



**City of  
Santa Clara**  
The Center of What's Possible

# PLANNING COMMISSION

CHARTER, CITY CODE, AND  
WORK PLAN

FY 2025/26

# **City Charter**

City Charter Section 1007 Planning Commission - Duties and powers states that the Planning Commission shall have power and be required to:

- (a) After a public hearing thereon, recommend to the City Council the adoption, amendment, or repeal of the General Plan or any part thereof for the physical development of the City;
- (b) Exercise such functions with respect to land subdivisions, planning, and zoning as may be prescribed by ordinance; and
- (c) Exercise such planning, zoning, environmental or other function as now or may be hereafter authorized by the State of California in so far as they do not conflict with the provisions of this Charter.

## **City Code**

**Title 18 – Zoning Code**, of the City of Santa Clara City Code includes the following Chapters that outlines the role of the Planning Commission.

### **Chapter 18.112.020 Authority for Land Use and Zoning Decisions**

The Planning Commission is the Review Authority on:

- Conditional Use Permits and Major Modifications, and
- Variances.

The Planning Commission is a recommending body to the City Council on:

- General Plan Land Use and Text Amendments,
- Specific Plan Land Use and Text Amendments, and
- Zoning Code Text and Map Amendments.

### **18.114.050 – Findings and Decision – Conditional Use Permit and Major Modifications**

- A. The proposed use is consistent with the General Plan and any applicable specific plan;
- B. The proposed use is allowed within the subject zone and complies with all other applicable provisions of this Zoning Code and the City Code;
- C. The design, location, size, and operating characteristics of the proposed use are compatible with the allowed uses in the vicinity;
- D. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare; and
- E. The subject site is:
  - 1) Physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities;
  - 2) and Served by highways and streets adequate in width and improvement to carry the type and quantity of traffic the proposed use would likely generate.

### **18.124.050 – Findings and Decision – Variances**

Required Variance Findings. The Review Authority may approve a Variance application only after first making all the following findings:

- A. There are special circumstances or conditions applicable to the subject property or existing

- buildings (e.g., location, shape, size, surroundings, topography, or other physical features) that do not apply generally to other properties in the vicinity under an identical zoning classification;
- B. Strict compliance with Zoning Code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
  - C. Approving the Variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the same vicinity and zone in which the subject property is situated; and Granting the Variance will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the subject property in question.

#### **18.142.040 - Planning Commission Action on Amendments**

- A. All Amendments. After the public hearing, the Planning Commission shall forward a written recommendation to the Council whether to approve, approve in modified form, or deny the proposed amendment.
- B. Recommendations on Zoning Code and Zoning Map Amendments. A recommendation for approval, approval in modified form, or denial of a Zoning Code or Zoning Map amendment shall require the affirmative vote of the majority of the entire membership of the Planning Commission. In the event the Planning Commission is unable to reach agreement on a recommendation, the amendment shall be forwarded to the Council with no recommendation.
- C. Recommendations on General Plan Amendments. A recommendation for approval or approval in modified form of a General Plan amendment shall require the affirmative vote of the majority of the entire membership of the Planning Commission. In the event the Planning Commission is unable to reach agreement on a recommendation, the amendment shall be forwarded to the Council with a recommendation of denial.

**Title 17 – Development, Chapter 17.05 Subdivisions**, of the City of Santa Clara City Code includes the following Chapters that outline the role of the Planning Commission as it relates to the division of land within the City.

#### **Chapter 17.05.110 – Responsibilities**

(g) Planning Commission. The Planning Commission shall be responsible for making recommendations for approval, conditional approval, or denial of the tentative map for subdivisions of five or more lots or units and reporting its recommendations to the City Council; and hearing of appeals for minor subdivisions of four or fewer parcels.

The Planning Commission's recommendation to approve or conditionally approve or deny the tentative map, are based on finding that the proposed subdivision, together with the provisions for its design and improvement, is consistent or not consistent with the General Plan adopted by the City of Santa Clara and all applicable provisions of this Code.

## **Workplan**

Based on the Charter, the Planning Commission is a quasi-judicial body which acts in an advisory capacity to the City Council in all matters pertaining to the physical development of the City and consists of seven commissioners that are volunteers and are appointed by the City Council.

As prescribed by Ordinance, after a public hearing, the Commission makes a recommendation to the City Council on:

- General Plan Amendments
- Zoning of Real Property
- Changes to the Zoning Code
- Land Subdivisions

And, after a public hearing, the Commission takes final action, except in the event of an appeal, for the granting of any:

- Conditional Use Permit and Major Modification
- Variances
- Appeals of Director's Decision's

**Per the City Code, when making decisions, the Planning Commission must find that a project is:**

- consistent with the General Plan
- any applicable Specific Plan
- the subject zone
- applicable provisions of the Zoning Code and the City Code
- that the design, location, size, and operating characteristics of the proposed use are compatible with the allowed uses
- that the operation of the use at the location would not be detrimental to the harmonious and orderly growth of the City or constitute hazard to the public convenience, health, interest, safety, or general welfare
- that the site is physically suitable for the project/use in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access and public services and utilities
- that the site is served by highways and streets adequate in width and improvement to carry the type and quantity of traffic the proposed use would likely generate

**To make informed decisions, the Commission seeks trainings on topics relevant to their decision making by attending conferences and procuring study sessions on relevant topics. These items are reflected in their workplan. In addition, during the course of its work, the Planning Commission has also identified a list of land use priorities for City Council to consider during its priority setting process, which is also reflected in the workplan.**

## 1. Conferences and Trainings

| Action   | Subcommittee | Timeline  | Notes  | Budget |
|--|--------------|---|--|--------|
| Joint Venture Silicon Valley State of the Valley |              | March 7, 2025   | \$100 per ticket   |        |
| LCC Planning Commissioner Academy                |              | March 2025  | \$660 per ticket   |        |
| APA National Conference                          |              | Online   April 23-25, 2025<br><br>Denver   March 29–April 1, 2025 | Online: \$350 (member), \$400 (non-member)<br><br>In-Person: \$785 (member), \$1,225 (non-member)        |        |
| APA California Conference                        |              | Monterey, CA<br>September 28 – October 1, 2025                    | Member: \$782.50<br><br>Non-member: \$966.25<br>(early-bird rate before July 28 <sup>th</sup> \$100 off) |        |
| Institute for Local Government (ILG)             |              |   | Webinars and Trainings - No upcoming   |        |
| State of the City                                |              |   |  |        |
| CEQA   |              |   |  |        |
|  |              |   |  |        |

## **2. Study Sessions**

| <b>Action</b>   | <b>Subcommittee</b> | <b>Timeline</b>                        | <b>Notes</b>                              | <b>Budget</b> |
|---|---------------------|--|---|---------------|
| Yearly Housing Legislation Enacted by the State Legislature |                     | January 15, 2025                       | Presented by Assistant CAO                |               |
| ULI Study Session   |                     | February 13, 2025                      |   |               |
| Mobile Food Vendor Ordinance                                |                     | April 16, 2025                         | Presented by staff                        |               |
| CEQA  |                     | May 21, 2025                           | Presented by David J. Powers & Associates | Free          |
| Data Centers  |                     | Tentatively Scheduled for May 20, 2025 | Joint Study Session w/ City Council       |               |
| Infrastructure Planning to Support Future Growth            |                     |  |   |               |
| Due Process Requirements (e.g. how to respond to reporters) |                     |  | Assistant CAO                             |               |
|   |                     |  |   |               |
|   |                     |  |   |               |

### **3. Land Use Priorities for Council Consideration**

| <b>Action</b>   | <b>Subcommittee</b> | <b>Timeline</b> | <b>Notes</b> | <b>Budget</b> |
|---|---------------------|-----------------|--------------|---------------|
| Data Center Standards and Location Requirements           |                     |                 |              |               |
| Entertainment District                                    |                     |                 |              |               |
| Supportive Housing Solutions – Tiny Homes; Moveable Homes |                     |                 |              |               |
| Sustainability  |                     |                 |              |               |
| Vacant & Blighted Building Ordinance                      |                     |                 |              |               |
| Skilled Labor Policy                                      |                     |                 |              |               |
| Citizen Commission Overseeing SVP                         |                     |                 |              |               |
|   |                     |                 |              |               |
|   |                     |                 |              |               |