and unavoidable.*

Conclusion

The proposed Housing Element Update would not result in more severe noise impacts than were analyzed in the General Plan EIR and subsequent EIRs. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR. Future housing developed in accordance with the goals and policies of the Housing Element Update would have the effect of contributing incrementally to noise impacts. Development of future housing would be subject to environmental review pursuant to CEQA upon application for entitlement

permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. General Plan EIR Mitigation Measures 4.14-1, 4.14-2, and 4.14-3, as described below, as well as the subsequent Specific Plan EIR mitigations measures described above, would also be applicable to the development associated with implementation of the Housing Element Update. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

MM 4.14-1: Use the Federal Transit Administration vibration impact criteria, as described above under the Regulatory Setting, to evaluate the land use compatibility of sensitive uses proposed along the railroad/light-rail corridor using the best available information (e.g., High Speed Rail Program EIR) or site-specific measurements and analyses (assuming active railroad operations). Developers of sensitive uses shall demonstrate that potential impacts of existing or potential vibration have been minimized to the maximum feasible extent.

MM 4.14-2: Case studies have shown that the replacement of dense grade asphalt (standard type) with open-grade or rubberized asphalt can reduce traffic noise levels along local roadways by 2 to 3 dBA CNEL. A possible noise reduction of 2 dBA would be expected using conservative engineering assumptions, and future traffic noise increases could be mitigated to a less than significant level by repaving roadways with “quieter pavements.” To be a permanent mitigation, subsequent repaving would also have to use “quieter” pavements. Existing residential receivers located along Tasman Drive between Lafayette Street and the easternmost City limits either front the roadway (private outdoor use areas are located behind the homes) or have outdoor use areas adjacent to the roadway that may or may not be shielded by fences or noise barriers. In situations where private outdoor use areas are located adjacent to the roadway, new or larger noise barriers could be constructed to provide the additional necessary noise attenuation in private use areas. Typically, increasing the height of an existing barrier results in approximately one dBA of attenuation per one foot of additional barrier height. The design of such noise barriers would require additional analysis. Traffic calming could also be implemented to reduce noise levels expected with the project. Each five mph reduction in average speed provides approximately one dBA of noise reduction on an average basis (Leq/CNEL). Traffic calming measures that regulate speed improve the noise environment by smoothing out noise levels. Residences could also be provided with sound insulation treatments if further study finds that interior noise levels within the affected residential units would exceed 45 dBA CNEL as a result of the projected increase in traffic noise. Treatments to the homes may include the replacement of existing windows and doors with sound-rated windows and doors and the provision of a suitable form of forced-air mechanical ventilation to allow the occupants the option of controlling noise by closing the windows. The specific treatments for each affected residential unit would be identified on a case-by-case basis.

MM 4.14-3: Develop construction noise control plans that consider the following available controls in order to reduce construction noise levels as low as practical: Utilize ‘quiet’ models of air compressors and other stationary noise sources where technology

exists; Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment; Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses; Locate staging areas and construction material areas as far away as possible from adjacent land uses; Prohibit all unnecessary idling of internal combustion engines; Notify all adjacent land uses of the construction schedule in writing; Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

4.14 – Population and Housing

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Yes	Significant and Unavoidable Impact	No	No	No
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Yes	No Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Induce Population Growth. The General Plan EIR found that while over the long-term the 2010-2035 General Plan accommodates the population growth forecast by ABAG Projections 2007, and accommodates in the near-term (2014) the RHNA goal set by ABAG, the General Plan is nonetheless 'job-rich'. This means that it provides for more employment than housing and will lead to insufficient housing opportunities for all future Santa Clara workers. This is reflected in the jobs per employed resident ratio discussed above. Therefore, the General Plan EIR found that the 2010-2035 General Plan job growth (25,040 new jobs), would require substantial residential development elsewhere in the region to provide adequate housing opportunities for future workers. Based on planned job growth, roughly 3,500 housing units would need to be built elsewhere in the region to house Santa Clara workers who would have to reside outside of the City due to inadequate housing opportunities within the City. The General Plan EIR determined this to be a significant impact due to the secondary effects related to increased VMT resulting from commuting due to a shortage of residential opportunities in closer proximity to Santa Clara employment areas. These secondary effects are discussed in detail in the *Transportation*, *Air Quality*, and *Climate Change* sections, respectively, of the General Plan EIR. *Since implementation of the 2010-2035 General Plan would induce substantial population growth at other locations, the General Plan EIR determined that the impact is significant and unavoidable.*

The additional analyses regarding population and housing in the Lawrence Station Area Plan EIR, the Tasman East Specific Plan EIR, the Patrick Henry Drive Specific Plan EIR and the Freedom Circle Focus Area EIR all concluded that the addition of new housing units would incrementally lessen the City's jobs/housing imbalance, and would provide those units close to jobs and transit and would constitute a *less than significant impact.* The conclusions of the General Plan EIR would therefore remain unchanged.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, the project will not result in an increase in the severity of the imbalance between jobs and housing beyond what was analyzed in the General Plan EIR or subsequent EIRs. Impacts related to implementation of the proposed Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in significant and unavoidable impacts.*

(b) Displace Housing. The General Plan EIR found that the 2010-2035 General Plan would retain all existing housing units and could accommodate the population growth as forecast in ABAG's Projections 2007. The General Plan EIR also found that the 2010-2035 General Plan would accommodate employment growth in ways (i.e., intensification of currently planned employment lands) that would not displace existing housing or people, nor would the construction of planned infrastructure or public facilities necessary to serve future growth require the displacement of existing housing units or people. The EIRs for the Lawrence Station Area Plan EIR, the Tasman East Specific Plan EIR, the Patrick Henry Drive Specific Plan EIR and the Freedom Circle Focus Area EIR all concluded that those area plans would not displace housing, as they were proposed in existing industrial areas. *Therefore, the General Plan EIR determined that the 2010-2035 General Plan as amended by subsequent program EIRs would have no impact in terms of housing or population displacement.*

Since the proposed project does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan including subsequent amendments related to specific plans or area plans the project will not result in impacts on housing displacement beyond what was analyzed in the General Plan EIR or subsequent EIRs. Impacts related to implementation of the proposed Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would not result in impacts related to the displacement of housing.*

Cumulative Impacts

The General Plan EIR noted that the cumulative scenario includes new population and employment growth planned by the cities of Santa Clara, San Jose, Cupertino, and Sunnyvale, and all cumulative population and employment growth would occur within the cities' existing urban growth boundaries, with no expansion of urban services to rural undeveloped areas. While some new development would occur through development of the relatively few remaining vacant infill parcels found in each city, the cumulative trend would continue to predominantly be redevelopment of existing low-intensity, underutilized parcels with new urban uses. In addition, it was found that most new housing accommodated within the cumulative jurisdictions would be in a medium- or high-density attached or mixed-use format. It was further found that new job growth would largely occur on previously developed parcels in intensified forms (i.e., more employees per acre compared to existing development patterns, often with structured parking). Given the interconnected nature of the cities and the regional transportation network, most workers would travel to jobs in a city different from where they live. In essence, the cumulative projects would accommodate two new jobs for every new employed resident, exacerbating Santa Clara County's existing jobs-housing imbalance (1.2 in 2005 according to ABAG Projections 2007). The General Plan EIR found that the environmental consequences would primarily be increased regional traffic congestion and air pollution from vehicles as workers unable to live near their employment commute long distances from outlying areas with affordable housing, continuing a pervasive trend over the past several decades as job growth has outpaced housing growth in Santa Clara County. Considering both 'in process' growth and new growth caused by the 2010-2035 General Plan, the City of Santa Clara would contribute to this cumulative imbalance in 2035 by adding 39,490 residents (yielding 23,694 employed residents) and 46,180 jobs, for a jobs per employed resident ratio

of 1.95, (46,180 jobs divided by 23,694 employed residents). *Therefore, the General Plan EIR determined that this is a cumulatively considerable contribution to a significant cumulative impact that cannot be mitigated and is adverse and unavoidable. Subsequent program EIRs, including the Lawrence Station Area Plan EIR, the Tasman East Specific Plan EIR, the Patrick Henry Drive Specific Plan EIR and the Freedom Circle Focus Area EIR did not change this significance determination.*

Since the proposed project does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan including subsequent amendments related to specific plans or area plans the project will not result in an increase in the severity of the imbalance between jobs and housing beyond what was analyzed in the General Plan EIR or subsequent EIRs. *Project impacts would be similar to the General Plan EIR and would continue to be significant and unavoidable.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect on Population and Housing beyond the potential impacts already identified in the General Plan EIR and subsequent specific plan and area plan EIR's. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and the EIR's for subsequent specific plans and area plans: therefore, the proposed project would not contribute to the jobs-housing imbalance. Development of future housing would be subject to project-level environmental review pursuant to CEQA upon application for entitlement permits and would also be subject to existing mitigation measures. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No feasible mitigation exists to mitigate the significant unavoidable impact.

4.15 – Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Fire protection?	Yes	Less than Significant Impact	No	No	No
b) Police protection?	Yes	Less than Significant Impact	No	No	No
c) Schools?	Yes	Less than Significant Impact	No	No	No
d) Parks?	Yes	Less than Significant Impact	No	No	No
e) Other public facilities?	Yes	Less than Significant Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Fire protection. The General Plan EIR found that new growth under the 2010-2035 General Plan would result in new population and residential and commercial development in Santa Clara, which would increase demand for fire and emergency medical protection services. However, it was found that existing facilities would have the capacity to absorb additional fire personnel without expanding the existing stations. Therefore, it was found that there would be no construction activities associated with the provision of new fire and life safety services and no associated construction-related effects. Additional fire personnel would be housed in the existing facilities; however, there would be no need for expansion of the facilities. In addition, the General Plan EIR noted that the 2010-2035 General Plan includes updated policies that address fire protection and public safety. In the Specific Plan EIR for the Lawrence Station Area Plan (LSAP), it was determined that there could be Significant and Unavoidable cumulative impacts on the provision of Fire Services based on the demand created from the LSAP and from other foreseeable projects, such as the Tasman East Specific Plan. EIRs for the Tasman East Specific Plan, Patrick Henry Drive Specific Plan and the Freedom Circle Focus Area declared the impacts on the provision of Fire Services to be less than significant.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, fire protection impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in the same impacts as General Plan EIR and subsequent program EIRs.*

(b) Police protection. The General Plan EIR found that implementation of the 2010-2035 General Plan would increase the need for police services, and the additional officers would be housed in the existing facilities. The General Plan EIR found that refurbishment of the facilities would consist of reconfiguration of space and regular upgrade of furniture and equipment, but there would be no need for expansion of the facilities. Therefore, there would be no construction activities associated with the provision of new police services and no associated construction-related effects. The Lawrence Station Area Plan EIR noted that a future police substation would be incorporated into Fire Station Number 9 within the Lawrence Station neighborhood, and that impacts to Police Services would be less than significant. The Tasman East, Patrick Henry Drive and Freedom Circle EIRs all noted that any additional police services could be accommodated within existing buildings. The General Plan EIR also found that the 2010-2035 General Plan includes updated policies that address police protection and public safety. *Therefore, the General Plan EIR, along with subsequent program EIRs, determined that impacts on police protection services would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, police protection impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts.*

(c) Schools. The General Plan EIR found that the increase in population associated with new development and redevelopment allowed under the 2010-2035 General Plan would increase the demand for school and community facilities services. The General Plan EIR further found that new development projected under the 2010-2035 General Plan would fall primarily within the jurisdiction of SCUSD, and approximately 12,500 households are expected to be added to the SCUSD area, which would result in approximately 2,000 additional students. The General Plan EIR found that SCUSD has four closed school sites that could be used to serve new development. Alternatively, it was noted SCUSD may choose to modify school catchment areas or add modular classrooms to accommodate new students. It was also noted that SCUSD was also anticipating the construction of new school facilities in north San José as a result of an agreement with that city and future housing developers, and these new facilities in San José would add more capacity for new students and can reduce the number of students now in Santa Clara facilities. The General Plan EIR further noted that the Campbell Union (K-8) and Campbell Union High (9-12) school districts, which overlap, would realize approximately 500 additional households as a result of implementation of the 2010-2035 General Plan, generating approximately 38 new K-8 and 42 new 9-12 grade students. The Campbell K-8 and Campbell 9-12 districts were anticipated to be able to accommodate the relatively modest gain in students from the City by modifying school catchment areas, busing and adding modular classrooms. The General Plan EIR found that the 2010-2035 General Plan includes updated policies that address schools and community facilities, and policies and existing regulations and programs are designed to ensure that future development of new facilities within the City would not have an adverse physical effect on the existing environment. The Lawrence Station Area Plan EIR notes that there are proximate closed school facilities that could be re-opened to accommodate the estimated additional 164 students that would live in the plan area. The Tasman East and Freedom Circle EIRs also note proximate schools' capacities

and their ability to accommodate new students from their respective plan areas. Each of the other subsequent EIRs also recognizes that as required by state law (Government Code Section 65996), the project proponents for future development projects shall pay the appropriate school impact fees to SCUSD to offset the increased demands on school facilities caused by their development projects. *Therefore, the General Plan EIR, along with subsequent program EIRs determined that impacts to schools would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, schools impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts.*

(d) Parks. Potential impacts to parks and recreation facilities are discussed in section 4.16, below. The General Plan EIR found that the increase in the population associated with new development and redevelopment allowed under the 2010-2035 General Plan would increase the demand on existing parks, open space and recreation facilities. However, it was determined that the General Plan policies and existing regulations and programs were designed to ensure that increased demand associated with an increase in population would not significantly accelerate the deterioration of existing facilities. In addition, in 2014 the Santa Clara City Council adopted Ordinance No. 1928 adding City Code Chapter 17.35 ("Park and Recreational Land") to Title 17 ("Development") of the Santa Clara City Code to help mitigate the impacts of new housing development growth on existing parkland subject to the provisions of the State of California Quimby Act and Mitigation Fee Act. Chapter 17.35 requires new residential developments to provide adequate park and recreational facilities and/or pay a fee in-lieu of parkland dedication at the discretion of the City. Subsequent program EIRs, including the Lawrence Station Area Plan EIR, the Tasman East Specific Plan EIR, the Patrick Henry Drive EIR and the Freedom Circle Focus Area EIR reinforce this requirement. *As such, it was determined that the General Plan, as amended by later Specific Plans, would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and impacts to parks would be less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, parks impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts.*

(e) Other Public Facilities. The General Plan EIR noted that additional library facilities may be needed to meet the demand from the addition of approximately 33,000 new residents anticipated as a result of the 2010-2035 General Plan. Given that the large Central Park Library facility is located in the southern portion of the City, it is relatively close to, and could serve, anticipated new development along El Camino Real, Homestead Road, Kiely Boulevard and Stevens Creek Boulevard. However, it was found that new library facilities may be needed to serve the anticipated development in the northern portion of the City. The General Plan EIR found that new growth as a result of implementation of the 2010-2035 General Plan would increase the demand for arts, cultural and community facilities; however, it was found that this future demand would not exceed the existing service capacity or generate the need for additional facilities particularly when the City can optimize the use of streets or other existing neighborhood amenities for community events. The General Plan EIR determined that General Plan policies and existing regulations and programs would ensure that future development of new facilities within the City would not have an adverse physical effect on the existing environment.

The Lawrence Station EIR notes that development under the LSAP would add approximately 9,415 new residents to the City, increasing Santa Clara City Library's (SCCL) service population by approximately 7.7 percent. This increase in service population would slightly effect SCCL's existing service ratios, but not to the extent that would require new or expanded library facilities.

The Tasman East Specific Plan EIR indicates that residential development at buildout would result in approximately 12,285 new residents in Santa Clara. The City does not currently have service ratios or other performance objectives for library services. The residents generated by the project would slightly reduce the library-space-per-resident ratio and library-items-per-resident ratio by 9.4 percent, from 0.85 to 0.77 square feet of library space per resident and from 3.69 to 3.36 items (e.g., books and audio/visual volumes) per resident.

The Patrick Henry Drive Specific Plan and Freedom Circle Focus Area EIRs also recognize incremental increases in library usage from new residential uses associated with the respective plans. None of the EIRs identify a new significant impact regarding library services.

Therefore, the General Plan EIR as addended by subsequent program EIRs determined that impacts to other public facilities would be less than significant.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent EIRs related to specific plans or area plans, public facilities impacts related to implementation of the Housing Element Update would be similar to the General Plan EIR and subsequent EIRs. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts.*

Cumulative Impacts

The General Plan EIR noted that public services are generally provided by local governments for areas within their jurisdictions and are not provided on a regional basis. It was also noted that law enforcement and fire protection and emergency services are provided by local governments or fire protection districts for areas within their jurisdiction, supplemented by mutual aid agreements between agencies to pool resources. Public schools are provided by school districts to residential areas within their jurisdictions. While districts may cross city jurisdictional boundaries, school services are still provided at the local, rather than regional, level. As with the other public services, libraries are also generally provided by local governments for areas within their jurisdiction, and services are not provided on a regional basis. Social services are generally provided by counties, and not on a regional basis. Neighborhood parks and recreational services are generally provided by local governments for areas within their jurisdiction. The General Plan EIR determined that the 2010-2035 General Plan would not substantially impact the use of the other jurisdictions' libraries, parks and recreation facilities in the region, although Santa Clara residents are also residents of Santa Clara County and would continue to take advantage of County parks, trails, and other recreational facilities, funded in part by Santa Clara resident taxes. *Therefore, the General Plan EIR determined that the cumulative regional impacts of the 2010-2035 General Plan associated with law enforcement, fire and emergency, schools, library, social, and neighborhood parks and recreation services would be less than significant.*

Since the proposed project does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent amendments related to specific plans or area plans, the project will not result in an increase in demand for public services or facilities beyond what was analyzed in the General Plan EIR or subsequent EIRs. Project cumulative impacts would be similar to those evaluated in the General Plan EIR and less than

significant. *Therefore, implementation of the proposed Housing Element Update would result in less than significant impacts.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect on Public Services beyond the potential impacts already identified in the General Plan EIR and subsequent specific plan and area plan EIR's. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and the EIR's for subsequent specific plans and area plans. Therefore, the proposed project would not generate an additional demand for open space and recreational facilities. Development of future housing would be subject to project-level environmental review pursuant to CEQA upon application for entitlement permits and would also be subject to existing mitigation measures. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.16 – Recreation

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Yes	Less than Significant Impact	No	No	No
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Yes	Less than Significant Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Increased Park Use/ Substantial Physical Deterioration. The General Plan EIR found that the increase in the population associated with new development and redevelopment allowed under the 2010-2035 General Plan would increase the demand on existing parks, open space and recreation facilities. However, it was determined that the General Plan policies and existing regulations and programs were designed to ensure that increased demand associated with an increase in population would not significantly accelerate the deterioration of existing facilities. *Therefore, the General Plan EIR determined that impacts to recreation facilities would be less than significant.*

Since the proposed project does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent amendments related to specific plans or area plans, the project will not result in an increase in demand for parklands and park facilities beyond what was analyzed in the General Plan EIR or subsequent EIRs. Project impacts would be similar to those evaluated in the General Plan EIR. *Therefore, the proposed project would have a less than significant impact.*

(b) Include or Require Recreational Facilities. The General Plan EIR found that new development and redevelopment allowed under the 2010-2035 General Plan would require additional parkland and recreation facilities in the City. However, the General Plan EIR determined that the General Plan policies and existing regulations and programs were designed to ensure that future development of parkland within the City would not have an adverse physical effect on the existing environment. This includes the 2014 adoption of Ordinance No. 1928 adding City Code Chapter 17.35 ("Park and Recreational Land") to Title 17 ("Development") of the Santa Clara City Code to help mitigate the impacts of new housing development growth on existing parkland subject to the provisions of the State of California

Quimby Act and Mitigation Fee Act. Chapter 17.35 requires new residential developments to provide adequate park and recreational facilities and/or pay a fee in-lieu of parkland dedication at the discretion of the City. Subsequent program EIRs, including the Lawrence Station Area Plan EIR, the Tasman East Specific Plan EIR, the Patrick Henry Drive EIR and the Freedom Circle Focus Area EIR reinforce this requirement. *As such, it was determined that the General Plan, as amended by later Specific Plans would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and impacts to parks would be less than significant.*

Since the proposed project does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent amendments related to specific plans or area plans, the project will not result in an increase in demand for parklands and park facilities beyond what was analyzed in the General Plan EIR or subsequent EIRs. Project impacts would be similar to those evaluated in the General Plan EIR. *Therefore, the proposed project would have a less than significant impact.*

Cumulative Impacts

The General Plan EIR did not analyze cumulative recreation impacts. Since the proposed project does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent amendments related to specific plans or area plans, the project will not result in a cumulative increase in demand for parklands and park facilities beyond what was analyzed in the General Plan EIR or subsequent EIRs. Project cumulative impacts would be similar to those evaluated in the General Plan EIR. *Therefore, the proposed project would have a less than significant impact.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect on Open Space and Recreation beyond the potential impacts already identified in the General Plan EIR and subsequent specific plan and area plan EIR's. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and the EIR's for subsequent specific plans and area plans. Therefore, the proposed project would not generate an additional demand for open space and recreational facilities. Development of future housing would be subject to project-level environmental review pursuant to CEQA upon application for entitlement permits and would also be subject to existing mitigation measures. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.17 – Transportation

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Conflict with a program plan, ordinance or policy addressing the circulation system including transit, roadway, bicycle and pedestrian facilities?	Yes	Significant and Unavoidable	No	No	No
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	Yes	Less than Significant	No	No	No
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No	Not Examined	No	No	No
d) Result in inadequate emergency access?	Yes	Less than Significant with Mitigation Incorporated	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) **Circulation Plan Consistency.** The General Plan EIR found that despite the 2010-2035 General Plan's overall land use-transportation efficiency, future development would nonetheless generate substantial additional traffic volumes that would cause congestion along certain roadway segments within the City's jurisdiction, adjoining cities and freeway segments for which, in most cases, no feasible mitigation (i.e., ability to add new travel lanes) exists. Operating levels of City roadway segments would degrade below City Level of Service standards. *Therefore, the General Plan EIR determined that the impact would be significant and unavoidable with respect to Level of Service/congestion.*

The General Plan EIR also found that implementation of the 2010- 2035 General Plan would result in the degrading of the operating levels of County Congestion Management Program (CMP) roadway segments beyond the then current County CMP Levels of Service standard, which was also determined to be a significant and unavoidable impact with respect for which there is no feasible mitigation.

The General Plan EIR also found that the increased motor vehicle traffic and increased congestion from the 2010 - 2035 General Plan would result in increased transit travel times on transit corridors which

was considered a significant impact. The Findings of Fact also referenced General Plan Policy 5.8.3-P3 as a means to address this potential impact:

> "Support transit priority for designated Bus Rapid Transit, or similar transit service, through traffic signal priority, bus queue jump lanes, exclusive transit lanes and other appropriate techniques."

However, it was determined that there are no feasible mitigation measures to reduce this impact because the feasibility of transit-only lanes would be evaluated in more detailed studies and the effect of these policies is not fully known, including potential secondary impact. *Therefore, the impact was considered significant and unavoidable.*

The Tasman East Specific Plan also includes the following mitigation measures to address traffic congestion, that, in some cases reduce localized impacts to some road, to less than significant, but overall, still resulted in significant and unavoidable impacts:

- Tasman East SP EIR – See Mitigation Measures 1.1:9, 1.2:10, 1.3:11, 1.4:37, 3.1:1, 3.2:9, 3.3:10, and 3.4:37.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent amendments related to specific plans or area plans, the project will not result in an increase in the number or length of vehicle trips beyond what was analyzed in the General Plan EIR or subsequent EIRs. Project impacts would be similar to the General Plan EIR. *Therefore, the proposed project would result in a significant and unavoidable impact on the circulation system.*

(b) **CEQA Guidelines Section 15064.3(b).** Although the CEQA Guidelines did not, as it now does, require the analysis of Vehicle Miles Travelled (VMT) when the General Plan EIR was certified, potential VMT impacts were actually evaluated in the EIR. The EIR noted that the total VMT generated under the 2010-2035 General Plan for the City of Santa Clara was estimated to be 3.74 million vehicle-miles per day (or a net increase of 552,227 vehicle miles compared to existing conditions). It was also found that the resulting average VMT per service population (residents and jobs) would be 12.2 vehicle miles per day under the 2010-2035 General Plan, which represents a reduction of approximately 15.3 percent per service population compared to existing conditions at the time. The General Plan EIR further noted that this reflects that the general plan Focus Areas would include development of new complementary land uses that are in close proximity to each other, provide more opportunities for shorter trips that encourage walking and bicycling, and utilize higher densities of development that support enhanced transit service. At a citywide performance level, the General Plan EIR found that the 2010-2035 General Plan more efficiently links land uses and the transportation system network in that VMT and VMT per service population are dropping compared to existing conditions, VMT growth is less than population growth, non-auto travel mode shares increase, and trip length is virtually unchanged. The General Plan EIR found that all of these indicators suggest the 2010-2035 General Plan is an efficient, well-balanced plan from a land use-transportation standpoint compared to existing conditions.

The Lawrence Station Area Plan EIR analyzed VMT for the purposes of its Air Quality analysis and determined that the LSAP could potentially contribute to a larger increase in VMT growth in the plan area than population growth. With no way to accurately measure population growth in the study area (because there were no residences at the time), that impact was found to be significant and unavoidable.

The LSAP EIR also indicated that, "It should be noted, however, that the LSAP as a [Transit-Oriented Development] TOD is located in close proximity to transit and employment centers and would reduce VMT trips when compared to suburban projects that contribute to sprawl."

By 2021, CEQA required VMT analyses for development projects, and both the Patrick Henry Drive Specific Plan and the Freedom Circle Focus Area were analyzed for Vehicle Miles Traveled. Both projects meet the criteria to qualify as a transit supportive project because they meet the criteria established by the City related to proximity to transit, density, multimodal transportation networks, transit-oriented design elements, parking, and affordable housing. Both were therefore exempt from a quantitative analysis of VMT and impacts from VMT were determined to be *less than significant.*

Therefore, the General Plan EIR determined that the impact on vehicle miles of travel would be less than significant. Subsequent program EIRs containing VMT analyses for the purpose of transportation impacts also concluded that transportation impacts would be less than significant.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan, including subsequent amendments related to specific plans or area plans, the project will not result in an increase in VMT beyond what was analyzed in the General Plan EIR or subsequent EIRs. Project impacts would be similar to those evaluated in the General Plan EIR and less than significant. *Therefore, the proposed Housing Element Update would result in a less than significant VMT impact.*

(c) **Design Hazards.** The General Plan EIR did not directly analyze potential impacts from design features hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. The General Plan EIR did not identify any existing or potential design hazards that could occur as the result of implementation of the General Plan. In addition, potential roadway and circulation design hazards more typically occur with site specific development proposal instead of plan/programs like a general plan. When development proposal applications are submitted to the City they are review for potential design and circulation hazards and are subject to City regulations and standards related to project access and roadway design.

The Tasman East Specific Plan EIR indicated that the project design does not include sharp curves or dangerous intersections that could result in safety hazards within the Plan Area; nor does the project propose incompatible uses. The Specific Plan would have an interconnected street network and all streets would be designed to accommodate emergency vehicles and concluded that impacts from design features would be *less than significant.*

In the Patrick Henry Drive Plan EIR, the transportation analysis notes the, "Conflicts between modes would be reduced through better accommodations, including Specific Plan elements such as new and/or improved sidewalks, bike lanes, and more accessible and comfortable bus stops. The Specific Plan proposes an improved internal roadway network designed to accommodate vehicular traffic that is balanced with other modes (including walking, cycling, micro-mobility, and transit)."

Freedom Circle: When detailed site plans for future development projects are submitted, project-related roadway designs would be subject to City review, which would ensure adequacy of circulation patterns and safety standards; reduce potential conflicts between vehicles, pedestrians, bicyclists, and buses; and remove potential hazards due to design features (i.e., insufficient sightlines or distances) or incompatible uses. Therefore, this impact would be *less than significant.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations, or circulation or related policies, the project will not result in an increase in potential design

hazard beyond what was analyzed in the General Plan EIR or subsequent EIRs. Project impacts would be similar to those evaluated in the General Plan EIR and less than significant. *Therefore, the proposed project would not result in impacts related to design hazards.*

(d) **Emergency Access.** The General Plan EIR did not specifically analyze impacts related to inadequate emergency access. However, the General Plan EIR found that increased motor vehicle traffic and increased congestion associated with implementation of the General Plan could result in increased emergency response times, and increased vehicle traffic associated with the 2010-2035 General Plan could result in increased traffic congestion as described under Impacts 4.12-1 through 4.12-5. This congestion, anticipated mainly during the morning and evening commute periods, would result in decreased travel speeds and increased emergency vehicle response times on key routes in the City. To mitigate the impact of the 2010-2035 General Plan on emergency vehicle response times, the General Plan included a prerequisite policy 5.1.1-P5. *With implementation of this policy, the General Plan EIR determined that the impact would be less than significant.*

Since the proposed project does not include any changes to general plan land use designations, or circulation or related policies, the project will not result in an increase in potential design hazards beyond what was analyzed in the General Plan EIR or subsequent EIRs: project impacts would be similar to those evaluated in the General Plan EIR and less than significant. Therefore, the proposed project would not result in impacts related to emergency access.

Cumulative Impacts

The General Plan EIR determined that under cumulative conditions, which assumes build-out of all planned growth in the region, including the City's Draft General Plan, regional roadways and highways would experience levels of service in excess of those identified by responsible agencies, for which no feasible mitigation exists. *These cumulative impacts, and the City's contribution to them under the General Plan, were determined to be significant and unavoidable.*

Since the proposed project does not include any changes to general plan land use designations, or circulation or related policies, the project will not result in an increase in cumulative impacts beyond what was analyzed in the General Plan EIR or subsequent EIRs. Project impacts would be similar to those evaluated in the General Plan EIR and significant and unavoidable. *Therefore, the proposed project would not result in cumulative transportation impacts.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect on Transportation beyond the potential impacts already identified in the General Plan EIR and subsequent specific plan and area plan EIR's. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and the EIR's for subsequent specific plans and area plans. Therefore, the proposed project would not generate any additional vehicle trips or VMT. Development of future housing would be subject to project-level environmental review pursuant to CEQA upon application for entitlement permits and would also be subject to existing mitigation measures. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

MM 4.12-1: **Adopt Prerequisite Policy 5.1.1-P5.** Prior to the implementation of Phase II[iv] and III of the 2010-2035 General Plan, evaluate appropriate measures to maintain emergency response time standards.

[iv] Note that Policy 5.1.1-P5 was modified as part of the 2014 General Plan Update, which was adopted with a MND. As modified, the Policy now directs the evaluation of appropriate measures to maintain emergency response time standards prior to the implementation of Phase III, rather than Phases II and III.

4.18 – Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a Cultural Native American tribe, and that is:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Listed or eligible for listing in the California Register of Historical resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	No	Not Examined	No	No	No
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	No	Not Examined	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Listed or Eligible Historical Resources. The General Plan EIR did not specifically evaluate impacts to Tribal cultural resources because it was not required by CEQA until the passage of Assembly Bill 52 (AB 52) in 2014, which requires consultation between lead agencies and Tribal representatives for projects within Tribal territory. However, the General Plan EIR found that implementation of General Plan policies and programs, including application of the California Historic Building Code and the City's Combining Historic Districts, the City's design review process, and referral of projects involving historic resources to the Historical and Landmarks Commission, would serve to minimize historic resources impacts. T*he General Plan EIR further determined implementation of General Plan policies and existing programs would reduce the impact to cultural resources to less than significant with respect to Tribal*

Cultural Resources. There were no known tribal historical resources that were identified in the General Plan EIR.

Since the proposed project does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan including subsequent amendments related to specific plans or area plans, project impacts would be similar to the General Plan EIR and subsequent EIRs. *Impacts related to resources listed or eligible for listing in the California Register of Historical resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k) would be less than significant as a result of the proposed project.*

(b) Significant Tribal Resources. The General Plan EIR did not specifically evaluate impacts to Tribal cultural resources because it was not required by CEQA until the passage of Assembly Bill 52 (AB 52) in 2014, which requires consultation between lead agencies and Tribal representatives for projects within Tribal territory. In addition, the General Plan EIR found that the potential for project-level impacts to unidentified and unrecorded tribal cultural places remains moderate to high. It was also found that future excavation and grading activities could result in impacts to human remains. However, the General Plan EIR found that 2010-2035 General Plan includes a range of policies to ensure the protection of cultural resources and thus, impacts to cultural resources were found to be less than significant. *Therefore, the General Plan EIR determined impacts to cultural resources would be less than significant. Similarly, subsequent EIRs for the Patrick Henry Drive SP and the Freedom Circle FFA found that impacts would be less than significant with incorporation of mitigation measures. Therefore, subsequent EIRs have determined that this impact is less than significant and the following subsequent EIR mitigation measures will apply to the proposed Housing Element Update:*

- *Patrick Henry Drive SP – see mitigation measure 7-2*
- *Freedom Circle Drive- see mitigation measure 7-4*

Since the proposed project does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan including subsequent amendments related to specific plans or area plans, project impacts would be similar to the General Plan EIR and subsequent EIRs and would be less than significant (or less than significant with mitigation). Therefore, impacts to tribal cultural resources would not occur as a result of the proposed project. In addition, all future discretionary proposals will be subject to the current requirements of AB 52 (2014) and SB 18 (2004).*Therefore, impacts to tribal cultural resources would not occur as a result of the proposed project.*

Cumulative Impacts

The General Plan EIR did not specifically evaluate cumulative impacts related to Tribal cultural resources because it was not required by CEQA until the passage of Assembly Bill 52 (AB 52) in 2014, which requires consultation between lead agencies and Tribal representatives for projects within Tribal territory. However, the General Plan EIR found that Projects in the City and other cumulative projects would implement mitigation that avoids or substantially lessens potentially significant impacts to cultural resources, as required by State law. These mitigation strategies would typically involve pre-construction identification surveys; significance evaluations; consultation with tribal descendant communities; culturally and legally appropriate treatment of human remains; archaeological construction monitoring; resource documentation; and data recovery for unavoidable impacts. These mitigation strategies would generally avoid or substantially lessen the severity of impacts to tribal cultural resources. *Therefore, the General Plan EIR determined that the City's contribution to cumulative impacts associated with cultural resources is less than cumulatively considerable.*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan including subsequent amendments related to specific plans or area plans, project impacts would be similar to the General Plan EIR and subsequent EIRs. *Therefore, cumulative impacts to tribal cultural resources would be less than significant with incorporation of mitigation.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect on any tribal cultural resource. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR. Development of future housing would be subject to environmental review pursuant to CEQA, as well as AB 52 and SB 18 requirements upon application for entitlement permits. Projects found to be not exempt from CEQA would be subject to analysis and mitigation, if required. No new significant impacts and no substantial increase in the severity of previously identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.19 – Utilities and Service Systems

Would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	No	Not Examined	No	No	No
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Yes	Less than Significant Impact	No	No	No
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's Projected demand in addition to the provider's existing commitments?	Yes	Less than Significant Impact	No	No	No
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Yes	Less than Significant with Mitigation Incorporated	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) Utility Infrastructure. The General Plan EIR not specifically analyze impacts related to relocation or construction of storm water drainage, electric power, natural gas, or telecommunications facilities. *However, as shown in the responses below, the General Plan EIR found that impacts related to water and wastewater treatment facilities would be less than significant.* In addition, project impacts with respect to stormwater drainage, electric power, natural gas and telecommunications facilities would be no greater than those that would occur under the General Plan EIR (and Subsequent EIRs) because the proposed project does not include any changes to general plan land use designations, including changes that would increase the growth capacity of the General Plan. *Therefore, impacts to utility infrastructure from the proposed project would be less than significant and similar to impacts analyzed in the General Plan EIR and subsequent amendments.*

(b) Sufficient Water Supplies. The General Plan EIR noted that new development under the 2010-2035 General Plan would increase water demand within the City. However, it was also noted that the City's Water Utility had determined that there would be sufficient water supplies to provide service to the City for the 2010-2035 General Plan under normal and single critical dry year scenarios. In the event of a multiple dry year event and the loss of supply from SFPUC, the General Plan EIR found that there is a projected shortfall of 0.6 percent or 193 afy in the year 2035, and the City plans to meet future demand growth by pumping additional groundwater, relying on more recycled water, and increased conservation. Future pumping by the City of Santa Clara, in combination with the multiple other users of the Santa Clara Sub-Basin, would not be expected to contribute to cumulative groundwater pumping impacts, i.e., withdrawals above the basin's safe yield, given the Water District's reasonably foreseeable recharge and groundwater management programs. However, should the District's recharge program be affected by reduced availability of imported water, there is the potential for future cumulative groundwater basin demand to exceed the aquifer's safe yield. These impacts were considered potentially significant by the General Plan EIR*. However, with the application of Mitigation Measure 4.7-1 which address the potential for groundwater overdraft, the General Plan EIR determined that impacts to water supplies would be less than significant. Similarly, subsequent EIRs for the Patrick Henry Drive SP and the Freedom Circle FFA found that impacts would be less than significant with incorporation of mitigation measures. Therefore, the following subsequent EIR mitigation measures will apply to the proposed Housing Element Update:*

- *Patrick Henry Drive SP – see mitigation measure 18-1*
- *Freedom Circle Drive- see mitigation measure 18-5*

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan including subsequent amendments related to specific plans or area plans, project impacts would be similar to the General Plan EIR and subsequent EIRs. *Therefore, impacts to water supplies would be less than significant with incorporation of mitigation.*

(c) Wastewater Treatment Capacity. The General Plan EIR found that future projected wastewater flows would increase but remain within the City's allocation of capacity at the San Jose/Santa Clara Water Pollution Control Plant (WPCP), now called the "Regional Wastewater Facility" (RWF). It was also found that sanitary sewer conveyance capacity would need to be increased at select locations throughout the City to serve the increased wastewater flows from new development. The General Plan EIR noted that it is a City requirement that new industrial, commercial, and major residential development be reviewed to determine projected wastewater load and available sewer capacity before zoning approval or permits are approved and, to the extent that additional sewer collection system improvements may be identified as necessary to serve the development, such improvements will

become the responsibility of the project applicants. *Therefore, the General Plan EIR determined that impacts to wastewater services would be less than significant.*

The Freedom Circle EIR found that project wastewater would exceed the exceed the current combined wastewater capacity of the Northside and Rabello pump stations (46.1 million gallons per day or mgd) by 0.2 mgd (for a total of 46.3 mgd), which represents a *cumulative wastewater impact*. Therefore, the proposed Freedom Circle Focus Area Plan contribution to cumulative pump station capacity at the Northside and Rabello pump stations was determined to be a significant cumulative impact. *However, with implementation of Mitigation Measure 18-5 which, requires individual developments to make fair share contributions wastewater pump station improvements, potential impacts are less than significant.*

(d, e) Solid Waste Infrastructure/Regulations. The General Plan EIR noted that new development allowed under the General Plan would generate solid waste that can be accommodated under the existing landfill disposal contract through 2024. However, it was also noted that the City has no specific plan for disposing of solid waste beyond 2024, including waste generated by existing uses, but will undertake a process to identify a solution prior to 2024. Since no solution to this issue was identified when the EIR was certified this issue was considered significant. The City further determined that there were no feasible measures to reduce this impact and determined that it the impacts was significant and unavoidable. Both the EIR and the findings adopting the EIR indicated that an expansion of the Newby Island landfill was being evaluated and that the City also owns property outside its jurisdiction that could potentially provide this service. In addition, Prerequisite Policy 5.1.1-P22[v] requires the re-evaluation of landfill capacity. This assessment could also examine the City's progress on attaining recycling goals in order to evaluate whether there is a continuing long-term need for solid waste capacity. The City found this impact to be significant and unavoidable.

Since the proposed Housing Element Update does not include any changes to general plan land use designations or policies that would increase the growth capacity of the General Plan including subsequent EIRs related to specific plans or area plans, project impacts would be similar to the General Plan. *Therefore, impacts related to solid waste infrastructure from the proposed project would significant and unavoidable.*

Cumulative Impacts

As discussed above the General Plan EIR found that there were potential cumulative impacts with respect to water supply and solid waste. *Potential impacts to water supply were determined to be less than significant with mitigation and potential impacts to solid waste capacity were determined to be significant, adverse and unavoidable.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect on utilities and services. The RHNA allocation described in the Housing Element Update would be within the amount of residential development analyzed within the General Plan EIR and the EIR's for subsequent specific plans and area plans. Development of future housing would be subject to project-level environmental review pursuant to CEQA upon application for entitlement permits and would also be subject to existing mitigation measures. No new significant impacts and no substantial increase in the severity of previously

[v] After the 2014 General Plan amendments, this policy was renumbered 5.5.1-P21, and directs the City to identify solid waste disposal faciltieis to serve development in Phase III of the General Plan.

identified impacts associated with the proposed Housing Element Update would occur. Likewise, there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation are required.

Applicable General Plan EIR Mitigation Measures

MM 4.7-1: To prevent a cumulatively considerable contribution to a potential future overdraft of the Santa Clara Sub-Basin, the City shall update the forecast groundwater pumping supply quantities every five years with each UWMP to align water supply availability with the water demand associated with each General Plan Phase. Future Santa Clara UWMPs will be coordinated with the Water District and implement alternative sources (i.e., recycled water and increased conservation) if cumulative groundwater pumping, based on all water retailers UWMPs, would exceed the Santa Clara Sub-Basin safe yield. With implementation of this program mitigation measure, potential future impacts associated with supplying future development envisioned by the General Plan would be reduced to a less than significant level.

4.20 – Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No	Not Examined	No	No	No
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	No	Not Examined	No	No	No
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities), that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No	Not Examined	No	No	No
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No	Not Examined	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

Please note that none of the impacts in this section were evaluated in the General Plan EIR because this impact area was added to the Appendix G of the CEQA Guidelines in 2019 and thus post-dates the EIR. In addition, the Wildfire section of Appendix G applies only to areas within or near State responsibility areas or lands classified as very high fire hazard severity zones and these conditions do

not apply to the City of Santa Clara. The General Plan EIR also indicates that there are no wildfire hazards in the City of Santa Clara (See Page 409).

(a) Impairment of Emergency Plans. The General Plan EIR did not examine this potential impact. However, Section 4.13, Hazards, of the General Plan EIR found that there are no wildfire hazards in the City of Santa Clara, and further fount that it would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. In addition, the proposed project will not result in any changes to general plan land use designations or circulation policies that could increase potential impacts beyond those analyzed in the General Plan EIR. *Therefore, the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.*

(b) Pollutant Concentrations from Wildfire. The General Plan EIR did not examine this potential impact. *However, Section 4.13, Hazards, of the General Plan EIR found that there are no wildfire hazards in the City of Santa Clara. In addition, the City is predominantly flat with no areas with steep slopes or wildland interface areas. Therefore, the proposed project would not expose persons to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire.*

(c) Installation or Maintenance of Associated Infrastructure. The General Plan EIR did not examine this potential impact. *However, Section 4.13, Hazards, of the General Plan EIR found that there are no wildfire hazards in the City of Santa Clara and the City is not within or near* a Very High Fire Hazard Severity Zone. The City has been largely built out and the necessary infrastructure is in place to support the proposed project. Project roadways would connect to the existing roadway system in the area and utility connections would be made for sewer and electric services. No wildlands exist in the vicinity of the project site, and the development of the site would not result in any hazards related to wildland fires. The project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. *Therefore, impacts related to installation or maintenance of associated infrastructure would be less than significant.*

(d) Post-Fire Slope Instability or Drainage Changes. The General Plan EIR did not examine this potential impact. *However, Section 4.13, Hazards, of the General Plan EIR found that there are no wildfire hazards in the City of Santa Clara*. The City is not located within or near a Very High Fire Hazard Severity Zone and is relatively flat. Because no wildlands exist in the vicinity of the City, the project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Development of the proposed project would comply with the California Uniform Building Code for grading and drainage. *Therefore, impacts related to post-fire slope instability or drainage changes would be less than significant.*

Cumulative Impacts

The General Plan EIR did not examine potential cumulative wildfire impacts. *However, Section 4.13, Hazards, of the General Plan EIR found that there are no wildfire hazards in the City of Santa Clara and the City is not within or near a Very High Fire Hazard Zone. Therefore, the proposed project would not result in cumulative wildfire impacts.*

Conclusion

The proposed Housing Element Update would not have a substantial adverse effect with respect to Wildfire as the City is not within or near a state responsibility area or Very High Fire Hazard Zone, built out, predominantly flat and does not contain areas that are within a wildland/urban interface. Likewise,

there is no new information of substantial importance requiring new analysis or verification. The Housing Element Update does not propose substantial changes that require major revisions to the General Plan EIR, and no new mitigation measures are required. As such, no subsequent environmental analysis and no new mitigation is required.

Applicable General Plan EIR Mitigation Measures

No applicable General Plan EIR mitigation measures.

4.21 – Mandatory Findings of Significance

	Effect Examined in General Plan EIR?	Conclusion in General Plan EIR and Subsequent EIRs?	Proposed Changes Involving New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Showing New or More Severe Impacts?
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Yes	Less than Significant with Mitigation Incorporated	No	No	No
b) Does the project have impacts that are individually limited, but cumulatively considerable?	Yes	Significant and Unavoidable	No	No	No
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Yes	Less than Significant Impact	No	No	No

Proposed Project in Relation to the General Plan EIR and Subsequent Amendments

(a) **Significant Biological or Cultural Impacts.** The results of the preceding analysis indicate that the proposed Housing Element Update will have less than significant impacts to sensitive biological, historical, archaeological, and paleontological resources with incorporation of mitigation. Impacts to scenic vistas, scenic resources, and visual character will be less than significant. Considering the programmatic level of analysis will not authorize any development plan, redevelopment of any existing sites, or construction of new infrastructure, and will not change existing City land use policy regarding locations or intensities of development, and it will not result in any effects that would degrade the quality of the environment beyond such impacts already analyzed in the General Plan EIR and subsequent Specific Plan EIR's. *Therefore, the City finds that impacts related to degradation of the environment will be less than significant and no new mitigation is required.*

(b) Cumulative Impacts. Cumulative effects resulting from full implementation of City land use policies were evaluated in the General Plan EIR and subsequent Specific Plan EIR's. The proposed Housing

Element Update will not change any of these policies and does not propose any specific development or redevelopment project that could contribute to short-term or long-term cumulative impacts that were not addressed sufficiently in the General Plan EIR and subsequent Specific Plan EIR's. The proposed Housing Element Update does not include any changes to land use designations and thus is consistent with the project analyzed in the General Plan EIR and subsequent EIRs. The City hereby finds that the proposed Housing Element Update's individual contribution to potentially significant cumulative impacts is not considerable and no additional mitigation is required.

(c) Substantial Adverse Effects on Human Beings. As supported by the preceding environmental evaluation, the proposed Housing Element Update will not result in substantial adverse effects on human beings. It has been determined through analysis supported by substantial evidence that the proposed Housing Element Update has been determined to have little or no adverse impacts on people or the environment as evaluated in the 20 preceding environmental topics. The City hereby finds that direct and indirect impacts on human beings will be less than significant and no additional mitigation is required.

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5 Applicable General Plan EIR Mitigation Measures

The following General Plan EIR mitigation measures are applicable to the proposed Housing Element Update:

AIR QUALITY

MM 4.10-1: Policy 5.1.1-P25 should be added to the Prerequisite section as follows:

> Policy 5.1.1-P25: Prior to the implementation of Phase II,[vi] the City will include a Community Risk Reduction Plan (CRRP) for acceptable TAC concentrations consistent with the BAAQMD CEQA Guidelines, including risk and exposure reduction targets, measures to reduce emissions, monitoring procedures, and a public participation process.

Policy 5.10.5-P34 should be added to the Safety section as follows:

> Policy 5.10.5-P34: Include minimum setbacks of 500 feet for roadways with average daily trips of 100,000 or more and 100 feet for railroad tracks for new residential or other uses with sensitive receptors, unless a project-specific study identifies measures such as, site design, tiered landscaping, air filtration systems, windows design to reduce exposure, demonstrating that the potential risks can be reduced to acceptable levels.

MM 4.10-2: Policy 5.10.5-P35 should be added to the Safety section as follows:

> Policy 5.10.5-P35: Establish minimum buffers between odor sources and new residential or other uses with sensitive receptors, consistent with the BAAQMD guidelines, unless a project-specific study demonstrates that these risks can be reduced to acceptable levels.

BIOLOGICAL RESOURCES

MM 4.9-1: **Congdon's Tarplant Program Mitigation:** On parcels with ruderal grasslands, surveys will be conducted prior to future development to document the presence/absence of Congdon's tarplant. In the event the species is present, the project design will incorporate an adequate buffer, as determined by a qualified biologist, to ensure the Congdon's tarplant is not threatened by development.

MM 4.9-2: **Burrowing Owl Program Mitigation:** Future development on parcels with ruderal grasslands will include the following standard measures to reduce potential WBO impacts to a less than significant level:

1. Determine Burrowing Owl Presence

[vi] Note that Policy 5.1.1-P25 was modified as part of the 2014 General Plan Update, which was adopted with a MND. As modified, the Policy now directs the preparation of the CRRP prior to implementation of Phase III, rather than Phase II

a. Breeding Season Surveys

Standardized surveys are necessary to determine presence (or presumed absence) of burrowing owls for the purposes of inventory, monitoring, avoidance of take, and determining appropriate mitigation. In California the breeding season begins as early as February 1 and continues through August 31. The California Burrowing Owl Consortium (Consortium) survey protocol specifies a multi-phase approach, which is recommended in order to adequately evaluate burrowing owl use of an area and to inform the CEQA process. The Department recommends that the Consortium survey protocol for breeding season surveys be adhered to (4 survey visits spread evenly (roughly every 3 weeks) during the peak of the breeding season, from April 15-July 15) The habitat assessment, intensive burrow surveys and burrowing owl surveys should include the area within 150 meters of the project boundaries (approximately 500 feet).

b. Non-Breeding Season Surveys (Including Winter)

Surveys during the non-breeding season (September 1- January 31) are recommended by the Department but are not generally required because burrowing owls are much more difficult to detect during the non-breeding season, and the number or type of surveys that would be needed to detect presence then has not been studied or quantified. Negative results during any nonbreeding season surveys are not conclusive proof that owls do not use the site. Because of this complication, the DFG recommends breeding season surveys as the first step, but project applicants should consult with the Department if burrowing owls have been documented on the project site during the non-breeding season.

2. Avoid Impacts (destruction, disturbance) to Individual Owls

d. Pre-Construction Surveys for Owl Presence

Pre-construction surveys (usually initiated during the non-breeding season) are necessary for assessing owl presence at a site within a short time period before site modification is scheduled to begin. Pre-construction surveys are supplemental to the existing breeding season survey protocol (4 survey visits spread evenly during the peak of the breeding season, from April 15- July 15). Initial pre-construction surveys should be conducted no more than 30 days prior to ground-disturbing activities (for example, disking, clearing, grubbing, grading). Generally, at a minimum, 4 survey visits on at least 4 separate days will be necessary, The time lapse between surveys and site disturbance should be as short as possible and will be determined by DFG based on specific project conditions but generally should not exceed 7 days. Additional surveys are necessary when the initial disturbance is followed by periods of inactivity or the development is phased spatially and/or temporally over the project area. Biologists conducting pre-construction surveys should expend enough effort, based on the above criteria, to assure with a high degree of certainty that take of owls will not occur once site modification and grading activities begin. The report should be submitted to the DFG for review.

e. Buffer Zones Around Occupied Burrows (Year-Round)

Buffer zones to protect burrowing owls from direct disturbance should be implemented pursuant to the Consortium Guidelines and the Department's Staff Report (1995).

Generally, the buffers recommended in these reports for protecting burrowing owls from disturbance is 75 meters (250 feet) from occupied burrows during the breeding season and 50 meters (160 feet) from occupied burrows during the non-breeding season. Consultation with the Department may result in site-specific buffer specifications, on a case-by-case basis.

f. Passive Relocation

If construction will directly impact occupied burrows, eviction of owls should occur outside the nesting season to prevent injury or mortality of individual owls. No burrowing owls will be evicted from burrows during the nesting season (1 February through 31 August) unless evidence indicates that nesting is not actively occurring (e.g., because the owls have not yet begun nesting early in the season, or because young have already fledged late in the season). Relocation of owls during the non-breeding season will be performed by a qualified biologist using one-way doors, which should be installed in all burrows within the impact area and left in place for at least two nights. These one-way doors will then be removed and the burrows backfilled immediately prior to the initiation of grading. Furthermore, should the Valley HCP, once adopted, include a regional WBO mitigation program that would be available to future projects in Santa Clara, future projects may have a feasible option to mitigate for their individual impacts to loss of WBO foraging and/or nesting habitat by participating in the Valley HCP's program.

NOISE

MM 4.14-1: Use the Federal Transit Administration vibration impact criteria, as described above under the Regulatory Setting, to evaluate the land use compatibility of sensitive uses proposed along the railroad/light-rail corridor using the best available information (e.g., High Speed Rail Program EIR) or site-specific measurements and analyses (assuming active railroad operations). Developers of sensitive uses shall demonstrate that potential impacts of existing or potential vibration have been minimized to the maximum feasible extent.

MM 4.14-2: Case studies have shown that the replacement of dense grade asphalt (standard type) with open-grade or rubberized asphalt can reduce traffic noise levels along local roadways by 2 to 3 dBA CNEL. A possible noise reduction of 2 dBA would be expected using conservative engineering assumptions, and future traffic noise increases could be mitigated to a less than significant level by repaving roadways with "quieter pavements." To be a permanent mitigation, subsequent repaving would also have to use "quieter" pavements. Existing residential receivers located along Tasman Drive between Lafayette Street and the easternmost City limits either front the roadway (private outdoor use areas are located behind the homes) or have outdoor use areas adjacent to the roadway that may or may not be shielded by fences or noise barriers. In situations where private outdoor use areas are located adjacent to the roadway, new or larger noise barriers could be constructed to provide the additional necessary noise attenuation in private use areas. Typically, increasing the height of an existing barrier results in approximately one dBA of attenuation per one foot of additional barrier height. The design of such noise barriers would require additional analysis. Traffic calming could also be implemented to reduce noise levels expected with the project. Each five mph reduction in average speed provides approximately one dBA of noise reduction on an average basis (Leq/CNEL). Traffic calming measures that regulate speed improve the noise environment by smoothing out noise levels. Residences could also be provided

with sound insulation treatments if further study finds that interior noise levels within the affected residential units would exceed 45 dBA CNEL as a result of the projected increase in traffic noise. Treatments to the homes may include the replacement of existing windows and doors with sound-rated windows and doors and the provision of a suitable form of forced-air mechanical ventilation to allow the occupants the option of controlling noise by closing the windows. The specific treatments for each affected residential unit would be identified on a case-by-case basis.

MM 4.14-3: Develop construction noise control plans that consider the following available controls in order to reduce construction noise levels as low as practical: Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists; Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment; Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses; Locate staging areas and construction material areas as far away as possible from adjacent land uses; Prohibit all unnecessary idling of internal combustion engines; Notify all adjacent land uses of the construction schedule in writing; Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

TRANSPORTATION

MM 4.12-1: **Adopt Prerequisite Policy 5.1.1-P5.** Prior to the implementation of Phase II[vii] and III of the 2010-2035 General Plan, evaluate appropriate measures to maintain emergency response time standards.

UTILITIES AND SERVICE SYSTEMS

MM 4.7-1: To prevent a cumulatively considerable contribution to a potential future overdraft of the Santa Clara Sub-Basin, the City shall update the forecast groundwater pumping supply quantities every five years with each UWMP to align water supply availability with the water demand associated with each General Plan Phase. Future Santa Clara UWMPs will be coordinated with the Water District and implement alternative sources (i.e., recycled water and increased conservation) if cumulative groundwater pumping, based on all water retailers UWMPs, would exceed the Santa Clara Sub-Basin safe yield. With implementation of this program mitigation measure, potential future impacts associated with supplying future development envisioned by the General Plan would be reduced to a less than significant level.

[vii] Note that Policy 5.1.1-P5 was modified as part of the 2014 General Plan Update, which was adopted with a MND. As modified, the Policy now directs the evaluation of appropriate measures to maintain emergency response time standards prior to the implementation of Phase III, rather than Phases II and III.

6 References

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6.2 – Persons and Organizations Consulted

None.

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