RESOLUTION	ON NC.		

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE CALLING AND GIVING NOTICE OF THE SUBMISSION TO THE ELECTORS OF THE CITY OF SAN JOSE AT A SPECIAL MUNICIPAL ELECTION, TO BE CONSOLIDATED WITH THE NEXT GENERAL ELECTION ON JUNE 5, 2018, AN INITIATIVE TO AMEND THE ENVISION SAN JOSE 2040 GENERAL PLAN, TO AMEND THE EVERGREEN-EAST HILLS DEVELOPMENT POLICY, TO ADOPT THE "EVERGREEN SENIOR HOMES SENIOR HOMES SPECIFIC PLAN," AMEND TITLE 5, TITLE 8, AND TITLE 20 OF THE SAN JOSE MUNICIPAL CODE, AND AMEND THE CITY'S ZONING DISTRICT MAP TO REZONE AN APPROXIMATELY 200-ACRE SITE IN THE EVERGREEN AREA FROM AGRICULTURE - PLANNED DEVELOPMENT (A(PD)) TO SPECIFIC PLAN (SP).

WHEREAS, on November 27, 2017, the proponents of an Initiative, attached hereto as Exhibit A, submitted petition signatures to the Office of the City Clerk; and

WHEREAS, on November 28, 2017, the City Clerk transferred these petition signatures to the County of Santa Clara Registrar of Voters for signature verification in accordance with Elections Code Section 9115; and

WHEREAS, on January 10, 2018, the Registrar of Voters certified that the Initiative petition qualified with a sufficient number of signatures totaling 22,364, which is 5.02% of the Registered Voters in the City of San José in the last report filed by the Registrar of Voters with the Secretary of State in effect at the time the notice of intent to circulate the petition was published; and

WHEREAS, on January 23, 2018, the City Council accepted the Certificate of Sufficiency issued by the County of Santa Clara Registrar of Voters and ordered a

T-34627/1489114_2 Council Agenda: 03-06-18 Item No.: 3.3b report on the effects of the proposed ordinance consistent with Elections Code Section 9212; and

WHEREAS, on February 13, 2018, the report ordered under Elections Code Section 9212 was presented to the City Council; and

WHEREAS, San José City Charter Sections 1600 and 1601 authorize the City Council to set the date for a Special Municipal Election; and

WHEREAS, pursuant to California Elections Code Section 9215 and the San José City Charter Section 1603(a)(2), the City Council is required to submit to the electors of the City of San José the Initiative at the next General Election, which is a regularly scheduled Primary Municipal Election on Tuesday, June 5, 2018; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANJOSE THAT:

SECTION 1. A Special Municipal Election is hereby called and ordered to be held in the City of San José on June 5, 2018 to vote on the Initiative, which shall become operative if a majority of the electors voting on the measure vote to approve the Initiative. The full text of the proposed initiative measure is attached to this Resolution as Exhibit A.

SECTION 2. The Initiative will be placed on the ballot for the June 5, 2018 election in the following form:

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MEASURE ____

Shall an initiative measure be adopted to changechanging the San José General Plan and Municipal Code and adding a Specific Plan to allow development of up to 910 residential units for individuals 55 and over and other qualifying individuals, with 20% moderate to early low income affordable housing, on an approximately 200-acre Industrial Site in the Evergreen Area; and allow conversion of land currently designated in the General Plan for employment use to senior housing citywide?

SECTION 3. The City Council hereby requests the Board of Supervisors of the County of Santa Clara, California to permit the Registrar of Voters of Santa Clara County to render to the City of San José such services as the City Clerk of the City of San José may request relating to the conduct of the above-described Special Municipal Election with respect to the following matters:

Coordination of election precincts, polling places, voting booths, voting systems and election officers; Printing and mailing of voter pamphlets; Preparation of tabulation of result of votes cast.

SECTION 4. The City Council hereby requests that the Registrar of Voters of the County of Santa Clara consolidate the Special Municipal Election called and ordered to be held on June 5, 2018 with any other election that may be held on that date.

SECTION 5. The City Council hereby authorizes the Board of Supervisors of Santa Clara County, California to canvass the returns of the Special Municipal Election.

SECTION 6. The City Council hereby directs the City Clerk to reimburse the County of Santa Clara in full for any of the above-mentioned services which may be performed by the Registrar of Voters, upon presentation of a bill to the City, with funds already appropriated to the City Clerk for election purposes.

SECTION 7. The City Council hereby directs the City Clerk to take all actions necessary to facilitate the Special Municipal Election in the time frame specified herein and comply with provisions of the Elections Code of the State of California, City Charter, Ordinances, Resolutions and Policies regarding the conduct of the Special Municipal Election.

ALTERNATE 1 (FULL TEXT PUBLICATION)

SECTION 8. Pursuant to Section 12111 of the California Elections Code, the City Council hereby directs the City Clerk to: (a) cause a synopsis of the proposed initiative to be published at least one time not later than one week before the election in the San José Mercury News, a newspaper of general circulation within the City of San José; (b) consolidate the Notice of Initiative to be Voted with the Notice of Election into a single notice; (c) cause copies of the full text of the proposed initiative to be printed in the Voter Information Portion of the Sample Ballot; (d) cause copies of the Sample Ballot to be mailed to each of the qualified electors of the City of San José; and (e) do all other things required by law to submit the specified initiative above to the electors of the City of San José at the Special Municipal Election, including causing the full text of the proposed initiative to be made available in the Office of the City Clerk at no cost and posted on the City Clerk's website.

ALTERNATE 2 (FULL TEXT NOT PUBLISHED)

SECTION 8. Pursuant to Section 12111 of the California Elections Code, the City Council hereby directs the City Clerk to: (a) cause a synopsis of the proposed initiative to be published at least one time not later than one week before the election in the San José Mercury News, a newspaper of general circulation within the City of San José; (b)

T-34627/1489114_2 Council Agenda: 03-06-18 Item No.: 3.3b consolidate the Notice of Initiative to be Voted with the Notice of Election into a single notice; (c) cause the following statement to be printed in the impartial analysis to be prepared by the City Attorney: "If you would like to read the full text of the initiative, see http://www.sanjoseca.gov/index.aspx?NID=446 or call 408-535-1260 and a copy will be sent at no cost to you."; and (d) do all other things required by law to submit the specified initiative above to the electors of the City of San José at the Special Municipal Election, including causing the full text of the proposed initiative to be made available in the Office of the City Clerk at no cost and posted on the City Clerk's website.

SECTION 9. Pursuant to Sections 9282 and 9285 of the California Elections Code, the City Council hereby approves the submittal of direct arguments for and against the ballot initiative, if any, [and authorizes the City Council or any member or members of the Council to author and submit a ballot initiative argument in opposition of the ballot initiative] [but determines that rebuttal arguments will not be allowed] OR [and approves the submittal of rebuttal arguments in response to arguments for and against the ballot initiative and authorizes the City Council or any member or members of the City Council to author and submit a rebuttal, if any.]

SECTION 10. The City Council hereby directs the City Clerk to transmit a copy of the initiative qualifying for placement on the ballot to the City Attorney for preparation of an impartial analysis.

SECTION 11. Acknowledge that the consolidated election will be held and conducted in the manner prescribed in California Elections Code Section 10418.

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ADOPTED this day of	, 2018, by the following vote:
AYES:	
NOES:	
ABSENT:	
DISQUALIFIED:	
ATTEST:	SAM LICCARDO Mayor
TONI J. TABER, CMC City Clerk	

EXHIBIT A



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

2017 SEP -8 PH 1:50

The people of the City of San José do ordain as follows:

Section 1. Title.

This initiative measure shall be known as the "Evergreen Senior Homes Initiative" (the "Initiative").

Section 2. Findings and Purpose.

- A. Findings. The people of the City of San José ("City") find and declare the following:
 - 1. There is a significant and growing need for senior housing in the City of San José. Demographic trends continue to add to existing demand for senior housing, including affordable senior housing.
 - 2. In 2016, in connection with the Four-Year General Plan review, the City reviewed employment growth and market trends in San José to identify areas most likely to accommodate employment growth in the next decade. Eastern San José (east of Highway 101) has a limited industrial and R&D market. In peripheral areas, including Evergreen Industrial Park, the timing and nature of future development remains uncertain as a result of infrastructure and site constraints and the historical lack of interest from industrial users.
 - 3. One response to this continued housing shortage in San José is to find opportunities on underutilized employment lands for the provision of senior housing. This approach will facilitate the development of senior housing in the City.
 - 4. This Initiative therefore amends the *Envision San José 2040 General Plan* to add Goals and Policies supporting the development of senior housing in the City and to create a Senior Housing Overlay land use designation ("Senior Housing Overlay") that establishes standards for sites to be designated with the Senior Housing Overlay and authorizes the City to evaluate appropriate underutilized employment lands in the City for the Senior Housing Overlay.
 - 5. The Initiative also implements and fulfills the requirements of the General Plan, as amended, by adding the Senior Housing Overlay to an approximately 200 acre Industrial Park-designated site in the Evergreen area and adopting the Evergreen Senior Homes Specific Plan ("Specific Plan"), attached hereto and incorporated herein as Exhibit G, which allows the improvement of the Specific Plan area into a walkable, safe, and high quality community for seniors. This new community will provide attached and detached single-family homes for seniors and affordable multifamily homes for qualifying seniors, with a preference in such affordable homes for U.S. military veterans and their qualifying family members to the extent permitted by law. The Senior Housing Overlay at this site retains the underlying Industrial Park designation, but also authorizes development of senior housing subject to the Specific Plan.
 - 6. Implementation of the Specific Plan will elevate the quality of life in the City by creating a master planned, attractively designed, secure environment for seniors 55 years of age and over including amenities such as a recreation center that may include pools, bocce and sport courts, exercise rooms, meeting rooms, gathering spaces, and other related facilities.
 - 7. Implementation of the Specific Plan will also provide affordable housing for seniors, equal to 20 percent of the total homes built in the Specific Plan area, with a preference provided to U.S. military veterans and their qualifying family members, to the extent permitted by law.
 - 8. Implementation of the Specific Plan also supports resident veterans by providing access to affordable housing, designated space within a common area for veterans' information and services, and an on-site coordinator to assist resident veterans' access to supportive services provided by government agencies and community-based organizations.
 - 9. The goals, policies, development standards, and design guidelines in the Specific Plan adopted by this Initiative, which includes required environmental design features, are designed to ensure that the actions approved by this Initiative will be environmentally sound and in compliance with applicable law.

- 10. The Initiative also amends the Evergreen-East Hills Development Policy to clarify how the Evergreen-East Hills Development Policy applies to projects pursuant to the Senior Housing Overlay in the Evergreen area, clarify the use of existing development capacity, and make other refinements.
- 11. The provisions of this Initiative, including the adoption of the Specific Plan, are in the public interest and are consistent with the General Plan as amended by this Initiative. For informational purposes only, the Specific Plan consistency with the amended General Plan is shown in Exhibit H hereto.
- 12. Implementation of this Initiative will protect the public health, safety, and welfare, and the quality of life for the People of the City of San José, as set forth above.
- **B.** Purpose. The purpose of this Initiative is to address the significant and growing need for senior housing, including for veterans, through the adoption of new General Plan Goals and Policies supporting the development of senior housing in the City through the creation of a Senior Housing Overlay land use designation for use on underutilized employment lands, application of the Senior Housing Overlay land use designation to an approximately 200 acre site in the Evergreen area, adoption of the Evergreen Senior Homes Specific Plan, and adoption of related amendments, which will allow the improvement of the Specific Plan area into a community for seniors, including veterans.

Section 3. Amendments to the Envision San José 2040 General Plan.

The voters hereby amend the *Envision San José 2040 General Plan* as follows (new language to be inserted into the General Plan is shown as <u>underlined text</u> and language to be deleted is shown in strikethrough text; language shown in regular or bold type reflects the existing General Plan text and is provided for informational/reference purposes only):

A. Amendments to Chapter 1, titled "Envision San José 2040."

Chapter 1, titled "Envision San José 2040," of the *Envision San José 2040 General Plan* is amended as follows:

The subsection titled "Major Strategy #3 - Focused Growth," which is within the "Major Strategies" section of Chapter 1 of the *Envision San José 2040 General Plan*, is amended as follows:

Major Strategy #3 - Focused Growth

Strategically focus new growth into areas of San José that will enable the achievement of City goals for economic growth, fiscal sustainability and environmental stewardship and support the development of new, attractive urban neighborhoods. The Plan focuses significant growth, particularly to increase employment capacity, in areas surrounding the City's regional Employment Center, achieve fiscal sustainability, and to maximize the use of transit systems within the region.

A Major Strategy of the *Envision General Plan* is to focus new growth capacity in specifically identified "Growth Areas," while the majority of the City is not planned for additional growth or intensification. This approach reflects the built-out nature of San José, the limited availability of additional "infill" sites for development compatible with established neighborhood character, and the emphasis in the Plan Vision to reduce environmental impacts while fostering transit use and walkability.

While the Focused Growth strategy directs and promotes growth within identified Growth Areas, it also strictly limits new residential development through neighborhood infill outside of these Growth Areas to preserve and enhance the quality of established neighborhoods, to reduce environmental and fiscal impacts, and to strengthen the City's Urban Growth Boundary. Infill development within such neighborhoods, often at a density and form inconsistent with the existing neighborhood pattern, has been disruptive to the development of a positive neighborhood character. Focusing new growth into the Growth Areas will help to protect the quality of existing neighborhoods, while also enabling the development of new Urban Village areas with a compact and dense form attractive to the City's projected growing demographic groups (i.e., an aging population and young workers seeking an urban experience), that support walking, provide

opportunities to incorporate retail and other services in a mixed-use format, and support transit use.

The Plan supports a significant amount of new housing growth capacity, providing near-term capacity for development of approximately 50,000 new dwelling units, with the ability in future Plan Horizons to ultimately build up to a total of 120,000 additional dwelling units.

As described in the Implementation chapter, the Plan's first Plan Horizon incorporates residential growth capacity for the Downtown, Specific Plan areas, North San José and vacant lands throughout the City (approximately 40,000 new dwelling units) and adds new Urban Village housing areas that support an additional 9,400 dwelling units.

Because the City is largely built-out within its city limits and the General Plan does not support the conversion of industrial areas to residential use (except in certain, limited circumstances to allow conversion of underutilized employment lands for senior housing), or the urbanization of the Mid-Coyote Valley or South Almaden Valley Urban Reserves or lands outside of San José's Urban Growth Boundary, most new housing development will be achieved through higher-density redevelopment within existing urbanized areas. Allowing senior housing on underutilized employment lands and the reallocation of job capacity within the City to areas where there is more near-term demand supports this strategy by facilitating the creation of jobs more quickly.

This residential growth capacity is provided through the conversion of older commercial areas to mixed-use, including sites previously identified for housing development within North San José and the new commercial sites made available for mixed-use development within the *Envision General Plan* Urban Village areas. Planning such sites for higher, not lower, density residential development acknowledges their value as a finite land resource and enables the City to provide housing growth capacity consistent with demographic trends and the community objectives of the *Envision San José 2040 General Plan*. Further employment land conversions or dramatic expansions of the City outside of its current boundaries would have significant negative environmental, fiscal and economic implications and be clearly contrary to those objectives.

The subsection titled "Major Strategy #4 - Innovation/Regional Employment Center," which is within the "Major Strategies" section of Chapter 1 of the *Envision San José 2040 General Plan*, is amended as follows:

Major Strategy #4 - Innovation/Regional Employment Center

Emphasize economic development within the City to support San José's growth as center of innovation and regional employment. Growing San José's role as an employment center will enhance the City's leadership role in North America, increase utilization of the regional transit systems, and support the City's fiscal health.

San José is the largest and most urban city located within the Silicon Valley and plays an increasingly important role in the continuing growth of the regional, State, and National economies. San José is however the only large city within the US that acts as a net exporter of workers within the region. The resulting "bedroom community" character reduces opportunities for San José to take on a leadership role that would benefit the development of the Silicon Valley as a whole, while also undermining San José's economic, fiscal, and cultural status. Through multiple General Plan updates, San José has identified improvement of the City's jobs/housing balance or Jobs/Employed Residents Ratio (J/ER) as a critical objective to address multiple City goals. The *Envision San José 2040 General Plan* establishes achievement of a J/ER ratio of 1.1 to 1 by the year 2040 as a core objective of the Plan informing its policies and Land Use/Transportation Diagram designations. In the near term, the Plan strives to achieve a J/ER ratio of 1.0 by the year 2025.

The Land Use/Transportation Diagram and General Plan policies support the development of up to 382,000 new jobs within San José and a jobs to employed residents ratio of 1.1 Jobs/Employed Resident. The Plan focuses employment growth in the

Downtown, in proximity to regional and local transit facilities and on existing employment lands citywide, while also encouraging the development of neighborhood serving commercial uses throughout the community and close to the residents they serve. The Plan recognizes that all existing employment lands add value to the City overall and therefore preserves those employment lands and promotes the addition of new employment lands when opportunities arise. The Plan also recognizes the need and value of providing senior housing, and promotes the addition of the Senior Housing Overlay in appropriate locations. The Plan in particular supports intensive job growth at planned and existing regional transit stations (e.g., BART, High-Speed Rail, and Caltrans) to support increased transit ridership and regional use of the transit system to access San José's employment centers.

The *Envision San José 2040 General Plan* supports and promotes San José's growth as a regional center for employment and innovation, by:

- Planning for 382,000 new jobs and a Jobs/Employed Resident Ratio of 1.1/1
- Providing greater flexibility for commercial activity
- Supporting job growth within existing job centers
- Adding new employment lands
- Designating job centers at regional transit stations
- Celebrating arts and culture

The introduction to the "Growth Areas" section of Chapter 1 of the *Envision San José 2040 General Plan*, is amended as follows:

Growth Areas

The Land Use / Transportation Diagram, General Plan policies and the Growth Areas concept diagram identify specific areas of San José which are planned to accommodate the majority of the City's job and housing growth. The planned location of job and housing growth capacity supports the City's long-term goal to emphasize growth within the Downtown, North San José and Specific Plan areas, while focusing new job and housing growth capacity in identified Regional and Local Transit, Commercial Corridor and Center and Neighborhood Urban Village Growth Areas, with an allowance for senior housing in certain circumstances. The specific amounts of job and housing growth capacity for each of the Growth Areas are indicated in Appendix 5 – Growth Areas Planned Capacity by Horizon.

Regional Transit and Local Transit Urban Villages include vacant or under-utilized lands within close proximity of an existing or planned light rail, BART, Caltrain or Bus Rapid Transit (BRT) facility. Commercial Urban Villages include corridors and centers, and may be vacant or under-utilized lands in existing, large-scale commercial areas (e.g., Oakridge Mall, Winchester Boulevard, Bascom Avenue, etc.) Neighborhood Urban Villages are smaller neighborhood-oriented commercial sites with redevelopment potential. While the Neighborhood Urban Villages are not located in proximity to major transit facilities, their intensification could serve to create a vibrant village setting within easy access of the nearby neighborhood. For all of the Urban Village areas it is expected that the existing amount of commercial square footage would be retained and enhanced as part of any redevelopment project so that existing commercial uses within San José are never diminished.

The following text summarizes the special characteristics of each one of the City's Growth Areas, with the Growth Areas Diagram following the text:

- Downtown
- Specific Plans
- North San José
- Employment Lands
- Regional Transit Urban Villages
- Local Transit Urban Villages
- Commercial Corridor and Center Urban Villages
- Neighborhood Urban Villages

The subsection titled "Employment Lands," which is within the "Growth Areas" section of Chapter 1 of the *Envision San José 2040 General Plan*, is amended as follows:

Employment Lands

Significant job growth is planned through intensification of each of the City's Employment Land areas, including the Monterey Corridor, Edenvale, Berryessa/International Business Park, Mabury, East Gish and Senter Road, and North Coyote Valley as well as North San José. These Employment Lands are planned to accommodate a wide variety of industry types and development forms, including highrise and mid-rise office or research and development uses, heavy and light industrial uses and supporting commercial uses to respond to the projected demand for each type of industrial land. Three areas are designated as Employment Centers because of their proximity to regional transportation infrastructure. These include the North San José Core Area along North First Street, the portion of the Berryessa/International Business Park in close proximity to the planned Milpitas BART station and existing Capitol Avenue Light Rail stations, and the Old Edenvale area, which because of its access to light rail, is also planned for additional job growth. The Envision General Plan does not support conversion of industrial lands to residential use, except in certain limited circumstances to allow senior housing on underutilized employment lands, nor does it include housing growth capacity for these areas.

The existing *Envision San José 2040 General Plan* "Planned Growth Areas Diagram," a copy of which is attached hereto for informational purposes only at page A-1 of Exhibit A hereto (an enlargement of the existing diagram is attached hereto for informational purposes only at page A-2), is hereby amended as set forth on page A-3 of Exhibit A hereto.

The following new subsection, titled "Evergreen Senior Homes Initiative (2018)" is added to the end of the "History of Planning in San José – the General Plan" subsection of the "Envision San José 2040 Context and Key Issues" section of Chapter 1 of the *Envision San José 2040 General Plan*, as follows:

Evergreen Senior Homes Initiative (2018)

Recognizing the significant and growing need for senior housing in the City, the *Envision San José 2040 General Plan*, as amended by the Evergreen Senior Homes Initiative, sets forth a program for the provision of senior housing on underutilized employment lands. The *Envision San José 2040 General Plan*, as amended by the Evergreen Senior Homes Initiative, includes Goals and Policies supporting the development of senior housing in the City, a Senior Housing Overlay land use designation, and standards for application of the Senior Housing Overlay, including a requirement for the adoption of a Specific Plan or other permit or approval, such as a rezoning, to implement the Senior Housing Overlay to a site in the Evergreen Senior Homes Initiative applies the Senior Housing Overlay to a site in the Evergreen Campus Industrial Area; there also is the ability for the City to evaluate and consider other appropriate sites for the Overlay to be applied.

The subsection titled "Evergreen-East Hills Development Policy (1976, revised in 2008)," which is within the "History of Planning in San José – Specific Plans and Area Plans" subsection of the "Envision San José 2040 Context and Key Issues" section of Chapter 1 of the *Envision San José 2040 General Plan*, is amended as follows:

Evergreen-East Hills Development Policy (1976, revised in 2008 and 2018)
The Evergreen Development Policy (EDP) was originally adopted in 1976 to address the issues of flood protection and limited traffic capacity in the Evergreen area south of Story Road and east of US Highway 101. In 1991 and 1995, the EDP was revised to identify specific transportation and flood control improvements needed for the implementation of the Evergreen Specific Plan and the greater policy area, respectively. Revisions were also made in 2008 to provide a new framework to allow a limited amount of additional development capacity. The resulting policy was renamed the Evergreen-East Hills Development Policy (EEHDP). The EEHDP was subsequently revised by the Evergreen Senior Homes Initiative to clarify how the EEHDP applies to projects pursuant to the Senior Housing Overlay in the EEHDP area and clarify the use of existing development capacity on properties covered by the EEHDP.

The following new subsection, titled "Evergreen Senior Homes Specific Plan (2018)" is added to the end of the "History of Planning in San José — Specific Plans and Area Plans" subsection of the "Envision San José 2040 Context and Key Issues" section of Chapter 1 of the *Envision San José 2040 General Plan*, as follows:

Evergreen Senior Homes Specific Plan (2018)

The Evergreen Senior Homes Initiative, among other things, adopted the Evergreen Senior Homes Specific Plan for an approximately 200 acre portion of the Evergreen Campus Industrial Area. The Specific Plan implements the Senior Housing Overlay on the site. The Specific Plan authorizes up to 910 residential units and associated recreation and open space amenities in a senior community. The Specific Plan requires that 20 percent of the units be on-site affordable units for seniors and identifies a veterans' preference for these units to the extent permitted by applicable law. The Specific Plan incorporates design and landscape guidelines and environmental design features.

The subsection titled "Jobs and Housing Growth Projections," which is within the "Envision San José 2040 Key Issues" subsection of the "Envision San José 2040 Context and Key Issues" section of Chapter 1 of the *Envision San José 2040 General Plan*, is amended as follows:

Jobs and Housing Growth Projections

Three sets of growth projections were used by the Envision San José 2040 Task Force to help plan for the City's future growth. Two of these, *Projections 2007* and *Projections 2009*, were prepared by the Association of Bay Area Governments (ABAG), the agency charged with developing job and population growth projections. Because *Projections 2009* was adopted in March of 2009, much of the Task Force discussion occurred before it was available, but it was presented to the Task Force and played a role in their final recommendation. In *Projections 2007* and *Projections 2009*, ABAG forecast the total amount of job and housing growth in the Bay Area through the year 2035 and assigned a proportion of each to the City of San José. To supplement the projections provided by ABAG, the City contracted with a private consultant, the Center for the Continuing Study of the California Economy (CCSCE) to prepare a similar forecast of job and housing growth in San José through the year 2040. These projections were provided to the Task Force and used as a starting point for discussions on how San José should grow.

The ABAG projections are long-term forecasts used for planning and policy development and are not part of the Regional Housing Needs Allocation (RHNA) requirement for the City's Housing Element. The RHNA requirement is determined under a separate process prescribed by California Housing Element law that considers a city's general plan as one factor in determining how to meet future regional housing growth needs. San José has consistently maintained adequate housing capacity to meet its RHNA requirement as determined through ABAG on a periodic basis. The next RHNA cycle is anticipated to begin in 2014 and to reflect the outcome of the Envision process.

In the context of the Envision San José 2040 process, it is important to understand that projections are used for two purposes. First, they are used as a planning tool to anticipate feasible population and job growth, determine the resulting land use demand, and facilitate the planning of an adequate land use supply to accommodate that demand. Second, they can be used to promote policy goals. It is noteworthy that ABAG's *Projections 2009* deliberately attempts to forecast growth in a manner to accomplish several policy based performance targets. *Projections 2009* also significantly increased the share of Bay Area job growth allocated to San José, increasing the forecast total number of jobs in San José from 607,400 to 708,980 for the year 2035. ABAG *Projections 2009* forecasts for San José a total population of 1,440,100 people, including 702,473 total employed residents (resulting in a demand for 468,318 total dwelling units).

While the CCSCE projections for population growth (demand for 487,000 dwelling units in 2040) were similar to those prepared by ABAG, CCSCE was considerably less optimistic than ABAG about Bay Area job growth. CCSCE allocated to San José the same percentage of Bay Area job growth as that used by ABAG in *Projections 2007*, resulting in a projected total amount of job capacity in San José of 570,000 jobs,

significantly less than that forecast by ABAG because of the lower total for the Bay Area. Because ABAG's *Projections 2009* significantly modified the percentage of Bay Area job growth allocated to San José, the Envision process used a revised version of the CCSCE job growth projections to reflect this higher allocation. As a result, the adjusted CCSCE projections increased the projected job growth in San José by 107,200 jobs to 677,200 total jobs in 2040. While development of the projected amount of job and housing growth in the original CCSCE projections would result in a projected Jobs / Employed Resident ratio of 0.8 and would not generate demand beyond the San José 2020 General Plan job capacity, the development based on these revised CCSCE projections would result in a ratio of 0.9 and require capacity for approximately 50,000 additional jobs. Development corresponding to the more optimistic ABAG *Projections 2009* would result in demand for an additional 35,000 jobs and a Jobs / Employed Resident ratio of 1.0 in San José.

The Envision Task Force came to the conclusion that while projections may be useful as a means of understanding possible or likely job and housing growth capacity demand, the actual General Plan capacity does not need to be determined by them. Instead, the General Plan capacity should be used to express San José's vision and goals for its future. Because ABAG uses local jurisdiction General Plan capacity as one input into its methodology for assigning job and population growth, the General Plan will influence ABAG's projections and in turn potentially influence policy decisions made by other groups including Federal, State, and regional agencies.

More detailed projections for the future composition of San José's population growth through the year 2040 were also presented to and discussed by the Envision Task Force. Related to future demand for different housing types, it is particularly interesting that in the year 2030, the age group between 35 years and 55 years of age will have experienced almost no growth in population while significant growth will have occurred amongst the population groups over 55 and between the age of 20 and 35. While this largely reflects a national trend, it shows how the "Baby Boom" and baby boom echo generations will create large populations that may have preference or demand for housing types other than the single-family detached form most prevalent within San José. The Envision Task Force discussion acknowledged the implications on future housing demand and also considered how such demographic shifts might impact the City's job growth, specifically addressing how San José can be increasingly an attractive place for innovative, knowledge-based industry workers.

In 2016, in connection with the Four-Year General Plan review, the City reviewed employment growth and market trends in San José to identify areas most likely to accommodate employment growth in the next decade. Northern San José is well suited to accommodate advanced manufacturing and high tech/R&D; Southern San José (west of Highway 101) is better positioned to attract new large-scale development and warehouses; while Eastern San José (east of Highway 101) has a limited industrial and R&D market. There are identified opportunities for development in Western San José and Central San José. In peripheral areas, including North Coyote Valley and Evergreen Industrial Park, the timing and nature of future development remains uncertain as a result of infrastructure and site constraints and the lack of interest from private commercial users.

The subsection titled "Housing Demand and Changing Demographics," which is within the "Envision San José 2040 Key Issues" subsection of the "Envision San José 2040 Context and Key Issues" section of Chapter 1 of the *Envision San José 2040 General Plan*, is amended as follows:

Housing Demand and Changing Demographics

The City of San José maintains a commitment to meeting regional housing obligations by providing capacity to support the production of an adequate supply of high-quality and affordable housing. The City of San José is also committed to creating the highest quality of life for its current and future residents by facilitating the production of quality homes accessible to all demographics. As San José prepares for significant population growth over the next 30 years, it has reached a point in its history where it is no longer feasible or desirable to accommodate new housing demand through either outward expansion into

exurban areas or lower density infill development within City limits. Either type of development would have significant negative environmental and fiscal impacts upon the City that would lower the quality of life as a result of diminished municipal service levels and a degraded natural environment. Additionally, demographic projections along with shifting preferences and cultural values point toward a growing demand for higher density, mixed-use, urban residential environments, similar to those found in other major cities. As the City grows through 2040, its largest population growth segments will be seniors 65+ due to the boomer and echo boomer generations, and a 20-34 age group composed of an educated and highly mobile workforce attracted to quality places. Both groups increasingly place a high value upon access to vibrant urban areas that provide jobs, services, shopping, and amenities as an essential factor in their choice of where to live. Focusing new housing growth in such urban environments will provide significant environmental and social benefits by promoting transit use, providing opportunities for increased bicycle and pedestrian activity, and fostering lively built environments characterized by a diversity of people, uses, and places. In addition to urban housing, a holistic approach to senior housing includes traditional suburban low- and mid-range density options, particularly when newly constructed in well-planned senior communities with a range of senior-serving amenities, such as open spaces, trails, and recreation centers. Seniors are particularly underserved in several parts of Santa Clara County, including East San José, and Downtown San José. Thus, additional senior housing, designed to provide amenities that are particularly important to older age groups, including veterans, can be provided through the adoption and implementation of a Senior Housing Overlay, as provided in the Evergreen Senior Homes Initiative.

The subsection titled "Jobs/Employed Resident ("Jobs-Housing Balance")," which is within the "Envision San José 2040 Key Issues" subsection of the "Envision San José 2040 Context and Key Issues" section of Chapter 1 of the *Envision San José 2040 General Plan*, is amended as follows:

Jobs / Employed Resident ("Jobs-Housing Balance")

Implications of the City's currently low "Jobs per Employed Resident" (J/ER) ratio was a predominant topic of discussion throughout the Envision process. Because of the known demand upon City services created by housing growth, the tax revenue associated with employment uses and the evidence that suggests a strong correlation between a city's jobs-housing balance and its fiscal health, the Task Force strongly advocated for the General Plan update to promote a Jobs per Employed Resident ratio of at least 1.0 (equivalent to one job in San José for each employed resident of San José) as a way to help address some of the City's current fiscal shortfalls. Debate amongst the Task Force generally followed two themes, with some advocating for a General Plan with job and housing growth capacity that if realized would result in a significantly more jobs than employed residents (e.g., a Jobs / Employed Resident ratio greater than 1.0) with others advocating for a General Plan with job and housing growth capacity that would result in an overall balance (e.g., a Jobs / Employed Resident ratio equal to 1.0).

Although the City had a J/ER ratio of 0.8 in 2011, the prior San José 2020 General Plan had a capacity equivalent to a 1.1 Jobs/Employed Resident due to the Council's actions to add capacity in North San José and Downtown in 2005. At the time of adoption, the San José 2020 General Plan only had a capacity equivalent to 0.8, because, a ratio of 1.0 was not considered attainable; previous General Plans (Horizon 2000 and General Plan 1975) had set 1.0 as a goal.

Pursuing a Jobs / Employed Resident ratio greater than 1.0 is intended to achieve two important goals. First, under the current California tax structure, realizing a higher proportion of jobs (and retail) per resident should significantly improve the City's fiscal health, now recognized as an imperative. Santa Clara County cities with a high Jobs / Employed Resident ratio typically have more revenue with which to provide city services. Task Force members noted that San José bears the burden of a disproportionate amount of the County's projected housing growth and expressed the belief that San José should reverse that trend.

A second goal is the transformation of San José from a suburban "bedroom" community to a job based center for the Bay Area with livable neighborhoods. Traditionally, large

cities gain prominence and influence in large part because of the role they play within the local economy. In recent history San José is unique among large cities in that it exports more workers than it imports on a daily basis. (Based on 2000 Census data, of the 29 U.S. cities with a resident population of 500,000 or more, San José ranks last in J/ER ratio and is the only one with fewer jobs than employed residents.) By planning for more jobs and less housing growth capacity, the *Envision San José 2040 General Plan* update was a critical opportunity for San José to define itself as a city and to plan for fiscal sustainability and a significantly greater role in the regional economy.

Supporting the rationale for considering a "high" Jobs / Employed Resident ratio is the planned regional transportation infrastructure that can be expected within the timeframe of the General Plan. With a new "urban" airport, BART, and High Speed Rail, San José will have the transportation infrastructure to be a more attractive location for jobs and allow San José to conveniently "import" workers. Concentrating to a greater degree the region's jobs within San José will support the region's existing investment in transit and other transportation infrastructure, which arguably has been designed with the expectation that San José will become a regional job center.

A high Jobs / Employed Resident ratio can be planned for by either increasing the General Plan job growth capacity or by reducing the household growth capacity. Proponents of providing adequate capacity to accommodate the projected housing growth argued that adequate and affordable housing capacity is needed to support job growth, to support the City's continued population growth and to support the regional economy. To achieve a jobs-housing balance in scenarios that provide significant housing capacity requires a very ambitious number of jobs, significantly more than the demand projected by the demographers, raising concern that obtaining these jobs may be infeasible. There is also considerable risk that housing development could go forward per the capacity available while job development remains unrealized, resulting in a significantly lower J/ER ratio. Including a phasing plan within the General Plan with triggers linking the availability of housing capacity to the development of jobs will hopefully remedy this concern. In contrast, scenarios that achieve a high J/ER ratio by reducing housing capacity may indirectly stifle job growth by providing a lack of the affordable housing desired by employers for their employees.

Some Task Force members advocated planning for a Jobs / Employed Resident ratio of 1.0 with the goal of reducing potential environmental impacts. By promoting a more balanced community where opportunities are provided for people to live and work in the same city, the idea is that potential traffic impacts would be lessened, when compared to an unbalanced scenario, and that residents would potentially feel more connected to their community.

The Task Force regularly debated whether housing and job capacities proposed in the various growth scenarios could be achieved, asking about recent jobs and housing development trends for comparison purposes. Task Force members also debated whether job growth could be achieved without comparable housing growth. The Task Force supported a vision of San José as a fiscally sustainable and world-class city, and agreed that San José should try to improve its J/ER ratio to at least 1.0, ultimately targeting a J/ER ratio of 1.3 to help accomplish that vision.

During the 2015 Major Review process, the Task Force was directed by City Council to set a more achievable J/ER ratio. As part of this Major Review process, the Task Force recommended a J/ER ratio of 1.1 jobs per employed resident in order to establish a more attainable jobs goal while also maintaining the General Plan's jobs-first principle, thereby changing the General Plan's J/ER ratio goal from 1.3/1 to 1.1/1.

The Evergreen Senior Homes Initiative added additional goals and policies to the General Plan regarding the importance of developing housing to meet the needs of seniors and veterans. Notably, many seniors are not employed; it has been studied and reported that less than 25 percent of seniors in Santa Clara County were employed in 2010, and that almost half of the veterans living in the County are age 65 and older. Because of low employment rates among seniors, the addition of housing to serve seniors without the

addition of jobs is consistent with the General Plan's policy to maintain a J/ER ratio of 1.1/1.

The subsection titled "Evergreen Campus Industrial Properties," which is within the "Envision San José 2040 Key Issues" subsection of the "Envision San José 2040 Context and Key Issues" section of Chapter 1 of the *Envision San José 2040 General Plan*, is amended as follows:

Evergreen Campus Industrial Properties

At the conclusion of its Evergreen-East Hills Vision Strategy process, the City Council referred consideration of potential land use changes within the Evergreen area to the Envision General Plan update. The Envision Task Force discussed potential conversion of the Evergreen Campus Industrial properties to residential use, as had been requested by the property owners. It concluded that the Envision San José 2040 General Plan should maintain these properties for employment use, essentially maintaining the San José 2020 General Plan designation for this site. A large share of the City's current job growth capacity is planned on mid-rise and high-rise office lands. Given the need for employment lands to accommodate the planned amount of job growth and to provide land to accommodate, in particular, the projected demand for industrial, low-rise officeand R&D employment land uses, there is a strong need to maintain the job growthcapacity currently planned for this area. At the same time, adding housing growthcapacity on Campus Industrial properties would not further Envision General Plan goals because the site lacks access to transit facilities, is an inappropriate setting for mixed-useor more walkable intensified development, and is not a feasible location for newneighborhood-supporting commercial uses. Subsequently, a portion of the Evergreen Campus Industrial area was identified as an appropriate location to help address the City's need for senior housing. The goals and polices of the Envision San José 2040 General Plan, as amended by the Evergreen Senior Homes Initiative, reflect the importance of providing housing for seniors and veterans. Recognizing both the need for senior housing and the lack of demand for industrial uses in peripheral areas such as Evergreen, the Evergreen Senior Homes Initiative added the Senior Housing Overlay to the Envision San José 2040 General Plan and designated an approximately 200 acre area in Evergreen as Senior Housing Overlay. The Senior Housing Overlay at this site retains the underlying Industrial Park designation, but also authorizes development of senior housing subject to the Evergreen Senior Homes Specific Plan. This Senior Housing Overlay also retains the employment capacity of the Specific Plan area for use in Evergreen or elsewhere in the City.

B. Amendments to Chapter 2, titled "Thriving Community."

Chapter 2, titled "Thriving Community," of the *Envision San José 2040 General Plan* is amended as follows:

Policy IE-1.1, which is within the "Land Use and Employment" subsection of the "Diverse and Innovative Economy" section of Chapter 2 of the *Envision San José 2040 General Plan* is amended as follows:

IE-1.1 To retain land capacity for employment uses in San José, protect and improve the quantity and quality of all lands designated exclusively for industrial uses, especially those that are vulnerable to conversion to non-employment uses, except as permitted by a Senior Housing Overlay.

Policy FS-4.2, which is within the "Promote Fiscally Beneficial Land Use" subsection of the "Fiscal Sustainability" section of Chapter 2 of the *Envision San José 2040 General Plan* is amended as follows:

FS-4.2 Maintain, enhance, and develop the employment lands within identified key employment areas (North Coyote Valley, the Berryessa International Business Park, the East Gish and Mabury industrial areas, the Evergreen industrial area, the Edenvale Redevelopment Project Area, and the Monterey Corridor Redevelopment Project Area) with employment uses or, in areas developed pursuant to a Senior Housing Overlay, senior housing. Protect existing

employment uses within these areas from potentially incompatible nonemployment uses.

C. Amendments to Chapter 4, titled, "Quality of Life."

Chapter 4, titled "Quality of Life," of the *Envision San José 2040 General Plan* is amended as follows:

Policy CD-2.7, which is within the "General City Design" subsection of the "Community Design" section of Chapter 4 of the *Envision San José 2040 General Plan* is amended as follows:

CD-2.7 Design private streets to appear and function like public streets. Include street trees and sidewalks, and, except in areas developed pursuant to a Senior Housing Overlay, prohibit gated communities that restrict connectivity. Promote security at the building face rather than at the street.

Policy CD-2.10, which is within the "General City Design" subsection of the "Community Design" section of Chapter 4 of the *Envision San José 2040 General Plan* is amended as follows:

CD-2.10 Recognize that finite land area exists for development and that density supports retail vitality and transit ridership. Use land use regulations to require compact, low-impact development that efficiently uses land planned for growth, especially for residential development which tends to have a long life-span. Strongly discourage small-lot and single-family detached residential product types in Growth Areas. In areas developed pursuant to a Senior Housing Overlay, small-lot and single-family detached residential product types may be appropriate.

Policy CD-3.4, which is within the "General City Design" subsection of the "Community Design" section of Chapter 4 of the *Envision San José 2040 General Plan* is amended as follows:

CD-3.4 Encourage pedestrian cross-access connections between adjacent properties and require pedestrian and bicycle connections to streets and other public spaces, with particular attention and priority given to providing convenient access to transit facilities. Except in areas developed pursuant to a Senior Housing Overlay, pProvide pedestrian and vehicular connections with cross-access easements within and between new and existing developments to encourage walking and minimize interruptions by parking areas and curb cuts.

Policy CD-3.7, which is within the "General City Design" subsection of the "Community Design" section of Chapter 4 of the *Envision San José 2040 General Plan* is amended as follows:

CD-3.7 Encourage development to maximize pedestrian, bicycle, and vehicular connections to adjacent existing and planned neighborhoods and community facilities. Use cul-de-sacs only when no current or future options exist to connect one area to another, or if such design would help preclude development from extending to areas where it is not planned, or if appropriate in areas developed pursuant to a Senior Housing Overlay.

The following new Goals and Policies are added to the end of the "Housing" section of Chapter 4 of the *Envision San José 2040 General Plan* as follows:

Goal H-5 Housing - Senior Housing

<u>Increase</u>, <u>preserve</u>, <u>and improve San José's stock of housing to address the needs of seniors</u>.

Policies - Housing - Seniors

- H-5.1 Support development that provides senior housing options so seniors can find suitable housing to rent or purchase.
- H-5.2 Encourage the establishment of a range of housing types for seniors, including active and independent living, assisted living, memory care, and other residential board and care facilities.
- H-5.3 Encourage affordable units and affordable care facilities that foster aging within the community.
- H-5.4 Senior housing developed in a Senior Housing Overlay will not count toward the growth capacity for 120,000 new dwelling units contained in the *Envision San José 2040 General Plan*.
- H-5.5 Specific plans adopted pursuant to a Senior Housing Overlay are not designated as residential Growth Areas in the *Envision San José 2040 General Plan*.

Action – Housing - Seniors

H-5.6 Identify criteria and locations within the City that are appropriate for senior housing developments, including locations appropriate for the Senior Housing Overlay.

Goal H-6 Housing - Veterans' Housing

Increase, preserve and improve San José's stock of housing to address the needs of veterans.

Policies – Housing - Veterans

- H-6.1 Support development that provides housing options that allow veterans to find suitable housing to rent or purchase.
- H-6.2 Encourage the establishment of a range of housing types for veterans and their families that allow veterans and military families to reintegrate into the community.
- **H-6.3** Encourage the provision of affordable units for veterans.

Action - Housing - Veterans

H-6.4 Continue to partner with federal, state, and local agencies and non-profits to explore options for the provision of housing for veterans.

D. Amendments to Chapter 5, titled "Interconnected City."

Chapter 5, titled "Interconnected City," of the *Envision San José 2040 General Plan* is amended as follows:

The introduction to Chapter 5 of the *Envision San José 2040 General Plan* is amended as follows:

Land use and transportation are inextricably linked, as land use patterns create specific travel needs. Compact, mixed-use development reduces travel distances, encourages active transportation modes that contribute to a healthful community, and reduce greenhouse gas emissions. The adjacency of most identified Growth Areas and transit facilities also exhibits the close ties between land use and transportation.

As detailed in prior chapters of this Plan, San José's roots are in agriculture. As the City grew and developed, the vast majority of its land was dedicated to single-family detached residential uses. The natural setting has influenced development patterns here, with more

rural development typically occurring in and adjacent to San José's eastern and southern hillsides and more intensive development on the Valley floor.

The City's transportation infrastructure has also significantly impacted development patterns. For over three decades, San José has implemented smart growth policies. These policies foster economic development, revitalize downtown, protect neighborhoods, build housing, preserve open space, link land use and transportation planning, and direct growth to appropriate areas. San José has enjoyed job and housing growth near transit corridors, creation of parks and neighborhood services, and a low crime rate for a major city. A strong policy foundation, proactive planning and political support have resulted in a community with a high quality of life.

Unlike the San José 2020 General Plan, which provides considerable flexibility for residential development throughout the City, the Envision San José 2040 General Plan strategy focuses all growth to identified Growth Areas and precludes large scale residential development from occurring on other sites that have not been allocated new growth capacity or designated with a Senior Housing Overlay. This residential growth strategy directly supports the Urban Villages and the Design for a Healthy Community Major Strategies.

The Transportation Network Diagram highlights transportation routes in the City and identifies modal options and priorities along varying routes.

This chapter concludes with the Land Use/Transportation Diagram, which identifies locations, types, and intensities of employment, residential, and mixed-use growth throughout the City.

The subsection titled "Generalized Land Use Designations," which is within the "Land Use Diagram Concepts" section of Chapter 5 of the *Envision San José 2040 General Plan* is amended as follows:

Generalized Land Use Designations

To translate the strength of the General Plan Vision, goals, and policies into the Land Use/Transportation Diagram, and to promote successful implementation of the *Envision General Plan*, the Diagram includes a limited number of discrete designations applied to locations that clearly reinforce the Envision goals. The Diagram designations are particularly important to support the Growth Areas Strategy; to better support the development of mixed-use, high-density Urban Villages; and to restrict residential growth outside of identified Growth Areas.

As amended, Tthe Envision San José 2040 General Plan has 2930 land use designations, including fivesix overlay designations. These land use designations provide significant flexibility and opportunity for the development of employment uses in both mixed-use and standard configurations. They also generally preserve or potentially reduce lower residential densities outside of the Growth Areas. The relationship between the 91 land use designations included in the San José 2020 General Plan and the 29 land use designations included in the originally adopted Envision San José 2040 General Plan is provided in Appendix 4.

The *Envision San José 2040 General Plan* Land Use Designations are generally applied to whole areas and not individual properties or small groupings of properties. One prominent exception is in the University Neighborhoods surrounding San Jose State University. Consistent with the University Neighborhoods Strong Neighborhoods Initiative Neighborhood Improvement Plan the majority of the University Neighborhood area is designated Residential Neighborhood to preserve the portions of the neighborhood that contain single family homes; however, those properties within the neighborhood that contain older high density residential development are designated Urban Residential to allow and encourage the redevelopment of these properties with new high density residential development that is compatible with the surrounding neighborhood and adjacent single family homes.

The subsection titled "Incorporation of Specific Plans," which is within the "Land Use Diagram Concepts" section of Chapter 5 of the *Envision San José 2040 General Plan* is amended as follows:

Incorporation of Specific Plans

The Envision San José 2040 General Plan and Land Use / Transportation Diagram incorporates six of the nine Specific Plan or Planned Residential Communities that were contained within the San Jose 2020 General Plan. Of these, the Midtown, Jackson-Taylor, and Tamien Station Specific Plan areas are assigned additional job and housing growth capacity. The Alviso Specific Plan Area is assigned additional job growth capacity. The Martha Gardens Specific Plan area is assigned additional housing growth capacity. The Communications Hill Specific Plan is incorporated without change in growth capacity. The Rincon South Specific Plan has been retired as a Specific Plan and the Land Use Plan has been replaced by the General Plan Land Use/Transportation Diagram; however, the objectives, guidelines, and other components of the Specific Plan, have been maintained as an Urban Village Plan to fulfill the Urban Village Planning requirements set forth in the Implementation chapter of the *Envision General Plan*. The Evergreen Senior Homes Specific Plan, adopted by initiative, has been added to the Envision San José 2040 General Plan. Areas of the City previously addressed through the Berryessa Planned Residential Community, Evergreen Specific Plan and Silver Creek Specific Plans have been sufficiently developed and have Master Planned Development Zoning Districts that provide specific development standards and additional design guidelines; it is no longer necessary to maintain Specific Plans for these areas. Envision General Plan Land Use / Transportation Diagram designations have been applied in the Specific Plan areas to align to the degree possible with their goals and policies and shall take precedence over adopted Specific Plans' Land Use Plans, except for specific plans adopted pursuant to a Senior Housing Overlay; but reference to the Specific Plans is still necessary to further define the allowable land uses therein.

The subsection titled "Specific Plan Area Boundary," which is within the "Special Land Use Designations and Overlays" section of Chapter 5 of the *Envision San José 2040 General Plan* is amended as follows:

Specific Plan Area Boundary

The Specific Plan Area Boundary identifies an area of San José for which the City has adopted a Specific Plan or Master Plan. The adopted Specific Plans/Master Plans incorporated into the *Envision General Plan* are: the Alviso Master Plan; the Communications Hills Specific Plan, the Jackson-Taylor Specific Plan, the Midtown Specific Plan, the Martha Gardens Specific Plan-and, the Tamien Station Area Specific Plan, and the Evergreen Senior Homes Specific Plan. The Land Use / Transportation Diagram designations for these areas regulate land uses in the same manner as elsewhere within the City, while the Specific Plan provides additional, supplemental land use policies.

Because all significant residential growth in the Envision Plan is expected to occur within identified Growth Areas, (including the existing Specific Plan areas, Urban Village areas, and other areas which have existing land use policies in place (e.g., Downtown and North San José)), and areas designated Senior Housing Overlay, no new Specific Plan areas are expected other than in the limited areas where a Senior Housing Overlay is implemented by a specific plan.

Development within the identified Specific Plan/Master Plan areas is subject to all other applicable *Envision General Plan* policies. Development within specific land use designations will conform to the normal guidelines for those designations unless special qualifications are outlined in the Specific Plan/Master Plan document.

The Envision San José 2040 Plan maintains a number of Planned Communities from the San José 2020 General Plan, as noted above. Those Specific Plan, Planned Communities or Planned Residential Communities that are retired with the adoption of the Envision Plan and incorporated herein include plans for the Berryessa, Evergreen, Rincon South and Silver Creek areas. Elements of the Rincon South Specific Plan have been

incorporated into the *Envision General Plan* as the Urban Village Plan for corresponding Urban Village areas.

The following new "Senior Housing Overlay" subsection is added to the "Special Land Use Designations and Overlays" section of Chapter 5 of the *Envision San José 2040 General Plan* as follows:

Senior Housing Overlay

The goals and policies of the *Envision San José 2040 General Plan* promote the development of housing to accommodate the needs of seniors. In particular, Goal H-5 is to increase, preserve and improve San José's stock of housing to address the needs of seniors.

This overlay allows senior residential development on appropriate underutilized employment lands. This overlay allows for senior residential development in addition to or as an alternative to uses consistent with the underlying *Envision San José 2040*General Plan land use designations. Land within this overlay may also be used for open space, trails, recreation centers, and other senior-serving amenities that support senior residential development.

Development of senior housing projects within this overlay requires the adoption of a Specific Plan pursuant to the requirements of Government Code Section 65450 *et seq.* or other permit or approval, such as rezoning, that defines the development standards for the project. Site specific land use issues, densities, and compatibility with adjacent uses may be addressed through the Specific Plan or other permit or approval.

Initially, this overlay is applied to one location. The City may undertake additional study to determine other locations suitable for the application of the overlay. The overlay should be applied only to underutilized employment lands. Application of the overlay to additional sites requires an amendment of the Land Use/Transportation Diagram. Developments utilizing this overlay must be for senior residents.

Senior housing developed in this overlay is not counted against the residential growth capacity for 120,000 new dwelling units contained in the *Envision San José* 2040 *General Plan*. To the extent land within this overlay is developed with senior housing, the employment capacity associated with such land will be retained for redistribution by the City to lands that are more supportive of employment growth in the near term. This redistribution may occur within the same Growth Area as the overlay or to one or more other Growth Areas throughout the City as long as the Growth Area has sufficient existing or proposed traffic capacity to meet the General Plan's traffic policies. As such, implementation of this overlay will not result in any decrease in the City's net employment capacity.

The existing *Envision San José 2040 General Plan* "Transportation Network Diagram," a copy of which is attached hereto for informational purposes only at page B-1 of Exhibit B hereto (an enlargement of the existing diagram is attached hereto for informational purposes only at page B-2), is hereby amended as set forth on page B-3 of Exhibit B hereto.

The *Envision San José 2040 General Plan* "Land Use/Transportation Diagram," a copy of which is attached hereto for informational purposes only at page C-1 of Exhibit C hereto (an enlargement of the diagram is attached hereto for informational purposes only at page C-2), is hereby amended as set forth on page C-3 of Exhibit C hereto.

E. Amendments to Chapter 6, titled "Land Use and Transportation."

Chapter 6, titled "Land Use and Transportation," of the *Envision San José 2040 General Plan* is amended as follows:

The introduction to the "Land Use Policies" section of Chapter 6 of the *Envision San José* 2040 General Plan is amended as follows:

Land Use Policies

Land Use Goals, Policies, and Implementation Actions (Policies) guide the City's growth and implement its Plan Vision. Land Use Policies identify appropriate and inappropriate uses in various areas of the City. They protect the integrity of some lands and provide additional flexibility for uses in others.

To reinforce the Greenline/Urban Growth Boundary, Land Use Policies are broken into those for urban areas and those for non-urban areas. Urban Land Use Policies include criteria to support a balanced city, as well as address specific land uses, such as commercial, industrial, residential, and mixed-use. Historic Preservation Policies are included with Urban Land Use Policies. To provide further guidance, Urban Land Use Policies are provided for downtown, growth areas, private community gathering facilities, and urban agriculture. Non-Urban Land Use Policies address rural agriculture and the Greenline/Urban Growth Boundary. These Land Use Policies should be reviewed and considered in conjunction with other policy sets in this document.

Collectively, its Land Use Policies promote the fiscal sustainability of the City by protecting employment lands, particularly industrial lands, and by supporting an increase in the jobs-to-employed resident ratio. These Land Use Policies foster environmentally sustainable development by restricting growth in the hillsides, protecting open spaces, and targeting growth in Downtown and other identified growth areas where intensification will increase transit use. The Land Use Policies promote creation of safe, livable, and complete neighborhoods where all daily activities can be accomplished within a short walking distance.

Land Use Policies offer considerable flexibility for mixing uses, with particular emphasis on support for employment uses. Neighborhood-serving commercial uses are encouraged throughout the City, at locations close to the populations they serve. Downtown offers maximum flexibility in mixing of uses.

Unlike the former San José 2020 General Plan, which provided considerable flexibility for residential development throughout the City, the Envision San José 2040 General Plan focuses virtually all growth to identified Growth Areas and precludes large-scale residential development from occurring on other sites that have not been allocated new growth capacity or designated with a Senior Housing Overlay. Within Growth Areas, most new residential development is planned to occur at a density of at least 55 Dwelling Units per Acre, with some allowance for lower density projects of at least 30 Dwelling Units per Acre at interfaces with existing single-family neighborhoods. <u>In addition, an</u> allowance is made for low-density senior housing projects in areas designated with a Senior Housing Overlay. New housing growth outside of the identified Growth Areas or areas designated with a Senior Housing Overlay is limited to small infill projects that match the prevailing neighborhood character so that they represent a limited amount of housing growth capacity, in keeping with the overall intent of the Envision General Plan to achieve specific Citywide targets for job and housing growth and the J/ER ratio. The majority of housing growth is limited to planned Growth Areas, each of which would have a specific number of units available for new development projects, as noted in Appendix 5. Identified vacant or underutilized properties, which could be developed for residential use at densities consistent with the adjacent neighborhoods, have been allocated a small number of housing units in the aforementioned growth capacity table.

Policy LU-6.1, which is within the "Industrial Lands" subsection of the "Land Use Policies" section of Chapter 6 of the *Envision San José 2040 General Plan* is amended as follows:

LU-6.1 Prohibit conversion of lands designated for light and heavy industrial uses to non-industrial uses, except as permitted pursuant to a Senior Housing Overlay. Prohibit lands designated for industrial uses and mixed industrial-commercial uses to be converted to non-employment uses, except as permitted pursuant to a Senior Housing Overlay. Lands that have been acquired by the City for public parks, public trails, or public open space may be re-designated from industrial or mixed-industrial lands to non-employment uses. Within the Five Wounds BART Station and 24th Street Neighborhood Urban Village areas, phased land use changes, tied to the completion of the planned BART station,

may include the conversion of lands designated for Light Industrial, Heavy Industrial or other employment uses to non-employment use provided that the Urban Village areas maintain capacity for the overall total number of existing and planned jobs.

Policy LU-6.8, which is within the "Industrial Lands" subsection of the "Land Use Policies" section of Chapter 6 of the *Envision San José 2040 General Plan* is amended as follows:

LU-6.8 Reserve industrial areas for industrial and compatible support uses, <u>or as permitted pursuant to a Senior Hosing Overlay</u>, while recognizing that industrial uses come in a variety of types and forms. Allow non-industrial uses which are only incidental to and totally compatible with primary industrial uses in exclusively industrial areas <u>or that are permitted pursuant to a Senior Housing Overlay</u>. Consider allowing supportive, non-industrial activities, such as retail sales of materials manufactured or stored on site.

Policy LU-8.1, which is within the "Industrial Lands" subsection of the "Land Use Policies" section of Chapter 6 of the *Envision San José 2040 General Plan* is amended as follows:

LU-8.1 In areas that are designated for mixed industrial and commercial uses, allow only commercial uses that are compatible with industrial uses. Non-employment uses are prohibited in these areas except as permitted pursuant to a Senior Housing Overlay.

Policy LU-9.1, which is within the "Residential and Mixed Use" subsection of the "Land Use Policies" section of Chapter 6 of the *Envision San José 2040 General Plan* is amended as follows:

LU-9.1 Create a pedestrian-friendly environment by connecting new residential development with safe, convenient, accessible, and pleasant pedestrian facilities. Except in areas developed pursuant to a Senior Housing Overlay, perovide such connections between new development, its adjoining neighborhood, transit access points, schools, parks, and nearby commercial areas. Consistent with Transportation Policy TR-2.11, prohibit the development of new cul-de-sacs, unless it is the only feasible means of providing access to a property or properties, or gated communities, that do not provide through- and publicly-accessible bicycle and pedestrian connections.

Policy LU-10.4, which is within the "Residential and Mixed Use" subsection of the "Land Use Policies" section of Chapter 6 of the *Envision San José 2040 General Plan* is amended as follows:

LU-10.4 Within identified growth areas, develop residential projects at densities sufficient to support neighborhood retail in walkable, main street type development. In areas developed pursuant to a Senior Housing Overlay, lower densities may be permitted.

Policy TR-2.11, which is within the "Walking and Bicycling" subsection of the "Transportation Policies" section of Chapter 6 of the *Envision San José 2040 General Plan* is amended as follows:

TR-2.11 Except in areas developed pursuant to a Senior Housing Overlay, pProhibit the development of new cul-de-sacs, unless it is the only feasible means of providing access to a property or properties, or gated communities that do not provide through and publicly accessible bicycle and pedestrian connections. Pursue the development of new through bicycle and pedestrian connections in existing cul-de-sac areas where feasible.

Policy TR-5.5, which is within the "Vehicular Circulation and Vehicle Miles Travelled" subsection of the "Transportation Policies" section of Chapter 6 of the *Envision San José* 2040 General Plan is amended as follows:

TR-5.5 Except in areas developed pursuant to a Senior Housing Overlay, rRequire that new development, which includes new public or private streets, connect these streets with the existing public street network and prohibit the gating of private streets with the intention of restricting public access. Furthermore, where possible, require that the street network within a given project, except in areas designated Senior Housing Overly, consists of integrated short blocks to facilitate bicycle and pedestrian travel and access.

F. Amendments to Chapter 7, titled "Implementation."

Chapter 7, titled "Implementation," of the *Envision San José 2040 General Plan* is amended as follows:

The introduction to Chapter 7 of the Envision San José 2040 General Plan is amended as follows:

The *Envision San José 2040 General Plan* provides a broad range of Goals and Policies that establish the foundation of information, analysis, conclusions, and rationale to guide future decisions by the City. Its diagrams complement those Goals and Policies and provide further direction for City decision-making.

Major City processes independent of the *Envision San José 2040 General Plan* provide the main vehicle for its implementation. Major implementation processes described in this chapter include those related to its ongoing application and maintenance, including the use of Plan Horizons, the Major General Plan Review process and the General Plan Annual Review process. This chapter also addresses Village Planning, the Capital Improvement and Budget Program, and land use entitlements (including zoning and development permits). These programs, already in existence or proposed, provide a means to carry out objectives of this Plan.

General Plan implementation depends on much more than merely the actions or decisions of municipal government alone. Inter-governmental and private sector decisions and investments also play a major role in implementation. The *Envision General Plan* is intended to serve a coordinating function for those decisions which affect the physical development of San José. Several of the major intergovernmental decisions which warrant attention include the Federal Government's funding of block grants for redevelopment, rehabilitation, conservation and housing subsidy programs; the Federal Government's funding of Water Pollution Control Plant improvements and airport approach zone acquisition; and the Federal share of freeway or mass transportation funding. These, plus State, regional and County decisions affect the City and its residents in such diverse areas as transportation, air quality, education, flood protection and health and welfare facilities and services.

General Plan Goals and Policies are intentionally high-level and broad. The City regularly updates subsidiary policy documents, such as its *Economic Strategy, Cultural Vision Plan*, and *Greenprint* (the Parks Master Plan) to provide more in-depth analysis and actions to implement Goals and Policies outlined in the *Envision General Plan*. This framework allows for variation in strategies to achieve the intent of the General Plan without the need to modify the General Plan itself. As subsidiary policy documents are formed or amended, they will be evaluated for conformance with *Envision General Plan* Goals and Policies. This approach ensures consistency between the implementation tools and the broad City objectives outlined in the Goals and Policies of the *Envision General Plan*.

A major *Envision General Plan* implementation concept is Plan Horizons, or phases, that carefully manage the City's expected residential growth. The full amount of employment growth capacity is available at the onset, while housing growth generally is geographically limited to identified Growth Areas included in the first Plan Horizon. As part of a Major General Plan Review, which occurs every four years, the City Council will consider whether the jobs/ housing balance, fiscal sustainability, and infrastructure are sufficiently strong to move into a subsequent Plan Horizon. Each Plan Horizon would open additional geographic areas to the possibility of residential development. A table and map at the end of this chapter show the planned yield of residential units by identified Growth Area and by Plan Horizon.

In addition to the Major General Plan Review, the General Plan Annual Review process provides for review of site specific proposals for possible amendment of the General Plan text and the Land Use / Transportation Diagram by private applicants on a yearly basis. In addition, the General Plan may be amended from time to time by the voters of the City via initiative.

The Urban Village Planning process is the primary vehicle to realize the vision of the "Urban Villages" City Concept. Urban Village Plans are a prerequisite to residential development in Urban Village areas, identified with an Urban Village Area Boundary on the Land Use / Transportation Diagram. An Urban Village Plan establishes the framework to ensure that each Urban Village develops in a manner consistent with the Goals and Policies of this General Plan. Urban Village Plans identify appropriate uses, densities, and connections throughout the Urban Village area. They also consider how and where parks, schools, libraries, open space, retail, and other amenities should be incorporated.

To evaluate the progress in accomplishing the objectives of this General Plan and to help inform the City's budget, Implementation Actions and Performance Measures are interspersed throughout the Goal and Policy sets. The Implementation Actions are specific directives to further the Goals and Policies. They are typically discrete tasks that, once completed, are removed from the General Plan text through the Annual General Plan Review process and documented in Appendix 10 – Record of General Plan Amendments. Performance Measures provide measurable standards that allow the City to track progress towards meeting objectives of the *Envision General Plan*. Performance Measures are interspersed throughout this document. Those directly related to environmental sustainability are also consolidated in this chapter under Goal IP-4 for easy reference.

Construction of public facilities and infrastructure is a critical link between the development of the City and the implementation of the *Envision General Plan*. San José's five year Capital Improvement Program (CIP) itemizes specific improvements and indicates the schedule and anticipated funding for them. The CIP is the primary tool that aligns City investments with General Plan Goals and Policies.

The City's Development Review process is a multifaceted one involving the programs of several City departments. This process has the most direct influence on the City's ability to carry out the primary development goals and policies of this General Plan. The Development Review process also implements the land use designations as shown on the Land Use / Transportation Diagram. Community engagement is an important aspect of the Development Review process; it influences recommendations and decisions.

The private sector finances and implements most of the development that occurs in the City. Decisions on the specific location and timing of a development project have traditionally been initiated by the private sector and will, on the whole, continue to be. However, the City is taking an increasingly active role in shaping development decisions in order to improve the relationship between private development and public facilities, services, and interests.

San José recognizes the economic and fiscal importance of promoting an appropriate balance of both housing and job growth. All economic and housing development directly influences attainment of the General Plan Policy objective of 1.1 jobs for each employed resident. Implementation Goals and Policies in this section address efficient and effective ways of facilitating job and housing growth at appropriate densities and locations.

The *Envision General Plan* guides the physical development of the City. The Implementation chapter provides the techniques, strategies, and methods for carrying out General Plan recommendations. This chapter contains the framework for transforming San José into the vision we share for it in 2040.

The subsection titled "General Plan Phasing/Planning Horizons," which is within the "General Plan Phasing/Planning Horizons/Major Review" section of Chapter 7 of the *Envision San José 2040 General Plan* is amended as follows:

General Plan Phasing / Planning Horizons

Residential development under the *Envision General Plan* is planned to occur in phases, referred to as Horizons, in order to carefully manage San José's expected housing growth. The *Envision General Plan* Land Use / Transportation Diagram identifies the locations of all focused Growth Areas available citywide from the present through the 2040 timeframe of the *Envision General Plan*. Many of these sites are currently in commercial use. In these identified Growth Areas, redevelopment of underutilized properties is strongly encouraged as a strategy to create intensified mixed-use development. In some locations this Plan calls for primarily retail, office and non-residential uses to develop employment centers. In other areas, mixed-use residential (residential with supportive retail and service uses) is planned.

Full development of all Growth Areas citywide is not proposed to happen concurrently. Because key elements of the Vision for this General Plan are to achieve the City's fiscal sustainability and to improve its Jobs-to-Housing balance, proposals for commercial, office, and other combinations of non-residential development can be pursued at any time, consistent with existing Land Use designations. However, to provide for residential development, this Plan includes each Growth Area, and the development capacity planned for that area, in one of a series of three (3) incremental growth Horizons so that the amount of new housing and the City's need to provide services for those new residents are increased gradually over the timeframe of the Plan. (Allowance is also made for residential units pursuant to land use entitlements in place upon adoption of the Envision San José 2040 General Plan or land use entitlements implementing a Senior Housing Overlay.) Each sequential Horizon identifies additional Urban Villages to be designated for residential mixed-use development, consistent with the City's ability to provide infrastructure and services. New development proposals should be guided to those Growth Areas within the City which are supported by existing adequate infrastructure and service facilities, especially transit, or which have secure plans for facilities needed to support new growth.

With the adoption of the *Envision General Plan*, all Growth Areas included in the first Horizon will be designated on the Land Use / Transportation Diagram and will be available for residential and mixed use development up to their entire planned capacity. In addition, existing entitlements for both residential and non-residential development and projects developed pursuant to a Senior Housing Overlay may proceed at any time. As the City grows and there is interest in creating mixed use residential communities in more Growth Areas, the steps of the Planning Horizons provide the City with an opportunity to assess progress toward achievement of its General Plan Vision and goals before moving to the next Horizon and opening those additional Growth Areas for intensive, mixed use residential development. Such review should focus on consideration of progress made in economic development, the City's fiscal health, and its ability to support continued population growth. As new Growth Areas are made available for mixed use residential development, the Land Use / Transportation Diagram shall be amended to reflect its new Land Use designations.

Policy IP-2.8, which is within the "Major Review of the General Plan" subsection of the "General Plan Phasing/Planning Horizons/Major Review" section of Chapter 7 of the *Envision San José 2040 General Plan* is amended as follows:

Allow development of residential units at the density and in the form approved in land use entitlements in place upon adoption of the *Envision San José 2040 General Plan*, (including capacity specified in the adopted Downtown Strategy, North San José Area Development Policy, Evergreen-East Hills Development Policy, Specific Plans, and potential dwelling unit yield from residential properties identified on the City's Vacant Land Inventory) and in the density and form permitted pursuant to land use entitlements implementing a Senior Housing Overlay. When the City Council commences the second Horizon of the *Envision General Plan*, new or revised proposals for development on sites with previously approved residential entitlements should conform to the Land Use / Transportation Diagram.

Policy IP-2.9, which is within the "Major Review of the General Plan" subsection of the "General Plan Phasing/Planning Horizons/Major Review" section of Chapter 7 of the *Envision San José 2040 General Plan* is amended as follows:

IP-2.9 Focus new residential development into specified Growth Areas to foster the cohesive transformation of these areas into complete Urban Villages, except for projects developed pursuant to a Senior Housing Overlay. Allow immediate development of all residential capacity planned for the Growth Areas included in the current Plan Horizons. Allow immediate development of senior housing projects pursuant to a Senior Housing Overlay.

Plan Horizon	Growth Area	
"Senior Housing Overlay" Senior housing projects pursuant to a Senior Housing Overlay not regulated by Plan Horizons	 Specific Plan Areas or other areas designated Senior Housing Overlay not included in "Base" or Residential Growth Areas 	
"Base" Capacity for new housing develop- ment not regulated by Plan Horizons	 Downtown Specific Plan Areas North San José Area Development Policy Vacant / Underutilized Lands Residential Neighborhoods Existing Entitlements 	
Horizon 1 Residential Growth Areas	Downtown Urban Village Corridors (East Santa Clara Street, Alum Rock Avenue, West San Carlos Street, and The Alameda) and Berryessa BART Urban Village	
Horizon 2 Residential Growth Areas	• Five Wounds BART and Local Transit (Existing) Urban Villages	
Horizon 3 Residential Growth Areas	Local Transit (Planned), Commercial Corridors and Centers, and Neighborhood Urban Villages	

Policy IP-3.3, which is within the "General Plan Annual Review and Measureable Sustainability" section of Chapter 7 of the *Envision San José 2040 General Plan* is amended as follows:

IP-3.3 Consider only during the Annual Review any privately-initiated General Plan Amendment proposals to modify the Land Use / Transportation Diagram or to make minor modifications to the Urban Growth Boundary or expansion of the Urban Service Area. Early consideration for continued processing or denial may be considered outside of the General Plan Annual Review process for projects involving the conversion of employment land to non-employment uses (other than pursuant to a Senior Housing Overlay) or other projects that are fundamentally inconsistent with the General Plan.

Policy IP-3.4, which is within the "General Plan Annual Review and Measureable Sustainability" section of Chapter 7 of the *Envision San José* 2040 General Plan is amended as follows:

Maintain the City's total planned housing growth capacity (120,000 dwelling units) as a cumulative result of any Amendments approved during a single Annual Review; amendments to allow senior housing to be developed pursuant to a Senior Housing Overlay shall not count toward the City's total planned housing growth capacity (120,000 dwelling units). Amendments may maintain or increase, but not diminish the total planned job growth capacity for the City.

Policy IP-7.4, which is within the "Specific Plans" subsection of the "Land Use Entitlement Process" section of Chapter 7 of the *Envision San José 2040 General Plan* is amended as follows:

IP-7.4 Typically incorporate specific plans into the General Plan as Planned Residential Communities or Planned Communities or as Senior Housing Overlay areas.

The *Envision San José 2040 General Plan* "Plan Horizons – Urban Villages – Planned Housing Growth Areas" Diagram, a copy of which is attached hereto for informational purposes only at page D-1 of Exhibit D, is hereby amended as set forth on page D-2 of Exhibit D hereto.

G. Amendments to Appendix 5, titled "Growth Areas Planned Capacity by Horizon."

Appendix 5, titled "Growth Areas Planned Capacity by Horizon," of the *Envision San José 2040 General Plan* is amended as follows:

"Table: Planned Job Capacity and Housing Growth Areas by Horizon (3 Horizons)," which is included in Appendix 5 of the *Envision San José 2040 General Plan*, is hereby amended as set forth on pages E-1 through E-4 of Exhibit E hereto.

Section 4. Amendments to the City of San José Municipal Code.

The voters hereby amend the City of San José Municipal Code as follows (new language to be inserted into the Municipal Code is shown as <u>underlined text</u> and language to be deleted is shown in strikethrough text; language shown in regular or bold type reflects the existing Municipal Code text and is provided for informational/reference purposes only):

Section 5.08.320A ("Partial Exemption for For-Sale Residential Development in a Senior Housing Overlay") is added to Chapter 5.08 ("INCLUSIONARY HOUSING") of Title 5 ("HOUSING") of the City of San José Municipal Code as follows:

5.08.320A Partial Exemption for For-Sale Residential Development in a Senior Housing Overlay.

This Chapter shall apply to Residential Development in a Senior Housing Overlay except as specified below.

- A. For-Sale Residential Development in a Senior Housing Overlay, as specified in the San José Envision 2040 General Plan, shall be exempt from the provisions of Section 5.08.400, subsections A and B of Section 5.08.460, Section 5.08.470 (other than subsections C and E.3), and Part 5 of this Chapter if it meets the following alternate requirements:
- 1. A Specific Plan is adopted for the Residential Development and requires the Residential Development to include Inclusionary Units on the same site as the Residential Development and meeting one of the following requirements:
 - a. Twenty percent (20%) of the total Dwelling Units in the Residential

 Development shall be made available for rent at an Affordable

 Housing Cost, consisting of fourteen percent (14%) available for
 rent at an Affordable Housing Cost to Moderate Income Households
 and six percent (6%) available for rent at an Affordable Housing
 Cost to Very Low Income Households; or

- b. Twenty percent (20%) of the total Dwelling Units in the Residential

 Development shall be made available for purchase at an Affordable

 Housing Cost to households earning no more than one hundred ten

 percent (110%) of the area median income. Such units may be sold
 to households earning no more than one hundred twenty percent

 (120%) of the area median income;
- 2. The quality of exterior design and overall quality of construction of the Inclusionary Units shall be consistent with the exterior design of all market rate units in the Residential Development and meet all site, design, and construction standards included in Title 17 (Buildings and Construction). Title 19 (Subdivisions), and Title 20 (Zoning) of this code, except as otherwise provided in the Specific Plan for the Residential Development, including but not limited to substantial conformance with all design guidelines included in the Specific Plan;
- 3. The Specific Plan for the Residential Development specifies all of the following with respect to the Inclusionary Units: (i) the timing of construction, and (ii) requirements with respect to (a) geographic location in the Residential Development, (b) parking, (c) the amenities, and (d) square footage and bedroom count; and
- 4. At the time of First Approval, the applicant shall elect whether to comply with the provisions of Section 5.08.320A.A.1.a or 5.08.320A.A.1.b. If the Specific Plan is approved by initiative, then "First Approval" as used in this Chapter with respect to the Residential Development authorized by the Specific Plan means the First Approval of the Residential Development by the City after the effective date of the initiative.

Chapter 18.20 ("SPECIFIC PLANS") of Title 18 ("LOCAL PLANNING") of the City of San José Municipal Code is amended to add new Section 18.20.010A as follows:

18.20.010A - Senior Housing Overlay Specific Plans by Initiative.

Notwithstanding anything to the contrary in this chapter, the requirements of this chapter shall not apply to any specific plan adopted by citizens' initiative that implements a Senior Housing Overlay pursuant to the General Plan.

Section 20.10.075 ("Specific Plan District") is hereby added to Chapter 20.10 ("GENERAL PROVISIONS AND ZONING DISTRICTS)" of Title 20 ("ZONING") of the City of San José Municipal Code as follows:

20.10.075 – Specific Plan District.

- A. The specific plan district is hereby established as a city zoning district classification. It may be referred to as specific plan zone or specific plan district or as SP district or SP zone.
- B. The SP district may be applied to territory that is subject to a specific plan adopted in accordance with state law governing specific plans and, to the extent applicable, Chapter 18.20.
- C. Development of the subject property can thereafter occur only pursuant to an effective Specific Plan Permit issued in conformity with the applicable specific plan.

Chapter 20.65 ("SP – SPECIFIC PLAN DISTRICT") is hereby added to Title 20 ("ZONING") of the City of San José Municipal Code as follows:

Chapter 20.65 - SP - SPECIFIC PLAN DISTRICT

20.65.010 - General provisions.

No building, structure or land shall be used and no building or structure shall be erected, enlarged or structurally altered, or demolished in any SP district, except in accordance with the provisions set forth in this chapter.

20.65.020 - Uses allowed.

The permitted, conditional, and special uses in a specific plan district are those specified in the applicable specific plan.

20.65.030 - Development regulations.

All development in specific plan districts shall substantially conform to the development regulations set forth in the applicable specific plan.

20.65.040 - Performance standards.

All development in specific plan districts shall substantially conform to the following performance standards:

- A. In the SP district, no primary, secondary, incidental or conditional use or activity related thereto shall be conducted or permitted:
 - 1. In a manner that causes or results in the harmful discharge of any waste materials into or upon the ground, into or within any sanitary or storm sewer system, into or within any water system or water, or into the atmosphere; or
 - 2. In a manner that constitutes a menace to persons or property or in a manner that is dangerous, obnoxious, or offensive by reason of the creation of a fire, explosion, or other physical hazard, or by reason of air pollution, odor, smoke, noise, dust vibration, radiation, or fumes; or
 - 3. In a manner that creates a public or private nuisance.
- B. Without limiting the generality of the preceding subsection, the following specific standards shall apply as shown in Table 20-137 in certain areas of the SP zoning district, as determined by the uses allowed in that area by the applicable specific plan.

<u>Table 20-137</u>

<u>Specific Performance Standards Applicable in Certain Areas in the SP District</u>

<u>Uses Permitted</u> by the Specific Plan in the Area	Additional Performance Standards Shall Be the Same As:
Residential, Active Open Space	Specific Performance Standards for Residential Zoning Districts
Commercial, Public and Quasi-Public	Specific Performance Standards for Commercial Zoning Districts
Industrial	Specific Performance Standards for Industrial Zoning Districts
Passive Open Space	Specific Performance Standards for Open Space and Agricultural Zoning Districts

Part 8.5 ("SPECIFIC PLAN PERMITS") is hereby added to Chapter 20.100 ("ADMINISTRATION AND PERMITS") of Title 20 ("ZONING") of the City of San José Municipal Code as follows:

Part 8.5 – SPECIFIC PLAN PERMITS

20.100.990 - Specific Plan Permits

- A. The provisions of this part shall apply to and govern the issuance of specific plan permits, commonly referred to as "SP permits" for developments in specific plan districts requiring an SP permit.
- B. A specific plan that requires development to obtain an SP permit shall address, at a minimum, all of the following requirements:
 - 1. When an SP permit is required;
 - 2. The governing bodies that that take the initial action and any appellate action on the SP permit;
 - 3. The required findings to approve the SP permit;
 - 4. The hearing and appeal procedures for the SP permit; and
 - 5. The process to amend or adjust the SP permit.
- C. An SP permit addresses aesthetic and functional aspects of development and may also be a use permit. Unless otherwise stated in the applicable specific plan, an SP permit shall constitute the exclusive development and use permit required for development in specific plan districts covered by a specific plan requiring an SP permit. Any SP permit issued under this part shall be subject to the general provisions of this chapter related to development permits except as otherwise provided in the applicable specific plan.

Part 7 ("SPECIFIC PLAN DISTRICTS") is hereby added to Chapter 20.120 ("ZONING CHANGES AND AMENDMENTS") of Title 20 ("ZONING") of the City of San José Municipal Code as follows:

Part 7 – SPECIFIC PLAN DISTRICTS

20.120.600 – Specific plan district.

The Municipal Code provisions for the adoption of specific plans shall also apply to the initiation, adoption, and amendment of any specific plan district, unless the specific plan district is adopted by initiative.

The Zoning Map of the City of San José is amended as follows:

The "Land Use Zoning Map," a depiction of which is attached hereto for informational purposes only at page F-1 of Exhibit F hereto, is hereby amended to rezone the property that is subject to the Evergreen Hills Specific Plan, as adopted by this Initiative, from "Agriculture – Planned Development (A(PD))" to "Specific Plan (SP)," as set forth on page F-2 of Exhibit F hereto.

Section 5. Amendments to the Evergreen-East Hills Development Policy.

The voters hereby amend the Evergreen-East Hills Development Policy ("EEHDP") as follows (new language to be inserted into the EEHDP is shown as <u>underlined text</u> and language to be deleted is shown in strikethrough text; language shown in regular or bold type reflects the existing EEHDP text and is provided for informational/reference purposes only):

Part I, titled "Background," is amended to add the following new text at the end of Part I as follows:

2018 Evergreen Senior Homes Initiative

Recognizing the significant and growing need for senior housing in the City, the Evergreen Senior Homes Initiative established a program for the provision of senior housing on underutilized employment lands. The Initiative amended the *Envision San José 2040 General Plan* to add Goals and Policies supporting the development of senior housing in the City and to create a Senior Housing Overlay land use designation ("Senior Housing Overlay") that establishes standards for sites to be designated with the Senior Housing Overlay. The Initiative added the Senior Housing Overlay to one Industrial Park-designated site in the Evergreen-East Hills Development Policy Area and authorized the City to evaluate other appropriate sites in the City for the Senior Housing Overlay.

The Initiative also amended the Evergreen-East Hills Development Policy to clarify how the Evergreen-East Hills Development Policy applies to senior housing projects pursuant to the Senior Housing Overlay, clarify the use of existing development capacity, and make other refinements.

Part III, titled "Land Use," is amended to add the following new text after the subsection titled "Affordable Housing Policy" as follows:

SENIOR HOUSING POLICY

Consistent with Key Outcome #5 (see Appendix A- Guiding Principles for Land Use and Transportation Planning), which was developed through the Evergreen-East Hills Vision Strategy Process, the EEHDP is intended to create housing opportunities for a wide range of household types and income levels. The Guiding Principle Design Guidelines incorporated into Appendix B also encourage housing opportunities for a wide range of household types and income levels. The establishment of a range of housing types for seniors, including active and independent living, assisted living, memory care, and other residential board and care facilities is encouraged. Affordable senior units and affordable care facilities that foster aging within the community also are encouraged.

The subsection titled "Retail Policy," in Part III, titled "Land Use," is amended as follows:

Consistent with Key Outcome No. #4 (see Appendix A – Guiding Principles for Land Use and Transportation Planning), which was developed through the Evergreen-East Hills Strategy process, the EEDHP is intended to foster vibrant commercial/business, mixed use, and residential areas including added opportunities for post offices, health care, entertainment and other retail uses. The Guiding Principles and Design Guidelines incorporated into Appendices A, B, and C to this Policy also encourage mixed-use development. Projects pursuing more than 35 residential units in size, other than projects pursuant to the *Envision San José 2040 General Plan* Senior Housing Overlay, must adhere to specific design guidelines for mixed use development in order to foster successful retail opportunities (see Appendix C).

The subsection titled "Existing Development Capacity," in Part III, titled "Land Use," is amended as follows:

Existing Development Capacity

All properties with established development capacity in the form of existing buildings, entitlements, traffic allocations under the previous policy, or assigned trips in the City's Approved Trips Inventory (ATI) are able to redevelop based on that established level of traffic capacity. For properties with capacity in the form of allocations under the previous policy, tThe level of traffic capacity for such properties will be determined from the associated traffic generation (trips) under the Original Evergreen Development Policy as amended. For properties with capacity in the form of assigned trips in the City's ATI, the level of traffic capacity for such properties is the aggregate total number of trips assigned to the property in the City's ATI at the time of the initial planning entitlement approval (e.g., the first of rezoning, development permit, subdivision map, or equivalent action or, in the case of properties rezoned by initiative, the date of the filing of the Notice of Intent to circulate the initiative) (the "ATI Allocation"). Existing trip allocations for a property will be credited fortoward any development or redevelopment of that property, including proposed changes in use (e.g., existing commercial trips can be credited to a new residential project that displaces the commercial use; existing industrial ATI allocations can be credited toward a new residential project). Trips for that property will remain in the City's ATI and traffic capacity will remain available to that property until utilized or until all entitlements for that property expire. Development in excess of the existing trip allocation will require new allocation(s) as provided in the following provisions of this Policy. Development not in excess of the exiting trips allocation will not require new allocations as provided in this Policy or be subject to Traffic Impact Fees under this Policy. For example, for properties with existing capacity in the form of assigned trips in the City's ATI, if aggregate number of trips generated by the proposed development is less than or equal to the aggregate number of trips in the

ATI Allocation for the properties, no new allocations under this Policy shall be required and no Traffic Impact Fees under this Policy shall apply. As of August 2008, unconstructed residential allocations under the previous policy total 446 dwelling units, as set forth in Appendix I of this Policy.

Part III, titled "Land Use," is amended to add the following new subsection after the subsection titled "Existing Development Capacity" as follows:

Senior Housing Overlay Development Capacity

The Senior Housing Overlay currently applies to one site in the EEHDP that is designated Industrial Park in the Envision San José 2040 General Plan, allowing industrial park development at a floor area ratio of up to 10.0 and a height of up to 15 stories. The site has established development capacity in the form of assigned trips in the City's ATI. Senior housing projects generate substantially fewer trips than conventional housing or intensive employment uses. In recognition of the significant and growing need for senior housing and the lower trip generation associated with senior housing projects, development of senior housing projects pursuant to the Envision San José 2040 General *Plan* Senior Housing Overlay will not require new allocations as provided in this Policy or be subject to Traffic Impact Fees under this Policy. Such projects shall remain subject to other applicable provisions of this Policy, including traffic impact criteria and transportation demand management measures (per Part IV of the EEHDP), site operational improvements, traffic calming, and bus stop construction/improvements (per Part V of the EEHDP), the four requirements listed in the bullet points in Part VI of the EEHDP under the heading "Allocation of Development Capacity" that apply to all new development, and the consideration of the Guiding Principles for Land Use Planning and Guiding Principle Design Guidelines in accordance with Part II of the EEHDP.

The subsection titled "New Residential Development Unit Pool," in Part III, titled "Land Use," is amended as follows:

New Residential Development Unit Pool

This Evergreen-East Hills Development Policy establishes capacity for the development of up to 500 new residential units in the Policy area. This capacity is held in a "pool" that may be allocated to any property per the allocation criteria set forth in this Policy (see Chapter VI Implementation).

- At a minimum, 70% may be allocated to small projects, which are 35 units or fewer in size.
- A maximum of 30% of the pool units (150 units) can be utilized for allocation to development projects of more than 35 units if the proposals meet criteria set forth for Large Projects.

Units are considered "allocated" with the approval of a rezoning, development permit or subdivision through a tentative or parcel map approval, whichever comes first. Any type of residential development requiring an allocation under this Policy, including single-family and multi-family residential projects (but excluding projects pursuant to the Senior Housing Overlay) shall be allocated units out of this pool. This Policy does not allow for any additional residential development requiring an allocation under this Policy beyond this specific allocation of 500 units. Any additional residential development requiring an allocation under this Policy beyond 500 units would necessitate an amendment to this updated Policy and likely additional subsequent environmental clearance. Guidance for future updates is contained in Chapter VII Future Amendments to the EEHDP.

The subsection titled "Other Land Uses," in Part III, titled "Land Use," is amended as follows:

Other Land Uses

Private or other public agency development that does not fit traditional forms of commercial, office, projects pursuant to the Senior Housing Overlay, or residential

development in terms of number of peak AM/PM trips generated per square footage or dwelling unit must calculate a trip generation equivalency. The trip generation equivalency will equate the number of AM/PM peak trips from the development proposal to an amount of square footage for commercial or office uses or a number of dwelling units for residential use. For projects that have a mix or hybrid of uses, the trip generation equivalency will equate a combination of commercial or office square footage and dwelling units. The determined equivalent amount of commercial and office square footage or number of dwelling units would need to draw from the appropriate traffic development pool category or categories (commercial, office, and/or residential) approved through this Policy.

Given that these "other land use" proposals must draw from the development pool, the proposals must comply with the provisions of this Policy that are applicable to the development pool. For example, any proposal that would draw more than 35 units from the residential development pool based on trip generation equivalency would need to meet the criteria for large projects as outlined in the Implementation section of this Policy. Any projects falling under "Other Land Uses" category must meet one of the two criteria below:

- 1. The project does not exceed the trip generation equivalency of a residential project of 35 units or fewer.
- 2. The project would otherwise qualify for the large project status based on the criteria identified in the development policy.

The subsection titled "Other Types of Development," in Part IV, titled "Transportation Policy and Standards," is amended as follows:

Other Types of Development. Future development that does not fit within the typical definitions of residential, projects pursuant to the Senior Housing Overlay, retail, or office, such as public or quasi-public facilities, must be still evaluated for conformance with the above-stated Traffic Impact Criteria. Such development must provide mitigation for its traffic impacts, consistent with the EEHD Policy, unless necessary improvements create undesirable conflicts with other modes of travel. In the event of undesirable conflicts with other modes of travel, the City Council may consider whether to modify the EEHD Policy to allow the development despite the degradation in LOS or restrict such development in light of the resulting LOS. Additional residential, commercial, and office development (excluding projects pursuant to the Senior Housing Overlay) beyond existing development capacity and the development pool shall only be considered through an amendment to this EEHDP if one of the circumstances described in Chapter VII Future Amendments to the EEHDP is realized. See Chapter III Land Use for guidance regarding new City public facilities.

The subsection titled "Overview," in Part V, titled "Transportation and Infrastructure," is amended as follows:

OVERVIEW

A key element of the EEHDP is the construction of new transportation infrastructure projects in conjunction with the construction of new development within the EEHDP Area. These transportation improvements are divided into two categories:

Transportation Mitigation Improvements and Site Operational Improvements. The Transportation Mitigation improvements will be funded through the procurement of a Traffic Impact Fee from the new development beyond existing development capacity (excluding projects pursuant to the Senior Housing Overlay). A Nexus Study, "Nexus Study for the Evergreen-East Hills Development Policy," dated July 7, 2008, has been prepared to establish the relationship between new development of the proposed development capacity and the Transportation Mitigation Measure Improvements which are to be funded through the Traffic Impact Fee.

The Site Operational Improvements must be built/installed at the time of development on specific sites and will be funded by the developer of the particular site.

The subsection titled "Transportation Mitigation Improvements," in Part V, titled "Transportation and Infrastructure," is amended as follows:

TRANSPORTATION MITIGATION IMPROVEMENTS

The Transportation Mitigation Measure Improvements address specific traffic impacts associated with full build-out of the EEHD Policy's limited development capacity (identified below on this page and page 20) and will directly benefit traffic flow within the Policy area. The construction of the transportation mitigation improvements will be funded or caused to be funded by using fees collected from a Traffic Impact Fee applied to all new residential, retail, and commercial office development enabled through the EEHD Policy in excess of existing development capacity (excluding projects pursuant to the Senior Housing Overlay). Additional details of the Traffic Impact Fee are discussed below in the Implementation Chapter. The specific mitigation measures are:

- 1) Capitol Expressway and Quimby Road: Add exclusive northbound and eastbound right-turn lanes to this intersection.
- 2) Nieman Boulevard and Yerba Buena Road: Add a second westbound left-turn lane to this intersection.
- 3) Tully Road and McLaughlin Avenue: Add an exclusive northbound right-turn lane to this intersection.
- 4) White Road and Aborn Road: Add a second westbound left lane to this intersection.
- 5) US 101 and Yerba Buena Road (East): Convert a westbound through lane into a shared through/right-turn lane at this intersection.
- 6) White Road and Quimby Road: Add a second northbound left turn lane to this intersection.
- 7) San Felipe Road and Yerba Buena Road (South): A second eastbound left turn lane and a second southbound left turn lane will be added to this intersection.

The subsection titled "Allocation of Development Capacity," in Part VI, titled "Implementation," is amended as follows:

ALLOCATION OF DEVELOPMENT CAPACITY

Allocation of the development capacity provided through this Policy is determined according to the criteria set forth in this section. Allocations are made at the time of initial Planning entitlement approval (the first of either Planned Development Zoning, Site Development Permit, Tentative or Parcel Map, or equivalent action) and remain in place until all such entitlements expire.

In addition to meeting the allocation policies on pages 22-27 of this EEHD Policy, all new development within the EEHDP Area, including projects that make use of existing allocations, existing trip credits, or allocation of new development pool capacity must:

- Further the Major Strategies, Goals and Polices of the City of San Jose General Plan. Although development must adhere to all applicable aspects of the General Plan, development policies which are particularly relevant to the topography and environment of the Evergreen-East Hills area include hillside development and riparian corridor protection policies.
- Conform to the City's Design Guidelines for Commercial, Industrial, and Residential uses, or alternate design guidelines adopted as part of a Specific Plan.
- Not require modification of the Urban Service Area or Urban Growth Boundary boundaries.
- Not create significant adverse effects upon the environment, including but not limited to; projects that must not require significant grading or other alteration of the natural environment.

The subsection titled "Anti-Clustering' and Master Planning Requirement for Residential Development," in Part VI, titled "Implementation," is amended as follows:

"Anti-Clustering" and Master Planning Requirement for Residential Development

The allocation of development capacity through the land use approval process on sites in the EEHDP area shall occur only if the proposed residential development fully utilizes the proposed project site consistent with the designation on the General Plan Land Use/Transportation Diagram, General Plan text, and other applicable policies (e.g., Riparian Corridor Policy). Development should not occur on a portion of the site, with other portions of the site remaining vacant in reservation for potential future development opportunities which are not in conformance to the EEHDP. A site is defined as one or more contiguous parcels that function as a whole. A project fully utilizes or fully develops a site if there are no large portions of the site remaining vacant after the proposed development.

If a site is unable to fully develop consistent with the General Plan Land Use/Transportation Diagram designation, General Plan text, and in accordance with the criteria set in this Policy, then the site is ineligible to draw from the pool. If an Amendment to the Land Use/Transportation Diagram (other than an amendment by initiative) is proposed, then the other applicable entitlements (rezoning, Site Development Permit, and/or Tentative Map) should be concurrently processed with the amendment to the Land Use/Transportation Diagram in order to confirm the applicant's intent to implement the proposed Amendment consistent with the EEHDP. This criterion is intended to apply only to residential development. Commercial, office, recreation, public facilities, and other non-residential ones are allowed on portions of large sites as these uses internalize trips already occurring or reduce the number of trips out of the Evergreen-East Hills area for access to these services. In addition, some of these uses also create employment opportunities that will help to correct the jobs/housing balance issue in the Evergreen-East Hills area.

Conditions for consideration to an Amendment to this Development Policy are highlighted in Chapter VII Future Amendments to the EEHDP.

The subsection titled "Implementation Goals," in the subsection titled "Residential Pool Allocation," in the subsection titled "Allocation of Development Capacity," in Part VI, titled "Implementation," is amended as follows:

Implementation Goals

The goals of the EEHDP are to reduce congestion on the roadway when possible, thus improving quality of life for residents. In no case shall the total number of units (other than units in projects pursuant to the Senior Housing Overlay) distributed by application of these goals exceed the overall cap of 500 residential units established in this amendment. In the event there is more demand for residential development in the Policy Area than existing development capacity, projects pursuant to the Senior Housing Overlay, and the 500 residential pool allows for, projects on file shall be evaluated by Planning staff for their conformance to the following congestion reduction goals:

- 1) Proximity to Mass Transit Any projects located within 2,000 feet of existing or planned light rail or bus stops with bus routes with frequent headway. Projects should also include enhanced provisions for bicycle parking and pedestrian connections on-site.
- 2) Proximity to Community Services Any projects located with ¼ mile from community services such as schools, libraries, and commercial areas. This includes existing and future services, including those approved via City Council action, such as master plans, specific plans, and Strong Neighborhood Initiative plans.

In the event that some residential applications must be denied or reduced because the total proposed residential units of the combined applications exceed the 500 residential

pool, development applications on file that meet one or more of the goals above shall be given consideration for approval before projects that do not meet any of the goals. Any development that deviates from the assumed distribution of traffic in the Supplemental Environmental Impact Report, may need to provide an additional traffic report and to complete additional environmental clearance for traffic.

Part VII, titled "Future Amendments to the EEHDP" is amended to add the following new text at the end of Part VII as follows:

Notwithstanding anything to the contrary in this EEHDP, amendments to the EEHDP adopted by initiative shall not require compliance with the provisions of this Part VII.

Section 6. Adoption of the Evergreen Senior Homes Specific Plan.

The Evergreen Senior Homes Specific Plan (the "Specific Plan"), attached as Exhibit G to this Initiative, is hereby adopted.

Section 7. Implementation of this Initiative.

- A. Upon the effective date of this Initiative, the City is directed to promptly take all appropriate actions needed to implement this Initiative, including but not limited to taking any administrative steps necessary to update any and all City maps, figures, and any other documents maintained by the City so they conform to the legislative policies set forth in this Initiative. This Initiative is considered adopted and effective upon the earliest date legally possible after the City Council adopts this Initiative, or the Elections Official certifies the vote on the Initiative by the voters of the City of San José, whichever occurs earlier.
- **B.** Upon the effective date of this Initiative, the General Plan provisions of Section 3 of this Initiative are hereby inserted into the General Plan; except that if the four amendments of any mandatory element of the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan amendments set forth in this Initiative shall be the first amendments inserted into the General Plan on January 1 of the next year.
- C. The General Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative ("Filing Date"), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent and compatible statement of policies for the City. To ensure that the City's General Plan remains an integrated, internally consistent and compatible statement of policies for the City, any provision of the General Plan that is adopted between the Filing Date and the effective date of the General Plan amendments adopted by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with or would diminish, render invalidate, defeat, or impair the General Plan amendments adopted by this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the General Plan.
- **D.** Upon the effective date of this Initiative, the provisions of Section 4 are hereby inserted into the City of San José Municipal Code.

Section 8. Effect of Other Measures on the Same Ballot.

In approving this Initiative, it is the voters' intent to create a comprehensive regulatory plan to govern the provision of senior housing pursuant to a Senior Housing Overlay and the future use and development of the property within the Evergreen Senior Homes Specific Plan area (the "Property"). To ensure that this intent is not frustrated, this Initiative is presented to the voters as an alternative to, and with the express intent that it will compete with, any and all voter initiatives or City-sponsored measures placed on the same ballot as this Initiative and which, if approved, would regulate the provision of senior housing or use or development of the Property in any manner whatsoever (each, a "Conflicting Initiative"). In the event that this Initiative and one or more Conflicting Initiatives are adopted by the voters at the same election, then it is the voters' intent that only the measure which receives the greatest number of affirmative votes shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. In no event shall this Initiative be interpreted in a manner that would permit its operation in conjunction with the non-conflicting provisions of any Conflicting Initiative. If this

Initiative is approved by the voters at the same election, and such Conflicting Initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

Section 9. Interpretation and Severability.

- A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.
- **B.** If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the People of the City of San José indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including adopting or reenacting any such portion in a manner consistent with this Initiative.
- C. This Initiative must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purpose set forth in this Initiative.

Section 10. Amendment or Repeal.

Prior to 10 years after the effective date of the Initiative, the provisions of this Initiative and the amendments and the Evergreen Senior Homes Specific Plan that it adopts can be amended or repealed only by a majority of the voters of the City of San José voting in an election held in accordance with applicable law. On or after 10 years after the effective date of the Initiative, a vote of the people shall not be required to amend or repeal any portion of the Initiative, and this Initiative and the amendments and the Evergreen Specific Plan that it adopts may be amended or repealed by any procedure otherwise authorized by law. These dates shall be tolled for a period equal to the period during which any litigation or a similar action challenging the Initiative, including any of the amendments or the Evergreen Senior Homes Specific Plan that the Initiative adopts, has been filed and remains active. The text of existing provisions of the *Envision San José 2040 General Plan*, City of San José Municipal Code, and Evergreen-East Hills Development Policy that are quoted in this Initiative but not modified herein are not subject to this Section.

Section 11. Exhibit List.

The following exhibits are attached to this Initiative and incorporated herein:

Exhibit A: Amendment to *Envision San José 2040 General Plan* "Planned Growth Areas

Diagram"

Exhibit B: Amendment to Envision San José 2040 General Plan "Transportation

Network Diagram"

Exhibit C: Amendment to Envision San José 2040 General Plan "Land

Use/Transportation Diagram"

Exhibit D: Amendment to Envision San José 2040 General Plan "Plan Horizons – Urban

Villages – Planned Housing Growth Areas" Diagram

Exhibit E: Amendment to "Table: Planned Job Capacity and Housing Growth Areas by

Horizon (3 Horizons)" of Appendix 5 of the Envision San José 2040 General

Plan

Exhibit F: Zoning Amendment

Exhibit G: Evergreen Senior Homes Specific Plan

Exhibit H: General Plan Consistency Chart

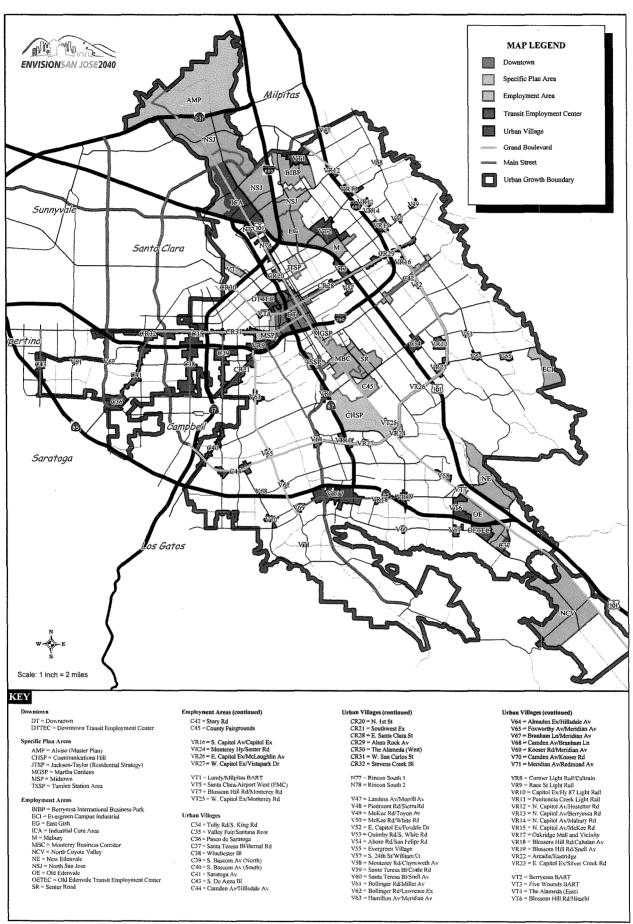
Exhibit I: Evergreen-East Hills Development Policy (for informational purposes only)

EXHIBIT A TO THE INITIATIVE

AMENDMENT TO ENVISION SAN JOSÉ 2040 GENERAL PLAN "PLANNED GROWTH AREAS DIAGRAM"

The Planned Growth Areas Diagram, as it exists in the *Envision San José 2040 General Plan* as of the filing date of this Initiative, is shown below for informational purposes only:

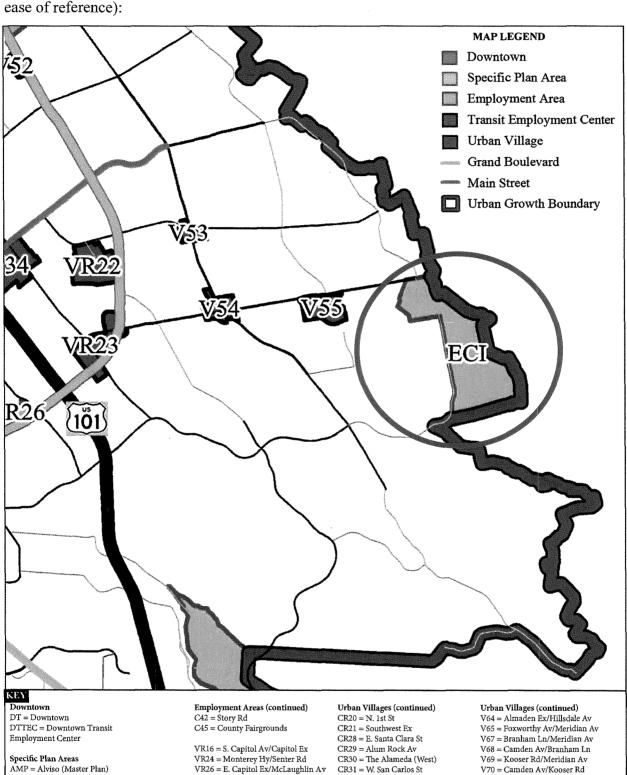
ENVISION SAN JOSE 2040 GENERAL PLAN PLANNED GROWTH AREAS DIAGRAM



Map Prepared by: City of San Jose, Planning Division, March 2012

PLANNED GROWTH AREAS DIAGRAM

The relevant portion of the Planned Growth Areas Diagram, as it exists in the *Envision San* José 2040 General Plan as of the filing date of this Initiative, is shown below for informational purposes only (the property that is the subject of the Evergreen Senior Homes Specific Plan adopted by this Initiative is located within the bold red circle on the diagram for ease of reference):



CHSP = Communications Hill JTSP = Jackson-Taylor (Residential

Strategy) MGSP = Martha Gardens

MSP = Midtown

TSSP = Tamien Station Area

Employment Areas

BIBP = Berryessa International Business Park

ECI = Evergreen Campus Industrial

EG = East Gish

ICA = Industrial Core Area
M = Mabury MBC = Monterey Business Corridor NCV = North Coyote Valley NE = New Edenvale

NSJ = North San Jose

OE = Old Edenvale

OETEC = Old Edenvale Transit Employment Center

SR = Senter Road

VR27 = W. Capitol Ex/Vistapark Dr

VT1 = Lundy/Milpitas BART

VT5 = Santa Clara/Airport West (FMC) N78 = Rincon South 2
VT7 = Blossom Hill Rd/Monterey Rd
VT25 = W. Capitol Ex/Monterey Rd V47 = Landess Av/Mo.

Urban Villages C34 = Tully Rd/S. King Rd C35 = Valley Fair/Santana Row C36 = Paseo de Saratoga

C37 = Santa Teresa Bl/Bernal Rd C38 = Winchester Bl C39 = S. Bascom Av (North)

C40 = S. Bascom Av (South)

C40 = S. Bascom Av C41 = Saratoga Av C43 = S. De Anza Bl

C44 = Camden Av/Hillsdale A

CR32 = Stevens Creek Bl

N77 = Rincon South 1

V47 = Landess Av/Morrill Av

V48 = Piedmont Rd/Sierra Rd

V49 = McKee Rd/Toyon Av V50 = McKee Rd/White Rd V52 = E. Capitol Ex/Foxdale Dr

V53 = Ouimby Rd/S. White Rd

V54 = Aborn Rd/San Felipe Rd V55 = Evergreen Village V57 = S. 24th St/William Ct

V58 = Monterey Rd/Chynoweth Av V59 = Santa Teresa Bl/Cottle Rd

V60 = Santa Teresa Bl/Snell Av

V61 = Bollinger Rd/Miller Av V62 = Bollinger Rd/Lawrence Ex V63 = Hamilton Av/Meridian Av

V71 = Meridian Av/Redmond Av

VR8 = Curtner Light Rail/Caltrain

VR9 = Race St Light Rail
VR10 = Capitol Ex/Hy 87 Light Rail
VR11 = Penitencia Creek Light Rail

VR12 = N. Capitol Av/Hostetter Rd VR13 = N. Capitol Av/Berryessa Rd VR14 = N. Capitol Av/Mabury Rd VR15 = N. Capitol Av/McKee Rd

VR17 = Oakridge Mall and Vicinity VR18 = Blossom Hill Rd/Cahalan Av VR19 = Blossom Hill Rd/Snell Av

VR22 = Arcadia/Eastridge VR23 = E. Capitol Ex/Silver Creek Rd

VT2 = Berryessa BART VT3 = Five Wounds BART

VT4 = The Alameda (East)

VT6 = Blossom Hill Rd/Hitachi

AMENDMENT TO PLANNED GROWTH AREAS DIAGRAM

The Planned Growth Areas Diagram of the *Envision San José 2040 General Plan* is amended by this Initiative to add Senior Housing Overlay and Evergreen Senior Homes Specific Plan designations to the property that is the subject of the Evergreen Senior Homes Specific Plan adopted by this Initiative, and add the Evergreen Senior Homes Specific Plan to the list of Specific Plan Areas. The relevant portion of the diagram, as amended by the Initiative, is shown below (the Evergreen Senior Homes Specific Plan property is located within the bold red circle on the diagram for ease of reference, and text to be added is underlined):

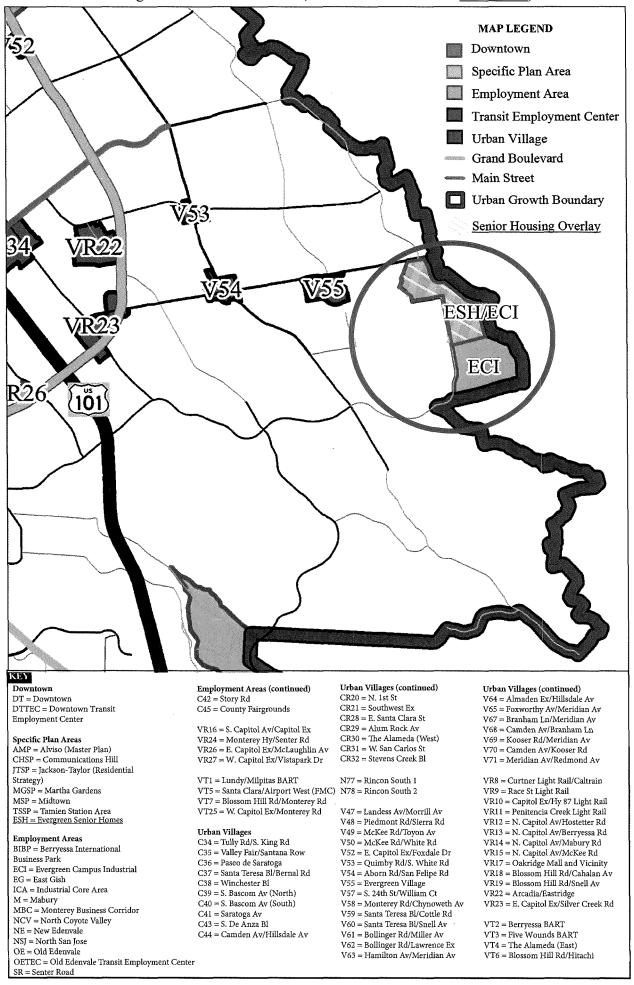
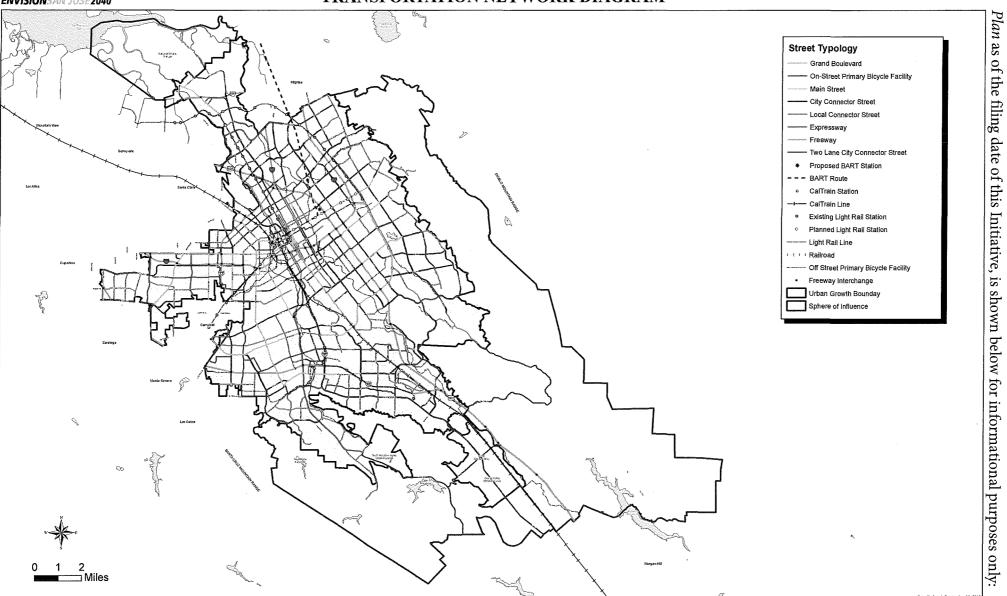


EXHIBIT B TO THE INITIATIVE

AMENDMENT TO ENVISION SAN JOSÉ 2040 GENERAL PLAN "TRANSPORTATION NETWORK DIAGRAM"



ENVISION SAN JOSE 2040 GENERAL PLAN TRANSPORTATION NETWORK DIAGRAM

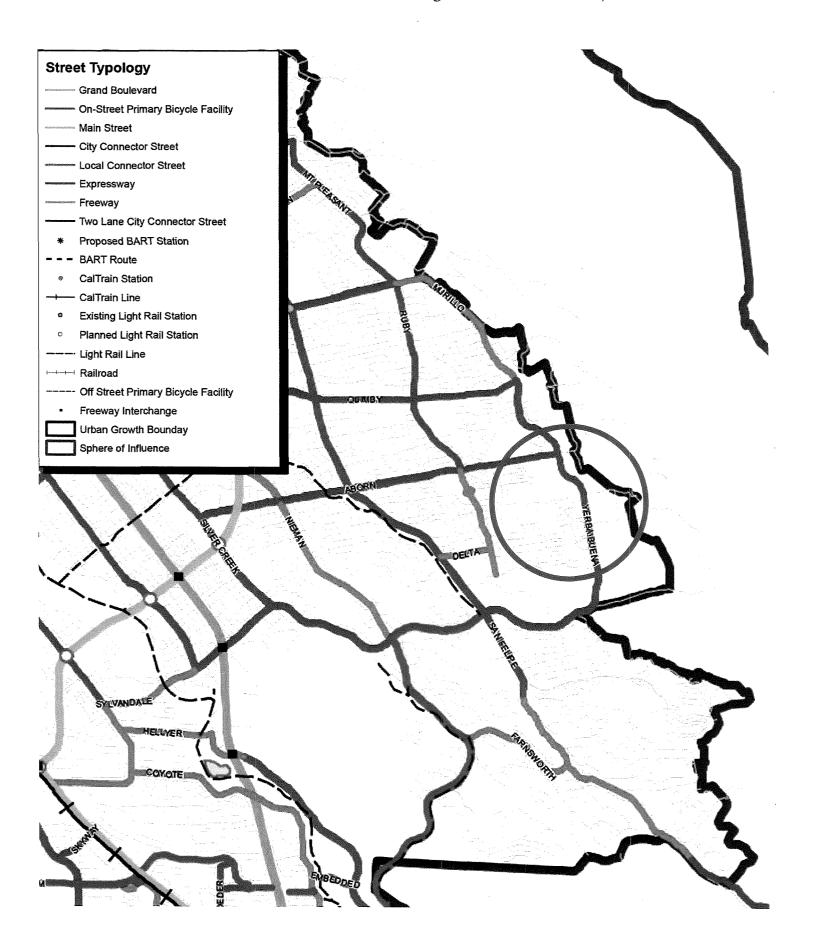


The Transportation Network Diagram, as it exists in the Envision San José 2040 General

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY

TRANSPORTATION NETWORK DIAGRAM

The relevant portion of the Transportation Network Diagram, as it exists in the *Envision San José 2040 General Plan* as of the filing date of this Initiative, is shown below for informational purposes only (the relevant area is located within the bold red circle on the diagram for ease of reference):



AMENDMENT TO THE TRANSPORTATION NETWORK DIAGRAM

The Transportation Network Diagram of the *Envision San José 2040 General Plan* is amended by this Initiative, such that the portion of Yerba Buena Road that runs through the property that is the subject of the Evergreen Senior Homes Specific Plan adopted by this Initiative will no longer be designated as a "City Connector Street." The relevant portion of the diagram, as amended by the Initiative, is shown below (the amendment is located within the bold red circle on the diagram for ease of reference):

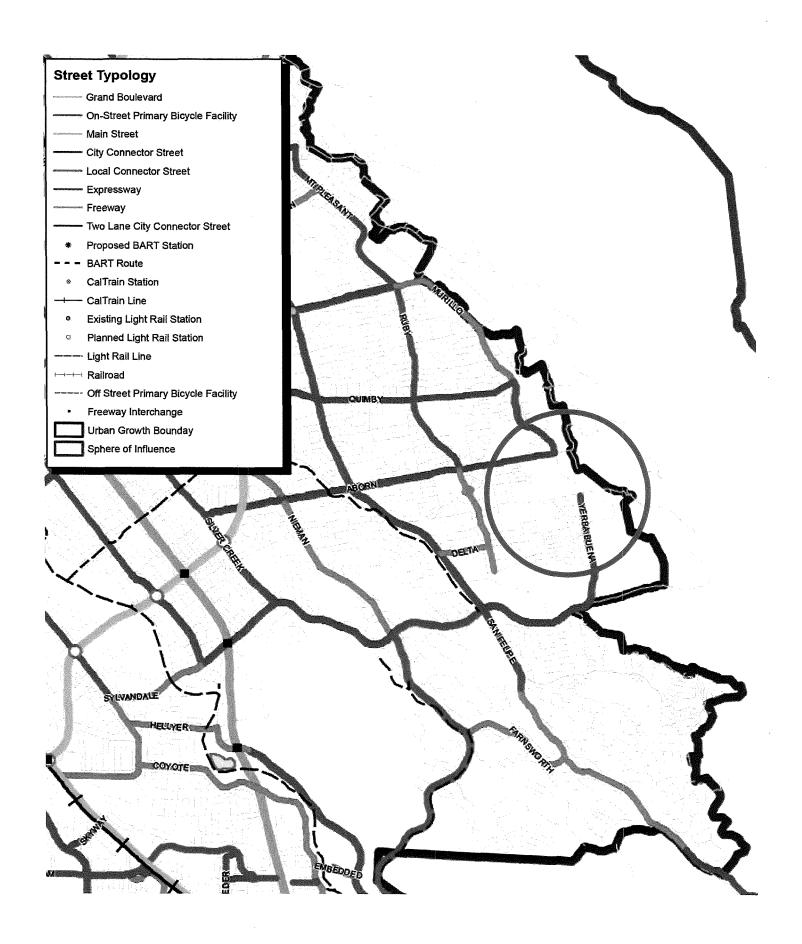
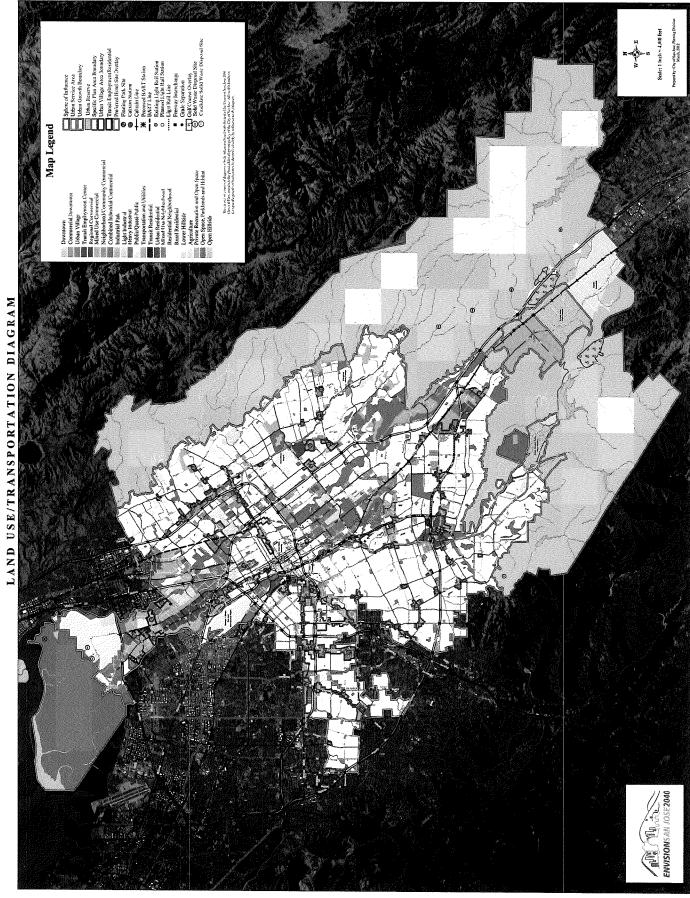


EXHIBIT C TO THE INITIATIVE

AMENDMENT TO ENVISION SAN JOSÉ 2040 GENERAL PLAN "LAND USE/TRANSPORTATION DIAGRAM" ENVISION SAN JOSE 2040 GENERAL PLAN

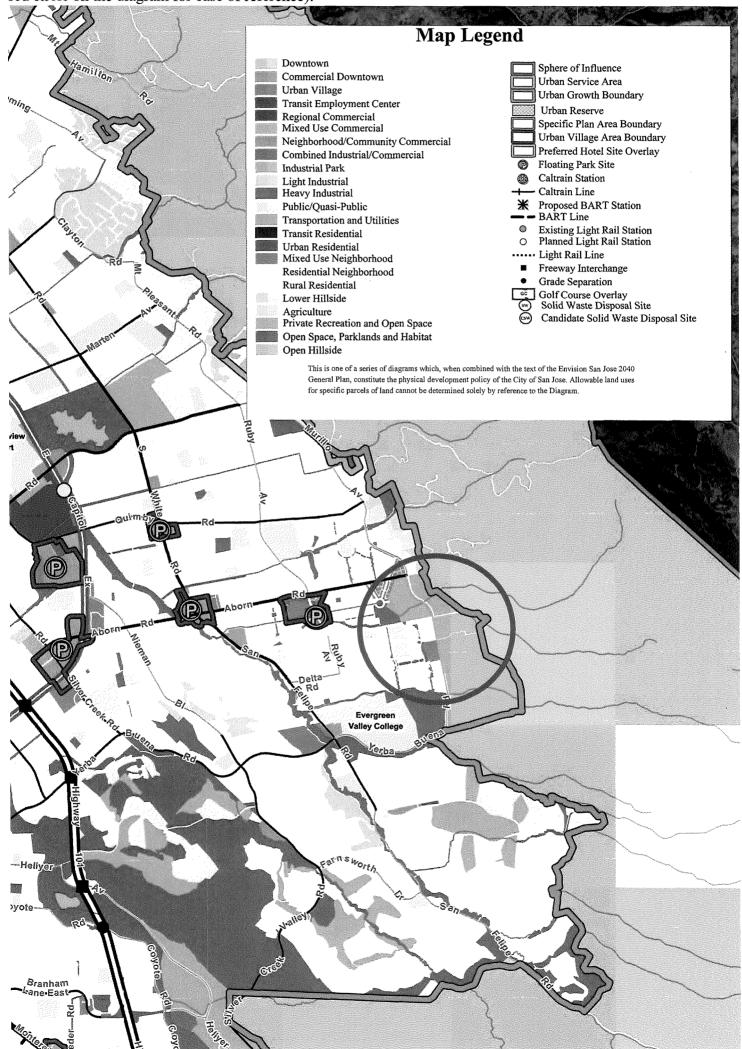
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Land Use/Transportation Diagram, as depicted in the PDF available on the City's website as of the filing date of this Initiative, is shown below for informational purposes only:



LAND USE/TRANSPORTATION DIAGRAM

The relevant portion of the Land Use/Transportation Diagram, as depicted in the PDF available on the City's website as of the filing date of this Initiative, is shown below for informational purposes only (the property that is the subject of the Evergreen Senior Homes Specific Plan adopted by this Initiative is located within the bold red circle on the diagram for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS AMENDMENT TO LAND USE/TRANSPORTATION DIAGRAM

The relevant portion of the Land Use/Transportation Diagram, as depicted in the PDF available on the City's website as of the filing date of this Initiative, is amended by this Initiative to add Specific Plan and Senior Housing Overlay designations to the property that is the subject of the Evergreen Senior Homes Specific Plan adopted by this Initiative (the property that is the subject of the Evergreen Senior Homes Specific Plan adopted by this Initiative is located within the bold red circle on the diagram for ease of reference, and text to be added is <u>underlined</u>):

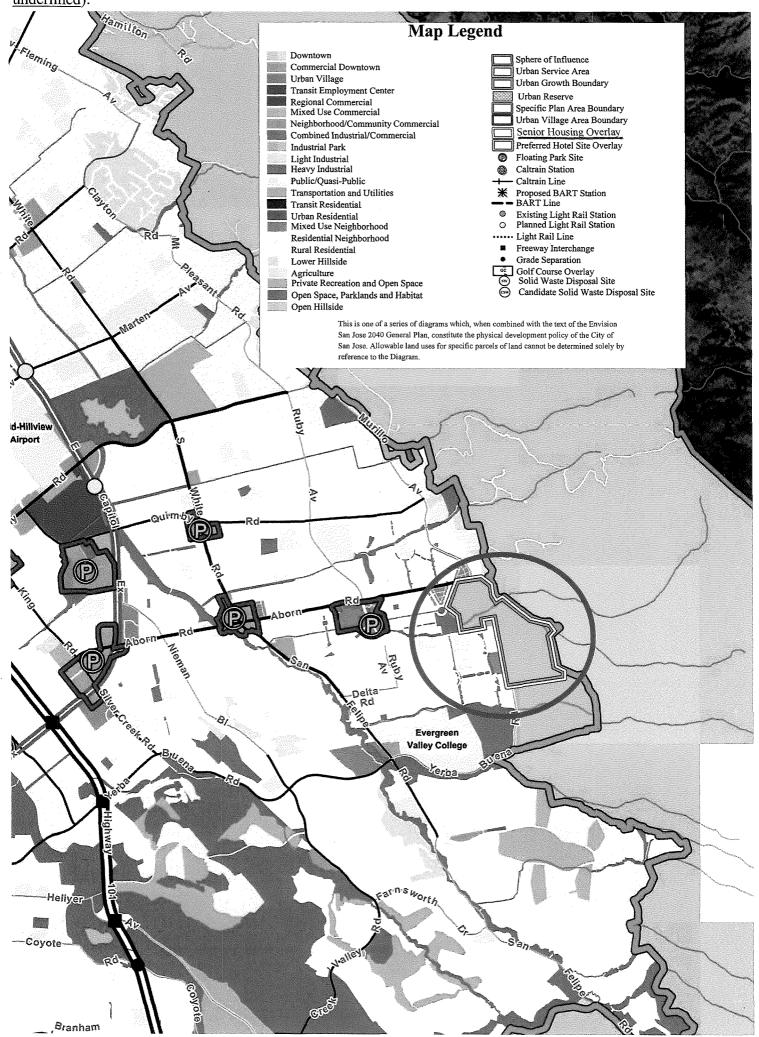
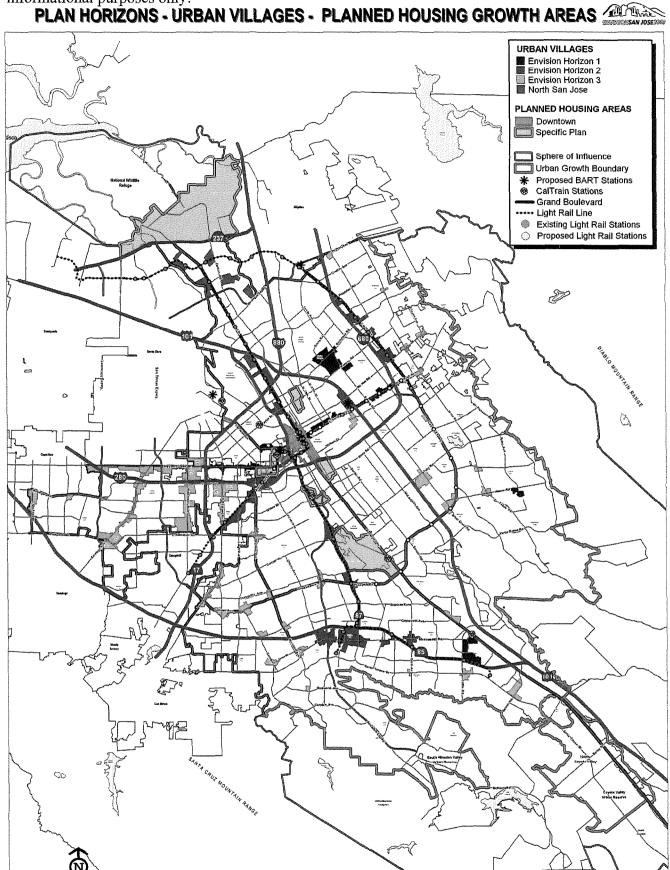


EXHIBIT D TO THE INITIATIVE

AMENDMENT TO
ENVISION SAN JOSÉ 2040 GENERAL PLAN
"PLAN HORIZONS – URBAN VILLAGES – PLANNED HOUSING GROWTH
AREAS" DIAGRAM

The Plan Horizons - Urban Villages - Planned Housing Growth Areas Diagram, as it exists in the Envision San José 2040 General Plan as of the filing date of this Initiative, is shown below for informational purposes only:



AMENDMENT TO PLAN HORIZONS - URBAN VILLAGES - PLANNED HOUSING GROWTH AREAS DIAGRAM

The Plan Horizons - Urban Villages - Planned Housing Growth Areas Diagram is amended by this Initiative to clarify that specific plans implementing a Senior Housing Overlay are not residential Growth Areas and are therefore not depicted on this diagram (text to be added is <u>underlined</u>):

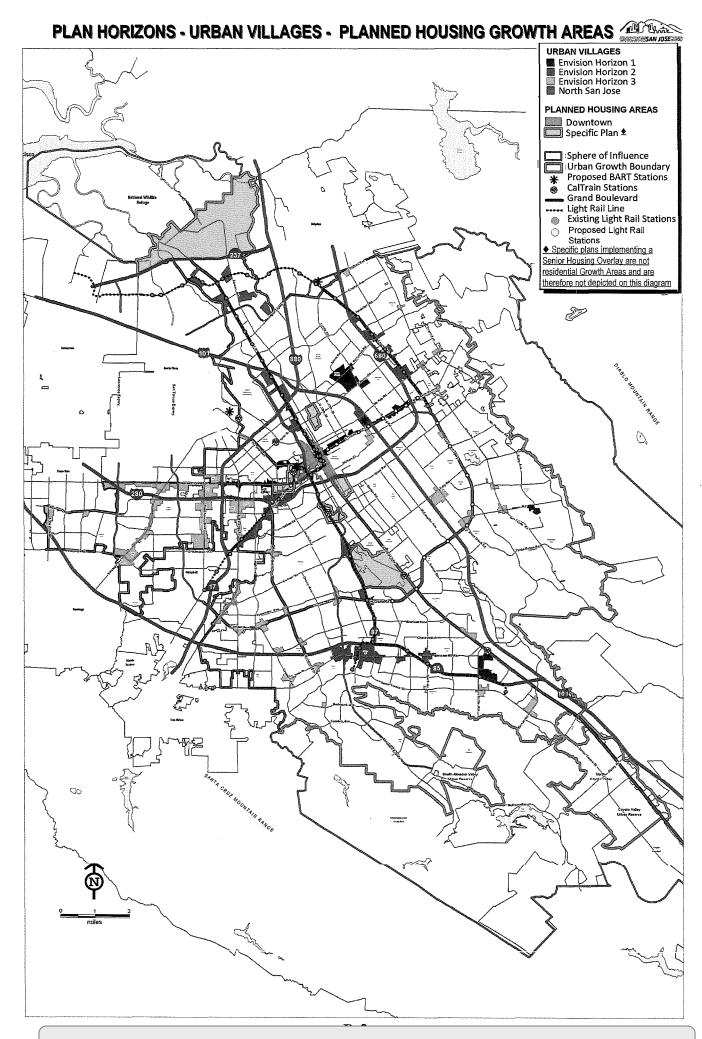


EXHIBIT E TO THE INITIATIVE

AMENDMENT TO "TABLE: PLANNED JOB CAPACITY AND HOUSING GROWTH AREAS BY HORIZON (3 HORIZONS)"
OF APPENDIX 5 OF THE ENVISION SAN JOSÉ 2040 GENERAL PLAN

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS AMENDMENT TO TABLE: PLANNED JOB CAPACITY AND HOUSING GROWTH AREAS BY HORIZON

Table: Planned Job Capacity and Housing Growth Areas by Horizon (3 Horizons), which is included in the *Envision San José 2040 General Plan* as Appendix 5, is amended as follows (text to be added is <u>underlined</u>, deleted text is in strikethrough):

Planned Job Capacity and Housing Growth Areas by Horizon (3 Horizons) 751,450 Jobs and 429,350 Dwelling Units; 1.1 J/ER

Existing 2008 Development: 369,450 Jobs and 309,350 DU

Growth Above Existing: 382,000 Jobs and 120,000 DU (not including senior housing pursuant to a Senior Housing Overlay)

	A			Planned						
•	Acres	Planned Job Capacity	Planned Housing Yield (DU)	Senior Housing	Planned Acreage for Mixed-Use Residential	Base	Planned DU Growth Ca Urban Villages by H (Timeframe)		Horizon NSJ AD	
						Already Entitled	Horizon 1	Horizon 2	Horizon 3	Phases 2-4
Total Plan Growth Capacity		382,000	120,000			32,610	14,839	24,379	24,626	23,546
Downtown									THE RESERVE OF THE PERSON	
Downtown (v)	890	48 500	10.260		Service of the servic	4.020	E 422			1
		48,500	10,360			4,938	5,422			
Downtown Sub-Total		48,500	10,360			4,938	5,422			
Specific Plan Areas										
Communications Hill Specific Plan	942	1,700	2,775			2,775				
Jackson-Taylor Residential Strategy	109	100	1,190			656	534			***************************************
Martha Gardens Specific Plan	145	0					1,760	 	 	
Midtown Specific Plan	219	1,000				646	954	 		
Tamien Station Area Specific Plan	149	600	1,060			169	891			
Alviso Master Plan (v)	11,443	18,700	······································	}			70	1		1
Evergreen Specific Plan										
(not including V55) Evergreen Senior Homes	879	-0	25			25				
Specific Plan	200			910					THE PERSON NAMED IN COLUMN NAM	
Specific Plan Sub-Tota		22,100	8,480			4,271	4,209			
•		22,100	5,400	<u> </u>		7,27.2	7,203			
Employment Land Areas *										
Monterey Business Corridor (v)	421	1,095	C							
New Edenvale	754	10,000	C							
Old Edenvale Area (Bernal)	474	15,000	780			780			1	
North Coyote Valley	1,722	45,000							1	
Evergreen Campus Industrial Area	368	10,000	C							
North San Jose (including Rincon South)	4,382	100,000	32,640			9,094				22.54
VT1 - Lundy / Milpitas BART	150				<u> </u>	3,034				23,546
Berryessa / International	150	28,400								
Business Park (v)	448	4,583	C)						
Mabury (v)	300	2,265	C)						
East Gish (v)	442	2,300) ()						
Senter Road (v)	345	2,275)						
VT5 - Santa Clara / Airport West (FMC)	194	1,600								

VT7 - Blossom Hill / Monterey Rd	24	1,940	0	:						
VT25 - W. Capitol Expy / Monterey Rd	24	100	0							
VR16 - S. Capitol Av / Capitol Expy	2	100	0	,						
VR24 - Monterey Hwy / Senter Rd	35	100	0							
VR26 - E. Capitol Expy / McLaughlin Dr	16	100	0							
VR27 - W. Capitol Expy /										
Vistapark Dr C42 - Story Rd (v)	15	100	0							
C42 - Story Rd (V) C45 - Country Fairgrounds	115 184	1,823 100	0						······	
Employment Land Sub-Total		226,881	33,420			9,874				23,54
Regional Transit Urban Villages	de Proposition					Mary Marianesa e	varari erafiki	Popularia	Western Was	
VT2 - Berryessa BART /										
Berryessa Rd / Lundy Av (v) VT3 - Five Wounds BART	250	22,100	4,814		48	3,884	930	045		ļ
VT4 - The Alameda (East)	32 19	4,050 1,610	845 411		8	177	234	845.		
VT6 - Blossom Hill / Hitachi	302	0	2,930		29	2,930	25-1			
Regional Transit Villages Sub-Total		27,760	9,000			6,991	1,164	845		
ocal Transit Urban Villages (Existing										
RT)										
VR8 - Curtner Light Rail / Caltrain (v)	43	500	1,440		36			1,440		
VR9 - Race Street Light Rail (v)	78									
A (west of Sunol)		2,000	1,937	***************************************		532		1,405		
B (Reed & Graham Site)		1,200	675	***************************************				675	,	<u> </u>
VR10 - Capitol / 87 Light Rail (v)	48	750	1,195		30			1,195		<u></u>
VR11 - Penitencia Creek Light Rail	30	o	920		23			920		
VR12 - N. Capitol Av / Hostetter Rd (v)	23	500	1,230		23			1,230		
VR13 - N. Capitol Av /										
Berryessa Rd (v)	49	1,000	1,465		37			1,465		
VR14 - N. Capitol Ave / Mabury Rd	30	100	700		18			700		
VR15 - N. Capirol Av / McKee Rd (v)	55	1,000	1,930		48			1,930		
VR17 - Oakridge Mall and Vicinity (v)	323									
A (Cambrian / Pioneer)		3,375	2,712	***************************************	68			2,712		
B (Edenvale)		5,715	4,487		115			4,487		
VR18 - Blossom Hill Rd/ Cahalan Av	28	500	600		15			600		
VR19 - Blossom Hill Rd / Snell Av	45	500	770		27	8		762		
CR20 - N. 1st Street	66	2,520	1,678		42	333		1,345		
CR21 - Southwest Expressway (v)	132	750	3,007		75	339		2,668		
Local Transit Villages (Existing LRT)	0500.0000	r severessiébe	สมารถ (วิธีเลย ค.ศ.)	\$6.925\$3000 on 20.005		per Self Alexander	nother un	rei (Bonneratorio	January Control	- Brateville

Local Transit Urban Villages (Planned BRT/PRT)										
VR22 - Arcadia / Eastridge (potential) Light Rail (v)	78	1,150	250			250				
VR23 - E. Capitol Expy / Silver Cree k Rd	58	450	1,000		25				1,000	
CR28 - E. Santa Clara Street	***************************************						***************************************			
A (West of 17th Street)	64	795	850		17		850			
B (Roosevelt Park)	47	605	650		13		650			
CR29 - Alum Rock Avenue										
A (Little Portugal)	18	100	310		6		310			
B (Alum Rock)	72	870	1,010		20	93	917			
C (East of 680)	61	650	1,175		24				1,175	
CR30 - The Alameda (West)	16	200	400		8				400	
CR31 - W. San Carlos Street										
A (East)	48	380	480	***************************************	10		480			
B (Mid)	32	260	330		7	95	235			
C (West)	39	340	435		9	218	217			
CD22 Ct		·········								
CR32 - Stevens Creek Boulevard		4.500								
A (East)	78	1,500	1,300		26				1,292	
B (Mid) C (West)	116	2,000	1,750		35				1,750	
Local Transit Villages (Planned BRT/ LRT) Sub-Total	75	1,000 10,300	810 10,75 0	Avenue SE	16	664	3,659		810 6,427	
	ika Marana ina ina ina ina ina ina ina ina ina									
Commercial Corridor & Center Urban Villages										
C34 - Tully Rd / S. King Rd	90	900	1,000		20				1,000	
C35 - Valley Fair / Santana Row and Vicinity (v)	116	8,500	2,635		53	725			1,910	
C36 - Paseo de Saratoga and Vicinity	140	1,500	2,500		50				2,500	
C37 - Santa Teresa Bl / Bernal Rd	56	850	524	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	14				524	
C38 - Winchester Boulevard	216	2,000	2,200		40	441			1,759	
C39 - S. Bascom Avenue (North)	62	1,000	1,560		28				1,560	
C40 - S. Bascom Avenue (South) (v)	63	500	805		16	74			731	
C41 - Saratoga Avenue (v)	100	1,500	1,115		22		<u> </u>		1,026	
C43 - S. De Anza Boulevard (v)	64	2,140				45			800	
C44 - Camden / Hillsdale Avenue	90	2,000			20				800	
Commercial Corridor & Center Villages Sub-Total	market and colours and colours	20,890	13,984			1,374			12,610	
Neighborhood Villages										
V47 - Landess Av / Morrill Av	16	100	270		7				270	
V48 - Piedmont Rd / Sierra Rd	11	100			4				150	
V49 - McKee Rd / Toyon Av	13	100			5				180	
V50 - McKee Rd / White Rd (v)	10	100			4	. 7			161	
V52 - E. Capitol Expy / Foxdale Dr	14	100			5				212	
V53 - Quimby Rd / S. White Rd	16	100	225	:	6			1	225	

V54 - Aborn Rd / San Felipe Rd	19	100	310	. 8			310	
V55 - Evergreen Village	30	0	385	10		385		
V57 - S. 24th St / William Ct (v)	9	100	217	5	67		150	
V58 - Monterey Rd / Chynoweth Rd	26	100	120	3			120	
V59 - Santa Teresa Bl / Cottle Rd (v)	31	500	313	13			313	
V60 - Santa Teresa Bl / Snell Av	11	100	140	4			140	
V61 - Bollinger Rd / Miller Av	13	100	160	4			160	
V62 - Bollinger Rd / Lawrence Expy	5	100	70	2			70	
V63 - Hamilton Av / Meridian Av	40	500	710	18			710	
V64 - Almaden Expy / Hillsdale Av	24	400	370	S			370	-i
V65 - Foxworth Av / Meridian Av	16	100	250		55		195	
V67 - Branham Ln / Meridian Av	18	100	310	8			310	
V68 - Camden Av / Branham Ln	26	200	450	11			450	
V69 - Kooser Rd / Meridian Av	20	200	350	S			350	
V70 - Camden Av / Kooser Rd (v)	26	100	623	16			623	
V71 - Meridian Av / Redmond Av	10	100	120				120	
Neighborhood Villages Sub-Total		3,400	6,103		129	385	5,589	
Other Identified Growth Areas								
Vacant Lands	558	1,759	1,460		1,460			
Entitled & Not Built	513	0	1,697		1,697			
Other Identified Growth Areas Sub- Total		1,759	3,157		3,157			

Notes:

DU = Dwelling Units (Occupied and Vacant)

Planned Housing Yield (DU) = The number of new dwelling units which would be produced within the identified growth area through redevelopment of the planned Mixed-Use Residential land areas at the anticipated density (DU/AC)

Projected DU Growth by Horizon (Timeframe) = The planned number of new dwelling units within each growth area based upon the availability of Housing Growth Areas designated on the General Plan Land Use Diagram being made available in phases over time.

Base - Existing entitled residential units (Citywide) plus the capacity for new residential units planned within Specific Plan areas, excluding specific plans implementing a Senior Housing Overlay.

Vacant Lands = Potential development capacity based upon the current General Plan designation for sites identified as being currently vacant or significantly underutilized in respect to the current General Plan proejcted capacity. These lands are identified in the Vacant Land Inventory most recently updated by the City in 2007. Growth Areas that incorporate Vacant Land capacity are indicated with a (v).

Planned Senior Housing Overlay Yield (DU) = The number of new dwelling units which would be produced within areas developed pursuant to a Senior Housing Overlay.

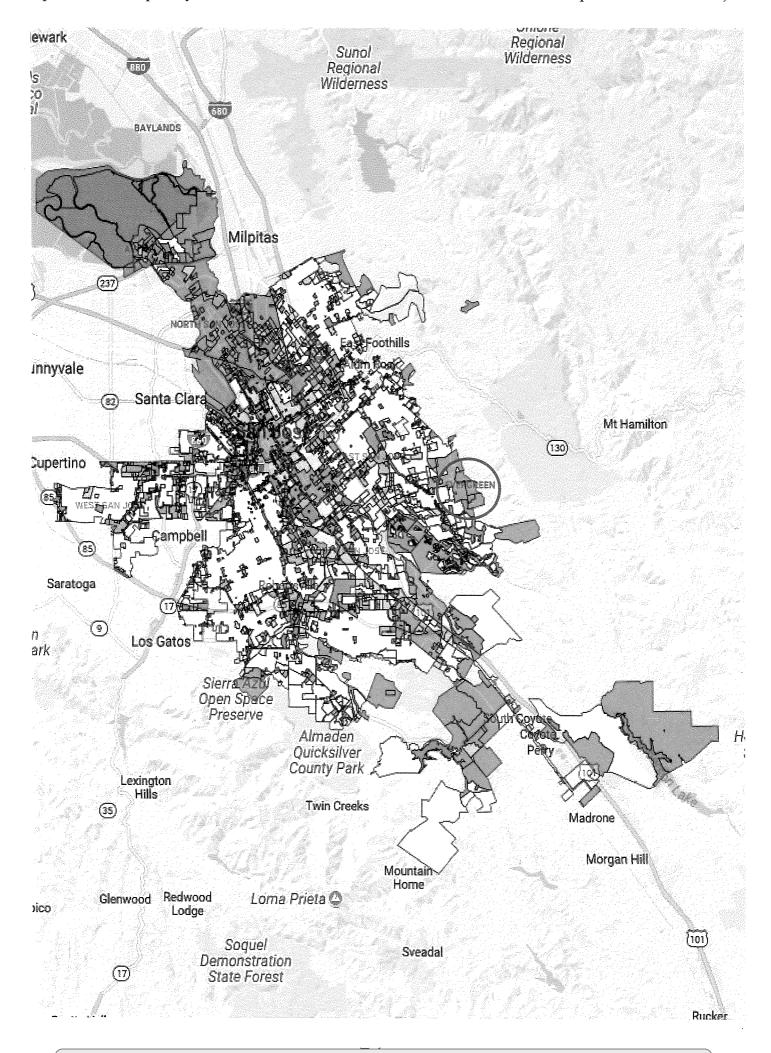
* A portion of the jobs allocated to Employment Land Areas may be reallocated to other Employment Land Areas in accordance with the Senior Housing Overlay land use designation.

EXHIBIT F TO THE INITIATIVE

ZONING AMENDMENT

LAND USE ZONING MAP

A depiction of the San José Land Use Zoning Map, as it exists as of the filing date of this Initiative, is shown below for informational purposes only (the property that is the subject of the Evergreen Senior Homes Specific Plan adopted by this Initiative is located within the bold red circle on the map for ease of reference):



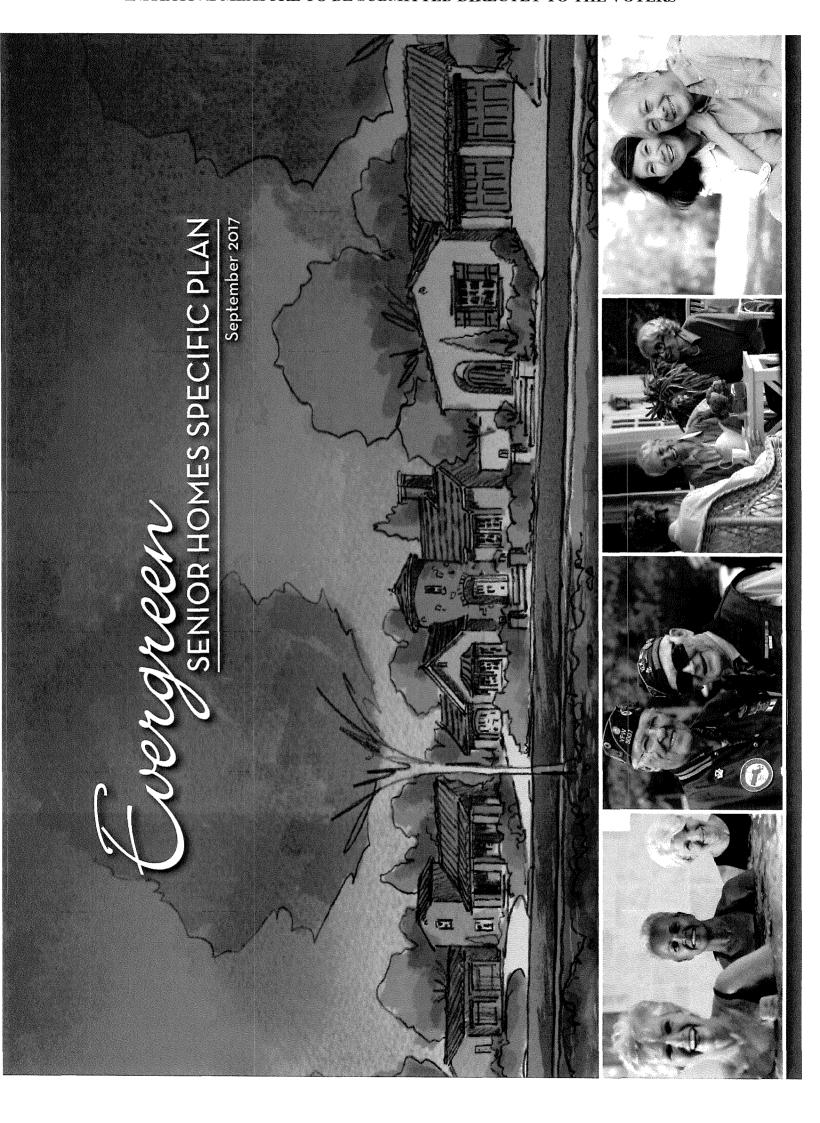
AMENDMENT TO LAND USE ZONING

The property that is the subject of the Evergreen Senior Homes Specific Plan adopted by this Initiative is rezoned from "Agriculture – Planned Development (A(PD))" to "Specific Plan (SP)." A depiction of the zoning, as amended by the Initiative, is shown below:



EXHIBIT G TO THE INITIATIVE

EVERGREEN SENIOR HOMES SPECIFIC PLAN



EVERGREEN SENIOR HOMES

SPECIFIC PLAN

The vision of the Evergreen Senior Homes
Specific Plan is to facilitate a high-quality
residential community that is tailored to the
needs of seniors, including veterans, by offering
a safe and integrated network of neighborhoods
with a rich variety of activities. In addition to
single- and multi-family neighborhoods, it
includes active and passive open space areas
that will accommodate recreation centers, trails,
and habitat protection. Development of this
area has been designed to integrate with the
surrounding Evergreen community.

Note: Illustrative as to the number of buildings and parcels and their location and orientation, alignment and location of all road types, placement and size of private recreation areas, and configuration of public facilities.

EXECUTIVE SUMMARY

Plan Vision and Purpose

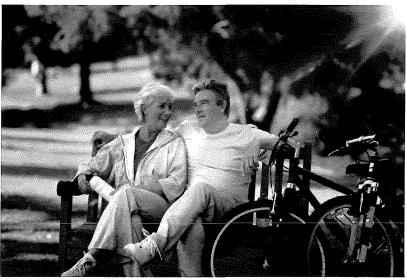
The Evergreen Senior Homes Specific Plan (the "Plan") addresses an important part of the current housing crisis in the Bay Area and the City of San José (City) by providing much needed senior residential uses in a close-in, quasi-infill location. More specifically, the Plan addresses the Bay Area's need for senior housing to accommodate the largest demographic other than millennials—retiring baby boomers.

The Plan provides the framework for development of a senior housing community. Providing senior housing in the area covered by the Plan (the "Specific Plan Area" or "Plan Area") will enable residents to remain in the community and continue their involvement in the social fabric over time.

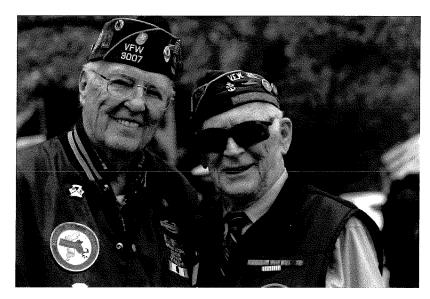
The Plan also provides affordable senior housing, with a preference for United States military veterans and their qualifying family members (referred to collectively herein as "veterans") to the extent allowed by law. The Plan provides amenity spaces to be used for services for veterans, including designated space within a common area for veterans' information and services and an on-site coordinator to assist resident veterans' access to supportive services provided by government agencies and community-based organizations. The Plan also includes transportation demand management (TDM) elements, consistent with the Evergreen-East Hills Development Policy, that promote transit use and pedestrian activity.

The Plan is part of a larger citizens' initiative that added General Plan policies emphasizing the need for senior housing and created a Senior Housing Overlay land use designation that applies to the Specific Plan Area. Consistent with the Senior Housing Overlay, the Plan allows for a master-planned community for residents age 55 and over designed to blend into the existing suburban residential fabric of the surrounding neighborhoods. The Plan does this through zoning and development standards, as well as guidelines addressing circulation and mobility, architectural design, and infrastructure and public services. The Plan also includes an implementation, administration, and financing section, which contains information about how the development in the Plan Area would occur.





EVERGREEN SENIOR HOMES SPECIFIC PLAN | ES-3





Location

The Specific Plan Area is located on the east side of San José, in the Evergreen area. The Specific Plan Area consists of approximately 200 acres located to the east of Altia Avenue and Yerba Buena Road, south of Aborn Road, and west of (inside) the Urban Growth Boundary (UGB). The Specific Plan Area borders residential and commercial uses along several frontages. The Specific Plan Area is served by several points of access, including at Altia Avenue and Michelangelo Drive, and has 1250 feet of frontage along Aborn Road, 2500 feet of frontage along Yerba Buena Road, and 1250 feet of frontage along Fowler Road.

Plan Details

The Plan allows up to 910 detached and attached senior residential units in a variety of configurations. The Plan requires that at least twenty percent (20%) of the units be designated as affordable housing, with a preference for United States military veterans to the extent permitted by law.

In addition to residential uses, the Plan includes a main, centrally located recreation and lifestyle center. This facility may include such amenities as a pool, spa, bocce courts, pickleball, and other outdoor activities. Indoor facilities may include gathering spaces and meeting rooms, game rooms, a coffee/snack bar, a dining and kitchen area, library, exercise rooms, and other similar uses. There also will be two smaller private recreation areas, which may include pool/spa facilities. The Plan also includes passive open spaces with trails; drainage areas; pedestrian and vehicular circulation facilities; and utilities.

The Plan permits the development to be contained within a secure community with mainly private streets and surrounded by drought-tolerant landscaping and an attractive masonry wall to create the security and sense of community important to seniors.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY

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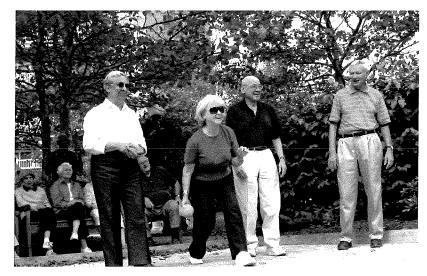
Land Use History

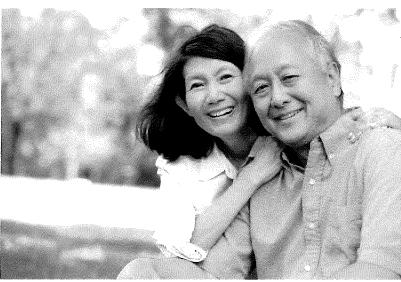
With developed property in the City of San José bordering the Specific Plan Area on three sides, the Plan Area is a logical location for future urban growth. The Specific Plan Area has long been planned for urban growth. Historically, the Envision San José 2040 General Plan designated the Specific Plan Area for industrial park uses. The industrial designation has been in place for several decades. During that time, several land use applications that conformed to the Specific Plan Area's Industrial Park designation have been submitted and approved by the City of San José. Despite these efforts, the Specific Plan Area remains undeveloped. The property adjacent to the Specific Plan Area on the south, which was previously developed for commercial and industrial use, has been used sporadically over time.

The trend in commercial and industrial development to locate in urban centers or near transit hubs makes the near- to medium-term development of the Specific Plan Area with industrial uses extremely unlikely. Because development of the Specific Plan Area with industrial uses is unrealistic in the near- to medium-term future, and the City needs senior housing now, the Envision San José 2040 General Plan, as amended by the Evergreen Senior Homes Initiative ("Initiative"), allows the alternative development of a senior residential community in the Specific Plan Area by assigning a Senior Housing Overlay to the Specific Plan Area.

Environmental Design

The Plan includes multiple environmental design features ("EDF(s)"). These EDFs encompass features that reduce the Plan's potentially significant environmental impacts to less than significant levels or ensure the Plan is consistent with the City's guidance regarding environmental leadership. EDFs also may include features that promote the Plan's consistency or connectivity with surrounding neighborhoods. These EDFs (found in Appendix B: Environmental Design Features to this Specific Plan) are incorporated into the Plan's zoning and development standards.





Voter Initiative

The Evergreen Senior Homes Initiative amended the Envision San José 2040 General Plan Land Use and Transportation Diagram to overlay the Specific Plan Area with a Senior Housing Overlay and provide the boundary of the Specific Plan Area.

The Evergreen Senior Homes Specific Plan Initiative included the following amendments to City planning documents:

- 1. Added General Plan policies regarding the need for housing for seniors and veterans;
- Created an overlay designation in the General Plan that allows the development of senior housing in designated underutilized employment lands;

- Amended the General Plan Land Use/Transportation Diagram to assign the Senior Housing Overlay to the Specific Plan Area, establish the Specific Plan Area Boundary, and amend other General Plan diagrams to make related changes;
- 4. Amended policies in the Evergreen-East Hills Development Policy to clarify how the Evergreen-East Hills Development Policy applies to projects pursuant to the Senior Housing Overlay in the Evergreen area and clarify the use of existing development capacity;
- 5. Amended the San José Municipal Code, including amendments to Title 20, Zoning to add the "Specific Plan" zoning district, to the Zoning Map to designate the Specific Plan Area as Specific Plan, and to other code sections to make related amendments;
- 6. Adopted the Evergreen Senior Homes Specific Plan; and
- 7. Made other related amendments consistent with the purpose of the Initiative.



ES-6 | EVERGREEN SENIOR HOMES SPECIFIC PLAN

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INTRODUCTION

This chapter introduces the Specific Plan, describing its organization, setting, authority, purpose and intent, and relationship to other plans and policies.

1.1. Specific Plan Organization

This Specific Plan is organized per the following chapters:

Chapter 1 - Introduction

This chapter describes the Specific Plan's organization, setting, authority, purpose and intent, and relationship to other plans and policies.

Chapter 2 – Zoning & Development Standards

This chapter describes the zoning subdistricts and development standards, including the permitted, conditionally permitted, and prohibited land uses, and cross-sections for each roadway type.

Chapter 3 - Conceptual Land Plan

This chapter illustrates a conceptual land plan and construction phasing as one example of how the Specific Plan could be implemented in substantial conformance with the Zoning and Development Standards (Chapter 2) and Design Guidelines (Chapters 5 and 6).

Chapter 4 - Circulation & Mobility

This chapter describes the conceptual mobility plan for all users including bicycles, pedestrians, and vehicles. It includes the conceptual roadway hierarchy and conceptual cross-sections for each roadway type.

Chapter 6 – Landscape Design Guidelines

This chapter describes the landscape design principles and establishes a set of design guidelines for private and common landscaped areas within the Specific Plan Area, including recreation areas, streetscapes, and open spaces.

Chapter 7 - Infrastructure & Public Facilities

This chapter provides an overview of the major utility infrastructure improvements needed at build-out of the Specific Plan and the public facilities planned to be available to Specific Plan Area residents.

Chapter 8 - Implementation, Administration & Financing

This chapter addresses the actions that are necessary to implement the Specific Plan by both the City of San José and the developer to achieve the goals and objectives outlined in this Specific Plan.

The illustrative examples included in this Specific Plan, including graphic illustrations, renderings, and photos, are illustrative, including with respect to number of buildings, building location and orientation, alignment of streets, placement and size of private recreation areas, and configuration of public facilities.

Unless otherwise specified, all graphic illustrations and photos shall be interpreted as one possible design, and shall not be considered definitive.

1.2. Specific Plan Setting

As shown in Figure 1-1: Specific Plan Location and Figure 1-2: Specific Plan Area, the Specific Plan Area is located within the city limits of the City of San José. It is generally bounded by Aborn Drive to the north, Alta Avenue and Yerba Buena Road to the west, a corporate campus to the south, and the City's General Plan Urban Growth Boundary to the east.

Land uses surrounding the Specific Plan Area are predominately the residential neighborhoods of Murillo to the northwest and Chaboya to the southwest. Fowler Creek Park is located adjacent to the Specific Plan Area, just south of Strada Circolare, providing a nearby recreational amenity. Evergreen Valley College, which offers courses for adults, is located approximately 1.2 miles from the boundary of the Plan Area.

The Eastridge Shopping Mall is approximately three miles to the northwest. In addition, the Evergreen Village Square is located approximately 0.5 miles from the Plan Area boundary. The Evergreen Village Square includes uses and services such as a library, restaurants, cafes, medical office, dental office, hair salon, a grocery store, a dry cleaner, and several banks. A San José fire department is located approximately 0.7 miles from the Plan Area boundary.

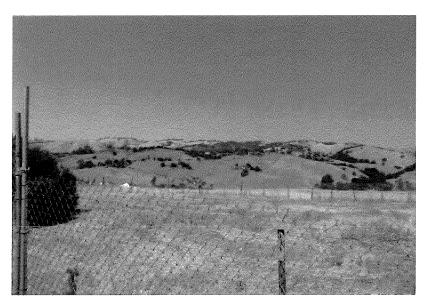
Primary arterial access to the Specific Plan Area is from Aborn Road and Yerba Buena Road, which provides access to the Capital Expressway and Highway 101, respectively.

The Specific Plan Area consists of former agricultural land now actively grazed by cattle. Fowler Creek, which generally lacks water, traverses the northern half of the Specific Plan Area. Two residences are present in the southern half of the site. Historical aerial imagery of the site dating back to 1998 shows that most of the proposed development area previously operated as an orchard.

Topographically, the proposed development area is relatively flat. It broadly slopes in elevation from approximately 470 feet (143 m) National Geodetic Vertical Datum (NGVD) along the western boundary to approximately 570 feet (174 m) NGVD at the eastern edge of the development area.



Specific Plan Area Looking South from Aborn Road



Specific Plan Area Looking Northwest from Strada Circle

The Fowler Creek corridor bisects the Specific Plan Area north of Fowler Road and extends generally east to west through the Specific Plan Area. Most of the reach, including the portion close to Altia Avenue, has a modest channel definition and supports grasses and forbs, similar to the surrounding grassland habitat. Although it is defined as a creek on various maps, surface flows of water have not been seen in many years, even during the winter 2016-17 season, which was one of the wettest seasons on record for Northern California. There are approximately 154 trees in the Plan Area, the majority of which are in fair to poor condition.



Specific Plan Area Looing Southeast from Yerba Buena Road and Altia Avenue

Figure 1-1: Specific Plan Location

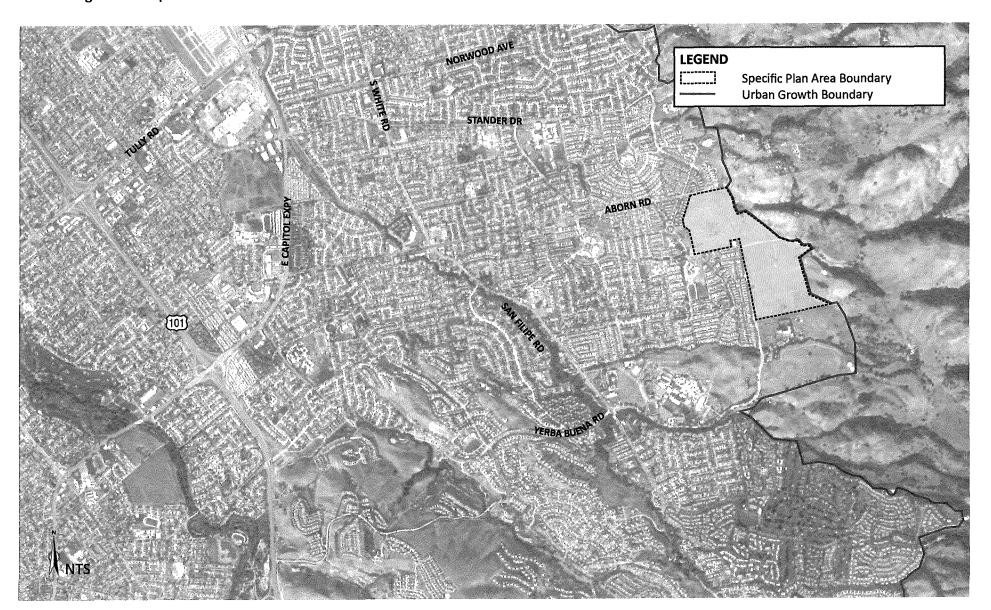
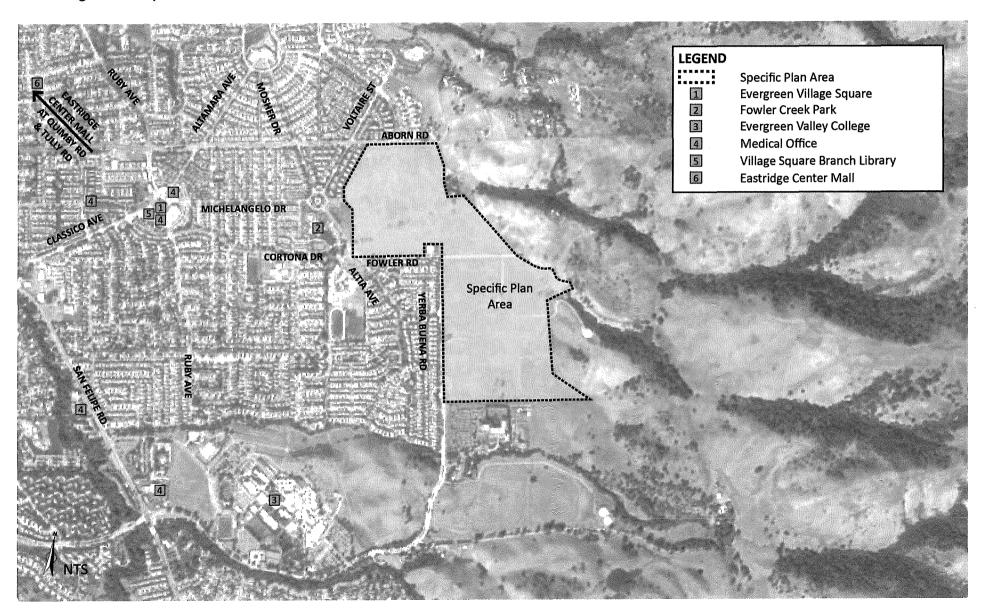


Figure 1-2: Specific Plan Area



1.3. Specific Plan Authority

This Specific Plan is authorized by California Government Code sections 65450 through 65457. This law authorizes adoption of a specific plan for the systematic implementation of an area covered by a local general plan.

When subsequent site-specific development proposals for the Specific Plan Area are presented to the City of San José, planning staff will use this Specific Plan as a policy and regulatory guide for subsequent project review.

1.4. Purpose and Objectives

The purpose of this Specific Plan is to implement the City of San José General Plan, as amended by the Evergreen Senior Homes Initiative (Initiative), and to comprehensively plan for future development in the Specific Plan Area.

The Specific Plan implements the Specific Plan District zoning for the Specific Plan Area and provides development standards, circulation and mobility guidelines, design guidelines, infrastructure plans, and implementation procedures for future development within the Specific Plan Area. While the General Plan is the primary guide for growth and development in San José, the Specific Plan focuses on the unique characteristics of the Specific Plan Area and sets forth a development process and land use regulations to reflect the voters' vision for this area.

This Specific Plan is intended to create a high-quality residential development that is tailored to the needs of seniors, including veterans. The following objectives form the basis for guiding development within the Specific Plan Area:

- Provide housing opportunities responsive to the needs of "senior citizens" (herein referred to as "seniors") as defined in California Civil Code section 51.3.
- Provide affordable housing units equal to 20 percent of the total number of housing units constructed in the Specific Plan Area.

- Help senior veterans and their qualifying family members reintegrate into the community by providing housing that is affordable to senior veterans and appropriate veterans' services.
- Establish a community that provides for the social, recreational, and housing needs of seniors, including senior veterans and their qualifying family members, who share common interests and lifestyles.

INITIATIVE

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- Provide a mixture of residential unit types.
- Provide flexibility in land use regulations to allow for site constraints, variations in housing styles, and changing market conditions.
- Integrate the natural and built environments to minimize the disruption of natural features, and to the extent practicable, blend with the site's existing landforms, trees, and drainage courses.
- Preserve and protect the Fowler Creek Corridor, in compliance with the City's applicable riparian corridor requirements.
- Create a community with high-quality architectural and landscape design and site planning, resulting in a distinctive identity and strong sense of place.
- Create a secure environment for living and recreation.
- Create a community with a range of recreation and mobility options by providing a circulation network that is bicycle and pedestrian friendly.
- Create a community that is sensitive to the environment by maximizing the potential for energy and water conservation through building and landscape designs and features, including using recycled water if available for landscape irrigation in common areas and, where feasible, capturing and treating irrigation and stormwater runoff through natural, landscape-based processes.

INITIATIVE

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Relationship to Existing Plans & Policies 1.5.

1.5.1. City of San José

Envision San José 2040 General Plan

The Envision San José 2040 General Plan (General Plan), adopted November 1, 2011, and subsequently amended, sets forth a vision and a comprehensive road map to guide the City's continued growth through the year 2040. The General Plan includes land use policies to shape the transformation of strategically identified and historically underutilized Growth Areas into higher-density, mixed-use, urban districts or "Urban Villages" that can accommodate employment and housing growth and reduce the environmental impacts of that growth by promoting transit use and walkability. This land use strategy, in combination with progressive economic and environmental policies, will guide the City toward fulfillment of its future vision.

As amended by the Initiative, the General Plan land use designation for the Specific Plan Area is Industrial Park (IP) with a Senior Housing Overlay and a Specific Plan Area Boundary. The overlay allows development consistent with the Specific Plan.

Urban Growth Boundary

The Urban Growth Boundary (UGB), also referred to as the "Greenline", defines the ultimate perimeter of urbanization in San José. Outside of this boundary, development remains rural and open in character. The UGB also develops a clearer identity for the City by defining where it begins and ends and by preserving valuable open space and habitat resources.

The intent of the UGB is to define the limit of the encroachment of development and semi-urban land uses into the hillsides that border the valley floor. The City's UGB generally follows the 15 percent slope line, unless geologic issues or existing land uses suggest that it should be located downhill from the 15perent slope line.

As shown in Figure 1-1: Specific Plan Area, the Specific Plan Area is located entirely within the UGB. In addition, the Specific Plan Area is entirely in the City of San José city limits, sphere of influence, and urban service area.

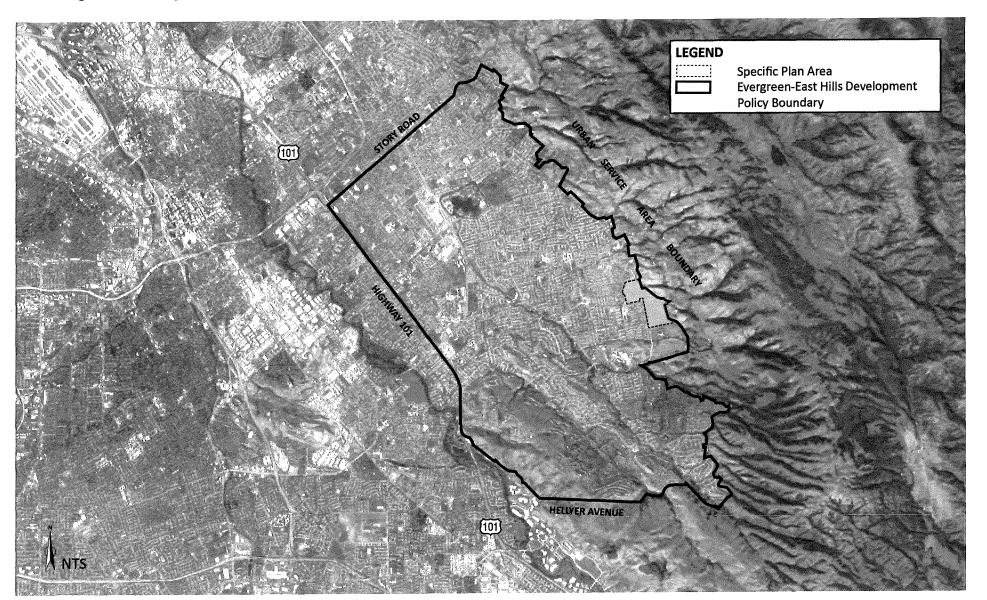
Evergreen Development Policies

As shown in Figure 1-3: Evergreen-East Hills Development Policy Boundary, the Specific Plan Area is located within a much larger planning area originally known as the Evergreen Development Policy (EDP) and since 2008 known as the Evergreen-East Hills Development Policy (EEHDP). This area is generally bordered by Hellyer Avenue, Highway 101, Story Road, and the City's Urban Growth Boundary (UGB) in the eastern foothills.

The EEHDP built on several prior planning efforts, including the EDP, the work of the Evergreen Vision Strategy, the Evergreen-East Hills Vision Strategy (EEHVS) planning process, the Strong Neighborhood Initiative program, and the Knight Program in Community Building Evergreen-Eastridge area charrette. The EEHDP replaced the EDP, revising development allowed in the "Major Opportunity Sites" identified in the EEHVS. The four Major Opportunity Sites in the EEHVS were the "Arcadia Property," the Pleasant Hills Golf Course, the "Campus Industrial" site, and the western portion of the Evergreen Valley Community College campus. The Specific Plan Area is within the "Campus Industrial" site identified in the EEHVS.

The Initiative amended the EEHDP to clarify how the EEHDP applies to projects pursuant to the Senior Housing Overlay in the Evergreen area and clarify the use of existing development capacity

Figure 1-3: Evergreen-East Hills Development Policy Boundary



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The Specific Plan incorporates some of the extensive planning efforts that have been conducted previously for the Specific Plan Area and the greater EEHDP Area. Specifically, the Specific Plan implements the following goals articulated in Appendix A – Guiding Principles for Land Use and Transportation Planning in Evergreen-East Hills, of the EEHDP:

Key Outcome #1: New development should follow the "sustainability" principles of equity, environment and economic development.

- Protect the environment through energy and water conservation, alternative energy sources (e.g., solar), "green building," and other sustainability approaches.
- Protect wildlife corridors and other habitats where appropriate and beneficial.
- Maintain the Greenline/Urban Growth Boundary in its existing location.

Key Outcome #2: All new development should be high quality and aesthetically pleasing.

- Diversify architectural styles.
- Minimize the obstruction of views.
- Ensure new development is compatible (in terms of design, density, massing, etc.) to adjacent properties and is well-integrated with existing neighborhoods and surroundings.
- Ensure new single-family house sizes are commensurate with the size of the lot and nearby housing developments.
- Locate (i.e., set back) buildings appropriate distances from the sidewalk to create desired neighborhood/community character, landscaping, and friendly and safe pedestrian environment.
- Coordinate and integrate land use planning between land uses (e.g., residential, civic/school/commercial, etc.) to address access, parking, pedestrian connections, and other issues.
- Provide adequate parking for all residents and their guests within new residential developments.

- Create safe, well-lit places.
- Beautify the community (i.e., improve the overall aesthetics) of Evergreen through tree plantings, utility undergrounding, and other means.

Key Outcome #3: Infrastructure and services should support the planned levels of residential and commercial/retail/office development.

- Create a rich network of safe, well-lit and defensible pedestrian and bicycle connections across neighborhoods, along creeks, and to key destinations (including transit stations) in Evergreen.
- Ensure adequate sidewalk widths, street trees, lighting, and other features to facilitate walking.
- Establish parks, trails, community gardens, and other open spaces that provide recreation and green areas to support existing and future residents and workers.

Key Outcome #4: Increase the overall livability of Evergreen by fostering vibrant commercial/business, mixed use, and residential areas linked by various transportation modes and community amenities.

- Create opportunities for people to meet and socialize in public places, businesses, recreation areas, etc.
- Promote the enjoyment of people and the aesthetics of the area.

Key Outcome #5: Create housing opportunities for a wide range of household types and income levels.

- Establish development opportunities for affordable and mixed income housing to meet the housing needs of all stages of life (single, married, family, "empty nester," and senior).
- Create opportunities for a range of different housing types (singlefamily, apartments, condominiums, live/work, etc.).
- Mix housing types within a single development site.
- Create opportunities for both home ownership and rental units.

The Zoning Code chapter of the San José Municipal Code (the "Zoning Code") is the primary document that implements the General Plan. The Zoning Code provides regulations regarding permitted land uses, development regulations, and development-entitlement process for parcels of land in the City of San José.

The Initiative rezoned the Specific Plan Area to the "Specific Plan" district. This Specific Plan implements the Specific Plan district in the Specific Plan Area and provides zoning and development standards for the uses within the Specific Plan Area. As required by Government Code section 65451, the Specific Plan includes a statement of its relationship to the General Plan and includes text and images that specify the distribution, location, and extent of the uses of land, including open space, within the area covered by the plan. In addition, the Specific Plan provides: (1) the proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan; (2) standards and criteria by which development will proceed; and (3) an implementation program.

This Specific Plan is implemented pursuant to Chapter 8: Implementation, Administration & Financing.

Interpretation

The terms "shall", "should", and "may" are used within the Specific Plan. The term "shall" is used to denote a standard where compliance is required. The term "should" is used to denote a guideline that is recommended, but not required in all circumstances. The term "may" is used to denote something that is allowed or optional, but not required.

ZONING & DEVELOPMENT STANDARDS

This chapter describes the zoning subdistricts and development standards, including the permitted, conditionally permitted, and prohibited land uses, and cross-sections for each roadway type.

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2.1. Introduction

The Evergreen Senior Homes Specific Plan (the Specific Plan) is a regulatory document incorporated into the City of San José Zoning Code that will implement the Specific Plan zoning district for all properties within the Specific Plan Area.

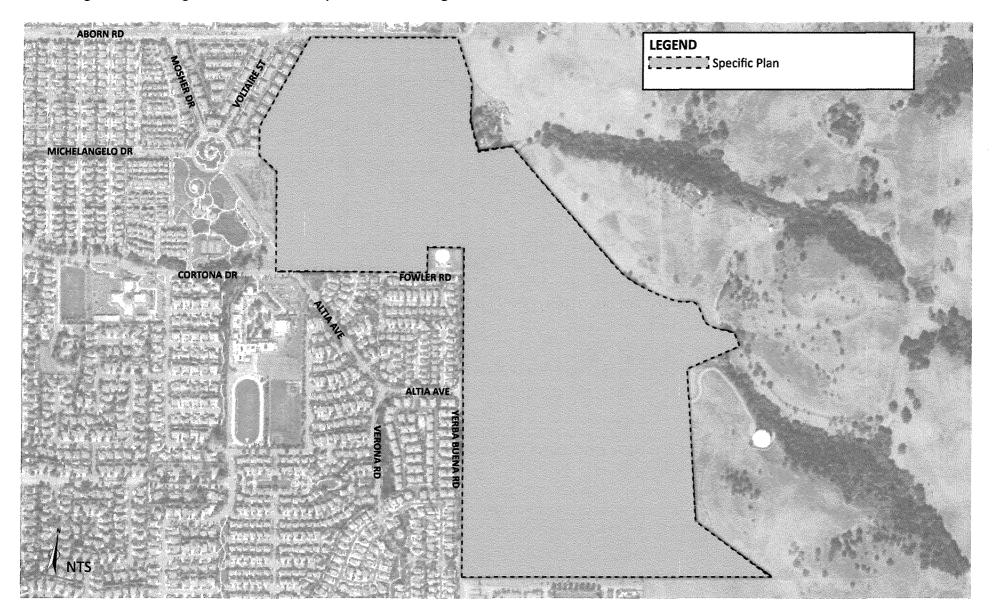
Implementation of this Specific Plan is governed by Chapter 8: Implementation, Administration & Financing. To the extent any requirement in this chapter (Chapter 2) conflicts with Chapters 3 through 7, the requirements in Chapter 2 shall prevail.

This chapter describes the zoning subdistricts that apply to the Specific Plan Area. It also includes development standards for each subdistrict, including building height limits and setbacks, parking requirements, and permitted uses. The Specific Plan land use zoning subdistricts include:

- Residential
 - ☐ Single-Family Residence Subdistrict (ESH-R-1)
 - ☐ Multiple Residence Subdistrict (ESH -R-M)
- Passive Open Space (ESH-POS)

Figure 2-1b: Zoning shows the Plan's zoning subdistricts. The boundaries between the ESH-R-1 and ESH-R-M subdistricts are not fixed and can be refined to accommodate site constraints and/ or further Plan goals or objectives, including if a public park is required pursuant to the City's parkland dedication and/or park impact requirements. The Final Map(s) for development within the Plan Area shall set the precise boundaries of these subdistricts.

Figure 2-1a: Evergreen Senior Homes Specific Plan Zoning District



2-2 | EVERGREEN SENIOR HOMES SPECIFIC PLAN

LEGEND Single-Family Residential Subdistrict (ESH-R-1) Multi-Family Residential Subdistrict (ESH-R-M) Passive Open Space (ESH-POS) MICHELANGELO DR Note: The boundaries between the ESH-R-1 and ESH-R-M subdistricts are not fixed. The boundaries are approximately illustrated and can be refined in order to accomodate site constraints or further Specific Plan goals or objectives. CORTONA DR

Figure 2-1b: Evergreen Senior Homes Specific Plan Zoning Subdistricts

EVERGREEN SENIOR HOMES SPECIFIC PLAN | 2-3

Residential Zoning Subdistricts 2.2.

The Specific Plan Area is zoned Specific Plan Zoning District and has two residential zoning subdistricts intended to facilitate the orderly development of up to 910 residential units in both detached and attached configurations. As permitted by the state law, the occupancy of these residential units is restricted to seniors age 55 and over and qualified permanent residents living with those seniors.

2.2.1. Purpose and Description of Residential Zoning Subdistricts

Single-Family Residence Subdistrict (ESH-R-1)

The purpose of the Single-Family Residence Subdistrict is to create, maintain, and enhance areas for single-family attached and detached residences. This subdistrict is intended for market-rate single-family detached residential units and duplex homes with landscaped yards, in neighborhoods with recreation areas, open space, streets, and other typical residential amenities.

The ESH-R-1 Subdistrict shall be contained within a secure, gated community with private streets. It shall have the primary recreation center in a centrally located area and at least one secondary recreation center.

Multiple-Family Residence Subdistrict (ESH-R-M)

The purpose of the Multiple-Family Residence Subdistrict is to create, maintain, and enhance areas for medium density multi-family residential development. This subdistrict is intended for multi-family residential units in a landscaped setting, in neighborhoods with recreation areas, open space, streets, and other typical residential amenities.

The ESH-R-M zoning subdistrict may be outside the portion of the Specific Plan Area that will be gated.

Housing in this district shall include housing meeting the requirements in Section 2.2.7, Inclusionary Housing, below. This subdistrict shall contain at least one secondary recreation center and access to open space.

2.2.2. Residential Zoning Subdistricts Development Standards

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All development in the ESH-R-1 and ESH-R-M Subdistricts shall be consistent with the development regulations in Table 2-1: Residential Subdistricts Use Regulations and Table 2-2: Residential Zoning Subdistricts - Development Standards by Facility Type, subject to minor deviations as permitted in Section 8.3.3 in Chapter 8: Implementation, Administration & Financing.

Certain development standards described in Table 2-2: Residential Zoning Subdistricts - Development Standards by Facility Type are shown in Figure 2-2a: Detached Lot Development Standards, Figure 2-2b: Attached Lot Development Standards, Figure 2-2c: Irregular Lot Development Standards, and Figure 2-3: Multi-Family Development Standards.

2.2.3. Residential Subdistricts Performance Standards

Developments in the Evergreen Senior Housing Residential Subdistricts shall be subject to the applicable Specific Plan District Performance Standards.

Allowed Uses

Table 2-1: Residential Districts Land Use Regulations lists the permitted, conditionally permitted, and specially permitted uses in the Residential Zoning Subdistricts.

"Permitted" land uses are indicated by a "P" on Table 2-1: Residential Subdistricts Use Regulations.

"Conditional" uses are indicated by a "C" on Table 2-1: Residential Subdistricts Use Regulations. These uses shall be allowed in such designated subdistricts, as an independent use, but only upon issuance of and in compliance with an Evergreen Homes Specific Plan (ESP) Permit, as set forth in Chapter 8: Implementation, Administration & Financing.

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"Special" uses are indicated by a "S" on Table 2-1: Residential Subdistricts Use Regulations. These uses shall be allowed in such designated subdistricts, as an independent use, but only upon issuance of and in compliance with an Evergreen Homes Specific Plan (ESP) Permit, as set forth in Chapter 8: Implementation, Administration & Financing.

Land uses not permitted are indicated by a "—" on Table 2-1: Residential Subdistricts Use Regulations.

Land uses not listed on Table 2-1: Residential Subdistricts Use Regulations are not permitted, unless the Director of Planning, Building, and Code Enforcement (Director) determines that they are consistent with the purpose and intent of the Specific Plan.

Table 2-1: Residential Subdistricts Use Regulations

Use	Single-Family Residence Subdistrict (ESH-R-1)	Multiple Residence Subdistrict (ESH-R-M)	Notes
Residential Land Uses			
One-family dwelling	P	С	Notes 1, 2
Two-family dwelling	P	C	Note 2
Multiple dwelling	-	P	
Residential care facility, six or fewer persons	P	P	
Residential Accessory Uses and Improvement			
Accessory buildings and structures	P	Р	Note 3
Home occupations	P	P	Note 4
Model Homes	P	P	Note 5
Entertainment and Recreation Related			
Private club or lodge	P	P	
Swim or tennis club	P	P	
Public, Quasi-Public and Assembly Uses			
Museums, libraries, parks, playgrounds, or community centers (privately operated)	P	Р	Note 6
Museums, libraries, parks, playgrounds, or community centers (publicly operated)	P	Р	Note 7
General Services			
Certified farmers' market	P	P	Note 8

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Use	Single-Family Residence Subdistrict (ESH-R-1)	Multiple Residence Subdistrict (ESH-R-M)	Notes
Certified farmers' market - small	d .	d	Note 8
Neighborhood agriculture	d .	d	Note 8
Outdoor vending - Fresh fruits and vegetables	d	٠. ۵ .	Note 8
Transportation and Utilities			
Community television antenna systems	U	Ů	
Off-site, alternating use and alternative use parking arrangements	Ú	J	Constraint of the Cons
Utility facilities, excluding corporation yards, storage or repair yards and warehouses	U	U	
Wireless communication antenna	U	Ů	Note 9
Wireless communication antenna, building mounted	ď	Ь	Note 9
Electrical Power Generation			
Facilities that do not exceed noise or air standards	S	S	Note 10
Solar photovoltaíc power system	d	ď	4 2

ZONING & DEVELOPMENT STANDARDS | 2

Notes:

- 1. Except as may be required by state law, only one one-family dwelling unit per lot in the ESH-R-1 district.
- 2. In addition to the occupancy of a dwelling as a residence, incidental uses, as defined by the Zoning Code (as may be amended from time to time), are permitted.
- 3. No lot may be used solely for an accessory structure or building.
- 4. Home occupations shall comply with the generally applicable provisions of the Zoning Code relating to performance criteria for home occupations and cannot be a prohibited use, as defined by the Zoning Code (as may be amended from time to time).
- 5. "Model Homes" are defined as new dwelling units that are not yet occupied for residential purposes that provide an example of a type of unit that will be developed in the Specific Plan Area. Notwithstanding anything to the contrary in the Zoning Code, model homes in any Evergreen Specific Plan residential zoning subdistrict can be used as sales offices in connection with the sale of dwelling units in the Specific Plan Area. Land within any Evergreen Specific Plan residential zoning subdistrict also can be used as the location for a temporary structure, such as a mobile home, that would be used as sales offices in connection with the sale of dwelling units in the Specific Plan Area. In addition, land in any Evergreen Specific Plan residential zoning subdistrict can be used for off-street parking or other uses incidental to the sales office or model home operation. These uses shall be limited to the duration of the sales office or model home operation.

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- 6. Private open space, parks, and private community facilities, including recreation centers, are permitted in the Evergreen Senior Homes Specific Plan residential zoning districts. No museums or libraries are permitted outside of a recreation center.
- 7. Public parks are permitted (P) to the extent required under state law. All other uses in this use category are prohibited.
- 8. These uses are permitted only in private and public open spaces (but not passive open space) and recreation centers.
- 9. Certain modifications of existing wireless facilities may be permitted with an administrative permit in accordance with the Zoning Code (as it may be amended from time to time). Wireless communications antennae are allowed in residential subdistricts only if all of the following criteria are met: (a) the proposed antenna is located on a parcel with a nonresidential use; and (b) the proposed antenna is located either: (1) more than thirty-five (35) feet away from the nearest residential use for every foot of monopole height, whichever distance is greater; or (2) more than twenty (20) feet away from the nearest residential use if the proposed antenna is mounted on an existing utility structure within a utility corridor. The maximum height of a wireless communication antenna may be increased over the required maximum height of the zoning district in which it is located up to a maximum of sixty feet provided that the antenna is a wireless communications antenna slimline monopole.
- 10. Stand-by or backup generators that would not otherwise require some permit from the city (including but not limited to building, electrical, or mechanical), and meet the applicable noise and air standards are permitted (P) and not subject to the special use permit requirement.

Table 2-2: Residential Zoning Subdistricts – Development Standards by Facility Type

Facility Type	Detached Single Family	Attached Single Family	Multi-Family	Primary Recreation Center	Secondary Recreation Center
Location ¹	ESH-R-1 and ESH-R- M	ESH-R-1 and ESH-R- M	ESH-R-M	ESH-R-1	ESH-R-1 and ESH-R-M
Minimum Lot Area (square feet)	4,500	3,500	6,000	130,680 (3 acres)	10,890 (0.25 acres)
Minimum Number in Specific Plan Area	n/a	n/a	n/a	1	2
Maximum Number in Specific Plan Area		Up to 910 units		N/A	N/A
Minimum Setback (feet) ²					
Front ³	10	10	19	12	12
Side, Interior	4	0/4	7	15	15
Side, Street	10	10	15	15	15
Rear, Interior	10	10	15	15	15
Rear, Street	10	10	15	15	15
Minimum Building-to-Building Separation	n/a	n/a	25	20	10
Minimum Driveway Length (feet)	18	18	0	n/a	n/a
Maximum Height (feet) ⁴	35	35	45	45	35
Maximum Number of stories ³	2	2	3	3	2
Minimum Private Open Space (square feet/unit) 5	200	200	60	n/a	n/a
Minimum Common Area Open Space (square feet/unit) ⁶	n/a	n/a	200	n/a	n/a

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Facility Type	Detached Single Family	Attached Single Family	Multi-Family	Primary Recreation Center	Secondary Recreation Center
Parking (minimum)	2 covered parking spaces	2 covered parking spaces	Studio to 2-bedroom Units: 1 covered or uncovered 3-bedrooms or more: 1.25 covered or uncovered	n/a	n/a
Bicycle Parking	n/a	n/a	1 short-term bicycle parking facility per 4 units	1 short-term bicycle parking facility per 3,000 sf. ft. of indoor space plus 1 short-term bicycle parking facility per 5,000 sf. of outdoor area developed for recreational purposes.	
Guest parking	n/a	n/a	0.25 / unit	n/a	n/a
Floor Area Ratio	n/a	n/a	n/a	n/a	n/a
Maximum Building Coverage Area	65%	65%	50%	n/a	n/a
Maximum Building Size (sq. ft.)	n/a	n/a	n/a	20,000	5,000

- 1. The product type development standards apply to that product type regardless of the zoning subdistrict.
- 2. Setbacks shall be measured from the back of sidewalk. If no sidewalk exists, setback shall be measured from the edge of the right-of-way. Allowed encroachments into setbacks include: porches and patios, landings, steps, bay windows, media nooks, fireplaces utility boxes, cantilevers, roof eaves, and other similar features. For architectural projections, such as porches and patio covers open on at least one side, on single family detached and attached homes, the setback may be reduced by up to two feet on front, side, or side corner setbacks and up to four feet on the rear setback. For architectural projections, such as balconies open on at least one side, on multifamily units, the setback may be reduced by up to 7 feet on the front and rear setbacks.
- 3. In the ESH-R-1 District, the front yard is defined by the area between the front property line and the front face of the building, extending to the side property lines.
- 4. The following elements can exceed the applicable height limit by 10 feet:
 - a. Decorative features such as spires, bell towers, domes, and cupolas.
 - b. Elevator or stair towers; penthouses, excluding those containing any living unit; and rooftop fenced or walled spaces for storage.
 - c. Chimneys, ventilators, plumbing vent stacks, water tanks, cooling towers, machinery rooms, solar, and other rooftop equipment and appurtenances.
- 5. Private open space is that outdoor space provided only for the use of the residents of the living unit to which it is attached. Private open space can occur in the form of a rear yard, patio, balcony, and/or deck.
- 6. Common open space is outdoor space provided for the use and recreation of all residents of the ESH-R-M District. It must be usable and only landscaping that enhances its utility is permitted (areas of decorative landscaping are not counted as common open space). Required common open space per unit shall be reduced by an area equivalent to the amount of private open space provided in excess of the Minimum Private Open Space required.

Figure 2-2a: Detached Lot Development Standards

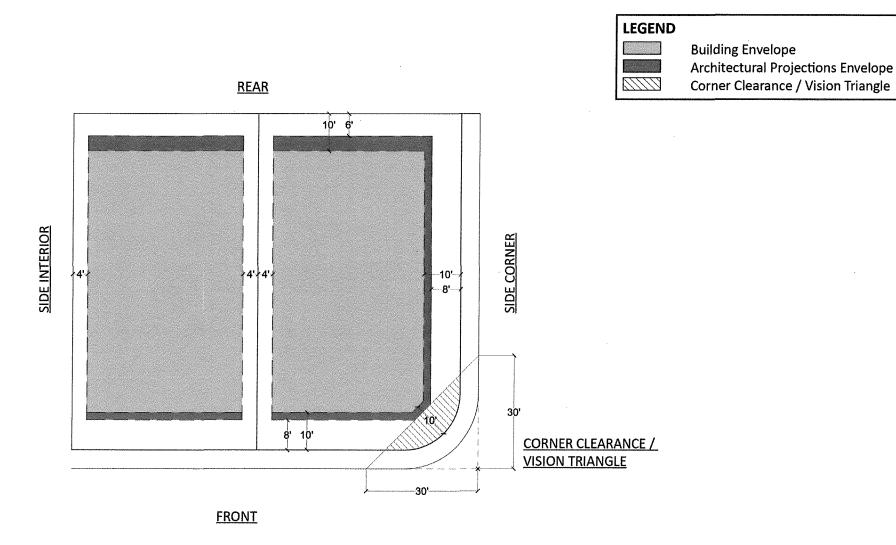
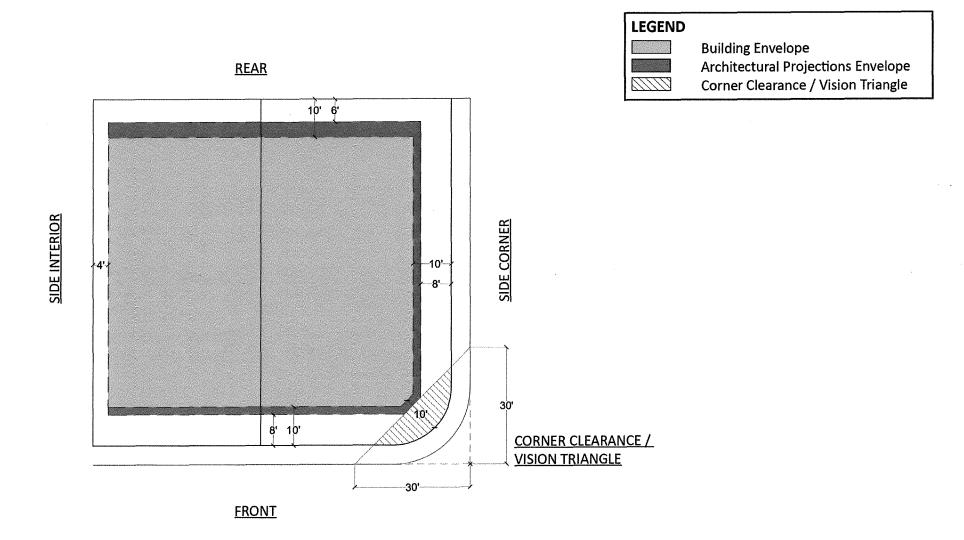


Figure 2-2b: Attached Lot Development Standards



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Figure 2-2c: Irregular Lot Development Standards

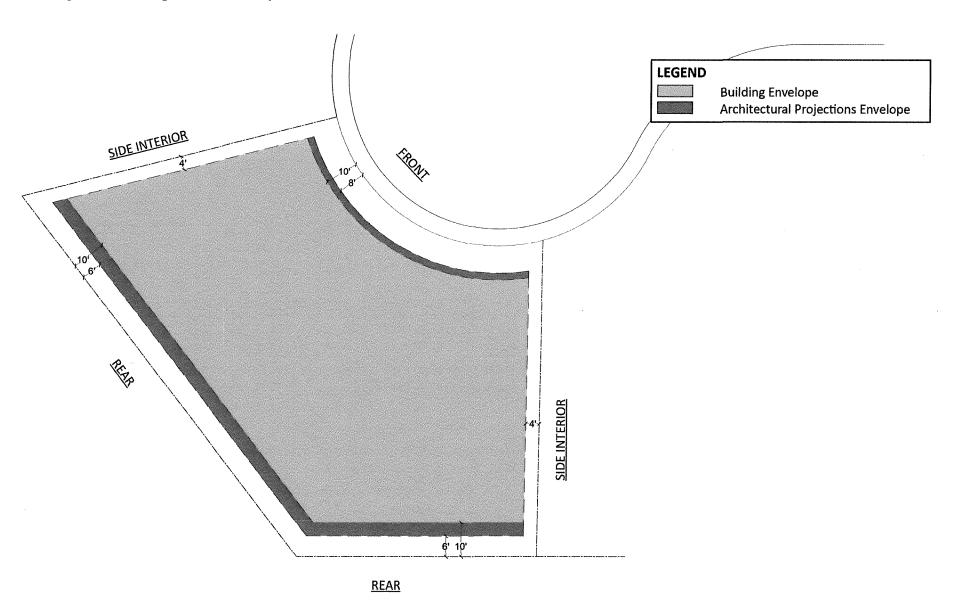
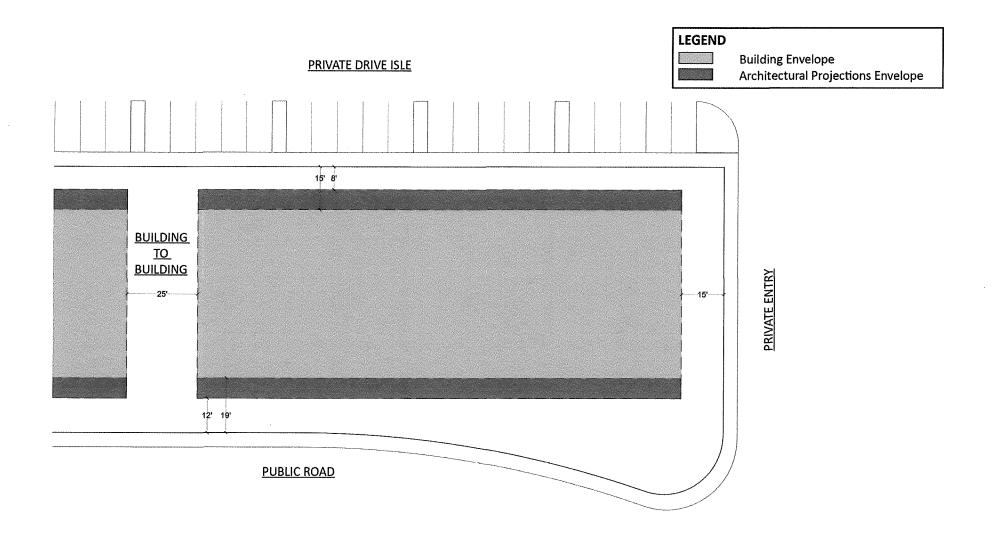


Figure 2-3: Multi-Family Development Standards



Fence Heights

2.2.4. Fence Regulations for Residential Subdistricts

Fences on lots with a single or attached one-family dwelling in any zoning subdistrict shall conform to the development regulations set forth below in Table 2-3: Fence Regulations for Residential Subdistricts. Fences that comply with these requirements do not require approval from the Director. Fences that exceed the height requirement in Table 2-3 require a variance, unless the height is required by a federal, state, or local requirement. Fences that are within the height limits in Table 2-3, but deviate from other fence standards in the Specific Plan require approval from the Director.

Fence height shall be measured from existing grade. When the difference in grade along a common property line exceeds two feet, any fence along the common property line shall not exceed more than six feet in height.

Posts and Gates

Support posts or columns, not exceeding 4 feet in height and 18 inches in width, and gates and trellises used for pedestrian purposes, not exceeding 8 feet in height and 5 feet in length shall be permitted, provided such entry is at least 15 feet away from an intersection.

Requirements for Lots Adjacent to Urban Growth Boundary

There shall be a fence along the property line where a property line abuts the Urban Growth Boundary or as otherwise required by applicable law. The height and design of such fences shall comply with the requirements of this Specific Plan and applicable law.

Table 2-3: Fence Regulations for Residential Subdistricts

Interior Lot		
Setback Area	Maximum Height (feet)	
Front	3′	
Rear	7′	
Side	7'	
Corner Lot		
Setback Area	Maximum Height (feet)	
Front	3′	
Rear	7'	
Adjacent to Side Setback Area of Key Lot or Corner Lot	3 feet for a distance of 12.5 feet as measured from the street property line and 15 feet as measured from the rear lot line.	
Adjacent to a Street	3 feet within 5 feet of property line. 7 feet at least 5 feet from property line.	
Side	3 feet within 5 feet of property line. 7 feet at least 5 feet from property line.	
Intersections 3 feet in height within the corner triangle. How single-stem plants or trees without foliage with height between 3 feet and 8 feet may be plant and maintained within the corner triangle on a corner lot.		

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Prohibited Fences

The following materials and fence types are prohibited from use on any parcel of property in the Specific Plan Area that is used for residential purposes, unless otherwise approved through an ESP Permit:

- Barbed wire
- Razor wire
- Electric fences
- Glass
- Other sharp materials

2.2.5. Additional Development Standards in All Residential Zoning Subdistricts

Green Building Requirements

- Tankless water heaters are required for all single-family homes.
- Rooftop solar panels or similar solar technology, such as solar films, solar glass, or solar roof tiles, are required for all single-family homes.
- Cross-linked polyethylene (PEX) or chlorinated polyvinyl chloride
 (CPVC) plumbing systems are required.
- Appliances and fans shall meet Energy Star® or equivalent energyefficiency requirements.
- Air conditioning systems shall use non-HCFC refrigerants and thermostatic expansive valves.
- High-efficiency HVAC filters shall be used on all appropriate HVAC equipment.
- Insulation and simulated wood trim products shall be low emitting for formaldehyde and volatile organic compounds.

- All light switches for interior lights in residences for rooms other than hallways, bedrooms, bathrooms, and unfinished spaces, and in non-residential buildings shall operate with dimmer switches or motion sensors.
- Toilets shall be high efficiency with a maximum of 1.28 gallons per flush.
- All construction and buildings shall comply with applicable state and local green building standards, including the standards related to the recycling of construction waste.

Equipment Screening - Roof Mounted Mechanical Equipment

- With the exception of solar panels and small-scale wind turbines, roof-mounted mechanical equipment, excluding satellite dishes and electrical conduits, is prohibited on the roof of all single-family residential buildings.
- On multi-family buildings and recreation centers that have roof-mounted mechanical equipment, such equipment (excluding solar panels, solar films, and small-scale wind turbines) shall be screened from views from streets, walkways, common areas, parking lots, parks, and open space areas with parapets and/or other architectural features that are compatible with the architectural style and character of the building.

Equipment Screening - Ground Mounted Mechanical Equipment

- Ground-mounted mechanical equipment shall be located behind privacy walls/fences, inside utility cabinets, and/or behind landscaping to screen from streets, walkways, parking lots, open space, and common areas.
- All mechanical equipment shall be screened, including power transformers/sectors, electrical equipment, backflow preventers, large ground-mounted satellite dishes, and HVAC (heating, ventilation, and air conditioning) equipment, and other similar mechanical equipment and utilities.
- Ground-mounted equipment shall not be located near windows of an adjacent residence.

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Service and Storage Areas

Service and storage areas shall be located behind or to the side of buildings and screened from public view of streets, common areas, and walkways.

2.2.6. Veterans' Support Services

To provide supportive housing opportunities for veterans, the following amenities shall be provided in the Plan Area:

Access to Affordable Housing for Senior Veterans

To the extent permitted by law, the Inclusionary Housing project manager will coordinate with federal, state, and local agencies and community-based organizations to identify eligible veterans as residents for the Inclusionary Housing, which may include participation in the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program and the Supportive Services for Veterans and Their Families (SSVF) program, or similar programs.

On-Site Veterans' Information/Service Station for Residents

The Secondary Recreation Center in the ESH-R-M subdistrict shall include space for a veterans' information and services station to support veteran residents, including the opportunity for on-site case management and supportive services to be provided by government agencies and community-based organizations.

Dedicated Staff for Veteran Resident Support

The project will designate an on-site coordinator to assist veteran residents to access education, job training, employment, medical, health, and other supportive services provided by government agencies and community-based organizations.

2.2.7. Inclusionary Housing

Defined terms used below in this subsection and not otherwise defined in the Specific Plan have the same meaning as they do in the City of San José Inclusionary Housing Ordinance (IHO).

Affordability Requirements

At least twenty percent (20%) of the total number of dwelling units in the Plan Area shall either:

Be made available for rent at an Affordable Housing Cost, consisting of fourteen percent (14%) available for rent at an Affordable Housing Cost to Moderate Income Households and six percent (6%) available for rent at an Affordable Housing Cost to Very Low Income Households; or

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Be made available for purchase at an Affordable Housing Cost to households earning no more than one hundred ten percent (110%) of the area median income. Such units may be sold to households earning no more than one hundred twenty percent (120%) of the area median income.

At the time of First Approval, the applicant shall elect to comply with one of the above bulleted paragraphs.

Veterans Preference

To the extent permitted by law, a preference for rental or purchase of the Inclusionary Units shall be given to veterans.

Timing of Construction

The Inclusionary Units do not need to be constructed concurrently with the Market Rate units. Nevertheless, no more than 25 percent of the Market Rate units can receive a building permit before issuance of the first building permit for the Inclusionary Units. In addition, no more than 75 percent of the Market Rate units can receive Certificates of Occupancy until 100 percent of the Inclusionary Units receive Certificates of Occupancy.

Geographic Location

To provide efficient access to services and amenities tailored for Lower Income Households (including Lower Income veterans), the Inclusionary Units may create a geographic concentration of Inclusionary Units in the Plan Area. Specifically, the Inclusionary Units shall be located in the ESH-R-M zoning subdistrict.

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Parking Standard

The Inclusionary Units shall meet the parking requirements in Table 2-2: Residential Zoning Subdistricts — Development Standards by Facility Type.

Amenities

Residents of the Inclusionary Units shall have access to amenities for Lower Income Households, including veterans, consisting of veteran's support services, a Secondary Recreation Center, and open space, including open space along the Fowler Creek Corridor.

Unit Mix by Size and Bedroom Count

- The Inclusionary Units shall be comprised of one- and two-bedroom units, with at least 40% of the Inclusionary Units having two bedrooms.
- The one-bedroom Inclusionary Units shall be a minimum of 675 square feet and the two-bedroom Inclusionary Units shall be a minimum of 825 square feet.

2.3. Passive Open Space Zoning District

2.3.1. Purpose of Passive Open Space Zoning Subdistrict

The passive open space zoning subdistrict accommodates passive open space and other miscellaneous uses associated with infrastructure and stormwater management.

Passive Open Space (ESH-POS)

This zoning designation is intended to preserve sensitive natural areas, where passive outdoor recreation and the enjoyment of scenic resources is appropriate. The regulations for this subdistrict are designed to protect and enhance the scenic and visual qualities of the land, as well as to implement the open space policies of the San José General Plan. Facilities permitted in this subdistrict include publicly accessible trails (generally pervious), private trails, benches, interpretive signage, fencing, and other similar low-intensity facilities, as well as public or private access roads for maintenance and debris basins, including appurtenant improvements.

Enclosed, habitable structures are not permitted in this subdistrict. All other recreation amenities shall be set back a minimum of two (2) feet from the street right-of-way.

Passive outdoor recreation is permitted in this subdistrict and may include activities such as bird watching, walking, hiking, dog walking, picnicking, and where there are bicycle pathways, bicycling, and other similar activities.

A trail along Fowler Creek shall be publicly accessible from Altia Avenue northeasterly through the Specific Plan Area. Public access from the Fowler Creek corridor into the Evergreen Specific Plan community shall be controlled by pedestrian gates.

Permitted and conditionally permitted uses are shown in Table 2-4: Passive Open Space Use Regulation.

Permitted land uses are indicated by a "P" on Table 2-4: Passive Open Space Use Regulation.

Conditional uses are indicated by a "C" on Table 2-4: Passive Open Space Use Regulation. These uses may be allowed in this district, as an independent use, but only upon issuance of and in compliance with an Evergreen Homes Specific Plan (ESP) Permit, as set forth in Chapter 8: Implementation, Administration & Financing.

Land uses not permitted are indicated by a "--" on Table 2-4: Passive Open Space Use Regulation. Land uses not listed on Table 2-4: Passive Open Space Use Regulation are not permitted unless the Director determines they are consistent with the purpose and intent of the Specific Plan.

Use	Passive Open Space (ESH-POS)	Applicable SJMC Sections & Notes
Agriculture and Resource Uses		
Any use or improvement for the conservation of water, reclamation and erosion control	Р	
Botanical conservatories, nature garden, nature study areas, and similar uses not within greenhouses or structures	Р	
Natural Resource Preservation/Reservation	P	
Education and Training		
Educational, charitable, and philanthropic activities that provide environmental and nature related services/education and are dedicated to the protection and preservation of the environment and/or rural and landscape preservation	P	
Entertainment and Recreation		
Trails and paths, including pedestrian and bicycle	Р	Note 1
Public, Quasi-Public and Assembly Uses		
Utility facilities, excluding corporation yards, storage or repair yards and warehouses	C	
Roadway, pedestrian, and bicycle crossings	P	
Stormwater management facilities including debris basins	Р	

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Notes:

^{1.} Trails and paths include associated passive recreation amenities such as benches, interpretive signage, and trash receptacles.

Additional Development Standards Applicable to the Specific Plan Area

2.4.1. Temporary Uses During Construction

The following interim uses are permitted during construction on any portion of the Plan Area ultimately planned for development prior to its development for an approved, permanent Specific Plan use:

- Stockpiling of soil for use in subsequent construction;
- Construction staging, including materials storage lots for construction, temporary parking, and construction trailers, construction management offices, and similar construction-related uses;
- Temporary lane closures or redirections of traffic to provide safe separations between the public and construction activities.

2.4.2. Roadways

There shall be six types of roadways permitted in the Specific Plan Area: 1) North Entry Road, 2) South Entry Road, 3) Collector Road, 4) Community Roads, 5) Primary Residential Roads, and 6) Secondary Residential Roads. The cross-sections of these roadways are shown in Appendix A: Roadway Cross-Sections. Conceptual versions of these roadways are shown in Chapter 4: Circulation & Mobility. Notwithstanding anything to the contrary in the Subdivisions chapter of the Municipal Code, roads within the Plan Area shall be constructed to cross-section standards in Appendix A: Roadway Cross-sections.

Roadway Types

Entry Roads: Entry roads will provide primary access into the Specific Plan Area. The access points shall be from the two locations described below.

The north entry road extends south from Aborn Road, as shown below in Figure 3-6: Conceptual Land Plan - Public and Private Roadways. Within the 100-foot right-of-way will be a 11-foot travel lane in each direction, separated by a landscaped median. Outside of the curbed area will be sidewalks or a multi-use pedestrian/bike trail. A gatehouse and gate will be constructed.

- The south entry road extends east from Yerba Buena Road. Within the 100-foot right-of-way will be two 11-foot travel lanes in each direction separated by two landscaped medians. Outside of the curbed area will be landscaping and a sidewalk on both sides.
- There will be no parking or residential driveways on either entry road.

Collector Roads: A collector road will extend from Michelangelo Drive to the west to the north entry road, providing vehicular and pedestrian access to the multi-family complex. It will be constructed within a 56-foot wide right-of-way with a 36-foot width curb-to-curb. It will include two 10-foot travel lanes and parking on both sides of the street. Outside of the curbed roadway will be a five-foot park strip (including curb) with landscaping and a five-foot sidewalk on both sides of the street.

Community Roads: Entry roads will transition into community roads and form the primary roadway "spine" in the single-family residential neighborhoods. There are two types of community roads:

- <u>Community Road Type A</u> will be constructed within a 64-foot wide right-of way and a 40-foot width curb-to-curb. This two-directional roadway will contain, on each side, an 11-foot travel lane, a doublestriped painted line, and a six-foot bike lane. Outside of each curb will be a five-foot park strip (including curb) and a five-foot sidewalk on one side, and on the other side a six-foot park strip (including curb) and an eight-foot multi-use trail. Residential driveways and parking are not permitted in this type of community road.
- Community Road Type B will be constructed within a 56-foot wide right-of-way and a 36-foot width curb-to-curb. This roadway will contain a 10-foot travel lane and an eight-foot parking area in each direction. Outside of the curb will be a five-foot park strip (including curb) and five-foot sidewalk. Residential driveways are permitted in this type of community road.

As part of the roadway infrastructure, the Community Road Type A shall cross over the existing Fowler Creek corridor. The road shall be

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constructed by placing fill confined within the road right-of-way with retaining walls along each side of the road. Beyond the retaining walls, fill slopes shall be constructed to support the roadway. Culverts shall be incorporated for conveyance within Fowler Creek and north of the creek to provide a public trail crossing under the roadway along the creek corridor.

Primary Residential Roads: Primary residential roads will be constructed within a 46-foot wide right-of way with a 36-foot width curb-to-curb. They will contain a 10-foot travel lane and an eight-foot parking area in each direction. Outside of the roadway will be a four and one half-foot sidewalk on both sides. The street will be constructed with rolled curbs to allow for driveway access to single-family residences.

Secondary Residential Roads: Secondary Residential Roads will be constructed within a 33-foot wide right-of way with a 28-foot width curb-to-curb. They will contain two 10-foot travel lanes and an eight-foot parking area on one side of the street. One five-foot sidewalk will be constructed adjacent to the parking area. Driveways will provide access to single-family residences.

Roadway Ownership and Access Gates

Except as provided in this Section 2.4.2, all roads within the Specific Plan Area shall be private roads.

Two private gated entries that will include a guard house, that may or may not be staffed, shall be located at the two primary access points to the Specific Plan area (at the North Entry Road and the South Entry Road). The portions of the North Entry Road and South Entry Road outside of the gatehouses will be publicly accessible.

The following roads within the Specific Plan Area shall be offered for dedication to the City as public roads:

- The roadway at the boundary between the ESH-R-1 subdistrict and the ESH-R-M subdistrict, connecting existing Michelangelo Drive to either the North Entry Road and/or existing Aborn Road.
- The improvement of existing Aborn Road along the frontage of the ESH-R-M subdistrict.

As part of the subdivision mapping process, the applicant may elect to offer additional roads or road improvements for public dedication, including without limitation the following:

- The portion North Entry Road outside of the gated entry
- The portion of the South Entry Road outside of the gated entry
- The portion of Altia Avenue within the Specific Plan Area
- The existing partially completed public improvements for Yerba Buena Road on the frontage of the Specific Plan Area

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Access to Existing Water Tank

Access to the existing water tank, located east of the Specific Plan Area, shall be provided via a secured gate from an adjacent Secondary Residential Road.

Phasing

Where roadways terminate at a phase boundary, appropriate barricades and signage shall be installed to alert roadway users of the street termination. Temporary turn-arounds, if necessary, shall be constructed per generally applicable San José Municipal Code requirements.

2.4.3. Water-Conserving Irrigation and Landscapes

Irrigation methods and water budgets shall meet all applicable City and State requirements regarding landscaping, which are designed to minimize water used for landscaping.

All landscapes in public and common areas other than sport fields shall use drought-tolerant species. Irrigation designs and practices shall employ low-flow, water-efficient spray heads and emitters wherever practical, and use temporary, removable irrigation equipment in areas where natural plantings may be "weaned" off artificial irrigation once established.

At the time of construction of the on-and off-site sanitary sewer and water systems, pipes for recycled water shall be installed concurrently therewith. If recycled water is reasonably available, then recycled water shall be used

In the ESH-R-1 Subdistrict, private front yards shall not be turf.

Water line sizing, looping requirements and layout shall comply with all applicable local and state regulations.

2.4.4. Utilities and Infrastructure

New exterior on-site utilities shall be located underground, including drainage systems, sewers, gas lines, water lines, and electrical, telephone, and communication wires and equipment. Cell towers are allowed aboveground.

Each phase of new development shall provide infrastructure needed to meet the utility and infrastructure demands of that phase.

Water system with mains, services, and fire hydrants shall meet the City of San José design standards. All sanitary sewer mains within the proposed private streets shall be private.

2.4.5. Exterior Lighting

If security lighting is required, security lighting fixtures shall be hooded, recessed, and/or located in such a manner to only illuminate the intended area.

2.4.6. Grading

All grading shall comply with all applicable state and local regulatory requirements. All temporary borrow/stockpile areas will be treated with the appropriate stormwater control measures and visually screened from residential areas.

2.4.7. Transportation Demand Management

Transportation Demand Management ("TDM") elements, consistent with the Evergreen East Hills Development Policy, promote carpooling, transit use, bicycle use, and pedestrian activities. New development in the Plan Area shall include measures such as some of those listed below, or similar actions, that reduce single-occupancy vehicle use.

Sample Residential Site Design Measures

- Construct transit amenities such as bus turnouts/bus bulbs, benches, shelters, etc.
- Provide direct, safe, attractive pedestrian access from project land uses to transit stops and adjacent development.
- Provide bicycle lanes, sidewalks and/or paths, connecting project residences to recreation centers and the nearest transit stop.
- Provide secure and conveniently placed bicycle parking and storage facilities at recreation centers and other facilities.

Sample Residential Operational Measures

- Provide transit information kiosks;
- Offer transit use incentive programs to residents, such as distribution of passes and/or subsidized transit passes for a local transit system (e.g. providing VTA EcoPass system or equivalent broad spectrum transit passes to all residents).
- Provide a website for community residents to organize carpools.

2.4.8. Retaining and Perimeter Walls

Retaining walls and perimeter walls shall be a maximum of seven (7) feet. Walls that comply with this height limit do not require approval from the Director. Walls that exceed this height limit require a variance, unless the height is required by a federal, state, or local requirement. Walls that are within this height limit, but deviate from other wall standards in the Specific Plan, require approval from the Director. Notwithstanding the forgoing, there shall be no height limit for retaining walls along Community Roads – Type A at the Fowler Creek corridor crossing.

2.4.9. Environmental Protection

All development within the Plan Area shall comply with the Environmental Design Features (EDFs) in Appendix B.

2.4.10. Evergreen Senior Homes Specific Plan Permit

Except as specified in Chapter 8: Implementation, Administration, and Financing, all development within the Specific Plan Area requires an Evergreen Senior Homes Specific Plan Permit in accordance with Chapter 8: Implementation, Administration, and Financing.

3

CONCEPTUAL LAND PLAN

This chapter illustrates a conceptual land plan and construction phasing as one example of how the Specific Plan could be implemented in substantial conformance with the Zoning and Development Standards (Chapter 2) and Design Guidelines (Chapters 5 and 6).

3.1. Conceptual Land Plan

The Specific Plan creates zoning subdistricts that will implement the Specific Plan objectives described in Chapter 1: Introduction. The land uses, intensities, sizes, and locations required by Chapter 2: Zoning and Development Standards support the vision articulated in Chapter 1 of a residential community for seniors that offers a rich variety of activities and strong neighborhood networks.

Figure 3-1: Conceptual Land Plan provides a conceptual illustration of a land plan that substantially conforms to the zoning and development standards set forth in Chapter 2: Zoning & Development Standards and the guidelines set forth in Chapter 5: Architectural Design Guidelines, and Chapter 6: Landscape Design Guidelines. Like other figures, illustrations, and photos in this Specific Plan, this conceptual plan is meant to convey a graphic representation of one example of what is envisioned and should not be considered a strict representation of the final design.

Some features of the Conceptual Land Plan are fixed by the zoning. These features include the passive open space area along Fowler Creek, the location of Entry Road access points into the Specific Plan Area, and the dimensions of the roadway cross-sections as shown in Appendix A: Roadway Cross-sections. Other aspects of the Conceptual Land Plan, including without limitation the alignment of internal roadways, the number and configuration of lots, the residential subdistrict boundaries, the location and orientation of the active open space areas and recreation centers, are conceptual and subject to variation within the parameters of this Specific Plan.

Table 3-1: Land Use Summary and Table 3-2: Residential Types and Densities describe the land uses in the Conceptual Land Plan. All numbers are rounded to the nearest whole number.

Table 3-1: Conceptual Neighborhood Areas

Land Use	Gross Acres 1
Residential	111
Passive Open Space	46
Roads & Other Miscellaneous Areas	43
Total ¹	200

Notes

1. Acreage is rounded to the nearest whole number.

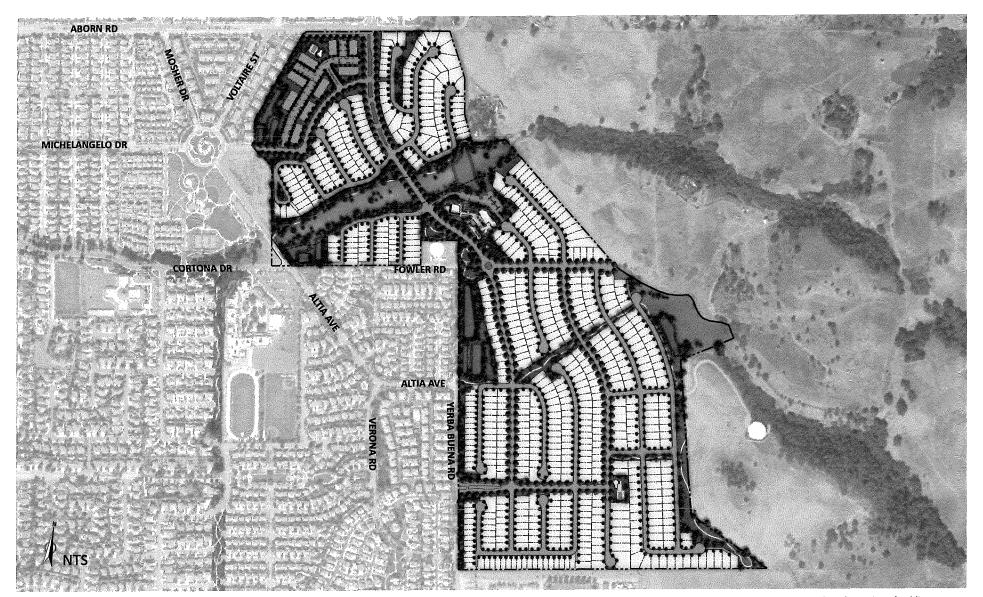
Table 3-2: Conceptual Land Plan Land Use Types and Densities

Residential Type 1	Dwelling Units	Square Footage
Single-Family	679	
Multi-Family	180	
Primary Recreation Center	-	20,000
Secondary Recreation Centers (2)	-	1,400
Total	859	21,400

Notes:

- 1. Dwelling units and square footage are rounded to the nearest whole number.
- Actual number may vary. The project would consist of no more than 910 residential units in both detached and attached configurations.

Figure 3-1: Conceptual Land Plan



Note: Illustrative as to the number of buildings and parcels and their location and orientation, alignment and location of all road types, placement and size of private recreation areas, and configuration of public facilities.

3.1.1. Residential Neighborhoods

The Conceptual Land Plan applies the zoning and design standards and the Design Guidelines to create a Conceptual Land Plan for residential neighborhoods.

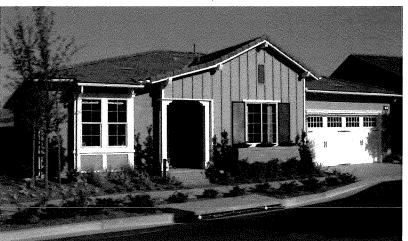
The Conceptual Land Plan implements the zoning by organizing the parcels in two distinct residential neighborhoods and is consistent with the Design Guidelines policy to have neighborhoods organized around a framework of interconnected sidewalks and trails to encourage an active lifestyle.

Consistent with the Chapter 5: Architectural Design Guidelines, dwelling units are located within walking distance to neighborhood recreation centers, open spaces, and trails that extend through the open space common areas. Residences are located to work with the natural land forms and minimize alteration to the natural environment to the extent practical.

Consistent with Chapter 6: Landscape Design Guidelines, primary residential roads that terminate with a recreation center or open space boundary terminate in cul-de-sacs, and pedestrian pathways provide through access for pedestrians and bicyclists. In addition, local neighborhood streets are narrow to help maintain low, safe travel speeds. Consistent with Chapter 6: Landscape Design Guidelines, landscaping and hardscape features at entries and along the streets are used to create a sense of place and differentiate areas within the Plan Area. Planting of trees is incorporated to create an attractive setting and, consistent with Chapter 7: Infrastructure & Public Services, utilities are placed underground.

Figure 3-2: Conceptual Illustration of a Typical Single-Family Residential Neighborhood shows one way to be consistent with the Design Guidelines' policies related to how buildings address the street and the guidance for homes adjacent to one another to have different architectural features or color schemes. Figure 3-3: Conceptual Illustration of the Multi-Family Complex shows one way to implement the Design Guidelines related to architectural character.





Conceptual illustrations of typical single-family residences

Figure 3-2: Conceptual Illustration of Typical Single-Family Residences







3.1.2. Open Space & Recreation

Consistent with Chapter 5: Architectural Design Guidelines, the Conceptual Land Plan includes several recreation centers at strategic focal points within the Specific Plan Area.

The primary recreation center is visible just off the main entry, at the intersection of two primary streets. Conceptual illustrations of this primary recreation center are shown in Figures 3-4a and 3-4b. Consistent with Chapter 6: Landscape Design Guidelines, the primary recreation center includes facilities for recreation, a pool, shade structures, and tables and chairs.

One secondary recreation center is at the end of a road, forming the focal point for that road. The other secondary recreation center is visible from the main entry of the multi-family area. The secondary recreation centers also have outdoor pools.



Conceptual illustration of fitness center.



Conceptual illustration of bocce ball courts at the primary recreation

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Conceptual illustration of outdoor pool.

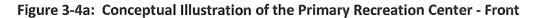
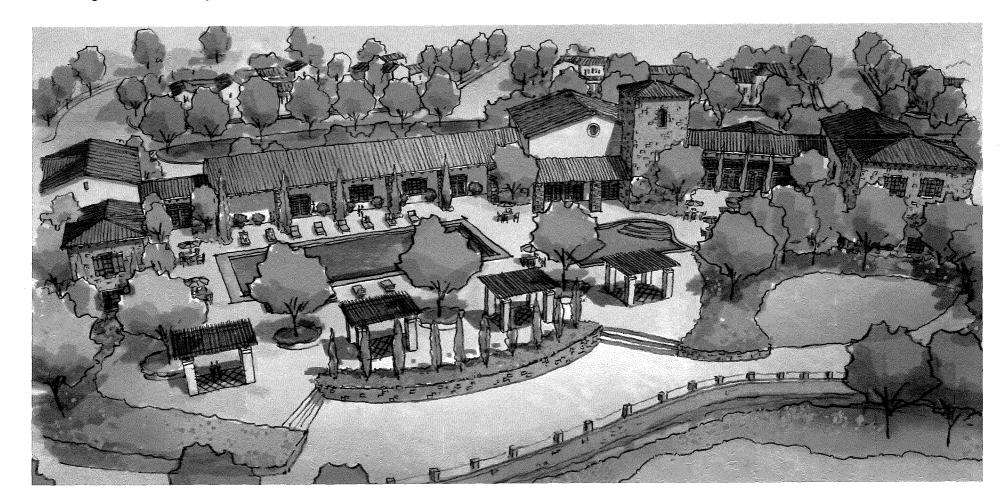




Figure 3-4b: Conceptual Illustration of the Primary Recreation Center - Rear



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Active and Passive Open Space

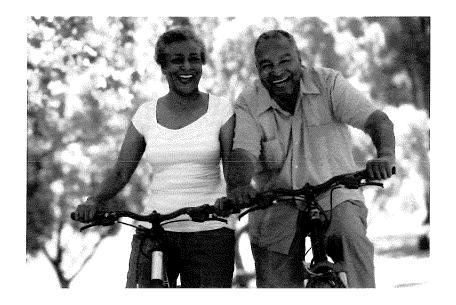
As shown on Figure 3-1: Conceptual Land Plan, and as allowed by the zoning subdistricts, the Conceptual Land Plan locates active and passive open space areas are throughout the Specific Plan area, providing opportunities for informal recreation.

Passive open space locations include the Fowler Creek Corridor and the eastern boundary of the Plan Area, adjacent to the Urban Growth Boundary. Active open spaces are provided in the residential subdistricts. All open space areas will be designed consistent with Chapter 6: Landscape Design Guidelines. Amenities in active open spaces may include, but are not limited to, community gardens, dog parks, and benches.

These active and passive open space areas also conceptually include trails for walking, jogging, and biking, as allowed by the zoning subdistricts and Landscape Guidelines. A conceptual illustration of this trail network and connections to adjacent existing and proposed pedestrian and bicycle facilities is shown in Figure 3-5: Conceptual Trail Network.



Conceptual illustration of a dog park.

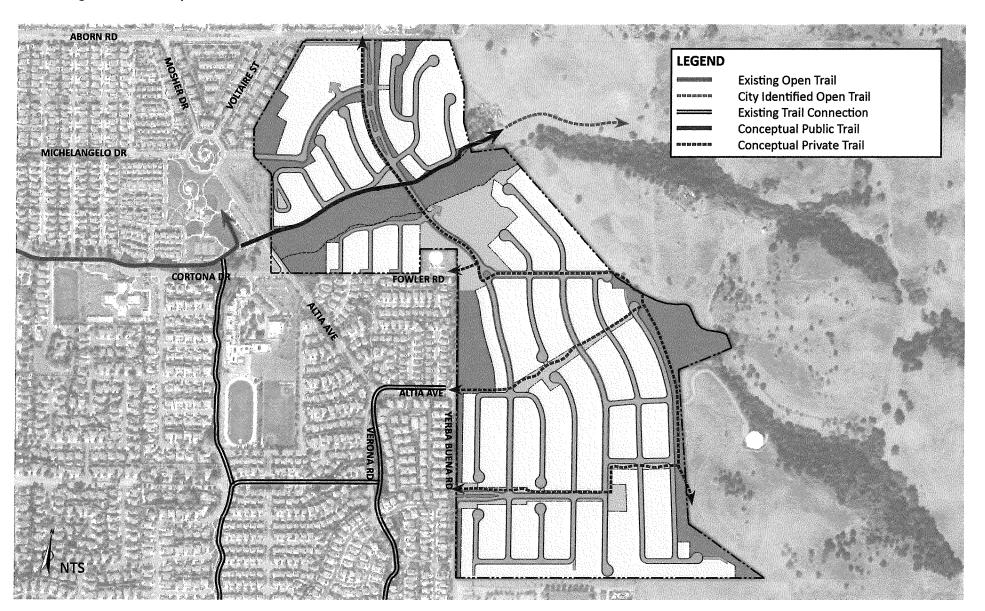




Conceptual illustration of outdoor barbeque area

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Figure 3-5: Conceptual Trail Network



3-10 | EVERGREEN SENIOR HOMES SPECIFIC PLAN

3.1.3. Circulation and Roadways

Consistent with Chapter 2, Zoning & Development Standards, the Conceptual Land Plan and Figure 3-6: Conceptual Land Plan – Public and Private Roadways show both public and private roadways within the Specific Plan Area.

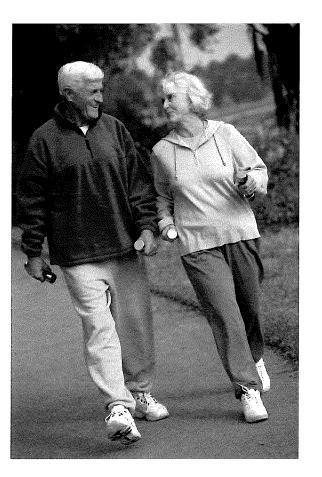
Primary access to the multi-family units is from the Aborn Road, and secondary access is from the extension of Michelangelo Drive.

Primary access to the single-family residences is from Yerba Buena Road and Aborn Road. Conceptual illustrations of the entry gates at the two primary access points to the single-family residences are shown in Figure 3-7: Conceptual Illustration – North Entry Road and Figure 3-8: Conceptual Illustration – South Entry Road.

Consistent with the Chapter 5: Architectural Design Guidelines, the Conceptual Land Plan's street organization, with the residential streets mainly running north to south, results in residential lots that optimize views of the hills to the east and the greater City of San José to the west.

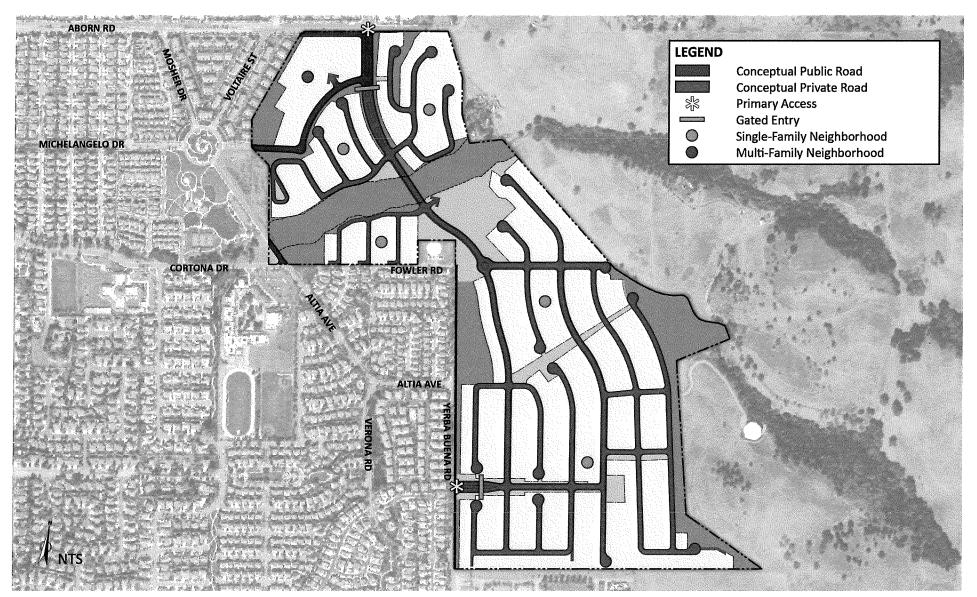
A description of the roadway hierarchy and street types are described in Chapter 2: Zoning & Development Standards.





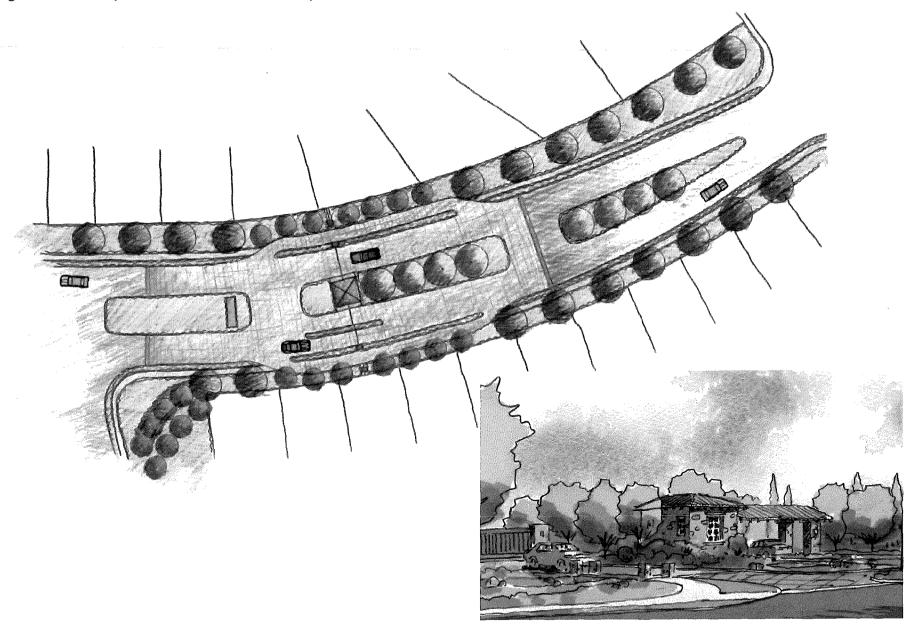
EVERGREEN SENIOR HOMES SPECIFIC PLAN | 3-11

Figure 3-6: Conceptual Public and Private Roadways



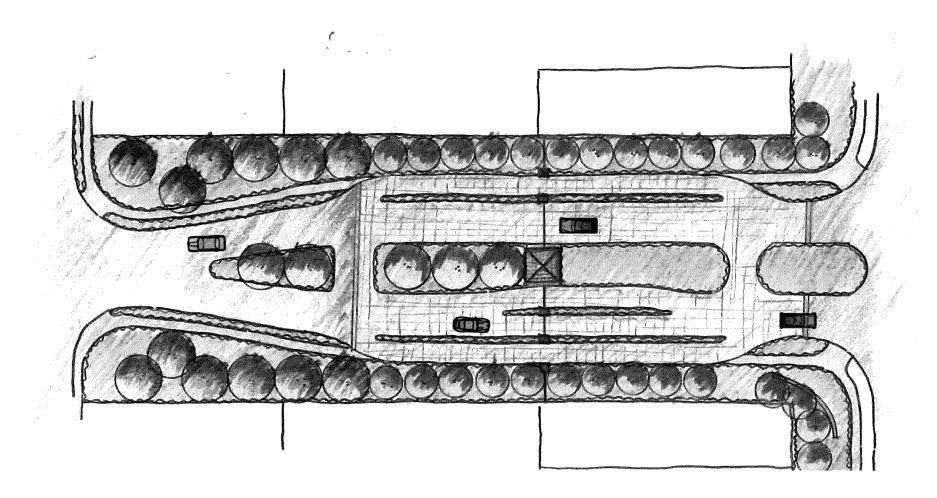
Note: Illustrative as to the alignment and location of all road types, and placement and size of private recreation areas, residential areas, and open space areas.

Figure 3-7: Conceptual Illustration - North Entry Road



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Figure 3-8: Conceptual Illustration – South Entry Road



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3.2. Conceptual Construction Plan

3.2.1. Conceptual Project Phasing

Figure 3-9: Conceptual Project Phasing Plan and Table 3-3: Conceptual Phasing Plan identify a conceptual development phasing within the Specific Plan Area. This plan represents one possible approach to phasing and is subject to change, depending on market conditions and further design refinement.

Additional details regarding the phasing requirements described in Chapter 8: Implementation, Administration & Financing.

Table 3-3: Conceptual Phasing Plan

Phase	Gross Area (acres) (1)	Residential (du)
1	28	70
2	18	66
3	23	50
4	20	220 (2)
5	34	88
6	22	120
7	20	85
8	16	90
9	19	70
TOTAL	200	859 (2)

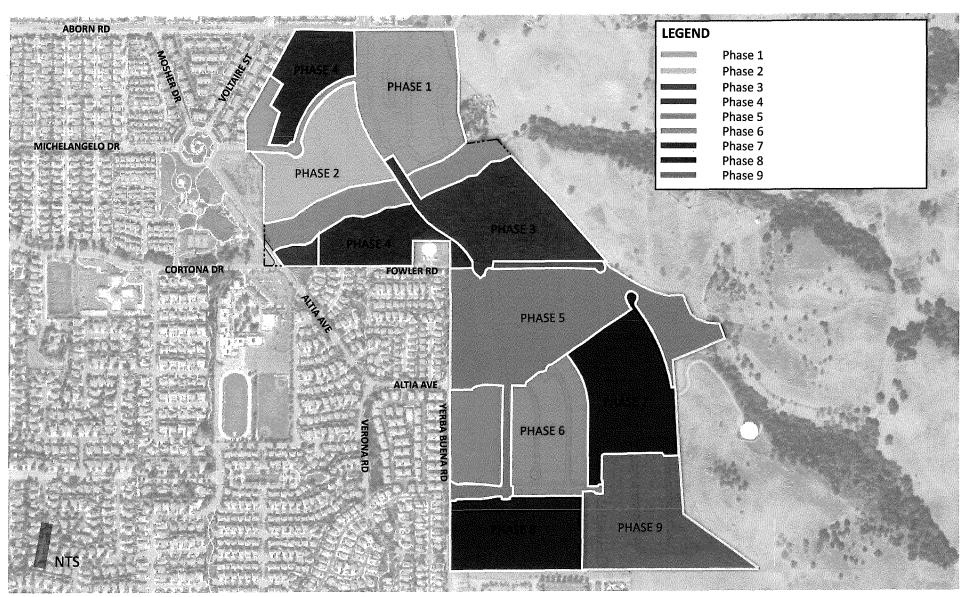
Notes:

- 1. Acreages are rounded to the nearest whole number.
- 2. Based on the assumption of 180 multi-family units in the Conceptual Land Plan. Actual numbers may vary.

3.2.2. Conceptual Grading

It is anticipated that grading for the Conceptual Land Plan would occur in two phases. More significant grading would occur in the first phase, primarily in the northeast quadrant of the Specific Plan Area. Consistent with the Architectural Design Guidelines, all lots, roadways, and other improved areas within a phase will be graded sufficiently to accommodate development in that phase. A grading borrow/stockpile area will be established in a future phase area, if necessary, to accommodate extra grading material. In addition, in accordance with the Architectural Design Guidelines, the Conceptual Phasing Plan minimizes truck trips by balancing cut and fill to the extent feasible.

Figure 3-9: Conceptual Project Phasing Plan



Note: Illustrative as to the alignment of minor streets and trails, and placement and size of the phases, and placement and size of the backbone infrastructure.



CIRCULATION & MOBILITY

This chapter describes the conceptual mobility plan for all users including bicycles, pedestrians, and vehicles. It includes the conceptual roadway hierarchy and conceptual cross-sections for each roadway type.

4.1. Introduction

This chapter presents the conceptual roadway network for the Specific Plan Area. Chapter 2: Zoning & Development Standards, describes the roadway types that shall be constructed in the Specific Plan Area, including roadway hierarchy, widths, and associated sidewalks, multi-use trails, and/or bicycle lanes. Chapter 6: Landscape Design Guidelines provides guidance on how the roadway network should be organized to accomplish Plan goals, including: (i) integrating the natural and built environments to minimize the disruption of natural features, and to the extent practicable, blend with the site's existing landforms, trees, and drainage courses, and (ii) creating a community with a range of recreation and mobility options by providing a circulation network that is bicycle and pedestrian friendly.

This chapter provides conceptual illustrations of each of the roadway types identified in Chapter 2: Zoning & Development Standards and an example of one way to implement the guidance about the design of circulation elements, including street trees, trails, and bikeways, in Chapter 6: Landscape Design Guidelines. The result is shown in Figure 4-2: Conceptual Road Network & Hierarchy, which is conceptual.

4.2. Existing Transportation Network

The primary automobile routes to access the Specific Plan Area are Aborn Road, Murillo Avenue, and Yerba Buena Road. These streets provide connections to the regional roadway system, including freeways, expressways, and arterials, including Highway 101, the Capital Expressway, and Interstate 680. The existing regional roadway network is shown in Figure 4-1: Existing Regional Roadway Network.



Conceptual image of pedestrian pathway

Figure 4-1: Existing Regional Roadway Network

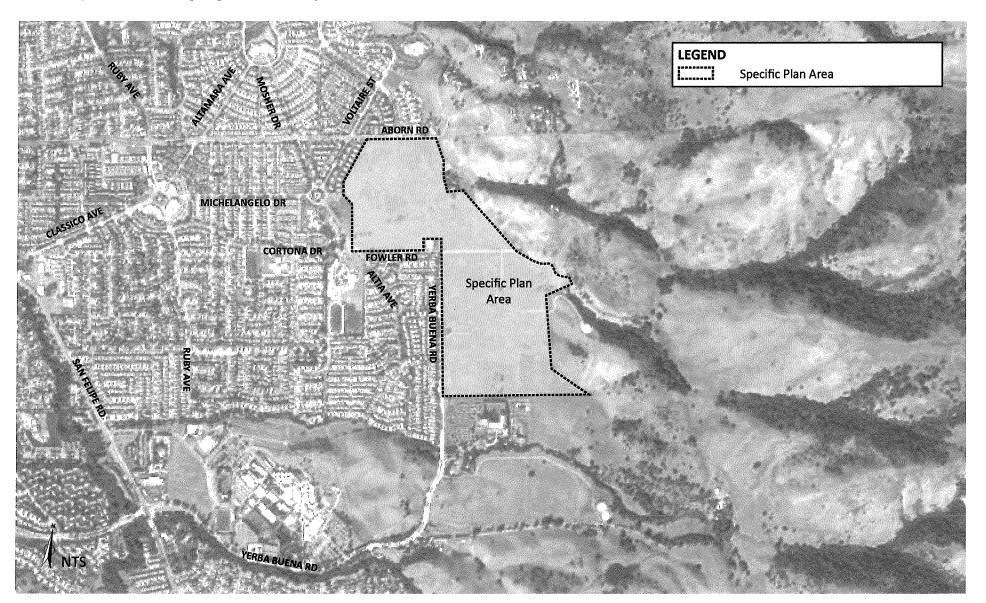
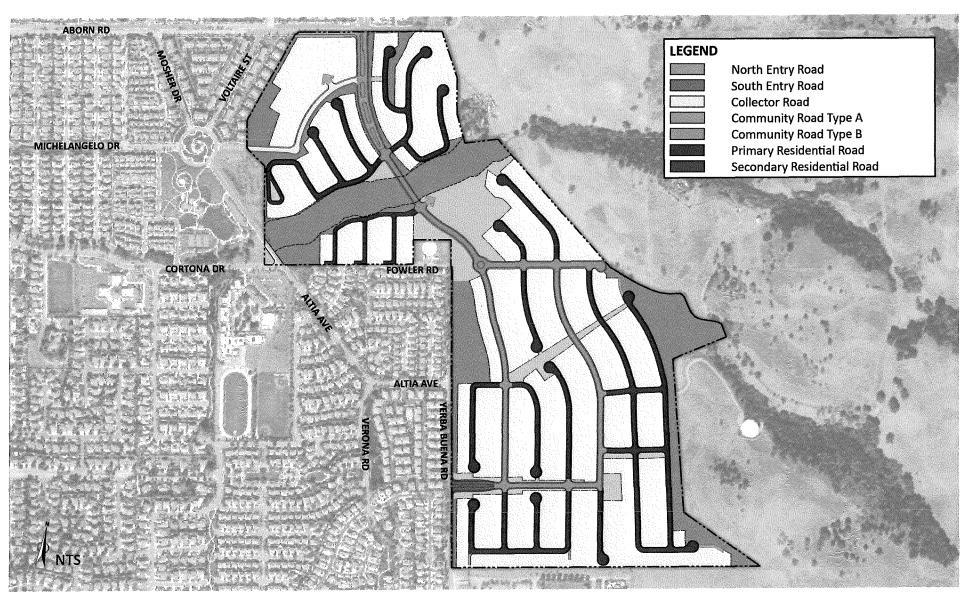


Figure 4-2: Conceptual Road Network & Hierarchy



Note: Illustrative as to the alignment and location of all road types, and the location, size, and of the boundaries of the residential areas.

Roadway Cross-Sections

Conceptual roadway cross-sections are shown below for each of the road classifications shown in Figure 4-2: Conceptual Road Network & Hierarchy. These roadway sections implement the standards in Chapter 2: Zoning & Development Standards and guidelines in Chapter 6: Landscape Design Guidelines.

The cross-sections for each roadway type, as shown in Figures 4-3 through 4-7 are conceptual as to the landscaping, architectural features, and hardscape. The conceptual alignment of the roadways implements the Specific Plan's goal to preserve the site's most sensitive natural resources as open space. The conceptual cross-sections of the roadways implement the Specific Plan goal to create a community with a range of recreation and mobility options by providing a circulation network that is bicycle and pedestrian friendly.

4.3.1. Entry Roads

As shown in Figure 4-2: Conceptual Road Network & Hierarchy, two entry roads provide primary access to the Specific Plan Area; one from Aborn Road (the north entry road) and one from Yerba Buena Road (the south entry road). As encouraged by Chapter 6: Landscape Design Guidelines, the north entry road is designed to provide direct, safe, and attractive pedestrian and bicycle access to, and auto drop-off point for, the bus stop at the corner of Aborn and Murillo Roads.

Conceptual cross-sections are shown in Figure 4-3: Conceptual Cross Section -North Entry Road and Figure 4-4: Conceptual Cross Section -South Entry Road.



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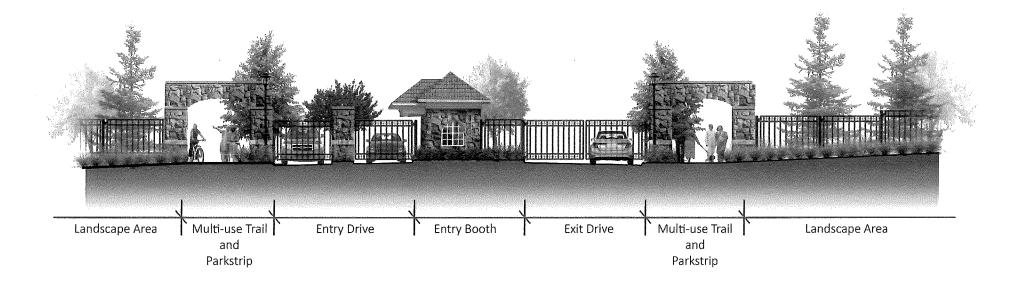
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Conceptual Main Entrance Rendering

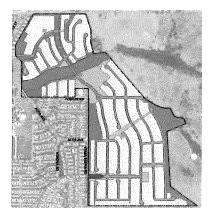
Figure 4-3: Conceptual Cross Section – North Entry Road

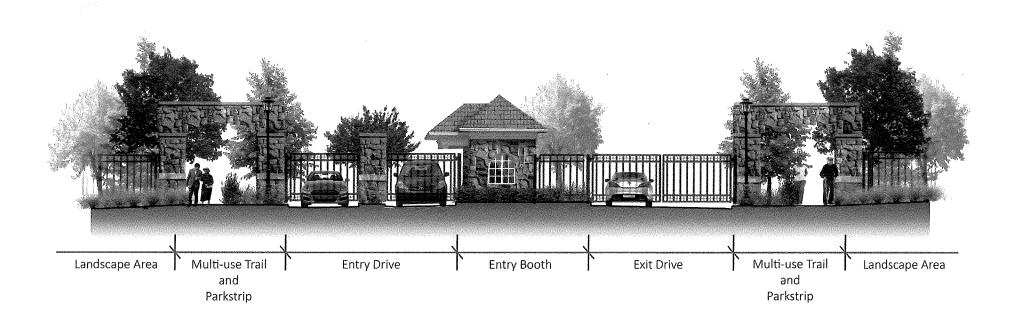




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Figure 4-4: Conceptual Cross Section – South Entry Road





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EVERGREEN SENIOR HOMES SPECIFIC PLAN | 4-7

4.3.2. Collector Road

As shown in Figure 4-2: Conceptual Road Network & Hierarchy, a collector road extends from Michelangelo Road to the west to the north entry road, providing vehicular and pedestrian access to the multi-family complex.

A conceptual cross-section is shown in in Figure 4-5: Conceptual Cross-Section – Collector Road.

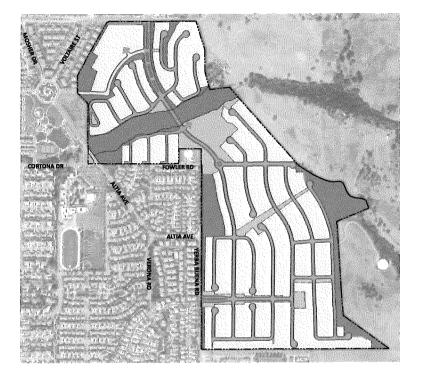
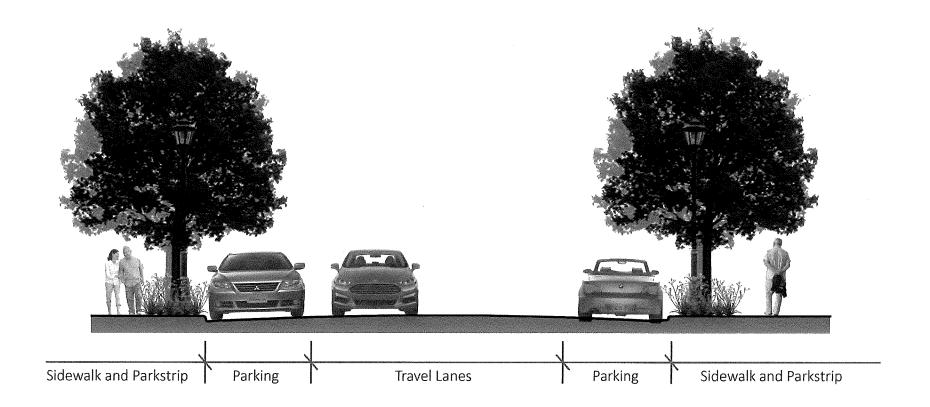


Figure 4-5: Conceptual Cross-Section – Collector Road



Consistent with Chapter 2: Zoning & Development Standards, community roads form the primary internal circulation network through the single-family residential neighborhoods. They provide access to these residential neighborhoods and associated active open space areas. Consistent with the guidance in Chapter 6: Landscape Design Guidelines, the conceptual Network & Hierarchy Plan has community roads with a limited number of straight segments and parking on both sides of the street. The organic form of collector roads creates a bucolic feel and help to maintain safe travel speeds.

As described in Chapter 2: Zoning & Development Standards, there are two types of community roads: Community Road-Type A and Community Road-Type B. Figure 4-6: Conceptual Cross Section – Community Road, shows conceptual cross-sections of each type of Community Road.

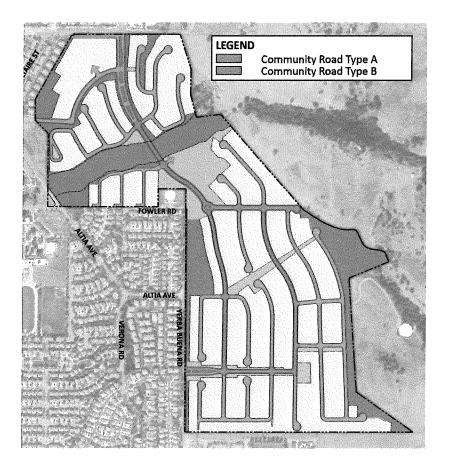


Figure 4-6a: Conceptual Cross Section – Community Road Type A

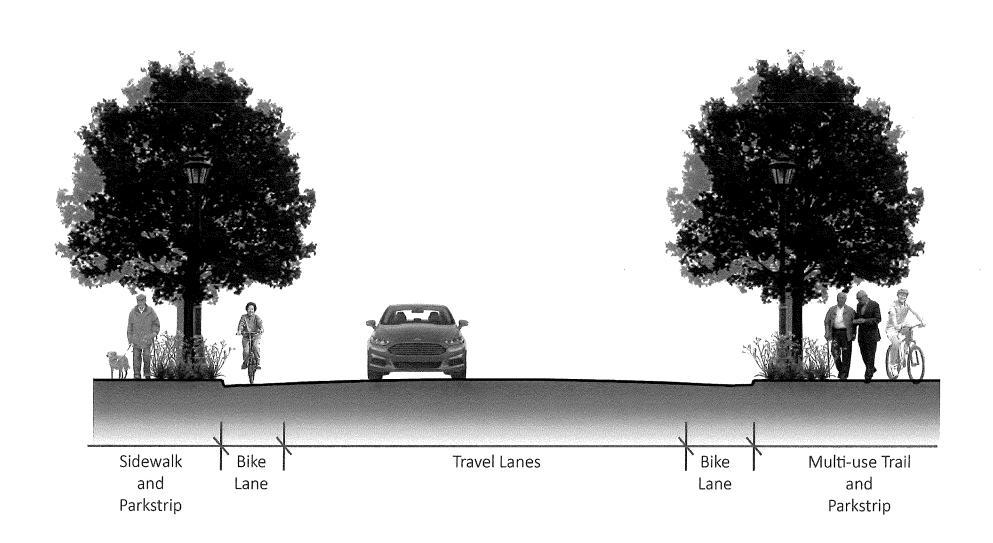
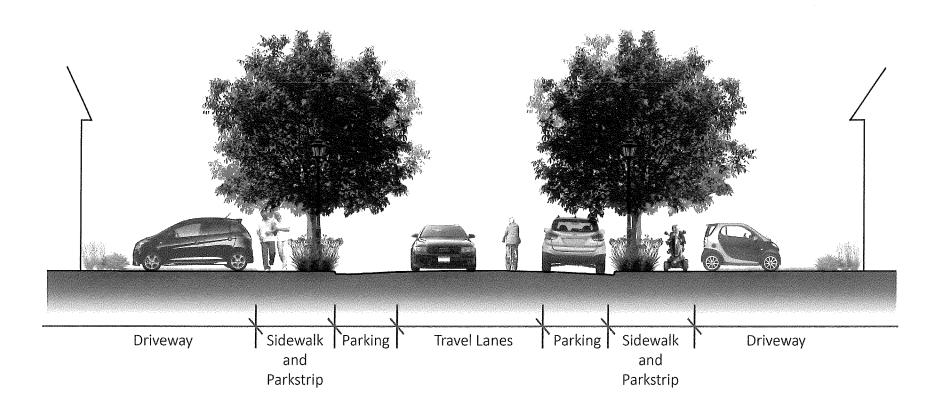


Figure 4-6b: Conceptual Cross Section – Community Road Type B



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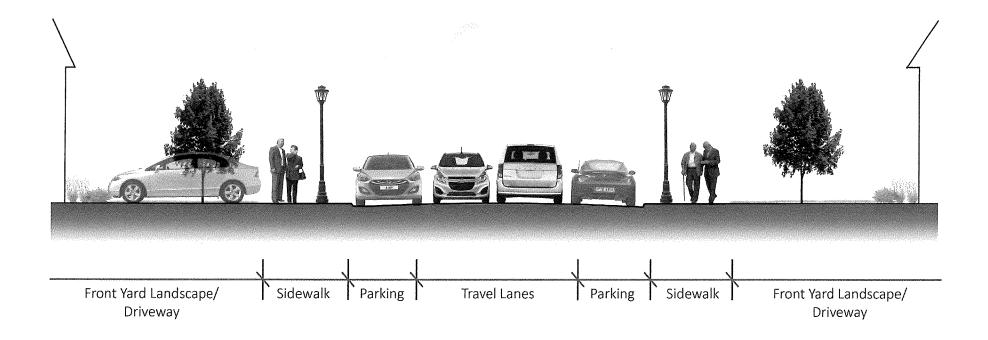
4.3.4. Primary Residential Roads

As required by Chapter 2: Zoning & Development Standards, the primary residential roads in the Conceptual Network & Hierarchy form the secondary internal circulation network in the Plan Area. Similar to community roads, they provide access to the single-family residential neighborhoods and associated active open space areas. They also provide direct access to the single-family residential driveways. As allowed by Chapter 6: Landscape Design Guidelines, primary residential roads are narrow to help maintain low, safe travel speeds, promoting pedestrian and bicycle safety and terminate with a cul-de-sac when adjacent to or reasonably close to a recreation center or open space boundary.

Figure 4-7: Conceptual Cross-Section – Primary Residential Road, shows a conceptual cross-section of a primary residential road.



Figure 4-7: Conceptual Cross-Section – Primary Residential Road



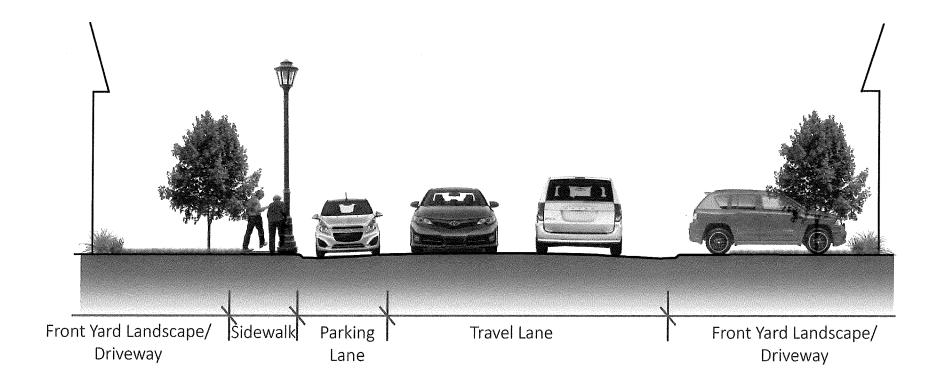
4.3.5. Secondary Residential Roads

Consistent with the requirements in Chapter 2: Zoning & Development Standards, the conceptual Hierarchy & Network plan has Secondary Residential Roads that provide direct driveway access to the adjacent single-family residential dwelling units.

Figure 4-8: Conceptual Cross-Section – Secondary Residential Road, shows a conceptual cross-section of a secondary residential road.



Figure 4-8: Conceptual Cross-Section – Secondary Residential Road



5

ARCHITECTURAL DESIGN GUIDELINES

This chapter explains the design principles and establishes a set of architectural design guidelines for residential and recreational development within the Specific Plan Area, including architectural recommendations about architectural detailing, outdoor lighting, and green building practices.

These architectural design guidelines describe and illustrate building designs, concepts, and features meant to promote the high-quality development that is envisioned for the Specific Plan Area. These design guidelines should be used in conjunction with the development standards described in Chapter 2: Zoning & Development Standards.

These design guidelines serve the following functions:

- Establish design guidelines for site design, architecture, circulation, parking, lighting, and other distinguishing features.
- Promote cohesive design and community identity.
- Provide developers, builders, planners, architects, landscape architects, and property owners with guidelines and recommendations to aid in maintaining a high level of community cohesiveness and unity, while still allowing for a degree of personal expression.
- Create highly desirable neighborhoods that are an asset to the Specific Plan Area and the City of San José.
- Encourage sustainable design solutions that reduce energy consumption, use water efficiently, and minimize waste.
- Promote mobility while reducing greenhouse gas emissions, encouraging healthier lifestyles, and providing opportunities for social interaction.
- Create simple building designs that result in efficient use of space, materials, and resources while maintaining a high level of design integrity and authentic architectural style.

Graphics and photographic images shown herein are included as a visual reference and should not be interpreted as the only design solution. Creative approaches are encouraged.

The Specific Plan Area is envisioned to be designed around a framework of interconnected sidewalks, trails, and recreation amenities to create a walkable community that supports an active lifestyle. As part of these

organizing principles, the Specific Plan Area may be organized around of series of single-family neighborhoods and one multi-family complex, consistent with Chapter 2: Zoning & Development Standards.



EVERGREEN SENIOR HOMES SPECIFIC PLAN | 5-1

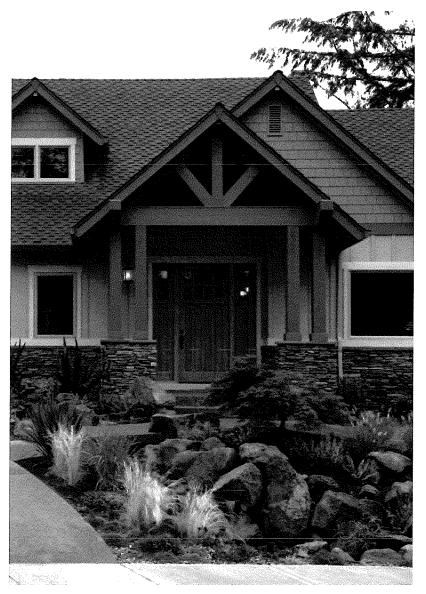
5.2. Site Design Guidelines for Each Specific Plan Area

5.2.1. Single-family Attached & Detached Residences

The single-family attached and detached residences should be designed to create functional and pedestrian friendly streetscapes within a series of neighborhoods, each connected by a network of trails and open space providing access to the recreation centers and the Fowler Creek corridor.

The following guidelines should be considered:

- Create a 'sense of address' and a street-facing front door for each unit by providing front court yards, gates, and access to public streets and/or private open space.
- All units should feature covered entry areas either in the form of a covered stoop or entry porch.
- Variation of design is encouraged. Specific architectural styles may be grouped by lot size to create a design theme for specific neighborhoods within the Plan Area.
- Architectural details should be appropriate to the architectural style of the structure.
- All facades facing a street should be treated as high visibility and may feature windows, entries where appropriate, and other design features normally on the front facade.
- Stepping between units is encouraged to provide a varied building frontage as viewed from the street.



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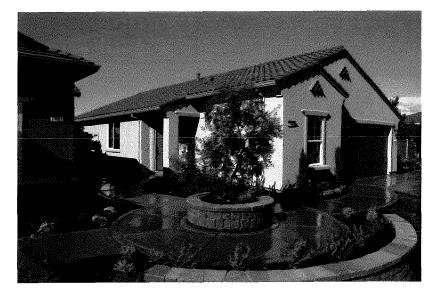
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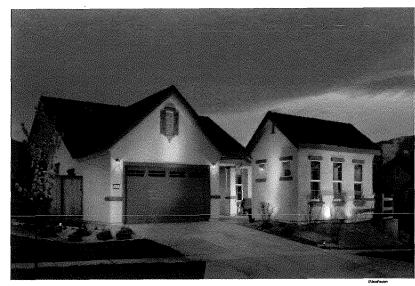
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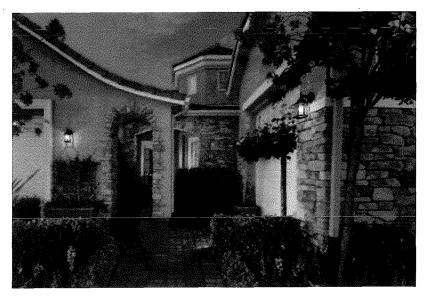
Conceptual illustration of single-family residence

Conceptual Illustrations of Typical Single-Family Residences









EVERGREEN SENIOR HOMES SPECIFIC PLAN | 5-3

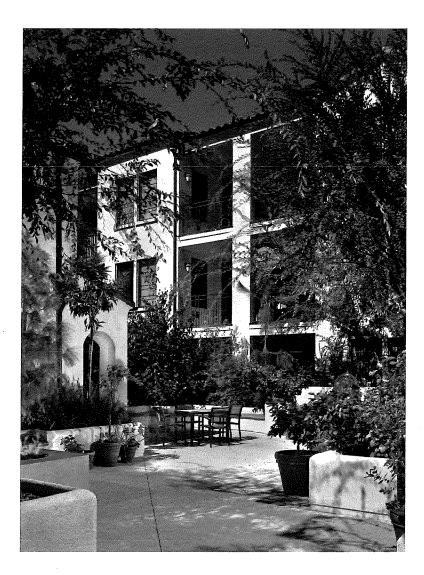
Multi-family Residences

The multi-family residences should be designed to promote an active lifestyle, including having access to pedestrian trails that connect to the trail along Fowler Creek.

Multi-family residences should be designed to create a sense of privacy within the larger community. The orientation and layout of multi-family buildings should respond to the street, while maximizing each dwelling unit's views of the surrounding landscape and access to natural light.

The following guidelines should be considered:

- Terraces, balconies, and courtyard units should have direct street or common space entry, where appropriate.
- Changes in level between private terraces, front gardens, and dwelling entries above the street level are encouraged to improve visual privacy for ground level dwellings.
- Upper level balconies are encouraged, and should overlook the public domain or common open space.
- Balconies, other massing elements, and architectural detailing should be used to avoid façade monotony.
- The length of solid walls should be limited along street frontages.
- Opportunities should be provided for casual interaction between residents. Design solutions may include seating at building entries, in private courtyards, or adjacent to streets or common open spaces.
- Visual and acoustical privacy of individual dwelling space should be optimized through sound isolation and avoiding direct lines of sight between windows and balconies of different units.



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5.2.3. Recreation Centers

The recreational needs of senior communities differ from the needs of conventional communities. Senior communities have a greater demand for passive recreational uses, with an emphasis on access, efficiency, comfort, and negotiability. Instead of larger sports fields and similar uses, senior communities include smaller-scale facilities that are aesthetically pleasing and promote leisure and fitness tailored to the specific age group.

Proposed recreational opportunities in the Specific Plan Area include both active and passive recreation amenities, including:

- Recreation centers that include active recreational opportunities.
- Neighborhood open space areas with walking paths and landscaping.
- Walking, jogging, and bicycling on sidewalks, multi-use trails, and bike lanes.

Several of these opportunities may be available only to residents of the senior community and their guests through participation in the homeowners' association (HOA).

Community recreation centers should be designed to provide focal points for the various residential neighborhoods. The orientation and layout of community recreation buildings should respond to the street and the surrounding landscape.

The following recreation center guidelines should be considered:

- Create a visual focal point to help define each residential neighborhood.
- Orient buildings towards the street and have a clearly demarcated main entrance facing the street.
- Have secondary entrances to outdoor recreation centers or trails.
- Be designed in a style that complements the surrounding residences, but that can be different from them.

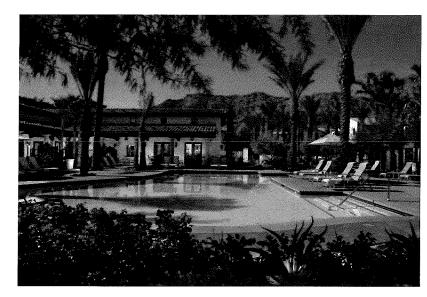
- Provide opportunities for community gathering both inside and outside.
- Provide safe and convenient bicycle parking
- Be compatible with surrounding uses.

The primary recreation center may include amenities such as a multipurpose meeting room, fitness center, craft room, locker rooms, coffee/snack bar, dining and kitchen area, library, administrative spaces, and other amenities. Outdoor recreation uses associated with the primary recreation center may include amenities such as a swimming pool, pickle ball courts, bocce ball courts, benches and shade structures, and other amenities. Outdoor barbeque and eating spaces may also be constructed.

The secondary recreation centers may include an outdoor pool and space for community gatherings and social events.



Conceptual Illustrations of Recreation Center Amenities









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5.3. Architecture

This section applies to all future buildings within the Specific Plan Area, including single- and multi-family residences, the recreation centers, and other miscellaneous structures. The following guidelines should be considered:

5.3.1. Building Placement and Orientation

- Buildings should be sited and designed to have a strong street presence along community frontages within the Specific Plan Area, except for some areas along Entry Roads and Collector Roads, which may incorporate landscaping and masonry walls.
- Buildings should be oriented towards the street, where architectural detail and interactive architecture - including porches, courtyards, entries, and windows - are emphasized.
- Residences should be located within walking distance to neighborhood open space and trails.
- Residences should be sited to work with the natural land forms and minimize alteration to the natural environment to the extent practical.
- Residences should be sited to optimize views of the greater City of San José to the west and the hills to the east.

5.3.2. Building Design

- When siting individual attached and detached single-family residential units, minimize the occurrence of identical plan types adjacent to or directly across the street from one another. When plotting the same floor plan immediately adjacent to and/or across the street from one another, a different elevation style should be used. Exterior color schemes should be varied for adjacent units with the same elevation style.
- In the ESH-R-1 zoning subdistrict, a range of dwelling unit sizes, floor plans, and elevations should be provided for each lot size. A different roof treatment, window placement, porch or stoop type may be considered a façade variation.

Residences on corner lots are encouraged to have architectural features such as wrapped porches, side porches, balconies, windows, or façade plane breaks facing the secondary street.



Conceptual illustration of single-family home

5.3.3. Building Massing

- Varied building setbacks and elements should be used when possible to provide articulation and functional features such as entrances, courtyards, outdoor dining or seating areas, etc.
- Projected windows, stepped building facades, height changes, and setback variations are encouraged between buildings to break up large buildings and create attractive, interesting entries and facades.
- Tower elements or other monumental features are encouraged at community focal points such as the recreation centers and the primary and secondary entries. All elevations of a tower element or monument feature should be completely constructed, with no blank walls or partially finished sides.
- Architectural elements such as windows, projections, shutters, pediments, pot shelves, window trim, arcades, awnings, and other similar features should be used to break up the massing of large buildings.
- Roof elements including gables, sheds, hips, parapets, towers, and trim elements may be used to facilitate architectural styles as well as moderate building massing, create interest, and vary the streetscape of the community.





Conceptual illustrations of single-family (top) and multi-family (bottom) buildings

5.3.4. Building Materials, Colors, and Finishes

- A variety of high-quality, durable materials should be used to create interesting and attractive building designs and avoid monotony.
- Exterior colors and materials should be used to define the building form, details, and massing.
- Where multiple buildings are proposed, variation in color schemes should be provided. In general, each color scheme should have one or two complimentary main colors and up to three complimentary accent colors that are appropriate for the architectural style and character of the building.
- Materials and colors used on the front facade may be wrapped along the side facade to an inside plane or to an appropriate transition point several feet beyond the front elevation to avoid the appearance of false facades.
- Building details such as flashing, pipes, and metal vents may be used as an enhancement with complimentary colors/materials or painted to match the building or roof surface.
- The natural color of brick, stone, and tile should be maintained; these materials should not be painted.

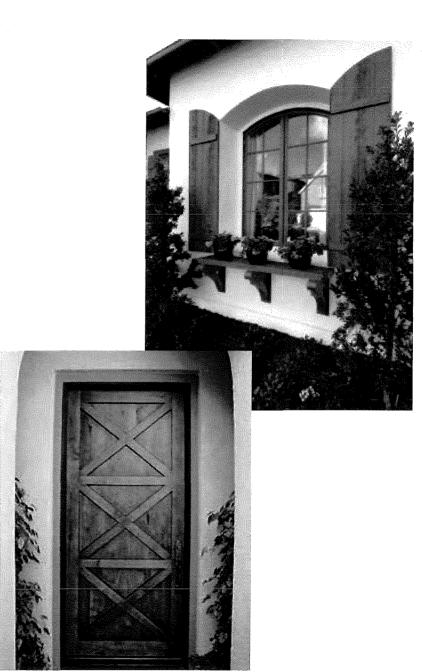




Conceptual illustrations showing variation in building materials, colors, and finishes **EVERGREEN SENIOR HOMES SPECIFIC PLAN 5-9**

5.3.5. Windows and Doors

- Windows should be proportional to the facade and reflect the architectural style and character of the building.
- Window size and shape should provide a balanced relationship with the surrounding roof and walls. All windows should be trimmed with the appropriate materials.
- Accent shutters are encouraged if appropriate to the architectural style of the building. Where used, they should be proportional to the window opening to appear functional and should be placed adjacent to the window frame in a manner that doesn't look "tacked on" or fake.
- Windows should further enhance, not dominate, the overall architectural character. Large unbroken expanses of glazing should be avoided. Mullions should be used where appropriate to the architectural style.
- Operable windows are encouraged in living and bedrooms to provide natural ventilation and to enhance the indoor-outdoor relationship.
- Accent entry doors, traditional French doors, arched windows/doorways, shutters, pot shelves and window boxes, accent trim, and glass sliding doors are encouraged, as appropriate to the architectural style.
- Windows with clear glazing are encouraged. Dark tinted or reflective glass should be avoided.
- Architecturally compatible relief detailing is encouraged on entry doors.
- Upper story windows that are visible from streets, walkways, parks, and common open spaces should be designed with window trims and mullions that match the front elevations of the structure. Mullions may be deleted from main bedroom windows and living spaces which face rear yards.



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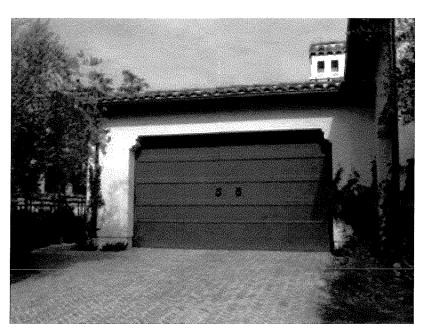
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Conceptual illustrations of window and door treatments

- 5.3.6. Garages and Driveways Serving Single-Family Attached and Detached Homes
 - Garages may be attached or detached to match the conditions of the site and provide variety between floor plans.
 - Garage doors should be recessed into the wall plane at least 12 inches to provide shadowed relief.
 - Garage door styles, materials, and colors should be appropriate to the architectural design.
 - Garage door window inserts are encouraged to allow natural light into the garage.
 - Special driveway paving treatments and landscaping around the garage are encouraged to create visual interest.
 - Garage relationship to the living space should be varied to avoid monotony. Examples of this include flush (garage is at the plane of the living space) and recessed (garage is behind the plane of the living space) garage placement. Garages may be further recessed behind the primary structure or located on the side to provide further variation.
 - Additional elements such as trellises and gates are encouraged to vary and enhance garage appearance as appropriate to the architectural style.
 - Garages should be sited next to garages and living space next to living space where feasible to undulate the street pattern and improve opportunities for on-street parking.



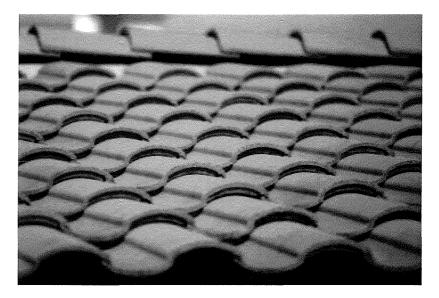


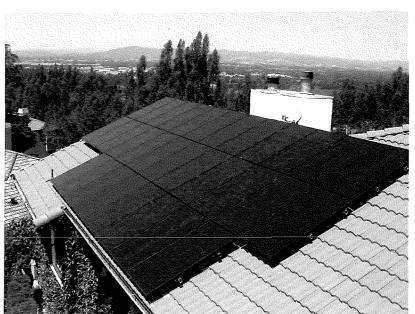
Conceptual illustration of garage door designs and finishes

EVERGREEN SENIOR HOMES SPECIFIC PLAN | 5-11

5.3.7. Roofs

- A variety of roofing forms, pitches, slopes, heights or details, as well as high-quality, durable materials, should be used on buildings, and should be compatible with the overall style and character of the building.
- Gable ends should be separated so they are not located adjacent to each other.
- Traditional cupolas and dormer-type elements are encouraged as accents where appropriate to architectural style.
- Roofs should be constructed of high-quality, durable roofing materials and colors that are consistent with the architectural style of the building. Acceptable roofing materials include clay tile, concrete tile, metal, and asphalt shingle. If a roof is flat, acceptable materials also include foam and green roofs. Unacceptable materials include pressed wood, corrugated fiberglass, and asphalt roll roofing.
- Roof colors and materials that meet or exceed Energy Star requirements are encouraged to reduce the heat island effect.
- Small-scale wind turbines, and other similar features may be used to generate energy.





Conceptual illustration of roof materials and solar panel installation

5.4. Equipment Screening and Service Areas

- Onsite temporary storage areas should be provided and designed to minimize impacts on adjacent uses.
- Refuse collection and storage facilities generally should be located away from common areas or screened from public view. Refuse container enclosures should be designed with similar architectural treatments and colors as the adjacent buildings.
- For single- family residential units, refuse bins should be located within a garage or behind a fence, screened from streets or common open spaces.

5.4.1. Construction Screening

Onsite temporary construction storage areas should be provided during construction and designed to minimize visual intrusion on views from trails and adjacent residences.



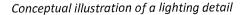
Conceptual illustration of a landscaped trash enclosure

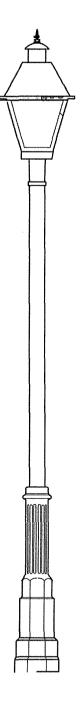
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5.5. Exterior Lighting

- Adequate lighting should be provided throughout the site to create an inviting and non-threatening environment. Night lighting of public and common spaces should be kept to the minimum necessary for safety and security purposes.
- The scale, materials, colors, and design detail of light posts and fixtures should reflect the desired character of the Specific Plan Area and the architectural style of the surrounding buildings. Light posts should be appropriately scaled to pedestrians near sidewalks and other areas of pedestrian circulation. Bollard lighting is encouraged to illuminate walkways and trails, while avoiding spillover into adjacent areas.
- Wall-mounted lighting fixtures should be compatible with the architectural style and character of the building. The color, size, placement, and number of fixtures should enhance the overall design and character of the building and site.
- Energy efficient, low voltage lighting is encouraged. Decorative lighting should be low intensity.
- Lighting fixtures should direct illumination downward to minimize light pollution impacts. Up-lighting, spot-lighting, and decorative color lighting may be appropriate for prominent buildings and features, but never near natural areas.
- Exterior lighting should be unobtrusive and not cause glare or spillover into neighboring properties or open space common areas, particularly areas with wildlife habitat.







5.6. Green Building Guidelines

This Specific Plan promotes green building practices to improve the overall quality of life for residents and to encourage innovative and sustainable design and construction techniques that reduce negative environmental impacts. In addition to those provisions already required by state law, the following green building practices are encouraged throughout the Specific Plan Area:

Site Design

- Incorporate passive solar design by planning subdivision lots and street layouts to optimize solar access to the extent practical without reducing connectivity.
- Reduce solar heat gain through exterior surfaces by using light exterior colors or paints with reflective pigments.
- Use salvaged or recycled materials for landscape elements, where feasible.
- Building design and siting should take advantage of natural ventilation, heating, and cooling, sun and wind exposure, and solar energy opportunities. Passive solar orientation and design is encouraged to capture natural daylight and to use natural cooling techniques in place of air conditioning. Building siting should consider solar access for adjacent buildings.
- To minimize the number of earth disturbing events, all lots, roadways, and other improved areas within a phase should be graded sufficiently to accommodate development in that phase. A grading borrow/stockpile area may be established in a future phase area, if necessary, to accommodate extra grading material.
- To minimize truck trips, the amount of cut and fill should be balanced to the extent feasible, with the understanding that as much as 50,000 cubic yards of soil may need to be exported from or imported to the Specific Plan Area.
- Equipment should be located to maximize energy efficiency, such as by locating cooling equipment in shaded areas that are protected from the hot sun, thus reducing the energy needed to cool the air.

Building Design and Materials

- Buildings should incorporate green building practices beyond what is required by applicable state law to the extent feasible and appropriate, including using low-flow water fixtures, drip irrigation and hydro-zoning irrigation systems, use of formaldehyde free construction materials, and low VOC water-based.
- Green materials that withstand local environmental conditions are encouraged, including recycled-content carpet, cellulose insulation, engineered lumber, certified wood, natural floor coverings, and recycled-content interior finishes.
- Concrete roof tile waste, drywall waste, and wood framing waste material should be sent to off-site recycling facilities.
- Consider the use of oriented strand board (OSB) for shear panels and roof sheathing instead of plywood.
- Consider the use of engineered wood products (EWP), including for beams, headers, and roof trusses.
- Consider the use of radiant barrier roof sheathing.
- Consider the use of medium density fiberboard (MDF) made from the waste of other wood products for doors, trim, baseboard, and shelving.
- Roof-top and parking lot solar panels are encouraged.





LANDSCAPE DESIGN GUIDELINES

This chapter describes the landscape design principles and establishes a set of design guidelines for private and common landscaped areas within the Specific Plan Area, including recreation areas, streetscapes, and open spaces.

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Introduction 6.1.

6.1.1. Landscape Vision

The landscape elements (planting, lighting, fencing, walls, etc.) within the public realm of the Specific Plan Area will be designed to reflect the broader landscape character of the Santa Clara Valley, with special attention to the "early California" natural rural environment that gives the area its distinct identity.

Early California landscape design was initially conceived in the early 1930s by Thomas Church. It includes native landscaping features that reflect the relaxed outdoor living style of the coastal culture in the area. The warm and breezy Mediterranean climate, along with the diverse countryside and plant life, creates an environment that invites its residents to enjoy the beauty of the outdoors.

In the Landscape Design Guidelines, the "public realm" refers all exterior publicly accessible and common spaces, linkages and built form that are physically or visually accessible, regardless of ownership. These elements may include streetscapes, pedestrian paths and trails, bridges, plazas, and passive and active open space areas. This includes land that is either publicly owned (e.g. some streets) and land that is owned and managed by an HOA or owner of rental property. Landscaping in the public realm will be maintained in accordance with Chapter 8: Implementation, Administration & Financing.

Landscaping should create a strong visual identity in the Specific Plan Area. This identity will be accomplished through cohesive landscape design of streetscapes, street and outdoor common area furniture, fences and walls, project entry features, plant selection, distinctive street lighting and directional signage, and other similar elements.

These design guidelines serve to promote cohesive design and community identity. Graphics and photographic images are included as a visual reference and should not be interpreted as the only design solution. Creative approaches are encouraged.

Early California Landscape

In the early 1930s, Thomas Church began to redefine California's design style with the introduction of beautifully designed outdoor living spaces. Church was a landscape architect with an extensive education, as well as experience with European gardening techniques.

With more than 2,000 innovative residential garden designs, Thomas Church combined the practicality and usefulness of traditional gardens with modern design and stylish appeal to create a unique landscape design that transforms a yard into an extension of the home. Church is responsible for what is known today as the California garden style, a tastefully planned outdoor living area that can be enjoyed by friends and family.

The work of Thomas Church still inspires California landscape design, as well as other areas throughout the world. Today's architects mingle their own creativity with Church's ideas to produce remarkable outdoor living areas.



EVERGREEN SENIOR HOMES SPECIFIC PLAN | 6-1

The landscape should be designed to provide easy access to open space and to encourage active and healthy outdoor living for a senior community. Neighborhoods should be integrated with natural open space and carefully designed streets with generous sidewalks, punctuated by neighborhood open space areas. Landscape material should emphasize the use of materials and plant communities within natural settings that respond to the site's ecology to create a unique, nature-rich environment. For this, as well as conservation and functional reasons, planting options should emphasize native and non-native drought-tolerant, hardy materials and compatibility with existing surrounding native and adaptive plants in the region.

The landscape should seek to achieve a balance between natural open space landscaping and more manicured landscapes, composed of both natural and manmade elements, such as streets with streetscape trees and project entry statements, which combine monument signs with plants and flowers. These areas, both natural and more formal, should harmonize to create a single, distinctive community.

6.1.2. Landscape Objectives

The following objectives should guide landscaping in the Specific Plan Area:

- Design landscape features consistent with the character and historical context of the region.
- Employ water conservation measures through use of droughttolerant plant material and water-conserving irrigation systems and practices.
- Utilize landscaping to create aesthetic distinction and character in the Specific Plan Area, particularly around key features and amenities.
- Incorporate Low Impact Development (LID) principles when designing storm drainage, water infiltration, and groundwater recharge features.

Utilize sustainable landscape principles to reduce water use, energy consumption, and greenhouse gas emissions and increase shade and transpiration.

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6.1.3. Organization of the Landscape Design Guidelines
The Landscape Design Guidelines are organized with the following subsections:

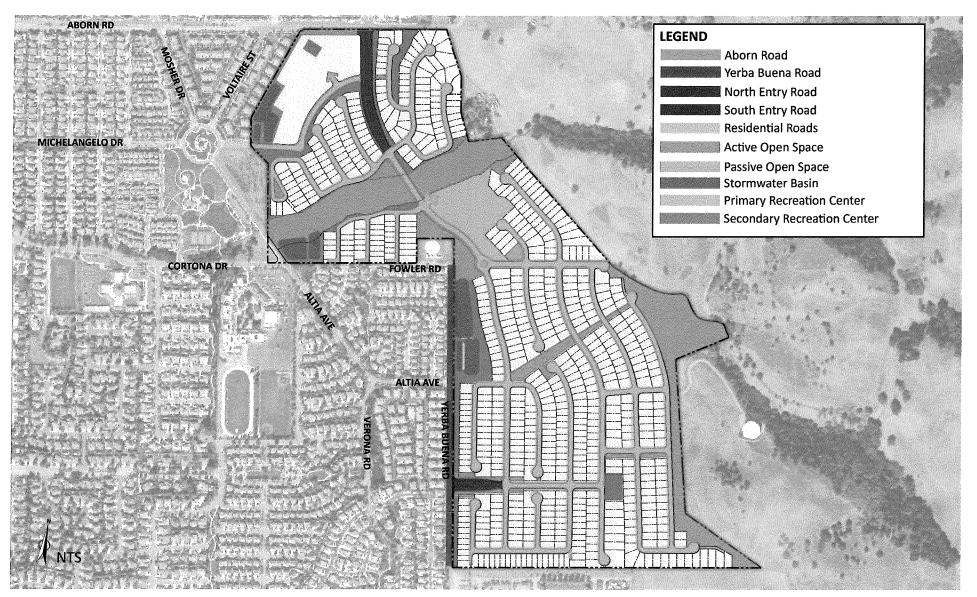
- Landscape Zones
- Landscape Design
- Landscape Palette
- Pedestrian Paths & Trails
- Signage
- Outdoor Furnishings
- Fences and Walls
- Tree Preservation Guidelines
- Sustainable Landscape Guidelines

6.2. Landscape Zones

The Specific Plan Area includes a variety of site conditions that require different approaches to landscape design and implementation. Therefore, eleven different landscape "zone types" (each with its own set of conditions and guidelines for landscape treatment) are established for the public realm landscape.

Guidelines for landscape treatments within each zone are described below. Figure 6-1: Conceptual Landscape Zones identifies the conceptual location of each landscape area based on the Conceptual Land Plan. Table 6-1: Conceptual Landscape Zones identifies specific landscape type designations, site characteristics, and new design and irrigation treatments.

Figure 6-1: Conceputal Landscape Zones



Note: Illustrative as to the location and size of the residential, active open space, recreation centers, streets, and the identified landscape zones.

Table 6-1: Conceptual Landscape Zones

Zone	Zone Name	Landscape Type	Existing Site Characteristics Outside Specific Plan Area	Landscape Design Treatment Guidelines in Specific Plan Area	Irrigation Treatment Guidelines
Street	scape				
A1	Aborn Road	Formal	Existing city street with established residences that leads to the main project entry.	Enhanced sidewalk, planting, and sound wall design that borrows from the existing elements along Aborn Road. Tie new landscape elements to the entry road theme (described in the Streetscapes, Section 6.3).	Low volume drip bubblers and laser tube grid.
A2	Yerba Buena Road	Formal	Existing city street with established residences that leads to the secondary entrance.	Enhanced sidewalk, planting, and sound wall design that relates to the landscape characteristics of the Entry Road, but is less grand than Entry Road.	Low volume drip bubblers and laser tube grid.
A3	North and South Entry Roads	Formal	N/A	Dense planting of trees, shrubs, and ground covers in formal/structured arrangements. Includes sidewalks, some median islands, an entry gate, and distinctive lighting.	Low volume drip bubblers and laser tube grid.
A4	Residential Roads	Formal / Semi Formal	N/A	Carefully crafted and designed high-quality plantings, street furniture, and other features that create the identity for the Specific Plan Area. Plantings use to create tree-lined streetscapes. Integrates with front yard landscaping.	Low volume drip bubblers and laser tube grid with temporary system in natural areas.
Open	Space Common Areas			and the second second second second second	
B1	Active Open Space	Semi- Formal / Rural	N/A	Structured, more formal landscaping that incorporates visually distinctive plant species and use of some turf areas.	Low volume drip bubblers and laser tube grid.
B2	Passive Open Space	Natural		Intent is to create an informal natural theme using drought-tolerant native and other adaptive species. In addition, there should be multi-use trails with benches that complement the informal natural theme.	Low volume drip bubblers and laser tube grid with temporary system in natural areas.

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Zone	Zone Name	Landscape Type	Existing Site Characteristics Outside Specific Plan Area	Landscape Design Treatment Guidelines in Specific Plan Area	Irrigation Treatment Guidelines
В3	Stormwater Basins	Natural		Stormwater treatment areas to capture run off from impervious surfaces. Intent is to create an informal natural theme using drought-tolerant native and other adaptive species.	Low volume drip bubblers and laser tube grid.
Recrea	ntion Centers				
C1	Primary Recreation Center	Formal		Community recreation area with primary recreation building, outdoor recreation areas, and parking area, including building foundation plantings, recreation courts, open passive areas, swimming pool, gardens, walks, and patios.	Low volume drip bubblers and laser tube grid with temporary system in natural areas.
C2	Secondary Recreation Centers	Formal		Structured, more formal landscaping that incorporates visually distinctive plant species and use of some turf areas.	

- (1) "Semi-Formal/ Rural" refers to an informal, less geometric, design treatment.
- (2) "Formal" refers to a more structured, more ornamental treatment, as opposed to a treatment meant to convey a more random, less-designed, appearance.
- (3) "Natural" refers to treatment meant to restore or preserve the undeveloped, natural condition of the particular site.

6.2.1. Streetscape Zones (A1 – A5)

Landscaping and hardscape features along streets, including entry roads, should be used to create a sense of place and differentiate areas within the Specific Plan Area. The following descriptions of the streetscape zones describe how to accomplish this goal.

Aborn Road (Zone A1)

The existing landscaping along Aborn Road is similar to many of the streets in the Evergreen area. The park strip is mostly turf grasses planted with Purple Leaf Plum trees (Prunus cerasifera). Behind the meandering walk are Pine Trees (Pinus canariensis) and a mixture of broad leaf evergreen woody shrubs. East of Murillo Avenue and the sidewalk is monolithic with no park strip but there are still the Plum trees and shrub material. There is a sound wall that runs along the rear property line of the existing residential lots.

The new landscaping along the Aborn Road should be similar in look and feel to the existing planting for continuity. However, the turf grass may be replaced with a low, "no mow" grass that requires less water and maintenance.



Landscape character along Aborn Road

The existing landscaping along Yerba Buena road is similar to many of the streets in the Evergreen area. The park strip is mostly turf grasses planted with London Plane trees (Plantanus x acerfolia). Behind sidewalk is a mixture of broad leaf evergreen woody shrubs. At the entrances to Altia Avenue and Verona Road there are groupings of Italian Cypress trees (Cupressus sempervirens) at the corners. There is a sound wall that runs along the rear property line of the existing residential lots.

The new landscaping along Yerba Buena Road should be similar in look and feel to the existing planting for continuity. However, the turf grass may be replaced with a low, "no mow" grass that requires less water and maintenance.



Landscape character along Yerba Buena Road

Entry Roads (Zone A3)

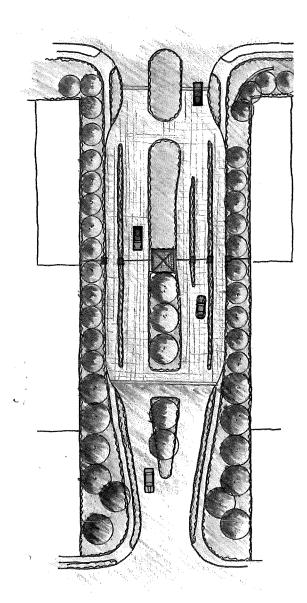
Consistent with the requirements in Chapter 2: Zoning & Development Standards, the north entry road into the Specific Plan Area will be from Aborn Road, as shown in Figure 4-3: Conceptual Cross Section: North Entry Road. A conceptual illustration is shown in Figure 3-7: Conceptual Illustration — North Entry Road.

Landscaping along the north entry road should incorporate an architectural entry feature and a structured landscape design. Materials should incorporate predominantly earth tone colors with limited use of brighter colors as accents (e.g., lettering, border accents, and icons).

The north entry road also should be designed to provide direct, safe, and attractive pedestrian and bicycle access to the bus stop at the corner of Aborn and Murillo Roads. In addition, the north entry road should have an area where an automobile passenger can be safely dropped off near the pedestrian access to the bus stop.

Landscaping on the south entry road should be consistent with the north entry road, but the architectural entry feature at this location should be smaller and less prominent than the north entrance.

A conceptual cross section of South Entry Road is shown in Figure 4-4: Conceptual Cross Section: South Entry Road. A conceptual illustration is shown in Figure 3-8: Conceptual Illustration – South Entry Road.



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Conceptual Illustration of South Entry

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Residential Roads (Zone A4)

Community and Collector Roads

Community and collector roads should be designed with a limited number of straight segments to provide a bucolic feel and help to maintain safe travel speeds. Landscaping along community and collector roads should include an assortment of primary broad leafed, broad domed trees for shade and to minimize the heat island effect of the new pavement and encourage outdoor active recreation.

To create a more formal boulevard effect, primary trees along all or part of a community or collector road should be one tree species. This arrangement will create a strong visual pattern that will "frame" the streetscape and assist as a wayfinding feature. Where appropriate, a secondary tree may be incorporated to address the scale of the space or add special interest.

Shrubs and groundcovers, as well as monument signage (e.g. neighborhood entry signs), should be incorporated into this zone.

Primary trees in this zone should include the following features:

- Mono-species to create a strong visual effect.
- Be distinctive in form and/or color; possibly exhibiting seasonal flowering.

- Planted from a minimum 24-inch box container.
- Planted in a space large enough to accommodate ultimate growth and health.
- Drought-tolerant when established.

Planted to complement primary trees and add interest and diversity, secondary trees should include the following features:

- Planted in informal fashion in and around primary trees as determined by space and tree species.
- Incorporate evergreen and/or deciduous, upright, or spreading.
- Be complementary to the form and character of the primary street tree (i.e., may contrast from the primary tree for accentuation).
- Planted from a minimum 15-gallon container.
- Drought-tolerant when established.



Primary and Secondary Residential Roads

Similar to community and collector roads, landscaping along primary and secondary residential roads should include an assortment of primary broad leafed, broad domed trees for shade and to minimize the heat island effect of the new pavement and encourage outdoor active recreation. Local neighborhood streets, such as primary and secondary residential roads, should be narrow to help maintain low, safe travel speeds, promoting pedestrian and bicycle safety. These roads may terminate with a cul-de-sac if adjacent to or reasonably close to a recreation facility or open space boundary, but should provide pathways for through-access to accommodate pedestrians and bicyclists.

Primary trees in this zone should include the following features:

- Used to create dominant landscape element in the streetscape.
- Planted from a minimum 24-inch box container.
- Planted in a space large enough to accommodate ultimate growth and health.
- Drought-tolerant when established.

Planted to complement primary trees and add interest and diversity, secondary trees should include the following features:

- Planted in informal fashion in and around primary trees as determined by space and tree species.
- Incorporate evergreen and/or deciduous, upright, or spreading.
- Be distinctive in form and/or color; if not coniferous preferably exhibiting seasonal flowering.
- Be complementary to the form and character of the primary street tree (i.e., may contrast from the primary tree for accentuation).

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- Planted from a minimum 15-gallon container.
- Drought-tolerant when established.



Conceptual Illustration of Landscaping Along a Residential Road

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6.2.2. Open Space Common Areas (Zones B1 - B3)

Active Open Space (Zone B1)

Active open space areas include common areas and outdoor recreation areas. Activities common to open spaces, including active and passive recreation, outdoor community events, community gardens and farmers' markets may occur in these areas.

The landscape elements (planting, lighting, fencing, walls, etc.) for active open space areas should be designed consistent with the character of greater Silicon Valley region, with special attention to the "early California" and natural rural look that gives the area its distinct identity. For this, as well as conservation reasons, planting options should emphasize droughttolerant, hardy materials and compatibility with existing surrounding native and adaptive plants.

The landscaping of these areas should seek to achieve a balance between "natural" open space landscaping, designed to blend into existing surroundings, and more formal landscape elements that allow outdoor recreational uses such as croquet, bocce ball, and other recreational activities that require turfed areas, as well as areas for dog runs and passive contemplation, including areas with shade structures, benches, and other outdoor structures conducive to passive recreation.

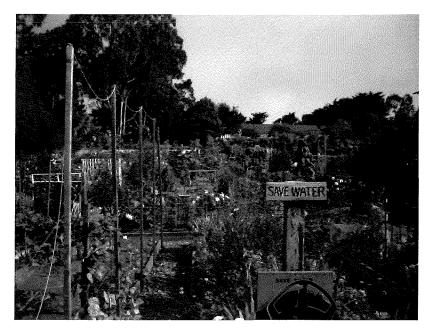
Passive Open Space (Zone B2)

The Fowler Creek corridor is designated as a passive open space area. It is comprised of approximately 10 acres running linearly along Fowler Creek. The landscape theme should consist of native grasslands and ground covers and limited use of trees, generally planted in small groups for visual effect. There could be a multi-use trail along the creek with benches designed to be compliment the landscape theme.

Passive open space is also located along the Urban Growth Boundary on the southeastern site of the Specific Plan area. This open space area will generally be retained in its natural state but will be maintained to minimize the risk of fire.

Stormwater Basins (Zone B3)

As described in Section 7.4.3, some portions of the passive open space areas will be used for bio-swale drainage conveyances and stormwater treatment. These bio-swales should be integrated into the open space corridors and incorporate landscaping species that are specifically adapted to variable moisture conditions and assist in improving water quality.



Conceptual illustration of a community garden

6.2.3. Recreation Centers (Zones C1 & C2)

Primary Recreation Center (Zone C1)

Landscape themes for the primary recreation center should be designed for human comfort and richly embellished in terms of plant materials and hardscape. Landscape design should address building foundation plantings, layout, and materials for play fields and courts, open passive areas, swimming pools, other gardens, entry path and other walkways, patios, and parking lots.

Site furnishings (e.g., benches, tables, trash receptacles, and drinking fountains) should be provided at opportune points for rest and social gatherings. Site furnishings should complement architectural features of the primary recreation building. Paving may include decorative, enriched materials, or stamped concrete with integral color appropriate to the architectural theme. Plant materials should be selected for unique seasonal qualities. Raised planters and pots may be used to articulate spaces, to vary the ground plane, or to control pedestrian circulation.

Parking areas should be planted to provide visual screening (with berms where feasible). Shade trees are appropriate where parking area dimensions can accommodate them and should be located and spaced with a goal of providing a 35 percent shade canopy within 15 years of planting.

The location of the recreation center should afford views of the hillsides and the valley landscape. All landscape planting and structural features should be orchestrated and designed to enhance and highlight these views and accentuate the unique setting.

Secondary Recreation Centers (Zone C2)

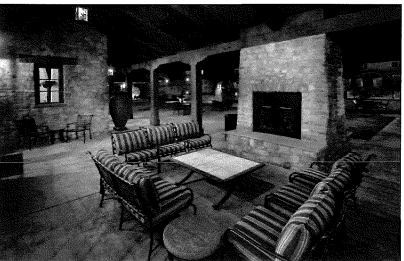
Overall, the same landscape principles apply to the secondary recreation centers as the primary recreation center, however the level of detail and amount of landscaping generally should be more limited.



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Conceptual illustrations of a recreation center

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6.3. Landscape Design

The following principles embedded in the landscape design philosophy closely mirror the architectural design principles:

- Evergreen Senior Homes Specific Plan landscapes and gardens should be versatile, imaginative and offer a range of expressions.
- Landscapes should encourage a relaxed, informal and practical approach while accommodating senior lifestyles.
- Landscapes should be designed to respond to unique characteristics, such as lot configuration, topography, existing vegetation, and the design and location of the house and ancillary structures.

Residential landscaping of rear and side yards will be the responsibility of the individual homeowners and owners should be encouraged to thoughtfully design their rear and side yards according to these guidelines. A palette of residential plant and landscape materials is established in these guidelines to ensure visual unity within visible lot areas while allowing room for individual creative design solutions. The HOA will be responsible for managing the landscapes of all front yards.

6.3.1. Single Family Residential Landscape

Landscape guidelines and requirements within this section address unique landscape conditions that occur for the single family residential lots found the Specific Plan Area.

Objectives

- Integrate the built environment with a dominant landscape.
- Blend landscapes between lots and neighborhood streets as a unified community landscape setting.
- Establish a healthy, sustainable and natural landscape environment.
- Prioritize front yard landscapes to reinforce neighborhood streets as livable, walkable places. The combination of front porches and front yard gardens within the private frontages activate the streetscape,

- and contribute to a consistent, high quality neighborhood landscape.
- Use low groundcovers with low water requirements where appropriate.

The objectives for front yards in the ESH-R-1 zoning subdistrict are to reinforce and enrich the neighborhood street scene and to provide a transition from the street to the private landscape. All plantings within this zone should occur prior to home occupation. To minimize water use and maintenance, the use of turf is not recommended.



Conceptual illustration of low-water use landscaping

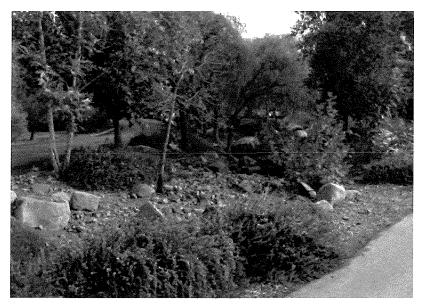
6.3.2. Model Homes

Landscape design for the sales pavilion and model home complexes should be designed to welcome visitors with displays of color and materials that complement the natural setting. Annuals and flowering shrubs displaying abundant colors should be an important part of the landscape theme. Richly designed site amenities should be provided and model homes should be designed with water conserving landscapes. The following landscaping guidelines apply to the sales pavilion and model home areas:

- Visitor parking areas should be screened from nearby homes and adjacent streets with dense landscaping. Trees screening the parking area should generally be spaced 20 feet apart.
- Landscaping within the sales complex (sales pavilion, model homes, visitor information building) may be removed at the end of the marketing program or at the time of conversion to another use.

6.4. Landscape Palette

Table 6-2: Tree Palette, Table 6-3: Shrub Palette, and Table 6-4: Groundcover Palette (collectively, the "Landscape Palette") identify guidelines for choosing trees, shrubs, and groundcovers types within the Specific Plan Area. Native species with similar canopy dimensions, growth time, root systems, blooming or leafing season, and water demand to those listed in Tables 6-3 through 6-5 can be substituted for those species.



Conceptual illustration of low-water use landscaping

Table 6-2: Tree Palette

																Riparian
Scientific Botanical Name (Common Name)	Water Demand	Zone 1A	Zone 1B	Zone 2A	Zone 2B	Zone 3	Zone 4	Zone 5A	Zone 5B	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Open Space Riparian
Arbutusx Marina (Strawberry Tree)	Low				Χ			Χ		Χ		Χ	Χ	Χ		
Acer macrophylum (Big Leaf Maple)	Medium															Х
Alnus rhombifolia ¹ (White Alder)	High															X
Aesculus californicus (California Buckeye)	Very Low						Χ									X
Cedrus deodara (Deodar Cedar)	Low		Χ	Χ	Χ			χ		Χ				Χ	Χ	
Celtis occidentalis (Common Hackberry)	Low					Χ		Χ		Χ			Χ	Χ	Χ	
Cercis occidentalis (Western Redbud)	Very Low		Х	Χ	Χ		X	χ		Χ		Х	Χ	χ	Χ-	Χ
Cercis canadensis (Eastern Redbud)	Medium		Х		Χ			Χ		Χ		X.	χ	Χ	Χ	
Citrus x 'Valencia' (Orange Grove)	Medium											Χ	Χ	Χ		
Citrus x 'Improved Meyer' (Lemon Grove)	Medium											Χ	Χ	Χ		
Eucalyptus nicholii (Willow leaf Peppermint)	Low												Χ	χ	Χ	
Eucalyptus sideroxylon (Pink Ironbark)	Low			Χ		. Х							Χ	Χ		
Fraxinus Velutina 'Rio Grande' (Ash)	Medium					Χ						Χ	Χ	Χ	χ	
Fraxinus oxycarpa 'Raywood' (Raywood Ash)	Medium						anti-					Χ	Χ	Χ		
Ginko biloba (Maidenhair Tree)	Medium			χ		Х				Χ		Χ	Χ	Χ	Χ	
Gleditsia triacanthos (Honey Locust Tree)	Low		Χ	Χ		Χ				Χ		Χ	Χ	Χ	Χ	
Juniperus occidentalis (Western Juniper)	Low		Χ		Χ		Χ	Χ		Χ						
Koelreuteria paniculata (Golden Rain Tree)	Medium					Χ				. X		Χ	Χ	Χ	Χ	
Lagerstroemia indica (Crape Myrtle)	Low		Х									Х	Х	Х	Х	

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Scientific Botanical Name (Common Name)	Water Demand	Zone 1A	Zone 1B	Zone 2A	Zone 2B	Zone 3	Zone 4	Zone 5A	Zone 5B	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Open Space Riparian
Laurus nobilis (Sweet Bay)	Low									Χ		Χ	Χ	Χ	X	
Leptospermum laevigatum (Australian Tea Tree)	Low		i i							Χ		Χ	Χ	Χ	Χ	
Maytenus boaria (Mayten Tree)	Medium					X				Χ		Χ	Χ	Χ	X	
Magnolia soulangeana (Tulip Magnolia)	Medium													Χ		
Metrosideros excelsa (New Zealand Christmas Tree)	Low					X								X	X	
Myoporum laetum (Myoporum)	Low		Χ				Χ	Χ		Χ		Χ	Χ	Χ	Χ	
Nyssa sylvatica (Sour Gum)	Medium					Χ								Χ	Χ	
Olea Europaea 'Swan Hill' (Olive)	Very Low	Χ	Χ		X			Χ				X	Χ	Χ	X	
Pinus halepensis (Aleppo Pine)	Low			Χ			Χ	X		Χ			X	Χ	Χ	
Pistacia chinensis (Chinese Pistache)	Low				Χ	Χ		Χ		Χ			χ	Χ	Χ	
Platanus racemosa (California Sycamore)	Medium						Χ				X					X
Platanus acerifolia 'Bloodgood' (London Plane Tree)	Medium	Χ	X	X	Х	Х	10.		3,124	Χ		Χ	Х	X	X	
Populus nigra (Lonmbardy Poplar)	Medium						Χ									X
Populus fremontii (Fremont Cottonwood)	Medium						X								30 E	X
Prunus cerasifera "Krauter Vesuvius" (Flowering Plum)	Low		X	x	Χ	Х		Χ		Х			Х	X	X	
Quercus agrifolia (California Live)	Very Low	Χ	Χ	Χ	Χ		Χ			χ	Х					X
Quercus suber (Cork Oak)	Low		Χ			Χ	Χ			Χ					Χ	
Quercus lobata (Valley Oak)	Low	Χ			Χ		Х				X					Х

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Scientific Botanical Name (Common Name)	Water Demand	Zone 1A	Zone 1B	Zone 2A	Zone 2B	Zone 3	Zone 4	Zone 5A	Zone 5B	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Open Space Riparian
Rhus lancea (African Sumac)	Low				Х		Χ	Χ		χ			Χ	Χ	X	
Robina pseudoacacia (Black Locust)	Low					Х		Х		Χ			Χ	χ	Χ	
Salix laevigata ¹ (Red Willow)	High															X
Salix lasiolepis ¹ (Arroyo Willow)	High															Х
Sambucus mexicana (Blue Elderberry)	Low	i					Х									Χ
Sophora japonica (Scholar Tree)	Low					Χ		Χ				Χ	χ	Χ	Χ	
Ulmus parvifolia 'True Green' (Chinese Evergreen Elm)	Medium					X								Х	Х	
Umbularia californica (California Bay)	Medium						Χ									χ

Notes:

⁽¹⁾ Specialized use only in wet riparian areas

Table 6-3: Shrub Palette

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Category	Scientific Botanical Name (Common Name)	Water Demand	Zone 1A	Zone 1B	Zone 2A	Zone 2B	Zone 3	Zone 4	Zone 5A	Zone 5B	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 1.1	Open Space Riparian
Hedgerows/	Cotinus coggygria 'Royal Purple' (Purple Smoke Tree)	Low		Х	Х	Χ		Χ	Х				Х	·X	Χ	Χ	
Screens/Tall Shrubs	Ceanothus sp. (California Wild Lilac)	Very Low	X	Χ	X	Χ		Χ	Χ		Χ		Χ	Χ	Χ	Х	Χ
	Heteromeles arbutifolia (California Toyon)	Very Low	Х	Χ	X			Χ	X		Χ		Χ	Χ	Χ	Х	Χ
	Phormium tenax (Flax)	Low			Х				Х				X	Χ	Х	Χ	
	Xylosma congestum (Shiny Xylosma)	Low		Χ		Χ			X.				Χ	Х	Χ	X	
	Elaeagnus x ebbingei (Silverberry)	Low		Χ		Χ			X				Χ	Х	Χ	X	
	Ramnus californica (Coffeeberry)	Low	X	X		Χ		X	Χ		Χ	X	Χ	Х	Χ		Х
	Nerium oleander (Oleander)	Low							Χ				Χ	X	Χ	X	
	Salix lasiolepis ¹ (Red Willow)	High						Χ									Χ
	Berberis darwinii (Darwin Barberry)	Low				Χ.			Χ		Χ		Χ	Х	Χ	Х	
	Viburnum tinus 'Robustum' (Laurustinus)	Medium		X		Χ			X		Χ		Χ	Χ	Χ	Χ	
	Rhus integrifolia (Lemonade Berry)	Low		Χ		Χ		Х	X		Χ		X	Х	Χ	Х	
	Rhaphiolepis x 'Majestic Beauty' (Indian Hawthorne)	Medium		Χ		X			X		X		Χ	Χ	Χ	Χ	
Evergreen	Feijoa sellowiana (Pineapple Guava)	Low		Χ		Х			Χ				Χ	Х	χ	X	
Tall, Narrow	Pittosporum tenuifolium (Tawhihi)	Medium				Χ			X				Χ	Х	Χ	Χ	
Shrubs	Escallonia 'Fredesii' (Frades Escallonia)	Very Low		Χ		Χ			Х		Χ		Χ	Χ	Χ	Χ	
	Afrocarpus (Podocarpus) gracilior (Fern Pine)	Medium					X		Χ				X	Χ	X	Х	
Medium Shrubs	Loropetalum chinese 'Daybreaks Flame' (Bronze Fringe Flower)	Low		X	X	Χ			X		X		X	Χ	Χ	X	

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Category	Scientific Botanical Name (Common Name)	Water Demand	Zone 1A	Zone 18	Zone 2A	Zone 2B	Zone 3	Zone 4	Zone 5A	Zone 5B	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Open Space Riparian
CONSTRUCTION OF THE PROPERTY O	Artemesia spp. (Sage)	Very Low		X	Χ	Χ		Χ	Х		Χ	X	Х	Χ.	Χ	Х	
	Euryops pectinatus (Euryops Daisy)	Low		X		Χ			Χ		Χ		Х	Χ	X	X.	
	Nandina domestica (Heavenly Bamboo)	Low		X		Χ			Х		Х		Х	Χ	Χ	Х	
	Lantana camara (Lantana)	Low		X		χ			Χ		Χ		Χ	X	Χ	X	
	Lantana montevidensis (Trailing Lantana)	Low		Х		Χ			Х		Χ		X	Χ	Χ	X	
	Berberis thunbergii 'Atroppupurea' (Red-Leaf Japanese Barberry)	Low		Х	Х			Х	Χ		Χ		Х	X	Х	Χ	
	Punica granatum 'Nana' (Dwarf Pomegranate)	Low							Х				Χ	Χ	Χ		
	Pittosporum tobira 'Variegata' (Variegated Mock Orange)	Low		Х		Χ			Χ		Χ		Χ	Χ	Χ	Х	
	Rhaphiolepis indica (Indian Hawthorne)	Low				Χ			Х		Χ		X	Χ	Χ	Χ	
	Achillea spp. (Yarrow)	Low		Х		Χ			Х		Χ.		Χ	X	X	Χ	
	Cistus spp. (Rockrose)	Low		X		X			Х		Χ		Х	X	Χ	Χ	
	Sarcococca sp. (Sweet Sarcococca)	Low		Χ		Χ			Х		Χ		Χ	Χ	X	X	
	Westringia spp. (Coast Rosemary)	Low		Χ		Χ			Χ		Χ		X	X	Χ	X	
Borders and	Lavandula (cultivars) (Lavendar)	Low	X	X	Χ	X	Х	Χ	Χ		Χ		X	Χ	Χ	X	X
Low Accents	Nandina domestica 'Firepower' (Dward Nandina)	Low				Χ							Х	Χ	Х	X	
Shrub	Gaura lindheimeri (Gaura)	Medium		X		Χ					Χ	(P) (S)	Х	Χ	Χ	Χ	
Sprays and Accents	Salvia leucantha (Mexican Sage)	Low		X		Х					Χ		Χ	Χ	X	X	
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Lobelia laxiflor (Mexican Bush Lobelia)								Χ				Χ	Х	χ	Х	
	Echium fatuosum (Pride of Madeira)	Low		Х	Χ	Х			Х		Χ		Χ	X.	Х	Х	

EVERGREEN SENIOR HOMES SPECIFIC PLAN | 6-19

Category	Scientific Botanical Name (Common Name)	Water Demand	Zone 1A	Zone 1B	Zone 2A	Zone 2B	Zone 3	Zone 4	Zone 5A	Zone 5B	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Open Space Riparian
Shrub	Rosa 'Meipsidue' (Fire Meidiland Rose)	Medium															
Massing and Thickets	Plumbago auriculata (Cape Plumbago)	Low	Χ		Х				Χ		Х		Χ	Χ	Х	Χ	
	Rosa rugosa (Beach Rose)	Low	X	X	Χ	Х		X					Х	Х	Χ	Χ	X
	Rosa californica (California Wild Rose)	Low	X	Χ	Х	Х		Χ	Χ								Х
	Calluna vulgaris (Scotch Heather)	Medium	X	X		Χ		Χ	Χ				Х	X	Χ	Χ	
	Grevillia noelii (Noel's Grevillia)	Low		Х					Χ				Х	Х	Χ	Х	
	Coleonema pulchrum (Pink Breath of Heaven)	Medium		Χ		Χ			Χ		X		Х	Х	Χ	Χ	
Colorful	Dietes bicolor (African Butterfly iris)	Low		X		Х			Χ		Χ		Х	X	Χ	X	
Clumping Shrubs	Hemerocallis hybrids Yellow & Cranberry (Evergreen Daylilies)	Medium															
	Agapanthus africanus (Lily-of-the-Nile)	Medium		Χ		Х			Χ		Χ		Χ	Χ	Χ	χ	
	Carex tumulicola (Berkeley Sedge)	Medium															
Clumping	Helictrotrichon sempervirens (Blue Oat Grass)	Low		X		Х		Χ			X						X
Grasses	Calamagrostis spp. (Reed Grass)	Low		X		Х		Χ	X		Χ		X	X	X	Χ	
	Juncus spp. ¹ (Rush)	High															Χ
	Nolina microcarpa (Bear Grass)	Very Low	Х					Χ			Χ						
	Festuca (sp. & cultivars) (Green & Blue Fescues)	Low		X		Х		Χ	Χ		Χ		X	X	Χ	Χ	Χ
Natural and	Artemisia douglasii (mugwort)	Low															Х
Riparian Areas Only	Calystegia subacaulis (hill morning glory)	Low															Х
	Epilobium ciliatum (woodland sedge)	Low															Х

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																Zone 11 Onen Snare Rinarian	
Category	Scientific Botanical Name (Common Name)	Water Demand	Zone 1A	Zone 1B	Zone 2A	Zone 2B	Zone 3	Zone 4	Zone 5A	Zone 5B	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 1.1	
	Baccharis douglassii (Douglas' iris)	Low														X	
	Baccharis viminea (mulefat)	Low														X	
	Iris douglasiana (Douglas' iris)	Low														X	
	Juncus balticus (Baltic rush)	Low														X	
	Juncus effusus (spreading rush)	Low														X	
	Lonicera hispidula (honeysuckle)	Low														X	
	Lupinus bicolor (Lindley's annual lupine)	Low		100												X	
	Marah fabaceous (wild cucumber)	Low														X	
	Mimulus aurantiacus (sticky monkey flower)	Low														X	
	Mimulus guttatus (seep-spring monkey flower)	Low														X	
	Ranunculus californicus (California buttercup)	Low		ľ												X	
	Rosa californica (wild rose)	Low								t T						X	
	Ribes menziesil (gooseberry)	Low						1000								X	
	Ribes speciosum (fuschia-flowered gooseberry)	Low														X	
	Scrophularia californica (California bee plant)	Low														X	
	Sisyrinchium bellum (blue-eyed grass)	Low				E.										X	
	Symphoricarpos albus (snowberry)	Low														X	

(1) Specialized use only in wet riparian areas.

EVERGREEN SENIOR HOMES SPECIFIC PLAN | 6-21

Table 6-4: Groundcover Palette

Table 6-4. Groundcoo			1A	18	2A	2B	3	4	V _S	58	9	7	8	6	0][Open Space Riparian
Category	Scientific Botanical Name (Common Name)	Water Demand	Zone 1A	Zone 1B	Zone 2A	Zone 2B	Zone 3	Zone 4	Zone 5A	Zone 5B	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Open
Ground Covers Mat	Artosaphylos uva-ursi- 'P.R' (Pt. Reyes Bearberry)	Low	Х	Х	Х	Х		Χ			Χ		Х	Х	Χ	X	
	Contoneaster dammeri 'Lowfast' (Lowfast Cotoneaster)	Low	X	Χ	Χ	X					X		Χ	Х	Χ	Χ	
	Rosmarinus officinalis 'T.B.' (Creeping Rosemary)	Low	Χ	Χ	Х	Х		Χ			Χ		Х	X	Χ	Χ	
	Baccharis pilularis 'Twin Peaks' (Coyote Brush)	Low	X	Χ	Х	Χ		X			X		X	Χ	Χ	X	
	Cotoneaster dammeri 'Lowfast' (Lowfast Cotoneaster)	Low		χ	Χ	Х							X	Х	Χ	Χ	
	Ceanothus griseus horizontails (Carmel Creeper)	Very Low	X	Χ	Χ	Х		Χ			X		Χ	Χ.	Χ	X	
	Myrica californica (California Wax Myrtle)	Low			Χ	X		Χ					Χ	Х	X.	Χ	
Trailing	Euonumous fortunei 'Colorata' (Winter Creeper)	Medium			Χ								X .	X	Χ	X	
	Trachelospermum jasminoides (Star Jasmine)	Medium			Χ	X							Χ	X	Χ	Χ	
Vines - Clinging	Perthenocissus tricuspidata (Boston Ivy)	Medium			Χ	X							X	Χ	Χ	Χ	
Vines - Climbing	Hedera helix (English Ivy)	Medium			Χ	X							X	Χ.	Χ	Χ	
	Jasminum polyanthum (Pink Jasmine)	Medium			Χ								X	Χ	X	X	
	Solanum jasminoides (Potato Vine)	Medium			X								X	Χ	Χ	Χ	
Turf	Festuca Blend (Dward improved Tall Fesue)	Low			X	Χ					X		Χ	Х	Χ	Χ	
Clumping Shrubs	Dietes bicolor (Fortnight Lily)	Low			Χ	X					X		X	X	Χ	Χ	
	Tulbaghia violacea (Society Garlic)	Medium			X												
Clumping Grasses	Helistotrichon sempervirens (Blue Oat Grass)	Low			Χ			Χ									X
	Calamagrostis acutiflora (Reed Grass)	Low			Х	X		X				X					Х
	Festuca glauca (Blue Fescue)	Low			Χ	Х		χ									Χ

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EVERGREEN SENIOR HOMES SPECIFIC PLAN | 6-23

Open Space Riparian	×		
II anoz		×	×
Zone 10		×	×
6 əuoz		×	×
8 anoZ		×	×
∑ əuo∑	×		
9 anoZ			×
A2 anoZ 82 anoZ			
4 anox			
£ auoz	×		×
82 enoz			Ų
AS 9noS	×	×	×
81 anoz			
AI anoZ			
70			
Water	Low	Low	Mo
De S	_	_	_
(e)			der)
Nam			aven
_			_
JO.			15
ommo		der)	Spanish
ne (Commo		nander)	ist' (Spanish Lavender)
Name (Common Name)	Tea)	Ε	uas
nical Name (Commo	non Tea)	Ε	uas
3otanical Name (Commo	Mormon Tea)	Ε	uas
ific Botanical Name (Commo	dis (Mormon Tea)	Ε	uas
cientific Botanical Name (Commo	ia virdis (Mormon Tea)	Ε	uas
Scientific Botanical Name (Commo	hedria virdis (Mormon Tea)	Ε	uas
Scientific Botanical Name (Commo	Ephedria virdis (Mormon Tea)	Teucrium x lucidrys (Wall Germander)	Lavandula stoechas "Otto Quast' (Spanish
Scientific Botanical Name (Commo	Ephedria virdis (Mormon Tea)	Ε	uas
Scientific Botanical N	Ephedria virdis (Mormon Tea)	Teucrium x lucidrys (Wall Germ	uas
Scientific Botanical N	Ephedria virdis (Mormon Tea)	Teucrium x lucidrys (Wall Germ	uas
Category Scientific Botanical Name (Commo	Ephedria virdis (Mormon Tea)	Ε	uas

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6.5. Streets, Pedestrian Paths & Trails

Streets in the Plan Area should be designed as a comprehensive road network that provides both vehicular and non-vehicular circulation to allow the efficient movement of people. Most streets should be designed to accommodate multiple modes of transportation, including walking, bicycling, or driving a local use vehicle (LUV) or automobile.

The following guidelines apply to the design of streets and other mobility networks:

- Design an efficient circulation system appropriate to and easily navigated by seniors.
- Provide direct, convenient, safe and efficient automobile, pedestrian, bicycle, and local use vehicle routes to all uses.
- Encourage non-automobile circulation within the Plan Area to minimize impacts on regional air quality.
- Encourage a flexible network that can accommodate future transit service.
- Design a circulation system to preserve the site's most sensitive natural resources as open space.
- Integrate the natural environment and circulation design to minimize the disruption of natural features, and to the extent practicable, blend with the site's existing landforms, trees, and drainage courses.
- Design a community that is bicycle and pedestrian friendly.

As conceptually illustrated in Figure 3-5: Conceptual Trail Network, an interconnected network of paths and trails should be built throughout the community, affording a range of activity options including running, hiking, walking, dog walking, biking, and accessibility to various areas in the community. The trails and paths, together with sidewalks, also provide connections to amenities, such as commercial areas and transit stops, outside the community.

Emphasis for trails and paths should be on the use of natural materials and simple landscape treatments that integrate with the natural setting. The use of reclaimed timber for benches, signage, and trail markers is encouraged.

Location of pedestrian paths and trails systems should meet the following design objectives:

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- Safety
- Connectivity to on-site and off-site destinations
- Diversity in experiences and user types
- Conforms to site attributes, opportunities, and constraints



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6.6. Signage

Signage is an important feature that contributes to neighborhood character. Signage design within the Specific Plan Area should be complementary in character, materials, and style to the buildings within the residential setting. Signage, which may be lighted, should be of high quality materials and be of sufficient number to only adequately define, direct, or identify. The guidelines here are in addition to any applicable requirements in the Municipal Code.

6.6.1. Monument Signs

Monument signs should be constructed at the north entry at Aborn Drive and the south entry at Yerba Buena Road. Smaller monument signs may be used at entrances to the various residential neighborhoods.

Monument signs should be located within the front setback (generally between the sidewalk and building or between road and sidewalk, or in landscaped medians of Entry Roads).

The following guidelines should be considered:

- Lettering styles should be proportioned, simple, and easy to read.
- Sign materials should complement the overall architectural character of neighborhoods and be constructed using high quality materials, be durable, weatherproof, and treated or painted so that they will not discolor, rust, fade, crack, or corrode.
- Monument signs should be constructed of high-quality materials, such as stone, concrete, plaster, and metal. Materials, finished, and colors should complement the architectural style and character of the buildings and other onsite signs.
- Monument signs near vehicular entrances should be oriented perpendicular to the street. More than one sign per vehicular entrance is discouraged.
- Monument signs should be scaled for pedestrians and drivers. In general, horizontal monument signs up to 3.5 feet in height are preferred; however, narrower vertical signs may be appropriate up to eight feet in height for major entries.

- Landscaping, especially evergreen and flowering plants, is encouraged around the base of monument signs to highlight and define the base while screening support structures. The footprint of the landscaping provided at the base of monument signs should equal at least twice the sign face surface area.
- Illumination from external lighting fixtures or back-lighting behind individually mounted letters and symbols is encouraged.

6.6.2. Walkway Directional Signs

Walkway directional signage for buildings (e.g., recreation centers), parking, or other key site features is permitted and may be employed as necessary to facilitate identification and directions to areas or buildings. These signs generally should be located within 60 feet of the buildings' perimeter and may serve way finding and identification purposes. If used, they should be designed at an appropriate pedestrian scale.

The following guidelines for signs should be considered:

- Signs should be oriented to the pedestrian, even if also designed for vehicles.
- Lettering styles should be proportioned, simple, and easy to read.
- Sign materials should complement the overall architectural character of neighborhoods and be constructed using high quality materials, be durable, weatherproof, and treated or painted so that they will not discolor, rust, fade, crack, or corrode.

6.7. Outdoor Furnishings

Site furnishings (e.g., benches, tables, trash / recycle receptacles, mailboxes, drinking fountains, etc.) should be provided in areas of recreation, rest, and social gathering. Site furnishings should complement architectural features of the site architecture and other site and streetscape furnishing. Selection of site furnishings should reinforce the visual continuity of the project.

Components should be made of durable high quality materials such as steel (galvanized or stainless), cast iron, aluminum or integral color precast concrete. The use of recycled material is encouraged if the colors and finishes are consistent with the architectural goals stated above. Vertical surfaces should be treated with anti-graffiti coatings. All surfaces should be coated with highly durable finish such as powder coat, color anodized, hot dip or cold galvanized or similar protective process.



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Conceptual illustrations of typical outdoor furnishings

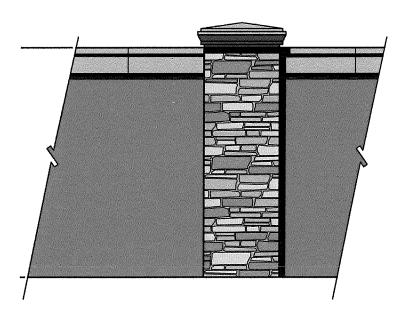
Fences and walls may be used through the Specific Plan Area to provide privacy, enhance the aesthetic character, and maintain safety. Maintenance of fences and walls will typically be by the respective property owner (e.g., owner or the HOA). A conceptual plan illustrating the location and recommended heights of walls is shown in Figure 6-2: Conceptual Wall Location Plan.

Chapter 2: Zoning & Development Standards (Section 2.2.4 Fence Regulations for Residential Subdistricts) establishes the standards for fences in residential subdistricts.

The following guidelines for fences and walls also should be considered:

- Fences and walls should be constructed using high quality materials, consistent with the contemporary aesthetic of adjacent architecture and landscape.
- Street-adjacent and perimeter wall and fence design, location, and height should reflect the character and overall aesthetic of the respective neighborhood and be consistent in quality and color palette to create a consistent aesthetic.
- Perimeter and street-adjacent walls and fences should be constructed of attractive, durable, and low maintenance materials, including but not limited to precast concrete with textured or stone finishes, wood, wrought iron, tubular steel, wood, or other.
- Fences and walls along collector and community roads should occur behind landscaping: groundcover, shrubs and low plantings, and trees.
- Residential fences, including front yard fences, should be constructed using high quality materials such as wood, masonry, steel, or a combination of these materials. Front yard walls and fences may vary for visual interest, but should be complementary and retain a harmonious overall aesthetic.
- Landscaping should be required along walls and fences to break up the massing and provide greenery throughout the Specific Plan

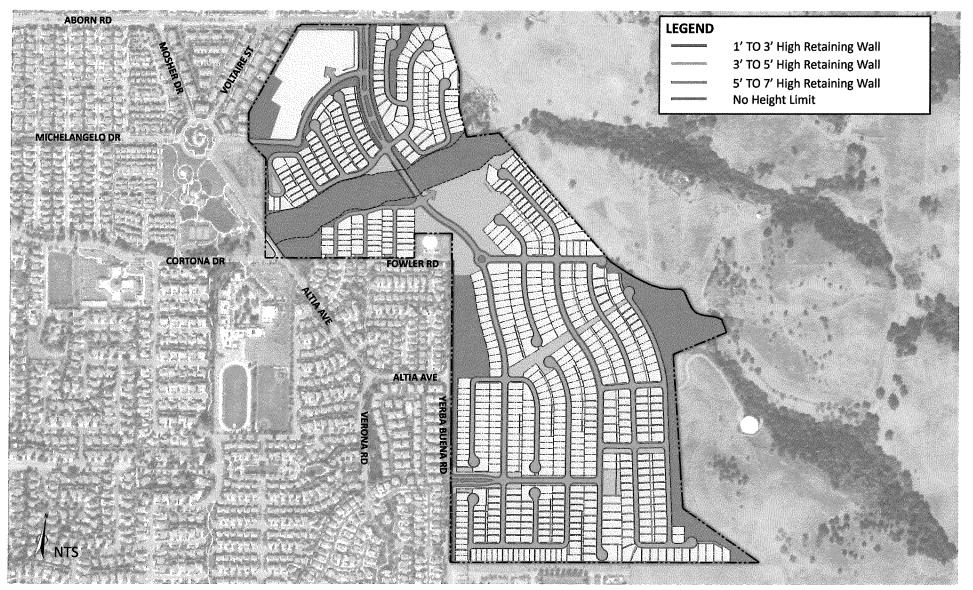
- Area. Long, uninterrupted walls and fences (generally greater than 30 feet) should be avoided along streets and adjacencies with open spaces, trails, and other common spaces unless broken up by pilasters or changes in plane.
- Retaining walls should be constructed of masonry or concrete. Retaining wall design may include pre-cast concrete, concrete block, poured-in place concrete, or keystone type walls. Retaining walls should have a natural appearance including split-face block, stucco over concrete, or other texture, to avoid a smooth concrete or industrial block wall appearance.



Conceptual illustration of exterior wall detail

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Figure 6-2: Conceptual Wall Location Plan



Note: Illustrative as to the location and size of the residential, active open space, recreation centers, streets, and the proposed retaining walls.

Tree Preservation Guidelines 6.9.

6.9.1. Guidelines for Compliance with Tree Removal Controls The following recommendations should be implemented to reduce impacts to trees from development and maintain and improve their health and vitality through the clearing, grading and construction phases:

Design

- A Tree Protection Zone should be established around each tree to be preserved. No grading, excavation, construction or storage of materials should occur within that zone. Nearby off-site trees in the neighboring residential neighborhoods should be given a five-foot Tree Protection Zone.
- Include trees to be preserved and Tree Protection Zone on all construction plans.
- Project plans affecting the trees should be reviewed by a consulting arborist regarding tree impacts. These include, but are not limited to, demolition plans, site plans, improvement plans, utility and drainage plans, grading plans, and landscape and irrigation plans.
- No underground services including utilities, sub-drains, water lines, or sewer lines should be placed in the Tree Protection Zone.
- Irrigation systems should be designed so that no trenching will occur within the Tree Protection Zone.
- Foundations, footings, and pavements on expansive soils near trees should be designed to withstand differential displacement.

Pre-Construction

- All trees to be retained should be fenced to enclose the Tree Protection Zone prior to demolition, grubbing, or grading. Fences should be 6-foot chain link or equivalent as approved by a consulting arborist. Fences should remain until all grading and construction is completed.
- Prune trees to be preserved to clean the crown of dead branches 1" and larger in diameter, raise canopies as needed for construction

- activities. All pruning should be done by a State of California Licensed Tree Contractor, certified arborist, or certified tree worker in accordance standard industry practices. A consulting arborist should provide pruning specifications prior to site demolition. Branches extending into the work area that can remain following demolition should be tied back and protected from damage.
- Tree(s) to be removed that have branches extending into the canopy of tree(s) to remain should be removed by a certified arborist. A certified arborist should remove the tree in a manner designed to cause no damage to the tree(s) and understory to remain. Tree stumps should be ground 12" below ground surface.

Construction

- Prior to beginning work, the contractors working near trees to be preserved should meet with a consulting arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
- All contractors should conduct operations in a manner designed to avoid damage to trees to be preserved.
- Any grading, construction, demolition or other work that is expected to encounter tree roots should be monitored by the certified arborist.
- Tree protection fences should remain until all site work has been completed. Fences should not be relocated or removed without approval from a certified arborist.
- Construction trailers, traffic, and storage areas should remain outside fenced areas.

6.10. Sustainable Landscape Guidelines

6.10.1. Water-Conserving Plant Materials

Proposed plant materials should emphasize the use of both native and adaptive species of trees, shrubs, and ground cover. "Low" to "very low" water demand, hardiness, functionality, and aesthetics should govern the selection of plant material to be incorporated into the landscape palette.

6.10.2. Lawn and Turf Area Reductions

While lawn and turf areas are necessary for certain active recreational and aesthetic purposes, use of turf areas should be minimized to reduce water use and maintenance requirements.

Turf should generally be limited to areas that are used for active recreational and pedestrian use. In areas that will not receive active foot traffic, such as along streets or other common landscaped areas, native or adaptive grasses, drought-tolerant trees, groundcovers, and shrubs are encouraged.

6.10.3. Recycled Water Use

As provided in Chapter 2: Zoning & Development Standards, recycled water, if reasonably available, will be the primary source of irrigation of landscaping in the streetscape and open space areas in the Specific Plan Area. Recycled water should not be used on private residential lots.

6.10.4. Low Impact Development

The landscape program should, to the extent practical, reinforce the principles of low impact development (LID) for storm drainage, runoff infiltration and groundwater recharge for the project by such measures as: (1) management of rainfall at the source of a site's predevelopment hydrology by using landscape design techniques and materials that infiltrate, filter, store, evaporate, and/or detain runoff as close to its source as feasible, and (2) storm water capture through small, cost-effective landscape features located at the site level. This may include not only natural open space, but also streetscapes, parking lots, sidewalks, hardscape areas, and medians. Open space common areas and trails

should use low-impact development measures and sustainable practices, if reasonably available, and drought-tolerant plant materials.

6.10.5. Fire Protection

The planting and irrigation program should create appropriate fire protection/fuel modification setback zones to buffer homes and buildings from the dry open hillsides and wooded areas. These buffer zones should consist of permanently irrigated tree, shrub, and/or ground cover plantings that exhibit fire resistant qualities.

6.10.6. Heat Island Mitigation

Parking lot and other potential "heat islands" should incorporate trees, vegetation, and other landscape screening/shading devices to: 1) reduce heating and cooling energy use, 2) filter air pollution and greenhouse gas emissions, 3) sequester and store carbon, and 4) help lower the risk of heat-related illnesses. Likewise, appropriately selected street trees for local streetscapes should be used to create shade and accomplish similar energy-saving results within the Plan Area.



Conceptual illustration of low-water use landscaping



INFRASTRUCTURE & PUBLIC SERVICES

This chapter provides an overview of the major utility infrastructure improvements needed at build-out of the Specific Plan and the public facilities planned to be available to Specific Plan Area residents.

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7.1. Introduction

Implementation of the Evergreen Senior Homes Specific Plan will require the construction of public facilities and services to serve the Specific Plan Area in accordance with the development standards in Chapter 2: Zoning & Development Standards, and the guidelines in this chapter. Infrastructure and services should be designed meet the standards of the City of San José and other utility agencies with oversight authority.

Services addressed in this chapter include: water, sewer, storm drainage, and solid waste disposal. The City's existing fire and police protection, schools, and library services will serve the residents of the Specific Plan Area, who would pay taxes to the City for these services. Table 7-1: Service Providers lists the various service providers for the Specific Plan Area.

Table 7-1: Service Providers

Service	Current Provider
Water	San José Municipal Water System
Recycled Water	South Bay Water Recycling
Wastewater	City of San José
Storm Drainage	City of San José
Electric Service	PG&E
Gas Service	PG&E
Fire Protection	San José Fire Department
Police Protection	City of San José Police Department
Library	City of San José Public Library

Existing water, sewer, electrical, gas, communications, and storm drainage utilities are located in public utility easements throughout the Specific Plan Area. Demolition and re-routing of existing utilities may be required as part of Plan implementation.

7.2. Water

7.2.1. Water Supply and Demand

The San José Municipal Water System (SJMWS) provides water services to the greater Evergreen area. Existing water mains are located adjacent to the Specific Plan Area within Aborn Road, Fowler Road, Altia Avenue, and Yerba Buena Road. In addition, a water main traverses the Specific Plan Area within the alignment of the formerly proposed extension of Yerba Buena Road, and another main traverses the Specific Plan Area in an eastwest direction between Altia Avenue and the four-million-gallon water reservoir on the hill to the southeast. The water mains within the Specific Plan Area, as well as the access road to the water reservoir, may be relocated within planned roadways and new easements established. Based on the projected Specific Plan water demand, SJMWS has sufficient water supply for the project.

7.2.2. Specific Plan Water Improvements

Pursuant to the requirements in Chapter 2: Zoning & Development Standards, Section 2.4.4 Site utilities, new development within the Specific Plan Area requires the construction of adequate potable water systems and infrastructure for recycled water, including of mains, services, and fire hydrants. It is anticipated that the potable water systems will be operated and managed by the San José Municipal Water System.

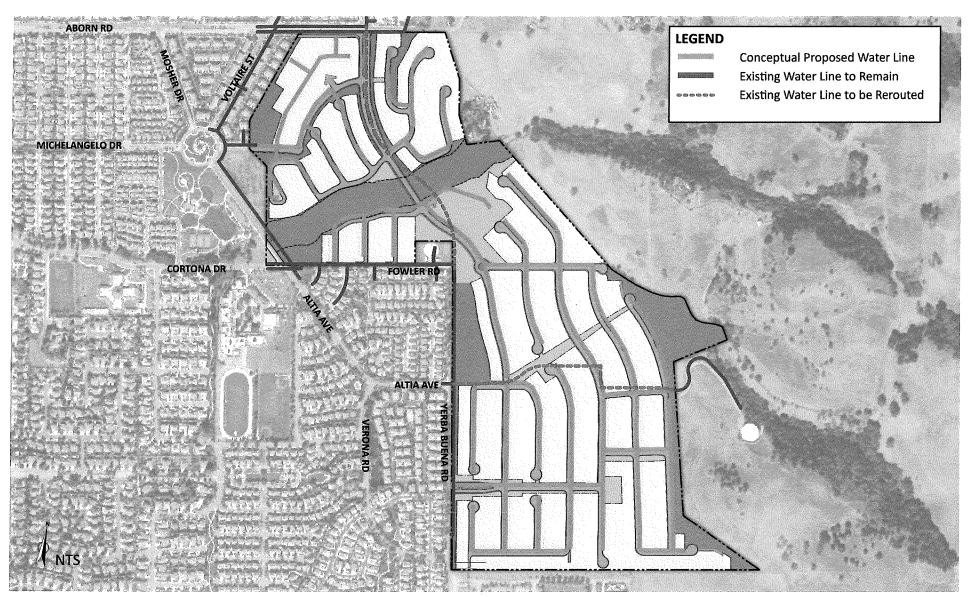
Section 2.4.4 requires all new on-site extensions of utility pipes to be underground. Consistent with this requirement, water will be collected and conveyed through a system of pipes that extend under the public and private roadways. Figure 7-1: Conceptual Water Plan, shows one possible layout for the underground water utilities.

7.2.3. Recycled Water

Tertiary treated (or "recycled") water is supplied from the San José/Santa Clara Water Pollution Control Plant (WPCP), which is an advanced tertiary treatment facility, through the South Bay Water Recycling (SBWR) Program. In residential areas, like the Specific Plan Area, recycled water can be used for landscape irrigation. The Specific Plan Area does not contain a recycled water system; nearby recycled water mains are located within Aborn Road, Fowler Road, Altia Avenue, and Yerba Buena Road.

As required by Section 2.4.4, recycled water pipes shall be installed and if recycled water is reasonably available, then recycled water shall be used as the primary source of irrigation of landscaping in the streetscape and open space areas in the Specific Plan Area. Figure 7-2: Conceptual Recycled Water Plan shows one possible configuration of how the recycled water pipes may be installed. It is anticipated that the recycled water system will be operated and managed by South Bay Water Recycling.

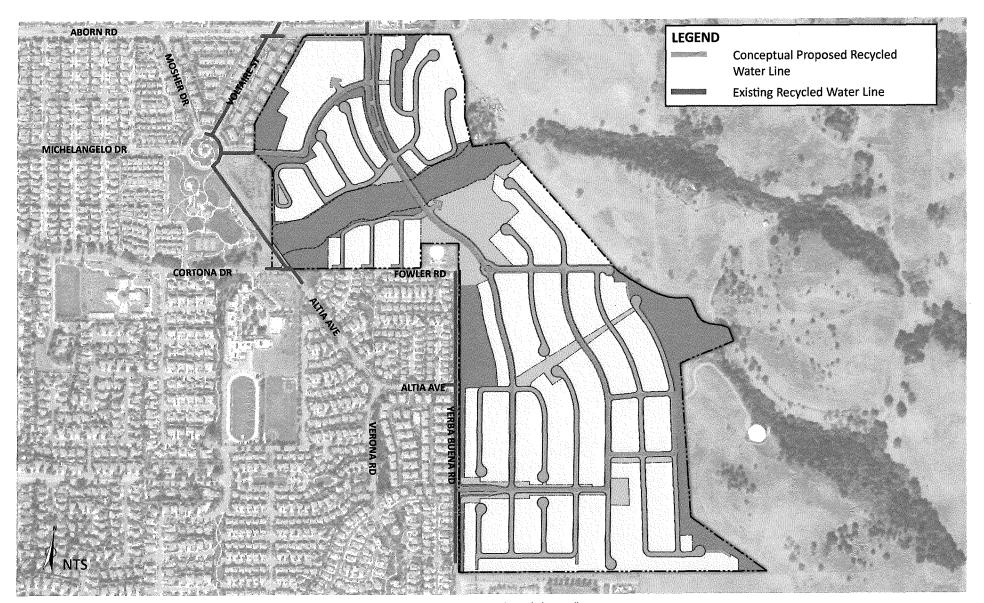
Figure 7-1: Conceptual Water Plan



Note: Illustrative as to the location and size of the residential, active open space, recreation centers, streets, and the proposed water lines, and the location of the rerouted water lines.

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Figure 7-2: Conceptual Recycled Water Plan



Note: Illustrative as to the location and size of the residential, active open space, recreation centers, streets, and recycled water lines.

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7.3. Wastewater

7.3.1. Existing Wastewater Facilities

It is anticipated that sanitary sewer service will be provided by the City of San José. The existing sanitary sewer system within the greater Evergreen area includes the Evergreen Interceptor Phase IV pipeline, which diverts existing flows from the east, including flows from the Specific Plan Area, to flow from Ruby Avenue to Aborn Road, where the existing system has adequate wastewater flow capacity. The four eight-inch lines exist adjacent to the Specific Plan Area are available and have adequate capacity to provide service for development in the Specific Plan Area in addition to existing and proposed development elsewhere. One eight-inch line exists at each of the following locations: Aborn Road, Michelangelo Drive, Altia Avenue at Yerba Buena, and Verona Road at Yerba Buena.

Wastewater is conveyed to the San José/Santa Clara Water Pollution Control Plant (Plant) where it is treated before it flows into the South San Francisco Bay. The Plant has adequate capacity to serve the flows from the Specific Plan Area in addition other existing and reasonably foreseeable flows.

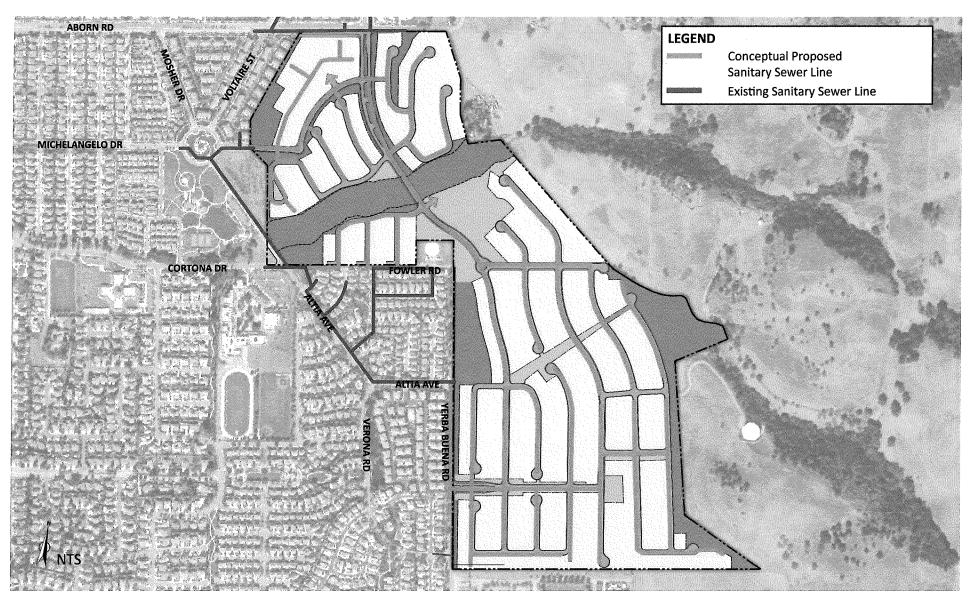
7.3.2. Specific Plan Wastewater Improvements

The wastewater improvements will consist of a conventional on-site gravity sewer system with mains, manholes, and laterals designed in accordance with City of San José design standards. The on-site sanitary sewer mains will collect wastewater from the residential units and recreation centers and flow north and west toward Aborn Road and Yerba Buena Road and connect into existing sanitary sewer mains. The Wastewater Plan as shown in Figure 7-3: Conceptual Wastewater Plan, shows one possible layout for the underground wastewater improvements.

All sanitary sewer mains within the proposed private streets will be private. The private system will consist of mostly six-inch pipes, possibly transitioning to eight-inches near the points of connection to the existing public mains. The system within private streets will be operated and managed as a private system by the Home Owner's Association. It is

anticipated that the sanitary sewer mains in public streets – the north entry road from Aborn Road to the connection at Michelangelo Drive, and sewer connection at Yerba Buena Road – will be public and operated and managed by the City of San José.

Figure 7-3: Conceptual Wastewater Plan



Note: Illustrative as to the location and size of the residential, active open space, recreation centers, streets, and sewer lines.

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7.4. Storm Drainage and Water Quality Management

Water quality requirements for discharge to storm drains for the Specific Plan Area shall meet the applicable requirements of federal and state law. As required by law, the Plan incorporates Low Impact Development (LID) techniques, which may consist of, but are not limited to, source control measures, site design features, and treatment measures to reduce the pollutant load in stormwater discharges and to manage runoff flows.

7.4.1. Topography and Watershed

The Specific Plan Area lies within the Fowler Creek watershed and includes the tributary flow of South Branch Fowler Creek. The watershed drains westerly toward Thompson Creek, and then flows north ultimately toward Lake Cunningham, Lower Silver Creek, and Coyote Creek. See Figure 7-4: Drainages in and Around the Specific Plan Area.

The Specific Plan Area currently is predominantly undeveloped grazing land. Existing flow through the Specific Plan Area generally flows in one of two directions:

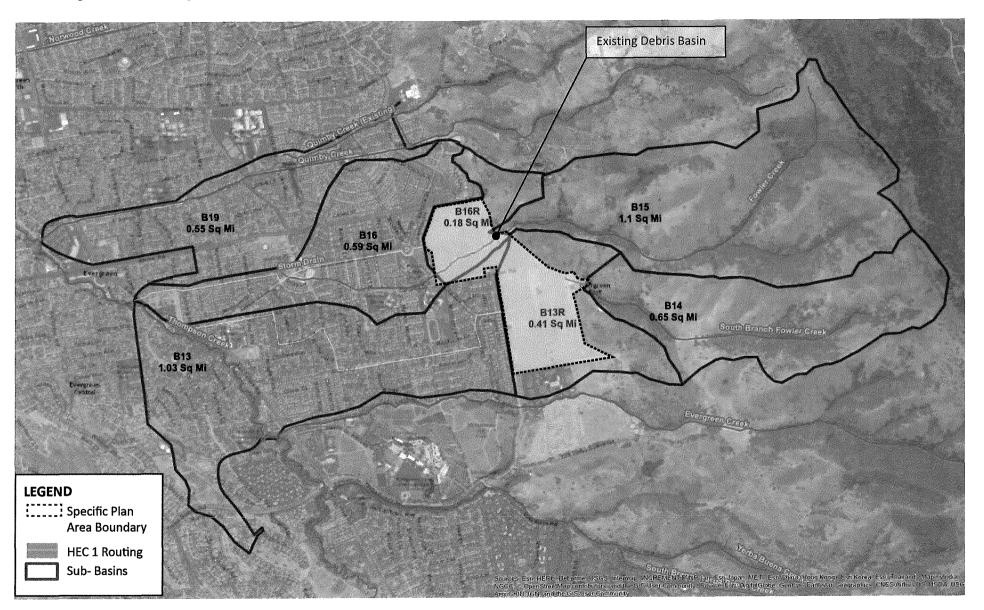
- Sub-basin B13R south of Fowler Creek flows westerly toward Yerba Buena Road. This includes the rural area upstream of the Specific Plan Area along South Branch Fowler Creek, identified as sub-basin B14. As flow moves toward Yerba Buena Road, existing curb inlet structures collect runoff and convey stormwater westward via an existing 48-inch pipe to Thompson Creek.
- Sub-basin B16R north of Fowler Creek flows westerly toward Altia Avenue and an existing debris basin. This includes the rural area upstream of the Specific Plan Area, along Fowler Creek, identified as sub-basin B15. Flow is collected and conveyed in an existing 66-inch storm drain pipe westward toward Thompson Creek.

7.4.2. Existing Storm Drain Facilities

The lower end of Fowler Creek is a flood control facility consisting of a closed conduit at the end of Silverland Drive (west of the Specific Plan Area). At the upstream limit of the pipe and within the Specific Plan Area is an existing debris basin. At the upper end of Fowler Creek (east of the

Specific Plan Area), where it discharges from the foothills into the alluvial plain, the creek channel is well defined. The channel disappears midway down the alluvial plain and there is no trace of the creek near the debris basin.

Figure 7-4: Drainages In and Around the Specific Plan Area



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7.4.3. Storm Drain Improvements

Storm drainage management within the Specific Plan Area may consist of debris basins, storage basins, bio-filtration basins, and hydromodification management plan (HMP) basins.

Existing Hillside Flows and Debris Basins

Figure 7-5: Conceptual Stormwater Debris Basin Plan illustrates how the stormwater system may be configured. Sub-basins B14 and B15, upstream of the Specific Plan Area, have been conceptually designed to drain to two separate debris basins located at the upstream easterly- end of the Specific Plan Area. The Fowler Creek Debris Basin (792-acre drainage area) would drain to the existing storm drain system at Michelangelo Drive. The South Branch Fowler Creek Debris Basin (464-acre drainage area) would drain to the existing storm drain system on Altia Avenue, which then flows to the Michelangelo storm drain.

Each debris basin has been conceptually designed to drain flows to major storm drains that bypass the local Specific Plan Area drainage systems, and thereby avoid mixing runoff from upstream hillside areas within untreated urban runoff within the Specific Plan Area.

Consistent with stormwater management regulations, each debris basin outlet would be configured with trash racks on the outlet structures to convey high flows while preventing large debris from entering the conveyance system. The outlet structures have been conceptually designed to allow a minimum of three feet of storage at low flows, to allow for sediment and small debris deposition within the basin before reaching the outlet. Outlets are anticipated to be conveyed directly to the City storm drain system. Each basin has been conceptually designed to require maintenance (cleaning out of debris) every 10 years.

Some of the flows currently going to the Yerba Buena storm drain may be redirected toward the Altia Avenue and Michelangelo Drive drainage system during peak discharge. This would help improve drainage conditions for the Delta Road storm drain system.

Stormwater Management

The stormwater management system shall meet applicable legal requirements, including those imposed under the federal Clean Water Act. As shown in Figure 7-6: Conceptual Stormwater Management Plan, on-site drainage from the new impervious surfaces (driveways, parking areas, and building rooftops) have been conceptually designed to convey stormwater via gravity through underground stormwater pipes to a three-part stormwater management system that includes a C.3 storage basin, a biotreatment area, and a HMP basin. A small portion of Drainage Area 3 (approximately 6.5 Acres) would be collected and conveyed to the stormwater management system via a pump due to site grading limitations.

The C.3 storage basins have been conceptually sized to drain in a 36-hour period by conveying low flows to the bio-treatment area. Overflows from C.3 storage basins would be conveyed directly to the HMP basins. The bio-treatment area has been conceptually sized to infiltrate at a rate equal to the discharge of the C.3 storage basin. All outflows from the bio-treatment area would be conveyed directly to the existing storm drain system, downstream of the HMP basin. HMP basins and outlet structures have been conceptually sized and configured to maintain post development discharges equal to the pre-development discharges; between 10 percent of the two-year flow and the 10-year flow, as required by the MRP.

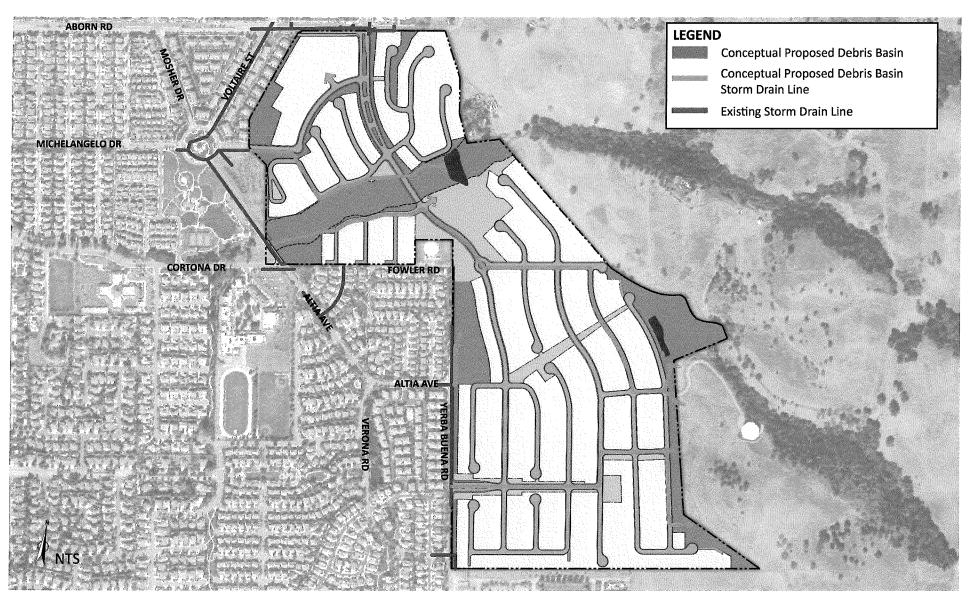
A typical system is shown in Figure 7-7: Conceptual On-site Stormwater Management System (Typical). Anticipated sizing requirements are described in Table 7-2: On-site Stormwater Management Basin Parameters.

Table 7-2: Conceptual Stormwater Management Basin Parameters

	Drainage Area 1	Drainage Area 2	Drainage Area 3
Drainage Area	45.6 acres	53.4 acres	77.4 acres
Impervious Area	23.5 acres	32.0 acres	38.6 acres
Percent Impervious	51.5%	59.9%	49.9%
C.3 Storage Volume	1.49 ac-ft.	1.95 ac-ft.	2.5 ac-ft.
Bio-treatment Area	4,300 sq. ft.	5,700 ac. ft.	7,400 ac. ft.

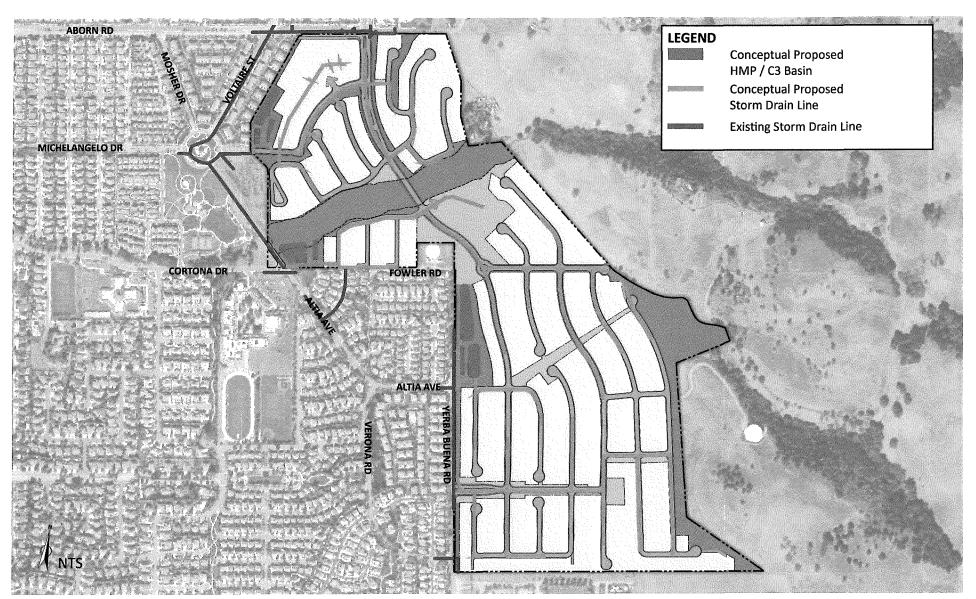
Downstream of the HMP outlet structures, drainage from Drainage Areas 1 and 2 have been conceptually designed to tie into the existing storm drain network along Altia Avenue and Michelangelo Drive. This storm drain consists of a 66-inch pipe along Michelangelo Drive, increasing to a 96-inch pipe near the outlet at Thompson Creek to the west. Drainage Area 3 has been conceptually designed to ultimately drain to the existing storm drain infrastructure along Yerba Buena Road. This storm drain network consists of a 48-inch pipe at Yerba Buena, leading to a 54-inch pipeline along Delta Road to the west.

Figure 7-5: Conceptual Stormwater Debris Basin Plan



Note: Illustrative as to the location and size of the residential, active open space, recreation centers, streets, the debris basins, and debris basin storm drain line.

Figure 7-6: Conceptual Stormwater Management Plan



Note: Illustrative as to the location and size of the residential, active open space, recreation centers, streets, and the HMP/C3 Basin and proposed storm drain lines.

LEGEND (A) (B) Conceptual C.3 Storage Basin Conceptual HMP Basin Conceptual Bio-Treatment Conceptual Overflow Direction (HM) Conceptual Discharge Direction (Treatment) S Conceptual Outflow to (E) Stormdrain System

Figure 7-7: Conceptual On-site Stormwater Management System (Typical)

Note: Illustrative as to the location and size of the residential, active open space, recreation centers, streets and stormwater management system.

7.5. Dry Utilities

PG&E currently provides electricity to the Specific Plan Area. Transformers will be located above ground as per PG&E requirements. They likely will be placed between the front yards of residential units and active and passive open space areas, screened with landscaping.

PG&E currently also provides natural gas service. Although not yet designed, gas pressure regulators will be placed within common areas. However, individual gas meters will be placed in the side yards of each home.

It is anticipated that PG&E, as the current provider, will be responsible for constructing, operating, and managing all gas and electric lines within the Specific Plan Area. It is anticipated that all utility services will be provided through extension of existing facilities adjacent to the Specific Plan Area.

All new on-site dry utilities will be provided through underground infrastructure.

7.6. Public Services

7.6.1. Fire Protection

Fire protection services in San José are provided by the San José Fire Department (SJFD). The SJFD responds to all fires, hazardous materials spills, and medical emergencies in the City.

The nearest fire station to the Specific Plan Area is Station No. 31 located at 3100 Ruby Avenue, approximately 0.6 miles west of the site. The next most proximate fire station to the Specific Plan Area is Station No. 24 located at 1924 Yerba Buena Road, approximately 1.3 miles southwest of the Specific Plan Area.

7.6.2. Police Protection

Police protection services in San José are provided by the City of San José Police Department (SJPD). Officers patrolling the City are dispatched from

police headquarters, located at 201 West Mission Street, approximately eight miles northwest of the Specific Plan Area. Additionally, a SJPD Substation located at 6087 Great Oaks Parkway was constructed in 2010 and has been operational since 2014. The SJPD Substation is located approximately five miles southwest of the Specific Plan Area.

7.6.3. Schools

The Specific Plan Area is located within the boundaries of the Evergreen School District (K-8) and the East Side Union High School District (9-12).

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Evergreen Valley High School is the closest high school to the Specific Plan Area and is located approximately one mile (as the crow flies) northwest of the Specific Plan Area. Tom Matsumoto Elementary School is the closest Elementary School to the Specific Plan Area is and is located approximately one quarter mile west of the Specific Plan Area. Chaboya Middle School is the closest Middle School to the Specific Plan Area and is located across Altia Avenue, just southwest of the northern section of the Specific Plan Area.

The project would pay the San José School District school fees applicable to new senior residential communities, in accordance with applicable law.

7.6.4. Libraries

The City of San José Public Library serves the Specific Plan Area. The closest library to the Specific Plan Area is the Village Branch Library, located approximately 0.7 miles west of the Specific Plan Area at 4001 Evergreen Village Square.

8

IMPLEMENTATION, ADMINISTRATION & FINANCING

This chapter addresses the actions that are necessary to implement the Specific Plan by both the City of San José and the developer to achieve the goals and objectives outlined in this Specific Plan.

8.1. Policy

By approving the Evergreen Senior Homes Initiative, including this Specific Plan, the voters have adopted controlling and final legislative policies regarding the development of the Plan Area. The permitted uses of the property in the Plan Area, the maximum number of residential units, the intensity of use, the maximum height and size of the proposed buildings, the design guidelines, provisions for reservation or dedication of land for public purposes, the conditions, terms, restrictions, and requirements for subsequent discretionary actions, the provisions for public and private improvements and financing of public and private improvements, and the other terms and conditions of development applicable to the Plan Area are as set forth in this Specific Plan.

8.2. Subsequent Approvals

The Specific Plan provides the framework for development of the Specific Plan Area, including an integrated process governing subsequent City approvals for development within the Plan Area.

Subsequent approvals may include, without limitation:

8.2.1. City of San José

- Tentative (or Vesting Tentative) Tract Map(s)
- Final Map(s)
- Tree Removal Permit(s)
- Demolition Permit(s)
- Grading Permit(s)
- Specific Plan Permit(s)
- On- and Off-Site Utilities Permit(s)
- Easement and Right-of-Way (ROW) Abandonment and/or Vacation
- Geological Hazard Clearance

- Building Permits (Plumbing Permits, Electrical Permits, Mechanical Permits, etc.)
- Water Connection Permit(s)
- Haul Route Permit(s)
- Sidewalk or Street Encroachment Permit(s)
- Sewer Connection and/or Sewer Lateral Permit(s)
- Sign Permit(s)
- Certificates of Occupancy

8.2.2. Other Agencies

- National Pollutant Discharge Elimination System Permit (Environmental Protection Agency (EPA), issued by City)
- Clean Water Act Permit(s) (U.S. Army Corps of Engineers)
- Air Quality Permit (Bay Area Air Quality Management District (BAAQMD))
- Well Abandonment Permit (Santa Clara Valley Water District)
- Santa Clara Valley Habitat Plan Permit(s) (Santa Clara Valley Habitat Agency)
- Encroachment Permit(s) for work in right-of-ways under the jurisdiction of the California Department of Transportation (Caltrans) or another transit authority.

The City shall not use its authority in considering any application for discretionary subsequent approvals ("Approvals") to change the policy decisions reflected by this Specific Plan or otherwise to prevent or delay development of a project as set forth in this Specific Plan. Instead, the Approvals are tools to implement those final legislative policy decisions reflected in this Specific Plan. The scope of the review of applications for Approvals shall be limited to a review of consistency with the General Plan and substantial conformity with the Specific Plan, as provided in Sections 8.3.2 and 8.3.3, and compliance with applicable law. Where such consistency/substantial conformity/compliance exists, the City shall not

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Where the use is not identified in the Specific Plan and there is no similar use permitted by the Specific Plan, the Director shall have the authority to interpret whether the use is consistent with the purpose and intent of the Specific Plan. If consistent with the purpose and intent of the Specific Plan, the Director can permit or conditionally permit the use. 8.3.2. Substantial Conformance Review

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deny an application for an Approval for the Evergreen Senior Homes project. Further, conditions imposed on Approvals shall be limited to those necessary to achieve consistency with the General Plan, substantial conformity with this Specific Plan, and compliance with applicable law.

8.3. Administration

The Specific Plan has been prepared in accordance with state law, which sets forth the basic content of specific plans. The primary administrator of the Specific Plan is the City's Director of Planning, Building, and Code Enforcement (Director). As used herein, Director shall include his/her authorized designee.

The Director shall review all Approvals within the Specific Plan Area for substantial conformance with the Specific Plan as provided in Sections 8.3.1, 8.3.2, and 8.3.3 below. Development within the Specific Plan Area shall require subdivision approval as outlined in Section 8.4 and an Evergreen Senior Homes Specific Plan Permit (ESP Permit) as provided in Section 8.5 below. Amendments to the Specific Plan shall be processed in accordance with Section 8.6 below, and the Specific Plan shall be enforced as stated in Section 8.7 below.

All references to the Municipal Code in this Specific Plan shall be to the San José Municipal Code as may be amended from time to time unless otherwise specifically set forth in the Specific Plan. All references to the Zoning Code in this Specific Plan shall be to the Zoning chapter of the Municipal Code.

8.3.1. Interpretation

The Director shall have the responsibility to interpret the provisions of the Specific Plan. If an issue or situation arises that is not sufficiently provided for in the Specific Plan or is outside its scope, the Director shall be guided by the purpose and intent of the Initiative and the interpretation provisions of the City's Zoning Code.

If ambiguity arises concerning the appropriate classification of a particular land use, the Director shall have the authority to interpret whether the use is similar to one or more other uses permitted by the Specific Plan. If the Director interprets that the use is similar, then the use shall be permitted.

Prior to the issuance of an Approval, the Director shall review applications for such Approval for consistency with the General Plan, substantial conformance with the Specific Plan, and compliance with applicable law. Approvals shall be issued upon the Director's determination that the Approval is consistent with the General Plan, substantially conforms to the Specific Plan, and complies with applicable law. Further, conditions imposed on Approvals shall be limited to those necessary to achieve consistency with the General Plan, substantial conformity with this Specific Plan, and compliance with applicable law.

8.3.3. Substantial Conformance Criteria

An Approval "substantially conforms" to the Specific Plan if it substantially confirms with all of the requirements in Chapter 2: Zoning & Development Standards and does not materially conflict with the guidance in Chapter 5: Architectural Design Guidelines, Chapter 6: Landscape Guidelines, and Chapter 7: Infrastructure & Public Services.

Minor Deviations

Without limiting the generality of the foregoing, upon written request by an applicant for an Approval, the Director may approve minor deviations from the Specific Plan. Minor deviations are those that do not materially affect the objectives of the Specific Plan and shall not require an amendment to the Specific Plan. Examples of minor deviations include the following:

- Providing equivalent or superior EDFs or project features;
- Deviations required to meet applicable health and safety regulations.
- Deviations necessary to respond to unanticipated site conditions.

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This list is intended by way of example, and not by way of limitation, and shall not preclude the Director from determining that other deviations requested by an applicant for an Approval constitute minor deviations that do not materially affect the objectives of the Specific Plan.

8.4. Subdivision

Implementation of the Specific Plan requires subdivision of the Plan Area, which requires the submission and approval of a tentative (or vesting tentative) tract map(s). Subdivision will be accomplished through recordation of multiple phased final maps to facilitate the full implementation and build-out of the Plan Area. Phasing plans shall provide all infrastructure and offsite roadway improvements necessary to support each phase in substantial conformance with the Specific Plan.

State law and the City's Municipal Code requirements regarding parkland dedication and park impacts allow the City to require residential projects to dedicate land to use for a public park, pay fees in lieu thereof, or a combination of the two, subject to applicable credits. The City's Municipal Code also allows a project to satisfy its requirements by entering into a parkland agreement for the construction of park facilities, recreational facilities or both. Given an abundance of parks in the vicinity of the Plan Area, it is anticipated that the project will pay parkland fees in accordance with the City's Municipal Code, in lieu of providing public parkland, to the extent allowed by state law. If the City requires parkland dedication, the project will comply with the parkland dedication provisions of the City's Municipal Code. The location of land to be dedicated as a public park, if any, shall be at the western periphery of the Plan Area, which offers the greatest access to the public.

8.5. ESP Permit Procedures

8.5.1. ESP Permit Established

Development within the Plan Area requires a Specific Plan Permit, called an Evergreen Senior Homes Specific Plan Permit ("ESP Permit"). As permitted by the Zoning Code, the ESP Permit is the exclusive development and use permit required for development in the Specific Plan Area.

8.5.2. Applicability

The ESP Permit provisions in this Section 8.5 of the Specific Plan apply to and govern the issuance of ESP Permits for development in the Plan Area. The ESP Permit addresses aesthetic and functional aspects of development and may also be a use permit.

8.5.3. ESP Permit Required

No building or structure shall be erected, constructed, enlarged, placed or installed or moved onto any site nor shall there be any exterior alteration of any structure in the Plan Area, and no building permit or installation permit shall be issued for such work, except pursuant to and in accordance with an ESP Permit.

An ESP Permit may be issued for all or any part of the property in the Plan Area. A valid ESP Permit, issued under this part, is required prior to the issuance of any building permit or installation permit for the following activities:

- Creation, replacement, alteration or reconfiguration of impervious surface on any portion of a site not used solely for one single-family attached or detached residence.
- The erection, construction, enlargement, placement or installation of a building or structure.
- The exterior alteration of a building or structure.
- The permanent use of a lot for storage purposes.
- The installation of pavement on any portion of a lot.
- The installation of underground utilities.

An ESP Permit or amendment to an ESP Permit may be issued for:

The use of new dwelling units, which are not yet occupied for residential purposes, as model homes or sales offices in connection with the sale of dwelling units in the Plan Area.

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- The use of structures, such as mobile homes, as sales offices in connection with the sale of dwelling units in the Plan Area.
- The use of land in the Plan Area for off-street parking or other uses incidental to the sales office or model home operation. Such use shall be limited to the duration of the sales office or model home operation.
- The installation of monument and directional signs.

Notwithstanding the above information, no ESP Permit is required for the following activities:

- The temporary use of any portion of the Plan Area for the following:
 - Stockpiling of soil for use in subsequent construction as part of a grading permit approval.
 - Construction staging, including materials storage lots for construction, temporary parking, and construction trailers, construction management offices, and the like.
 - Temporary lane closures or redirections of traffic to provide safe separations between the public and construction activities.
- An underground installation for the sole purpose of replacing an existing underground tank or tanks with a new tank or tanks whether or not total tank capacity on the site is increased.
- Skylights installed on existing dwellings provided that the parcel has four or fewer dwellings.
- New roof installed on an existing building or structure which is not designated a historic landmark and does not involve any alteration to the existing roof line, provided that the material used in the reroof meets all of the following conditions:
 - Is of the same material or is of a replacement material(s) that is superior to or is an upgrade from the existing material in terms of quality, aesthetics or safety features as determined by the director of planning; and

Meets or exceeds all applicable fire and building code requirements.

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- Installation of a solar photovoltaic system mounted on the surface of an existing building or structure with a building permit in a manner that conforms to Chapter 2 of this Specific Plan.
- One single attached or detached single-family home, including additions, exterior alterations, and accessory structures, on a parcel six thousand square feet or less if the residence, additions, alterations, or structures:
 - Meet the development regulations of the ESH-R-1 residential subdistrict; and
 - The new residence, additions, alterations or accessory structures otherwise conform to the requirements of Chapter 2: Zoning & Development Standards.
- Installation of mechanical equipment in the ESH-R-1 residential subdistrict. The setbacks for all mechanical equipment in the Plan Area must meet the setback requirements in Chapter 2: Zoning & Development Standards.

8.5.4. ESP Permit Issuance

The Director shall be the initial decision making body on the application for an ESP Permit. Notwithstanding the foregoing, the City Council shall be the initial decision making body on the application if that application requires certification of an environmental impact report for environmental clearance, unless the project as proposed includes all mitigation measures identified in the environmental impact report for the project as necessary to reduce the impacts of the project to a less than significant level. The Director or the City Council, as appropriate, may issue ESP Permits in accordance with the provisions of this section.

8.5.5. Application and Hearing Procedures

Applications for an ESP Permit shall follow the common procedures of the Zoning Code generally applicable to development permits with respect to applications (excluding decision and appeal procedures, which are addressed below), including receipt of applications, concurrent review, determinations of incompleteness (including appeals thereof), amendment

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or withdrawal of applications, environmental review, notice of public hearing, request for notice, acceptance, and recordation. In the event of concurrent review, an ESP Permit shall be ranked equally with a Planned Development (PD) Permit. The ESP Permit shall have the same fee requirements as a PD Permit. In addition, applications for an ESP Permit shall include the following materials, unless waived by the Director based on the scope of the proposal:

- A survey showing the location of the property for which the permit is sought;
- A proposed site development plan, showing the location and types of land uses; paved areas, such as roadways, driveways, alleys, access points, and walkways; and general architectural and landscaping schemes for the residences;
- Detailed designs of private active and passive open spaces;
- Schematic designs of the recreation centers;
- A topographical map of the Specific Plan Area and the neighboring properties;
- Diagram showing planned cuts and/or fills; and
- A construction sequencing plan.

The Director may require additional information that is pertinent and essential to the determination of whether the application substantially conforms to the Specific Plan.

Action by the Director

Upon finding of an application for an ESP Permit complete pursuant to this section, the Director shall review the application and shall set a public hearing on the application.

ESP Permit Findings

The Director, or City Council when initial review by the City Council is required by this Specific Plan, and the City Council on appeal, shall approve the ESP Permit unless, based on the entire record, any of the following findings are made:

- The ESP Permit, if issued, would be inconsistent with the Envision San José 2040 General Plan;
- The ESP Permit, if issued, would not substantially conform with the applicable requirements of Chapter 2: Zoning & Development Standards:
- The ESP Permit, if issued, would materially conflict with the guidance of Chapters 5, 6, and/or 7 of the Specific Plan; and
- The ESP Permit, if issued, would not be consistent with applicable

ESP Permit Decision

With respect to ESP Permit, the Director or City Council, as appropriate, may:

- Deny the ESP Permit upon making of one of the findings above; or
- Grant the ESP Permit based on the plan proposed by the applicant, and may make such permit or approval subject to conditions limited to those necessary to achieve consistency with the General Plan, substantial conformity with this Specific Plan, and compliance with applicable law.

The Director or City Council as applicable shall mail notice of the decision on the ESP Permit application to the applicant within three (3) business days after the public hearing on the application.

8.5.6. ESP Permit Conditions

Except as modified herein, ESP Permits shall follow the procedures of the Zoning Code generally applicable to development permits with respect to (1) permit conditions, including failure to install public improvements, construction clean up, window glazing, maintenance and landscape, hours of construction, on-site recycling, stormwater management, and amendments, and (2) permit adjustments.

Notwithstanding the foregoing, the following provisions shall govern ESP Permit conditions:

Limitation on Conditions

Conditions imposed on ESP Permits shall be limited to those necessary to achieve consistency with the General Plan, substantial conformance with this Specific Plan, and compliance with applicable law.

ESP Permit Expiration

ESP Permits shall automatically expire forty-eight months after the date of issuance of the ESP Permit, or such a longer term as provided in the permit or required by state law, if within such period the proposed use of the site or the construction of buildings has not commenced, pursuant to and in accordance with the provisions of the ESP Permit, subject to the provisions of the Zoning Code generally applicable to adjustments of development permits with respect to extensions.

Notwithstanding the foregoing, if at any time after the effective date an act outside of the applicant's control, including litigation or an act of nature, including but not limited to earthquake, flood, landslide, and fire, occurs, the time counting towards the term shall be tolled the amount of time needed for the applicant to again begin to diligently pursue the filing of a building permit or use the permit.

8.5.7. Relationship to Other Approvals

The following Approvals can be approved and granted before an ESP Permit is issued or concurrently with the issuance of an ESP Permit, at the election of the project applicant:

- Tentative or Final Maps (including Vesting Maps), and
- Demolition, Excavation, On-Site Utilities, and Rough Grading Permits.

8.5.8. Amendment Findings

Amendments of an ESP Permit may be granted at the discretion of the Director or City Council, as applicable, unless any finding requiring denial has been made.

8.5.9. Appeal

Except as modified herein, ESP Permits shall follow the procedures of the Zoning Code generally applicable to development permits with respect to appeal, including eligibility, withdrawal, suspension of initial decision, and City Council procedures. Notwithstanding the foregoing, the following provisions shall govern ESP Permit appeals:

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The City Council shall be the appeal decision-making body for all appeals of ESP Permits. The City Clerk shall schedule a public hearing on the appeal for the first available City Council hearing not later than thirty (30) days after receiving the notice of appeal. The City Council shall consider only the issues raised in the notice of appeal and shall issue a decision no later than thirty (30) days after the appeal is first heard.

8.5.10. Enforcement

ESP Permit enforcement shall follow the common procedures of the Zoning Code generally applicable to development permits with respect to enforcement, including compliance required, notice of noncompliance, order to show cause, hearing on an order to show cause, revocation. suspension, or modification, effect of revocation, privately initiated revocation of permit or approval, and inactive applications.

8.6. Specific Plan Amendments

Prior to the date that is 10 years after the effective date of the Initiative, the provisions of this Specific Plan can be amended only by a majority vote of the voters of the City of San José voting in an election held in accordance with state law.

Any amendment of this Specific Plan sought on or after 10 years after the effective date of the Initiative may be enacted without a majority vote of the voters of the City of San José, subject to the procedures required by applicable law.

These dates shall be tolled for a period equal to the period during which any litigation or a similar action challenging the adoption of the Specific Plan has been filed and remains active.

The City shall enforce the provisions of this Specific Plan in the same manner that the City enforces the provisions of the Zoning Code.

8.8. Relationship to City Codes

8.8.1. Zoning Code

The development within the Plan Area shall be subject to the Specific Plan in accordance with this Chapter 8: Implementation, Administration & Financing. If there are any inconsistencies or conflicts between the requirements of the Specific Plan and the requirements of the San José Zoning Code or other applicable legislative City rule, regulation, or official policy implementing the Zoning Code, as they currently exist or may be amended (collectively, "City Zoning Regulations"), the provisions of the Specific Plan take precedence, control, and govern in the Specific Plan Area. Any activities regulated by the City Zoning Regulations but not addressed in the Specific Plan shall be subject to the City Zoning Regulations, unless application of those City Zoning Regulations would frustrate the policy, purpose, or objectives of the Specific Plan. To the extent any City Zoning Regulations would frustrate the policy, purpose, or objectives of the Specific Plan, such City Zoning Regulations shall not apply in the Plan Area.

8.8.2. Building Code

Development within the Specific Plan Area shall comply with all federal, state, and local building codes and standards in force at the time of filing the applicable application(s).

8.9. Plan Construction

8.9.1. Phasing

The Specific Plan may be implemented over time and in a phased approach. Except as described in this section, all or any portion of the existing infrastructure is permitted to remain in place and continue in use while the development allowed under the Specific Plan is constructed.

If the Specific Plan is implemented over time, then any undeveloped site(s) for future phase(s) shall include provisions for security and maintenance of any undeveloped land to be developed under future construction.

The anticipated sequence of Specific Plan Area construction is shown in Figure 3-9: Conceptual Phasing Plan. This sequencing is subject to change. The project applicant will be responsible for the construction of infrastructure, including both the public and private roadways, within the Specific Plan Area. As each phase of the project with public infrastructure is built, the constructed public infrastructure will be dedicated to the City of San José.

8.10. Financing Construction and Maintenance of Improvements

Implementation of the Specific Plan requires the Specific Plan applicant(s), property owner(s) or their designee(s) to assure that all on- and off-site infrastructure, facilities, and improvements required by this Specific Plan are installed, constructed, and completed prior to or concurrent with need.

The improvements contemplated for the Specific Plan Area may consist of elements for use by the public, as well as for exclusive use of the property owners and their guests. Once constructed, long-term maintenance of improvements will be required, and the party responsible for maintaining those improvements may vary depending on whether they are dedicated for public use or privately owned within the Specific Plan Area.

8.10.1. Existing Assessment Districts

The Plan Area is within one or more existing assessment districts established to fund infrastructure and/or services that would benefit the Evergreen area. Development within the Plan Area will be subject to payment of existing assessments in compliance with applicable law.

New assessment districts could be established for the construction and/or maintenance of public improvements to serve the Plan Area, in compliance with applicable law, but it is not currently anticipated that this type of financing would be used in the Plan Area.

8.10.2. Development Impact Fees, Taxes, and Processing Fees

The City requires the payment of development impact fees and certain taxes to finance public improvements. The City requires the payment of processing fees to offset the cost of processing development applications. The developer of the Plan Area would pay the applicable City development impact fees, taxes, and processing fees. In addition to these fees, there would be capacity and connection fees from the water and sewer provider.

8.10.3. Private Financing

It is anticipated that the development of all public and private improvements within and necessary to serve the Specific Plan Area would be financed by the developer. The maintenance of public improvements accepted for dedication would be funded by the applicable public agency or utility. The maintenance of private, common area improvements within the Specific Plan Area (including private roadways, recreation centers, and passive and active open spaces) would be funded through one or more homeowners associations (HOAs) and, if rental housing is developed in the ESH-R-M zoning subdistrict, funding from the owner of rental property. HOAs and their role are described in Section 8.11.

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8.11. Home Owners' Associations

One or more Homeowner's Associations ("HOA") will be incorporated by the project developer as authorized and regulated by the California Bureau of Real Estate ("BRE").

HOA documents will include covenants, conditions and restrictions ("CC&R's) that will address governance and maintenance of the community including the enforcement of age-restricted occupancy requirements, maintenance requirements, obligations for private property, and other covenants and restrictions typically included in private residential communities.

HOA documents also will include operational and reserve budgets as required by the BRE for the operation and maintenance of the common area improvements and other obligations. These budgets will determine the assessments payable by the residents to the HOA for the operation and maintenance of the project. The HOA documents will be reviewed and approved by the BRE prior to sale of the first for-sale unit within the Plan Area. BRE will require a developer to assure completion of all private facilities to be constructed by the project developer within the project, whether through completion of construction prior to the sale of residences or the provision of a surety bond or other form of financial assurance approved by the BRE to assure completion after the sale of residences.

The responsibilities of the HOA(s)generally will include:

- Ownership and maintenance of commonly owned facilities including perimeter walls, fences and gates, common area landscaping and open space, recreation centers, private streets and sidewalks, private sanitary sewer facilities, private storm drainage facilities and other private or commonly owned structures, facilities, and improvements.
- In the ESH-R-1 subdistrict, maintenance of all privately owned front yards and side yards not enclosed by on-lot fencing.

As noted above, if the affordable units are offered for rent rather than for sale, then the owner of those units would be responsible for funding the maintenance of all the applicable common area facilities.

8.12. Severability

If any section, sub-section, sentence, clause, phrase, part or portion of this Specific Plan is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Specific Plan. This Specific Plan, and each section, sub-section, sentence, clause, phrase, part or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Specific Plan is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Specific Plan that can be given effect without the invalid application

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

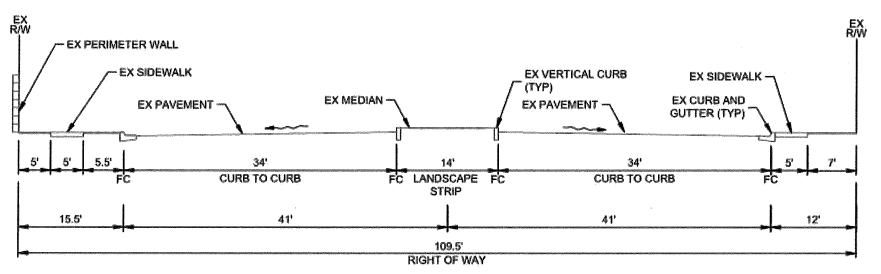
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Appendix A
Roadway Cross-Sections

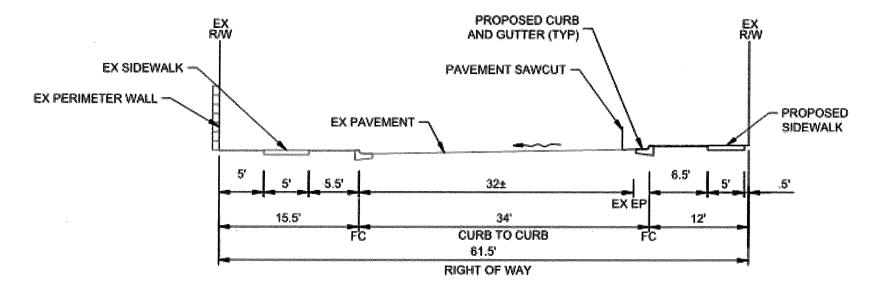
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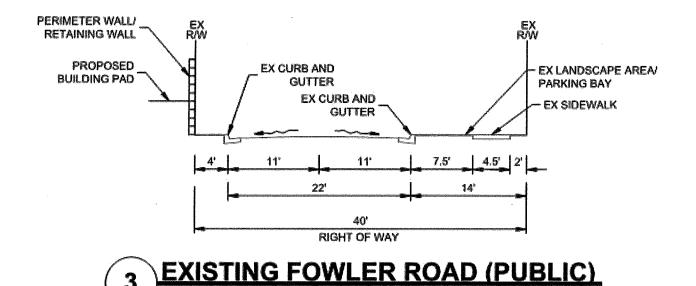
A-2 | EVERGREEN SENIOR HOMES SPECIFIC PLAN



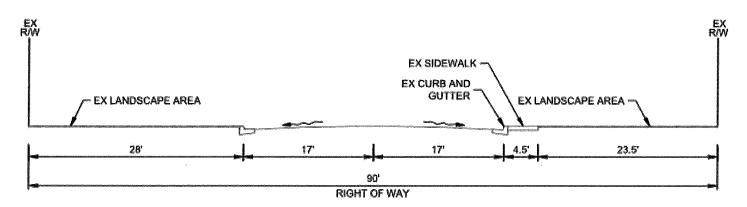
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SCALE: NTS



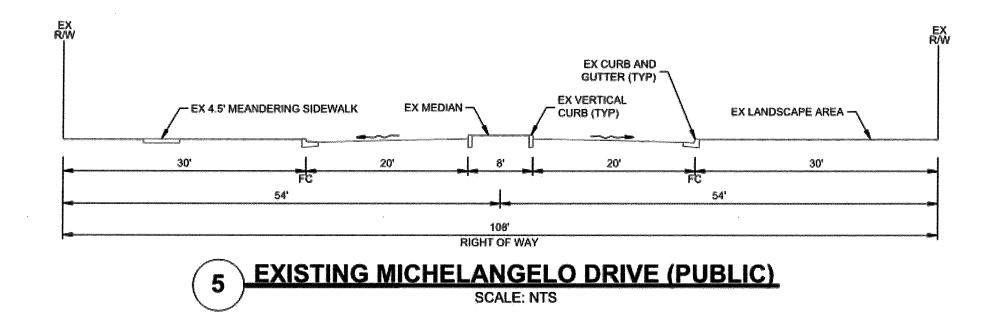
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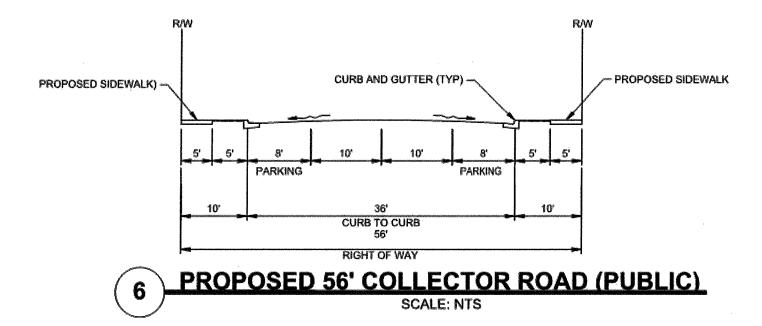


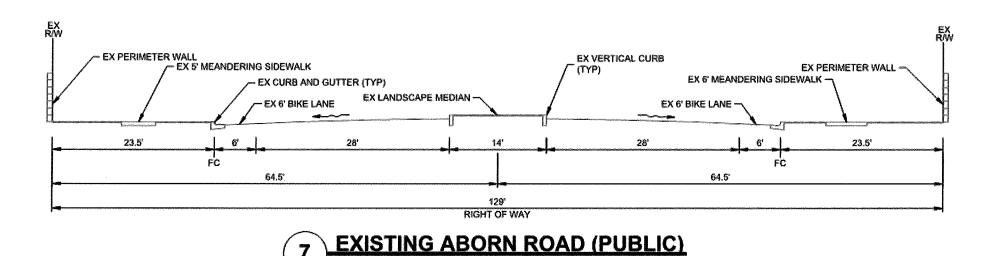
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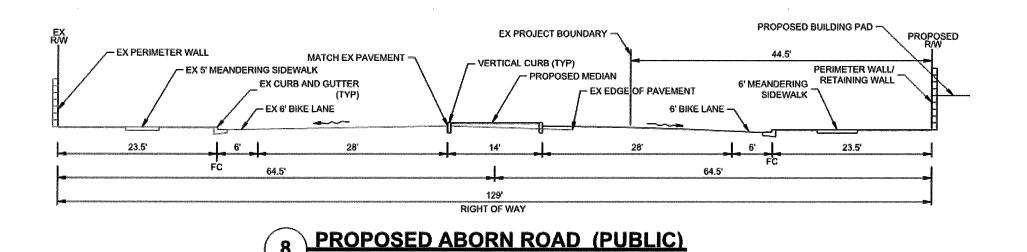
4 EXISTING ALTIA AVENUE (PUBLIC) SCALE: NTS



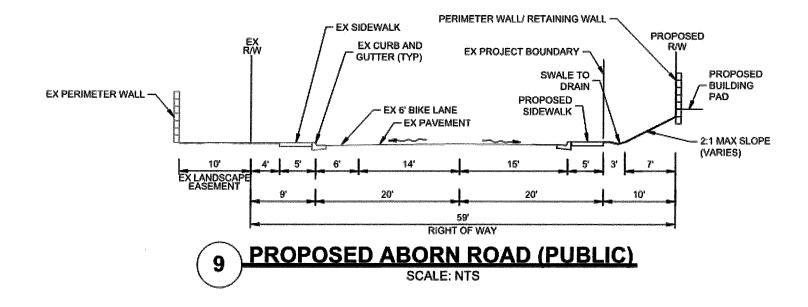


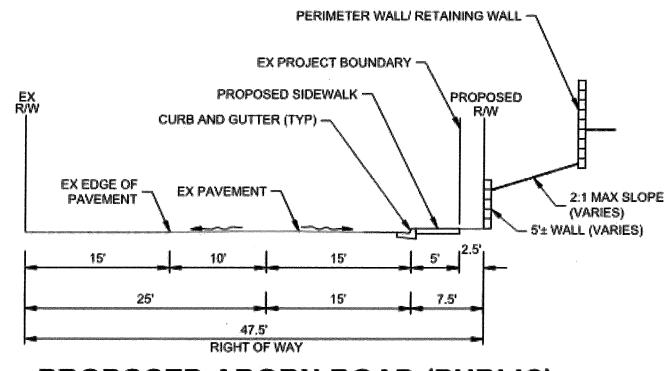


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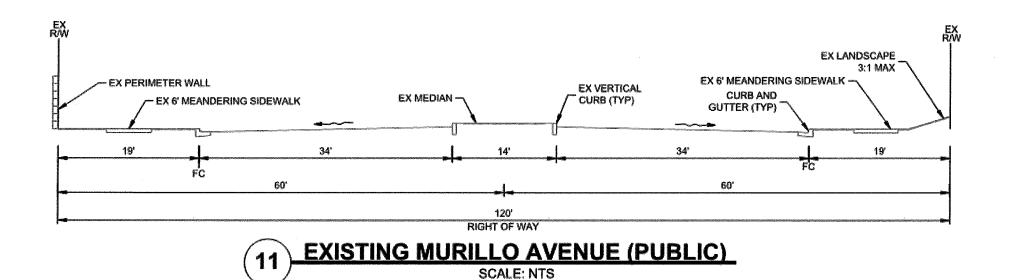
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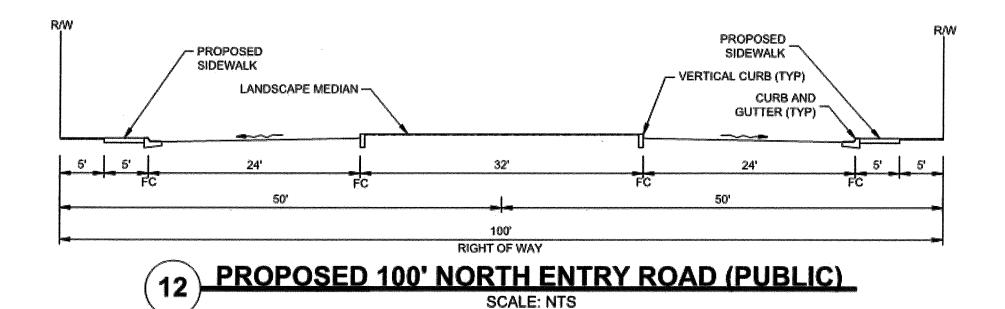


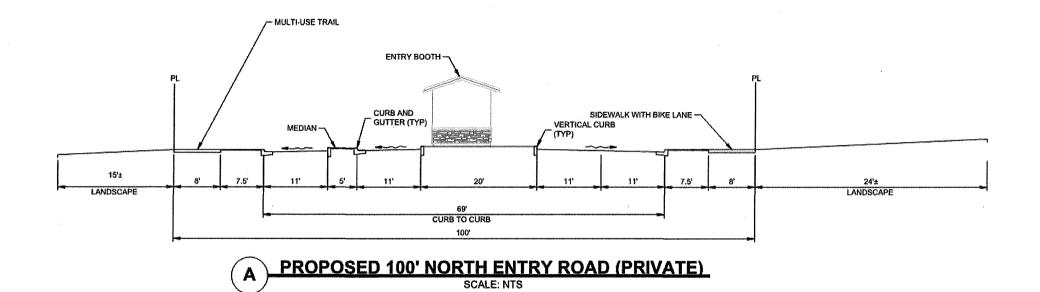


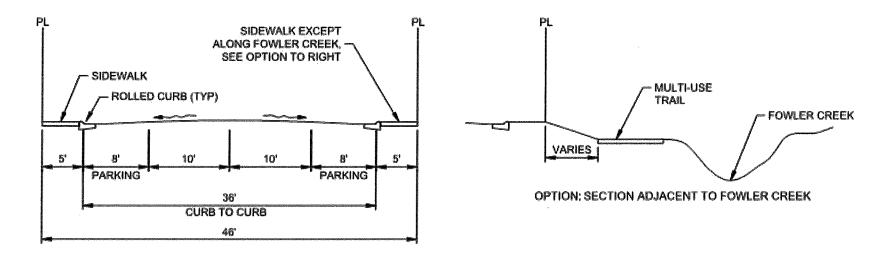
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SCALE: NTS

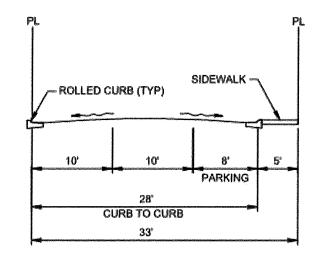




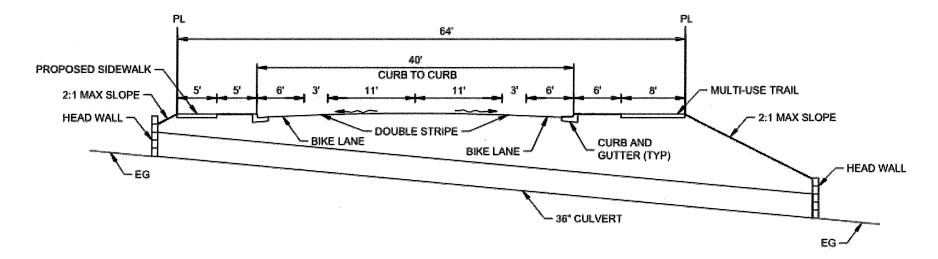




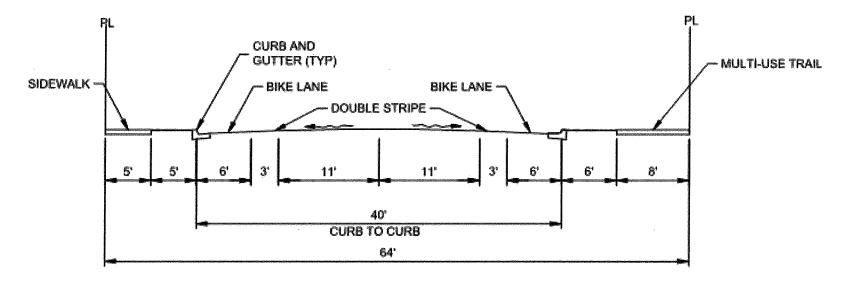
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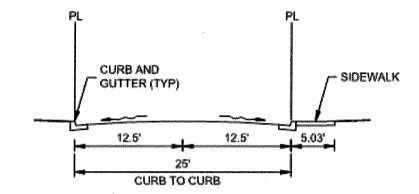
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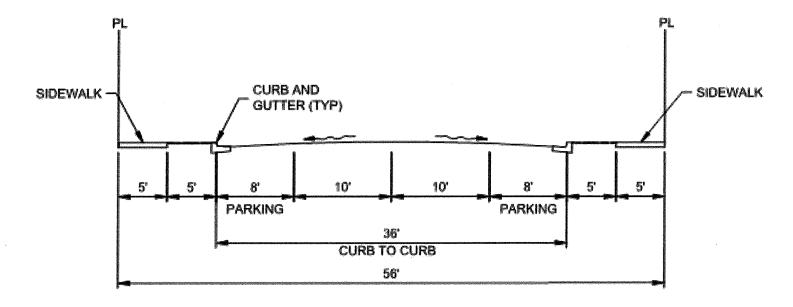
PROPOSED 64' COMMUNITY ROAD WITH CULVERT (PRIVATE) SCALE: NTS



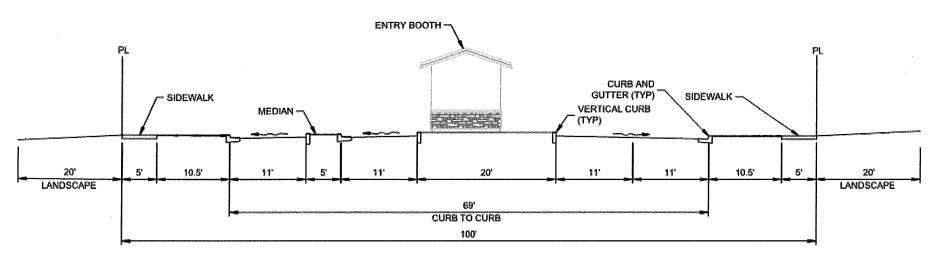
PROPOSED 64' COMMUNITY ROAD (PRIVATE) SCALE: NTS



PROPOSED 25' PRIMARY RECREATION CENTER ROAD (PRIVATE) SCALE: NTS

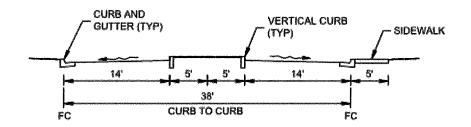


G PROPOSED 56' COMMUNITY ROAD (PRIVATE) SCALE: NTS



PROPOSED 100' SOUTH ENTRY ROAD (PRIVATE)

SCALE: NTS



PROPOSED 38' PRIMARY RECREATION CENTER ENTRY ROAD (PRIVATE) SCALE: NTS

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Appendix B Environmental Design Features

Air Quality

EDF AIR-1 Dust Control: Best management practices for dust control shall be required for all construction activities. These measures will reduce dust emissions primarily during soil movement, grading and demolition activities, but also during vehicle and equipment movement on unpaved surfaces within the Plan Area:

- 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- 4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- 5. All streets, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes. Clear signage shall be provided for construction workers at all access points.
- 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- 8. A publicly visible sign shall be posted with the telephone number and person to contact at the City of San José regarding dust complaints. This person shall respond and take corrective action within 48 hours. Bay Area Air Quality Management District's ("BAAQMD") phone number shall also be visible to ensure compliance with applicable regulations.

EDF AIR-2 Construction Emissions Minimization: Grading: During grading activities south of Fowler Road, the construction equipment shall include the following design features:

- Equipment idling shall be limited to 2 minutes;
- All off-road construction equipment, except water trucks, shall have at least a Tier 3 engine with a Level 3 Verified Diesel Emissions Control Strategy (VDECS).

EDF AIR-3 Construction Emissions Minimization: Grading and Building Construction: During grading activities north of Fowler Road and project construction, the construction equipment shall include the following design features:

Equipment idling shall be limited to 2 minutes;

Off-road construction equipment, except water trucks, shall have at least Tier 2 engines with Level 3 VDECS.

Biological Resources

EDF BIO-1 Nesting Birds and Raptors: To the maximum extent practicable, trees planned for removal shall be removed during the non-breeding season (September 1 through January 31).

EDF BIO-2 Nesting Birds and Raptors – Pre-construction Surveys: If tree removal, grading, or construction is planned to occur within the breeding season (i.e., between February 1 and August 31), a qualified biologist shall conduct pre-construction surveys on the portion of the site where these activities are planned and within 250 feet of that portion of the site, where accessible, for active nests of birds of prey and migratory birds within 14 days of the onset of these activities. If these activities are carried out in phases, separate pre-construction surveys shall be conducted for each phase. If such activities are planned to commence outside the breeding season, no pre-construction surveys are required for nesting birds and raptors.

EDF BIO-3 Nesting Birds and Raptors – Establish Buffers: If nesting raptors or other migratory birds are detected on or adjacent to the site during the survey, a suitable construction-free buffer shall be established around all active nests. The precise dimension of the buffer, which is typically up to 250 feet, shall be determined by a qualified biologist at that time and may vary depending on such factors as location, species, topography, line of sight to the construction area, and type of activity that would occur in the vicinity of the nest. The buffer area shall be enclosed with temporary fencing, and construction equipment and personnel shall not enter the enclosed area. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parent.

EDF BIO-4 Western Burrowing Owl - Monitoring: Monitoring prior to construction, in compliance with applicable requirements of the San José Municipal Code shall be conducted to determine if burrowing owls are using the site primarily as overwintering habitat or if they are breeding on the site.

EDF BIO-5 American Badger Surveys: Pre-construction surveys shall be conducted to determine the presence of badgers in the area where development activities are proposed. These surveys can be done concurrently with pre-construction surveys conducted for burrowing owls, if needed, to comply with the applicable requirements of the San José Municipal Code. If an active badger den is identified during pre-construction surveys within or immediately adjacent to the construction envelope, a construction-free buffer of up to 300 feet as specified by a qualified biologist will be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, if badgers are present, a biological monitor shall be present onsite during construction activities for the applicable phase to ensure the buffer is adequate to avoid direct impact to individuals or nest abandonment. The monitor will be necessary onsite until it is determined by the qualified biologist that young are of an independent age and construction activities would not harm individual badgers. Once it has been determined by the qualified biologist that badgers have vacated the site, the burrows can be collapsed or excavated, and ground disturbance can proceed. If development activities are carried out in phases, pre-construction surveys shall be conducted for each phase and cover the area to be developed in that phase.

EDF BIO-6 Construction Fencing Around Riparian Setback: Prior to any grading or construction activities that would be within 25 feet of the Fowler Creek riparian setback line, temporary construction fencing shall be installed along the portion of Fowler Creek riparian setback line nearest to where the grading or construction would occur.

EDF BIO-7 Wetland Delineation: A formal wetland delineation of wetlands as defined by federal law and waters of the U.S. analysis shall be completed and verified by the U.S. Army Corps of Engineers to determine the extent of jurisdictional waters within the Plan Area.

EDF BIO-8 Avoidance of Jurisdictional Waters: If the U.S. Army Corps of Engineers identifies Waters of the United States, the project shall be sited to avoid impacts to Waters of the United States to the maximum extent practicable. If Waters of the United States cannot be avoided, the project applicant shall comply with the mitigation requirements that may be set forth by the U.S. Army Corps of Engineers.

EDF BIO-9 Wetland Creation: In the event that the project impacts wetlands or other waters under the jurisdiction of the Regional Water Quality Control Board (RWQCB), then in addition to payment of any applicable wetland fee, at a minimum, the project applicant shall designate a location within areas proposed as open space and shall provide replacement wetlands at a minimum 1:1 creation-to-loss ratio based on area of impact. A restoration plan shall be developed with the goal of creating, restoring, and/or enhancing wetland habitats with habitat functions and values greater than or equal to those existing in the impact zone. The restoration plan shall include:

- The location of all enhancement and/or restoration activities;
- Evidence of a suitable water budget to support any created habitats;
- Planting specifications;
- Site maintenance and management requirements;
- Monitoring requirements;
- Adaptive management procedures; and
- A long-term funding mechanism for site management into perpetuity.

The monitoring period shall be a minimum of five years to ensure that the success criteria have been achieved.

In addition, the project applicant shall satisfy the applicable regulatory requirements that may be set forth by the Regional Water Quality Control Board (RWQCB) for impacts to wetlands or other waters under RWQCB's jurisdiction.

EDF BIO-10 Revegetation of the Debris Basin: The debris basin shall be reseeded with a native seed mix to prevent soil erosion.

EDF BIO-11 Tree Permit and Replacement: The City requires replacement of removed trees at the following ratios:

Tree Replacement-to-Removal Ratios

Diameter of Tree	Type of Tree to be Removed			Minimum Size of
to be Removed	Native	Non-native Orchard	Orchard	Replacement Trees
≥ 18"	5:1	4:1	3:1	24" box
≥ 12" but < 18"	3:1	2:1	None	24" box
< 12"	1:1	1:1	None	15-gallon container

Trees greater than 18" diameter shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.

x:x = tree replacement to tree loss ratio

The recommended tree mitigation measures would ensure that the project would have less than significant impacts on the urban forest. As such, a minimum of 199 trees shall be planted to mitigate for the removal of 80 trees; refer to Estimated Number of Replacement Trees, below. The species of replacement trees shall be determined in consultation with the City Arborist and with the Director of the Department of Planning, Building and Code Enforcement.

Estimated Number of Replacement Trees

Diameter of Tree	Тур	e of Tree to be Rem	Required # of	
to be Removed	Native	Non-native	Orchard	Replacement Trees
≥ 18"	40	48	63	151
≥ 12" but < 18"	21	18	None	39
< 12"	6	3	None	9
Total			•	199

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All replacement plantings shall be located on site.

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EDF BIO 12 Tree Preservation: For trees to be preserved within the Plan Area, a tree preservation plan shall be prepared for the project that complies with applicable requirements of the City's tree ordinance and Tree Removal Permit process.

Cultural Resources

EDF CUL -1 Discovery or Unknown Cultural Resources: Prior to the issuance of any grading permits, or any permit authorizing ground disturbance, the project applicant shall, to the satisfaction of the Planning, Building, and Code Enforcement Director, demonstrate that a qualified archaeologist (an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate) has been retained to be present during brushing and clearing, excavation, or any mass grading activities. If any prehistoric or historic artifacts, human remains or other indications of archaeological resources are found during grading and construction activities, the archaeologist shall halt all construction activities within 50 feet and immediately notify the City. The qualified archaeologist shall inspect the findings within 24 hours of the discovery. If the resource is determined to be a unique archeological or tribal cultural resource and cannot be avoided, the archaeologist shall prepare, in consultation with the City and Native American representatives, a treatment plan to identify, record, report, evaluate, and recover the resource, as appropriate, that complies with the requirements for such plans in the California Environmental Quality Act. The project applicant shall implement the treatment plan. Construction within the area of the find shall not recommence until the treatment plan is implemented. Work may proceed on other parts of the Plan Area outside the buffer zone while avoidance measures for unique archaeological resources are being carried out.

EDF CUL-2 Unknown Paleontological Resources: Prior to the issuance of any grading permits, or any permit authorizing ground disturbance, the project applicant shall, to the satisfaction of the Planning, Building, and Code Enforcement Director, demonstrate that a qualified paleontological monitor has been retained to be present during brushing and clearing, excavation, or any mass grading activities. In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The paleontologist shall document the discovery as needed in accordance with generally accepted academic standards, evaluate the potential resource, and assess the significance of the find in compliance with applicable CEQA guidelines. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If, after consultation with the paleontologist and project applicant, City staff determines that avoidance is not feasible, the paleontologist shall prepare an excavation and salvage plan for reducing the effect of the project on the qualities that make the resource important. The plan shall be submitted to the City for review and approval and the project applicant shall implement the approved plan.

EDF CUL-3 Unknown Human Remains: Prior to the issuance of any grading permits, or any permit authorizing ground disturbance, the project applicant shall, to the satisfaction of the Planning, Building, and Code Enforcement Director, demonstrate that a note regarding the discovery of human remains, in compliance with generally applicable law and CEQA guidelines, is included on any grading plans. If human remains are discovered, all generally applicable laws and CEQA guidelines shall be followed.

If the county coroner determines that any remains discovered are Native American, the project applicant shall adhere to all required policies, ordinances or laws.

Geology, Soils, and Mineral Resources

EDF GEO-1 Exclusion Zone: The project applicant shall comply with applicable City regulations regarding geologic hazard clearance (e.g., submitting the required application, undertaking requested design-level geologic investigations, and complying with all conditions).

EDF GEO-2 Design Level Geotechnical Investigation and Report: The project applicant shall have a registered geotechnical engineer conduct a design-level geotechnical investigation and prepare a report that includes a description of the geological conditions at the site and an evaluation of site-specific seismic hazards including an evaluation of colluvial deposit areas, the potential for localized slope instability, and the lateral extent and depth of fill or debris, if any, in areas to be developed with habitable structures. The report shall also contain construction and design recommendations such that all habitable structures will comply with all applicable state and local codes related to structural integrity, including identification of areas that require excavation of fill, requirements for foundations, and engineering solutions to prevent erosion of slopes. The report shall be submitted to the City for review and approval and the project applicant shall follow all recommendations in the approved report.

EDF GEO-3 Excavation and Borings in Fill Areas: If required by City regulations, additional exploration, such as performing additional shallow excavations or borings, shall be performed to better define the lateral extent and depth of potential fill or debris in this area. Once the lateral extent of existing fill is defined, any undocumented fill located within future development areas shall be over-excavated and re-compacted provided the fill material is suitable for re-use.

EDF GEO-4 Foundation Systems: Slabs-on-grade shall have sufficient reinforcement and be supported on a layer of non-expansive fill; footings shall extend below the zone of seasonal moisture fluctuation. If structures are underlain by expansive soils, all foundation systems shall be able to tolerate or resist any potentially damaging soil movements. Additionally, moisture changes shall be limited in surficial soils by using positive drainage away from buildings as well as limiting landscaping watering.

Hydrology and Water Quality

EDF HWQ-1 Bioretention and Landscapes: Future development within the Specific Plan Area shall implement the addition of the bioretention areas and landscape areas adjacent to walkways and impervious pedestrian improvements.

EDF HWQ-2 Maintenance of Stormwater Filtration Devices: The property owner or the Home Owner's Association (HOA), as appropriate, shall enter into an agreement with the City of San José for maintenance of the stormwater filtration devices required to be installed on development within the Specific Plan Area by City of San José's Stormwater Discharge Permit and all amendments or modifications. The agreement shall specify that certain routine maintenance,

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including catch basin cleaning and pavement sweeping, shall be performed by the property owner or HOA, as applicable, and shall specify device maintenance reporting requirements. The agreement also shall specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded prior to release of any occupancy permits.

EDF HWQ-3 Erosion Control Plans: Interim and final erosion control plans shall be prepared and submitted to the Public Works Department for review and approval. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) that meets applicable state and regional water quality measures shall be submitted to the San Francisco Bay Regional Water Quality Control Board. The SWPPP must include specifications for best management practices (BMPs) that would be implemented during project construction to control degradation of surface water by preventing soil erosion or the discharge of pollutants from the construction area and must describe measures to prevent or control runoff after construction is complete. A maximum of two weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures to be carried out during construction and before installation of the final landscaping shall be included in the SWPPP. Interim erosion control methods could include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, City of San José standard seeding specification, filter berms, check dams, retention basins, etc. Erosion control measures to protect downstream water quality during winter months shall also be specified in the SWPPP. The project applicant shall comply with the approved erosion control plans and SWPPP.

Hazards and Hazardous Materials

EDF HAZ-1 Soil Management Plan: Prior to issuance of a grading permit, a Soil Management Plan for all development activities shall be prepared by the project applicant for future development to ensure that excavated soils are sampled and properly handled/disposed and that imported fill materials are screened/analyzed before their use on the property.

EDF HAZ-2 Renovation or Demolition of Existing Structures: Before conducting renovation or demolition activities that might disturb potential asbestos, or painted surfaces, the project applicant shall comply with best management practices for management and abatement of asbestos-containing materials, and with all applicable requirements regarding proper handling and disposal of lead-based paint.

EDF HAZ-3 Agriculture Well Abandonment: Prior to development of each phase, the project applicant shall abandon and close on-site agriculture wells in the area covered by that phase in accordance with applicable regulatory agency requirements.

EDF HAZ-4 Drum and Transformer Disposal: Prior to development of each phase, the project applicant shall properly dispose of drums and transformers located within the area of that phase in accordance with applicable regulatory agency requirements.

Noise

EDF NOI-1 Recreation Center HVAC and Pool Equipment: Prior to issuance of building permits for the recreation centers, the project applicant shall have a

qualified noise consultant prepare a noise study that demonstrates that the HVAC units and pool equipment of the Primary and Secondary Recreation Centers have been be designed so that noise from this equipment does not exceed 55 dBA Ldn at the property line of a residence. The report shall specify the measures, such as acoustical barriers, enclosures, shielding, or operational constraints that shall be undertaken, as necessary, to meet the noise standard. The study shall be submitted to the City Planning Division for review and approval and the project applicant shall implement the noise reduction measures in the approved study.

EDF NOI-2: Site Preparation, Grading, Building Construction and Paving: During site preparation, grading, building construction and paving, the project applicant shall:

- When operating within 500 feet of an existing residential area, limit weekday construction hours to between 7 a.m. and 4 p.m., and at no time during weekends.
- Require all construction equipment be fitted with properly sized mufflers, and if necessary to meet applicable noise standards, engine intake silencers.
- Require all construction equipment be in good working order.
- Use quieter construction equipment models, if available, and whenever possible use pneumatic tools rather than diesel or gas-powered tools.
- Place portable stationary equipment as far as possible from existing residential areas, and if necessary to meet applicable noise standards, place temporary barriers around stationary equipment.
- At the start of the construction program, assign a noise disturbance officer to respond to and investigate noise complaints. Implement a noise complaint hot-line and post the hot-line phone number on nearby visible signs and online. Require that either the noise disturbance officer or a designated person be available at all times to answer hot-line calls and ensure that follow-up and/or corrective action is taken, if necessary.
- Ensure that construction activities do not occur within approximately 500 feet of any existing residential use for a continuous period of greater than one (1) year.
- When construction activities are ongoing for greater than one (1) year, prepare and implement a 24-hour construction-noise monitoring program for the remaining construction time within 500 feet of those residential uses. The number of monitors and their location will depend on the extent of the construction area and on the nature of the affected residential uses. The noise monitoring program would continuously monitor construction noise levels and alert a designated person(s) when noise levels exceed allowable limits (60 dBA and 5 dBA above background levels). If noise levels are found to exceed applicable construction noise limits, corrective action shall be taken, such as halting or moving specific construction activities, fixing faulty or poorly operating equipment, installing portable barriers, and others.

Transportation and Circulation

EDF TRA-1 Capitol Expressway / Aborn Road: Prior to issuance of final occupancy permits for the first phase, and subject to the approval of the agency with jurisdiction over the intersection, the project applicant shall implement one of the following options. The LOS would improve from LOS F to E with implementation of the improvement:

- (1) Implement dynamic lane utilization for the northbound right-turn movement (i.e., providing a second northbound right-turn movement in the PM peak hour). During the AM peak hour, the dynamic lane will be a conventional HOV lane in the direction of HOV travel demand. This option also includes improving pedestrian and bicycle facilities on the northbound approach by providing a Class 1 trail facility that will accommodate both cyclists and pedestrians, and a shorter crosswalk, or
- (2) Install a pedestrian push button at the northbound right turn slip lane, and code the northbound right turn movement as free. The northbound right turn lane has its own receiving lane, sufficient in length to accommodate free flow merge conditions on Aborn Road.

EDF TRA-2 San Felipe Road / Paseo de Arboles: Prior to issuance of final occupancy permits for the first phase, and subject to the approval of the agency with jurisdiction over the intersection, the project applicant shall convert the westbound left-turn lane on Paseo de Arboles to a shared left-right-turn lane.

EDF TRA-3 White Road / Quimby Road: Prior to issuance of final occupancy permits for the first phase, and subject to the approval of the agency with jurisdiction over the intersection, the project applicant shall construct a second northbound left turn lane on Quimby Road.

EDF TRA-4 Nieman Boulevard / Yerba Buena Road: Prior to issuance of final occupancy permits for the first phase, and subject to the approval of the agency with jurisdiction over the intersection, the project applicant shall construct a second northbound left turn lane on Yerba Buena Road west of Nieman Boulevard and a second southbound left turn lane on Yerba Buena Road east of Nieman Boulevard.

EDF TRA-5 Silver Creek Road / Capitol Expressway: Prior to issuance of final occupancy permits for the first phase, and subject to the approval of the agency with jurisdiction over the intersection, the project applicant shall restripe the SB approach on Capitol Expressway to include a southbound right-turn lane for 450 feet.

EDF TRA-6 Capitol Expressway / Aborn Road: Prior to issuance of final occupancy permits for the first phase, and subject to the approval of the agency with jurisdiction over the intersection, the project applicant shall construct a second northbound left turn lane on Aborn Road.

EDF TRA-7 Silver Creek Road / Lexann Avenue: Prior to issuance of final occupancy permits for the first phase, and subject to the approval of the agency with jurisdiction over the intersection, the project applicant shall restripe the eastbound approach on Lexann Avenue to include a dedicated eastbound right-turn lane.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

EXHIBIT H TO THE INITIATIVE

GENERAL PLAN CONSISTENCY CHART

EVERGREEN SENIOR HOMES SPECIFIC PLAN CONSISTENCY WITH ENVISION SAN JOSÉ 2040 GENERAL PLAN

The Evergreen Senior Homes Specific Plan (Specific Plan) was prepared in conformance with the goals and policies of the City of San José's Envision San José 2040 General Plan (General Plan), as amended by the Evergreen Senior Homes Initiative (Initiative). Initiative inserts to the General Plan are shown as <u>underlined</u> text and deletions are shown in <u>strikethrough text</u>; language shown in regular or bold type reflects the existing General Plan text.

As illustrated in the table below, the Specific Plan is consistent with the General Plan, as amended by the Initiative. References to the General Plan in the table below are to the General Plan, as amended. This consistency table has been prepared for informational purposes only. In the event that any text in this consistency table conflicts with the General Plan (as amended by the Initiative), the Specific Plan, the Evergreen-East Hills Development Policy (as amended by the Initiative), or the Municipal Code (as amended by the Initiative), those authorities control.

There is text in the 'Statement of Consistency' column, below, that refers to "Environmental Design Features (EDFs)," which are identified in Appendix B of the Specific Plan.

General Plan Goal / Policy	Statement of Consistency	Consistent?					
Major Strategies							
Major Strategy #3 - Focused Growth Strategically focus new growth into areas of San José that will enable the achievement of City goals for economic growth, fiscal sustainability and environmental stewardship and support the development of new, attractive urban neighborhoods. The Plan focuses significant growth, particularly to increase employment capacity, in areas surrounding the City's regional Employment Center, achieve fiscal sustainability, and to maximize the use of transit systems within the region. A Major Strategy of the Envision General Plan is to focus new growth capacity in specifically identified "Growth Areas," while the majority of the City is not planned for additional growth or intensification. This approach reflects the built-out nature of San José, the limited availability of additional "infill" sites for development compatible with established neighborhood character, and the emphasis in the Plan Vision	The Specific Plan is consistent with this strategy, as amended by the Initiative. The Initiative amends the <i>Envision San José 2040 General Plan</i> to add Goals and Policies supporting the development of senior housing in the City and to create a Senior Housing Overlay designation that establishes standards for application of the Senior Housing Overlay. The Initiative applies the Overlay to the Plan Area. The Initiative also amends the <i>Evergreen-East Hills Development Policy</i> (EEHDP) to clarify how the EEHDP applies to projects pursuant to the Senior Housing Overlay in the EEHDP area and clarify the use of existing development capacity on properties covered by the EEHDP. The Initiative amends the General Plan to allow the conversion of underutilized employment lands, as permitted pursuant to a Senior Housing Overlay.	Consistent					

General Plan Goal / Policy	Statement of Consistency	Consistent?
to reduce environmental impacts while fostering transit use and walkability.		
While the Focused Growth strategy directs and promotes growth within identified Growth Areas, it also strictly limits new residential development through neighborhood infill outside of these Growth Areas to preserve and enhance the quality of established neighborhoods, to reduce environmental and fiscal impacts, and to strengthen the City's Urban Growth Boundary. Infill development within such neighborhoods, often at a density and form inconsistent with the existing neighborhood pattern, has been disruptive to the development of a positive neighborhood character. Focusing new growth into the Growth Areas will help to protect the quality of existing neighborhoods, while also enabling the development of new Urban Village areas with a compact and dense form attractive to the City's projected growing demographic groups (i.e., an aging population and young workers seeking an urban experience), that support walking, provide opportunities to incorporate retail and other services in a mixed-use format, and support transit use.		
The Plan supports a significant amount of new housing growth capacity, providing near-term capacity for development of approximately 50,000 new dwelling units, with the ability in future Plan Horizons to ultimately build up to a total of 120,000 additional dwelling units.		
As described in the Implementation chapter, the Plan's first Plan Horizon incorporates residential growth capacity for the Downtown, Specific Plan areas, North San José and vacant lands throughout the City (approximately 40,000 new dwelling units) and adds new Urban Village housing areas that support an additional 9,400 dwelling units.		

General Plan Goal / Policy	Statement of Consistency	Consistent?
Because the City is largely built-out within its city limits and		
the General Plan does not support the conversion of		
industrial areas to residential use (except in certain, limited		
circumstances to allow conversion of underutilized		
employment lands for senior housing), or the urbanization of		
the Mid-Coyote Valley or South Almaden Valley Urban		
Reserves or lands outside of San José's Urban Growth		
Boundary, most new housing development will be achieved		
through higher-density redevelopment within existing		
urbanized areas. Allowing senior housing on underutilized		
employment lands and the reallocation of job capacity		
within the City to areas where there is more near-term		
demand supports this strategy by facilitating the creation of		
jobs more quickly.		
This residential growth capacity is provided through the		
conversion of older commercial areas to mixed-use,		
including sites previously identified for housing development		
within North San José and the new commercial sites made		
available for mixed-use development within the Envision		
General Plan Urban Village areas. Planning such sites for		
higher, not lower, density residential development		
acknowledges their value as a finite land resource and		
enables the City to provide housing growth capacity		
consistent with demographic trends and the community		
objectives of the Envision San José 2040 General Plan.		
Further employment land conversions or dramatic		
expansions of the City outside of its current boundaries		
would have significant negative environmental, fiscal and		
economic implications and be clearly contrary to those		
objectives.		

General Plan Goal / Policy	Statement of Consistency	Consistent?
Major Strategy #4 - Innovation/Regional Employment Center	The Specific Plan is consistent with this policy, as amended by the Initiative, as noted in the analysis for Major Strategy #3.	Consistent
Emphasize economic development within the City to support San José's growth as center of innovation and regional employment. Growing San José's role as an employment center will enhance the City's leadership role in North America, increase utilization of the regional transit systems, and support the City's fiscal health.		
San José is the largest and most urban city located within the Silicon Valley and plays an increasingly important role in the continuing growth of the regional, State, and National economies. San José is however the only large city within the US that acts as a net exporter of workers within the region. The resulting "bedroom community" character reduces opportunities for San José to take on a leadership role that would benefit the development of the Silicon Valley as a whole, while also undermining San José's economic, fiscal, and cultural status. Through multiple General Plan updates, San José has identified improvement of the City's jobs/housing balance or Jobs/Employed Residents Ratio (J/ER) as a critical objective to address multiple City goals. The <i>Envision San José 2040 General Plan</i> establishes achievement of a J/ER ratio of 1.1 to 1 by the year 2040 as a core objective of the Plan informing its policies and Land Use/Transportation Diagram designations. In the near term, the Plan strives to achieve a J/ER ratio of 1.0 by the year 2025.		
The Land Use/Transportation Diagram and General Plan policies support the development of up to 382,000 new jobs		
within San José and a jobs to employed residents ratio of 1.1 Jobs/Employed Resident. The Plan focuses employment growth in the Downtown, in proximity to regional and local transit facilities and on existing employment lands citywide,		

General Plan Goal / Policy	Statement of Consistency	Consistent?
while also encouraging the development of neighborhood		
serving commercial uses throughout the community and		
close to the residents they serve. The Plan recognizes that all		
existing employment lands add value to the City overall and		
therefore preserves those employment lands and promotes		
the addition of new employment lands when opportunities		
arise. The Plan also recognizes the need and value of		
providing senior housing, and promotes the addition of the		
Senior Housing Overlay in appropriate locations. The Plan in		
particular supports intensive job growth at planned and		
existing regional transit stations (e.g., BART, High-Speed Rail,		
and Caltrans) to support increased transit ridership and		
regional use of the transit system to access San José's		
employment centers.		
The Envision San José 2040 General Plan supports and promotes San José's growth as a regional center for employment and innovation, by:		
 Planning for 382,000 new jobs and a Jobs/Employed Resident Ratio of 1.1/1 		
 Providing greater flexibility for commercial activity 		
Supporting job growth within existing job centers		
Adding new employment lands		
 Designating job centers at regional transit stations 		
Celebrating arts and culture		
	Diverse and Innovative Economy	
	Land Use and Employment	
Goal IE-1: Land Use and Employment. Proactively manage la	nd uses to provide and enhance economic development and job growth in San Jo	sé.
Policy IE-1.1: To retain land capacity for employment uses in	The Specific Plan is consistent with this strategy, as amended by the Initiative,	Consistent
San José, protect and improve the quantity and quality of all	because it implements a Senior Housing Overlay within the Plan Area. The	
lands designated exclusively for industrial uses, especially	Overlay authorizes conversion of the underutilized employment lands in the	

General Plan Goal / Policy	Statement of Consistency	Consistent?
those that are vulnerable to conversion to non-employment uses, except as permitted by a Senior Housing Overlay.	Plan Area to senior housing, while retaining the existing underlying Campus Industrial designation of the Plan Area.	
Policy IE-1.13: Achieve goals related to Quality Neighborhoods, including diverse housing options, a walkable/bikable public street and trail network and compact, mixed-use development where infrastructure exists to distinguish San José as a livable and attractive city, to promote interaction among community members, and to attract talented workers to the City.	The Specific Plan is consistent with this policy because the Specific Plan adds to the diversity of housing options by providing up to 910 residential units in both detached and attached configurations. At least twenty (20%) percent of these units are designated as affordable housing, with a preference for U.S. Military Veterans to the extent permitted by applicable law. The Specific Plan promotes community interaction with residential neighborhoods that are designed around a framework of interconnected sidewalks and trails to encourage a walkable and active community. The dwelling units would be located within convenient walking distance to neighborhood parks and trails that would extend through the open space common areas. The Fowler Creek corridor would be publicly accessible from Altia Avenue northeasterly through the Specific Plan Area.	Consistent
	Thriving Community	
	Fiscal Sustainability	
Goal FS-2: Cultivate Fiscal Resources. Maintain and expand t	he revenue sources available to finance the provision of City services.	
Policy FS-2.5: Finance capital and facility needs generated by new development through new development fees so that existing residents and businesses are not burdened by increased taxes or by lowered service levels to accommodate the needs created by new growth.	The Specific Plan is consistent with this policy. The Plan Area is within the Benefit Assessment District (Assessment District) 91-209SJ that was created to pay for certain public improvements to accommodate certain future development within the Evergreen area. The Assessment District establishes a tax lien on the property paid by property owners to fund those public infrastructure improvements.	
	The developer of the Specific Plan area would continue to pay or pay off the remaining Benefit Assessment at the time of development and finance the construction of new, required improvements, including the roadway network within the Specific Plan area. Maintenance of community-owned facilities in the Specific Plan area would be financed through covenant, restrictions & conditions and/or maintenance fees, as appropriate based on unit type (ownership or rental).	

General Plan Goal / Policy	Statement of Consistency	Consistent?
Goal FS-4: Promote Fiscally Beneficial Land Use. Maintain, e	nhance, and develop our City's employment lands as part of our strategy for Fisca	l Sustainability.
Policy FS-4.2: Maintain, enhance, and develop the employment lands within identified key employment areas (North Coyote Valley, the Berryessa International Business Park, the East Gish and Mabury industrial areas, the Evergreen industrial area, the Edenvale Redevelopment Project Area, and the Monterey Corridor Redevelopment Project Area) with employment uses or, in areas developed pursuant to a Senior Housing Overlay, senior housing. Protect existing employment uses within these areas from potentially incompatible non-employment uses.	The Specific Plan is consistent with this strategy, as amended by the Initiative, because the Initiative adds a Senior Housing Overlay designation to the General Plan and applies it to the approximately 200-acre Plan Area. The Overlay retains the underlying Campus Industrial designation of the Plan Area, but also authorizes development of senior housing subject to the Specific Plan. The Overlay retains the employment capacity of the Overlay area for use in Evergreen or elsewhere in the City and allows it to be reallocated to areas where employment uses are more viable.	Consistent
· · · · · · · · · · · · · · · · · · ·	ry contributes toward the achievement of a fiscally sustainable City.	s, and m a cost-
Policy FS-5.5: Allow residential development at urban densities (one dwelling unit per acre or greater) only where adequate services and facilities can be feasibly provided.	The Specific Plan is consistent with this policy because it provides for infrastructure and services that meet the standards of the City of San José and other utility agencies without diminishing services to existing residents and businesses. Services would include: water, sewer, storm drainage, solid waste disposal, fire and police protection, schools, and library services.	Consistent
Policy FS-5.6: When reviewing major land use or policy changes, consider the availability of police and fire protection, parks and recreation and library services to the affected area as well as the potential impacts of the project on existing service levels.	The Project will comply with the applicable requirements of the City of San José Municipal Code related to parkland dedication and park impacts as applicable, and provides open space and recreation facilities for Project residents. The Project is not anticipated to increase the need for police, fire, and library services beyond the physical capacity existing for those services. The Project would provide traffic improvements on site, and if permitted, off site.	Consistent
Policy FS-5.7: Encourage school districts and residential developers to engage in early discussions regarding the nature and scope of proposed projects and possible fiscal impacts and mitigation measures early in the project planning stage, preferably immediately preceding or following land acquisition.	The Specific Plan is consistent with this policy because it authorizes only senior housing, and as a result few students would be generated by implementation of the Plan. Nonetheless, in compliance with Government Code § 65996, the Project applicant would pay all required school development impact fees applicable to senior housing to offset any potential impacts to schools.	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent
	Environmental Leadership	
	Measurable Environmental Sustainability	
Goal MS-1: Green Building Policy Leadership.		
-	vironmental Leadership through progressive use of green building policies, practic	es, and
technologies to achieve 100 million square feet of new or re		Ci-t
Policy MS-1.1: Demonstrate leadership in the development	The Specific Plan is consistent with this policy because it includes required	Consistent
and implementation of green building policies and practices.	sustainability strategies and encourages sustainable design features in the	
Ensure that all projects are consistent with or exceed the	guidelines that meet or exceed what is required by existing local and state	
City's Green Building Ordinance and City Council Policies as	green building policies. The Specific Plan's Zoning and Development Standards	
well as State and/or regional policies which require that	(Chapter 2) require the use of low-flow water fixtures, drip irrigation and hydro-	
projects incorporate various green building principles into	zoning irrigation systems, tankless water heaters in single-family homes, use of	
their design and construction.	solar technology on all single-family homes, and Energy Star or equivalent	
	appliances. As described in the Specific Plan's Architectural Design Guidelines (Chapter 5), the Specific Plan encourages street layouts that would optimize	
	solar access to the greatest extent practical and building design and siting that	
	takes advantage of natural ventilation, heating, and cooling, sun and wind	
	exposure, and solar energy opportunities. The Architectural Design Guidelines	
	also encourage all buildings in the Plan Area to incorporate green building	
	practices beyond what is required by applicable state law to the extent feasible	
	and appropriate, including use of formaldehyde free construction materials, low	
	VOC water-based paints, and the use of engineered wood products.	
Policy MS-1.2: Continually increase the number and	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
proportion of buildings within San José that make use of	MS-1.1.	
green building practices by incorporating those practices		
into both new construction and retrofit of existing		
structures.		
Goal MS-1: Energy Conservation and Renewable Energy Use	•	
Maximize the use of green building practices in new and exis	sting development to maximize energy efficiency and conservation and to maximi	ze the use of
renewable energy sources.		
Policy MS-2.2: Encourage maximized use of on-site	The Specific Plan is consistent with this policy because as described in the	Consistent
generation of renewable energy for all new and existing	Specific Plan's Zoning and Development Standards (Chapter 2), rooftop solar	
buildings.	panels, or similar solar technology, such as solar films, solar glass, or solar roof	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	tiles, are required for all single-family homes. The Architectural Design	
	Guidelines (Chapter 5) also encourage roof-top and parking lot solar panels.	
Policy MS-2.3: Utilize solar orientation (i.e., building	The Specific Plan is consistent with this policy because as described in the	Consistent
placement), landscaping, design, and construction	Specific Plan's Architectural Design Guidelines (Chapter 5), building design and	
techniques for new construction to minimize energy	siting strategies would take advantage of natural ventilation, heating, and	
consumption.	cooling, sun and wind exposure, and solar energy opportunities. The Specific	
	Plan would reduce solar heat gain through exterior surfaces by using light	
	exterior colors or paints with reflective pigments. Additionally, according to	
	Specific Plan's Landscape Design Guidelines (Chapter 6), sustainable landscape	
	principles would be used to reduce water use, energy consumption and	
	greenhouse gas emissions and increase shade and transpiration. In addition,	
	compliance with state and local law regarding low-water landscaping is required	
D. II. 2000 C. D	in the Zoning and Development Standards (Chapter 2).	
Policy MS-2.6: Promote roofing design and surface	The Specific Plan is consistent with this policy because as described in the	Consistent
treatments that reduce the heat island effect of new and	Specific Plan's Architectural Design Guidelines (Chapter 5), roof colors and	
existing development and support reduced energy use,	materials that meet or exceed Energy Star requirements are encouraged to	-
reduced air pollution, and a healthy urban forest. Connect businesses and residents with cool roof rebate programs	reduce the heat island effect. The Landscape Design Guidelines (Chapter 6) also encourage parking lots and other potential "heat islands" to use trees,	
through City outreach efforts.	vegetation, and other landscape screening/shading devices to (1) reduce	
through city outreach enorts.	heating and cooling energy use, filter air pollution and greenhouse gas	
	emissions, (2) remove air pollutants, (3) sequester and store carbon, and (4)	
	help lower the risk of heat-related illnesses. The Landscape Design Guidelines	
	further encourage use of appropriately selected street trees for local	
	streetscapes to create shade and accomplish similar energy-saving results	
	within the project.	
Policy MS-2.11: Require new development to incorporate	The Specific Plan is consistent with this policy as noted in the response for	Consistent
green building practices, including those required by the	Policy MS-2.3 and MS-2.6. All development within the Plan Area would meet	
Green Building Ordinance. Specifically, target reduced	the applicable City requirements related to Green Building and is encouraged to	
energy use through construction techniques (e.g., design of	exceed it, consistent with the Specific Plan's Architectural Design Guidelines	
building envelopes and systems to maximize energy	(Chapter 5).	
performance), through architectural design (e.g., design to		
maximize cross ventilation and interior daylight) and through		
site design techniques (e.g., orienting buildings on sites to		
maximize the effectiveness of passive solar design).		

General Plan Goal / Policy	Statement of Consistency	Consistent?
Goal MS-3: Water Conservation and Quality.		
Maximize the use of green building practices in new and exi	sting development to minimize use of potable water and to reduce water pollutio	on.
Policy MS-3.1: Require water-efficient landscaping, which	The Specific Plan is consistent with this policy because, as required by State law,	Consistent
conforms to the State's Model Water Efficient Landscape	landscaping in the Plan Area would promote the conservation and efficient use	
Ordinance, for all new commercial, institutional, industrial,	of water. Irrigation designs and practices would employ low-flow, water-	
and developer-installed residential development unless for	efficient spray heads and emitters wherever practical, and use temporary,	
recreation needs or other area functions.	removable irrigation equipment in areas where natural plantings may be	
	"weaned" off artificial irrigation once established. Efficient irrigation methods	
	could include drip irrigation and hydro-zoning.	
Policy MS-3.2: Promote use of green building technology or	The Specific Plan is consistent with this policy because it would ensure that	Consistent
techniques that can help reduce the depletion of the City's	irrigation methods and water budgets for the project follow all applicable	
potable water supply, as building codes permit. For example,	codes, ordinances, and state requirements for landscape water conservation.	
promote the use of captured rainwater, graywater, or		
recycled water as the preferred source for non-potable	According to the Zoning & Development Standards of the Specific Plan (Chapter	
water needs such as irrigation and building cooling,	2), pipes for recycled water shall be installed concurrently with construction of	
consistent with Building Codes or other regulations.	on- and off-site sanitary sewer and water systems, and if recycled water is	
	reasonably available, recycled water shall be used as the primary source of	
	irrigation of landscaping in the streetscape and open space areas in the Plan	
	Area.	
Policy MS-3.3: Promote the use of drought tolerant plants	The Specific Plan is consistent with this policy because the Landscape Design	Consistent
and landscaping materials for non-residential and residential	Guidelines (Chapter 6) provide that development in the Plan Area should use	
uses.	planting options that emphasize drought-tolerant, hardy materials and	
	compatibility with existing surrounding native and adaptive plants.	
Goal MS-4: Healthful Indoor Environment.		
Maximize the use of green building practices in new and exis	sting development to promote a healthful indoor environment.	
Policy MS-4.1: Promote the use of building materials that	The Specific Plan is consistent with this policy because buildings are encouraged	Consistent
maintain healthful indoor air quality in an effort to reduce	to incorporate green building practices that would help maintain healthful	
irritation and exposure to toxins and allergens for building	indoor air quality, including requiring the use of insulation and simulated wood	
occupants.	trim products that are low emitting for formaldehyde and volatile organic	
	compounds. As described in the Specific Plan's Architectural Design Guidelines	
	(Chapter 5), use of formaldehyde free construction materials is encouraged. In	
	addition, the Architectural Design Guidelines encourage use of green materials	
	that withstand local environmental conditions, including recycled-content	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	carpet, cellulose insulation, engineered lumber, certified wood, natural floor coverings, and recycled-content interior finishes.	
Policy MS-4.2 : Encourage construction and pre-occupancy practices to improve indoor air quality upon occupancy of the structure.	The Specific Plan is consistent with this goal as noted in the analysis for Policy MS-4.1.	Consistent
Goal MS-6: Waste Reduction.		
Reduce generation of solid and hazardous waste.	·	-
Policy MS-6.8: Maximize reuse, recycling, and composting citywide.	The Specific Plan is consistent with this policy because construction would comply with the applicable green building requirements, including meeting the City's construction and demolition material diversion program requirements. This program requires a minimum of 75% of construction and demolition debris is recovered and diverted from landfills. Additionally, the Specific Plan's Architectural Design Guidelines (Chapter 5) encourage the utilization of salvaged or recycled materials for landscape elements, where feasible. Additionally, the Architectural Design Guidelines encourage use of green building materials, including recycled-content carpet and recycled-content interior finishes.	Consistent
Policy MS-6.12 : Promote use of recycled materials, including reuse of existing building shells/ elements, as part of new construction or renovations.	The Specific Plan is consistent with this policy because it would comply with construction waste diversion requirements, requiring construction waste to be diverted through recycling, re-use at future construction sites within the Plan Area, or re-use at off-site locations. In compliance with applicable City requirements, a waste diversion plan prepared by the project applicant would identify, source, and re-use/recycle materials by category. Concrete, steel, and wood would be sorted separately for re-use and recycling. Drywall, carpet and other finish materials would be evaluated for appropriate diversion streams. Delivery packaging and crating would be planned for intended reuse and diversion, and integrated into the Specific Plan-wide waste diversion program.	Consistent
Goal MS-10: Air Pollutant Emission Reduction.		
Minimize air pollutant emissions from new and existing dev	elopment.	
Policy MS-10.1: Assess projected air emissions from new development in conformance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and relative to state and federal standards. Identify and implement feasible air emission reduction measures.	The Specific Plan is consistent with this policy. The Specific Plan includes EDF AIR-1 (Dust Control) and AIR-2 (Construction Emissions Minimization during Grading South of Fowler Road) to minimize construction-related air quality impacts associated with implementation of the Specific Plan.	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent?
Policy MS-10.2: Consider the cumulative air quality impacts	Emissions from implementation of the Specific Plan would not result in a	Consistent
from proposed developments for proposed land use	cumulatively considerable contribution to significant cumulative air quality	
designation changes and new development, consistent with	impacts with the implementation of EDFs AIR-1, AIR-2, and AIR-3.	
the region's Clean Air Plan and State law.		
Policy MS-10.7: Encourage regional and statewide air	The Specific Plan is consistent with this policy because it would maximize the	Consistent
pollutant emission reduction through energy conservation to		
improve air quality.	minimize required energy use. As described in the Specific Plan's Architectural	
	Design Guidelines (Chapter 5), the Specific Plan would encourage incorporation	
	of solar and renewable energy, siting and architectural strategies to optimize	
	solar energy opportunities and minimize the heat island effect, and use of	
	materials that meet or exceed Energy Star requirements and reduce solar heat	
	gain.	
Goal MS-11: Toxic Air Contaminants.		
	ntaminants such as ozone, carbon monoxide, lead, and particulate matter.	
Policy MS-11.1: Require completion of air quality modeling	The Specific Plan is consistent with this policy. With the incorporation of	Consistent
for sensitive land uses such as new residential developments	Environmental Design Features AIR-1 (Dust Control), AIR-2 (Construction	
that are located near sources of pollution such as freeways	Emissions Minimization during Grading South of Fowler Road), and AIR-3	
and industrial uses. Require new residential development	(Construction Emissions Minimization during Grading North of Fowler Road and	
projects and projects categorized as sensitive receptors to	Building Construction) the health risk impacts at the on- and off-site Maximally	
incorporate effective mitigation into project designs or be	Exposed Individual Sensitive Receptors (MEISRs) would be below the respective	
located an adequate distance from sources of toxic air	BAAQMD thresholds. With regard to operational emissions, due to the distance	
contaminants (TACs) to avoid significant risks to health and	of sensitive receptors in the Plan Area from the stationary sources and the	
safety.	limited duration of exposure, future residents within the Plan Area would not	
D. I. DAG 44 D. F	be exposed to harmful levels of toxic air contaminants.	Ci-tt
Policy MS-11.2: For projects that emit toxic air	The Specific Plan is consistent with this policy because EDFs AIR-2 (Construction	Consistent
contaminants, require project proponents to prepare health risk assessments in accordance with BAAQMD-	Emissions Minimization during grading activities south of Fowler Road) and AIR-3 (Construction Emissions Minimization during grading activities north of Fowler	
recommended procedures as part of environmental review	Road and project construction) include off-road emissions standards and idling	
and employ effective mitigation to reduce possible health	time limits to minimize construction-related air quality impacts.	
risks to a less than significant level. Alternatively, require	time mines to minimize construction-related all quality impacts.	
new projects (such as, but not limited to, industrial,		
manufacturing, and processing facilities) that are sources of		
TACs to be located an adequate distance from residential		
areas and other sensitive receptors.		
a. cas aa other ochisitre receptors.		

General Plan Goal / Policy	Statement of Consistency	Consistent?
Goal MS-12: Objectionable Odors.		
Minimize and avoid exposure of residents to objectionable		
Policy MS-12.2: Require new residential development	The Specific Plan is consistent with this policy because land uses surrounding	Consistent
projects and projects categorized as sensitive receptors to	the Specific Plan Area are predominately residential neighborhoods, and not	
be located an adequate distance from facilities that are	likely to be sources of odors. The Specific Plan does not include any uses	
existing and potential sources of odor. An adequate	identified by the BAAQMD as being associated with odors. Though located	
separation distance will be determined based upon the type,	proximate to industrial uses to the south, the Plan Area is not adjacent to any	
size and operations of the facility.	wastewater treatment plants, landfills, confined animal facilities, composting	
	stations, food manufacturing plants, refineries, or chemical plants, which are	
	land uses that typically generate odor complaints. As such, no additional	
	separation from existing uses in the surrounding area is required.	
Goal MS-13: Construction Air Emissions.		
Minimize air pollutant emissions during demolition and con	struction activities.	
Policy MS-13.1: Include dust, particulate matter, and	The Specific Plan is consistent with this policy because it proposes measures in	Consistent
construction equipment exhaust control measures as	accordance with BAAQMD-recommended procedures. EDF AIR-1 (Dust Control)	
conditions of approval for subdivision maps, site	requires measures to reduce dust emissions during soil moving activities	
development and planned development permits, grading	(grading, demolition, and vehicle movement) and AIR-2 (Construction Emissions	
permits, and demolition permits. At minimum, conditions	Minimization during grading activities south of Fowler Road) and AIR-3	
shall conform to construction mitigation measures	(Construction Emissions Minimization during grading activities north of Fowler	
recommended in the current BAAQMD CEQA Guidelines for	Road and project construction) require off-road emissions standards and idling	
the relevant project size and type.	time limits to reduce construction-related air quality impacts.	
Policy MS-13.2: Construction and/or demolition projects	The Specific Plan is consistent with this policy because as described in EDF HAZ-	Consistent
that have the potential to disturb asbestos (from soil or	2 (Renovation or Demolition of Existing Structures), the Project applicant shall	
building material) shall comply with all the requirements of	ensure that it complies with best management practices for management and	
he California Air Resources Board's air toxics control	abatement of asbestos-containing materials and with all applicable	
measures (ATCMs) for Construction, Grading, Quarrying, and	requirements regarding proper handling and disposal of lead-based paint.	
Surface Mining Operations.		
Goal MS-14: Reduce Consumption and Increase Efficiency.	•	
Reduce per capita energy consumption by at least 50% comp	pared to 2008 levels by 2022 and maintain or reduce net aggregate energy consum	nption levels
equivalent to the 2022 (Green Vision) level through 2040.		•
Policy MS-14.1: Promote job and housing growth in areas	The Specific Plan is consistent with this policy because it promotes senior	Consistent
served by public transit and that have community amenities	housing in the Plan Area, which is located just over a half-mile from the	
within a 20-minute walking distance.	Evergreen Village Square, which is within a 20-minute walking distance. The	
-	Evergreen Village Square includes a number of community amenities including	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	retail uses and a public library. The nearest accessible public transit is provided	
	by the existing bus route 39, which runs between the Eastridge Transit Center	
·	and The Villages. There are several bus stops for Route 39 within one- quarter	
	mile of the Specific Plan site and the two closest stops to the Specific Plan Area	
	are located at the intersection of Aborn Road and Murillo Avenue, just north of	
	the Plan Area.	
Goal MS-18: Water Conservation.		
Continuously improve water conservation efforts in order to	achieve best in class performance. Double the City's annual water conservation	savings by 2040
and achieve half of the Water District's goal for Santa Clara		
Policy MS-18.3: Demonstrate environmental leadership by	The Specific Plan is consistent with this policy because as described in the	Consistent
encouraging the creation and use of new technologies that	Specific Plan's Zoning and Development Standards (Chapter 2) irrigation designs	
reduce potable water demand and/or increase the efficiency	and practices would employ low-flow, water-efficient spray heads and emitters	
of water use.	wherever practical, and use temporary, removable irrigation equipment in	
	areas where natural plantings may be "weaned" off artificial irrigation once	
	established. According to the Zoning & Development Standards of the Specific	
	Plan (Chapter 2), pipes for recycled water shall be installed concurrently with	
	construction of on- and off-site sanitary sewer and water systems, and if	
	recycled water is reasonably available, recycled water shall be used as the	
	primary source of irrigation of landscaping in the streetscape and open space	
	areas in the Plan Area. As stated in the Specific Plan's Landscape Design	
	Guidelines (Chapter 6), the Specific Plan would encourage use of planting	
	options that emphasize drought-tolerant, hardy materials and compatibility	
	with existing surrounding native and adaptive plants as a method to further	
	decrease water demand.	
Policy MS-18.5: Reduce citywide per capita water	The Specific Plan is consistent with this policy because the Specific Plan includes	Consistent
consumption by 25% by 2040 from a baseline established	a range of water conservation measures and guidelines consistent with the	
using the 2010 Urban Water Management Plans of water	goals in the City's Urban Water Management Plan. These guidelines include low	
retailers in San José.	flow plumbing fixtures, drought tolerant landscaping, and use of recycled water,	
	if available, in streetscapes open space areas, as described in the Zoning and	
	Development Standards (Chapter 2) and Landscape Design Guidelines in the	
	Specific Plan (Chapter 6).	

General Plan Goal / Policy	Statement of Consistency	Consistent?
Goal MS-19: Water Recycling.		
Recycle or beneficially reuse 100% of the City's wastewater	supply, including the indirect use of recycled water as part of the potable water so	upply.
Policy MS-19.1: Require new development to contribute to	The Specific Plan is consistent with this policy. Existing recycled water mains are	Consistent
the cost-effective expansion of the recycled water system in	located adjacent to the Specific Plan Area within Aborn Road, Fowler Road, Altia	
proportion to the extent that it receives benefit from the	Avenue, and Yerba Buena Road. According to the Zoning & Development	
development of a fiscally and environmentally sustainable	Standards of the Specific Plan (Chapter 2), pipes for recycled water shall be	
local water supply.	installed concurrently with construction of on- and off-site sanitary sewer and	
	water systems, and if recycled water is reasonably available, recycled water	
	shall be used as the primary source of irrigation of landscaping in the	
	streetscape and open space areas in the Plan Area.	
Policy MS-19.3: Expand the use of recycled water to benefit	The Specific Plan is consistent with this goal as noted in the analysis for Policy	Consistent
the community and the environment.	MS-19.1.	
Policy MS-19.4: Require the use of recycled water wherever	The Specific Plan is consistent with this goal as noted in the analysis for Policy	Consistent
feasible and cost-effective to serve existing and new	MS-19.1.	
development.		
Goal MS-20: Water Quality.	•	
Ensure that all water in San José is of the highest quality app	propriate for its intended use.	
Policy MS-20.2: Avoid locating new development or	The Specific Plan is consistent with this policy. The Plan Area is within the	Consistent
authorizing activities with the potential to negatively impact	geographic service area of the San José Water Company, which delivers water	
groundwater quality in areas that have been identified as	to the San José Municipal Water System. Groundwater accounts for	
having a high degree of aquifer vulnerability by the Santa	approximately 40 percent of the City's water supply. The Santa Clara	
Clara Valley Water District or other authoritative public	Groundwater Basin has adequate water supplies to service the Specific Plan	
agency.	Area, consistent with the City's Urban Water Management Plan. The Specific	
	Plan would use low impact development (LID) measures (including rainwater	
	harvesting, re-use, infiltration, and biotreatment) to treat storm water runoff	
	and enhance groundwater recharge in accordance with applicable guidelines,	
	standards and requirements of the City of San José related to stormwater.	
	Environmental Resources	
Goal ER-5: Migratory Birds.		
Protect migratory birds from injury or mortality.		
Policy ER-5.1: Avoid implementing activities that result in	The Specific Plan is consistent with this policy because the project is required to	Consistent
the loss of active native birds' nests, including both direct	comply with a number of measures intended to protect migratory bird nests,	
loss and indirect loss through abandonment, of native birds.	including pre-construction surveys, timing of tree removal, establishing buffers	

General Plan Goal / Policy	Statement of Consistency	Consistent?
Avoidance of activities that could result in impacts to nests	during construction if required. Implementation of EDFs BIO-1 through BIO-4	
during the breeding season or maintenance of buffers	would help protect migratory nesting birds.	
between such activities and active nests would avoid such		
impacts.		
Policy ER-5.2: Require that development projects	The Specific Plan is consistent with this goal as noted in the analysis for Policy	Consistent
incorporate measures to avoid impacts to nesting migratory	ER-5.1.	
birds.		
Goal ER-6: Urban Natural Interface.		·
Minimize adverse effects of urbanization on natural lands a	djacent to the City's developed areas.	
Policy ER-6.1: Encourage fencing between residential areas	The Specific Plan is consistent with this policy because all residential lots that	Consistent
and natural lands to minimize the encroachment of people,	front the Urban Growth Boundary to the east would be fenced. All fencing	
pets, and non-native vegetation into natural lands.	would be consistent with the fence regulations identified in the Specific Plan.	
Policy ER-6.2: Design development at the urban/natural	The Specific Plan is consistent with this policy because it minimizes the length of	Consistent
community interface of the Greenline/ Urban Growth	shared boundary between the proposed development and natural areas to the	
Boundary (UGB) to minimize the length of the shared	east. The Specific Plan Area is located entirely within the Urban Growth	
boundary between urban development and natural areas by	Boundary (UGB), the City of San José city limits, sphere of influence, and urban	
clustering and locating new development close to existing	service area. The Plan Area is located in a quasi-infill location that is surrounded	
development. Key areas where natural communities are	by existing development on several frontages. Where there is a shared	
found adjacent to the UGB include the Baylands in Alviso,	boundary between residential lots and the UGB, the required back yards of lots	
the Santa Teresa Hills, Alum Rock Park, and Evergreen.	create a buffer.	
Policy ER-6.3: Employ low-glare lighting in areas developed	The Specific Plan is consistent with this policy because as described in the	Consistent
adjacent to natural areas, including riparian woodlands. Any	Specific Plan's Architectural Design Guidelines (Chapter 5), exterior lighting of	
high-intensity lighting used near natural areas will be placed	developed areas should be unobtrusive and not cause glare or spillover into	
as close to the ground as possible and directed downward or	neighboring properties or open space common areas, particularly areas with	
away from natural areas.	wildlife habitat. Also, energy efficient, low voltage lighting is encouraged.	
	Lighting fixtures should be directed downward to minimize light pollution	
	impacts.	
Policy ER-6.6: Encourage the use of native plants in the	The Specific Plan is consistent with this policy because the Specific Plan	Consistent
landscaping of developed areas adjacent to natural lands.	encourages the use of native plants in the landscaping adjacent to the open	
	space to the east of the Plan Area and within the Fowler Creek corridor. As	
	described in the Specific Plan's Landscape Design Guidelines (Chapter 6), the	
	landscape theme for the Fowler Creek Corridor encourages the use of native	
	grasslands and ground covers. Further, the Landscape Guidelines encourage use	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	of native and adaptive drought-tolerant, hardy materials and compatibility with	
	existing surrounding plants in the region throughout the Plan Area.	
Policy ER-6.7: Include barriers to animal movement within	The Specific Plan is consistent with this policy. The Specific Plan area would not	Consistent
new development and, when possible, within existing	be expected to facilitate the regional movement of wildlife and pets because	
development, to prevent movement of animals (e.g., pets	the lands immediately north, west, and south of the site have been developed	
and wildlife) between developed areas and natural habitat	with roads, residences, and other buildings. Currently, a chain link fence	
areas where such barriers will help to protect sensitive	surrounds the site in these directions as well. The fence and existing	
species.	surrounding development serve as physical barriers to wildlife movement in	
	these directions. Currently, open lands are more prevalent to the east. The	
	Specific Plan requires that all lots abutting the Urban Growth Boundary shall	
	have a fence along that property line, providing a barrier to prevent movement	
	of animals between developed areas and natural habitat areas.	
Policy ER-6.8: Design and construct development to avoid	The Specific Plan is consistent with this policy because it would not result in	Consistent
changes in drainage patterns across adjacent natural areas	changes to drainage patterns across adjacent natural areas outside the UGB as	
and for adjacent native trees, such as oaks.	these areas are upstream from the Plan Area and would not be affected by	
	development downstream. Regarding Fowler Creek, the Specific Plan would	
	preserve this riparian area in its natural state and would not alter the water	
	course which supports the trees downstream. Furthermore, compliance with	
	the City's stormwater requirements would result in no substantial change to the	
	volume or velocity of surface water runoff within the creek. Maintaining the	
	existing surface water flow rates within Fowler Creek minimizes the erosion	
	potential downstream. This protects existing trees adjacent to the Plan Area	
	along Fowler Creek. The other areas downstream from the Plan Area are mostly	
	developed with residential uses with ornamental and/or native trees that are	
	landscaped and irrigated.	
Goal ER-8: Stormwater.		
<u>-</u>	uality and protect property and natural resources from stormwater runoff genera	ated in the City of
San José.		
Policy ER-8.1: Manage stormwater runoff in compliance with	1	Consistent
the City's Post-Construction Urban Runoff (6-29) and	the Plan Area would be managed consistent with the provisions of applicable	
Hydromodification Management (8-14) Policies.	requirements related to the treatment of stormwater. Stormwater	
	requirements mandate treating 100% of the stormwater runoff with low impact	
	development (LID) measures, including rainwater harvesting, re-use, infiltration,	
	and biotreatment. One way to comply with applicable law is shown in Chapter	

General Plan Goal / Policy	Statement of Consistency	Consistent?
General Flan Goal / Foncy	7: Infrastructure and Public Services, where the conceptual stormwater management plan consists of multi-tier stormwater management strategy specifically designed to mitigate any potential hydrologic impacts and to protect and enhance the functions and values of drainage resources within the Specific Plan Area and in downstream areas. The conceptual stormwater management plan shows that onsite drainage would be conveyed to one of three separate three-pond systems which include storage, bio-treatment basin and a Hydromodification Management Plan (HMP) basin meeting the applicable requirements related to onsite sediment capture before entering the storm drain system. EDFs HWQ-1 (Bioretention and Landscapes) and HWQ-2 (Maintenance of Stormwater Filtration Devices) would also help maximize	Consistent:
Policy ER-8.4: Assess the potential for surface water and groundwater contamination and require appropriate preventative measures when new development is proposed in areas where storm runoff will be directed into creeks upstream from groundwater recharge facilities.	stormwater infiltration, storage, and reuse. The Specific Plan is consistent with this policy because low impact development (LID) measures (including rainwater harvesting, re-use, infiltration, and biotreatment) would be used to treat storm water runoff and enhance groundwater recharge in accordance with applicable guidelines, standards and requirements of the City of San José.	Consistent
Policy ER-8.5: Ensure that all development projects in San José maximize opportunities to filter, infiltrate, store and reuse or evaporate stormwater runoff onsite.	The Specific Plan is consistent with this policy because, as required by law, the project would comply with the applicable regional and local stormwater requirements that mandate treating 100% of stormwater runoff with low impact development (LID) measures. These measures include rainwater harvesting, re-use, infiltration, and biotreatment. As required by applicable regional and local regulatory guidelines and standards, the project incorporates LID measures to reduce the amount of pollutants washing off the site and to maintain pre-development surface water runoff rates. EDFs HWQ-1 (Bioretention and Landscapes) and HWQ-2 (Maintenance of Stormwater Filtration Devices) would also help maximize stormwater infiltration, storage, and reuse.	Consistent
Policy ER-8.7: Encourage stormwater reuse for beneficial uses in existing infrastructure and future development through the installation of rain barrels, cisterns, or other water storage and reuse facilities.	The Specific Plan is consistent with this policy because the Sustainable Landscape Guidelines identified in Chapter 6 of the Specific Plan encourage the installation of rain barrels, cisterns, or other water storage and reuse facilities to promote stormwater reuse in the Plan Area.	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent?
Goal ER-9: Water Resources.		
Protect water resources because they are vital to the ecolog	rical and economic health of the region and its residents.	
Policy ER-9.3: Utilize water resources in a manner that does not deplete the supply of surface or groundwater or cause overdrafting of the underground water basin.	The Specific Plan is consistent with this policy because it would not deplete the supply of surface or groundwater or cause overdrafting of the underground water basin. Further, the Santa Clara Groundwater Basin has adequate water supplies to service the Specific Plan. In addition, as discussed above, use of LID measures and EDFs HWQ-1 (Bioretention and Landscapes) and HWQ-2 (Maintenance of Stormwater Filtration Devices) would be implemented to help maximize stormwater infiltration, storage, and reuse.	Consistent
Goal ER-10: Archaeology and Paleontology.		
Preserve and conserve archaeologically significant structure community identity.	s, sites, districts and artifacts in order to promote a greater sense of historic awar	eness and
Policy ER-10.2: Recognizing that Native American human remains may be encountered at unexpected locations, impose a requirement on all development permits and tentative subdivision maps that upon their discovery during construction, development activity will cease until professional archaeological examination confirms whether the burial is human. If the remains are determined to be Native American, applicable State laws shall be enforced.	The Specific Plan is consistent with this policy. As described in EDF CUL-3 (Unknown Human Remains), prior to the issuance of any grading permits, or any permit authorizing ground disturbance, the project applicant shall, to the satisfaction of the Planning, Building, and Code Enforcement Director, demonstrate that a note regarding the discovery of human remains, in compliance with generally applicable law and CEQA guidelines, is included on any grading plans. If human remains are discovered, all generally applicable laws and CEQA guidelines shall be followed. If the county coroner determines that the remains are Native American, the	Consistent
	Project applicant shall adhere to all required policies, ordinances or laws.	
Policy ER-10.3: Ensure that City, State, and Federal historic preservation laws, regulations, and codes are enforced, including laws related to archaeological and paleontological resources, to ensure the adequate protection of historic and pre-historic resources.	The Specific Plan is consistent with this policy. Implementation of development permitted by the Specific Plan will require compliance with applicable laws, related to archaeological and paleontological resources. EDFs CUL-1 (Discovery of Unknown Cultural Resources), CUL-2 (Discovery of Unknown Paleontological Resources), and CUL-3 (Discovery of Unknown Human Remains) would ensure adequate protection of historic and pre-historic resources. There are no historic resources in the Plan Area.	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent
E	Environmental Considerations / Hazards	
Goal EC-1: Community Noise Levels and Land Use Compatible	·	
Minimize the impact of noise on people through noise reduce Policy EC-1.1: Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state and City noise standards and guidelines as a part of new development review. Applicable standards and guidelines for land uses in San José include: Interior Noise Levels The City's standard for interior noise levels in residences, hotels, motels, residential care facilities, and hospitals is 45 dBA DNL. Include appropriate site and building design, building construction and noise attenuation techniques in new development to meet this standard. For sites with exterior noise levels of 60 dBA DNL or more, an acoustical analysis following protocols in the City-adopted California Building Code is required to demonstrate that development projects can meet this standard. The acoustical analysis shall base required noise attenuation techniques on expected Envision General Plan traffic volumes to ensure land use compatibility and General Plan consistency over the life of this plan. Exterior Noise Levels The City's acceptable exterior noise level objective is 60 dBA DNL or less for residential and most institutional land uses (Table EC-1). The acceptable exterior noise level objective is established for the City, except in the environs of the San José International Airport and the Downtown, as described below: For new multi-family residential projects and for the residential component of mixed-use development, use a standard of 60 dBA DNL in	The Specific Plan is consistent with this policy because it involves the development of a senior housing community and is located in an area surrounded by predominantly residential uses and where noise levels are appropriate for the residential uses. Proposed residential uses within the Specific Plan are expected to generate low levels of noise typical of residential use associated with home maintenance and other residential activities. The Specific Plan would be consistent with all federal, state, and City noise standards and guidelines. Additionally, EDF NOI-1 (Recreation Center HVAC and Pool Equipment) and NOI-2 (Site Preparation, Grading, Building Construction and Paving) would ensure compliance with City noise standards.	Consistent

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usable outdoor activity areas, excluding		
balconies and residential stoops and porches		
facing existing roadways. Some common use		
areas that meet the 60 dBA DNL exterior		
standard will be available to all residents. Use		
noise attenuation techniques such as shielding		
by buildings and structures for outdoor common		
use areas. On sites subject to aircraft overflights		
or adjacent to elevated roadways, use noise		
attenuation techniques to achieve the 60 dBA		
DNL standard for noise from sources other than		
aircraft and elevated roadway segments.		
 For single family residential uses, use a standard 		
of 60 dBA DNL for exterior noise in private		
usable outdoor activity areas, such as backyards.		
Policy EC-1.2: Minimize the noise impacts of new	The Specific Plan is consistent with this policy because proposed residential	Consistent
development on land uses sensitive to increased noise levels	uses within the Specific Plan are expected to generate low levels of noise typical	
(Categories 1, 2, 3 and 6) by limiting noise generation and by	of residential use associated with home maintenance and other residential	
requiring use of noise attenuation measures such as	activities.	
acoustical enclosures and sound barriers, where feasible.		
The City considers significant noise impacts to occur if a		
project would:		
 Cause the DNL at noise sensitive receptors to 		
increase by five dBA DNL or more where the noise		
levels would remain "Normally Acceptable"; or		
Cause the DNL at noise sensitive receptors to		
increase by three dBA DNL or more where noise		:
levels would equal or exceed the "Normally		
Acceptable" level.		
Policy EC-1.7: Require construction operations within San	The Specific Plan is consistent with this policy because measures have been	Consistent
José to use best available noise suppression devices and	established to reduce the potential for noise impacts during site preparation,	
techniques and limit construction hours near residential	grading, building construction, and paving. EDF NOI-2 (Site Preparation,	
uses per the City's Municipal Code. The City considers	Grading, Building Construction and Paving) would require the project applicant	

General Plan Goal / Policy	Statement of Consistency	Consistent?
significant construction noise impacts to occur if a project	to comply with a number of measures aimed at reducing construction-related	
located within 500 feet of residential uses or 200 feet of	noise, including limiting construction hours when operating within 500 feet of	
commercial or office uses would:	an existing residential area to weekdays from 7 a.m. and 4 p.m., ensuring that	
Involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months.	construction activities do not occur within 500 feet of any existing residential use for a continuous period greater than one year, requiring that all construction equipment be in good working order, and assigning a noise disturbance officer to respond and investigate noise complaints.	
For such large or complex projects, a construction noise		
logistics plan that specifies hours of construction, noise and		
vibration minimization measures, posting or notification of		
construction schedules, and designation of a noise		
disturbance coordinator who would respond to		
neighborhood complaints will be required to be in place prior to the start of construction and implemented during		
construction to reduce noise impacts on neighboring		
residents and other uses.	·	*
Goal EC-2: Vibration.		
Minimize vibration impacts on people, residences, and busin	ness operations.	
Policy EC-2.3: Require new development to minimize	The Specific Plan is consistent with this policy because heavy equipment is not	Consistent
vibration impacts to adjacent uses during demolition and	expected to operate closer than 15 feet from the future residential uses, which	
construction. For sensitive historic structures, a vibration	would result in vibration levels of 0.150 PPV or less, with other typical	
limit of 0.08 in/sec PPV (peak particle velocity) will be used	equipment such as bulldozers and loaders resulting in vibration levels of 0.064	
to minimize the potential for cosmetic damage to a building.	PPV or less. These levels are below the 0.2 PPV threshold established by the City	
A vibration limit of 0.20 in/sec PPV will be used to minimize	of San José for potential cosmetic damage. Additionally, there are no sensitive	
the potential for cosmetic damage at buildings of normal conventional construction.	historic structures in the vicinity of the Plan Area.	
Policy EC-2.4: Consider the effects of ground-borne	The Initiative is consistent with this policy. The Initiative would create a new	Consistent
vibration in the analysis for potential Land Use /	Senior Housing Overlay that includes the Plan Area. As stated in Policy EC-1.1,	CONSISTER
Transportation Diagram changes.	the Specific Plan involves the development of a senior housing community	
,	located in an area surrounded by predominantly residential uses. The Plan Area	
	would be located in an area where noise and vibration levels are appropriate	
	for residential uses. Proposed residential uses within the Specific Plan are	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	expected to generate low levels of noise and vibration typical of residential use	
	associated with home maintenance and other residential activities.	
Goal EC-3: Seismic Hazards.		
Minimize the risk of injury, loss of life, property damage, an	d community disruption from seismic shaking, fault rupture, ground failure (lique	faction and
lateral spreading), earthquake-induced landslides, and othe	r earthquake-induced ground deformation.	
Policy EC-3.1: Design all new or remodeled habitable	The Specific Plan is consistent with this policy because all structural	Consistent
structures in accordance with the most recent California	improvements are required to be designed in accordance with applicable state	
Building Code and California Fire Code as amended locally	and local laws. Further, as described in EDFs GEO-2 (Design Level Geotechnical	
and adopted by the City of San José, including provisions	Investigation and Report) and GEO-3 (Excavation and Borings in Fill Areas)	
regarding lateral forces.	development within the Specific Plan Area would be subject to geotechnical	
	investigations, including excavations and borings to determine appropriate	
	geotechnical engineering solutions.	
Policy EC-3.2: Within seismic hazard zones identified under	The Specific Plan is consistent with this policy. A portion of the Plan Area is	Consistent
the Alquist-Priolo Fault Zoning Act, California Seismic	located within an identified zone which requires the completion of a	
Hazards Mapping Act and/or by the City of San José,	comprehensive geologic study, as described in EDF GEO-2 (Design Level	
complete geotechnical and geological investigations and	Geotechnical Investigation and Report). Additionally, EDF GEO-1 (Exclusion	
approve development proposals only when the severity of	Zone) and GEO-3 (Excavation and Borings in Fill Areas) require compliance with	
seismic hazards have been evaluated and appropriate	applicable City regulations regarding geologic hazard clearance, and additional	
mitigation measures are provided as reviewed and approved	excavation and borings if required by the City, which would further address	
by the City of San José Geologist. State guidelines for	impacts in seismic hazard zones. Also see analysis of Policy EC-3.1.	
evaluating and mitigating seismic hazards and the City-		
adopted California Building Code will be followed.		
Goal EC-4: Geologic and Soil Hazards.		
Minimize the risk of injury, loss of life, and property damage	from soil and slope instability including landslides, differential settlement, and a	ccelerated
erosion.		
Policy EC-4.1: Design and build all new or remodeled	The Specific Plan is consistent with this policy. See analysis of Policy EC-3.1. The	Consistent
habitable structures in accordance with the most recent	Specific Plan would also be required to comply with all applicable regulatory	
California Building Code and municipal code requirements as	requirements in the City's Municipal Code, including provisions for expansive	
amended and adopted by the City of San José, including	soil, grading, and storm water controls.	
provisions for expansive soil, and grading and storm water		
controls.		
Policy EC-4.5: Ensure that any development activity that	The Specific Plan is consistent with this policy. The project would comply with	Consistent
requires grading does not impact adjacent properties, local	applicable requirements of the City of San José Municipal Code related to	
creeks and storm drainage systems by designing and building	grading, which requires the preparation of an Erosion Control Plan. The Erosion	

General Plan Goal / Policy	Statement of Consistency	Consistent?
the site to drain properly and minimize erosion. An Erosion	Control Plan must either be integrated with the site map/grading plan or	
Control Plan is required for all private development projects	submitted separately, to the Director of Public Works. EDF HWQ-3 (Erosion	
that have a soil disturbance of one acre or more, are	Control Plans) requires the preparation and submittal of interim and final	
adjacent to a creek/river, and/or are located in hillside areas.	erosion control plans to the City's Public Works Department.	
Erosion Control Plans are also required for any grading		
occurring between October 15 and April 15.		
Policy EC-4.6: Evaluate development proposed in areas with	All or portions of the Plan Area are within the 1,000-foot buffer for serpentine	Consistent
soils containing naturally occurring asbestos (i.e.,	soil formations known to exist within the City of José. The Specific Plan is	
serpentinite) that would require ground disturbance and/or	consistent with this policy because implementation of the Specific Plan will	
development of new residential or other sensitive uses, for	incorporate construction best management practices established by the local	
risks to people from airborne asbestos particles during	and State air pollution control authorities to minimize exposure to naturally	
construction and post-construction periods. Hazards shall be	occurring asbestos. These measures are included and reviewed as part of the	
assessed, at minimum, using guidelines and regulations of	grading permits in conjunction with the applicable regulatory standards and	
the Bay Area Air Quality Management District and the	guidelines and requirements of the City of San José.	
California Air Resources Board.		
Goal EC-5: Flooding Hazards.		
Protect the community from flooding and inundation and pr	eserve the natural attributes of local floodplains and floodways.	
Policy EC-5.4: Develop flood control facilities in cooperation	The Specific Plan is consistent with this policy because drainage facilities and	Consistent
with the Santa Clara Valley Water District to protect areas	grading in the Plan Area would be designed to convey the 100-year flows from	
from the occurrence of the "1%" or "100-year" flood or less	the hillside and Plan Area to the connection points of the existing storm drain	
frequent flood events when required by the State.	system in a manner that avoids the proposed residences. In addition, the	
	grading would be designed so that residences are not placed within a 100-year	
	flood hazard area.	
Policy EC-5.11: Where possible, reduce the amount of	The Specific Plan Area is predominately undeveloped and thus does not	Consistent
impervious surfaces as a part of redevelopment and	propose redevelopment of a largely developed site. Nonetheless, the Specific	
roadway improvements through the selection of materials,	Plan would be consistent with this policy because as described in the Specific	
site planning, and street design.	Plan's Landscape Design Guidelines (Chapter 6), the Plan would use landscape	
	design techniques and materials that infiltrate, filter, store, evaporate, and/or	
	detain runoff as close to its source as feasible. The Specific Plan includes	
	bioretention areas and landscape areas adjacent to walkways and impervious	
	pedestrian improvements. Furthermore, the Specific Plan incorporates low	
	impact development (LID) measures. These measures can include rainwater	
·	harvesting, re-use, infiltration, and biotreatment.	

General Plan Goal / Policy	Statement of Consistency	Consistent?
Policy EC-5.16: Implement the Post-Construction Urban	The Specific Plan is consistent with this policy as urban runoff from the Plan	Consistent
Runoff Management requirements of the City's Municipal	Area would be managed consistent with the provisions of the applicable	
NPDES Permit to reduce urban runoff from project sites.	regulatory standards, guidelines and requirements of the City of San José.	
Goal EC-6: Hazardous Materials.		-
Protect the community from the risks inherent in the transp	ort, distribution, use, storage, and disposal of hazardous materials.	
Policy EC-6.2: Require proper storage and use of hazardous	The Specific Plan would be consistent with this policy because all hazardous	Consistent
materials and wastes to prevent leakage, potential	materials such as asbestos, lead based paint, fluorescent and mercury vapor	
explosions, fires, or the escape of harmful gases, and to	light fixtures are required to be disposed of properly in accordance with	
prevent individually innocuous materials from combining to	applicable regulations. In addition, EDF HAZ-1 (Soil Management Plan) requires	
orm hazardous substances, especially at the time of	a soil management plan be prepared for all development activities to ensure	
disposal by businesses and residences. Require proper	excavated soils are sampled and properly handled/disposed and imported fill	
disposal of hazardous materials and wastes at licensed	materials are screened/analyzed before their use on the property. EDFs HAZ-2	
acilities.	(Renovation or Demolition of Existing Structures), HAZ-3 (Agriculture Well	
	Abandonment), and HAZ-4 (Drum and Transformer Disposal) provide	
	recommendations with respect to the disposal of drums, asbestos, lead based	
	paint and removal of agricultural wells and transformers. No significant	
	quantities of hazardous materials would be expected to be utilized, stored or	
	transported on or off-site post construction, other than small quantities of	
	materials typically associated with residential use.	•
Policy EC-6.6: Address through environmental review for all	The Specific Plan is consistent with this policy because land uses surrounding	Consistent
roposals for new residential, park and recreation, school,	the Specific Plan Area are predominately residential neighborhoods, which are	
ay care, hospital, church or other uses that would place a	not likely to be sources of hazardous materials releases. Though the Plan Area is	
ensitive population in close proximity to sites on which	located proximate to industrial uses to the south, future discretionary approvals	
azardous materials are or are likely to be located, the	for development within the Plan Area would be subject to environmental	
kelihood of an accidental release, the risks posed to human	review to the extent required by law. As stated in Policy EC-6.2, the project	
ealth and for sensitive populations, and mitigation	applicant would be required to prepare a Soil Management Plan and implement	
neasures, if needed, to protect human health.	EDFs HAZ-1, HAZ-2, and HAZ-3, which refer to disposal of drums, asbestos, lead-	
	based paint and removal of agriculture wells and transformers.	
Goal EC-7: Environmental Contamination.		
rotect the community and environment from exposure to l	nazardous soil, soil vapor, groundwater, and indoor air contamination and hazard	ous building
naterials in existing and proposed structures and developm	ents and on public properties, such as parks and trails.	
olicy EC-7.1: For development and redevelopment projects,	The Specific Plan is consistent with this policy because the Plan Area does not	Consistent
equire evaluation of the proposed site's historical and	include any sites identified on a hazardous site list compiled pursuant to	
present uses to determine if any potential environmental	California Government Code Section 65962.5. There are no present uses in the	

General Plan Goal / Policy	Statement of Consistency	Consistent?
conditions exist that could adversely impact the community or environment.	Plan Area that present environmental conditions that could adversely impact the community or environment. Historically, the Plan Area was used for agricultural purposes. Known potential soil contaminants in the Plan Area include arsenic and partially buried 55-gallon drums of soil and gravel on the northern portion of the Plan Area. As stated in the analysis for Policy EC-6.2, the project applicant would be required to prepare a Soil Management Plan and implement EDFs HAZ-2, HAZ-3, and HAZ-4, which refer to disposal of drums, asbestos, lead-based paint and removal of agriculture wells and transformers observed on-site, to minimize environmental impacts from hazardous substances and leave the Plan Area in a condition that would not adversely affect future residential uses.	
Policy EC-7.2: Identify existing soil, soil vapor, groundwater and indoor air contamination and mitigation for identified human health and environmental hazards to future users and provide as part of the environmental review process for all development and redevelopment projects. Mitigation measures for soil, soil vapor and groundwater contamination shall be designed to avoid adverse human health or environmental risk, in conformance with regional, state and federal laws, regulations, guidelines and standards.	The Specific Plan is consistent with this policy because there are no off-site spill incidents that appear likely to significantly impact soil, soil vapor or ground water beneath the Plan Area. To address onsite conditions, EDF-HAZ 1 requires preparation of a Soil Management Plan for all development activities. The plan shall be prepared by the Project applicant for future development to ensure	Consistent
Policy EC-7.5: On development and redevelopment sites, require all sources of imported fill to have adequate documentation that it is clean and free of contamination and/ or acceptable for the proposed land use considering appropriate environmental screening levels for contaminants. Disposal of groundwater from excavations on construction sites shall comply with local, regional, and state requirements.	The Specific Plan is consistent with this policy because as identified in EDF HAZ-1 (Soil Management Plan) a soil management plan must be prepared for all development activities that occur on the Plan Area. This plan would ensure that imported fill materials are screened/analyzed before their use within the Plan Area. Disposal of groundwater from excavations on construction sites would comply with local, regional, and state requirements.	Consistent
Policy EC-7.6: The City will encourage use of green building practices to reduce exposure to volatile or other hazardous materials in new construction materials.	The Specific Plan is consistent with this policy because according to the Specific Plan's Architectural Design Guidelines (Chapter 5), buildings are encouraged to incorporate green building practices beyond what is required by applicable law to the extent feasible and appropriate, including use of building materials such as formaldehyde free construction materials, low VOC water-based paints, and	Consistent

Consistent?

Consistent

Consistent

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Consistent

	Goal IN-1: General Provision of Infrastructure.		
		Infrastructure	
	the urban/wildland interface.		
	management best practices to protect structures at and near	EC-8.3.	
	Policy EC-8.4: Require use of defensible space vegetation	The Specific Plan is consistent with this goal as noted in the analysis for Policy	
	City-adopted requirements in the California Building Code.	51189 and the Santa Clara County Fire code.	
	exterior wildfire exposure protection in accordance with	to maintain defensible space in compliance with Government Code 51175-	
	materials and assemblies to provide a reasonable level of	Additionally, all building and structures within the very high FHSZ are required	
	urban interface area, implement requirements for building	to comply with applicable state laws related to construction activities.	
	within a very high fire hazard severity zone or wildland-	in a very high fire hazard severity zone (FHSZ), all new construction is required	
7	Policy EC-8.3: For development proposed on parcels located	The Specific Plan is consistent with this policy. Because the Plan Area is located	
1 -2	Protect lives and property from risks associated with fire-rel	ated emergencies at the urban/wildland interface.	
—	Goal EC-8: Wildland and Urban Fire Hazards.		
	District's Asbestos Air Toxic Control Measure requirements.		
	if so, comply with the Bay Area Air Quality Management		
	occurring asbestos, if naturally occurring asbestos exists and,		
	known or suspected locations of serpentine or naturally		
	Conservation – Division of Mines and Geology) or any other		
			1

EC-4.6.

General Plan Goal / Policy

Policy EC-7.7: Determine for any development or

needs of the City's residents and businesses.

Policy IN-1.5: Require new development to provide

adequate facilities or pay its fair share of the cost for

without adversely impacting current service levels.

facilities needed to provide services to accommodate growth

redevelopment site that is within 1,000 feet of a known,

suspected, or likely geographic ultramafic rock unit (as identified in maps developed by the Department of

Provide and maintain adequate water, wastewater, stormwater, water treatment, solid waste and recycling, and recycled water infrastructure to support the

and recycled-content interior finishes.

Statement of Consistency

the use of engineered wood products. Green materials that withstand local environmental conditions are encouraged, including recycled-content carpet, cellulose insulation, engineered lumber, certified wood, natural floor coverings,

The Specific Plan is consistent with this goal as noted in the analysis for Policy

The Specific Plan is consistent with this policy. The Specific Plan Zoning and

infrastructure demands of the phase. Specific Plan Chapter 7, Infrastructure & Public Services, indicates that San José Municipal Water has sufficient water

Development Standards (Chapter 2) require that each phase of new

development provide infrastructure to meet the needed utility and

General Plan Goal / Policy	Statement of Consistency	Consistent?
	supply for the project, and the project applicant would be responsible for	
	building the potable water and recycled water systems within the Plan Area.	
	Once constructed, it is anticipated that the system would be operated and	
	managed by the San José Municipal Water System. The project would construct	
	wastewater improvements to accommodate wastewater from the Plan Area,	
	which would be designed in accordance with applicable City of San José design	
	standards. All facilities would be sized to handle the wastewater generated by	
	the Specific Plan. Specific Plan Chapter 7, Infrastructure & Public Services,	
	indicates that the San José/Santa Clara Water Pollution Control Plant has	
	adequate capacity to serve the flows from the Plan Area in addition to other	
	existing and reasonably foreseeable flows. On-site storm drainage management	
	within the Specific Plan Area may consist of debris basins, storage basins, bio-	
	filtration basins, and hydromodification management plan (HMP) basins. As	
	described in Chapter 7 of the Specific Plan, there are two debris basins	
	conceptually designed to drain flows to major storm drains that bypass the local	
	Specific Plan Area drainage systems, and thereby avoid runoff from upstream	
	hillside areas within untreated urban runoff within the Specific Plan Area. On-	
	site drainage from the new impervious surfaces (driveways, parking areas, and	
	building rooftops) have been conceptually designed to convey stormwater via	
	gravity through underground stormwater pipes to a three-part stormwater	
	management system that includes storage basins, a bio-treatment area, and a	
	HMP basin. The storage basins have been conceptually sized to drain in a 36-	
	hour period by conveying low flows to the bio-treatment area. All outflows from	
	the bio-treatment area would be conveyed directly to the existing storm drain	
	system, downstream of the HMP basin. There is sufficient permitted capacity in	
	landfills to accommodate the project's solid waste disposal needs.	

General Plan Goal / Policy	Statement of Consistency	Consistent?
Policy IN-1.6: Ensure that public facilities and infrastructure are designed and constructed to meet ultimate capacity needs to avoid the need for future upsizing. For facilities subject to incremental upsizing, initial design shall include adequate land area and any other elements not easily expanded in the future. Infrastructure and facility planning should discourage over-sizing of infrastructure which could contribute to growth beyond what was anticipated in the Envision General Plan.	The Specific Plan is consistent with this policy because a new public sanitary sewer main and upgrades to the existing sanitary sewer mains would be provided as a part of the Specific Plan. New public water main lines would also be required to be constructed within the Plan Area. San Josée Municipal Water would have sufficient water to serve the estimated future demand through 2040 with industrial land uses in the Plan Area. According to the Zoning & Development Standards of the Specific Plan (Chapter 2), pipes for recycled water shall be installed concurrently with construction of on- and off-site sanitary sewer and water systems, and if recycled water is reasonably available, recycled water shall be used as the primary source of irrigation of landscaping in the streetscape and open space areas in the Plan Area. These facilities have been conceptually sized to handle development allowed by the Specific Plan and would not be sized to allow growth beyond that permitted by the General Plan as amended by the Initiative.	Consistent
Policy IN-1.9: Design new public and private utility facilities to be safe, aesthetically pleasing, compatible with adjacent uses, and consistent with the Envision General Plan goals and policies for fiscal sustainability, environmental leadership, an innovative economy, and quality neighborhoods.	The Specific Plan is consistent with this policy. The Zoning and Development Standards (Chapter 2) require that new exterior on-site utilities shall be located underground, including drainage systems, sewers, gas lines, water lines, and electrical, telephone, and communication wires and equipment (cell towers are allowed above ground). This requirement prevents aesthetic clutter from above-ground utilities. The utilities would be designed to meet all applicable safety standards. Placing utilities underground prevents them from aesthetically conflicting with adjacent uses, which are primarily residential. Consistent with the General Plan's goals and policies for fiscal sustainability, the Specific Plan (Chapter 8) requires the project applicant to fund the construction of new utility facilities necessary to develop the Plan Area. Consistent with the General Plan's goals and policies for environmental leadership, the Zoning & Development Standards of the Specific Plan (Chapter 2) require that pipes for recycled water be installed concurrently with construction of on- and off-site sanitary sewer and water systems, and if recycled water is reasonably available, recycled water shall be used as the primary source of irrigation of landscaping in the streetscape and open space areas in the Plan Area. The Specific Plan also requires that single-family residential structures incorporate rooftop solar panels or similar solar technology, such as solar films, solar glass, or solar roof tiles, which will decrease the requirement for conventional energy supply, and	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent?
	the stormwater management system will comply with the City's applicable	
	regulatory standards and guidelines related to stormwater. The Architectural	
	Design Guidelines (Chapter 5) and Landscape Design Guidelines (Chapter 6)	
	include guidelines that encourage the construction of attractive neighborhoods	
	with underground utilities. Additionally, Chapter 2 requires that ground-	
	mounted mechanical equipment be located behind privacy walls/fences, inside	
	utility cabinets, and/or behind landscaping to screen from streets, walkways,	
	parking lots, open space, and common areas.	
Policy IN-1.10: Require undergrounding of all new publicly	The Specific Plan is consistent with this policy because, as described in the	Consistent
owned utility lines. Encourage undergrounding of all	Specific Plan's Zoning and Development Standards (Chapter 2), all new exterior	
privately-owned utility lines in new developments. Work	on-site utilities would be located underground, including drainage systems,	
with electricity and telecommunications providers to	sewers, gas lines, water lines, and electrical, telephone, and communication	
underground existing overhead lines.	wires and equipment (cell towers are allowed above ground).	
Goal IN-3: Water Supply, Sanitary Sewer and Storm Drainage	9.	
Provide water supply, sanitary sewer, and storm drainage in	frastructure facilities to meet future growth planned within the City, to assure hi	gh-quality service
to existing and future residents, and to fulfill all applicable le	ocal, State and Federal regulatory requirements.	
Policy IN-3.9: Require developers to prepare drainage plans	On-site drainage systems for all development within the Specific Plan Area	Consistent
that define needed drainage improvements for proposed	would conform to the regulatory standards and requirements of the City of San	
developments per City standards.	José related to stormwater and drainage that are current at the time of each	
	development phase. Each development phase must provide, at a minimum,	
	sufficient improvements to treat all development within that phase. The project	
	applicant would prepare a drainage plan consistent with City standards. A	
	conceptual drainage plan that meets these requirements is shown in Chapter 7	
	of the Specific Plan. Under the conceptual plan, stormwater is conveyed	
	through underground stormwater pipes to a three-part stormwater	
	management system that includes a storage basin, a bio-treatment area, and a	
	HMP basin. HMP basins and outlet structures have been conceptually sized and	
	configured to maintain post development discharges equal to the pre-	
	development discharges; between 10 percent of the two-year flow and the 10-	
	year flow, as required by regulatory standards and requirements of the City of	
	San José related to stormwater and drainage.	

General Plan Goal / Policy	Statement of Consistency	Consistent?
Policy IN-3.10: Incorporate appropriate stormwater treatment measures in development projects to achieve stormwater quality and quantity standards and objectives in compliance with the City's National Pollutant Discharge	The Specific Plan is consistent with this policy, as noted in the analysis for Policy IN-3.9, and would comply with regulatory standards and requirements of the City of San José related to stormwater and drainage.	Consistent
Elimination System (NPDES) permit.		
	Quality of Life	
	Vibrant Neighborhoods	
Goal VN-1: Vibrant, Attractive, and Complete Neighborhood Develop new and preserve and enhance existing neighborhood		
Policy VN-1.6: Design new development to contribute to the positive identity of a neighborhood and to encourage pedestrian activity.	The Specific Plan is consistent with this policy because residential neighborhoods are encouraged to be designed around a framework of interconnected sidewalks and trails to encourage a walkable and active community, as described in the Specific Plan's Landscape Design Guidelines r (Chapter 6). The Specific Plan includes Architectural Design Guidelines and Landscape Design Guidelines that encourage high-quality architectural and landscape design that would contribute to the positive identity of the neighborhood.	Consistent
Policy VN-1.10: Promote the preservation of positive character-defining elements in neighborhoods, such as architecture; design elements like setbacks, heights, number of stories, or attached/detached garages; landscape features; street design; etc.	The Specific Plan is consistent with this policy as noted in the analysis for Policy VN-1.6. Additionally, consistent with the Specific Plan's Architectural and Landscape Design Guidelines (Chapters 5 and 6), the project would promote positive character-defining elements in the neighborhoods by utilizing design elements such as covered entry areas, varied architectural styles, window placement, porches or stoops for façade treatment, stepped back units to encourage a varied building frontage, and varied elevation and color schemes.	Consistent
Policy VN-1.11: Protect residential neighborhoods from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.	The Specific Plan is consistent with this policy because it involves the development of a senior housing community located in an area surrounded by predominantly residential uses. The Specific Plan proposes Architectural and Landscape Design Guidelines (Chapters 5 and 6) that describe and illustrate building designs, concepts, and features that would be consistent the with surrounding residential areas.	Consistent
Action VN-1.16: Develop and implement policies, design guidelines and regulations to promote the preservation of positive character-defining elements within neighborhoods.	The Specific Plan Area is consistent with this action. The Plan Area is in an area with predominantly residential development with easy access to open space areas. The Specific Plan's Zoning and Development Standards (Chapter 2) and	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent?
	Architectural and Landscape Design Guidelines (Chapters 5 and 6) would	
	promote development of positive character-defining elements within	
	neighborhoods. Refer also to the analysis to VN-1.10. Pursuant to Chapter 2, the	
	primary uses permitted in the Plan Area are residential and open space. The	
	Architectural Design Guidelines (Chapter 5) encourage residences to be located	
	within walking distance to neighborhood open space and trails. The Landscape	
	Design Guidelines (Chapter 6) state that neighborhoods should be integrated	
	with natural open space, with carefully designed streets with generous	
	sidewalks, punctuated by neighborhood open space areas.	
Policy VN-5.5: Consider Private Community Gathering	The Specific Plan Architectural Design Guidelines (Chapter 5) recommend that	Consistent
Facilities through a discretionary review process to carefully	recreation centers be compatible with surrounding uses. As part of the Specific	
evaluate land use compatibility, multi-use spaces, and	Plan Permit required to develop the Plan Area, the City would have an	
conditions of approval.	opportunity to review the recreation centers for substantial conformance with	
	the Architectural Design Guidelines.	
	Community Design	
Goal CD-1: Attractive City.	•	•
Create a well-designed, unique, and vibrant public realm with	th appropriate uses and facilities to maximize pedestrian activity; support commi	unity interaction;
and attract residents, business, and visitors to San José.		
Policy CD-1.1: Require the highest standards of architectural	The Specific Plan is consistent with this policy because it includes Zoning and	Consistent
and site design, and apply strong design controls for all	Development Standards (Chapter 2) and Architectural and Landscape Design	
development projects, both public and private, for the	Guidelines (Chapters 5 and 6) that describe and illustrate building designs,	
enhancement and development of community character and	concepts, and features meant to promote a high-quality development that is	
for the proper transition between areas with different types	envisioned for the Plan Area.	
of land uses.		
Policy CD-1.4: Create streets and public spaces that provide	As described in the Architectural and Landscape Design Guidelines chapters of	Consistent
stimulating settings and promote pedestrian activity by	the Specific Plan (Chapters 5 and 6), the development of several recreation	
following applicable goals and policies in the Vibrant Arts	centers and active open space areas within the Plan Area would facilitate the	
and Culture section of this Plan.	creation of focal points for many of the residential neighborhoods and promote	
	pedestrian activity. Consistent with the goals and policies in the Vibrant Arts	
	and Culture section of the General Plan, some of these active open space areas	
	would provide opportunities for neighborhood and community events and	
	gathering spaces such as community gardens, dog parks, and education and	
	creative arts facilities.	

General Plan Goal / Policy	Statement of Consistency	Consistent?
Policy CD-1.7: Require developers to provide pedestrian amenities, such as trees, lighting, recycling and refuse containers, seating, awnings, art, or other amenities, in pedestrian areas along project frontages. When funding is available, install pedestrian amenities in public rights-of-ways.	The Specific Plan is consistent with this policy as noted in the analysis for Policy CD-1.1. Additionally, the Specific Plan includes Architectural and Landscape Design Guidelines (Chapters 5 and 6) that would ensure adequate street trees, lighting, and other features to facilitate walking. The Architectural Design Guidelines encourage light posts to be appropriately scaled to pedestrians near sidewalks and other areas of pedestrian circulation. The Landscape Design Guidelines encourage site furnishings (e.g., benches, tables, trash / recycle receptacles, mailboxes, drinking fountains, etc.) in areas of recreation, rest, and social gathering that complement architectural features of the site architecture and other site and streetscape furnishing. The street sections provided in Chapter 2 of the Specific Plan would ensure adequate sidewalk and planting strip widths.	Consistent
Policy CD-1.8: Create an attractive street presence with pedestrian-scaled building and landscaping elements that provide an engaging, safe, and diverse walking environment. Encourage compact, urban design, including use of smaller building footprints, to promote pedestrian activity throughout the City.	The Specific Plan is consistent with this policy because it proposes to create a network of safe, well-lit and defensible pedestrian and bicycle connections and design a unique streetscape that would serve to tie the neighborhoods together with an integrated design theme(s). According to the Specific Plan's Architectural Design Guidelines (Chapters 5), it would include pedestrian-scale architectural elements such as windows, gables, arcades, awnings, and other similar features to break up the massing of large buildings.	Consistent
Policy CD-1.13: Use design review to encourage creative, high-quality, innovative, and distinctive architecture that helps to create unique, vibrant places that are both desirable urban places to live, work, and play and that lead to competitive advantages over other regions.	The Specific Plan is consistent with this policy because the Architectural Design Guidelines encourage high-quality, distinctive architecture sited to create a unique and vibrant senior community. For example, the Architectural Design Guidelines encourage the use of a variety of high-quality, durable materials to create interesting and attractive building designs and avoid monotony. The Architectural Design Guidelines also encourage buildings to be sited and designed to have a strong street presence along community frontages within the Specific Plan Area, except for some areas along Entry Roads and Collector Roads, which may incorporate landscaping and masonry walls. The Architectural Design Guidelines provide that buildings should be oriented towards the street, where architectural detail and interactive architecture – including porches, courtyards, entries, and windows – are emphasized. The Architectural Design Guidelines further provide that residences should be located within walking distance to neighborhood open space and trails and sited to optimize views of	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent?
	the greater City of San José to the west and the hills to the east. Substantial	
	conformance with these guidelines will create a unique and vibrant community.	
Policy CD-1.17: Minimize the footprint and visibility of	The Specific Plan is consistent with this policy because as described in the	Consistent
parking areas. Where parking areas are necessary, provide	Specific Plan's Landscape Design Guidelines (Chapter 6), parking areas would be	
aesthetically pleasing and visually interesting parking	planned to provide visual screening (with berms where feasible). Shade trees	
garages with clearly identified pedestrian entrances and	are appropriate where parking area dimensions can accommodate them and	
walkways. Encourage designs that encapsulate parking	should be located and spaced with a goal of providing a 35 percent shade	
facilities behind active building space or screen parked	canopy within 15 years of planting. Consistent with the Specific Plan's	
vehicles from view from the public realm. Ensure that garage	Architectural Design Guidelines (Chapter 5), if security lighting is required,	
lighting does not impact adjacent uses, and to the extent	security lighting fixtures would be hooded, recessed, and/or located in such a	
feasible, avoid impacts of headlights on adjacent land uses.	manner to only illuminate the intended area. Lighting fixtures would direct	
	illumination downward to minimize light pollution.	
Policy CD-1.19: Encourage the location of new and	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
relocation of existing utility structures into underground	IN-1.10.	
vaults or within structures to minimize their visibility and		
reduce their potential to detract from pedestrian activity.		
When above-ground or outside placement is necessary,		
screen utilities with art or landscaping.		
Policy CD-1.22: Include adequate, drought-tolerant	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
landscaped areas in development and require provisions for	MS-3.3. Further, as described in Chapter 8 of the Specific Plan, commonly	
ongoing landscape maintenance.	owned facilities (including perimeter walls, fences and gates. common area	
	landscaping and open space, recreation centers, private streets and sidewalks,	
	private storm drainage facilities, and other private or commonly owned	•
	structures, facilities, and improvements) will be maintained by one or more	
	Homeowners' Association(s) ("HOA") and/or apartment owners. Chapter 8	
	further provides that, in the ESH-R-1 subdistrict, the HOA shall maintain	
	privately owned front yards not enclosed by on-lot fencing.	
Policy CD-1.23: Further the Community Forest Goals and	The Specific Plan is consistent with this policy because as described in the	Consistent
Policies in this Plan by requiring new development to plant	Landscape Design Guidelines (Chapter 6) appropriately selected street trees are	
and maintain trees at appropriate locations on private	encouraged for local streetscapes to create shade and accomplish similar	
property and along public street frontages. Use trees to help	energy-saving results within the project. Further, individual homeowners	
soften the appearance of the built environment, help	encouraged to thoughtfully design their rear and side yards according to the	
provide transitions between land uses, and shade pedestrian	Landscape Design guidelines. A palette of residential trees, shrubs, groundcover	
and bicycle areas.	and landscape materials is established in the guidelines to ensure visual unity	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	within visible lot areas while allowing room for individual creative design	
	solutions. The Specific Plan also encourages both natural and manmade	
	elements, such as streets with streetscape trees and project entry statements,	
	which combine monument signs with plants and flowers. Also see analysis of	
	Policy CD-1.22.	
Policy CD-1.24: Within new development projects, include	The Specific Plan is consistent with this policy. EDF BIO-11 (Tree Permit and	Consistent
preservation of ordinance-sized and other significant trees,	Replacement) requires replacement-to-removal ratios set forth by the City of	
particularly natives. Avoid any adverse affects on the health	San José. EDF BIO 12 (Tree Preservation) requires that, for those trees to be	
and longevity of such trees through design measures,	preserved within the Plan Area, a tree preservation plan be prepared,	
construction, and best maintenance practices. When tree	identifying all applicable protection and replacement measures to be taken.	
preservation is not feasible, include replacements or		
alternative mitigation measures in the project to maintain		
and enhance our Community Forest.		
Goal CD-2: Function.		
Create integrated public and private areas and uses that wo	rk together to support businesses and to promote pedestrian activity and multi-n	nodal
transportation.		
Policy CD-2.5: Integrate Green Building Goals and Policies of	The Specific Plan is consistent with this policy. All development within the Plan	Consistent
this Plan into site design to create healthful environments.	Area would meet or exceed the applicable requirements of the City of San José	
Consider factors such as shaded parking areas, pedestrian	related to Green Building, as stated in the analysis for Policy MS-1.1, and	
connections, minimization of impervious surfaces,	comply with the Green Building requirements listed in the Specific Plan's Zoning	
incorporation of stormwater treatment measures,	and Development Standards chapter (Chapter 2). The Specific Plan also would	
appropriate building orientations, etc.	incorporate stormwater treatment measures, as noted in the analysis for	
	Policies ER-8.1 and ER-8.4. Parking lots and other potential "heat islands" would	
	be mitigated by trees, vegetation, and other landscape screening/shading	
	devices to reduce heating and cooling energy use, as described in the Specific	
	Plan's Landscape Design Guidelines (Chapter 6). The Architectural Design	
	Guidelines (Chapter 5) encourage the incorporation of passive solar design by	
	planning subdivision lots and street layouts to optimize solar access to the	
	extent practical without reducing connectivity. In addition, passive solar	
	orientation and design is encouraged to capture natural daylight and to use	
	natural cooling techniques in place of air conditioning.	
Policy CD-2.7: Design private streets to appear and function	The Specific Plan is consistent with this strategy, as amended by the Initiative.	Consistent
like public streets. Include street trees and sidewalks, and,	As described in the Zoning and Development Standards (Chapter 2), private	
except in areas developed pursuant to a Senior Housing	streets would have cross-section widths and sidewalks that allow them to	

General Plan Goal / Policy	Statement of Consistency	Consistent?
Overlay, prohibit gated communities that restrict	function like public streets. As detailed in the Landscape Design Guidelines	
connectivity. Promote security at the building face rather	(Chapter 6), the private streets should have street trees. Because it implements	
than at the street.	a Senior Housing Overlay. the Specific Plan would permit development to be contained within a gated community	
Policy CD-2.10: Recognize that finite land area exists for development and that density supports retail vitality and transit ridership. Use land use regulations to require compact, low-impact development that efficiently uses land planned for growth, especially for residential development which tends to have a long life-span. Strongly discourage small-lot and single-family detached residential product types in Growth Areas. In areas developed pursuant to a Senior Housing Overlay, small-lot and single-family detached residential product types may be appropriate.	The Specific Plan is consistent with this strategy, as amended by the Initiative, because it implements a Senior Housing Overlay that allows for development of senior housing in the underutilized industrial area within the Plan Area. Consistent with the Senior Housing Overlay, the Plan allows for a master-planned community for senior residents designed to blend into the existing suburban residential fabric of the surrounding neighborhoods.	Consistent
Goal CD-3: Connections.		
	ays that are safe and convenient for walking and bicycling and minimize automok	
encourage social interaction; and that increase pedestrian activity, multi-modal transit use, environmental sustainability, economic growth, and public health.		

Policy CD-3.2: Prioritize pedestrian and bicycle connections	The Specific Plan is consistent with this policy because, as described in the	Consistent
to transit, community facilities (including schools),	Specific Plan's Architectural Design Guidelines (Chapter 5), residences	
commercial areas, and other areas serving daily needs.	should be located within walking distance to neighborhood open space and	
Ensure that the design of new facilities can accommodate	trails. According to the Landscape Design Guidelines (Chapter 6), the trail	
significant anticipated future increases in bicycle and	network and sidewalks should connect to sidewalks leading to the	
pedestrian activity.	Evergreen Village Square, bus stops, and other facilities that serve	
	residents' needs. The Evergreen Village Square includes a number of	
	community amenities including retail uses and a public library and is located	
	approximately a half-mile away from the Plan Area. The nearest accessible	
	public transit is provided by the existing bus route 39. This bus route runs	
	between the Eastridge Transit Center and The Villages. There are several	
	bus stops for Route 39 within one quarter mile of the Specific Plan site, and	
	the two closest stops to the Specific Plan are located at the intersection of	
	Aborn Road and Murillo Avenue, just north of the Plan Area. The Specific	
	Plan (Chapter 2) requires Transportation Demand Management (TDM)	
	elements to promote transit use, bicycle use, and pedestrian activities	

General Plan Goal / Policy	Statement of Consistency	Consistent?
Policy CD-3.3: Within new development, create and maintain a pedestrian-friendly environment by connecting the internal components with safe, convenient, accessible, and pleasant pedestrian facilities and by requiring pedestrian connections between building entrances, other site features, and adjacent public streets.	The Specific Plan is consistent with this policy as noted in the analysis for Policy VN-1.6 and Policy CD-1.7.	Consistent
Policy CD-3.4: Encourage pedestrian cross-access connections between adjacent properties and require pedestrian and bicycle connections to streets and other public spaces, with particular attention and priority given to providing convenient access to transit facilities. Except in areas developed pursuant to a Senior Housing Overlay, Pprovide pedestrian and vehicular connections with cross-access easements within and between new and existing developments to encourage walking and minimize interruptions by parking areas and curb cuts.	The Specific Plan is consistent with this policy as noted in the analysis for Policy CD-3.2 and Policy CD-3.3.	Consistent
Policy CD-3.6: Encourage a street grid with lengths of 600 feet or less to facilitate walking and biking. Use design techniques such as multiple building entrances and pedestrian paseos to improve pedestrian and bicycle connections.	The Specific Plan is consistent with this policy because street grid lengths would be on average 600 feet or less. As described in the Specific Plan's Zoning & Development Standards (Chapter 2) and Landscape Design Guidelines (Chapter 6), some streets would be designed for multiple modes of transportation, including walking, bicycling, or driving a local use vehicle (LUV) or automobile. Chapter 6 also notes that primary residential roads that terminate with a recreation facility or open space boundary may end in cul-de-sacs, but should provide pathways for through-access to accommodate pedestrians and bicyclists.	Consistent
Policy CD-3.7: Encourage development to maximize pedestrian, bicycle, and vehicular connections to adjacent existing and planned neighborhoods and community facilities. Use cul-de-sacs only when no current or future options exist to connect one area to another, or if such design would help preclude development from extending to	The Specific Plan is consistent with this policy because it proposes residential development that is integrated with pedestrian and bicycle connections across neighborhoods, Fowler Creek, and to key destinations (including transit stations). As described in the Specific Plan's Landscape Design Guidelines (Chapter 6), neighborhood streets may terminate with a recreation center or open space boundary. In these cases, streets should terminate in cul-de-sacs, but pathways may be designed to provide through access for pedestrians and	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent?
areas where it is not planned, or if appropriate in areas	bicyclists. The goal would be to design local neighborhood streets to be narrow	
developed pursuant to a Senior Housing Overlay.	to help maintain low, safe travel speeds.	
Policy CD-3.9: Minimize driveway entrances to enhance	The Specific Plan is consistent with this policy. There are no commercial	Consistent
pedestrian safety and decrease the area of paved surfaces.	buildings in the Specific Plan Area and therefore there are no driveways that	
Encourage shared vehicular access points that serve multiple	break up continuous commercial building frontages. Vehicular access has been	
uses and/or parcels, including shared access for commercial	positioned to minimize negative impacts to aesthetics by aligning roadways to	
and residential uses. Avoid driveways that break up	preserve the site's most sensitive resources. As noted in Chapter 6, Landscape	
continuous commercial building frontages. Position vehicular	Design Guidelines, residential streets are narrow to encourage slow speeds	
access to minimize negative impacts to aesthetics and to	both when driving along the streets and when turning into and out of	
pedestrian and bicycle safety.	driveways, promoting pedestrian and bicycle safety. Chapter 6 also shows that	
	vehicular access to residences should be primarily from residential roads,	
	minimizing the view of driveways from collector and community roads as well	
	as potential pedestrian/bicyclist conflicts with motorists. As noted in Chapter 6,	
	Landscape Design Guidelines, the Specific Plan Area should have an	
	interconnected network of paths and trails, giving pedestrians who want to	
·	avoid automobiles another option for circulating in the Plan Area.	
Policy CD-3.11: Encourage new development to connect	The Specific Plan is consistent with this policy. Passive open spaces within the	Consistent
with the surrounding community and continue the existing	Plan Area such as the Fowler Creek corridor would be publicly visible and	
street grid to integrate with the neighborhood.	accessible, and connect the new development to the surrounding community.	
	As identified in the Specific Plan's Zoning and Development Standards (Chapter	
	2)), the Specific Plan continues the existing street grid by providing access via	
	Aborn Road and Michelangelo Drive at the northern part of the Plan Area, and	
	Yerba Buena Road at the southern portion of the Plan Area.	
Goal CD-4: Compatibility.		
	ment that preserves and builds on the unique characteristics of the local area an	d contributes to
a distinctive neighborhood or community identity.		
Policy CD-4.11: Accomplish sound attenuation for	The Specific Plan is consistent with this policy because residential units in the	Consistent
development along City streets through the use of setbacks	Plan Area would be developed in conformance with the setback and height	
and building design rather than sound attenuation walls.	requirements identified in the Specific Plan's Zoning and Development	
When sound attenuation walls are located adjacent to	Standards chapter (Chapter 2), and sound attenuation walls are not anticipated	
expressways or freeways, or railroad lines, landscaping,	to be required beyond the existing sound walls located along Aborn Road and	
public art, and/or an aesthetically pleasing and visually	Yerba Buena Road. The Specific Plan's Landscape Design Guidelines chapter	
	(Chapter 6) encourages enhanced sound wall design along these roads that	

Consistent?

interesting design should be used to minimize visual	relates to the landscape characteristics of the surrounding streets. Landscaping	
impacts.	would be utilized to create aesthetic distinction and minimize visual impacts,	
	particularly around key features and amenities, including sound walls.	
Goal CD-5: Community Health, Safety, and Wellness.		
Create great public places where the built environment cre	eates attractive and vibrant spaces, provides a safe and healthful setting, fosters in	teraction amor
community members, and improves quality of life.		
Policy CD-5.1: Design areas to promote pedestrian and	The Specific Plan is consistent with this policy because the residential	Consistent
bicycle movements, to facilitate interaction between	neighborhoods are designed around a framework of interconnected sidewalks	
community members, and to strengthen the sense of	and trails to encourage a walkable and active community. The Specific Plan	
community.	includes a range of recreation and mobility options by designing a unique	
	streetscape that serve to tie the neighborhoods together with an integrated	
	design theme(s). Additionally, the dwelling units are located within convenient	
	walking distance to neighborhood recreation centers and trails that extend	
	through the open space common areas. As described in the Specific Plan's	
	Zoning & Development Standards (Chapter 2), some streets would be designed	
	for multiple modes of transportation, including walking, bicycling, or driving a	
	local use vehicle (LUV) or automobile.	
Goal CD-8: Building Height.		
Regulate the height of new development to avoid adverse	land use incompatibility while providing maximum opportunity for the achievement	nt of the <i>Envisi</i>
General Plan goals for economic development and the pro	vision of new housing within the identified Growth Areas.	
Policy CD-8.1: Ensure new development is consistent with	The Specific Plan is consistent with this policy, as amended by the Initiative,	Consistent
specific height limits established within the City's Zoning	because the Zoning and Development Standards (Chapter 2) would be applied	
Ordinance and applied through the zoning designation for	through the Specific Plan Zoning designation of the Specific Plan Area adopted	
properties throughout the City. Land use designations in the	by the Initiative. The residential units in the Plan Area would be developed in	
Land Use/Transportation Diagram provide an indication of	conformance with the setback and height requirements identified in the	
the typical number of stories expected for new	Specific Plan's Zoning and Development Standards (Chapter 2), and would be	
development, however specific height limitations for		
	consistent with the land uses and architectural style and context of surrounding	
puildings and structures in San José are not identified in the Envision General Plan.	consistent with the land uses and architectural style and context of surrounding properties and neighborhoods.	

Statement of Consistency

General Plan Goal / Policy

General Plan Goal / Policy	Statement of Consistency	Consistent?
	Housing	
Goal H-1: Social Equity and Diversity.		
	I densities, especially at higher densities, and product types, including rental and	for-sale housing,
to address the needs of an economically, demographically, a		
Policy H-1.1: Through the development of new housing and	The Specific Plan is consistent with this policy because it allows up to 910 senior	Consistent
the rehabilitation of existing housing, facilitate the creation	residential units in a variety of configurations. The Specific Plan would address	
of economically, culturally, and demographically diverse and	the City's need for senior housing and present opportunities for seniors to "age	
integrated communities.	in place." The Plan also requires that at least twenty (20%) percent of the units	
	be designated as affordable housing, with a preference for U.S. Military	
	Veterans to the extent permitted by law. The Plan also provides services for veterans. As discussed in the Landscape Design Guidelines, some of the active	
	open space areas in the Plan Area would provide opportunities for	
	neighborhood and community events, including cultural events.	
Policy H-1.2: Facilitate the provision of housing sites and	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
structures across location, type, price and status as rental or	H-1.1.	Consistent
ownership that respond to the needs of all economic and		
demographic segments of the community including seniors,		
families, the homeless and individuals with special needs.		
Policy H-1.3: Create housing opportunities and accessible	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
living environments that allow seniors to age in place, either	H-1.1.	
in the same home, assisted living facilities, continuing care		
facilities, or other housing types within the same		
community.		
Policy H-1.4: Encourage the location of housing designed for	The Specific Plan is consistent with this policy because the Specific Plan would	Consistent
senior citizens in neighborhoods where health and	provide senior housing in an area where community facilities and services are in	
community facilities and services are within a reasonable	a reasonable walking distance and accessible by public transportation. The VA	
walking distance and are accessible by public transportation.	Outreach Medical Clinic is located approximately 4 miles southwest and an	
	urgent care facility is located approximately 3 miles west and of the Plan Area.	
	The Evergreen Community Center is located approximately 1 mile southwest of	
	the Plan Area.	
	The nearest accessible public transit that could transport residents to these	
	facilities is provided by the existing bus route 39. There are several bus stops for	
	Route 39 within one quarter mile of the Specific Plan site, and the two closest	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	stops to the Specific Plan are located at the intersection of Aborn Road and	
	Murillo Avenue, just north of the Plan Area.	
Goal H-2: Affordable Housing.		
	g stock and increase its supply such that 15% or more of the new housing stock de	
	seholds. Nothing in this language is intended, directly or indirectly, to impose any	
	entage of affordable units. Nothing in this language is intended to, directly or ind	-
	is inconsistent with the General Plan, if it does not contain any affordable housing	
Policy H-2.1: Facilitate the production of extremely low-,	The Specific Plan is consistent with this policy because it requires that at least	Consistent
very low-, low-, and moderate-income housing by	twenty (20%) percent of the units be designated as affordable housing, with a	
maximizing use of appropriate policies and financial	preference for U.S. Military Veterans to the extent permitted by law.	
resources at the federal, state, and local levels; and various		
other programs.		
Policy H-2.6: Incorporate an affordable housing	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
implementation plan in the preparation of each Urban	H-2.1 and because, in Chapter 2, the Plan sets forth the requirements that the	
Village plan, specific plan, master plan, or strategy plan that	affordable housing must meet, including geographic location, timing of	
include plans for housing.	construction, unit size and bedroom count, and required amenities.	
Goal H-4: Housing - Environmental Sustainability.		
	resources and advances our City's fiscal, climate change, and environmental goal	
Policy H-4.1: Implement green building principles in the	The Specific Plan is consistent with this policy because, as described in the	Consistent
design and construction of housing and related	Specific Plan's Architectural Design Guidelines (Chapter 5), the Plan includes	
infrastructure, in conformance with the Green Building Goals	, , ,	
and Policies in the <i>Envision General Plan</i> and in conformance		
with the City's Green Building Ordinance.	the City's Green Building Ordinance. The project would be required to adhere to	
	all federal, state, and local requirements for energy efficiency, including the	
	Title 24 standards related to planning and design, energy efficiency, water	
	efficiency and conservation, material conservation and resource efficiency, and	
Delicate 4 2 National Lands of the Control of the C	environmental quality.	
Policy H-4.2: Minimize housing's contribution to greenhouse	The Specific Plan is consistent with this policy. The dwelling units would be	Consistent
gas emissions, and locate housing, consistent with our City's	located within convenient walking distance to recreation centers and trails that	
land use and transportation goals and policies, to reduce vehicle miles traveled and auto dependency.	would extend through the open space common areas. As described in the Specific Plan's Zoning & Development Standards (Chapter 2), some streets	
venicle filles traveled and auto dependency.	would be designed for multiple modes of transportation, including walking,	
	bicycling, or driving a local use vehicle (LUV) or automobile. As noted in Policy	
	MS-14.1, there are also a number of commercial areas located approximately a	
	140 14.1. Giver a diso a number of commercial areas located approximately a	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	half-mile from the Plan Area. The Specific Plan Zoning & Development	
	Standards (Chapter 2) require Transportation Demand Management (TDM)	
	elements to promote transit use, bicycle use, and pedestrian activities.	
	Further, daily VMT would decrease with implementation of the Specific Plan compared to the development approved under the General Plan prior to the Initiative.	
Goal H-5 Housing – Senior Housing		
Increase, preserve, and improve San José's stock of housing	to address the needs of seniors.	
Policy H-5.1: Support development that provides housing	The Specific Plan is consistent with this policy because it allows up to 910 senior	Consistent
options so seniors can find suitable housing to rent or	residential units in in a variety of configurations. At least twenty (20%) percent	
purchase.	of the units would be designated as affordable senior housing, with a	
	preference for U.S. Military Veterans to the extent permitted by law.	
Policy H-5.2: Encourage the establishment of a range of	The Specific Plan is consistent with this policy because it allows up to 910 senior	Consistent
housing types for seniors, including active and independent	residential units in a variety of configurations. In addition to residential uses,	
living, assisted living, memory care, and other residential	the Plan includes at least three recreation centers that will include features	,
board and care facilities.	designed for an active adult lifestyle.	
Policy H-5.3: Encourage affordable units and affordable care	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
facilities that foster aging within the community.	H-5.1.	
Policy H-5.4 Senior housing developed in a Senior Housing	The Specific Plan is consistent with this policy because senior housing	Consistent
Overlay will not count toward the growth capacity for	developed in the Senior Housing Overlay is not counted against the growth	
120,000 new dwelling units contained in the Envision San	capacity for 120,000 new dwelling units contained in the Envision San José 2040	
José 2040 General Plan.	General Plan. To the extent land within this Overlay is developed with senior	
	housing, the employment capacity associated with such land will be retained for	
	redistribution by the City to lands that are more supportive of employment	
	growth in the near term. This redistribution may occur within the same Growth	
	Area as the overlay or to one or more other Growth Areas throughout the City	
	as long as the Growth Area has sufficient existing or proposed traffic capacity to	
	meet the General Plan's traffic policies. As such, implementation of this Overlay	
	will not result in any decrease in the City's net employment capacity.	
Policy H-5.5: Specific Plans adopted pursuant to a Senior	The Specific Plan is not designated as a residential Growth Area, although the	Consistent
Housing Overlay are not designated as residential Growth	Plan Area is in an employment Growth Area. The Specific Plan is consistent with	
Areas in the Envision San José 2040 General Plan.	this policy. Residential development in the Specific Plan Area would not be	
	counted against the General Plan's residential capacity, consistent with the	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	General Plan's finding that many seniors are not employed and therefore senior	
	projects developed pursuant to a Senior Housing Overlay should not be tracked	
	as part of the City's goal to achieve a J/ER ratio of 1.1/1.	
Policy H-5.6: Identify criteria and locations within the City	The Specific Plan is consistent with this policy. The Initiative applies the Senior	Consistent
that are appropriate for senior housing developments,	Housing Overlay to the Specific Plan Area and establishes standards for the City	
including locations appropriate for the Senior Housing	to evaluate other appropriate sites for the Overlay. The Specific Plan	
Overlay.	implements the Senior Housing Overlay in the Specific Plan Area.	
Goal H-6 Housing – Veterans' Housing		
Increase, preserve and improve San José's stock of housing		
Policy H-6.1: Support development that provides housing	The Specific Plan is consistent with this policy. The Specific Plan requires that at	Consistent
options that allow veterans to find suitable housing to rent	least twenty (20%) percent of the units be designated as affordable housing,	
or purchase.	with a preference provided to U.S. Military Veterans, to the extent permitted by	
	law. The Plan provides a community amenity space in the affordable housing	
	component to be used for senior services, including services for senior veterans.	
	These veterans' services also would be available to veteran residents of the	
	market-rate units.	
Policy H-6.2: Encourage the establishment of a range of	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
housing types for veterans and their families that allow	H-6.1.	
veterans and military families to reintegrate into the		
Community.	The Consideration of the state	
Policy H-6.3: Encourage the provision of affordable units for	The Specific Plan is consistent with this policy as noted in the analysis for Policy H-6.1.	Consistent
<u>veterans.</u>	H-0.1.	
Policy H-6.4: Continue to partner with federal, state, and	The Specific Plan is consistent with this policy as noted in the analysis for Policy	
local agencies and non-profits to explore options for the	H-6.1. The Specific Plan requires, to the extent permitted by law, that the	
provision of housing for veterans.	Inclusionary Housing project manager coordinate with federal, state, and local	
	agencies and community-based organizations to identify eligible veterans as	
	residents for the Inclusionary Housing, which may include participation in the	
	HUD-Veterans Affairs Supportive Housing (HUD-VASH) program and the	·
	Supportive Services for Veterans and Their Families (SSVF) program, or similar	
	programs. The Specific Plan also requires that the Secondary Recreation Center	
	in the ESH-R-M subdistrict include a space for a veterans' information and	
	services station to support veteran residents, including the opportunity for on-	
	site case management and supportive services to be provided by government	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	agencies and community-based organizations. The Specific Plan also requires	
	the project to designate an on-site coordinator to assist veteran residents to	
	access education, job training, employment, medical, health, and other	
	supportive services provided by government agencies and community-based	
	Community Safety	
Goal ES-3: Law Enforcement and Fire Protection.		
Provide high-quality law enforcement and fire protection se	rvices to the San José community to protect life, property and the environment t	hrough fire and
crime prevention and response. Utilize land use planning, u	rban design and site development measures and partnerships with the communit	y and other
public agencies to support long-term community health, saf	ety and well-being.	
Policy ES-3.1: Provide rapid and timely Level of Service response time to all emergencies: 1. For police protection, use as a goal a response time of	The Specific Plan is not anticipated to create the need for the construction of new fire or police stations. Additionally, the Plan Area was planned for development by the General Plan, and is consistent with the growth pattern of	Consistent
six minutes or less for 60 percent of all Priority 1 calls, and of eleven minutes or less for 60 percent of all Priority 2 calls. 2. For fire protection, use as a goal a total response time (reflex) of eight minutes and a total travel time of four minutes for 80 percent of emergency incidents.	the surrounding area, with regards to emergency response times.	
 3. Enhance service delivery through the adoption and effective use of innovative, emerging techniques, technologies and operating models. 4. Measure service delivery to identify the degree to which services are meeting the needs of San José's community. 		
Ensure that development of police and fire service facilities and delivery of services keeps pace with development and growth in the city.		
Policy ES-3.2: Strive to ensure that equipment and facilities are provided and maintained to meet reasonable standards of safety, dependability, and compatibility with law enforcement and fire service operations.	The Specific Plan is consistent with this policy as noted in the analysis for Policy ES-3.1.	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent?
Policy ES-3.9: Implement urban design techniques that promote public and property safety in new development through safe, durable construction and publicly-visible and accessible spaces.	The Specific Plan is consistent with this policy because it proposes Architectural and Landscape Design Guidelines (Chapters 5 and 6) that describe and illustrate building designs, concepts, and features meant to promote a high-quality development that is envisioned for the Specific Plan Area. Passive open spaces such as the Fowler Creek corridor would be publicly visible and accessible to residents.	Consistent
Policy ES-3.11: Ensure that adequate water supplies are available for fire-suppression throughout the City. Require development to construct and include all fire suppression infrastructure and equipment needed for their projects.	There are adequate water supplies to service the Specific Plan, inclusive of fire suppression services. The development would comply with all the City's requirements concerning installation of fire suppression infrastructure and emergency vehicle access.	Consistent
	Parks, Open Space, and Recreation	
	and programs, nationally recognized for their excellence, which enhance the liva ural, historic, scenic and other open space resources; and meet the parks and reco	
Policy PR-1.1: Provide 3.5 acres per 1,000 population of neighborhood/community serving parkland through a combination of 1.5 acres of public park and 2.0 acres of recreational school grounds open to the public per 1,000 San José residents.	The Specific Plan is consistent with this policy because it would provide adequate open space areas for its residents. While future residents may use existing City parks or trails, the open space and recreation facilities included as part of the Specific Plan would largely satisfy the needs of future residents. Additionally, the Specific Plan would comply with the applicable requirements of the San José Municipal Code regarding parkland dedication and park impacts as applicable, which require new residential development to either dedicate sufficient land to serve new residents, or pay fees to offset the increased costs of providing new park facilities for new development, or do a mix of both. The Specific Plan would pay fees in lieu of providing public parkland to the extent allowed by State law. If the law requires parkland dedication, the project would comply with the applicable requirements of the San José Municipal Code regarding parkland dedication and park impacts. The location of land to be dedicated as a public park would be at the periphery of the Specific Plan.	Consistent
Policy PR-1.12: Regularly update and utilize San José's	The Specific Plan would comply with applicable requirements of the San José	Consistent
Parkland Dedication Ordinance / Parkland Impact Ordinance (PDO/PIO) to implement quality facilities.	Municipal Code related to parkland dedication and Park impacts, as applicable, and as noted in the analysis for Policy PR-1.1.	

Park is located adjacent to and west of the northern portion of the Plan Area, just south of Strada Circolare. Further, the Specific Plan would provide new trails and open space for project residents as well as publicly accessible open space along Fowler Creek.	
The Specific Plan does not provide private or commercial recreational facilities open to the public, but does provide publicly accessible passive open space along Fowler Creek. The Evergreen area already has many recreational facilities, including Fowler Creek Park and parkland outside the UGB, to serve local residents.	Consistent
Land Use and Transportation	
Land Use Policies	
the city's economy and fiscal sustainability.	
	Consistent
	The Specific Plan does not provide private or commercial recreational facilities open to the public, but does provide publicly accessible passive open space along Fowler Creek. The Evergreen area already has many recreational facilities, including Fowler Creek Park and parkland outside the UGB, to serve local residents. Land Use and Transportation Land Use Policies the city's economy and fiscal sustainability. The Specific Plan is consistent with this policy, as amended by the Initiative, because it implements a Senior Housing Overlay on underutilized employment lands. The Initiative amends the General Plan to allow the conversion of underutilized employment lands to senior housing uses, as permitted pursuant to a Senior Housing Overlay. To the extent land within this Overlay is developed with senior housing, the employment capacity associated with such land will be retained for redistribution by the City to lands that are more supportive of employment growth in the near term.

General Plan Goal / Policy	Statement of Consistency	Consistent?
tied to the completion of the planned BART station, may		
include the conversion of lands designated for Light		
Industrial, Heavy Industrial or other employment uses to		
non-employment use provided that the Urban Village areas		
maintain capacity for the overall total number of existing		
and planned jobs.		
Policy LU-6.2: Reserve industrial areas for industrial and	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
compatible support uses, or as permitted pursuant to a	LU-6.1.	Consistent
Senior Housing Overlay, while recognizing that industrial	25 0.1.	
uses come in a variety of types and forms. Allow non-		
industrial uses which are only incidental to and totally		
compatible with primary industrial uses in exclusively		
industrial areas or that are permitted pursuant to a Senior		
Housing Overlay. Consider allowing supportive, non-		
industrial activities, such as retail sales of materials		
manufactured or stored on site		
Goal LU-8: Maintain Employment Lands.		
Maintain Appropriately Designated Employment Areas for a	Mix of Industrial and Compatible Commercial Uses.	
Policy LU-8.1: In areas that are designated for mixed	The Specific Plan area is not designated for mixed industrial or commercial uses.	Consistent
industrial and commercial uses, allow only commercial uses	See the analysis for Policy LU-6.1.	Consistent
that are compatible with industrial uses. Non-employment		
uses are prohibited in these areas except as permitted	·	
pursuant to a Senior Housing Overlay.		
Goal LU-9: High-Quality Living Environments.		
Provide high quality living environments for San José's resid	ents.	
Policy LU-9.1: Create a pedestrian-friendly environment by	The Specific Plan is consistent with this policy, as amended by the Initiative. See	Consistent
connecting new residential development with safe,	the analysis for Policy CD-1.7.	
convenient, accessible, and pleasant pedestrian facilities.	,	
Except in areas developed pursuant to a Senior Housing		
Overlay, Pprovide such connections between new		
development, its adjoining neighborhood, transit access		
points, schools, parks, and nearby commercial areas.		
Consistent with Transportation Policy TR-2.11, prohibit the		
development of new cul-de-sacs, unless it is the only feasible		

General Plan Goal / Policy	Statement of Consistency	Consistent?
means of providing access to a property or properties, or		
gated communities, that do not provide through- and		
publicly-accessible bicycle and pedestrian connections.		
Policy LU-9.3: Integrate housing development with our City's	The Specific Plan is consistent with this policy. As discussed in the Specific Plan's	Consistent
transportation system, including transit, roads, and bicycle	Landscape Design Guidelines (Chapter 6), the Specific Plan proposes residential	
and pedestrian facilities.	development that is integrated with pedestrian and bicycle connections across	
·	neighborhoods, Fowler Creek, and to key destinations (including transit	
	stations). The nearest accessible public transit is provided by the existing bus	
	route 39. There are several bus stops for Route 39 within one quarter mile of	
	the Specific Plan site, and the two closest stops to the Specific Plan are located	
	at the intersection of Aborn Road and Murillo Avenue, just north of the Plan	
	Area.	
Policy LU-9.6: Require residential developments to include	The Specific Plan is consistent with this policy because it would provide passive	Consistent
adequate open spaces in either private or common areas to	and active open space, including publicly accessible passive open space along	
partially provide for residents' open space and recreation needs.	Fowler Creek and several active open space areas throughout the Specific Plan	
ineeds.	Area, as discussed in the Specific Plan's Landscape Design Guidelines (Chapter 6). Some of these active open space areas would be designed to provide	
	opportunities for neighborhood and community events as well as gathering	
	spaces for such uses as community gardens, dog parks, and education and	
	creative arts facilities. The Plan Area also must include at least three recreation	
	centers pursuant to the Zoning and Development Standards (Chapter 2).	
Policy LU-9.11: Design single-family and duplex residential	The Specific Plan is consistent with this policy because vehicular access would	Consistent
development with limited vehicular access to arterial streets	not be available from any large arterials or near the intersection of two	Completent
as follows:	arterials. As identified in the Specific Plan's Zoning & Development Standards	
Man Name Acceptation and the second of the s	(Chapter 2), access would be provided using Aborn Road and Michelangelo	
No direct vehicular access on six lane arterials or within 350 feet of the interception of two orthographs.	Drive at the northern part of the Plan Area, and Yerba Buena Road at the	
within 350 feet of the intersection of two arterials. No direct vehicular access on four lane arterials.	southern portion of the Plan Area.	
The use of frontage roads, corner lots, or other street		
design solutions for vehicular access is encouraged.	An entry road extending south from Aborn Drive would incorporate a	
Exceptions may only be made when there are no	landscaped median. Primary access to the multi-family units would be from this	
other feasible alternatives for providing access to the	entry road. Secondary access to the multi-family would be from the extension	
residential development.	of Michelangelo Drive. Access to the single-family residential neighborhoods	
. 23.00.000 000 000000000000000000000000	would be from two restricted private access via gated entries. A second entry	To the same of the
	road would be located at Yerba Buena Road and would provide southerly access	

General Plan Goal / Policy	Statement of Consistency	Consistent?
	to the Specific Plan Area. Based on the Zoning & Development Standards	
	(Chapter 2), access to each of the residential neighborhoods should be from	
	residential streets or community streets that diverge from the collector street,	
	with no driveways fronting directly onto the entry roads. As described in the	
	Landscape Design Guidelines (Chapter 6), local neighborhood streets, such as	
	primary residential roads, should be narrow to help maintain low, safe travel	
	speeds, promoting pedestrian and bicycle safety.	
Goal LU-10: Efficient Use of Residential and Mixed-Use Land	ls.	
Meet the housing needs of existing and future residents by	fully and efficiently utilizing lands planned for residential and mixed-use and by n	naximizing
	sit, with good access to employment areas, neighborhood services, and public fac	
Policy LU-10.4: Within identified growth areas, develop	The Specific Plan is consistent with this policy, as amended by the Initiative,	Consistent
residential projects at densities sufficient to support	because it implements a Senior Housing Overlay within the Plan Area.	
neighborhood retail in walkable, main street type		
development. <u>In areas developed pursuant to a Senior</u>		
Housing Overlay, lower densities may be permitted.		
Goal LU-11: Residential Neighborhoods.		
	al compatibility of new construction and uses within the City's varied residential	neighborhoods to
	e to a high quality of life for neighborhood residents and visitors.	-
Policy LU-11.1: Design all new single-family detached	The Specific Plan is consistent with this policy because as described in the	Consistent
residences so that each home has a frontage on a public	Zoning & Development Standards (Chapter 2), community and residential roads	
street or on a private street that appears and functions as a	provide access to the residential neighborhoods and associated active open	
public street.	space areas. They would also provide direct access to the single-family	
	residential driveways. These roads would be private but would appear and	
	function as public streets. According to Chapter 2, these streets allow two-way	
	traffic and have sidewalks on both sides. According to Chapter 6, street trees	
	should be planted along these streets.	
	Transportation Policies	
Goal TR-1: Balanced Transportation System.		
·	that gives priority to the mobility needs of bicyclists, pedestrians, and public trar	sit users while
also providing for the safe and efficient movement of autom		

General Plan Goal / Policy	Statement of Consistency	Consistent?
Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).	The Specific Plan is consistent with this policy because, the Landscape Design Guidelines of the Specific Plan (Chapter 6) encourage the Plan Area to be	Consistent
Policy TR-1.7: Require that private streets be designed, constructed and maintained to provide safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.	The Specific Plan is consistent with this policy because it would create a network of safe, well-lit and defensible pedestrian and bicycle connections to encourage a walkable and active community. Consistent with the Specific Plan's Architectural Design Guidelines (Chapter 5), it would also include pedestrian-scale architectural elements and streets with streetscape trees and project entry statements to create an attractive environment for pedestrians.	Consistent
Goal TR-2: Walking and Bicycling. Improve walking and bicycling facilities to be more convenie	nt, comfortable, and safe, so that they become primary transportation modes in	San Iosé
Policy TR-2.8: Require new development where feasible to	The Specific Plan is consistent with this policy. The Zoning & Development Standards (Chapter 2) require bike parking at the and recreation centers. The project applicant would implement numerous design features, including sidewalk and crosswalk improvements and bicycle lanes. The Specific Plan Zoning & Development Standards (Chapter 2) require Transportation Demand Management (TDM) elements to promote transit use, bicycle use, and pedestrian activities. The existing Fowler Creek Trail would be improved and expanded into a shared use, off-street path. Collector roads, which form the primary internal circulation network through the Plan Area, would be	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent?
	constructed to include a six-foot bike lane in each direction to encourage non-motorized mobility.	
Policy TR-2.11: Except in areas developed pursuant to a	The Specific Plan is consistent with this policy, as amended by the Initiative,	Consistent
Senior Housing Overlay, pProhibit the development of new	which designates the Plan Area with a Senior Housing Overlay. As described in	
cul-de-sacs, unless it is the only feasible means of providing	the Specific Plan's Landscape Design Guidelines (Chapter 6), neighborhood	
access to a property or properties, or gated communities	streets may terminate with a recreation facilities or open space boundary. In	
that do not provide through and publicly accessible bicycle	such cases, streets could terminate in cul-de-sacs, but pathways may be	
and pedestrian connections. Pursue the development of new	designed to provide through access for pedestrians and bicyclists. As described	
through bicycle and pedestrian connections in existing cul-	in the Landscape Design Guidelines (Chapter 6), local neighborhood streets	
de-sac areas where feasible.	should be designed to be narrow to help maintain low, safe travel speeds.	
Goal TR-3: Maximize use of Public Transit.	ervices to increase ridership and decrease the use of private automobiles.	
Policy TR-3.4: Maintain and improve access to transit stops	The Specific Plan is consistent with this policy. The Specific Plan Zoning &	Consistent
and stations for mobility-challenged population groups such	Development Standards (Chapter 2) require Transportation Demand	Consistent
as youth, the disabled, and seniors.	Management (TDM) elements to promote transit use, bicycle use, and	
as youth, the disabled, and semois.		
·	pedestrian activities. The Plan Area's circulation system would be designed to provide safe and attractive t pedestrian, bike and auto drop-off access for	
	senior residents and visitors to transit stops on Aborn Road and Murillo Avenue,	
	which are the two closest bus stops to the Specific Plan Area, as provided in the	
	Zoning & Development standards (Chapter 2 and the Design Guidelines	
	(Chapter 6)). Direct, safe and attractive pedestrian access, and bicycle	
	connections from the Project to the bus stop would also be provided. as	
	identified in Chapter 6 (Landscape and Design Guidelines) of the Specific Plan.	
Goal TR-5: Vehicular Circulation.	identified in Chapter o (Landscape and Design Odidenties) of the Specific Flan.	
	efficient movement of automobile and truck traffic while also providing for the sa	fo and officient
movement of bicyclists, pedestrian, and transit vehicles.	emcient movement of automobile and truck trains wille also providing for the sa	ne and emclent
Policy TR-5.3: The minimum overall roadway performance	The Consiste Dian is consistent with this Deliey. The Consiste Dian area is within	Consistent
•	The Specific Plan is consistent with this Policy. The Specific Plan area is within	Consistent
during peak travel periods should be level of service "D"	the EEHDP area and would comply with the EEHDP as amended by the Initiative.	
except for designated areas. How this policy is applied and	The Specific Plan requires transportation demand management elements	
exceptions to this policy are listed in the following bullets:	consistent with the EEHDP. Implementation of those elements as well as EDF	
 Vehicular Traffic Mitigation Measures. Review 	TRA-1 through 7 would ensure that development pursuant to the Specific Plan	
development proposals for their impacts on the level of	would comply with the Transportation Policy and Standards contained in Part IV	
service and require appropriate mitigation measures if	of the EEHDP. As amended by the Initiative, the EEHDP Traffic Impact Fee does	
	not apply to the Specific Plan, but the Specific Plan remains subject to other	

Consistent?

Statement of Consistency

General Plan Goal / Policy

General Plan Goal / Policy	Statement of Consistency	Consistent?
are identified in the City's adopted General Plan and		
include Urban Villages, Transit Station Areas, and		
Specific Plan Areas.		
Policy TR-5.5: Except in areas developed pursuant to a	The Specific Plan is consistent with this policy, as amended by the Initiative. The	Consistent
Senior Housing Overlay, rRequire that new development,	Initiative designated the Specific Plan Area with a Senior Housing Overlay, which	
which includes new public or private streets, connect these	allows the gating of private streets. Such gates are proposed by the Specific	
streets with the existing public street network and prohibit	Plan.	
the gating of private streets with the intention of restricting		
public access. Furthermore, where possible, require that the		
street network within a given project, except in areas		
designated Senior Housing Overlay, consists of integrated		
short blocks to facilitate bicycle and pedestrian travel and		
access.		
Goal TR-8: Parking Strategies.		
Develop and implement parking strategies that reduce auto	mobile travel through parking supply and pricing management.	
Policy TR-8.4: Discourage, as part of the entitlement	The provision of parking within the Plan Area would comply with the applicable	Consistent
process, the provision of parking spaces significantly above	requirements in Chapter 2 of the Specific Plan.	
the number of spaces required by code for a given use.		
Goal TR-9: Tier I Reduction of Vehicle Miles Traveled.		
Reduce Vehicle Miles Traveled (VMT) by 10%, from 2009 lev	els, as an interim goal.	
Policy TR-9.1: Enhance, expand and maintain facilities for	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
walking and bicycling, particularly to connect with and	TR-1.1.	
ensure access to transit and to provide a safe and complete		
alternative transportation network that facilitates non-		
automobile trips.		
Goal TN-2: Trails as Transportation.		
Develop a safe and accessible Trail Network to serve as a pri	mary means of active transportation and recreation within an integrated multi-m	odal
transportation system.		
Policy TN-2.2: Provide direct, safe and convenient bicycle	The Specific Plan is consistent with this policy as noted in the analysis for Policy	Consistent
and pedestrian connections between the trail system and	CD-3.2, Policy TR-1.1, and Policy VN-1.6.	
adjacent neighborhoods, schools, employment areas and		
shopping areas.		

	Statement of Consistency	Consistent?
	Implementation	
Goal IP-1 – Land Use / Transportation Diagram. Make land use and permit decisions to implement the Envis the Envision General Plan.	sion General Plan Land Use / Transportation Diagram and to further the vision, go	als and policies o
Policy IP-1.7: Use standard Zoning Districts to promote consistent development patterns when implementing new land use entitlements. Limit use of the Planned Development Zoning process to unique types of development or land uses which can not be implemented through standard Zoning Districts, or to sites with unusual physical characteristics that require special consideration due to those constraints.	The Specific Plan is consistent with this policy. The Initiative added the Specific Plan Overlay land use designation to the General Plan and designated the Specific Plan Area with a Senior Housing Overlay. The Senior Housing Overlay identifies Specific Plans as an appropriate mechanism for implementing the Senior Housing Overlay. Such Specific Plans can address the unique needs of seniors. The Initiative also rezoned the Specific Plan Area to the Specific Plan district and adopted the Specific Plan to implement the Senior Housing Overlay. The Specific Plan provides the development standards for Plan Area, responding to the unique needs of seniors, including veterans, and the unique site characteristics of the Plan Area.	Consistent
General Plan Major Reviews to consider increases in availab assign priority to growth areas within San José for new hous		
Policy IP-2.8 Allow development of residential units at the	The Specific Plan is consistent with this policy, as amended by the Initiative. The	

General Pla	n Goal / Policy	Statement of Consistency	Consistent?
Policy IP-2.9 Focus new resid	ential development into	The Initiative is consistent with this policy, as amended by the Initiative. The	Consistent
specified Growth Areas to fos	ster the cohesive	Initiative amends the General Plan to add the Senior Housing Overlay to the	
transformation of these areas	s into complete Urban Villages,	Specific Plan Area. The Specific Plan Area is not in a residential Growth Area.	
except for projects developed	d pursuant to a Senior Housing	However, the Initiative allows immediate development of residential units	
Overlay. Allow immediate de	velopment of all residential	pursuant to the Senior Housing Overlay.	
capacity planned for the Grov	wth Areas included in the		
current Plan Horizons. Allow	immediate development of		
senior housing projects pursu	ant to a Senior Housing		
Overlay.			
Plan Horizon	Growth Area		
"Senior Housing Overlay"	Specific Plan Areas or other		
Senior housing projects	areas designated Senior		
pursuant to a Senior Housing	Housing Overlay not		
Overlay not regulated by	included in "Base" or		
<u>Plan Horizons</u> "Base"	Residential Growth Areas		
Capacity for new housing	DowntownSpecific Plan Areas		
development not regulated	North San José Area		
by Plan Horizons	Development Policy		
	Vacant / Underutilized Lands		
	Residential Neighborhoods		
	Existing Entitlements		
Horizon 1	Downtown Urban Village		
Residential Growth Areas	Corridors (East Santa Clara		
	Street, Alum Rock Avenue,		
	West San Carlos Street, and		
	The Alameda) and Berryessa		
Horizon 2	BART Urban Village Five Wounds BART and Local		
Residential Growth Areas	Transit (Existing) Urban		
nesidential Growth Aleas	Villages		
Horizon 3	• Local Transit (Planned),		
Residential Growth Areas	Commercial Corridors and		
	Centers, and Neighborhood		
	Urban Villages		

General Plan Goal / Policy	Statement of Consistency	Consistent?
Goal IP-3: General Plan Annual Review and Measurable Sust	ainability.	
. •	entation actions and programs, and the Green House Gas (GHG) reduction strate	-
	een House Gas Reduction Policy and, as needed, refine <i>Envision General Plan</i> goa	ils and policies
and the Land Use / Transportation Diagram during Annual R		
Policy IP-3.3: Consider only during the Annual Review any privately-initiated General Plan Amendment proposals to modify the Land Use / Transportation Diagram or to make minor modifications to the Urban Growth Boundary or expansion of the Urban Service Area. Early consideration for continued processing or denial may be considered outside of the General Plan Annual Review process for projects involving the conversion of employment land to non-employment uses (other than pursuant to a Senior Housing Overlay) or other projects that are fundamentally inconsistent with the General Plan.	The Initiative is consistent with this policy, as amended by the Initiative. The Initiative amended the General Plan to permit conversion of underutilized employment lands to senior housing pursuant to a Senior Housing Overlay and designated the Plan Area with a Senior Housing Overlay land use designation. The Specific Plan implements the Senior Housing Overlay in the Specific Plan Area, permitting conversion of underutilized employment lands to senior housing.	Consistent
Policy IP-3.4: 4 Maintain the City's total planned housing growth capacity (120,000 dwelling units) as a cumulative result of any Amendments approved during a single Annual Review; amendments to allow senior housing to be developed pursuant to a Senior Housing Overlay shall not count toward the City's total planned housing growth capacity (120,000 dwelling units). Amendments may maintain or increase, but not diminish the total planned job growth capacity for the City.	The Specific Plan is consistent with this policy, as amended by the Initiative, because it implements a Senior Housing Overlay within the Plan Area and therefore does not count toward the City's total planned housing growth capacity (120,000 dwelling units). Because the Senior Housing Overlay permits reallocation of job capacity from areas developed pursuant to a Senior Housing Overlay to other areas in the City with more near-term demand, the Specific Plan does not diminish the total planned job growth capacity for the City.	Consistent
Policy IP-3.6: For all General Plan Amendment proposals, analyze the projected effects upon transportation, including transit use, bicycle and pedestrian activity, and traffic congestion, upon the City's job growth capacity and anticipated fiscal performance, and upon the City's progress toward its open space and parklands goals.	The Initiative is consistent with this policy. The Initiative adds the Senior Housing Overlay designation to the General Plan, which allows underutilized employment lands to be designated with a Senior Housing Overlay. To minimize adverse effects on transportation and job growth capacity, the Initiative allows job capacity associated with an employment Growth Area that is developed pursuant to a Senior Housing Overlay to be reallocated to another Growth Area as long as the Growth Area has sufficient existing or proposed traffic capacity to meet the General Plan's traffic policies. Allowing residential development on underutilized employment lands does not adversely impact the City's progress	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent?
	toward its open space and parkland goals because residential development must comply with the City's parkland dedication and parkland impact requirements.	
Goal IP-4: General Plan Annual Review Hearing Process. Conduct regular open General Plan hearings that provide op pursuant to State law.	portunities for involvement of the community, stakeholders and private property	y owners,
Policy IP-4.2: Use the General Plan Amendment process to respond to changing conditions and community needs. The City, private property owners, developers, community groups, and individuals may request changes to planned land uses, or propose changes to its text. Goal IP-7: Specific Plans.	The Initiative is consistent with this policy. Recognizing the significant and growing need for senior housing in the City, the Evergreen Senior Housing Initiative establishes a program for the provision of senior housing on underutilized employment lands. The Initiative amends the General Plan to add Goals and Policies supporting the development of senior housing in the City and to create a Senior Housing Overlay designation that establishes standards for application of the Senior Housing Overlay and amends the Land Use/Transportation diagram to designate the Specific Plan area with the Senior Housing Overlay. The Specific Plan implements the Senior Housing Overlay in the Specific Plan area.	Consistent
	ning of a specific geographic area. This approach ensures that the development visions tailored to the circumstances of that area.	vill proceed
Policy IP-7.3: Integrate specific plans into the Envision General Plan to help ensure consistency with the goals and policies of the General Plan and to give General Plan support to objectives of the specific plan. Specific plans can only be incorporated into the General Plan through the General Plan Amendment process but not necessarily through the General Plan Annual Review. Revisions to adopted specific plans, however, may occur only during the General Plan Annual Review process.	The Specific Plan is consistent with this policy as noted in the analysis for Policy IP-4.2. The Specific Plan, adopted by the Initiative, has been integrated with the General Plan, as amended by the Initiative.	Consistent
Policy IP-7.4: Typically incorporate specific plans into the	The Initiative is consistent with this policy, as amended by the Initiative. The	Consistent

General Plan Goal / Policy	Statement of Consistency	Consistent?
Policy IP-7.5: Typically accomplish implementation of	The Initiative is consistent with this policy. The Initiative amends the Envision	Consistent
specific plans through the rezoning and site development	San José 2040 General Plan to create a Senior Housing Overlay designation,	
entitlement processes.	applies that overlay to an approximately 200-acre site in the Evergreen area,	
	amends the zoning code to add a Specific Plan District, amends the City's zoning	
	map to rezone the Specific Plan Area to the Specific Plan district, and	
	implements the Senior Housing Overlay and the Specific Plan Zoning District	
	through the adoption of the Evergreen Senior Homes Specific Plan. The Specific	
	Plan establishes a development permit process for the Specific Plan area.	
Goal IP-12: Environmental Clearance.		
Use the Environmental Clearance process to further implem	ent Envision General Plan goals and policies related to the minimization of enviro	nmental
impacts, improving fiscal sustainability and enhancing the d	elivery of municipal services.	
Policy IP-12.1: Conform to the requirements of the California	The Specific Plan is consistent with this policy because, following passage of the	Consistent
Environmental Quality Act as it relates to land use decisions	Initiative, subsequent discretionary actions would be subject to environmental	
and the implementation of the Envision General Plan.	review under the California Environmental Quality Act.	

EXHIBIT I TO THE INITIATIVE

EVERGREEN-EAST HILLS DEVELOPMENT POLICY (FOR INFORMATIONAL PURPOSES ONLY)

THIS EXHIBIT IS ATTACHED FOR INFORMATIONAL PURPOSES ONLY

Evergreen-East Hills Development Policy

City of San Jose
Adopted by the City Council on December 16, 2008
(City Council Resolution Number 74741)

THIS EXHIBIT IS ATTACHED FOR INFORMATIONAL PURPOSES ONLY

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I. BACKGROUND

This policy, entitled, *The Evergreen-East Hills Development Policy* (EEHDP), is an update of the original *Evergreen Development Policy* (OEDP) adopted in 1976 as amended from time to time.

EVERGREEN DEVELOPMENT POLICY AREA BOUNDARIES

The updated Evergreen-East Hills Development Policy (EEHDP) area boundaries match the original boundaries of the Evergreen Development Policy (EDP), defined as the land within San Jose's Urban Service Area Boundary, south of Story Road, east of U.S. Highway 101, and the area generally north of the intersection of U.S. Highway 101 and Hellyer Avenue, where the northern boundary of the Edenvale Development Policy Area ends (see Figure 1).

The EEHDP area overlaps with portions of the East Valley/680 Communities, K.O.N.A. and West Evergreen Strong Neighborhood Initiative (SNI) planning areas and fully incorporates the Evergreen Specific Plan area and the Silver Creek Planned Residential Community. Portions of the EEHDP Area are also designated as Redevelopment Project Areas. See map on page 7 for the location of the SNI planning areas and Redevelopment Project Areas in the EEHDP area.

PURPOSE OF ORIGINAL EVERGREEN DEVELOPMENT POLICY

The original *Evergreen Development Policy* (OEDP) was adopted in August 1976 to address the issues of flood protection and limited traffic capacity in the EDP area, which constituted substantial constraints to development in the EDP Area. The area south of Story Road and east of Highway 101 has limited gateway streets into and out of this part of San Jose. These gateway streets are known as "screenline intersections." All vehicular trips to and from Evergreen pass though these few gateways, creating the potential for severe traffic congestion.

The 1976 EDP established the policy framework for facilitating an increment of new residential development in the EDP area as identified by the General Plan at that time. The Policy identified specific programs for correcting the transportation deficiencies and enhancing flood protection. In particular, the goal of the EDP was to limit the construction of new residential units so that traffic Level of Service "D," consistent with the City's General Plan policies, would be maintained at key boundary (screenline) intersections. Level of Service D is a measure of traffic congestion at signalized intersections, where vehicles wait through more than one signal light cycle at intersections but for short periods.

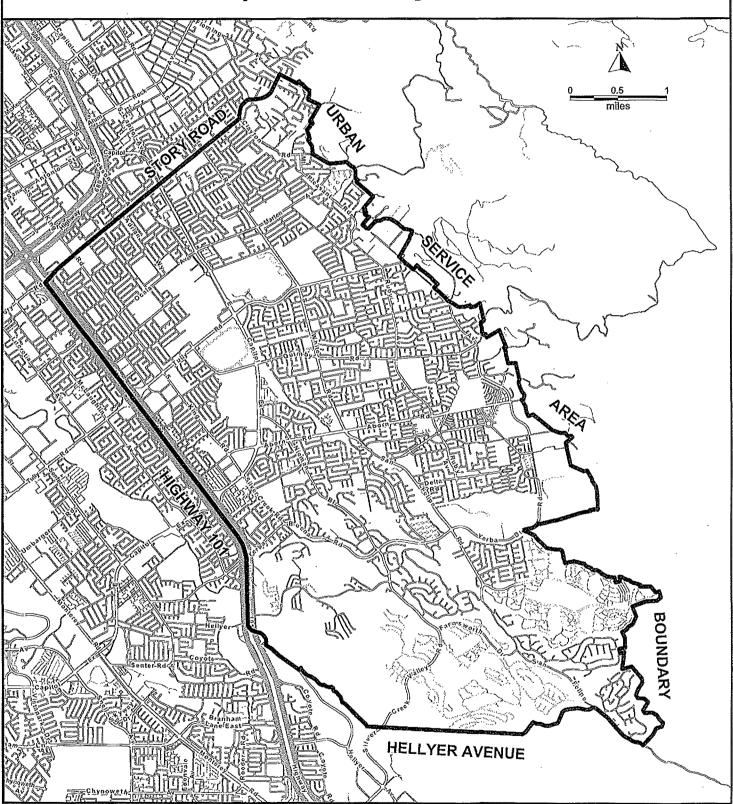
The EDP area is also naturally prone to flooding, requiring a flood control solution prior to additional construction. The Original Evergreen Development Policy adopted in 1976 created flood control policies which included allowing development to occur only if it protected from the 100-year flood and did not divert flood or overland flows or cause

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flooding on other properties. Original Evergreen Development Policy flood protection measures also required flood control improvements within the policy area which included improvements to Lake Cunningham, the construction of a tributary stream from Silver-Thompson Creek, the construction of a point of connection of the tributary stream to Lake Cunningham, and other improvements to the Quimby and Fowler Creek watersheds. The majority of flood control improvements required within the Original Evergreen Development Policy were completed prior to the Policy's update in 1991. The remaining outstanding improvements to the Quimby and Fowler Creek watersheds were included in the development of the 1991 Evergreen Specific Plan.

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Evergreen-East Hills Development Policy Boundaries

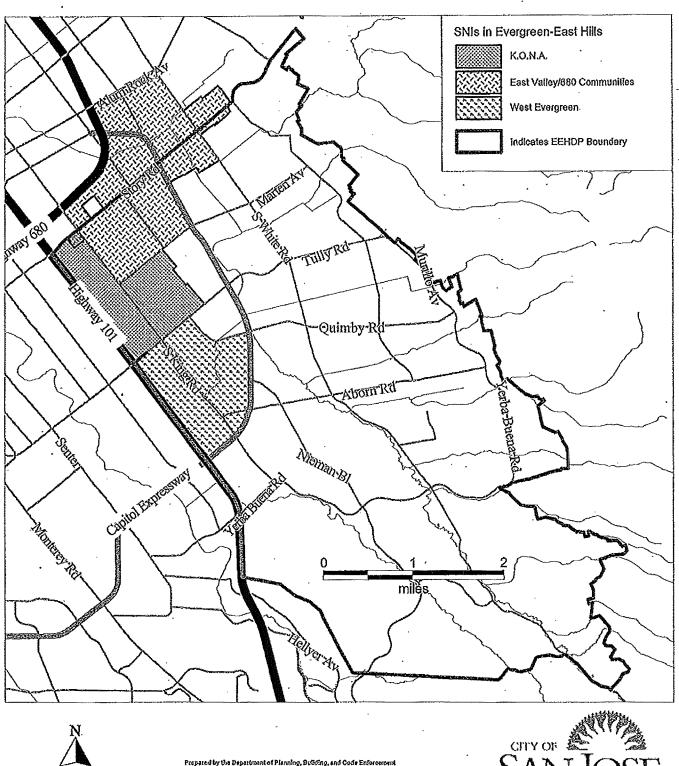




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Strong Neighborhood Initiative Districts in Evergreen-East Hill Development Policy



Map Created On: 8/25/2008



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Redevelopment Areas in the Evergreen-East Hills **Development Policy Area** HELLYER AVENUE





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SUMMARY OF PREVIOUS UPDATES AND STRATEGIC PLANNING EFFORTS

1991 Evergreen Specific Plan (ESP)

Under the Original Evergreen Development Policy, the screenline intersections reached their maximum traffic capacity in 1989, effectively preventing additional residential development. At that point, however, there was potential for the construction of almost 4,000 new residential units based on existing General Plan land use designations. Of the almost 4,000 potential residential units, 3,000 were within a sub-area of the OEDP, called the *Evergreen Planned Residential Community* (EPRC).

In 1990, the City Council initiated the *Evergreen Specific Plan* (ESP) for the EPRC to create a unique suburban area with a mix of lot sizes, housing types, some retail, parks, schools, and other amenities. The ESP was the catalyst to revise the OEDP, and through that effort, the City was able to identify additional traffic mitigation measures to support the construction of the 2,996 new residential units. Traffic analysis performed in conjunction with the preparation of the ESP, quantified the amount of traffic capacity required to allow full development of the remaining vacant lands in Evergreen, and identified potential street improvements which could provide the required capacity. In 1991, the City Council approved the ESP associated General Plan changes to the Evergreen Planned Residential Community and revised the Original Evergreen Development Policy to identify the transportation and flood control improvements needed for the Evergreen Specific Plan.

1995 OEDP Amendment

The Original Evergreen Development Policy was again revised in 1995 to provide the policy framework for the build-out of the larger Evergreen Development Policy Area consistent with the General Plan at that time with the goal of maintaining the basic traffic LOS "D" and hundred-year flood projection standards of the 1976 OEDP and 1991 OEDP Amendment. Those standards were preserved as prerequisites to project approvals. The 1995 OEDP Amendment identified the remaining watersheds and street system improvements required to allow 4,759 residential units to proceed. A Benefit Assessment District (No. 91-209SJ Aborn-Murillo) was formed to provide a cost-sharing plan to finance and construct the extensive infrastructure network enhancements necessary to facilitate the planned and potential housing units identified by the San José 2020 General Plan and the Evergreen Specific Plan. In 1998, the Benefit Assessment District was augmented and updated through the formation of Community Facilities District No. 4 as a result of changes to the laws governing special districts. Both the Benefit Assessment District and the Community Facilities District remain in effect today (2008) with no expiration date.

1998 OEDP Amendment

A minor amendment was made to the Original Evergreen Development Policy in August 1998 to refine the traffic analysis methodology in order to facilitate small-scale, non-

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residential development. Specifically, traffic analysis methodology was no longer based upon screenline intersections, but based upon traffic measurements at all affected intersections. This allowed small projects which did not have allocations to be built if the traffic associated with the small project could be mitigated through the installation of appropriate transportation improvements.

Evergreen Vision Strategy/Evergreen-East Hills Vision Strategy

The Evergreen-East Hills Development Policy builds upon several prior planning efforts, including the work of the Evergreen Vision Strategy, the Evergreen East Hills Vision Strategy (EEHVS) planning process, the Strong Neighborhood Initiative program, and the Knight Program in Community Building Evergreen-Eastridge area charrette.

In 2003 the Evergreen-East Hills Vision Strategy, a large community outreach process (initially called the Evergreen Vision Strategy), was underway to facilitate the development of six large opportunity sites. The six opportunity sites included:

- Arcadia, located on the south side of Quimby Road approximately 1,000 feet westerly of Capitol Expressway
- Pleasant Hills, located on the northeast corner of Tully and White Roads
- Evergreen Valley Community College, located on the North side of Yerba Buena Road approximately 350 feet easterly of San Felipe Road
- Berg-Campus Industrial lands, located on the southeast corner of Fowler and Yerba Buena Roads and both sides of future extension of Yerba Buena Road/Murillo Avenue between Fowler
- IDS-Campus Industrial lands, located on the eastside of Yerba Buena Road opposite Verona Road
- Yerba Buena OPCO Campus Industrial lands, located on the northeast corner of Yerba Buena Road and Old Yerba Buena Road.

The total development proposed as part of the Evergreen-East Hills Vision Strategy was up to 5,700 residential units, 500,000 square feet of commercial development, and 75,000 square feet of office development in the development policy area.

On May 15, 2007 the City Council decided to defer decision of the conversion of industrial properties (Berg, IDS, and Yerba Buena OPCO) to residential use and requested the development policy be updated to allow for a more limited level of development than was proposed with the Evergreen-East Hills Vision Strategy. As part of the outreach and task force process associated with EEHVS, the community identified a number of community amenities which were lacking and were priorities in the Evergreen-East Hills area. Appendix G of this document includes a listing of the community amenities identified through the Evergreen-East Hills Vision Strategy. This list serves as a resource for capital improvement projects based on community priorities. These amenities can also be considered as part of a "bonafide plan" to amend this development policy in the future. The bonafide plan requirement for potential amendments to the EEHDP is described in Chapter VII Future Amendments to the EEHDP.

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II. PURPOSE AND GOALS OF THE UPDATED EVERGREEN DEVELOPMENT POLICY, ENTITLED THE EVERGREEN-EAST HILLS DEVELOPMENT POLICY

The primary purpose of the updated *Evergreen Development Policy*, hereafter referred to as the *Evergreen-East Hills Development Policy (EEHDP)*, is to replace the original EDP (OEDP), as amended to specifically allow a limited increase in development in the Evergreen-East Hills area. The Evergreen-East Hills Development Policy becomes the new policy framework for a limited amount of new residential, commercial, and office development within the EEHDP Area. The EEHDP is intended to promote the long-term vitality of the Evergreen-East Hills Area by linking together limited new development with supporting transportation infrastructure. In exchange for enabling more development capacity, the Policy provides a mechanism to require commensurate traffic impact fees in order to construct transportation system investments.

The EEHDP is consistent with the San Jose 2020 General Plan, specifically supporting the General Plan goals of creating livable neighborhoods, promoting infill development at appropriate locations, and ensuring adequate services and facilities. Specifically, the EEHDP supports the General Plan's Urban Growth Boundary/Greenline Major Strategy through the promotion of infill development. This update does not amend the specific traffic Level of Service standards that are in the existing Evergreen Development Policy. The primary reason for adopting an Area Development Policy is to manage the traffic congestion associated with near term development in the EEHDP Area and simultaneously promote development consistent with the General Plan goals and neighborhood visions.

All new development within the EEHDP area should consider the Guiding Principles for Land Use and Transportation Planning (see Appendix A) and the Guiding Principle Design Guidelines (Appendix B), which were developed as part of the Evergreen-East Hills Vision Strategy (EEHVS) planning process as goals for creating high quality residential, retail, and office development. The Guiding Principles state that all new development in EEHDP area should be sustainable, be high quality, and improve the overall livability of the area. New residential development should create housing opportunities for a wide range of household types and income levels. Infrastructure and services should support the planned levels of residential and non-residential development. New development in transit corridors should incorporate transit-oriented development concepts, and all development should support vibrant land uses linked by various transportation modes and community amenities. The Guiding Principles for Land Use and Transportation Planning (Appendix A) and the Guiding Principle Design Guidelines (Appendix B) are included as appendices of this document in order to memorialize the community preferences that were generated through the Evergreen-East Hills Vision Strategy process as community aspirations. Property owners and developers are welcome to apply these ideas to their proposals; however, the EEHVS Guiding Principles and Guidelines will not be used by the City in the evaluation of consistency of proposed development with the Evergreen-East Hills Development Policy Update.

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The Evergreen-East Hills Development Policy consists of policies that govern:

- Land Use (Chapter III)
- Transportation (Chapter IV)
- Transportation Infrastructure Improvements (Chapter V)
- Implementation (Chapter VI)

Proposed development must be substantially consistent with all elements of this Evergreen East-Hills Development Policy.

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III. LAND USE

GENERAL LAND USE OBJECTIVES

The Evergreen-East Hills Development Policy Land Use Policies are intended to:

- Guide development to appropriate locations within the Evergreen-East Hills Development Policy Area.
- Provide appropriate flexibility for limited new development capacity.
- Maintain the current location of the Urban Growth Boundary.
- Facilitate infill development within the Urban Growth Boundary.
- Facilitate walking, bicycling, and transit use.
- Promote a diversity of housing options within neighborhoods.
- Protect, enhance, and/or restore natural features.

AFFORDABLE HOUSING POLICY

Consistent with Key Outcome No. #5 (see Appendix A- Guiding Principles for Land Use and Transportation Planning), which was developed through the Evergreen-East Hills Vision Strategy process, the EEHDP Policy is intended to create housing opportunities for a wide range of household types and income levels. Although only projects pursuing more than 35 residential units have specific affordability requirements described below (see Chapter VI Implementation), supplying affordable units as part of all residential development is encouraged within the EEHDP area. The provision of affordable housing shall be eliminated as one of the criteria for qualifying for "large project" status on the operative date of the City of San Jose's inclusionary housing policy. Any projects in redevelopment areas are not able to qualify for "large project" status through the provision of affordable housing.

RETAIL POLICY

Consistent with Key Outcome No. #4 (see Appendix A – Guiding Principles for Land Use and Transportation Planning), which was developed through the Evergreen-East Hills Vision Strategy process, the EEHDP is intended to foster vibrant commercial/business, mixed use, and residential areas including added opportunities for post offices, health care, entertainment and other retail uses. The Guiding Principles and Design Guidelines incorporated in Appendices A, B, and C to this Policy also encourage mixed-use development. Projects pursuing more than 35 residential units in size must adhere to specific design guidelines for mixed use development in order to foster successful retail opportunities (see Appendix C).

DEVELOPMENT CAPACITY

This EEHDP establishes a specific amount of land use development capacity for the Evergreen-East Hills Development Policy Area. All new development entitlements for

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properties located within the EEHDP Area must be substantially consistent with these provisions.

Existing Development Capacity

All properties with established development capacity in the form of existing buildings, entitlements, traffic allocations under the previous policy, or assigned trips in the City's Approved Trips Inventory (ATI) are able to redevelop based on that established level of traffic capacity. The level of traffic capacity for such properties will be determined from the associated traffic generation (trips) under the Original Evergreen Development Policy as amended. Existing trip allocations for a property will be credited for any development or redevelopment of that property, including proposed changes in use (e.g., existing commercial trips can be credited to a new residential project that displaces the commercial use). Development in excess of the existing trip allocation will require new allocation(s) as provided in the following provisions of this Policy. As of August 2008, unconstructed residential allocations under the previous policy total 446 dwelling units, as set forth in Appendix I of this Policy.

New Residential Development Unit Pool

This Evergreen-East Hills Development Policy establishes capacity for the development of up to 500 new residential units within the Policy area. This capacity is held in a "pool" that may be allocated to any property per the allocation criteria set forth in this Policy (see Chapter VI Implementation).

- At a minimum, 70% may be allocated to small projects, which are 35 units or fewer in size.
- A maximum of 30% of the pool units (150 units) can be utilized for allocation to development projects of more than 35 units if the proposals meet the criteria set forth for Large Projects.

Units are considered "allocated" with the approval of a rezoning, development permit or subdivision through a tentative or parcel map approval, whichever comes first. Any type of residential development, including single-family and multi-family residential projects shall be allocated units out of this pool. This Policy does not allow for any additional residential development beyond this specific allocation of 500 units. Any additional residential development beyond 500 units would necessitate an amendment to this updated Policy and likely additional subsequent environmental clearance. Guidance for future updates is contained in Chapter VII Future Amendments to the EEHDP.

New Retail Development Square Footage Pool

This Policy establishes capacity for the development of up to 500,000 square feet of new retail development within the Policy area held in a pool that may be allocated to any property per the criteria set forth in this Policy (see Chapter VI Implementation). New development of such uses will require allocation from this pool of 500,000 new retail square footage.

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New Commercial Office Development Square Footage Pool

This Policy establishes capacity for the development of up to 75,000 square feet of new office development within the Policy area held in a pool that may be allocated to any property per the criteria set forth in this Policy (see Chapter VI Implementation). Commercial offices include business services and medical offices. New development of such uses will require allocation from this pool of 75,000 new commercial office square footage.

New City Public Facilities

The purpose of the retail and office square footage pool is to facilitate private investment and development in the Evergreen-East Hills area to minimize vehicle trips out of the area. New City public facilities (i.e., libraries, community centers, fire stations, etc.) would need to complete a traffic analysis using the Traffic Impact Criteria for non-residential uses as described in this Policy. Based on the results of the analysis, the following are courses of action consistent with this Policy:

- If the analysis concludes that the proposed project would have no transportation impact, the City public facility project does not need to utilize any of the square footage in the pool or pay the Traffic Impact Fee.
- If the analysis identifies an impact for which the mitigation is identified in this Policy, then the City public facility project would need to draw down the appropriate square footage from the pool and pay the Traffic Impact Fee.
- If the analysis concludes that the proposed project would result in an impact for which there is mitigation not identified in this Policy and the Director of Planning and Director of Public Works has determined that:
 - The mitigation is desirable, then that mitigation would need to be satisfied as part of the City public facility project; or
 - The mitigation is undesirable due to potential effects on the pedestrian conditions and/or natural resources, then the City Council would need to consider an update to this Policy.

Other Land Uses

Private or other public agency development that does not fit traditional forms of commercial, office, or residential development in terms of number of peak AM/PM trips generated per square footage or dwelling unit must calculate a trip generation equivalency. The trip generation equivalency will equate the number of AM/PM peak trips from the development proposal to an amount of square footage for commercial or office uses or a number of dwelling units for residential use. For projects that have a mix or hybrid of uses, the trip generation equivalency will equate a combination of commercial or office square footage and dwelling units. The determined equivalent amount of commercial and office square footage or number of dwelling units would need to draw from the appropriate traffic

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development pool category or categories (commercial, office, and/or residential) approved through this Policy.

Given that these "other land use" proposals must draw from the development pool, the proposals must comply with the provisions of this Policy that are applicable to the development pool. For example, any proposal that would draw more than 35 units from the residential development pool based on trip generation equivalency would need to meet the criteria for large projects as outlined in the Implementation section of this Policy. Any projects falling under "Other Land Uses" category must meet one of the two criteria below:

- 1. The project does not exceed the trip generation equivalency of a residential project of 35 units or fewer.
- 2. The project would otherwise qualify for the large project status based on the criteria identified in the development policy.

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IV. TRANSPORTATION POLICY AND STANDARDS

OVERVIEW

The City has an adopted Level of Service (LOS) standard of "D" for most signalized intersections for the majority of the community. Geographic segments of the City with adopted Area Development Policies, as well as the Downtown, have unique, generally more permissive standards that vary from the citywide standard in recognition of special circumstances or superseding City goals that make maintaining an LOS of "D" impractical.

Under the OEDP, a LOS of "D" was established as a long-term goal for the Development Area. Particular land uses were incorporated into the OEDP so that at full build-out all EDP intersections would function at this LOS D standard. A key component of the General Plan was the development of a significant office/research and development job base on the sites designated Campus Industrial located just east of Murrillo Avenue, to establish a reverse commute pattern within the Policy area. Providing a job base within the Development Policy Area was projected to improve traffic conditions by decreasing the need for area residents to commute out of the Development Policy Area on heavily congested routes. Because residential development within the Development Policy Area was implemented while the Campus Industrial site remained largely undeveloped, the LOS "D" standard was not met.

LEVEL OF SERVICE STANDARDS - EEHDP AREA PROJECTS

In place of the Citywide Level of Service (LOS) D Standard, the EEHD Policy, which is a revision of the Evergreen Development Policy, provides traffic capacity for a "Development Pool" of 500 residential units, 500,000 square feet of retail, and 75,000 square feet of commercial office within the Evergreen-East Hills Area (defined as the land within San Jose's Urban Service Area Boundary, south of Story Road, east of U.S. Highway 101, and the area generally north of the intersection of U.S. Highway 101 and Hellyer Avenue, where the northern boundary of the Edenvale Development Policy Area ends) and the corresponding transportation infrastructure improvements. The Evergreen-East Hills Development Policy utilizes the Existing Evergreen Development Policy's traffic impact criteria but allows some decreased vehicular traffic level of service, while maintaining an average of LOS D or better when vehicular traffic improvements unacceptably conflict with other modes of travel or biological resources.

Impact Criteria. A project is said to create a significant adverse impact on traffic conditions at a signalized intersection located in the Development Policy Area if for during peak hours:

1. The level of service at the intersection degrades to a worse letter grade level of service, or

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- 2. a) For non-residential projects, the level of service at the intersection is an unacceptable Level of Service E or F and the addition of project traffic creates an increase in critical delay value by 2 seconds or more and an increase in critical V/C ratio of 0.005 or more. (Modified from the EDP to reflect a change in traffic analysis software)
 - b) For residential projects, one or more added trips to an intersection operating at an unacceptable Level of Service E or F.

Unacceptable Levels of Service are intersections functioning at Level of Service E or F under "background" conditions. Background conditions are the traffic conditions that take into account the build out of already approved trips through the Original Evergreen Development Policy, existing buildings, and projects with existing entitlements. A significant impact can be satisfactorily mitigated when measures are implemented that would restore intersection level of service to background conditions or better.

Exemption. An impact will not require mitigation under the following conditions:

- 1. The Intersection will continue to operate at LOS D or better, and
- 2. The improvement(s) necessary to improve conditions to background conditions create undesirable conflicts with other modes of travel or have unacceptable impacts on Biological Resources, and
- 3. The development causing the impact is within the scope of the Development Pool.

The Development Pool, as its distribution is assumed in the Traffic Analysis, is anticipated to cause the level of service to degrade to a worse letter grade (but not worse than LOS D), at the following four intersections:

- 1. Capitol Expressway and Nieman Boulevard;
- 2. San Felipe Road and Yerba Buena Avenue (North);
- 3. San Felipe Road and Delta Road
- 4. Evergreen Commons and Tully Road

At three of the four intersections numbered 1 through 3 above, the improvement(s) necessary to restore traffic LOS to background conditions create undesirable conflicts with other modes of travel in that:

- 1. At the intersection of Capitol Expressway and Nieman Boulevard, the improvement required to return the intersection to background conditions includes adding a second westbound right-turn lane. A double-right turn lane is undesirable because vehicles turning from both lanes could result in conflicts with pedestrians.
- 2. At the San Felipe Road and Yerba Buena Avenue (North) intersection, the improvement required to return the intersection to background conditions involves adding an exclusive southbound right-turn lane. Double right-turn lanes are considered less desirable as they increase the likelihood of pedestrian conflicts.

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3. At the San Felipe Road and Delta Road intersection, the improvement required to return the intersection to background conditions includes adding a second westbound left-turn lane or by adding a second southbound left-turn lane. Adding lanes to intersections increase potential conflicts with pedestrians. This is particularly important at this location, which is close to several schools.

At the intersection of Evergreen Commons and Tully Road (number 4 above), the improvements necessary to restore traffic LOS to background conditions create unacceptable impacts to biological resources as the improvement would require the widening of a bridge across Thompson Creek and the removal of riparian habitat.

At these four intersections, the improvement(s) necessary to restore traffic LOS to background conditions would create undesirable conflicts with other modes of travel or unacceptable impacts with biological resources.

In the event development is proposed at locations substantially different than the assumed distribution in the traffic analysis performed for the Supplemental Environmental Impact Report to provide environmental clearance of this EEHDP, a supplemental traffic analysis would be required to determine whether additional intersections would be affected and whether improvements could be made to restore traffic LOS to background conditions. In the event the improvements would create undesirable conflicts with other modes of travel, the resulting LOS degradation would also be deemed acceptable at those intersections for purposes of facilitating the proposed development consistent with this EEHDP so long as the affected intersection would continue to operate at LOS D or better and, but for the vehicular traffic distribution element, the proposed development would otherwise meet all of the requirements of this EEHDP.

Other Types of Development. Future development that does not fit within the typical definitions of residential, retail, or office, such as public or quasi-public facilities, must be still evaluated for conformance with the above-stated Traffic Impact Criteria. Such development must provide mitigation for its traffic impacts, consistent with the EEHD Policy, unless the necessary improvements create undesirable conflicts with other modes of travel. In the event of undesirable conflicts with other modes of travel, the City Council may consider whether to modify the EEHD Policy to allow the development despite the degradation in LOS or restrict such development in light of the resulting LOS. Additional residential, commercial, and office development beyond the development pool shall only be considered through an amendment to this EEHDP if one of the circumstances described in Chapter VII Future Amendments to the EEHDP is realized. See Chapter III Land Use for guidance regarding new City public facilities.

As indicated in Table 1 below, three intersections within the EEHDP Area are projected to operate at LOS "E" or "F" even with the construction of all transportation improvements identified in Chapter V Transportation Infrastructure. All other intersections are projected to maintain LOS "D" or better for AM and PM traffic conditions within the EEHDP Area.

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Table 1. Intersection LOS Standards

	Intersection	LOS Standards
-	Capitol Expwy/Quimby Rd	AM D PM E
	Capitol Expwy/Story Rd	AM E PM E
-	San Felipe Rd/Yerba Buena Rd (South)	AM E PM F

LEVEL OF SERVICE STANDARDS - PROJECTS OUTSIDE OF THE EEHDP AREA

If the traffic analysis for a new development project located outside of the EEHDP Area identifies that the project will generate traffic within the EEHDP Area, the impact of that traffic will be evaluated and mitigated according to the Citywide Transportation Impact Policy 5-3.

TRANSPORTATION DEMAND MANAGEMENT (TDM) MEASURES

All new development within the EEHDP Area is required to incorporate transportation demand management (TDM) elements into facility design, to the extent possible, to reduce the demand for single-occupancy vehicles during peak commute periods. A list of possible TDM measures is included as Appendix E to the EEHDP.

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V. TRANSPORTATION INFRASTRUCTURE

OVERVIEW

A key element of the EEHDP is the construction of new transportation infrastructure projects in conjunction with the construction of new development within the EEHDP Area. These transportation improvements are divided into two categories: **Transportation Mitigation Improvements** and **Site Operational Improvements**. The Transportation Mitigation improvements will be funded through the procurement of a Traffic Impact Fee from the new development. A Nexus Study, "Nexus Study for the Evergreen-East Hills Development Policy," dated July 7, 2008, has been prepared to establish the relationship between new development of the proposed development capacity and the Transportation Mitigation Measure Improvements which are to be funded through the Traffic Impact Fee.

The Site Operational Improvements must be built/installed at the time of development on specific sites and will be funded by the developer of the particular site.

TRANSPORTATION MITIGATION IMPROVEMENTS

The Transportation Mitigation Measure Improvements address specific traffic impacts associated with full build-out of the EEHD Policy's limited development capacity (identified below on this page and page 20) and will directly benefit traffic flow within the Policy area. The construction of the transportation mitigation improvements will be funded or caused to be funded by using fees collected from a Traffic Impact Fee applied to all new residential, retail, and commercial office development enabled through this EEHD Policy. Additional details of the Traffic Impact Fee are discussed below in the Implementation Chapter. The specific mitigation measures are:

- 1) Capitol Expressway and Quimby Road: Add exclusive northbound and eastbound right-turn lanes to this intersection.
- 2) Nieman Boulevard and Yerba Buena Road: Add a second westbound left-turn lane to this intersection.
- 3) Tully Road and McLaughlin Avenue: Add an exclusive northbound right-turn lane to this intersection.
- 4) White Road and Aborn Road: Add a second westbound left lane to this intersection.
- 5) US 101 and Yerba Buena Road (East): Convert a westbound through lane into a shared through/right-turn lane at this intersection.
- 6) White Road and Quimby Road: Add a second northbound left turn lane to this intersection.

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7) San Felipe Road and Yerba Buena Road (South): A second eastbound left turn lane and a second southbound left turn lane will be added to this intersection.

New Traffic Signals/Modifications

The City of San Jose determines the need for new traffic signals based on a system of "warrants," which analyze whether a traffic signal at a particular location would reduce traffic delays, reduce accidents, or help pedestrians. This EEHD Policy includes installation of traffic signals at locations based upon improvements for safety and efficiency and based on existing and projected future traffic volumes. New traffic signals or signal modifications are planned for the intersections at:

- Ruby Avenue/Norwood Avenue
- I-680 Ramps (N)/Jackson Avenue
- Ruby Avenue/Tully Road/Murillo Avenue
- Story Road/Clayton Road
- Marten Avenue/Mt. Rushmore Drive
- Marten Avenue/Flint Avenue
- Quimby Road/Scottsdale Drive
- Nieman Boulevard/Daniel Maloney Drive
- Story Road/Lancelot Lane
- Ocala Avenue/Hillmont Avenue
- Ocala Avenue/Adrian Way

SITE OPERATIONAL IMPROVEMENTS

Some local transportation infrastructure improvements will need to be built as development occurs on specific properties. These improvements address local circulation needs or implement established improvement plans and are not specifically identified in this Policy. Their construction will be implemented through the application of standard development review and entitlement procedures.

There are three additional intersections in addition to the intersections listed above requiring new traffic signals or signal modification in order to provide direct access to and from a project site. These intersections are at Tully Road/Almond Drive, Quimby Road/Arcadia Property, and Capitol Expressway/Arcadia Property. Since the benefit associated with these three traffic signals is not areawide, the costs associated with traffic signal improvements to these three intersections is not included in the area wide traffic impact fee, and instead will be funded by development impacting those intersections.

IMPROVEMENTS TO ALTERNATIVE MODES OF TRAVEL

Traffic Calming

Traffic calming improvements, include, but are not limited to, roadway features or signage such as, median islands, chokers, road humps, or enhanced crosswalks. Given that traffic

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calming improvements enhance pedestrian comfort safety, these types of roadway improvements are consistent with Key Outcome # 4 of the Guiding Principles for Land Use and Transportation Planning as developed from the Evergreen-East Hills Vision Strategy, which seeks to increase the overall livability of Evergreen by fostering vibrant areas that are linked by various transportation modes and community amenities. When applications for specific development proposals are submitted, the City will review any opportunities for on-site traffic calming measures if deemed to meet the City Council Policy (5-6) criteria for the initiation of traffic calming projects.

Bus Stop Construction/Improvements

Bus stop construction and improvements are also consistent with Key Outcome #4 of the Guiding Principles for Land Use and Transportation Planning from the Evergreen-East Hills Vision Strategy, as these improvements facilitate bus ridership, thus supporting additional transportation modes. Bus stop improvements include:

- ADA accessibility improvements
- Construction/replacement of bus stop pavement pads, passenger waiting pads, and shelter pads
- Addition or relocation of lighting
- Construction of connecting sidewalks to create accessible paths
- Supporting pedestrian improvements at crosswalks and intersections including, but not limited to, special pavers or pavement, bollards, pedestrian-activated inpavement lights, countdown signals for pedestrian crossings, and narrowing of pedestrian crossing distance including reduced curve radii and/or curb bubouts

In the evaluation of development applications, the City coordinate with the Valley Transportation Authority and will review any opportunities for on-site bus stop improvements.

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VI. IMPLEMENTATION

REVIEW OF NEW DEVELOPMENT PROJECTS

All new development within the EEHDP Area is subject to the City's standard procedures and policies for the review of new development proposals within the City of San Jose. Projects must conform to the General Plan, applicable design guidelines, and other policies and regulations unless specifically provided for otherwise in this Policy.

ALLOCATION OF DEVELOPMENT CAPACITY

Allocation of the development capacity provided through this Policy is determined according to the criteria set forth in this section. Allocations are made at the time of initial Planning entitlement approval (the first of either Planned Development Zoning, Site Development Permit, Tentative or Parcel Map, or equivalent action) and remain in place until all such entitlements expire.

In addition to meeting the allocation policies on pages 22-27 of this EEHD Policy, all new development within the EEHDP Area, including projects that make use of existing allocations, existing trip credits, or allocation of new development pool capacity must:

- Further the Major Strategies, Goals and Policies of the City of San Jose General Plan. Although development must adhere to all applicable aspects of the General Plan, development policies which are particularly relevant to the topography and environment of the Evergreen-East Hills area include hillside development and riparian corridor protection policies.
- Conform to the City's Design Guidelines for Commercial, Industrial, and Residential uses.
- Not require modification of the Urban Service Area or Urban Growth Boundary boundaries.
- Not create significant adverse effects upon the environment, including but not limited to; projects that must not require significant grading or other alteration of the natural environment.

Use of Discretionary Alternate Use Policies in the General Plan

Projects which draw from the pool of development capacity created through this EEHD Policy, may utilize discretionary alternate use policies in the San Jose General Plan only if they are also consistent with other General Plan policies and goals and also adhere to the criteria of this EEHD Policy. It is expected that the Discretionary Alternate Use Policies would be employed rarely in combination with the EEHDP.

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Distribution of Traffic Allocation

The 500 residential units, 500,000 square feet of retail, and 75,000 square feet of commercial office development were distributed within the EEHDP area for analytical purposes to provide environmental clearance for the additional traffic capacity. The distribution of residential units in the EEHDP area was based on implementation of the General Plan Land Use/Transportation Diagram as well as the furtherance of Goals and Policies of the General Plan and the Guiding Principles of the Evergreen-East Hills Vision Strategy, which support infill development of vacant or underutilized properties in a manner consistent with reducing automobile usage and connecting residents to community amenities, commercial, and/or job centers. The distribution of residential units, commercial and office development for those analytical purposes is as follows in the table below. This distribution of development is for analytical purposes for environmental clearance of this EEHD Policy only. This distribution does not imply entitlements are guaranteed as shown given that projects still must to adhere to the city's ordinances, design guidelines, and the General Plan's Goals, Policies and Land Use Transportation Diagram.

Sub-Area	Housing Units	Office Sq. Ft.	Commercial Retail Sq. Ft.
South of Story Road between Highway 101 and Capitol Expressway	100	25,000	344,000
East of Capitol, between Story and Tully Roads	64	25,000	21,000
East of Capitol, between Tully and Aborn Roads	25	25,000	35,000
East of Capitol, between Aborn and Yerba Buena Roads	236		100,000
South of Yerba Buena Road	75		
TOTALS	500	75,000	500,000

Public Works staff will determine if a proposed project appears to have any traffic impacts significantly different than the traffic impacts previously analyzed based on the distribution of traffic in the above table. If Public Works staff determines that the impacts could be different or more significant than what was previously analyzed, the applicant will be required to provide a new traffic analysis.

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Existing Allocations

Allocations and development rights existing at the time of adoption of this Policy remain in effect and do not require any further consideration.

"Anti-Clustering" and Master Planning Requirement for Residential Development

The allocation of development capacity through the land use approval process on sites in the EEHDP area shall occur only if the proposed residential development fully utilizes the proposed project site consistent with the designation on the General Plan Land Use/Transportation Diagram, General Plan text, and other applicable policies (e.g., Riparian Corridor Policy). Development should not occur on a portion of the site, with other portions of the site remaining vacant in reservation for potential future development opportunities which are not in conformance to the EEHDP. A site is defined as one or more contiguous parcels that function as a whole. A project fully utilizes or fully develops a site if there are no large portions of the site remaining vacant after the proposed development.

If a site is unable to fully develop consistent with the General Plan Land Use/Transportation Diagram designation, General Plan text, and in accordance with the criteria set in this Policy, then the site is ineligible to draw from the pool. If an Amendment to the Land Use/Transportation Diagram is proposed, then other applicable entitlements (rezoning, Site Development Permit, and/or Tentative Map) should be concurrently processed with the Amendment to the Land Use/Transportation Diagram in order to confirm the applicant's intent to implement the proposed Amendment consistent with the EEHDP. This criterion is intended to apply only to residential development. Commercial, office, recreation, public facilities, and other non-residential ones are allowed on portions of large sites as these uses internalize trips already occurring or reduce the number of trips out of the Evergreen-East Hills area for access to these services. In addition, some of these uses also create employment opportunities that will help to correct the jobs/housing balance issue in the Evergreen-East Hills area.

Conditions for consideration to an Amendment to this Development Policy are highlighted in Chapter VII Future Amendments to the EEHDP.

Properties with Existing Residential Use or Other Uses

Properties that have existing residential or non-residential uses will be allowed to apply their traffic generation equivalency to proposed new developments provided the existing use is legally permitted and the proposed use is consistent with applicable City policies and ordinances.

Residential Pool Allocation

Residential development capacity for new projects will be allocated at the time of the City's approval of a rezoning, Site Development Permit, and/or Tentative Map action, whichever occurs first, on the specific pool site. Once allocated, units are removed from the

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Residential Development Unit Pool and are no longer available for allocation to other properties.

If a permit expires or a zoning is replaced by a new entitlement, any unused allocation is returned to the appropriate pool and becomes available for new projects. All projects receiving allocation from the Residential Development Unit Pool are subject to the Traffic Impact Fee.

All projects receiving allocation must further the Major Strategies, Goals and Policies of the City of San Jose General Plan.

Definition of Small and Large Projects

A small project is any project which proposes to draw 35 or fewer residential units from the residential pool. A large project is any project which proposes to draw more than 35 units from the residential pool.

In the event that a project has existing allocation or entitlements prior to drawing from the residential pool, only the number of units that draw from the residential pool shall be applied to the small and large project criteria specified below. For example, if a project has 30 units of existing allocation or entitlements in conformance to the Original Evergreen Development Policy and proposes to utilizes 8 additional units from the residential pool, the project's total size would be 38 units, but it would be considered a small project as it is only drawing 8 units from the residential pool.

Small Projects

Seventy percent (70%) (350 units) of the Residential Pool Capacity is reserved for small projects of 35 units or fewer and may not be allocated to larger projects.

Large Projects

No more than 30% (150 units) of the Residential Pool Capacity may be allocated to projects of larger than 35 units. Unlike the residential pool for small projects, there is no minimum number of units which are reserved for large projects. Any unused allocation from the large unit pool can be used by small projects. Any large project of 35 units or greater must meet one of following criteria:

Affordable Housing – Projects that incorporate affordable housing in excess of any other applicable City requirements (The affordable housing criteria for large project status are only available to projects receiving entitlements prior to the operative date of the City of San Jose's inclusionary housing policy. The affordable housing criteria for large project status are not available to projects in redevelopment areas as projects in Redevelopment Areas continue to remain subject to the Redevelopment Agency's requirements for affordable housing development). In order to meet this criterion, a project must have either:

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- At least 20 percent of units reserved to be affordable to lower-income households for rental developments. Eight percent (8%) of the total units must be at rents affordable to Very Low-Income households (no greater than 50% of area median income), and 12 percent (12%) of the total units must be at rents affordable to Low-Income households (60% of AMI, eligible up to 80% AMI). Or
- At least 20 percent (20%) of units reserved to be affordable to Moderate Income households for for-sale developments (120% of AMI). Developments may not fulfill their obligation as required by this policy by opting to pay an in-lieu fee.

<u>Mixed-Use Projects</u> – Projects that incorporate mixed-use elements (e.g., ground floor retail with office or residential above consistent with the guidelines contained in Appendix C. The mixed use development should also conform to the City's Residential Design Guidelines. The ground floor retail design must be highly visible from the pedestrian and street level. In addition, the ground floor layout and design and amenities provided supports different uses, fostering the long term vitality of the ground floor retail area.

<u>Historic Preservation</u> – Projects that incorporate significant cultural resources, either through preservation and integration of identified historic structures. In order to meet this criterion, a project must include a resource that qualifies for a minimum listing as a structure of merit on the City of San Jose Historic Resources Inventory and the development and proposed preservation of the resource shall substantially conform to the historic preservation policies included in Appendix D.

Projects outside of EEHDP area

New projects outside of the EDP Area, which may impact gateway intersections, will be subject the City's Level of Service Policy 5-3: Transportation Impact Policy.

Unforeseen future projects

Any development projects beyond the scope of the EEHDP and the associated Supplemental EIR will require an amendment to the EEHDP Policy and additional environmental review. An Amendment to the EEHDP will be considered only in accordance with the criteria called for in Section VII of this policy.

Implementation Goals

The goals of the EEHDP are to reduce congestion on the roadway when possible, thus improving quality of life for residents. In no case shall the total number of units distributed by application of these goals exceed the overall cap of 500 units established in this amendment. In the event that there is more demand for residential development in the Policy area than the 500 residential pool allows for, projects on file shall be evaluated by Planning staff for their conformance to the following congestion reduction goals:

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- Proximity to Mass Transit Any projects located within 2,000 feet of existing or planned light rail or bus stops with bus routes with frequent headway. Projects should also include enhanced provisions for bicycle parking and pedestrian connections on-site.
- 2) Proximity to Community Services Any projects located with ¼ mile from community services such as schools, libraries, and commercial areas. This includes existing and future services, including those approved via City Council action, such as master plans, specific plans, and Strong Neighborhood Initiative plans.

In the event that some residential applications must be denied or reduced because the total proposed residential units of the combined applications exceed the 500 residential pool, development applications on file that meet one or more of the goals above shall be given consideration for approval before projects that do not meet any of the goals. Any development that deviates from the assumed distribution of traffic in the Supplemental Environmental Impact Report, may need to provide an additional traffic report and to complete additional environmental clearance for traffic.

Communications with Affected School Districts

Project applicants are strongly encouraged to talk with affected school districts during the review and processing of their entitlement applications to ensure the affected school districts are aware of pending development.

Funding of Improvements

The total funding required for the Transportation Mitigation Improvement is estimated to be \$13,211,200 million (2008 dollars). The developers of project sites collectively are responsible in providing funding for the all required Transportation Mitigation Improvement Measures and will be subject to a Traffic Impact Fee (TIF). The Traffic Impact Fee is based upon a fair-share contribution towards the cost of providing transportation improvements that directly mitigate the traffic impacts associated with the development authorized by this Policy. The traffic impact fee shall be paid to the City prior to the issuance of building permits for new development. The TIF per residential unit is \$13,214 and the TIF per 1,000 square feet of commercial or office development is \$11,485.

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VII. FUTURE AMENDMENTS TO THE EEHDP

The City Council may consider future amendments to the Evergreen-East Hills Development Policy only if one of the following three circumstances is realized:

- (1) A "bonafide" plan for financing transportation improvements and amenities identified in the EEHVS process is prepared and offered private party. This plan shall be considered bonafide if it is accompanied with binding agreement that provides full funding for, or identifies a realistic and certain means to fund the entire Highway 101 corridor project and all other traffic infrastructure required within the policy area and "fair share" funding of the items recommended in the amenities list identified through the Evergreen-East Hills Vision Strategy (see Appendix G); or
- (2) The full occurrence of 11,600 jobs on properties planned for Campus Industrial uses in the EEHDP area has been achieved (environmental clearance will still be necessary for any additional development); or
- (3) An occurrence of jobs on properties planned for Campus Industrial in accordance with the phasing plan below is also accompanied by a plan offered by a private party which provides or identifies a realistic and certain means to fund transportation improvement priorities and community amenities which were identified in the EEHVS amenities list. The phasing plan shall allow housing to be phased in with the occurrence of jobs; however the total housing units shall not exceed a total of 3900 residential units. The initial 500 units which are allowed within the EEHDP shall also be included in the total of 3,900 units. The phasing plan shall follow accordingly:

Phase	Jobs	Residential Units
Initial Phase	0	500
Phase II	2,000	1000
Phase III	4,000	2000
Phase IV	6,000	3000
Phase V	11,600	3,900

The Highway 101 corridor project referred to in circumstance #1 above includes the following improvements constructed on U.S. 101 between the 1-280/680 interchange and the Yerba Buena Road interchange (see diagram of improvements on Page 30):

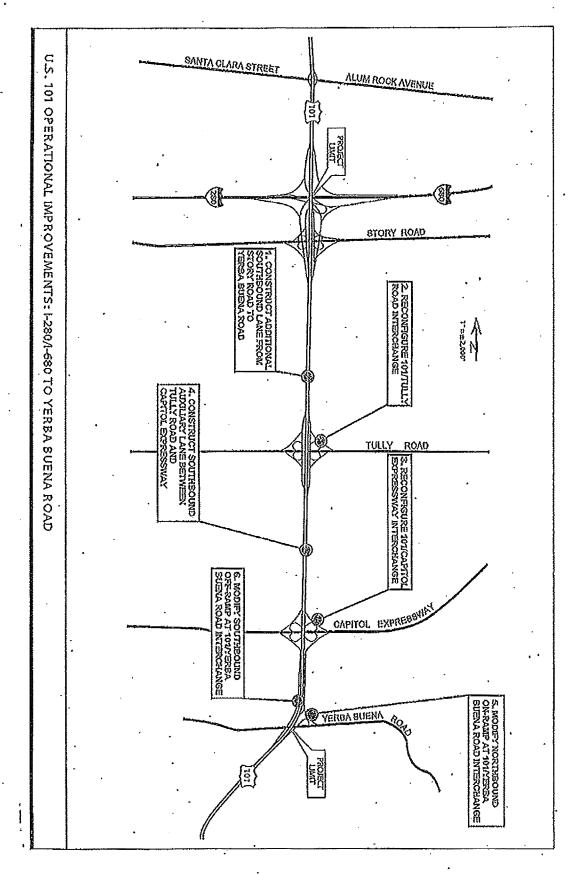
- An additional lane in the southbound direction from just south of Story Road to Yerba Buena Road.
- Reconfiguration of the U.S. 101/Tully Road interchange, converting the interchange from a full cloverleaf design to a partial cloverleaf design. A partial cloverleaf design replaces one or more of the loop ramps with diagonal ramps.

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- Reconfiguration of the U.S. 101/Capitol Expressway interchange, converting the interchange from a full cloverleaf design to a partial cloverleaf design.
- An auxiliary lane in the southbound direction between the Tully Road and Capitol Expressway interchanges. An auxiliary lane typically extends between two adjacent interchanges. It is not a "thru" lane; traffic in an auxiliary lane must either merge into the adjacent thru lane or exit the freeway at the next off-ramp.
- Modification of the northbound on-ramp at the U.S. 101/Yerba Buena Road interchange, to allow traffic from Yerba Buena Road to enter the freeway before Capitol Expressway.
- Modification of the southbound off-ramp at the U.S. 101/Yerba Buena Road interchange, to allow traffic from Yerba Buena Road to enter the freeway after Capitol Expressway.

All of these improvements are within the existing Caltrans right-of-way.

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APPENDIX A

Guiding Principles for Land Use and Transportation Planning in Evergreen-East Hills, Developed through the Evergreen-East Hills Vision Strategy Task Force

<u>Background</u>: These Guiding Principles were developed originally though the Evergreen-East Hills Vision Strategy task force process in 2003. The only modifications to that original work are to align the Guidelines with this Evergreen-East Hills Development Policy (EEHDP) update to ensure internal consistency. In addition, some modifications have been made to reflect Council Policy actions that have occurred since 2006 when the Task Force completed its work.

The Guiding Principles for Land Use and Transportation Planning in Evergreen are included to memorialize the community goals and preferences that were generated through the Evergreen-East Hills Vision Strategy process. Property owners and developers are welcome to apply these ideas to their proposals; however, the EEHVS Guiding Principles and Guidelines will not be used by the City in the evaluation of consistency of proposed development with the Evergreen-East Hills Development Policy Update.

Original Note to the November 19, 2003 Guiding Principles: The Guiding Principles are organized into Key Outcomes/Desired Results and related objectives/strategic approaches to achieve the Key Outcomes. The Key Outcomes are numbered to facilitate discussion; no priority is implied by the numbers. The Key Outcomes are intended to work together to provide a macro-perspective, integrated, holistic, and comprehensive systems view of Evergreen's future. The community also voiced interest in the general concepts of flexibility, adaptability, and measurable objectives. For purposes of this document, "new development" includes development on vacant land as well as the redevelopment of already built properties.

Key Outcome #1: New development should follow the "sustainability" principles of equity, environment and economic development.

Equity

- Promote diversity within neighborhoods.
- · Welcome people of all ages, cultures, and socio-economic backgrounds.
- Involve the community in land use decision-making.

Environment

- Protect the environment through energy and water conservation, alternative energy sources (e.g., solar), "green building," and other sustainability approaches.
- Protect wildlife corridors and other habitats where appropriate and beneficial.
- · Maintain the Greenline/Urban Growth Boundary in its existing location.

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Economic Development

• Create economic development opportunities for businesses of all sizes and types, consistent with the City's overall economic development goals.

Key Outcome #2: All new development should be high quality and aesthetically pleasing.

- Ensure new development is designed with high level of architectural detail, innovative urban design, and high quality materials.
- · Diversify architectural styles.
- Minimize the obstruction of views.
- Ensure new development is compatible (in terms of design, density, massing, etc.) to adjacent properties and is well-integrated with existing neighborhoods and surroundings.
- Ensure new single-family house sizes are commensurate with the size of the lot and nearby housing developments.
- Locate (i.e., set back) buildings appropriate distances from the sidewalk to create desired neighborhood/community character, landscaping, and friendly and safe pedestrian environment.
- Coordinate and integrate land use planning between land uses (e.g., residential, civic/school/commercial, etc.) to address access, parking, pedestrian connections, and other issues.
- Maintain properties in good condition.
- Ensure new development on larger properties transitions in increasing height and density away from nearby existing lower intensity development.
- Provide adequate parking for all residents and their guests within new residential developments.
- Encourage the renovation, rehabilitation, and revitalization of commercial and residential properties.
- · Create safe, well-lit places.
- Beautify the community (i.e., improve the overall aesthetics) of Evergreen through tree
 plantings, utility undergrounding, and other means.
- Use photo simulation and other three dimensional techniques to simulate new development and its potential impacts to neighborhoods (i.e., increases in height) and the transportation system.

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Key Outcome #3: Infrastructure and services should support the planned levels of residential and commercial/retail/office development.

Schools

- Ensure adequate capacity at Evergreen schools without sacrificing a quality educational environment.
- Foster neighborhood schools.
- · Institute traffic calming, especially near schools.

Auto Transportation

- Receive funding commitments to construct major transportation infrastructure, including Highway 101 improvements.
- Create a traffic policy to maintain the flow of vehicular traffic on Evergreen streets without compromising livability and other modes of travel (e.g., bicycles, pedestrians, and transit).
- Attempt to minimize auto trips by locating jobs, housing, businesses, and services within close proximity to one another.
- · Foster a "reverse commute".
- Consider a grid street system for large development sites, connecting to the surrounding street network.
- · Consider roundabouts instead of traffic signals.

Bus and Rail Transit

- Determine funding mechanisms to construct light rail.
- Encourage transit service that is fast, convenient, frequent, reliable, comfortable, and safe (including the locations of stops/stations).
- Utilize existing public transit system to the greatest extent possible.

Bicycle and Pedestrian Travel

- Create a rich network of safe, well-lit and defensible pedestrian and bicycle connections across neighborhoods, along creeks, and to key destinations (including transit stations) in Evergreen.
- Ensure adequate sidewalk widths, street trees, lighting, and other features to facilitate walking.
- Minimize walking distances to services and public transportation (goal: 5 to 10 minutes).

Parks, Trails, and Open Spaces

- Establish parks, trails, community gardens, and other open spaces that provide recreation and green areas to support existing and future residents and workers.
- Preserve current open space uses to the extent possible.

Libraries and Other Community Facilities

• Provide libraries, community/youth/ senior centers, and other services to support the existing and projected population.

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Key Outcome #4: Increase the overall livability of Evergreen by fostering vibrant commercial/business, mixed use, and residential areas linked by various transportation modes and community amenities.

- Add restaurants, post offices, health care facilities (e.g., emergency rooms), and other neighborhood/commercial services to Evergreen, east of Highway 101.
- · Add entertainment uses, including performance venues, in appropriate locations.
- Maintain, expand, and create Farmer's Markets.
- Introduce mixed use development, including residential/retail or residential/office/retail
 in the same building.
- Create opportunities for non-profits and community-based organizations to locate in Evergreen.
- Create opportunities for people to meet and socialize in public places, businesses, recreation areas, etc.
- Promote the enjoyment of people and the aesthetics of the area.

Key Outcome #5: Create housing opportunities for a wide range of household types and income levels.

- Establish development opportunities for affordable and mixed income housing to meet the housing needs of all stages of life (single, married, family, "empty nester," and senior).
- Create opportunities for a range of different housing types (single-family, apartments, condominiums, live/work, etc.).
- Mix housing types within a single development site.
- · Create opportunities for both home ownership and rental units.

Key Outcome #6: Apply the concepts of Transit-Oriented Development near future transit stations.

- Maximize the synergy of the planned transit investment by adding high density residential, mixed use (i.e., residential/industrial/commercial/retail), and job-generating development that is oriented to the pedestrian and transit users.
- Balance the mix of uses, including a ground floor retail district oriented to transit stations and civic uses.
- Design the buildings so that residents, workers, shoppers, and others find transit convenient and attractive.
- Place buildings close to the street, consistent with Key Outcome #2, bullet 6 for non-transit areas.
- Orient the buildings and their entries to the street.

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APPENDIX B

GUIDING PRINCIPLE DESIGN GUIDELINES DEVELOPED THROUGH THE EVERGREEN-EAST HILLS VISION STRATEGY TASK FORCE

Introduction- These Design Guidelines were developed originally though the Evergreen-East Hills Vision Strategy (EEHVS) task force process. The only modifications to that original work are to align the Guidelines with this Evergreen-East Hills Development Policy (EEHDP) update to ensure internal consistency. In addition, some modifications have been made to reflect Council Policy actions that have occurred since 2006 when the Task Force completed its work.

The Guiding Principle Design Guidelines are included here in order to memorialize the community goals and preferences that were generated through the Evergreen-East Hills Vision Strategy process. Property owners and developers are welcome to apply these ideas to their proposals; however, the EEHVS Guiding Principles and Guidelines will not be used by the City in the evaluation of consistency of proposed development with the Evergreen-East Hills Development Policy Update.

Key Outcomes – Guiding Principles

The Evergreen•East Hills Vision Strategy Key Outcomes and Guiding Principles are the framework from which the following design guidelines were developed. Each of the Key Outcomes should be considered together to provide direction for new development in the Evergreen•East Hills area.

- 1. New development should follow the "sustainability" principles of equity, environment and economic development.
- 2. All new development should be high quality and aesthetically pleasing
- 3. Infrastructure and services should support the planned levels of residential and commercial/retail/office development.
- 4. Increase the overall livability of Evergreen by fostering vibrant commercial/business, mixed use, and residential areas linked by various transportation modes and community amenities.
- 5. Create housing opportunities for a wide range of household types and income levels.
- 6. Apply the concepts of Transit-Oriented Development near future transit stations.

Each Key Outcome has an associated set of Guiding Principles organized by topic heading. A portion of these have a possible direct impact upon site and architectural design elements that can be implemented as part of the review process of individual development proposals.

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Design Guidelines

Design Guidelines reinforce the community vision defined by the Guiding Principles and Key Outcomes. The following list of guidelines is organized according to the Outcome and Principle that they are intended to implement. The following list of Design Guidelines is intended to be used as a tool for the review of all new development proposals within the Evergreen-East Hills Development Policy area as a supplement to other Design Guidelines and Policies in use by the City for the review of new development projects.

Key Outcome #1

Key Outcome #1 includes the following principle related to development projects:

• Environment: Protect the environment through energy and water conservation, alternative energy sources (e.g., solar), "green building," and other sustainability approaches.

The following Design Measures, in conjunction with other City policies and guidelines, are intended to implement this principle:

- a. All new development should avoid significant site grading or other disturbance of natural features. Projects should make use of split pads or other measures to minimize their impact upon the environment
- b. All new single-family and multi-family residential development should incorporate Passive Solar Design Plan subdivision lots and street layout to optimize solar access for all homes
- c. New development must implement all citywide Green building Policies and/or ordinances

Key Outcome #2

Key Outcome #2 includes the following principles related to development projects:

- Ensure new development is designed with high level of architectural detail, innovative urban design, and high quality materials.
- · Diversify architectural styles.
- Minimize the obstruction of views.
- Ensure new development is compatible (in terms of design, density, massing, etc.) to adjacent properties and is well-integrated with existing neighborhoods and surroundings.
- Ensure new single-family house sizes are commensurate with the size of the lot and nearby housing developments.
- Locate (i.e., set back) buildings appropriate distances from the sidewalk to create desired neighborhood/community character, landscaping, and friendly and safe pedestrian environment.
- Coordinate and integrate land use planning between land uses (e.g., residential, civic/school/commercial, etc.) to address access, parking, pedestrian connections, and other issues.
- Maintain properties in good condition.

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- Ensure new development on larger properties transitions in increasing height and density away from nearby existing lower intensity development.
- Provide adequate parking for all residents and their guests within new residential developments.
- Encourage the renovation, rehabilitation, and revitalization of commercial and residential properties.
- · Create safe, well-lit places.
- Beautify the community (i.e., improve the overall aesthetics) of Evergreen through tree plantings, utility undergrounding, and other means.
- Use photo simulation and other three dimensional techniques to simulate new development and its potential impacts to neighborhoods (i.e., increases in height) and the transportation system.

- a. All new development should be designed with high level of architectural detail, innovative urban design, and high quality materials.
- b. For new single-family detached homes, the same unit floor plan can be used for no more than 20% of the units on any given street block (alternatively, within new single-family residential developments, no more than 3 units per block may have the same floor plan.)
- c. For attached single-family homes, façade treatments should be varied through use of stoops, bay windows, bow windows, turrets and variation of roof treatments so that no more than two units have the same treatment on any given street. If two units have the same treatment, they should not be adjacent.
- d. For multi-family developments with multiple buildings, different heights and massing should be used to visually distinguish buildings. While buildings should have architectural continuity, unique architectural elements should also be used on each building to give it a distinct visual character.
- e. For any development with significant amounts of slope, the preservation of views for existing adjacent development or established uses should be considered in the site design. New buildings should be arranged so as to preserve those views to the extent feasible.
- f. The Floor Area Ratio (FAR) for new single-family residential units should be no more than 65%.
- g. The maximum height for new construction adjacent to existing single-family uses is 2 ½ stories and 35 feet within 70 feet of the shared property line.
- h. A minimum 25-foot aggregate 2nd story rear setback and a 20-foot minimum 1st and 2nd story rear setback should be provided for all new residential development adjacent to existing single-family or multi-family uses.
- i. Clear delineation should be incorporated into site design when residential development directly abuts a public park (i.e., low fence line, sidewalks, etc.).
- j. The size of new residential lots and new residential structures should be within 25% of the average size of the residential lots and structures on the immediately adjacent (abutting) properties.

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- k. For single-family attached or detached units, provide two covered parking spaces and one off-lot (guest) parking space per unit. Units without a driveway apron of at least 23 feet in length must be provided with 1.3 guest parking spaces per unit. Guest parking spaces should be located within 150 feet of the unit it supports.
- Off-lot parking can be accommodated through on-street parallel parking in front
 of new units or through parking bays with perpendicular parking adjacent to new
 streets.
- m. Excess surface parking lot areas should be minimized by utilizing opportunities for dual use between residential, commercial and public uses.
- n. Within new development that incorporates public facilities (e.g. schools, libraries), a means of direct pedestrian access should be provided to those facilities from adjacent residential and commercial areas.
- o. When development takes place on a site with existing structures, those structures should be incorporated into the new development to the extent feasible.
- p. For new single-family residential development, floor plans, which would accommodate a home occupation use, is encouraged in order to reduce vehicle commute traffic.

Key Outcome #3

Key Outcome #3 includes the following principles related to development projects:

- Auto Transportation: Consider a grid street system for large development sites, connecting to the surrounding street network.
- Auto Transportation: Consider roundabouts instead of traffic signals.
- Bus and Rail Transit: Utilize existing public transit system to the greatest extent possible.
- Bicycle and Pedestrian Travel: Ensure adequate sidewalk widths, street trees, lighting, and other features to facilitate walking.
- Parks, Trails and Open Space: Establish parks, trails, community gardens, and other open spaces that provide recreation and green areas to support existing and future residents and workers.
- Parks, Trails and Open Space: Preserve current open space uses to the extent possible.

- a. Within all new subdivisions, cul-de-sacs should only be used when alternative street configurations are not feasible.
- b. New streets should be connected to existing streets wherever street design standards, including safety considerations, make such connection possible.
- c. New subdivisions should incorporate a street grid system that provides multiple route choices for movement within the subdivision and multiple points of connection to surrounding streets to the extent feasible.
- d. New street connections should incorporate roundabouts where possible.

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- e. All new development should address any adjacent transit facilities through site design and architectural elements, including location of building on site in proximity to transit facilities, provision of pedestrian walkways and location of building entrances so as to support transit use.
- f. Multi-family residential buildings in proximity to transit facilities should be provided with multiple entrances (e.g. individual unit or unit cluster stoops).
- g. Installation of new sidewalks, street trees, pedestrian oriented lighting and other features should be provided with all new development at or above City standards.
- h. New commercial development should include open space plazas (e.g. outdoor dining areas for restaurants and landscaped open areas for customers).
- i. New residential development should incorporate private open space areas programmed for active use (e.g. tot lots, half-court basketball, BBQ/picnic areas.)
- j. Open spaces within new development areas should be linked to existing open space features.

Key Outcome #4

Key Outcome #4 includes the following principles related to development projects:

- Retail: Introduce mixed use development, including residential/retail or residential/office/retail in the same building.
- Retail: Create opportunities for people to meet and socialize in public places, businesses, recreation areas, etc.
- Retail: Promote the enjoyment of people and the aesthetics of the area.

- a. New development on the Arcadia site should include a minimum of 100,000 square feet of retail or other commercial uses.
- b. New development on the Evergreen Community College site should include a minimum of 60,000 square feet of retail or other commercial uses.
- c. At least 50% of the commercial development on the Arcadia and Evergreen Community College Opportunity Sites should be incorporated into mixed-use development as a residential/retail or residential/office/retail mix.
- d. Mixed-Use projects should be given priority for development at suitable locations. (e.g. mixed-use development is strongly encouraged for any development site where the General Plan supports mixed-use). See Appendix C for specific guidelines for mixed-use development.
- e. Outdoor plazas, including landscaping and seating areas, should be provided in close proximity to new retail development.

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Key Outcome #5

Key Outcome #5 includes the following principles related to development projects:

- Establish development opportunities for affordable and mixed income housing to meet the housing needs of all stages of life (single, married, family, "empty nester," and senior).
- Create opportunities for a range of different housing types (single-family, apartments, condominiums, live/work, etc.).
- Mix housing types within a single development site.
- Create opportunities for both home ownership and rental units.

The following Design Measures, in conjunction with other City policies and guidelines, are intended to implement these principles:

a. Any medium or large-scale development project (e.g. greater than 10 units) should include at least two different unit types (e.g. detached, attached, rental, ownership, etc).

Key Outcome #6

Key Outcome #6 includes the following principles related to development projects:

- Maximize the synergy of the planned transit investment by adding high density residential, mixed use (i.e., residential/industrial/commercial/retail), and jobgenerating development that is oriented to the pedestrian and transit users.
- Balance the mix of uses, including a ground floor retail district oriented to transit stations and civic uses.
- Place buildings close to the street, consistent with Key Outcome #2, bullet 6 for non-transit areas.
- Orient the buildings and their entries to the street.
- Design the buildings so that residents, workers, shoppers, and others find transit convenient and attractive.

- a. Incorporate physical improvements, such as sidewalk improvements, landscaping and bicycle parking that act as incentives for pedestrian and bicycle modes of travel.
- b. Provide secure and conveniently located bicycle parking and storage for employees and visitors;
- c. Provide bicycle and pedestrian connections from the site to the regional bikeway/pedestrian trail system.
- d. Construct transit amenities such as bus turnouts/bus bulbs, benches, shelters, etc.
- e. Provide direct, safe, attractive pedestrian access from project land uses to transit stops and adjacent development.

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- f. Provide bicycle lanes, sidewalks and/or paths, connecting project residences to adjacent schools, parks, the nearest transit stop and nearby commercial areas.
- g. Provide secure and conveniently placed bicycle parking and storage facilities at parks and other facilities.
- h. Provide neighborhood-serving shops and services within or adjacent to residential project.
- i. Provide a satellite telecommute center within or near the development.
- j. Incorporate commercial services onsite or in close proximity (e.g. day-care, dry-cleaners, fitness centers, financial services, grocery stores and/or restaurant).
- k. For the Arcadia and Evergreen Community College sites, building entrances and attractively designed open spaces (plazas or landscaping) should be provided adjacent to or in close proximity to any existing or planned transit facilities.

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APPENDIX C

DESIGN GUIDELINES FOR MIXED USE DEVELOPMENTS

The following guidelines are intended to create usable spaces for businesses located on the ground floor of mixed use developments.

<u>Height</u> - Provide an 18 foot finished height throughout ground floor area, which includes 18 feet of clearance from the heating, ventilating, air conditioning system (HVAC), sprinklers, lights, and ceiling system.

<u>Layout</u> – Provide a minimum of 60 feet depth of contiguous space for displays/sales area as well as "back-of-house" activities, storage, mechanical rooms, restrooms, or other support areas. All retail spaces should have access from the exterior of the building. Avoid long, narrow retail spaces. Space width should be set in 20 foot increments (i.e., 20 feet, 40 feet, 60 feet, etc).

<u>Floor Structure</u> - Unless there is parking at sub-grade levels, the ground floor should be left unfinished, with no concrete slab, in order to accommodate utilities and leasing plan flexibility. Also depress the perimeter of the building, as required, to permit accessible entry doors.

<u>Utilities</u> - Provide utilities to retail spaces so that they are not visible from the street and allow for flexibility of use of the retail space.

<u>Mechanical</u>: Provide capability for fire-rated vent shafts to the roof for restaurant kitchens:

Electrical: Provide in-house locations for transformers;

Meters: Put meters together in a single location

<u>Servicing/Trash</u> - Provide internal service space for delivery/loading that is enclosed, accessible from a secondary street if possible, and appropriately sized for common use. Minimize street frontage for service/loading access, and minimize view from public vantage points. Service space should be able to be closed from view, should contain odors from trash, and should allow for easy maintenance.

<u>Lighting</u> – Provide exterior street level lighting for the sidewalk and/or any outdoor patio space.

<u>Signage</u> - Provide signage that is visible at street level, such as blade signs, window signs, and awnings.

<u>Façade</u> - Provide maximum visibility and transparent windows for active ground floor uses. Setbacks and recesses should be minimal. The number and massing of columns along the façade should be minimized. Include visual breaks where facades are long.

<u>Sidewalks</u> - Provide a clear zone of 15 feet of sidewalk width to accommodate exterior patio and sidewalk dining at appropriate locations. This sidewalk width should not be

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covered by arcades because covered setbacks diminish the viability of ground floor retail spaces.

<u>Parking</u> - Locate parking garages behind the street front to minimize their impact on the pedestrian street environment. Locate parking spaces within the building or orient all parking facilities away from public streets and pedestrian corridors.

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APPENDIX D

HISTORIC PRESERVATION CRITERIA

<u>Introduction</u> - Any projects that have a resource listed or eligible for listing on the Historic Resources Inventory with a significance rating of Structure of Merit or greater, must meet all of the criteria below to be considered for development of more than 35 units:

<u>Historic Preservation Criterion #1:</u> The resource must be at a minimum be listed or eligible to be listed as structure of merit on the City's Historic Resources Inventory. The resource shall be preserved on-site, and rehabilitated by a qualified Preservation Architect in conformance with the Secretary of the Interior Standards.

<u>Historic Preservation Criterion #2:</u> Rehabilitation of the resource by a qualified Preservation Architect to the Secretary of Interior Standards must be completed and a maintenance plan submitted prior to the issuance of any occupancy permits for any new residences on the property.

<u>Historic Preservation Criterion #3:</u> The resource should be used for the purpose in which the structure was constructed or as an adaptive alternative re-use that allows for rehabilitation of the resource to the Secretary of the Interior Standards, including compatibly with the resource's context and surroundings that are being preserved to convey the resource's significance.

<u>Historic Preservation Criterion #4:</u> The context and cultural landscape, including landscaping, accessory structures, or setting features that contribute to the significance of the resource, should be evaluated by a qualified professional and preserved on-site.

<u>Historic Preservation Criterion #5:</u> Any new development proposed adjacent to the resource should be stepped down to provide adequate separation from the resource. The massing of the proposed development must provide a compatible interface with the resource.

<u>Historic Preservation Criterion #6:</u> The most prominent elevations that convey the resource's significance should be visible from a public-right-of way, with no other structures or features blocking public visibility of the resource.

<u>Historic Preservation Criterion #7:</u> Maintenance of the resource, following the Secretary of Interior Standards, is required of the any future property owners of the resource. These requirements must be disclosed to future property owners prior to purchase of the property.

<u>Historic Preservation Criterion #8:</u> Any property qualifying as a Candidate City Landmark should be nominated for designation prior to or shortly after the approval of development permits.

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APPENDIX E

TRANSPORTATION DEMAND MANAGEMENT (TDM) MEASURES

The Transportation Demand Management (TDM) Measures are sample design actions that promote transit use and pedestrian activity. Such measures or similar actions should be incorporated into all new development within the Evergreen-East Hills Development Policy area, consistent with the Key Outcomes included within the Guiding Principles:

Key Outcome #3: Infrastructure and services should support the planned levels of residential and commercial/retail/office development.

Key Outcome #4: Increase the overall livability of Evergreen-East Hills by fostering vibrant commercial/business, mixed use, and residential areas linked by various transportation modes and community amenities.

Residential Measures:

Sample Residential Site Design Measures:

- Construct transit amenities such as bus turnouts/bus bulbs, benches, shelters, etc.
- Provide direct, safe, attractive pedestrian access from project land uses to transit stops and adjacent development.
- Provide bicycle lanes, sidewalks and/or paths, connecting project residences to adjacent schools, parks, the nearest transit stop and nearby commercial areas.
- Provide secure and conveniently placed bicycle parking and storage facilities at parks and other facilities.
- Provide neighborhood-serving shops and services within or adjacent to residential project.
- Provide a satellite telecommute center within or near the development.
- Incorporate commercial services onsite or in close proximity (e.g. day-care, drycleaners, fitness centers, financial services, grocery stores and/or restaurant).

Sample Residential Operational Measures:

- Provide transit information kiosks:
- Provide shuttle access to regional rail stations (e.g. Caltrain, ACE, BART);
- Provide or contract for on-site or nearby child care services;
- Offer transit use incentive programs to residents, such as distribution of passes and/or subsidized transit passes for a local transit system (e.g. providing VTA EcoPass system or equivalent broad spectrum transit passes to all residents).

Commercial/Industrial Measures:

Sample Commercial/Industrial Site Design Measures:

Incorporate physical improvements, such as sidewalk improvements, landscaping and bicycle parking that act as incentives for pedestrian and bicycle modes of travel.

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- Provide secure and conveniently located bicycle parking and storage for employees and visitors:
- Provide bicycle and pedestrian connections from the site to the regional bikeway/pedestrian trail system.
- Place assigned car pool and van pool parking spaces at the most desirable on-site locations;
- Provide showers and lockers for employees walking or bicycling to work.
- Incorporate commercial services onsite or in close proximity (e.g. day-care, dry-cleaners, fitness centers, financial services, grocery stores and/or restaurants).

Sample Commercial/Industrial Operational Measures:

- Provide an on-site TDM coordinator;
- Provide transit information kiosks;
- Make transportation available during the day and guaranteed ride home programs for emergency use by employees who commute on alternate transportation. (This service may be provided by access to company vehicles for private errands during the workday and/or combined with contractual or pre-paid use of taxicabs, shuttles, or other privately provided transportation.);
- Provide vans for van pools;
- Implementation of a carpool/vanpool program (e.g., carpool ridematching for employees, assistance with vanpool formation, provision of vanpool vehicles, and carsharing):
- Provide shuttle access to regional rail stations (e.g. Caltrain, ACE, BART);
- Provide or contract for on-site or nearby child care services;
- Offer transit use incentive programs to employees, such as on site distribution of passes and/or subsidized transit passes for a local transit system (e.g. providing VTA EcoPass system or equivalent broad spectrum transit passes to all on-site employees);
- Implementation of parking cash out program for employees (non-driving employees receive transportation allowance equivalent to the value of subsidized parking);
- Encourage use of telecommuting and flexible work schedules;
- Require that deliveries on-site take place during non-peak travel periods.

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APPENDIX F

Transportation Infrastructure Descriptions

<u>Transportation mitigation improvements associated with the Evergreen-East Hills Development Policy (EEHDP)</u>

- 1. Capitol Expressway and Quimby Road: Add exclusive northbound and eastbound right-turn lanes to this intersection.
- 2. Nieman Boulevard and Yerba Buena Road: Add a second westbound left-turn lane to this intersection.
- 3. Tully Road and McLaughlin Avenue: Add an exclusive northbound right-turn lane to this intersection.
- 4. White Road and Aborn Road: Add a second westbound left lane to this intersection.
- 5. US 101 and Yerba Buena Road (East): Convert a westbound through lane into a shared through/right-turn lane at this intersection.
- 6. White Road and Quimby Road: Add a second northbound left turn lane to this intersection.
- 7. San Felipe Road and Yerba Buena Road (South): A second eastbound left turn lane and a second southbound left turn lane will be added to this intersection.

New traffic signals or signal modifications are planned for the intersections at:

- Ruby Avenue/Norwood Avenue
- I-680 Ramps (N)/Jackson Avenue
- Ruby Avenue/Tuily Road/Murillo Avenue
- Story Road/Clayton Road
- Marten Avenue/Mt. Rushmore Drive
- Marten Avenue/Flint Avenue
- Quimby Road/Scottsdale Drive
- Nieman Boulevard/Daniel Maloney Drive
- Story Road/Lancelot Lane
- Ocala Avenue/Hillmont Avenue
- Ocala Avenue/Adrian Way

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS THIS EXHIBIT IS ATTACHED FOR INFORMATIONAL PURPOSES ONLY

APPENDIX G

COMMUNITY AMENITIES LIST AND DESCRIPTIONS IDENTIFIED THROUGH THE EVERGREEN-EAST HILLS VISION STRATEGY

Introduction- This list of desired community amenities was created through the Evergreen-East Hills Vision Strategy (EEHVS) process and was last updated in 2006. This list is provided for background, memorializing the community's preferences in the event opportunities come forward in the future to make any of these investments. Several of these improvements are no longer relevant because this Evergreen-East Hills Development Policy (EEHDP) does not contemplate development on opportunity sites (Pleasant Hills Golf Course, Evergreen Valley College, Arcadia, Berg, IDS, and Yerba Buena OPCO) in the same manner that was proposed with the EEHVS. Some of the amenities that are also in the *City of San Jose's Greenprint* may be partially funded.

A Community Youth Sports Fields

Construct three youth baseball fields on an approximately 12-acre site. While the proposed configuration allows for alternate use of two of the baseball fields as a youth soccer field, the facility is primarily intended for the purpose of youth baseball. The project includes parking for 55 cars and a restroom / concession / storage building. (*August 25, 2006*)

BA SPORTS FIELDS AND OTHER PARK IMPROVEMENTS ON BERG SITE*

Construct an approximately 5-acre sports facility including a senior baseball field and lighted soccer field as a combined use with a future school site. The project includes parking for 50 cars either on site as on-street parking and a restroom/concession building.

BB New Neighborhood Park - Industrial Site*

As part of the new residential project, the developer will construct and deliver to the City a 5-acre neighborhood park, consistent with the City's Parklands Dedication Ordinance (PDO). The park is not yet designed, but neighborhood parks typically include items such as a tot lot/playground, an open turf area, and picnic tables with a BBQ area, pathways and landscaping.

C Lake Cunningham Regional Skate Park **

Construct a skate park on a currently vacant 3-acre site in the southeast corner of the Lake Cunningham Regional Park. The skate park will include approximately 50,000 square feet of skate area with both a bowl and street elements to allow for combined use by skaters, inline skaters, and bikers. The facility will include additional parking spaces, a building to house restrooms, concessions, lockers, showers, and a pro shop. This project is partially funded for design and construction costs. However, additional funding is needed to complete construction of this amenity, which would be available through the EEHVS process.

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D Upper Silver Creek Trail

Construct an approximately 0.5-mile segment of the Upper Silver Creek Trail to complete a missing gap between Yerba Buena Road and Hassler Parkway. Land is being transferred to the City in fulfillment of a PDO requirement for a separate project. EEHVS project provides funding for trail construction.

E Fowler Creek Park Master Plan Phase II & III

Construct an 8,000 sq ft. community center and a 25-meter by 25-yard swimming complex with changing rooms and a parking lot for 60 cars.

F Open Space and Trail Connections (Upper Silver Creek)

Construct trail along the foothills as part of the proposed Industrial Sites development. The trail will be connected to Fowler Creek Trail Corridor and Montgomery Hill Park.

G Recreational Ice Skating Rink (one sheet)

Construct an indoor ice skating rink with one ice sheet at a location within the Evergreen East Hills area.

H Southeast Branch Library Expansion

Expand the planned Southeast Branch Library by 11,000 square feet. The library is currently planned and funded for 12,000 square feet under the Branch Library Bond Measure. The proposed amenity expands the library to 23,000 square feet and would provide funds for the expansion.

1 Community/Youth Center and Gym on Arcadia (40,000 square feet)

Construct a 40,000 square foot Multi-Service Community Center with gym, and parking for 100 to 200 cars on a 3-acre site.

J Yerba Buena / San Felipe Roads Improvements by Creek

Construct improvements related to the Evergreen Park including landscaping, art, signage, a path connection to the pedestrian bridge, and installation of miscellaneous site furnishings.

K Adult Sports Complex on Arcadia*

Construct a lighted adult sports complex including two 300 foot foul lines softball fields and two 200 feet by 330 feet soccer fields on approximately 14 acres. The project also includes a group picnic area, parking for approximately 150 cars, a restroom/concession building and a maintenance building.

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L New Neighborhood Park - Pleasant Hills*

As part of the new residential project, the developer will construct and deliver to the City a 5-acre neighborhood park, consistent with the City's Parklands Dedication Ordinance (PDO). The park is not yet designed, but neighborhood parks typically include items such as a tot lot/playground, an open turf area, dog park area, and picnic tables with a BBQ area, pathways and landscaping.

M Build-out Groesbeck Park

Complete landscape improvements at the existing Groesbeck Park site. Improvements would be consistent with "orchard" scheme identified in the City's adopted Greenprint plan.

N Sports Facilities at August Boeger Jr. High/Fernish Park

Construct a joint use facility at August Boeger Jr. High and Fernish Park including two little league fields, a softball field, soccer fields, walkways, picnic areas, parking spaces, and a restroom/concession building. This amenity could be constructed as one facility combined with amenity "AC" below.

O Lake Cunningham Park Improvements

Provide additional funding to allow construction of improvements identified in the Lake Cunningham Master Plan. Improvements potentially include an emergency access road, an amphitheater, additional restrooms, park headquarters, food concession building and roadway improvements at the park entrance/exit.

P Aquatics Center

Construct a 25-yard by 50-meter pool, a recreational/learning pool, a water spray area, and a locker room/concession building with parking for 100 cars on approximately 2-acres.

Q Evergreen Community Center Reuse as Library

Convert the Evergreen Community Center into a local Library to serve the EEHVS area.

R Neighborhood Park Improvements - Brigadoon Park

Renovate existing park facilities.

S Neighborhood Park Improvements - Boggini Park

Renovate existing park facilities.

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T Neighborhood Park Improvements - Evergreen Park

Renovate existing park facilities.

U Neighborhood Park Improvements - Hillview Park

Renovate existing park facilities.

V Neighborhood Park Improvements - Our Park

Renovate existing park facilities.

W Neighborhood Park Improvements - Mt. Pleasant Park

Renovate existing park facilities.

X Neighborhood Park Improvements - Welch Park

Renovate existing park facilities.

Y Additional Tennis Courts

Construct additional Tennis Courts in the Evergreen-East Hills area. These courts will be constructed as part of the development of new park sites.

Z Hank Lopez Community Center and Hillview Library Renovation

Convert the old Hillview Library adjacent to the Hank Lopez Community Center into a Music/dance Facility and remodel the existing Hank Lopez Community Center without increasing square footage to either building.

AA Ocala Softball Fields

The Alum Rock School District may consider their existing facility on Ocala Avenue as a surplus site. This funding allows the City to preserve the four existing lighted softball fields on the Ocala School Campus for community use and construct improvements to the site, including a restroom/concession building, parking, picnic facilities and enhanced field furniture.

AB PG&E (Wenlock Trail)

Construct an approximately 1.5-mile segment of a landscape trail under the PG&E Power Lines from Lake Cunningham to Story Road.

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AC Mount Pleasant Multiuse Complex

This amenity could be constructed as one facility combined with amenity "N". The programming of this facility could include: teen/senior center, daycare, computer labs, game rooms, etc. Programming of the facility would occur through a separate public process.

AD Community Center on Pleasant Hills*

Construct a 40,000 square foot Multi-Service Community Center with gym, and parking for 100 to 200 cars on a 3-acre site. Consistent with the Mount Pleasant Multiuse Complex.

AE New Traffic Signals & Other Major Intersections/Roadways

The City will potentially require construction of new traffic signals, signage, or other roadway improvements through application of existing policies as part of the entitlements process for any new development in the EEHVS area. In addition to these required improvements, the City could identify other locations where such improvements are needed but not otherwise funded.

AF Intelligent Transportation Systems (ITS) Network

Install equipment including cameras and additional cabling to allow coordination of the traffic signals along major corridors, such as Tully Road, Story Road, King Road, Aborn Road, and Quimby Road. Interconnecting the signals allows better synchronization and enables the City to monitor and adjust the signals from a central control station in response to any incidents or specific traffic problems.

AG Thompson Creek Trail

Construct a 7-mile multi-use recreational trail. The trail will typically consist of a 12-foot paved pathway for bicycle and pedestrian use, gravel shoulders and landscaping.

AH Nieman Pedestrian Overcrossing

Construct a pedestrian and bicycle overcrossing on Capitol Expressway near Nieman Boulevard. Overcrossings provide a safer pedestrian/bicycle crossing opportunity, reducing the risk of pedestrian accidents and improving connections between local neighborhoods, parks, trails, and schools.

Al Lake Cunningham Pedestrian Overcrossing

Construct a pedestrian and bicycle overcrossing on White Road. The overcrossing would provide a safer pedestrian/bicycle crossing in the vicinity of Lake

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Cunningham Regional Park. Preliminary analysis suggests that this overcrossing may not be well utilized.

AJ Bike Lanes for Appropriate Corridors

Complete preparation of a bike master plan for the Evergreen-East Hills area and designate bicycle lanes and other projects as recommended in the plan.

AK Transit Enhancement

The funding would be used to fund improvements to VTA facilities within the EEHVS area as identified by the community. Possible improvements include enhanced bus stop shelters, one-time funding for special programs and other transit facility upgrades.

AL Traffic Calming

Traffic calming is a way to manage traffic so that its negative impacts on residents, pedestrians and schools are minimized. Traffic calming solutions can include, but would not be limited to, traffic circles, speed tables, bulbouts, or medians to reduce speeding, enhanced crosswalks to help pedestrian safety, and other measures. Traffic calming solutions are typically installed following a neighborhood traffic study that identifies and quantifies problems and obtains full neighborhood support for changes. Specific traffic calming solutions will be developed as they become identified and needed, and funds provided will only be used within the Evergreen-East Hills area.

AM Street Trees

The City's goal is to install street trees at locations in need throughout the Evergreen+East Hills area. Street trees provide a better walking environment by creating shade and separation between pedestrians and vehicles.

AN Curb Ramps

Construct wheelchair ramps at street corners where ramps are not currently present to improve accessibility.

AO Median Island Landscaping

Add median landscaping on wide streets to enhance the street appearance and environment for all users.

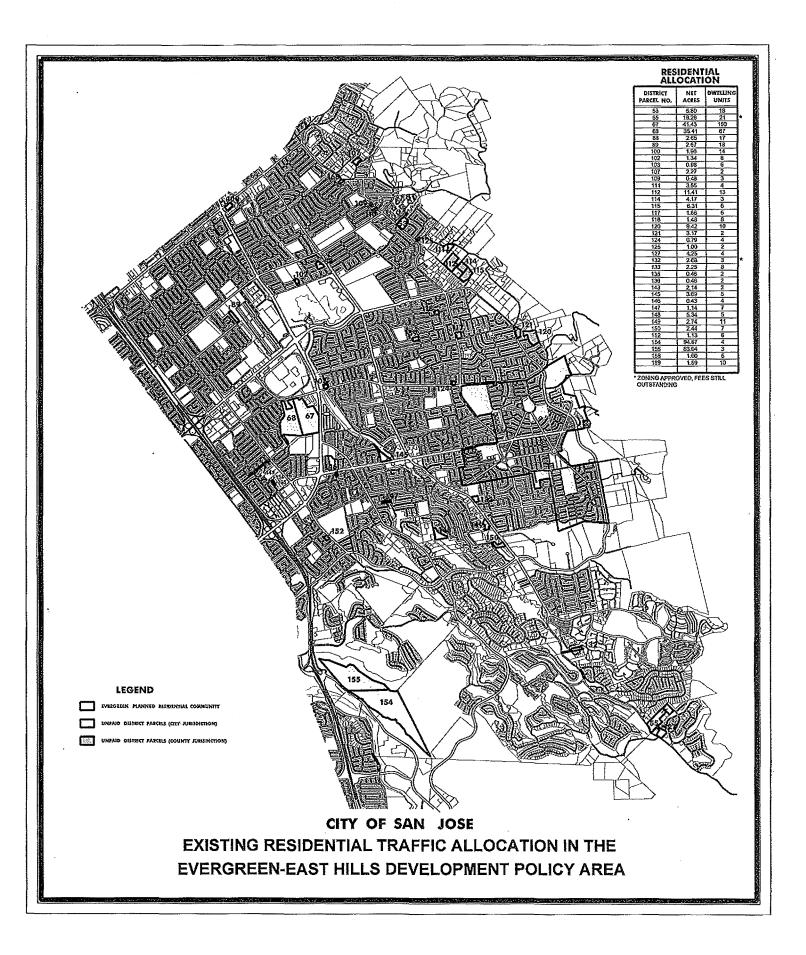
AP Youth Sports Complex

This facility is not assigned to any specific opportunity site. The facility could be programmed for uses such as, tennis, baseball and soccer, tot-lot, and/or aquatic facility (swimming pool).

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- * This amenity is no longer relevant because this EEHD Policy does not contemplate development on opportunity sites (Pleasant Hills Golf Course, Evergreen Valley College, Arcadia, Berg, IDS, and Yerba Buena OPCO) in the same manner that was proposed with the EEHVS
- ** This amenity has already been constructed.

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APPENDIX I TABLE OF EXISTING HOUSING UNIT ALLOCATIONS BY ASSESSOR'S PARCEL NUMBER WITHOUT ENTITLEMENTS

Appendix H contains information regarding all housing unit allocations for Benefit Assessment District No. 91-209SJ.

	Existing Unit	Parcel Number on Benefit Assessment
Assessor's Parcel	Allocations (Not	Map (District No. 91-
Numbers	Entitled)	209SJ)
654-20-008	18	53
670-29-020	150	67
670-29-017	67	68
491-31-103	17	88
491-35-017	18	83
488-01-043	14	100
491-14-014	8	102
491-37-106	6	103
612-36-022	2 3	107
647-24-042	3	109
652-02-002	4	111
652-03-020	13	112
652-09-007	3	114
652-09-012	6	115
652-29-014	6	117
652-33-058	8	118
654-09-042	10	120
654-10-001	2	121
654-34-055	4	124
654-68-032	2	125
660-02-008	4	127
660-23-015	8	133
670-13-009	2 2 2 5	135
670-13-010	2	136
670-32-043	2	143
673-14-028	5	145
676-06-015	4	146
676-16-020	7	147
676-24-001	5	148
676-36-005	11	149
676-37-012	7	150
676-42-097	6	152
678-20-039	4	154
678-21-006	3	155
647-10-007	5	168
649-16-101	10	169