



City of Santa Clara

Call and Notice of Special Meeting

Planning Commission

Monday, May 10, 2021

6:00 PM

Virtual Meeting

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Chair calls for a Special Meeting of the Planning Commission of the City of Santa Clara, to commence and convene on May 10, 2021, at 6:00 pm for a Special Meeting to be held virtually via Zoom, to consider the following matter(s) and to potentially take action with respect to them.

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

- **Via Zoom:**
 - o <https://santaclaraca.zoom.us/j/91729202898>
 - Webinar ID: 917 2920 2898 or
 - o Phone: 1(669) 900-6833
- **Via the City's eComment (available during the meeting)**

The public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

Public Comments prior to meeting may be submitted via email to PlanningPublicComment@SantaClaraCA.gov no later than noon on the day of the meeting; and also before and during the meeting via eComment. Clearly indicate the project address, meeting body, and meeting date in the email.

PUBLIC PARTICIPATION IN ZOOM WEBINAR: Please follow the guidelines below when participating in a Zoom Webinar:

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- Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- Use the raise your hand feature in Zoom when you would like to speak on an item and lower when finished speaking. Press *9 to raise your hand if you are calling in by phone only.
- Identify yourself by name before speaking on an item.
- Unmute when called on to speak and mute when done speaking. If there is background noise coming from a participant, they will be muted by the host. Press *6 if you are participating by phone to unmute.
- If you no longer wish to stay in the meeting once your item has been heard, please exit the meeting.

6:00 PM PLANNING COMMISSION SPECIAL MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

DECLARATION OF COMMISSION PROCEDURES

CONTINUANCES/EXCEPTIONS

CONSENT CALENDAR

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

1.A 21-659 [Planning Commission Meeting Minutes of April 28, 2021 Meeting](#)

Recommendation: Approve the Planning Commission Minutes of the April 28, 2021 Meeting

1.B 21-697 [Request to Consider Using Planning Commission Funds for Form Based Code Training](#)

Recommendation: There is no staff recommendation.

1.C 21-567 [Action on a Use Permit for a Master Sign Program at 2350 Mission College Boulevard](#)

Recommendation:

Alternative 1: Adopt a Resolution to approve a Use Permit for a Master Sign Program at 2350 Mission College Boulevard.

PUBLIC PRESENTATIONS

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

PUBLIC HEARING

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

2. 21-431 [Action on the El Camino Real Specific Plan, General Plan Amendment for the creation of four new General Plan land use designations, creation of the El Camino Real Zoning Districts, and an Environmental Impact Report and Mitigation Monitoring and Reporting Program.](#)

Recommendation:

That the Planning Commission adopt Resolutions recommending that the City Council:

1. Adopt a resolution approving and certifying the Final EIR prepared for the El Camino Real East Specific Plan (SCH # 2019059029), including CEQA Findings.
2. Adopt a resolution approving the El Camino Real Specific Plan, a specific plan consistent with CA Government Code Sections 65450-65457.
3. Adopt a resolution approving a General Plan text amendment creating the Regional Corridor Mixed Use (55-100 DU/AC; 0.2 Commercial FAR); Corridor Mixed Use (45-65 DU/AC); Corridor Residential (16-45 DU/AC); and Ground Floor Commercial Overlay land use designations, and amending the General Plan Land Use diagrams for Phases II and III to reflect the land use designations in the El Camino Real Specific Plan.
4. Adopt an ordinance amending the zoning code to create the El Camino Real Zoning district.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items
2. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

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

ADJOURNMENT:

The next regular scheduled meeting is on Wednesday, May 26, 2021 at 6:00 p.m.

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

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City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
[@SantaClaraCity](https://twitter.com/SantaClaraCity)

Agenda Report

21-659

Agenda Date: 5/10/2021

REPORT TO PLANNING COMMISSION

SUBJECT

Planning Commission Meeting Minutes of April 28, 2021 Meeting

RECOMMENDATION

Approve the Planning Commission Minutes of the April 28, 2021 Meeting



City of Santa Clara

Meeting Minutes

Planning Commission

04/28/2021

6:00 PM

Virtual Meeting

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6:00 PM REGULAR MEETING

Call to Order

Chair Saleme called the meeting to order at 6:03 p.m.

Pledge of Allegiance and Statement of Values**Roll Call**

Present 6 - Vice Chair Nancy A. Biagini, Commissioner Priya Cherukuru, Commissioner Ricci Herro, Commissioner Qian Huang, Commissioner Yuki Ikezi, and Chair Lance Saleme

DECLARATION OF COMMISSION PROCEDURES

Secretary Cherukuru read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

A motion was made by Commissioner Biagini, seconded by Commissioner Ikezi to approve the Consent Calendar.

Aye: 6 - Vice Chair Biagini, Commissioner Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Chair Saleme

1. [21-33](#) Planning Commission Meeting Minutes of April 14, 2021 Meeting

Recommendation: Approve the Planning Commission Minutes of the April 14, 2021 Meeting

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. [21-642](#) Action on the El Camino Real Specific Plan, General Plan Amendment for the creation of four new General Plan land use designations, creation of the El Camino Real Zoning Districts, and an Environmental Impact Report.

Staff is requesting that the Planning Commission open the public hearing and then continue this item to the May 10, 2021 Planning Commission Special Meeting.

The item was opened to the public and there were no public speakers.

A motion was made by Commissioner Biagini, seconded by Commissioner Cherukuru to continue this item to the May 10 Planning Commission Special Meeting.

Aye: 6 - Vice Chair Biagini, Commissioner Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Chair Saleme

3. [21-534](#) Action on a Conditional Use Permit for Twisters Gymnastics to allow a youth gymnastics center at 2800 Bowers Avenue.

Recommendation: Adopt a Resolution to Approve a Use Permit to allow a youth gymnastics center located at 2800 Bowers Avenue, subject to conditions of approval.

Assistant Planner Tiffany Vien provided a PowerPoint presentation.

Applicant Allan and Erika Fusilero spoke.

Commissioners inquired as to why there was a previous code violation that resulted in the facility being closed. Applicant replied he misunderstood the details of when the facility could be open in relation to the Conditional Use Permit.

Public Speakers:

Bonnie Sanders - parent of a student at Twisters Gymnastic School

Lea Tanquary - Airborne Gymnastics

Applicant stated they have been closed for one year and this has created a financial strain and inquired if they could operate with a conditional permit. **Staff Liaison/Development Review Officer Gloria Sciara** replied that there may be improvements needed which would be noted in the Conditions of Approval and that there is a 7-day waiting period due to the appeals process from the date of the decision to approve the project.

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

Aye: 6 - Vice Chair Biagini, Commissioner Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Chair Saleme

A motion was made by Commissioner Biagini, seconded by Chair Saleme to approve this item.

Aye: 6 - Vice Chair Biagini, Commissioner Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Chair Saleme

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Planning Manager Reena Brilliot provided updates that Community Development received recent awards from the American Planning Association for Rebuilding Downtown Santa Clara and for the Tasman East Specific Plan.

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

Planning Manager Reena Brilliot informed the Commission that a joint training for City Council, Downtown Community Task Force, and the Planning Commission is being coordinated on the topic of Form Based Codes. The date has not yet been confirmed but a tentative date of July 15, 2021 is being requested for the training. **Ms. Brilliot** also requested that the Commission consider using their budget to pay for the training and a vote will take place at the next meeting regarding the expense.

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

2. Upcoming Agenda Items

Planning Manager Reena Brilliot provided updates.

3. City Council Actions

Staff Liaison/Development Review Officer Gloria Sciara provided updates.

ADJOURNMENT:

A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini to adjourn the meeting.

The meeting adjourned at 7:10 p.m.

The next meeting is a Special Planning Commission Meeting on Monday, May 10, 2021 at 6 p.m.

Aye: 6 - Vice Chair Biagini, Commissioner Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Chair Saleme

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City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
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@SantaClaraCity

Agenda Report

21-697

Agenda Date: 5/10/2021

REPORT TO PLANNING COMMISSION

SUBJECT

Request to Consider Using Planning Commission Funds for Form Based Code Training

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

The Planning Commission has requested a training take place on the topic of Form Based Codes. At the April 28, 2021 Planning Commission Meeting, Planner Manager Reena Brilliot informed the Commission that a joint training on the subject is being coordinated for the City Council, Downtown Task Force and Planning Commission with a tentative date of July 15, 2021. The cost for the training is expected to be approximately \$1500 to \$2000.

DISCUSSION

The Planning Commission has remaining funds in FY 2020/21 in the amount of approximately \$4800. These funds could be used to pay for the Form Based Code Training as this is a Planning specific topic and there is no other funding source identified for this type of training. If the Commission wishes to fund the training a vote will need to take place to approve the expenditure.

PUBLIC CONTACT

Public contact was made by posting the Commission agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting.

RECOMMENDATION

There is no staff recommendation.

Reviewed by: Gloria Sciara, Development Review Officer

Approved by: Reena Brilliot, Planning Manager



Agenda Report

21-567

Agenda Date: 5/10/2021

REPORT TO PLANNING COMMISSION

SUBJECT

Action on a Use Permit for a Master Sign Program at 2350 Mission College Boulevard

REPORT IN BRIEF

Project: Use Permit for a Master Sign Program for a mixed-use office and retail development site

Applicant/Property Owner: David Andris/South Bay Development Company

General Plan: High Intensity Office/Research and Development (R&D)

Zoning: Planned Development (PD)

Site Area: Three contiguous parcels totaling 8.46 acres (APNs: 104-13-097, 098 & 099)

Existing Site Conditions: Office campus.

Surrounding Land Uses

North: Mission College Boulevard and office/R&D campus

South: Office/R&D campus

East: Juliette Lane and office/R&D campus

West: San Tomas-Aquino Creek Trail

Issues: Consistency with the City's General Plan and Zoning Ordinance

Staff Recommendation: Adopt the resolution approving the Use Permit for a Master Sign Program, subject to conditions.

BACKGROUND

David Andris, on behalf of South Bay Development Company, has submitted a proposal for a Master Sign Program associated with the build-out of a high intensity office development that includes ground floor retail. The existing site has received entitlements for the construction of 553,396 square feet of office, up to 56,000 square feet of commercial/retail space, and surface and structured parking through a series of PD zoning actions dating back to 2007. To date, the 253,396 square foot 13-story Regency Plaza located at 2350 Mission College Boulevard is occupied and a 150,000 square foot six-story office was recently completed at 2390 Mission College Boulevard and is presently unoccupied. A 150,000 square foot six-story office building and a one-story 6,000 square foot retail building are pending submittal for building permits in the location of an existing surface parking lot and is shown as 2400 Mission College Boulevard in the attached Development Plan.

The PD zoning entitlements did not include signage as part of the PD zoning plan submittals and approvals. As such, a Use Permit is required to allow the proposed signage per 18.80.210 of the Zoning Ordinance.

DISCUSSION

The proposed Master Sign Program sets forth the size, location, material details and maximum sign area for each of the existing and planned buildings on the project site. The signs are divided into identity and tenant signage. Identity signage includes a monument place-naming sign at the northeast corner of the project site and three addressing/site location signs - one for each of the three office building entries. Tenant signage consists of two monument signs for multitenant listing along the driveway entry/exit flanking the two six-story office buildings at 2390 and 2400 Mission College Boulevard. They also include 10 wall signs distributed among each office and retail/commercial building at the corners of the office buildings, below the roof parapet, and centered over the retail tenant spaces along the streetscape elevation of the commercial building.

The Master Sign Program proposes approximately one square foot of signage per one linear foot of street frontage for a total of 1,112 square feet of signage distributed across the site. The largest of the signs is the wall tenant sign measuring 232 square feet in sign area and located at 2350 Mission College Boulevard, the tallest of the three office buildings; for the purpose of visibility above neighboring existing and planned multi-story office/R&D buildings on and near the site.

Consistency with the General Plan:

The project site has a General Plan land use designation of High Intensity Office/R&D.

This designation is intended for high-rise or campus like developments for corporate headquarters, R&D and supporting uses. The proposal is consistent with the following General Land Use Policies of the General Plan:

- 5.3.1-P24 Coordinate sign programs for commercial uses to promote continuity, improve streetscape design and reduce visual clutter, in that the proposed Master Sign Program sets forth the size, location, material details and maximum sign area of the sign types to provide a uniform aesthetic that is cohesive in design.
- 5.3.5-P1 Work with existing Santa Clara businesses retain and expand employment opportunities and strengthen the existing tax base, in that the proposed Master Sign Program site identity elements are designed to support high intensity office uses with supporting retail services for the benefit of the tenants, employees and visitors to the project site and the City's general fund.

Zoning Conformance:

The project site is a 8.46 acre site with 1,128 linear feet of street frontage that is located in a high intensity office/R&D sector of the City and is approved for site build-out of 553,396 square feet of office and up to 56,000 square feet of commercial/retail within buildings ranging from one to 13 stories in height.

Proposed signage is in keeping with the scale of development on and near the project site and need for visibility among mid to high-rise buildings in the high intensity/office R&D sector spanning the 8.46 acre site.

ENVIRONMENTAL REVIEW

The project is categorically exempt from the California Environmental Quality Act (CEQA) per Guidelines Section 15311 -Accessory Structures (Class 11), which exempts the construction of minor structures accessory or appurtenant to existing commercial facilities, including on-site signs.

FISCAL IMPACT

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

COORDINATION

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

PUBLIC CONTACT

On April 29, 2021, a notice of public hearing of this item was posted in at least three conspicuous locations within 300 feet of the project site and mailed to property owners within 500 feet of the project site. At the time of this staff report, Planning staff has not received public comment in support or opposition to the proposed project.

ALTERNATIVES

1. Adopt a Resolution to approve a Use Permit for a Master Sign Program at 2350 Mission College Boulevard.
2. Deny a Use Permit for a Master Sign Program at 2350 Mission College Boulevard.

RECOMMENDATION

Alternative 1: Adopt a Resolution to approve a Use Permit for a Master Sign Program at 2350 Mission College Boulevard.

Prepared by: Debby Fernandez, Associate Planner
Reviewed by: Alexander Abbe, Assistant City Attorney
Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

1. Resolution Approving a Use Permit
2. Conditions of Use Permit Approval
3. Master Sign Program

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA CLARA, CALIFORNIA, APPROVING A USE
PERMIT FOR A MASTER SIGN PROGRAM AT 2350 MISSION
COLLEGE BOULEVARD, SANTA CLARA, CA**

PLN2020-14759 (Use Permit)

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

WHEREAS, on January 11, 2021, David Andris on behalf of South Bay Development, (“Applicant”) submitted a Use Permit application for a Master Sign Program (“Project”) for three contiguous parcels totaling 8.46 acres at 2350 Mission College Boulevard (“Project Site”);

WHEREAS, the Project Site is currently zoned Planned Development (PD) and is developed as a mixed-use development with office and ground floor commercial/retail uses and has a General Plan land use designation of High Intensity Office/Research and Development (R&D);

WHEREAS, the PD zoning for the Project Site did not include sign approvals as part of the development entitlements;

WHEREAS, pursuant to Santa Clara City Code (“SCCC”) Section 18.80.210, issuance of a Use Permit is required to erect signs in PD zoning districts unless provided in the resolution approving the PD;

WHEREAS, to effectuate the uniform development and installation of signs on the Project Site the Applicant has prepared a Master Sign Program (“Project”) to govern the size, location, material details and maximum sign area for the Project Site, and is attached hereto as “Master Sign Program”;

WHEREAS, the Project is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines per section 15311 – Accessory Structures (Class 11), which exempts the construction of minor structures accessory or appurtenant to existing commercial facilities, including on-site signs;

WHEREAS, pursuant to SCCC Section 18.110.040, in order to grant a Use Permit, the Planning Commission must first make specific findings related to the effect of the Project on health, safety, peace, comfort, and general welfare, based upon substantial evidence in the record;

WHEREAS, on April 29, 2021, the notice of public hearing for the May 10, 2021 meeting date for this item was posted in at least three conspicuous locations and mailed to all property owners of parcels within 500 feet of the Project Site; and

WHEREAS, a duly noticed public hearing was held before the Planning Commission on May 10, 2021 to consider the application. At the public hearing, the Planning Commission invited and considered any and all verbal and written testimony offered in favor of and in opposition to the Project.

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

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

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

A. The establishment or operation of the use or building applied for, under the circumstances of the particular case, are essential or desirable to the public convenience or welfare, in that the Master Sign Program is necessary to equitably allocate identity signage to the respective business tenants of the Project Site;

B. Said use will not be detrimental to any of the following:

1) The health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, in that the tenant signage shall be governed by the Master Sign Program and subject to Building Code requirements for fabrication and installation.

2) The property or improvements in the neighborhood of such proposed use, in that the Master Sign Program is designed with a uniform and cohesive style to complement the existing and planned buildings on the Project Site and surrounding high-intensity office R&D development.

3) The general welfare of the City, in that the Master Sign Program elements are designed to support the high intensity office uses and retail services for the benefit of the tenants, employees and visitors to the Project Site and the City's general fund.

C. That said use will not impair the integrity and character of the zoning district, in that the Master Sign Program is designed and conditioned in a manner to be compatible with adjacent high intensity office development and reduce visual clutter with a cohesive and uniform design aesthetic.

D. That said use is in keeping with the purposes and intent of the Zoning Code, in that a Master Sign Program may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties in this high-intensity office R&D sector of the City.

3. That the Planning Commission hereby approves Use Permit PLN2020-14759 for a Master Sign Program at 2350 Mission College Boulevard, subject to the conditions of approval as set forth in the "Use Permit Conditions of Approval", attached hereto and incorporated herein by this reference.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED
AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA,
CALIFORNIA, AT A SPECIAL MEETING THEREOF HELD ON THE 10th DAY OF MAY, 2021,
BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST:

ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference: None

1. Master Sign Program

CONDITIONS OF USE PERMIT APPROVAL

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

GENERAL

- A. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- B. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

PLANNING DIVISION

- P1. Submit plans for final architectural review to the Planning Division and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, elevations, landscaping, lighting and signage.
- P2. Comply with all requirements of Building and associated codes (the CBC, CEC, CMC, CPC, California Green Building Code, the California Energy Code, etc.) current at the time of application for Building Permit.
- P3. Obtain required permits and inspections from the Building Official and comply with the conditions thereof.

PUBLIC WORKS

ENGINEERING

- E1. Obtain site clearance through the Public Works Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact the Public Works Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Submit public improvement plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.

STREETS DIVISION

- ST1. For projects that involve construction, demolition or renovation of 5,000 square feet or more, the applicant shall comply with City Code Section 8.25.285 and recycle or divert at least sixty five percent (65%) of materials generated for discard by the project during demolition and construction activities. No building, demolition, or site development permit shall be issued unless and until applicant has submitted a construction and

- demolition debris materials check-off list. Applicant shall create a **Waste Management Plan** and submit, for approval, a Construction and Demolition Debris Recycling Report through the City's online tracking tool at <http://santaclara.wastetracking.com/>.
- ST2. RPrior to obtaining a Temporary or Final Certificate of Occupancy, weight tickets for all materials generated for discard or reuse by the project during demolition and construction activities shall be uploaded to Green Halo and submitted for review and approval by Environmental Services. At a minimum two (2) weeks review time is required.
- ST3. This project is subject to the City's Accumulation, Transportation and Disposal of Solid Waste Ordinance (Chapter 8.25 of the Municipal Codes), which requires the handling and disposal of waste by authorized service haulers. Insert the [General Notes for the Construction & Demolition \(C&D\) Waste Management](#) into construction plans in accordance with the City's municipal codes prior to the issuance of a Building or Grading permit. Provide the Green Halo waste online tracking number to Building staff prior to the issuance of a demolition or building permit.
- ST4. Project applicant shall contact the Dept. of Public Works at (408) 615-3080 to verify if the property falls within the City's exclusive franchise hauling area. If so, the applicant may be required to use the City's exclusive franchise hauler and rate structure for solid waste services. Prior to the issuance of a Public Works clearance, the project applicant shall complete and sign the Acknowledgement portion of the Solid Waste Management Plan for New Development and Redevelopment form noting the service haulers used for this project.
- ST5. The applicant shall incorporate Best Management Practices (BMPs) into construction plans and incorporate post-construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of Building or Grading Permits. Include the [SCVURPPP Countywide Construction BMPs Plan Sheet](#) with the plans.

SILICON VALLEY POWER

- SVP1. All signs with foundations must be 5' clear of any existing SVP infrastructure. The 5' clearance is measured from the edge of the foundation to the edge of the SVP facility.



MISSION CITY CENTER

MASTER SIGN PROGRAM
PLANNING APPLICATION
12 FEBRUARY 2021

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SOUTH BAY
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PROJECT



2350, 2360, 2390, 2400
MISSION COLLEGE BLVD,
SANTA CLARA, CA

PHASE:

MASTER SIGN PROGRAM
PLANNING APPLICATION

SUBMITTAL DATE:

12 FEBRUARY 2021

SIGNAGE LOCATIONS | SUMMARY

| | |
|-------------------------|--|
| IDENTITY SIGNAGE | |
| MONUMENT IDENTITY SIGN | |
| WALL IDENTITY SIGN | |
| TENANT SIGNAGE | |
| MONUMENT TENANT SIGN | |
| WALL TENANT SIGN | |

| |
|--|
| NOTE |
| • The sign area of individual signs may vary from these Sign Areas provided the Maximum Sign Area is not exceeded. |

| |
|--|
| NOTE |
| • Allowance of one (1) sq. ft. of signage per one (1) ft. of linear Street Frontage. |

| SIGN AREA | |
|--|--------------|
| LOCATION | MAX TOTAL SF |
| SITE | 132 |
| 2400 NORTH ELEVATION | 128 |
| 2400 EAST ELEVATION | 128 |
| 2400 WEST ELEVATION | 32 |
| 2390 NORTH ELEVATION | 128 |
| 2390 EAST ELEVATION | 160 |
| 2350 NORTHEAST ELEVATION | 294 |
| 6,000 SQ FT COMMERCIAL BUILDING EAST ELEVATION | 120 |
| TOTAL | 1,122 |

| STREET FRONTAGE | |
|-----------------|-----------------|
| AREA | TOTAL FT |
| PCL. 1 | 228.26 |
| PCL. 2 | 372.79 |
| PCL. 3 | 526.68 |
| TOTAL | 1,127.73 |

| SITE TOTAL: 132 SF | | | |
|------------------------|---------|------|----------|
| SIGN | UNIT SF | QTY. | TOTAL SF |
| MONUMENT IDENTITY SIGN | 24 | 1 | 24 |
| MONUMENT TENANT SIGN | 54 | 2 | 108 |

| BUILDINGS TOTAL: 990 SF | | | |
|---|---------|------|----------|
| BUILDING 2400 TOTAL: 288 SF | | | |
| SIGN | UNIT SF | QTY. | TOTAL SF |
| WALL IDENTITY SIGN | 32 | 1 | 32 |
| WALL TENANT SIGN | 128 | 2 | 256 |
| BUILDING 2390 TOTAL: 288 SF | | | |
| SIGN | UNIT SF | QTY. | TOTAL SF |
| WALL IDENTITY SIGN | 32 | 1 | 32 |
| WALL TENANT SIGN | 128 | 2 | 256 |
| BUILDING 2350 TOTAL: 294 SF | | | |
| SIGN | UNIT SF | QTY. | TOTAL SF |
| WALL IDENTITY SIGN | 32 | 1 | 32 |
| WALL TENANT SIGN | 232 | 1 | 232 |
| WALL TENANT SIGN | 30 | 1 | 30 |
| 6,000 SQ FT COMMERCIAL BUILDING TOTAL: 120 SF | | | |
| SIGN | UNIT SF | QTY. | TOTAL SF |
| WALL TENANT SIGN | 30 | 4 | 120 |

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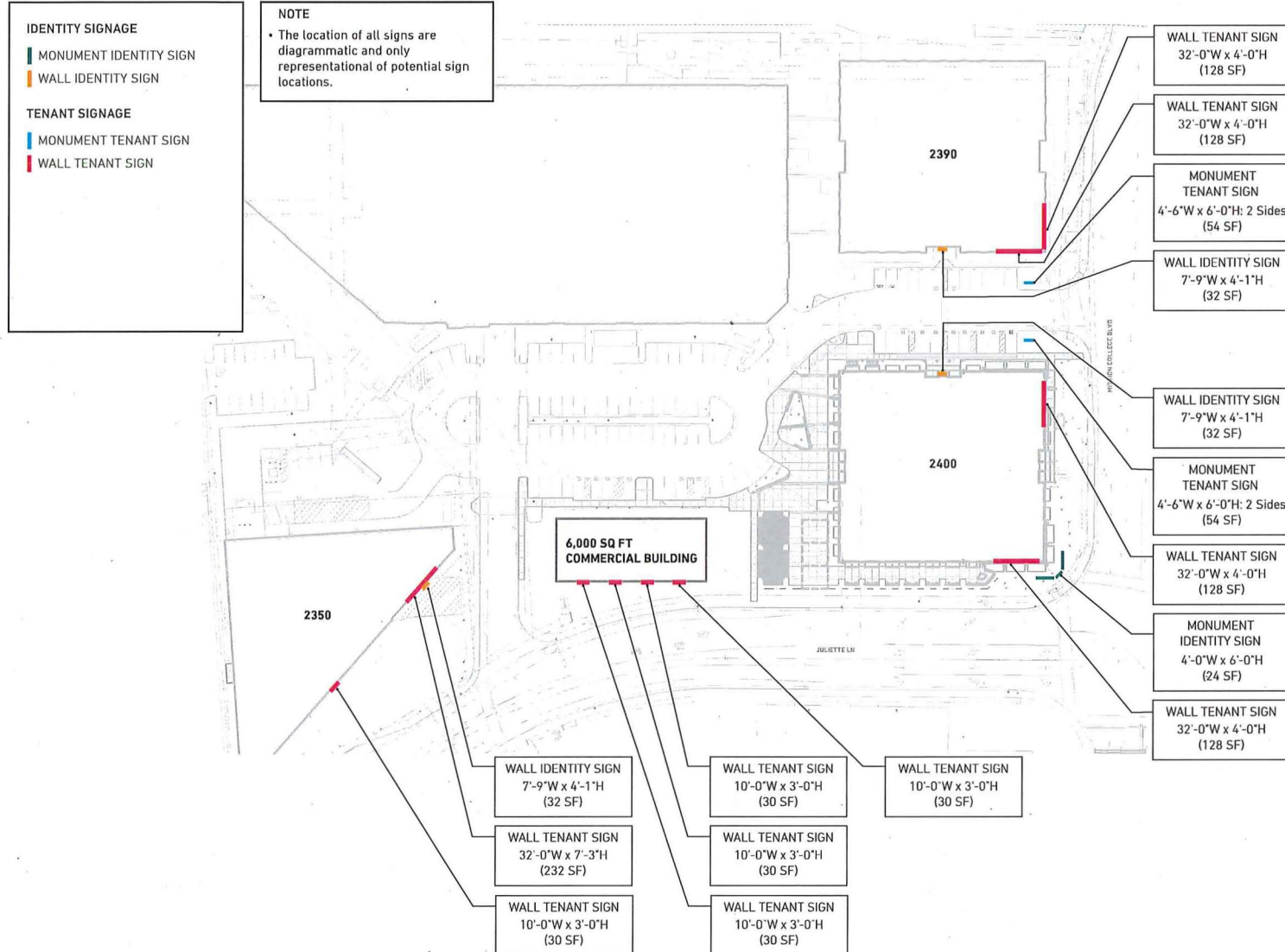
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SIGNAGE LOCATIONS | SIGNAGE VARIANCE PLAN



1 SIGN LOCATION PLAN: SITE
Scale: 1:1000



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SIGNAGE LOCATIONS | 2400 BUILDING

IDENTITY SIGNAGE

- MONUMENT IDENTITY SIGN
- WALL IDENTITY SIGN

TENANT SIGNAGE

- MONUMENT TENANT SIGN
- WALL TENANT SIGN

2400 NORTH ELEVATION TOTAL: 128 SF

| SIGN | UNIT SF | QTY. | TOTAL SF |
|------------------|---------|------|----------|
| WALL TENANT SIGN | 128 | 1 | 128 |

2400 EAST ELEVATION TOTAL: 128 SF

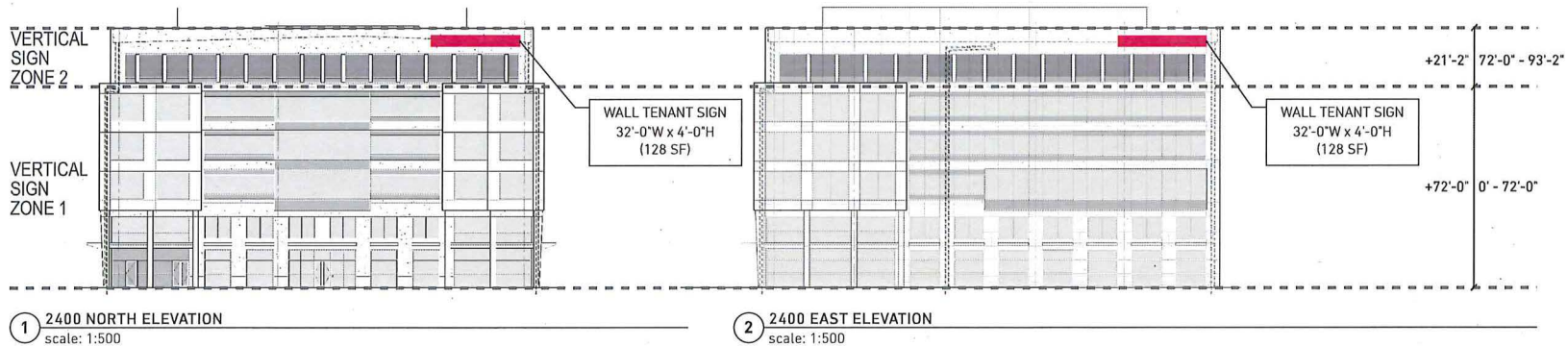
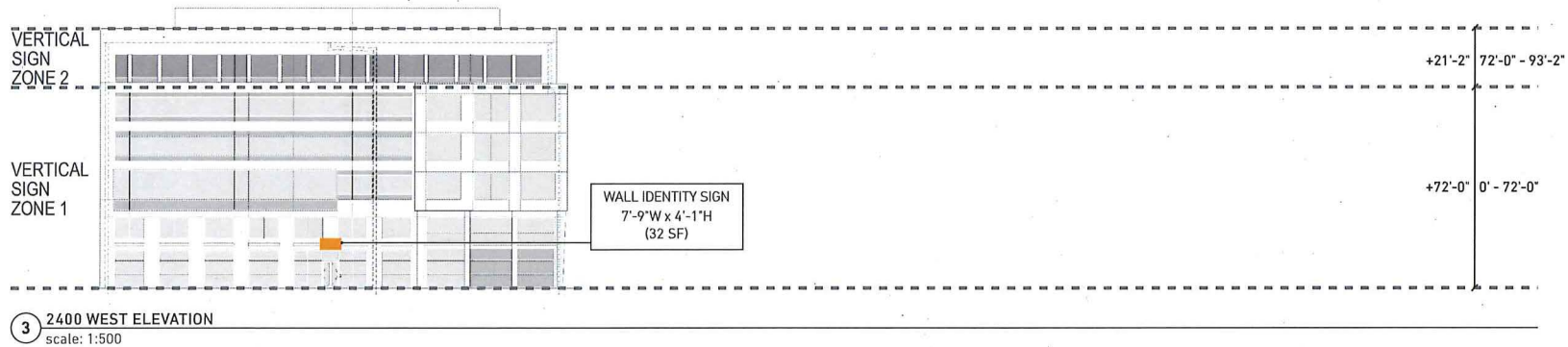
| SIGN | UNIT SF | QTY. | TOTAL SF |
|------------------|---------|------|----------|
| WALL TENANT SIGN | 128 | 1 | 128 |

2400 WEST ELEVATION TOTAL: 32 SF

| SIGN | UNIT SF | QTY. | TOTAL SF |
|--------------------|---------|------|----------|
| WALL IDENTITY SIGN | 32 | 1 | 32 |

NOTE

- The sign area of individual signs may vary from these Sign Areas provided the Maximum Sign Area is not exceeded.
- The location of all signs are diagrammatic and only representational of potential sign locations.



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SIGNAGE LOCATIONS | 2390 BUILDING

IDENTITY SIGNAGE

- MONUMENT IDENTITY SIGN
- WALL IDENTITY SIGN

TENANT SIGNAGE

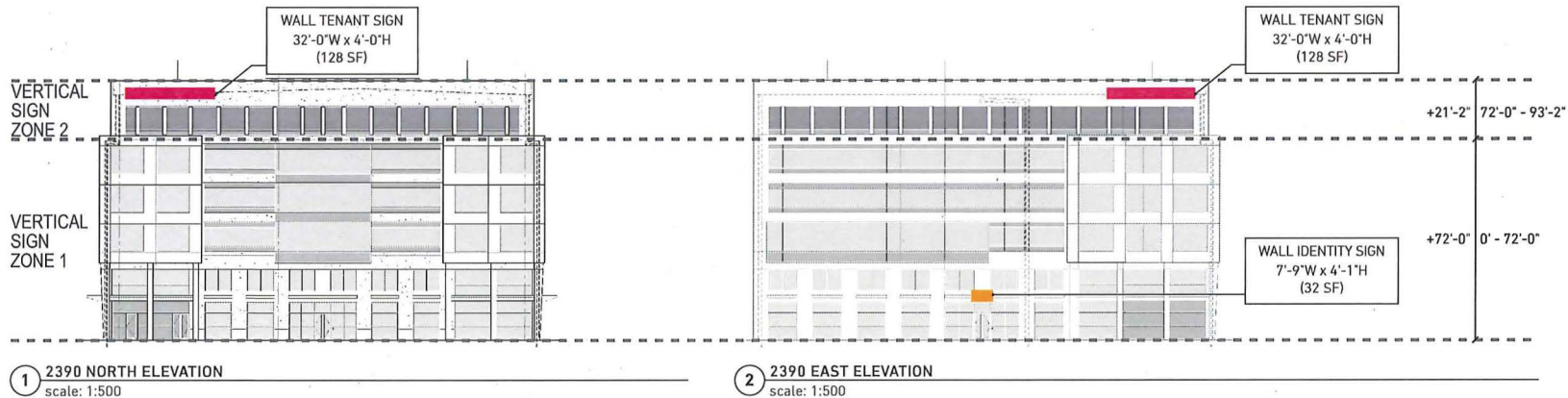
- MONUMENT TENANT SIGN
- WALL TENANT SIGN

| 2390 NORTH ELEVATION | | TOTAL: 128 SF | | |
|----------------------|---------|---------------|----------|--|
| SIGN | UNIT SF | QTY. | TOTAL SF | |
| WALL TENANT SIGN | 128 | 1 | 128 | |

| 2390 EAST ELEVATION | | TOTAL: 160 SF | | |
|---------------------|---------|---------------|----------|--|
| SIGN | UNIT SF | QTY. | TOTAL SF | |
| WALL IDENTITY SIGN | 32 | 1 | 32 | |
| WALL TENANT SIGN | 128 | 1 | 128 | |

NOTE

- The sign area of individual signs may vary from these Sign Areas provided the Maximum Sign Area is not exceeded.
- The location of all signs are diagrammatic and only representational of potential sign locations.



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SIGNAGE LOCATIONS | 2350 BUILDING

IDENTITY SIGNAGE

- MONUMENT IDENTITY SIGN
- WALL IDENTITY SIGN

TENANT SIGNAGE

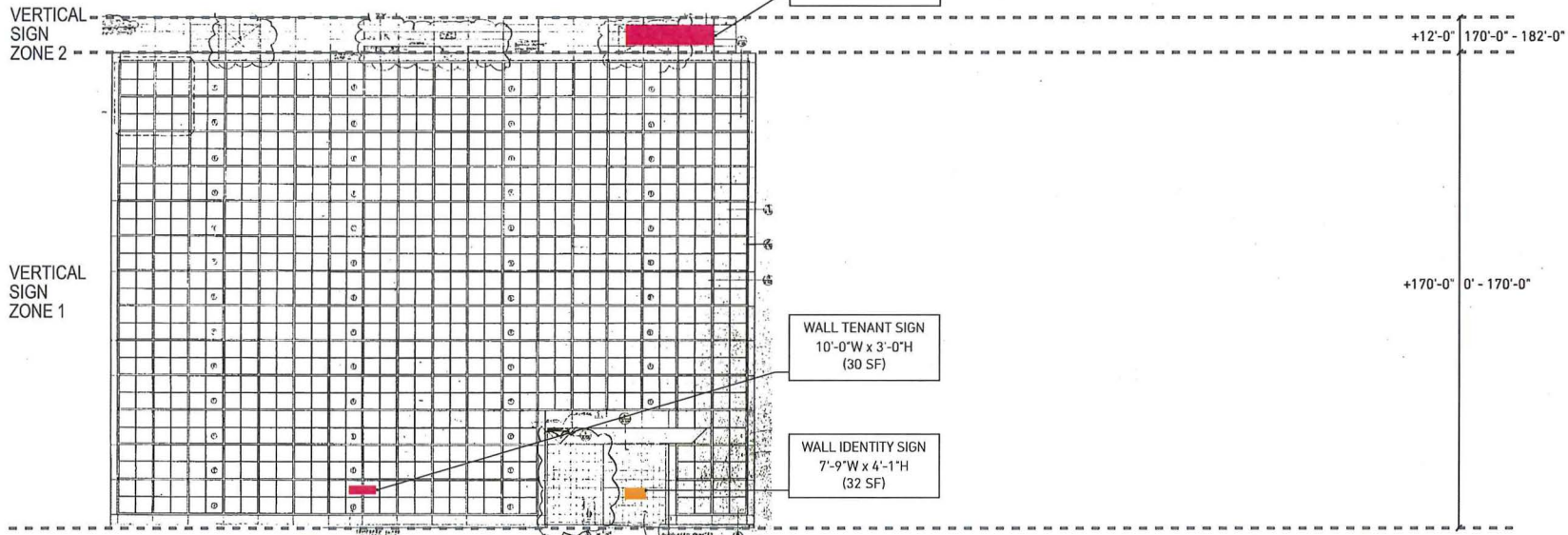
- MONUMENT TENANT SIGN
- WALL TENANT SIGN

2350
NORTHEAST ELEVATION TOTAL: 294 SF

| SIGN | UNIT SF | QTY. | TOTAL SF |
|--------------------|---------|------|----------|
| WALL IDENTITY SIGN | 32 | 1 | 32 |
| WALL TENANT SIGN | 232 | 1 | 232 |
| WALL TENANT SIGN | 30 | 1 | 30 |

NOTE

- The sign area of individual signs may vary from these Sign Areas provided the Maximum Sign Area is not exceeded.
- The location of all signs are diagrammatic and only representational of potential sign locations.



1 2350 NORTHEAST ELEVATION
scale: 1:500

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SIGNAGE LOCATIONS | 6,000 SQ FT COMMERCIAL BUILDING

IDENTITY SIGNAGE

- MONUMENT IDENTITY SIGN
- WALL IDENTITY SIGN

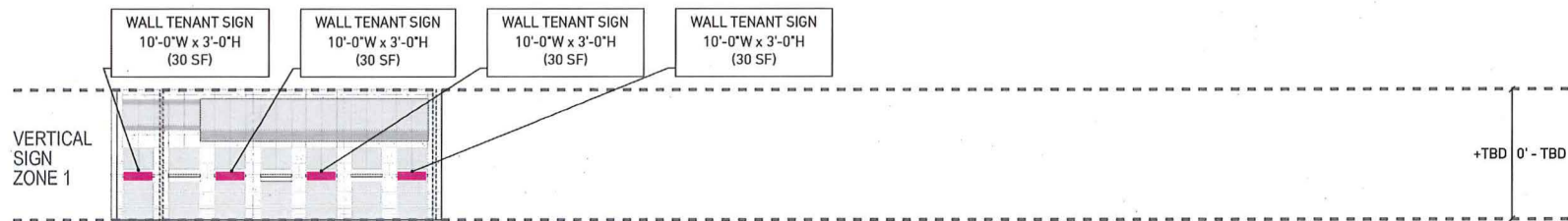
TENANT SIGNAGE

- MONUMENT TENANT SIGN
- WALL TENANT SIGN

| 6,000 SQ FT COMMERCIAL BLDG. EAST ELEVATION | | | | TOTAL: 120 SF |
|--|---------|------|----------|---------------|
| SIGN | UNIT SF | QTY. | TOTAL SF | |
| WALL TENANT SIGN | 30 | 4 | 120 | |

NOTE

- The sign area of individual signs may vary from these Sign Areas provided the Maximum Sign Area is not exceeded.
- The location of all signs are diagrammatic and only representational of potential sign locations.



1 6,000 SQ FT COMMERCIAL BUILDING EAST ELEVATION
scale: 1:500

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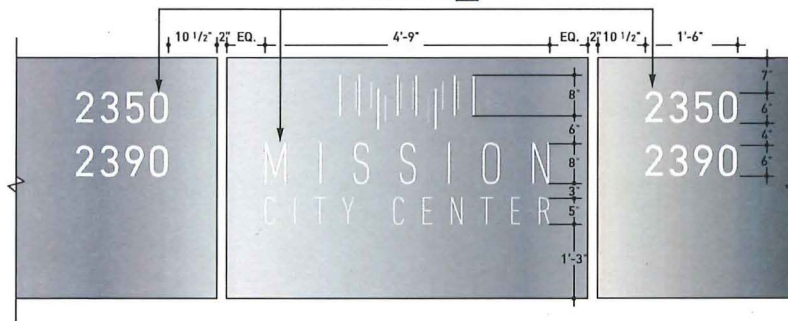
SIGN TYPE DETAILS

SIGN TYPE DETAILS | MONUMENT IDENTITY SIGN

SIGN AREA: 24 SQ FT

CUT OUT TO REVEAL LIGHTING ON INTERIOR RETURN.
M5 CUT ADDRESS AND LOGO BETWEEN M1 PANELS.

LOGO FONT: F1
ADDRESS FONT: F2



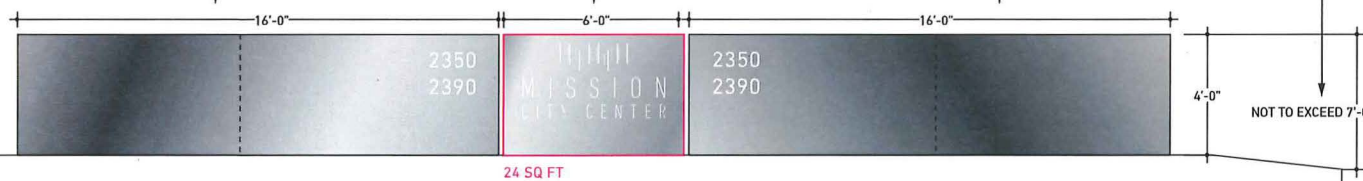
2 DETAIL VIEW
scale: 1/2"=1'-0"

M1 CHANGEABLE 8'-0" WIDE METAL PANELS TO BE REMOVED DURING CONSTRUCTION OF NEW BUILDING.
PAINTED P3 AND COATED P1

LANDSCAPED BERMED WALL WITH BRAND LOGO ATTACHED.

M1 CHANGEABLE 6'-0" WIDE METAL PANELS TO BE REMOVED DURING CONSTRUCTION OF NEW BUILDING.
PAINTED P3 AND COATED P1

MONUMENT SIGNS NOT EXCEEDING 7' IN HEIGHT MEASURED FROM THE TOP OF THE NEAREST STREET CURB PER SIGN CODE 18.80.060 LOCATION LIMITATION (C).



1 FLAT FRONT VIEW
scale: 1/4"=1'-0"

MATERIAL

- M1 ALUMINUM
- M4 BRUSH FIN. ALUMINUM
- M5 OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- P1 CLEAR COAT
- P2 WHITE
- P3 SILVER
- P4 BLUE

FONTS

- F1 DIN NEXT LT PRO ULTRA LIGHT COND.
- F2 DIN NEXT LT PRO REGULAR

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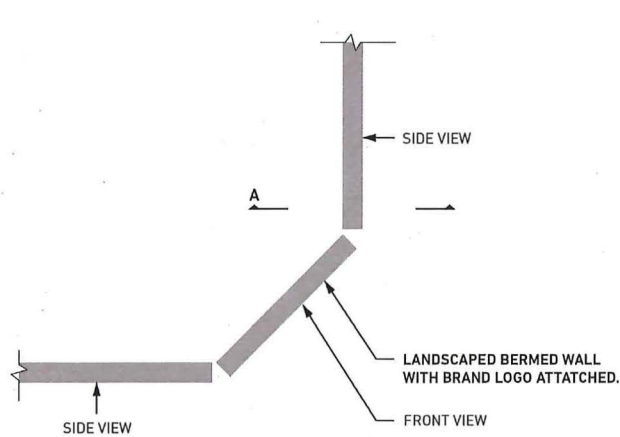
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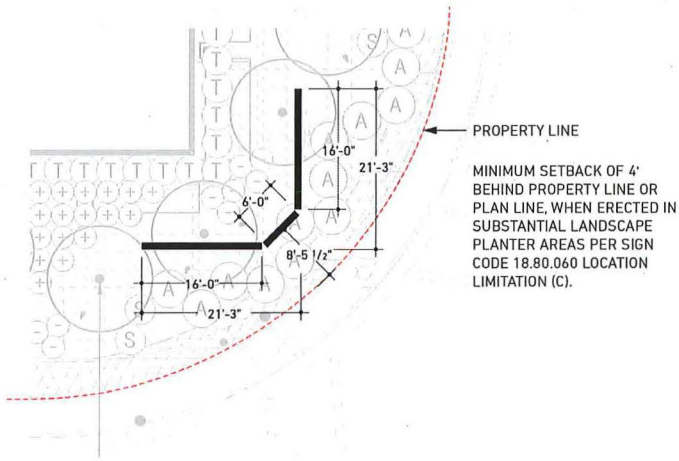
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SIGN TYPE DETAILS | MONUMENT IDENTITY SIGN

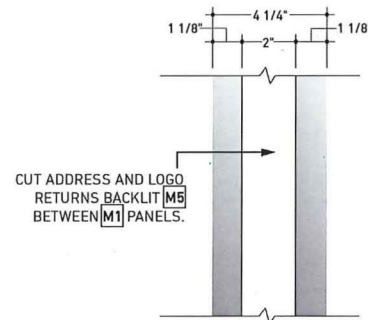


3 PLAN VIEW
scale: 1/4"=1'-0"

4 LOCATION PLAN
scale: 1/16"=1'-0"



1 REFERENCE IMAGE: LIGHTING CUT OUT
scale: NTS



2 SECTION A
scale: 3"=1'-0"

MATERIAL

- M1 ALUMINUM
- M4 BRUSH FIN. ALUMINUM
- M5 OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- P1 CLEAR COAT
- P2 WHITE
- P3 SILVER
- P4 BLUE

FONTS

- F1 DIN NEXT LT PRO ULTRA LIGHT COND.
- F2 DIN NEXT LT PRO REGULAR

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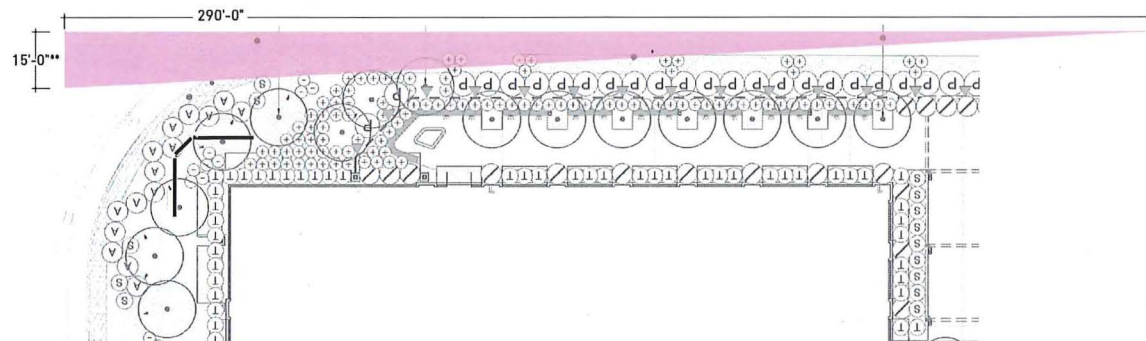
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SIGN TYPE DETAILS | MONUMENT IDENTITY SIGN

**15 FEET MEASURED FROM FACE-OF-CURB OR EDGE-OF-TRAVELWAY.
(FROM THE 2004 AASHTO GEOMETRIC DESIGN OF HIGHWAYS AND STREETS)

JULIETTE LN - COMMERCIAL LOCAL (SPEED LIMIT 25MPH)
SIGHT DISTANCE AT INTERSECTION - 290FT



2 SIGHT TRIANGLE: JULIETTE LN
scale: 1/32"=1'-0"

MISSION COLLEGE BLVD - COMMERCIAL LOCAL (SPEED LIMIT 40 MPH)
SIGHT DISTANCE AT INTERSECTION - 575FT



1 SIGHT TRIANGLE: MISSION COLLEGE BLVD
scale: 1/32"=1'-0"

MATERIAL

- M1 ALUMINUM
- M4 BRUSH FIN. ALUMINUM
- M5 OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- P1 CLEAR COAT
- P2 WHITE
- P3 SILVER
- P4 BLUE

FONTS

- F1 DIN NEXT LT PRO ULTRA LIGHT COND.
- F2 DIN NEXT LT PRO REGULAR

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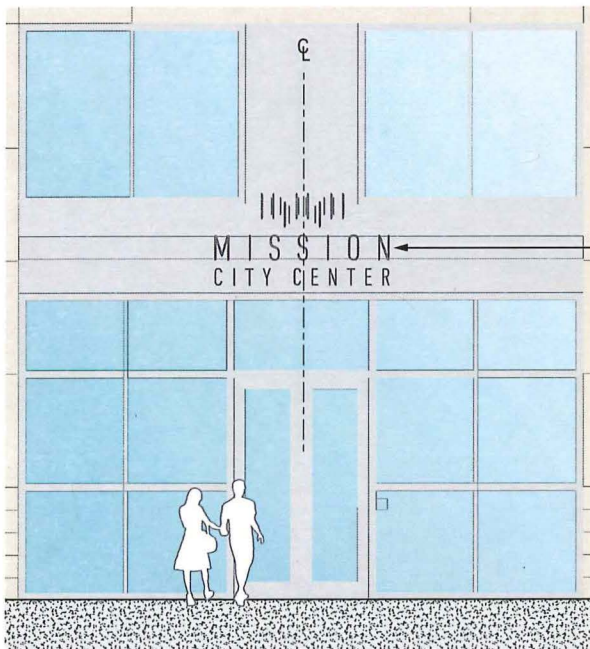
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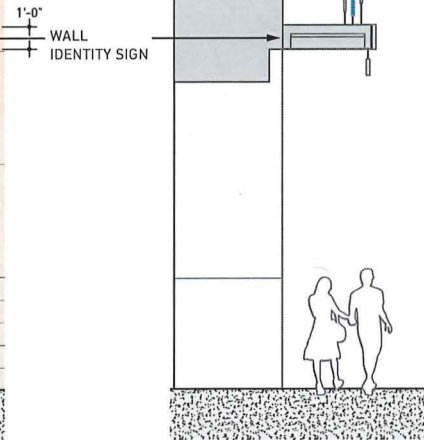
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SIGN TYPE DETAILS | WALL IDENTITY SIGN (BUILDINGS 2400 & 2390)



1 CONTEXT FRONT VIEW
scale: 3/16"=1'-0"



2 CONTEXT SIDE VIEW
scale: 3/16"=1'-0"

MATERIAL

- M1 ALUMINUM
- M4 BRUSH FIN. ALUMINUM
- M5 OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- P1 CLEAR COAT
- P2 WHITE
- P3 SILVER
- P4 BLUE

FONTS

- F1 DIN NEXT LT PRO
ULTRA LIGHT COND.
- F2 DIN NEXT LT PRO
REGULAR

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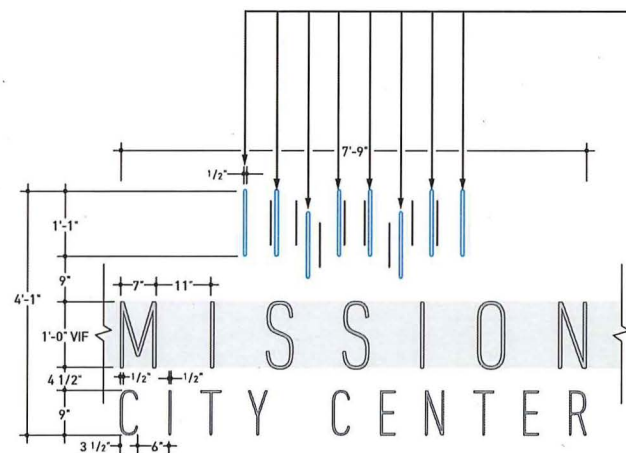
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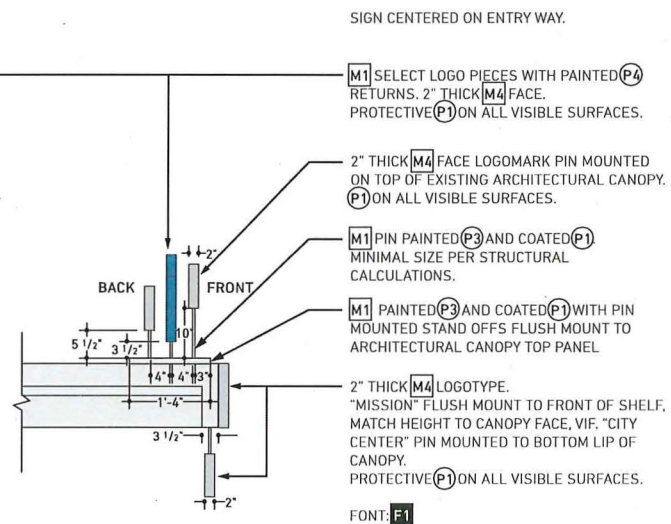
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SIGN TYPE DETAILS | WALL IDENTITY SIGN (BUILDINGS 2400 & 2390)

SIGN AREA: 32 SQ FT



1 FRONT VIEW
scale: 1/2"=1'-0"



2 SIDE VIEW
scale: 1/2"=1'-0"

MATERIAL

- M1** ALUMINUM
- M4** BRUSH FIN. ALUMINUM
- M5** OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- ☐ (P1) CLEAR COAT
☐ (P2) WHITE
☐ (P3) SILVER
☒ (P4) BLUE

FONTS

- F1** DIN NEXT LT PRO
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- F2** DIN NEXT LT PRO
REGULAR

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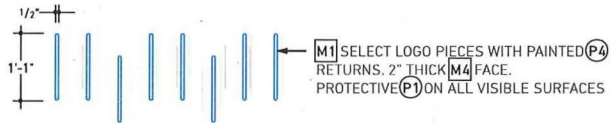
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SIGN TYPE DETAILS | WALL IDENTITY SIGN (BUILDINGS 2400 & 2390)



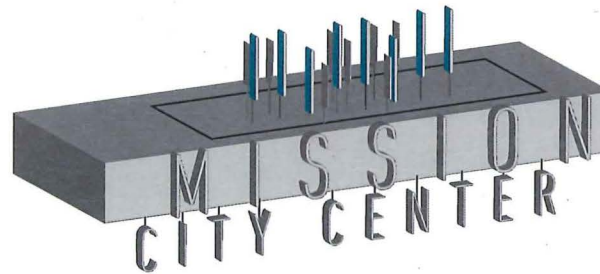
3 BACK PIECES scale: 1/2"=1'-0"



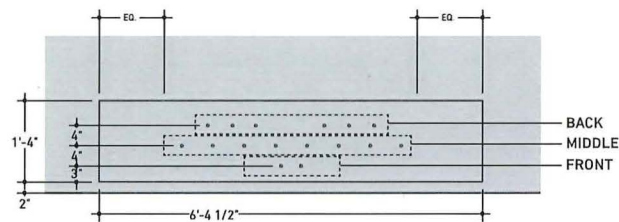
2 MIDDLE PIECES scale: 1/2"=1'-0"



1 FRONT PIECES scale: 1/2"=1'-0"



5 AXON VIEW scale: NTS



4 TOP VIEW - INSET PANEL DETAIL scale: 1/2"=1'-0"

MATERIAL

- M1** ALUMINUM
- M4** BRUSH FIN. ALUMINUM
- M5** OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- P1** CLEAR COAT
- P2** WHITE
- P3** SILVER
- P4** BLUE

FONTS

- F1** DIN NEXT LT PRO ULTRA LIGHT COND.
- F2** DIN NEXT LT PRO REGULAR

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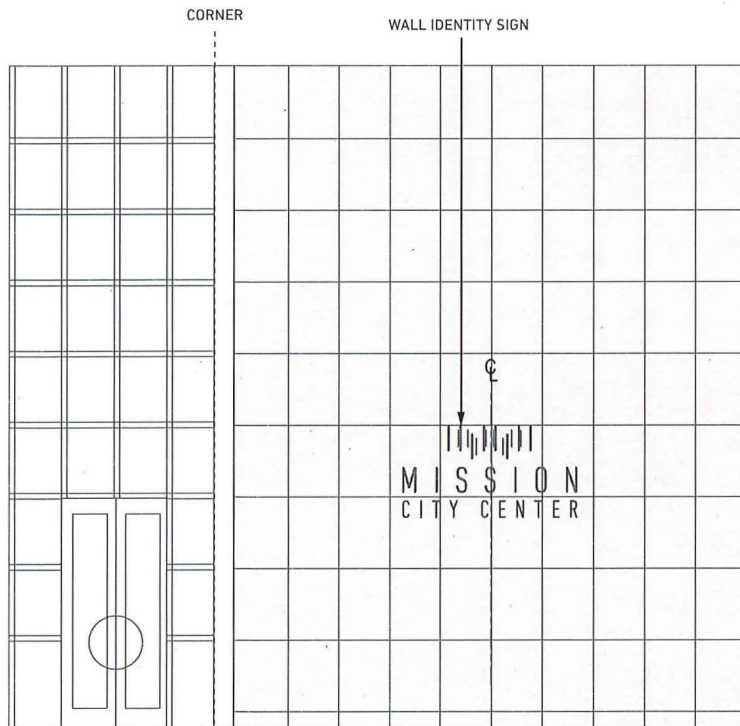
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SIGN TYPE DETAILS | WALL IDENTITY SIGN (BUILDING 2350)



1 CONTEXT FRONT ELEVATION
scale: 3/16"=1'-0"

MATERIAL

- M1 ALUMINUM
- M4 BRUSH FIN. ALUMINUM
- M5 OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- P1 CLEAR COAT
- P2 WHITE
- P3 SILVER
- P4 BLUE

FONTS

- F1 DIN NEXT LT PRO
ULTRA LIGHT COND.
- F2 DIN NEXT LT PRO
REGULAR

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PHASE:

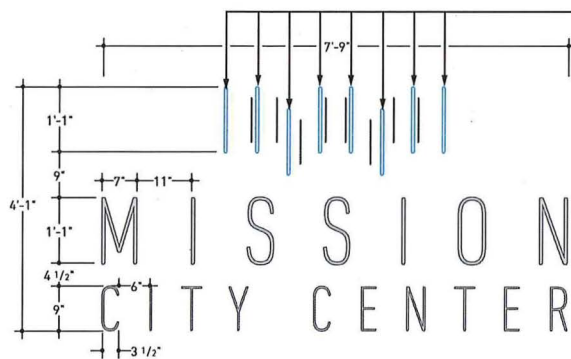
MASTER SIGN PROGRAM
PLANNING APPLICATION

SUBMITTAL DATE:

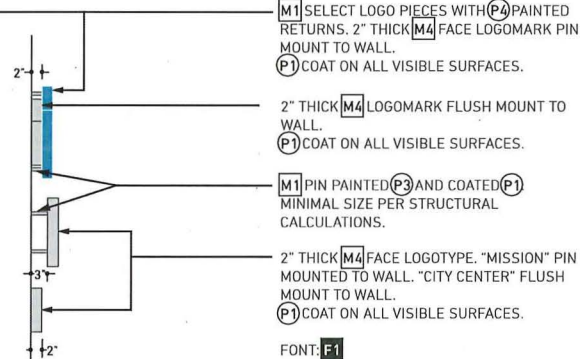
12 FEBRUARY 2021

SIGN TYPE DETAILS | WALL IDENTITY SIGN (BUILDING 2350)

SIGN AREA: 32 SQ FT



1 FRONT VIEW
scale: 1/2"=1'-0"



2 SIDE VIEW
scale: 1/2"=1'-0"

MATERIAL

- M1** ALUMINUM
- M4** BRUSH FIN. ALUMINUM
- M5** OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- ☐ (P1) CLEAR COAT
☐ (P2) WHITE
☐ (P3) SILVER
☒ (P4) BLUE

FONTS

- F1** DIN NEXT LT PRO
ULTRA LIGHT COND.
- F2** DIN NEXT LT PRO
REGULAR

DESIGNED BY:

FOUND.

THEFOUNDDESIGN.COM

CLIENT:

SOUTH BAY
DEVELOPMENT CO. 

SOUTHBAY.US

PROJECT



2350, 2360, 2390, 2400
MISSION COLLEGE BLVD,
SANTA CLARA, CA

PHASE:

MASTER SIGN PROGRAM
PLANNING APPLICATION

SUBMITTAL DATE:

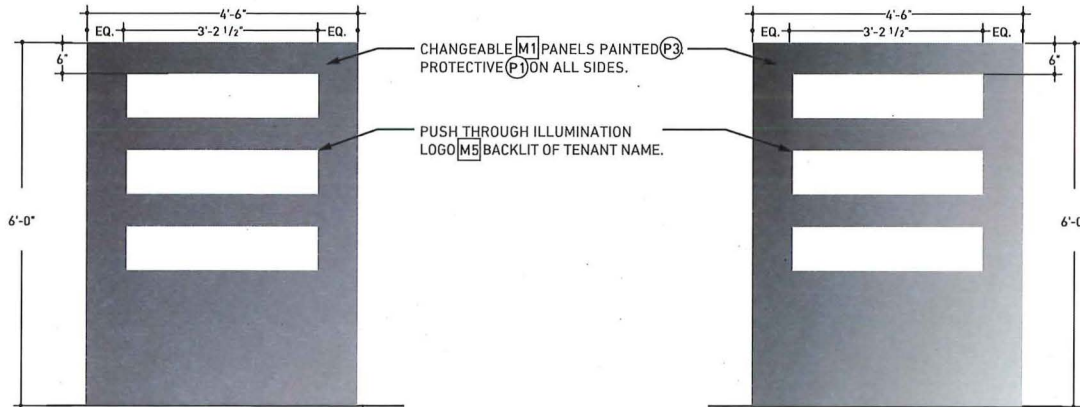
12 FEBRUARY 2021

SIGN TYPE DETAILS | MONUMENT TENANT SIGN

SIGN AREA: 54 SQ FT



3 PLAN VIEW
scale: 1/2"=1'-0"



1 FRONT VIEW
scale: 1/2"=1'-0"

2 BACK VIEW
scale: 1/2"=1'-0"

MATERIAL

- [M1] ALUMINUM
- [M4] BRUSH FIN. ALUMINUM
- [M5] OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- [P1] CLEAR COAT
- [P2] WHITE
- [P3] SILVER
- [P4] BLUE

FONTS

- [F1] DIN NEXT LT PRO
ULTRA LIGHT COND.
- [F2] DIN NEXT LT PRO
REGULAR

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CLIENT:

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PROJECT



2350, 2360, 2390, 2400
MISSION COLLEGE BLVD.
SANTA CLARA, CA

PHASE:

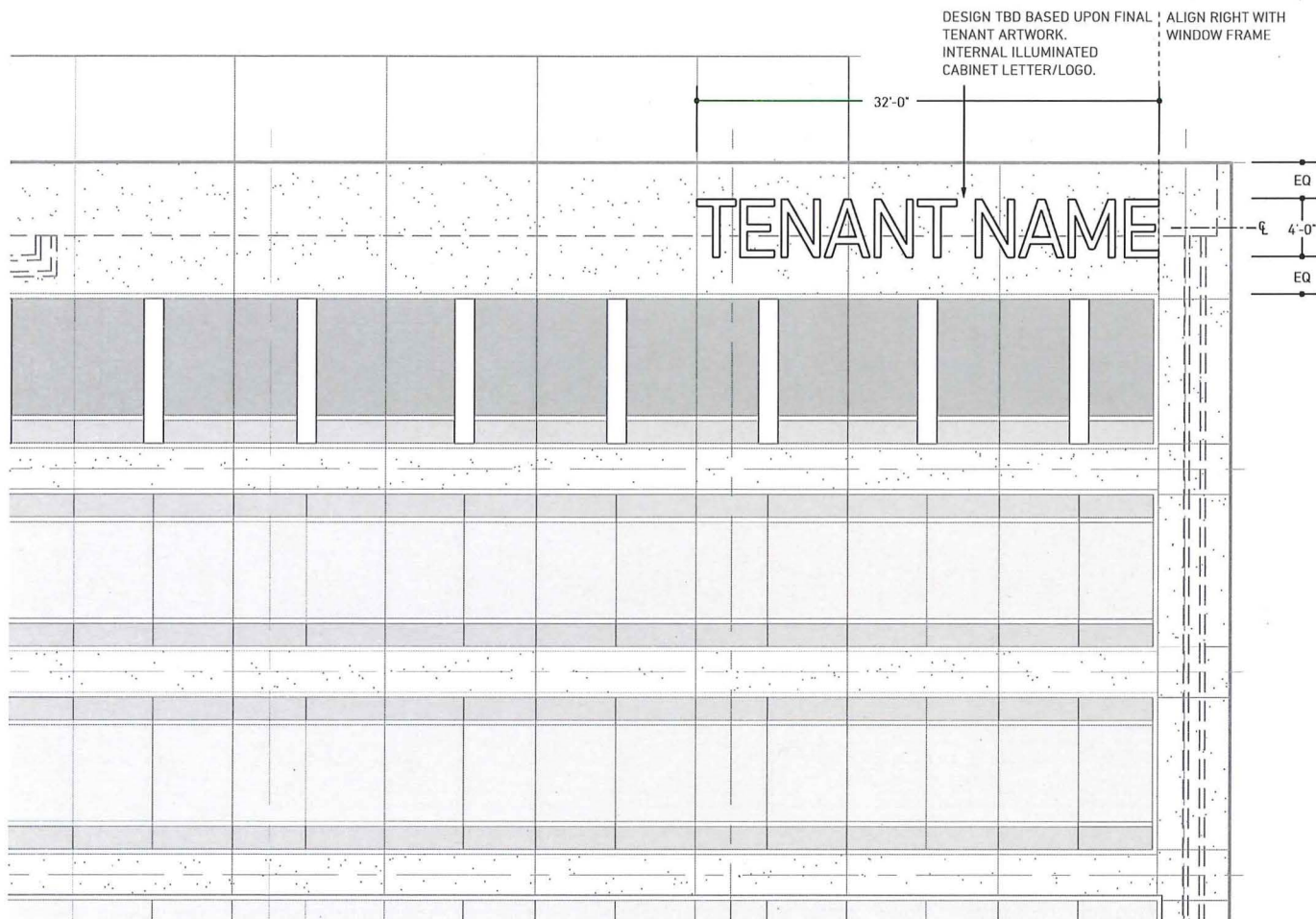
MASTER SIGN PROGRAM
PLANNING APPLICATION

SUBMITTAL DATE:

12 FEBRUARY 2021

SIGN TYPE DETAILS | WALL TENANT SIGN (BUILDING 2400)

SIGN AREA: 128 SQ FT



MATERIAL

- ☐ M1 ALUMINUM
- ☐ M4 BRUSH FIN. ALUMINUM
- ☐ M5 OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- ☐ P1 CLEAR COAT
- ☐ P2 WHITE
- ☐ P3 SILVER
- ☒ P4 BLUE

FONTS

- ☒ F1 DIN NEXT LT PRO ULTRA LIGHT COND.
- ☒ F2 DIN NEXT LT PRO REGULAR

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CLIENT:

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DEVELOPMENT CO.

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PROJECT



2350, 2360, 2390, 2400
MISSION COLLEGE BLVD,
SANTA CLARA, CA

PHASE:

MASTER SIGN PROGRAM
PLANNING APPLICATION

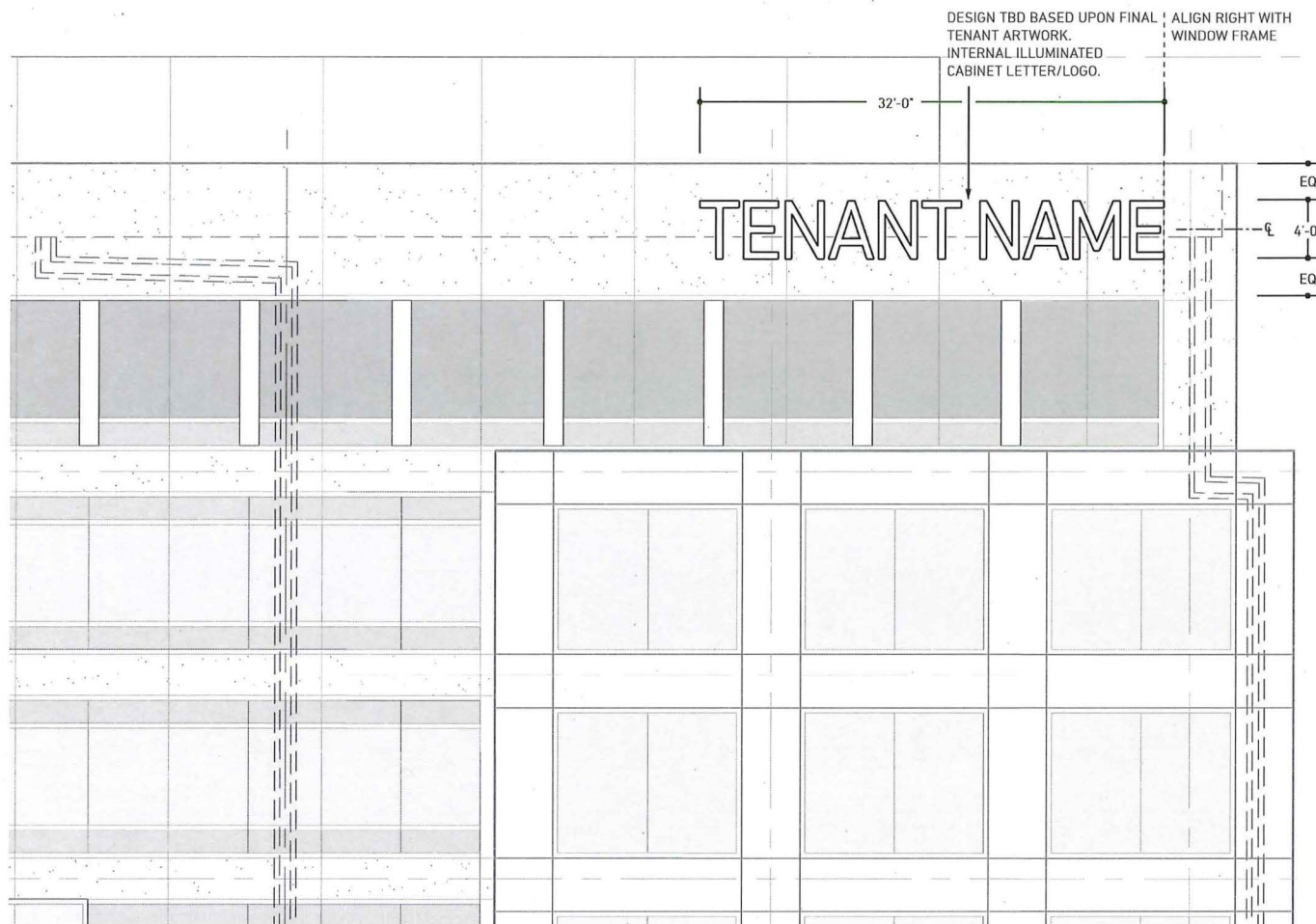
SUBMITTAL DATE:

12 FEBRUARY 2021

1 CONTEXT 2400 ROOF EAST ELEVATION
scale: 1/8"=1'-0"

SIGN TYPE DETAILS | WALL TENANT SIGN (BUILDING 2390)

SIGN AREA: 128 SQ FT



MATERIAL

- M1** ALUMINUM
- M4** BRUSH FIN. ALUMINUM
- M5** OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- P1** CLEAR COAT
- P2** WHITE
- P3** SILVER
- P4** BLUE

FONTS

- F1** DIN NEXT LT PRO
ULTRA LIGHT COND.
- F2** DIN NEXT LT PRO
REGULAR

DESIGNED BY:

FOUND.

THEFOUNDDDESIGN.COM

CLIENT:

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DEVELOPMENT CO.

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PROJECT



2350, 2360, 2390, 2400
MISSION COLLEGE BLVD.
SANTA CLARA, CA

PHASE:

MASTER SIGN PROGRAM
PLANNING APPLICATION

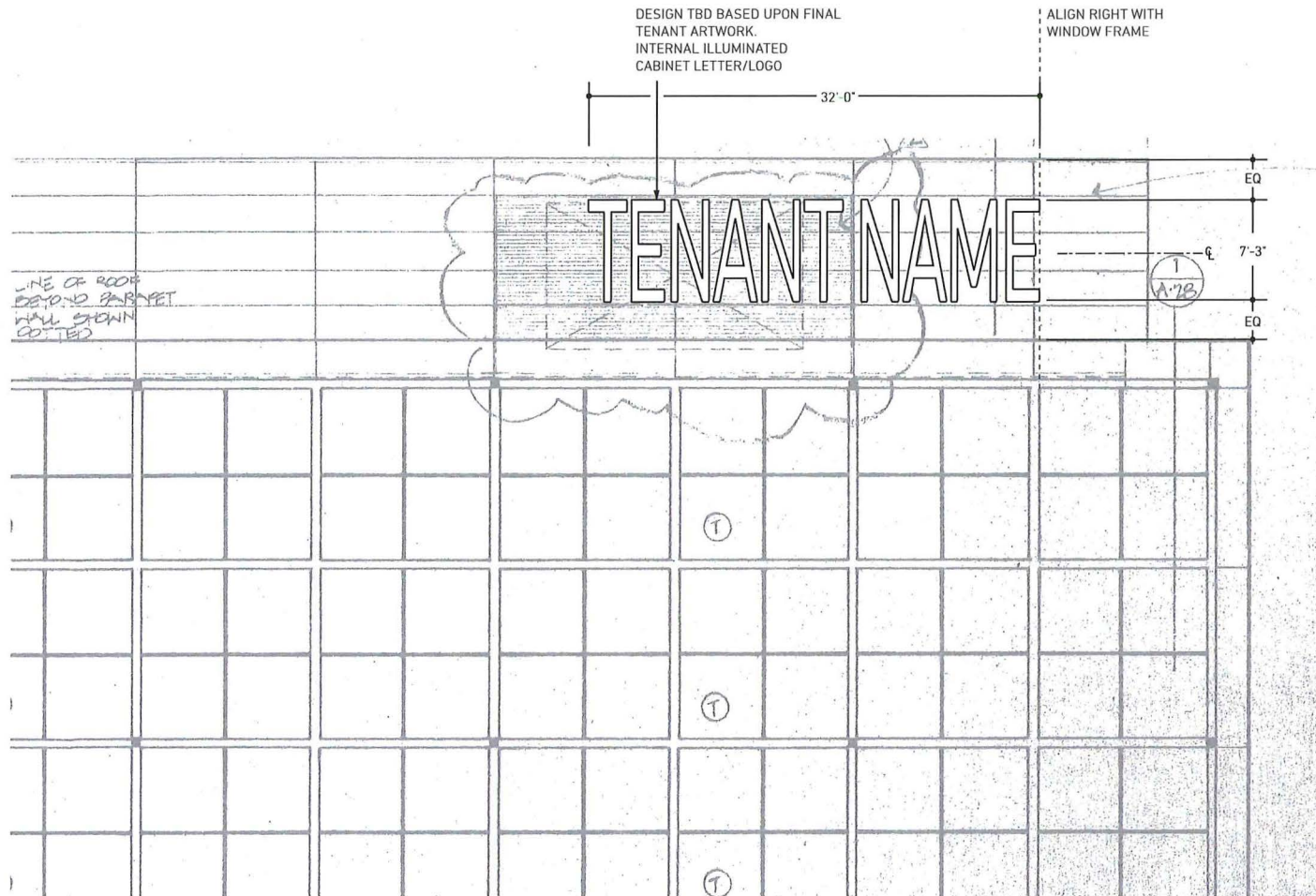
SUBMITTAL DATE:

12 FEBRUARY 2021

1 CONTEXT 2390 ROOF EAST ELEVATION
scale: 1/8"=1'-0"

SIGN TYPE DETAILS | WALL TENANT SIGN (BUILDING 2350)

SIGN AREA: 232 SQ FT



1 CONTEXT 2350 ROOF NORTHEAST ELEVATION
scale: 1/8"=1'-0"

MATERIAL

- M1 ALUMINUM
- M4 BRUSH FIN. ALUMINUM
- M5 OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- P1 CLEAR COAT
- P2 WHITE
- P3 SILVER
- P4 BLUE

FONTS

- F1 DIN NEXT LT PRO
ULTRA LIGHT COND.
- F2 DIN NEXT LT PRO
REGULAR

DESIGNED BY:

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THEFOUNDDDESIGN.COM

CLIENT:

SOUTH BAY
DEVELOPMENT CO.

SOUTHBAY.US

PROJECT



2350, 2360, 2390, 2400
MISSION COLLEGE BLVD.
SANTA CLARA, CA

PHASE:

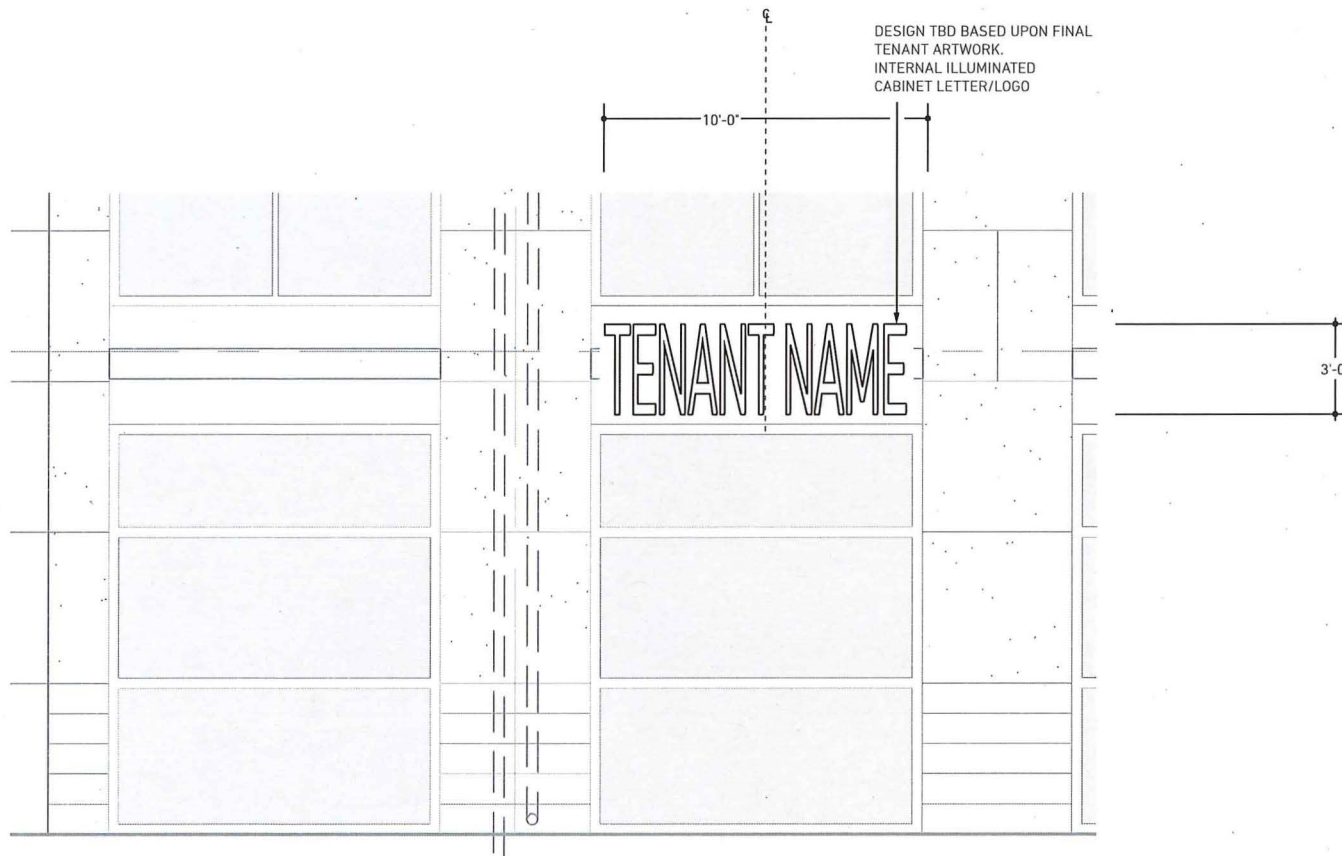
MASTER SIGN PROGRAM
PLANNING APPLICATION

SUBMITTAL DATE:

12 FEBRUARY 2021

SIGN TYPE DETAILS | WALL TENANT SIGN (BUILDING 2350 & 6000 SQ FT COMMERCIAL BUILDING)

SIGN AREA: 30 SQ FT



MATERIAL

- M1** ALUMINUM
- M4** BRUSH FIN. ALUMINUM
- M5** OPAQ. WHITE ACRYLIC

COLORS/PAINTS

- P1** CLEAR COAT
- P2** WHITE
- P3** SILVER
- P4** BLUE

FONTS

- F1** DIN NEXT LT PRO ULTRA LIGHT COND.
- F2** DIN NEXT LT PRO REGULAR

DESIGNED BY:

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CLIENT:

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DEVELOPMENT CO.

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PROJECT



2350, 2360, 2390, 2400
MISSION COLLEGE BLVD.
SANTA CLARA, CA

PHASE:

MASTER SIGN PROGRAM
PLANNING APPLICATION

SUBMITTAL DATE:

12 FEBRUARY 2021

1 CONTEXT 6,000 SQ FT COMMERCIAL BUILDING EAST ELEVATION
scale: 1/4"=1'-0"

SIGN TYPE DETAILS | WALL TENANT SIGN (LIGHTING)

FACE ILLUMINATION

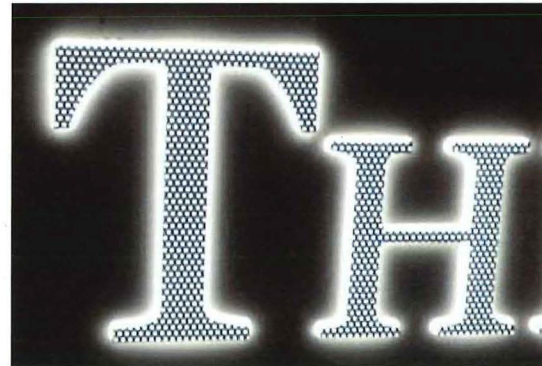
THIS METHOD OF ILLUMINATION IS MOST COMMONLY ACHIEVED THROUGH THE USE OF A FABRICATED CABINET WITH TRANSLUCENT ACRYLIC FACE AND/OR RETURNS AND AN INTERNAL ARRAY OF LED STRIP OR LATTICE LIGHTING. THE BRIGHTEST ILLUMINATION IS THE RESULT OF PAINTING THE INTERIOR OF THE SIGN CABINET WHITE AND USING MULTIPLE LAYERS OF LED LIGHTING. HOT SPOTS CAN BE ELIMINATED WITH THE USE OF A FROSTED DIFFUSER LAYER BETWEEN THE LED'S AND EXTERIOR CABINET WALLS. THIS TECHNIQUE PROVIDES A BRIGHT, EVEN LEVEL OF ILLUMINATION WITH A LOW POWER REQUIREMENT AND PROGRAMMABILITY. BY USING RGB LED LIGHTS, COLOR CAN BE CHANGED AS WELL.

THERE ARE A VARIETY OF PRODUCTS AVAILABLE THAT ALLOW AN ACRYLIC FACE TO BE EDGELIT. EDGELIT ACRYLIC PANELS WILL APPEAR TO BE FULLY ILLUMINATED ACROSS THEIR FACE. THERE ARE A FEW TECHNIQUES THAT ALLOW MORE EVEN LIGHTING ACROSS AN EDGELIT SURFACE, BUT GENERALLY, LARGER THE SURFACE AREA OF A PANEL BEING ILLUMINATED WITH EDGE LIGHTING, THE LESS EVEN THE LIGHTING MAY BE ACROSS THE PANEL SURFACE.



PERFORATED FACE ILLUMINATION

SIGNAGE THAT UTILIZES A PERFORATED FACE AND INTERNAL ILLUMINATION IS FABRICATED IN MUCH THE SAME WAY AS THE FACE LIT INTERNALLY ILLUMINATED SIGNAGE. A CABINET IS FABRICATED AND INTERNALLY ILLUMINATED, HOWEVER, WHILE THE ILLUMINATION IS VISIBLE THROUGHOUT THE NIGHT, DURING THE DAY THE SIGN FACE MAY BE APPEAR AS A DIFFERENT COLOR, TEXTURE, OR MATERIAL. THIS TECHNIQUE IS IDEAL WHEN THE PREFERENCE IS TO VIEW A SIGN FACE IN A DARK OR SATURATED COLOR DURING THE DAY, AND ILLUMINATED AT NIGHT.



HALO ILLUMINATION

THIS METHOD OF ILLUMINATION IS MOST COMMONLY ACHIEVED THROUGH THE USE OF A FABRICATED CABINET WITH LIGHTING COMING FROM THE REVERSE SIDE OF THE LETTER GIVEN THE INDUSTRY NAME 'REVERSE CHANNEL LETTER'. THE CABINET SIDE CLOSEST TO THE WALL HAS A WHITE FROSTED ACRYLIC SIDE WITH THE INSIDE OF THE LETTER WITH AN INTERNAL ARRAY OF LED STRIP OR LATTICE LIGHTING FACING THE REAR OF THE LETTER. THE LETTER CABINETS ARE PINNED OFF THE WALL TO PROVIDE A 'HALO EFFECT' SO THE LIGHTING BOUNCES OFF THE WALL SURFACE. THE SIGN CABINETS ARE CREATED FROM FORMED ALUMINUM, WITH INTERNAL MULTIPLE LAYERS OF LED LIGHTING INSIDE.



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DEVELOPMENT CO.

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PROJECT



2350, 2360, 2390, 2400
MISSION COLLEGE BLVD.
SANTA CLARA, CA

PHASE:

MASTER SIGN PROGRAM
PLANNING APPLICATION

SUBMITTAL DATE:

12 FEBRUARY 2021

23

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Agenda Report

21-431

Agenda Date: 5/10/2021

REPORT TO PLANNING COMMISSION

SUBJECT

Action on the El Camino Real Specific Plan, General Plan Amendment for the creation of four new General Plan land use designations, creation of the El Camino Real Zoning Districts, and an Environmental Impact Report and Mitigation Monitoring and Reporting Program.

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

EXECUTIVE SUMMARY

Following a two plus-year community engagement process, the City has developed a Specific Plan to implement the City's General Plan goals and policies for the El Camino Real corridor. The El Camino Real Specific Plan is a long-range planning document that provides detailed guidance for future land uses, urban design elements, and El Camino Real right-of-way design concepts. The Specific Plan represents the implementation of the General Plan's goals and policies for the El Camino Real Focus Area and establishes the land use and development regulations for the Plan Area. Adoption of the Specific Plan will establish more fine-grained land use designations, provide more detailed land use policy than currently in the General Plan and provide objective design standards to regulate new development projects.

BACKGROUND

The Specific Plan Area is just over 250 acres and extends the entire 3.2-mile length of the El Camino Real corridor between the western City limits and Lafayette Street. There are approximately 2,500 existing residential units along the corridor and 2.2 million square feet of commercial uses.

The City of Santa Clara 2010-2035 General Plan identifies nine geographic Focus Areas within Santa Clara, of which the El Camino Real is one. The Focus Areas are intended to accommodate a significant amount of the City's growth and to directly support the City's quality of life and economic vitality. The General Plan vision for El Camino Real is to transform this Focus Area from a series of automobile oriented strip malls to a tree lined, pedestrian and transit oriented corridor with a mix of residential and retail uses with an emphasis on mixed use and higher intensity development.

Planning Process

In May 2014, Bay Area Metro (formerly the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG)) awarded the City of Santa Clara grant funds from the One Bay Area Grant Program to fund the development of the Specific Plan and an Environmental Impact Report. The El Camino Real corridor was eligible for this program as it is located within a Priority Development Area (PDA). PDAs are established as regional priorities for walkable, transit-served development in Plan Bay Area, a regional planning document.

After receiving the grant award, the City of Santa Clara conducted a competitive Request for Proposals (RFP) process to select an urban design consultant firm. In April 2017, the City engaged the services of Raimi + Associates, to assist City staff with the preparation of the Specific Plan, including conducting community engagement activities, and the associated Environmental Impact Report (EIR).

From there, the Specific Plan planning process kicked-off with the formation of the El Camino Real Community Advisory Committee (ECR CAC) in January 2018 and the development of a website for the planning process and an existing conditions report and market analysis.

Community Engagement

Community engagement was an integral part of the El Camino Real Specific Plan process to produce a final plan that is supported by the community and various stakeholders in Santa Clara and that provides a clear vision for the ongoing development of the corridor over the next 20 to 30 years. The community engagement strategy was designed to ensure that citizens and stakeholders participated throughout the planning process and included the following variety of engagement activities:

- 3 Community Workshops
- 5 Pop-Up Events
- 2 Online Surveys
- 8 El Camino Real Community Advisory Committee (ECR CAC) Meetings
- Virtual Community Open House

Central to the outreach process was the input received from the El Camino Real Community Advisory Committee (ECR CAC), which was an advisory and non-voting body that was approved by the City Council on January 23, 2018. The members included representation from a broad and diverse range of backgrounds and perspectives including, but not limited to, local residents, businesses, community organizations and regional stakeholders. The ECR CAC met eight times over the length of the planning process to inform the development of the Specific Plan by providing guidance on the results of the public workshops and other engagement activities and providing direction of the plan at key moments in the process. The Specific Plan was shaped through this stakeholder input. Meeting materials, including meeting summaries, from the community engagement activities conducted over the life of the process can be found on the El Camino Real website under community engagement.

Community Desired Outcomes

The community identified desired outcomes for the Specific Plan, which were used to set the Specific Plan's overall planning framework and supporting area-wide policies, design standards and guidelines, and implementation actions:

1. More parks, plazas, and open space
2. Landscaping and street trees
3. More walkable environment
4. Better mobility and connections
5. More transportation options
6. Efficient and shared parking
7. Compatibility with adjacent neighborhoods
8. Local and regional destination
9. Diversity of uses
10. Balanced approach to housing

11. Beautification
12. Green building and sustainable infrastructure
13. Support health and wellbeing

DISCUSSION

The primary issues for the Planning Commission to consider in evaluating the proposed Specific Plan are its consistency with the General Plan and the strength of the Plan's policies and standards to implement the Plan vision. The Planning Commission, and subsequently the City Council, have the opportunity to review these policies and standards and identify areas where they may be enhanced, modified or further developed to address City objectives and priorities. Input and recommendations from the Planning Commission will be forwarded to the City Council for their consideration and direction from the City Council will be incorporated into the final, adopted version of the Specific Plan.

General Plan

The General Plan vision for El Camino Real is to transform this Focus Area from a series of automobile oriented strip malls to a tree lined, pedestrian and transit oriented corridor with a mix of residential and retail uses. The following are the goals for the El Camino Real Focus Area as provided in the General Plan:

- **5.4.1 G1** - An economically viable mix of uses along El Camino Real that attracts upscale retail uses.
- **5.4.1-G2** - High quality design that respects the scale and character of adjacent residential neighborhoods and historic resources and creates a walkable environment.
- **5.4.1-G3** - Concentration of higher intensity commercial and residential development at key intersections with Regional Mixed-Use designations.
- **5.4.1-G4** - Pedestrian, bicycle and transit priority for mobility in the El Camino Real Focus Area.

The Specific Plan as proposed achieves these goals by adding additional land use designations that provide a greater differentiation of land uses and a stronger correlation to specific types of development, and establishing more detailed land use policies requiring commercial uses to be focused in key locations where they will be most viable and support destination shopping and placemaking, providing design standards to direct new development and improve the interface between new and existing land uses, and providing a concept for the improvement of El Camino Real right-of-way for pedestrians, bicyclists, and transit riders.

Additionally, the Specific Plan boundary aligns with the boundary depicted in the General Plan with the exception of the addition of property at the north west corner of Civic Center Drive and Lincoln Street and City Hall.

Specific Plan

The Specific Plan sets forth land use, urban design, and transportation policies that balance the community's wants and needs organized to achieve an overarching vision of a future El Camino Real Corridor that is:

- mixed-use;
- multi-modal;
- anchored by vibrant shopping destinations and public open space with new homes for a range

- of incomes and life stages;
- designed to respect the scale and character of adjacent residential neighborhoods;
- an attractive and engaging pedestrian environment with wider sidewalks and street trees; and
- protected or separated bicycle lane for bicyclists and enhanced bus stops and boarding for transit riders.

The desired outcomes, listed above, are defined in Chapter 2, Vision and Framework, of the Specific Plan and set the stage for the overall planning framework, policies, design standards and guidelines, and implementation actions.

Land Use Framework

Currently the El Camino Real is predominantly a series of automobile oriented strip malls with building heights generally at one story and surface parking located at the street edge, resulting in approximately 70% of the existing land being dedicated to surface parking. Many of the properties are also relatively shallow, and close to single family neighborhoods, limiting the potential for high intensity development. Given these challenges, the strategy of the land use framework is to focus more intensive development at key nodes or “Activity Centers” with the “in-between” areas being a less intensive mix of commercial and residential uses.

Adoption of Plan will change the General Plan Land Use Designations along the entire corridor to include the following new designations:

- **Regional Commercial Mixed Use** (55-100 dwelling units per acre; 0.20 FAR of commercial required) - applied to the larger shopping centers or activity centers and would support the most intensive uses.
- **Corridor Mixed Use** (45-65 dwelling units per acre; commercial allowed but not required) - a medium density designation applied to the larger sites in the in-between areas.
- **Corridor Residential** (dwelling units per acre; commercial allowed but not required) - a lower density designation for sites with the most sensitive interfaces.
- **Ground Floor Commercial Overlay** - is applied to sites in the in-between areas where commercial uses are likely to be most viable and support pedestrian activity.
- **Public/Quasi-Public** - applied to City Hall and includes a variety of public and quasi-public uses such as government offices, schools, and childcare centers.

The estimated build out associated with the proposed land use designations of the Specific Plan, through the horizon year of 2040, would include the development of 6,200 housing units in addition to existing conditions, and a reduction of approximately 395,000 square feet of commercial space, when compared with the existing General Plan land use designations. These growth projections are focused on sites with anticipated redevelopment and did not include sites such as recently constructed housing developments or the Santa Clara Town Centre (Target shopping center). The expected commercial uses in the Specific Plan would be retail and services uses and not office uses, even though that use is permitted.

Retail

The City’s General Plan currently supports approximately 2.2 million square feet of retail development, spread out along the corridor. Following the recommendations of the City’s retail consultant, Keyser Marston Associates (KMA), who supported the planning effort, the proposed plan

would support a reduced amount of retail development, 1.8 million square feet, which would be more concentrated at focal locations that would act as shopping destinations and minimize the designation of retail on sites where it would not be economically viable. The planned amount of retail is significant, comparable to the amount that would be provided in a large, regional shopping center.

The retail market demand analysis conducted by KMA examined key factors that will affect future retail development opportunities in the Specific Plan. The factors included: retail market trends; demographics of the Trade Area; performance of existing retailers within the Specific Plan area; attributes of the properties within the Specific Plan area to accommodate new retail development; and the strengths of competing retail centers that serve the trade area.

The Trade Area for the Specific Plan extends two miles from the corridor, but does not extend north of Highway 101 and does not include the automobile retailing that dominates the north side of Stevens Creek Boulevard, and does extend into a small portion of the adjacent Sunnyvale.

With respect to retail market trends, internet sales have had a significant harmful impact on certain segments of retail, including department stores, apparel, and electronic stores. But, restaurants, entertainment, fitness centers and other service-oriented retail have remained strong until the COVID pandemic significantly affected those sectors. Grocery stores have remained strong both before and during the pandemic. Going forward, it is expected that the “experience” sectors will slowly recover, grocery stores will generally remain strong and internet sales will continue to erode the sales of many brick and mortar stores.

Retail within the Specific Plan area is doing well with respect to retaining high occupancy rates, but sales volumes are less than industry standards. There are no remaining large sites (approximately 20 acres) to accommodate the development of large anchor tenants and many of the remaining retail properties are small and shallow relative to current market requirements. The last large site on El Camino Real, Santa Clara Town Center, which was redeveloped in 2014 with a 140,000 square foot Target department store, a Sprout’s Farmers Market, and a total shopping center square footage of 280,000 square feet, but no residential. Currently, no site of comparable size is readily available.

The Trade Area is largely built-out, but is expected to grow by 15,000 residents by 2032, which will provide some additional support for new retail sales within the Specific Plan area. Opportunities are constrained by competition, including the recently expanded Valley Fair Mall and Santana Row. The leakage analysis indicates that the two market segments with growth opportunities are grocery stores, and eating and drinking establishments.

Given the prevailing market trends and site attributes, the market study concluded that the best approach to strengthening the retail base of the Specific Plan area is to: 1) support the intensification of retail development at major intersections, with grocery anchors being a target; 2) encourage the repurposing of existing retail space to local-serving tenants, such as ethnic restaurants, gyms, and services; 3) reduce the number of properties for which commercial use is a requirement; and 4) develop a strategy to retain and strengthen existing commercial businesses. These specific recommendations on how to position new retail along the El Camino Real corridor has not changed in the context of the post pandemic environment.

Affordable Housing

An objective of the Specific Plan is to promote a range of housing options and affordability levels to

realize the vision for a mixed-use, mixed-income community along the corridor. As such, this Plan includes an inclusionary housing policy that goes above and beyond the City's Affordable Housing Ordinance to promote the provision of units at deeper levels of affordability along El Camino Real. Specifically, within the Plan area, the inclusionary requirement will be that 15% of the new units be designated as affordable rental units with a mix of units affordable for extremely low, very low, low, and moderate-income households such that the average household income across all affordable units does not exceed 80% of Area Median Income (AMI). This represents a deeper level of affordability than required by the citywide ordinance which requires 15% of units be affordable at an average of 100% of AMI.

Open Space

Many valuable open space amenities can be found just outside the El Camino Real corridor, but the corridor currently lacks its own public open spaces. The Specific Plan seeks to create new public and publicly-accessible, privately-owned open spaces that promote gathering, enjoyment, and a broad range of active uses. Adding public open space within the corridor will be challenging given that the City's primary tool to obtain open space is to require as part of a new development project that a portion of the site be made open space and the corridor is composed primarily of smaller parcels. While all new residential development will be required to contribute toward parkland per the City's Park and Recreational Land Ordinance, unique to the Specific Plan, new commercial development within the Regional Commercial Mixed Use land use designation (Activity Centers) will be required to provide 10% of the site area for these commercial sites as new publicly-accessible privately-owned open space. The specific size, exact location, and configuration of such urban park or plaza sites will be finalized through future development. With redevelopment per the Specific Plan, in the future, the corridor will include new open spaces that may be more traditional public parks or smaller publicly-accessible, privately-owned opened spaces.

El Camino Real Right-of-Way

The vision for the right-of-way of El Camino Real is to transform this auto-oriented arterial into a multimodal "complete street" designed to accommodate all travel modes. Complete streets provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, and motorists regardless of age or ability. The proximity of the Plan Area to the Santa Clara Caltrain and future BART station presents a unique opportunity within Santa Clara to promote transit trips by improving the multimodal functionality of the corridor.

The Plan establishes concepts for both interim and final configurations for the El Camino Real right-of-way that give greater support for bicycle and transit use than what exists today. On average, only 31% of on-street parking spaces are utilized along the corridor, providing an opportunity to remove on-street parking to accommodate a separated bike lane. While most of El Camino Real has unused on-street parking capacity, some locations rely on their on-street parking as their on-site parking is non-existent or very limited. In the interim, on-street parking will remain for those few sites that rely on it until such time as they redevelop. Those properties include the three properties on the northeast corner of El Camino Real and Main Street, Diver Dan's on the north side of ECR, and Grand Prix Powersports on the south side of El Camino Real.

In both right-of-way configurations, the curb to curb dimension of El Camino Real will remain the same, as will the center median. Both configurations take advantage of the removal of on-street parking, coupled with the Caltrans restriping that occurred last year and which narrowed the travel

lanes, to add a bike lane. Wider sidewalks will also be added through land dedication upon redevelopment of each property.

In the interim condition, a bicycle lane is added in place of the on-street parking. The bike lane would be separated from vehicular traffic by bollards, except at bus stops where there would be a break and buses would share the space with bicycles. In the ultimate configuration, the bicycle lanes would be separated by a median and would not share space with buses. In the ultimate condition bus stops would be served through a bus boarding island, meaning the busses would stop in the travel lane to load and unload eliminating the need to pull in and out of traffic and increasing bus efficiency. This ultimate buildout would be implemented as redevelopment occurs along the corridor.

Objective Design Standards

Chapter 4, Development Standards and Guidelines, establishes objective design standards and guidelines for new land development to achieve the future vision for El Camino Real. These standards and guidelines apply to all new development in the El Camino Real Specific Plan Area, as well as public improvements and extensive renovations to existing structures. They build on basic design standards or regulations, such as setbacks, height limitations, parking requirements and signage regulations already contained in the Zoning Ordinance by providing more detailed and specific requirements specifically for development within the El Camino Real Specific Plan area.

While the Specific Plan was originally drafted with a traditional, design guideline approach, in response to recent changes to State Law, the Specific Plan has been redrafted to establish objective design standards wherever appropriate. The Housing Accountability Act and the Housing Crisis Act require expedited processing of qualifying residential projects and make it difficult to deny or reduce the density of housing projects that meet locally adopted objective standards, such as those set in the Zoning Ordinance. Objective Standards involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and public official prior to application submittal. As the City will thus potentially need to increasingly rely on objective standards for the review of projects where we are precluded from a discretionary design review process, adding objective standards is important to align new development with community objectives.

A primary motivation for the preparation of the Specific Plan was to establish design standards that would address and improve the interface between new development and adjacent single-family neighborhoods. Throughout the Specific Plan process, the community continued to voice this concern. The Specific Plan accordingly includes objective standards for neighborhood transitions to ensure that new development provides appropriate and sensitive transitions in height and scale to existing neighborhoods with the goals of preserving neighborhood character and protecting light and privacy. These transition standards limit building heights and require taller buildings to step down toward existing neighborhoods. Other design requirements or policies, such as deeper setbacks, encouraging house-form building types and varied rooflines, and required landscaping, will also help to buffer existing homes from new development.

The Specific Plan will also provide objective standards to address the following topics within the El Camino Real corridor:

- Building Height (maximum, interface, transition)
- Landscape setback areas (including a build-to requirement)
- Sidewalk width

- Private Open space (shared and individual) - amount, dimensions, visibility, amenities
- Publicly accessible private open space - dimensions, accessibility, amenities, lighting
- Ground floor commercial use at specific locations
- Block size
- Maximum limits on a building façade length without a break
- Minimum amounts of building façade articulation - architectural elements and rhythm
- Requirement for differentiation of vertical façade elements
- Window design requirements
- Variation in building materials
- Building entries (location, frequency and architectural treatment)
- Commercial space - minimum depths, façade transparency, interior heights, grease traps, awnings, etc.
- Live/work space - minimum dimensions, façade treatment
- Parking access
- Passenger pick-up locations
- Pedestrian circulation path dimensions, materials, etc.
- Driveways and curb cuts
- Private street design standards (dimensions, street trees)
- Utility locations
- Screening of storage and service areas
- Limitations on parking and garages along project frontages
- Signage
- Fences

Commercial Space Requirements

The draft Specific Plan establishes requirements for new spaces to promote their successful utilization, including requirements for interior column spacing and façade transparency, as well as provisions to support the use of adjacent outdoor use for outdoor dining, including design standards for awnings, planters and railings. The standards also directly support future food service uses by requiring that new commercial spaces have access to grease traps and venting. While such measures may add costs or require a particular design approach, they are important to insure that future commercial spaces are well utilized and contribute to a vibrant, pedestrian-friendly environment.

Green Building Measures

The draft Specific Plan supports the incorporation of green building measures, recognizing that new construction will need to comply with CalGreen standards for new construction, requiring that all buildings be built with solar-ready electrical systems and integrated stormwater catchment and treatment systems. The draft Specific Plan further encouraging a variety of additional measures, such as solar water heating, green roofs, passive ventilation, heating and cooling, indoor water reuse, stormwater harvesting, and the use of district stormwater management systems. The City is further developing green building requirements, including a requirement for building electrification, through a separate adoption of a Building “Reach Code” that will be applicable citywide.

Community Benefits

The Specific Plan includes a Community Benefits policy whereby developers could gain additional development rights in exchange for voluntarily providing additional benefits to the community, above those otherwise already required by City ordinances or the Specific Plan. Community benefits that

could be provided in such an exchange include greater amounts of affordable housing, bicycle and pedestrian amenities or public art. As drafted, these would be implemented through a Development Agreement giving the City the discretion to determine the appropriate level of community benefits required and the amount of bonus received in exchange for providing these benefits.

Creation of the ECR Zoning District

As a part of the Specific Plan planning process, the City is proposing to create three new zoning districts that align with the three land use designations of the Specific Plan: Regional Commercial Mixed Use, Corridor Mixed Use, and Corridor Residential. Uses allowed in these zoning districts include residential and commercial uses, and a provision for existing uses to remain until such time as properties redevelop. The zoning districts each have development standards for the maximum height, density, setbacks, and common and private open space. Rezoning property within the Plan area with the new zoning districts will be a subsequent action once further community outreach is conducted. Once the new zoning districts are approved, they will be available for use should a property owner wish to rezone. Pursuant to Assembly Bill (AB) 3194 (2018), housing development projects in conformance with the General Plan can avoid rezoning if they adhere to all development standards of a zoning district that is consistent with the General Plan. (A "housing development project" under AB 3194 is an all-residential project, or a mixed-use development where at least 2/3 of the square footage is residential.) As such, the creation of these new zoning districts will facilitate a streamlined process, whereby residential projects can be approved through the City's architectural review process.

ALUC Review

The El Camino Real Specific Plan was referred to the Airport Land Use Commission (ALUC) for review as the Plan affects property within the Airport Influence Area (AIA) of the San Jose International Airport. At the March 24, 2020 ALUC meeting, the County Airport Land Use Commission found the El Camino Real Specific Plan to be consistent with the policies of San Jose Airport Comprehensive Land Use Plan (CLUP), in that the El Camino Real plan area is outside of the airport safety zone and the noise contours of the airport area. The ALUC did recommend that a policy be added to the Specific Plan that states any new development on property within the AIA shall be required to dedicate an aviation easement to the San Jose International Airport.

Conclusion

The draft El Camino Real Specific Plan, accompanying zoning districts and project EIR have been prepared through an extensive community-based planning process which has provided a significant amount of time for discussion of the various components of the Specific Plan. The Specific Plan will provide a land use policy framework to support the development of a mixed-use, multi-modal corridor anchored by vibrant shopping destinations and public open space consistent with the City's vision and the goals and policies set forth in the General Plan.

ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) was prepared for the El Camino Real Specific Plan and related approvals (the "project") in accordance with the California Environmental Quality Act (CEQA). The EIR analyzes program-level impacts of the El Camino Real Specific Plan. The EIR and Notice of Availability (NOA) were circulated for a 45-day period from December 10, 2020 to January 25, 2021 in accordance with CEQA requirements. The EIR provides a comprehensive analysis of the potential environmental impacts for the project.

The EIR found that any potentially significant impacts can be mitigated to a less than significant level. The mitigation measures are included in their entirety as a part of the proposed Mitigation Monitoring and Reporting Program (MMRP). A detailed discussion of the potential impacts and mitigation measures to be applied to the project is specified in the EIR and would be implemented through the MMRP for the proposed project.

During the Draft EIR comment period a total of eleven comments were received. None of the comment letters identified a new significant impact, or have provided substantial evidence that the CEQA analysis is otherwise inadequate. Responses to the Draft EIR comments, as well as minor text changes and clarifications, in the form of a Final EIR, were made available to the public through the City's website on April 19, 2021, and have been forwarded on to the commenters on the Draft EIR.

The environmental impacts of redeveloping an existing commercial corridor and state highway were analyzed at a program level. It is intended for the Final EIR to be used by developers as a starting point for the environmental clearance of their individual development proposals, which will further facilitate redevelopment of the area.

FISCAL IMPACT

Funding for the development of the El Camino Real Specific Plan and Environmental Impact Report (EIR) comes from the Metropolitan Transportation Commission (MTC) grant awarded to the City of Santa Clara in the amount of \$910,000. When the Council approved the Funding Agreement with MTC, the City agreed to a 12% match, or \$109,200 of the total project costs, which funds came from the Capital Improvement Projects Budget.

The proposed change in land uses would significantly increase land values, as well as demand for services, having both positive and negative fiscal impacts upon the City. On the whole, implementation of the Specific Plan is expected to have a relatively minor net fiscal impact to the City and will provide housing necessary for Santa Clara's ongoing economic vitality.

COORDINATION

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

PUBLIC CONTACT

The notice of public hearing for this item was posted within 300 feet of the project site and mailed to property owners within 300 feet of the project site. Newspaper notice of this item was published in The Weekly on April 15, 2020. The full administrative record is available for review during normal business hours by contacting the Planning Division. At the time of this staff report, there has been no public input submitted to the City in support or opposition to this item.

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

ALTERNATIVES

That the Planning Commission adopts Resolutions recommending that the City Council:

1. Adopt a resolution approving and certifying the Final EIR prepared for the El Camino Real East Specific Plan (SCH # 2019059029), including CEQA Findings.
2. Adopt a resolution approving the El Camino Real Specific Plan, a specific plan consistent with CA Government Code Sections 65450-65457.
3. Adopt a resolution approving a General Plan text amendment creating the Regional Corridor Mixed Use (55-100 DU/AC; 0.2 Commercial FAR); Corridor Mixed Use (45-65 DU/AC); Corridor Residential (16-45 DU/AC); and Ground Floor Commercial Overlay land use designations, and amending the General Plan Land Use diagrams for Phases II and III to reflect the land use designations in the El Camino Real Specific Plan.
4. Adopt an ordinance amending the zoning code to create the El Camino Real Zoning district.
5. Provide direction to staff to make modifications to the Specific Plan and/or Zoning district for City Council consideration.

RECOMMENDATION

That the Planning Commission adopt Resolutions recommending that the City Council:

1. Adopt a resolution approving and certifying the Final EIR prepared for the El Camino Real East Specific Plan (SCH # 2019059029), including CEQA Findings.
2. Adopt a resolution approving the El Camino Real Specific Plan, a specific plan consistent with CA Government Code Sections 65450-65457.
3. Adopt a resolution approving a General Plan text amendment creating the Regional Corridor Mixed Use (55-100 DU/AC; 0.2 Commercial FAR); Corridor Mixed Use (45-65 DU/AC); Corridor Residential (16-45 DU/AC); and Ground Floor Commercial Overlay land use designations, and amending the General Plan Land Use diagrams for Phases II and III to reflect the land use designations in the El Camino Real Specific Plan.
4. Adopt an ordinance amending the zoning code to create the El Camino Real Zoning district.

Reviewed by: Andrew Crabtree, Director, Community Development Department

Approved by: Deanna Santana, City Manager

ATTACHMENTS

1. El Camino Real EIR PC Resolution
2. CEQA Facts and Findings
3. El Camino Real EIR MMRP
4. El Camino Real Specific Plan PC Resolution
5. El Camino Real General Plan Amendment PC Resolution
6. El Camino Real Land Use Plan
7. El Camino Real Zoning Districts Ordinance
8. El Camino Real Zoning Districts PC Resolution
9. Web link to Draft Specific Plan Document and EIR
10. Public Comments

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING APPROVAL AND CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT, RECOMMENDING ADOPTION OF CEQA FINDINGS WITH RESPECT THERETO, AND RECOMMENDING ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE EL CAMINO REAL SPECIFIC PLAN

SCH # 2019059029

El Camino Real Specific Plan Environmental Impact Report

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

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

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

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

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

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

WHEREAS, as a part of implementing the Specific Plan, the City intends to adopt a General Plan Amendment ("GPA") to align the General Plan land use diagram by changing the existing land use designations of the Project Site from Community Mixed Use and Regional Mixed Use to Regional Commercial Mixed Use (55-100 dwelling units per acre; 0.20 FAR of commercial

required), Corridor Mixed Use (45-65 dwelling units per acre; commercial allowed but not required), Corridor Residential (16-45 dwelling units per acre; commercial allowed but not required), and Ground Floor Commercial Overlay which requires commercial uses at specific sites;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the Planning Commission, in reviewing the Project, recommends that the City Council adopt all mitigation measures set forth in the EIR;

WHEREAS, notice of the public hearing on the proposed project was published in the Santa Clara Weekly, a newspaper of general circulation for the City, on April 15, 2021;

WHEREAS, notices of the public hearing on the proposed project were mailed to all property owners within 300 feet of the Project Site, according to the most recent assessor’s roll, on April 15, 2021;

WHEREAS, the Planning Commission reviewed the EIR and Mitigation Monitoring and Reporting Program, attached as the “MMRP”, as well as a set of CEQA Findings and, in accordance with the requirements of CEQA, along with the City Staff report pertaining to the EIR for the Project (SCH # 2019059029), and all evidence received at a duly noticed public

hearing on April 28, 2021, and which was continued to May 10, 2021. All of these documents and evidence are incorporated herein by reference into this Resolution; and

WHEREAS, on April 28, 2021 and May 10, 2021, the Planning Commission conducted a public hearing, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed EIR.

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

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

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

7. Based on the findings set forth in this Resolution, the evidence in the City Staff Report, and the attached CEQA Findings, the Planning Commission hereby recommends that the City Council approve and certify the EIR, adopt the CEQA findings, and adopt the MMRP, all in accordance with CEQA for the Project.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A SPECIAL MEETING THEREOF HELD ON THE 10TH DAY OF MAY, 2021, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. CEQA findings
2. MMRP

**EL CAMINO REAL SPECIFIC PLAN PROJECT
SIGNIFICANT ENVIRONMENTAL IMPACTS
FACTS AND FINDINGS**

Air Quality

Impact: **Impact AIR-2:** The combination of dust from construction activities and diesel exhaust from operation of construction equipment and related traffic for future projects under the Specific Plan could exceed the project-level thresholds.

Mitigation: **MM AIR-2.1:** All future development projects under the Specific Plan shall implement the following Bay Area Air Quality Management District (BAAQMD)-recommended best management practices:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered;
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph);
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation;
8. Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations;
9. The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g. compressors).

MM AIR-2.2: All future development projects under the Specific Plan shall complete construction air quality assessments for construction criteria pollutants and toxic air contaminants (TACs). If construction BAAQMD thresholds are exceeded, future projects shall implement measures to reduce emissions below the thresholds. Emission reduction measures shall include, but not be limited to, the following measures:

1. Construction equipment selection for low emissions;
2. Use of alternative fuels, engine retrofits, and added exhaust devices;
3. Low-VOC paints;
4. Modify construction schedule; and
5. Implementation of BAAQMD Basic and/or additional Construction Mitigation Measures for control of fugitive dust.

MM AIR-2.3: Operational criteria pollutant analysis shall be conducted in accordance with the latest guidance provided by BAAQMD for projects with the potential to exceed project emission thresholds. The BAAQMD CEQA Air Quality Guidelines provide project screening level sizes to determine if projects warrant modeling to evaluate their emissions. Projects smaller than the screening sizes listed in Table 3-1 of the BAAQMD CEQA Air Quality Guidelines would be considered to have less than significant operational air pollutant emissions. Projects that are found to have emissions above significance thresholds would be required to implement additional mitigation measures, including, but not limited to, the measures described below:

1. Proposed residential development within the El Camino Real Specific Plan shall implement transportation demand management (TDM) programs to reduce residential vehicle miles traveled (VMT) as required by the City's Climate Action Plan. The TDM programs would be reviewed and approved by the Community Development Director prior to issuance of building permits. An annual TDM monitoring report shall be submitted to the Community Development Director to document each development is meeting the required TDM program reductions.
2. Proposed development within the Specific Plan shall incorporate additional green building measures such as rooftop solar photovoltaic systems, rough-ins for electric vehicle charging, use of efficient lighting and irrigation, and recycle water, as feasible, to the satisfaction of the Community Development Director.
3. Developed parcels shall require within their Covenants, Conditions & Restrictions (CC&Rs) and/or ground leases requirements for all future interior spaces to be repainted only with architectural coatings that meet the "Low-VOC" or "Super-Compliant" requirements.

Finding: With implementation of Mitigation Measures MM AIR-2.1 through MM AIR-2.3, dust from construction activities and diesel exhaust from the operation of construction equipment and related traffic for future projects under the Specific Plan would be reduced to less than significant levels. Operational impacts from criteria pollutant emissions would also be reduced to less than significant levels through

conformance with BAAQMD Clean Air Plan measures. **(Less Than Significant with Mitigation Incorporated)**

Facts in Support of Finding: As discussed in Section 3.3.2.2 of the DEIR, the implementation of Mitigation Measures MM AIR-2.1 through 2.3, would reduce construction period ROG, NO_x, PM₁₀, and PM_{2.5} emissions to levels below the thresholds of significance established by BAAQMD. There are project-level thresholds of 54 pounds per day for NO_x, ROG and PM_{2.5} exhaust and 82 pounds per day for PM₁₀ exhaust, and projects above the minimum screening size would be required to conduct additional analysis and, potentially, additional mitigation. The mitigation measures would reduce emissions on a project-level basis. On a plan level, the BAAQMD CEQA Air Quality Guidelines do not identify quantified thresholds for construction emissions.

Construction exhaust emissions include those from equipment (i.e., off-road) and traffic (on-road vehicles and trucks). Off-road construction equipment is often diesel-powered and can be a substantial source of NO_x, PM₁₀ and PM_{2.5} emissions. Architectural coatings and application of asphalt pavement are dominant sources of ROG emissions. Unless controlled, the combination of temporary dust from activities and diesel exhaust from construction equipment and related traffic may pose a nuisance impact to nearby receptors or exceed acceptable levels for projects. In addition, NO_x emissions during grading and soil import/export for large projects may exceed the BAAQMD NO_x emission thresholds for projects.

Site-specific construction schedules and equipment are not known at this time for the future development area and have not been quantified at the project level. Implementation of Mitigation Measure MM AIR-2.1 would ensure that all construction projects employ the proper BAAQMD-recommended measures to control PM emissions, and Mitigation Measure MM AIR-2.2 would ensure that construction of future development areas would be analyzed through project-level review to quantify construction criteria pollutant emissions and identify the specific measures needed to reduce potential impacts, as necessary. Therefore, implementation of Mitigation Measures MM AIR-2.1 and MM AIR-2.2 would reduce the potential impact from construction of individual construction projects within the future development in the ECR Specific Plan area to a less than significant level.

The ECR Specific Plan would result in operational impacts from future development such as long-term area and mobile source emissions from the operation of future development projects. As described in Section 3.17.2.4 of the DEIR, however, implementation of the ECR Specific Plan would contribute to a decrease in VMT associated with the ECR Specific Plan area. The ECR Specific Plan would include implementing policies and measures that are generally consistent with the applicable Clean Air Plan control measures, such as implementation of TDM programs to reduce vehicle trips, resulting

in fewer operational criteria pollutant emissions. Implementation of MM AIR-2.3, which requires that projects having emissions above the significance thresholds be required to implement such measures, would reduce impacts to less than significant levels.

Impact: **Impact AIR-3:** Existing and future sensitive receptors could be exposed to construction TACs during construction. The combination of dust from construction activities and diesel exhaust from operation of construction equipment and related traffic for future projects under the Specific Plan could exceed the project-level thresholds.

Mitigation: Refer to MM AIR-2.1 above.

Biology

Impact: **Impact BIO-1:** Construction activities associated with future development within the project area could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment.

Mitigation: **MM BIO-1.1:** Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February through August.

MM BIO-1.2: If it is not possible to schedule demolition and construction between September and January, preconstruction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests would be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist would inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with the California Department of Fish and Wildlife (CDFW), would determine the extent of a construction free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests would not be disturbed during project construction.

Finding: Implementation of the identified mitigation measures would reduce construction impacts to migratory birds to a less than significant level. **(Less Than Significant with Mitigation Incorporated)**

Facts in Support of Finding: Implementation of Mitigation Measures MM BIO-1.1 and MM BIO-1.2 would reduce construction impacts to nesting birds to a less than significant level by either avoiding construction activities during the nesting season or conducting preconstruction surveys during the nesting season that would provide the basis for establishing construction-free buffer zones for any active nests that are found to

protect the nests from disturbance caused by construction activities. Mitigation Measure MM BIO-1.2 specifically requires that a qualified biologist conduct such surveys and make recommendations in consultation with the CDFW, ensuring that potential impacts would be fully mitigated.

Impact: **Impact BIO-5:** Tree removal from redevelopment of individual parcels under the Specific Plan would result in a significant impact to mature trees.

Mitigation: **MM BIO-5.1:** Projects proposing or required to retain trees on-site shall implement precautionary measures during site construction to limit adverse environmental effects on ordinance-protected trees that are to be retained. A tree protection plan shall be prepared by a qualified arborist that, at a minimum, requires installation of an open material (e.g., chain link) fence six feet in height around the drip line and maintenance of the existing grade level around a tree and out to its drip line.

MM BIO-5.2: Project proponents under the Specific Plan will comply with the City Code and submit permit applications for removal of all trees covered by the City's tree ordinance. Any street trees or heritage trees to be removed would require replacement on-site or off-site at a minimum 2:1 ratio per General Plan Policy 5.3.1-P10. To the extent feasible, the replacement trees will be planted on-site and the project proponent will comply with all other tree removal requirements imposed by the City.

Finding: With the implementation of Mitigation Measures MM BIO-5.1 and MM BIO-5.2, impacts to mature trees would be reduced to a less than significant level. **(Less Than Significant with Mitigation Incorporated)**

Facts in Support of Finding: The implementation of Mitigation Measures MM BIO-5.1 and MM BIO-5.2 would provide protection measures for existing on-site trees to be retained during construction activities, and would require City review of proposals to remove existing street trees or heritage trees from development sites and provide replacement trees in conformance with the applicable General Plan policy and City Code requirements. Implementation of these measures would, therefore, help preserve existing mature trees as well as mitigate the loss of mature trees by ensuring their replacement.

Cultural Resources

Impact: **Impact CUL-2:** Redevelopment of the Specific Plan area could result in impacts to unknown buried archaeological resources and human remains.

Mitigation: **MM CUL-2.1:** Prior to the issuance of any grading permit in the vicinity of Saratoga Creek well as the eastern end of the project area (to the east of Pierce Street and South of El Camino Real), a geoarchaeological buried sensitivity assessment and a project-specific Archaeological Monitoring Plan shall be developed, to the satisfaction of the Community Development

Director, and implemented to guide the project should any significant archaeological deposits be uncovered during construction. The Archaeological Monitoring Plan shall provide detailed guidance for how impact areas should be methodically excavated under the direct supervision of a qualified archaeologist. A qualified archaeologist and a representative from the local Native American community shall monitor all initial ground-disturbing activities associated with these two areas of potential sensitivity.

MM CUL-2.2: For all proposed development sites within the Specific Plan area, a qualified archaeologist shall monitor the demolition of the building foundations and any other below surface disturbances, such as but not limited to, grading, excavation, roadway improvements, potholing for utilities, utility removal, and addressing storm drain issues. After demolition activities and surface improvements are removed for projects involving excavation, and prior to other construction activities, mechanical presence/absence exploration will be completed to a depth ranging from 6.5 to 10 feet below the ground surface. Presence/absence efforts shall be conducted by a qualified local archaeologist. If any cultural resources are identified, all activity in the vicinity of such resources shall stop until a research design and treatment plan is prepared to address those types of resources encountered and such plan is approved by the City. Any cultural resources identified shall be evaluated to determine if these resources would qualify for the National Register of Historic Places (NRHP) or California Register of Historic Resources (CRHR). If no resources are found during presence/absence testing, the implementation of Mitigation Measures, MM CUL-[2].3 and MM CUL-[2].4, would ensure any resources discovered during construction are adequately protected.

MM CUL-2.3: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Preservation in place is the preferred treatment of an archeological resource. When preservation in place of an archeological resource is not feasible, data recovery, in accord with a data recovery plan prepared and adopted by the City, is the appropriate mitigation. Construction and potential impacts to the area within a radius determined by the archaeologist shall not recommence until the assessment is complete.

MM CUL-2.4: In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

Finding: Implementation of the above mitigation measures would avoid and/or reduce significant impacts to unknown buried archaeological resources to a less than significant level by monitoring for resources during demolition activities, completing presence/absence exploration, and following procedures to protect resources (if found). **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The implementation of Mitigation Measures MM CUL-2.1 and MM CUL-2.2 would require direct participation by qualified archaeologists and representatives of the local Native American community prior to and during any grading or excavation activities in order to establish monitoring protocols, provide guidance in the field, and allow for the proper evaluation and treatment of cultural resources discovered. Mitigation Measures MM CUL-2.3 and MM CUL-2.4 require the stoppage of work if buried or previously unrecognized archeological deposits are exposed during construction activities, and the intervention of a qualified archaeologist to determine the appropriate course of action before resuming construction activities. The involvement of the Santa Clara County Coroner and the NAHC in the case of discovery of human remains would ensure that proper burial procedures would be followed.

Impact: The project would not result in a cumulatively considerable contribution to a significant cultural resources impact.

Mitigation: See MM CUL-2.1 through MM CUL-2.4, above. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

Finding: The project's contribution to cumulative cultural resources impacts would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The geographic area for cumulative impacts to cultural resources for the Specific Plan is the immediate area. The cumulative projects are all subject to CEQA and are required to comply with the federal, state, and local regulations put in place to protect cultural resources (refer to Section 3.5.1.1, *Regulatory Framework*). For this reason, the cumulative projects (including the proposed Specific Plan with the implementation of the mitigation measures identified above and in conformance with applicable General Plan policies) would not result in a significant impact to cultural resources.

Geology and Soils

Impact: **Impact GEO-6:** Development proposed under the Specific Plan has the potential to disturb paleontological resources if projects include deep excavations.

Mitigation: **MM GEO-6:** Projects requiring excavation 25 feet or more below ground surface would require monitoring by a qualified paleontologist. In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified

paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.

Finding: With implementation of the mitigation measure described above, future development under the Specific Plan would result in a less than significant impact on paleontological resources. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The implementation of Mitigation Measure MM GEO-6 would ensure that any excavation on future development sites deeper than 25 feet, which is the minimum depth at which paleontological resources are likely to be found, would require monitoring by a qualified paleontologist and appropriate disposition of any resources found. Therefore, impacts to such resources would be avoided.

Hazards and Hazardous Materials

Impact: **Impact HAZ-1:** Existing hazardous materials contamination in soils and groundwater on the site has the potential to impact construction workers and adjacent land uses if disturbed during demolition or construction of new buildings and structures on the site.

Mitigation: **MM HAZ-1.1:** Prior to the start of any demolition or construction activity, a property-specific Phase I Environmental Site Assessment (ESA) shall be completed in accordance with ASTM Standard Designation E 1527-13 (or most recent version) to identify Recognized Environmental Conditions (RECs), evaluate the property history, and establish whether or not the property is likely to have been impacted by chemical releases. Soil, soil vapor, and/or groundwater quality studies (Phase II ESAs) shall subsequently be conducted, if warranted, based on the findings of the property-specific Phase I ESAs, to evaluate if mitigation measures are needed to protect the health and safety of site occupants.

At parcels with an agricultural history, soil sampling and laboratory analyses shall be conducted to evaluate if agricultural chemicals are present prior to redevelopment or earthwork activities. Because pesticides were often stored within structures such as barns or sheds, and pesticide mixing was often performed near agricultural wells on such parcels, the sampling shall include an evaluation of these areas (if they can be identified), along with the former agricultural field and orchard areas.

All site mitigation measures identified in the property-specific Phase I and II ESAs shall be completed under the oversight of an appropriate regulatory agency, such as the Santa Clara County Department of Environmental Health (SCCDEH), Department of Toxic Substances Control (DTSC), or Regional Water Quality Control Board (RWQCB). Any required cleanup/mitigation of the site during development activities shall meet all applicable federal, state, and local laws, regulations, and requirements. The project applicant shall provide the appropriate oversight agency's

written approval of the site mitigation measures to the City of Santa Clara prior to the issuance of a demolition and/or grading permit.

MM HAZ-1.2: Prior to the start of earthwork activities (e.g., excavation, trenching, grading, etc.) on properties with known contaminants of concern (COC) exceeding the lower of the then current DTSC, RWQCB, or EPA regulatory levels and/or appropriate residential/commercial screening levels, including sites having either open or closed leaking underground storage tank (LUST) or cleanup program site (CPS) cases, an appropriate corrective action/risk management plan shall be prepared that reflects the results of the on-site investigations. The corrective action/risk management plan shall describe mitigation measures necessary to protect the health and safety of future site occupants and establish appropriate management practices for handling and monitoring of impacted soil, soil vapor, and groundwater that may be encountered during construction activities. The corrective action/risk management plan shall be prepared by an Environmental Professional and be submitted to an appropriate overseeing regulatory agency (e.g., SCCDEH, DTSC, or RWQCB) for review. Regulatory agency approval shall be obtained prior to commencing earthwork activities. A Health and Safety Plan shall also be prepared to establish health and safety protocols for personnel working at the site.

All mitigation measures shall be completed under regulatory agency oversight and meet all applicable federal, state, and local laws, regulations, and requirements. Following completion, a report documenting compliance with the provisions of the corrective action/risk management plan and describing the work completed shall be submitted and approved by the overseeing regulatory agency.

MM HAZ-1.3: As part of the facility closure process for occupants that use and/or store hazardous materials, the Santa Clara Fire Department requires that a closure plan be submitted by the occupants that describes required closure activities, such as removal of remaining hazardous materials, cleaning of hazardous material handling equipment, decontamination of building surfaces, and waste disposal practices, among others. Facility closure shall be coordinated with the Santa Clara Fire Department to ensure that required closure documents are completed prior to redevelopment of site parcels or changes in use.

MM HAZ-1.4: If a project requires importing soil for property grading, the source and quality of imported soil shall be documented according to the DTSC's Clean Fill Advisory (October 2001).

MM HAZ-1.5: Groundwater monitoring wells associated with identified LUST and CPS cases shall be protected during construction. Upon written approval from the overseeing regulatory agency and the well owner, wells may be destroyed under permit from the Santa Clara Valley Water District (Valley Water) prior to development activities. Relocation of the wells may be required.

Monitoring wells that are no longer in use, or any unidentified wells (such as former agricultural wells) encountered during construction activities, shall be properly destroyed in accordance with Valley Water Ordinance 90-1.

Prior to redevelopment of the site, well records from the California Department of Water Resources (DWR) shall be researched, and attempts shall be made to locate and properly destroy any identified abandoned on-site wells.

Any proposed well closure or destruction activities on a redevelopment site shall be completed, and any proposed well protection measures shall be approved by the Director of Public Works prior to the issuance of a grading permit. A well destruction report shall be submitted to the Santa Clara Fire Department as proof of completion of any well closure.

All site mitigation measures identified in the property-specific Phase I and II ESAs shall be completed under the oversight of an appropriate regulatory agency, such as the DEH, DTSC, or RWQCB. Any required cleanup/remediation of the site during development activities shall meet all applicable federal, state and local laws, regulations, and requirements. The project applicant shall provide the appropriate oversight agency's written approval of the site mitigation measures to the City of Santa Clara prior to the issuance of a demolition and/or grading permit.

Finding: Implementation of the above mitigation measures would ensure that development under the Specific Plan would not exacerbate existing hazardous materials contamination that may be present in the Plan area, and would reduce impacts related to such contamination to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Soil and groundwater contamination conditions on future development sites within the Specific Plan area would be addressed through the implementation of Mitigation Measures MM HAZ-1.1, MM HAZ-1.2 and MM HAZ-1.4, which would result in comprehensive site investigations for the presence of hazardous materials and identification of RECs in conformance with state and local regulatory agency requirements. Mitigation Measure MM HAZ-1.3 would reduce contamination risks and potential impacts to surrounding properties and residents by requiring the preparation of closure plans for sites using or storing hazardous materials, in conformance with SCFD requirements. Implementation of Mitigation Measure MM HAZ-1.5 would ensure the protection of groundwater monitoring wells on identified contamination sites during construction, as well as the proper closure and destruction of abandoned wells in conformance with state and local agency regulations, thereby minimizing the risk of groundwater contamination.

Noise and Vibration

Impact: **Impact NOI-1:** Land uses in the project vicinity would be exposed to a substantial temporary increase in ambient noise levels due to project construction activities.

Mitigation: **MM NOI-1.1:** Develop and adhere to a construction noise control plan to be submitted to the City for review and approval prior to issuance of a demolition and/or grading permit, including, but not limited to, the following available controls.

- Ensure that construction activities (including the loading and unloading of materials and truck movements) within 300 feet of residentially zoned property are limited to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays.
- Ensure that excavating, grading and filling activities (including warming of equipment motors) within 300 feet of residentially zoned property are limited to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or Holidays.
- Contractors equip all internal combustion engine driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- Contractors utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
- Locate loading, staging areas, stationary noise generating equipment, etc. as far as feasible from sensitive receptors when sensitive receptors adjoin or are near a construction project area. Construct temporary noise barriers to screen stationary noise generating equipment when located near adjoining sensitive land uses.
- Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project area.
- Comply with Air Resource Board idling prohibitions of unnecessary idling of internal combustion engines.
- Construct solid plywood fences around construction sites adjacent to operational business, residences or noise-sensitive land uses.
- Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.
- Businesses, residences or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. Designate a “construction liaison” that will be responsible for responding to any local complaints about construction noise. The liaison will determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the liaison at the construction site.
- Include a disclosure in the lease of future tenants within the El Camino Real Specific Plan properties that provides information regarding the on-going construction activities within the area.

MM NOI-1.2: If pile driving occurs, the following best management practices shall be included in the construction noise control plan.

- During pile driving, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.

- During pile driving activities, install “acoustical blankets” to provide shielding for receptors located within 100 feet of the site, or use a noise attenuating shroud on the pile driving hammer.

Finding: The implementation of the mitigation above measures would reduce construction noise levels from development sites within the Specific Plan area, minimizing disruption and annoyance to surrounding businesses and residents. With the implementation of these controls, as well as the City Code limits on allowable construction hours, the impact would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Construction impacts such as noise and vibration are considered temporary, due to their short-term duration. Regardless, the controls listed under Mitigation Measure MM NOI-1.1 include the establishment of specific hours for construction activities, restrictions on types of construction equipment used, identification of areas for noise-generating activities on the site, construction of physical barriers, construction traffic control requirements, and establishment of contact information for neighbors and future tenants identifying who to contact regarding excessive noise problems. Implementation of these specific measures will result in a lessening of the nuisance impact from construction noise on surrounding land uses for the duration of the construction period for any given future project. In addition, the measures listed in Mitigation Measure MM NOI-1.2 would reduce potential noise and vibration impacts to surrounding structures.

Impact: **Impact NOI-1.3:** Mechanical equipment from future projects located in close proximity to existing residential land uses could result in noise levels in exceedance of City standards for fixed sources.

Mitigation: **MM NOI-1.3:** Prior to the issuance of building permits, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the City’s requirements. A qualified acoustical consultant shall be retained by the applicants for future development projects to review mechanical noise as the equipment systems are selected in order to determine whether the proposed noise reduction measures sufficiently reduce noise to comply with the City’s residential noise limits. Noise reduction measures that would accomplish this reduction include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.

Finding: By requiring a review of the mechanical equipment selected for future development projects, as well as its design and location within the project sites, project mechanical equipment would not generate long-term noise levels in exceedance of residential or commercial noise limits. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Impacts of operational noise generated by mechanical equipment in new development projects can be controlled through the design and placement of the equipment used. Implementation of Mitigation Measure MM NOI-1.3 would ensure that the proper equipment and placement that minimizes noise impacts to surrounding properties would be included in the approval of future development project sites by requiring a review of mechanical equipment by a qualified acoustical consultant prior to project approval. **(Less than Significant Impact with Mitigation Incorporated)**

Impact: **Impact NOI-2:** Existing and planned land uses in the project vicinity could be exposed to an increase in ambient vibration levels beyond applicable Caltrans vibration limits due to project construction activities.

Mitigation: **MM NOI-2.1:** Comply with the City Code construction hours requirements to limit the hours of exposure to surrounding properties. The City Code limits construction activities within 300 feet of residentially zoned property to the hours of 7:00 AM to 6:00 PM. on weekdays and between the hours of 9:00 AM. And 6:00 PM on Saturdays. No construction is permitted on Sundays or holidays within 300 feet of occupied residentially zoned property.

MM NOI-2.2: Avoid using vibratory rollers and tampers near sensitive areas, such as shared property lines with residential land uses. Whenever possible, use cast-in drilled holes piles for projects requiring deep foundations to reduce construction vibration.

MM NOI-2.3: When vibration-sensitive structures are within 18 feet of a project development site or within 86 feet of a project proposing pile-driving, survey the condition of existing structures and, when necessary due to the structure type and resulting vibration due to the construction activities proposed, perform site-specific vibration studies to direct construction activities. Contractors shall continue to monitor effects of construction activities on surveyed sensitive structures, notify the Community Development Director of any damage caused by vibration, and repair or compensate for any such damage caused by vibration within a time period established by the Community Development Director upon receiving notice pursuant to this measure. The results of the vibration monitoring shall be summarized and submitted in a report to the Community Development Director prior to issuance of an occupancy permit.

MM NOI-2.4: Construction management plans for construction projects that have the potential to exceed the applicable peak particle velocity (PPV) threshold (0.5 in/sec for post-1990 buildings, 0.3 in/sec for pre-1990 buildings, 0.08 in/sec for structurally weakened buildings), particularly those involving pile driving, shall include predefined vibration reduction measures, notification requirements for properties within 200 feet of scheduled construction activities, and contact information for on-site coordination and complaints. The construction management plan shall be submitted to the City for review and approval prior to issuance of a demolition or grading permit.

MM NOI-2.5: Include a disclosure in the lease of future tenants within the El Camino Real Specific Plan properties that provides information regarding the ongoing construction activities within the area.

Finding: The implementation of the mitigation measures outlined above would reduce vibration impacts to less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The proposed mitigation measures would reduce vibration impacts to surrounding properties by including the establishment of specific hours for construction activities and restrictions on types of equipment used near property lines, requiring identification of areas for vibration-generating activities on the site, requiring site-specific vibration studies and construction management plans, and requiring monitoring of the effects of construction activities on surveyed sensitive structures, with the results being reported to the Community Development Director. These measures provide protection of surrounding structures from the effects of excessive vibration, and also provide for accountability of the construction contractors. In addition, the proposed inclusion of disclosures in the leases of future building tenants providing information on nearby construction activities would further reduce potential noise and vibration impacts to property owners within the Specific Plan area.

Impact: **Impact NOI-C:** The project would not result in a cumulatively considerable contribution to a significant noise impact.

Mitigation: See MM NOI-1.1 through MM NOI-1.3 and MM NOI-2.1 through MM NOI-2.5, above.

Finding: The project's contribution to cumulative noise and vibration impacts would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Construction of future projects under the Specific Plan and cumulative projects in the City of Santa Clara may occur at the same time such that construction-related noise impacts could occur. However, all projects must incorporate noise and vibration reduction measures as identified in the City's General Plan and City Code. Additionally, measures to reduce noise and vibration to acceptable levels would be further refined during project-level analyses of noise and vibration impacts. Operational noise impacts of future projects under the Specific Plan would be below the City's thresholds of significance with implementation of MM NOI-1.3. Construction noise and vibration impacts would be reduced with implementation of MM NOI-1.1 and NOI-1.2 and MM NOI-2.1 through NOI-2.5; thus, the project's contribution to cumulative noise and vibration impacts would be less than significant.

- Impact:** **Impact TCR-1:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is 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).
- Mitigation:** See MM CUL-1.1, MM CUL-1.3 and MM CUL-1.4, above.
- Finding:** The proposed project would result in less than significant impact to tribal cultural resources (TCRs) which are eligible or potentially eligible for listing in the California Register or in a local register of historical resources. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Mitigation measures to reduce potentially significant impacts to cultural resources would also apply to TCRs. Specifically, mitigation measure MM CUL-1.1 requires an archaeological sensitivity assessment to be completed for redevelopment projects along the Saratoga Creek vicinity and an archaeological monitoring plan to be implemented if archaeological deposits are uncovered during construction in this area. These measures would ensure that the portions of the Plan area with higher archaeological sensitivity are properly studied during future development projects and appropriate avoidance measures are integrated into construction activities. Mitigation measures MM CUL-1.3 and -1.4 prescribe appropriate processes to be followed in the event of accidental discovery of archaeological resources and human remains, respectively, throughout the Specific Plan area. Adherence to these mitigation measures would ensure that any discovered TCRs are preserved in place, studied, or recovered to the maximum extent feasible. If any discovered human remains are determined to be Native American the NAHC would be notified, the most likely descendant would be identified by the NAHC, and the recommendations of the most likely descendant (MLD) would be adhered to in accordance with Section 15064.5(e) of the CEQA Guidelines.

- Impact:** **Impact UTL-1:** The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- Mitigation:** See MM CUL-1.1, MM CUL-1.3, MM CUL-1.4, MM NOI-1.1 through MM NOI-1.3, and MM NOI-2.1 through MM NOI-2.5, above.
- Finding:** The proposed Specific Plan would not result in the relocation or construction of new or expanded water, wastewater, or stormwater drainage facilities, which would cause significant environmental effects. Nor would it cause significant environmental effects due to the construction or relocation of electric power, natural gas, or telecommunications utilities. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The responsibility for implementing future necessary upgrades to water facilities within the Specific Plan area would be determined at

the time of specific development proposals. Individual developments may be required to make fair-share contributions to upgrades to water facilities or incorporate infrastructural improvements as a component of the development. Proposed improvements would be subject to design review by the City's Public Works Department. Implementation of any future improvements would be required to incorporate standard construction best management practices (BMPs) to manage dust, erosion, and stormwater runoff. Similarly, any utility line upgrades would be required to comply with mitigation measures for subsurface cultural resources and noise.

Future infrastructure improvements within the Specific Plan area such as sanitary sewer line upgrades would be subject to design review by the City. Implementation of any future improvements would be required to incorporate standard construction BMPs to manage dust, erosion, and stormwater runoff, and comply with mitigation measures for subsurface cultural resource and noise impacts. Therefore, the proposed Specific Plan would not result in the relocation or construction of new or expanded wastewater facilities which would cause significant environmental effects.

Future development under the Specific Plan would be required to adhere to local, regional and statewide regulations pertaining to the management of stormwater runoff during construction and operation. Individual projects will incorporate appropriately sized stormwater treatment systems to reduce the demand placed on the City's storm drainage system and improve the water quality of runoff. By managing stormwater runoff in accordance with existing regulations, future developments under the Specific Plan would not require the construction of new or upgraded stormwater drainage facilities which could impact the environment.

Construction of additional storm drain infrastructure would be required to adhere to BMPs to manage construction dust, erosion, and stormwater runoff, and comply with mitigation measures for subsurface cultural resource impacts.

The Specific Plan has identified potential utility conflicts due to electrical lines being located at the back of the existing sidewalks throughout the Plan area. This could require electrical lines to be relocated due to proposed streetscape improvements under the Specific Plan. However, the project is located in a highly urbanized area and establishing new or modified connections to these utilities would not require substantial site disturbance. During any relocation of electrical lines, standard construction BMPs would be implemented to manage dust, erosion, and stormwater runoff. The same would apply for any new or modified natural gas and telecommunications lines. Off-site electrical infrastructure for utility power distribution will be required to bring sufficient power to the Specific Plan area.

The electrical infrastructure construction would be subject to standard BMPs.

MITIGATION MONITORING OR REPORTING PROGRAM

El Camino Real Specific Plan EIR

CITY OF SANTA CLARA

April 2021

P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring or reporting program is to ensure compliance with the mitigation measures during project implementation.

On _____, the City Council certified the Environmental Impact Report (EIR) for the El Camino Real Specific Plan project. The Final EIR concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring or Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the EIR concluded that mitigation measures would not be required to reduce significant impacts.

| MITIGATION MONITORING OR REPORTING PROGRAM EL CAMINO REAL SPECIFIC PLAN | | | | |
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| Impacts | Mitigation | Timeframe for Implementation | Responsibility for Implementation | Oversight of Implementation |
| Air Quality | | | | |
| Impact AIR-2: The combination of dust from construction activities and diesel exhaust from operation of construction equipment and related traffic for future projects under the Specific Plan could exceed the project-level thresholds. | MM AIR-2.1: All future development projects under the Specific Plan shall implement the following BAAQMD-recommended best management practices: <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day; • All haul trucks transporting soil, sand, or other loose material off-site shall be covered; • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; • All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph); • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used; • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points; • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a | During all phases of construction period | Project applicant and contractors | Director of Community Development |

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| | <p>certified mechanic and determined to be running in proper condition prior to operation;</p> <ul style="list-style-type: none"> • Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations; • The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g. compressors). | | | |
| | <p>MM AIR-2.2: All future development projects under the Specific Plan shall complete construction air quality assessments for construction criteria pollutants and TACs. If construction BAAQMD thresholds are exceeded, future projects shall implement measures to reduce emissions below the thresholds. Emission reduction measures shall include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> • Construction equipment selection for low emissions; • Use of alternative fuels, engine retrofits, and added exhaust devices; • Low-VOC paints; • Modify construction schedule; and • Implementation of BAAQMD Basic and/or additional Construction Mitigation Measures for control of fugitive dust. | During all phases of construction period | Project applicant and contractors | Director of Community Development |
| | <p>MM AIR-2.3: Operational criteria pollutant analysis shall be conducted in accordance with the latest guidance provided by BAAQMD for projects with the potential to exceed project emission thresholds. The BAAQMD CEQA Air Quality Guidelines provide project screening level sizes to determine if projects warrant modeling to evaluate their emissions. Projects smaller than the screening sizes listed in Table 3-1 of the BAAQMD CEQA Air Quality Guidelines would be considered to have less than</p> | Prior to issuance of a demolition or grading permit. | Project applicant | Director of Community Development |

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| | <p>significant operational air pollutant emissions. Projects that are found to have emissions above significance thresholds would be required to implement additional mitigation measures, including, but not limited to, the measures described below:</p> <ul style="list-style-type: none"> • Proposed residential development within the El Camino Real Specific Plan shall implement TDM programs to reduce residential vehicle miles traveled as required by the City’s Climate Action Plan. The TDM programs would be reviewed and approved by the Community Development Director prior to issuance of building permits. An annual TDM monitoring report shall be submitted to the Community Development Director to document each development is meeting the required TDM program reductions. • Proposed development within the Specific Plan shall incorporate additional green building measures such as rooftop solar photovoltaic systems, rough-ins for electric vehicle charging, use of efficient lighting and irrigation, and recycle water, as feasible, to the satisfaction of the Community Development Director. • Developed parcels shall require within their Covenants, Conditions & Restrictions (CC&Rs) and/or ground leases requirements for all future interior spaces to be repainted only with architectural coatings that meet the “Low-VOC” or “Super-Compliant” requirements. | | | |
| <p>Impact AIR-3: Existing and future sensitive receptors could be exposed to construction TACs during construction</p> | <p>Refer to MM AIR-2.1 above.</p> | <p>During all phases of construction period</p> | <p>Project applicant and contractors</p> | <p>Director of Community Development</p> |

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| activities associated with build out of the Specific Plan. | | | | |
| Biology | | | | |
| Impact BIO-1: Construction activities associated with future development within the project area could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment. | MM BIO-1.1: Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February through August. MM BIO-1.2: If it is not possible to schedule demolition and construction between September and January, preconstruction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests would be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist would inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with the California Department of Fish and Wildlife, would determine the extent of a construction-free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests would not be disturbed during project construction. | Preconstruction surveys shall be conducted no more than 14 days before construction activities begin during the early part of the breeding season (February through April), and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). | Project applicant | Director of Community Development |
| Impact BIO – 5: Tree removal from redevelopment of individual parcels under the Specific Plan would result in a significant impact to mature trees. | MM BIO – 5.1: Projects proposing or required to retain trees on-site shall implement precautionary measures during site construction to limit adverse environmental effects on ordinance-protected trees that are to be retained. A tree protection plan shall be prepared by a qualified arborist that, at a minimum, requires installation of an open material (e.g., chain link) fence six feet in height around the drip line and maintenance of the existing grade level around a tree and out to its drip line. | Prior to issuance of a grading or tree removal permit | Project applicant | Director of Community Development |

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| | <p>MM BIO – 5.2: Project proponents under the Specific Plan will comply with the City Code and submit permit applications for removal of all trees covered by the City’s tree ordinance. Any street trees or heritage trees to be removed would require replacement on-site or off-site at a minimum 2:1 ratio per General Plan Policy 5.3.1-P10. To the extent feasible, the replacement trees will be planted on-site and the project proponent will comply with all other tree removal requirements imposed by the City.</p> | | | |
| Cultural Resources | | | | |
| <p>Impact CUL-2: Redevelopment of the Specific Plan area could result in impacts to unknown buried archaeological resources and human remains.</p> | <p>MM CUL-2.1: Prior to the issuance of any grading permit, a geoarchaeological buried sensitivity assessment and a project-specific Archaeological Monitoring Plan shall be developed, to the satisfaction of the Community Development Director, and implemented to guide the project should any significant archaeological deposits be uncovered during construction. The assessment and Plan shall focus on areas along both sides of Saratoga Creek within the project boundaries, as well as on the eastern end of the project site within the project boundaries (south side of El Camino Real between Pierce Street and Lafayette Street). The Archaeological Monitoring Plan shall provide detailed guidance for how impact areas should be methodically excavated under the direct supervision of a qualified archaeologist. A qualified archaeologist and a representative from the local Native American community shall monitor all initial ground-disturbing activities associated with these two areas of potential sensitivity.</p> <p>MM CUL-2.2: A qualified archaeologist shall monitor the demolition of the building foundations and any other below surface disturbances, such as but not limited to, grading, excavation, roadway improvements, potholing for utilities, utility removal, and addressing storm drain issues. After demolition activities and surface improvements are removed for projects involving excavation, and prior to other construction activities, conduct mechanical presence/absence exploration to a depth ranging from 6.5 to 10 feet below ground surface.</p> | <p>Prior to start of construction activities and issuance of grading permits</p> | <p>Project applicant</p> | <p>Director of Community Development</p> |

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| | <p>Presence/absence efforts shall be conducted by a qualified local archaeologist. If any cultural resources are identified, all activity in the vicinity of such resources shall stop until a research design and treatment plan is prepared to address those types of resources encountered and such plan is approved by the City. Any cultural resources identified shall be evaluated to determine if these resources would qualify for the NRHP or CRHR. If no resources are found during presence/absence testing, the implementation of mitigation measures, MM CUL-1.2 and MM CUL-1.3, would ensure any resources discovered during construction are adequately protected.</p> <p>MM CUL-2.3: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Preservation in place is the preferred treatment of an archeological resource. When preservation in place of an archeological resource is not feasible, data recovery, in accord with a data recovery plan prepared and adopted by the City, is the appropriate mitigation. Construction and potential impacts to the area within a radius determined by the archaeologist shall not recommence until the assessment is complete.</p> <p>MM CUL-2.4: In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.</p> | At the time a discovery is made | Project applicant and contractors | Director of Community Development |
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| Geology and Soils | | | | |
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| Impact GEO-6: Development proposed under the Specific Plan has the potential to disturb paleontological resources if projects include deep excavations. | MM GEO-6: Projects requiring excavation 25 feet or more below ground surface would require monitoring by a qualified paleontologist. In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository. | During all phases of construction where excavation will exceed 25 feet. | Project applicant and contractors | Director of Community Development |
| Hazards and Hazardous Materials | | | | |
| Impact HAZ-1: Existing hazardous materials contamination in soils and groundwater on the site has the potential to impact construction workers and adjacent land uses if disturbed during demolition or construction of new buildings and structures on the site. | MM HAZ-1.1: Prior to the start of any demolition or construction activity, a property-specific Phase I ESA shall be completed in accordance with ASTM Standard Designation E 1527-13 (or most recent version) to identify Recognized Environmental Conditions, evaluate the property history, and establish whether or not the property is likely to have been impacted by chemical releases. Soil, soil vapor, and/or groundwater quality studies (Phase II ESAs) shall subsequently be conducted, if warranted, based on the findings of the property-specific Phase I ESAs, to evaluate if mitigation measures are needed to protect the health and safety of site occupants. At parcels with an agricultural history, soil sampling and laboratory analyses shall be conducted to evaluate if agricultural chemicals are present prior to redevelopment or earthwork activities. Because pesticides were often stored within structures such as barns or sheds, and pesticide mixing was often performed near agricultural wells on such parcels, the sampling shall include an evaluation of these areas (if they can be identified), along with the former agricultural field and orchard areas. All site mitigation measures identified in the property-specific Phase I and II ESAs shall be completed under the oversight of an appropriate regulatory agency, such as the Santa Clara County Department of Environmental Health (SCCDEH), Department of | Prior to the issuance of a demolition and/or grading permits. | Project applicant | Community Development Director and SCCDEH, DTSC, or RWQCB. |

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| | <p>Toxic Substances Control (DTSC), or Regional Water Quality Control Board (RWQCB). Any required cleanup/mitigation of the site during development activities shall meet all applicable federal, state, and local laws, regulations, and requirements. The project applicant shall provide the appropriate oversight agency's written approval of the site mitigation measures to the City of Santa Clara prior to the issuance of a demolition and/or grading permit.</p> <p>MM HAZ-1.2: Prior to the start of earthwork activities (e.g., excavation, trenching, grading, etc.) on properties with known contaminants of concern (COC) exceeding the lower of the then-current DTSC, RWQCB, or EPA regulatory levels and/or appropriate residential/commercial screening levels, including sites having either open or closed LUST or CPS cases, an appropriate corrective action/risk management plan shall be prepared that reflects the results of the on-site investigations. The corrective action/risk management plan shall describe mitigation measures necessary to protect the health and safety of future site occupants and establish appropriate management practices for handling and monitoring of impacted soil, soil vapor, and groundwater that may be encountered during construction activities. The corrective action/risk management plan shall be prepared by an Environmental Professional and be submitted to an appropriate overseeing regulatory agency (e.g., SCCDEH, DTSC, or RWQCB) for review. Regulatory agency approval shall be obtained prior to commencing earthwork activities. A Health and Safety Plan shall also be prepared to establish health and safety protocols for personnel working at the site.</p> <p>All mitigation measures shall be completed under regulatory agency oversight and meet all applicable federal, state, and local laws, regulations, and requirements. Following completion, a report documenting compliance with the provisions of the corrective action/risk management plan and describing the work completed shall be submitted and approved by the overseeing regulatory agency.</p> | | | |
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| | <p>MM HAZ-1.3: As part of the facility closure process for occupants that use and/or store hazardous materials, the Santa Clara Fire Department requires that a closure plan be submitted by the occupants that describes required closure activities, such as removal of remaining hazardous materials, cleaning of hazardous material handling equipment, decontamination of building surfaces, and waste disposal practices, among others. Facility closure shall be coordinated with the Santa Clara Fire Department to ensure that required closure documents are completed prior to redevelopment of site parcels or changes in use.</p> <p>MM HAZ-1.4: If a project requires importing soil for property grading, the source and quality of imported soil shall be documented according to the DTSC's Clean Fill Advisory (October 2001).</p> <p>MM HAZ-1.5: Groundwater monitoring wells associated with identified LUST and CPS cases shall be protected during construction. Upon written approval from the overseeing regulatory agency and the well owner, wells may be destroyed under permit from the Santa Clara Valley Water District (Valley Water) prior to development activities. Relocation of the wells may be required.</p> <p>Monitoring wells that are no longer in use, or any unidentified wells (such as former agricultural wells) encountered during construction activities, shall be properly destroyed in accordance with Valley Water Ordinance 90-1.</p> <p>Prior to redevelopment of the site, well records from the California Department of Water Resources (DWR) shall be researched, and attempts shall be made to locate and properly destroy any identified abandoned on-site wells.</p> <p>Any proposed well closure or destruction activities on a redevelopment site shall be completed, and any proposed well protection measures shall be approved by the Director of</p> | | | |
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| | <p>Public Works prior to the issuance of a grading permit. A well destruction report shall be submitted to the Santa Clara Fire Department as proof of completion of any well closure.</p> <p>All site mitigation measures identified in the property-specific Phase I and II ESAs shall be completed under the oversight of an appropriate regulatory agency, such as the DEH, DTSC, or RWQCB. Any required cleanup/remediation of the site during development activities shall meet all applicable federal, state and local laws, regulations, and requirements. The project applicant shall provide the appropriate oversight agency's written approval of the site mitigation measures to the City of Santa Clara prior to the issuance of a demolition and/or grading permit.</p> | | | |
| Noise and Vibration | | | | |
| <p>Impact NOI-1: Land uses in the project vicinity would be exposed to a substantial temporary increase in ambient noise levels due to project construction activities.</p> | <p>MM NOI-1.1: Develop and adhere to a construction noise control plan to be submitted to the City for review and approval prior to issuance of a demolition and/or grading permit, including, but not limited to, the following available controls.</p> <ul style="list-style-type: none"> • Ensure that construction activities (including the loading and unloading of materials and truck movements) within 300 feet of residentially zoned property are limited to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays. • Ensure that excavating, grading and filling activities (including warming of equipment motors) within 300 feet of residentially zoned property are limited to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or Holidays. • Contractors equip all internal combustion engine driven equipment with mufflers, which are in good condition and appropriate for the equipment. • Contractors utilize "quiet" models of air compressors and other stationary noise sources where technology exists. | <p>Develop a construction noise control plan prior to issuance of demolition and/or grading permits to be implemented during all phases of construction.</p> | <p>Project applicant</p> | <p>Director of Community Development</p> |

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| | <ul style="list-style-type: none"> • Locate loading, staging areas, stationary noise-generating equipment, etc. as far as feasible from sensitive receptors when sensitive receptors adjoin or are near a construction project area. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses. • Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project area. • Comply with Air Resource Board idling prohibitions of unnecessary idling of internal combustion engines. • Construct solid plywood fences around construction sites adjacent to operational business, residences or noise-sensitive land uses. • Route construction-related traffic along major roadways and as far as feasible from sensitive receptors. • Businesses, residences or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. Designate a "construction liaison" that will be responsible for responding to any local complaints about construction noise. The liaison will determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the liaison at the construction site. • Include a disclosure in the lease of future tenants within the El Camino Real Specific Plan properties that provides information regarding the on-going construction activities within the area. <p>MM NOI-1.2: If pile driving occurs, the following best management practices shall be included in the construction noise control plan.</p> <ul style="list-style-type: none"> • During pile driving, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile. | | | |
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| | <p>structures and, when necessary due to the structure type and resulting vibration due to the construction activities proposed, perform site-specific vibration studies to direct construction activities. Contractors shall continue to monitor effects of construction activities on surveyed sensitive structures, notify the Community Development Director of any damage caused by vibration, and repair or compensate for any such damage caused by vibration within a time period established by the Community Development Director upon receiving notice pursuant to this measure. The results of the vibration monitoring shall be summarized and submitted in a report to the Community Development Director prior to issuance of an occupancy permit.</p> <p>MM NOI-2.4: Construction management plans for construction projects that have the potential to exceed the applicable PPV threshold (0.5 in/sec for post-1990 buildings, 0.3 in/sec for pre-1990 buildings, 0.08 in/sec for structurally weakened buildings), particularly those involving pile driving, shall include predefined vibration reduction measures, notification requirements for properties within 200 feet of scheduled construction activities, and contact information for on-site coordination and complaints. The construction management plan shall be submitted to the City for review and approval prior to issuance of a demolition or grading permit.</p> <p>MM NOI-2.5: Include a disclosure in the lease of future tenants within the El Camino Real Specific Plan properties that provides information regarding the ongoing construction activities within the area.</p> | <p>Prior to issuance of demolition or grading permits</p> | | |
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In addition to mitigation measures listed above, there are also other conditions of approval the project shall implement, including the following:

| <p style="text-align: center;">CONDITIONS OF APPROVAL EL CAMINO REAL SPECIFIC PLAN</p> |
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| <p style="text-align: center;">Community Health Risk</p> |
| <p>Future projects should include the following measures to reduce long-term exposure to TACs and PM_{2.5}.</p> <ul style="list-style-type: none"> • Design project developments to limit exposure from sources of TACs and PM_{2.5} emissions. • Install air filtration devices at units that have predicted PM_{2.5} concentrations above 0.3 µg/m³. Air filtration devices shall be rated MERV13 or higher. Alternately, at the approval of the City, equivalent control technology may be used if it is shown by a qualified air quality consultant or heating, ventilation, and air conditioning (HVAC) engineer that it would reduce risk below significance thresholds. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required. • Ensure that any lease agreements and other property documents (1) require cleaning, maintenance, and monitoring of the affected units for air flow leaks; (2) include assurance that new owners and tenants are provided information on the ventilation system; and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed. • Require that, prior to building occupancy, an authorized air pollutant consultant or HVAC engineer verify the installation of all necessary measures to reduce cancer risk below 10 chances per million from any source and PM_{2.5} concentrations below 0.3µg/m³. |
| <p style="text-align: center;">Historical Resources</p> |
| <p>Future development under the Specific Plan could result in a significant impact to historic resources. The following Condition of Approval would reduce potential impacts to a less than significant level.</p> <ul style="list-style-type: none"> • For any future project development site within the El Camino Real Specific Plan, the project applicant shall prepare the appropriate California Department of Parks and Recreation 523 Forms (DPR Forms) for any building or structure that is 50 or more years old for the purpose of establishing eligibility as a California Historical Landmark or for the CRHR. |
| <p style="text-align: center;">Hazardous Materials Release</p> |
| <p>As conditions of approval to redevelop a site within the Plan area, the project proponent would be required to implement the following mitigation measures to reduce impacts due to the presence of hazardous building materials to a less than significant level.</p> <ul style="list-style-type: none"> • If lead-based paint is encountered that is flaking, peeling, or blistering, it shall be removed prior to demolition. Removal of lead-based paint is not required if it is bonded to the building materials. In either case, applicable Occupational Safety and Health Administration (OSHA) regulations |

**CONDITIONS OF APPROVAL
EL CAMINO REAL SPECIFIC PLAN**

shall be followed, including requirements for worker training, air monitoring, and dust control, among others. Any debris or soil containing lead must be disposed appropriately.

- Prior to redevelopment under the Specific Plan, shall soil at the locations of former wood-framed structures shall be evaluated for the possible presence of lead and pesticides. Soil adjacent to structures that area painted with lead-based paint can become impacted with lead as a result of the weathering and/or peeling of painted surfaces. Soil near wood-framed structures can also be impacted by pesticides historically used to control termites. Residual pesticides and lead are often identified in soil near old residences, such as those currently and historically located on some of the Plan area parcels.
- Prior to building demolition or renovation, an asbestos survey shall be conducted in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. NESHAP guidelines require the removal of potentially friable asbestos-containing building materials prior to building demolition or renovation that may disturb these materials.
- Prior to building demolition or renovation, an assessment to screen for PCBs in priority building materials shall be conducted in accordance with City of Cupertino protocols and RWQCB requirements. The City requires demolition permit applicants to complete a Screening Assessment Form and comply with applicable federal and state requirements for notification and abatement, as necessary, prior to the issuance of a demolition permit.
- Universal wastes, lubrication fluids, and refrigerants shall be removed before structural demolition begins. Materials that may result in possible risk to human health and the environment when improperly managed include lamps, thermostats, and light switches containing mercury; batteries from exit signs, emergency lights, and smoke alarms; lighting ballasts which contain PCBs; and lead pipes and roof vent flashings. Demolition waste such as fluorescent lamps, PCB ballasts, lead acid batteries, mercury thermostats, and lead flashings have special case-by-case requirements for generation, storage, transportation, and disposal. Prior to disposing of any demolition waste, the demolition contractor shall determine if the waste is hazardous and ensure proper disposal of waste materials.

Seismic Hazards

Consistent with the requirements of the City of Santa Clara and existing regulations, future development and improvements under the proposed Specific Plan shall be required as a condition of approval to submit a design-level geotechnical report to the City for review and approval prior to the issuance of building and grading permits. The applicants for specific development projects shall comply with the specific design measures (including measures to address seismicity and seismic hazards, liquefaction, and lateral spreading) of the respective geotechnical reports to ensure building integrity and reduce risk.

Source: City of Santa Clara. *Final Environmental Impact Report for the El Camino Real Specific Plan*. April 2021.

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING
ADOPTION OF THE EL CAMINO REAL SPECIFIC PLAN, A
SPECIFIC PLAN PURSUANT TO GOVERNMENT CODE
SECTION 65450, et seq.**

SCH # 2019059029
El Camino Real Specific Plan

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

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

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

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

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

WHEREAS, as a part of implementation of the Specific Plan, the City intends to adopt a General Plan Amendment ("GPA") to align the General Plan land use diagram by changing the existing land use designations of the Project Site from Community Mixed Use and Regional Mixed Use to Regional Commercial Mixed Use (55-100 dwelling units per acre; 0.20 FAR of commercial required), Corridor Mixed Use (45-65 dwelling units per acre; commercial allowed but not required), Corridor Residential (16-45 dwelling units per acre; commercial allowed but

not required), and Ground Floor Commercial Overlay which requires commercial uses at specific sites;

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

WHEREAS, as a part of implementation the Specific Plan, the City is also proposing to amend Title 18 (“Zoning”), of the City Code to create the new El Camino Real zoning districts;

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

WHEREAS, Santa Clara City Charter Section 1007 and Government Code sections 65353 and 65453 require that the Planning Commission provide input to the City Council on proposed Specific Plans and General Plan Amendments;

WHEREAS, notice of the public hearing on the proposed Specific Plan was published in the Santa Clara Weekly, a newspaper of general circulation for the City, on April 15, 2021; and

WHEREAS, notices of the public hearing on the Specific Plan and General Plan Amendment were mailed to all property owners within 300 feet of the Project Site, according to the most recent assessor’s roll, on April 15, 2021;

WHEREAS, notice of the hearing was mailed to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, including the Santa Clara Unified School District, on April 15, 2021;

WHEREAS, before considering recommending adoption of the Specific Plan for the area, the Planning Commission reviewed and considered the potential environmental impacts of the Project, including the implementing General Plan Amendment, Zoning Code Amendment, and identified mitigation measures, and recommended that the City Council adopt and certify the Environmental Impact Report (“EIR”) for the Project (SCH #2019059029), as well as a set of CEQA Findings, in accordance with the requirements of CEQA; and

WHEREAS, on April 28, 2021 and May 10, 2021, the Planning Commission reviewed the Specific Plan and conducted a public hearing, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed Specific Plan.

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

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

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

A. The proposed Specific Plan is deemed to be in the public interest, in that:

The Specific Plan is located in an urbanized area served by existing municipal services and implements smart growth principles by redeveloping underutilized properties with high intensity mixed-use, pedestrian- and transit-oriented development that will contribute to the City both socially and economically.

B. The proposed Specific Plan is consistent and compatible with the General Plan and any implementation programs that may be affected, in that:

The Plan furthers and is consistent with the goals, policies and major strategies of the General Plan that enhance the City's quality of life, preserve and cultivate neighborhoods, promote sustainability, enhance City identity, support Focus Areas and community vitality, maintain the City's fiscal health and quality of services, and maximize health and safety benefits with the creation of new land use designations that allow for the development of a high-density mixed-use transit-oriented environment.

C. The proposed Plan has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that:

A Draft Environmental Impact Report ("DEIR") was prepared in accordance with CEQA and the City circulated copies of the DEIR and Notice of Availability to the public agencies which have jurisdiction by law with respect to the Project, as well as to other interested persons, organizations and agencies, and the City sought the comments of such persons, organizations and agencies. The City prepared and circulated written responses to the comments received during the Comment Period and included those responses in a Final Environmental Impact Report ("FEIR"), in accordance with CEQA. Additional comments were received from agencies, organizations and individuals following the distribution of the FEIR and the City prepared responses to the comments received for incorporation into an Appendix to the FEIR and made available for review.

D. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that:

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for implementation with Project development to reduce potentially significant impacts identified in the DEIR and FEIR, that combined constitute the EIR for the Project, to less than significant; and the Planning Commission recommended that the City Council adopt all of these documents.

3. That based on the findings set forth in this Resolution, the EIR Resolution and the evidence in the City Staff Report and such other evidence as received at the public hearing on this matter, the Planning Commission hereby recommends that the City Council adopt the Specific Plan.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED
AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA,
CALIFORNIA, AT A SPECIAL MEETING THEREOF HELD ON THE 10th DAY OF MAY, 2021,
BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING APPROVAL OF A GENERAL PLAN AMENDMENT TO (1) CHANGE THE LAND USE DESIGNATION FROM COMMUNITY MIXED USE AND REGIONAL MIXED USE TO REGIONAL COMMERCIAL MIXED USE, CORRIDOR MIXED USE, AND CORRIDOR RESIDENTIAL FOR THE AREA ON BOTH SIDES OF EL CAMINO REAL BETWEEN THE WESTERN CITY LIMITS AND LAFAYETTE STREET TO THE EAST; (2) ADD THE LAND USE DESIGNATIONS TO CHAPTER 5 OF THE GENERAL PLAN; AND (3) UPDATE APPENDIX 8.13 (CLIMATE ACTION PLAN) WITH TRIP REDUCTION TARGETS FOR THE LAND USE DESIGNATIONS

SCH # 2019059029

El Camino Real Specific Plan General Plan Amendment

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

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

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

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

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

WHEREAS, as a part of implementing the Specific Plan, the City intends to adopt a General Plan Amendment (“GPA”) to align the General Plan land use diagram by changing the existing land use designations of the Project Site from Community Mixed Use and Regional Mixed Use to

Regional Commercial Mixed Use (55-100 dwelling units per acre; 0.20 FAR of commercial required), Corridor Mixed Use (45-65 dwelling units per acre; commercial allowed but not required), Corridor Residential (16-45 dwelling units per acre; commercial allowed but not required), and Ground Floor Commercial Overlay which requires commercial uses at specific sites;

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

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

WHEREAS, Santa Clara City Charter Section 1007 and Government Code Section 65353 require that the Planning Commission provide input to the City Council on any proposed General Plan Amendment;

WHEREAS, notice of the public hearing on the proposed General Plan Amendment was published in the Santa Clara Weekly, a newspaper of general circulation for the City, on April 15, 2021;

WHEREAS, notices of the public hearing on the General Plan Amendment were mailed to all property owners within 300 feet of the Project Site, according to the most recent assessor's roll, on April 15, 2021;

WHEREAS, notice of the hearing was mailed to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, including the Santa Clara Unified School District, on April 15, 2021;

WHEREAS, before considering making a recommendation for the General Plan Amendment for the Project Site, the City of Santa Clara Planning Commission reviewed and considered the potential environmental impacts of the Project, identified mitigation measures, and recommended that the City Council adopt and certify the Environmental Impact Report ("EIR") for the Project

(SCH # 2016122027), as well as a set of CEQA Findings and a Mitigation Monitoring and Reporting Program, in accordance with the requirements of CEQA; and

WHEREAS, on April 28, 2021 and May 10, 2021, the Planning Commission conducted a duly noticed public hearing to consider the proposed General Plan Amendment, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed General Plan Amendment.

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

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

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

A. The proposed amendment is deemed to be in the public interest, in that:

The Project is located in an urbanized area served by existing municipal services and implements smart growth principles by redeveloping underutilized properties with higher intensity mixed-use, pedestrian- and transit-oriented development that will contribute to the City both socially and economically.

B. The proposed General Plan Amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected, in that:

The Project furthers and is consistent with the goals, policies and major strategies of the General Plan that enhance the City's quality of life, preserve and cultivate neighborhoods, promote sustainability, enhance City identity, support Focus Areas and community vitality, maintain the City's fiscal health and quality of services, and maximize health and safety benefits with the creation of the following new land use designations: Regional Commercial Mixed Use (55-100 dwelling units per acre; 0.20 FAR of commercial required), Corridor Mixed Use (45-65 dwelling units per acre; commercial allowed but not required), Corridor Residential (16-45 dwelling

units per acre; commercial allowed but not required), and Ground Floor Commercial Overlay which requires commercial uses at specific sites.

C. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that:

A Draft Environmental Impact Report ("DEIR") was prepared in accordance with CEQA and the City circulated copies of the DEIR and Notice of Availability to the public agencies which have jurisdiction by law with respect to the Project, as well as to other interested persons, organizations and agencies, and the City sought the comments of such persons, organizations and agencies. The City prepared and circulated written responses to the comments received during the Comment Period and included those responses in a Final Environmental Impact Report ("FEIR"), in accordance with CEQA. Additional comments were received from agencies, organizations and individuals following the distribution of the FEIR and the City prepared responses to the comments received for incorporation into an Appendix to the FEIR and made available for review.

D. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that:

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for implementation with Project development to reduce potentially significant impacts identified in the DEIR, FEIR and Appendix to the FEIR, that combined constitute the EIR for the Project, to less than significant and a set of CEQA Findings has been prepared in accordance with CEQA; and the Planning Commission recommended that the City Council adopt all of these documents.

3. That the Planning Commission hereby recommends that the City Council amend the General Plan by adding the following text to Subsection 5.2.2 ("Land Use Classifications and Diagram") of Section 5.2 ("Land Use Diagram") of Chapter 5 ("Goals and Policies"), to be inserted

in the mixed use land use designations section, after the existing definition of “Santa Clara Station Area” :

“Regional Commercial Mixed Use (55-100 dwelling units per acre; 0.20 FAR of commercial required)

This classification is intended for high-intensity commercial or mixed-use residential and commercial development with open space that can serve as a center for community gathering and activity. A large variety of commercial uses are allowed including retail, restaurant, entertainment, offices, hotel, and service uses to meet local and regional needs. Auto-oriented uses and live/work uses are not appropriate in this designation. Residential uses are allowed in a vertical or horizontal mixed-use form. Development under this designation should have an urban feel and typically be composed of mid-rise buildings featuring pedestrian-oriented frontages and facades and structured or below-grade parking. All new development under this designation with a frontage along El Camino Real must include ground floor commercial uses along El Camino Real.”

“Corridor Mixed Use (45-65 dwelling units per acre; commercial allowed but not required)

This classification is intended to encourage a mix of commercial uses and medium-to-high density residential at smaller cross-streets along El Camino Real. This designation allows for standalone commercial or residential uses, and mixed-use development in a horizontal or vertical format. However, there are key locations along the El Camino Real corridor where ground floor commercial uses are required. Commercial uses under this designation are intended for local and neighborhood serving retail,

office, and service uses. Auto-oriented uses are not appropriate in these areas.”

“Corridor Residential (16-45 dwelling units per acre; commercial allowed but not required)

This classification is intended for low- to mid-rise residential building types such as garden apartments, townhouses, and rowhouses with garages or below-grade parking. These areas provide a moderate-intensity residential character and a transition to adjacent single-family residential neighborhoods. This designation is generally applied to smaller parcels along the corridor that are constrained by shallow lot depths and parcel aggregation challenges.”

“Ground Floor Commercial Overlay

This classification illustrates where ground floor commercial is required in selected parcels with the Corridor Mixed Use (CMU) land use designation; this classification also applies to all parcels designated Regional Commercial Mixed Use (RCMU). These concentrations of commercial uses will support pedestrian activity and create opportunities for vibrant public spaces. The Ground Floor Commercial Overlay does not cover any Corridor Residential areas, where ground floor commercial is encouraged but not required.

4. That the Planning Commission, pursuant to Government Code § 65354, hereby recommends that the City Council amend the General Plan by changing the General Plan Land Use Designation for the Project Site by modifying Figures 5.2-2 and 5.2-3 of the General Plan to the land use designations described in the land use plan, Figure 3-1, of the El Camino Real Specific Plan, which is attached hereto and incorporated herein by this reference.

5. That the Planning Commission hereby recommends that the City Council amend Appendix 8.13 of the General Plan by modifying the Climate Action Plan to include new trip reduction standards for the Regional Commercial Mixed Use, Corridor Mixed Use, and Corridor Residential General Plan Designations, to read as follows:

| General Plan Land Use Designation | | | | | | | | | | | | | | | |
|---|--|--------------------------|-------------------------------|---|---------------------|------------------------|---------------------|--------------------|--------------------------|---------------------------|--|----------------------|-------------------------------|--------------------|----------------------|
| | Medium-Density Residential | High-Density Residential | Very High Density Residential | Santa Clara Station Very High Density Residential | Regional Commercial | Neighborhood Mixed Use | Community Mixed Use | Regional Mixed Use | Low Intensity Office/R&D | High Intensity Office/R&D | Urban Center/Entertainment ⁸ | Transit Neighborhood | Regional Commercial Mixed-Use | Corridor Mixed-Use | Corridor Residential |
| Average trip Generation rate ^{1,2} | 6 | 7 | 7 | 8 | 8 | 8 | 8 | 8 | 11 | 7 | Office: 11 | 7 | 7 | 7 | 7 |
| | | | | | | | | | | | Residential: 7 | | | | |
| Transportation Districts | Minimum % VMT reduction per project ^{3, 4, 5} (Minimum % VMT reduction per project from TDM) ^{6, 7} | | | | | | | | | | | | | | |
| 1 – North of Caltrain | 15% (5%) | 20% (10%) | 20% (10%) | | | | | | 25% (10%) | 20% (10%) | Office: 10% (4%) Residential 20% (2%) | 20% (10%) | | | |
| 2 – Downtown | | | | Pre-BART: ⁹ 20% (10%) | | | 20% (10%) | | | | | | | | |
| | | | | BART: 30% (20%) | | | | | | | | | | | |
| 3 – El Camino Real Corridor | | 15% (5%) | | | | | 20% (10%) | 20% (10%) | | | | | 20% (10%) | 20% (10%) | 20% (10%) |
| 4 – Stevens Creek Boulevard | | | | | 5% (n/a) | | 15% (5%) | | | | | | | | |

Notes:

1. Average trip generation rates represent the number of daily trips per housing unit (for residential projects) or per 1,000 square feet (for nonresidential projects).
2. For commercial and mixed-use designations, average trip generation rates describe employee and resident trips rather than retail visitor trips.
3. Highlighted cells indicate that the General Plan land use designation is present in the transportation district.
4. The VMT reductions for each land use in each district exceed the total cumulative VMT reductions anticipated for each district in Appendix B, as projects consisting of less than or equal to 25 dwelling units or 10,000 nonresidential square feet would typically be considered exempt.
5. All projects subject to minimum vehicle miles traveled reduction requirements are subject to annual reporting requirements.
6. Staff retains discretion to require a TDM program as a condition of approval for discretionary projects not located in one of the four identified districts.
7. TDM reductions are expressed as minimum requirements. However, staff retains discretion to require greater levels of TDM as a condition of approval for discretionary projects.
8. For the Urban Center / Entertainment District, the VMT reduction requirements apply to the office and residential uses within that district, and the reduction requirements are specific to those two categories of uses.
9. Per Council Resolution 19-8734, the VMT reduction (and VMT reduction per project from TDM) for the Santa Clara Station Very High Density Residential designation shall be 20% (10%) prior to the Santa Clara BART station becoming operational, and 30% (20%) subsequent to the Santa Clara BART station becoming operational

6. That based on the findings set forth in this Resolution, the EIR Resolution and the evidence in the City Staff Report and such other evidence as received at the public hearing on this matter, the Planning Commission hereby recommends that the City Council approve the General Plan Amendment.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A SPECIAL MEETING THEREOF HELD ON THE 10TH DAY OF MAY, 2021, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

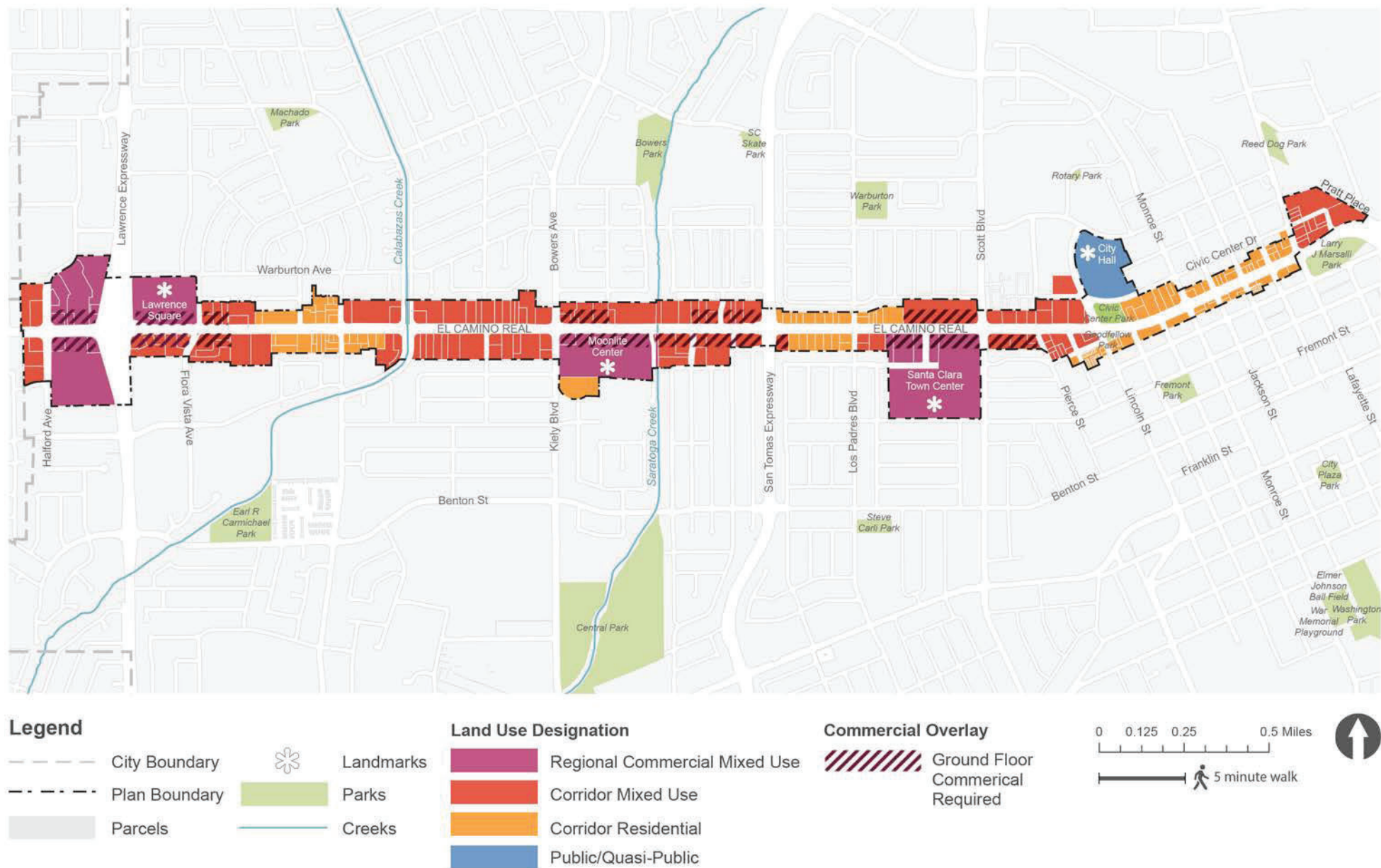
ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Land Use Plan

Figure 3-1. Land Use Plan



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, AMENDING TITLE 18 OF “THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA” TO ADD A NEW CHAPTER 18.27, REGULATIONS FOR THE EL CAMINO REAL CORRIDOR PLANNING AREA; REVISING CHAPTER 17.15, PROPERTY DEVELOPMENTS, TO CLARIFY THAT THE NEW EL CAMINO PROPERTY STANDARDS WILL SUPERSEDE THAT CHAPTER; AND ADDING A NEW SECTION 17.40.116 TO CHAPTER 17.40, CITYWIDE AFFORDABLE HOUSING REQUIREMENTS, TO SPECIFY AFFORDABILITY LEVELS APPLICABLE TO THE EL CAMINO REAL ZONING DISTRICTS

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

SECTION 1: That a new Chapter 18.27, “Regulations for the El Camino Real Corridor”, is hereby added to Title 18 (entitled “Zoning”), of “The Code of the City of Santa Clara, California” (“SCCC”) as follows:

“Chapter 18.27

Regulations for the El Camino Real Corridor

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- 18.27.600 Regional Commercial Mixed Use District (RCMU) Development Standards Table.
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Article I. Regulations for the El Camino Real Corridor

18.27.010 Application.

The regulations set forth in this chapter apply to all parcels in the El Camino Real Specific Plan area.

18.27.020 Intent.

The El Camino Real Corridor zoning districts are designed to implement the Regional Commercial Mixed Use, Corridor Mixed Use, and Corridor Residential General Plan designations, creating a range of residential densities that are transit-oriented with supportive commercial services. The El Camino Real corridor zoning districts include the Regional Commercial Mixed Use District (RCMU), Corridor Mixed Use District (CMU), and the Corridor Residential District (CR) and are expected to be implemented over time, and the district contains provisions for the continuation of existing auto-oriented uses.

18.27.030 Purpose

The purpose of the El Camino Real Corridor individual districts and the way they are applied are as follows:

- 1. Regional Commercial Mixed Use (RCMU). The purpose of the RCMU - Regional Commercial Mixed Use Zone is to provide land areas for the construction,**

use, and occupancy for pedestrian- oriented developments that focus on regional-serving commercial uses (e.g., big box stores, entertainment establishments, restaurants, retail establishments). It is the intent of this zone to be located on high-traffic corridors and to provide a mix of residential and commercial uses, with residential on the upper floors and commercial and office on the lower floors. This zone has a minimum Floor Area Ratio (FAR) of 0.2. The allowable residential density range is 55-100 dwelling units per acre.

2. **Corridor Mixed Use (CMU).** The purpose of the CMU - Corridor Mixed Use Zone is to provide land areas for the construction, use, and occupancy for pedestrian- oriented developments that focus on community-serving commercial uses (e.g., grocery stores, banks, pharmacies, restaurants, retail establishments). It is the intent of this zone to provide a mix of residential and commercial uses, with residential on the upper floors and commercial and office on the lower floors, as well as, stand-alone uses in certain circumstances. This zone does not have a minimum Floor Area Ratio (FAR). The allowable residential density range is 45-65 dwelling units per acre.

3. **Corridor Residential (CR).** The purpose of the CR - Corridor Residential Zone is to provide land areas for the construction, use, and occupancy for a variety of multi-family residential housing types that focus on the transition between higher-intensity mixed use and single-family residential. This zone also allows commercial uses. It is the intent of this zone to be located small parcels on high-traffic corridors and to provide a mix of residential and commercial uses, with residential on the upper floors and commercial and office on the lower

floors. This zone does not have a minimum Floor Area Ratio (FAR). The allowable residential density range is 16-45 dwelling units per acre.

18.27.040 Permitted and conditional uses.

The land uses in the following table, are as defined in the Zoning Ordinance. The requirements under “Required Ground Floor Commercial Areas” apply to required ground floor commercial spaces in locations identified in the Ground Floor Commercial Overlay as described in the El Camino Real Specific Plan. If a land use is not listed in the Land Use Table, the use is not allowed, otherwise, uses will be denoted as either; P - Allowed by Right; MUP - Minor Use Permit; CUP - Conditional Use Permit; or Blank - Not allowed

18.27.050 Land Use Table.

| Allowed Uses and Permit Requirements | Designations | | | |
|---|----------------|------------------|------------------|---|
| Land Use (see Zoning Ordinance for land use definitions) | CR | CMU | RCMU | Additional Regulations and Exceptions |
| Residential Uses | | | | |
| Caretaker Housing | - | - | - | |
| Dwelling, Multifamily | P | P | P | |
| Employee Housing | - | - | - | |
| Home Occupations | P | P | P | |
| Live-Work Facilities | p ² | p ^{1,2} | p ^{1,2} | ¹ Permitted except along the El Camino Real street frontage in the RCMU designation or the Ground Floor Commercial Overlay. ² Live/work facilities shall not count towards commercial FAR requirements but shall count toward residential density. |
| Land Use (see Zoning Ordinance for land use definitions) | CR | CMU | RCMU | Additional Regulations and Exceptions |
| Human Services Uses | | | | |
| Child Day Care Facilities | P | P | P | |

| | | | | |
|---|-----|-----|------|---------------------------------------|
| Community Care Facilities, Small | P | P | - | |
| Community Care Facilities, Large | CUP | CUP | - | |
| Day Care Homes | P | P | P | |
| Supportive Housing | P | P | P | |
| Low Barrier Navigation Centers | P | P | P | |
| Recreation, Education, and Public Assembly Uses | | | | |
| Community Gardens | MUP | MUP | MUP | |
| Commercial Recreation Facilities, Indoor | P | P | P | |
| Fitness Facilities | P | P | P | |
| Libraries | P | P | - | |
| Museums | P | P | P | |
| Parks and Public Plazas | P | P | P | |
| Places of Assembly | - | CUP | CUP | |
| Public Schools | P | P | P | |
| Private Schools | CUP | CUP | CUP | |
| Public/Private Colleges and Universities | P | P | P | |
| Theaters and Auditoriums | P | P | P | |
| Vocational/Trade Schools | P | P | P | |
| Land Use (see Zoning Ordinance for land use definitions) | CR | CMU | RCMU | Additional Regulations and Exceptions |
| Utility, Transportation, and Communication Uses | | | | |
| Park and Ride Facilities | P | P | P | |
| Parking Structures | MUP | MUP | MUP | |
| Public Safety Facilities | P | P | P | |
| Wireless Telecommunications Facilities, Microcell | P | P | P | |
| Wireless Telecommunication Facilities, Minor (less than 70 | MUP | MUP | MUP | |

| | | | | |
|--|------------------|------------------|------------------|---|
| feet) | | | | |
| Wireless Telecommunication Facilities, Major (70 feet or higher) | - | CUP | CUP | |
| Transit Stations and Terminals | P | P | P | |
| Utility Facilities and Infrastructure | CUP ² | CUP ² | CUP ² | ² CUP required for private utility facilities and infrastructure. Public utilities and infrastructure are permitted uses. |
| Retail, Service, and Office Uses | | | | |
| Alcoholic Beverage Sales and Service | P | P | P | Retail sale of beer, wine, and/or other alcoholic beverages for off-premises consumption at a retail establishment which has 50 percent or more of the shelving or gross floor area devoted to the public display |
| Ambulance Services | CUP | CUP | - | |
| Animal Sales and Grooming Facilities | P | P | P | |
| Banks and Financial Establishments, General | P | P | P | |
| Banks and Financial Establishments, Stand-alone ATM | P | P | P | |
| Bars | CUP | CUP | CUP | |
| Business Support Centers | P | P | MUP | |
| Drive-in/Drive-through Establishments | - | - | - | |
| Hotels and Motels | - | P | P | |
| Land Use | CR | CMU | RCMU | Additional Regulations and Exceptions |
| Retail, Service, and Office Uses (continued) | | | | |
| Kennels | MUP | MUP | - | |
| Live Entertainment | CUP | P | P | wholly incidental to an otherwise permitted commercial use |
| Maintenance and Repair Services | P | P | P | |
| Nightclubs | - | - | CUP | |

| | | | | |
|--|-----|-----|-----|--|
| Offices | P | P | P | |
| Outdoor Dining and Seating | MUP | MUP | MUP | |
| Outdoor Displays and Sales | CUP | CUP | CUP | |
| Personal Services | P | P | P | |
| Personal Services, Restricted | MUP | MUP | MUP | |
| Restaurants | P | P | P | |
| Retail Establishments: | | | | |
| General, Small Format | P | P | P | |
| General, Medium Format | P | MUP | P | |
| General, Large Format | - | - | CUP | |
| Veterinary Facilities | P | P | P | |
| Vehicle Oriented Uses | | | | |
| Vehicle Rental Facilities, Limited | - | - | - | |
| Vehicle Rental Facilities, Office Only | - | - | - | |
| Vehicle Repair Facilities, Minor | - | - | - | |
| Vehicle Service Stations | - | CUP | CUP | |
| Industrial, Manufacturing, and Processing Uses | | | | |
| Printing and Publishing Facilities | P | P | P | |
| Wineries, Distilleries, Breweries, and Micro-Breweries | MUP | MUP | MUP | |
| Personal Storage Facilities | - | - | - | |

Article II. Minor Use Permits (MUPs).

18.27.070 Purpose

Minor Use Permits are for uses of land that require special review and control to ensure they are compatible with the neighborhood and surrounding land uses. They are considered more likely to have greater impacts than land uses permitted by right in the

zone, but lesser impacts than uses requiring a Conditional use Permit.

18.27.080 Intent.

The Minor Use Permit procedures are intended to provide sufficient flexibility in the use regulations to further the objectives of this Chapter and of the Zoning Code and to provide the City with the opportunity to impose special conditions to mitigate potential impacts that could result from allowing the use(s) at the requested location.

18.27.090 Applicability

Approval of a Minor Use Permit is required to authorize proposed land uses specified by Table 18.27.050 above (Land Use Table), and Development Standards as being allowable in the applicable zone when subject to the approval of a Minor Use Permit.

18.27.100 Application Filing, Processing, and Review

A. Filing and Processing. An application for a Minor Use Permit shall be filed and processed in compliance with Article II (Minor Use Permits) of this Chapter 18.27.

B. Application Contents. The application shall include the information and materials specified in the most up-to-date Department handout for Conditional and Minor Use Permit applications, together with the required fee in compliance with the Fee Schedule.

C. Responsibility. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 18.27.300 (Findings and Decision), below.

D. Applicable Review Authority.

1. Except as provided in paragraph 2 below, Minor Use Permits shall be reviewed and either approved or denied by the Director.

2. The Director may choose to refer any Minor Use Permit application to the

Planning Commission.

18.27.200 Project Review, Notice, and Hearing

Each application for a Minor Use Permit shall be reviewed by the Director to ensure that the proposal complies with all applicable requirements of this Chapter 18.27 and the Zoning Code.

A. Notice Required. Before a decision on a Minor Use Permit is made, the City shall provide notice as follows.

1. The notice shall state that the Director will decide whether to approve, conditionally approve, or deny the Minor Use Permit application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person before the specified date for the decision.

2. Any written request for a hearing shall be based on issues of significance directly related to the application (e.g., provision of evidence that the request cannot meet one or more of the findings specified in Section 18.27.030 [Findings and Decision], below).

3. If the Director determines that the evidence has merit and can be properly addressed by a condition(s) added to the Minor Use Permit approval, the Director may consider the permit in compliance with paragraph B.2, below.

B. Hearing.

1. A hearing before the Director shall be scheduled and noticed if either of the following apply:

- a. If a public hearing is requested and the provisions of paragraph A.3, above, do not apply; or

b. The Director determines that a hearing would serve the public interest.

2. In all other circumstances, the Director shall render a decision on the date specified in the notice referred to in paragraph A.1, above.

C. Appeals. The Director's decision is appealable to the Planning Commission. In the event of such an appeal to the Planning Commission, the Planning Commission decision shall be final and non-appealable.

18.27.300 Findings and Decision

The Review Authority may approve or conditionally approve a Minor Use Permit only after first making all of the following findings:

A. The proposed use is consistent with the General Plan and any applicable specific plan to the maximum extent practicable;

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; and

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

18.27.400 Conditions of Approval

When considering approval of a Minor Use Permit, the Review Authority may impose any conditions deemed reasonable and necessary to ensure that the approval will comply with the findings required by Section 18.27.300 (Findings and Decision), above.

Article III. Development Standards for the El Camino Real Corridor

18.27.500 Existing Buildings and Uses.

(a) Notwithstanding any other provision in this Chapter, the lawful use of buildings existing prior to the adoption of this Chapter may continue and none of the other sections of this Chapter 18.27 shall apply, as though the prior zoning of the parcel remained in place, until such time as the existing use (including any expansions) has been discontinued in its entirety, at which time the prior zoning shall become inapplicable and the other sections of this chapter shall apply from that point forward.

(b) Allowed Uses. For parcels with legal uses of buildings existing prior to the adoption of this Chapter, permitted uses of the prior zoning district are allowed, and none of the other sections of this chapter shall apply to such building and use, until such time as the existing use (including any expansions) has been discontinued in its entirety.

(c) Conditional Uses. For parcels with legal uses of buildings existing prior to the adoption of this chapter, conditional uses of the prior zoning district are conditionally permitted, and none of the other sections of this chapter shall apply, until such time as the existing use (including any expansions) has been discontinued in its entirety.

(d) Development Standards. For parcels with legal uses of buildings existing prior to the adoption of this chapter, development standards of the prior zoning district shall apply, and none of the other sections of this chapter shall apply, until such time as the existing use (including any expansions) has been discontinued in its entirety..

18.27.600 Regional Commercial Mixed Use District (RCMU) Development

Standards Table.

| Standards | Regional Commercial Mixed Use |
|--|---|
| Height, Density, & Intensity ¹ | |
| Maximum Stories/Height to Top of Wall | 70 ft (6 stories) ^{2,3,4,5} |
| Minimum Commercial Floor Area Ratio | 0.2 |
| Maximum Dwelling Units per Acre | 100 du/acre ⁵ |
| Minimum Dwelling Units per Acre | 55 du/acre |
| Minimum Commercial Ground Floor Area | 50% of the ground floor along ECR parcel frontage |
| Transitions Adjacent to Single-Family/Duplex Zoning Districts | |
| Maximum Height adjacent to Single-Family and Duplex residential zoning districts | 1:1 slope ratio of setback to height starting from property line at grade . |
| Maximum Height across the street from Single-Family and Duplex residential zoning districts ⁶ | At the setback line, the height of the roof plate ⁷ may be no taller than one story above the maximum height allowed in the opposing residential zone. Behind the setback line, building heights may step up away from the street following a 1:1 slope ratio of step back to building height measured from the roof plate . |
| <ol style="list-style-type: none"> 1. Density shall be calculated as net density, which excludes public streets and dedicated public parkland (per Chapter 17.35 of the Santa Clara City Code). The lot area that contains publicly-accessible private open space, private streets and pathways, and required easements will be counted toward lot area for the purposes of calculating residential density and commercial floor area ratio. 2. See Specific Plan Figure 4-1, Allowed Heights. 3. Projects must comply with both stories and overall height maximums. Height exceptions up to 10 feet above the maximum may be allowed to accommodate architectural features, rooftop stair access and elevator shafts, mechanical equipment, or other rooftop amenities, as approved by City staff. 4. FAA airspace safety clearance may be required on a project-specific basis pursuant to Federal Aviation Regulations/Part 77. 5. Projects may be eligible for additional height, density, or FAR in exchange for providing community benefits above and beyond what is required by the Plan, as outlined in Specific Plan section 6.2, Community Benefits Program. 6. Applies to portions of a development directly opposite a residentially zoned property where the street is less | |

than 65 feet wide.

7. A roof plate is defined as the top horizontal framing member of a wall where the roof structure is attached.

| Standards | Regional Commercial Mixed Use | | |
|---|--|-------------------------|--|
| Setbacks and Frontage | Ground Floor Commercial | Other Ground Floor Uses | |
| ECR Minimum Front Setback, from back of walk ² | 0 or 5 ft ³ | 10 ft ³ | |
| ECR Maximum Front Setback, from back of walk ^{1,2} | 10 ft | 15 ft | |
| Minimum Street Setback, other than ECR | 10 ft | 15 ft | |
| Maximum Street Setback, other than ECR | 15 ft | 20 ft | |
| Minimum Side & Rear Setback (from adjacent parcel or alley) | 5ft | 10 ft | |
| Minimum Setback adjacent to single family and duplex residentially-zoned parcel | 25 ft | 25 ft | |
| Minimum Transparency | 50% | NA | |
| Pedestrian Entries | At least 1 pedestrian entry is required on each primary block frontage, unless a greater number is required by the Building Code or Fire Code. | | |
| Private Open Space ⁵ | Non-Residential | Hotel | Residential/Residential Portion of Mixed-Use Project |
| Minimum Required Personal Open Space | NA | NA | 60 sf per unit ⁶ |
| Minimum Required Common Usable Open Space | NA | 20 sf per room | 80 sf per unit ⁷ |
| Minimum Required Publicly-Accessible Open Space | 10% of lot area ⁸ | | |
| | | | |
| Standards | Regional Commercial Mixed Use | | |
| Parking ⁹ | | | |
| Maximum Surface Parking Length along ECR | 30% | | |

| | |
|-------------------------------------|-------|
| parcel frontage | |
| Minimum Setback for Surface Parking | 10 ft |

1. At least 75% of the building facade shall be located within the minimum and maximum setback lines; up to 25% of the building façade may be located behind the maximum setback to allow for massing breaks, forecourts, plazas, etc. Publicly-accessible plazas/open spaces may be subtracted from the overall facade length to calculate the minimum percentage of building facade to be located within the setback range.
2. The intent is to achieve a total sidewalk width of 20 feet along El Camino Real, with a minimum sidewalk width of 15.5 feet. Setbacks are measured from the new back of walk. As sites are redeveloped over time, the City will work with property owners to negotiate the appropriate dedication and/or public easement to meet new sidewalk requirements on a case-by-case basis.
3. The minimum front/street side setback for live/work units shall be 10 feet from the back of walk.
4. The minimum setback is 0 feet in instances where the sidewalk width is 20 feet. In areas where that cannot be achieved and the sidewalk is less than 20 feet wide, the minimum setback is 5 feet from the back of walk.
5. Open space requirements are separate from parkland dedication requirements established by SCCC Chapter 17.35. However, depending on the size, location, and amenities provided, it is possible that the open space would qualify for private open space credit under Chapter 17.35. In the RCMU designation, onsite public parks provided per the City's parkland dedication requirements may count towards fulfilling the 10% publicly-accessible open space standard, subject to approval by the Director of Parks and Recreation (per Section 17.35.080).
6. All of the required personal open space may be provided as common private outdoor areas (i.e. 140 sf per unit could be provided as common open space).
7. Includes roof decks and other shared common open areas. Setback areas are not considered usable open space unless they are at least 20 feet wide from the building to the property line. Up to 40 sf per unit can be provided in an indoor communal space so long as it opens directly on to a common outdoor space.
8. Must be ground floor publicly-accessible open space. New publicly-accessible open space should have a minimum 30-foot dimension in at least one direction and a minimum total area of 3000 sf.
9. Refer to the Zoning Code for additional off street parking and loading requirements.

18.27.700 Corridor Mixed Use District (CMU) Development Standards Table.

| Standards | Corridor Mixed Use |
|---|--|
| Height, Density, & Intensity ¹ | |
| Maximum Stories/Height to Top of Wall | 60 ft (5 stories) ^{2,3,4} |
| Minimum Floor Area Ratio | None |
| Minimum Dwelling Units per Acre | 45 du/acre |
| Maximum Dwelling Units per Acre | 65 du/acre ⁴ |
| Minimum Commercial Ground Floor Area | Specific Plan Figure 4-10 shows locations where commercial is required for 50% of the ground floor |

| | |
|--|--|
| | building frontage along El Camino Real. All other areas - commercial allowed, not required. |
| Transitions Adjacent to Single-Family/Duplex Zoning Districts | |
| Maximum Height adjacent to Single-Family and Duplex residential zoning districts | 1:1 slope ratio of setback to height starting from property line at grade . |
| Maximum Height across the street from Single-Family and Duplex residential zoning districts ⁵ | At the setback line, the height of the roof plate ⁶ may be no taller than one story above the maximum height allowed in the opposing residential zone. Behind the setback line, building heights may step up away from the street following a 1:1 slope ratio of step back to building height measured from the roof plate. |
| | |

1. Density shall be calculated as net density, which excludes public streets and dedicated public parkland (per Chapter 17.35 of the Santa Clara City Code). The lot area that contains publicly-accessible private open space, private streets and pathways, and required easements will be counted toward lot area for the purposes of calculating residential density and commercial floor area ratio.
2. See Specific Plan Figure 4-1, Allowed Heights.
3. Projects must comply with both stories and overall height maximums. Height exceptions up to 10 feet above the maximum may be allowed to accommodate architectural features, rooftop stair access and elevator shafts, mechanical equipment, or other rooftop amenities, as approved by City staff.
4. Projects may be eligible for additional height, density, or FAR in exchange for providing community benefits above and beyond what is required by the Plan, as outlined in Specific Plan section 6.2, Community Benefits Program.
5. Applies to portions of a development directly opposite a residentially zoned property where the street is less than 65 feet wide.
6. A roof plate is defined as the top horizontal framing member of a wall where the roof structure is attached.

| Standards | Corridor Mixed Use | |
|---|-------------------------|-------------------------|
| | Ground Floor Commercial | Other Ground Floor Uses |
| ECR Minimum Front Setback, from back of walk ² | 0 or 5 ft ³ | 10 ft ³ |
| ECR Maximum Front Setback, from back of walk ^{1,2} | 10 ft | 15 ft |
| Minimum Street Setback, other than ECR | 10 ft | 15 ft |
| Maximum Street Setback, other than ECR | 15 ft | 20 ft |
| Minimum Side & Rear Setback (from adjacent parcel or alley) | 5 ft ⁸ | 10 ft ⁸ |
| Minimum Setback adjacent to single family and duplex residentially-zoned parcel | 25 ft | 25 ft |
| Minimum Transparency | 50% | NA |

| | | | |
|--|--|----------------|--|
| Pedestrian Entries | At least 1 pedestrian entry is required on each primary block frontage, unless a greater number is required by the Building Code or Fire Code. | | |
| Private Open Space ⁵ | Non-Residential | Hotel | Residential / Residential Portion of Mixed-Use Project |
| Minimum Required Personal Open Space | NA | NA | 80 sf per unit ⁶ |
| Minimum Required Common Usable Open Space | NA | 20 sf per room | 100 sf per unit ⁷ |
| Minimum Required Publicly-Accessible Open Space | NA | NA | |
| | | | |
| | | | |
| Standards | Corridor Mixed Use | | |
| Parking ⁹ | | | |
| Maximum Surface Parking Length along ECR parcel frontage | 30% | | |
| Minimum Setback for Surface Parking | 10 ft | | |

1. At least 75% of the building facade shall be located within the minimum and maximum setback lines; up to 25% of the building facade may be located behind the maximum setback to allow for massing breaks, forecourts, plazas, etc. Publicly-accessible plazas/open spaces may be subtracted from the overall facade length to calculate the minimum percentage of building facade to be located within the setback range.
2. The intent is to achieve a total sidewalk width of 20 feet along El Camino Real, with a minimum sidewalk width of 15.5 feet. Setbacks are measured from the new back of walk. As sites are redeveloped over time, the City will work with property owners to negotiate the appropriate dedication and/or public easement to meet new sidewalk requirements on a case-by-case basis.
3. The minimum front/street side setback for live/work units shall be 10 feet from the back of walk.
4. The minimum setback is 0 feet in instances where the sidewalk width is 20 feet. In areas where that cannot be achieved and the sidewalk is less than 20 feet wide, the minimum setback is 5 feet from the back of walk.
5. Open space requirements are separate from the parkland dedication requirements established by SCCC Chapter 17.35. However, depending on the size, location, and amenities provided, it is possible that the open space would qualify for private open space credit under Chapter 17.35.
6. Required personal open space for up to 50% of units can be provided as common private open space.
7. Includes roof decks and shared common areas. Setback areas are not considered usable open space unless they are at least 20 feet wide from the building to the property line. Up to 50 sf per unit can be provided in an indoor communal space so long as it opens directly on to a common outdoor space.
8. The minimum setback for parcels adjoining Saratoga Creek ROW shall be 20 feet.
9. Refer to the Zoning Code for additional off street parking and loading requirements.

18.27.800 Corridor Residential District (CR) Development Standards Table.

| Standards | Corridor Residential |
|--|---|
| Height, Density, & Intensity ¹ | |
| Maximum Stories/Height to Top of Wall | 50 ft (4 stories) ^{2,3,4} |
| Minimum Floor Area Ratio | None |
| Minimum Dwelling Units per Acre | 16 du/acre |
| Maximum Dwelling Units per Acre | 45 du/acre ⁴ |
| Minimum Commercial Ground Floor Area | Commercial allowed, not required |
| Transitions Adjacent to Single-Family/Duplex Residential Districts | |
| Maximum Height adjacent residential zoning district | 1:1 slope ratio of setback to height starting from property line at grade . |
| Maximum Height across the street from residential zoning district ⁵ | At the setback line, the height of the roof plate ⁶ may be no taller than one story above the maximum height allowed in the opposing residential zone. Behind the setback line, building heights may step up away from the street following a 1:1 slope ratio of step back to building height measured from the roof plate . |
| | |
| <ol style="list-style-type: none"> Density shall be calculated as net density, which excludes public streets and dedicated public parkland (per Chapter 17.35 of the Santa Clara City Code). The lot area that contains publicly-accessible private open space, private streets and pathways, and required easements will be counted toward lot area for the purposes of calculating residential density and commercial floor area ratio. See Specific Plan Figure 4-1, Allowed Heights. Projects must comply with both stories and overall height maximums. Height exceptions up to 10 feet above the maximum may be allowed to accommodate architectural features, rooftop stair access and elevator shafts, mechanical equipment, or other rooftop amenities, as approved by City staff. Projects may be eligible for additional height, density, or FAR in exchange for providing community benefits above and beyond what is required by the Plan, as outlined in Specific Plan section 6.2, Community Benefits Program. Applies to portions of a development directly opposite a residentially zoned property where the street is less than 65 feet wide. A roof plate is defined as the top horizontal framing member of a wall where the roof structure is attached. | |

| Standards | Corridor Residential |
|-----------|----------------------|
|-----------|----------------------|

| Setbacks and Frontage | Ground Floor Commercial | Other Ground Floor Uses | |
|---|--|-------------------------|--|
| ECR Minimum Front Setback, from back of walk ² | 0 or 5 ft ^{3,4} | 10 ft ³ | |
| ECR Maximum Front Setback, from back of walk ^{1,2} | 10 ft | 15 ft | |
| Minimum Street Setback, other than ECR | 10 ft | 15 ft | |
| Maximum Street Setback, other than ECR | 15 ft | 20 ft | |
| Minimum Side & Rear Setback (from adjacent parcel or alley) | 5 ft | 10 ft | |
| Minimum Setback adjacent to single family and duplex residentially-zoned parcel | 20 ft | 20ft | |
| Minimum Transparency | 50% | NA | |
| Pedestrian Entries | At least 1 pedestrian entry is required on each primary block frontage, unless a greater number is required by the Building Code or Fire Code. | | |
| Private Open Space ⁵ | Non-Residential | Hotel | Residential / Residential Portion of Mixed-Use Project |
| Minimum Required Personal Open Space | NA | NA | 100 sf per unit ⁶ |
| Minimum Required Common Usable Open Space | NA | 20 sf per room | 100 sf per unit ⁷ |
| Minimum Required Publicly-Accessible Open Space | NA | NA | NA |
| | | | |
| | | | |
| Parking ⁷ | | | |
| Maximum Surface Parking Length along ECR parcel frontage | 30% | | |
| Minimum Setback for Surface Parking | 10 ft | | |

1. . At least 75% of the building facade shall be located within the minimum and maximum setback lines; up to 25% of the building façade may be located behind the maximum setback to allow for massing breaks, forecourts, plazas, etc. Publicly-accessible plazas/open spaces may be subtracted from the overall facade length to calculate the minimum percentage of building facade to be located within the setback range.

2. The intent is to achieve a total sidewalk width of 20 feet along El Camino Real, with a minimum sidewalk width of 15.5 feet. Setbacks are measured from the new back of walk. As sites are redeveloped over time, the City will work with property owners to negotiate the appropriate dedication and/or public easement to meet new sidewalk requirements on a case-by-case basis.
3. The minimum front/street side setback for live/work units shall be 10 feet from the back of walk.
4. The minimum setback is 0 feet in instances where the sidewalk width is 20 feet. In areas where that cannot be achieved and the sidewalk is less than 20 feet wide, the minimum setback is 5 feet from the back of walk.
5. Open space requirements are separate from parkland dedication requirements established by SCCC Chapter 17.35. However, depending on the size, location, and amenities provided, it is possible that the open space would qualify for private open space credit under Chapter 17.35.
6. Required personal private open space for up to 50% of units can be provided as common private open space. Includes roof decks and other shared common open areas. Setback areas are not considered usable open space unless they are at least 20 feet wide from the building to the property line. Up to 50 sf per unit can be provided in an indoor communal space so long as it opens directly on to a common outdoor space.
7. Refer to the Zoning Code Ordinance for additional off street parking and loading requirements.

18.27.900 Additional development standards.

(a) Lighting and Security.

(1) Open parking areas and common open space areas shall include lighting which provides a minimum illumination of one footcandle. Lighting fixtures shall be weather and vandal resistant. Lighting shall reflect away from residential areas and public streets.

(2) All main entrance doors to individual dwelling units shall be equipped with one hundred eighty (180) degree door viewers. Each main entrance door shall be equipped with a deadbolt lock with a cylinder guard, a minimum of one-inch bolt projection and a maximum security strike plate.

(3) All sliding glass doors and ground floor windows shall be equipped with auxiliary locks, as approved by the Chief of Police.

(b) Trash Disposal. Each property shall provide accessible trash disposal areas. If not screened within a garage or structure, each disposal area shall be screened from public view. Such enclosures shall provide area of sufficient size to accommodate trash and recycling bins for residential and commercial uses on-site. Trash compactors shall be

located within an enclosed building.”

SECTION 2: That section 17.15.310 (“Standards deemed minimum requirements”) of Chapter 17.15 (“Property Developments”) of Title 17 (“Development”) is hereby amended to read as follows:

“17.15.310 Standards deemed minimum requirements.

- A. The standards established by this Chapter are minimum standards only, and the City Council reserves the right to require higher standards in the event that the City Manager of the City shall find that the minimum standards established by this chapter are not adequate, suitable, or proper because of traffic patterns, the location, soil structure or any other cause in the area in which the improvement of facility is located.
- B. Notwithstanding any other provision of this Chapter, in the event of any conflict between the terms of this Chapter and the terms of Chapter 18.27 (“Regulations for the El Camino Real Corridor”) of Title 18 (“Zoning”), as may be amended, the terms of Chapter 18.27 shall control.”

SECTION 3: That a new section 17.40.116 is hereby added to Chapter 17.40, Citywide Affordable Housing Requirements, of Title 17 (entitled “Development”), of “The Code of the City of Santa Clara, California” (“SCCC”) to read as follows:

“17.40.115 Affordability Levels – El Camino Real Specific Plan.

For either ownership or rental housing developed under the El Camino Real Corridor Zoning Districts in the El Camino Real Specific Plan Area, the following affordable housing requirements apply:

(a) Notwithstanding Subsection 17.40.080(a), residential ownership projects of ten or more units must provide at least fifteen percent (15%) of the units at affordable housing costs for extremely low, very low, low and moderate income households, or some combination of those income categories. A developer shall select income categories for each of the affordable units such that the average income of purchasers will not exceed eighty percent (80%) of AMI. Residential ownership projects of fewer than ten units may either provide one dwelling at an affordable housing cost for a household earning up to eighty percent (80%) of AMI, or pay an in-lieu fee identified for residential ownership projects in the affordable housing master fee schedule.

(b) Notwithstanding Subsection 17.40.090(a), residential rental projects of ten or more units must provide at least fifteen percent (15%) of the units at affordable housing costs made available at affordable rental prices to extremely low, very low, low, and moderate income households as long as the distribution of affordable units averages to a maximum of eighty percent (80%) of AMI. Residential rental projects of fewer than ten units may either provide an affordable unit at an affordable housing cost for a household earning up to eighty percent (80%) of AMI, or pay an in-lieu fee identified for residential rental projects in the affordable housing master fee schedule.

(c) In-Lieu Fee for Rental Units. In order for residential development projects under the El Camino Real Corridor Zoning Districts in the El Camino Real Specific Plan Area to satisfy the affordable housing requirement through payment of an In Lieu Fee, the City Council shall establish a fee per square foot for the Specific Plan Area to reflect the reduced average AMI of 80 percent.”

SECTION 4: Effective date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of “The Charter of the City of Santa Clara, California.”

PASSED FOR THE PURPOSE OF PUBLICATION this XX day of June, 2021, by the following vote:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING THAT
THE CITY COUNCIL AMEND TITLE 18 OF “THE CODE OF THE
CITY OF SANTA CLARA, CALIFORNIA” TO ADD CHAPTER
18.27, REGULATIONS FOR THE EI CAMINO REAL CORRIDOR
PLANNING AREA**

EIR SCH # 2019059029
El Camino Real Specific Plan

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

WHEREAS, the City of Santa Clara (the “City”) intends to allow for the development of a mixed-use, multi-modal corridor anchored by high-density mixed-use activity centers, through a Specific Plan for the El Camino Real Corridor, which contemplates a transit-oriented pedestrian-friendly corridor of up to 6,200 residential units with supportive commercial uses;

WHEREAS, the El Camino Real Area is one of the “Focus Areas” identified in the City’s General Plan, which represent locations with opportunities for more intense development with limited impact on existing Neighborhoods, and each of which is intended to be a pedestrian- and transit-oriented corridor;

WHEREAS, the General Plan contemplates the El Camino Real Focus Area to include a variety of forms of housing, including podium buildings, to provide opportunities for commercial and transit destinations, with an emphasis on mixed-use and higher-intensity development on larger sites; pedestrian-oriented retail at these locations can provide services for surrounding neighborhoods. Higher-density residential at appropriate locations and enhanced streetscape design will encourage pedestrian movement and transit use;

WHEREAS, the El Camino Real Area is currently zoned Throughfare Commercial (CT), Community Commercial (CC) and Medium-Density Multiple-Dwelling (R3-36), which allows for uses such as auto oriented commercial uses, retail and service uses, and multi-unit housing at up to 36 units per acre;

WHEREAS, the Santa Clara City Code (“SCCC”) currently does not include any zoning district that would permit mixed use development above 45 Dwelling Units per acre;

WHEREAS, in order to effectuate the Project and the higher-density residential uses and higher-intensity commercial development at key intersections and development that respects the scale and character of adjacent residential neighborhoods envisioned by the General Plan, it therefore is necessary to (a) create new high-density mixed use zoning districts, and (b) establish a deeper level of affordable housing requirements for the district;

WHEREAS, Sections 18.112.030 and 18.112.040 of the Santa Clara City Code direct the Planning Commission to hold a public hearing on any proposed zoning amendment, and following such hearing, make a recommendation to the City Council;

WHEREAS, notices of the public hearing on the proposed zoning amendments were mailed to all property owners within 300 feet of the Project Site, according to the most recent assessor’s roll, on April 15, 2020;

WHEREAS, on April 28, 2021 and May 10, 2021, the Planning Commission reviewed the proposed the zoning regulations and conducted a public hearing, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed zoning regulations.

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

1. That on the basis of all evidence, oral and written, before it, and under its powers to preserve the health, safety, and welfare of its residents through zoning and planning regulations, the Planning Commission hereby recommends that the City Council amend Title 18 (“Zoning”), by adding a new Chapter 18.27, Regulations for the El Camino Real Corridor, with the following zoning districts: Regional Commercial Mixed Use District (RCMU), Corridor Mixed Use District (CMU), and the Corridor Residential District (CR), as described in the attached Ordinance.

//

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A SPECIAL MEETING THEREOF HELD ON THE 10TH DAY OF MAY, 2021, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Ordinance

Web link to the El Camino Real Specific Plan Document and Final Environmental Impact Report

<https://www.santaclaraca.gov/our-city/departments-a-f/community-development/planning-division/specific-plans/el-camino-real>

El Camino Real Specific Plan
Public Comment

May 6, 2021

Chair Planning Commission Lance Saleme
lsaleme@santacruz.ca.gov
City of Santa Clara Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

Re: Request to Modify ECR Specific Plan 3141-3155 ECR: Bayview Development Group

Dear Commissioner Saleme,

Bayview Development Group (BDG) is excited to see the almost 4-year City of Santa Clara Planning Department effort with the El Camino Real Specific Plan (ECRSP) come to fruition. We have been an active participant throughout the entire process and we commend the Planning Staff with their tireless efforts and professionalism. The pending document before your upcoming May 10, 2021 Public Hearing is thoughtful, analytical and a well-done conclusion to the Specific Plan process.

Previously, *Bayview Development Group* presented our *unique situation* as it relates to our active development application for *3141-3155 El Camino Real (aka Bowers Plaza)*, a 2.45-acre property located at the northeast corner of El Camino Real and Calabazas Boulevard.

Bayview Development Group controls the site and began the entitlement process with the City Planning Department in *December 2018*. Our thoughtfully designed 60-unit townhome project proposal is approximately 24 units per acre and it complies with the current General Plan of 20-36 units per acre and at the time, overlapped with a previously proposed ECRSP density of 24-65 units per acre. Despite our early start, we were never deemed a 'pipeline' project and now our only path to complete our pending public review process and gain future approvals is to request the following *Specific Plan modification* to the draft land use designation.

Current Proposed Specific Plan Designations

From – Corridor Mixed Use (Residential Density 45-65 units per acre)



Bayview Development Group Requested Specific Plan Revisions
To – Corridor Residential (Residential Density 16-45 units per acre)



Granting our request would ensure a complimentary density of 24-25 units per acre all the way from the soon to be constructed Wheels and Deals project (approved at 25 units per acre density), across our subject site and to the corner of Calabazas Boulevard which serves as the main entry to the adjoining Briarwood Elementary single-story single-family home neighborhood. In addition, the revision of our site to the ECRSP Corridor Residential (16-45 units per acre) avoids a potential spot zoning of densities from 65 units per acre to 25 units per acre and back to 65 units per acre for our site, directly adjacent to the 4 units per acre of the single family residential neighborhood.

Project History

- Dec-18 – Engaged City Planning Staff with Concept Designs per existing General Plan
- Feb-19 – Submitted Full Preliminary Planning Application per City Design Review Process
- May-19 – Received PCC Staff Comments on Preliminary Application submittal
- Dec-19 – City Approves Adjacent Wheels and Deals site at 25 units per acre
- Oct-20 – Complete Design Application submittal in response to PCC City Comments
- Dec-20 – Conducted Neighborhood Outreach Meeting
- Feb-21 request for revisions for 3141-3155 El Camino Real subject site to match adjacent site
- Mar-21 – Specific Plan Revision Request for 3141-3155 El Camino Real subject site

The above history details *our unique situation* and is the subject of our request. And we respectfully ask your consideration of our request and would like to make ourselves available to answer any questions you would have prior to hearing. Please feel free to reach out to me directly at tomquaglia@att.net or 408-504-9331.

Sincerely,

Tom Quaglia
Project Manager
Bayview Development Group

May 4, 2021

Planning Division - El Camino Real Specific Plan
City Hall
1500 Warburton Avenue
Santa Clara 95050

It is very important to prevent the city from doing to our El Camino what they did to our downtown. Those that destroyed our downtown had good intentions and like you, they had the grandest of visions.

From the start the city misrepresented the objective of the El Camino Real Specific Plan by telling us the purpose was "...to implement the City's General Plan goals and policies for the El Camino Real corridor by providing more detailed guidance for future land uses and urban design elements."

The unspoken purpose has been to increase residential density not implement the General Plan.

- When a city planner was asked during a CAC meeting what would happen if the committee decided the density should be reduced, her response was "well that would defeat the purpose." (quickly retracted, oops)
- In one example the Mariani property was **increased over 100%** from Community Mixed Use at 19 to 36 du/ac, in the 2025 - 2035 General Plan, to Corridor Mixed Use with 45 to 65 du/ac. *This is **not** implementing the GP*

Also, this entire process has had the appearance of faux outreach.

Community feedback was gathered using completely unscientific methods.

- The feedback was not directed at people impacted nor limited to one opinion per participant in the 'Pop-ups' or online 'survey'.
- The Community Advisory Committee was weighted with people and groups interested in getting rid of automobiles and promote high density.
- US mail announcements were limited to people within 300 ft of the huge rezoning project to 'save money', reducing exposure to the very people actually impacted.
- This mailed notice is the only place we find this legal disclaimer. *"If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at or prior to the public hearing."*

As is too often the case the general outcome appears to have been determined before the 'investigation' began. And the predetermined outcome is increased density.

Some on the council advocate for thousands of 'micro units' along ECR. No wonder we worry the city would do to our El Camino what it did to our downtown. Again, those that destroyed our downtown had the best intentions and like you, grandiose visions. We see what that got us.

Santa Clara for Smart Growth - Mariani Neighborhood Resident Group
Debbie Sparks, Diane Pizzo, Howard Myers, Linda Zazzara, Rich Bonito

From: Curtis Fisher <65tiger@comcast.net>
Sent: Monday, January 25, 2021 9:55 AM
To: Lesley Xavier <LXavier@santaclaraca.gov>
Subject: Draft El Camino Specific Plan

Hello, I'm submitting my public comments regarding the "Draft El Camino Specific Plan", meeting presentation of September 30, 2020.

Public comment:

After reviewing the General Plan, the draft El Camino Specific Plan meeting presentation I have comments:

Slides 27 and 28 discuss neighborhood transitions strategies. Regarding upper story step backs, these were totally ignored in the Tuscany project. This 4 story monster is next to single story family homes, and is contrary to design recommendations of the City General Plan (and also this Specific Plan). There is little privacy for those of us on Hood Court. This was specifically requested at the design reviews and the final city council meeting. That was a 'beat down' process. Many of us showed up at the design reviews and were told it was going to be big and tall. The developer originally wanted 2-3 story town homes which would have been nice to have next to our single story homes. But the city planners wanted 4 story or higher although nothing was that high on the El Camino Real at that time and told the developer to come back with 4 stories or higher. By the time of the final city council meeting the city council had ALREADY decided their vote. There were only a few of us left after the beat down meetings. Nonetheless, we presented our objections (including requesting the step back) and the city council voted 7-0 to approve the design. And landscape buffers, after many years we have yet to see anything significant.

After this Tuscany disaster and rapid other developments, there was general public revolt when something similar was proposed for Mariani's property. That had the city going back and finally listening to citizens rather than planners and developers.

Regarding slide 37 and "bulb out" designs. These are a total disaster where they have been implemented. I understand their intention but it's implementation is the worst I've ever seen. What they do a good job of is impede traffic. And the bots dots you place there bring nothing but curses from everyone. Nobody likes them, nobody wants them and there are better ways to do this.

I'm glad the 'Bus Only' lanes are no longer proposed. Santa Clara was the ONLY city pushing this at the behest of the previous chief planner. No other city wanted it.

thanks,

Curtis Fisher

1680 Hood Ct

Santa Clara, CA 95051

From: webmanager@santaclaraca.gov <webmanager@santaclaraca.gov>

Sent: Sunday, January 24, 2021 8:21 PM

To: Webmanager <Webmanager@santaclaraca.gov>

Subject: Feedback for City of Santa Clara

You have received this feedback from Don Sterk <don@sterk.org> for the following page:

<https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/330/3649?fsiteid=1>

I applaud the construction of the separated bike path. I would like to see a diagram of what it would like at bus stops to see how it avoids conflicts between bikes and bus alightment. Needs to include plans for bike (and probably scooter) parking.

From: James Rowen <jcrowenblog@gmail.com>

Sent: Saturday, January 23, 2021 9:25 AM

To: Lesley Xavier <LXavier@santaclaraca.gov>

Subject: El Camino Specific Plan

As a favor to Lavelle Souza, an old friend, I am going to be sending some comments on her behalf as she does not use email. These are to be regarded as Specific Plan Comments.

James Rowen

Having been part of a family that was been part of the economy of Santa Clara for over a hundred years, I believe that the proposed Specific Plan for the El Camino Real will cause serious negative impact on the local economy as well as serious negative impact on the character of our community.

The proposals to favor development of multi-story housing with large densities flies in the face of proper consideration of Covid-19 guidelines by increasing the density of residential units that could not be socially distanced, and severely impact traffic and other environmental factors as mass transit, though proposed, is not fiscally feasible.

Moreover, the greatest damage these multi-story projects will inflict is upon the small businesses that are a historic part of the El Camino from Santa Clara to San Francisco. El Camino Real has been home to city halls, universities, hotels, motels, and particularly small businesses.

Understand that small businesses depend on walk in trade and easy access in a user friendly environment, hence the success and prevalence of small businesses along the El Camino, Silicon Valley's principal commercial district. Now as Covid has devastated small businesses especially restaurants, Santa Clara intends to hamstring them further by placing them in glass and steel tombs. One floor traffic is important to walk in traffic.

As the widow of Santa Clara's third Mayor Edd8e Souza, I would like to mention Eddie's comments about the high rises along the el Camino creating a tunnel affect John Vidovich has had success with two story developments on the El Camino such as the Walgreens Store development and restaurants in two story developments. Vidovich stated this

when asked Kathy Watanabe about his formula with business success.

When Lisa Gillmor was interviewed b6 the chair of the chamber Lisa and the chair agreed small business are the back bone of our economy. The city has given grants to small businesses during the pandemic--the backbone of our economy.

The historic and cultural signature of El Camino Real from San Jose to San Francisco will be severely impacted by building multi story buildings in Santa Clara creating a tunnel affect robbing residents of a scenic and significant view of the city within the valley. Three major universities are a part of the El Camino, among the oldest in California. Major restaurants and hundreds of small businesses are part of scenic, one to two story complexes, many designed in the local architectural signature. Hence, no other city is planning massive glass and steel buildings which severely impact scenic areas such as Palo Alto and Sunnyvale.

Transit element impact is enormous. Also we have serious concerns about the Covid guidelines with high density buildings. John Vidovich has successfully constructed two story buildings in Santa Clara with well spaced retail such as Walgreens allowing for walk in traffic. No Covid Guidelines are met with high density buildings. Moreover the traffic cannot be alleviated with VTA plans as the agency must now curtail its transit development. A car is safer for distancing than a bus. The Plan does not address this issue.

A frustrating point to us is the view that Santa Clara should transform the El Camino to a Italian Villiage. Italy has small towns with narrow streets. The El Camino is a 100 year old major boulevard. A regional boulevard has major arteries.

People can hardly drop their kids at school and travel hours on a bus to work, shop, and perhaps back to school. I could foresee middle sized shopping villages located within El Camino, but not as the El Camino. Those exist especially in Palo Alto, but as a part of the main boulevard.

And there is the additional redevelopment of the El Camino Between Colman and Lawrence which includes the possible replacing of existing mom and pop commercial stores for apartment buildings that are from three to four levels tall. It was hoped that commercial (mom and pop stores). would relocate to the first floors of these apartment buildings. So far, the plan has not been successful because the commercial/mom and pop stores do not want to relocate to the first floors of apartment buildings.

However, there is one type of a commercial/apartment building that has successfully attracted a Walgreens store and commercial mom and /pop stores in Santa Clara. The stores are on the first level of the building and the apartments are on the second level. There is plenty of parking for the customers, and the apartment dwellers have parking stalls in a gated parking lot. The complex is owned by John Vidovich who recently had a second project approved by the city and is also located on the El Camino.

Since the commercial mom and pop businesses are considered to be the 'backbone' of our economy , we need to find a way of helping them to thrive in Santa Clara. The El Camino is the best location for them because of the large amount of traffic using the El Camino--north and south--that will continue to increase with an increase of the population in San Jose and in Santa Clara.

Massive increase of population on the El Camino will impact parking negatively as everyone will still possess and need to park cars. The higher the income, the better transportation options other than mass transit will be called for, hence automobiles. This will create more carbon emissions. Families are no longer contained, mutil generation, multi lifestyle families know exist. People no longer work 9 to 5 and do not work at just one job. Large grocery purchases

are a necessity thus eliminating mass transit and bicycle transit options. Higher density will increase covid impact. A building with 500 people cannot be socially distanced while a restaurant with 34 can be.

The Specific Plan is fanciful and already in conflict with 2021.