

Project Description: County of Santa Clara Housing Element Update and Stanford University Community Plan

Introduction

State law requires the County to have and maintain a General Plan with specific contents to provide a vision for the County’s future and inform local decisions on land use and development, including issues such as circulation, conservation, and safety.

The County’s General Plan was adopted in 1994 and is comprised of Book A, Book B, three maps addressing land use, regional parks and scenic highways, and countywide trails, and, published separately, the Health Element and the Stanford University Community Plan (SCP).

Book A includes countywide policies regarding Growth and Development, Economic Well-Being, Housing, Transportation, Parks and Recreation, Resource Conservation, Safety and Noise, and Governance. Book B addresses similar issues for the Rural Unincorporated Area, in addition to Land Use Policies, Urban Unincorporated Area Issues & Policies, and the South County Joint Area Plan.

To comply with State law, the County is proposing to update its Housing Element for the 2023-2031 planning period via a Housing Element Update (HEU), which will be one subject of this Environmental Impact Report (EIR). The primary purpose of the HEU is to comply with the requirements of State law by analyzing existing and projected housing needs, and updating goals, policies, objectives, and implementation programs for the preservation, improvement, and development of housing. Through the HEU, the County proposes to update other components of the General Plan, as needed, to maintain internal consistency, and proposes to amend the County’s Zoning Ordinance to reflect the updated Housing Element, including rezoning housing opportunity sites and the zoning districts identified in the Housing Element for those sites.

Three of the unincorporated sites identified in the HEU as appropriate and likely locations for residential development within the 2023-2031 planning period are within the SCP area. An update to the SCP is therefore also proposed as part of this Project and the other subject of this EIR.

The HEU and SCP update comprise the “Project” for purposes of CEQA as defined in CEQA Guidelines Section 15378. Each component of the HEU is described in this chapter, which also provides background information, lists project objectives, and describes intended uses of the EIR, including approval actions required.

Project Background

Purpose of the Housing Element Update

State law requires the County to have and maintain a General Plan with specific contents to provide a vision for the County’s growth and to inform local decisions on land use and development, including issues such as circulation, conservation, and safety.

State law (Government Code Section 65588) requires the County to update the Housing Element every eight years, while making any changes to other components of the General Plan needed to maintain internal consistency and comply with State law, as well as undertaking related changes to the County’s Zoning Ordinance. The Housing Element was last updated in 2015 and covers the “fifth cycle” planning period from 2014 through 2022. In accordance with State law, the planning period for the “sixth cycle” updated Housing Element will be from 2023 through 2031.

The housing chapter or “element” of the General Plan must be updated and monitored more frequently than other elements. The County’s current Housing Element was adopted in June 2014 and covers the planning period from 2015 through 2022.

Concurrent with the Housing Element update, the County will consider adoption of any amendments to other components of the General Plan required to maintain internal consistency, including an update to the SCP, which was adopted in 2000.

Regional Housing Needs Allocation

In addition to including goals, policies, and implementation programs regarding housing issues, housing elements must include an inventory or list of housing sites at sufficient densities to accommodate a specific number of units at various levels of affordability assigned to the County by the Association of Bay Area Governments (ABAG). This assignment is referred to as a Regional Housing Needs Allocation (RHNA).

On December 18, 2020, ABAG released its *Draft Regional Housing Needs Assessment Methodology and Subregional Shares* document which articulated ABAG’s recommended methodology for the distribution of the regional housing need of 441,176 housing units issued by the State Department of Housing and Community Development (HCD). Based on the draft methodology, the County was assigned 3,125 units to be planned within unincorporated Santa Clara County for the term of the planning period from 2023 through 2031 (“6th Cycle”). This assignment represents an increase of 1,028 percent from the last RHNA cycle.

Subsequent to issuance of the Draft RHNA, HCD approved the recommended methodology and ABAG considered appeals from 27 local jurisdictions, including the County of Santa Clara. Following public comments and appeal hearings, ABAG rejected all of the appeals except for one, which transferred units from Contra Costa County to the City of Pittsburg. The County of Santa Clara’s appeal was rejected.

Subsequently, ABAG adopted the Final RHNA on December 16, 2021. **Table 3-1** shows the breakdown of required units in the County of Santa Clara across the four income categories. The County’s RHNA allocation must be addressed in the HEU.

To accommodate the new units, the County will also have to rezone sites in urban unincorporated areas and amend other components of the General Plan as needed to ensure that the General Plan remains consistent with the HEU.

**TABLE 3-1
COUNTY OF SANTA CLARA 2023-2031 RHNA ALLOCATIONS BY INCOME CATEGORIES^a**

Income Group				Total
Very Low Income (VLI)	Low Income (LI)	Moderate Income (MOD)	>Moderate Income (>MOD)	
828	477	508	1,312	3,125

NOTES:

^a Household income categories are based on those established by the U.S. Department of Housing and Urban Development for use in its Section 8 Housing Choice Voucher Program. The 2022 Area Median Income (AMI) for Santa Clara County is \$168,500 for a family of four. Very Low Income households have an income less than 50% of AMI (<\$84,250) and a portion of Very Low income households qualify as Extremely Low Income, with income less than 30% of AMI (<\$50,550). Low Income households have an income less than 80% of AMI (<\$131,750). Moderate Income households have an income less than 120% of AMI (<\$202,200). Above Moderate Income households have an income over 120% of AMI (>\$202,200).

SOURCES:

Association of Bay Area Governments, *Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031*, Adopted December 16, 2021.

Department of Housing and Community Development. 2022. *State Income Limits for 2022*. May 13, 2022.

In addition to the RHNA assignment noted above, to the HEU must also include a housing unit “buffer” will also be required to ensure that if one or more of the identified housing sites are developed at lower densities than projected, or with non-housing uses, or not developed at all, there will be remaining capacity elsewhere in the County to provide an ongoing supply of sites for housing during the eight-year planning period/cycle of the Housing Element. If there were no buffer and an identified housing site developed with a non-housing project or developed at a density less than that anticipated in the Housing Element, then the County could be obliged to identify new housing opportunity sites and amend the Housing Element prior to the end of the planning period/cycle.

The need for the HEU to include a substantial buffer is increasingly important because of new rules in the Housing Accountability Act’s “no net loss” provisions. California State Senate Bill 166 (2017) adopted Government Code section 65589.5, which requires that the land inventory and site identification programs in the Housing Element always include sufficient sites to accommodate unmet RHNA. This means that if a housing site is identified in the Housing Element as having the potential for housing development that could accommodate lower-income units but is actually developed with units at a higher income level, or with fewer units than expected, or with non-residential uses, then the locality must either: 1) identify and rezone, if necessary, an adequate substitute site; or 2) demonstrate that the land inventory already contains an adequate substitute site. An adequate buffer will be critical to ensure that the County remains compliant with these provisions without having to identify and rezone sites prior to the end of the planning period on January 31, 2031.

While State law requires the County to include an inventory of housing sites and requires the County to zone those sites for multifamily housing, the County is not required to develop housing on these sites. Future development on the identified sites will be up to the property owners and will be largely dependent on market forces and (in the case of affordable housing) available subsidies and other incentives. Nonetheless, this EIR considers potential impacts of development that may result from adoption of the HEU, including rezoning of potential housing sites to allow housing and/or mixed-use developments, and related actions to encourage housing production including, but not limited to, changes in allowable densities, changes in development standards, and adoption of incentives such as a density bonus for the creation of affordable housing.

Purpose of the Stanford University Community Plan Update

Stanford lands within unincorporated Santa Clara County, also considered the SCP area, are subject to policies in the SCP, as adopted by the Board of Supervisors (Board) in 2000, and most recently amended in 2015. Development within the SCP area is currently regulated under the SCP, the 2000 General Use Permit (GUP) conditions of approval, and the 1985 Land Use Policy Agreement (Agreement) between the County of Santa Clara, the City of Palo Alto, and Stanford University.

At the direction of the Board (February 11, 2020, Item No. 19), and as the first phase of planned work to update the County General Plan, the Administration is proposing updates to the SCP (SCP update).

Prior updates to the SCP were proposed by the Administration and considered by the Board in tandem with the proposed adoption of a new GUP applied for by Stanford in Fall 2016. However, the 2016 GUP application was withdrawn by Stanford University on November 1, 2019, and those SCP updates were not adopted by the Board. On February 11, 2020, the Board approved recommending the Administration move forward with specified items related to implementation and updates to the SCP.

Three of the unincorporated sites identified in the HEU as appropriate and likely locations for residential development within the 2023-2031 planning period are within the SCP area. An update to the SCP is therefore also proposed as part of this Project and the other subject of this EIR.

This integrated approach will result in Stanford University providing the housing needed to accommodate future growth of academic and academic-support uses directly on campus or other contiguous Stanford land-grant lands. This approach also expands the previous housed population from “students and faculty” to “undergraduate students, graduate students, faculty, staff, postgraduate fellows, and other workers.” The call to provide all needed housing to accommodate future development on campus and enhance the coordination between housing policies and transportation policies will facilitate a reduction in vehicle miles traveled (VMT), as well as other negative impacts associated with commuting and local trips.

Project Location

Santa Clara County is in the San Francisco Bay Area and encompasses 1,300 square miles. The County is located at the southern end of San Francisco Bay and is the Bay Area's most populous county, with 15 cities and nearly two million people. The present urban and rural landscape of Santa Clara County is diverse, comprising a complex social and economic setting that overlays a rich historic, multi-cultural, and natural environment. Named after Mission Santa Clara, the County was established in 1777 and is one of the original counties of California. In the early 20th century, the area was promoted as the "Valley of the Heart's Delight" due to its natural beauty, including a significant number of orchards. In 1939, the first major technology company to be based in the area was founded. Today, the County is headquarters to approximately 6,000 technology companies, some of which are the largest technology companies in the world.

While most of the urbanized areas in the County are under the jurisdiction of individual cities, the County maintains jurisdiction over 7,348 acres that are designated as Urban Service Areas (USAs) and are planned for eventual annexation to a city's jurisdiction. Lands owned by Stanford University and subject to the County's SCP comprise slightly over 4,000 acres, and the remaining 596,070 acres in the unincorporated County area comprise rural parts of the County. The County's regional location and boundaries are shown in **Figure 3-1**.

Project Description

The proposed Project would make updates to the County's General Plan to comply with State law, reflect current conditions, and prepare for future anticipated growth of the County, including updates to the General Plan's Housing Element, and the SCP.

Housing Element Update

The proposed HEU would adopt an updated Housing Element for the sixth cycle planning period of 2023 through 2031, in accordance with State law. The updated Housing Element would include goals, objectives, policies, and implementation programs that address the maintenance, preservation, improvement, and development of housing in unincorporated Santa Clara County. In addition, the HEU would identify sites appropriate for the development of multifamily housing, and the County would rezone those sites as necessary to meet the requirements of State law. The County proposes to create an overlay zone based on the identification of High Opportunity Areas for affordable housing and access to amenities and services.

The HEU would further the County's fundamental policies regarding growth management and the accommodation of urban development within cities' USAs (i.e., areas planned for urbanization). Outside of cities' USAs, only non-urban uses and development densities are allowed, with the goal of preserving natural resources and agricultural lands and minimizing population exposure to significant natural hazards such as landslides, earthquake faults, and wildfire. The Countywide growth management policies have historically been referred to as the "joint urban development policies," held in common by the cities, County, and the County Local Agency Formation Commission (LAFCO), which controls city formation and expansion.

Keeping in mind the development principles and statutory requirements above, the proposed HEU will identify specific sites appropriate for the development of additional housing and sufficient to meet the County's RHNA and provide an ample buffer. As appropriate, the County would rezone those areas as necessary to meet the requirements of State law and make changes to the County's zoning map and Zoning Ordinance as necessary to maintain consistency with the General Plan.

Because the County's 6th Cycle RHNA assignment increased dramatically from past cycles, the County has been compelled to consider a wider range of sites than it has in the past. The County's sites identified for the 6th Cycle are located either: (1) within urban unincorporated "islands" that are surrounded entirely by the City of San José, or (2) on the Stanford University campus. This strategy is consistent with the County's General Plan and the County's longstanding commitment to concentrate development in urban areas, where development can benefit from urban services and infrastructure.

The San José sites have long been intended for annexation to San José, and historically, the County's General Plan has conferred the planning for these areas to the City of San José and its General Plan. The County has identified several sites that are in the City's USA that have remained unincorporated and undeveloped, including some sites listed by the City in its 4th RHNA cycle. In observance of the County's disproportionately high RHNA assignment, the City has not selected any of the unincorporated sites for its 6th Cycle site inventory. The County is therefore including such sites in its HEU site inventory, along with proposing the requisite changes to the County General Plan. The County is also re-listing sites on the Stanford Campus that were listed by the County in its 4th RHNA cycle but that have not yet been developed. **Table 3-2** lists all the potential sites identified by the County and their proposed development densities, and **Figure 3-2** shows their locations.

**Table 3-2
Housing Opportunity Sites Inventory**

APN	Size (acres)	Urban/Rural	Potential Density (du/ac)		Potential Units		Existing Zoning	Existing General Plan	Site/Area Name
			Low	High	Low	High			
245-01-003	13	Urban (San José)	80	100	1,040.0	1,300.0	A - Agricultural	Neighborhood/Community Commercial (San José)	Hostetter Station
245-01-004	2.3	Urban (San José)	80	100	186.0	232.0	A - Agricultural	Neighborhood/Community Commercial (San José) Unplanned Urban Village	Hostetter Station
277-06-025	0.4	Urban (San José)	60	100	22.0	36.0	R1-n2 – Residential (Burbank)	Mixed Use Commercial/West San Carlos Urban Village	Parkmoor/Burbank Neighborhood
277-07-027	0.1	Urban (San José)	40	80	4.0	7.0	CG - General Commercial	Urban Village/West San Carlos Urban Village	Parkmoor/Burbank Neighborhood
277-07-028	0.1	Urban (San José)	40	80	4.0	7.0	CG - General Commercial	Urban Village/West San Carlos Urban Village	Parkmoor/Burbank Neighborhood
277-07-029	0.2	Urban (San José)	40	80	7.0	14.0	CG - General Commercial	Urban Village/West San Carlos Urban Village	Parkmoor/Burbank Neighborhood
277-08-029	0.1	Urban (San José)	40	80	4.0	7.0	CG - General Commercial	Urban Village/West San Carlos Urban Village	Parkmoor/Burbank Neighborhood
277-08-030	0.1	Urban (San José)	40	80	4.0	7.0	CG - General Commercial	Urban Village/West San Carlos Urban Village	Parkmoor/Burbank Neighborhood
277-08-031	0.2	Urban (San José)	40	80	7.0	14.0	CG - General Commercial	Urban Village/West San Carlos Urban Village	Parkmoor/Burbank Neighborhood
277-12-027	0.3	Urban (San José)	40	80	12.0	25.0	CG - General Commercial	Urban Village/West San Carlos Urban Village	Parkmoor/Burbank Neighborhood
277-12-029	0.3	Urban (San José)	40	80	12.0	25.0	CG - General Commercial	Urban Village/West San Carlos Urban Village	Parkmoor/Burbank Neighborhood
282-02-037	1.5	Urban (San José)	60	100	90.0	150.0	CN - Neighborhood Commercial	Neighborhood/Community Commercial (San José)	Fruitdale/Santa Clara Valley Medical Center
282-03-016	3.5	Urban (San José)	60	100	210.0	350.0	R1-8 - SF Housing	Public Quasi-Public (San José)	Fruitdale/Santa Clara Valley Medical Center
419-12-044	0.8	Urban (San José)	10	20	8.0	16.0	CN - Neighborhood Commercial	Neighborhood/Community Commercial (San José) Unplanned Urban Village	Cambrian Park
599-01-064	0.7	Urban (San José)	20	30	15.0	22.0	CN - Neighborhood Commercial	Neighborhood/Community Commercial (San José) Unplanned Urban Village	Alum Rock/East Foothills
599-39-047	0.6	Urban (San José)	40	80	22.0	45.0	CN - Neighborhood Commercial	Neighborhood/Community Commercial (San José) Unplanned Urban Village	Alum Rock/East Foothills

601-07-066	1.5	Urban (San José)	5	8	7.0	12.0	R1 - SF Housing	Residential Neighborhood (San José)	Alum Rock/East Foothills
601-25-119	1.9	Urban (San José)	5	8	10.0	15.0	R1 - SF Housing	Public Quasi-Public (San José)	Alum Rock/East Foothills
612-21-004	0.8	Urban (San José)	5	8	4.0	7.0	R1-6 - SF Housing	Residential Neighborhood (San José)	Alum Rock/East Foothills
649-24-013	43.5	Urban (San José)	25	35	1,088.0	1,523.0	A – Agricultural	Private Recreation and Open Space	Pleasant Hills
649-23-001	70.5	Urban (San José)	25	35	1,762.0	2,467.0	A – Agricultural	Private Recreation and Open Space	Pleasant Hills
142-04-036	40	Urban (Stanford)	17.5	22.5	700.0	900.0	A1 - General Use Special Purpose Base District	Major Educational & Institutional Uses (County)	Escondido Village
142-04-036a	8	Urban (Stanford)	70	90	560.0	720.0	A1 - General Use Special Purpose Base District	Major Educational & Institutional Uses (County)	Quarry Site A
142-04-036b	6	Urban (Stanford)	70	90	420.0	540.0	A1 - General Use Special Purpose Base District	Major Educational & Institutional Uses (County)	Quarry Site B
TOTAL UNITS					6,198.0	8,441.0			
RHNA Allocation					3,125				
San José Sites					4,518	6,281			
Stanford University Sites					1,680	2,160			

Stanford University Community Plan Update

The SCP update recommends a coordinated approach to housing and circulation policy and implementation measures. This approach will result in Stanford University providing the housing needed to accommodate future growth of academic and academic support uses directly on campus or other contiguous Stanford land-grant lands. This approach also expands the previous housed population from “students and faculty” to “undergraduate students, graduate students, faculty, staff, postgraduate fellows, and other workers.” The call to provide all needed housing to accommodate future development on campus and enhance the coordination between housing policies and transportation policies will facilitate a reduction in VMT, as well as other negative impacts associated with commuting and local trips.

The following list includes additional updates to the SCP under consideration:

- Limitation of future GUP approvals to a maximum of 10 years;
- Relocation of the “possible future elementary school site” designation;
- Requiring any increase in total academic space over the allowance in the existing SCP to require a Community Plan amendment and GUP application;
- Extension of the Academic Growth Boundary for 99 years, subject to a four-fifths Board vote required to modify;
- Establishment of new campus design guidelines;
- Incorporation of policies from the County's 2014 Health Element update; and
- Other changes suggested by staff, including policies based on graduate student housing affordability, municipal services, and childcare.

Other Amendments to the General Plan

In addition to the amendments that are being made to the General Plan’s Housing Element and SCP, amendments to other components of the General Plan are required to fully conform with changes made in the Housing Element and SCP.

The County would amend its General Plan Land Use map as needed to reflect the housing opportunity sites inventory and would make any corresponding changes to other components of the General Plan needed to ensure internal consistency.

Project Objectives

CEQA Guidelines Section 15124(b) requires the description of the project in an EIR to state the objectives sought by the project.

“A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing

findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.”

In keeping with this requirement, the County’s project objectives are as follows:

- Update the General Plan’s Housing Element to comply with State-mandated housing requirements and to address the maintenance, preservation, improvement, and development of housing in the County between 2023 and 2031.
- Include an inventory of housing sites and rezone the sites as necessary to meet the required RHNA assignment and to provide an appropriate housing capacity buffer.
- Integrate affirmatively furthering fair housing (AFFH) principles into the process of site selection, outreach, and policy/program development;
- Incentivize the development of housing, particularly affordable housing, suited to special needs and at all income levels;
- Make necessary General Plan amendments and zoning changes in a manner that affirmatively furthers fair housing while preserving the character of Santa Clara County and perpetuating the safety and welfare of both existing and future residents.
- Update the SCP to align with the HEU and other County goals and policies that have emerged in the 23 years since the SCP was adopted.

References

Association of Bay Area Governments (ABAG). 2021. Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031. Adopted December 16, 2021. Available at: https://abag.ca.gov/sites/default/files/documents/2021-12/Final_RHNA_Allocation_Report_2023-2031-approved_0.pdf. Accessed August 16, 2022.

County of Santa Clara. 1994. *County of Santa Clara General Plan*. Available online: <https://plandev.sccgov.org/ordinances-codes/general-plan>. Accessed August 16, 2022.

County of Santa Clara. 2000. *Stanford University Community Plan*. Available online: https://stgenpln.blob.core.windows.net/document/SU_CP.pdf. Accessed August 16, 2022.

County of Santa Clara. 2017. *Santa Clara County Operational Area Hazard Mitigation Plan*. October 15, 2017. Available at: <https://emergencymanagement.sccgov.org/sites/g/files/exjcpb261/files/For%20Partners/Local-Hazard-Mitigation-Plan-LHMP-Vol-1.pdf>. Accessed August 16, 2022.