

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA ADOPTING THE PATRICK HENRY DRIVE
SPECIFIC PLAN, A SPECIFIC PLAN PURSUANT TO
GOVERNMENT CODE SECTION 65450, et seq.**

SCH # 2019120515

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

BE IT RESOLVED BY 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; and

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, 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 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 (60-149 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, the proposed Patrick Henry Drive Specific Plan is consistent with the Goals and Policies of the Future Focus Area section in the General Plan;

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 January 12, 2022;

WHEREAS, notices of the public hearing on the proposed Specific Plan 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 expected to provide essential facilities or services to the project, on January 13, 2022;

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;

WHEREAS, on January 26, 2022, 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.

WHEREAS, as a part of their recommendation to the City Council, the Planning Commission recommended that the City Council add a seventh principle to the Specific Plan, as follows:

“7. Building a Vibrant Middle Class: Encourage the use of a local construction workforce and local business sourcing in the buildout within the Plan area. The employment of a local construction workforce that pays family-supporting wages will generate sales tax revenue for the City as those wages are recirculated within the City's business community. The availability of a trained construction workforce is essential for the success in implementing the Plan therefore the employment of apprentices in State of California approved training programs will also be encouraged”; and

WHEREAS, before the Specific Plan has been revised to reflect the Planning Commission's recommendation; and

WHEREAS, before considering adoption of the Specific Plan, the City Council reviewed and considered the potential environmental impacts of the Project, including the implementing General Plan Amendment, Zoning Code Amendment, and identified mitigation measures, and adopted and certified 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; and

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

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. Specific Plan Findings. That the City Council 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 Specific 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 General Plan 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 a new land use designation that allows 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.

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 development under the Specific Plan in order to reduce potentially significant impacts identified in the DEIR and FEIR, that combined constitute the EIR for the Project, to less than significant and a set of CEQA Findings and a Statement of Overriding Considerations for the significant unavoidable impacts that cannot be mitigated to less than

significant has been prepared in accordance with CEQA; and the City Council adopted all of these documents.

3. That based on the findings set forth in this Resolution, the Approvals, and the evidence in the City Staff Report and such other evidence as received at the public hearing on this matter, the City Council adopts the Specific Plan.

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 CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 22ND DAY OF MARCH, 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachment Incorporated by Reference:
Patrick Henry Drive Specific Plan

I:\PLANNING\Advance Planning\Specific Plans\Freedom Circle - Patrick Henry\Patrick Henry\Resos and ordinances\PC specific plan reso.doc