Initial Study

Jade at Pariva Townhome Project



Prepared by

CITY OF SANTA CLARA CALIFORNIA
1852
THE MISSION CITY

In Consultation with

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ENVIRONMENTAL CONSULTANTS & PLANNERS

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All appendices are incorporated herein by reference. No other documents are incorporated by reference.

Section 1.0 Introduction and Purpose

1.1 Purpose of the Initial Study

The City of Santa Clara as the Lead Agency, has prepared this Initial Study for the Jade and Ruby at Pariva Mixed-Use Project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Santa Clara, California.

The project proposes demolition of all buildings and site improvements on-site and construction of 147 units, 5,000 square feet of commercial space, and a park space on an approximately 5.55-acre site. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

1.2 Public Review Period

Publication of this Initial Study marks the beginning of a 20-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 20-day public review period should be sent to:

City of Santa Clara
Meha Patel, Associate Planner
1500 Warburton Avenue
Santa Clara, CA 95050
mpatel@santaclaraca.gov

1.3 Consideration of the Initial Study and Project

Following the conclusion of the public review period, the City of Santa Clara will consider the adoption of the Initial Study/Mitigated Negative Declaration (MND) for the project at a regularly scheduled meeting. The City shall consider the Initial Study/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

1.4 Notice of Determination

If the project is approved, the City of Santa Clara will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

Section 2.0 Project Information

2.1 Project Title

Jade and Ruby at Pariva Mixed-Use Project

2.2 Lead Agency Contact

City of Santa Clara
Meha Patel, Associate Planner
1500 Warburton Avenue
Santa Clara, CA 95050
mpatel@santaclaraca.gov

2.3 Project Applicant

Pulte Group
4511 Willow Road Suite 8
Pleasanton CA 94588

2.4 Project Location

3521 and 3591 Homestead Rd, Santa Clara, CA 95051
Regional Map, Local Map and Aerial Map can be seen in Figures 2.4-1, 2.4-2, and 2.4-3.

2.5 Assessor's Parcel Number

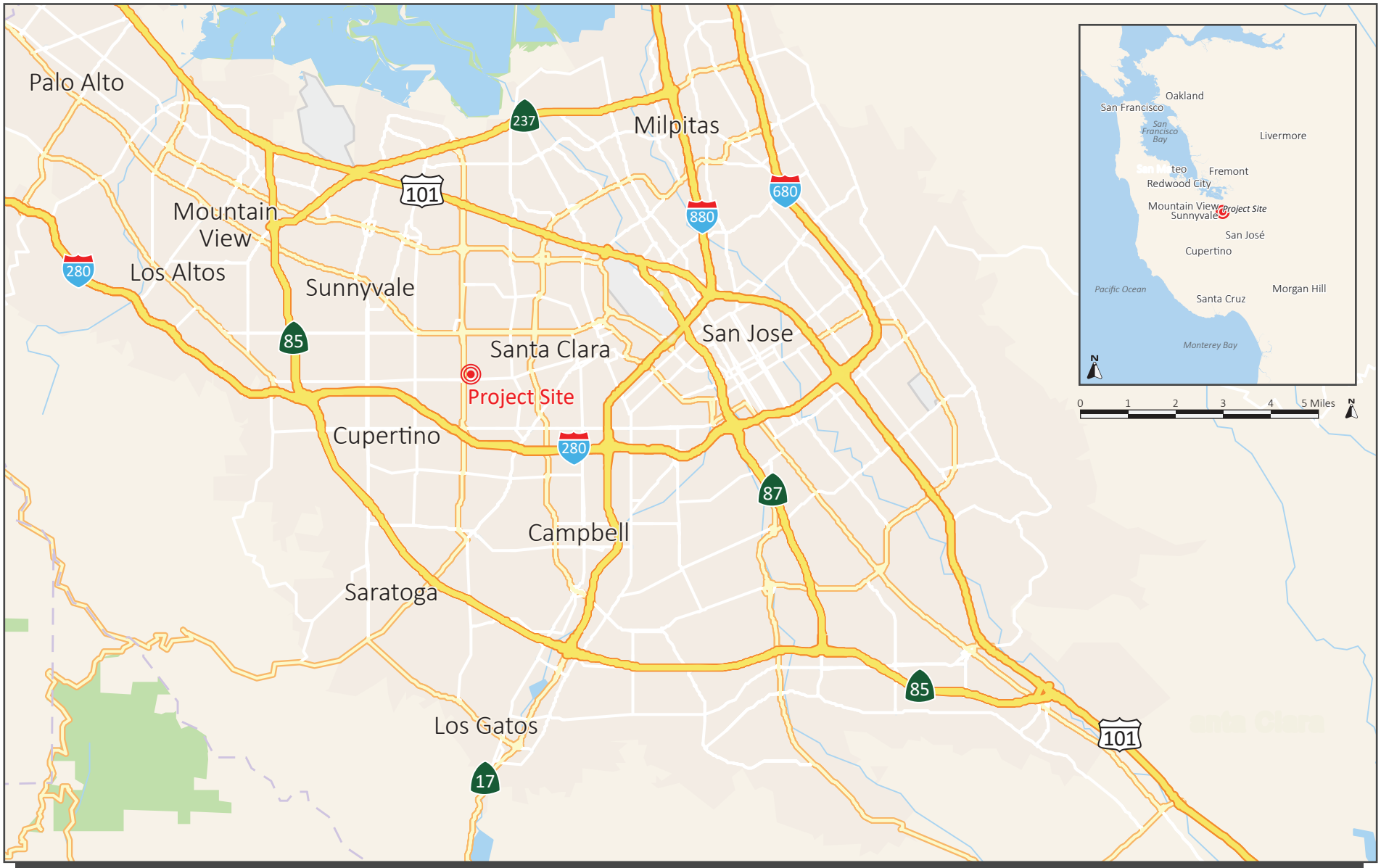
Assessor's Parcel Numbers (APN) 290-23-053 and 290-23-049

2.6 General Plan Designation and Zoning District

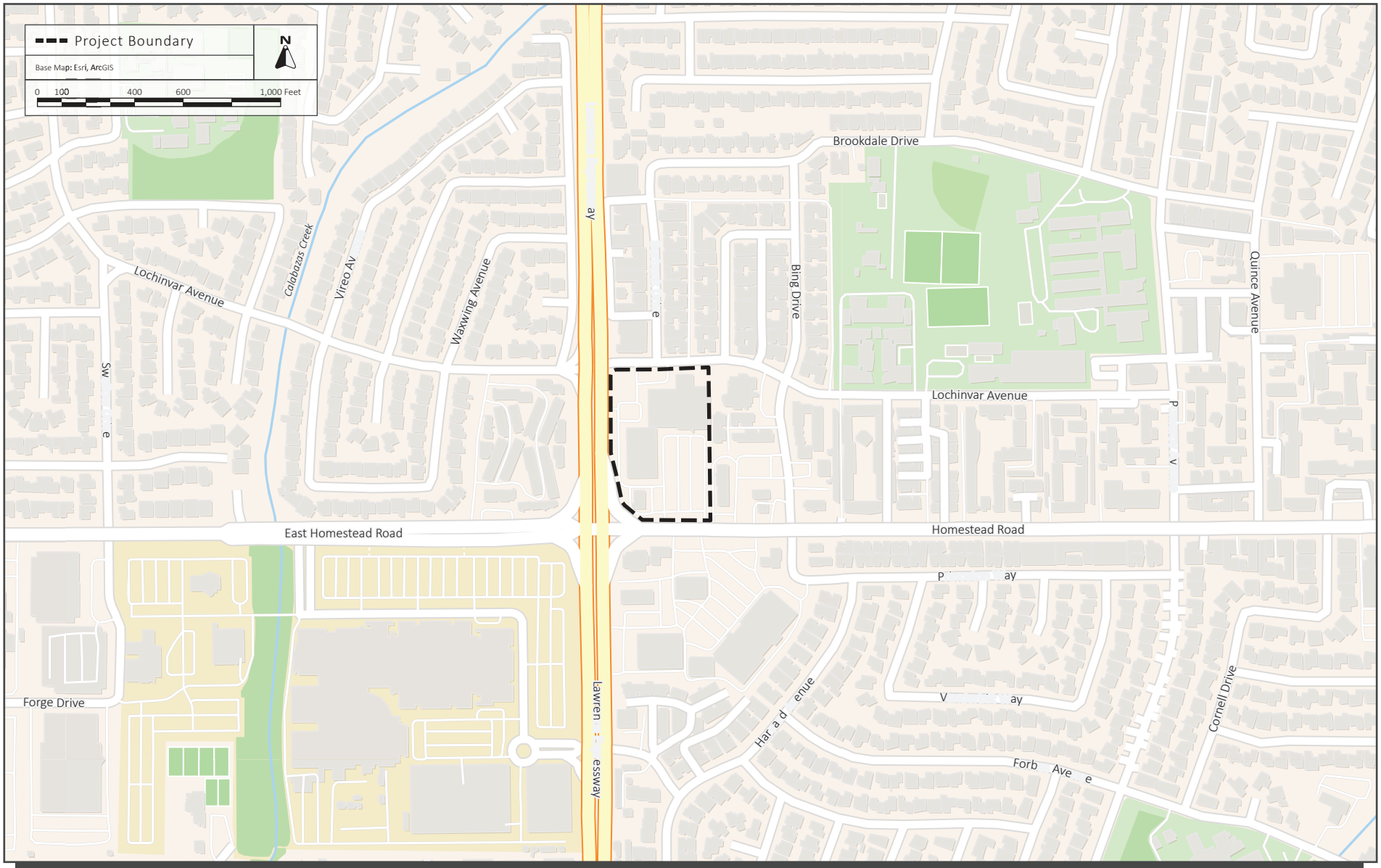
General Plan Designation of Neighborhood Mixed Use and Zoned Mixed-Use/Neighborhood Commercial (MU-NC)

2.7 Project-Related Approvals, Agreements, and Permits

Grading Permit
Demolition Permit
Tree Removal Permit
Vesting Tentative Subdivision Map
Architectural Review
Senate Bill (SB) 330 Application
Density Bonus Application

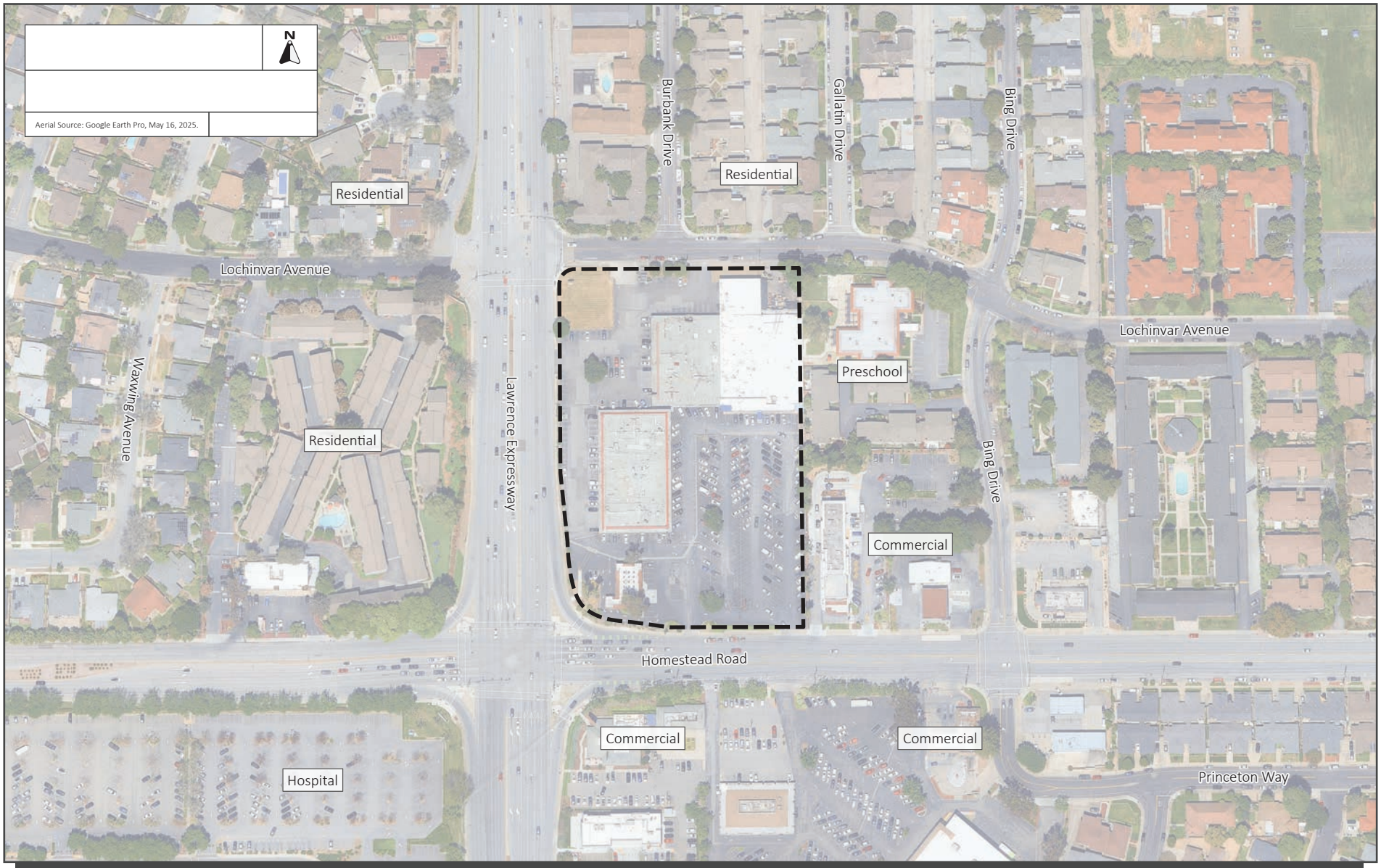


REGIONAL MAP | FIGURE 2.4-1



VICINITY MAP

FIGURE 2.4-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 2.4-3

Section 3.0 Project Description

3.1 Project Location

The 5.55-acre project site is located at 3521-3591 Homestead Road in Santa Clara (Assessor's Parcel Numbers [APNs] 290-23-053 and -049). The project site is bounded by Lochinvar Avenue to the north, commercial development to the east, Homestead Road to the south, and Lawrence Expressway to the west.

3.2 Project Description

The project site is currently developed with three one-story commercial buildings and surface parking lots. The western site parcel (APN 290-23-053) has a 3,366 square foot building and a 24,221 square foot building occupied by various commercial uses. The eastern site parcel (APN 290-23-049) has a 43,971 square foot building occupied by a supermarket. As proposed, the project would demolish all structures and site improvements on-site and construct 57 three-story townhomes and 90 four-story townhomes across 14 buildings with a density of 27.3 dwelling units per acre (du/ac). The project would designate 23 of the residences as below market rate (affordable) units. The buildings would range in height from 36 to 51 feet. Additionally, the proposed project would include a 5,000 square foot standalone single story commercial space on the south side of the project site. The layout of the project site is shown on Figure 3.2-1.

The proposed project is currently designated Neighborhood Mixed Use in the General Plan and zoned MU-NC. The Neighborhood Mixed Use designation is intended for pedestrian-oriented development focuses on ground floor retail and residences above this. The designation requires a residential density between20-36 units per acre and a minimum floor area ratio (FAR) of 0.1. The zoning designation is consistent with this land use description. No General Plan Amendment is proposed for the project.

The proposed project is submitting a density bonus application pursuant to SB330 and the applicant is requesting waivers and design concessions for the height of buildings on-site, which exceed the maximum height limitation.

3.3 Site Access and Parking

Access to the site is currently provided by two driveways on Homestead Road, one driveway on Lawrence Expressway, and two driveways on Lochinvar Avenue. Access driveways would be reduced to two driveways under the proposed project. One driveway would be located on the north side of the site from Lochinvar Avenue, and the other driveway would be located on the south side of the site accessible from Homestead Road. Both, 26 foot wide, full-access driveways would be in the same position as two of the existing driveways. Each unit would have a garage with two parking spaces accessible by an interior driving aisle and 47 guest parking spaces would be available in

surface parking throughout the project site. In total, approximately 341 parking spaces would be available on-site.



LEGEND

- PROPERTY BOUNDARY
- RELINQUISHED ABUTTERS RIGHTS
- BMR — BELOW MARKET RATE UNIT
- ADA UNIT

0 10 20 80 120 Feet

Source: CBG Civil Engineers, May 12, 2025.

PROJECT PLANS

FIGURE 3.2-1

3.4 Mechanical Equipment

The proposed project would not include any rooftop heating, ventilation, or air conditioning equipment on the residential buildings. Condensers for cooling would be located on the ground level of the buildings in walled areas outside each structure. The proposed project would not include backup generators to support the project buildings.

The mechanical equipment for the commercial building would be within the structure and air conditioning condenser units would be located in the side and rear alcoves and side yard between residential building and the commercial structure.

3.5 Open Space and Landscaping

As proposed, the project would include an approximately 6,000 square foot open space area for the residents and each unit would have balcony space. All 17 trees currently on-site would be removed during construction and the project would plant 180 trees. Additional landscape amenities would include a park play area, an outdoor barbeque and grill area with tables, and an outdoor lounge area with seating. There would also be a usable lawn area with shade trees in this park area.

Trees would be planted for the proposed project throughout the project site. Planting for ground cover would consist of native and drought tolerant/low water use shrubs, and grasses in conformance with State and County water efficient landscaping guidelines. Lawn area will be a low water use fescue sod. The irrigation system would comply with the State water efficiency requirements and would not exceed the maximum applied water allowance (MAWA).

3.6 Green Building Measures

The proposed project would be constructed with fully electric appliances and would not include natural gas infrastructure. The residential units would have Level 2, 240-volt, Electric Vehicle (EV) charging capabilities, energy storage, and solar panels. All faucets and shower heads in the residential units would be watersense certified and building roof tiles and membranes would include features contributing to provide passive cooling of buildings. The commercial building would comply with the non-residential Title 24 measures and Green Building Measures required by City zoning code.

3.7 Transportation Demand Management

The proposed project would include the following transportation demand management (TDM) measures to reduce trips generated by the residents:

- Transportation Coordinator
- Online Kiosk/TDM Information Board
- Provide Transportation Information Brochures
- Provide Trip Planning Assistance

- Provide a School Pool Program
- Provide a Bike Share Program
- Provide On-site Commercial Space
- Provide High-Bandwidth Internet Connection

3.8 Construction

The proposed project would be constructed in approximately 33 months. Construction would include demolition of all existing on-site structures, site grading, trenching for utilities, and construction of the new structures. Approximately 2,500 cubic feet of soil would be imported/exported on-site, and the project would require excavation to a depth of approximately two feet. No pile driving is proposed for construction of the buildings.

Section 4.0 Environmental Setting, Checklist, and Impact Discussion

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.12	Mineral Resources
4.2	Agriculture and Forestry Resources	4.13	Noise
4.3	Air Quality	4.14	Population and Housing
4.4	Biological Resources	4.15	Public Services
4.5	Cultural Resources	4.16	Recreation
4.6	Energy	4.17	Transportation
4.7	Geology and Soils	4.18	Tribal Cultural Resources
4.8	Greenhouse Gas Emissions	4.19	Utilities and Service Systems
4.9	Hazards and Hazardous Materials	4.20	Wildfire
4.10	Hydrology and Water Quality	4.21	Mandatory Findings of Significance
4.11	Land Use and Planning		

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Impact Discussion** – This subsection 1) includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts and 2) discusses the project's impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Mitigation measures are numbered to correspond to the impact they address. For example, MM BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section.

4.1 Aesthetics

4.1.1 Environmental Setting

4.1.1.1 *Regulatory Framework*

State

Senate Bill 743 (2013)

Senate Bill (SB) 743 was adopted in 2013 and requires lead agencies to use alternatives to level of service (LOS) for evaluating transportation impacts, specifically vehicle miles traveled (VMT). SB 743 also included changes to CEQA that apply to transit-oriented developments, as related to aesthetics and parking impacts. Under SB 743, a project's aesthetic impacts will no longer be considered significant impacts on the environment if:

- The project is a residential or mixed-use residential project, or employment center project and;
- The project is located on an infill site within a transit priority area.[1]

SB 743 also clarifies that local governments retain their ability to regulate a project's aesthetics impacts outside of the CEQA process.

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways in Santa Clara. Interstate 280 (I-280) from the San Mateo County line to State Route (SR) 17, which includes segments in Santa Clara, is an eligible, but not officially designated, State Scenic Highway.[2]

In Santa Clara County, the one state-designated scenic highway is SR 9 from the Santa Cruz County line to the Los Gatos City Limit. Eligible State Scenic Highways (not officially designated) include SR

[1] An "infill site" is defined as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses." A "transit priority area" is defined as "an area within 0.5 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan." A "major transit stop" means "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Source: California Legislative Information. "Chapter 2.7. Modernization of Transportation Analysis for Transit-Oriented Infill Projects [21099- 21099.]." Accessed January 10, 2025. https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=13.&part=&chapter=2.7.&article=.

[2] California Department of Transportation. "Scenic Highways." Accessed January 10, 2025. https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways.

17 from the Santa Cruz County line to SR 9, SR 35 from Santa Cruz County line to SR 9, Interstate 280 from the San Mateo County line to SR 17, and the entire length of SR 152 within the County.

Regional and Local

Santa Clara General Plan

The following General Plan policies related to aesthetics are applicable to the proposed development project.

Policy	Description
5.3.1-P3	Support high quality design consistent with adopted design guidelines and the City's architectural review process
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect
5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.
5.3.4-P8	Encourage building heights of up to five stories in large mixed-use developments along arterial street frontages, with the potential for taller buildings north of the Caltrain corridor.
5.3.4-P10	Require parking to be substantially below-grade or in structures with active uses along streets.
5.3.4-P12	Prioritize pedestrian-oriented streetscape and building design in mixed-use development, including features such as wider sidewalks, street furniture, specialty planters, signage, public art, street trees, special paving materials, decorative awnings, enhanced entrances, colors, variety of materials, and textures and distinctive building massing and articulation.

Santa Clara City Code

The Santa Clara City Code (SCCC) includes regulations associated with protection of the City's visual character, to promote a sound and attractive community appearance, as stated in Chapter 8.30 Public Nuisances and Chapter 18.52 Regulations for Public, Quasi-Public, and Public Park or Recreation Zoning Districts. The City Code also includes an Architectural Review process, as outlined in Zoning Ordinance Chapter 18.120. The Architectural Review process is intended to serve the following purposes:

- Encourage the orderly and harmonious appearance of structures and properties;
- Maintain the public health, safety, and welfare;
- Maintain property and improvement values throughout the City; and
- Encourage the physical development of the City that is consistent with the General Plan and other City regulations.

Architectural Review Process – Community Design Guidelines

At a Development Review Hearing (DRH), the Community Development Director or designee reviews plans and drawings submitted for architectural review for design, aesthetic considerations,

and consistency with zoning standards, generally prior to submittal for building permits. The DRH follows the City's Community Design Guidelines for multi-family and non-residential projects. The intent of these guidelines is to provide consistent development standards in the interest of continued maintenance and enhancement of the high-quality living and working environment in the City. However, since the enactment of the Housing Accountability Act (HAA), for multifamily residential projects, the DRH process focuses only on whether the project meets objective design criteria.

4.1.1.2 *Existing Conditions*

Project Site

The project site is currently developed with a large parking lot and three single-story commercial buildings. The buildings all feature flat roofs and wooden overhangs above the walkways outside the commercial spaces. There are two free-standing signs on the project site. A multi-business sign, which is taller than the buildings on-site, is located at the southwest corner of the site. A second smaller, single business sign is located within the main parking area near the southern border of the site. Pictures of the project site can be seen in the Onsite Photos figure.

Surrounding Land Uses

The project site is predominately surrounded by single story commercial structures and one to two story residential buildings. The Kaiser Permanente hospital facility is located southwest of the project site, at the southwest corner of the Lawrence Expressway/Homestead Road intersection. Residential uses are located across Lawrence Expressway to the west and on the north side of the project site. Commercial uses are located directly east and to the south across Homestead Road. The area is a mix of architectural styles with varying setbacks and landscaping. Pictures of the surrounding areas can be seen in the Offsite Photos figures.

Scenic Views, Resources, and Corridors

Based on the City's General Plan, views of the Santa Cruz Mountains and the Diablo Range and stretches of open space and undeveloped land in the Ulistac Natural Area are scenic features in the Santa Clara area but not defined scenic vistas. The project site and the surrounding area are relatively flat and prominent viewpoints, other than the surrounding buildings, are limited. The project area has minimal to no scenic views of the Diablo foothills to the east, Santa Cruz Mountains to the west, and Santa Teresa Hills to the south. No natural scenic resources, such as outcroppings, are present on-site or within the project area. Additionally, the project site is located approximately six miles north of SR 9.



View from Southeast of Project Looking Northeast



View from Southeast of Project Looking Northwest



View from Southeast of Project Looking Northwest

ONSITE PHOTOS



View From North of Project Looking Northwest



View From South of Project Looking Southeast



View From South of Project Looking Southwest



View From West of Project Looking Southwest

OFFSITE PHOTOS

Light and Glare

Sources of light and glare are abundant in the urban environment of the project site and project area, including but not limited to streetlights, vehicular headlights, internal/external building lights, security lights, and reflective building surfaces and windows.

4.1.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings?[3] If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a) Would the project have a substantial adverse effect on a scenic vista?

There are no scenic vistas within the City according to the certified 2010-2035 General Plan Integrated Final EIR (General Plan FEIR). However, within some areas of the City, there are surrounding natural features, including panoramic views of the Santa Cruz Mountains and the Diablo Range and stretches of open space and undeveloped land in the Ulistac Natural Area.[4]

The proposed development project is located within an urban, developed area of the City of Santa Clara. The surrounding area is developed with a mix of uses and has no designated scenic vistas. While the proposed development project may block views of the surrounding area from existing adjacent residences and businesses, private views are not protected scenic resources under CEQA.

[3] Public views are those that are experienced from publicly accessible vantage points.
[4] City of Santa Clara. 2010-2035 General Plan Integrated Final Environmental Impact Report. SCH# 2008092005. January 2011. Page 141.

Therefore, the proposed development project would not have an adverse effect on a scenic vista. **(No Impact)**

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The nearest state scenic highway, SR 9, is located approximately six miles from the project site. The proposed development project would not damage any scenic resources, such as trees, rock outcroppings, and historic buildings within a state scenic highway. **(No Impact)**

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The project site is primarily visible from the Lawrence Expressway and Homestead Road frontages. While the proposed development project would result in a change in the visual character of the project area, the project would be consistent overall with the urban, mixed development in the project area. The project area is a mix of modern and classical architectural styles and there is no single defining architectural style. In addition, site development would be subject to the City's Architectural Review process. For these reasons, the proposed development project would not substantially degrade existing visual character or quality of public views of the site or its surroundings. **(Less than Significant Impact)**

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Due to the project area's developed character, the current level of light and glare is typical of that in an urban setting. Nighttime lighting impacts are considered significant when they interfere with or intrude into neighboring residences. Light pollution is typically related to the use of high voltage light fixtures with inadequate shields and improper positioning or orientation. Lighting on the project site will be reviewed by Planning staff through the City's Architectural Review Process prior to issuance of building permits for consistency with the City's Design Guidelines to reduce light and glare and to ensure it will not create a substantial new source of light or glare. **(Less than Significant Impact)**

4.2 Agriculture and Forestry Resources

4.2.1 Environmental Setting

4.2.1.1 *Regulatory Framework*

State

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.[5]

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.[6]

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.[7] Programs such as CAL FIRE's Fire and Resource Assessment Program are used to identify whether forest land, timberland, or timberland production areas could be affected are located on or adjacent to a project site.[8]

4.2.1.2 *Existing Conditions*

According to the California Department of Conservation Farmland Mapping and Monitoring Program, the project site is classified as Urban and Built-Up Land. The project site does not contain

[5] California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed January 14, 2025. http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx.
[6] California Department of Conservation. "Williamson Act." http://www.conservation.ca.gov/dlrp/lca.
[7] Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).
[8] California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed January 14, 2025. http://frap.fire.ca.gov/.

agricultural resources or timberland resources, and it is not under an existing Williamson Act contract.[9]

4.2.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The project site is currently developed with three commercial buildings and surface parking lot. As proposed, the project would construct 14 residential buildings. The Farmland Mapping and Monitoring Program of the California Resources Agency did not identify the project site as having Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The proposed project would have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as it would not convert any agricultural land to a non-agricultural use. **(No Impact)**

[9] County of Santa Clara. Williamson Act Properties Geodatabase. Accessed January 14, 2025. https://sccplanning.maps.arcgis.com/apps/webappviewer/index.html?id=1f39e32b4c0644b0915354c3e59778ce.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site is zoned as MU-NC. The existing zoning is not inclusive of agricultural use. The site is not under a Williamson contract. Accordingly, the project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(No Impact)**

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?

The project is zoned as MU-NC. The existing zoning does not include forest land, timberland, or timberland zoned Timberland Production. Therefore, the project would not conflict with existing contract forest land, timberland, or Timberland Production zoning. **(No Impact)**

d) Would the project result in a loss of forest land or conversion of forest land to non-forest use?

The project site is not listed as forest land of any type. The project is zoned as MU-NC. The proposed project would not be converting the site to a non-forest use because the site is currently developed. Therefore, the project would have no impact on forest land and would not result in the loss of this resource. **(No Impact)**

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

The project site is in an urbanized area of the City and is not adjacent to agricultural or forest land. The proposed project would not result in the conversion of agricultural or forest land surrounding the project site to non-agricultural or non-forest uses. Therefore, the project would have no impact on surrounding agricultural or forest resources. **(No Impact)**

4.3 Air Quality

Information in this section is based in part on the Homestead Townhomes Air Quality Assessment prepared by Illingworth and Rodkin dated May 2025. The Air Quality Assessment is included as Appendix A of this report.

4.3.1 Environmental Setting

4.3.1.1 *Background Information*

Air quality in the Bay Area is assessed related to six common air pollutants (referred to as criteria pollutants), including ground-level ozone (O_3), nitrogen oxides (NO_x), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO_x), and lead.[10] Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health are summarized in Table 4.3-1. The most commonly regulated criteria pollutants in the Bay Area are discussed further below.

Table 4.3-1: Health Effects of Air Pollutants

Pollutants	Sources	Primary Effects
O_3	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	Aggravation of respiratory and cardiovascular diseases Irritation of eyes Cardiopulmonary function impairment
Nitrogen Dioxide (NO_2)	Motor vehicle exhaust, high temperature stationary combustion, atmospheric reactions	Aggravation of respiratory illness Reduced visibility
Fine Particulate Matter ($PM_{2.5}$) and Coarse Particulate Matter (PM_{10})	Stationary combustion of solid fuels, construction activities, industrial processes, atmospheric chemical reactions	Reduced lung function, especially in children Aggravation of respiratory and cardiorespiratory diseases Increased cough and chest discomfort Reduced visibility
Toxic Air Contaminants (TACs)	Cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; building materials and products	Cancer Chronic eye, lung, or skin irritation Neurological and reproductive disorders

High O_3 levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO_X. These precursor pollutants react under certain meteorological conditions to form high O_3 levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to

[10] The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further.

reduce O_3 levels. The highest O_3 levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources.

PM is a problematic air pollutant of the Bay Area. PM is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM_{10}) and fine particulate matter where particles have a diameter of 2.5 micrometers or less ($PM_{2.5}$). Elevated concentrations of PM_{10} and $PM_{2.5}$ are the result of both region-wide emissions and localized emissions.

Toxic Air Contaminants (TAC)

TACs are a broad class of compounds known to have health effects. They include but are not limited to criteria pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway).

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).[11] Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

Sensitive Receptors

Some groups of people are more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools.

4.3.1.2 *Regulatory Framework*

Federal and State

Clean Air Act

At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean

[11] California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed May 30, 2025. https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health.

Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously), including PM, O_3, CO, SO_x, NO_x, and lead.

CARB is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce DPM (in additional to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO_x.

Regional and Local

2017 Clean Air Plan

The Bay Area Air Quality Management District (Air District) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as the Air District, must prepare air quality plans specifying how state and federal air quality standards will be met. The Air District's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related Air District goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how the Air District will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.[12]

CEQA Air Quality Guidelines

The Air District CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for

[12] The Air District. *Final 2017 Clean Air Plan.* April 19, 2017. http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

assessing air quality impacts developed by the Air District within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, Air District rules, methods of analyzing impacts, and recommended mitigation measures.

Santa Clara General Plan

General Plan policies related to air quality that are applicable to the project include the following.

Policy	Description
5.10.2-G1	Improved air quality in Santa Clara and the region.
5.10.5-G2	Reduced greenhouse gas emissions that meet the State and regional goals and requirements to combat climate change.
5.10.5-P3	Encourage implementation of technological advances that minimize public health hazards and reduce the generation of air pollutants.
5.10.5-P4	Encourage measures to reduce greenhouse gas emissions to reach 30 percent below 1990 levels by 2020.
5.10.5-P6	Require "Best Management Practices" for construction dust abatement.

4.3.1.3 *Existing Conditions*

The Bay Area is considered a non-attainment area for ground-level O_3 and $PM_{2.5}$ under both the federal Clean Air Act and state Clean Air Act. The area is also considered nonattainment for PM_{10} under the state act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO. As part of an effort to attain and maintain ambient air quality standards for O_3 and PM_{10}, the Air District has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O_3 precursor pollutants (ROG and NO_X), PM_{10}, and $PM_{2.5}$, and apply to both construction period and operational period impacts.

Sensitive Receptors Near to the Project Site

The nearest sensitive receptors to the project site are the residents in the adjacent multi-family residences to the east and the infants and children in Santa Clara KinderCare located adjacent to the east. Other receptors are found at further distances surrounding the project site. Additional sensitive receptors are located at the Little Star Basics Preschool to the south and patients at the Kaiser Permanente Santa Clara Medical Center to the southwest.

4.3.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of Santa Clara has considered the air quality thresholds updated by the Air District in April 2023 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and $PM_{2.5}$. The Air District CEQA Air Quality thresholds for criteria air pollutants and fugitive dust used in this analysis are identified in Table 4.3-2. Table 4.3-3 below lists the Air District health risk and hazards thresholds for single-source and cumulative-sources.

Table 4.3-2: Bay Area Air District Air Quality Significance Thresholds

Criteria Air Pollutant	Average Daily Emissions Construction Thresholds* (pounds/day)	Average Daily Emissions Operation Thresholds (pounds/day)	Annual Average Emissions Operation Thresholds (tons/year)
ROG and NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	9.0 ppm (eight-hour) or 20.0 ppm (one-hour
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	Not Applicable

* The Air District recommends for construction projects that require less than one year to complete, lead agencies should annualize impacts over the scope of actual days that peak impacts would occur rather than

Criteria Air Pollutant	Average Daily Emissions Construction Thresholds* (pounds/day)	Average Daily Emissions Operation Thresholds (pounds/day)	Annual Average Emissions Operation Thresholds (tons/year)

over the full year. Additionally, for phased projects that results in concurrent construction and operational emissions. Construction-related exhaust emissions should be combined with operational emissions for all phases where construction and operations overlap.

Source: Bay Area Air Quality Management District. *2022 California Environmental Quality Act Air Quality Guidelines*. April 2023. Pages 3-5 and 3-6.

Table 4.3-3: Bay Area Air District Health Risks and Hazards Thresholds

Health Risk	Single Source	Combined Cumulative Sources
Cancer Risk	10 per one million	100 per one million
Non-Cancer Hazard Index	1.0	10.0
Annual $PM_{2.5}$ Concentration	0.3 µg/m^3	0.8 µg/m^3 (average)

Notes: µg/m^3 = micrograms per cubic meter; $PM_{2.5}$= fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less

Thresholds are applicable to construction and operational activities.

Source: Bay Area Air Quality Management District. *2022 California Environmental Quality Act Air Quality Guidelines*. April 2023. Pages 3-5 and 3-6.

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Plan Consistency

As demonstrated in Table 4.3-4 and the other sections below, the proposed project would not result in construction or operational criteria pollutant emissions which exceed Air District CEQA Air Quality Guidelines Operational Criteria Pollutant impact thresholds. The proposed project, therefore, would not conflict with the 2017 CAP through compliance with Air District CEQA thresholds. This is because it would result in emissions lower than the Air District thresholds (shown in Table 4.3-2), is considered urban infill, and would be located near bike paths and transit with regional connections. Because the project would not exceed the Air District impact thresholds, it would not result in the generation of operational-related criteria air pollutants and/or precursors that exceed the thresholds shown in Table 4.3-2. Therefore, the project is not required to incorporate project-specific control measures listed in the 2017 CAP. Further, implementation of the project would not inhibit the Air District or partner agencies from continuing progress toward attaining state and federal air quality standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP. **(Less than Significant Impact)**

Construction Period Emissions – Criteria Pollutants

Construction of the proposed project has an estimated start date of April 2026 and an estimated construction period of 33 months (approximately 698 construction days). During construction, worker trips, on-site construction operations, and truck traffic would contribute to criteria pollutants in the area of the project site.

The California Emissions Estimator Model (CalEEMod) was used to estimate emissions from on-site construction activity, construction vehicle trips, and evaporative emissions. The project land use types and size, and anticipated construction schedule were input to CalEEMod. The CARB Emission Factors 2021 (EMFAC2021) model was used to predict emissions from construction. Construction emissions for the proposed project are summarized in Table 4.3-4.

Table 4.3-4: Construction Criteria Pollutant Emissions

Annual Emissions (tons per day)	**ROG**	**NO_x**	**PM_{10} Exhaust**	**$PM_{2.5}$ Exhaust**
2026	0.07	0.62	0.02	0.02
2027	1.00	0.65	0.01	0.01
2028	1.69	0.71	0.01	0.01
Average Daily Emissions (pounds per day)				
2026 (187 construction workdays)	0.70	6.59	0.25	0.23
2027 (261 construction workdays)	7.74	4.95	0.11	0.11
2028 (250 construction workdays)	13.37	5.69	0.11	0.10
Air District Significance Threshold (pounds per day)	54	54	82	54
Significant?	No	No	No	No

Note: Average daily emissions calculated by dividing the construction emissions by the number of construction workdays.

Source: Illingworth & Rodkin, Inc. Homestead Townhomes Air Quality Assessment. May 9, 2025

The ROG, NOx and exhaust PM emissions during construction would not exceed the established Air District thresholds for environmental impact. Therefore, the proposed project would result in a less than significant criteria pollutant emissions impact during construction of the proposed project. **(Less than Significant Impact)**

Operational Period Emissions – Criteria Pollutants

Operational period emissions for the proposed project were predicted using CalEEMod based on the difference between the 147 proposed dwelling units, with 5,000 square feet of commercial, and the existing commercial uses on-site. The primary sources of operational criteria pollutants for the proposed project would be vehicles driven by residents. The operational year of the proposed project was assumed to be 2029 and emissions associated with a later project operation would be lower due to advancement in technology. Based on the calculated project trip generation, the

proposed project would generate approximately 912 daily trips. The existing commercial development generates approximately 5,906 daily trips. As a result, the proposed project would generate 4,994 fewer daily project trips than the current land use.[13] The proposed project would not include the use of natural gas appliances and the residential and commercial emissions for power generated by Silicon Valley Power (SVP) is assumed to be zero due to the use of clean energy sources. Operational emissions are summarized in Table 4.3-5 below.

Table 4.3-5: Operational Criteria Pollutant Emissions

Scenario	ROG	NO_x	PM_{10}	$PM_{2.5}$
Annual Emissions (tons/year)				
2029	2.03	0.25	0.64	0.17
Existing Annual (tons/year)				
2025	3.25	1.69	2.61	0.68
Net Annual Emissions	-1.22	-1.44	-1.97	-0.51
Significance Threshold (tons/year)	10	10	15	10
Significant?	*No*	*No*	*No*	*No*
Average Daily Emissions (pounds/day)*				
2029	-6.66	-7.86	-10.79	-2.80
Air District Significance Threshold (pounds per day)	54	54	82	54
Significant?	*No*	*No*	*No*	*No*

*Average daily emissions calculated based on annual emissions and 365 days per year for operations.

Source: Illingworth & Rodkin, Inc. Homestead Townhomes Air Quality Assessment. May 9, 2025

The ROG, NOx and exhaust PM emissions during operations would be less than the current site operations and would not exceed the established Air District thresholds for environmental impact. Therefore, the proposed project would result in a less than significant criteria pollutant emissions impact during operation of the proposed project. **(Less than Significant Impact)**

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

The Bay Area is considered a non-attainment area for ground-level O_3 and $PM_{2.5}$ under both the federal Clean Air Act and state Clean Air Act. Per the Air District CEQA Air Quality Guidelines, air

[13] The amount of retail space and residential units has been updated since the air quality analysis was first completed. The change in the retail space and residential units did not change the conclusions of the analysis. Since the Air Quality Assessment was updated in May 2025, the number of residential units has decreased from 150 to 147 units and the commercial has increased from 2,500 square feet to 5,000 square feet. Nevertheless, these changes in the project would not change the conclusions of the analysis. Refer to the Air Quality Assessment (Appendix B) for additional explanation

pollution by its nature is largely a cumulative impact. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. As discussed above, the proposed project would not result in any air criteria pollutant emissions exceeding the Air District's significance thresholds. As a result, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment. **(Less than Significant Impact)**

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Construction Dust Emissions

During construction, the proposed project would result in dust from vehicles and other construction activities. Based on the estimates in the Construction Health Risk Assessment, the fugitive dust emissions from construction of the proposed project would expose sensitive receptors to irritants and particulate matter present in soils. The proposed project would be required to implement the Air District's Standard Construction Procedures to limit the dispersion of particulate matter during construction.

Condition of Approval

During any construction period ground disturbance, the applicant shall ensure that the project contractor implements measures to control dust and exhaust. Implementation of the measures recommended by the Air District and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. Additional measures are identified to reduce construction equipment exhaust emissions. The contractor would implement the following best management practices (BMPs) that are required of all projects:

- 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.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.

- Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a six- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

With implementation of the Air District Standard Construction Procedures, fugitive particulate matter produced by the proposed project would be reduced and would be less than significant based on the Air District CEQA Guidance. Therefore, the proposed project would result in a less than significant impact. **(Less than Significant Impact)**

Construction Toxic Air Contaminants

Construction of the proposed project would result in the release of emissions known to result in greater occurrences of cancer and other health conditions. The Air Quality Assessment analyzed infant and adult exposures to TACs at the residences and other receptors surrounding the project site. The location of is included in Figure 4.3-1. Infant exposure at residences was used as a worst-case assumption because child and adult exposures would be less severe. The results of the modeling conducted as a part of the Air Quality Assessment are summarized below in Table 4.3-6. The locations of the Maximally Exposed Individuals (MEI) are shown in Figure 4.3-1 below.

Table 4.3-6: Project Health Risk Impacts at the MEI

Source	Cancer Risk (per million)	Annual $PM_{2.5}$ ($\mu g/m^3$)	Hazard Index
Project Maximum Cancer Risk Impact – Santa Clara KinderCare (Ages 0 – 5)	**48.73**	0.17	0.01
Air District Single-Source Threshold	*10*	*0.3*	*1.0*
Significant?	**Yes**	No	No
Maximum Residential Impact/Maximum Annual PM2.5 Concentration Impact	**26.19**	**0.3**	0.02
Air District Single-Source Threshold	*10*	*0.3*	*1.0*
Significant?	**Yes**	**Yes**	No

Note: **Bold** numerical text indicates an exceedance of a threshold.

Source: Illingworth & Rodkin, Inc. Homestead Townhomes Air Quality Assessment. May 9, 2025

As seen above in Table 4.3-6, the maximum cancer risks from construction activities would exceed the Air District single-source significance threshold at both the preschool and residential MEI, and the maximum annual $PM_{2.5}$ concentration would be at the Air District single-source significance threshold at the residential MEI receptor. Therefore, the proposed project would expose sensitive receptors to pollutants during construction and would have a potentially significant impact.



Source: Illingworth & Rodkin, Inc., May 9, 2025.

LOCATION OF MAXIMALLY EXPOSED INDIVIDUAL FOR TACS

FIGURE 4.3-1

Impact AIR-1 The proposed project would generate toxic air contaminants in excess of Air District thresholds resulting in Cancer Risk of 48.73 per million and particulate matter emissions of 0.3 $\mu g/m^3$.

Mitigation Measures

MM AIR- 1.1 Prior to issuance of grading permits the proposed project will implement a feasible plan to reduce diesel particulate matter emissions by 80 percent such that the increased cancer risk and annual 2.5 micron particulate matter ($PM_{2.5}$) concentration from construction would be reduced below toxic air contaminant (TAC) significance levels as follows:

- All diesel-powered construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 Final emission standards for PM (PM_{10} and $PM_{2.5}$)

Alternatively, the applicant shall develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 80 percent or greater. Elements of the plan could include a combination of some of the following measures:

- Installation of electric power lines during early construction phases to avoid use of diesel portable equipment,
- Use of electrically-powered equipment,
- Forklifts and aerial lifts used for exterior and interior building construction shall be electric or propane/natural gas powered,
- Change in construction build-out plans to lengthen phases, and
- Implementation of different building techniques that result in less diesel equipment usage.

The construction operations plan would be subject to review by an air quality expert and approved by the Director of Community Development or the Director's designee prior to issuance of grading permits.

Through implementation of Mitigation Measure MM AIR-1.1 and the fugitive dust condition of approval, consistent with Santa Clara General Plan Policy 5.10.2-P6, the cancer risk of the proposed project would be reduced to 5.69 cases per million (infant) and particulate matter would be reduced to 0.21 $\mu g/m^3$. Therefore, the proposed project would result in a less than significant toxic air contaminant impact on sensitive populations during construction. **(Less than Significant Impact with Mitigation Incorporated)**

Criteria Pollutant Health Effects

In a 2018 decision (*Sierra Club v. County of Fresno*), the state Supreme Court determined CEQA requires that when a project's criteria air pollutant emissions would exceed applicable thresholds and contribute a cumulatively considerable contribution to a significant cumulative regional criteria pollutant impact, the potential for the project's emissions to affect human health in the air basin must be disclosed. State and federal ambient air quality standards are health-based standards, and exceedances of those standards result in continued unhealthy levels of air pollutants. As stated in the 2017 Air District CEQA Air Quality Guidelines, air pollution by its nature is largely a cumulative impact. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. In developing thresholds of significance for air pollutants, the Air District considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project has a less than significant impact for criteria pollutants, it is assumed to have no adverse health effect.

As discussed above, the proposed project would result in a less than significant project-level operational and construction criteria pollutant impact. As a result, the project would result in a less than significant health impact. **(Less Than Significant Impact)**

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The proposed project would introduce a mixed-use development to the project site which is currently occupied by a commercial development and parking lot. During construction of the proposed project, operation of construction vehicles may result in temporary odors related to fuel combustion, but these would be temporary and would not result in a significant impact. Significant operational odors are frequently associated with waste disposal or water treatment uses. The mixed-use development would provide standard residential odors and would not produce emissions which would create unpleasant odors for residents around the project site. Therefore, the proposed project would have a less than significant impact from odors or other emissions produced on-site. **(Less than Significant Impact)**

4.3.3 Non-CEQA Effects

Per California Building Industry Association v. Bay Area Air Quality Management District, 62 Cal. 4th 369 *(BIA v. BAAQMD)*, effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Santa Clara has policies that address existing air quality conditions affecting a proposed project, including General Pan Policy 5.10.5-P3.

A health risk assessment was completed to determine if existing TAC sources would pose a health risk to new sensitive receptors (residents) that the project would create. The TAC sources near the project site are shown in Table 4.3-7 below.

Table 4.3-7: Cumulative Health Risk Impacts at the Project Site

Source	Cancer Risk (per million)	Annual $PM_{2.5}$ ($\mu g/m^3$)	Hazard Index
Cumulative Roadways – Air District GIS Screening Data	<11.73	<0.33	<0.04
Homestead Car Wash (Facility ID #112445-1, Gas Dispensing Facility), MEIs at 640 feet	0.27	-	0.01
Beacon 552 (Facility ID #110624-1, Gas Dispensing Facility), MEIs at 665 feet	0.52	-	0.09
H&S Energy Products LLC #3054 - Texaco (Facility ID #111703-1, Gas Dispensing Facility) MEIs at 400 feet	3.99	-	0.25
Cumulative Total	<16.51	<0.33	<0.39
Air District Cumulative Source Threshold	100	0.8	10.0
Significant?	No	No	No

Note: **Bold** numerical text indicates an exceedance of a threshold.

Source: Illingworth & Rodkin, Inc. Homestead Townhomes Air Quality Assessment. May 9, 2025

Therefore, the proposed project would not expose future project residents to health effects from existing TAC sources and would be consistent with General Plan policy 5.10.5-P3.

4.4 Biological Resources

Th information in this section is based in part on the Arborist Report completed by HortScience/Bartlett Consulting in November 2024. This report is included as Appendix B of this environmental document.

4.4.1 Environmental Setting

4.4.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To "take" a listed species, as defined by the State of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. This includes direct and indirect acts, except for harassment and habitat modification, which are not included unless they result in direct loss of birds, nests, or eggs. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to

regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

Regional and Local

Santa Clara General Plan

The following General Plan policies related to aesthetics are applicable to the proposed development project.

Policy	Description
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
5.10.1-P4	Protect all healthy cedars, redwoods, oaks, olives, bay laurel, and pepper trees of any size, and all other trees over 36 inches in circumference measured from 48 inches above-grade on private and public property, as well as in the public right-of-way.

4.4.1.2 *Existing Conditions*

The project site is in a developed, urban area of the City of Santa Clara. Surrounding land uses consist of residential and commercial development. Vegetation in the vicinity of the project site includes landscaping consisting of grass, shrubs, and trees. Habitats in developed areas such as the project area include predominantly urban adapted birds and animals. There are no waterways, wetlands, or other sensitive habitats located on or adjacent to the project site. The nearest waterways are Calabazas Creek, located approximately 0.27 miles west of the project site, and Saratoga Creek, located approximately 0.73 miles east of the project site.

The project site consists of commercial structures surrounded with paved parking areas and minimal landscaping, primarily along the boundary of the site. Tree species present on-site consist of red ironbark, evergreen ash, southern magnolia, Chinese elm, and Mexican fan palm. The tree survey identified 17 trees within the project site and nine off-site trees adjacent to the project site. one of which is ordinance sized. The trees are listed in Table 4.4-1 below and shown in Figure 4.4-1.

Table 4.4-1 Tree Survey Summary

Tree #	Common Name	Scientific Name	Trunk Diameter (inch)	On-site?
156	Mexican fan palm	*Washingtonia robusta*	17	No
157	evergreen ash	*Fraxinus uhdei*	31	No
158	evergreen ash	*Fraxinus uhdei*	25	No
159	evergreen ash	*Fraxinus uhdei*	23	No
160	southern magnolia	*Magnolia grandiflora*	8	No
161	southern magnolia	*Magnolia grandiflora*	17	No
162	southern magnolia	*Magnolia grandiflora*	16	No
163	southern magnolia	*Magnolia grandiflora*	13	No
164	Chinese elm	*Ulmus parvifolia*	17	Yes
165	Chinese elm	*Ulmus parvifolia*	15	Yes
166	red ironbark	*Eucalyptus sideroxylon*	24	Yes
167	red ironbark	*Eucalyptus sideroxylon*	34	Yes
168	Mexican fan palm	*Washingtonia robusta*	18	Yes
169	Mexican fan palm	*Washingtonia robusta*	16	Yes
170	Mexican fan palm	*Washingtonia robusta*	24	Yes
171	Mexican fan palm	*Washingtonia robusta*	12	Yes
172	Mexican fan palm	*Washingtonia robusta*	9	Yes
173	Mexican fan palm	*Washingtonia robusta*	17	Yes
174	Mexican fan palm	*Washingtonia robusta*	17	Yes
175	Chinese elm	*Ulmus parvifolia*	18	Yes
176	evergreen ash	*Fraxinus uhdei*	14,12,8,6	Yes
177	southern magnolia	*Magnolia grandiflora*	12	Yes
178	southern magnolia	*Magnolia grandiflora*	8,8	Yes
179	southern magnolia	*Magnolia grandiflora*	10,10	Yes
180	evergreen ash	*Fraxinus uhdei*	50*	Yes

Source: HortScience/Bartlett. Preliminary Arborist Report. November 2024.

*Ordinance sized tree

Lawrence Expressway

LOCATION OF TREES ON-SITE

FIGURE 4.4-1

4.4.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?

Special-Status Species

As discussed in Existing Conditions, the project site does not contain habitat suitable for special-status plant and animal species. The project would result in the redevelopment within an already urbanized area of the City of Santa Clara and would not result in the modification of any sensitive habitat area. As a result, development of the proposed development project would not adversely affect any candidate, sensitive, or special-status species. (**Less than Significant Impact)**

Nesting Birds

The trees and shrubs within and bordering the project site could provide nesting habitat for birds, including migratory birds or raptors. Nesting birds are among the species protected under the provisions of the MBTA and California Fish and Game Code Sections 3503, 3503.5, and 2800. Construction activities on-site during the nesting season (February to August) could result in the incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment. Disturbance that results in abandonment and/or loss of reproductive effort is considered a taking by the CDFW; any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact.

Impact BIO-1.1: Project construction could impact nesting birds on or adjacent to the site, if present. **(Significant Impact)**

Mitigation Measure

In compliance with federal and state regulations and protocols, the project shall implement the following mitigation measure, to reduce impacts to nesting birds to a less than significant level.

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 1 through August 31.

If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or 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 shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area of nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with California Department of Fish and Wildlife (CDFW), shall determine the extent of a construction free buffer zone to be established around the nest to ensure that nests of bird species protected by the Migratory Bird Treaty Agreement (MBTA) or Fish and Game Code shall not be disturbed during project construction.

Through implementation of the above mitigation measure, the proposed project would reduce impacts to nesting birds by avoiding construction during nesting bird season or completing pre-construction nesting bird surveys to minimize and/or avoid impacts to nesting birds. **(Less than Significant Impact with Mitigation Incorporated)**

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?

The project site is located approximately 0.27 miles from the nearest waterway; therefore, there is no riparian habitat on or adjacent to the project site. Furthermore, the site is not identified as containing sensitive habitat.[14] For these reasons, development of the project site would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. **(No Impact)**

c) Would the project have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means?

The project site does not contain, nor is it adjacent to, any wetlands. As a result, the project would not affect any federally protected wetlands as defined by Section 404 of the Clean Water Act. **(No Impact)**

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The project site is surrounded by development, and there are no sensitive habitats or waterways on or adjacent to the project site. Due to the highly developed nature of the project area, the project site does not provide dispersal habitat for any native resident migratory fish or wildlife species and does not act as a substantial wildlife corridor. There are no identified wildlife nursery sites present on the project site. For these reasons, future development under the project would have a less than significant impact on migratory fish or wildlife species, wildlife corridors, and wildlife nursery sites. In addition, as described under Impact BIO-1, measures to mitigate impacts to nesting birds will be implemented if they are found on-site during construction. As a result, the project would not substantially interfere with the movement of any native or migratory species, or the use of any nursery sites. **(Less than Significant Impact)**

[14] City of Santa Clara. 2010-2035 General Plan. November 16, 2010.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

As proposed, the project would remove 17 existing trees on the project site, one of which is an ordinance sized tree, and plant new landscaping around the proposed development. As outlined in General Plan Policy 5.3.1-P10, new development is required to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed. As part of the landscape plan, the project proposes 180 new trees to be planted throughout the project site. Based on the replacement rate required by the General Plan, the proposed development project would meet the City's replacement requirements and would not require additional off-site replacement trees to comply with the General Plan Policy 5.3.1-P10. Therefore, through compliance with General Plan Policy 5.3.1-P10 the proposed development project would result in a less than significant impact. **(Less than Significant Impact)**

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project site is not located within an adopted Habitat Conservation Plan, Natural Community Plan, or other approved habitat conservation plan. The project, therefore, would not conflict with any approved local, regional, or state habitat conservation plan. **(No Impact)**

4.5 Cultural Resources

The following discussion is based upon a Literature Search completed by Archaeological/Historical Consultants in April 2025. A copy of the Literature Search, which is a confidential report, is on file at the City of Santa Clara and is available upon request with appropriate credentials. Additionally, the discussion is based on a Historical Resources Evaluation also competed by Archaeological/Historical Consultants in April 2025. The Historic Resources Evaluation is included as Appendix C of this report.

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

Federal and State

National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

The NRHP is the nation's master inventory of historic resources that are considered significant at the national, state, or local level. The minimum criteria for determining NRHP eligibility include:

- The property is at least 50 years old (properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP);
- It retains integrity of location, design, setting, materials, workmanship, feeling, and associations; and
- It possesses at least one of the following characteristics:
    - Association with events that have made a significant contribution to the broad patterns of history;
    - Association with the lives of persons significant in the past;
    - Distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant, distinguishable entity whose components may lack individual distinction; or
    - Has yielded, or may yield, information important to prehistory or history.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and

cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.[15]

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance." The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource's eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

Public Resources Code Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

[15] California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." Accessed January 30, 2025. https://ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf.

Local

Santa Clara General Plan

General Plan policies related to cultural resources and applicable to the project include the following.

Policy	Description
5.6.3-P1	Require that new development avoid or reduce potential impacts to archaeological, paleontological and cultural resources.
5.6.3-P4	Require that a qualified paleontologist/archaeologist monitor all grading and/or excavation if there is a potential to affect archeological or paleontological resources, including sites within 500 feet of natural water courses and the Old Quad neighborhood.
5.6.3-P5	In the event that archeological/paleontological resources are discovered, require that work be suspended until the significance of the find and recommended actions are determined by a qualified archeologist/paleontologist.
5.6.3-P6	In the event that human remains are discovered, work with the appropriate Native American representative and follow the procedures set forth in state law.

4.5.1.2 *Existing Conditions*

Archeological and Historical Sensitivity

Archaeological sites are most often found in flat locations with access to a perennial source of fresh water. Soils deposited during the Holocene era (from 11,700 years ago), especially young alluvium from the last 2,000-3,000 years, are more likely to contain buried archaeological deposits. In Santa Clara, Native American sites are most often found within 0.5 miles of major watercourses and 0.25 miles of minor watercourses.

Within the project area, there was a past unnamed slough running from northeast to southwest and the two nearest creeks are Calabazas Creek, within a quarter mile, and Saratoga Creek, within a half mile of the project site.

The project site is located within an area historically occupied by the Tamien group of Ohlone Native Americans. Prior to Spanish arrival, there were at least four towns, and three smaller villages present in the San José-Santa Clara area. Two such villages were located within two miles of the project site.

The project site also falls within an area that was the Rancho Quito starting between 1833 and 1845. This area was sold to James Monroe Kenyon in the 1850s and was developed into a farm with a residence. The farm operated until approximately 1962 when the site was cleared to allow for construction of two commercial buildings on the property. The third commercial building was completed in 1975.

Due to the activity of tribes near the project site and operation of the site since the middle 1800s, the project site has moderate sensitivity for historic-era archaeological deposits.

Historical Resources

Three commercial buildings are present within the project site, with two being constructed in 1962 and one in 1975. None of the buildings on the project area have been previously listed under any local, State, or federal historic resource designation criteria.

Building 1 - 3521-3545 Homestead Road

Building 1 consists of an eastern and western half with slightly different composition. The eastern half of the structure is occupied by a supermarket. The front of the structure features aluminum windows and sliding doors at the main entrance. The front wall features concrete and aggregate composite of large stones. The overhanging canopy is composed of sheet metal. The rear of this building has walls consisting of smooth concrete.

The western half of Building 1 is a wooden structure with steel framed original windows and aluminum framed replaced windows. The intervening walls of the structure are stucco, and a wooden overhang is present above the storefronts.

Building 2 - 3551-3591 Homestead Road

Building 2 is located just southwest of Building 1. It features 12 storefronts along the east, west, and south sides of the building. The structure is a wooden composition with a mansard style roof constructed with sheet metal and wood. The building has steel framed windows in some stores and aluminum framed windows where original windows have been replaced.

Building 3 - 3595 Homestead Road

Building 3 is a wood structure on the southwest corner of the project site. It has a wooden overhang on all sides and the sloping roof area is covered with Spanish clay tiles. The walls of the structure are plywood or wooden boards laid in a herringbone pattern.

California Register of Historical Resources Finding

The project site was analyzed for historic eligibility according to Public Resources Code Section 21084.1. The Homestead Shopping Center and associated structure were analyzed under the following four criteria.

Criterion 1 - the resource is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history and cultural heritage of California or the United States.

The shopping center is like other commercial development in the 1960s and 1970s, however the property does not represent or reveal any important events or patterns of history associated with the property. Therefore, it is not eligible under CRHR Criterion 1.

Criterion 2 - the resource is associated with the lives of persons important to the nation or to California's past.

No businesses or individuals of note are associated with the shopping center for the purposes of California or national history. Therefore, it is not eligible under CRHR Criterion 2.

Criterion 3 - the resource embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.

Buildings 1 and 2 are representative of a typical shopping center, like those built in very large numbers in the United States during the 1950s and 1960s. Characteristics of these buildings were "modern" in appearance, one story, with large areas of wall space that were devoted to windows and surrounded by large parking lots. Buildings 1 and 2 only feature light decoration including the stone rubble walls and base, and the aggregate wall surfaces, both at the front of the supermarket.

The buildings have always been plain in appearance, with an emphasis on retail display rather than ornamentation. No original doors remain, and it is uncertain whether the wooden canopies on Buildings 1 and 2 are original. Additionally, both buildings feature storefronts which have been modified. The sheet metal canopy at the supermarket is also not original. Other features of the buildings have also been modified.

What remains of Buildings 1 and 2 is undistinguished, plain in appearance, and heavily altered. Therefore, due to loss of integrity and a lack of significance, both buildings, and the original shopping center complex of 1962, would not be eligible under CRHR Criterion 3.

Building 3 is substantially newer than the original complex and may be considered separately for historic integrity. The herringbone siding, the roof, and aluminum windows appear to be original therefore, the building may be considered in high integrity. However, the more colorful and expressive Chinese lanterns that are strung along the east and west sides, and the matching paint scheme at the ends of the roof, are recent additions. The main architectural features, namely the clay tiles at the roof and the diagonal, or herringbone, pattern of the siding, are not architecturally distinguished. Therefore, Building 3 also would not be eligible under CRHR Criterion 3.

Criterion 4 - the resource has the potential to yield information important to the prehistory or history of the State or the nation (criterion 4 applies primarily to archaeological sites and not historic buildings).

This criterion is usually used to evaluate archaeological sites. The buildings at the Homestead Shopping Center were constructed using materials and techniques that were typical of their period. Therefore, the site is not eligible under CRHR Criterion 4.

City of Santa Clara Historical Criteria

Historical or Cultural Significance

To be historically or culturally significant, a property must meet at least one of the following criteria:

1. The site, building, or property has character, interest, integrity, and reflects the heritage and cultural development of the City, region, State, or Nation.
2. The property is associated with an historical event.
3. The property is associated with an important individual or group who contributed in a significant way to the political, social, and/or cultural life of the community.
4. The property is associated with a significant industrial, institutional, commercial, agricultural, or transportation activity.
5. A building is directly associated with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.
6. A notable historical relationship between a site, building, or property's site and its immediate environment, including original native trees, topographical features, outbuildings, or agricultural setting.

The Homestead Shopping Center was an example of plentiful strip shopping centers constructed in the 1960s and 1970s. The buildings on-site do not feature specific characteristics of interest or historical integrity. Additionally, there were no people of note or events important to City, regional, State, or national history associated with the site. Further, it does not reflect cultural development of the area and does not have historical relationships with events, groups, or activities. Therefore, the project site is not eligible for historical significance according to City of Santa Clara criteria.

Architectural Significance

To be architecturally significant, a property must meet at least one of the following criteria:

1. The property characterizes an architectural style associated with a particular era and/or ethnic group.
2. The property is identified with a particular architect, master builder, or craftsman.
3. The property is architecturally unique or innovative.
4. The property has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.
5. The property has a visual symbolic meaning or appeal for the community.
6. A building has unique or uncommon building materials or a historically early or innovative method of construction or assembly.
7. A building has notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork, or functional layout.

The Homestead Shopping Center is a complex of three buildings designed in the Commercial Modern and Mansard styles. Their architects and builders are unknown. The buildings are not notable examples of their styles; and they have numerous alterations and lack architectural features that exemplify their styles. The structures do not exhibit unique craftsmanship, unusual materials, spatial relationships, special attributes, or visual appeal. Therefore, the buildings are not eligible under this set of criteria.

Geographic Significance

To be geographically significant, a property must have at least one of the following features:

1. A neighborhood, group, or unique area that is directly associated with broad patterns of local area history.
2. A continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings.
3. An intact, historical landscape or landscape features associated with an existing building.
4. A notable use of landscaping design in conjunction with an existing building.

The Homestead Shopping Center is not part of a distinctive neighborhood and does not relate to existing significant historical structures or landscaping. Therefore, it is not eligible under this set of criteria.

4.5.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource as pursuant to CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?

As stated in the Existing Conditions section above, the structures on the site are not eligible for listing on the State or local historic registers and would not be considered historical resources pursuant to CEQA Guidelines Section 15064.5. Therefore, demolition of these structures to

construct the proposed project would have no impact on the significance of a historic resource on the project site. **(No Impact)**

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

As stated in the Existing Conditions section above, the project site does not have known archeological resources present on-site, however there is a moderate sensitivity for buried undiscovered resources due to the past uses of the project site. Therefore, during excavation of the project site, there is a reasonable possibility for archeological resources to be disturbed.

Impact CUL-2.1 Construction of the proposed project would result in excavation in an area which has moderate sensitivity for archeological resources, and could disturb unrecorded archaeological resources. **(Significant Impact)**

Mitigation Measures

MM CUL-2.1-1 Prior to commencement of any ground-disturbing activity on-site, the project applicant shall retain a registered professional archaeologist to be present during all ground-disturbing activity associated with the project. For the purposes of these conditions, ground-disturbing activities shall be defined as any ground disturbance, including but not limited to, excavation, grading, grubbing, scarring, drilling, scraping, blading, trenching, vegetation removal, or demolition of the existing structure or site improvements within the development area shown on the project plans. A registered professional archaeologist shall be given five days' written notice prior to the start of any ground-disturbing activity. The project applicant shall document receipt of notification in writing.

MM CUL-2.1-2 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. The archaeologist, in consultation with the project applicant, shall make the necessary plans for treatment of the find(s) if the resource is eligible for listing on the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR). Construction within a radius determined by the archaeologist shall not recommence until the assessment is complete.

- Any treatment other than preservation in place must be approved by the City of Santa Clara. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site

documentation, and historical research, with the aim to target the recovery of important scientific data contained in resource.

- The culturally affiliated tribe(s) who consulted on the project, or if no consultation occurred the tribe identified by the Native American Heritage Commission (NAHC), shall determine the disposition of any tribal cultural resources (TCR) artifacts discovered during on-site excavation or construction activities or TCR artifacts resulting from execution of a treatment plan. The disposition of TCR artifacts shall include, but not be limited to, reburying in close proximity of the finds without scientific study, allowing scientific study before reburying the materials either near the origin of the find or in another protected place, or temporary curation at a facility at an institution that meets the U.S. Secretary of the Interior's criteria for curation (36 CFR 79) prior to reburial. Disposition of any TCR artifacts shall be subject to approval by the culturally affiliated tribe. All curation fees and related expenses shall be paid by the project applicant.
- To ensure adequate space and protection are provided for reburial of any TCRs discovered on the project site, the Permittee shall designate a cultural easement area. The easement area shall be in a location that will not be subject to future disturbance and that will not require the relocation of buildings or other physical improvements on the site.
- The registered professional archaeologist shall file State of California Department of Parks and Recreation (DPR) Series 523 forms for the cultural easement/TCR reburial location (if used) with the California Historical Resources Information System (CHRIS) Center in accordance with the guidelines established by the California Office of Historic Preservation. The DPR Series 523 forms shall establish a permanent record of the cultural easement location and any TCRs discovered on the project site for future site identification and protection. The registered professional archeologist shall also file a Sacred Lands File record with the NAHC on behalf of the culturally affiliated tribe.

With implementation of the above mitigation measures, the project would have a less than significant impact on archeological resources. **(Less than Significant Impact with Mitigation Incorporated)**

c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

As stated above, implementation of the proposed project may discover and disturb previously unrecorded archeological resources. This would also apply to any human remains, including those

interred outside of dedicated cemeteries since the project site is located in an area previously occupied by Native American tribes.

Impact CUL-3.1 Construction activities could disturb human remains on-site. **(Significant Impact)**

Mitigation Measure

MM-CUL 3.1-1 In the event that human remains are discovered during archaeological testing or excavation, trenching 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.

With implementation of the above mitigation measures, the project would result in a less than significant impact on human remains. **(Less than Significant Impact with Mitigation Incorporated)**

4.6 Energy

4.6.1 Environmental Setting

4.6.1.1 *Regulatory Framework*

Federal and State

Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

Executive Order B-55-18 (2018) and Assembly Bill 1279 (2022)

Executive Order B-55-18 was issued in September 2018. It ordered a new statewide goal of achieving carbon neutrality no later than 2045 and to maintain net negative emissions thereafter.

Assembly Bill 1279, also known as the California Climate Crisis Act, was approved on September 16, 2022, and codifies the statewide goal set by Executive Order B-55-18 of achieving net zero GHG emissions no later than the year 2045 and maintaining net negative emissions thereafter. In addition, this bill has a statewide goal of reducing anthropogenic GHG emissions by 85 percent below the 1990 levels by the year 2045. The bill requires CARB to work with relevant state agencies to ensure that updates to the scoping plan, identify and recommend measures to achieve these policy goals, and implement strategies that enable CO_2 removal solutions and carbon capture, utilization, and storage technologies in California. The bill requires CARB to submit an annual report.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a

legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years.[16] Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[17]

California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars II program in 2022 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2026 through 2035. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.[18]

Local

Santa Clara General Plan

Energy-related General Plan policies appliable to the project are shown in the following table.

Policy	Description
5.10.3-P4	Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.
5.10.3-P5	Reduce energy consumption through sustainable construction practices, materials, and recycling.
5.10.3-P6	Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.

Santa Clara Reach Code

Reach Codes are local ordinances adopted by the local government that exceed and enhance the current version of the State's Energy and Green Building standards codes. By adopting the City

[16] California Building Standards Commission. "California Building Standards Code." Accessed January 14, 2025. https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo.
[17] California Energy Commission (CEC). "2022 Building Energy Efficiency Standards." Accessed January 14, 2025. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency.
[18] California Air Resources Board. "Advanced Clean Cars II." Accessed January 14, 2025. https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/advanced-clean-cars-ii.

Reach Code ordinance, the City of Santa Clara utilized this opportunity to not only meet local climate action goals to reduce greenhouse gas emissions, but also to achieve greater energy savings and accelerate decarbonization through the all-electric requirements. The Santa Clara Reach Code includes mandatory measures for Electrical Vehicle Charging and photovoltaic panels that are applicable to all new building permit applications filed with the City.

Construction and Demolition Debris Recycling Program

The City of Santa Clara requires applicants seeking building or demolition permits for projects greater than 5,000 square feet to recycle at least 65 percent of discards. Diversion is achieved through recycling or reuse.

4.6.1.2 *Existing Conditions*

Total energy usage in California was approximately 6,882 trillion British thermal units (Btu) in the year 2022, the most recent year for which this data was available.[19] Out of the 50 states, California is ranked second in total energy consumption and 49th in energy consumption per capita. The breakdown by sector was approximately 18 percent (1,204 trillion Btu) for residential uses, 17 percent (1,193 trillion Btu) for commercial uses, 22 percent (1,539 trillion Btu) for industrial uses, and 43 percent (2,916 trillion Btu) for transportation.[20] This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Electricity

Electricity in Santa Clara County in 2022 was consumed primarily by the non-residential sector (75 percent), followed by the residential sector consuming 25 percent. In 2022, a total of approximately 17,101 gigawatt hours (GWh) of electricity was consumed in Santa Clara County.[21]

Silicon Valley Power (SVP), an enterprise of the City of Santa Clara, is a vertically integrated municipal utility and electricity provider for the City of Santa Clara. SVP owns and operates its own transmission, distribution, and resources on a not-for-profit basis with a mission to provide our retail customers—the citizens, organizations and businesses within the City of Santa Clara—a highly reliable source of power at low, stable rates. Further details regarding SVP's Power Content Label, Utility Fact Sheet, Resource Mix, and other pertinent information may be found on the Silicon Valley Power Website..[22]

[19] United States Energy Information Administration. "California State Energy Profile." Accessed January 14, 2025. https://www.eia.gov/state/print.php?sid=CA.
[20] Ibid.
[21] California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed January 14, 2025. http://ecdms.energy.ca.gov/elecbycounty.aspx.
[22] Silicon Valley Power (SVP) "SVP and Community – About SVP". Accessed December 4, 2025. https://www.siliconvalleypower.com/svp-and-community/about-svp.

Natural Gas

Pacific Gas & Electric (PG&E) provides natural gas services within the City of Santa Clara. In 2023, California's natural gas supply came from a combination of in-state production and imported supplies from other western states and Canada.[23] In 2022, Santa Clara County used less than four percent of the State's total consumption of natural gas.[24] The project site currently uses approximately 953,932 kbtu of natural gas per year.[25]

Fuel for Motor Vehicles

In 2023, California produced 118 million barrels of crude oil and in 2019, 15.4 billion gallons of gasoline were sold in California.[26, 27] The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13 miles per gallon (mpg) in the mid-1970s to 27.1 mpg in 2023.[28] Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was updated in April 2022 to require all cars and light duty trucks achieve an overall industry average fuel economy of 49 mpg by model year 2026.[29,30]

4.6.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

[23] California Gas and Electric Utilities. 2023 *California Gas Report.* Accessed January 14, 2025. https://www.socalgas.com/sites/default/files/Joint_Biennial_California_Gas_Report_2023_Supplement.pdf.
[24] California Energy Commission. "Natural Gas Consumption by County." Accessed January 14, 2025. http://ecdms.energy.ca.gov/gasbycounty.aspx.
[25] CalEEMod. Appendix D Data Tables. September 2016. 14 kbtu/ squarefoot x 68,138 square feet = 953,932 kbtu/year
[26] U.S. Energy Information Administration. "Petroleum & Other Liquids, California Field Production of Crude Oil." February 28, 2023. Accessed January 14, 2025. https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=pet&s=mcrfpca1&f=a
[27] California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed January 14, 2025. https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist.
[28] United States Environmental Protection Agency. "The 2024 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." November 2024. Accessed January 14, 2025. https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P101CUU6.pdf.
[29] United States Department of Energy. *Energy Independence & Security Act of 2007.* Accessed January 14, 2025. http://www.afdc.energy.gov/laws/eisa.
[30] United States Department of Transportation. USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2024-2026." Accessed January 14, 2025. https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026.

a) Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Construction Impacts

Construction requires efficiency in processes and resource use to optimize construction operations to ensure that the building process is not wasteful. Accordingly, the energy consumption and use of materials on a construction site would be as minimal as possible and would not be wasteful and inefficient for the duration of the construction process. The project would be mandated to comply with the City's requirements to recycle or salvage a minimum of 65 percent of nonhazardous construction and demolition waste for reuse, minimizing energy impacts from the creation or production of new construction materials. Therefore, construction of the proposed project would not result in excessive or unnecessary consumption of energy resources.

Operational Impacts

The proposed project would construct 14 total residential buildings with 57 three-story townhomes and 90 four-story townhomes, and one commercial building with 5,000 square foot of space. Based on the land uses proposed for the project, the energy use is estimated to be approximately 942,263 kWh per year. The development would be constructed with fully electric appliances, and there would be no demand for natural gas on the project site. The proposed project would be built according to California Building Code (CBC) and CALGreen Standards and would be compliant with Title 24 energy regulations. The proposed project would include efficient appliances which would ensure energy use on-site is as efficient as possible. Therefore, the proposed project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project operations. **(Less than Significant Impact)**

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The project would implement energy efficiency standards consistent with the CBC and CALGreen. As discussed under checklist question a), the project would not result in a substantial energy increase. Therefore, the project would comply with State and local plans for renewable energy and energy efficiency. **(Less than Significant Impact)**

4.7 Geology and Soils

The information in this section is based in part on the Preliminary Geotechnical Investigation prepared by Stevens, Ferrone, & Bailey Engineering Company, Inc. on August 6, 2024. This study is included as Appendix D of this document.

4.7.1 Environmental Setting

4.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

California Building Standards Code (CBC)

The CBC prescribes standards for constructing safe buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years.

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals and plants, trace remains, and microfossils. These materials are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the CEQA Guidelines, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

Local

Santa Clara General Plan

General Plan geology and soils-related policies applicable to the project include the following.

Policy	Description
5.10.5-P5	Regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards, including flooding, seismic, erosion, liquefaction and subsidence dangers.
5.10.5-P6	Require that new development is designed to meet current safety standards and implement appropriate building codes to reduce risks associated with geologic conditions.
5.10.5-P7	Implement all recommendations and design solutions identified in project soils reports to reduce potential adverse effects associated with unstable soils or seismic hazards.

4.7.1.2 *Existing Conditions*

The City of Santa Clara is in the Santa Clara Valley, a relatively flat alluvial basin, bounded by the Santa Cruz Mountains to the southwest and west, the Diablo Mountain Range to the east, and San Francisco Bay to the north.

The project site is underlain by stiff to very stiff clays with sections of medium dense to very dense sand and gravel layers. Additionally, the site is underlain by Urban land-Stevens Creek complex with

zero to two percent slopes.[31,32] The clayey soils near the surface have a medium to high plasticity and a moderate to high shrink swell capacity.

The San Francisco Bay Area is known to be a seismically active region. The nearest active fault to the site is the Stanford fault located approximately 195 feet south of the site. However, this fault may not be accurately mapped.[33] Other major faults located near the project site are summarized below in Table 4.7-1.[34]

Table 4.7-1 Geologic Faults Near the Project Area

Fault Name	Distance From Site
San Jose fault	1.2 miles northeast
Cascade fault	2.3 miles west
Silver Creek fault zone	4.6 miles northeast
Monte-Shannon fault zone	3.6 miles southwest
Hayward fault zone	9.3 miles east
San Andreas fault zone	6.3 miles southwest

The project site is not located within an Alquist-Priolo Earthquake Fault Zone and is not located in a designated fault rupture hazard zone.[35] The potential for ground surface rupture due to a fault crossing the site was determined to be low. The site is not located in a State of California liquefaction seismic hazard zone and is not located in a liquefaction hazard zone.[36] Further, the site has low potential for ground surface damage caused by liquefaction.

Groundwater depth on the project site was determined to be 30.5 to 37.5 feet below the ground surface (bgs) based on the geotechnical report for the project site. However, a previous report prepared for the project site noted that groundwater was encountered at approximately 45.5 feet to 48 feet bgs.

[31] USDA. "Web Soil Survey." Accessed January 22, 2025. Web Soil Survey.
[32] Stevens, Ferrone, & Bailey Engineering Company, Inc. Preliminary Geotechnical Investigation Homestead Townhomes Santa Clara, California. August 6, 2024.
[33] USGS. "Quaternary Fault and Fold Database of the United States." Accessed January 22, 2025. https://earthquake.usgs.gov/static/lfs/nshm/qfaults/Reports/244.pdf.
[34] USGS. "U.S. Quaternary Faults." Accessed January 22, 2025. U.S. Quaternary Faults.
[35] Stevens, Ferrone, & Bailey Engineering Company, Inc. *Preliminary Geotechnical Investigation Homestead Townhomes Santa Clara, California.* August 6, 2024.
[36] Ibid.

4.7.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
- Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	☐	☐	☒	☐
- Strong seismic ground shaking?	☐	☐	☒	☐
- Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
- Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☒	☐

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides?

As discussed above in Section 4.7.1.2, the proposed project site is not within an Alquist-Priolo Earthquake Fault Zone or a designated fault rupture hazard zone. Development on-site would not expose adjacent or nearby properties to landslide related hazards because the project site and surrounding area are relatively flat with no risk of landslides.

The project is not located within a liquefaction zone. Additionally, no active faults cross the site. Therefore, the proposed project would have a less than significant impact resulting from substantial adverse effects from geologic hazards. **(Less than Significant Impact)**

b) Would the project result in substantial soil erosion or the loss of topsoil?

The proposed project would excavate and grade a site greater than one acre in size which would disturb sediment on-site and cause erosion during storm events. Therefore, the proposed project would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) under the National Pollutant Discharge Elimination System (NPDES). To prevent erosion and limit the loss of soil from the site, the proposed project would be required to comply with grading and excavation requirements in the Santa Clara City Building Code. In addition, the project would be required to comply with the following standard Conditions of Approval:

<u>Conditions of Approval</u>

- All excavation and grading work would be scheduled in dry weather months or construction sites would be weatherized[37] to withstand or avoid erosion.
- Stockpiles and excavated soils would be covered during construction with secured tarps or plastic sheeting.
- Vegetation in disturbed areas would be replanted as quickly as possible after construction.

Through the implementation of a SWPPP and the identified Conditions of Approval to reduce construction-related water quality impacts, the proposed project would have a less than significant impact on soil erosion and loss of topsoil. **(Less than Significant Impact)**

[37] Weatherized refers to measures that would protect exposed soils from rain and stormwater runoff.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

As discussed under checklist question a), the project site is flat and is not located within a liquefaction zone. Hazards such as lateral spreading, landslides, subsidence, or collapse during seismic shaking are not present at the site due to the flat topography and the absence of free face slopes at the site, such as creeks or cliffsides. The proposed project would be constructed in compliance with a site-specific geotechnical report, SCCC, and the CBC requiring the project to analyze and remediate site-specific soil conditions. Therefore, the proposed project would not be susceptible to geologic instability and have a less than significant impact. **(Less than Significant Impact)**

d) Would the project be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?

The soils on the site do have expansive properties as discussed in Section 4.7.1.2. The proposed project would comply with General Plan Policy 5.10.5-P6 and the CBC, which requires preparation of a design level geotechnical study to provide evaluation of the likelihood of damage resulting from expansive soils and identify building design requirements to avoid impacts associated with these soils.

Condition of Approval

- To avoid or minimize potential damage from expansive soils and other geologic events, and consistent with General Plan Policy 5.10.5-P6, the project would be built using standard engineering and seismic safety design techniques. Building design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a geotechnical report to the City. The geotechnical investigation report shall be reviewed and approved by the City of Santa Clara's Building Division as part of the building permit review and issuance process. The building shall meet the requirements of applicable Building and Fire Codes, including the 2022 California Building Code, as adopted or updated by the City. The project shall be designed to withstand potential geologic hazards identified on the site, including expansive capacity of soils, and the project shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.

With the implementation of the above condition of approval, the soil conditions on-site would be remediated and the proposed project would have a less than significant impact on risks to life or property resulting from expansive soils. **(Less than Significant Impact)**

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The proposed project would be connected to the City's existing public sewage utility system. Therefore, the proposed project would not require the use of septic tanks or alternative wastewater disposal systems and would have no impact. **(No Impact)**

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

The project site is underlain by geologic units of Holocene age, per the City's 2010-2035 General Plan, which are generally not considered sensitive for paleontological resources because biological remains younger than 10,000 years are not usually considered fossils.[38] These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. More recent sediments, however, may overlie older Pleistocene sediments with high potential to contain paleontological resources. These older sediments, often found at depths of greater than 10 feet bgs, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates. The proposed project would include subsurface structures, which would extend to a depth of two feet bgs. Therefore, the proposed project would have a less than significant impact through directly or indirectly destroying a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact)**

[38] City of Santa Clara. *Draft 2010-2025 General Plan Integrated Final EIR*. January 2011. Figure 4.5-1

4.8 Greenhouse Gas Emissions

The information in this section is based in part on the 2022 CAP Compliance Checklist. The checklist is included as Appendix E of this document.

4.8.1 Environmental Setting

4.8.1.1 *Background Information*

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO_2 equivalents (CO_2e). The most common GHGs are carbon dioxide (CO_2) and water vapor but there are also several others, most importantly methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO_2 and N_2O are byproducts of fossil fuel combustion.
- N_2O is associated with agricultural operations such as fertilization of crops.
- CH_4 is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and SF_6 emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and/or loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

4.8.1.2 *Regulatory Framework*

State

Assembly Bill 32 (2016)

Under the California Global Warming Solutions Act, also known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of CO2E ($MMTCO_2e$). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 $MMTCO_2e$.

Senate Bill 375 (2008)

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035. The per capita GHG emissions reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), the Air District, and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2050. Plan Bay Area 2050 establishes a course for reducing per capita GHG emissions through the promotion of compact, high-density, mixed-use neighborhoods near transit, particularly within identified Priority Development Areas (PDAs).

Regional and Local

2017 Clean Air Plan

To protect the climate, the 2017 CAP (prepared by the Air District) includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

CEQA Air Quality Guidelines

The Air District CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The

jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by the Air District within the CEQA Air Quality Guidelines. The guidelines include information on legal requirements, the Air District rules, methods of analyzing impacts, and recommended mitigation measures.

Santa Clara General Plan

General Plan policies related to GHG emissions from the project include the following.

Policy	Description
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
5.8.5-P1	Require new development and City employees to implement transportation demand management programs that can include site-design measures, including preferred carpool and vanpool parking, enhanced pedestrian access, bicycle storage and recreational facilities.
5.8.5-P5	Encourage transportation demand management programs that provide incentives for the use of alternative travel modes to reduce the use of single-occupant vehicles.

City of Santa Clara Climate Action Plan (2022)

The City of Santa Clara Climate Action Plan 2022 (2022 CAP) is the latest update to the City's CAP and is designed to meet the statewide GHG reduction targets for 2030 set by Senate Bill 32. As a Qualified Climate Action Plan, the 2022 CAP allows for tiering and streamlining of GHG analyses under CEQA. The 2022 CAP identifies existing City policies and regulations as well as new measures to be implemented by development projects in the areas of building/energy use, transportation/land use, materials/ consumption, natural resources & water resources, and community resilience & wellbeing. Projects that comply with the policies and strategies outlined in the 2022 CAP would have a less than significant GHG impact.

Silicon Valley Power

Silicon Valley Power (SVP) is the City of Santa Clara's energy utility and would provide electricity service to the project site. Starting in January 2018, SVP provides residential customers with carbon-free power as their standard, default power supply. This means the power generation produces no net carbon emissions. For commercial customers, SVP offers several options for participation in green energy programs, including a carbon-free energy option.[39]

4.8.1.3 *Existing Conditions*

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth

[39] Silicon Valley Power. "Carbon-Free FAQ." Accessed February 28, 2025. https://www.siliconvalleypower.com/svp-and-community/about-svp/faqs.

and changes in weather patterns. Existing on-site operations create GHG emissions through the energy consumption and vehicle trips to the site.

4.8.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?	☐	☐	☒	☐

a) Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Construction Emissions

GHG emissions associated with construction were computed to be 683.19 MT of CO_2e for the total construction period.[40] These are the emissions from on-site operation of construction equipment, vendor and hauling truck trips, and worker trips. Neither the City nor the Air District have an adopted threshold of significance for construction-related GHG emissions, though the Air District recommends quantifying emissions and disclosing that GHG emissions would occur during construction. Construction of the project would be temporary and would not result in a permanent increase in emissions. Therefore, the project would not interfere with the implementation of SB 32 or AB 32. **(Less than Significant Impact)**

Operational Emissions

Per CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the Lead Agency and must be based to the extent possible on scientific and factual data. The project is part of planned growth from build-out of the General Plan FEIR and would comply with all applicable 2022 CAP actions (see below under Impact b). Therefore, the project would result in a less than significant GHG emissions impact. **(Less than Significant Impact)**

[40] Illingworth & Rodkin. Homestead Townhomes Air Quality Assessment. May 2025.

b) Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

2017 Clean Air Plan

As discussed in Section 4.3 Air Quality, the project would not conflict with the 2017 CAP because it would not exceed the Air District CEQA Air Quality Guidelines screening size of 451 townhouses for operational criteria pollutant. Therefore, the proposed 147 townhouse units would not conflict with or obstruct implementation of the 2017 CAP. **(Less than Significant Impact)**

2022 Climate Action Plan

In June 2022, the City of Santa Clara adopted the updated 2022 CAP. As a Qualified Climate Action Plan, the 2022 CAP allows for tiering and streamlining of GHG analyses under CEQA through the year 2030. Therefore, if a project is consistent with the City's 2022 CAP and is operational prior to January 1, 2031, it can be presumed that the project would not have significant GHG emissions under CEQA. The project's conformance with applicable reduction measures for new development in the CAP are summarized below. Refer to Appendix E for more detail about the project's conformance with the 2022 CAP Compliance Checklist.

The project would construct all-electric buildings with mechanical systems and equipment. The project would be required to be built in accordance with the most recent CALGreen Tier 1 requirements. As mentioned on the City's website, City of Santa Clara residents would be compliant with SB 1383 (2021) since organic waste is collected in the garbage container and is delivered to a mixed waste processing facility where it is separated from the garbage and made into compost material.[41] Additionally, the commercial component of the project would be required to implement recycling and organic waste disposal separation on-site to comply with AB 1826 and AB 341. The project would be consistent with the Pedestrian and Bicycle Master Plans and would have space for bicycle parking in each residence and within the common areas on-site. The proposed project would not be subject to Action N-3-5, which directs new development to connect to the recycled water system "where recycled water is available," because the recycled water lines are too far from the project site. To reduce stormwater pollution, the project proposes bioretention areas throughout the project site and silva cell water treatment systems[42] within the project area.

The project is transit-oriented and is located along VTA Route 57 which has 15-minute headways. The project would also implement Traffic Demand Management (TDM) measures such as providing bicycle parking and on-site amenities, such as provision of trip planning information, providing a school pool program, and would comply with Actions T-3-1 (Require a TDM Plan) and T-3-3 (Encourage Transit-Oriented Development). The project would demolish the commercial buildings on-site and would reuse existing materials on-site in the project construction, if feasible; therefore,

[41] City of Santa Clara. "Mixed Waste Processing." Accessed February 28, 2025. https://www.santaclaraca.gov/our-city/departments-g-z/public-works/environmental-programs/residential-garbage-recycling/mixed-waste-processing.
[42] A specialized bioretention system that provides for greater water treatment through infiltration of stormwater through soil and other permeable layers.

the project would be consistent with Action M-3-1 (Reuse of Salvageable Building Materials). Per the applicant, reuse of building materials will be determined when demolition occurs. Therefore, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(Less than Significant Impact)**

The proposed project would not conflict or otherwise interfere with the statewide GHG reduction measures identified in CARB's Scoping Plan nor would the project conflict with SB 100 goals. Specifically, the proposed buildings would be constructed in conformance with CALGreen and the Title 24 Building Code, which requires high-efficiency water fixtures, water-efficient irrigation systems, and compliance with current energy efficiency standards. Therefore, the proposed project would result in a less than significant impact. **(Less than Significant Impact)**

4.9 Hazards and Hazardous Materials

The information in this Section is based in part on the Phase I Environmental Site Assessment (ESA) prepared by Roux Associates, Inc. in May 2021. and a Phase II ESA prepared by ENGEO Incorporated in February 2024. These studies are included in Appendix F and Appendix G of this document.

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

Overview

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and State laws. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. Cal/OSHA enforces State worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

Federal and State

<u>Federal Aviation Regulations Part 77</u>

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

<u>Comprehensive Environmental Response, Compensation, and Liability Act</u>

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the

environment. Over five years, $1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

- Established prohibitions and requirements concerning closed and abandoned hazardous waste sites;
- Provided for liability of persons responsible for releases of hazardous waste at these sites; and
- Established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and
- Long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life-threatening. These actions can be completed only at sites listed on the EPA's National Priorities List.

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.[43]

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is the principal federal law in the United States governing the disposal of solid waste and hazardous waste. RCRA gives the EPA the authority to control hazardous waste from the "cradle to the grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes. The City of Santa Clara enforces the hazardous waste control act through delegated authority from CalEPA via the CUPA program.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement

[43] United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed February 7, 2025. https://www.epa.gov/superfund/superfund-cercla-overview.

authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.[44]

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by State and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).[45]

Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of a property. Facilities that are required to participate in the CalARP Program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The Santa Clara Fire Department reviews CalARP risk management plans as the CUPA.

Asbestos-Containing Materials

Friable asbestos is any asbestos-containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA began phasing out use of friable asbestos products in 1973 and issued a ban in 1978 on manufacture, import, processing, and distribution of some asbestos-containing products and new uses of asbestos products.[46] The EPA is currently considering a proposed ban on on-going use of

[44] United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed February 7, 2025. https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act.
[45] California Environmental Protection Agency. "Cortese List Data Resources." Accessed February 7, 2025. https://calepa.ca.gov/sitecleanup/corteselist/.
[46] United States Environmental Protection Agency. "EPA Actions to Protect the Public from Exposure to Asbestos." Accessed February 7, 2025. https://www.epa.gov/asbestos/epa-actions-protect-public-exposure-asbestos.

asbestos.[47] National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by the Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

Regional and Local

Municipal Regional Permit Provision C.12.f

Polychlorinated biphenyls (PCBs) were produced in the United States between 1955 and 1978 and used in hundreds of industrial and commercial applications, including building and structure materials such as plasticizers, paints, sealants, caulk, and wood floor finishes. In 1979, the EPA banned the production and use of PCBs due to their potential harmful health effects and persistence in the environment. PCBs can still be released to the environment today during demolition of buildings that contain legacy caulks, sealants, or other PCB-containing materials.

With the adoption of the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015, Provision C.12.f requires that permittees develop an assessment methodology for applicable structures planned for demolition to ensure PCBs do not enter municipal storm drain systems.[48] Municipalities throughout the Bay Area are currently modifying demolition permit processes and implementing PCB screening protocols to comply with Provision C.12.f. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit. Single family homes and wood-frame structures are exempt from these requirements.

Santa Clara General Plan

General Plan policies hazardous materials-related policies applicable to the project include the following.

Policy	Description
5.10.5-P23	Require appropriate clean-up and remediation of contaminated sites.
5.10.5-P24	Protect City residents from the risks inherent in the transport, distribution, use and storage of hazardous materials.

[47] Ibid.
[48] California Regional Water Quality Control Board. *San Francisco Bay Region Municipal Regional Stormwater NPDES Permit.* November 2015.

5.10.5-P25	Use Best Management Practices to control the transport of hazardous substances and to identify appropriate haul routes to minimize community exposure to potential hazards.

Santa Clara Emergency Operations Plan

In June 2016, the City of Santa Clara adopted an Emergency Operations Plan (EOP) to address the planned response to emergency situations associated with natural disasters and technological incidents, as well as chemical, biological, radiological, nuclear and explosive emergencies. The EOP establishes the emergency organization, assign tasks, specifies policies and general procedures, and provides for coordination of planning efforts for emergency events such as earthquakes, flooding, dam failure, and hazardous materials responses.

4.9.1.2 *Existing Conditions*

Current Uses of the Project Site

The project site is currently developed with three one-story commercial buildings and surface parking lots. The project site is located in a mixed commercial and residential area. The northwest corner of the site is an undeveloped lot that was formerly a Gas and Shop gas station.

Existing Uses of Surrounding Properties

The project site is bounded by Lochinvar Avenue to the north with single family residences north of the roadway. To the east of the project site is a preschool facility, a McDonald's fast food restaurant, and a Texaco gas station. Lawrence Expressway bounds the property to the west, beyond which are multi-family residences. Homestead Road bounds the site to the south. To the southwest of the site is Kaiser Permanente Medical center. To the southeast, at the corner of Homestead Road and Bing Drive/Princeton Way there is a Valero gas station, 10-Minute Speed Oil Change Center, and a car wash facility.

Historic Use of the Project Site

The site was historically used for orchards and agricultural uses. As discussed earlier, a portion of the site was once a Gas and Shop located at 841 Lawrence Expressway. There was also a dry-cleaning facility on-site, Homestead Cleaners, located at 3587 Homestead Road which was in operation from 1970 to 2017. Table 4.9-1 details historic uses of the site in depth.

Table 4.9-1: Historic Uses of the Site

Dates	Site Use
1889-1899	The site is mapped near the intersection of roads that appear to be the current Homestead Road and Lawrence Expressway.
1902-1950	The property and surrounding area have orchards. A driveway off Homestead road leads to a building on the project site. Agricultural fields are present in the area as well as orchards.
1953	Two dwellings are on-site with another dwelling adjacent to the site to the east.

1956-1961	Land within the vicinity of the property is cleared and residential development is evident. In 1961, no buildings are present on-site.
1963	Two large buildings are on-site and parking lots, consistent with the current layout, are on-site. Two additional buildings are on the northwest corner.
1968-1982	More residential development has occurred within the vicinity of the property and the amount of agricultural land in the vicinity of the site has decreased.
1993	The buildings on the northwest portion of the property have been demolished.
1998-2016	The orchards on-site and within the vicinity of the site, have been cleared.

Note: gaps between dates are a result of non-continuous data being available for the site.

Existing On-Site Hazards

The project site is not listed on the Cortese List.[49] There is one open cleanup case on-site at the former site of Homestead Cleaners (3521-3591 Homestead Road) where tetrachloroethylene (PCE) is a potential contaminant of concern.[50] The site also has one closed Leaking Underground Storage Tank (LUST) case at the former Gas and Shop (871 Lawrence Expressway).[51]

The Phase II ESA provided sampling and site-specific analysis of the contaminants and hazardous conditions on-site and concluded that the soil at the site is not adversely impacted by previous agricultural activities. Arsenic was found to exceed the environmental screening level (ESL), however, arsenic naturally occurs in the San Francisco Bay Area in concentrations that exceed the ESL. Both benzene and PCE were found to exceed their corresponding ESLs due to the former underground storage tanks and Homestead Cleaners, respectively. No impacts to groundwater from volatile organic contaminants (VOCs) were found in the Phase II ESA resulting from the Homestead Cleaners site.

Off-Site Hazards

The site is surrounded by multiple gas stations and automotive uses along which once utilized hydrocarbons on-site. There is an open LUST case at the former Thrifty Service Station located at 3501 Homestead Road. There are four closed LUST cases within the immediate vicinity of the site. Additionally, there are two active hazardous waste generators/storage facilities in the vicinity of the site at Homestead Auto Wash (3500 Homestead Road) and 10 Minute Speed Oil Change Center (3478 Homestead Road). The closed cases were not found to be risks to the project site due to their location in relation to the groundwater flow. The one open case is described in further detail below.

[49] California Environmental Protection Agency. "Cortese List Data Resources." Accessed February 12, 2025. https://calepa.ca.gov/sitecleanup/corteselist/.
[50] California Environmental Protection Agency. "GeoTracker." Accessed February 12, 2025. https://geotracker.waterboards.ca.gov/search?CMD=search&case_number=&business_name=&main_street_name=&city=&zip=&county=&SITE_TYPE=LUFT&oilfield=&STATUS=&BRANCH=&MASTER_BASE=&Search=Search.
[51] Ibid.

Thrifty Service Station- 3501 Homestead Road

The Thrifty Service Station located at 3501 Homestead Road, approximately 300 feet southeast of the project site, is identified as an active LUST cleanup site. Based on sampling conducted at this site, petroleum hydrocarbons, Benzene, and Etheylbenzene was found to exceed ESLs in groundwater wells. Based on the sampling, the groundwater plume is confined to the gas station site and was identified migrating north to the adjacent parking lot. Based on this sampling, and the case status of the site, the site was identified as a controlled recognized environmental condition (CREC) with a low risk of affecting the project site due to the cross-gradient position of the site.

4.9.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction

Construction of the proposed project would not require large amounts of hazardous materials to be transported to and from the site. Approximately 3,000 cubic yards of soil would be transported off the project site. However, based on the site management plan prepared for the project, contaminated soils would not be transported and would be contained and capped on-site. Some fuels and solvents would be required to construct the proposed project; however, these would be handled according to proper safety recommendations. Therefore, construction of the project would not result in impacts during construction related to the routine transport, use, or disposal of hazardous materials.

Operations

The project proposes to construct 57 three-story townhomes, 90 four-story townhomes, and one 5,000 square foot commercial building. The project would include the use and storage of maintenance chemicals associated with residential and commercial land uses in small quantities. The small quantities of cleaning supplies and maintenance chemicals used on-site would be consistent with the typical operation of multi-family residences and small-scale commercial uses and would not pose a risk to adjacent land uses. The commercial space would be developed as a shell space and, therefore, its occupancy is not known at this time and would be subject to review of building, fire, and zoning requirements. Therefore, the project would not create a significant hazard to the public or environment from the use, transport, or storage of these chemicals. **(Less than Significant Impact)**

b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The project site would be constructed on a lot that is currently developed with three one-story commercial buildings and surface parking lots. As discussed in Section 4.9.1.2, the site has previously had uses, including a gas station and a dry-cleaning facility, that released contaminants of concern on the project site.

The Phase II ESA determined that the project site contains PCE and benzene, likely from the dry-cleaning facility. This is a persistent compound that can break down into toxic compounds. During construction, disturbance of soils and excavation of the project site could result in incidents of worker exposure to these hazardous materials. This condition would represent an environmental hazard for construction workers and would have a significant impact from the release of hazardous materials into the environment.

Impact HAZ-1 Construction on the project site would disturb soils containing benzene and tetrachloroethylene which could impact construction workers on the project site.

Mitigation Measures

MM HAZ-1.1 The proposed project will implement a site specific soil management plan in collaboration with the Regional Water Quality Control Board or Department of Toxic Substances Control. This report will be submitted to the regulatory agency and the City of Santa Clara Planning Department prior to approval of grading permits. The measures in this plan could include:

- A study of the site identifying the extent of hazards on site
- Implementation of the remediation per an approved remedial plan to address environmental impacts
- Submission of a remediation completion report
- Development of a soil management plan (SMP) to address potential unknown environmental impacts during grading and redevelopment, and identify safety processes for workers on-site

Through implementation of the cleanup activities in MM HAZ-1.1 above, the proposed project would remove or contain hazardous materials on-site with oversight from the appropriate regulatory agency. Therefore, the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment with mitigation incorporated. **(Less than Significant Impact with Mitigation Incorporated)**

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The nearest school to the site is Santa Clara Kinder Care located at 840 Bing Drive. The school is directly adjacent to the northeastern portion of the site. The project proposes the construction of residences and common open space areas on the project site. As discussed in checklist question a), except for cleaning supplies and maintenance chemicals associated with residential uses, the proposed project would not utilize hazardous materials on site. Additionally, the construction and operation of the site would not involve activities resulting in hazards or the emission of hazardous materials. Although contaminants are present in the soil on-site, the soil management plan and standard dust control measures required by the Air District and RWQCB would prevent contaminants in dust from traveling off-site and affecting nearby uses. Therefore, the proposed project would not result in the handling or emission of hazardous materials within a quarter mile of a school site and would have a less than significant impact. **(Less than Significant Impact)**

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

As described previously, the project is not located on the Cortese List pursuant to Government Code Section 65962.5. The site contains an open cleanup case at 3521-3591 Homestead Road, the former site of Homestead Cleaners. The proposed project would implement MM HAZ – 1.1. With the implementation of this mitigation measure, the project would reduce the hazards for construction workers on-site. Therefore, the project would have a less than significant impact with mitigation. **(Less than Significant Impact with Mitigation Incorporated)**

e) If located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The project site is located approximately 3.69 miles west of Norman Y. Mineta International Airport. The project is not within the airplane traffic Safety Zone established under the Comprehensive Land Use Plan. Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(No Impact)**

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Access to the site is provided by two driveways on Homestead Road, one driveway on Lawrence Expressway, and two driveways on Lochinvar Avenue. Under the proposed project there would be two driveways, which would be in the same position as two of the existing driveways. One driveway would be located off Lochinvar Avenue and the other would be located off Homestead Road. The proposed project would not alter any public roadways or create impediments to existing emergency response plans or emergency evacuation plans in the City of Santa Clara.

Additionally, the project would be constructed in accordance with current fire and building codes. The project would be required to be maintained in accordance with applicable City policies identified in the General Plan to avoid unsafe building conditions. Therefore, the project would have no impact. **(No Impact)**

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The site is in an urbanized area of the City. It is not located within a fire hazard severity zone.[52,] Therefore, the proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. **(No Impact)**

4.9.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District, 62 Cal. 4th 369 (BIA v. BAAQMD)*, effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes because the City of Santa Clara has policies that address existing hazards and hazardous materials conditions affecting a proposed project.

As discussed previously, the project shall implement Mitigation Measure HAZ-1.1 which would ensure that the site is fully remediated to meet the ESL thresholds for residential development (Included in Appendix F and G documents) and a case closure is issued by the oversight agency which would allow residential development to occur on-site. Additionally, if during the exploratory testing, there are vapor issues identified, the project would include the installation of a vapor barrier as described in Mitigation Measure HAZ-1.1 or other measures which would prevent soil vapor from affecting residents on the project site.

Condition of Approval

If the hazardous material sampling determines that vapor encroachment issues exist, the proposed project will:

- Design and implement a vapor intrusion mitigation system (VIMS) under the foundations of future homes in any areas still impacted with PCE above screening levels
- Provide long-term operation and maintenance for the VIMS systems

As a result, the proposed project would not result in human health and environmental hazards to future site occupants consistent with the policies of the General Plan.

[52] CalFire. "Fire Hazard Severity Zones in State Responsibility Area." Accessed February 12, 2025. https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones.

4.10 Hydrology and Water Quality

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Federal and State

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality in California. Regulations set forth by the Environmental Protection Agency (EPA) and the State Water Resources Control Board (SWRCB) have been developed to fulfill the requirements of this legislation. EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the Regional Water Quality Control Boards (RWQCBs). The project site is within the jurisdiction of the San Francisco Bay RWQCB.

Under Section 303(d) of the federal Clean Water Act, the SWRCB and RWQCBs are required to identify impaired surface water bodies that do not meet water quality standards and develop total maximum daily loads (TMDLs) for contaminants of concern. The list of the State's identified impaired surface water bodies, known as the "303(d) list" can be found on the on the SWRCB's website.[53]

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) must be filed with the RWQCB by the project sponsor, and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of

[53] California State Water Resources Control Board. "2020-2022 California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)." May 11, 2022. Accessed February 12, 2025. https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html.

pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional and Local

San Francisco Bay Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in May 2022 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.[54] Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 5,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if: (1) the post-project impervious surface area is less than, or the same as, the pre-project impervious surface area; (2) the project is located in a catchment that drains to a hardened (e.g., continuously lined with concrete) engineered channel or channels or enclosed pipes, which extend continuously to the Bay, Delta, or flow-controlled reservoir, or, in a catchment that drains to channels that are tidally influenced; or

[54] California Regional Water Quality Control Board San Francisco Region. Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008. May 11, 2022.

(3) the project is located in a catchment or subwatershed that is highly developed (i.e., that is 70 percent or more impervious).[55]

Municipal Regional Permit Provision C.12.f

Provision C.12.f of the MRP requires co-permittee agencies to implement a control program for PCBs that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs wasteload allocation in the Basin Plan by March 2030.[56] Programs must include focused implementation of PCB control measures, such as source control, treatment control, and pollution prevention strategies. Municipalities throughout the Bay Area are updating their demolition permit processes to incorporate the management of PCBs in demolition building materials to ensure PCBs are not discharged to storm drains during demolition. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit. Single-family residential and wood frame structures are exempt.

Water Resources Protection Ordinance and District Well Ordinance

Valley Water operates as the flood control agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. Well construction and deconstruction permits, including borings 45 feet or deeper, are required under Valley Water's Well Ordinance 90-1. Under Valley Water's Water Resources Protection Ordinance, projects within Valley Water property or easements are required to obtain encroachment permits.

2021 Groundwater Management Plan

The 2021 Groundwater Management Plan (GWMP) describes the Valley Water's comprehensive groundwater management framework, including existing and potential actions to achieve basin sustainability goals and ensure continued sustainable groundwater management. The GWMP covers the Santa Clara and Llagas subbasins, which are located entirely in Santa Clara County. Valley Water manages a diverse water supply portfolio, with sources including groundwater, local surface water, imported water, and recycled water. About half of the county's water supply comes from local sources and the other half comes from imported sources. Imported water includes the District's State Water Project and Central Valley contract supplies and supplies delivered by the San Francisco Public Utilities Commission (SFPUC) to cities in northern Santa Clara County. Local sources include natural groundwater recharge and surface water supplies. A small portion of the county's water supply is recycled water.

[55] The Hydromodification Applicability Maps developed the permittees under Order No. R2-2009-0074 were prepared using this standard, adjusted to 65 percent imperviousness to account for the presence of vegetation on the photographic references used to determine imperviousness. Thus, the maps for Order No. R2-2009-0074 are accepted as meeting the 70 percent requirement.

[56] California Regional Water Quality Control Board San Francisco Region. Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008. May 11, 2022.

Local groundwater resources make up the foundation of the county's water supply, but they need to be augmented by Valley Water's comprehensive water supply management activities to reliably meet the county's needs. These include the managed recharge of imported and local surface water and in-lieu groundwater recharge through the provision of treated surface water and raw water, acquisition of supplemental water supplies, and water conservation and recycling.[57]

Construction Dewatering Waste Discharge Requirements

Each of the RWQCBs regulate construction dewatering discharges to storm drains or surface waters within its Region under the NPDES program and Waste Discharge Requirements.

City of Santa Clara 2010-2035 General Plan

General Plan policies applicable to hydrology and water quality include, but are not limited to, the following listed below.

Policy	Description
5.10.5-P11	Require that new development meet stormwater and water management requirements in conformance with state and regional regulations.
5.10.5-P13	Require that development complies with the Flood Damage Protection Code.
5.10.5-P15	Require new development to minimize paved and impervious surfaces and promote on-site Best Management Practices for infiltration and retention, including grassy swales, pervious pavement, covered retention areas, bioswales, and cisterns, to reduce urban water run-off.
5.10.5-P16	Require new development to implement erosion and sedimentation control measures to maintain an operational drainage system, preserve drainage capacity and protect water quality.
5.10.5-P17	Require that grading and other construction activities comply with the Association of Bay Area Governments' Manual of Standards for Erosion and Sediment Control Measures and with the California Stormwater Quality Association, Stormwater Best Management Practice Handbook for Construction.
5.10.5-P18	Implement the Santa Clara Valley Nonpoint Source Pollution Control Program, Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) and the Urban Runoff Management Plan.
5.10.5-P20	Maintain, upgrade and replace storm drains throughout the City to reduce potential flooding.
5.10.5-P21	Require that storm drain infrastructure is adequate to serve all new development and is in place prior to occupancy.

Santa Clara City Code (SCCC)

Chapter 13.20, Storms Drains and Discharges, of the SCCC is enacted for the protection of health, life, resources and property through prevention and control of unauthorized discharges into watercourses. The primary goal of this chapter is the cleanup of stormwater pollution from urban runoff that flows to creeks and channels, eventually discharging into the San Francisco Bay. The

[57] Valley Water. *2021 Groundwater Management Plan, Santa Clara and Llagas Subbasins* .November 2021.

SCCC also includes Flood Damage Prevention Code (Chapter 15.45) and requirements for grading and excavation permits and erosion control (Chapter 15.15).

4.10.1.2 *Existing Conditions*

Groundwater

The project is in a confined area of the Santa Clara Subbasin and does not contribute to the recharging of the groundwater aquifer.[58] Groundwater on-site was estimated to be at depths of approximately 30.5 to 37.5 feet bgs. The historically high groundwater levels in the site region are 30 to 35 bgs. The depth at which groundwater is encountered below the surface may vary due to factors such as changing seasons, variations in rainfall, and the pumping of nearby wells.

Storm Drainage

The City of Santa Clara owns and maintains the municipal storm drainage system serving the project area. There are two existing storm drains near the site. One storm drain is located on Lawrence Expressway and flows north. The other storm drain is located on Homestead Road and flows east. The project site is currently developed with three commercial buildings, paved surface parking lots, and minimal landscaping. The project site is comprised of approximately six percent pervious area (228,000 square feet of impervious surface).

Flooding

The project site is in the Zone X FEMA flood hazard zone which is defined as the area between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood and is considered to be a moderate flood zone area.[59,60]

Dam Failure

The project site is not within a dam inundation zone for either the James J Lenihan Dam or Leroy Anderson Dam.[61]

Tsunamis and Seiche Zones

The project site is not located within a tsunami hazard area and is not located near a body of water that would be affected by ground shaking. Therefore, the site would not experience tsunamis or be affected by seiches.

[58] Santa Clara Valley Water. *Groundwater Management Plan for the Santa Clara and Llagas Subbasins.* 2021.
[59] FEMA. "FEMA Flood Map Service Center: Search By Address." Accessed 12, 2025. https://msc.fema.gov/portal/home.
[60] FEMA. "Glossary." Accessed 13, 2025. https://www.fema.gov/about/glossary.
[61] California Department of Dams. "California Dam Breach Inundation Map Web Publisher." Accessed February 12, 2025. https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2.

4.10.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
- result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
- substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
- create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
- impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Construction Impacts

Construction of the proposed project, particularly grading and excavation, would disturb soils on-site. During construction, a greater amount of sediment may be discharged into the stormwater

system as a result of surface runoff from the site after a storm event. This sediment would ultimately outfall into the San Francisco Bay. More than one-acre of land would be disturbed by the proposed project, so it would be required to comply with the NPDES General Permit for construction activities to control the discharge of stormwater pollutants including sediments associated with construction activities. The following measures would be required by the City as Conditions of Approval to reduce potential construction-related water quality impacts:

Conditions of Approval

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains;
- Earthmoving or other dust-producing activities would be suspended during period of high winds;
- All exposed or disturbed soil surfaces would be watered at least twice daily to control dust as necessary;
- Stockpiles of soil or other materials that can be blown by the wind would be watered or covered;
- All trucks hauling soil, sand, and other loose materials shall be covered;
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites would be swept daily (with water sweepers); and
- Vegetation in disturbed areas would be replanted as quickly as possible.
- With the implementation of the above measures, construction related water quality impacts would be reduced to a less than significant level.

Through the inclusion of the stormwater management Conditions of Approval above, the proposed project would reduce runoff on-site and capture sediment before it enters the storm drain system. Therefore, the proposed project would have a less than significant impact on water quality during project construction. **(Less than Significant Impact)**

Operational Impacts

To reduce operational water quality impacts, the project is required to comply with the MRP. The MRP requires all operational stormwater runoff to be treated by numerically sized LID treatment controls, including biotreatment facilities. If a project is granted Special Project LID Reduction Credits, it would be allowed to implement non-LID measures for all or a portion of the site depending on the project characteristics.

The proposed project would include LID measures, including silva cells[62] and bioretention areas, as part of its stormwater control plan. The drainage management areas would provide pervious areas that cover approximately 20 percent of the site (48,588 square feet). Therefore, the proposed project would capture and treat stormwater on-site in compliance with the MRP. Through the use

[62] Silva Cells contain lightly compacted soil that serves two functions: growing trees and treating stormwater.

of these stormwater control features, the project would result in less than significant impacts on water quality during project operation. **(Less than Significant Impact)**

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

A majority of the existing site is paved or developed, and the project site consists of approximately 228,000 square feet of impervious surfaces. The site is in a confined area of the Santa Clara Subbasin and does not contribute to the recharging of the groundwater aquifer, as discussed in Section 4.10.1.2. Therefore, the site does not substantially contribute to groundwater recharge. The proposed project would, therefore, not decrease groundwater supplies or interfere with groundwater recharge. Additionally, the project would also implement LID stormwater treatment measures that would allow rainwater percolation on-site and the project would increase the amount of pervious area on-site. The project would require excavation to a depth of approximately two feet, therefore, the project would not encounter groundwater during construction. For these reasons, the project would have no impact on sustainable groundwater management. **(No Impact)**

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows?

The proposed project is located within a watershed made up of more than 70 percent impervious surfaces, which means that new development within this area would not add a significant amount of runoff to drainage areas. The proposed project would decrease the amount of impervious surfaces on the site by approximately 14 percent, as seen in Table 4.10-1Table 4.9-1. Consequently, the proposed project would not result in hydromodification through compliance with Santa Clara County C.3 technical guidance. The proposed project would not alter streams or rivers near the project site.

Table 4.10-1: Pervious and Impervious Surface Areas

	Impervious Surface Area (square feet)	Pervious Surface Area (square feet)
Existing Site Area	228,000	13,744
Existing Percentage	94	6
Proposed Site Area	193,156	48,588
Proposed Percentage	80	20

The silva cells would be sized compliant with Provision C.3 of the Municipal Regional Stormwater Permit. These bioretention areas allow for runoff to be treated as it percolates through various layers of soil. The silva cells would decrease the instantaneous release of water from impervious surfaces during storms and filter stormwater. As stated in the sections above, the proposed project would not result in on-site uses that contribute polluted runoff and would also increase the amount of pervious area compared to existing conditions. Therefore, the proposed project would not result in flooding or runoff exceeding the capacity of existing or planned stormwater drainage facilities. The proposed project would have a less than significant impact. **(Less than Significant Impact)**

d) Would the project risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones?

The project site is not located within a tsunami hazard area or located near an inland body of water susceptible to seiches during seismic activity. Additionally, the proposed project is not located within a dam inundation zone.

The project site is in FEMA Flood Hazard Zone X which is considered to be a moderate flood hazard zone. The project proposes residential uses, which are not associated with the use of chemicals or other significant pollutants, except for household cleaners. Therefore, if flooding were to occur, significant amounts of pollutants would not be released into the stormwater. Therefore, the proposed project would not result in significant release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(Less than Significant Impact)**

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The proposed project would implement the Conditions of Approval identified under checklist question a), the SCVURPPP and the URMP. The project would not impact groundwater supplies or impede aquifer recharge as discussed under checklist question b). Therefore, the proposed project would not conflict with, or obstruct implementation of, any water quality control plan or sustainable groundwater management plan. **(No Impact)**

4.11 Land Use and Planning

4.11.1 Environmental Setting

4.11.1.1 *Regulatory Framework*

Regional and Local

Santa Clara General Plan

The following land-use related General Plan policies are applicable to the proposed project.

Policy	Description
5.3.1-P9	Require new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.
5.3.2-P1	Encourage the annual construction of the housing units necessary to meet the City's regional housing needs assessment by reducing constraints to housing finance and development
5.3.2-P6	Provide adequate choices for housing tenure, type and location, including higher density, and affordability for low- and moderate-income and special needs household.
5.4.1-P9	Residential development should include front doors, windows, stoops, porches, and bay windows or balconies along street frontages.
5.5.2-P12	Screen loading and trash areas to preclude visibility from off-site and public streets.
5.3.4-G4	Commercial uses that provide a pedestrian-oriented streetscape, with residential uses either above or behind.
5.3.4-P1	Transform underutilized commercial centers into new mixed-use destinations, consistent with applicable land use classifications.

City of Santa Clara Zoning Code

The City's Zoning Code regulates land uses within the boundaries of Santa Clara. The overall goals of the Zoning Code are to promote the city's growth in an orderly manner and to promote and protect the public health, safety, peace, comfort, and general welfare in conformance with the General Plan. For each of the zoning districts in the city, the Code identifies land uses that are permitted, conditionally permitted, and not permitted. It also establishes standards such as minimum lot size, maximum building height, and the minimum distance buildings must be set back from the street. Provisions for parking, landscaping, lighting, and other rules that guide the development of projects in the city are also included.

4.11.1.2 *Existing Conditions*

The proposed project is currently designated Neighborhood Mixed Use in the General Plan and zoned MU-NC. This classification combines the Neighborhood Commercial and Medium Density Residential designations and is intended for pedestrian-oriented development, with a focus on ground-level neighborhood-serving retail along street frontages and residential development on

upper floors. Auto oriented uses are not allowed in this designation. The Neighborhood Mixed Use designation requires a residential density between 20-36 units per acre and a minimum floor area ratio (FAR) of 0.1. The MU-NC zoning designation is consistent with these development densities and intensities.

The land uses around the project site include a mix of residential, and commercial uses, as well as Kaiser Permanente Hospital. North and west there are single-family and multi-family developments. East of the site there are commercial uses and beyond these is a neighborhood of single and multi-family residences. South of the project site is predominately commercial development.

4.11.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

a) Would the project physically divide an established community?

The proposed project would not reorient roadways or construct direct barriers to movement within a community. This would not result in obstructive infrastructure (like a freeway) or barriers to movement surrounding the site and would not physically separate the existing community from local amenities or isolate residences. Therefore, the proposed project would have no impact from division of established communities. **(No Impact)**

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

As described within the individual sections of this document, with incorporation of the Conditions of Approval, mitigation measures, and regulatory requirements the project would not cause a significant environmental impact due to a conflict with plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The proposed development project would be reviewed by the City of Santa Clara planning and building department staff through plan review for compliance with applicable land use plans and policies. As a result, the impact is less than significant. **(Less than Significant Impact)**

4.12 Mineral Resources

4.12.1 Environmental Setting

4.12.1.1 *Regulatory Framework*

State

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act (SMARA) was enacted by the California legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

4.12.1.2 *Existing Conditions*

The City of Santa Clara is located in an area zoned MRZ-1, which classifies an area where adequate information indicates that no significant mineral deposits are present. The area is not known to support significant resources of any other type. No mineral resources are currently being extracted in the City. The State Office of Mine Reclamation's list of mines (the AB 3098 List) regulated under the SMARA does not include any mines within the City.[63]

4.12.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

[63] City of Santa Clara. 2010-2035 General Plan Integrated Final EIR. January 2011.

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State?

As stated above, the proposed project is located in an area where no mineral resources exist or are expected to be encountered. Therefore, the proposed project would not impact the availability of a known mineral resource that would be of value to the region and residents of the State. **(No Impact)**

b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

As stated above, the proposed project is located in an area where no mineral resources exist or are expected to be encountered. Therefore, the proposed project would not impact the availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. **(No Impact)**

4.13 Noise

The information in this section is based in part on the Homestead Townhomes Noise and Vibration Assessment completed in May 2025. This report is included as Appendix H of this document.

4.13.1 Environmental Setting

4.13.1.1 *Background Information*

Noise

Factors that influence sound as it is perceived by the human ear, include the actual level of sound, period of exposure, frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel (dBA), or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, State, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including energy-equivalent sound/noise descriptor (L_{eq}), Day/Night Average Sound Level (DNL), or Community Noise Equivalent Level (CNEL).[64] These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. PPV has been routinely used to measure and assess ground-borne construction vibration. Studies have shown that the threshold of perception for an average person is in the range of 0.008 to 0.012 inches/second (in/sec) PPV.

[64] L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq}.

4.13.1.2 *Regulatory Framework*

Federal

Federal Transit Administration Vibration Limits

The Federal Transit Administration (FTA) has developed vibration impact assessment criteria for evaluating vibration impacts associated with transit projects. The FTA has proposed vibration impact criteria based on maximum overall levels for a single event. The impact criteria for groundborne vibration are shown in Table 4.13-1 below. These criteria can be applied to development projects in jurisdictions that lack vibration impact standards.

Table 4.13 1: Groundborne Vibration Impact Criteria for Different Frequencies of Events

Land Use Category	Frequent Event (VdB inch/sec)	Occasional Events (VdB inch/sec)	Infrequent Events (VdB inch/sec)
Category 1: Buildings where vibration would interfere with interior operations	65	65	65
Category 2: Residences and buildings where people normally sleep	72	75	80
Category 3: Institutional land uses with primarily daytime use	75	78	83

Source: Federal Transit Administration. *Transit Noise and Vibration Assessment Manual.* September 2018.

State and Local

California Building Standards Code

The CBC establishes uniform minimum noise insulation performance standards to protect persons within new buildings housing people, including hotels, motels, dormitories, apartments, and dwellings other than single-family residences. Title 24 mandates that interior noise levels attributable to exterior sources not exceed 45 L_{dn}/CNEL in any habitable room. Exterior windows must have a minimum Sound Transmission Class (STC) of 40 or Outdoor-Indoor Transmission Class (OITC) of 30 when the property falls within the 65 dBA DNL noise contour for a freeway or expressway, railroad, or industrial source.

City of Santa Clara General Plan

The City's General Plan contains noise goals and policies in Chapter 5, Section 5.10.6 and Appendix 8.14. These goals and policies identify Normally Acceptable noise exposures for various land uses, including limits of 60 dB CNEL for residential exteriors and 45 dB CNEL for residential interiors. The standards also specify an interior limit of 50 dB CNEL for offices, retail and other less sensitive indoor spaces.

The General Plan also identifies the following policies that would be applicable to the project.

Policy	Description
5.10.6-P1	Review all land use and development proposals for consistency with the General Plan Compatibility standards and acceptable noise exposure levels.
5.10.6-P2	Incorporate noise attenuation measures for all projects that have noise exposure levels greater than General Plan "normally acceptable" levels.
5.10.6-P3	New development should include noise control techniques to reduce noise to acceptable levels, including site layout (setbacks, separation and shielding), building treatments (mechanical ventilation system, sound-rated windows, solid core doors and baffling) and structural measures (earthen berms and sound walls).
5.10.6-P4	Encourage the control of noise at the source through site design, building design, landscaping, hours of operation and other techniques.
5.10.6-P5	Require noise-generating uses near residential neighborhoods to include solid walls and heavy landscaping along common property lines, and to place compressors and mechanical equipment in sound-proof enclosures.

Santa Clara City Code

Section 9.10.040 of the City Code establishes noise level performance standards for fixed sources of noise, as seen below in Schedule A. Noise levels at single-family residences, multi-family residences, and at public spaces are limited to 55 dBA during daytime hours (7:00 a.m. to 10:00 p.m.) and 50 dBA at night (10:00 p.m. to 7:00 a.m.). Noise levels at commercial and office uses are limited to 65 dBA during daytime hours and 60 dBA during nighttime hours. Section 9.10.060(c) states that if the measured ambient noise level at any given location differs from those levels set forth in Schedule A, the allowable noise exposure standard shall be adjusted in five dBA increments in each category as appropriate to encompass or reflect the ambient noise level.

Schedule A

Receiving Zone	Noise Level (dBA) 7:00am – 10:00 pm	Noise Level (dBA) 10:00 pm – 7:00 am
Single-family and duplex residential	55	50
Multiple-family residential, public space	55	50
Commercial, Office	65	60
Light Industrial	70	70
Heavy Industrial	75	75

Section 9.10.230 prohibits construction activities permitted within 300 feet of residentially zoned property except within the hours of 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays. Section 9.10.070 exempts construction activities which occur during allowed hours from Schedule A noise limits.

The City Code does not define the acoustical time descriptor such as L_{eq} (the average noise level) or L_{max} (the maximum instantaneous noise level) that is associated with the above limits. A reasonable interpretation of the City Code would identify the ambient base noise level criteria as an average or median noise level (L_{eq}/L_{50}).

4.13.1.3 *Existing Conditions*

Noise in the project area is generated primarily by traffic on Lawrence Expressway and Homestead Road. Illingworth and Rodkin conducted noise measurements between Tuesday, February 18, 2025, and Thursday, February 20, 2025.

One long-term noise measurement (LT-1) was made near the southeast corner of the project site, approximately 70 feet from the center of Homestead Road. The hourly average noise levels at this testing point were 64 to 77 dBA Leq during the day, from 64 to 66 dBA Leq during the evening, and from 53 to 66 dBA Leq at night. The average noise level for the testing point over the course of the day was approximately 70 dBA CNEL.

Another long-term noise measurement (LT-2) was made along the western boundary of the project site, approximately 80 feet from the center of Lawrence Expressway. Hourly average noise levels at this testing point typically ranged from 70 to 76 dBA Leq during the day, from 70 to 73 dBA Leq during the evening, and from 62 to 73 dBA Leq at night. The average noise level for the testing point over the course of the day was approximately 76 dBA CNEL.

The final long-term noise measurement (LT-3) was made along the northern boundary of the project site, approximately 30 feet from the center of Lochinvar Avenue. Hourly average noise levels at this testing point typically ranged from 58 to 67 dBA Leq during the day, from 58 to 62 dBA Leq during the evening, and from 50 to 60 dBA Leq at night. The average noise level for the testing point over the course of the day was approximately 64 dBA CNEL.

As stated above, the average long-term noise on-site ranged from 64 to 76 dBA CNEL on throughout the day.[65] Primary noise generating activities on the project site are related to the commercial uses, including vehicle traffic and rooftop mechanical equipment.

Short term measurements were conducted near the northwestern corner, the southwestern corner, and along the eastern boundary of site. The maximum noise levels at each of these locations were 79, 75, and 62 dBA respectively.

The project site is located approximately 3.69 miles west of the Norman Y. Mineta International Airport. The site is outside the 60 dBA contour for the airport.[66]

[65] Illingworth & Rodkin, Inc. Homestead Townhomes Noise and Vibration Assessment. May 2025
[66] Santa Clara County Airport Land Use Commission. Airport Land Use Compatibility Plan Santa Clara County: San Jose Mineta International Airport. March 27, 2024.

4.13.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Construction Impacts

The proposed project would be constructed over approximately 33 months and would require multiple phases of construction with varying types and number of construction equipment. Noise impacts during construction of the proposed project would change depending on what construction equipment is operating during each phase of construction. The noise from construction would also be different if there were more intervening structures or longer distances from the construction activity and a receiver.

In Santa Clara, the City Code limits construction activities (including the loading and unloading of materials and truck movements) within 300 feet of residentially zoned property 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. The City does not provide specific noise thresholds so the analysis utilized the FTA impact thresholds of 80 dBA L_{eq} for residential uses and 85 dBA L_{eq} for commercial uses.

The proposed project would not include pile driving during construction. Based on the equipment planned for use at the project site the typical maximum noise levels, at a distance of 50 feet from

the construction activity, would range between 70 to 90 dBA L_{max}. To estimate impacts on surrounding residents the noise from average worst case scenario construction was calculated at nearby property lines ignoring impediments to noise travel. The results are summarized below in Table 4.13-2

Table 4.13-2 Construction Noise Levels at Sensitive Receptors in dBA L_{eq}

Phase	North Lochinvar Ave Residences (375 ft)	East Preschool (245 ft)	East Bing Drive Residences (200 ft)	East Commercial (230 ft)	West Residences (370 ft)
Demolition	69	73	75	74	69
Site Preparation	68	72	74	73	69
Grading/Excavation	71	75	77	76	72
Trenching	65	68	70	69	65
Building-Exterior	61	64	66	65	61
Building-Interior/ Architectural Coating	63	67	69	67	63
Paving	69	73	74	73	69

Source: Illingworth & Rodkin, Inc. Homestead Townhomes Noise and Vibration Assessment. May 14, 2025.

Based on the construction equipment present and distance to receivers, the construction noise levels would range from 61 to 77 dBA L_{eq} with a maximum of 77 dBA L_{eq} at the residences on Bing Drive to the east. Therefore, the average construction noise for the proposed project would not exceed the FTA's 85 dBA L_{eq} threshold at adjacent commercial buildings and would not exceed the FTA's 80 dBA L_{eq} threshold at the nearest residences. **(Less than Significant Impact)**

Operational Impacts

During operation of the proposed project, a significant impact would occur if the permanent noise level increase due to project-generated traffic was three dBA CNEL or greater where future ambient noise levels exceed 60 dBA CNEL. Additionally, the City Code establishes noise level performance standards for fixed sources of noise. Section 9.10.40 of the City Code limits noise levels at residences to 55 dBA during daytime hours (7:00 AM to 10:00 PM) and 50 dBA at night (10:00 PM to 7:00 AM). At receiving commercial and office buildings, noise would be restricted to 65 dBA during daytime hours and 60 dBA at night. The primary two sources of operational noise would result from new traffic trips and mechanical equipment located throughout the project site.

Traffic Noise

The proposed project would create approximately 57 to 85 peak hour trips during the peak AM and peak PM hours as a result of project operations. Based on the existing on-site uses, the number of vehicle trips generated by the project would be less than the current site operations. Compared to the existing traffic volumes in the area along Lawrence Expressway and Homestead Road, these

peak hour trips would not result in a measurable or detectable noise level increase. Therefore, the project would result in a less than significant traffic noise impact.

Mechanical Equipment

The proposed project would not include any rooftop heating, ventilation, or air conditioning equipment (HVAC). The condensers for cooling would be located at the ground level of each building within an enclosed area. This equipment would produce noise of approximately 63 dBA at a distance of three feet. The noise levels for these units were estimated based on the use of approximately 10 units simultaneously and these levels are summarized in Table 4.13-3 below.

Table 4.13-3 Operational Noise Levels at Sensitive Receptors

Phase	Distance from HVAC Equipment, feet	Hourly Leq, dBA	CNEL, dBA	Noise Level Increase, dBA CNEL
North residences (Lochinvar Ave)	110	42	49	0
East Preschool	50	49	56	0
East Bing Drive Residences	50	49	56	0
West Residences	165	38	45	0

Source: Illingworth & Rodkin, Inc. Homestead Townhomes Noise and Vibration Assessment. May 14, 2025.

Based on these calculations, the HVAC noise levels would not result in measurable or detectable noise levels increases at adjacent uses and would not exceed the three dBA CNEL threshold. Therefore, HVAC equipment would not result in operational noise impacts.

Truck Loading and Unloading

The main source of truck traffic at the project site would be for trash pickup for residents and the commercial building. The trash trucks would enter the site from the north on Lochinvar Avenue and south on Homestead Road. Trash trucks would create engine, exhaust, and tire noise, as well as releases of compressed air associated with truck/trailer air brakes and dumpster unloading. Maximum noise levels of trash trucks typically range from 70 to 75 dBA L_{max} at a distance of 50 feet. Noise from trash pickups would be noticeable only for the north and east sensitive receptors, approximately 60 feet and 85 feet respectively from the trash pickup areas. Depending on the tenant occupying the commercial space, trucks may load and unload merchandise and supplies and may take a similar route as the trash collection trucks through the neighborhood.

The CNEL corresponding to trash pickup trucks at the north residences would be approximately 49 dBA CNEL. For the sensitive receptors to the east (preschool and Bing Drive residences), this community noise equivalent level would be about 46 dBA CNEL. Therefore, the noise level increase due to trash pickups would not be measurable or detectable and would not exceed the three dBA CNEL threshold.

Combined Project Generated Noise levels

The operational noise levels produced by the proposed project combined including traffic, mechanical equipment, and truck loading and unloading, would not result in a measurable noise level increase at all existing noise-sensitive receptors in the project vicinity.[67] Therefore, the proposed project would not result in a substantial increase over ambient noise levels in the project vicinity and would not exceed the City's thresholds. Therefore, the proposed project would result in a less than significant impact from operational noise sources. **(Less than Significant Impact)**

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Construction Impacts

The construction of the proposed project would generate perceptible vibration when heavy construction equipment or impact tools are used. Construction activities would include site preparation work, foundation work, and new building framing and finishing. Pile driving equipment, which can cause excessive vibration, would not be required and is not proposed for the project.

Based on the age of structures in the area of the proposed project, and a review of the City's historical building database, no historic buildings are located within 200 feet of the proposed project. Therefore, for this analysis a vibration level of 0.3 in/sec PPV threshold would be applied to the residences and preschool surrounding the site. Table 4.13-4 below includes construction equipment vibratory levels at the surrounding buildings in the project vicinity.

Table 4.13-4 Construction Vibration Levels

Equipment	North Residences (70 ft)	East Preschool (55 ft)	East Residences (15 ft)	East Commercial (25 ft)	West Residences (180 ft)
Clam shovel drop	0.065	0.085	**0.354**	0.202	0.023
Hydromill - Soil	0.003	0.003	0.014	0.008	0.001
Hydromill - Rock	0.005	0.007	0.030	0.017	0.002
Vibratory Roller	0.068	0.088	**0.368**	0.210	0.024
Hoe Ram	0.029	0.037	0.156	0.089	0.010
Large bulldozer	0.029	0.037	0.156	0.089	0.010
Caisson drilling	0.029	0.037	0.156	0.089	0.010
Loaded trucks	0.024	0.032	0.133	0.076	0.009

[67] The amount of retail space and residential units has been updated since the noise analysis was first completed. The change in the retail space and residential units did not change the conclusions of the analysis. Since the Noise and Vibration Assessment was updated in May 2025, the number of residential units has decreased from 150 to 147 units and the commercial has increased from 2,500 square feet to 5,000 square feet. Nevertheless, these changes in the project would not change the conclusions of the analysis for construction or operational noise. Refer to the Noise and Vibration Assessment (Appendix H) for additional explanation

Jackhammer	0.011	0.015	0.061	0.035	0.004
Small bulldozer	0.001	0.001	0.005	0.003	0.000

Source: Illingworth & Rodkin, Inc. Homestead Townhomes Noise and Vibration Assessment. May 14, 2025.

Construction of the proposed project would generate vibration levels up to 0.368 in/sec PPV at the nearest residences adjoining the site to the east exceeding the vibratory impact threshold of 0.3 in/sec PPV. Therefore, the proposed project would result in a significant vibratory impact during construction of the proposed project.

Impact NOI-2 Construction of the proposed project would generate vibration levels up to 0.368 in/sec PPV at the nearest residences adjoining the site to the east, exceeding the vibratory impact threshold of 0.3 in/sec PPV.

Mitigation Measure

MM NOI-2.1 During construction of the proposed project, the construction manager will be required to implement the following vibration control measures to reduce the vibratory impacts below 0.3 in/sec PPV.

- Avoid dropping heavy equipment and using vibratory rollers within 30 feet of sensitive structures adjoining the project site to the east.
- Use a smaller vibratory roller, such as the Caterpillar model CP433E vibratory compactor, when compacting materials within 30 feet of adjacent buildings. Only use static compaction mode when compacting materials within 15 feet of buildings.

These measures will be included in construction plans and confirmed by the Director of Community Development or the Director's designee prior to the issuance of grading permits.

The implementation of Mitigation Measure MM NOI-2.1 would reduce the vibratory impacts of construction equipment on the project site below the 0.3 in/sec PPV threshold. Therefore, the proposed project would result in a less than significant construction vibration impact with mitigation incorporated. **(Less than Significant Impact with Mitigation Incorporated)**

Operational Impacts

During operation of the proposed project the residential uses on the site would not result in activities which generate groundborne vibration. The commercial structure would be used for standard retail or food service, which would not include high vibration activities. The project site would not be visited by frequent heavy truck traffic or utilize equipment which would create vibration and, therefore, the proposed project would have a less than significant operational vibratory impact. **(Less than Significant Impact)**

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project site is located more than two miles from the Norman Y. Mineta International Airport and lies outside of the Airport Master Plan 60 dBA noise contour. Therefore, the aircraft noise would be below the residential compatibility level of 65 dBA for exterior uses and the proposed project would result in a less than significant impact. **(Less than Significant Impact)**

4.13.3 Non-CEQA Effects

Per California Building Industry Association v. Bay Area Air Quality Management District, 62 Cal. 4th 369 (BIA v. BAAQMD), effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Santa Clara has policies, in Section 5.10.6 of the General Plan, that address existing noise conditions affecting a proposed project.

Future Noise Environment Conditions

According to the City's General Plan, noise levels at outdoor areas, such as parks and plazas, that are affected by transportation noise are required to be maintained at or below 55 dBA CNEL to be considered normally acceptable for residential areas. Additionally, residential interior noise levels are required to meet the performance standard of 45 dBA CNEL.

The existing noise environment measured during the noise survey identified noise levels of 64 dBA CNEL along the north side of the project site. The western side of the project site had noise levels of about 76 dBA CNEL and noise levels along the south boundary of the project site were about 70 dBA CNEL.

As stated above, the proposed project would not result in noise level increases from traffic noise. To estimate the future permanent noise level increase, the noise study assumed a two percent traffic increase per year through 2045. The noise increase from these future traffic trips would increase the ambient noise conditions by approximately two dBA CNEL under worst case conditions. Therefore, the north, west and south boundaries of the site would be exposed to noise levels of about 66 dBA CNEL, 78 dBA CNEL and 72 dBA CNEL, respectively.

Future Exterior Noise Environment for Residents

The proposed project includes an outdoor park located on the southeastern portion of the site, approximately 215 feet away from Lawrence Expressway. The noise assessment for the proposed project determined that future noise exposures at the outdoor park area would be approximately 65 dBA CNEL. Additional shielding from the project buildings would reduce the future noise levels at

the park to about 55 dBA CNEL which would be under the City's exterior noise standards for residential land uses.

The proposed project would include private outdoor decks, mainly located along the building facades facing Lochinvar Avenue and along Homestead Road. Some private decks would also directly face Lawrence Expressway. The City's acceptable exterior noise standard only applies to common outdoor use areas and exterior noise thresholds are not enforced at private balconies, porches, or front yard areas. To reduce exterior noise exposure to a conditionally acceptable level (maximum of 70 dBA CNEL) in ground-level porches and paseos between buildings, a continuous six- to eight-foot sound wall could be installed along the Lawrence Expressway frontage. Alternatively, if the City and the applicant prefer, individual sound walls of the same height could be placed directly in front of ground-level patios, porches, and paseos adjacent to Lawrence Expressway to achieve similar noise reduction.

The commercial use building would be located at the southeast corner of the project site, which would be exposed to a noise level of 74 dBA CNEL. Any outdoor uses at this commercial building would exceed the City's acceptable noise exposure of 65 dBA CNEL and no outdoor use is proposed for the commercial space.

Future Interior Noise Environment for Residents

Residential building design provides approximately 15 dBA of exterior-to-interior noise reduction, assuming the windows are partially open for ventilation. Standard construction with the windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces.

In areas where exterior noise levels range from 60 to 65 dBA CNEL, the inclusion of adequate forced-air mechanical ventilation can reduce interior noise levels to acceptable levels by closing the windows to control noise. Further in areas where noise levels exceed 65 dBA CNEL, forced-air mechanical ventilation systems and sound-rated construction methods are normally required to reduce noise levels. Sound reduction can be achieved through a combination of smaller window and door sizes facing the noise source, sound-rated windows and doors, sound rated exterior walls, and mechanical ventilation so windows can be kept closed.

Residential units located along the western side of the proposed project buildings facing Lawrence Expressway would be exposed to future exterior noise levels of 78 to 80 dBA CNEL. With windows partially open, the noise levels in the residential units would be up to 65 dBA CNEL.

Residential units located along the northern side of the proposed project buildings facing Lochinvar Avenue would be exposed to future exterior noise levels of 66 to 68 dBA CNEL. With windows partially open, the noise levels in the residential units would be up to 53 dBA CNEL.

Residential units located along the southern side of the proposed project buildings facing Homestead Road would be exposed to future exterior noise levels of 72 to 74 dBA CNEL. With windows partially open, the noise levels in the residential units would be up to 59 dBA CNEL.

To meet the interior noise requirements set forth by the City of Santa Clara of 45 dBA CNEL, the proposed project would include the following Conditions of Approval to reduce noise levels.

Conditions of Approval

The project applicant shall prepare final design plans that incorporate building design and acoustical treatments to ensure compliance with the California Building Code and City noise standards. A project-specific acoustical analysis shall be prepared to ensure that the design incorporates controls to reduce interior noise levels to 45 dBA CNEL or lower within the residential units. The applicant shall conform with any special building construction techniques requested by the City of Santa Clara Building Department, which may include sound-rated windows and doors, sound-rated wall construction, and acoustical caulking.

The following noise insulation features shall be incorporated into the proposed project to reduce interior noise levels to 45 dBA CNEL or less at residential interiors.

- Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all residential units on the project site, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards.
- Preliminary calculations indicate that residential units located along the western façades of project buildings directly adjacent to Lawrence Expressway would require windows and doors with a minimum rating of STC 42 with adequate forced-air mechanical ventilation to meet the interior noise threshold of 45 dBA CNEL.
- Preliminary calculations indicate that residential units located along the southern boundary of the project directly facing Homestead Road would require windows and doors with a minimum rating of STC 36 with adequate forced-air mechanical ventilation to meet the interior noise threshold of 45 dBA CNEL.
- Units along the northern façades of project buildings facing Lochinvar Avenue located would require windows and doors with a minimum rating of STC 30 with adequate forced-air mechanical ventilation
- All remaining units would require windows and doors with standard construction materials and adequate forced-air mechanical ventilation.

The implementation of these noise insulation features would reduce interior noise levels to 45 dBA CNEL or less within residential units and would allow the project to conform with the City of Santa Clara policy 5.10.6-P2.

4.14 Population and Housing

4.14.1 Environmental Setting

4.14.1.1 *Regulatory Framework*

State

Housing-Element Law

State requirements mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.[68] The City of Santa Clara Housing Element and related land use policies were last updated in 2024.

Regional and Local

Plan Bay Area 2050

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region's environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified Priority Development Areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.[69]

ABAG allocates regional housing needs to each city and county within the San Francisco Bay Area, based on statewide goals. These allocations are designed to lay the foundation for Plan Bay Area 2050's long-term envisioned growth pattern for the region. ABAG also develops a series of forecasts and models to project the growth of population, housing units, and jobs in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Forecasting and Modeling Report, which is a technical overview of the growth forecasts and land use models upon which Plan Bay Area 2050 is based.

[68] California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed February 27, 2025. https://www.hcd.ca.gov/planning-and-community-development/regional-housing-needs-allocation.

[69] Association of Bay Area Governments and Metropolitan Transportation Commission. Plan Bay Area 2050. October 21, 2021. Page 20.

Santa Clara General Plan

General Plan policies related to population and housing that are relevant to the project include the following.

Policy	Description
5.3.2-P1	Encourage the annual construction of the housing units necessary to meet the City's regional housing needs assessment by reducing constraints to housing finance and development.
5.3.2-P2	Encourage higher-density residential development in transit and mixed-use areas and in other locations throughout the City where appropriate.
5.3.2-P6	Provide adequate choices for housing tenure, type and location, including higher density, and affordability for low- and moderate-income and special needs households.

4.14.1.2 *Existing Conditions*

According to the California Department of Finance, the City had a population of approximately 130,127 residents in 48,391 households as of May 2022.[70] Of the 130,127 residents, approximately 50 percent are employed residents.[71] There are approximately 137,000 jobs in the City (estimated by ABAG for 2020). In 2035, it is estimated that the City will have approximately 154,825 residents, 54,830 households, 154,300 jobs and 72,080 employed residents.[72]

The jobs/housing relationship is quantified by the jobs/employed resident ratio. When the ratio reaches 1.0, a balance is struck between the supply of local housing and jobs. The jobs/housing resident ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing.

The City of Santa Clara had an estimated 2.50 jobs for every employed resident in 2010.[73] The General Plan focuses on increased housing and the placement of housing near employment. As a result, the jobs to housing ratio is projected to slightly decrease to 2.48 by 2040.[74] Some employees who work within the City are, and still would be, required to seek housing outside the community with full implementation of the General Plan.

The existing project site is developed with commercial buildings and a parking lot and does not contribute to the current permanent resident population of the City.

[70] California Department of Finance. "E-5 City/County Population and Housing Estimates." May 2022. Accessed: February 2025. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/.
[71] Association of Bay Area Governments. Plan Bay Area: Projections 2013. December 2013.
[72] City of Santa Clara. 2010-2035 General Plan. December 2014.
[73] City of Santa Clara 2010-2035 General Plan. December 2014. Appendix 8.12 (Housing Element). Page 8.12-25.
[74] City of Santa Clara 2010-2035 General Plan Final Environmental Impact Report. 2011.

4.14.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The project site is currently developed with commercial development. The proposed project would construct 147 new residential units on-site. The residential units would result in approximately 378 residents.[75] This residential land use is consistent with the General Plan designation for the project site and would be consistent with the City's planned growth. For this reason, the proposed development project would not result in substantial unplanned population growth. **(Less than Significant Impact)**

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The proposed project would redevelop a commercial site and would not result in the demolition of existing housing. Therefore, the proposed project would not result in impacts from the displacement of existing population or housing. **(No Impact)**

[75] 2.57 residents per housing unit x 147 units = 378 residents
California Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2022, available at http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/, accessed February 27, 2025.

4.15 Public Services

4.15.1 Environmental Setting

4.15.1.1 *Regulatory Framework*

State

Quimby Act-California Code Section 66477

The Quimby Act (California Government Code Section 66477) was approved by the California legislature to ensure that new residential developments set aside sufficient parkland and open space for recreational purposes. It provides for the dedication of parkland and/or payment of fees due in-lieu of parkland dedication to help mitigate the impacts from new residential developments. This legislation was initiated in 1980's in response to California's increased rate of urbanization and the need to preserve open space and provide parks and recreation facilities for California's growing communities. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parkland, pay a fee in-lieu of parkland dedication, or perform a combination of the two at the discretion of the City.

Mitigation Fee Act.

In 1989, the State Legislature passed Assembly Bill 1600 (AB1600), adding Section 66000 et seq. to the California Government Code (the "Mitigation Fee Act"), which sets forth requirements for local agencies to follow if they collect fees from developers to defray the cost of the construction of public facilities related to development projects. These legal requirements are frequently referred to as "AB 1600 requirements." Each local agency imposing such development impact fees must prepare an annual report providing specific information about these fees (i.e., a "nexus study") that shows the proper connection of the fees to the project and how accounting and reporting for the fees collected are regulated.

School Impact Fees

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Sections 65995-65998 set forth provisions for the payment of school impact fees by new development for "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation goes on to say that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

In accordance with California Government Code Section 65996, developers pay a school impact fee to the school district to offset the increased demands on school facilities caused by their proposed residential development projects. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Regional and Local

City of Santa Clara 2010 – 2035 General Plan

The City of Santa Clara 2010-2035 General Plan includes policies and programs to provide public services throughout the City. Applicable General Plan policies include, but are not limited to, the following listed below.

Policies	Description
5.4.3-P3	Provide pedestrian-oriented ground floor uses and a network of parks and public spaces to serve both residential and non-residential development.
5.9.3-P1	Encourage design techniques that promote public and property safety in new development and public spaces.
5.9.1-P2	Develop new parks to serve the needs of the surrounding community based on the criteria for mini (less than one acre, appropriate for all areas), neighborhood (1-15 acres, appropriate for medium- and high-density residential areas serving individual neighborhoods), and community (over 15 acres, appropriate for medium- and high-density residential areas serving the City as a whole) parks.
5.9.3-P3	Maintain a City-wide average three minute response time for 90 percent of police emergency service calls.
5.9.3-P4	Maintain a City-wide average three minute response time for fire emergency service calls.
5.9.1-P5	Encourage public visibility for all parks, trails and open spaces.
5.9.1-P14	Encourage publicly accessible open space in new development.
5.9.1-P15	Provide opportunities for private maintenance of publicly accessible open space and trails.
5.9.1-P17	Foster site design for new development so that building height and massing do not overshadow new parks and plazas.
5.9.1-P18	Promote open space and recreational facilities in large-scale developments in order to meet a portion of the demand for parks generated by new development.
5.9.1-P20	Promote the continuation of parks per population ratio of 2.4 per 1,000 residents and explore the potential to increase the ratio to 3.0, based on the Parks and Recreation Needs Assessment (Parks Master Plan), referenced in Plan Prerequisite 5.1.1-P24.

Countywide Trails Master Plan

The Santa Clara County Trails Master Plan Update is a regional trails plan approved by the Santa Clara County Board of Supervisors. It provides a framework for implementing the County's vision of providing a contiguous trail network that connects cities to one another, cities to the county's regional open space resources, County parks to other County parks, and the northern and southern urbanized regions of the County. The plan identifies regional trail routes, sub-regional trail routes, connector trail routes, and historic trails.

Parkland Dedication Ordinance

On July 15, 2014, the Santa Clara City Council adopted Ordinance Number 1928 adding Chapter 17.35 Park and Recreational Land to Title 17 Development of the Santa Clara City Code. The

ordinance requires new residential developments to provide adequate park and recreational facilities and/or pay an in-lieu fee for parkland dedication at the discretion of the City, pursuant to the Quimby Act and/or Mitigation Fee Act, to mitigate the impacts of new growth. For subdivisions of 50 units or less, the City may only accept a fee in-lieu of the parkland dedication requirement.

City of Santa Clara City Code Chapter 17.35

The purpose of City Code Chapter 17.35 is to help mitigate the impacts of new housing development growth on existing parkland and recreational facilities subject to the provisions of the State of California Quimby Act (Quimby) and/or the California Mitigation Fee Act (MFA). Chapter 17.35 requires new residential developments to provide developed park and recreational land and/or pay a fee in-lieu of parkland dedication, at the City's discretion. The City is meeting the parkland dedication standard of three acres per 1,000 residents per the Quimby provisions of the City Code and 2.6 acres per 1,000 residents per the MFA provisions of the City Code with regard to neighborhood parks.

4.15.1.2 *Existing Conditions*

Fire Protection Services

Fire protection services are provided by the City of Santa Clara Fire Department (SCFD). The SCFD is comprised of 169 sworn firefighters and nine fire stations.[76] SCFD's Field Operations Division oversees a network of nine fire stations staffed by approximately 138 members. As part of ongoing infrastructure development, Fire Station No. 10 has undergone demolition, and the City is currently in the planning phase for its relocation. The nearest station to the project is Station No. 7, located at 3495 Benton Street, approximately 0.4 miles north of the site. Based on expected response pathways, Station No. 3 located at 2821 Homestead Road would also respond to calls at the development.

Police Protection Services

Police protection services are provided by the Santa Clara Police Department (SCPD). The SCPD is divided into four divisions: Services, Field Operations, Investigations, and Special Operations, and has approximately 153 sworn officers and 79 civilians.[77] There are currently two police stations, the headquarters located at 601 El Camino Real and a substation located at 3992 Rivermark Parkway. The distance between the project site and the police headquarters is approximately 3.2 miles. The distance between the project site and substation is approximately 4.6 miles.

[76] City of Santa Clara. Fire Department: About Us. Accessed May 30, 2025. https://www.santaclaraca.gov/our-city/departments-a-f/fire-department/about-us.
[77] City of Santa Clara, Police Department. Fact Sheet. Accessed February 4, 2025. https://www.santaclaraca.gov/our-city/departments-g-z/police-department/about-us/fact-sheet.

Schools

Schools that serve grades K-12 in the City of Santa Clara are operated by six school districts: the Santa Clara Unified School District (SCUSD), San José Unified School District, Cupertino Union School District, Fremont Union High School District, Campbell Union School District, and Campbell Union High School District. The project site is located within the service area of the SCUSD. Students in the project area attend Pomeroy Elementary School, located at 1250 Pomeroy Avenue, approximately 0.63 miles northwest of the project site; Cabrillo Middle School located at 2550 Cabrillo Avenue, approximately 1.65 miles northeast of the project site; and Santa Clara High School, located at 3000 Benton Street, approximately 0.65 miles northwest of the project site.

Parks

The Santa Clara Parks and Recreation Department provides parks and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreation facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of July 2023, the Department maintains and operates Central Park, a 45.04-acre community park (45.04 acres improved and Central Park North 34.93 acres unimproved, resulting in 79.97 acres), 31 neighborhood parks (125.57 acres improved and 5.22 acres unimproved resulting in 130.79 acres), 13 mini parks (2.59 acres improved and 3.18 acres unimproved resulting in 5.78 acres), public open space (16.32 acres improved and 40.08 acres unimproved resulting in 56.21 acres), recreational facilities (23.89 acres improved and excluding the BMX track), recreational trails (7.59 acres improved and 0.20 acres unimproved resulting in 7.79 acres), and joint use facilities (48.58 acres) throughout the City totaling approximately 269.41 improved acres and 83.62 unimproved acres. Community parks are over fifteen acres, neighborhood parks are one to fifteen acres and mini parks are typically less than one acre in size.

Santa Clara City Code Chapter 17.35 requires new residential developments to provide developed park and recreational land and/or pay a fee in-lieu of parkland dedication, at the City's discretion, and pursuant to the State of California Quimby Act (Quimby) and/or the Mitigation Fee Act (MFA) to help mitigate the impacts of the new resident demand on existing parkland and recreational facilities.

The City is meeting the standard of three acres per 1,000 residents per the Quimby provisions of the City Code and 2.60 acres per 1,000 residents per the MFA provisions of the City Code with regard to neighborhood parks.

The nearest park to the project site is Earl R. Carmichael Park, approximately 0.4 miles north of the project site and is within a 10 to 15-minute (0.7-mile) walk of the project site. The park includes a large children's play area, picnic facilities, basketball court, tennis courts, a baseball diamond, open grass area, and restrooms.

Libraries

There are three libraries in the City of Santa Clara. Central Park Library is the largest Santa Clara City Library facility located at 2635 Homestead Road, approximately 1.1 miles west of the project site. This library is also located nearest the project site. The second closest library is Mission Library Family Reading Center, located at 1098 Lexington Street, approximately 2.76 miles northeast of the project site. The third is the Northside Branch located at 695 Moreland Way 4.73 miles northeast of the project site.

4.15.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire Protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other Public Facilities?	☐	☐	☒	☐

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

The certified General Plan EIR concluded that the existing fire station facilities have capacity to support fire personnel without the need to expand or construct new facilities.[78] Therefore, although new development under the General Plan would result in population growth and expanded fire personnel, the existing stations within Santa Clara would have capacity to serve the City. The proposed project would result in development on the project site consistent with the General Plan Land Use designation. In addition, the proposed project would be constructed in accordance with current fire codes, including those specifying emergency vehicle access and reduction of fire

[78] City of Santa Clara. 2010-2035 General Plan Integrated Final Environmental Impact Report. SCH# 2008092005. January 2011. Pages 206 to 207.

hazards. Therefore, the proposed project could be served by existing facilities accounted for in the General Plan without requiring the construction of new or altered facilities and the project would have a less than significant impact on fire prevention services. **(Less than Significant Impact)**

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

The certified General Plan EIR concluded if additional police officers are needed, they could be housed in the existing facilities.[79] The proposed project would result in development on the project site consistent with the General Plan Land Use designation. Therefore, the proposed project would not expand the demand for police services beyond those assumed in the General Plan EIR and there would be no need for the expansion of police facilities or the construction of new facilities. For these reasons, the proposed project would have a less than significant impact on police protection services.**(Less than Significant Impact)**

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

The proposed project would construct a mixed-use development which would generate new students for the schools in the Santa Clara Unified School District. Based on the multi-family unit student generation rates, the proposed project would generate 13 elementary school students, six middle school students, and eight high school students.[80] In addition, the proposed development project would be required to pay school impact fees consistent with AB1600 to support any additional facilities consistent with the General Plan.

The General Plan EIR determined that SCUSD had four closed school sites that could be used to serve new development or could choose to modify school catchment areas or add modular classrooms to accommodate new students. Further the Santa Clara Unified School District identified capacity for 4,483 new students in the school district across all facilities. Therefore, because the proposed project is consistent with the General Plan Land Use designation, new students generated by the project could be served in existing facilities, and the project would pay the mandated impact

[79] City of Santa Clara. 2010-2035 General Plan Integrated Final Environmental Impact Report. SCH# 2008092005. January 2011. Pages 206 to 207.

[80] Santa Clara Unified School District Residential and CID Development School Fee Justification Study. March 28, 2024.
Elementary = 147 units x 0.0881 students/unit = 13 students
Middle School = 147 units x 0.0361 students/unit = 6 students
High School = 147 units x 0.0495 students/unit = 8 students

fees, the proposed project would have a less than significant impact on school services. **(Less than Significant Impact)**

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

The proposed project will contribute to an increase in demand for parkland. The increase in the resident population associated with the proposed project would contribute to increased use of existing parks near the project site. Increased use of local parks could potentially lead to physical deterioration of park facilities. The proposed project would include a 7,700 square foot park area to serve residents of the development and will be required to pay a fee in-lieu for parkland dedication to help offset the impacts of the new resident demand on existing parkland and recreational facilities. Therefore, the proposed development project would result in a less than significant impact. **(Less than Significant Impact)**

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

The addition of approximately 378 residents[81] on-site would result in an incremental increase in demand for public library facilities. The increase would not, however, result in substantial adverse impacts on the existing libraries, or other, facilities, and would not require the construction of new facilities. According to the General Plan FEIR, the development consistent with the General Plan land use diagram would not result in exceedance of the service ratio for libraries in the City of Santa Clara. The residents in the proposed project are consistent with General Plan densities for the site. For this reason, they would not cause the City to fall below their service goals for library services and no new library facilities would be constructed to support the proposed project. Therefore, the proposed project would have a less than significant impact on library services in the City of Santa Clara. **(Less than Significant Impact)**

[81] 2.57 residents per housing unit x 147 units = 378 residents
California Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2022, available at http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/, accessed February 27, 2025.

4.16 Recreation

4.16.1 Environmental Setting

4.16.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Mitigation Fee Act.

In 1989, the State Legislature passed Assembly Bill 1600 (AB1600), adding Section 66000 et seq. to the California Government Code (the "Mitigation Fee Act"), which sets forth requirements for local agencies to follow if they collect fees from developers to defray the cost of the construction of public facilities related to development projects. These legal requirements are frequently referred to as "AB 1600 requirements." Each local agency imposing such development impact fees must prepare an annual report providing specific information about these fees (i.e., a "nexus study") that shows the proper connection of the fees to the project and how accounting and reporting for the fees collected are regulated.

Local

City of Santa Clara 2010 – 2035 General Plan

The City of Santa Clara 2010-2035 General Plan includes policies and programs to provide public services throughout the City. Applicable General Plan policies include, but are not limited to, the following listed below.

Policies	Description
5.1.1-P20	Prior to 2023, identify the location for new parkland and/or recreational facilities to serve employment centers and pursue funding to develop these facilities by 2035.
5.9.1-P2	Develop new parks to serve the needs of the surrounding community based on the criteria for mini (less than one acre, appropriate for all areas), neighborhood (1-15 acres, appropriate for medium and high-density residential areas serving individual neighborhoods), and community (over 15 acres, appropriate for medium- and high-density residential areas serving the City as a whole) parks
5.9.1-P5	Encourage public visibility for all parks, trails and open spaces.

Policies	Description
5.9.1-P14	Encourage publicly accessible open space in new development
5.9.1-P15	Provide opportunities for private maintenance of publicly accessible open space and trails.
5.9.1-P17	Foster site design for new development so that building height and massing do not overshadow new parks and plazas.

City of Santa Clara City Code Chapter 17.35

The purpose of SCCC Chapter 17.35 is to help mitigate the impacts of new housing development growth on existing parkland and recreational facilities subject to the provisions of the State of California Quimby Act (Quimby) and/or the California Mitigation Fee Act (MFA). Chapter 17.35 requires new residential developments to provide developed park and recreational land and/or pay a fee in lieu of parkland dedication, at the discretion of the City. The City is meeting the parkland dedication standard of 3.0 acres per 1,000 residents per the Quimby provisions of the SCCC and 2.6 acres per 1,000 residents per the MFA provisions of the SCCC for neighborhood parks.

4.16.1.2 *Existing Conditions*

The Santa Clara Parks and Recreation Department provides parks and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreation facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of July 2023, the Department maintains and operates Central Park, a 45.04-acre community park (45.04 acres improved and Central Park North 34.93 acres unimproved, resulting in 79.97 acres), 31 neighborhood parks (125.57 acres improved and 5.22 acres unimproved resulting in 130.79 acres), 13 mini parks (2.59 acres improved and 3.18 acres unimproved resulting in 5.78 acres), public open space (16.32 acres improved and 40.08 acres unimproved resulting in 56.21 acres), recreational facilities (23.89 acres improved and excluding the BMX track), recreational trails (7.59 acres improved and 0.20 acres unimproved resulting in 7.79 acres), and joint use facilities (48.58 acres) throughout the City totaling approximately 269.41 improved acres and 83.62 unimproved acres. Community parks are over fifteen acres, neighborhood parks are one to fifteen acres and mini parks are typically less than one acre in size.

Santa Clara City Code Chapter 17.35 requires new residential developments to provide developed park and recreational land and/or pay a fee in-lieu of parkland dedication, at the City's discretion, and pursuant to the State of California Quimby Act (Quimby) and/or the Mitigation Fee Act (MFA) to help mitigate the impacts of the new resident demand on existing parkland and recreational facilities.

The City is meeting the standard of three acres per 1,000 residents per the Quimby provisions of the City Code and 2.60 acres per 1,000 residents per the MFA provisions of the City Code with regard to neighborhood parks.

The nearest park to the project site is Earl R. Carmichael Park, approximately 0.4 miles north of the project site and it is within a 0.7-mile and a ten to 15-minute walk of the project. The park includes

a large children's play area, picnic facilities, basketball court, tennis courts, a baseball diamond, open grass area, and restrooms.

4.16.2 Impact Discussion

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☒	☐
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed project would construct 147 residential units, which would generate additional residents who would increase the demand for parks and other recreational facilities.[82] The increased use of existing parks and recreational facilities near the project site could potentially lead to physical deterioration of these facilities. The proposed project would contribute approximately 0.14 acres of park area on-site and will be required to pay a fee in-lieu of parkland dedication to help offset the impacts of the new resident demand on existing parkland and recreational facilities. Therefore, the proposed development project would result in a less than significant impact. **(Less than Significant Impact)**

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The proposed project would include an approximately 3,000 square foot park area and will be required to pay a fee in-lieu of parkland dedication to help offset the impacts of the new resident demand on existing parkland and recreational facilities. Therefore, the proposed project would not result in adverse physical effects on the environment through the expansion of parks or recreation facilities. **(Less than Significant Impact)**

[82] For purposes of the City's parkland dedication requirements, the City relies upon census data to calculate the number of persons per household. For this calculation, the project will generate an estimated 352 residents (2.4 persons/household x 147 units). Based on the MFA standard of 2.6 acres / 1000 residents, the amount of public parkland required for the project is approximately 0.92 acres.

4.17 Transportation

The information in this section is based in part on the Transportation Analysis prepared by Hexagon Transportation Consultants, Inc. on September 19, 2025, and the Transportation Demand Management (TDM) Plan prepared by Hexagon Transportation Consultants, Inc. on September 19, 2025. These studies are included in Appendix I and Appendix J of this document.

4.17.1 Environmental Setting

4.17.1.1 *Regulatory Framework*

Senate Bill 743 (2013)

SB 743 establishes criteria for determining the significance of transportation impacts using a vehicle miles traveled (VMT) metric intended to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires analysis of VMT in determining the significance of transportation impacts. Local jurisdictions were required by the Governor's Office of Planning and Research (OPR) to implement a VMT policy by July 1, 2020.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant. Notably, projects located within 0.50 mile of transit should be considered to have a less than significant transportation impact based on OPR guidance.

Regional and Local

Regional Transportation Plan

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2050 in October 2021, which includes a Regional Transportation Plan to guide regional transportation investment for revenues from federal, State, regional and local sources through 2050.

Congestion Management Program

VTA oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant State legislation requires that urbanized counties in California prepare a CMP to obtain each county's share of gas tax revenues. State legislation requires that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management plan, a land use impact analysis program, and a capital improvement

element. VTA has review responsibility for proposed development projects that are expected to affect CMP-designated intersections.

Climate Action Plan Transportation Demand Management

The City will require all new developments greater than 25 housing units to draft and implement a VMT reduction strategy that reduces drive-alone trips. The degree to which each project implements a Transportation Demand Management (TDM) program as part of the VMT reduction strategy will be based on the location and land use of the proposed project. The VMT reductions may be achieved through project design characteristics, land use, parking, access, or TDM best practices.

City of Santa Clara VMT Policy

The Santa Clara City Council adopted a VMT policy in compliance with SB 743 on June 23, 2020. The policy sets thresholds of significance for various land uses, using the countywide average VMT as the environmental baseline. To determine whether a project will have a significant transportation impact, project VMT is compared to the appropriate threshold. For residential land uses, the adopted threshold is 15 percent below the existing countywide VMT per capita. For employment uses, the adopted threshold is 15 percent below the existing countywide VMT per employee. For retail uses, the threshold is the existing countywide VMT for retail uses.

In addition to establishing the environmental baseline and thresholds of significance, the VMT policy establishes screening criteria for certain projects that are presumed to have a less than significant VMT impact. Projects which meet the screening criteria would not be required to quantify VMT and compare it to the City's adopted threshold. Projects which generate less than 110 daily vehicle trips or less would be screened out from a quantitative VMT analysis and would be presumed to have a less than significant VMT impact. Retail land uses providing 50,000 square feet or less would be presumed to be less than significant. Transit supportive projects which are located within VTA-mile of an existing major transit stop or an existing transit stop along a High Quality Transit Corridor[83] would also be presumed to be less than significant, provided that a minimum density of 35 units/acre is met for residential projects, a minimum FAR of 0.75 is met for office/R&D projects, no excess parking is provided, and no affordable dwelling units are replaced.

All proposed projects are required to undergo environmental review as part of the approval process. This includes an analysis of CEQA impacts (VMT) and non CEQA operational measures of intersection efficiency level of service (LOS). The City's VMT policy also establishes LOS as an operational measure of intersection efficiency, which is not defined as a transportation environmental impact per CEQA.

[83] A high quality transit corridor is a corridor with fixed route bus service with service intervals that do not exceed 15 minutes during peak commute hours.

City of Santa Clara Bicycle Plan

The City of Santa Clara Final Bicycle Plan Update (2018) provides a bikeway planning and design tool, which contains the policy vision, design guidance, and specific recommendations to guide public and private investments in active transportation bicycle facilities and related programs.

City of Santa Clara Pedestrian Master Plan

The Pedestrian Master Plan, approved February 25, 2020, is a forward-looking plan to capture the benefits of walking as the City anticipates growth and redevelopment. The plan establishes methods for safe, comfortable, convenient, active, and implementable goals to improve walkability and establish zones for improved pedestrian development.

4.17.1.2 *Existing Conditions*

Roadways

The project site is located at the northeast corner of the Lawrence Expressway/Homestead Road intersection. The site is bounded by both Lawrence Avenue and Homestead Road to the east and south, respectively. Lochinvar Avenue bounds the site on the north side of the site. Access to the site is currently provided by two driveways on Homestead Road, one driveway on Lawrence Expressway, and two driveways on Lochinvar Avenue.

Bike Facilities

Within one mile of the project site, there are Class II striped bike lanes and bike routes. These bike lanes are present along Homestead Road, Wolfe Road, Pomeroy Avenue, North Tantau Avenue, and Pruneridge Avenue between North Tantau and Pomeroy Avenues. Dunford Way and Forbes Avenue also contain bike routes. Lawerence Expressway, Lochinvar Avenue, and Bing Drive do not have bicycle facilities.

Pedestrian Facilities

There is a complete network of sidewalks within the immediate vicinity of the site along Homestead Road, Lochinvar Avenue, and Bing Drive. The site frontage and other parts of Lawrence Expressway, particularly both sides of the street between Lochinvar Avenue and Lehigh Drive, the east side of the street north of Lochinvar Avenue and the west side of the street between Lehigh Drive and Stevens Creek Boulevard, have sidewalks.

The signalized intersections on Homestead Road nearest the project site have crosswalks with pedestrian signal heads on all legs. The Lawrence/Lochinvar intersection only has crosswalks and pedestrian signals on the south and east legs. Additionally, the signalized crosswalks at the Lawrence Expressway intersections adjacent to the project site include Americans with Disabilities Act (ADA)-compliant curb ramps.

Transit Services

The VTA Local Route 53 bus route, which has a headway of 30 minutes during the morning and evening peak hours, runs along Homestead Road in the project vicinity. The nearest bus stops are approximately 200 and 500 feet east of the project site and serve Route 53.

4.17.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☐	☒

a) Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?

Roadways

The project would contribute vehicle trips to the roadway network within the vicinity of the project. The proposed project is estimated to generate 1,071 vehicle trips without TDM measures. With the mandatory traffic 20 percent trip reduction required by the City's CAP, daily project trips would be reduced to 912.[84] Further, the project would generate fewer trips during the AM and PM peak hours than the existing use. The proposed project would not modify any surrounding roadways and would decrease the number of driveways on-site from five to two. One driveway would be located on the north side of the site from Lochinvar Avenue and the other driveway would be located on the south side of the site from Homestead Road.

A Local Transportation Assessment (LTA) is not required for the proposed project because the project would not generate over 100 net new project trips. Therefore, no Congestion Management Plan (CMP) designated intersections would be adversely affected by the project. For this reason, the proposed project would result in less than significant impacts on roadway operations.

[84] Hexagon Transportation Consultants, Inc. *Transportation Analysis for 3521 and 3591 Homestead Road.* January 24, 2025.

Bike Facilities

The project would provide secure bicycle storage for residents inside private garages. Additionally, there would be 12 short-term bicycle parking spaces for guests in bike racks dispersed throughout the site with one rack located in the northern part of the site (near Lochinvar Avenue) and one rack located next to the commercial building. The proposed project would not remove or impact existing bicycle facilities and would not interfere with existing plans, policies, or ordinances corresponding to bicycle facilities. For these reasons, the proposed project would enhance bicycle infrastructure on the project site and would not impact existing or planned bicycle facilities.

Transit Facilities

Currently, the site is used for commercial purposes. The proposed mixed use development project would result in a resident population on-site of approximately 378 people. This could increase the use of public transportation in the surrounding area. However, the additional transit users would not interfere with the normal operations of transit services and would not exceed the capacity of the existing transit operations. Therefore, the proposed development project would have a less than significant impact on transit services.

Pedestrian Facilities

The sidewalks on Homestead Avenue and Lochinvar Avenue would be connected via a pedestrian walkway through the site. The proposed project would construct pedestrian walkways to provide pedestrian access to all residential units. The existing sidewalks, crosswalks, and ADA curb ramps would facilitate pedestrian movements between the project site and surrounding points of interest. Therefore, the proposed project would not conflict with a program, plan, ordinance, or policy controlling pedestrian facilities. **(Less than Significant Impact)**

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

The OPR and City of Santa Clara VMT guidelines state that certain projects (including residential, retail, and office projects, as well as projects that are a mix of these uses) located within 0.5 miles of an existing major transit stop or an existing stop along a high-quality transit corridor would have a less than significant impact on VMT. A high-quality transit corridor means a corridor with fixed route bus service with service intervals, no longer than 15 minutes during peak commute hours.

The proposed commercial use meets the local serving retail threshold of 50,000 square feet or smaller and would be expected to have a less than significant VMT impact. Therefore, it would be exempt from a full VMT analysis.

The project site is farther than 0.5 miles from a rail station. While the project has a bus stop within 0.5 miles of the site, Local Route 53, it has 30-minute headways which would not make it a high-

quality transit corridor. Therefore, the project would not screen out of a VMT analysis. The County average for residential uses is 13.33 daily VMT per resident and the VMT threshold for the City of Santa Clara is 11.33 daily VMT per capita. The project VMT of the proposed project would be 11.54 per resident, however, consistent with Santa Clara City policy, the proposed project would include a transportation demand management (TDM) plan which would reduce the project VMT by 13.7 percent. This would be below the 11.33 threshold. The aspects of the TDM plan are summarized below.

Condition of Approval

Prior to issuance of occupancy permits, the proposed project will submit a Transportation Demand Management (TDM) plan with measures to reduce on-site Vehicle Miles Traveled (VMT). The TDM plan will be submitted and approved by the City of Santa Clara Planning Division prior to issuance of occupancy permits. The following TDM measures shall be included in the plan and implemented to reduce VMT associated with the proposed project:

- **Program Administration.** The proposed project shall provide TDM information, TDM marketing, and designate a TDM Coordinator to achieve a 4.0 percent VMT reduction.
    - Designating a Transportation Coordinator: The homeowner's association (HOA) will designate a transportation coordinator.
    - Online Kiosk/TDM Information Board: The transportation coordinator will set up and maintain an on-site bulletin board and/or online kiosk with information on non-auto transportation alternatives. The online kiosk will contain site-specific information about the transportation resources available to residents.
    - Transportation Information Brochures: New residents will receive a transportation information packet from the transportation coordinator. The packets will contain information about bikeway maps, 511 bicycling resources, locations of adjacent bus stops, VTA transit maps, VTA bus schedules for adjacent bus routes, and the coordinator's
    - Trip Planning Assistance: The transportation coordinator will assist with providing residents with information regarding transportation resources.
- **Bike Sharing Program.** The project will provide space for or provide subsidies to a public bike sharing program for a 1.7 percent reduction. Currently, there are no areawide public bike share programs in operation in Santa Clara. If a public bike share program is established in Santa Clara 'Prior to Final' for the Building Permit, the developer will provide space for or provide subsidies to a public bike sharing program. Alternatively, if there are no areawide public bike share programs operating within the vicinity of the site when the project obtains its Building Permit, the developer will provide a bike with each townhome.
- **Mixed Use Development.** The proposed project will incorporate residential and commercial uses within the same site, reducing VMT by approximately 5.1 percent.
- **School Pool Program.** The proposed project will fully or partially implement a school pool program. This measure will achieve a maximum VMT reduction of 8.25 percent assuming full participation or a 2.9 percent reduction assuming a 35 percent participation rate.

    - This program will reduce the number of private vehicle trips to and from schools by coordinating carpools for students.
- **Monitoring.** The success of the TDM measures will be monitored by:
    - Resident surveys conducted by the Transportation Coordinator
    - Driveway counts obtained by a consultant that the Transportation Coordinator will work with to prepare a TDM monitoring report
    - The Transportation Coordinator will submit reports with the results of the surveys to the City of Santa Clara's Planning Division annually for the project's lifespan

The active TDM measures above would reduce the project's VMT by 13.7 percent and the VMT generated by the project would be at a less than significant level. **(Less than Significant Impact)**

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed project would not alter the geometric design of the roadways, such as Lawrence Avenue and Homestead Road, surrounding the project and would reduce the number of entry/exit points to the project site. The proposed project would provide new private streets that would connect to the garages of the townhomes. The proposed project would comply with design requirements as prescribed by the City of Santa Clara for internal circulation. Therefore, the proposed project would not substantially increase hazards due to geometric design features on-site or off-site, and would not introduce incompatible uses. **(Less than Significant Impact)**

d) Would the project result in inadequate emergency access?

The proposed development project would comply with the regulations of the City of Santa Clara emergency services and would ensure emergency access to the project site. Emergency response vehicles would be able to access the project site from both driveways on Homestead Road and Lochinvar Avenue. Additionally, the width of the internal roads through the project site would be adequate for emergency vehicles to access and circulate the site. The proposed development project would provide adequate emergency access to the site and would have no impact on emergency access. **(No Impact)**

4.17.3 Non-CEQA Effects

While the evaluation of project CEQA impacts on the transportation system is based on VMT, in accordance with the City of Santa Clara Transportation Policy (Resolution No. 20-8861), the following discussion is included for informational purposes because the City of Santa Clara requires parking to be provided in quantities sufficient for the development.

Trip Generation

The proposed project would generate traffic trips on-site from the creation of new residential units. The number of trips expected for the project site are summarized below in Table 4.17-1.

Land Use	Daily Trips	AM Peak Trips In	AM Peak Trips Out	Total AM Peak Hour Trips	PM Peak Trips In	PM Peak Trips Out	Total PM Peak Hour Trips
57 3-story Townhomes	384	6	17	23	18	11	29
90 4-story Townhomes	409	8	25	33	21	14	35
Commercial Space	278	7	5	12	17	17	34
Gross Project Trips	**1,071**	**21**	**47**	**68**	**56**	**42**	**98**
TDM Reduction	-79	-1	-4	-5	-4	-3	-7
Existing Use Reduction	-5,906	-137	-84	-221	-271	-293	-564
Net New Trips	**-4,914**	**-117**	**-41**	**-158**	**-219**	**-254**	**-473**

Source: Hexagon Transportation Consultants. Transportation Analysis for 3521 and 3591 Homestead Road. September 19, 2025.

Parking

Per the City of Santa Clara Zoning Code Section 18.38.030 the proposed project is required to provide a minimum of 294 residential parking spaces and 20 retail parking spaces. The project would provide a total of 341 parking spaces. The 341 parking spaces would be comprised of 294 covered garage parking spaces and 47 guest parking spaces, serving the residences and commercial space on site. Therefore, the proposed parking supply would meet the total number of required spaces and would be adequate to serve the proposed project.

4.18 Tribal Cultural Resources

4.18.1 Environmental Setting

4.18.1.1 *Regulatory Framework*

State

Assembly Bill 52 (2014)

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
    - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
    - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), a resource determined by the lead agency to be a TCR.

4.18.1.2 *Existing Conditions*

According to the City of Santa Clara General Plan, all parts of the City have the potential to contain subsurface archeological resources including tribal burial grounds.[85]

[85] City of Santa Clara. General Plan 2010-2035 Integrated EIR. Page 327. January 2011.

4.18.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☒	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

a) Would the project 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)?

The project site is not identified on the City's tribal cultural resource inventory, the project site does not contain any known tribal cultural resources listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). Additionally, a request for tribal consultation was conducted for the project on February 11, 2026. None of the tribes contacted requested further consultation or mitigation. The project would not cause substantial adverse change in the significance of tribal cultural resources listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). Additionally, the proposed project would implement the measures identified in Section 4.5 Cultural Resources in the event that Native American resources are discovered. Therefore, the proposed project would result in a less than significant impact with mitigation incorporated. **(Less than Significant Impact with Mitigation Incorporated)**

b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

The City of Santa Clara has not identified tribal cultural resources on the project site; therefore, the proposed project would not cause substantial adverse change in the significance of a tribal cultural resource as determined by the City. As stated above, if the proposed project encountered tribal resources the measures identified in Section 4.5 would be implemented to reduce impacts to a less than significant impact. **(Less than Significant Impact with Mitigation Incorporated)**

4.19 Utilities and Service Systems

4.19.1 Environmental Setting

4.19.1.1 *Regulatory Framework*

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Santa Clara adopted its most recent UWMP in June 2021.

California Integrated Waste Management Act of 1989The California Integrated Waste Management Act of 1989 established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

Mandatory Commercial Recycling Regulation This law sets forth the requirements of the statewide mandatory commercial recycling program. Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle.

Senate Bill 1383 (2016)

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

The California Green Building Standards Code (CALGREEN) establishes mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental quality. These standards include the following mandatory set of measures, as

well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 50 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupants.

Local

Santa Clara General Plan

General Plan Policies applicable to utilities and service systems that are relevant to the project include the following:

Policies	Description
5.10.1-P6	Require adequate wastewater treatment and sewer conveyance capacity for all new development.
5.3.1-P9	Require that new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.
5.3.1-P27	Encourage screening of above-ground utility equipment to minimize visual impacts.
5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.
5.10.5-P21	Require that storm drain infrastructure is adequate to serve all new development and is in place prior to occupancy.

4.19.1.2 *Existing Conditions*

Water Supply

The City of Santa Clara has four sources of water. These sources include two treated water sources from Valley Water and the San Francisco Public Utilities Commission, groundwater pumped from the Santa Clara sub-basin through the City's owned and operated groundwater wells, and recycled water purchased from South Bay Water Recycling.[86] In 2020, the City's water demand was approximately 18,302 acre feet (approximately 16.3 million gallons per day) for potable water and 3,499 acre feet (3.1 million gallons per day) for recycled water.[87] Recycled water lines are located on Pepper Tree Lane approximately 3,500 feet northeast of the project site.

[86] South Bay Recycled Water provides advanced tertiary treated water from the RWF. The City's recycled water program delivers recycled water throughout the City for landscaping, parks, public services and businesses.
[87] City of Santa Clara. 2020 Urban Water Management Plan, City of Santa Clara Water Utility. Adopted June 22, 2021.

The water system consists of approximately 335 miles of water mains, 26 active water wells and seven storage tanks with 28.8 million gallons of water storage capacity.[88] The site currently uses approximately 4,629,562 gallons of water per year. [89]

Wastewater Services

Sanitary Sewer lines that serve the site are maintained by the City of Santa Clara Sewer Utility. Wastewater from the City of Santa Clara is treated at the Regional Wastewater Facility (the Facility), which is owned jointly by the Cities of San José and Santa Clara and is operated by the City of San José's Department of Environmental Services. The Facility is one of the largest advanced wastewater treatment facilities in California and serves over 1,400,000 people in San José, Santa Clara, Milpitas, Campbell, Cupertino, Los Gatos, Saratoga and Monte Sereno.[90] The Facility provides primary, secondary, and tertiary treatment of wastewater and has the capacity to treat 167 million gallons of wastewater a day.

Approximately 10 percent of the Facility's effluent is recycled for non-potable uses and the remainder flows into San Francisco Bay. The NPDES permit for the Facility includes wastewater discharge requirements. The existing 62,500 square feet of commercial buildings generate approximately 3,703,650 gallons of wastewater per year based on an 80 percent conversion rate from water consumption for commercial uses.

Stormwater Drainage

The City of Santa Clara owns and maintains the municipal storm drainage system which serves the project site. Existing storm drain lines are located within Lawrence Expressway and Homestead Road, adjacent to the project site. The project site is currently six percent pervious (228,000 square feet impervious).

Solid Waste

Solid waste collection in the City of Santa Clara is provided by Mission Trail Waste System and is disposed of at Newby Island Landfill through a contract with the City. As of May 2023, Newby Island Landfill has a disposal capacity of 12.4 cubic yards of remaining capacity.[91] Recycling services are provided through Stevens Creek Disposal and Recycling. The site currently contains approximately 62,500 square feet of commercial buildings which generate approximately 66 tons of solid waste per year. [92]

[88] City of Santa Clara. 2020 Urban Water Management Plan, City of Santa Clara Water Utility. Adopted June 22, 2021.
[89] CalEEMod. Appendix G, Default Data Tables. Table G-31. Version 2022.1.
74,073 gallons/1,000 square feet x 62,500 square feet = 4,629,562.5 gallons per year
[90] City of San Jose. San Jose-Santa Clara Regional Wastewater Facility. Accessed February 28, 2025. https://www.sanjoseca.gov/your-government/departments-offices/environmental-services/water-utilities/regional-wastewater-facility.
[91] Boccaleoni, Anthony. Division Manager, Republic Services. Personal communications. May 12, 2023.
[92] CalEEMod. Appendix G, Default Data Tables. Table G-36 Version 2022.1.

4.19.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	☒	☐
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

a) Would the project 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?

The proposed project would remove all commercial use from the project site to construct 147 residential units and 5,000 square feet of new retail. Based on the proposed uses the following utilities demand is expected.

Water

The proposed project would generate a demand for approximately 5,807,824 gallons of water per year based on average residential water consumption rates for multi-family residential (36,992 gal/year per unit) and strip mall retail (74 gallons per year per square foot) development in CalEEMod. This would be an approximately 1,178,262 gallon per year increase over existing uses

(3,228 gallons per day). The proposed project would be consistent with the General Plan land use designation for the site and based on the Santa Clara 2010-2035 General Plan Integrated Final EIR, through compliance with the goals and policies in the General Plan, development consistent with the General Plan would have a less than significant impact on water supply. The City has identified that a potential upsizing of the water main along Lochinvar Avenue and Homestead Road may be required for the proposed project. This improvement would only disturb existing developed roadway area and would not create expanded impacts. Therefore, the proposed project would not expand water consumption on-site requiring new or relocated infrastructure to supply water for the proposed development.

Wastewater

The proposed project would generate approximately 4,936,650 gallons of wastewater per year based on an 85 percent conversion rate of water consumption to wastewater for residential uses. This would be an increase of approximately 1,001,523 gallons per year (2,743 gallons per day) compared to the existing commercial uses. As stated above, the proposed project would be consistent with the General Plan land use defined for the project site. The General Plan determined that future development under the 2010-2035 General Plan would not result in significant impacts as a result of inadequate capacity in the City's wastewater conveyance or treatment. Therefore, the increase in wastewater production on-site would not result in a need for new or relocated facilities for wastewater treatment in the City of Sana Clara and would result in a less than significant impact.

Stormwater Drainage

The project site is currently developed with a parking area and commercial buildings. Runoff from the project site currently enters drainage grates on-site and flows into the existing storm drainage system untreated and unimpeded. The project would decrease the impervious area on the project site by approximately 14 percent compared to the existing condition. The project would install treatment areas for stormwater runoff from new impervious surfaces which decreases the rate and volume of stormwater runoff entering the City's storm drainage system. For these reasons, the project would not exceed the capacity of the existing storm drainage system serving the project site and would not require the construction or relocation of new or expanded storm drains. Therefore, the proposed project would have a less than significant impact.

Electric Power and Telecommunications Facilities

The project would utilize existing utility connections to connect to the City's electric and telecommunications systems. The project would require reconfiguration of existing and addition of new electric infrastructure along the frontages and within the property. Although the project would increase the demand on existing facilities in the City, relocation of existing or construction of new facilities would not be needed to serve the proposed project. As a result, the proposed development project would have a less than significant impact on these facilities. **(Less than Significant Impact)**

b) Would the project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

The proposed project would use approximately 15,911 gallons of water per day. This increase is within the assumed water demand accounted for in the Urban Water Management Plan, which is based on the expected General Plan land use for parcels in the City. Based on this finding, the project would not impact the ability for the City to provide water in future years, including normal, dry, and multiple dry years. Therefore, the proposed project would have a less than significant impact on the City's water supplies. **(Less than Significant Impact)**

c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As stated above, the proposed project would generate an estimated 13,525 gallons of wastewater per day. This is less than one-half of one percent of the City's total allocation of treatment capacity of 25 million gallons. This increase in wastewater would not impact the ability for the RWF to serve the City of Santa Clara and would fall within the City's capacity for water treatment at the facility. Therefore, the project would have a less than significant impact on the ability of the wastewater provider's to meet existing commitments and projected future demand. **(Less than Significant Impact)**

d) Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Construction

During construction, the project would be required to comply with the City of Santa Clara construction debris diversion ordinance which requires projects over 5,000 square feet to divert 65 percent of construction and demolition debris from landfills. Implementation of this policy would reduce the waste disposal required during the project construction and limit waste accumulation at local landfills.

Operational Impacts

The project is estimated to generate approximately 113.64 pounds of solid waste per day, which is less than under the existing uses.[93] Santa Clara County's Integrated Waste Management Plan (IWMP) requires each jurisdiction in the County to achieve a landfill diversion rate of 50 percent per year. The Newby Island Landfill has remaining capacity of approximately 12.4 million cubic yards, as

[93] Illingworth and Rodkin. CalEEMod Output. May 2025.

of May 2023, with a reasonable compaction rate of 1,850 pounds per cubic yard.[94] Closure of the Landfill is expected to occur in 2035.[95] Therefore, implementation of the proposed development project would not result in a significant increase in solid waste and recyclable materials generated within the City of Santa Clara. Further, the proposed project would not require that new landfill facilities be contracted with or constructed to serve the proposed development project and would have a less than significant impact. **(Less than Significant Impact)**

e) Would the project be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?

Consistent with CALGreen requirements, the proposed project would be required to provide on-site recycling facilities, develop a construction waste management plan, salvage at least 65 percent of nonhazardous construction/demolition debris (by weight), and implement other waste reduction measures. Additionally, the estimated increases in solid waste generation from future development would be avoided through implementation of the Santa Clara County Integrated Waste Management Plan. The Integrated Waste Management Plan, in combination with existing regulations and programs, would ensure that the proposed development project would not result in significant impacts on solid waste disposal capacity in excess of State or local standards or in excess of Newby Island Sanitary Landfill (NISL) capacity. **(Less than Significant Impact)**

[94] Boccaleoni, Anthony. Division Manager, Republic Services. Personal communications. May 12, 2023.
[95] Boccaleoni, Anthony. Division Manager, Republic Services. Personal communications. May 12, 2023.
After 2041 a new waste disposal location would be required to be conditioned for the City of Santa Clara. This would, however, be after the 2035 General Plan would be drafted and impacts associated with the new landfill needs would be addressed as part of the General Plan update.

4.20 Wildfire

4.20.1 Environmental Setting

4.20.1.1 *Regulatory Framework*

State

Fire Hazard Severity Zones

CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZs), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. FHSZs are divided into areas where the State has financial responsibility for wildland fire protection, known as State responsibility areas (SRAs), and areas where local governments have financial responsibility for wildland fire protection, known as local responsibility areas (LRAs). Homeowners living in an SRA are responsible for ensuring that their property is in compliance with California's building and fire codes. Only lands zoned for very high fire hazard are identified within LRAs.

California Fire Code Chapter 47

Chapter 47 of the California Fire Code sets requirements for wildland-urban interface fire areas that increase the ability of buildings to resist the intrusion of flame or burning embers being projected by a vegetation fire, in addition to systematically reducing conflagration losses through the use of performance and prescriptive requirements.

California Public Resources Code Section 4442 through 4431

The California Public Resources Code includes fire safety regulations that restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on construction equipment that uses an internal combustion engine; specify requirements for the safe use of gasoline-powered tools on forest-covered land, brush-covered land, or grass-covered land; and specify fire suppression equipment that must be provided on-site for various types of work in fire-prone areas. These regulations include the following:

- Earthmoving and portable equipment with internal combustion engines would be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442);
- Appropriate fire suppression equipment would be maintained during the highest fire danger period, from April 1 to December 1 (Public Resources Code Section4428);
- On days when a burning permit is required, flammable materials would be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor would maintain appropriate fire suppression equipment (Public Resources Code Section 4427); and

- On days when a burning permit is required, portable tools powered by gasoline-fueled internal combustion engines would not be used within 25 feet of any flammable materials (Public Resources Code Section 4431).

California Code of Regulations Title 14

The California Board of Forestry and Fire Protection has adopted regulations, known as SRA Fire Safe Regulations, which apply basic wildland fire protection standards for building, construction, and development occurring in a SRA. The future design and construction of structures, subdivisions and developments in SRAs are required to provide for the basic emergency access and perimeter wildfire protection measures discussed in Title 14.

Fire Management Plans

CAL FIRE has developed an individual Unit Fire Management Plan for each of its 21 units and six contract counties. CAL FIRE has developed a strategic fire management plan for the Santa Clara County Unit, which covers the project area and addresses citizen and firefighter safety, watersheds and water, timber, wildlife and habitat (including rare and endangered species), unique areas (scenic, cultural, and historic), recreation, range, structures, and air quality. The plan includes stakeholder contributions and priorities and identifies strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire issues.

4.20.1.2 *Existing Conditions*

The project site is located in an urbanized area of the City of Santa Clara. This area is not located within a Fire Hazard Severity Zone as designated by Cal Fire's Fire and Resource Assessment Program.[96]

4.20.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒

[96] California Department of Forestry and Fire Protection. Fire and Resource Assessment Program. Very High Fire Hazard Severity Zones in LRA: As Recommended by Calfire. October 8, 2008.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

The project site is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in wildfire impacts. **(No Impact)**

4.21 Mandatory Findings of Significance

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

The proposed project would not result in impacts to wildlife resulting from reduction of habitat, impacts to sensitive populations, impacts to plant and animal communities, and reduction in rare or endangered species. Mitigation is included to reduce impacts to raptors and other nesting birds from construction activities. Additionally, the proposed project would implement mitigation measures to reduce impacts from on-site tree removal and would require monitoring on-site for archaeological and historical resources during construction. Further, the proposed project would incorporate mitigation measures CUL 2.1-1, CUL 2.1-2, and CUL 3.1-1 to prevent the disturbance or destruction of archaeological or Native American resources if they are determined to be on-site and would follow procedures for cataloging and preserving the resources. Therefore, the proposed project would result in a less than significant impact on these resources. **(Less than Significant Impact with Mitigation Incorporated)**

b) Does the project have impacts that are individually limited, but cumulatively considerable?

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

The proposed project would result in temporary air quality, biological, cultural, hazardous and hazardous materials, hydrology and water quality, and noise impacts during construction. With implementation of the identified Conditions of Approval, BMPs, mitigation measures, and consistency with adopted City policies, construction impacts would be mitigated to a less than significant level. Because the nature of the identified impacts is temporary and would be mitigated, the proposed project would not have a cumulatively considerable impact on construction air quality, biological, cultural, hazardous and hazardous materials, and noise impacts.

Cumulative Toxic Air Contaminants

The proposed project would create air quality emissions that, in addition to other sources of pollution, could have a cumulative effect on sensitive receptors. The impacts of these sources are summarized below in Table 4.21-1.

Table 4.21-1 Cumulative Health Risk Impacts at the Project MEIs

Source	Cancer Risk (per million)	Annual $PM_{2.5}$ ($\mu g/m^3$)	Hazard Index
Project Construction Sources	5.69 (infant)	0.21	<0.01
Cumulative Roadways	<11.73	<0.33	<0.04
Homestead Car Wash (Facility ID #112445-1, Gas Dispensing Facility), MEIs at 640 feet	0.27	-	0.10
Beacon 552 (Facility ID #110624-1, Gas Dispensing Facility), MEIs at 665 feet	0.52	-	0.09
H&S Energy Products LLC #3054 - Texaco (Facility ID #111703-1, Gas Dispensing Facility) MEIs at 400 feet	3.99	-	0.25
Combined Sources	<22.2	<0.54	<0.49
Air District Cumulative Source Threshold	>100	>0.8	>10.0
Exceed Thresholds?	No	No	No
Source: Illingworth & Rodkin, Inc. Homestead Townhomes Air Quality Assessment. May 9, 2025			

Based on the information in Table 4.21-1, the proposed project would not exceed the Air District Cumulative Source Threshold for any health risk indicator

Operational project noise was analyzed accounting for surrounding uses in section 4.13 Noise and Vibration. Based on this analysis, the project noise was not determined to be cumulatively considerable because it included future expected proposed operational noise. **(Less than Significant Impact)**

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, hazardous materials, and noise. Implementation of applicable regulations and policies, Conditions of Approval, and mitigation measures would reduce the impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. **(Less than Significant Impact)**

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Section 6.0 Lead Agency and Consultants

6.1 Lead Agency

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6.2 Consultants

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Roux Associates, Inc.
Hazardous Materials Analysis

HortScience/ Bartlett Consulting
Arborist Report

Section 7.0 Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	asbestos-containing material
ALUC	Airport Land Use Commission
APN	Assessor's Parcel Number
ATCM	air toxic control measure
Air District	Bay Area Air Quality Management District
Bay Area	San Francisco Bay Area
bgs	below ground surface
Btu	British thermal unit
CAAQS	California Ambient Air Quality Standard
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CalARP	California Accidental Release Prevention
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Standards Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH_4	methane
CLUP	Comprehensive Land Use Plan
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO_2	carbon dioxide

CO_2e	carbon dioxide equivalents
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
dBA	A-weighted decibel
DNL	Day/Night Average Sound Level
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FHSZ	Fire Hazard Severity Zone
FMMP	Farmland Mapping and Monitoring Program
GHG	greenhouse gas
GHGRS	Greenhouse Gas Reduction Strategy
GWh	gigawatt hour
GWP	Global Warming Potential
Habitat Plan	Santa Clara Valley Habitat Plan
HSWA	Hazardous and Solid Waste Amendments
ibid	Same source as previous footnote
L_{eq}	Energy-Equivalent Sound/Noise Descriptor
L_{max}	Maximum A-weighted noise level during a measurement period
LBP	lead-based paint
LOS	Level of Service
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
$MMTCO_2e$	million metric tons of carbon dioxide equivalent
MND	Mitigated Negative Declaration
mpg	miles per gallon
MSL	mean sea level

MTC	Metropolitan Transportation Commission
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standard
NAHC	Native American Heritage Commission
NCP	National Contingency Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_2	nitrogen dioxide
NOA	naturally occurring asbestos
NOD	Notice of Determination
NO_x	nitrogen oxides
NRHP	National Register of Historic Places
O_3	ozone
PCB	polychlorinated biphenyls
PFC	perfluorocarbon
PDA	Priority Development Areas
PG&E	Pacific Gas and Electric Company
PM	particulate matter
PM_{10}	particulate matter with a diameter of 10 microns or less
$PM_{2.5}$	particulate matter with a diameter of 2.5 microns or less
PPV	Peak Particle Velocity
R&D	Research and Development
RAP	Removal Action Plan
RCRA	Resource Conservation and Recovery Act
ROG	reactive organic gases
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	State Bill
SCS	Sustainable Communities Strategy
SF_6	sulfur hexafluoride
SHMA	Seismic Hazards Mapping Act
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board

SMP	Site Management Plan
SO_x	sulfur oxides
SR	State Route
SRA	State Responsibility Area
SWRCB	State Water Resources Control Board
TACs	Toxic Air Contaminants
Title 24	Title 24, Part 6 of the California Code of Regulations
TSCA	Toxic Substances Control Act
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
VMT	vehicle miles traveled
Williamson Act	California Land Conservation Act
WUI	wildland-urban interface
ZNE	zero net carbon emission