

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

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT #97 TO (1) ADD THE LAND USE DESIGNATIONS OF VILLAGE RESIDENTIAL, URBAN VILLAGE, URBAN CENTER AND HIGH DENSITY FLEX DESIGNATIONS TO CHAPTER 5 OF THE GENERAL PLAN; (2) CHANGE THE LAND USE DESIGNATION FROM LIGHT INDUSTRIAL TO VERY HIGH DENSITY RESIDENTIAL, VILLAGE RESIDENTIAL, URBAN VILLAGE, URBAN CENTER AND HIGH DENSITY FLEX DESIGNATIONS FOR THE AREA BOUNDED BY THE MISSION COLLEGE CAMPUS TO THE SOUTH, CALABASAS CREEK TO THE EAST, THE HETCH-HETCHY RIGHT-OF-WAY TO THE NORTH, AND GREAT AMERICA PARKWAY TO THE WEST; AND (3) UPDATE APPENDIX 8.13 (CLIMATE ACTION PLAN) WITH TRIP REDUCTION TARGETS FOR THE VILLAGE RESIDENTIAL, URBAN VILLAGE, URBAN CENTER AND HIGH DENSITY FLEX DESIGNATIONS

SCH # 2019120515

PLN2019-14257 (EIR, Specific Plan, General Plan Amendment, and Zoning Amendment)

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

**WHEREAS,** the City of Santa Clara (the “City”) is contemplating the adoption of the Patrick Henry Drive Specific Plan (the “Project”), a specific plan for a transit-oriented pedestrian-friendly neighborhood of up to 12,000 residential units with supportive retail uses, located on approximately 62 net acres of land located within one-half mile of the Tasman Drive light rail line that are currently developed with industrial uses;

**WHEREAS,** the proposed Specific Plan also includes an alternative development scenario that allows for up to 10,300 residential units, with up to 785,000 square feet of office space and up to 310,000 square feet of other non-residential uses;

**WHEREAS,** under the proposed Specific Plan, the Patrick Henry Drive area is intended to be a walkable urban neighborhood, with parking reflective of a variety of available transit modes, including bicycle parking;

**WHEREAS,** the proposed Patrick Henry Drive Specific Plan is consistent with the Future Focus Area Goals And Policies in the General Plan;

**WHEREAS,** as a part of implementation of the Specific Plan, the City intends to adopt a General Plan Amendment (“GPA”) to amend the General Plan land use diagram by changing the existing land use designation of the Project Site from Light Industrial to four residential designations including Very High Density (51-100 du/ac); Village Residential (60-149 du/ac); Urban Village Residential (100-149 du/ac); and Urban Center Residential (120-250 du/ac); and one flexible residential/commercial designation entitled High Density Flex (60-150 du/ac or up to a 2.0 floor area ratio of commercial development);

**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 Village Residential (60-149 du/ac); Urban Village Residential (100-149 du/ac); and Urban Center Residential (120-250 du/ac); and High Density Flex (60-149 du/ac or up to a 2.0 floor area ratio of commercial development);

**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 new zoning districts that implement the proposed General Plan designations, and to apply those zoning designations across the Project Site;

**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 January 12, 2022;

**WHEREAS,** notices of the public hearing on the General Plan Amendment were mailed to all property owners within 500 feet of the Project Site, according to the most recent assessor’s roll,

and to all local agencies expect to provide essential facilities or services to the project, on January 13, 2022;

**WHEREAS**, before considering making a recommendation for the General Plan Amendment for the Project Site, the Planning Commission reviewed and considered the potential environmental impacts of the Project, identified mitigation measures, and recommended that the Council adopt and certify the Environmental Impact Report (“EIR”) for the Project (SCH # 2019120515), as well as a set of CEQA Findings and a Statement of Overriding Considerations, in accordance with the requirements of CEQA;

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

**WHEREAS**, on January 26, 2022, the Planning Commission conducted a duly noticed public hearing to consider the GPA, 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 General Plan Amendment is deemed to be in the public interest, in that:

The proposed General Plan Amendment is a prerequisite to the adoption of the Project, which 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 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 new land use designations that allow for the development of a mixed-use transit-oriented environment with densities ranging from 60 to 250 dwelling units per acre, and including the possibility of High Intensity Office Uses along Great America Parkway.

C. The proposed General Plan 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.

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

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for implementation with Project development to reduce potentially significant impacts identified in

the EIR to less than significant and a set of CEQA Findings and a Statement of Overriding Considerations have been prepared for the significant unavoidable impacts that cannot be mitigated to less than significant; and the Planning Commission has recommended that the City Council adopt 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 residential land use designations section, after the existing definition of “Very High Density Residential” :

“Village Residential

The purpose of the Village Residential designation is to accommodate multi-family residential development at very-high densities between 5-12 stories within the Patrick Henry Drive Specific Plan area. The residential density range for this zone is 60-149 dwelling units per acre.”

“Urban Village

The purpose of the Urban Village designation is to accommodate transit-oriented, multi-family residential development at very-high densities between 5-12 stories within the Patrick Henry Drive Specific Plan area. These urban-scale developments feature pedestrian-oriented facades and frontages. Urban Village developments include structured or below-grade parking and shared outdoor spaces proximate to transit. The residential density range for this zone is 100-149 dwelling units per acre.”

“Urban Center

The purpose of the Urban Center designation is to accommodate transit-oriented, multi-family residential development at very-high densities with no height limits except those imposed by the FAA due to flight paths for

the San Jose International Airport, within the Patrick Henry Drive Specific Plan area. These urban-scale developments feature pedestrian-oriented facades and frontages. Urban Center developments include structured or below-grade parking and shared outdoor spaces proximate to transit. The residential density range for this zone is 120-250 dwelling units per acre.”

#### “High Density Flex

The purpose of the High Density Flex designation is to accommodate transit-oriented, multifamily residential development interspersed with office. Allowable height ranges between 5-12 stories. The residential density range for this zone is 60-149 dwelling units per acre. Office development is allowed at up to 2.0 FAR.”

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 4.3A, of the Patrick Henry Drive Specific Plan, which is attached for 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 Village Residential, Urban Village, Urban Center and High Density Flex designations by re-titling the “High Density Residential” column of Table 9 of the Climate Action Plan to “High Density Residential Designations”, and adding an additional footnote to Table 9 stating that, “High Density Residential Designations include High Density Residential (37-50 DU/AC), Very High Density Residential (51-100 DU/AC), Village Residential (60-149 DU/AC), Urban Village (100-149 DU/AC), Urban Center (120-250 DU/AC), and High Density Flex (60-149 DU/AC or up to 2.0 FAR).

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 REGULAR MEETING THEREOF HELD ON THE 26<sup>th</sup> DAY OF JANUARY, 2022, 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. Figure 4.3A of the Patrick Henry Drive Specific Plan

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