CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: PLANNING COMMISSION **FROM:** Rosalynn Hughey

SUBJECT: GP19-004 **DATE:** October 25, 2019

COUNCIL DISTRICT: 5

Type of Permit	General Plan Amendment
Project Planner	Kieulan Pham
CEQA Clearance	Negative Declaration
CEQA Planner	Cassandra van der Zweep

PROPERTY INFORMATION

Location	East side of N. Capitol Avenue, approximately 250 feet north of Alum Rock Avenue
Assessor Parcel No.	484-19-094
Existing General Plan	Neighborhood Community Commercial
Proposed General Plan	Mixed Use Neighborhood
Existing Zoning	R-1-8 Single Family Residence District
Historic Resource	No
Annexation Date	November 12, 2010 (McKee No. 135)
Council District	5
Acreage	0.44
Owner/ Applicant:	Intelli LLC (Contact: Tron Do) 1982 Senter Road San Jose, California, 95112
Applicant's Representative	Gerry De Young/Ruth and Going 2216 The Alameda Santa Clara, California, 95050

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council take all of the following actions:

1. Consider the Negative Declaration in accordance with CEQA; and

2. Adopt a resolution (Attachment Exhibit A) approving the Envision San José 2040 General Plan Land Use/Transportation Diagram amendment to change the land use designation from Neighborhood Community Commercial to Mixed Use Neighborhood on an approximately 0.44-gross acre site, located on the east side of N. Capitol Avenue, approximately 250 feet north of Alum Rock Avenue.

PROJECT BACKGROUND

On March 7, 2019, Intelli LLC applied for a General Plan Amendment to change the Land Use/Transportation Diagram land use designation from Neighborhood Community Commercial to Mixed Use Neighborhood on an approximately 0.44-gross acre site. Changing the General Plan land use designation to Mixed Use Neighborhood would provide flexibility in the types of uses allowed on-site and remain compatible to the surrounding neighborhood.

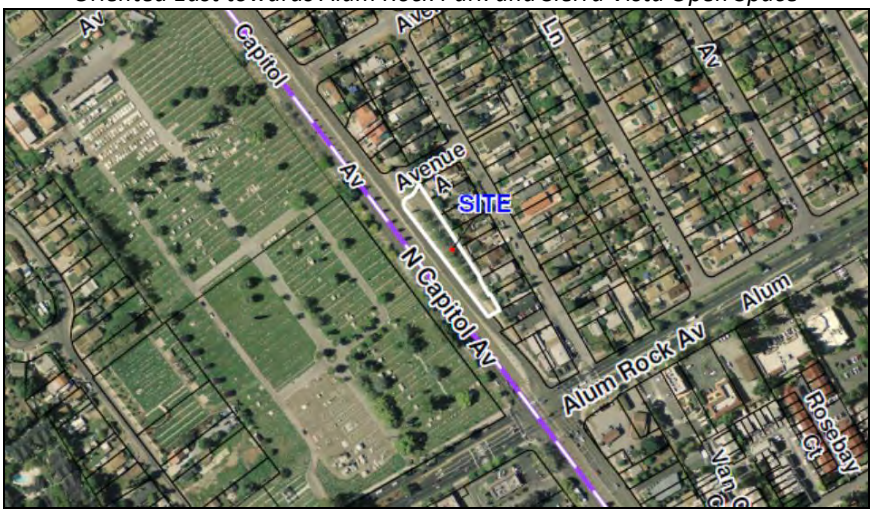
Site Location

The site is located on the east side of N. Capitol Avenue, approximately 250 feet north of Alum Rock Avenue. The site is not located within a development policy or growth area. As shown in Figure 1, the subject 0.44-gross acre site is one parcel, is paved with asphalt and was previously used as a parking lot for the Alum Rock light rail station. Currently, the site is vacant and has an irregularly long and narrow shape, approximately 388 feet along the street frontage and 66-foot depth from the street frontage to the rear on the eastern portion and 35-foot depth on the western portion. Limited accessibility to the site is via northbound N. Capitol Avenue due to the Alum Rock Light Rail along the same avenue.

SURROUNDING USES			
	General Plan	**Zoning District**	**Existing Use**
North	Open Space, Parks and Habitats	R-1-8 Single-Family Residence	cemetery
East	Residential Neighborhood	R-1-8 Single-Family Residence	Single-family homes
South	Residential Neighborhood	R-1-8 Single-Family Residence	Single-family homes
West	Residential Neighborhood and Neighborhood Community Commercial	R-1-8 Single-Family Residence and Commercial Neighborhood	Single-family homes and a one-story commercial complex

Figure 1: Site Location – Aerial

Oriented East towards Alum Rock Park and Sierra Vista Open Space



ANALYSIS

The proposed General Plan Amendment application is analyzed with respect to conformance with:

1. Envision San José 2040 General Plan

2. California Environmental Quality Act (CEQA)

Existing General Plan Land Use Designation: Neighborhood Community Commercial

The *Neighborhood / Community Commercial (NCC)* designation allows for a broad range of commercial activity, including commercial uses that serve the communities in neighboring areas. In *NCC*, uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use and public interaction. The NCC land use designation allows commercial densities up an FAR of 3.5.

Proposed General Plan Land Use Designation: Mixed Use Neighborhood

This designation is applied to areas intended for development primarily with either townhouse or small lot single-family residences and supports commercial or mixed-use development integrated within the *Mixed Use Neighborhood* area. The intent is to preserve existing character of neighborhoods and to strictly limit new development to infill projects which conform to the existing neighborhood character. New development should be integrated into the existing neighborhood pattern. The Mixed Use Neighborhood land use designation allows residential densities up to 30 dwelling units per acre and a FAR of 0.25 to 2.0.

Figure 2: Existing Land Use Designation

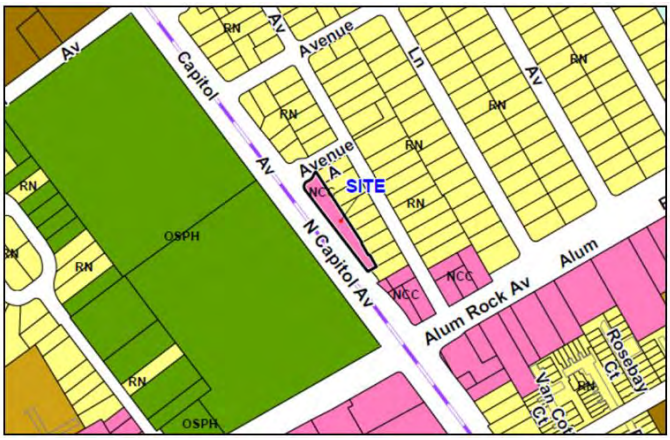
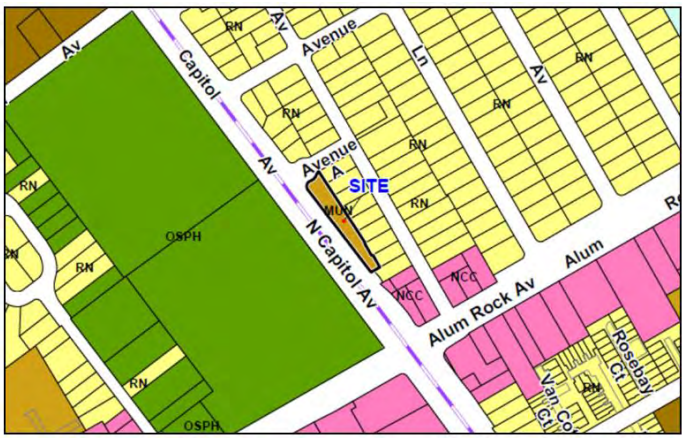


Figure 3: Proposed Land Use Designation



General Plan Conformance

The proposed General Plan amendment was analyzed with respect to conformance with the goals and policies of the *Envision San José 2040 General Plan* and the California Environmental Quality Act (CEQA). The proposed General Plan Amendment is **consistent** with the following General Plan goals and policies:

1. Compatibility Policy CD-4.3: Promote consistent development patterns along streets, particularly in how buildings relate to the street, to promote a sense of visual order, and to provide attractive streetscapes.

Compatibility Policy CD-4.4: In non-growth areas, design new development and subdivisions to reflect the character of predominant existing development of the same type in the surrounding area through the regulation of lot size, street frontage, height, building scale, siting/setbacks, and building orientation.

Analysis: The project site is located in a non-growth area, approximately 50 feet east of the Eastside Alum Rock (East of 680) Urban Village, in the vicinity of the Capitol Avenue and Alum Rock Avenue corridors. Under the proposed General Plan amendment of Mixed Use Neighborhood (MUN), the development pattern and density would be comparable to existing land uses in the surrounding area which is comprised of mainly single-family residences to the east and south, commercial uses to the south and a cemetery to the west. The subject site, which is currently functioning as a vacant parking lot, is constrained due its linear configuration and lack of lot depth. The MUN designation would allow more flexibility for the property to be developed with uses that would be consistent with, and contribute to the overall character of the neighborhood. Any future development under MUN would have to be consistent with the surrounding neighborhood.

2. Vibrant Neighborhood Goal VN-1: Develop new and preserve and enhance existing neighborhoods to be vibrant, attractive and complete.

   Vibrant Neighborhood Policy VN-1.7: Use new development within neighborhoods to enhance the public realm, provide for direct and convenient pedestrian access, and visually connect to the surrounding neighborhood. As opportunities arise, improve existing development to meet these objectives as well.

   Analysis: The proposed General Plan amendment of Mixed Use Neighborhood (MUN) would allow flexibility in the types of uses and support development on the irregularly-shaped and constrained site that will be consistent with the overall character of the neighborhood. Redevelopment under MUN could further enhance the character of the neighborhood, compared to the existing vacant parking lot.

The proposed project is **inconsistent** with the following goals and policies of the Envision San José 2040 General Plan.

1. High Quality Living Environments Policy LU – 9.17: Limit residential development in established neighborhoods that are not identified growth areas to projects that conform to the site's Land Use / Transportation Diagram designation and meet Urban Design policies in this Plan.

   Analysis: The project site is located in a non-growth area, approximately 50 feet north of the Eastside Alum Rock Urban Village. Envision San José 2040 generally discourages intensification of development outside of growth areas. The proposal to a Mixed Use Neighborhood (MUN) designation, however, is intended to preserve existing character of neighborhoods and to strictly limit new development to infill projects which conform to the existing neighborhood character. Future development of the site under MUN would have more flexibility in the type of uses that would contribute to the overall character of the surrounding neighborhood.

2. Innovative Economy Goal IE-1: Proactively manage land uses to provide and enhance economic development and job growth in San José.

Land Use Policy LU-4.1: Retain existing commercial lands to provide jobs, goods, services, entertainment, and other amenities for San José's workers, residents, and visitors.

Fiscal Sustainability Goal FS-4: Maintain, enhance, and develop our City's employment lands as part of our strategy for Fiscal Sustainability.

Fiscal Sustainability Policy FS-4.1: Preserve and enhance employment land acreage and building floor area capacity for various employment activities because they provide revenue, near-term jobs, contribute to our City's long-term achievement of economic development and job growth goals, and provide opportunities for the development retail to serve individual neighborhoods, larger community areas, and the Bay Area.

Analysis: The Envision San José 2040 General Plan emphasizes retention and maintenance of employment lands to provide jobs and services for residents and workers. The proposed General Plan Amendment would convert the 0.44-gross-acre site from a commercial land use designation to a designation that allows stand-alone residential uses and would be inconsistent with the above General Plan goals and policies. The site, however, has not historically been used for commercial uses, and most recently functioned as a light rail park and ride lot. Additionally, the property is burdened by the unusual shape of the parcel in its lack of depth. The proposed MUN land use designation would provide greater flexibility for the site to be developed and contribute in a meaningful way to the neighborhood.

General Plan and Zoning Consistency

With the pass of SB 1333, the General Plan designation and Zoning District of a property are required to be consistent. Prior to construction of a development, a rezoning and development permit would be required as part of the entitlement process.

Conclusion

While the conversion of commercial to residential focused land use is typically not supported in the Envision San José 2040 General Plan, other goals and policies in the General Plan do support consistent and compatible uses in neighborhood settings. In this instance, the subject site is not well suited for commercial uses due to its location off Alum Rock Avenue and the constraining characteristics of the site. The property is located outside of the Alum Rock Avenue (East of 680) Urban Village, is not visible from Alum Rock Avenue, and vehicle accessibility to the site is limited to traffic traveling northbound on N. Capitol Avenue.

Based on the above, a Mixed Use Neighborhood land use designation would be more appropriate than the existing Neighborhood/Community Commercial designation because it would allow a wider range of uses (e.g., residential, commercial, or mixed-use) and more flexibility for future development of the site, including residential uses, that would be compatible with, and contribute to the surrounding neighborhood. Planning staff has determined that because of the issues unique to this site that would significantly limit commercial uses on the property, the General Plan's neighborhood compatibility goals outweigh its goals related to retaining commercial land in this specific instance.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

An Initial Study (IS) and Negative Declaration (ND) were prepared by the Director of Planning, Building and Code Enforcement for the subject General Plan Amendment. The documents were circulated for public review from September 27, 2019 to October 17, 2019. No public comments were received.

The ND states that the proposed General Plan Amendment will have a less than significant effect on the environment. No impacts were identified; therefore, no mitigation is required. The entire ND, Initial Study, technical reports, public comments and responses are available at: http://www.sanjoseca.gov/index.aspx?NID=2165 under File No. GP19-004.

PUBLIC OUTREACH

Staff followed Council Policy 6-30: Public Outreach Policy. Planning staff facilitated a community meeting on September 12, 2017 at the Mexican Heritage Plaza to discuss the proposed General Plan Amendment. A notice for the community meeting was distributed to all land owners and tenants of all properties within 1,000 feet of the subject site.

A notice for the November 6, 2019, Planning Commission hearing was distributed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City's website. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

Project Manager: Kieulan Pham
Approved by: Deputy Director for Rosalynn Hughey, Planning Director

ATTACHMENTS:	
Exhibit A:	Draft Resolution
Exhibit B:	Initial Study and Negative Declaration

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AMENDING THE ENVISION SAN JOSE 2040 GENERAL PLAN PURSUANT TO TITLE 18 OF THE SAN JOSE MUNICIPAL CODE TO MODIFY THE LAND USE/ TRANSPORTATION DIAGRAM TO MIXED USE NEIGHBORHOOD AT NORTH CAPITOL AVENUE, 250 FEET NORTH OF ALUM ROCK AVENUE (ASSESSOR PARCEL NUMBER: 484-19-094)

Fall 2019 General Plan Amendment Cycle (Cycle 2)

GP19-004

WHEREAS, the City Council is authorized by Title 18 of the San José Municipal Code and state law to adopt and, from time to time, amend the General Plan governing the physical development of the City of San José; and

WHEREAS, on November 1, 2011, the City Council adopted the General Plan entitled, "Envision San José 2040 General Plan, San José, California" by Resolution No. 76042, which General Plan has been amended from time to time (hereinafter the "General Plan"); and

WHEREAS, in accordance with Title 18 of the San José Municipal Code, all general and specific plan amendment proposals are referred to the Planning Commission of the City of San José for review and recommendation prior to City Council consideration of the amendments; and

WHEREAS, on November 6, 2019, the Planning Commission held a public hearing to consider the proposed amendment to the General Plan, File No. GP19-004 specified in Exhibit "A" hereto ("General Plan Amendment"), at which hearing interested persons

were given the opportunity to appear and present their views with respect to said proposed amendments; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission transmitted its recommendations to the City Council on the proposed General Plan Amendment; and

WHEREAS, on December 17, 2019, the Council held a duly noticed public hearing; and

WHEREAS, a copy of the proposed General Plan Amendment is on file in the office of the Director of Planning, Building and Code Enforcement of the City, with copies submitted to the City Council for its consideration; and

WHEREAS, pursuant to Title 18 of the San José Municipal Code, public notice was given that on December 17, 2019 at 6:00 p.m. in the Council Chambers at City Hall, 200 East Santa Clara Street, San José, California, the Council would hold a public hearing where interested persons could appear, be heard, and present their views with respect to the proposed General Plan Amendment (Exhibit "A"); and

WHEREAS, prior to making its determination on the General Plan Amendment, the Council reviewed and adopted the Negative Declaration for File No. GP19-004 (Resolution No. _____) in accordance with the California Environmental Quality Act; and

WHEREAS, the Council is the decision-making body for the proposed General Plan Amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE AS FOLLOWS:

SECTION 1. The Council's determination regarding General Plan Amendment File No. GP19-001 is hereby specified and set forth in Exhibit "A," attached hereto and incorporated herein by reference.

SECTION 2. This Resolution shall take effect upon the effective date of an ordinance of this Council rezoning the property that is the subject of this General Plan Amendment No. GP19-004 to a zoning district that is consistent with the General Plan designation as hereby amended.

ADOPTED this _____ day of _____, 20__, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

STATE OF CALIFORNIA)
) ss
COUNTY OF SANTA CLARA)

I hereby certify that the amendments to the San José General Plan specified in the attached Exhibit A were adopted by the City Council of the City of San José on _____, as stated in its Resolution No. _____.

Dated: _____

_____
TONI J. TABER, CMC
City Clerk

EXHIBIT "A"

File No. GP19-004. A General Plan Amendment to change the Land Use/ Transportation Diagram land use designation from Neighborhood Community Commercial to Mixed Use Residential on a 0.44-gross acre site located on the east side of North Capitol Avenue, approximately 250 feet north of Alum Rock Avenue, Assessor's Parcel Number: 484-19-094 (Intelli LLC – Tron Do, Owner).

Council District: 5.

Former Land Use Designation

Revised Land Use Designation

EXHIBIT "B"

Initial Study and Negative Declaration

INITIAL STUDY/
NEGATIVE DECLARATION

CAPITOL AVENUE
GENERAL PLAN AMENDMENT

File No. GP19-004

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

CITY OF SAN JOSE
CALIFORNIA

September 2019

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Planning, Building and Code Enforcement
ROSALYNN HUGHEY, DIRECTOR

PUBLIC NOTICE
INTENT TO ADOPT A NEGATIVE DECLARATION
CITY OF SAN JOSE, CALIFORNIA

Project Name: Capitol Avenue General Plan Amendment **File No.:** GP19-004

Description: General Plan Amendment to change the General Plan Land Use Designation of a 0.44-gross acre parcel on the east side of Capitol Avenue in the City of San José from *Neighborhood Community Commercial* to *Mixed Use Neighborhood*. The *Mixed Use Neighborhood* allows for up to 30 dwelling units per acre (du/ac) and a Floor Area Ratio (FAR) range of 0.25 to 2.0. A specific development project is not proposed at this time.

Location: East side of Capitol Avenue, approximately 250 feet north of Alum Rock Avenue in the City of San José

Assessor's Parcel No.: 484-19-094 **Council District:** 5

Applicant Contact Information: Ruth and Going, Contact: Gerry DeYoung, 2216 The Alameda, Santa Clara, CA 95050, (408) 236-2402

The City has performed an environmental review of the project. The environmental review examines the nature and extent of any adverse effects on the environment that could occur if the project is approved and implemented. Based on the review, the City has prepared a Draft Negative Declaration (ND) for this project. An ND is a statement by the City that the project will not have a significant effect on the environment. The project site is not present on any list pursuant to Section 65962.5 of the California Government Code.

The public is welcome to review and comment on the Draft ND. The public comment period for this Draft ND begins on **Friday, September 27, 2019 and ends on Wednesday, October 16, 2019.**

The Draft ND, Initial Study, and reference documents are available online at: www.sanjoseca.gov/negativedeclarations. The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San José Department of Planning, Building and Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street.

For additional information, please contact Cassandra van der Zweep at (408) 535-7659, or by e-mail at Cassandra.vanderZweep@sanjoseca.gov.

Rosalynn Hughey, Director
Planning, Building and Code Enforcement

9-23-2019
Date

Deputy

Circulation period: September 27, 2019 to October 16, 2019

NEGATIVE DECLARATION

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: Capitol Avenue General Plan Amendment

PROJECT FILE NUMBER: GP19-004

PROJECT DESCRIPTION: General Plan Amendment to change the General Plan Land Use Designation of a 0.44-gross acre parcel on the east side of Capitol Avenue in the City of San José from *Neighborhood Community Commercial* to *Mixed Use Neighborhood*. The *Mixed Use Neighborhood* allows for up to 30 dwelling units per acre (du/ac) and a Floor Area Ratio (FAR) range of 0.25 to 2.0. A specific development project is not proposed at this time.

PROJECT LOCATION: East side of Capitol Avenue, approximately 250 feet north of Alum Rock Avenue in the City of San José

ASSESSORS PARCEL NO.: 484-19-094 **COUNCIL DISTRICT: 5**

APPLICANT CONTACT INFORMATION: Ruth and Going, Contact: Gerry DeYoung, 2216 The Alameda, Santa Clara, CA 95050, (408) 236-2402

FINDING

The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this draft Mitigated Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects to a less than significant level.

NO MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

A. **AESTHETICS** – The project will not have a significant impact on this resource, therefore no mitigation is required.

B. **AGRICULTURE AND FOREST RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.

C. **AIR QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.

D. **BIOLOGICAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.

E. **CULTURAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.

F. **ENERGY-** The project will not have a significant impact on this resource, therefore no mitigation is required.

G. **GEOLOGY AND SOILS** – The project will not have a significant impact on this resource, therefore no mitigation is required.

H. **GREENHOUSE GAS EMISSIONS** – The project will not have a significant impact on this resource, therefore no mitigation is required.

I. **HAZARDS AND HAZARDOUS MATERIALS** – The project will not have a significant impact on this resource, therefore no mitigation is required.

J. **HYDROLOGY AND WATER QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.

K. **LAND USE AND PLANNING** – The project will not have a significant impact on this resource, therefore no mitigation is required.

L. **MINERAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.

M. **NOISE** – The project will not have a significant impact on this resource, therefore no mitigation is required.

N. **POPULATION AND HOUSING** – The project will not have a significant impact on this resource, therefore no mitigation is required.

O. **PUBLIC SERVICES** – The project will not have a significant impact on this resource, therefore no mitigation is required.

P. **RECREATION** – The project will not have a significant impact on this resource, therefore no mitigation is required.

Q. **TRANSPORTATION** – The project will not have a significant impact on this resource, therefore no mitigation is required.

R. **TRIBAL CULTURAL RESOURCES** - The project will not have a significant impact on this resource, therefore no mitigation is required.

S. **UTILITIES AND SERVICE SYSTEMS** – The project will not have a significant impact on this resource, therefore no mitigation is required.

T. **WILDFIRE** – The project will not have a significant impact on this resource, therefore no mitigation is required.

U. MANDATORY FINDINGS OF SIGNIFICANCE

The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings, therefore no mitigation is required.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on **Wednesday October 16, 2019** any person may:

1. Review the Draft Negative Declaration (ND) as an informational document only; or
2. Submit written comments regarding the information and analysis in the Draft ND. Before the ND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft ND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final ND.

Cassandra van der Zweep
Environmental Project Manager

Rosalynn Hughey, Director
Planning, Building and Code Enforcement

9-23-2019
Date

Deputy

Circulation period: September 27, 2019 to October 16, 2019

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Appendices

Appendix A: General Plan Long-Range Traffic Analysis

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Chapter 1. Background Information

1.1 INTRODUCTION & PURPOSE

This Initial Study has been prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (Title 14, California Code of Regulations §15000 et seq.), and the regulations and policies of the City of San José. The purpose of this Initial Study is to provide objective information regarding the environmental consequences of the proposed project to the decision makers considering the project.

The project applicant proposes to change the General Plan Land Use Designation of a 0.44-gross acre parcel on the east side of Capitol Avenue in the City of San José from *Neighborhood Community Commercial* to *Mixed Use Neighborhood.* The City of San José is the lead agency under CEQA for the proposed project. The City has prepared this Initial Study to evaluate the environmental impacts that might reasonably be anticipated to result from the implementation of this project, as described below.

1.2 PUBLIC REVIEW PERIOD

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

Cassandra van der Zweep
City of San José Department of Planning, Building, and Code Enforcement
200 East Santa Clara Street, Third Floor, San José, CA 95113
Phone: (408) 535-7659 Email: cassandra.vanderzweep@sanjoseca.gov

This Initial Study and all documents referenced are available for public review in the Department of Planning, Building and Code Enforcement at the above address.

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

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

1.4 NOTICE OF DETERMINATION

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

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Chapter 2. Project Information

2.1 PROJECT TITLE: Capitol Avenue General Plan Amendment (File Number GP19-004)

2.2 LEAD AGENCY CONTACT:
City of San José
Department of Planning, Building, and Code Enforcement
Cassandra van der Zweep
200 East Santa Clara Street, Third Floor
San José, CA 95113
Email: cassandra.vanderzweep@sanjoseca.gov
Phone: (408) 535-7659

2.3 PROJECT APPLICANT:
Ruth & Going
Contact: Gerry DeYoung
2216 The Alameda
Santa Clara, CA 95050
Phone: (408) 236-2402
Email: gdeyoung@ruthandgoing.com

2.4 PROJECT LOCATION: The project site is located on an approximately 0.44-acre parcel on the east side of Capitol Avenue, approximately 250 feet north of Alum Rock Avenue in the City of San José (Refer to Figure 1 and 2). The site was previously used as a park-and-ride lot by the Santa Clara Valley Transportation Authority (VTA). An aerial map showing the subject property and surrounding uses is presented in Figure 3.

2.5 ASSESSOR'S PARCEL NUMBER (APN): 484-19-094

2.6 PROJECT DESCRIPTION SUMMARY: The project applicant proposes to change the General Plan Land Use Designation of a 0.44-gross acre parcel on the east side of Capitol Avenue in the City of San José from *Neighborhood Community Commercial* to *Mixed Use Neighborhood.* No development project is proposed at this time.

2.7 GENERAL PLAN DESIGNATION:
Current: NCC – Neighborhood Community Commercial
Proposed: MUN- Mixed Use Neighborhood

2.8 ZONING DISTRICT: *R-1-8 Single-Family Residence Zoning District*

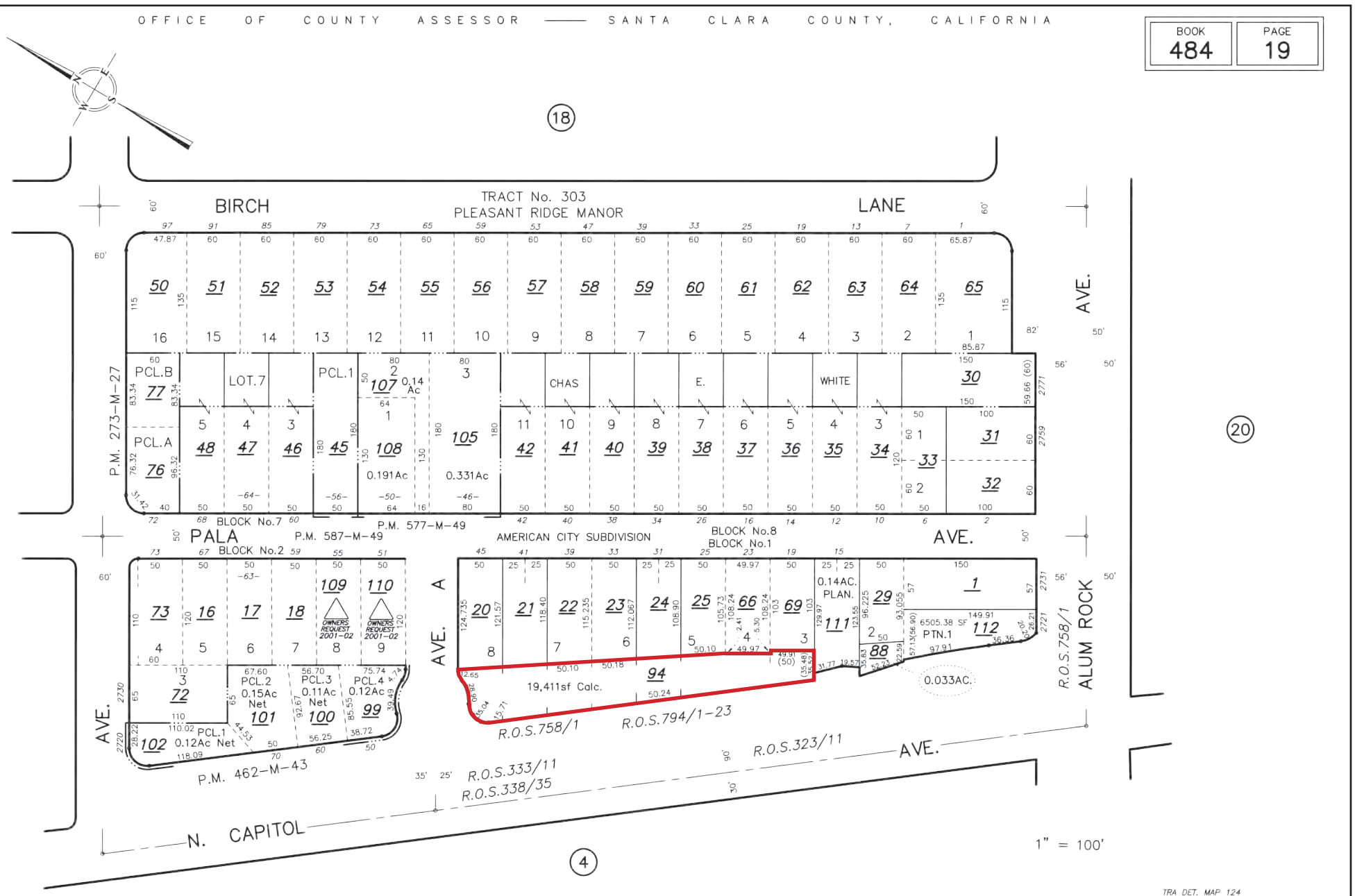
2.9 HABITAT CONSERVATION PLAN DESIGNATIONS:
Area 4: Urban Development Equal to or Greater than 2 Acres Covered
Land Cover: Urban-Suburban
Land Cover Fee Zone: Urban Areas (No Land Cover Fee)

2.10 PROJECT-RELATED APPROVALS, AGREEMENTS AND PERMITS: The project applicant would require a City of San José General Plan Amendment.

Location Map

Capitol Avenue General Plan Amendment
Initial Study/Negative Declaration

Figure
1



TRA DET. MAP 124

LAWRENCE E. STONE – ASSESSOR
Cadastral map for assessment purposes only.
Compiled under R. & T. Code, Sec. 327.
Effective Roll Year 2018–2019

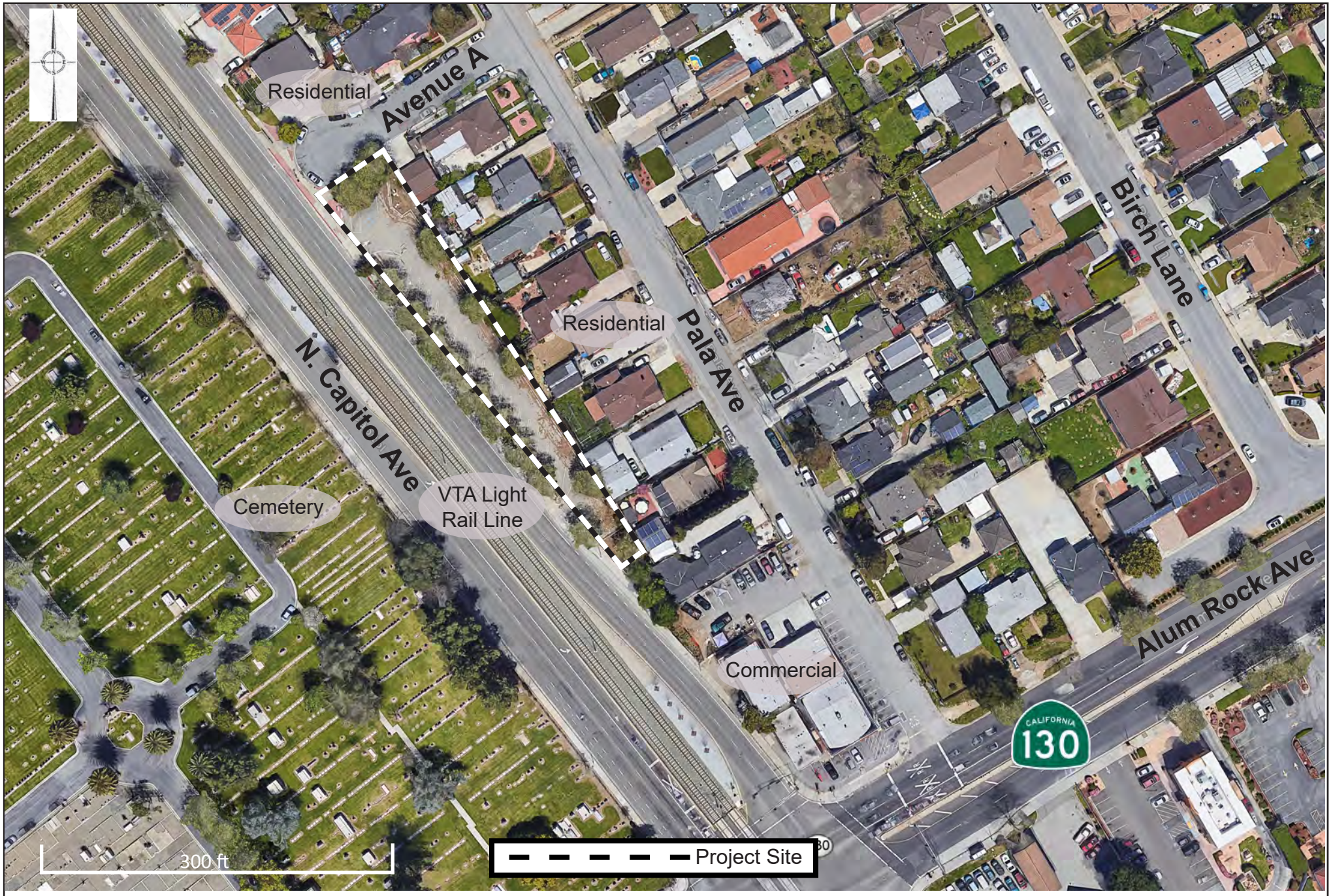
Project Boundaries

Source: Office of the Assessor, County of Santa Clara, 2019

APN Map

Figure 2

Capitol Avenue General Plan Amendment
Initial Study/Negative Declaration



Source: Google Earth, February 2019

Aerial

Figure 3

Capitol Avenue General Plan Amendment
Initial Study/Negative Declaration

Chapter 3. Project Description

3.1 PROJECT OVERVIEW

This Initial Study provides project-level CEQA analysis for a General Plan Amendment to allow the conversion of a land use designation from *Neighborhood Community Commercial* to *Mixed Use Neighborhood* on a 0.44-gross acre project site (APN 484-19-094) located on the east side of Capitol Avenue, approximately 250 feet north of Alum Rock Avenue in San José.

Environmental Setting

The site was previously used as a park-and-ride lot by the VTA and is developed with a 20-space parking lot and landscaping.

The project site is in a residential and commercial area bordered by single-family residences to the north and east, Alum Rock Avenue and commercial developments to the south, and Capitol Avenue and Calvary Catholic Cemetery to the west. Table 1 identifies the General Plan designations and zoning district of the surrounding uses.

Table 1
Land Uses Surrounding the Project Site

Direction	General Plan Designation	Zoning District	Existing Use
North	*Residential Neighborhood*	R-1-8 Single-Family Residence	Single family residences
South	*Residential Neighborhood and Neighborhood Community Commercial*	R-1-8 Single-Family Residence and CN Commercial Neighborhood	Single-family residences, commercial developments, and Alum Rock Avenue
East	*Residential Neighborhood*	R-1-8 Single-Family Residence	Single-family residences
West	*Open Space, Parklands, and Habitat*	R-1-8 Single-Family Residence	Capitol Avenue and Cemetery

Existing Land Use Designation and Zoning

The project site is located in the R-1-8 Single-Family Residence Zoning District and is designated *Neighborhood Community Commercial* in the Envision San José 2040 General Plan land use transportation diagram (General Plan). This land use designation supports a broad range of commercial uses with a Floor Area Ratio (FAR) [1] of up to 3.5. The R-1-8 Zoning District supports single-family development with an allowable density range of eight dwelling units per acre.

[1] The FAR of a building is the total square footage of that building divided by the total square footage of the lot on which the building is located.

3.2 PROPOSED GENERAL PLAN DESIGNATION

The project applicant proposes to change the General Plan land use designation of the 0.44-gross-acre site from *Neighborhood Community Commercial* to *Mixed Use Neighborhood*. The *Mixed Use Neighborhood* land use designation allows for new infill development primarily with either townhouse or small lot single-family residences in areas with a wide variety of housing types, including a mix of residential densities and forms. The designation also supports commercial or mixed-use development, and is intended to establish new neighborhoods with a cohesive urban form, to provide transition between higher-density and lower-density neighborhoods, or to facilitate new infill development within an existed area that does not have an established cohesive urban character. The *Mixed Use Neighborhood* allows for up to 30 dwelling units per acre (du/ac) and a FAR range of 0.25 to 2.0.

3.3 DEVELOPMENT ASSUMPTIONS FOR THE ENVIRONMENTAL REVIEW

No specific development is proposed at this time. The project proposes a General Plan Amendment to change the General Plan land use designation for the site from *Neighborhood Community Commercial* to *Mixed Use Neighborhood.* The maximum density permitted would be 13 multi-family units, however; given site constraints (setbacks, parking, height, etc.) it is anticipated the maximum amount of development possible on the site if the proposed General Plan Amendment is approved is six residential units.[2] The *Mixed Use Neighborhood* designation is not anticipated to change the amount of commercial square footage allowed to be constructed on the site, nor would it change the jobs assumption that was analyzed within the General Plan Final Program EIR for the site. Due to site constraints, such as height, setbacks, and parking, the maximum developable commercial square footage for the site under the *Mixed Use Neighborhood or Neighborhood Community Commercial* would be approximately 6,000 square feet of commercial development.[3] Due to its small size and configuration, future development of mixed uses (residential and commercial) is unlikely. Future development of the proposed site would require separate environmental review to address the specific project.

[2] See Appendix A, General Plan Long-Range Traffic Analysis

[3] This assumes use of the existing 24 parking spaces on the site and development of approximately 6,000 square feet of second floor commercial.

Chapter 4. Environmental Evaluation

The environmental factors checked below would be potentially affected by this project as indicated by the checklist on the following pages. The key environmental factors potentially impacted by the project are identified below and discussed within Chapter 3. Environmental Setting and Impacts. Sources used for analysis of environmental effects are cited in the checklist for each discussion, and are listed in Chapter 4. References.

☒ Aesthetics	☐ Agricultural Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Energy
☒ Geology/Soils	☒ Greenhouse Gas Emissions	☒ Hazards/Hazardous Materials
☒ Hydrology/Water Quality	☒ Land Use/Planning	☐ Mineral Resources
☒ Noise	☒ Population/Housing	☒ Public Services
☒ Recreation	☒ Transportation/Traffic	☒ Utilities/Service Systems
☐ Wildfire	☒ Mandatory Findings of Significance	

A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources cited by the lead agency. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis). The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and
b) The mitigation measure identified, if any, to reduce the impact to less than significance.

All answers must consider the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. A "potentially significant impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "potentially significant impact" entries when the determination is made, an EIR is required. A “less than significant with mitigation incorporated” response applies where the incorporation of mitigation measures has reduced an effect from a potentially significant impact to less than significant impact. The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.

Important Note to the Reader:

In a December 2015 opinion *[California Building Industry Association v. Bay Area Air Quality Management District, 62 Cal. 4th 369 (No. S 213478)*], the California Supreme Court confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment and not the effects that the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on impacts of the project on the environment, including whether a project may exacerbate existing environmental hazards.

The City of San José currently has policies that address existing conditions (e.g., air quality, hazards, noise, etc.) that may affect a proposed project, which are also addressed below. This is consistent with one of the primary objectives of CEQA and this document, which is to provide objective information to decision-makers and the public regarding a project as a whole. The CEQA Guidelines and the courts are clear that a CEQA document (e.g., EIR or Initial Study) can include information of interest even if such information is not an "environmental impact" as defined by CEQA.

Therefore, where applicable, in addition to describing the impacts of the project on the environment, this Initial Study discusses "planning considerations" that relate to City policies pertaining to existing conditions. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, in a geologic hazard zone, in a high noise environment, or on/adjacent to sites involving hazardous substances.

4.1 AESTHETICS

Environmental Setting

The 0.44-gross-acre project site is located on a developed parcel within an urbanized area of San José. The property is currently occupied by 24 surface parking spaces with mature landscape trees present around the perimeter of the site (see Figure 4). The site is located in a mixed use residential and commercial area along Capitol Avenue. The project site is bordered by the following uses:

- North: single-family residential;
- South: Alum Rock Avenue and commercial;
- East: single-family residential; and
- West: Capitol Avenue and Calvary Catholic Cemetery.

Regulatory Framework

The State Scenic Highways Program is designed to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. The project site is not located near any scenic highways. In addition, General Plan defines scenic vistas in the City of San José as views of and from the Santa Clara Valley, surrounding hillsides, and urban skyline. Scenic urban corridors, such as segments of major highways that provide gateways into the City, can also be defined as scenic resources by the City. The designation of a scenic route applies to routes affording especially aesthetically pleasing views. The project property is not located along any scenic corridors per the City's Scenic Corridors Diagram.

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating aesthetic impacts from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Aesthetic Policies	
Policy CD-1.1	Require the highest standards of architecture and site design, and apply strong design controls for all development projects, both public and private, for the enhancement and development of community character and for the proper transition between areas with different types of land uses.
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.
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.

Envision San José 2040 Relevant Aesthetic Policies	
Policy CD-1.12	Use building design to reflect both the unique character of a specific site and the context of surrounding development and to support pedestrian movement throughout the building site by providing convenient means of entry from public streets and transit facilities where applicable, and by designing ground level building frontages to create an attractive pedestrian environment along building frontages. Unless it is appropriate to the site and context, franchise-style architecture is strongly discouraged.
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.
Policy CD-1.17	Minimize the footprint and visibility of parking areas. Where parking areas are necessary, provide aesthetically pleasing and visually interesting parking garages with clearly identified pedestrian entrances and walkways. Encourage designs that encapsulate parking facilities behind active building space or screen parked vehicles from view from the public realm. Ensure that garage lighting does not impact adjacent uses, and to the extent feasible, avoid impacts of headlights on adjacent land uses.
Policy CD-1.23	Further the Community Forest Goals and Policies in this Plan by requiring new development to plant and maintain trees at appropriate locations on private property and along public street frontages. Use trees to help soften the appearance of the built environment, help provide transitions between land uses, and shade pedestrian and bicycle areas.
Policy CD-4.9	For development subject to design review, ensure the design of new or remodeled structures is consistent or complementary with the surrounding neighborhood fabric (including but not limited to prevalent building scale, building materials, and orientation of structures to the street).
Policy CD-8.1	Ensure new development is consistent with specific height limits established within the City's Zoning Ordinance and applied through the zoning designation for properties throughout the City. Land use designations in the Land Use/ Transportation Diagram provide an indication of the typical number of stories.

In addition to the applicable General Plan policies, future development of the site would be required to comply with the following policies and guidelines, as applicable:

- The City of San José's Outdoor Lighting Policy (City Council Policy 4-3) and City of San José Interim Lighting Policy Broad Spectrum Lighting for Private Development promote energy efficient outdoor lighting on private development to provide adequate light for nighttime activities while benefiting the continued enjoyment of the night sky and continuing operation of the Lick Observatory by reducing light pollution and sky glow.

- City of San José's Residential Design Guidelines.

- City of San José's Commercial Design Guidelines.

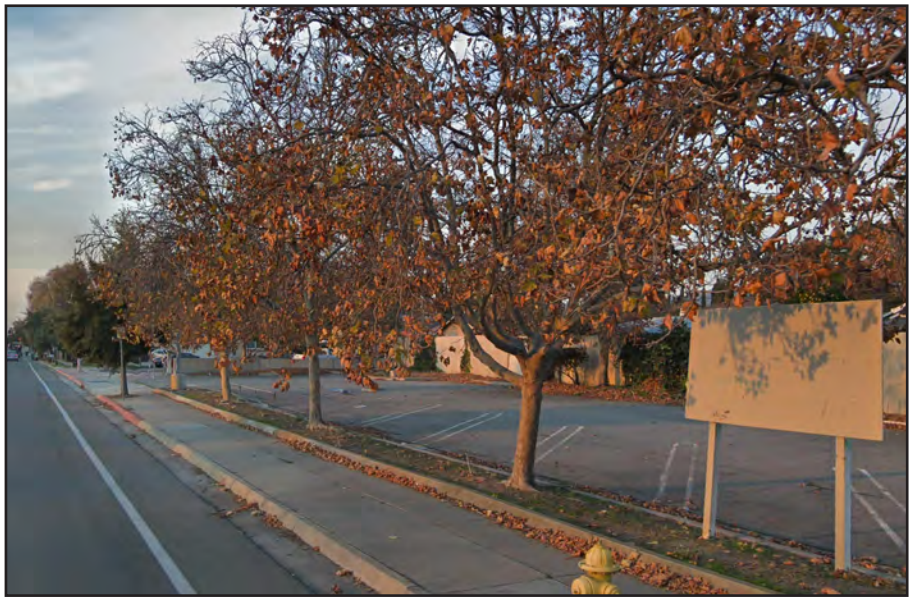


Photo 1. View of the project site looking northwest, showing the existing parking lot and Capitol Avenue.

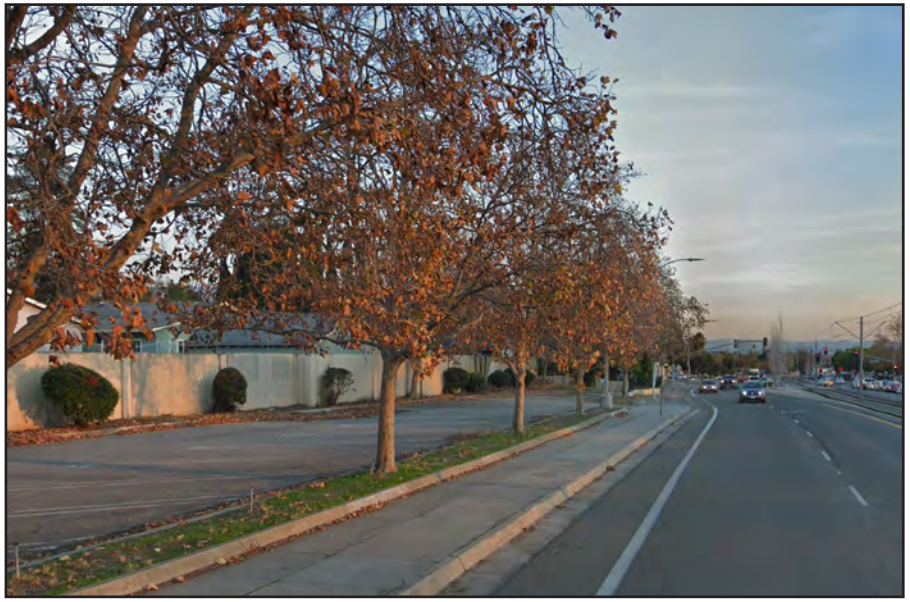


Photo 2. View of the project site looking southeast, showing the existing parking lot and Capitol Avenue.

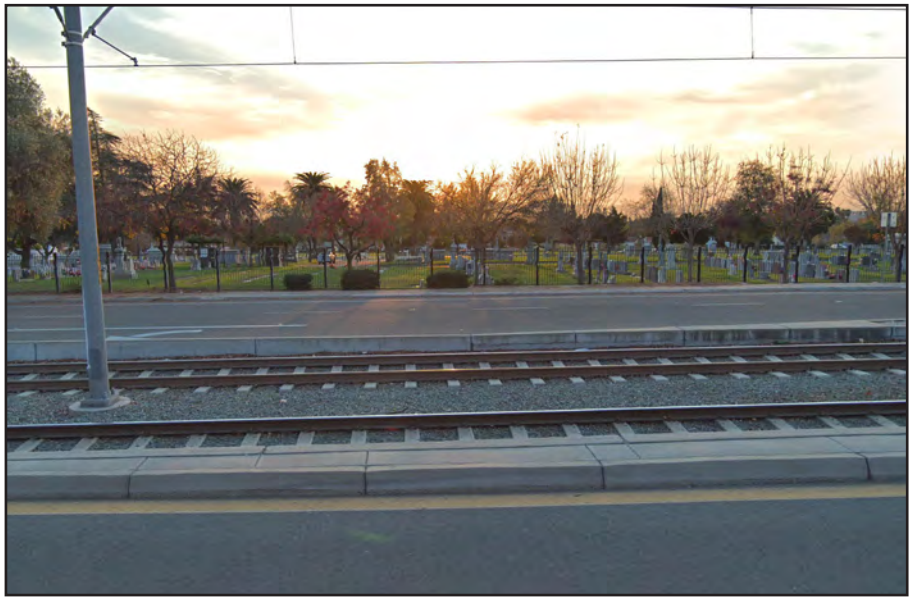


Photo 3: View from the project site looking west, showing the Calvary Catholic Cemetery across the street and a VTA light rail line.

Photo 4: View from across the street looking west, showing the project site, Capitol Avenue, and a VTA light rail line.

Site Photos

Capitol Avenue General Plan Amendment
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Figure
4

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
1.	AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:					
a)	Have a substantial adverse effect on a scenic vista?			X		1, 2
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		1, 2
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		1, 2
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		1, 2

Explanation

a) **Less Than Significant Impact**. Surrounding land uses consist of a cemetery, primarily residential buildings, and some commercial uses, typically one to two-stories in height. Due to existing development, including an existing masonry wall, views from the site area limited to the surrounding residential buildings and adjacent streets. The project site is located within a developed area and there are no scenic vistas that would be impacted by the future redevelopment of the site.

b) **Less Than Significant Impact**. The project site is not located within or adjacent to a state-designated scenic highway or City scenic route. The project site is currently vacant and contains a former parking lot. Future development would not damage scenic resources since none exist on or adjacent to the site.

c) **Less Than Significant Impact**. The project site is located on a developed parcel that is currently occupied by a parking lot (formerly the VTA park-and-ride lot) and surrounded by a mix of land uses including a cemetery, residential and commercial buildings, typically one to two stories in height. Future redevelopment of the site under the proposed *Mixed Use Neighborhood* land use designation would alter the existing visual character of the site and its surroundings; however, future redevelopment would be reviewed in accordance with the applicable General Plan policies, the City's Design Guidelines, and the City's Outdoor Lighting policies. Any future development would be subject to review and approval by the City to ensure it meets the local design and aesthetic standards. For these reasons, the project would not conflict with applicable zoning and other regulations governing scenic quality.

d) **Less Than Significant Impact**. The project site is currently developed with a former parking lot and is not lit at night. Future redevelopment of the site under the proposed *Mixed Use Neighborhood* land use designation could increase the amount of nighttime lighting on the project site. As described above, future redevelopment would be required to conform to the City's Outdoor Lighting policies. The City's planning review processes will ensure compatibility of the lighting and building materials of future development on the site with surrounding uses. For these reasons, future redevelopment of the site under the proposed General Plan Amendment would not create a source of substantial light or glare.

Conclusion

Conformance with existing General Plan policies, City design guidelines, and City outdoor lighting policies would ensure that future redevelopment of the site would not result in significant adverse visual or aesthetic impacts. **(Less Than Significant Impact)**

4.2 AGRICULTURAL AND FOREST RESOURCES

Environmental Setting

The 2016 Santa Clara County Important Farmland Map designated the project site as Urban and Built-Up Land.[4] The site is not subject to a Williamson Act contract. The site does not contain any forest land as defined in Public Resources Code section 12220(g), timberland as defined by Public Resources Code section 4526, or property zoned for Timberland Production as defined by Government Code section 51104(g).

Regulatory Framework

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is called Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.[4]

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.[5]

Forest Land, Timberland, and Timberland Production

The California Department of Forestry and Fire Protection (Cal Fire) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.[6] Programs such as Cal Fire's Fire and Resource Assessment Program (FRAP) and are used to identify whether forest land, timberland, or timberland production areas that could be effected are located on or adjacent to a project site.[7]

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[4] California Department of Conservation. "Farmland Mapping and Monitoring Program". Accessed: August 2019. Available at: http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx.

[5] California Department of Conservation. "Williamson Act". Accessed: August 2019. Available at: http://www.conservation.ca.gov/dlrp/lca.

[6] *Forest land* is land that can support 10 percent native tree cover and allows for management of one or more forest resources, including timber, fish, wildlife, and biodiversity (California Public Resources Code Section 12220(g)); *Timberland* is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing a crop of trees used to produce lumber and other forest products, including Christmas trees (California Public Resources Code Section 4526); and *Timberland Production* is land devoted to and used for growing and harvesting timber and other compatible uses (Government Code Section 51104(g)).

[7] Cal Fire. "FRAP". Accessed: August 2019. Available at: http://frap.fire.ca.gov/.

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating agricultural impacts from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Agricultural Resources Policies	
Policy LU-12.3	Protect and preserve the remaining farmlands within San José's sphere of influence that are not planned for urbanization in the timeframe of the Envision General Plan through the following means: • Limit residential uses in agricultural areas to those which are incidental to agriculture. • Restrict and discourage subdivision of agricultural lands. Encourage contractual protection for agricultural lands, such as Williamson Act contracts, agricultural conservation easements, and transfers of development rights. • Prohibit land uses within or adjacent to agricultural lands that would compromise the viability of these lands for agricultural uses. • Strictly maintain the Urban Growth Boundary in accordance with other goals and policies in this Plan.
Policy LU-12.4	Preserve agricultural lands and prime soils in non-urban areas in order to retain the aquifer recharge capacity of these lands.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
2. AGRICULTURAL AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	2
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	2
d) Result in the loss of forest land or conversion of forest land to non-forest uses?				X	2

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X	2, 4

Explanation

a) **No Impact**. The project site is an infill property and designated as Urban and Built-Up Land on the Important Farmland Map for Santa Clara County and does not contain any prime farmland, unique farmland, or farmland of statewide importance. Conversion of the site's land use designation to *Mixed Use Neighborhood* and any future redevelopment of the site would not affect agricultural land.

b) **No Impact**. The project site is on a developed infill property, is not zoned for agricultural use, and does not contain lands under Williamson Act contract; therefore, conversion of the site's land use designation to *Mixed Use Neighborhood* and any future redevelopment of the site would not conflict with agricultural uses.

c) **No Impact**. Conversion of the site's land use designation to *Mixed Use Neighborhood* and any future redevelopment of the project site would not impact forest resources since the site does not contain any forest land as defined in Public Resources Code section 12220(g), timberland as defined by Public Resources Code section 4526, or property zoned for Timberland Production as defined by Government Code section 51104(g).

d) **No Impact**. See c) above. No other changes to the environment would occur from the project that would result in the loss of forest land or conversion of forest land to non-forest uses.

e) **No Impact**. As per the discussion above, the project would not involve changes in the existing environment which, due to their location or nature, could result in conversion of farmland or forest land, since none are present on this infill property.

Conclusion

The project would have no impact on agricultural land, agricultural activities, or forest resources. **(No Impact)**

4.3 AIR QUALITY

Environmental Setting

Existing Conditions

The project is located in Santa Clara County, which lies within the San Francisco Bay Area Air Basin. Air quality in this region is affected by natural factors such as the proximity to the Bay and ocean, topography, meteorology, and existing air pollution sources.

Sensitive Receptors

The closest sensitive receptors to the project site are existing single-family residences adjacent to the project site to the north and east. Existing single-family residences are also located to the south.

Common sources of odors and odor complaints include wastewater treatment plants, transfer stations, coffee roasters, painting/coating operations, and landfills. The project site is in a residential and commercial area and is not surrounded by facilities that produce substantial odors. An automobile repair center is located on 2710 Alum Rock Avenue, approximately 0.07 mile south of the site. The localized exhaust from automobiles results from operations of the repair center but does not produce substantial odors.

Regulatory Framework

Federal and State

Air Quality Overview

Federal and state agencies regulate air quality in the San Francisco Bay Area Basin. At a federal level, the Federal Clean Air Act (CAA) of 1970, as amendment, authorized the establishment of federal air quality standards and set deadlines for attainment of the standards. The CAA identifies specific emission reduction goals, requires both a demonstration of reasonable further progress and attainment, and incorporates more stringent sanctions for failure to meet interim milestones. The U.S. Environmental Protection Agency (EPA) is the federal agency which administers the National Ambient Air Quality Standards (NAAQS) under the Federal Clean Air Act. The California Air Resources Board (CARB) is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act.

Regional

Regional and Local Criteria Pollutants

The EPA sets the NAAQS and determines if areas meet those standards. The Federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these Acts, the U.S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NO_X), particulate matter (PM_{10}), sulfur dioxide (SO_2), and lead (Pb). Secondary criteria pollutants include ozone (O_3), and fine particulate matter ($PM_{2.5}$).

Violations of ambient air quality standards are based on air pollutant monitoring data and judged for each air pollutant. Areas that do not violate ambient air quality standards are considered to have attained the standard. EPA has classified the region as a nonattainment area for the 8-hour O_3 standard and the 24-hour $PM_{2.5}$ standard. The Bay Area has met the CO standards for over a decade and is classified as an attainment area by the U.S. EPA. The U.S. EPA has deemed the region as attainment/unclassified for all other air pollutants, which include PM_{10}. At the State level, the Bay Area is considered nonattainment for ozone, PM_{10} and $PM_{2.5}$.

The Bay Area Air Quality Management District (BAAQMD) is the local agency authorized to regulate stationary air quality sources in the Bay Area. The BAAQMD defines sensitive receptors as facilities where sensitive population groups are located, including residences, schools, childcare centers, convalescent homes, and medical facilities. Land uses such as schools and hospitals are considered more sensitive than the general public to poor air quality because of an increased susceptibility to respiratory distress within the populations associated with these uses.

The BAAQMD is primarily responsible for assuring that the federal and state ambient air quality standards are attained and maintained in the Bay Area. The BAAQMD's May 2017 CEQA Air Quality Guidelines update the 2010 CEQA Air Quality Guidelines, addressing the California Supreme Court's 2015 opinion in the *California Building Industry Association vs. Bay Area Air Quality Management District* court case.

The BAAQMD, along with other regional agencies (e.g., ABAG and MTC), develop plans to reduce air pollutant emissions. The most recent clean air plan is the *Bay Area 2017 Clean Air Plan: Spare the Air, Cool the Climate* (2017 CAP), which was adopted by BAAQMD in April 2017. This is an update to the 2010 CAP, and centers on protecting public health and climate. The 2017 CAP identifies a broad range of control measures. These control measures include specific actions to reduce emissions of air and climate pollutants from the full range of emission sources and is based on the following four key priorities:

- Reduce emissions of criteria air pollutants and toxic air contaminants from all key sources.
- Reduce emissions of "super-GHGs" such as methane, black carbon, and fluorinated gases.
- Decrease demand for fossil fuels (gasoline, diesel, and natural gas).
- Decarbonize our energy system.

Toxic Air Contaminants

Toxic air contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer) and include, but are not limited to, the criteria air pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State, and federal level.

Exhaust from trucks, buses, trains, ships, and other equipment with diesel engines contains a mixture of gases and solid particles. These solid particles are known as diesel particulate matter (DPM). DPM contains hundreds of different chemicals which can have harmful health effects, such as cardiovascular and respiratory diseases.

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three quarters of the cancer risk from TACs. According to CARB, diesel exhaust is a complex mixture of gases, vapors, and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some of the chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by CARB, and are listed as carcinogens either under California Proposition 65 or the Federal Hazardous Air Pollutants programs. The most recent Office of Environmental Health Hazard Assessment (OEHHA) risk assessment guidelines were published in February of 2015.[8]

Local

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating air quality impacts from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Air Quality Policies	
Policy MS-10.1	Assess projected air emissions from new development in conformance with the BAAQMD CEQA Guidelines and relative to state and federal standards. Identify and implement air emissions reduction measures.
Policy MS-10.2	Consider the cumulative air quality impacts from proposed developments for proposed land use designation changes and new development, consistent with the region's Clean Air Plan and State law.
MS-11.1	Require completion of air quality modeling for sensitive land uses such as new residential developments that are located near sources of pollution such as freeways and industrial uses. Require new residential development projects and projects categorized as sensitive receptors to incorporate effective mitigation into project designs or be located an adequate distance from sources of toxic air contaminants (TACs) to avoid significant risks to health and safety.
Policy MS-11.2	For projects that emit toxic air contaminants, require project proponents to prepare health risk assessments in accordance with BAAQMD-recommended procedures as part of environmental review and employ effective mitigation to reduce possible health risks to a less than significant level. Alternatively, require 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.
Policy MS-11.5	Encourage the use of pollution absorbing trees and vegetation in buffer areas between substantial sources of TACs and sensitive land uses.

[8] Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, May 2017.

Envision San José 2040 Relevant Air Quality Policies	
Policy MS-13.1	Include dust, particulate matter, and construction equipment exhaust control measures as conditions of approval for subdivision maps, site development and planned development permits, grading permits, and demolition permits. At minimum, conditions shall conform to construction mitigation measures recommended in the current BAAQMD CEQA Guidelines for the relevant project size and type.
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.
TR-9.1	Enhance, expand and maintain facilities for walking and bicycling, particularly to connect with and ensure access to transit and to provide a safe and complete alternative transportation network that facilitates non-automobile trips.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?			X		2, 5, 6
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X		2, 5
c) Expose sensitive receptors to substantial pollutant concentrations?			X		2, 5
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			X		2

BAAQMD Thresholds

The City of San José uses the thresholds of significance established by the BAAQMD to assess air quality impacts of proposed development. The BAAQMD CEQA Guidelines include screening levels and thresholds for evaluating air quality impacts in the Bay Area. The applicable thresholds are presented below in Table 2.

Table 2 BAAQMD Air Quality Significance Thresholds			
	Construction Thresholds	**Operational Thresholds**	
Pollutant	**Average Daily Emissions (lbs./day)**	**Average Daily Emissions (lbs./day)**	**Annual Average Emissions (tons/year)**
Criteria Air Pollutants			
ROG, NO_x, $PM_{2.5}$ (exhaust)	54	54	10
PM_{10} (exhaust)	82	82	15
CO	Not Applicable	9.0 ppm (8-hour average) or 20.0 ppm (1-hour average)	
Fugitive Dust ($PM_{2.5}$, PM_{10})	Construction Dust Ordinance or other Best Management Practices	Not Applicable	
Health Risks and Hazards for Sources within 1,000 Feet of Project			
Excess Cancer Risk	10 per one million	10 per one million	
Chronic or Acute Hazard Index	1.0	1.0	
Incremental annual average $PM_{2.5}$	0.3 µg/m^3	0.3 µg/m^3	
Health Risks and Hazards for Sensitive Receptors (Cumulative from All Sources within 1,000-Foot Zone of Influence) and Cumulative Thresholds for New Sources			
Excess Cancer Risk	100 per 1 million		
Chronic Hazard Index	10.0		
Annual Average $PM_{2.5}$	0.8 µg/m^3		
Greenhouse Gas Emissions (Land Use Projects)			
GHG Annual Emissions	1,100 metric tons or 4.6 metric tons per service population		
Notes: ROG = reactive organic gases, NOx = nitrogen oxides, PM_{10} = course particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, and $PM_{2.5}$ = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less; GHG = greenhouse gas; ppm = parts per million; µg/m^3 = micrograms per cubic meter			

Explanation

a) **Less Than Significant Impact**. Using the BAAQMD's methodology, a determination of consistency with the latest Clean Air Plan - 2017 CAP - should demonstrate that a project: 1) supports the primary goals of the air quality plan; 2) includes applicable control measures from the air quality plan, and 3) does not disrupt or impede implementation of air quality plan control measures.

The 2017 CAP defines an integrated, multipollutant control strategy to reduce emissions of particulate matter, toxic air contaminants, ozone precursors, and greenhouse gases. The 2017 CAP has control measures that are designed to indirectly or directly reduce air pollutants emissions in the Bay Area. These measures are divided into five categories, including:

- Measures to reduce emissions from stationary area sources;
- Mobile source measures;

- Transportation control measures
- Land use and local impact measures; and
- Energy and climate measures

The project is a General Plan Amendment without a proposed development. The General Plan Amendment would allow for the future construction of residential or commercial uses on the property located in suburban San José on a site serve by nearby bus and light rail transit. Given the project's proximity to public transit and the maximum development on-site (six residential units or 6,000 square feet), any future increase in residential density on-site would not substantially increase the overall vehicle miles traveled by the residents of San José consistent with the 2017 CAP.

The project does not include a development proposal that could be compared to the control measures in the 2017 CAP for stationary, area or mobile sources, or energy control sources. The project design of the future development would be reviewed during the development, environmental, and permit review for the future project, for consistency with the City General Plan policies, including compliance with BAAQMD operational emission thresholds as listed in General Plan Policies MS-10.1 and MS-13.1, and City of San José Design Guidelines that correlate to control measures identified in the 2017 CAP.

b) **Less Than Significant Impact**. Non-attainment pollutants of concern for the San Francisco Bay Air Basin are ozone, PM_{10}, and $PM_{2.5}$. In developing thresholds of significance for air pollutants, BAAQMD considers the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Future construction on the site would be required to implement BAAQMD's Best Management Practices for dust control in accordance with the City's General Plan Policies MS-13.1 and MS-13.2.

c) **Less Than Significant Impact**. The City of San José uses the thresholds of significance established by the BAAQMD to assess air quality impacts of proposed development. The BAAQMD CEQA Guidelines include screening levels and thresholds for evaluating air quality impacts in the Bay Area. The proposed land use designation change from *Neighborhood Community Commercial* to *Mixed Use Neighborhood.* The maximum anticipated amount of development possible on the site if the proposed General Plan Amendment is approved is six multi-family units or 6,000 square feet of commercial development (up to 3.5 stories) based on allowable densities identified for the proposed land use designation, site constraints (such as height, parking, and setbacks), and the land use assumptions in the cumulative traffic study. No specific development is proposed at this time. When future development is proposed, a project-specific air quality assessment will be required to confirm conformance with the BAAQMD thresholds in compliance with General Plan Policy 10-1.

Construction of future development would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$ and Diesel Particulate Matter (DPM). Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. The BAAQMD CEQA Guidelines identify best management practices to minimize air pollutant

emissions during construction. Future construction on the project site would implement these practices, in accordance with General Plan Policies MS-13.1 and MS-13.2.

Project effects related to increased community risk can occur by introducing a new source of TACs with the potential to adversely affect existing sensitive receptors (a CEQA effect) or by introducing a new sensitive receptor, such as a residential use, in proximity to an existing source of TACs (a non CEQA effect).

There are groups of people more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools. For cancer risk assessments, children are the most sensitive receptors, since they are more susceptible to cancer causing TACs. Residential locations are assumed to include infants and small children.

Future construction on the site would require the use of diesel equipment (e.g., generators, excavators, dozers, graders, etc.) that generates TACs. Depending on the proximity and duration of use, the operation of diesel equipment on the project site during future construction activities has the potential to expose the occupants of the surrounding residences to substantial TAC emissions. Consistent with General Plan Policy MS-13.1, this impact would be addressed at the time a specific project is proposed and mitigation measures (e.g., use of alternative fuel construction equipment) would be required to reduce the impact to a less-than-significant level, if necessary.

Non CEQA Effects

Future redevelopment of the site with residential uses could expose future residents to TACs (e.g., from Capitol Avenue or other sources). Although this is not considered a CEQA impact per *California Building Industry v. Bay Area Air Quality Management District* (62 Cal. 4th 369) General Plan Policy MS-13.1 requires this effect to be addressed at the time a specific project is proposed. Measures, such as the use of air filters, may be required to minimize the effects of TACs on future site occupants.

d) **Less Than Significant Impact**. Common sources of odors and odor complaints are uses such as transfer stations, recycling facilities, painting/coating facilities, landfills, and wastewater treatment plants. Future redevelopment of the site under the proposed *Mixed Use Neighborhood* land use designation would not allow for new odor sources beyond those already allowed under the current *Neighborhood Community Commercial* designation.

Although no development is proposed at this time, any future construction activities on-site that include the use of diesel powered vehicles and equipment could temporarily generate localized odors; however, these potential odors would be minimized with implementation of standard permit conditions for noise (which prohibits unnecessary idling of equipment), would be temporary in nature, and would cease upon project completion.

Conclusion

Future redevelopment of the project site under the proposed *Mixed Use Neighborhood* land use designation would have a less-than-significant impact on air quality with implementation of applicable General Plan Policies and BAAQMD Guidelines. **(Less than Significant)**

4.4 BIOLOGICAL RESOURCES

Environmental Setting

Existing Conditions

The project site is located within an urbanized area in the City of San José. The property is currently developed with a parking lot, minimal landscaping, and 14 trees around the site's perimeter (see Figure 3). There are no wetlands or riparian areas on or near the site. The nearest waterway to the site is Babb Creek, located approximately 2,000 feet to the south. Due to its developed nature and urbanized location, the habitat value of the project site is considered low. Most special status animal species occurring in the Bay Area use habitats that are not present on the project site. Since the native vegetation of the area is no longer present on-site, native wildlife species have been supplanted by species that are more compatible with an urbanized area. However, existing trees on and surrounding the site may contain habitat for nesting birds.

Trees (both native and non-native) are valuable to the human environment for the benefits they provide including resistance to global climate change (i.e., carbon dioxide absorption), protection from weather, nesting and foraging habitat for raptors and other migratory birds, and visual enhancement of urban environments. The site contains 14 California sycamore trees (*Plantanus racemosa*) around the perimeter of the property. The California sycamore is native to California and is usually found in canyons, floodplains, and along streams, but is also planted as a landscape tree within its native range.

Regulatory Framework

Federal and State

Special-Status Species

Special-status species are those plants and animals listed under the state and federal Endangered Species Acts (including candidate species); plants listed on the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California (1994); and animals designated as Species of Special Concern by the California Department of Fish and Wildlife (CDFW). Additionally, raptors (e.g., eagles, hawks, and owls) and their nests are protected in California under Fish and Game Code.

Section 3503 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey).

Migratory Bird and Birds of Prey Protections

Section 3511 prohibits the take or possession of fully protected birds. Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal Migratory Bird Treaty Act (MBTA). Section 3800 prohibits take of nongame birds. Construction disturbance during breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment, a violation of the MBTA. Additionally, nesting birds are considered special-status species and are protected by the United States Fish and Wildlife Services (USFWS).

Regional and Local

Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan

The Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan (HCP) was developed through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife. The HCP is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in approximately 500,000 acres of southern Santa Clara County. The project site is located within the boundaries of the HCP and is designated as follows:

- Private Development Area: Area 4 – Urban Development Equal to or Greater than 2 Acres Covered
- Land Cover: Urban-Suburban
- Land Cover Fee Zone: Urban Areas (No Land Cover Fee)

In addition, the HCP indicates that nitrogen deposition has damaging effects on many of the serpentine plants in the HCP area, including the host plants that support the Bay checkerspot butterfly. Because serpentine soils tend to be nutrient poor and nitrogen deposition artificially fertilizes serpentine soils, nitrogen deposition facilitates the spread of invasive plant species. Nitrogen tends to be efficiently recycled by the plants and microbes in infertile soils such as those derived from serpentine, so that fertilization impacts could persist for years and result in cumulative habitat degradation. All major remaining populations of the butterfly and many of the sensitive serpentine plant populations occur in areas subject to air pollution from vehicle exhaust and other sources throughout the Bay Area. The displacement of native serpentine plant species and subsequent decline of several federally-listed species, including the butterfly and its larval host plants, has been documented on Coyote Ridge in central Santa Clara County.

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating biological resource impacts from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Biological Resource Policies	
Policy CD-1.24	Within new development projects, include preservation of ordinance-sized and other significant trees, particularly natives. Avoid any adverse effect on the health and longevity of such trees through design measures, construction, and best maintenance practices. When tree preservation is not feasible, include replacements or alternative mitigation measures in the project to maintain and enhance our Community Forest.
Policy ER-5.1	Avoid implementing activities that result in the loss of active native birds' nests, including both direct loss and indirect loss through abandonment, of native birds. Avoidance of activities that could result in impacts to nests during the breeding season or maintenance of buffers between such activities and active nests would avoid such impacts.

Envision San José 2040 Relevant Biological Resource Policies	
Policy ER-5.2	Require that development projects incorporate measures to avoid impacts to nesting migratory birds.
Policy ER-6.5	Prohibit use of invasive species, citywide, in required landscaping as part of the discretionary review of proposed development.
Policy MS-21.4	Encourage the maintenance of mature trees, especially natives, on public and private property as an integral part of the community forest. Prior to allowing the removal of any mature tree, pursue all reasonable measures to preserve it.
Policy MS-21.5	As part of the development review process, preserve protected trees (as defined by the Municipal Code), and other significant trees. Avoid any adverse effect on the health and longevity of protected or other significant trees through appropriate design measures and construction practices. Special priority should be given to the preservation of native oaks and native sycamores. When tree preservation is not feasible, include appropriate tree replacement, both in number and spread of canopy.
Policy MS-21.6	As a condition of new development, require, where appropriate, the planting and maintenance of both street trees and trees on private property to achieve a level of tree coverage in compliance with and that implements City laws, policies or guidelines.
Policy MS-21.8	For Capital Improvement Plan or other public development projects, or through the entitlement process for private development projects, require landscaping including the selection and planting of new trees to achieve the following goals: 1. Avoid conflicts with nearby power lines. 2. Avoid potential conflicts between tree roots and developed areas. 3. Avoid use of invasive, non-native trees. 4. Remove existing invasive, non-native trees. 5. Incorporate native trees into urban plantings in order to provide food and cover for native wildlife species. 6. Plant native oak trees and native sycamores on sites which have adequately sized landscape areas and which historically supported these species.

City of San José Tree Removal Ordinance

The City of San José's Municipal Code (Section 13.32) regulates the removal of trees. An "ordinance tree" is defined as any native or non-native tree with a circumference of 38 inches or more (diameter of about 12 inches) measured at 4½ feet above natural grade. For multi-trunk trees, the circumference is measured as the sum of the circumferences of all trunks at 4½ feet above grade. A "heritage tree" is defined as a tree of special significance to the community due to history, girth, height, species, or other unique quality.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
4. BIOLOGICAL RESOURCES. Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X		1, 2
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X	1, 2
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	1, 2
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X		1, 2
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		1, 2
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?			X		1, 2, 7, 8

Explanation

a) **Less Than Significant Impact**. The project site is paved and contains minimal landscaping. It was previously used as a park-and-ride lot by the VTA. The site is surrounded by residential and commercial development and offers little habitat for plants or wildlife. However, mature trees within or directly adjacent to the project site may provide nesting habitat for raptors and other nesting birds, which are protected under California Fish and Game Code.

The project only proposes a change in land use designation and does not include a proposed development; therefore, it would have no direct impact on special-status species. However, future redevelopment of the site during the avian nesting season (i.e. February 1 to August 31) could result in the incidental loss of fertile eggs or nestlings, if present during construction, or otherwise lead to nest abandonment. Future redevelopment of the site under the proposed *Mixed Use Neighborhood* land use designation would require a separate environmental review and, in accordance with Fish and Game Code and General Plan Policies ER-5.1 and ER-5.2,

would be required to implement measures to avoid or reduce impacts to nesting birds, if present on or adjacent to the site during construction.

b) **No Impact**. The project is located on a disturbed, paved infill site and does not contain any riparian habitat or sensitive natural communities. Future redevelopment of the site would have no impact on these resources.

c) **No Impact**. The project is located on a disturbed, paved infill site and does not contain wetlands. The proposed project and any future redevelopment of the site would have no impact on this resource.

d) **Less Than Significant Impact**. The project site is located in a developed area that does not support any watercourse or river, or provide habitat that facilitates the movement of any native resident or migratory fish or wildlife species. Therefore, future development would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or impede the use of native wildlife nursery sites since none are located on or near the project site. As discussed in impact a), any future development would be required to comply with the General Plan policies and federal regulations for the purpose of protecting migratory birds. Therefore, the site has limited potential to serve as a migratory corridor for wildlife and any impact as a result of future redevelopment at the site would be less than significant.

e) **Less Than Significant Impact**. While no specific development is proposed as part of the General Plan Amendment, the site does contain 14 landscape California sycamore trees (*Plantanus racemosa*) around the perimeter. Should future development involve tree removal, the future project would be subject to City policies and the City's Tree Removal Ordinance. The species of trees to be planted would be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement at the development permit phase. Tree replacement would occur on-site in accordance with the City's tree replacement ratios table presented below, or the applicant would be required to pay an in-lieu fee to the City for off-site tree replacement.

City of San José Tree Replacement Ratios

Circumference of Tree to be Removed[1]	Type of Tree to be Removed[2]			Minimum Size of Replacement Tree
	Native	Non-Native	Orchard	
38 inches or more[3]	5:1	4:1	3:1	15-gallon
19 to 38 inches	3:1	2:1	none	15-gallon
Less than 19 inches	1:1	1:1	none	15-gallon

[1]As measured 4.5 feet above ground level
[2]X:X = tree replacement to tree loss ratio
[3]Ordinance-sized tree
Notes: Trees greater than or equal to 38 inches in circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.
For multi-family residential, commercial, and industrial properties, a Tree Removal Permit is required for removal of trees of any size.
A 38-inch tree equals 12.1 inches in diameter.
A 24-inch box tree = two 15-gallon trees
Single-family and two-dwelling properties may be mitigated at a 1:1 ratio

f) **Less Than Significant Impact**. Private development in the Santa Clara Valley Habitat Plan is subject to the provisions and requirements of the Habitat Plan if it meets the following criteria:

- The activity is subject to either a ministerial or discretionary approval by the county or one of the cities;
- The activity is described in Section 2.3.2 Urban Development or in Section 2.3.7 Rural Development;
- The activity is located in an area identified as Private Development is Covered, or the activity is equal to or greater than two acres;
- The project is located in an area identified as Rural Development Equal to or Great than 2 Acres is Covered or Urban Development Equal to or Great than 2 Acres is Covered or;
- The activity is located in an area identified as Rural Development and is not Covered but, based on land cover verification of the parcel (inside the Urban Service Area) or development area, the project is found to impact serpentine, wetland, stream, riparian, or pond land cover types; or the project is located in occupied or occupied nesting habitat for western burrowing owl.

The project is located on land designated by the Santa Clara Valley Habitat Plan as Urban-Suburban. The proposed General Plan Amendment is not a ground-disturbing activity and is not subject to the requirements of the Habitat Plan. The proposed project would not be subject to the nitrogen deposition fee because no trips would be generated by the proposed General Plan Amendment. However, any future redevelopment on-site would be subject to the requirements of the Habitat Plan because it would require discretionary approval by the City of San José, would be considered a covered activity described in Section 2.3.2 of the Habitat Plan, and would likely be a private development project; therefore, it would be required to pay all applicable fees prior to issuance of permits.

The nitrogen deposition fee applies to projects that create new vehicle trips. Future redevelopment of the project site would be required to submit a Habitat Plan Coverage Screening Form to the Supervising Environmental Planner of the Department of Planning, Building and Code Enforcement and pay the applicable nitrogen impact fee based on the trip generation associated with the future uses. The project site is not identified as important habitat for endangered and threatened species. Therefore, future development of the project site would not result in impacts to any of the Habitat Plan's covered species. Based on the above discussion, the proposed General Plan Amendment and future potential development would not conflict with the provisions of the Habitat Conservation Plan, representing a less than significant impact.

Conclusion

The proposed General Plan Amendment would not impact biological resources. Implementation of General Plan policies, HCP requirements, and applicable laws would ensure that future development would have a less than significant impact on biological resources. **(Less Than Significant Impact)**

4.5 CULTURAL AND TRIBAL CULTURAL RESOURCES

Environmental Setting

The project site has historically been used as a park-and-ride lot by the VTA, and appears to have been created out of a remnant from a past widening of Capitol Avenue. The project does not contain any historic resources.

Regulatory Framework

Federal

National Register of Historic Places

The NHPA is the primary federal law dealing with historic preservation. The historic significance of a building, structure, object, site, or district for listing is assessed based upon the criteria in the National Register of Historic Places (NRHP). A resource is considered eligible for the NRHP if the quality of significance in American history, architecture, archaeology, engineering, and culture is present and if the resource includes integrity of location, design, setting, materials, workmanship, feeling, and association and:

- Is associated with events that have made a significant contribution to the broad pattern of our history; or
- Is associated with the lives of persons significant to our past; or
- Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possessed high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

State

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes, determines eligibility for state historic preservation grant funding, and affords protections under CEQA. A historic resource listed in, or formally determined to be eligible for listing in the NRHP is, by definition, included in the CRHR (Public Resources Code Section 5024.1(d)(1)).

For a historical resource to be eligible for listing on the CRHR, it must be significant under one or more of the following criteria:

- It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;

- It is associated with the lives of persons important to local, California, or national history;

- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or

- It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Native American Heritage Commission

The Native American Heritage Commission (NAHC) was created by statute in 1976, is a nine-member body appointed by the Governor to identify and catalog cultural resources (i.e., places of special religious or social significance to Native Americans, and known graves and cemeteries of Native Americans on private lands) in California. The Commission is responsible for preserving and ensuring accessibility of sacred sites and burials, the disposition of Native American human remains and burial items, maintaining an inventory of Native American sacred sites located on public lands, and reviewing current administrative and statutory protections related to these sacred sites.

California Assembly Bill (AB) 52

AB 52 went into effect on July 1, 2015, and establishes a new category of CEQA resources for "tribal cultural resources" (Public Resources Code §21074). The intent of AB 52 is to provide a process and scope that clarifies California tribal government's involvement in the CEQA process, including specific requirements and timing for lead agencies to consult with tribes on avoiding or mitigating impacts to tribal cultural resources. AB 52 also creates a process for consultation with California Native American Tribes in the CEQA process. Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project. The Public Resources Code requires avoiding damage to tribal cultural resources, if feasible. If not, lead agencies must mitigate impacts to tribal cultural resources to the extent feasible.

Senate Bill 18

The intent of Senate Bill 18 (SB 18) is to aid in the protection of traditional tribal cultural places through local land use planning by requiring city governments to consult with California Native American tribes on projects which include adoption or amendment of general plans (defined in Government Code Section 65300 et seq.) and specific plans (defined in Government Code Section 65450 et seq.). SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process.

Local

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating cultural and tribal cultural resource impacts from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Cultural Resource Policies	
Policy LU-13.8	Ensure that new development, alterations, and rehabilitation/remodels adjacent to a designated or candidate landmark or Historic District be designed to be sensitive to its character.
Policy LU-13.15	Implement City, State, and Federal historic preservation laws, regulations, and codes to ensure the adequate protection of historic resources.
Policy LU-13.22	Require the submittal of historic reports and surveys prepared as part of the environmental review process. Materials shall be provided to the City in electronic form once they are considered complete and acceptable.
Policy LU-14.4	Discourage demolition of any building or structure listed on or eligible for the Historic Resources Inventory as a Structure of Merit by pursuing the alternatives of rehabilitation, re-use on the subject site, and/or relocation of the resource.
Policy ER-10.1	For proposed development sites that have been identified as archaeologically or paleontologically sensitive, require investigation during the planning process in order to determine whether potentially significant archaeological or paleontological information may be affected by the project and then require, if needed, that appropriate mitigation measures be incorporated into the project design.
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 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.
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.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
5. CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in CEQA 15064.5?			X		1, 2
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA 15064.5?			X		1, 2
c) Disturb any human remains, including those interred outside of formal cemeteries?			X		1, 2
TRIBAL CULTURAL RESOURCES: Would the project:					
d) Cause a substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
1. Listed or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X		1, 2
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X		1, 2

Explanation

a) **Less Than Significant Impact**. The General Plan Amendment proposes to change the land use designation of the 0.44-gross acre developed lot from *Neighborhood Community Commercial* to *Mixed Use Neighborhood.* Future redevelopment of the site under the *Mixed Use Neighborhood* designation would not result in impacts to cultural resources beyond what is already permitted under the current designation. In addition, the property does not appear to qualify for listing on the California Register of Historical Resources or to be eligible for San José City Landmark designation. No known historic resources are located in the immediate project area. Future redevelopment of the site would, therefore, be unlikely to adversely impact historical resources. However, a separate environmental review will be required when a specific development project is proposed, and, if necessary, measures to reduce any impacts to historical resources will be identified.

b) **Less Than Significant Impact**. It is possible that the project site could contain subsurface archaeological resources. Future development on the site would be subject to General Plan Policies ER-10.2 and ER-10.3 to reduce or avoid impacts to subsurface cultural resources. In conformance with General Plan Policies, the following measure could be applied to future planning permits for development of the site in order to minimize or avoid impacts to subsurface cultural resources:

- In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Director of Planning, Building and Code Enforcement or the Director's designee and the City's Historic Preservation Officer shall be notified, and a qualified archaeologist shall examine the find. The archaeologist shall 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and 2) make appropriate recommendations regarding the disposition of such finds prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Planning, Building and Code Enforcement or the Director's designee and the City's Historic Preservation Officer and the Northwest Information Center (if applicable).

c) **Less Than Significant Impact**. The Calvary Catholic Cemetery is located approximately 110 feet west of the project site, on the west side of Capitol Avenue. Although unlikely, human remains could be encountered during construction of future development. Standard conditions of approval would avoid disturbance to any human remains, including those interred outside of formal cemeteries. In conformance with General Plan policies, the following measure could be applied to future planning permits for development of the site in order to reduce or avoid impacts to subsurface cultural resources:

- If any human remains are found during any field investigations, grading, or other construction activities, all provisions of California Health and Safety Code Sections 7054 and 7050.5 and Public Resources Code Sections 5097.9 through 5097.99, as amended per Assembly Bill 2641, shall be followed. If human remains are discovered during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The project applicant shall immediately notify the Director of Planning, Building and Code Enforcement (PBCE) or the Director's designee and the qualified archaeologist, who shall then notify the Santa Clara County Coroner. The Coroner will make a determination as to whether the remains are Native American. If the remains are believed to be Native American, the Coroner will contact the NAHC within 24 hours. The NAHC will then designate a Most Likely Descendant (MLD). The MLD will inspect the remains and make a recommendation on the treatment of the remains and associated artifacts

d) **Less Than Significant Impact**. Tribal cultural resources consider the value of a resource to tribal cultural tradition, heritage, and identity in order to establish potential mitigation, and to recognize that California Native American tribes have expertise concerning their tribal history and practices. No tribal cultural resources have been listed or determined eligible for listing in the California Register or a local register of historical resources. Further, notification as part of SB 18 requirements was conducted by the City with applicable Santa Clara County tribal representatives identified by the NAHC in compliance with AB 52 and SB 18. This consultation requirement applies only if the tribes have sent written requests for notification of projects to the lead agency. In 2017, the City sent a letter to tribal representatives in the area to welcome participation in consultation process for all ongoing, proposed, or future projects within the City's Sphere of Influence or specific areas of the City. At the time of preparation of this Initial Study, the City of San José had yet to receive any requests for consultation from tribes. Future development on the site would be subject to General Plan policies, permit conditions, and mitigation measures to minimize effects on tribal cultural resources.

Conclusion

Implementation of General Plan policies and regulations would ensure that future development would have a less-than-significant impact on cultural and tribal resources. **(Less than Significant)**

4.6 ENERGY

Environmental Setting

Existing Conditions

Pacific Gas and Electric Company (PG&E) is San José's energy utility provider, furnishing both natural gas and electricity for residential, commercial, industrial, and municipal uses. PG&E generates or buys electricity from hydroelectric, nuclear, renewable, natural gas, and coal facilities. In 2017, natural gas facilities provided 20 percent of PG&E's electricity delivered to retail customers; nuclear plants provided 27 percent; hydroelectric operations provided 18 percent; renewable energy facilities including solar, geothermal, and biomass provided 33 percent; and two percent was unspecified.[9]

Regulatory Framework

Federal

Energy standards are set by the U.S. Environmental Protection Agency (EPA) and apply to numerous consumer and commercial products (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

State

California Renewable Energy Standards

In 2002, California established its Renewables Portfolio Standard (RPS) Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. In 2006, California's 20 percent by 2010 RPS goal was codified under Senate Bill (SB) 107. Under the provisions of SB 107 (signed into law in 2006), investor-owned utilities were required to generate 20 percent of their retail electricity using qualified renewable energy technologies by the end of 2010. In 2008, Executive Order S-14-08 was signed into law and requires that retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. The electricity provider to the site, PG&E, had an electricity mix in 2017 that was 33 percent renewable.

In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 for retail sellers and publicly owned utilities, requires them to procure 50 percent of the state's electricity from renewable sources by 2030.

California Building Codes

At the state level, the Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6, of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years; the 2016 standards became effective January 1, 2017. The 2019 Title

[9] PG&E, Delivering low-emission energy. Accessed September 19, 2018. Available at: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page

24 updates were adopted on May 9, 2018 and will go into effect on January 1, 2020. Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[10]

In January 2010, the State of California adopted the California Green Building Standards Code (CalGreen) that establishes mandatory green building standards for all buildings in California. The code was subsequently updated in 2013. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality.

Local

Council Policy 6-32 Private Sector Green Building Policy

At the local level, the City of San José sets green building standards for municipal development. All projects are required to submit a Leadership in Energy and Environmental Design (LEED),[11] GreenPoint,[12] or Build-It-Green checklist as part of their development permit applications. Council Policy 6-32 Private Sector Green Building Policy, adopted in October 2008, establishes baseline green building standards for private sector new construction and provides a framework for the implementation of these standards. It fosters practices in the design, construction, and maintenance of buildings that will minimize the use and waste of energy, water, and other resources in the City of San José. Private developments are required to implement green building practices if they meet the Applicable Projects criteria defined by Council Policy 6-32 and shown below.

Private Sector Green Building Policy Applicable Projects	
Applicable Project Minimum Green Building Rating	**Minimum Green Building Rating**
Commercial/Industrial – Tier 1 (Less than 25,000 square feet)	LEED Applicable New Construction Checklist
Commercial/Industrial – Tier 2 (25,000 square feet or greater)	LEED Silver
Residential – Tier 1 (Less than 10 units)	GreenPoint or LEED Checklist
Residential – Tier 2 (10 units or greater)	GreenPoint Rated 50 points or LEED Certified
High Rise Residential (75 feet or higher)	LEED Certified
Source: City of San José. Private Sector Green Building Policy: Policy Number 6-32. October 7, 2008. https://www.sanjoseca.gov/DocumentCenter/Home/View/363	

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating cultural resource impacts from development projects. Policies applicable to the project are presented below.

[10] CEC. 2016 Building Energy Efficiency Standards for Residential and Nonresidential Buildings. 2013. Accessed September 20, 2018. http://www.energy.ca.gov/2015publications/CEC-400-2015-037/CEC-400-2015-037-CMF.pdf.
[11] Created by the U.S. Green Building Council, LEED is a certification system that assigns points for green building measures based on a 110-point rating scale.
[12] Created by Build It Green, GreenPoint is a certification system that assigns points for green building measures based on a 381-point scale for multi-family developments and 341-point scale for single-family developments.

Envision San José 2040 Relevant Energy Policies	
Policy MS-1.6	Recognize the interconnected nature of green building systems, and, in the implementation of Green Building Policies, give priority to green building options that provide environmental benefit by reducing water and/or energy use and solid waste.
Policy MS-2.1	Develop and maintain policies, zoning regulations, and guidelines that require energy conservation and use of renewable energy sources
Policy MS-2.4	Promote energy efficient construction industry practices.
Policy MS-2.6	Promote roofing design and surface treatments that reduce the heat island effect of new and existing development and support reduced energy use, reduced air pollution, and a healthy urban forest. Connect businesses and residents with cool roof rebate programs through City outreach efforts.
Policy MS-2.11	Require new development to incorporate green building practices, including those required by the Green Building Ordinance. Specifically, target reduced energy use through construction techniques (e.g., design of building envelopes and systems to maximize energy 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).
Policy MS-14.1	Promote job and housing growth in areas served by public transit and that have community amenities within a 20-minute walking distance.
Policy MS-14.4	Implement the City's Green Building Policies (see Green Building Section) so that new construction and rehabilitation of existing buildings fully implements industry best practices, including the use of optimized energy systems, selection of materials and resources, water efficiency, sustainable site selection, passive solar building design, and planting of trees and other landscape materials to reduce energy consumption.

San José Municipal Code

The City's Municipal Code includes regulations associated with energy efficiency and energy use. City regulations include:

- Green Building Ordinance, Chapter 17.84: to foster practices to minimize the use and waste of energy, water, and other resources in the City of San José,
- Water Efficient Landscape Standards for New and Rehabilitated Landscaping, Chapter 15.10,
- Chapter 11.105: Requirements of Transportation Demand Management Programs for employers with more than 100 employees,
- Construction and Demolition Plan Diversion Deposit Program, Chapter 9.10: to foster recycling of construction and demolition materials.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
6. ENERGY. Would the project:					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X		1, 2
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		1, 2

a) **Less Than Significant Impact**. No development is proposed at this time. The project proposes only a General Plan land use designation change and would have no direct impact on energy. However, future development of the project site, under the proposed *Mixed Use Neighborhood* land use designation, would require energy for the manufacturing and transportation of building materials, preparation of the site (e.g., grading), and building construction. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks.

Future redevelopment, after 2020, would be required to adhere to the state's 2019 California Building Code standards, Title 24 energy efficiency standards (or subsequently adopted standards during the construction term), and California Green code, which includes insulation and design provisions to minimize wasteful energy consumption. Future development would also be required to comply with GreenPoint or LEED Checklist standards consistent with San José Council Policy 6-32. Adherence to General Plan policies, existing regulations, and adopted plans and policies would reduce possible energy consumption and ensure that future development at the project site would not consume energy in a manner that is wasteful, inefficient, or unnecessary. For these reasons, the proposed General Plan Amendment would not result in wasteful, inefficient, or unnecessary use of energy.

b) **Less Than Significant Impact**. As discussed in a) above, the proposed General Plan Amendment and future development would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Any future development on-site facilitated by the proposed General Plan Amendment would be required to conform to General Plan policies and regulations which promote the use and expansion of renewable energy resources, including solar voltaic, solar hot water, wind, and biogas or biofuels. By conforming to applicable General Plan policies related to renewable energy and energy efficiency, and the Green Building Ordinance, and Private Sector Green Building policy (6-32), the proposed General Plan Amendment and future development would not result in the inefficient use of energy during construction or operation.

Conclusion

Implementation of General Plan policies and applicable State regulations would ensure that future development would have a less-than-significant impact on energy resources. **(Less Than Significant Impact)**

4.7 GEOLOGY AND SOILS

Environmental Setting

Existing Conditions

The project property is an essentially flat lot with an elevation of approximately 142 feet above mean sea level.[13] The project site is currently occupied by a parking lot. The site is located within the Santa Clara Valley, an alluvial basin that lies between the Santa Cruz Mountains to the southwest and the Diablo Range to the northeast. Santa Clara Valley bedrock consists of Franciscan Complex and Cretaceous-age marine sediment.

Soils within the project site are entirely *Urban land-Flaskan complex, 0 to 2 percent slopes.* This complex is composed of approximately 70% urban land, 20% Flaskan and similar soils, and 10% minor components. Urban land consists of disturbed and human-transported material, and the Flaskan series consists of very deep, well drained soils with low runoff potential.[14]

The project site is located within the seismically active San Francisco Bay Area. The faults in this region can generate earthquakes of magnitudes 7.0 or higher. Major faults in the area include the San Andreas Fault to the west and the Hayward and Calaveras Faults to the east. During an earthquake, very strong ground shaking could occur at the project site. However, the site is not located within an Alquist-Priolo Earthquake Fault Zone and there are no known active faults that traverse the site; therefore, ground rupture is unlikely.

The project site is not located within a California Geological Survey liquefaction hazard zone or landslide hazard zone. Given there are no liquefiable soils present at the site, the risk of lateral spreading is very low. The project site is relatively flat and, therefore, the probability of landslides occurring on the site during a seismic event is low.

Regulatory Framework

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act ensures public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction.

Seismic Hazards Mapping Act

Following the 1989 Loma Prieta earthquake, the Seismic Hazards Mapping Act (SHMA) was passed. The SHMA directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. It also

[13] Google Earth Pro, accessed 2/25/19.
[14] U.S. Department of Agriculture Soil Survey, www.nrcs.usda.gov, accessed 2/25/19.

requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the identified hazard is present and requires the inclusion of measures to reduce earthquake-related hazards.

California Building Code

The 2016 California Building Standards Code (CBC) was published July 1, 2016, with an effective date of January 1, 2017. The CBC is updated every three years. The CBC is a compilation of three types of building criteria from three different origins:

- Building standards that have been adopted by state agencies without change from building standards contained in national model codes;

- Building standards that have been adopted and adapted from the national model code standards to meet California conditions; and

- Building standards, authorized by the California legislature, that constitute extensive additions not covered by the model codes that have been adopted to address particular California concerns.

The CBC identifies acceptable design criteria for construction that addresses seismic design and loadbearing capacity, including specific requirements for seismic safety; excavation, foundation and retaining wall design, site demolition, excavation, and construction, and; drainage and erosion control.

California Division of Occupational Safety and Health Regulations

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

Paleontological Resources Regulations

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

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating geology and soils impacts from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Geology and Soil Policies	
Policy EC-3.1	Design all new or remodeled habitable structures in accordance with the most recent California Building Code and California Fire Code as amended locally and adopted by the City of San José, including provisions regarding lateral forces.
Policy EC-4.1	Design and build all new or remodeled habitable structures in accordance with the most recent California Building Code and municipal code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and storm water controls.
Policy EC-4.2	Development in areas subject to soils and geologic hazards, including unengineered fill and weak soils and landslide-prone areas, only when the severity of hazards have been evaluated and if shown to be required, appropriate mitigation measures are provided. New development proposed within areas of geologic hazards shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties. The City of San José Geologist will review and approve geotechnical and geological investigation reports for projects within these areas as part of the project approval process. [The City Geologist will issue a Geologic Clearance for approved geotechnical reports.]
Policy EC-4.4	Require all new development to conform to the City of San José's Geologic Hazard Ordinance.
Policy EC-4.5	Ensure that any development activity that requires grading does not impact adjacent properties, local creeks, and storm drainage systems by designing and building the site to drain properly and minimize erosion. An Erosion Control Plan is required for all private development projects that have a soil disturbance of one acre or more, adjacent to a creek/river, and/or are located in hillside areas. Erosion Control Plans are also required for any grading occurring between October 1 and April 30.
Action EC-4.11	Require the preparation of geotechnical and geological investigation reports for projects within areas subject to soils and geologic hazards, and require review and implementation of mitigation measures as part of the project approval process.
Action EC-4.12	Require review and approval of grading plans and erosion control plans prior to issuance of grading permits by the Director of Public Works.
Policy ES-4.9	Permit development only in those areas where potential danger to health, safety, and welfare of the persons in that area can be mitigated to an acceptable level.
Policy ER-10.1	For proposed development sites that have been identified as archaeologically or paleontologically sensitive, require investigation during the planning process in order to determine whether potentially significant archaeological or paleontological information may be affected by the project and then require, if needed, that appropriate mitigation measures be incorporated into the project design.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
7.	GEOLOGY AND SOILS. Would the project:					
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X		1, 2
ii)	Strong seismic ground shaking?			X		1, 2
iii)	Seismic-related ground failure, including liquefaction?			X		1, 2
iv)	Landslides?				X	1, 2
b)	Result in substantial soil erosion or the loss of topsoil?			X		1, 2
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		1, 2
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X		1, 2
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X	1, 2
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?					1, 2

Explanation

a) **Less Than Significant Impact**. The project site is located within a seismically active region; however, the site is not mapped within an Alquist-Priolo Earthquake Fault Zone and the potential for fault rapture at the site is low.

aii) **Less Than Significant Impact**. The General Plan Amendment itself would not expose structures to seismic effects. Due to its location in a seismically active region, any future redevelopment of the site would likely be subject to strong seismic ground shaking during the design life in the event of a major earthquake on any of the region's active faults. This could pose a risk to structures and infrastructure. However, seismic impacts would be minimized by implementation of standard engineering and construction techniques in compliance with the requirements of the California and Uniform Building Codes for Seismic Zone 4.

aiii) **Less Than Significant Impact**. As described above, the project site may be subject to strong shaking and seismic-related hazards, including liquefaction. In accordance with the City's General Plan Policies and the Municipal Code, any future redevelopment on the project site would be constructed using standard engineering and seismic safety design techniques. Building design and construction at the site would be completed in conformance with the recommendations of a design-level geotechnical investigation, which would be included in a report subject to review and approval by the City.

aiv) **No Impact**. The project site has no appreciable vertical relief, is not mapped in an area with high landslide potential. Any future redevelopment of the site would not be subject to landslides.

b) **Less Than Significant Impact**. Future redevelopment of the project site under the proposed General Plan Amendment would disturb the ground and expose soils, thereby increasing the potential for wind- or water-related erosion and sedimentation at the site until the completion of construction. Construction of future development on the project site could result in a temporary increase in erosion. Future development of the site would be required to comply with General Plan Policies and Municipal Code regulations pertaining to erosion and protection of water quality.

c) **Less Than Significant Impact**. The proposed General Plan Amendment by itself would not result in soil erosion or the loss of topsoil. The project site is not located within any liquefaction hazard zones per the Earthquake Zones of Required Investigation (California Geological Survey, San Jose East Quadrangle, 2001). The site could contain currently unknown soil or geotechnical hazards. In accordance with the City's General Plan and Municipal Code, future redevelopment would be constructed according to standard engineering practices in the California Building Code, as adopted by the City of San José. In addition, the City of San José Department of Public Works would review future redevelopment plans for conformance with City and State codes prior to the issuance of a Public Works Clearance.

d) **Less Than Significant Impact**. Expansive soils are common in the San Francisco Bay Area and could be present on the project site. In accordance with the City's General Plan and Municipal Code, future redevelopment would be constructed according to standard engineering practices in the California Building Code, as adopted by the City of San José. In addition, the City of San José Department of Public Works would review future redevelopment plans for conformance with City and State codes, prior to the issuance of a Public Works Clearance.

e) **No Impact**. Given its location within an urban area served by sanitary sewer lines, future redevelopment of the site under the proposed General Plan Amendment would not include any septic systems.

f) **Less Than Significant Impact**. The project site is located in an area mapped as "high sensitivity at depth" in the 2040 General Plan EIR.[15] The proposed General Plan Amendment by itself would have no impact on paleontological resources. Future redevelopment of the site would not involve major excavation However, future development must be consistent with General Plan Policy ER-10.3, which requires investigation during the planning process in order

[15] Figure 3.11-1 "Paleontologic Sensitivity of City of San Jose Geologic Units," from the Final Program Environmental Impact Report for the Envision San José 2040 General Plan, certified November 2011.

to determine whether potentially significant paleontological information may be affected by the project. Consistent with General Plan Policy ER-10.3, the following measure would apply to any future redevelopment of the project site to reduce and avoid impacts to potential paleontological resources:

- If vertebrate fossils are discovered during construction, all work on the site shall stop immediately, Director of Planning or Director's designee of the Department of PBCE shall be notified, and a qualified professional paleontologist shall assess the nature and importance of the find and recommend appropriate treatment. Treatment may include, but is not limited to, preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The project applicant shall be responsible for implementing the recommendations of the qualified paleontologist. A report of all findings shall be submitted to the Director of Planning or Director's designee of the PBCE.

Conclusion

Implementation of General Plan policies and regulations would ensure that future development on the site would have a less than significant impact related to geology and soils. **(Less than Significant)**

4.8 GREENHOUSE GAS EMISSIONS

Environmental Setting

Existing Conditions

Various gases in the earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation.

Regulatory Framework

State

Assembly Bill (AB) 32

In 2005, the governor issued Executive Order S-3-05, establishing statewide GHG emissions reduction targets. AB 32, the Global Warming Solutions Act of 2006, codifies the State of California's GHG emissions target by directing CARB to reduce the state's global warming emissions to 1990 levels by 2020. AB 32 was signed and passed into law by Governor Schwarzenegger on September 27, 2006. Since that time, CARB, the California Energy Commission (CEC), the PUC, and the Building Standards Commission have all been developing regulations that will help meet the goals of AB 32 and Executive Order S-3-05.[16]

A Scoping Plan for AB 32 was adopted by CARB in December 2008. It contains the State of California's main strategies to reduce GHGs from Business as Usual (BAU) emissions projected in 2020 back down to 1990 levels. BAU is the projected emissions in 2020, including increases in emissions caused by growth, without any GHG reduction measures. The Scoping Plan has a range of GHG reduction actions, including direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system. It required CARB and other state agencies to develop and adopt regulations and other initiatives reducing GHGs by 2012.

As directed by AB 32, CARB has approved a statewide GHG emissions limit. On December 6, 2007, CARB staff resolved an amount of 427 MMT of CO_2e as the total statewide GHG 1990 emissions level and 2020 emissions limit. The limit is a cumulative statewide limit, not a sector-or facility-specific limit. CARB updated the future 2020 BAU annual emissions forecast, in light of the economic downturn, to 545 MMT of CO_2e. Two GHG emissions reduction measures currently enacted that were

[16] Note that Assembly Bill (AB) 197 was adopted in September 2016 to provide more legislative oversight of CARB.

not previously included in the 2008 Scoping Plan baseline inventory were included, further reducing the baseline inventory to 507 MMT of CO_2e. Thus, an estimated reduction of 80 MMT of CO_2e is necessary to reduce statewide emissions to meet the AB 32 target by 2020.

Senate Bill (SB) 1368

SB 1368 is the companion bill of AB 32 and was signed by Governor Schwarzenegger in September 2006. SB 1368 required the California Public Utilities Commission (PUC) to establish a greenhouse gas emission performance standard. Therefore, on January 25, 2007, the PUC adopted an interim GHG Emissions Performance Standard in an effort to help mitigate climate change. The Emissions Performance Standard is a facility-based emissions standard requiring that all new long-term commitments for baseload generation to serve California consumers be with power plants that have emissions no greater than a combined cycle gas turbine plant. That level is established at 1,100 pounds of CO2 per megawatt-hour. "New long-term commitment" refers to new plant investments (new construction), new or renewal contracts with a term of five years or more, or major investments by the utility in its existing baseload power plants. In addition, the CEC established a similar standard for local publicly owned utilities that cannot exceed the greenhouse gas emission rate from a baseload combined-cycle natural gas fired plant. On July 29, 2007, the Office of Administrative Law disapproved the Energy Commission's proposed Greenhouse Gases Emission Performance Standard rulemaking action and subsequently, the CEC revised the proposed regulations. SB 1368 further requires that all electricity provided to California, including imported electricity, must be generated from plants that meet the standards set by the PUC and CEC.

Senate Bill 375

Senate Bill 375, signed in August 2008, requires sustainable community strategies (SCS) to be included in regional transportation plans (RTPs) to reduce emissions of GHGs. The Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) adopted an SCS in July 2013 that meets GHG reduction targets. The Plan Bay Area is the SCS document for the Bay Area, which is a long-range plan that addresses climate protection, housing, healthy and safe communities, open space and agricultural preservation, equitable access, economic vitality, and transportation system effectiveness within the San Francisco Bay region (MTC 2013). The document is updated every four years so the MTC and ABAG are currently developing the Plan Bay Area 2040.

Bay Area 2017 Clean Air Plan

Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards would be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The City of San José and other jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures

Local

City of San José Municipal Code

The City's Municipal Code includes the following regulations that would reduce GHG emissions from future development:

- Green Building Ordinance (Chapter 17.84)
- Water Efficient Landscape Standards for New and Rehabilitated Landscaping (Chapter 15.10)
- Transportation Demand Programs for employers with more than 100 employees (Chapter 11.105
- Construction and Demolition Diversion Deposit Program (Chapter 9.10)
- Wood Burning Ordinance (Chapter 9.10)

City of San José Private Sector Green Building Policy (6-32)

In October 2008, the City adopted the Private Sector Green Building Policy (6-32), which identifies baseline green building standards for new private construction and provides a framework for the implementation of these standards. This Policy requires that applicable projects achieve minimum green building performance levels using the Council adopted standards.

Climate Smart San José

The Climate Smart San José plan was developed to reduce air pollution, save water, and create a healthier community. The plan articulates how buildings, transportation/mobility, and citywide growth should transform in order to minimize impacts on the climate. The plan outlines strategies that City departments, related agencies, the private sector, and residents can take to reduce carbon emissions, consistent with the Paris Climate Agreement. The plan recognizes the scaling of renewable energy, electrification and sharing of vehicle fleets, investments in public infrastructure, and the role of local jobs in contributing to sustainability. It also includes detailed, carbon-reducing commitments for the City, as well as timelines to deliver on those commitments to transform San José into a low-carbon economy.

City of San José Greenhouse Gas Reduction Strategy

On December 15, 2015, the San José City Council certified a Supplemental Program Environmental Impact Report to the Envision San José 2040 Final Program Environmental Impact Report and re-adopted the City's GHG Reduction Strategy in the General Plan. The GHG Reduction Strategy is intended to meet the mandates as outlined in the CEQA Guidelines and standards for "qualified plans" as set forth by BAAQMD. Projects that conform to the General Plan Land Use/Transportation Diagram and supporting policies are considered consistent with the City's GHG Reduction Strategy.

The GHG Reduction Strategy identifies GHG emissions reduction measures to be implemented by development projects in three categories: built environment and energy; land use and transportation; and recycling and waste reduction. Some measures are mandatory for all proposed development projects and others are voluntary. Voluntary measures can be incorporated as mitigation measures for proposed projects, at the City's discretion. Below is a listing of the mandatory criteria utilized to evaluate project conformance with the GHG Reduction Strategy:

1. Consistency with the Land Use/Transportation Diagram (General Plan Goals/Policies: IP-1, LU-10)
2. Implementation of Green Building Measures (General Plan Goals: MS-1, MS-2, MS-14)
    a. Solar Site Orientation
    b. Site Design
    c. Architectural Design
    d. Construction Techniques
    e. Consistency with the City Green Building Ordinance and Policies
    f. Consistency with GHG Reduction Strategy Policies: MS-1.1, MS0-1.2, MC-2.3, MS-2.11, and MS-14.4.
3. Pedestrian/Bicycle Site Design Measures
    a. Consistency with Zoning Ordinance
    b. Consistency with GHG Reduction Strategy Policies: CD-2.1, CD-3.2, CD-3.3, CD-3.4, CD-3.6, CD-3.8, CD-3.10, CD-5.1, LU-5.5, LU-9.1, TR-2.8, TR-2.11, TR-2.18, TR-3.3, TR-6.7.
4. Salvage building materials and architectural elements from historic structures to be demolished to allow re-use (General Plan Policy LU-16.4), if applicable;
5. Complete an evaluation of operational energy efficiency and design measures for energy-intensive industries (e.g., data centers) (General Plan Policy MS-2.8), if applicable;
6. Preparation and implementation of the Transportation Demand Management (TDM) Program at large employers (General Plan Policy TR-7.1), if applicable; and
7. Limits on drive-through and vehicle serving uses; all new uses that serve the occupants of vehicles (e.g., drive-through windows, car washes, service stations) must not disrupt pedestrian flow. (General Plan Policy LU-3.6), if applicable.

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating GHG emissions from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Greenhouse Gas Emissions Policies	
Policy MS-2.11	Require new development to incorporate green building practices, including those required by the Green Building Ordinance. Specifically, target reduced energy use through construction techniques (e.g., design of building envelopes and systems to maximize energy 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).
Policy MS-14.4	Implement the City's Green Building Policies so that new construction and rehabilitation of existing buildings fully implements industry best practices, including the use of optimized energy systems, selection of materials and resources, water efficiency, sustainable site selection, passive solar building design, and planting of trees and other landscape materials to reduce energy consumption.
Policy CD-3.2	Prioritize pedestrian and bicycle connections to transit, community facilities (including schools), commercial areas, and other areas serving daily needs. Ensure that the design of new facilities can accommodate significant anticipated future increases in bicycle and pedestrian activity.
Policy CD-5.1	Design areas to promote pedestrian and bicycle movements and to facilitate interaction between community members and to strengthen the sense of community.
Policy LU-5.4	Require new commercial development to facilitate pedestrian and bicycle access through techniques such as minimizing building separation from public sidewalks; providing safe, accessible, convenient, and pleasant pedestrian connections; and including secure and convenient bike storage.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
8. GREENHOUSE GAS EMISSIONS. Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		1, 3
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X		1, 3

Explanation

a) **Less Than Significant Impact**. The proposed General Plan Amendment does not propose any physical development and, therefore, would not generate any GHG emissions. Future development of the site would be evaluated for consistency with the GHG Reduction Strategy.

The project proposes to change the General Plan land use designation for the site from *Neighborhood Community Commercial* to *Mixed Use Neighborhood.* The anticipated amount of development possible on the site if the proposed General Plan Amendment is approved is

six multi-family units or 6,000 square feet of commercial development (up to 3.5 stories) based on allowable densities identified for the proposed land use designation.

The BAAQMD identifies screening levels for evaluation of operational GHG emissions based on project size. The applicable, conservative land use categories of the BAAQMD's screening criteria for the project are "apartment – low rise" and "strip mall." For operational impacts from GHG emissions, the screening criteria size for "apartment – low rise" is 78 units and 19,000 square feet for "strip mall." Future development on the site would generate far less development than identified in the screening criteria and would have a less than significant impact related to operational GHG emissions. Since future development of the project would occur beyond 2020, a GHG evaluation would be required at the project-level to address consistency with the City's GHG Reduction Strategy and 2030 thresholds based on projected statewide population and employment levels. The BAAQMD has not yet published a quantified threshold for 2030.

No specific project is proposed at this time. GHG emissions would be generated during construction of future development. Neither the City nor BAAQMD have adopted thresholds of significance for construction-related GHG emissions, although BAAQMD recommends quantifying emissions and disclosing GHG construction emissions. Construction-related GHG emissions vary depending on the level of activity, length of construction period, types of equipment, number of personnel, etc. The BAAQMD also encourages the incorporation of best management practices to reduce GHG emissions during construction where feasible. Because any project construction would be temporary, and would not result in permanent increase in GHG emissions that would interfere with the implementation of Senate Bill 32 (SB 32), the increase in emissions would be less than significant.

b) **Less Than Significant Impact**. Development projects in San José that comply with the City's GHG Reduction Strategy are considered to reduce that project's contribution to cumulative GHG emission impacts to a less than significant level through 2020. However, future development of the project site after 2020 would be required to conform to San José's GHG Reduction Strategy to reduce GHG emissions to a less than significant level, including relevant mandatory measures for all projects and other measures that are considered voluntary, at the City's discretion.

The City's projected 2020 GHG emissions, in total and compared to emissions in 2008, would not prevent California from meeting its 2020 targets for reducing statewide GHG emissions under AB 32. However, significant cumulative GHG emissions projected for 2035 could prevent California from maintaining a statewide path toward achieving Executive Order S-3-05 emission levels in 2050. Measures, in the form of additional policies to be implemented by the City, were identified in the Envision San José 2040 Final Program Environmental Impact Report; however, given the uncertainties of achieving the needed emission reductions, the impacts were determined to be significant and unavoidable and the City Council adopted overriding considerations for these impacts.

Any future development would be subject to guidance from the City of San José GHG Reduction Strategy, the Climate Smart San José Plan, and any applicable General Plan policies to reduce GHG emissions, the proposed General Plan Amendment would not result in

significant GHG impacts or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

Conclusion

The project would have a less than significant impact related to GHG emissions. **(Less than Significant)**

4.9 HAZARDS AND HAZARDOUS MATERIALS

Environmental Setting

Existing Conditions

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. A hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. Hazardous materials and waste can result in public health hazards if improperly handled, released into the soil or groundwater, or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer.

The State of California uses databases such as EnviroStor, GeoTracker, and Cortese to map the location of hazardous waste sites including sites that have been remediated, sites currently undergoing remediation, and sites that require cleanup. Based on a search of the above-mentioned databases, no hazardous materials contamination has been documented within the project site.

Regulatory Framework

Federal

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress in 1980 and is administered by the U.S. EPA. This law created a tax on the chemical and petroleum industries and provided broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites; and established a trust fund to provide for cleanup when no responsible party could be identified.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) is a Federal law passed by Congress in 1976 to address the increasing problems from the nation's growing volume of municipal and industrial waste. RCRA creates the framework for the proper management of hazardous and non-hazardous solid waste and is administered by the U.S. EPA. RCRA protects communities and resource conservation by enabling the EPA to develop regulations, guidance, and policies that ensure the safe management and cleanup of solid and hazardous waste, and programs that encourage source reduction and beneficial reuse. The term RCRA is often used interchangeably to refer to the law, regulations, and EPA policy and guidance.

State

California Department of Toxic Substances

The California Department of Toxic Substances Control (DTSC) is a State agency that protects State citizens and the environment from exposure to hazardous wastes by enforcing hazardous waste laws and regulations. DTSC enforces action against violators; oversees cleanup of hazardous wastes on contaminated properties; makes decisions on permit applications from companies that want to store, treat or dispose of hazardous waste; and protects consumers against toxic ingredients in everyday products.

California State Water Resources Control Board

The California State Water Resources Control Board (SWB) and its nine regional boards are responsible for preserving, enhancing, and restoring the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses. Through the 1969 Porter-Cologne Act, the State and Regional Water Boards have been entrusted with broad duties and powers to preserve and enhance all beneficial uses of the state's water resources. The San Francisco Bay Regional Water Quality Control Board (RWQCB) is the lead agency responsible for identifying, monitoring and remediating leaking underground storage tanks in the Bay Area. Local jurisdictions may take the lead agency role as a Local Oversight Program (LOP) entity, implementing State as well as local policies.

Local

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating hazardous materials impacts from development projects. All future development allowed by the proposed land use designation would be subject to the hazardous materials policies in the General Plan presented below.

Envision San José 2040 Relevant Hazardous Material Policies	
Policy EC-7.1	For development and redevelopment projects, require evaluation of the proposed site's historical and present uses to determine if any potential environmental conditions exist that could adversely impact the community or environment.
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.

Envision San José 2040 Relevant Hazardous Material Policies	
Policy EC-7.5	In 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.
Action EC-7.11	Require sampling for residual agricultural chemicals, based on the history of land use, on sites to be used for any new development or redevelopment to account for worker and community safety during construction. Mitigation to meet appropriate end use such as residential or commercial/industrial shall be provided.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		1, 2
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X			1, 2
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?				X	1, 2
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X		1, 2
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X	1, 2
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		1, 2
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X	1, 2

Explanation

a) **Less Than Significant Impact**. The project does not propose physical development; therefore, it would not create a significant hazard to the public or environment. The proposed General Plan Amendment could allow the future development of multi-family residences or a small commercial building. These uses would not involve the routine transport, use, or disposal of

hazardous materials. Future residential and/or commercial development could use small quantities of miscellaneous household cleaning supplies and other chemicals. These materials would be stored and used in accordance with the manufacturer's specifications.

b) **Less Than Significant Impact**. The project site is not expected to contain any significant sources of hazardous materials contamination. However, in accordance with General Plan Policy EC-7.2, any future development on-site would be required to implement measures for any contamination to adverse human health or environmental risk, in conformance with regional, state and federal laws, regulations, guidelines, and standards.

c) **No Impact**. There are no existing or proposed schools within ¼ mile of the project site, therefore, the proposed General Plan Amendment and any future development would not impact an existing school.

d) **Less Than Significant Impact**. The project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (i.e., Cortese List) based on a search of the California Department of Toxic Substances Control EnviroStor database.[17]

e) **No Impact**. The project site is located approximately three miles south of the Norman Y. Mineta San José International Airport. The project site is not located within an airport land use plan or within two miles of a public airport or public use airport and would not result in a safety hazard or expose future residents to excessive noise to airport operations.

f) **Less Than Significant Impact**. The proposed General Plan Amendment would not interfere with or impair emergency operations. Future development on the site is not expected to interfere with any emergency response or evacuation plans since it would be required to comply with all Fire Department codes and regulations.

g) **No Impact**. The project would not expose people or structures, either directly or indirectly, to risk of loss, injury or death from wildland fires since it is located in a highly urbanized area that is not prone to such events. See also *Section 4.19. Wildfire*.

Conclusion

Implementation of General Plan policies and regulations would ensure that future development on the site would result in less than significant impacts related to hazards and hazardous materials. **(Less Than Significant Impact)**

[17]https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29

4.10 HYDROLOGY AND WATER QUALITY

Environmental Setting

Existing Conditions

The project property is an essentially flat lot with an elevation of approximately 142 feet above mean sea level. The project site is developed with a parking lot and does not contain any natural drainages or waterways. The nearest waterway to the site is Babb Creek, located about 2,000 feet south of the project. Runoff from the project site and the surrounding area enters the City's storm drainage system.

Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) indicate that the project site is located within Zone X. Zone X is defined as an area of minimal flood hazard. The City does not have any floodplain restrictions for development in Zone X.

The project site is not located within an inundation area for any dams, based on the "Dam Failure Inundation Areas" map in the General Plan Final Program EIR (ABAG).

Regulatory Framework

Federal

National Pollution Discharge Elimination System (NPDES)

The quality of water runoff is regulated by the federal National Pollution Discharge Elimination System (NPDES) program, established by the Clean Water Act. The objective of the NPDES program is to control and reduce pollutants entering water bodies from non-point discharges. The program is administered by RWQCBs throughout California. The San Francisco Bay Area RWQCB issues NPDES point source permits for discharges from major industries and non-point source permits for discharges to water bodies in the Bay Area for municipalities and other local government entities. The project area is currently covered by the Contra Costa County NPDES Municipal Permit, as discussed further below.

State

Porter-Cologne Water Quality Act

The basis for the water quality regulation in California is the Porter-Cologne Water Quality Control Act (California Water Code, Section 13000 et seq.). This Act requires a "Report of Waste Discharge" for any discharge (liquid, solid, or otherwise) to land or surface waters that may impair a beneficial use of the state's surface or groundwater. Based on the reports, the local RWQCB issues waste discharge requirements to minimize the effect of the discharges.

The Porter-Cologne Act delegates authority to the SWB to establish regional water quality control boards. The San Francisco Bay Area RWQCB has authority to use planning, permitting, and enforcement to protect beneficial uses of water resources in the project region. Under the Porter-Cologne Water Quality Control Act (California Water Code Sections 13000-14290), the RWQCB is authorized to regulate the discharge of waste that could affect the quality of the state's waters, including

projects that do not require a federal permit through the USACE. To meet RWQCB 401 Certification standards, all hydrologic issues related to a project must be addressed, including the following:

- Wetlands
- Watershed hydrograph modification
- Proposed creek or riverine related modifications
- Long-term post-construction water quality

Any construction or demolition activity that results in land disturbance equal to or greater than one acre must comply with the Construction General Permit (CGP), administered by the SWB. The CGP requires the installation and maintenance of Best Management Practices (BMPs) to protect water quality until the site is stabilized. The project is expected to require CGP coverage based on area of land disturbed.

Local

Municipal Stormwater NPDES Permit

The City of San José is required to operate under a Municipal Stormwater NPDES Permit to discharge stormwater from the City's storm drain system to surface waters. On October 14, 2009, the San Francisco Bay Regional Water Quality Control Board adopted the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP) for 76 Bay Area municipalities, including the City of San José. The Municipal Regional Permit mandates the City of San José use its planning and development review authority to require that stormwater management measures are included in new and redevelopment projects to minimize and properly treat stormwater runoff. Provision C.3 of the MRP regulates the following types of development projects:

- Projects that create or replace 10,000 square feet or more of impervious surface.
- Special Land Use Categories that create or replace 5,000 square feet or more of impervious surface.

The MRP requires regulated projects to include Low Impact Development (LID) practices. These include site design features to reduce the amount of runoff requiring treatment and maintain or restore the site's natural hydrologic functions, source control measures to prevent stormwater from pollution, and stormwater treatment features to clean polluted stormwater runoff prior to discharge into the storm drain system. The MRP requires that stormwater treatment measures are properly installed, operated, and maintained.

City of San José Post-Construction Urban Runoff Management (Policy 6-29)

The City of San José's Policy 6-29 implements the stormwater treatment requirements of Provision C.3 of the Municipal Regional Stormwater NPDES Permit. The City of San José's Policy 6-29 requires all new development and redevelopment project to implement post-construction Best Management Practices (BMP) and Treatment Control Measures (TCM). This policy also established specific design

standards for post-construction TCM for projects that create, add, or replace 10,000 square feet or more of impervious surfaces.

City of San José Hydromodification Management (Policy 8-14)

The City of San José's Policy No.8-14 implements the stormwater treatment requirements of Provision C.3 of the Municipal Regional Stormwater NPDES Permit. Policy No. 8-14 requires all new and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation or other impacts to beneficial uses of local rivers, streams, and creeks. The policy requires these projects to be designed to control project-related hydromodification through a Hydromodification Management Plan (HMP).

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating hydrology and water quality impacts from development projects. Policies applicable to the project are presented below.

Envision San José 2040 Relevant Hydrology and Water Quality Policies	
Policy IN-3.7	Design new projects to minimize potential damage due to stormwaters and flooding to the site and other properties.
Policy IN-3.9	Require developers to prepare drainage plans for proposed developments that define needed drainage improvements per City standards.
Policy MS-3.4	Promote the use of green roofs (i.e., roofs with vegetated cover), landscape-based treatment measures, pervious materials for hardscape, and other stormwater management practices to reduce water pollution.
Policy ER-8.1	Manage stormwater runoff in compliance with the City's Post-Construction Urban Runoff (6-29) and Hydromodification Management (8-14) Policies.
Policy ER-8.3	Ensure that private development in San José includes adequate measures to treat stormwater runoff.
Policy EC-4.1	Design and build all new or remodeled habitable structures in accordance with the most recent California Building Code and municipal code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and stormwater controls.
Policy EC-5.7	Allow new urban development only when mitigation measures are incorporated into the project design to ensure that new urban runoff does not increase flood risks elsewhere.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
10.	HYDROLOGY AND WATER QUALITY. Would the project:					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X		1, 2
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X		1, 2
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X		1, 2
i)	result in substantial erosion or siltation on- or off-site.			X		1, 2
ii)	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			X		1, 2
iii)	create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X		1, 2
iv)	impede or redirect flood flows?			X		1, 2, 14
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X		1, 2, 14
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X		1, 2

Explanation

a) **Less Than Significant Impact**. The General Plan Amendment would not harm the water quality in the area since it does not propose any physical development. The project site is located in an urban environment and any future development of the site would not significantly harm the water quality in the area as it would be subject to compliance with applicable regulations and laws to ensure proper discharge into the City's stormwater infrastructure.

b) **Less Than Significant Impact**. The proposed General Plan Amendment would not affect groundwater. Future development on the site would not be expected to affect groundwater supplies unless it involved major excavation that accesses groundwater. This is not anticipated due to the small size of the site. In addition, the project site is currently paved and does not provide for groundwater recharge. For these reasons, future development would not decrease groundwater supplies or interfere substantially with groundwater recharge (such that the project may impede sustainable groundwater management of the basin).

ci) **Less Than Significant Impact**. The proposed project does not include any physical development and, therefore, would not alter the existing drainage pattern. Future development on the site could require minor grading activities that could result in a temporary increase in erosion affecting the quality of storm water runoff. This increase in erosion would be expected to be minimal, due to the small size and flatness of the site. Future development would be required to comply with the City of San José Grading Ordinance, applicable provisions of the City Council Policy 6-29 Post-Construction Urban Runoff Management, and City Council Policy 8-14 Post-Construction Hydromodification Management to avoid impacts related to water quality impacts.

cii) **Less Than Significant Impact**. Future development of the site would be required to implement a stormwater control plan to manage runoff from the site. Implementation of General Plan policies and City regulations would ensure that future development on the site would result in less than significant impacts related to hydrology and water quality as described above. This would include the preparation of a stormwater control plan that shows that runoff is collected in a storm drain system and conveyed to appropriate facilities for treatment prior to discharge into City's existing storm drainage system.

ciii) **Less Than Significant Impact**. Future development of the site is not expected to contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems or result in substantial additional sources of polluted runoff. See cii) above.

civ) **Less Than Significant Impact**. The project site is located outside the 100-year floodplain and future redevelopment would not significantly impede or redirect flood flows.

d) **Less Than Significant Impact**. The project site is not located in an area subject to significant seiche, tsunami, or dam failure inundation.

e) **Less Than Significant Impact**. Future development of the site would be required to comply with comply with the City of San José Grading Ordinance as well as standard BMPs during construction. With implementation of General Plan policies and regulations, future development on the site would not conflict with or obstruction the implementation of a water quality control plan or sustainable groundwater management plan.

Conclusion

Implementation of General Plan policies and City regulations would ensure that future development on the site would result in less than significant impacts related to hydrology and water quality. **(Less Than Significant Impact)**

4.11 LAND USE

Environmental Setting

Existing Conditions

The project site is located in a residentially and commercially developed area within the jurisdiction of the City of San José. The project site is designated Neighborhood Community Commercial in the City's 2040 Envision San José 2040 General Plan Land Use/Transportation Diagram. The project site currently in in the R-1-8 Single-Family Residential Zoning District. The project proponent is proposing a General Plan Amendment to allow the conversion of the site's General Plan land use designation from *Neighborhood Community Commercial* to *Mixed Use Neighborhood.*

The *Neighborhood Community Commercial* designation supports a broad range of commercial activity designed to promote a strong connection to and provide services and amenities for the nearby community. The *Mixed Use Neighborhood* designation supports commercial or mixed-use development, and is intended to establish new neighborhoods with a cohesive urban form, to provide transition between higher-density and lower-density neighborhoods, or to facilitate new infill development within an area that does not have an established cohesive urban character.

Regulatory Framework

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating land use impacts from development projects. Policies applicable to the project are presented below.

Envision San José 2040 Relevant Land Use Policies	
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.
Policy VN-1.12	Design new public and private development to build upon the vital character and desirable qualities of existing neighborhoods

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
11. LAND USE AND PLANNING. Would the project:					
a) Physically divide an established community?			X		1, 2
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		1, 3

Explanation

a) **Less Than Significant Impact**. Examples of projects that have the potential to physically divide an established community include new freeways and highways, major arterial streets, and railroad lines. The proposed *Mixed Use Neighborhood* designation is proposed on an infill site within an urban area that is currently developed. The proposed General Plan Amendment would not physically divide the established community nor would any future development on the infill project site divide the established community.

b) **Less Than Significant Impact**. The project proposes to change the General Plan land use designation of the 0.44-gross acre site from *Neighborhood Community Commercial* to *Mixed Use Neighborhood*. The *Mixed Use Neighborhood* designation allows for new infill development primarily with either townhouse or small lot single-family residences in areas with a wide variety of housing types, including a mix of residential densities and forms. The designation also supports commercial or mixed-use development and is intended to establish new neighborhoods with a cohesive urban form, to provide transition between higher-density and lower-density neighborhoods, or to facilitate new infill development within an existed area that does not have an established cohesive urban character. The *Mixed Use Neighborhood* allows for up to 30 dwelling units per acre (du/ac) and a Floor Area Ratio (FAR) range of 0.25 to 2.0.

No specific development is proposed at this time. The maximum anticipated amount of development possible on the site if the proposed General Plan Amendment is approved is six multi-family units or 6,000 square feet of commercial development (up to 3.5 stories in height) based on allowable densities identified for the proposed land use designation and the land use assumptions in the cumulative traffic analysis. Due to its small size and configuration, future development of mixed uses is unlikely. Future development on the proposed site will require separate environmental review to address the specific project.

Although no specific development project is proposed at this time, future development would be required to comply with General Plan policies and other land use regulations to assure that such development does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental effect.

Conclusion

Implementation of General Plan policies related to land use compatibility and environmental effects would ensure that future development on the site would have less than significant impacts related to land use and planning. **(Less Than Significant Impact)**

4.12 MINERAL RESOURCES

Environmental Setting

Existing Conditions

There are no mineral resources in the project area. Neither the State Geologist nor the State Mining and Geology Board has classified any other areas in San José as containing mineral deposits that are of statewide significance or for which the significance requires further evaluation. Other than the Communications Hill area, the City of San José does not have mineral deposits subject to State Mining and Reclamations Act of 1974 (SMARA). The project site is located approximately five miles north of the Communications Hill area.

Regulatory Framework

State

Surface Mining and Reclamation Act of 1974

The California Department of Conservation, Geological Survey (CGS) classifies lands into Aggregate and Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974 (SMARA). These MRZs identify whether known or inferred significant mineral resources are present in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the State into their General Plans.

Local

Envision San José 2040 General Plan

The General Plan Final Program EIR for the General Plan (as amended) states that an area of Communications Hill, in central San José, is designated by the State Mining and Geology Board under SMARA as containing mineral deposits of regional significance. Neither the State Geologist nor the State Mining and Geology Board have classified any other areas in San José as containing mineral deposits which are either of statewide significance or the significance of which requires further evaluation. Communications Hill is the only area in the City with this designation.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
12. MINERAL RESOURCES. Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	1, 2

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	1, 2

Explanation

a), b) **No Impact**. The project site is located outside the Communications Hill area, the only area in San José containing mineral deposits subject to SMARA. Therefore, the proposed General Plan Amendment and any future redevelopment of the site under the proposed land use designation will not result in a significant impact from the loss of availability of a known mineral resource.

Conclusion

The project will have no impact on mineral resources. **(No Impact)**

4.13 NOISE & VIBRATION

Environmental Setting

Existing Conditions

Sensitive receptors in the project vicinity consist of existing single-family residences located north, south, and east of the site. The noise environment on the project site is dominated by sound emissions from vehicular traffic along Capitol Avenue. Based on the General Plan Final Environmental Impact Report (as amended), noise levels in the project area are approximately 65-70 dBA Day-Night Level (DNL) along Capitol Avenue.[18] The project site is located approximately four miles east of the Norman Y. Mineta San José International Airport and may be subject to occasional noise from aircraft overflights.

Noise Fundamentals

Noise is measured in decibels (dB) and is typically characterized using the A-weighted sound level or dBA. Zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. This scale gives greater weight to the frequencies to which the human ear is most sensitive. Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects.

Vibration Fundamentals

Several different methods are typically used to quantify vibration amplitude. One method, used by the City, is Peak Particle Velocity (PPV). The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. For this analysis, the PPV descriptor with units of mm/sec or in/sec is used to evaluate construction generated vibration for building damage and human annoyance.

Regulatory Framework

State

California Building Code

The California Building Code (CBC) establishes uniform minimum noise insulation performance standards to protect persons within new buildings housing people, including hotels, motels, dormitories, apartments, and dwellings other than single-family residences. CBC requires interior noise levels attributable to exterior environmental noise sources be limited to a level not exceeding 45 dBA DNL/CNEL in any habitable room. The CBC requires exterior windows to have a minimum sound transmission class (STC) of 40 or Outdoor-Indoor Transmission Class (OITC) of 30 when the property falls within the 65 dBA DNL noise contour for a freeway or expressway, railroad, industrial source, or fixed-guideway source.

[18] General Plan Final Program EIR, Figure 3.3-1, certified November 2011.

San José General Plan Noise Compatibility Guidelines

The City's Envision San José 2040 General Plan includes goals and policies pertaining to noise and vibration. The City's Envision San José 2040 General Plan applies the Day-Night Level (DNL) descriptor in evaluating noise conditions. The DNL represents the average noise level over a 24-hour period and penalizes noise occurring between the hours of 10 PM and 7 AM by 10 dB. Community Noise Levels and Land Use Compatibility (commonly referred to as the Noise Element) of the General Plan utilizes the DNL descriptor and identifies interior and exterior noise standards for residential uses. The Envision San José 2040 General Plan includes the following criteria for land use compatibility and acceptable noise levels in the City, as presented below.

EXTERIOR NOISE EXPOSURE (DNL IN DECIBELS DBA) FROM GENERAL PLAN TABLE EC-1: Land Use Compatibility Guidelines for Community Noise in San José						
Land Use Category	**Exterior DNL Value In Decibels**					
	55	**60**	**65**	**70**	**75**	**80**
1. Residential, Hotels and Motels, Hospitals and Residential Care						
2. Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds						
3. Schools, Libraries, Museums, Meeting Halls, and Churches						
4. Office Buildings, Business Commercial, and Professional Offices						
5. Sports Arenas, Outdoor Spectator Sports						
6. Public and Quasi-Public Auditoriums, Concert Halls, and Amphitheaters						
	Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.					
	Conditionally Acceptable: Specified land use may be permitted only after detailed analysis of the noise reduction requirements and noise mitigation features included in the design.					
	Unacceptable: New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies. (Development will only be considered when technically feasible mitigation is identified that is also compatible with relevant design guidelines.)					

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating noise and vibration impacts from development projects. The following policies would be applicable to any future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Noise and Vibration Policies	
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

Envision San José 2040 Relevant Noise and Vibration Policies	
	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 (refer to Table EC-1 in the General Plan, shown above in this Initial Study). Residential uses are considered "normally acceptable" with exterior noise exposures of up to 60 dBA DNL and "conditionally compatible" where the exterior noise exposure is between 60 and 75 dBA DNL such that the specified land use may be permitted only after detailed analysis of the noise reduction requirements and needed noise insulation features are included in the design.
Policy EC-1.2	Minimize the noise impacts of new development on land uses sensitive to increased noise levels (Land Use Categories 1, 2, 3 and 6 in Table EC-1 in the General Plan) by limiting noise generation and by requiring use of noise attenuation measures such as 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-1.3	Mitigate noise generation of new nonresidential land uses to 55 dBA DNL at the property line when located adjacent to uses through noise standards in the City's Municipal Code.
Policy EC-1.6	Regulate the effects of operational noise from existing and new industrial and commercial development on adjacent uses through noise standards in the City's Municipal Code.
Policy EC-1.7	Require construction operations within San José to use best available noise suppression devices and techniques and limit construction hours near residential uses per the City's Municipal Code. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would: • 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. 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.
Policy EC-1.11	Require safe and compatible land uses within the Mineta San José International Airport noise zone (defined by the 65 CNEL contour as set forth in State law) and encourage aircraft operating procedures that minimize noise.

Envision San José 2040 Relevant Noise and Vibration Policies	
Policy EC-2.1	Requires that light and heavy rail lines or other sources of ground-borne vibration, minimize vibration impacts on people, residences, and businesses through the use of setbacks and/or structural design features that reduce vibration to levels at or below the guidelines of the Federal Transit Administration. Require new development within 100 feet of rail lines to demonstrate prior to project approval that vibration experienced by residents and vibration sensitive uses would not exceed these guidelines.
Policy EC-2.3	Require new development to minimize vibration impacts to adjacent uses during demolition and construction. For sensitive historic structures, a vibration limit of 0.08 in/sec PPV (peak particle velocity) will be used to minimize the potential for cosmetic damage to a building. A vibration limit of 0.20 in/sec PPV will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction.

San José Municipal Code

The City's Municipal Code contains a Zoning Ordinance that limits noise levels at adjacent properties. Chapter 20.30.700 states that sound pressure levels generated by any use or combination of uses on a property shall not exceed the decibel levels indicated below at any property line, except upon issuance and in compliance with a Special Use Permit. The code is not explicit in terms of the acoustical descriptor associated with the noise level limit. However, a reasonable interpretation of this standard, which is based on policy EC-1.3 of the City's General Plan, would identify the ambient base noise level criteria as a DNL.

City of San José Zoning Ordinance Noise Standards	
Land Use Types	**Maximum Noise Levels in Decibels at Property Line**
Residential, open space, industrial or commercial uses adjacent to a property used or zoned for residential purposes	55
Open space, commercial, or industrial use adjacent to a property used for zoned for commercial purposes or other non-residential uses	60
Industrial use adjacent to a property used or zoned for industrial use or other use other than commercial or residential purposes	70

Chapter 20.100.450 of the Municipal Code establishes allowable hours of construction within 500 feet of a residential unit between 7:00 am and 7:00 pm Monday through Friday unless permission is granted with a development permit or other planning approval. No construction activities are permitted on the weekends at sites within 500 feet of a residence.

Santa Clara County Airport Land Use Commission Comprehensive Land Use Plan

The Comprehensive Land Use Plan adopted by the Santa Clara County Airport Land Use Commission contains standards for projects within the vicinity of San José International Airport which are relevant to this project.

Santa Clara County Airport Land Use Commission Comprehensive Land Use Plan Relevant Noise and Vibration Policies	
Policy N-3	Noise impacts shall be evaluated according to the Aircraft Noise Contours presented on Figure 5. *See Comprehensive Land Use Plan Santa Clara County, Norman Y. Mineta San Jose International Airport , Amended 11/16/16*, https://www.sccgov.org/sites/dpd/DocsForms/Documents/ALUC_SJC_CLUP.pdf
Policy N-42	No residential or transient lodging construction shall be permitted within the 65 dB CNEL contour boundary unless it can be demonstrated that the resulting interior sound levels will be less than 45 dB CNEL and there are no outdoor patios or outdoor activity areas associated with the residential portion of a mixed use residential project or a multi-unit residential project. (Sound wall noise mitigation measures are not effective in reducing noise generated by aircraft flying overhead.)

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
13. NOISE. Would the project result in					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?			X		1, 2, 3
b) Generation of excessive ground borne vibration or ground borne noise levels?		X			1, 2, 3
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X		1, 2

Explanation

a) **Less Than Significant Impact**. The General Plan Amendment by itself would not generate operational noise. The proposed General Plan Amendment could facilitate future redevelopment of the site to allow up to six residential units or 6,000 square feet of commercial space. Operational noise associated with future development would include traffic noise traveling to and from the project site and the operation of stationary source equipment (such as heating, ventilation, and air conditioning units). Future development would be required to comply with the City's noise standards and General Plan policies to minimize noise at adjacent sensitive receptors (i.e., residential uses). Any future development would be required to provide a noise assessment as part of its environmental review to address potential noise impacts.

As described above, the existing project site has existing noise levels of approximately 65-70 dBA DNL, which is within the conditionally acceptable range per table EC-1 of the General Plan. Therefore, as detailed in General Plan Policy EC-1.2 listed above, a significant noise impact would occur if a future project would cause a permanent increase of three dBA in ambient noise levels at noise-sensitive receptors. As part of the development review and

permitting process for a future development on-site, the City would review the project for consistency with the noise levels specified in the General Plan and require measures for consistency as appropriate.

Short-term noise increases would also be generated on the site during construction activities associated with future development. Future development would be subject to the City's Municipal Code, which limits construction hours near residential land uses and the General Plan Policy EC-1.7 identifies requirements for limiting construction noise. Future construction would potentially require measures and conditions to reduce potential noise impacts. The following measures, required for any future construction on-site and consistent with the City's Municipal Code and General Plan, could reduce construction-related noise impacts:

- Limit construction hours to between 7:00 a.m. and 7:00 p.m., Monday through Friday, unless permission is granted with a development permit or other planning approval. No construction activities are permitted on the weekends at sites within 500 feet of a residence.

- Construct solid plywood fences around ground level construction sites adjacent to operational businesses, residences, or other noise-sensitive land uses.

- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.

- Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists.

- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.

- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses.

- Locate staging areas and construction material areas as far away as possible from adjacent land uses;

- Prohibit all unnecessary idling of internal combustion engines.

- Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of "noisy" construction activities to the adjacent land uses and nearby residences.

- If complaints are received or excessive noise levels cannot be reduced using the measures above, erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites.

- Designate a "disturbance coordinator" who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable

measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

The currently proposed project is a change in land use and would not include any construction activities. Mandatory compliance for any future development with the City's regulations, such as those listed above, would reduce construction noise and vibration levels to an acceptable level to ensure impacts would be less than significant.

Non CEQA Effects

In December 2015, the California Supreme Court issued an opinion in the California Building Industry Association vs. Bay Area Air Quality Management District (*CBIA vs. BAAQMD*) case that CEQA is primarily concerned with the impacts of a project on the environment, not the effects of the existing environment on a project. In light of this ruling, the effect of existing ambient noise on future users or residents of the project would not be considered an impact under CEQA. However, General Plan Policy EC-1.1 requires that existing ambient noise levels be analyzed for new residences and that noise attenuation be incorporated into new residential projects in order to reduce interior and exterior noise levels to acceptable limits.

b) **Less Than Significant Impact**. The proposed General Plan Amendment would not generate vibration or groundborne noise levels. The project site may be subject to mild groundborne vibration from adjacent light rail operations. Evaluation of existing vibration effects on future development on the project site would be required as part of the project-specific environmental review. In addition, construction of future development could result in vibration impacts to adjacent uses during demolition and construction. Vibration due to construction and demolition activities would be temporary and limited to daytime hours, consistent with the Municipal Code's limitation of construction hours, reducing the potential for annoyance to residencies during the evening and night hours of rest and sleep. Implementation of General Plan Policy EC-2.3, which requires new development to limit vibration, would minimize this potential effect.

c) **Less Than Significant Impact** The project site is not located within the vicinity of a public airport or private airstrip. Additionally, the project is not located within the Norman Y. Mineta San José Airport's Airport Influence Area. Therefore, the proposed General Plan Amendment and any future development would not expose people to excessive noise levels from aircraft overflights.

Conclusion

Implementation of General Plan policies and regulations would ensure that future development on the site would result in less than significant impacts related to noise and vibration**. (Less Than Significant Impact)**

4.14 POPULATION AND HOUSING

Environmental Setting

Existing Conditions

Based on information from the Department of Finance, the City of San José population was estimated to be 1,046,079 in January 2017 and had an estimated total of 332,574 housing units, with an average of 3.21 persons per household.[19] ABAG projects that the City's population will reach 1,445,000 with 472,000 households by 2040.

A project can induce substantial population growth by: 1) proposing new housing beyond projected or planned development levels, 2) generating demand for housing as a result of new businesses, 3) extending roads or other infrastructure to previously undeveloped areas, or 4) removing obstacles to population growth (e.g., expanding capacity of a wastewater treatment plant beyond that necessary to serve planned growth).

Regulatory Framework

State

California Housing Element

California's Housing Element Law requires all cities to: 1) zone adequate lands to accommodate its Regional Housing Needs Allocation (RHNA); 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis. To attain the state housing goal, cities must make sufficient suitable land available for residential development, as documented in an inventory, to accommodate their share of regional housing needs.

Regional

Association of Bay Area Governments Plan Bay Area 2040

The Association of Bay Area Governments (ABAG) allocates regional housing needs to each city and county within the nine-county Bay Area, based on statewide goals. ABAG develops forecasts for population, households, and economic activity in the Bay Area. ABAG, MTC, and local jurisdiction's planning staff created the Regional Forecast of Jobs, Population, and Housing, upon which *Plan Bay Area 2040* is based.

Plan Bay Area 2040 is a state-mandated integrated long-range transportation, land-use, and housing plan intended support a growing economy, provide more housing and transportation choices, and reduce transportation-related pollution and GHG emissions in the Bay Area. *Plan Bay Area 2040* promotes compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified Priority Development Areas and Transit Priority Areas.

[19] State of California, Department of Finance. "E-5 City/County Population and Housing Estimates for Cities, Counties, and the State— January 1, 2011-2017, with 2010 Benchmark." May 2017. Accessed October 6, 2017. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/

Local

Envision San José 2040 General Plan

The General Plan includes policies for the purpose of avoiding or mitigation impacts resulting from planned development projects in the City. With respect to population, housing, and jobs, the General Plan focuses on having growth occur in a manner that is sustainable and efficient. A key strategy of the General Plan is to balance the ratio of local jobs with available housing within the City. All future development facilitated by the proposed General Plan Amendment would be subject to the City's General Plan policies related to population and housing, including the following:

Envision San José 2040 Relevant Population and Housing Policies	
Policy H-4.2	Minimize housing's contribution to greenhouse gas emissions, and locate housing, consistent with our City's land use and transportation goals and policies, to reduce vehicle miles traveled and auto dependency.
Policy H-4.3	Encourage the development of higher residential densities in complete, mixed-use, walkable and bikeable communities to reduce energy use and greenhouse gas emissions.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
14. POPULATION AND HOUSING. Would the project:					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X		1, 2
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	1, 2

Explanation

a) **Less Than Significant Impact**. The project site is located in an urbanized area in the City of San José. The proposed General Plan Amendment would allow approximately six housing units, resulting in approximately 20 new residents (based on the City's average 3.2 persons per household) that are not accounted for in the City of San José General Plan. This increase is not substantial given the overall population growth projected within San José. Any future project would be an infill project and would not result in an expansion of urban services or pressure to expand beyond the City's existing Sphere of Influence because it is located in a highly urbanized portion of the City.

b) **No Impact**. Approval of the proposed General Plan Amendment would allow for residential development where it is currently not permitted. The project site is developed with a surface parking lot, and any future redevelopment of the site would not displace existing housing nor necessitate the construction of replacement housing elsewhere. Future redevelopment of the site under the proposed *Mixed Use Neighborhood* land use designation would allow for the addition of approximately six housing units or 6,000 square feet of commercial uses, therefore, future redevelopment of the site would only marginally increase the number of people residing in the area (an estimated 20 persons under the residential scenario).

Conclusion

Redevelopment of the site under the proposed *Mixed Use Neighborhood* land use designation could marginally increase the housing available in the project area, but would not substantially induce population growth. The project would have a less than significant impact on population and housing. **(Less than Significant Impact)**

4.15 PUBLIC SERVICES

Environmental Setting

Existing Conditions

Fire Protection: Fire protection services are provided to the project site by the San José Fire Department (SJFD). The closest fire station to the project site is Station 2, located at 2949 Alum Rock Avenue, about 0.3 miles east of the project site.

Police Protection: Police protection services are provided to the project site by the San José Police Department (SJPD) headquartered at 201 West Mission Street, approximately 3.9 miles west of the project site. The City has four patrol divisions and 16 patrol districts. Patrols are dispatched from police headquarters and the patrol districts consist of 83 patrol beats, which include 357 patrol beat building blocks.

Schools: The project site is in the Alum Rock Union Elementary School District (ARUSD) and the East Side Union High School District (ESUHSD). These districts operate a combined 36 schools (18 elementary schools, six middle schools, and 12 high schools) serving approximately 38,000 students[20]. The project site is within the Russo/McEntee Academy (elementary school) and William Sheppard Middle School attendance boundaries assigned by the ARUSD, and within James Lick High School attendance boundary assigned by the ESUHSD. Russo/McEntee Academy is located at 2851 Gay Avenue, William Sheppard Middle School is located at 480 Rough and Ready Road, and James Lick High School is located at 57 North White Road.

Parks: The nearest City of San José park facilities are Children of the Rain Park and Lo Bue Park, located about 0.32 mile northwest and 0.31 mile southwest from the project site, respectively. The City of San José has adopted the Parkland Dedication Ordinance and Park Impact Ordinance, which require residential developers to dedicate public park land or pay in-lieu fees (or both) to compensate for the increase in demand for neighborhood parks.

Library and Community Centers: The City of San José is served by the San José Public Library System. The San José Public Library System consists of one main library (Dr. Martin Luther King Jr.) and 22 branch libraries. The nearest public library is the Dr. Roberto Cruz Alum Rock Branch Library, approximately 0.4 mile east of the project site. The nearest community center is the Mayfair Community Center, located at 2039 Kammerer Avenue, approximately 0.9 mile southwest of the site.

Regulatory Framework

State

Quimby Act

The Quimby Act (California Government Code Section 66477) was approved by the California legislature to set aside parkland and open space for recreational purposes. It includes provisions for the dedication of parkland and/or payment of fees due in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to

[20] Envision San José 2040 General Plan Final Program EIR, certified November 2011.

establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two at the discretion of the City.

California Government Code Section 65995 to 65998 (School Facilities)

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

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

Local

Parkland Dedication Ordinance and the Park Impact Ordinance

The City of San José has adopted the Parkland Dedication Ordinance (PDO) and Park Impact Ordinance (PIO) requiring 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 developments. Under the PDO and PIO, a project can satisfy half of its total parkland obligation by providing private recreational facilities on-site. For projects over 50 units, it is the City's decision whether the project will dedicate land for a new public park site or accept a fee in-lieu of land dedication. Affordable housing including low, very-low, and extremely-low income units are subject to the PDO and PIO at a rate of 50 percent of applicable parkland obligation. The acreage of parkland required is based on the minimum acreage dedication formula outlined in the PDO.

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating public service impacts from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Public Service Policies	
Policy ES-2.2	Construct and maintain architecturally attractive, durable, resource-efficient, and environmentally healthful library facilities to minimize operating costs, foster learning, and express in built form the significant civic functions and spaces that libraries provide for the San José community. Library design should anticipate and build in flexibility to accommodate evolving community needs and evolving methods for providing the community with access to information sources. Provide at least 0.59 SF of space per capita in library facilities.

Envision San José 2040 Relevant Public Service Policies	
Policy ES-3.1	Provide rapid and timely Level of Service (LOS) response time to all emergencies: 1. For police protection, use as a goal a response time of 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.
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.
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. 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.
Policy PR-1.2	Provide 7.5 acres per 1,000 population of citywide /regional park and open space lands through a combination of facilities provided by the City of San José and other public land agencies.
Policy PR-1.12	Regularly update and utilize San José's Parkland Dedication Ordinance/Parkland Impact Ordinance (PDO/PIO) to implement quality facilities.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:					
a) Fire protection?			X		1, 2
b) Police protection?			X		1, 2
c) Schools?			X		1, 2
d) Parks?			X		1, 2
e) Other public facilities?			X		1, 2

Explanation

a) **Less Than Significant Impact**. The proposed General Plan Amendment would potentially facilitate the development of residential units on the project site. Future redevelopment of the site under the proposed *Mixed Use Neighborhood* land use designation could intensify the use of the site and generate additional occupants in the area. This would result in a marginal increase in the demand for fire protection services. The project site, however, is currently served by the SJFD and any future redevelopment of this 0.44-gross-acre lot would represent

a small fraction of the total growth identified in the General Plan. Redevelopment of the site, by itself, would not preclude the SJFD from meeting their service goals and would not require the construction of new or expanded fire facilities. In addition, any redevelopment would be constructed in accordance with current Building and Fire codes and would be required to be maintained in accordance with applicable City policies to promote public and property safety. Therefore, the proposed General Plan Amendment and any future development on site would not significantly impact fire protection services or require the construction of new or remodeled facilities.

b) **Less Than Significant Impact**. Future redevelopment of the site under the proposed General Plan designation of *Mixed Use Neighborhood* could intensify the use of the site and generate additional occupants in the area. This would result in a marginal increase in the demand for police protection services. The project site, however, is currently served by the SJPD and any future redevelopment of this 0.44-gross acre lot would represent a small fraction of the total growth identified in the General Plan. Redevelopment of the site, by itself, would not preclude the SJPD from meeting their service goals and would not require the construction of new or expanded police facilities. In addition, any redevelopment would be constructed in accordance with current building codes and would be required to be maintained in accordance with applicable City policies to promote public and property safety. Therefore, the proposed General Plan Amendment and future development on-site would not significantly impact police protection services or require the construction of new or remodeled facilities.

c) **Less Than Significant Impact**. Future redevelopment of the site under the proposed *Mixed Use Neighborhood* land use designation would allow up to six new residential units or 6,000 square feet of commercial use based on the allowable density and site constraints (setbacks, height, parking, etc.). Future development that includes residential uses could slightly increase demands on school services. State law (Government Code §65996) identifies the payment of school impact fees as an acceptable method of offsetting a project's impact on school facilities.

d) **Less Than Significant Impact**. Future residential development under the proposed land use designation could generate up to 20 new residents (based on the City's average of 3.2 residents per household).[21] New residents of the site would use existing recreational facilities in the area, including Children of the Rain Park and Lo Bue Park. The small increase in new residents would marginally increase the use of existing recreational facilities in the project area. Future development on the project site would be required to conform to the City's Parkland Dedication and Park Impact Ordinances, which would ensure that any increase in residential population on the project site would result in less than significant impacts to neighborhood and regional park facilities.

e) **Less Than Significant Impact.** Although future development of the site under the proposed *Mixed Use Neighborhood* land use designation could marginally increase residential development and population growth, and, therefore, increase the use of public facilities such as the Dr. Roberto Cruz Alum Rock Branch Library and the Mayfair Community Center, the proposed project would not substantially increase use of San José facilities or otherwise require the construction of new library facilities.

[21] State of California Department of Finance. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/

Conclusion

Implementation of General Plan policies and regulations would ensure that future development on the site would result in less than significant impacts on public services. **(Less Than Significant Impact)**

4.16 RECREATION

Environmental Setting

Existing Conditions

The nearest City of San José park facilities are Children of the Rain Park and Lo Bue Park, located about 0.32 mile northwest and 0.31 mile southwest from the project site, respectively. The nearest community center is the Mayfair Community Center, located at 2039 Kammerer Avenue, approximately 0.9 mile southwest of the site.

Regulatory Framework

State

Quimby Act

The Quimby Act (California Government Code Sections 66477) was approved by the California legislature to set aside parkland and open space for recreational purposes. It includes provisions for the dedication of parkland and/or payment of fees due in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two at the discretion of the City.

Local

Parkland Dedication Ordinance and the Park Impact Ordinance

The City of San José has adopted the Parkland Dedication Ordinance (PDO) and Park Impact Ordinance (PIO) requiring 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 developments. Under the PDO and PIO, a project can satisfy half of its total parkland obligation by providing private recreational facilities on-site. For projects over 50 units, it is the City's decision whether the project will dedicate land for a new public park site or accept a fee in-lieu of land dedication. Affordable housing including low, very-low, and extremely-low income units are subject to the PDO and PIO at a rate of 50 percent of applicable parkland obligation. The acreage of parkland required is based on the minimum acreage dedication formula outlined in the PDO.

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating recreation impacts from development projects. Policies applicable to the proposed project are presented below.

Envision San José 2040 Relevant Recreation Policies	
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.
Policy PR-1.2	Provide 7.5 acres per 1,000 population of citywide/regional park and open space lands through a combination of facilities provided by the City of San José and other public land agencies.
Policy PR-1.3	Provide 500 SF per 1,000 population of community center space.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
16. RECREATION. Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X		1, 2
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?			X		1, 2

Explanation

a), b) **Less Than Significant Impact**. The General Plan Amendment would facilitate a potential maximum residential buildout of 6 residential units (approximately 20 new residents on the project site, using the City's average of 3.2 persons per household). The population increase that could result from the future development of the site under the proposed *Mixed Use Neighborhood* land use designation is not anticipated to substantially increase the use of parks or other recreational facilities. New residents would be adequately served by existing parks in the area. The City's Parkland Dedication Ordinance and Park Impact Ordinance would require residential developers to dedicate public park land or pay in-lieu fees (or both) to compensate for the increase in demand for neighborhood parks.

Conclusion

Implementation of General Plan policies and regulations would ensure that future development on the site would result in less than significant impacts to recreational facilities. **(Less Than Significant Impact)**

4.17 TRANSPORTATION

Environmental Setting

Existing Conditions

Existing Roadway Network

Regional access to the project site is provided by Interstate 680 (I-680). I-680 is a north-south freeway located to the west of the site that extends from Fairfield in the north to downtown San José in the south. I-680 provides access to the site via its interchange at Alum Rock Avenue. Local access to the project site is provided via Capitol Avenue, a four-lane, north-south local road with a concrete median and a VTA light rail line. Because of this, vehicles exiting the project site cannot turn left onto southbound Capitol Avenue. Two light rail crossings occur near the project site along Capitol Avenue, at its intersections with Alum Rock Avenue and Madden Avenue.

Existing Pedestrian, Bicycle, and Transit Facilities

Pedestrian Facilities. Pedestrian facilities consist of sidewalks and crosswalks along the streets . Sidewalks are located along the project's frontage on Capitol Avenue and along the nearby Alum Rock Avenue. Crosswalks and pedestrian signals are provided at major nearby intersections around the project site, including Alum Rock Avenue and Madden Avenue.

Bicycle Facilities. A Class II bicycle lane runs along the project frontage on Capitol Avenue and continues north for the entirety of Capitol Avenue. There are no designated bike lanes along nearby residential streets or along Alum Rock Avenue; therefore, cyclists must share the road with motor vehicles.

Public Transit Services. Bus routes with stops within a fifteen-minute walking distance of the site include routes 23, 25, 45, and 522. The closest bus stops to the site are located approximately 350 feet south of the site, near the intersection of Capitol Avenue and Alum Rock Avenue. These stops include westbound and eastbound buses on Alum Rock Avenue and southbound buses on Capitol Avenue. The closest light rail station is the Alum Rock Transit Center, located on Capitol Avenue, approximately 0.36 mile south of the project site. VTA also provides Access Paratransit to eligible individuals with disabilities who are prevented from using regular transit services.

Regulatory Framework

State

Senate Bill 743

Senate Bill 743 (SB 743), which became effective September 2013, initiated reforms to the CEQA Guidelines to establish new criteria for determining the significance of transportation impacts that "promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses." Specifically, SB 743 directs the Governor's Office of Planning and Research (OPR) to update the CEQA Guidelines to replace automobile delay—as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion—with vehicle miles traveled (VMT) as the recommended metric for determining the significance of transportation

impacts. OPR has approved the CEQA Guidelines implementing SB 743. Beginning on July 1, 2020, the provisions of SB 743 will apply statewide.

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

Regional

Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA) oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that all urbanized counties in California prepare a CMP in order to obtain each county's share of gas tax revenues. State legislation requires that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management, a land use impact analysis program, and a capital improvement element. VTA has review responsibility for proposed development projects that are expected to affect CMP designated intersections.

Regional Transportation Planning

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2040 in July 2017, which includes the region's Sustainable Communities Strategy (integrating transportation, land use, and housing to meet GHG reduction targets set by CARB) and Regional Transportation Plan (including a regional transportation investment strategy for revenues from federal, state, regional and local sources over the next 24 years).

Local

Transportation Analysis Policy (City Council Policy 5-1)

In alignment with the State of California Senate Bill (SB) 743 and the City's goals in the Envision San José 2040 General Plan, the City has adopted a new Transportation Analysis Policy (Council Policy 5-1) to replace the former Council Policy 5-3. The new policy establishes the thresholds for transportation impacts under CEQA based on vehicle miles traveled (VMT) rather than intersection level of service (LOS). VMT is the total miles of travel by personal motorized vehicles from a project in a day. The intent of this change in policy is to shift the focus of transportation analysis under CEQA from vehicle delay and roadway capacity to a reduction in vehicle emissions and the creation of multimodal networks that support integrated land uses.[22]

According to the policy, an employment (e.g. office, R&D) or residential project's transportation impact would be less than significant if the project VMT is 15 percent or more below the existing

[22] The new policy took effect on March 29, 2018.

average regional per capita VMT. For industrial projects (e.g. warehouse, manufacturing, distribution), the impact would be less than significant if the project VMT is equal to or less than existing average regional per capita VMT. The threshold for a retail project is whether it generates net new regional VMT, as new retail typically redistributes existing trips and miles traveled as opposed to inducing new travel. If a project's VMT does not meet the established thresholds, mitigation measures would be required, where feasible. The policy also requires preparation of a Local Transportation Analysis (LTA) to analyze non-CEQA transportation issues, including local transportation operations, intersection level of service, site access and circulation, and neighborhood transportation issues such as pedestrian and bicycle access, and recommend needed transportation improvements. Based on the City's significance criteria for VMT, the City's VMT threshold for residential development is 10.12 VMT per capita. If a residential project's VMT is estimated to result in fewer than 10.12 VMT per capita, it can be exempted from a project-specific VMT analysis.

In addition, screening criteria have been established by the City to determine if a project requires a detailed VMT analysis. If a project meets the relevant screening criteria, it is considered to a have a less than significant VMT impact. Based on the City's screening criteria for "Small Infill Projects," the addition of 25 multi-family dwelling units would not result in significant VMT impacts, and are screened out of a transportation analysis.

The VMT policy does not negate Area Development policies (ADPs) and Transportation Development policies (TDPs) approved prior to adoption of Policy 5-1. Policy 5-1 does, however, negate the City's Protected Intersection policy as defined in Policy 5-3.

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating transportation impacts from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Transportation Policies	
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).
Policy TR-1.2	Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.
Policy TR-1.4	Through the entitlement process for new development, fund needed transportation improvements for all transportation modes, giving first consideration to improvement of bicycling, walking and transit facilities. Encourage investments that reduce vehicle travel demand.
Policy TR-1.5	Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.
Policy TR-1.6	Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.
Policy TR-2.8	Require new development where feasible to provide on-site facilities such as bicycle storage and showers, provide connections to existing and planned facilities, dedicate land to expand existing facilities or provide new facilities such as sidewalks and/or bicycle lanes/paths, or share in the cost of improvements.

Envision San José 2040 Relevant Transportation Policies	
Policy TR-3.3	As part of the development review process, require that new development along existing and planned transit facilities consist of land use and development types and intensities that contribute towards transit ridership. In addition, require that new development is designed to accommodate and to provide direct access to transit facilities.
Policy TR-9.1	Enhance, expand and maintain facilities for walking and bicycling, particularly to connect with and ensure access to transit and to provide a safe and complete alternative transportation network that facilitates non-automobile trips.
Policy CD-3.3	Within new development, create 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.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
17. TRANSPORTATION. Would the project:					
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X		1, 2, 10
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X		1, 2, 10
c) Substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?			X		1, 2
d) Result in inadequate emergency access?			X		1, 2

Explanation

a) **Less Than Significant Impact**. The City of San José's General Plan Amendment procedures require an analysis of proposed General Plan Amendments when they would result in more than 250 peak hour trips. The City uses the middle range or typical range based on surrounding development densities, as opposed to the maximum intensities potentially allowed under each proposed General Plan land use designations, because build out under the maximum density allowed for all General Plan land designations would exceed the total citywide planned growth capacity allocated in the General Plan. Furthermore, maximum build-out at the highest end of the density range does not represent typical development patterns or the average amount of development built on each site. The project is not expected to meet the threshold required for a long-term General Plan traffic analysis, since the increase in traffic volume for future development would not exceed 250 peak hour trips. Therefore, the proposed project does not require a project-specific General Plan traffic analysis, and future development on the project site under the proposed land use designation is not expected to conflict with a program, plan, ordinance or policy addressing the circulation system, including

transit, roadway, bicycle and pedestrian facilities; however, future development may be subject to local operational analysis.

Since no development is proposed at this time, an LTA has not been prepared to analyze operational transportation issues, including local transportation operations, intersection level of service, site access and circulation, and neighborhood transportation issues such as pedestrian and bicycle access, and recommend needed transportation improvements.

The City would review any future designs for vehicle, bicycle, and pedestrian access as well as access to public transportation for consistency with the General Plan Policies and design guidelines at the Planning permit phase for any future proposed development.

b) **Less Than Significant Impact**. The project site is located approximately 0.36 mile from the Alum Rock Transit Center, which provides bus and light rail services. In addition, the site is within 0.5 mile of several bus stops along Capitol Avenue and Alum Rock Avenue. According to CEQA Guidelines Section 15064.3, subdivision (b), land use projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should generally be presumed to cause a less than significant transportation impact. Additionally, future development facilitated by the proposed General Plan Amendment would be subject to the compliance with the General Plan policies (TR-3.3, TR-1.6, TR-2.8, TR-9.1 and CD-3.3) and the appropriate Design Guidelines. Therefore, the proposed General Plan Amendment would not conflict with existing or planned multimodal transportation facilities.

c) **Less Than Significant Impact**. The proposed General Plan Amendment would not increase hazards due to geometric design features or incompatible uses as it does not propose any physical changes to the site. However, a separate environmental review would be required for future development proposed for the site and the City would review the future plan for consistency with General Plan policies and City design standards, which would ensure hazards due to a design feature would be avoided

d) **Less Than Significant Impact**. As previously discussed, the project would only result in a change to the Land Use/Transportation Diagram of the General Plan. Any future development on this small infill site would be reviewed for compliance with all City of San José Fire Department and Department of Public Works' requirements to ensure adequate emergency access.

Long-Range Transportation Analysis for General Plan Amendments

General Plan Amendments (GPAs) in the City of San José require a long-range transportation analysis of potential impacts on the citywide transportation system in the horizon year of the General Plan. The General Plan horizon year is when the development anticipated in the General Plan is built out. There are two types of GPA transportation analysis: 1) a site-specific long-range transportation analysis for individual GPAs that exceed 250 peak hour trips; and 2) a cumulative long-range transportation analysis of the combined effect of all GPAs proposed with each annual GPA cycle. The long-range transportation analysis is contained in Appendix A.

In 2011, the City certified the General Plan FEIR and adopted the 2040 General Plan. The General Plan FEIR and supporting Transportation Impact Analysis (TIA) identified programmatic long-range transportation impacts based on planned land uses and the planned transportation system within the City projected to the horizon of the General Plan in year 2035.

In 2016, a subsequent TIA was prepared for the General Plan Four-Year Review that evaluated minor adjustments to planned job growth in the adopted General Plan and updated the projection of regional growth to the year 2040. The existing conditions for transportation were updated to reflect the actual development that occurred since the adoption of the General Plan and its base year of 2008 to the year 2015. The General Plan Four-Year Review TIA evaluated the effects of the updated existing conditions in 2015 plus future planned growth, and future conditions projected to the Year 2040, that established the baseline for the evaluation of transportation impacts of GPAs considered for approval during and after the Four-Year Review.

In 2017, the VTA published the BART Phase II EIR that included updated regional transportation projects based on 2015 existing roadway conditions. The City acquired this new model to use as the basis for the transportation analysis in the Downtown Strategy 2040 EIR, which evaluated an increase of 4,000 households and 10,000 jobs in Downtown San Jose by transferring General Plan growth capacity from other areas within the City. Once again, the model was validated with current traffic data to update the existing transportation conditions.

The cumulative long-range transportation impacts of the proposed 2019 GPAs were evaluated in a Long-Range Transportation Impact Analysis model forecast prepared by Hexagon Transportation Consultants dated August 2019 (see Appendix A). This analysis evaluated both the site-specific long-range transportation impacts for GPAs that exceeded 250 peak hour trips per day and the cumulative impacts of the nine privately initiated GPAs in the 2019 GPA cycle.

Each of the proposed GPAs would result in changes to the assumed number of households and/or jobs on each site when compared to the 2040 General Plan land use and intensity assumptions for each site in the TIA for the General Plan FEIR and the General Plan Four-Year Review TIA. Like the analysis in the General Plan FEIR and subsequent Four-Year Review, the 2018 Long-Range Transportation Analysis assumed development in either the middle range of the density allowed under each proposed General Plan land use designation or assumed a density consistent with the density of surrounding development with a similar land use designation. The City uses the middle range or typical range based on surrounding development densities, as opposed to the maximum intensities potentially allowed under each proposed General Plan land use designations, because build out under the maximum density allowed for all General Plan land designations would exceed the total citywide planned growth capacity allocated in the General Plan. Furthermore, maximum build-out at the highest end of the density range does not represent typical development patterns or the average amount of development built on each site. General Plan land use designations allow a wide range of development intensities and types of land uses to accommodate growth; however, development projects are not typically proposed at the maximum densities due to existing development patterns, site and parking constraints, FAA regulations, maximum allowable height provisions and other development regulations in the San José Municipal Code in Title 20 (Zoning), market conditions, and other factors.

The results of the analysis for the proposed GPAs are then compared to the results of the 2017 updated General Plan Four-Year Review TIA evaluation of the General Plan through 2040 to determine if the proposed 2019 GPAs would result in any new, or substantially more severe transportation impacts than those impacts that were already analyzed for the General Plan, as amended by the City Council in

December 2017. None of the proposed GPAs would change the total number of jobs and households citywide that were assumed with build out of the 2040 General Plan.

Conclusion

Implementation of General Plan policies will ensure that future development on the site would result in less than significant impacts on the transportation system. **(Less than Significant)**

4.18 UTILITIES AND SERVICE SYSTEMS

Environmental Setting

Existing Conditions

The project site is located within the City of San José Urban Service Area. Utilities and services are provided to the project site by the following providers:

- Sanitary Sewer/Wastewater Treatment: treatment and disposal provided by the San José/Santa Clara Water Regional Wastewater Facility (RWF); sanitary sewer lines maintained by the City of San José
- Water Service: San Jose Water Company (SJWC)
- Storm Drainage: City of San José
- Solid Waste: Republic Services (solid waste); California Waste Solutions (recycling)
- Natural Gas & Electricity: PG&E

Regulatory Framework

State and Regional

California Urban Water Management Planning Act

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

Wastewater

The San Francisco Bay Regional Water Quality Board (RWQCB) includes regulatory requirements that each wastewater collection system agency shall, at a minimum, develop goals for the City's Sewer System Management Plan to provide adequate capacity to convey peak flows.

Assembly Bill 939

California Assembly Bill (AB) 939 established the California Integrated Waste Management Board (CalRecycle), which required all California counties to prepare Integrated Waste Management Plans. In addition, AB 939 required all municipalities to divert 50 percent of their waste stream by the year 2000.

Assembly Bill 341

Assembly Bill (AB) 341 sets forth the requirements of the statewide mandatory commercial recycling program in the Public Resources Code. All businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383

Senate Bill, SB 1383, establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

In January 2017, California adopted the most recent version of the California Green Building Standards Code, which establishes mandatory green building standards for new and remodeled structures in California. These standards include a mandatory set of guidelines and more stringent voluntary measures for new construction projects, in order to achieve specific green building performance levels as follows:

- Reduce indoor water use by 20 percent;
- Reduce wastewater by 20 percent;
- Recycle and/or salvage 50 percent of nonhazardous construction and demolition debris; and
- Provide readily accessible areas for recycling by occupant.

Local

San José Zero Waste Strategic Plan/Green Vision

The City's Green Vision provides a comprehensive approach to achieving sustainability through technology and innovation. The Zero Waste Strategic Plan outlines policies to help the City of San José facilitate a healthier community and achieve its Green Vision goals, including 75 percent waste diversion by 2013, which has been achieved, and zero waste by 2022.

Private Sector Green Building Policy

The City of San José Green Building Policy for private sector new construction encourages building owners, architects, developers, and contractors to incorporate sustainable building goals early in the building design process. This policy establishes baseline green building standards for new private construction projects, and provides a framework for the implementation of these standards. The Policy is also intended to enhance the public health, safety, and welfare of the City's residents, workers, and

visitors by encouraging design, construction, and maintenance practices that minimize the use and waste of energy, water, and other resources in the City.

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating utilities and service system impacts from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

Envision San José 2040 Relevant Utilities and Service System Policies	
Policy MS-3.1	Require water-efficient landscaping, which conforms to the State's Model Water Efficient Landscape Ordinance, for all new commercial, institutional, industrial, and developer-installed residential development unless for recreation needs or other area functions.
Policy MS-3.2	Promote use of green building technology or techniques that can help to reduce the depletion of the City's potable water supply as building codes permit.
Policy MS-3.3	Promote the use of drought tolerant plants and landscaping materials for nonresidential and residential uses.
Action EC-5.16	Implement the Post-Construction Urban Runoff Management requirements of the City's Municipal NPDES Permit to reduce urban runoff from project sites.
Policy IN-3.3	Meet the water supply, sanitary sewer and storm drainage level of service objectives through an orderly process of ensuring that, before development occurs, there is adequate capacity. Coordinate with water and sewer providers to prioritize service needs for approved affordable housing projects.
Policy IN-3.5	Require development which will have the potential to reduce downstream LOS to lower than "D", or development which would be served by downstream lines already operating at a LOS lower than "D", to provide mitigation measures to improve the LOS to "D" or better, either acting independently or jointly with other developments in the same area or in coordination with the City's Sanitary Sewer Capital Improvement Program.
Policy IN-3.7	Design new projects to minimize potential damage due to stormwaters and flooding to the site and other properties.
Policy IN-3.9	Require developers to prepare drainage plans that define needed drainage improvements for proposed developments per City standards.
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 Elimination System (NPDES) permit.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
18.	UTILITIES AND SERVICE SYSTEMS. Would the project:					
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X		1, 2
b	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		1, 2
c)	Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X		1, 2
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X		1, 2
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		1, 2

Explanation

a) **Less Than Significant Impact**. The proposed General Plan Amendment, by itself, would not increase water demand or generate additional wastewater. Future development of the project site could incrementally increase demands on utility services. Water service to the site would be supplied by the San Jose Water Company (SJWC), a private entity that obtains water from a variety of groundwater and surface water sources. Future development would be required to acquire a "will serve" letter from SJWC to assure adequate water is available to serve the proposed uses.

The City of San José owns and maintains the storm sewer drain system in the project area. Future development would require construction of storm drain laterals to convey runoff flows from within the property to the City's existing storm drainage system.

The City of San José owns and maintains the sanitary sewer drain system in the project area. Future development would require construction of a sanitary sewer lateral that would tie into the City's existing sewer system.

As described in *Section J. Hydrology and Water Quality*, future development on the project site would be managed and treated in accordance with City policies, which include implementation of a stormwater control plan.

As described in *Section F. Energy*, future development on the project site would meet City green building policies to minimize consumption of natural gas and electricity use (among other energy sources).

The provision/relocation of telecommunication facilities for future development would require future development to coordinate with the telecommunication provider.

For the reasons presented above, the project is not expected to require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation that could cause significant environmental effects with implementation of General Plan policies and regulations.

b) **Less Than Significant Impact**. See a) above. Sufficient water supplies would be available to serve future development during normal, dry, and multiple dry years, with implementation of General Plan policies and regulations. The General Plan Amendment alone would not increase water demand.

c) **Less Than Significant Impact**. The proposed General Plan Amendment would not result in an increase in wastewater. Future redevelopment of the site would not result in a substantial net increase in wastewater that would exceed or impact wastewater treatment requirements of the applicable Regional Water Quality Control Board with implementation of General Plan policies and regulations. The project would not impact wastewater treatment services, since adequate capacity is available to serve the incremental increase in demand from future development.

f) **Less Than Significant Impact**. No physical project is proposed at this time. The maximum development allowed on the site under the proposed *Mixed Use Neighborhood* General Plan designation would be six multi-family units or 6,000 square feet of commercial space. Based on these numbers, future redevelopment of the site would generate approximately 88 pounds per day of solid waste[23]. The estimated increases in solid waste generation from future development would be minimized to less than significant through implementation of the City's Zero Waste Strategic Plan.

g) **Less Than Significant Impact**. Any future development of the site would be required to comply with all federal, state, and local statutes and regulations related to solid waste.

Conclusion

Implementation of General Plan policies and regulations would ensure that future development of the project site would result in less than significant impacts on utilities and service systems. **(Less Than Significant Impact)**

[23] CalRecycle. "Estimated Solid Waste Generation Rates." Accessed: February 11, 2019. Available at: https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates.
Multi-family residential waste generation was estimated at a rate of 8.6 pounds per unit per day, and office commercial waste generation was estimated at a rate of 6 pounds per 1,000 square feet per day.

4.19 WILDFIRE

Environmental Setting

Existing Conditions

The project site lies within the Santa Clara County Local Responsibility Area and is surrounded by residential and commercial development. The site is not within a Very-High Fire Hazard Severity Zone (VHFHSZ) for wildland fires as recommended by the California Department of Forestry and Fire Protection (CAL FIRE) and adopted by the County.[24]

Regulatory Framework

State

Public Resources Code 4201 – 4204

Sections 4201 through 4204 of the California Public Resources Code directs CAL FIRE to map Fire Hazard Severity Zones (FHSZ) within State Responsibility Areas (SRA) based on relevant factors such as fuels, terrain, and weather. Mitigation strategies and building code requirements to reduce wildland fire risks to buildings within SRAs are based on these zone designations.

Government Code 51175 – 51189

Sections 51175 through 51189 of the California Government Code directs CAL FIRE to recommend FHSZs within Local Responsibility Areas (LRA). Local agencies are required to designate VHFHSZs in their jurisdiction within 120 days of receiving recommendations from CAL FIRE, and may include additional areas not identified by CAL FIRE as VHFHSZs.

California Fire Code

Chapter 49 of the 2016 California Fire Code establishes the requirements for development within wildland-urban interface areas, including regulations for wildfire protection building construction, hazardous vegetation and fuel management, and defensible space maintained around buildings and structures.

Local

Envision San José 2040 General Plan

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating wildfire impacts from development projects. The following policies would be applicable to future redevelopment of the site under the proposed land use designation.

[24] California Department of Forestry and Fire Protection. Santa Clara County FHSZ Map. November 6, 2007 Available at: http://calfire.ca.gov/fire_prevention/fhsz_maps_santaclara.php. Accessed February 11, 2019.

Envision San José 2040 Relevant Wildfire Policies	
Policy EC-8.1	Minimize development in very high fire hazard zone areas. Plan and construct permitted development so as to reduce exposure to fire hazards and to facilitate fire suppression efforts in the event of a wildfire.
Policy EC-8.2	Avoid actions which increase fire risk, such as increasing public access roads in very high fire hazard areas, because of the great environmental damage and economic loss associated with a large wildfire.
Policy EC-8.3	For development proposed on parcels located within a very high fire hazard severity zone or wildland-urban interface area, implement requirements for building materials and assemblies to provide a reasonable level of exterior wildfire exposure protection in accordance with City-adopted requirements in the California Building Code.
Policy EC-8.4	Require use of defensible space vegetation management best practices to protect structures at and near the urban/wildland interface.
Action EC-8.5	Periodically assist with revisions and updates of appropriate sections of the County-wide Area Plan that address emergency response to fires at the urban/ wildland interface.
Action EC-8.6	Provide information to the public on fire hazard reduction in cooperation with local, regional, and state agencies, including the County of Santa Clara FireSafe Council.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
19. WILDFIRE - If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X	1, 2
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X	1, 2, 9
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X	1, 2, 9
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X	1, 2, 9

Explanation

a) **Less Than Significant Impact**. The project does not propose any physical development and therefore, would not impair an adopted emergency response plan or evacuation plan. Additionally, future development on the site is not expected to interfere with any emergency

response or evacuation plans since it would be required to comply with all Fire Department codes and regulations.

b) **Less Than Significant Impact**. The project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors due to the project's urbanized location away from natural areas susceptible to wildfire. The project site is not located within an area of moderate, high, or very high Fire Hazard Severity for the Local Responsibility Area nor does it contain any areas of moderate, high, or very high Fire Hazard Severity for the State Responsibility Area.

c) **Less Than Significant Impact**. Due to the project's urbanized location and lack of interface with any natural areas susceptible to wildfire, future development on the site would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, powerlines, and utilities).

d) **Less Than Significant Impact**. The project is in an urbanized area and is not within the Very-High hazard severity zone. Future development on the would not expose people or structures to significant wildfire risks given its urban location away from natural areas susceptible to wildfire.

Conclusion

Implementation of General Plan policies and regulations would ensure that future development of the project site would result in less than significant impacts related to wildfire. **(No Impact)**

4.20 MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
20. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:					
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		1-10
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.			X		1-10
c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?			X		1-10

Explanation

a) **Less Than Significant Impact**. Based on the analysis provided in this Initial Study, the proposed General Plan Amendment would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Future redevelopment of the site under the proposed *Mixed Use Neighborhood* land use designation would require separate project analysis and environmental review which would apply, if necessary, mitigation measures and standard permit conditions for potential impacts identified on these resources to reduce the impacts to a less than significant level.

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

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of San José were designed such that a project impact would also be a cumulatively considerable impact. The proposed General Plan Amendment would not result in a significant emissions of criteria air pollutants or GHG emissions and, therefore, would not make a

substantial contribution to cumulative air quality or GHG emissions impacts statewide and globally.

With the implementation of measures in accordance with the City's General Plan and Municipal Code and other applicable plans, policies, regulations, and ordinances, future residential development allowed under the proposed land use designation would not result in significant geology and soils, hydrology and water quality, or public services impacts and would not contribute to cumulative impacts to these resources. Also, the project would not impact agricultural and forest resources or mineral resources; therefore, the project would not contribute to a significant cumulative impact on these resources.

The project site is located in an urban area and, given its limited size, redevelopment under the proposed land use designation would not contribute to a cumulative impact on aesthetics, population and housing, or recreation with the implementation of General Plan policies, Municipal Code requirements, and Residential Design Guidelines.

Cumulative Long-Range Transportation Impact Analysis

In addition to an analysis of long-range transportation impacts of individual GPAs, the City also evaluates the cumulative long-range transportation impacts of all proposed GPAs in each annual GPA cycle. The purpose of this analysis is to evaluate the combined effect of all proposed GPAs on the three Measures of Effectiveness (MOE) thresholds used to evaluate long-range transportation impacts citywide at build out of the 2040 General Plan. The results of the cumulative long-range transportation analysis are discussed below.

2019 GPAs Cumulative Effect on Daily Vehicle Miles Traveled per Service Population

Compared to the current General Plan, the proposed GPAs would not result in an increase in VMT per service population. Therefore, cumulatively, the 2019 GPAs would result in a less than significant impact on citywide daily VMT per service population. It is important to note that the VMT per service population is based on raw model output and does not reflect the implementation of adopted General Plan policies and goals that would further reduce VMT by increased use of non-automobile modes of travel.

2019 GPAs Cumulative Effect on Journey to Work Mode Share

The proposed GPAs would not result in an increase of drive alone journey-to-work mode share when compared to the current General Plan. Therefore, cumulatively, the 2019 GPAs would result in a less than significant impact on citywide journey-to-work mode share.

2019 GPAs Cumulative Effect on Average Vehicle Speeds in Transit Priority Corridors

The proposed GPAs would not result in a decrease in travel speeds of greater than one mile per hour or 25 percent on any of the 14 transit priority corridors when compared to current General Plan conditions. Therefore, cumulatively, the 2019 GPAs would result in a less than significant impact on the AM peak hour average vehicle speeds on the transit priority corridors.

2019 GPAs Effect on Adjacent Jurisdictions

The current General Plan land use designations and proposed GPA land use adjustments would result in the same impacts to roadway segments within the same 14 adjacent jurisdictions identified in the 2040 General Plan. Therefore, the proposed GPA land use adjustments would not result in further impact on roadways in adjacent jurisdictions than that identified for the current General Plan land uses in the General Plan FEIR.

2019 GPAs Long-Range Transportation Impacts Conclusion

Compared to the Envision San José 2040 General Plan, the 2019 GPAs Long-Range Transportation Analysis found that the proposed GPAs would not 1) result in an increase citywide daily VMT per service population; 2) reduce the percentage of journey to work drive alone trips; or 3) increase average vehicle speeds on the transit priority corridors. Future development on each of the GPA project sites would be required to evaluate near-term transportation for project-level CEQA clearance for each planning permit. This represents a less than significant impact.

c) **Less Than Significant Impact**. Based on the analysis provided in this Initial Study, the proposed General Plan Amendment would not result in environmental effects that would cause substantial effects on human beings, either directly or indirectly. The project would only result in a change in land use designation in the General Plan and any future development allowed by the proposed General Plan Amendment would require additional project analysis and environmental review. With the implementation of General Plan and City Council policies; federal, state, and local laws and requirements; and standard permit conditions; future development would not result in environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

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Chapter 5. References

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10. General Plan Long-Range Transportation Analysis

Appendix A

General Plan Long-Range Traffic Analysis

HEXAGON TRANSPORTATION CONSULTANTS, INC.

City of San José 2019 General Plan Amendments

Long Range Traffic Impact Analysis

Prepared for:

City of San José

August 29, 2019

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1. Introduction

This report presents the results of the long-range traffic impact analysis completed for the proposed City of San José 2019 General Plan Amendments (project). The project consists of amending the current adopted land use designations of the Envision San José 2040 General Plan (GP) for ten sites within the City of San José. The purpose of the General Plan Amendments (GPAs) traffic analysis is to assess the long-range impacts of the amendments on the citywide transportation system. The potential traffic impacts of the project were evaluated in accordance with the guidelines set forth by the City of San José for GPA traffic analysis.

The GPA analysis provides an evaluation of the changed circumstances of future conditions in the currently adopted Envision San José 2040 General Plan due to the proposed 2019 General Plan amendments. The adopted GP identifies long-range planned land uses and transportation system within the City projected to the Year 2040, which is the baseline for the evaluation of transportation impacts of the GPAs. The results of the analysis for the proposed land use adjustments are compared to the results of the adopted GP to determine if the proposed 2019 General Plan amendments would result in any new, or substantially more severe transportation impacts than those impacts that were already analyzed for the adopted GP.

After General Plan amendments to the Land Use/Transportation Diagram become effective, which is generally 30 days after Council approval, these General Plan amendments are incorporated into the updated General Plan Land Use/Transportation Diagram. This process may occur up to four times a year under State law. Therefore, the current General Plan includes all amendments that are currently effective.

The Envision San José 2040 General Plan Land Use / Transportation Diagram designates the type, intensity, and general distribution of planned land uses within San José. Because the 2019 General Plan amendments propose changes to sites' land use designations, this traffic impact analysis (TIA) evaluates the incremental changes from uses and intensities allowed under the sites' current land use designations to the uses and intensities allowed under the proposed General Plan land use designations for each site. The reason the baseline of the current land use designation is used (as opposed to the existing physical condition) is because the General Plan DEIR and subsequent reviews have already evaluated the potential transportation CEQA impacts of building out the General Plan using existing physical condition baseline in 2015. The existing physical condition baseline was reviewed, analyzed, and updated again as part of this TIA, and it was determined based on substantial evidence that the proposed 2019 General Plan amendments would not result in any new, or substantially more severe transportation impacts than those impacts that were already analyzed for the General Plan.

Further, the Build-out of the General Plan and related environmental analysis under CEQA assumes development overall in the City will occur at the middle range of the General Plan land use designations

or consistent with surrounding development intensities. The reason why the middle or typical range is used as opposed to the maximum intensities potentially allowed under various General Plan land use designations is because building out under the maximum intensities for all General Plan land designation would exceed the total planned growth capacity allocated in the General Plan, and this maximum amount of build-out does not represent typical development patterns or the average amount of development built on each site. General Plan land use designations allow a wide range of development intensities and types of land uses to accommodate growth; however, development projects are not typically proposed at the maximum densities due to existing development patterns, site and parking constraints, Federal Aviation Administration regulations, maximum allowable height provisions and other development regulations in the San José Municipal Code in Title 20 (Zoning), market conditions, and other factors.

For example, several General Plan land use designations include a maximum intensity for each use allowed under a land use designation, and also allow a mix of land uses. On a site where development is mixed-use, or there is a height limit, or there is a minimum required setback, achieving the maximum allowable intensities for each land use in the development is often physically infeasible. To evaluate the incremental changes of the proposed General Plan land use amendments, average residential and commercial densities for development under these land use designations and in the planning areas of the proposed General Plan amendments for San José are assumed for the current and proposed land use designations on each site. Individual development projects would be required to complete a near term traffic analysis in conjunction with any future development permit applications.

Proposed 2019 GPA Site Descriptions

The project consists of amending the current adopted land use designations of the Envision San José 2040 General Plan (GP) for ten sites within the City of San José (see Figure 1). The GPA sites, described in detailed in the following chapter, include the following:

Site 1 – GP18-010 (Diamond Heights)
Site 2 – GP18-013 (Stockton Avenue)
Site 3 – GP18-014/PDC18-037 (Winchester)
Site 4 – GP18-015/PDC18-038 (Campbell Avenue)
Site 5 – GP19-001 (Williams Road)
Site 6 – GP19-004 (Capitol Avenue/Alum Rock Avenue)
Site 7 – GPT19-005 (Mountain Springs Mobilehome Park)
Site 8 – GPT19-006 (Westwind Mobilehome Park)
Site 9 – GPT19-007 (Evans Lane)
Site 10 – GP (Berryessa BART Urban Village)

Each of the proposed land use amendments and resulting changes in households, employment for each of the proposed GPA sites are described in detail within the following chapters.

GPA Analysis Exemption

The City of San José Travel Demand Forecasting (TDF) model, which is described in detail in Chapter 3, was developed to help the City project peak-hour traffic impacts attributable to proposed amendments to the City's General Plan. The model is used to estimate the net change in peak-hour trips that are attributable to a proposed amendment. The City has established minimum peak-hour trip thresholds for GP land use amendments that require a site-specific GPA analysis. It is presumed that amendments that result in trips less than the trip thresholds would not create significant long-term impacts by themselves. The City's trip thresholds for requiring a site-specific GPA traffic analysis are presented in the City of San José *Transportation Analysis Handbook*, April 2018 and are shown in

Figure 1
Proposed GPA Site Locations

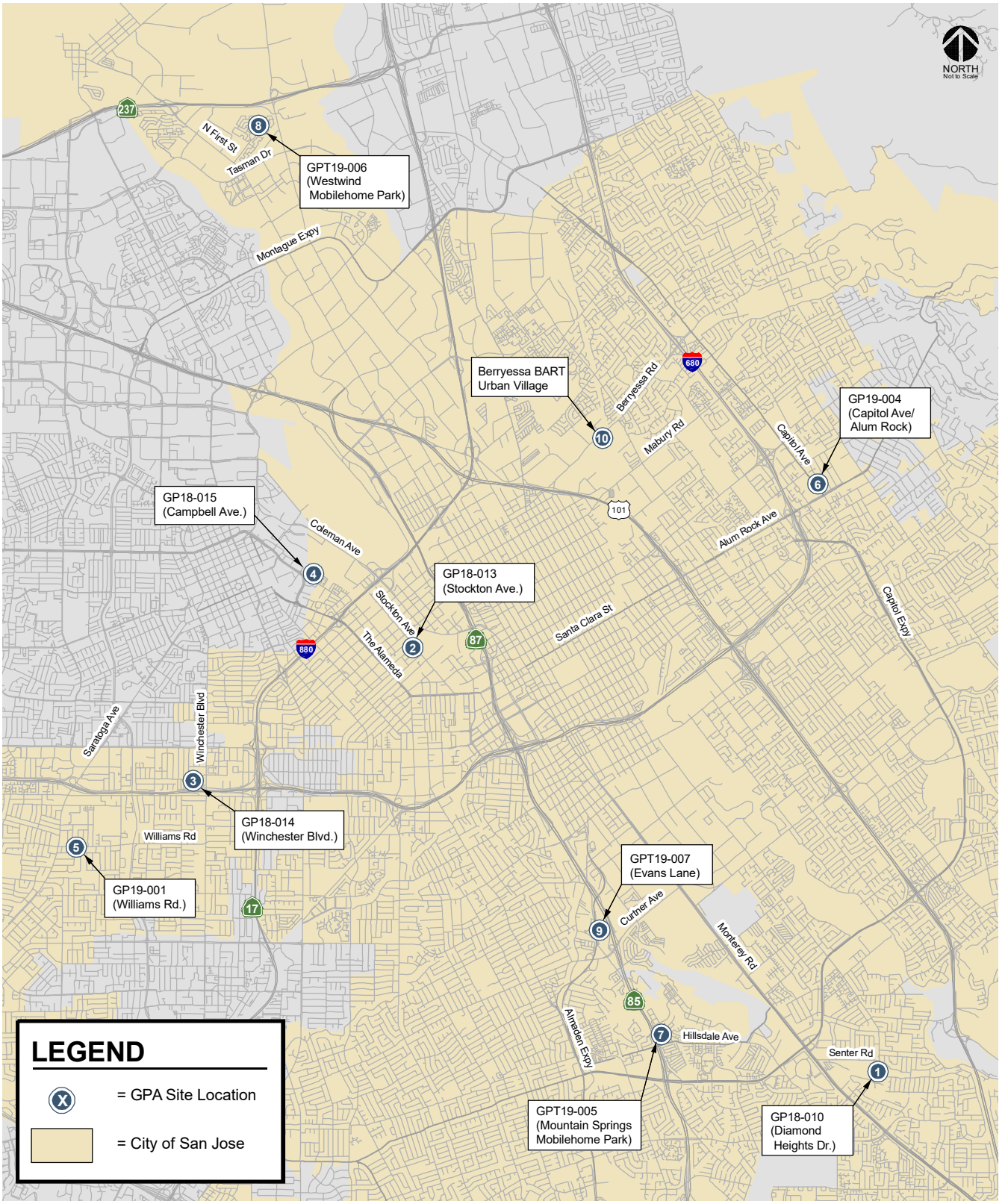


Table 1 below. With the exception of GPA sites located within the identified North San José, Evergreen, and South San José subareas, a proposed land use amendment that would result in an increase of more than 250 peak-hour trips to be generated by the subject site would be required to prepare a site-specific GPA traffic analysis.

Table 1
Site-Specific Long-Range Transportation Analysis Screening Criteria for Land Use Amendments

Location of Amendment	Maximum Allowable PM Peak Hour Vehicle-Trips			
	Expansion of Residential Use[1]	Conversion from Residential to Non-Residential Use[2]	Conversion from Non-Residential to Residential Use[2]	Expansion of Non-Residential Use[1]
North San Jose	1,000	0	500	50
Evergreen	15	600	0	300
South San Jose	50	600	0	300
Remainder of City	250	250	250	250

Notes:
[1] The screening criteria for a proposed expansion of the same land use are measured in net new PM peak hour vehicle trips.
[2] The screening criteria for a proposed land use conversion are measured in total PM peak hour vehicle-trips generated by the proposed use.
Source: City of San Jose *Transportation Analysis Handbook*, April 2018.

Nine of the ten subject GPA sites are located outside the specific subareas, and therefore are subject to the 250 PM peak-hour trip threshold. The proposed land use amendments on one of the nine amendment sites located outside of the specific subareas would result in a net increase of more than 250 peak-hour trips (See Table 3 in the next chapter) and require a site-specific GPA traffic analysis.

The remaining GPA site, GPA Site 8 (Westwind Mobilehome Park), is located within the North San José subarea and is subject to the applicable trip thresholds described in Table 1. However, it is projected that the proposed land use amendment at GPA Site 8 would result in a reduction of peak-hour trips, compared to the adopted GP land use for the site. Therefore, a site-specific GPA traffic analysis for Site 8 is not required.

The following GPA site requires a site-specific GPA traffic analysis:

- GP18-014/PDC18-037 (Winchester)

Scope of Study

The purpose of the GPAs traffic analysis is to assess the long-range impacts of the amendments on the citywide transportation system. This study includes an evaluation of the cumulative impacts of all ten GPA sites with the proposed land use amendments. The study also provides the required site-specific GPA traffic analysis for the above identified GPA site. Individual development projects also will be

required to complete a near-term traffic analysis in conjunction with any future development permit applications consistent with the Envision San José 2040 GP. The potential traffic impacts of the project were evaluated in accordance with the guidelines set forth by the City of San José for GPA traffic analysis.

The project consists of land use changes to the current GP land uses. The project does not propose any changes to the citywide transportation system. The GPA long-range analysis focuses on the potential changes on the citywide transportation system in the horizon year of the GP (2040) when the GP capacities for housing and jobs are fully developed. The analysis includes evaluation of increased vehicle miles traveled, increased traffic volume on specified roadway segments, impacts to travel speeds on transit priority corridors, impacts to pedestrian, bicycle, and transit facilities, and impacts to roadways in adjacent jurisdictions. Impacts are evaluated based on the same Measures of Effectiveness (MOEs) and significance criteria utilized in the Envision San José 2040 GP TIA. Traffic conditions were evaluated for the following traffic scenarios using the City's TDF model:

- **Projected Year 2015 Conditions:** The Projected Year 2015 Conditions represent a projection of transportation conditions in 2015 using the City's GP TDF model. The roadway network also reflects the Year 2015 roadway network and transportation system.
- **Current 2040 General Plan Conditions:** Future traffic due to the current GP land uses (i.e., including the adopted GP Four-Year Review Land Use adjustments) is added to regional growth that can be reasonably expected to occur by 2040. Current 2040 GP conditions include the current roadway network as well as all transportation system improvements as identified in the current GP.
- **Proposed 2040 General Plan Amendment Conditions:** Current 2040 GP conditions with the proposed land use amendments at all ten proposed GPA sites. Transportation conditions for the Proposed 2040 GPA conditions were evaluated relative to the currently adopted 2040 GP Conditions to determine any long-range traffic impacts.

Report Organization

The remainder of this report is divided into the following chapters; Chapter 2 presents a detailed description of each of the proposed GPA sites included in the analysis. Chapter 3 describes analysis methodology, including the City's TDF model, and the MOEs and significance thresholds used in the analysis. Chapter 4 presents the results of the cumulative analysis based on the TDF modeling and citywide MOEs for the proposed GPAs. Chapters 5 presents the analysis for the Winchester GPA site, which was determined to require a site-specific analysis. Chapter 6 presents the conclusions of the long-range cumulative and site-specific GPA analyses.

2. General Plan Amendment Site Descriptions

The proposed project consists of amending land uses currently adopted in the Envision San José 2040 General Plan on ten sites. The amendment sites are described in more detail below along with peak-hour trip generation estimates for each of the proposed sites.

Envision San José 2040 General Plan

The City of San José *Envision San José 2040 General Plan* was adopted in 2011 and was based on planned land uses within the City projected to the Year 2035. Subsequent reviews in 2010, 2011, and 2016 resulted in the currently adopted General Plan, which includes a base year of 2015 and horizon year of the planned land uses to the Year 2040. Thus, the adopted General Plan traffic analysis provides a comprehensive evaluation of the effects of planned land use as identified in the current GP on the citywide transportation system and is used as the baseline from which impacts due to land use amendments such as the proposed project are evaluated.

Land use data consisting of households and employment growth for each of the proposed GPA sites as reflected in the adopted GP and the proposed land use amendments was prepared by the Department of Planning, Building, and Code Enforcement and provided to Hexagon for use in this analysis.

Amendment Sites

The project includes ten proposed GPA sites: GP18-010, GP18-013, GP18-014/PDC18-037, GP18-015/PDC18-038, GP19-001, GP19-004, GPT19-005, GPT19-006, GPT19-007, GP (Berryessa BART Urban Village). Each of the proposed GPAs would result in changes to the number of households and jobs on each site when compared to those adopted per the Envision San José 2040 GP for each site. However, the proposed GPAs will not change the total number of jobs and households citywide. The TDF model is used to rebalance the number of jobs and households citywide to maintain the General Plan Goal of 751,650 jobs and 429,350 households.

Table 2 summarizes the land uses and density for each proposed site under the current 2040 GP and the proposed GPAs. Table 3 summarizes the changes in households and jobs for each site and the resulting increases in peak-hour trips. The peak-hour trips for each site were estimated using the City of San José's TDF model. The TDF modeling is described in Chapter 3.

Proposed land use changes for each of the GPA sites are described below.

- **Site 1 - GP18-010 (Diamond Heights):** The 4.6-acre site is located on the east side of Diamond Heights Drive, approximately 200 feet south of its intersection with Senter Road.

Table 2
Existing General Plan and Proposed GPA Land Uses

Site Number	Project Name	Location	APN	Size (acres)	Existing General Plan		Proposed General Plan Amendment	
					Land Use	Density	Land Use	Density
1	GP18-010 (Diamond Heights)	East side of Diamond Heights Drive, approximately 200 feet south of Senter Road	684-43-030; 031; 032	4.60	Rural Residential	up to 2 DU/AC; FAR up to 0.35	Residential Neighborhood	8 DU/AC (match existing neighborhood character); FAR up to 0.7
2	GP18-013 (Stockton Ave)	623 Stockton Avenue	261-07-068	0.20	Residential Neighborhood	8 DU/AC (match existing neighborhood character); FAR up to 0.7	Neighborhood/Community Commercial	FAR up to 3.5
3	GP18-014/PDC18-037 (Winchester)	555 South Winchester Boulevard	303-38-001	15.70	Residential Neighborhood	8 DU/AC (match existing neighborhood character); FAR up to 0.7	Urban Residential	30-95 DU/AC; FAR 1.0 to 4.0
4	GP18-015/PDC18-038 (Campbell Ave)	1250 Campbell Avenue	230-14-004;009	3.00	Light Industrial	FAR up to 1.5	Transit Residential	50-250 DU/AC; FAR 2.0 to 12.0
5	GP19-001 (Williams Road)	4070 Williams Road	299-15-014	0.20	Residential Neighborhood	8 DU/AC; FAR up to 0.7	Urban Residential	30-95 DU/AC; FAR 1.0 to 4.0
6	GP19-004 (Capitol Ave/Alum Rock)	East of Capitol Avenue and north of Alum Rock Avenue	484-19-094	0.44	Neighborhood/Community Commercial (on 0.44 acres)	FAR up to 3.5	Mixed-Use Neighborhood	up to 30 DU/AC; FAR 0.25 to 2.0
7	GPT19-005 (Mountain Springs Mobilehome Park)	625 Hillsdale Ave.	455-10-032	27.71	Urban Residential Residential Neighborhood	30-95 DU/AC; FAR 1.0 to 4.0 8 DU/AC	Mobilehome Park	FAR N/A
8	GPT19-006 (Westwind Mobilehome Park)	500 Nicholson Lane	097-81-004	83.43	Urban Residential Residential Neighborhood	30-95 DU/AC; FAR 1.0 to 4.0 8 DU/AC	Mobilehome Park	FAR N/A
9	GPT19-007 (Evans Lane)	0 Evans Lane	456-09-016; 456-09-017	5.94	Mixed-Use Neighborhood	up to 30 DU/AC; FAR 0.25 to 2.0	Urban Residential Residential Neighborhood	30-95 DU/AC; FAR 1.0 to 4.0 8 DU/AC
10	GP (Berryessa BART Urban Village)	Generally bounded by Shore Drive to the north, Lundy Avenue to the east, Coyote Creek to the west, and Mabury Road to the south.	Parcels Within Berryessa BART Urban Village	270.00	N/A [1]	N/A [1]	N/A [1]	N/A [1]

Notes: FAR = floor-to-area ratio; DU = dwelling units; AC = acre; APN = assessor's parcel number; N/A = not applicable
Source: City of San Jose Planning Department (June 2019).
1. The proposed GP amendment is associated with capacity shifts proposed as part of the Berryessa BART Urban Village plan.

Table 3
Changes in Households, Jobs, and Peak-Hour Trips Due to Proposed GPAs

Site Number	Site Name	General Plan (Baseline) [1]		General Plan Amendment [2]		Net Land Use Change		Net Peak-Hour Trip Change	
		TOTHH	TEMP	TOTHH	TEMP	TOTHH	TEMP	AM	PM
1	GP18-010 [Diamond Heights]	989	251	1007	251	18	0	13	16
2	GP18-013 [Stockton Ave]	437	982	436	992	-1	10	6	9
3	GP18-014/PDC18-037 [Winchester]	220	131	786	131	566	0	**301**	**348**
4	GP18-015/PDC18-038 [Campbell Ave]	723	803	1,018	944	295	141	213	241
5	GP19-001 [Williams Road]	2,311	2,179	2,322	2,189	11	10	16	21
6	GP19-004 [Capitol Ave/Alum Rock]	370	518	376	518	6	0	4	4
7	GPT19-005 [Mountain Springs Mobilehome Park]	876	45	850	45	-26	0	-14	-16
8	GPT19-006 [Westwind Mobilehome Park]	3,099	3,980	2,678	3,762	-421	-218	-466	-530
9	GPT19-007 [Evans Lane]	2,196	261	2,475	261	279	0	143	168
10	GP [ ] Berryessa [Total]	7,661	24,701	9,486	19,104	1,825	-5,597	**-528**	**-1,074**

Notes: TOTHH = total number of households; TEMP = total number of jobs.
[1] Total number of households and jobs under the adopted Envision San Jose 2040 General Plan (GP).
The buildout of the 2040 GP represents baseline conditions.
[2] Total number of households and jobs as proposed by the GP Amendments.
Outlined indicates GPA that results in an increase in peak hour trips greater than 250 trips and requires site-specific GPA traffic analysis.
Sources: City of San Jose Planning Department, June 2019.
City of San Jose Travel Forecasting Model runs completed July 2019 by Hexagon Transportation Consultants, Inc.

Figure 2 shows the location of the site. The adopted GP land use designation for the site is *Rural Residential* and the proposed amendment involves changing the adopted land use to *Residential Neighborhood*. The proposed amendment would result in 18 additional households on the site. Based on the TDF modeling results, the proposed amendment would not result in a substantial net increase of peak-hour trips generated by GP18-010 and a site-specific GPA traffic analysis is not required.

- **Site 2 - GP18-013 (Stockton Avenue):** The 0.20-acre site is located on the west side of San Stockton Avenue, between Schiele Avenue and Villa Avenue. Figure 3 shows the location of the site. The adopted GP land use designation for the site is *Residential Neighborhood*, and the proposed amendment involves changing the adopted land use to *Neighborhood/ Community Commercial*. The proposed amendment would result in one less household and 10 additional jobs on the site. Based on the TDF modeling results, the proposed amendment would not result in a substantial net increase of peak-hour trips generated by GP18-013 and a site-specific GPA traffic analysis is not required.

- **Site 3 - GP18-014/PDC18-037 (Winchester Boulevard):** The 15.7-acre site is generally located west of Winchester Boulevard and north of I-280, with access provided via Olsen Drive and Charles Cali Drive. Figure 4 shows the location of the site. The adopted GP land use designation for the site is *Residential Neighborhood* and the proposed amendment involves changing the adopted land use to *Urban Residential*. The proposed amendment would result in 566 additional households on the site. Based on the TDF modeling results, the increase in households would result in a net increase of greater than 250 peak-hour trips to the GP18-014/PDC18-037 site. *Therefore, the preparation of a site-specific GPA traffic analysis for the proposed land use amendment on the* GP18-014/PDC18-037 *site is required.*

- **Site 4 - GP18-015/PDC18-038 (Campbell Avenue):** The 3.0-acre site is located north of Campbell Avenue, near the intersection of Campbell Avenue and El Camino Real. Figure 5 shows the location of the site. The adopted GP land use designation for the site is *Light Industrial* and the proposed amendment involves changing the adopted land use to *Transit Residential*. The proposed amendment would result in 295 additional households and 141 additional jobs on the site. Based on the TDF modeling results, the proposed amendment would not result in a net increase of peak-hour trips generated by GP18-015/PDC18-038 exceeding the 250-trip threshold and a site-specific GPA traffic analysis is not required.
- **Site 5 - GP19-001 (Williams Road):** The 0.2-acre site is located on the south side of Williams Road, near its intersection with Orchid Way. Figure 6 shows the location of the site. The adopted GP land use designation for the site is *Residential Neighborhood* and the proposed amendment involves changing the adopted land use to *Urban Residential*. The proposed amendment would result in 11 additional household and 10 additional jobs on the site. Based on the TDF modeling results, the proposed amendment would not result in a substantial net increase of peak-hour trips generated by GP19-001 and a site-specific GPA traffic analysis is not required.
- **Site 6 - GP19-004 (Capitol Avenue/Alum Rock Avenue):** The 0.44-acre site is located on the east side of Capitol Avenue, between Alum Rock Avenue and Avenue A. Figure 7 shows the location of the site. The adopted GP land use designation for the site is *Neighborhood/Community Commercial* and the proposed amendment involves changing the adopted land use to *Mixed use Neighborhood*. The proposed amendment would result in six additional households on the site. Based on the TDF modeling results, the proposed amendment would not result in a substantial net increase of peak-hour trips generated by GP19-004 and a site-specific GPA traffic analysis is not required.
- **Site 7 - GPT19-005 (Mountain Springs Mobilehome Park):** The 27.71-acre site is located at the northeast corner of the Narvaez Avenue and Hillsdale Avenue intersection. Figure 8 shows the location of the site. The adopted GP land use designations for the site include *Urban Residential* and *Residential Neighborhood* and the proposed amendment involves changing the adopted land uses to *Mobile Home Park*. The proposed amendment would result in 26 fewer households on the site. Based on the TDF modeling results, the proposed amendment would not result in a net increase of vehicle trips on local streets near the GPT19-005 site and a site-specific GPA traffic analysis is not required.
- **Site 8 - GPT19-006 (Westwind Mobilehome Park):** The 83.43-acre site is generally located east of North First Street and south of SR-237, with access provided via Nicholson Lane, in the North San José subarea. Figure 9 shows the location of the site. The adopted GP land use designations for the site include *Urban Residential* and *Residential Neighborhood* and the proposed amendment involves changing the adopted land uses to *Mobile Home Park*. The proposed amendment would result in 421 fewer households and 218 fewer jobs on the site. Based on the TDF modeling results, the proposed amendment would not result in a net increase of vehicle trips on local streets near the GPT19-006 site and a site-specific GPA traffic analysis is not required.
- **Site 9 - GPT19-007 (Evans Lane):** The 5.94-acre site is generally located in the area bounded by Almaden Expressway, SR-87, and Curtner Avenue, with access provided via Evans Lane. Figure 10 shows the location of the site. The adopted GP land use designation for the site is *Mixed Use Neighborhood* and the proposed amendment involves changing the adopted land use to *Urban Residential* and *Residential Neighborhood*. The proposed amendment would result in 279 additional households on the site. Based on the TDF modeling results, the proposed amendment would not result in a net increase of peak-hour trips generated by

GPT19-007 exceeding the 250-trip threshold and a site-specific GPA traffic analysis is not required.

- **Site 10 - GP (Berryessa BART Urban Village):** The Berryessa BART Urban Village consists of 270 acres generally located in the area surrounded by US 101, I-680, and I-880. The actual boundaries of the Urban Village are generally Shore Drive to the north, Lundy Avenue to the east, Coyote Creek to the west, and Mabury Road to the south. The Berryessa BART Station is located in the center of the Urban Village. Figure 11 shows the location of the Berryessa BART Urban Village area. The proposed GP amendment is associated with capacity shifts proposed as part of the Berryessa BART Urban Village Plan and would result in 1,825 additional households and 5,598 fewer jobs on the site. Based on the TDF modeling results, the proposed change in households and jobs within the Urban Village would result in a net decrease of peak-hour trips generated by the Berryessa BART Urban Village site and a site-specific GPA traffic analysis is not required.

Figure 2
Location of GPA Site 1: GP18-010 (Diamond Heights)

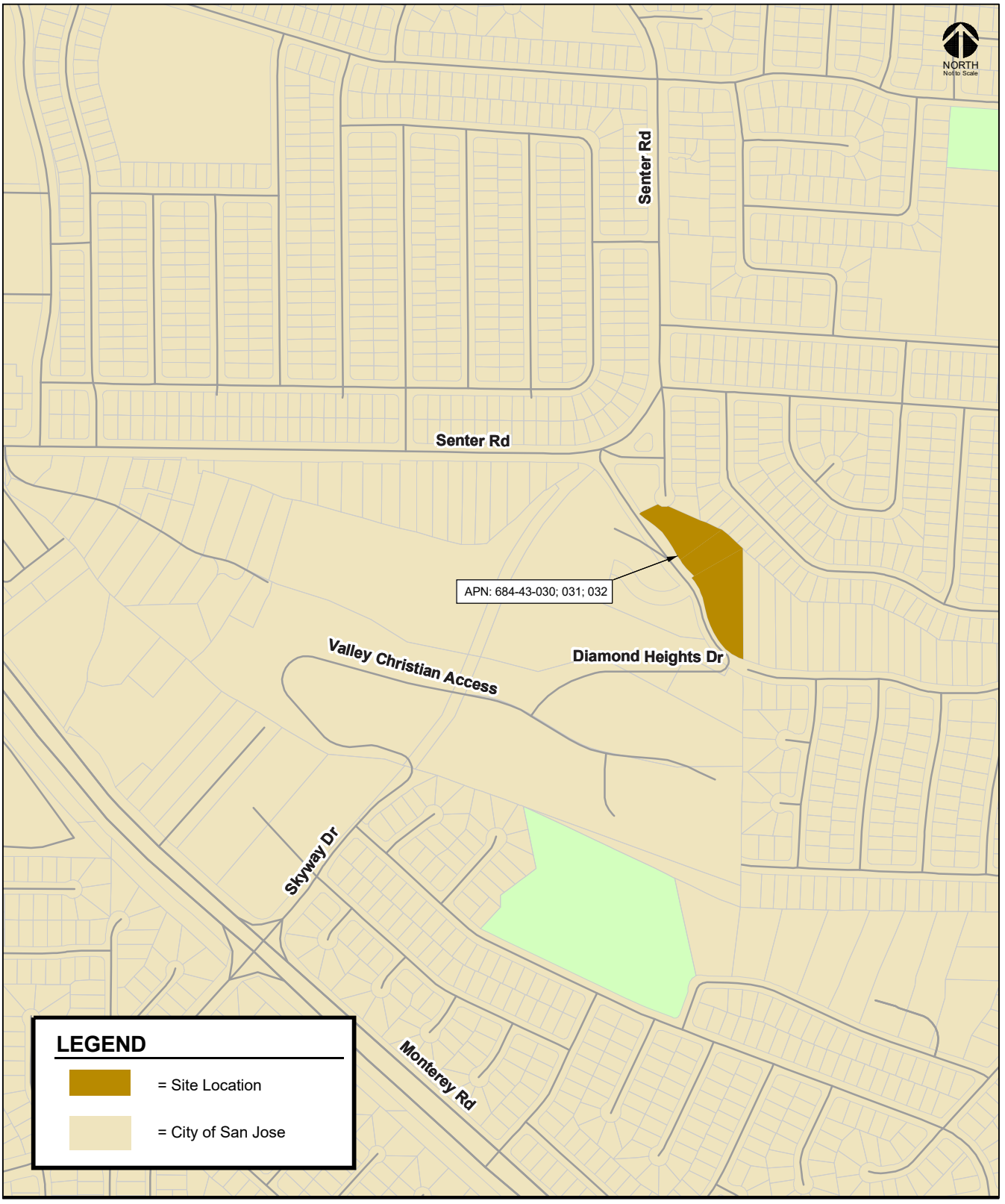


Figure 3
Location of GPA Site 2: GPT18-013 (Stockton Avenue)

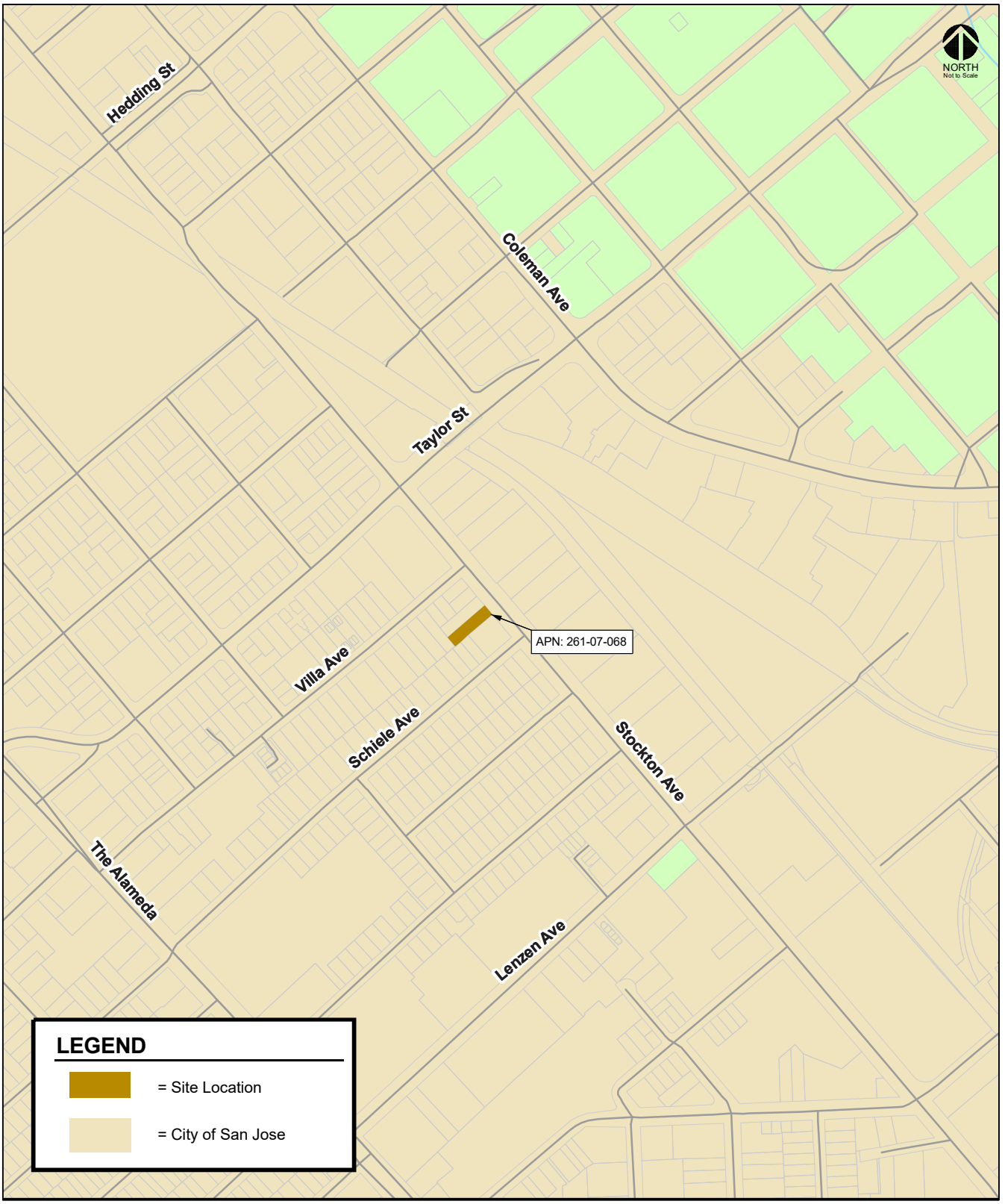


Figure 4
Location of GPA Site 3: GP18-014/PDC18-037 (Winchester)

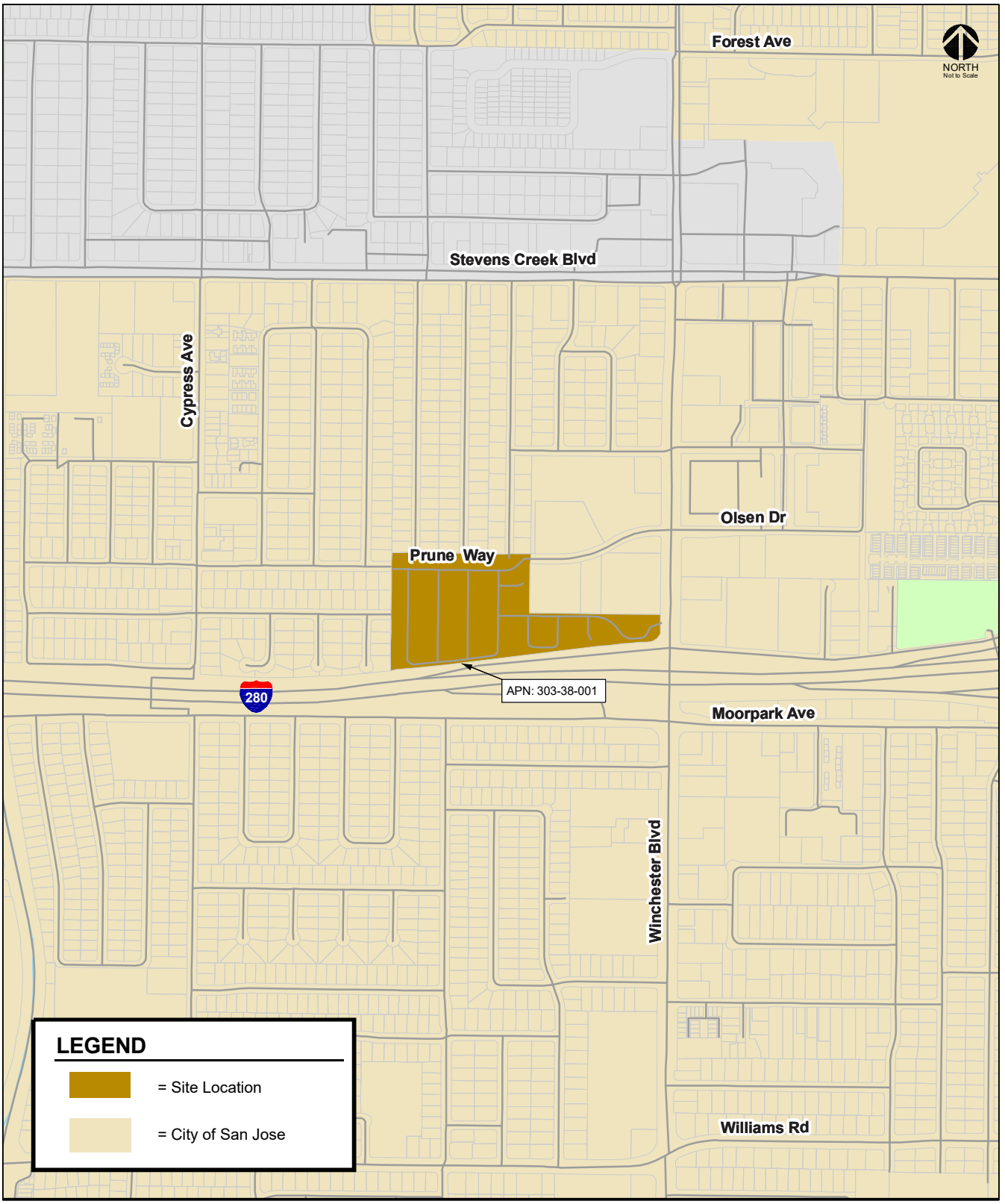


Figure 5
Location of GPA Site 4: GP18-015/PDC18-038 (Campbell Avenue)

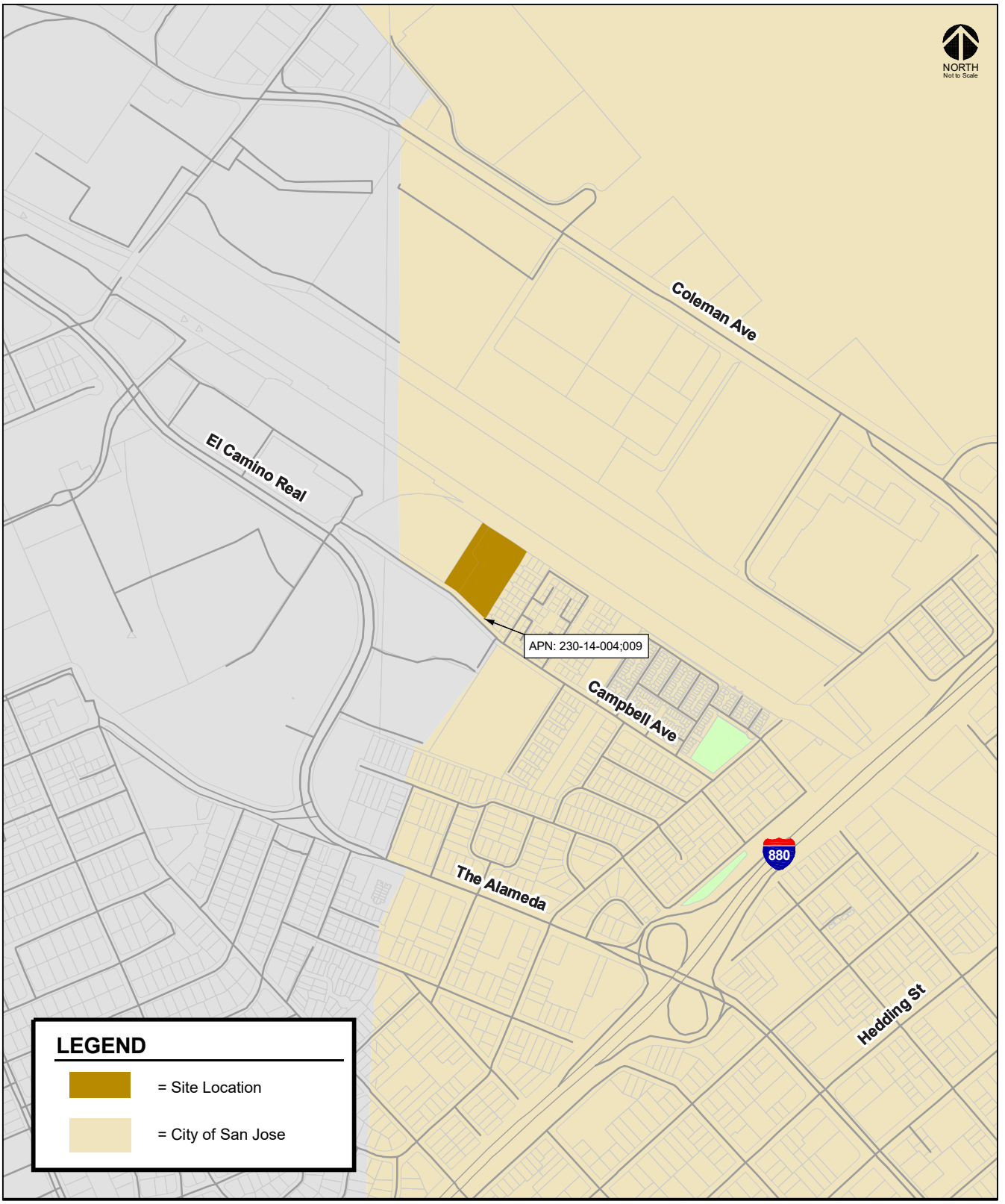


Figure 6
Location of GPA Site 5: GP19-001 (Williams Road)

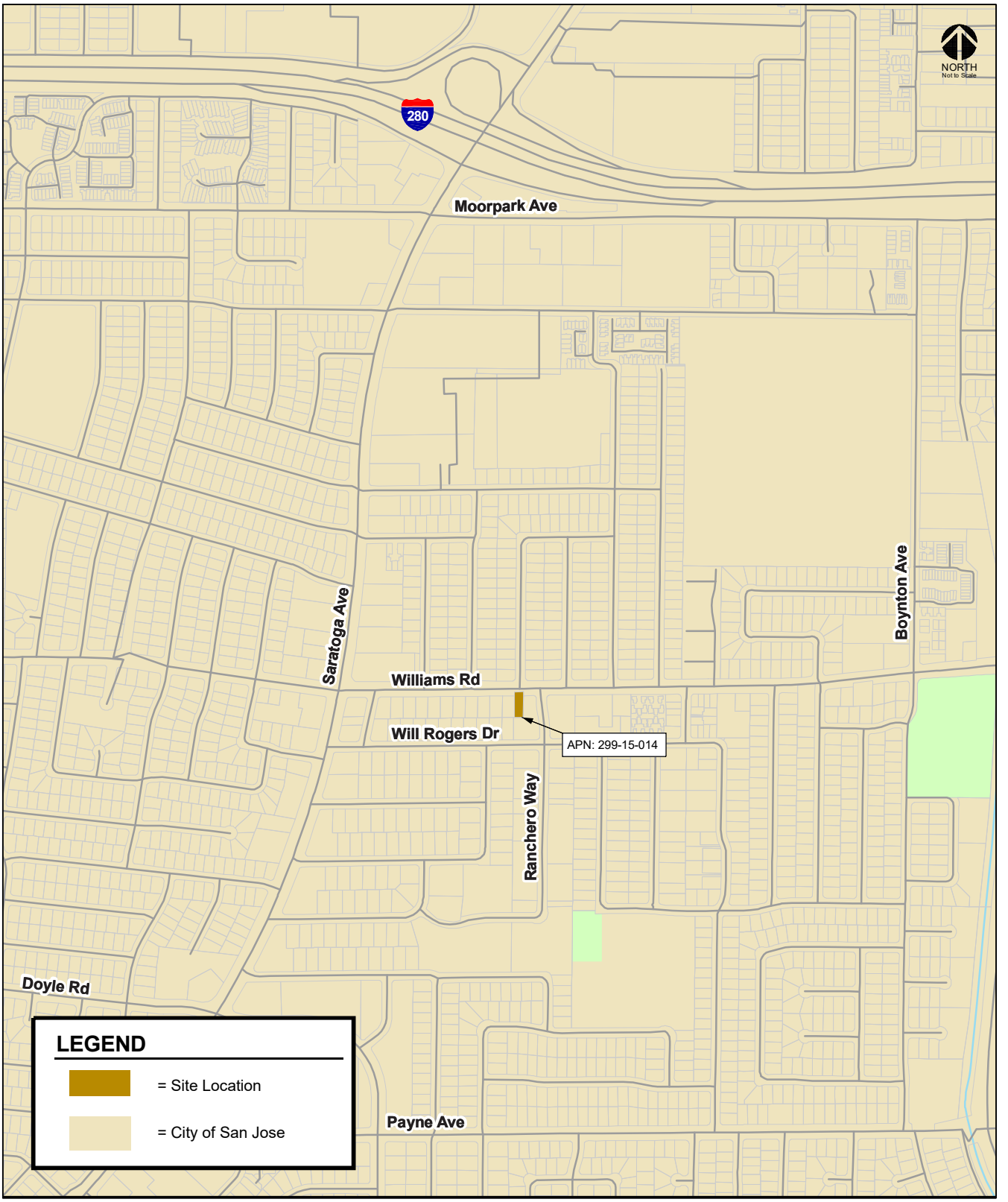


Figure 7
Location of GPA Site 6: GP19-004 (Capitol Avenue/Alum Rock Avenue)

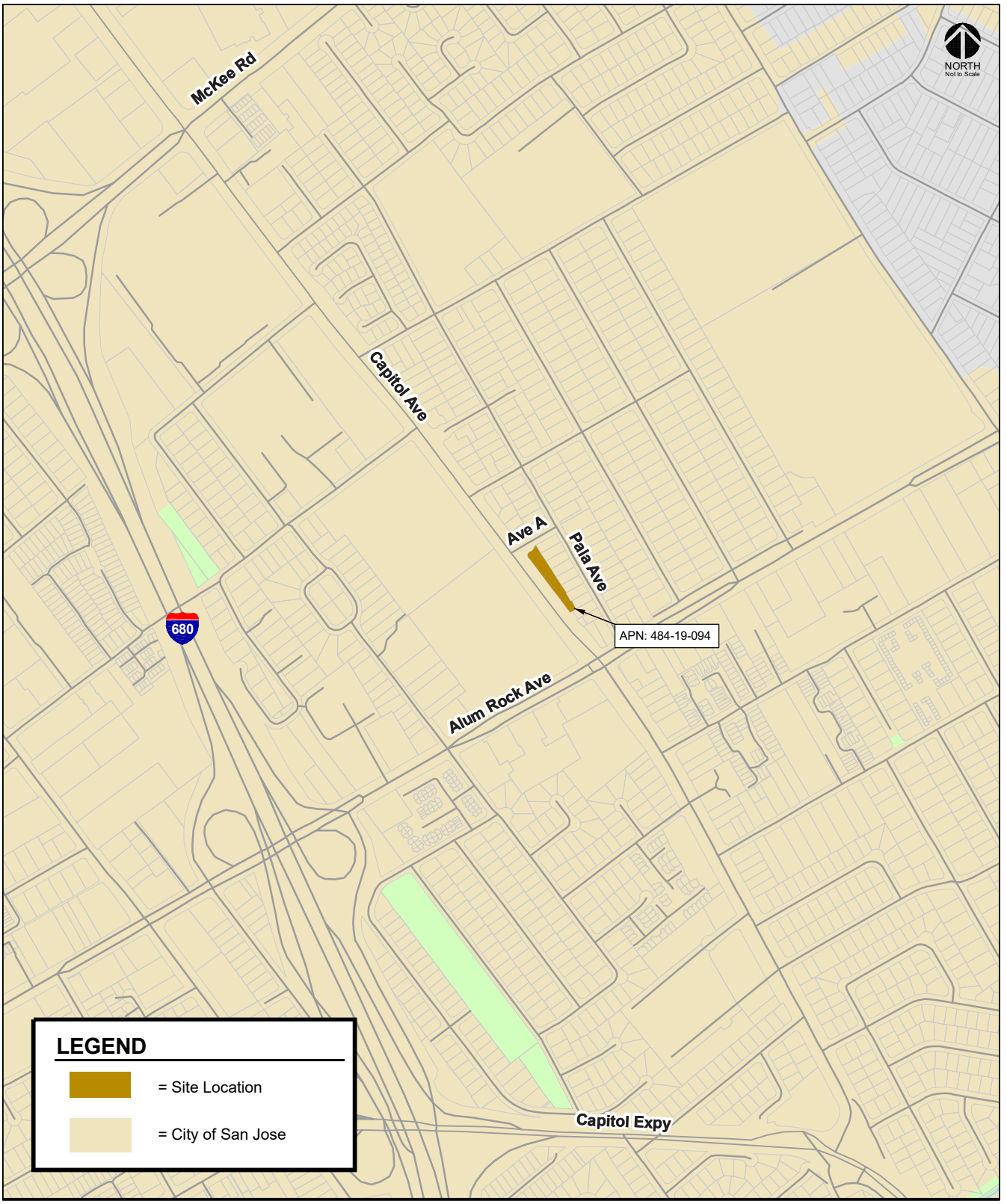


Figure 8
Location of GPA Site 7: GPT19-005 (Mountain Springs Mobilehome Park)

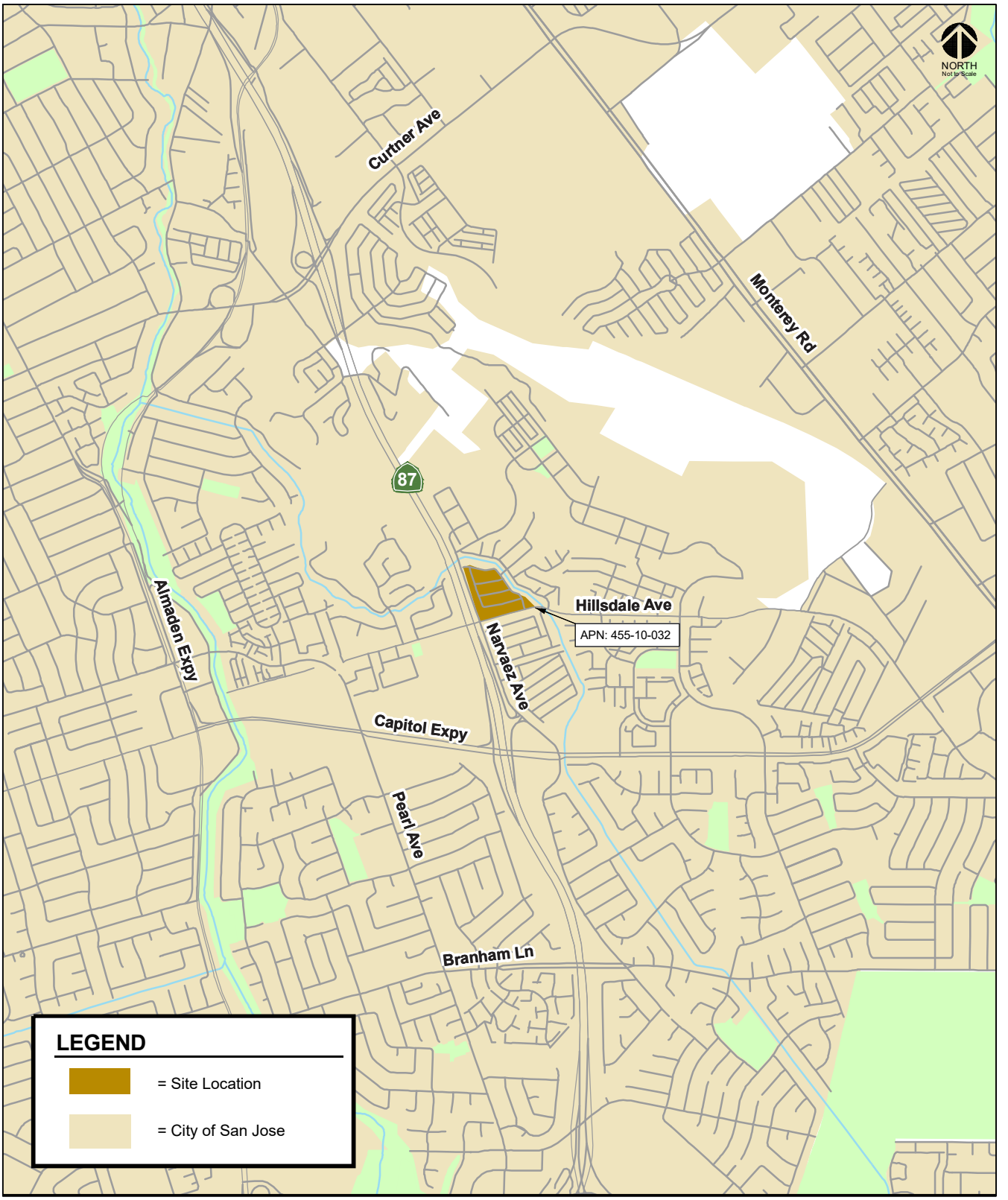


Figure 9
Location of GPA Site 8: GPT19-006 (Westwind Mobilehome Park)

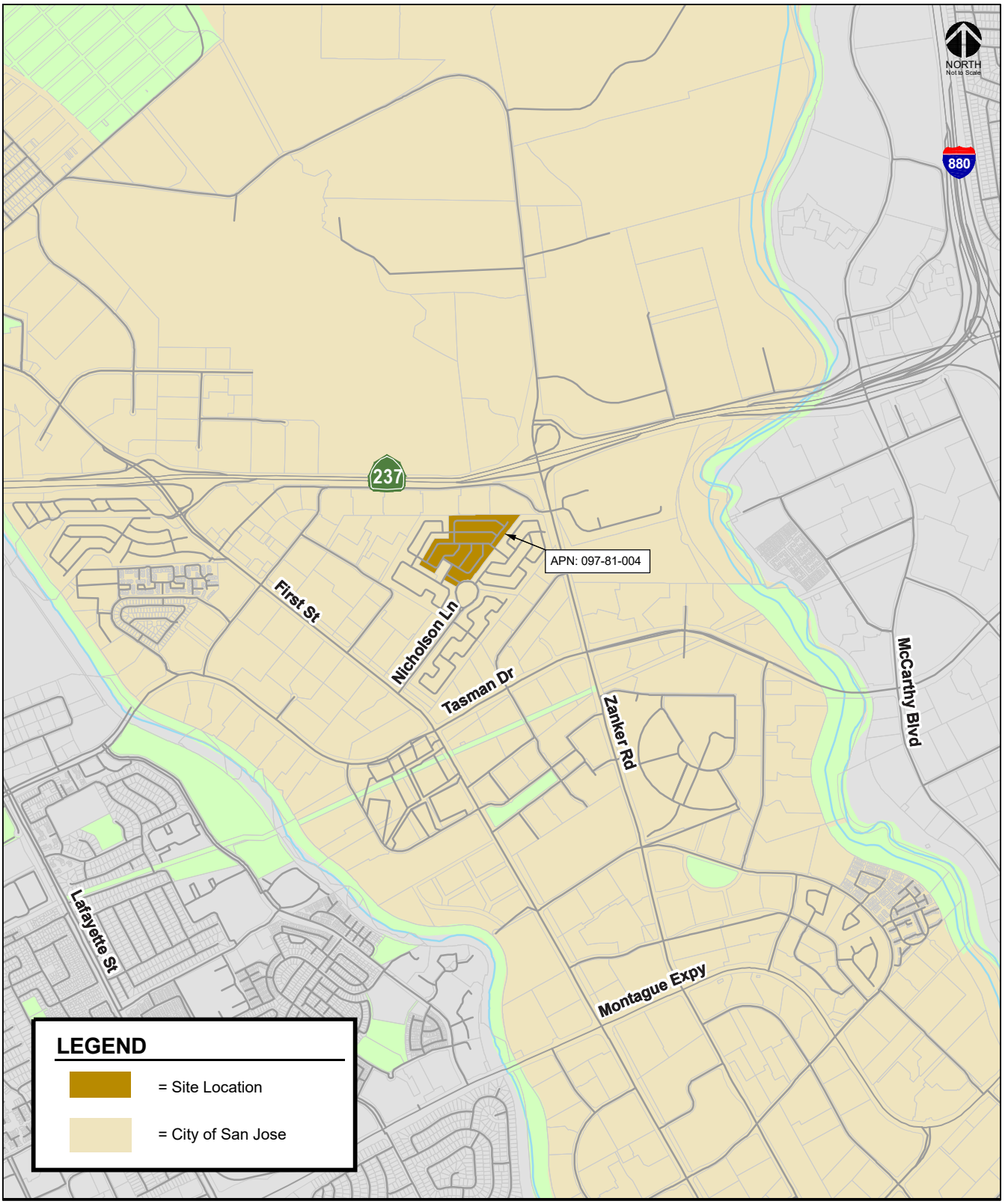


Figure 10
Location of GPA Site 9: GPT19-007 (Evans Lane)

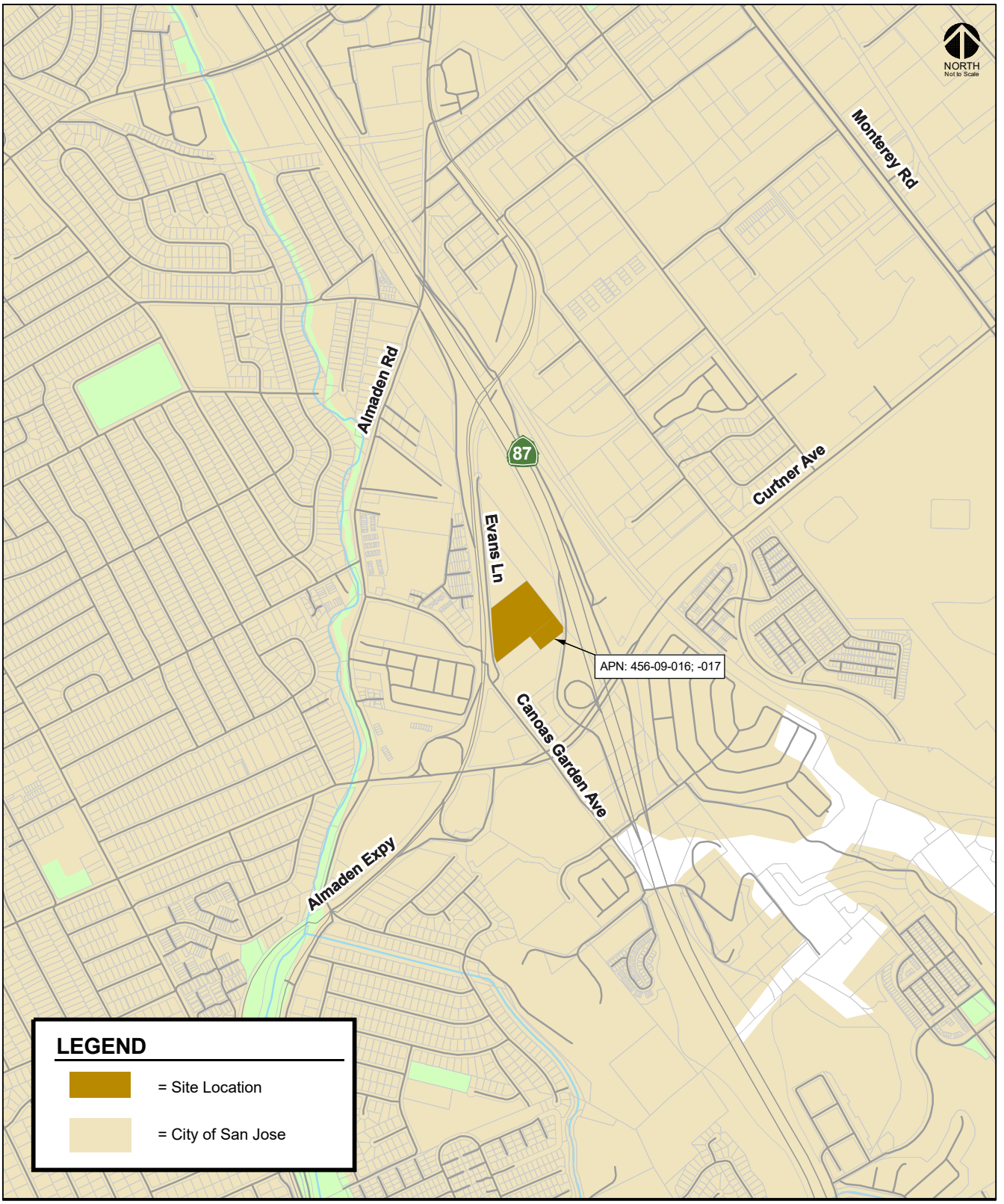
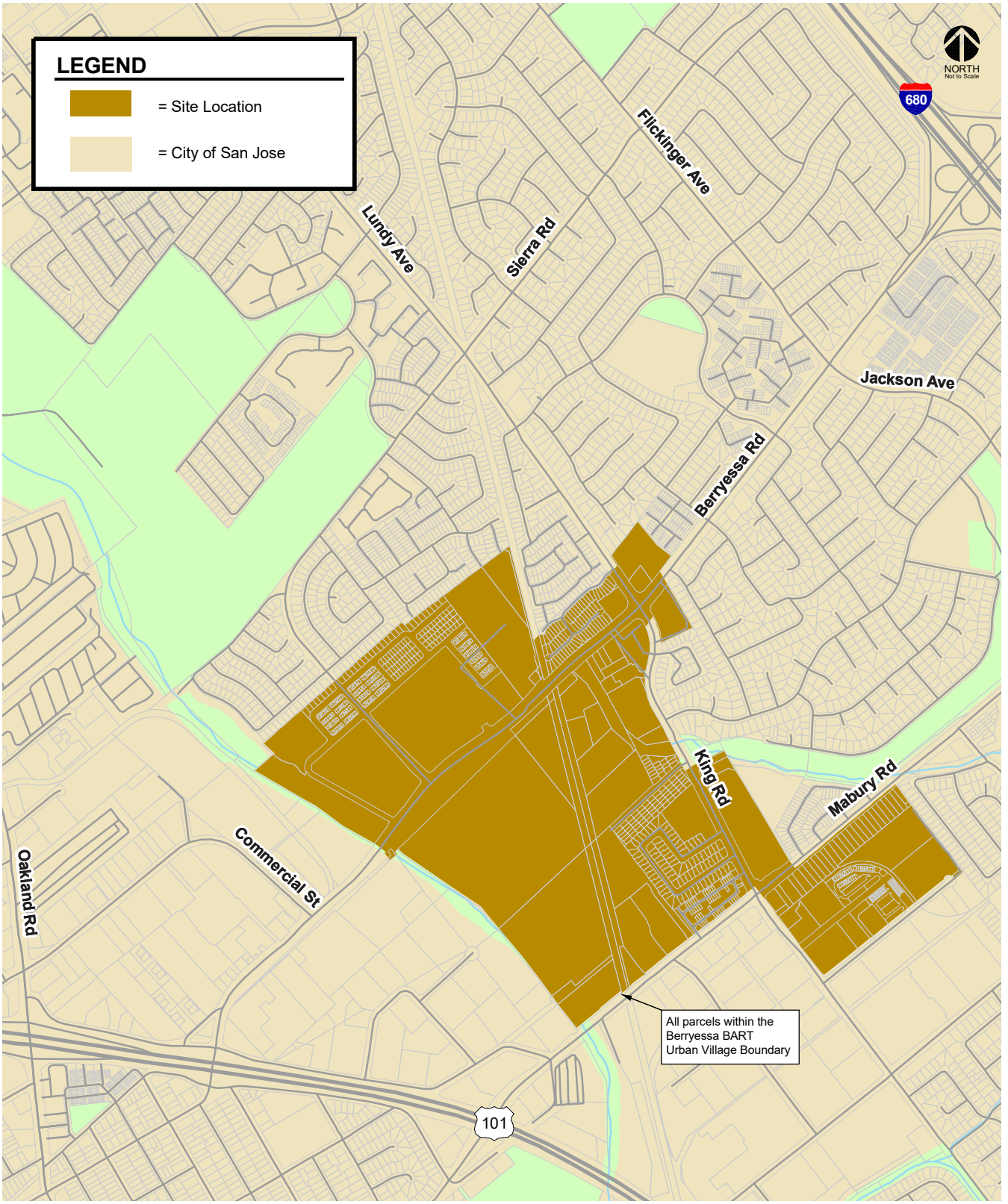


Figure 11
Location of GPA Site 10: GP (Berryessa BART Urban Village)



3. Analysis Methodology and Impact Criteria

This chapter describes the travel demand forecasting modeling methodology used for the analysis and the methods used to determine the traffic conditions for the study scenarios described in the previous chapter. It includes descriptions of the measures of effectiveness (MOE) and the applicable impact criteria for GP traffic analysis.

Travel Demand Forecasting Model

The citywide travel demand forecasting (TDF) model was prepared as part of the Envision San José 2040 GP. The TDF model was developed to provide improved citywide travel demand forecasting as part of continued planning efforts to address transportation infrastructure needs and to assist in the update of the City's GP. The model was developed from the VTA's countywide travel demand model, based on Metropolitan Transportation Commission (MTC's) BAYCAST trip-based regional model. The VTA model contains all cities and counties within the model's extents roughly bounded by southern Monterey County, eastern San Joaquin County, northern Sonoma County, and the Pacific Ocean. The San José model is a sub-area model of the VTA model – it maintains the general inputs (roadway network, land use, trip generation rates, etc.), structure, and process as the VTA model, but with refinement within the City of San José. This allows regional travel patterns and behavior to be accounted for in the focused area of San José, which will become more important with the recent legislative requirements associated with greenhouse gas quantification and impacts.

The VTA and San José models both include four elements traditionally associated with models of this kind. These elements include trip generation, trip distribution, mode choice, and traffic assignment.

- **Trip Generation.** Trip generation involves estimating the number of trips that would occur with the proposed GP land uses. The City's TDF model includes trip generation formulas based on the MTC regional travel demand model. Trip generation is estimated based on the type and amount of specific land uses within each travel analysis zone (TAZ). The TDF model produces trip estimates in person trips (as opposed to vehicle trips, which are typically used in near-term traffic analyses).
- **Trip Distribution.** Trip distribution involves distributing the trips to various internal destinations and external gateways. The model pairs trip origins and trip destinations (starting and ending points) for each person trip based on the type of trip (e.g., home-to-work, home-to-school, etc.) and the distance a person is willing to travel for that purpose. The distance a person is willing to travel is determined by a gravity model, which is analogous to Newton's law of gravity. In a gravity model, estimates are made about how many trips occur between two locations where

the interaction between those two locations diminishes with increasing distance, time, and cost between them.

- **Mode Choice.** Mode choice, as assigned by the model, determines which mode of transport a person will choose for each trip, based on the availability of a vehicle, the trip distance, and the trip purpose.
- **Traffic Assignment.** Traffic assignment involves determining which route to take to travel between the trip origin and destination. The model assigns the trips to the roadway network to minimize travel time between the start and end points.

Subsequent trip distribution, assignment, and mode choice iterations are completed by the model to account for roadway congestion. These iterations continue under equilibrium traffic conditions until the optimal trip assignment is reached.

Transportation Network and Traffic Analysis Zones (TAZs)

The fundamental structure of the model includes a computer readable representation of the roadway system (highway network) that defines roadway segments (links) identified by end points (nodes). Each roadway link is further represented by key characteristics (link attributes) that describe the length, travel speeds, and vehicular capacity of the roadway segment. Small geographic areas (TAZs) are used to quantify the planned land use activity throughout the City's planning area. The boundaries of these small geographic areas are typically defined by the modeled roadway system, as well as natural and man-made barriers that have an effect on traffic access to the modeled network. Transit systems are represented in the model by transit networks that are also identifiable by links and nodes. Unlike the roadway network, the key link attributes of a transit link are operating speed and headways – elapsed time between successive transit services. Transit stops and "dwelling times" (the time allowed for passengers embarking and disembarking transit vehicles) are described as transit node attributes. Transit networks are further grouped by type of transit (rail versus bus) and operator (VTA bus versus AC Transit bus). Transit accessibility for each TAZ is evaluated by proximity to transit stops or stations, and the connectivity of transit lines to destinations.

The socioeconomic data for each TAZ in the model includes information about the number of households (stratified by household income and structure type), population, average income, population age distribution, and employment (stratified by groupings of Standard Industrial Codes). The worker per household ratios and auto ownership within a TAZ are calculated based on these factors and the types and densities of residences. The model projects trip generation rates and the traffic attributable to residents and resident workers, categorized by trip purposes, using set trip generation formulas that are based on the MTC regional travel demand model. The land use data and roadway network used for the GP base year reflect land use development and roadway projects completed as of approximately mid-2015.

Traffic Assignment

Travel times within and between TAZs (intra-zonal, inter-zonal and terminal times) are developed from the network being modeled. Travel times within zones (intra-zonal travel times) are derived for each zone based on half its average travel time to the nearest three adjacent zones. Time to walk to and from the trip maker's car (terminal times) are also added. The projected daily trips are distributed using a standard gravity model and friction factors calibrated for the modeling region, which presently consists of 13 counties.

The City of San José TDF model can estimate up to 7 modes of transportation:

- auto drive alone

- auto carpool with two persons
- auto carpool with three+ persons
- rail transit
- bus transit
- bicycle
- walk

Before the traffic is assigned to the roadway networks, time-of-day factors and directionality factors are applied to automobile trips occurring during:

- AM peak hour
- AM 4-hour peak
- PM peak hour
- PM 4-hour peak
- mid-day 6-hour
- mid-night 10-hour periods

The assignment of the trip tables to the roadway network uses a route selection procedure based on minimum travel time paths (as opposed to minimum travel distance paths) between TAZs and is done using a capacity-constrained user equilibrium-seeking process. This capacity constrained traffic assignment process enables the model to reflect diversion of traffic around congested areas of the overall street system. High Occupancy Vehicle (HOV) lanes on freeways, expressways, and on-ramps are specifically dealt with in the model network, with access restricted to auto-shared-ride mode trips only, similar to real world operations of roadway facilities with HOV lanes.

Transit Mode Share

Transit use is modeled for peak and non-peak periods based on computed transit levels of services (speeds and wait times). Based on the conditions that influence transit speeds and wait times (such as traffic congestion), transit use numbers are modified to reflect the likelihood of transit use, based on the constraints to the system. This feedback loop is a modern enhancement in the model to address the dynamics of transit ridership related to the expansion or contraction of roadway capacities.

In addition to providing projected peak hour and peak period volumes and ratios comparing projected traffic volume to available roadway capacity (V/C ratios) on each roadway segment, the model provides information on vehicle-miles and vehicle-hours of travel by facility type (freeway, expressways, arterial streets, etc.). These informational reports can be used to compare projected conditions under the adopted GP with the impacts of proposed land use amendments. The City's TDF model is intended for use as a "macro analysis tool" to project probable future conditions. Therefore, the TDF model is best used when comparing alternative future scenarios, and is not designed to answer "micro analysis level" operational questions typically address in detailed traffic impact analyses (TIAs).

General Plan Transportation Network

The GP TDF model includes all major transportation infrastructure identified in the Envision San José 2040 *Land Use/Transportation Diagram*, including planned infrastructure that is not yet built and/or funded.

Measures of Effectiveness

This analysis addresses the long-range impacts of the proposed GP land use adjustments on the citywide transportation system by applying measures of effectiveness (MOEs) developed for the Envision San José 2040 GP. The results of the analysis for the proposed land use adjustments are compared to the current GP to determine if the proposed adjustments would result in any new or substantially more severe transportation impacts. The long-range analysis includes analysis of the following MOEs:

- **Vehicle Miles Traveled (VMT) per Service Population.** VMT per service population is a measure of the daily vehicle miles traveled divided by the number of residents and employees within the City of San José. VMT per service population (residents + employees) is used for the analysis as opposed to VMT per capita (residents only), since per service population more accurately captures the effects of land use on VMT. The City not only has residents that travel to and from jobs, but also attracts regional employees. VMT is calculated based on the number of vehicles multiplied by the distance traveled by each vehicle in miles.
- **Journey-to-Work Mode Share (Drive Alone %).** Mode share is the distribution of all daily work trips by travel mode, including the following categories: drive alone, carpool with two persons, carpool with three persons or more, transit (rail and bus), bike, and walk trips.
- **Average Travel Speeds within the City's Transit Priority Corridors.** Average travel speed for all vehicles (transit and non-transit vehicles) in the City's 14 transit corridors is calculated for the AM peak hour based on the segment distance dividing the vehicle travel time. A transit corridor is a segment of roadway identified as a Grand Boulevard in the Envision San José 2040 GP Land Use/Transportation Diagram. Grand Boulevards serve as major transportation corridors and, in most cases, are primary routes for Valley Transportation Authority (VTA) light-rail transit (LRT), bus rapid transit (BRT), local buses, and other public transit vehicles. Although transit services are found on other street types throughout the City, transit has the utmost priority on Grand Boulevards.
- **Adjacent Jurisdictions.** Roadway conditions on major streets within adjacent jurisdictions are evaluated for the AM 4-hour peak period based on the volume-to-capacity (V/C) ratios of the street segments and the City of San José's contributions to the total traffic of the street segments. V/C is a performance measure and represents the level of saturation (proportion of roadway capacity that is being used). A lower ratio indicates a roadway's capacity is not fully utilized while a larger ratio, or ratio greater than 1.00, represents a roadway's capacity is fully utilized or over saturated. Freeway facilities operated by Caltrans and expressways operated by the Santa Clara County are also considered as adjacent jurisdictions.

Significance Impact Criteria

The City of San José adopted policies and goals in Envision San José 2040 to reduce the drive alone mode share to no more than 40 percent of all daily commute trips, and to reduce the VMT per service population by 40 percent from existing (year 2008) conditions. To meet these goals by the GP horizon year and to satisfy CEQA requirements, the City developed a set of MOEs and associated significance thresholds to evaluate long-range transportation impacts resulting from land use adjustments. Table 4 summarizes the significance thresholds associated with vehicular modes of transportation that were adopted as part of Envision San José 2040 for the evaluation of long-range traffic impacts resulting from proposed land use adjustments and used in this analysis.

Table 4
MOE Significance Thresholds

MOE	Citywide Threshold
VMT/Service Population	Any increase over 2015 baseline conditions
Mode Share (Drive Alone %)	Any increase in journey-to-work drive alone mode share over 2015 baseline conditions
Transit Corridor Travel Speeds	Decrease in average travel speed on a transit corridor below 2015 baseline conditions in the AM peak one-hour period when: 1. The average speed drops below 15 mph or decreases by 25% or more, or 2. The average speed drops by one mph or more for a transit corridor with average speed below 15 mph under 2015 baseline conditions.
Adjacent Jurisdiction	When 25% or more of total deficient lane miles on streets in a adjacent jurisdiction are attributable to the City of San Jose during the AM peak-4-hour period. 1. Total deficient lane miles are total lane miles of street segments with V/C ratios of 1.0 or greater. 2. A deficient roadway segment is attributed to San Jose when trips from the City are 10% or more on the deficient segment.

Source: Envision San Jose 2040 General Plan TIA, October 2010.

In addition to the MOEs described above, the effects of the proposed land use adjustments on transit, bicycle, and pedestrian facilities were evaluated. A significant long-range transportation impact would occur if the adjustments would:

- Disrupt existing, or interfere with, planned transit services or facilities;
- Disrupt existing, or interfere with, planned bicycle facilities;
- Conflict or create inconsistencies with adopted bicycle plans, guidelines, policies, or standards;
- Not provide secure and safe bicycle parking in adequate proportion to anticipated demand;
- Disrupt existing, or interfere with, planned pedestrian facilities;
- Not provide accessible pedestrian facilities that meet current ADA best practices; or
- Create inconsistencies with adopted pedestrian plans, guidelines, policies, or standards.

4. Cumulative General Plan Long Range Analysis

The long-range cumulative traffic impacts resulting from the proposed 2019 GPAs were determined based on the MOEs significance thresholds for vehicle modes of travel and the impact criteria for transit, bicycle and pedestrian described in Chapter 3. The results of the GPA long-range analysis are described below.

Vehicle Miles Traveled Per Service Population

The San José GP TDF model was used to calculate daily vehicle miles traveled (VMT) per service population, where service population is defined as the number of residents plus the number of employees citywide. This approach focuses on the VMT generated by new population and employment growth. VMT is calculated as the number of vehicle trips multiplied by the length of the trips in miles.

Since the City of San José not only has residents that travel to and from jobs within the City, but also attracts regional employees, the daily VMT includes some trips traveling outside of the City limits but with origins or destinations within San José. For this reason, the following trip types were included in the VMT calculation:

- Internal-Internal – All daily trips are made entirely within the San José City limits.
- One-half of Internal-External – One-half of the daily trips with an origin located within the San José City limits and a destination located outside of San José.
- One-half of External-Internal – One-half of the daily trips with an origin located outside the San José City limits and a destination located within San José.

Trips that travel through San José to and from other locations (External-External) are not included in the calculation of VMT. As defined in the City of San José *Transportation Analysis Handbook* (Thresholds of Significance for General Plan Amendments, Table 11), any increase in VMT per service population over the current GP conditions due to the proposed land use amendments is considered a significant impact.

As shown in Table 5, the citywide daily VMT and the VMT per service population would decrease due to the proposed land use amendments when compared to the current GP. This is because (1) the total number of jobs and households would not change citywide as a result of the GPAs (only shifting of households and jobs would occur) and (2) the addition of households to areas with more jobs and transit options. Vehicle trips citywide would be reduced due to an increase in trips made via transit at the Berryessa BART Urban Village site as well as a reduction in peak-hour trips projected at other sites. Therefore, cumulatively, the proposed 2019 GPAs would result in a *less than significant* impact on

Table 5
Daily Vehicle Miles Traveled Per Service Population

	Base Year (2015)	2040 General Plan (Baseline)	2040 General Plan Plus GPAs
Citywide Daily VMT	17,505,088	28,006,100	27,983,855
Citywide Service Population	1,392,946	2,054,758	2,054,758
- Total Households	319,870	429,350	429,350
- Total Residents	1,016,043	1,303,108	1,303,108
- Total Jobs	376,903	751,650	751,650
Daily VMT Per Service Population	12.57	13.63	13.62
Increase in VMT/Service Population over General Plan Conditions			***-0.01***
Significant Impact?			**No**

Note:
2040 General Plan (Baseline) = Buildout conditions of the adopted Envision San Jose 2040 General Plan (GP).
GPAs = General Plan Amendments
Service Population = Residents + Jobs
Source: City of San Jose Travel Forecasting Model runs completed July 2019 by Hexagon Transportation Consultants, Inc.

citywide daily VMT per service population.

Findings: Compared to the current GP, the proposed land use adjustments would not result in an increase in citywide VMT per service population. Therefore, cumulatively, the proposed 2019 GPAs would result in a *less than significant* impact on citywide daily VMT per service population. It is important to note that the VMT per service population is based on raw model output and does not reflect the implementation of adopted GP policies and goals that would further reduce VMT by increased use of non-auto modes of travel.

Journey-to-Work Mode Share

The San José GP TDF model was used to calculate citywide journey-to-work mode share percentages. Mode share is the distribution of all daily work trips by travel mode, including drive alone, carpool with two persons, carpool with three persons or more, transit (rail and bus), bike, and walk trips. Although work trips may occur at any time of the day, most of the work trips occur during typical peak commute periods (6:00 – 10:00 AM and 3:00 – 7:00 PM). As defined in the City of San José *Transportation Analysis Handbook* (Thresholds of Significance for General Plan Amendments, Table 11), any increase in the journey-to-work drive alone mode share percentage over the current GP conditions due to the proposed land use amendments is considered a significant impact.

Table 6 summarizes the citywide journey-to-work mode share analysis results. Compared to the current Envision San José 2040 GP, the percentage of journey-to-work drive alone trips would decrease slightly and the percentage of transit and bike trips would increase slightly as a result of the proposed GPAs. Therefore, cumulatively, the proposed 2019 GPAs would result in a *less than significant* impact on citywide journey-to-work drive alone mode share.

Table 6
Journey-to-Work Mode Share

Mode	Base Year (2015)		2040 General Plan (Baseline)		2040 General Plan Plus GPAs	
	Trips	%	Trips	%	Trips	%
Drive Alone	753,264	79.69%	1,092,115	71.73%	1,091,812	71.66%
Carpool 2	85,496	9.04%	137,524	9.03%	137,584	9.03%
Carpool 3+	28,526	3.02%	54,804	3.60%	54,842	3.60%
Transit	48,181	5.10%	182,677	12.00%	183,635	12.05%
Bicycle	14,120	1.49%	26,041	1.71%	26,255	1.72%
Walk	15,666	1.66%	29,323	1.93%	29,447	1.93%
Increase in Drive Alone Percentage over General Plan Conditions						-0.07%
Significant Impact?						**No**

Notes:
2040 General Plan (Baseline) = Buildout conditions of the adopted Envision San Jose 2040 General Plan (GP).
GPAs = General Plan Amendments
Source: City of San Jose Travel Forecasting Model runs completed July 2019 by Hexagon Transportation Consultants, Inc.

Findings: The proposed land use adjustments will not result in an increase of drive alone trips when compared to the current GP conditions. Therefore, cumulatively, the proposed 2019 GPAs would result in a *less than significant* impact on citywide journey-to-work mode share.

Average Vehicle Speeds in Transit Priority Corridors

The San José GP TDF model was used to calculate the average vehicle travel speeds during the AM peak hour for the City's 14 transit corridors that were evaluated in the Envision San José 2040 GP TIA. A transit corridor is a segment of roadway identified as a Grand Boulevard in the Envision San José 2040 GP Land Use/Transportation Diagram. Grand Boulevards serve as major transportation corridors and, in most cases, are primary routes for VTA's LRT, BRT, local buses, and other public transit vehicles. The travel speeds are calculated by dividing the segment distance by the vehicle travel time. As defined in the City of San José *Transportation Analysis Handbook* (Thresholds of Significance for General Plan Amendments, Table 11), land use amendments that result in a decrease in average travel speed on a transit corridor in the AM peak one-hour period when the average speed drops below 15 miles per hour (mph) or decreases by 25 percent (%) or more, or the average speed drops by one mph or more for a transit corridor with average speed below 15 mph when compared to the current GP conditions is considered a significant impact.

Table 7 presents the average vehicle speeds on the City's 14 transit priority corridors (i.e., Grand Boulevard segments) during the AM peak-hour of traffic. When compared to travel speeds under current GP conditions, the change in traffic resulting from the proposed land use amendments would have minimal effect on the travel speeds in the transit corridors. The TDF model estimates decrease in travel speeds of 0.4 mph or less (or a change of 2.4% or less) on six corridors due to the proposed GPAs. Travel speeds on the remaining corridors would improve slightly or remain unchanged when compared to the current GP. Therefore, cumulatively, the proposed 2019 GPAs would result in a *less than significant* impact on the AM peak-hour average vehicle speeds on the transit priority corridors.

Table 7
AM Peak-Hour Vehicle Speeds (mph) for San José Transit Priority Corridors

Transit Priority Corridor	Base Year (2015)	2040 General Plan (Baseline)	2040 General Plan Plus GPAs		
	Speed (mph)	Speed (mph)	Speed (mph)	% Change (GPplusGPAs - GP) / GP	Absolute Change (GPplusGPAs - GP)
2nd St from San Carlos St to St. James St	16.6	15.3	15.4	0.7%	0.1
Alum Rock Av from Capitol Av to US 101	21.3	16.6	16.7	0.0%	0.0
Camden Av from SR 17 to Meridian Av	23.1	16.4	16.4	-0.1%	0.0
Capitol Av from S. Milpitas Bl to Capitol Expwy	27.1	22.5	22.6	0.3%	0.1
Capitol Expwy from Capitol Av to Meridian Av	33.0	26.6	26.6	0.0%	0.0
E. Santa Clara St from US 101 to Delmas Av	20.4	15.8	15.5	-2.4%	-0.4
Meridian Av from Park Av to Blossom Hill Rd	24.9	20.0	20.0	0.2%	0.0
Monterey Rd from Keyes St to Metcalf Rd	27.4	19.3	19.5	1.1%	0.2
N. 1st St from SR 237 to Keyes St	21.3	13.8	13.8	0.3%	0.0
San Carlos St from Bascom Av to SR 87	24.8	20.0	19.9	-0.5%	-0.1
Stevens Creek Bl from Bascom Av to Tantau Av	24.3	18.9	18.7	-0.8%	-0.1
Tasman Dr from Lick Mill Bl to McCarthy Bl	22.7	14.0	14.1	0.4%	0.1
The Alameda from Alameda Wy to Delmas Av	20.5	14.0	13.9	-0.7%	-0.1
W. San Carlos St from SR 87 to 2nd St	20.0	18.8	18.7	-0.6%	-0.1

Notes:
2040 General Plan (Baseline) = Buildout conditions of the adopted Envision San Jose 2040 General Plan (GP).
GPAs = General Plan Amendments
Outlined indicates significant impacts.
Source: City of San Jose Travel Forecasting Model runs completed July 2019 by Hexagon Transportation Consultants, Inc.

Findings: The proposed land use adjustments would not result in a decrease in travel speeds greater than one mph or 25 percent on any of the 14 transit priority corridors when compared to current GP conditions. Therefore, cumulatively, the proposed 2019 GPAs would result in a *less than significant* impact on the AM peak-hour average vehicle speeds on the transit priority corridors.

Adjacent Jurisdictions

The San José GP TDF model was used to calculate the number of lane miles of street segments with V/C ratios of 1.0 or greater during the peak 4-hour AM period within adjacent jurisdictions.

The effect of the proposed land use adjustments is evaluated based on the percentage of traffic that would be added to the deficient roadways. As defined in the City of San José *Transportation Analysis Handbook* (Thresholds of Significance for General Plan Amendments, Table 11), a deficient roadway segment in an adjacent jurisdiction is attributed to San José when trips originating from residents and jobs within San José equal 10% or more on the deficient segment. An impact to an adjacent jurisdiction is considered significant when 25% or more of total deficient lane miles are attributable to the City of San José. The 25% threshold represents what would be a noticeable change in traffic.

Table 8 summarizes the City of San José's traffic impacts on the roadway segments within adjacent jurisdictions. City of San José traffic would significantly impact roadway segments within the same 12 adjacent jurisdictions under both current GP and proposed GPA conditions. With the proposed land use amendments, the percent of deficient lane miles attributable to the City would increase by 2% at one of the 12 impacted jurisdictions, decrease by 1% and 2% at two other impacted jurisdictions, and remain unchanged at all other jurisdictions, compared to the current GP. The proposed land use amendments would not result in further impacts on roadways in adjacent jurisdictions than those identified for the current GP. Therefore, cumulatively, the proposed 2019 GPAs would result in a *less than significant* impact on the roadway segments in adjacent jurisdictions.

Findings: The proposed land use amendments would not result in further impacts on roadways in adjacent jurisdictions than those identified for the current GP. Therefore, cumulatively, the proposed 2019 GPAs would result in a *less than significant* impact on the roadway segments in adjacent jurisdictions.

Impacts on Transit, Bicycle, and Pedestrian Circulation

Transit Services or Facilities

Planned transit services and facilities include additional rail service via the future Bay Area Rapid Transit (BART) extension, light rail transit (LRT) extensions, new bus rapid transit (BRT) services, and the proposed California High Speed Rail (HSR) project. The proposed GPAs land use adjustments would not result in a change to the existing and planned roadway network that would result in an adverse effect on existing or planned transit facilities. Therefore, the proposed 2019 GPAs land use adjustments would not substantially disrupt existing, or interfere with planned transit services or facilities.

Bicycle Facilities

The adopted Envision San José 2040 GP supports the goals outlined in the City's Bike Plan 2020 and contains policies to encourage bicycle trips (Policies TR-1.1, TR-1.2,TR-1.4 through TR-1.9, TR 2.1 through TR 2.11, TR-7.1, TN-1.1 through TN-1.5, TN-2.1 through TN-2.7, and TN-3.1 through 3.6; Implementing Actions TR-1.12 thorughTR-1.15, TR-2.12 through TR-2.21, TR-7.2, TR-7.3, TN-1.6, TN-2.8 through 2.10, and TN-3.7; Performance Measures TN-2.11, TN-2.12). The proposed GPA land use adjustments would not result in a change to the existing and planned roadway network that would affect existing or planned bicycle facilities. Therefore, the proposed 2019 GPA land use adjustments would not substantially disrupt existing, or interfere with planned bicycle facilities; conflict or create inconsistencies with adopted bicycle plans, guidelines, policies, or standards; and provide insecure and unsafe bicycle parking in adequate proportion to anticipated demand.

Table 8
AM 4-Hour Traffic Impacts in Adjacent Jurisdictions

City	Base Year (2015)			2040 General Plan (Baseline)			2040 General Plan Plus GPAs		
	Total Deficient Lane Miles[1]	Total Deficient Lane Miles Attributable to San Jose[2]	% of Deficient Lane Miles Attributable to San Jose	Total Deficient Lane Miles[1]	Total Deficient Lane Miles Attributable to San Jose[2]	% of Deficient Lane Miles Attributable to San Jose	Total Deficient Lane Miles[1]	Total Deficient Lane Miles Attributable to San Jose[2]	% of Deficient Lane Miles Attributable to San Jose
Campbell	0.12	0.12	100%	1.15	1.15	100%	1.11	1.11	100%
Cupertino	1.67	1.19	72%	2.60	2.23	86%	2.60	2.23	86%
Gilroy	0.34	0.34	100%	0.00	0.00	0%	0.00	0.00	0%
Los Altos	0.50	0.00	0%	1.49	0.30	20%	1.28	0.25	20%
Los Altos Hills	0.38	0.13	35%	2.51	1.95	78%	2.64	2.12	80%
Los Gatos	0.22	0.22	100%	1.34	1.34	100%	1.34	1.34	100%
Milpitas	0.39	0.39	100%	5.54	5.54	100%	5.43	5.43	100%
Monte Sereno	0.00	0.00	0%	0.00	0.00	0%	0.00	0.00	0%
Morgan Hill	0.00	0.00	0%	0.24	0.24	100%	0.24	0.24	100%
Mountain View	0.39	0.28	71%	1.40	1.31	93%	1.40	1.29	92%
Palo Alto	0.88	0.31	35%	3.08	0.69	22%	2.53	3.08	22%
Santa Clara	0.00	0.00	0%	0.34	0.34	100%	0.34	0.34	100%
Saratoga	0.00	0.00	0%	0.63	0.63	100%	0.63	0.63	100%
Sunnyvale	0.81	0.81	100%	0.53	0.48	90%	0.53	0.48	90%
Caltrans Facilities	5,743.69	4,433.43	77%	5,780.69	4,759.85	82%	5,782.31	4,758.10	82%
Santa Clara County Expressways	0.62	0.51	81%	6.86	6.84	100%	6.00	5.88	98%

Notes:
2040 General Plan (Baseline) = Buildout conditions of the adopted Envision San Jose 2040 General Plan (GP).
GPAs = General Plan Amendments
1. Total deficient lane miles are total lane miles of street segments with V/C ratios of 1.0 or greater.
2. A deficient roadway segment is attributed to San Jose when trips from the City are 10% or more on the deficient segment.
Outlined indicates significant impacts.
Source: City of San Jose Travel Forecasting Model runs completed July 2019 by Hexagon Transportation Consultants, Inc.

Pedestrian Facilities

The adopted Envision San José 2040 GP contains goals and policies (Policies TR-1.1, TR-1.2,TR-1.4 through TR-1.9, TR-2.1 through TR-2.11, TR-7.1, TN-1.1 through TN-1.5, TN-2.1 through TN-2.7, and TN-3.1 through 3.6; Implementing Actions TR-1.12 through TR-1.15, TR-2.12 through TR-2.21, TR-7.2, TR-7.3, TN-1.6, TN-2.8 through 2.10, and TN-3.7; Performance Measures TN-2.11, TN-2.12) to improve pedestrian walking environment, increase pedestrian safety, and create a land use context to support non-motorized travel. The proposed GPAs land use adjustments would not result in a change to the existing and planned roadway network that would affect existing or planned pedestrian facilities. Therefore, the proposed 2019 GPAs land use adjustments would not substantially disrupt existing, or interfere with planned pedestrian facilities; create inconsistencies with adopted pedestrian plans, guidelines, policies, or standards; and provide accessible pedestrian facilities that would not meet current ADA best practice.

5. Winchester (Site-Specific GPA Traffic Analysis)

This report presents the results of the long-range site-specific traffic impact analysis for the proposed Winchester General Plan Amendment (GP18-014). The purpose of the General Plan Amendment (GPA) traffic analysis is to assess the long-range impacts of the proposed land use amendment to the Winchester General Plan site on the citywide transportation system. The potential traffic impacts of the project were evaluated in accordance with the guidelines and thresholds set forth by the Envision San José 2040 General Plan (GP). In addition, a near term traffic analysis in conjunction with any future development permit applications consistent with the Envision San José 2040 GP will be required once a development application is submitted to the City.

General Plan Amendment Site Description

The project consists of amending the adopted land use designation of the Envision San José 2040 GP for the approximately 15.7-acre site located at 555 South Winchester Boulevard, generally located west of Winchester Boulevard and north of I-280. The site is located within a designated Urban Village (Santana Row/Valley Fair) per the Envision San José 2040 GP. The Winchester GPA site location is presented on Figure 12. The adopted GP land use designation for the site is *Residential Neighborhood,* which includes a density of 8 dwelling units per acre (DU/AC) and a floor area ratio (FAR) of up to 0.7. The proposed amendment involves changing the adopted land use to *Urban Residential*, which includes a density of 30-90 DU/AC and a FAR of 1.0 to 4.0. The site is currently occupied by a mobile home park. The proposed land use change for development of the site would be consistent with the immediate and surrounding land uses.

The GPA traffic analysis guidelines, described in the City of San José Transportation Analysis Handbook, Volume II (dated April 2018), under the *Methodology for Transportation Network Modeling & Analysis* section, provide a trip threshold for GP land use amendments that require a site-specific GPA analysis. With the exception of GPA sites located within the identified North San José, Evergreen, and South San José subareas, a proposed land use amendment that would result in an increase of more than 250 peak-hour trips to be generated by the subject site due to proposed increases in households or employment would be required to prepare a site-specific GPA traffic analysis. The Winchester GPA site is located outside of the specific subareas. According to the TDF modeling results, the proposed amendment at the Winchester GP site would result in 566 additional households on the site. The increase in households would result in an additional 302 AM and 347 PM peak-hour trips at the Winchester GPA site when compared to the current GP land use designation (see Table 9). Therefore, a site-specific GPA traffic analysis is required for the proposed land use amendment. The GPA does not propose any changes to the city's major transportation system and the transportation policies that were adopted in the Envision San José 2040 GP.

Figure 12
Winchester GPA Site Location

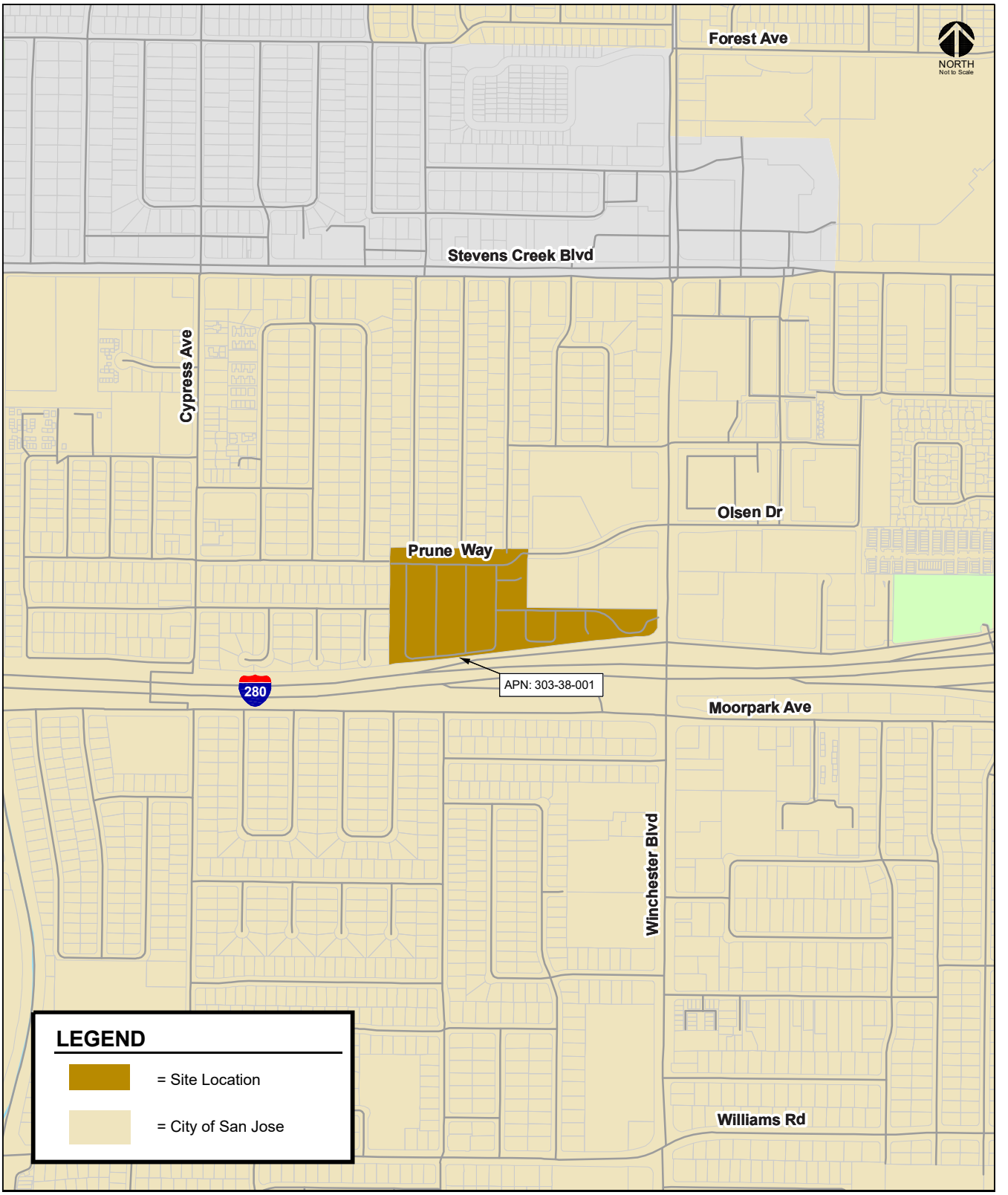


Table 9
Changes in Households, Jobs, and Peak-Hour Trips Due to Proposed GPA at Winchester Site

Site Number	Site Name	General Plan (Baseline) [1]		General Plan Amendment [2]		Net Land Use Change		Net Peak-Hour Trip Change	
		TOTHH	TEMP	TOTHH	TEMP	TOTHH	TEMP	AM	PM
3	GP18-014/PDC18-037 [Winchester]	220	131	786	131	566	0	**302**	**347**

Notes: TOTHH = total number of households; TEMP = total number of jobs.
[1] Total number of households and jobs under the adopted Envision San Jose 2040 General Plan (GP). The buildout of the 2040 GP represents baseline conditions.
[2] Total number of households and jobs as proposed by the GP Amendment.
Outlined indicates GPA that results in an increase in peak hour trips greater than 250 trips and requires site-specific GPA traffic analysis.
Sources: City of San Jose Planning Department, June 2019.
City of San Jose Travel Forecasting Model runs completed July 2019 by Hexagon Transportation Consultants, Inc.

Scope of the Study

The GPA analysis includes the evaluation of the potential for the proposed land use amendment to result in increased vehicle miles traveled, increased traffic volume on specified roadway segments, impacts to travel speeds on transit priority corridors, impacts to roadways in adjacent jurisdictions, and impacts to pedestrian, bicycle, and transit facilities. Impacts are evaluated based on the same measures of effectiveness (MOEs) and significance criteria utilized in the Envision San José 2040 GP TIA and described in Chapter 3 of this report. Traffic conditions were evaluated for the following traffic scenarios using the City of San José's Traffic Demand Forecasting (TDF) model:

- **Projected Year 2015 Conditions:** The Projected Year 2015 Conditions represent a projection of transportation conditions in 2015 using the City's GP TDF model. The roadway network also reflects the Year 2015 roadway network and transportation system.
- **Current 2040 General Plan Conditions:** Future traffic due to the current GP land uses is added to regional growth that can be reasonably expected to occur by 2040. Current 2040 GP conditions include the current roadway network as well as all transportation system improvements as identified in the current GP.
- **Proposed 2040 General Plan Amendment Conditions:** Current 2040 GP conditions with the proposed land use amendment for the Winchester GP site. Transportation conditions for the Proposed 2040 GP Amendment Conditions were evaluated relative to the currently adopted 2040 GP Conditions to determine any long-range traffic impacts.

Existing Conditions

This section describes the existing conditions for all of the major transportation facilities near the site, including the roadway network, transit service, and bicycle and pedestrian facilities.

Existing Roadway Network

Regional access to the site is provided via I-880 and I-280. Local access to the site is provided by Stevens Creek Boulevard, Winchester Boulevard, Monroe Street, Tisch Way, Olsen Drive, and Charles Cali Drive. These facilities are described below.

Interstate 880 (I-880) is a six-lane freeway in the vicinity of the site. It extends along the eastern side of the San Francisco Bay from San José to Oakland. South of its interchange with I-280 in west San José, I-880 becomes SR 17 and extends southward to Santa Cruz. Access to the site is provided via its interchange with Stevens Creek Boulevard.

Interstate 280 (I-280) is generally an eight-lane freeway near the project site with auxiliary lanes between some interchanges. It extends northwest to San Francisco and east to King Road in San José, at which point it transitions into I-680 to Oakland. The section of I-280 just north of the Bascom Avenue overcrossing has six mixed-flow lanes and two high-occupancy-vehicle (HOV) lanes. I-280 provides access to the site via its interchanges with Winchester Boulevard (access to and from the north only) and Stevens Creek Boulevard via the I-280/I-880 interchange.

Stevens Creek Boulevard is a six-lane east-west divided roadway in the vicinity of the project site. It extends from Cupertino eastward to I-880, at which point it transitions into San Carlos Street to Downtown San José. In the vicinity of the project site, Stevens Creek Boulevard has a posted speed limit of 35 miles per hour (mph) with sidewalks on both sides of the street and no bike lane. Access to the site from Stevens Creek Boulevard is provided via Winchester Boulevard.

Winchester Boulevard is a six-lane north-south divided roadway that extends from Los Gatos to Lincoln Street in Santa Clara. In the vicinity of the project site, Winchester Boulevard has a posted speed limit of 35 mph with sidewalks on both sides of the street and on-street bike lanes between I-280 and Stevens Creek Boulevard. Winchester Boulevard provides access to the project site via its intersection with Olsen Drive and Charles Cali Drive.

Monroe Street is a two-lane north-south roadway that extends northward from Tisch Way to Santa Clara. In the vicinity of the project site, Monroe Street has a posted speed limit of 30 mph with sidewalks on both sides of the street and bike lanes between Stevens Creek Boulevard and Forest Avenue. Access to the site from Monroe Street is provided via Tisch Way and Winchester Boulevard.

Tisch Way is a two-lane east-west roadway that extends between Winchester Boulevard and Monroe Street. Tisch Way has sidewalks only on the north side of the street with no bike lane. Access to the site from Tisch Way is provided via Winchester Boulevard.

Olsen Drive is a two-lane east-west roadway that extends between Santana Row and the eastern project site boundary. At the project site, Olsen Drive terminates in a cul-de-sac where it provides direct access to the project site via the Prune Way driveway. West of the project site, Olsen Drive continues to Coakley Drive where it terminates, however, this segment of Olsen Drive does not provide direct access to the project site. Olsen Drive has sidewalks on both sides of the street with no posted speed limit or bike lane.

Charles Cali Drive is a private access roadway that currently provides inbound access only to the project site via its intersection with southbound Winchester Boulevard. It extends from Winchester Boulevard westward to Water Witch Way where it terminates.

Existing Bicycle and Pedestrian Facilities

There are several bicycle facilities near the Winchester GP site. As defined by the California Department of Transportation (Caltrans), bicycle facilities include Class I bikeways (defined as bike paths off street, which is shared with pedestrians and excludes general motor vehicle traffic), Class II bikeways (defined as striped bike lanes on street), Class III bike routes (defined as roads with bike route signage where bicyclists share the road with motor vehicles), and Class IV cycle tracks (bike lanes physically separated from vehicle traffic by a vertical element. Bicyclists are allowed to ride on any roadway, even if there is no bicycle facility present with the exception of limited access highways.

Class II striped bike lanes are provided on the following roadways near the project site:

- Winchester Boulevard, between Moorpark Avenue and Stevens Creek Boulevard
- Monroe Street, between Tisch Way and El Camino Real
- Forest Avenue, between Winchester Boulevard and Monroe Street; east of Ciro Avenue
- Stevens Creek Boulevard, between Monroe Street and Di Salvo Avenue
- Moorpark Avenue, between Thorton Way and San Tomas Expressway

Class III bike routes are provided on the following roadway near the project site:

- Forest Avenue, between Monroe Street and Ciro Avenue

The existing bicycles facilities are shown on Figure 13.

In addition, the City of San José bicycle master plan, *San José Bike Plan 2020*, provides policies and improvements to bicycle facilities to improve the use of bicycles in the City. It includes an inventory of existing bicycle facilities and identifies locations for enhancement of existing facilities by expansion and establishing potential connections.

Pedestrian facilities near the project site consist primarily of sidewalks along the streets in the study area. Sidewalks are found along both sides of all streets near the project site, including Winchester Boulevard and Olsen Drive. Other pedestrian facilities in the project area include marked crosswalks and pedestrian push buttons at all signalized intersections near the project site.

Existing Transit Services

Existing transit services to the study area are provided by the Santa Clara Valley Transportation Authority (VTA). The VTA transit services are described below and shown on Figure 14.

VTA Bus Services

Local Route 23 runs from De Anza College to the Alum Rock Transit Center via Stevens Creek Boulevard and operates from approximately 5:30 AM and 1:00 AM with 10- to 15-minute headways during the weekday commute periods. The nearest bus stop to the Winchester site served by Route 23 is located at the intersection of Stevens Creek Boulevard and Hanson Avenue.

Local Route 25 runs from De Anza College to the Alum Rock Transit Center via Winchester Boulevard and Moorpark Avenue in the vicinity of the project site. Route 25 operates from approximately 5:00 AM and 12:30 AM with 20- to 25-minute headways during the weekday commute periods. The nearest bus stop to the Winchester site served by Route 25 is located at the intersection of Winchester Boulevard and Moorpark Avenue.

Local Route 60 runs from the Winchester Transit Center to Great America via Winchester Boulevard and operates from approximately 5:00 AM and 11:00 PM with 15- to 20-minute headways during the weekday commute periods. The nearest bus stop to the Winchester site served by Route 60 is located at the intersection of Winchester Boulevard and Olsen Drive/Olin Avenue.

Express Route 323 runs from Downtown San José to De Anza College via Stevens Creek Boulevard and operates from approximately 6:30 AM and 10:30 PM with 15- to 20-minute headways during the weekday commute periods. The nearest bus stop to the Winchester site served by Route 323 is located at the intersection of Stevens Creek Boulevard and Santana Row.

Figure 13
Existing Bicycle Facilities (Winchester)

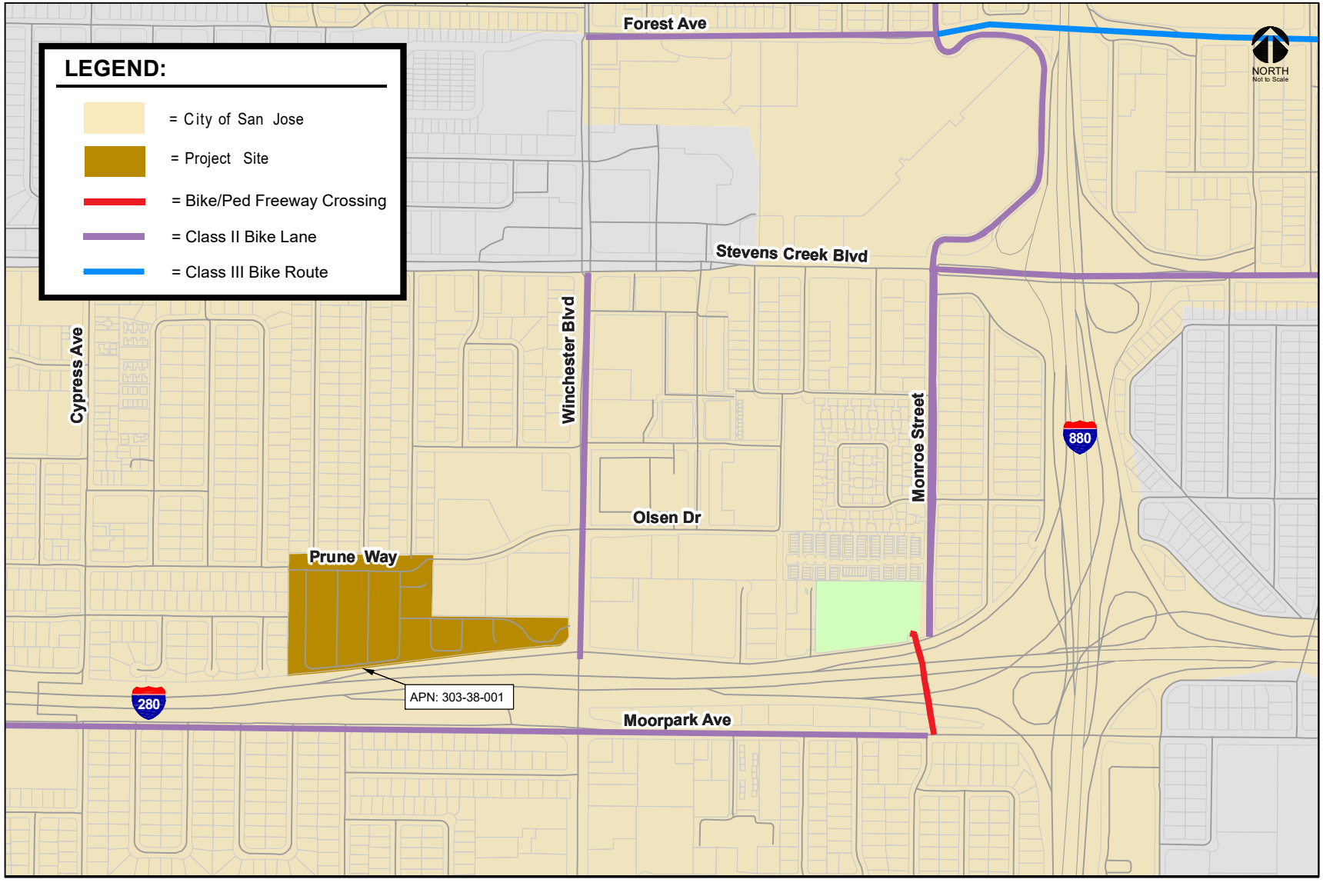
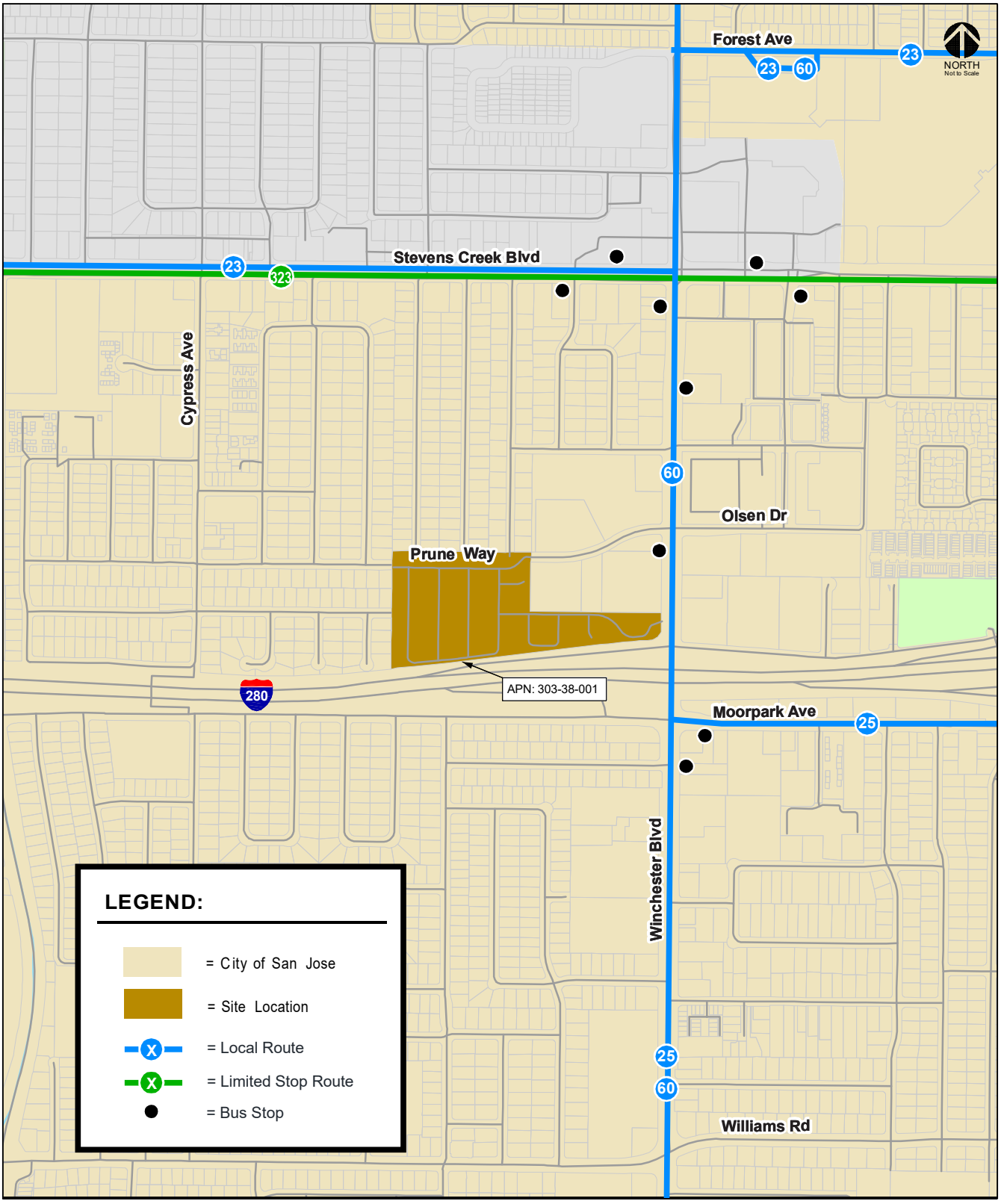


Figure 14
Existing Transit Services (Winchester)



General Plan Amendment Site-Specific Long-Range Analysis

The site-specific long-range traffic impacts resulting from the proposed Winchester site GPA were determined based on the MOEs and associated significance thresholds described in Chapter 3. The results of the site-specific GPA long-range analysis are described below.

Vehicle Miles Traveled Per Service Population

The San José GP TDF model was used to calculate daily vehicle miles traveled (VMT) per service population, where service population is defined as the number of residents plus the number of employees citywide. This approach focuses on the VMT generated by new population and employment growth. VMT is calculated as the number of vehicle trips multiplied by the length of the trips in miles. As defined in the City of San José *Transportation Analysis Handbook* (Thresholds of Significance for General Plan Amendments, Table 11), any increase in VMT per service population over the current GP conditions due to the proposed land use amendment is considered a significant impact.

As shown in Table 10, the citywide daily VMT would decrease slightly and the VMT per service population would remain unchanged with the proposed land use amendment when compared to the current GP. Therefore, the proposed Winchester GPA would result in a *less than significant* impact on the citywide daily VMT per service population.

Table 10
Daily Vehicle Miles Traveled Per Service Population (Winchester)

	Base Year (2015)	2040 General Plan (Baseline)	2040 General Plan Plus GPA
Citywide Daily VMT	17,505,088	28,006,100	28,002,147
Citywide Service Population	1,392,946	2,054,758	2,054,758
- Total Households	319,870	429,350	429,350
- Total Residents	1,016,043	1,303,108	1,303,108
- Total Jobs	376,903	751,650	751,650
Daily VMT Per Service Population	12.57	13.63	13.63
Increase in VMT/Service Population over General Plan Conditions			***-0.002***
Significant Impact?			**No**

Note:
2040 General Plan (Baseline) = Buildout conditions of the adopted Envision San Jose 2040 General Plan (GP).
GPA = General Plan Amendment
Service Population = Residents + Jobs
Source: City of San Jose Travel Forecasting Model runs completed July 2019 by Hexagon Transportation Consultants, Inc.

Journey-to-Work Mode Share

The San José GP TDF model was used to calculate journey-to-work citywide mode share percentages. Mode share is the distribution of all daily work trips by travel mode. The modes of travel included in the TDF model are drive alone, carpool with two persons, carpool with three persons or more, transit (rail and bus), bike, and walk trips. Although work trips may occur at any time of the day, most of the work

trips occur during typical peak commute periods (6:00 – 10:00 AM and 3:00 – 7:00 PM). As defined in the City of San José *Transportation Analysis Handbook* (Thresholds of Significance for General Plan Amendments, Table 11), any increase in the journey-to-work drive alone mode share percentage over the current GP conditions due to the proposed land use amendment is considered a significant impact.

Table 11 summarizes the citywide journey-to-work mode share analysis results. Compared to the current Envision San José 2040 GP, the percentage of journey-to-work drive alone trips would decrease slightly as a result of the proposed GPA. Therefore, the proposed Winchester GPA would result in a *less than significant* impact on citywide journey-to-work drive alone mode share.

Table 11
Journey-to-Work Mode Share (Winchester)

	Base Year (2015)		2040 General Plan (Baseline)		2040 General Plan Plus GPA	
Mode	**Trips**	**%**	**Trips**	**%**	**Trips**	**%**
Drive Alone	753,264	79.69%	1,092,115	71.73%	1,091,954	71.72%
Carpool 2	85,496	9.04%	137,524	9.03%	137,682	9.04%
Carpool 3+	28,526	3.02%	54,804	3.60%	54,803	3.60%
Transit	48,181	5.10%	182,677	12.00%	182,619	11.99%
Bicycle	14,120	1.49%	26,041	1.71%	26,072	1.71%
Walk	15,666	1.66%	29,323	1.93%	29,346	1.93%
Increase in Drive Alone Percentage over General Plan Conditions						-0.01%
Significant Impact?						**No**

Notes:
2040 General Plan (Baseline) = Buildout conditions of the adopted Envision San Jose 2040 General Plan (GP).
GPA = General Plan Amendment
Source: City of San Jose Travel Forecasting Model runs completed July 2019 by Hexagon Transportation Consultants, Inc.

Average Vehicle Speeds in Transit Priority Corridors

The San José GP TDF model was used to calculate the average vehicle travel speeds during the AM peak hour for the City's 14 transit corridors that were evaluated in the Envision San José 2040 GP TIA. The analysis of transit priority corridor speeds was completed to assist with the assessment of whether the proposed land use amendment would cause a significant change in travel speeds on the transit priority corridors compared to the current GP. A transit corridor is a roadway segment identified as a Grand Boulevard in the Envision San José 2040 GP Land Use/Transportation Diagram. Grand Boulevards serve as major transportation corridors and, in most cases, are primary routes for VTA's LRT, BRT, local buses, and other public transit vehicles. The travel speeds are calculated by dividing the segment distance by the vehicle travel time. As defined in the City of San José *Transportation Analysis Handbook* (Thresholds of Significance for General Plan Amendments, Table 11), land use amendments that result in a decrease in average travel speed on a transit corridor in the AM peak one-hour period when the average speed drops below 15 miles per hour (mph) or decreases by 25 percent (%) or more, or the average speed drops by one mph or more for a transit corridor with average speed below 15 mph when compared to the current GP conditions is considered a significant impact.

Table 12 presents the average vehicle speeds on the City's 14 transit priority corridors (i.e., Grand Boulevard segments) during the AM peak-hour of traffic. When compared to the travel speeds under current GP conditions, the change in traffic resulting from the proposed land use amendment would have a minimal effect on the travel speeds in the transit corridors. The TDF model estimates decrease in travel speeds of 0.2 mph or less (or a change of 1.5% or less) on seven corridors due to the proposed Winchester GPA. Travel speeds on the remaining corridors would improve slightly or remain unchanged when compared to the current GP. Therefore, the proposed Winchester GPA would result in a *less than significant* impact on the AM peak-hour average vehicle speeds on the transit priority corridors.

Adjacent Jurisdictions

The San José GP TDF model was used to calculate the number of lane miles of street segments with V/C ratios of 1.0 or greater during the peak 4-hour AM period within adjacent jurisdictions. The effect of the proposed land use adjustments is evaluated based on the percentage of traffic that would be added to the deficient roadways. As defined in the City of San José *Transportation Analysis Handbook* (Thresholds of Significance for General Plan Amendments, Table 11), a deficient roadway segment in an adjacent jurisdiction is attributed to San José when trips originating from residents and jobs within San José equal 10% or more on the deficient segment. An impact to an adjacent jurisdiction is considered significant when 25% or more of total deficient lane miles are attributable to the City of San José. The 25% threshold represents what would be a noticeable change in traffic.

Table 13 summarizes the City of San José's traffic impacts on the roadway segments within adjacent jurisdictions. City of San José traffic would significantly impact roadway segments within the same 12 adjacent jurisdictions under both the current GP and the current GP plus proposed land use amendment conditions. With the proposed land use amendment, the percentage of deficient lane miles attributable to the City would increase by 1% at one of the 12 impacted jurisdictions, decrease by 1% at one of the 12 impacted jurisdictions, and would remain unchanged at the remaining 10 impacted jurisdictions, compared to the current GP. The proposed land use amendment would not result in further impacts on roadways in adjacent jurisdictions than those identified for the current GP. Therefore, the proposed Winchester GPA would result in a *less than significant* impact on the roadway segments in adjacent jurisdictions.

Table 12
AM Peak-Hour Vehicle Speeds (mph) for San José Transit Priority Corridors (Winchester)

Transit Priority Corridor	Base Year (2015)	2040 General Plan (Baseline)	2040 General Plan Plus GPA		
	Speed (mph)	Speed (mph)	Speed (mph)	% Change (GPplusGPA - GP) / GP	Absolute Change (GPplusGPA - GP)
2nd St from San Carlos St to St. James St	16.6	15.3	15.2	-0.7%	-0.1
Alum Rock Av from Capitol Av to US 101	21.3	16.6	16.8	1.0%	0.2
Camden Av from SR 17 to Meridian Av	23.1	16.4	16.3	-0.7%	-0.1
Capitol Av from S. Milpitas Bl to Capitol Expwy	27.1	22.5	22.7	0.5%	0.1
Capitol Expwy from Capitol Av to Meridian Av	33.0	26.6	26.6	0.0%	0.0
E. Santa Clara St from US 101 to Delmas Av	20.4	15.8	15.6	-1.5%	-0.2
Meridian Av from Park Av to Blossom Hill Rd	24.9	20.0	19.9	-0.5%	-0.1
Monterey Rd from Keyes St to Metcalf Rd	27.4	19.3	19.3	0.0%	0.0
N. 1st St from SR 237 to Keyes St	21.3	13.8	13.8	0.3%	0.0
San Carlos St from Bascom Av to SR 87	24.8	20.0	19.9	-0.1%	0.0
Stevens Creek Bl from Bascom Av to Tantau Av	24.3	18.9	18.8	-0.5%	-0.1
Tasman Dr from Lick Mill Bl to McCarthy Bl	22.7	14.0	13.9	-0.8%	-0.1
The Alameda from Alameda Wy to Delmas Av	20.5	14.0	13.9	-0.5%	-0.1
W. San Carlos St from SR 87 to 2nd St	20.0	18.8	18.8	0.1%	0.0

Notes:
2040 General Plan (Baseline) = Buildout conditions of the adopted Envision San Jose 2040 General Plan (GP).
GPA = General Plan Amendment
Outlined indicates significant impacts.
Source: City of San Jose Travel Forecasting Model runs completed July 2019 by Hexagon Transportation Consultants, Inc.

Table 13
AM 4-Hour Traffic Impacts in Adjacent Jurisdictions (Winchester)

City	Base Year (2015)			2040 General Plan (Baseline)			2040 General Plan Plus GPA		
	Total Deficient Lane Miles[1]	Total Deficient Lane Miles Attributable to San Jose[2]	% of Deficient Lane Miles Attributable to San Jose	Total Deficient Lane Miles[1]	Total Deficient Lane Miles Attributable to San Jose[2]	% of Deficient Lane Miles Attributable to San Jose	Total Deficient Lane Miles[1]	Total Deficient Lane Miles Attributable to San Jose[2]	% of Deficient Lane Miles Attributable to San Jose
Campbell	0.12	0.12	100%	1.15	1.15	100%	1.11	1.11	100%
Cupertino	1.67	1.19	72%	2.60	2.23	86%	2.60	2.23	86%
Gilroy	0.34	0.34	100%	0.00	0.00	0%	0.00	0.00	0%
Los Altos	0.50	0.00	0%	1.49	0.30	20%	1.31	0.25	19%
Los Altos Hills	0.38	0.13	35%	2.51	1.95	78%	2.51	1.99	79%
Los Gatos	0.22	0.22	100%	1.34	1.34	100%	1.34	1.34	100%
Milpitas	0.39	0.39	100%	5.54	5.54	100%	5.54	5.54	100%
Monte Sereno	0.00	0.00	0%	0.00	0.00	0%	0.00	0.00	0%
Morgan Hill	0.00	0.00	0%	0.24	0.24	100%	0.24	0.24	100%
Mountain View	0.39	0.28	71%	1.40	1.31	93%	1.40	1.29	92%
Palo Alto	0.88	0.31	35%	3.08	0.69	22%	3.08	0.69	22%
Santa Clara	0.00	0.00	0%	0.34	0.34	100%	0.60	0.60	100%
Saratoga	0.00	0.00	0%	0.63	0.63	100%	0.63	0.63	100%
Sunnyvale	0.81	0.81	100%	0.53	0.48	90%	0.53	0.48	90%
Caltrans Facilities	5,743.69	4,433.43	77%	5,780.69	4,759.85	82%	5,783.03	4,758.77	82%
Santa Clara County Expressways	0.62	0.51	81%	6.86	6.84	100%	5.55	5.52	100%

Notes:
2040 General Plan (Baseline) = Buildout conditions of the adopted Envision San Jose 2040 General Plan (GP).
GPA = General Plan Amendment
1. Total deficient lane miles are total lane miles of street segments with V/C ratios of 1.0 or greater.
2. A deficient roadway segment is attributed to San Jose when trips from the City are 10% or more on the deficient segment.
Outlined indicates significant impacts.
Source: City of San Jose Travel Forecasting Model runs completed July 2019 by Hexagon Transportation Consultants, Inc.

Impacts on Transit, Bicycle, and Pedestrian Circulation

The Circulation Element of the Envision San José 2040 GP includes a set of balanced, long-range, multimodal transportation goals and policies that provide for a transportation network that is safe, efficient, and sustainable (minimizes environmental, financial, and neighborhood impacts). In combination with land use goals and policies that focus growth into areas served by transit, these transportation goals and policies are intended to improve multi-model accessibility to employment, housing, shopping, entertainment, schools, and parks and create a city where people are less reliant on driving to meet their daily needs. San José's Transportation Goals, Policies, and Actions aim to:

- Establish circulation policies that increase bicycle, pedestrian, and transit travel, while reducing motor vehicle trips, to increase the City's share of travel by alternative transportation modes.
- Promote San José as a walking- and bicycling-first city by providing and prioritizing funding for projects that enhance and improve bicycle and pedestrian facilities.

Included within the GP are a set of Goals and Policies to support a multimodal transportation system that gives priority to the mobility needs of bicyclists, pedestrians, and public transit users while also providing for the safe and efficient movement of automobiles, buses, and trucks. Policies TR-2.1 through TR-2.11 provide specific policies to guide improvement to walking and bicycling. Such policies include the provision of continuous bicycle system, constructing sidewalks and crosswalks. Similarly, the Envision San José 2040 GP includes specific policies to maximize use of public transit (TR-3.1 through 3.4). As the Winchester GP site develops, the project should ensure that it is consistent with the Envision San José 2040 GP to provide safe, accessible and inter-connected pedestrian and bicycle facilities, and accommodate transit services (i.e., bus dugout) as new roadways are constructed. The impacts to pedestrian, bicycle, and transit facilities *are less-than-significant*.

6. Conclusions

This report presents the results of the long-range traffic impact analysis for the proposed City of San José 2019 General Plan Amendments (project). The project consists of amending the current adopted land use designations of the Envision San José 2040 GP for ten sites within the City of San José. The purpose of the GPAs traffic analysis is to assess the long-range impacts of the amendments on the citywide transportation system. The analysis includes evaluation of increased vehicle miles traveled, increased traffic volume on specified roadway segments, impacts to travel speeds on transit priority corridors, impacts to pedestrian, bicycle, and transit facilities, and impacts to roadways in adjacent jurisdictions. Impacts were evaluated based on the same measures of effectiveness (MOEs) and significance criteria utilized in the Envision San José 2040 GPA TIA.

Per GPA traffic analysis guidelines, described in the City of San José Transportation Analysis Handbook, Volume II (dated April 2018), under the *Methodology for Transportation Network Modeling & Analysis* section, a proposed land use amendment that would result in a net increase of more than 250-peak-hour trips due to increased households or employment is required to prepare a site-specific GPA traffic analysis, with the exception of GPA sites located within the identified North San José, Evergreen, and South San José subareas. The proposed land use amendments on one of the ten amendment sites (Winchester Site) would result in a net increase of more than 250 peak-hour trips.

This study includes an evaluation of the cumulative impacts of all ten GPA sites. The study also includes the required site-specific GPA traffic analysis for the Winchester GPA site. Individual development projects also will be required to complete a near term traffic analysis in conjunction with any future development permit applications consistent with the Envision San José 2040 GP once a development application is submitted to the City.

Cumulative GPA Long-Range Traffic Impacts

Vehicle Miles Traveled Per Service Population

Compared to the current GP, the proposed land use adjustments would not result in an increase in citywide VMT per service population. Therefore, cumulatively, the 2019 GPAs would result in a less than significant impact on citywide daily VMT per service population. It is important to note that the VMT per service population is based on raw model output and does not reflect the implementation of adopted GP policies and goals that would further reduce VMT by increased use of non-auto modes of travel.

Journey-to-Work Mode Share

The proposed land use adjustments will not result in an increase of drive alone trips when compared to the current GP conditions. Therefore, cumulatively, the 2019 GPAs would result in a *less than significant* impact on citywide journey-to-work mode share.

Average Vehicle Speeds in Transit Priority Corridors

The proposed land use adjustments will not result in a decrease in travel speeds of greater than one mph or 25 percent on any of the 14 transit priority corridors when compared to current GP conditions. Therefore, cumulatively, the 2019 GPAs would result in a *less than significant* impact on the AM peak-hour average vehicle speeds on the transit priority corridors.

Adjacent Jurisdictions

The proposed land use amendments would not result in further impacts on roadways in adjacent jurisdictions than those identified for the current GP. Therefore, cumulatively, the 2019 GPAs would result in a *less than significant* impact on the roadway segments in adjacent jurisdictions.

Site-Specific GPA Traffic Analysis

The proposed land use amendments on nine of the ten subject GPA sites are located outside the specific subareas, and therefore are subject to the 250 PM peak-hour trip threshold. The proposed land use amendments on one of the nine amendment sites located outside of the specific subareas would result in a net increase of more than 250 peak-hour trips and require a site-specific GPA traffic analysis.

The remaining GPA site, GPA Site 8 (Westwind Mobilehome Park), is located within the North San José subarea and is subject to the applicable trip thresholds described in Table 1. However, it is projected that the proposed land use amendment at GPA Site 8 would result in a reduction of peak-hour trips, compared to the adopted GP land use for the site. Therefore, a site-specific GPA traffic analysis for Site 8 is not required.

The following GPA site requires a site-specific GPA traffic analysis:

- GP18-014/PDC18-037 (Winchester)

The results of the analysis show that the additional traffic generated by the Winchester GPA site would not cause any additional transportation impacts beyond those identified for the adopted Envision San José 2040 GP. Therefore, the Winchester GPA site would result in a *less than significant* impact on the citywide roadway system.

Impacts on Transit, Bicycle, and Pedestrian Circulation

Transit Services or Facilities

The proposed GPAs land use adjustments would not result in a change to the existing and planned roadway network that would have an adverse effect on existing or planned transit facilities. Therefore, the proposed 2019 GPAs land use adjustments would not substantially disrupt existing, or interfere with planned transit services or facilities.

Bicycle Facilities

The proposed GPAs land use adjustments would not result in a change to the existing and planned roadway network that would affect existing or planned bicycle facilities. Therefore, the proposed 2019 GPA land use adjustments would not substantially disrupt existing, or interfere with planned bicycle

facilities; conflict or create inconsistencies with adopted bicycle plans, guidelines, policies, or standards; and provide insecure and unsafe bicycle parking in adequate proportion to anticipated demand.

Pedestrian Facilities

The proposed GPAs land use adjustments would not result in a change to the existing and planned roadway network that would affect existing or planned pedestrian facilities. Therefore, the proposed 2019 GPA land use adjustments would not substantially disrupt existing, or interfere with planned pedestrian facilities; create inconsistencies with adopted pedestrian plans, guidelines, policies, or standards; and provide accessible pedestrian facilities that would not meet current ADA best practices.

Consistency with General Plan Polices

The City of San José's Transportation Policies contained in the General Plan are intended to do the following:

1. Establish circulation policies that increase bicycle, pedestrian, and transit travel, while reducing motor vehicle trips, to increase the City's share of travel by alternative transportation modes; and
2. Promote San José as a walking- and bicycling-first city by providing and prioritizing funding for projects that enhance and improve bicycle and pedestrian facilities.

Implementation of the General Plan Transportation Policies can help to promote a multi-modal transportation system and stimulate the use of transit, bicycle, and walk as practical modes of transportation in the City, which ultimately will improve operating speeds in the City's 14 transit priority corridors. An enhanced multi-modal transportation system can reduce reliance on the automobile and decreasing the amount of vehicle travel, specifically journey-to-work drive alone trips.

Based on the result of the analysis, the 2019 GPAs are consistent with the City of San José GP transportation policies, as they are projected to increase transit travel, while slightly reducing motor vehicle (drive alone) trips and slightly improving operating speeds along some of the City's 14 transit priority corridors, when compared to the current GP conditions.