



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** January 12, 2021

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**SUBJECT: FILE NOS. GPT20-003 & GP20-006. CITY-INITIATED GENERAL PLAN AMENDMENT TO MAKE MINOR MODIFICATIONS AND CLARIFYING REVISIONS TO THE ENVISION SAN JOSÉ 2040 GENERAL PLAN AND MIDTOWN SPECIFIC PLAN.**

## **RECOMMENDATION**

The Planning Commission voted unanimously (7-0) to recommend that the City Council adopt a resolution to approve the General Plan Text and Diagram Amendment to make minor modifications and clarifying revisions to the Envision San José 2040 General Plan and an amendment to make minor modifications and clarifying revisions to the Midtown Specific Plan.

## **OUTCOME**

If City Council adopts a resolution approving the General Plan Text and Diagram Amendment, the Envision San José 2040 General Plan and Midtown Specific Plan would be amended to reflect the proposed modifications and clarifying revisions as detailed in the attached Planning Commission staff report.

## **BACKGROUND**

On December 2, 2020, the Planning Commission held a public hearing to consider the proposed General Plan Text and Diagram Amendment. Staff recommended approval of the General Plan Text and Diagram Amendment. The item was on the consent calendar and was approved by the Planning Commission with no discussion.

On December 16, 2020, the Airport Land Use Commission discussed the proposed General Plan Text and Diagram Amendment and recommended that it is consistent with the Comprehensive Land Use Plan (CLUP).

## **ANALYSIS**

A complete analysis of the proposed General Plan Text and Diagram Amendment and Midtown Specific Plan Amendment is included in the attached Planning Commission staff report.

## **CONCLUSION**

If the City Council adopts the resolution to approve the proposed General Plan Text and Diagram Amendment, the General Plan Text and Diagram Amendment will result in minor modifications to the Envision San José 2040 General Plan, including updates to the Transportation Network definitions and Diagram, clarifications to General Plan land use designations, clarifications to where city services and facilities are allowed citywide, updates to Appendix 5, and a new map in the Midtown Specific Plan to clarify which properties are subject to the Midtown Specific Plan.

## **EVALUATION AND FOLLOW-UP**

If the proposed General Plan Text and Diagram Amendment is approved by City Council, the amendments to the Envision San José 2040 General Plan and Midtown Specific Plan will be effective 30 days from adoption of the resolution by the City Council.

## **CLIMATE SMART SAN JOSE**

The proposed amendment is to make minor modifications and clarifying revisions to the Envision San José 2040 General Plan and Midtown Specific Plan which has no effect on Climate Smart San José energy, water, or mobility goals.

## **PUBLIC OUTREACH**

Staff followed Council Policy 6-30: Public Outreach Policy. A notice of the public hearing was published in the San Jose Post Record and on the City's website.

This memorandum will be posted on the City's website for the January 26, 2021 Council agenda and staff has been available to respond to questions from the public.

## **COORDINATION**

Preparation of this memorandum has been coordinated with the City Attorney's Office.

**CEQA**

Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that the proposed General Plan Text and Diagram Amendment is within the scope of the approved Final Program EIR for the Envision San José 2040 General Plan and Supplemental EIR to the Envision San José 2040 General Plan EIR, and Addenda thereto for which findings were adopted by City Council Resolution Nos. 76041 and 77617 respectively, that adequately describe the activity for the purposes of CEQA.

/s/  
ROSALYNN HUGHEY, Secretary  
Planning Commission

For questions please contact Michael Brilliot, Deputy Director, at  
[michael.brilliot@sanjoseca.gov](mailto:michael.brilliot@sanjoseca.gov).

Attachment: [Planning Commission Staff Report](#)



# Memorandum

**TO:** PLANNING COMMISSION

**FROM:** Rosalynn Hughey

**SUBJECT:** File No. GPT20-003/GP20-006

**DATE:** November 20, 2020

**COUNCIL DISTRICT:** Citywide

<b>Type of Permit</b>	City-Initiated General Plan Text and Diagram Amendment and Midtown Specific Plan Amendment
<b>Project Planner</b>	Kieulan Pham
<b>CEQA Clearance</b>	Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San Jose General Plan Final Program Environmental Impact Report (Resolution No. 77617), and Addenda thereto.

## RECOMMENDATION

Staff recommends that the Planning Commission:

1. Consider the Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San Jose General Plan Final Program Environmental Impact Report (Resolution No. 77617), and Addenda thereto in conformance with CEQA; and
2. Adopt a resolution approving the General Plan Text and Diagram Amendment to make minor modifications and clarifying revisions to the Envision San José 2040 General Plan and an amendment to make minor modifications and clarifying revisions to the Midtown Specific Plan.

## PROJECT BACKGROUND

The proposed amendment is to make minor modifications and clarifying revisions to the Envision San José 2040 General Plan and Midtown Specific Plan. These changes are summarized below and shown in strikethrough/underline format in Attachment A, as applicable.

1. Transportation Network Definitions (Text Reference: Envision San José 2040 General Plan, Chapter 5 ("Interconnected City"), "Transportation Network Designations" section, page 31)

Update definitions for city connector street and local connector street to emphasize the accommodation for volume of through traffic, rather than the number of lanes which may not determine the street type.

2. Land Use and Transportation Diagram (Text Reference: Envision San José 2040 General Plan, Chapter 5 (“Interconnected, City”) “Land Use and Transportation Diagram”, page 37)

Modify the Transportation Network Diagram to reflect the following transportation network updates:

- Include On-street Primary Bike Facilities on the following roadways:
  - St John Street (west of Coyote Creek)
  - San Fernando Street (13th Street to 17<sup>th</sup> Street)
  - 17th Street (south of E Santa Clara Street)
  - Eden Avenue (Moorpark Avenue to Rosemary Lane)
  - Monroe Street (Ori Avenue to Williams Road)
  - Westfield Avenue (west of Daniel Way)
  - Genevieve Lane (Ori Avenue to Westfield Avenue)
- Change Forest Avenue from a City Connector Street to a Local Connector Street, and
- Identify Winchester Boulevard as a Grand Boulevard.

3. Generalized Land Use Designations (Text Reference: Envision San José 2040 General Plan, Chapter 5 (“Interconnected, City”) “Generalized Land Use Designations”, page 3)

City Council approved an additional General Plan hearing cycle for non-city-initiated 100% deed restricted affordable housing projects and the creation of the Affordable Priority Planning Area (APPA) Overlay in May 2019. Staff proposes to update the referenced number of overlay designations in the Generalized Land Use Designations text to reflect the new overlay designation.

4. Land Use Designations (Text Reference: Envision San José 2040 General Plan, Chapter 5 (“Interconnected City”), “Land Use Designations” section, pages 12 and 13)

Staff proposes minor text clarifications to four land use designations – Mixed Use Commercial, Public/Quasi-Public, Transit Residential, and Urban Residential, as follows:

- For the Mixed Use Commercial (MUC) designation description, staff proposes to make clarifying revisions to the text relating to the minimum commercial Floor Area Ratio for mixed-use projects.
- For the Public/Quasi-Public (PQP) land use designation, staff proposes to clarify that the land use designation allows “permanent supportive housing” and update the text about the Plant Master Plan area to reflect the status.
- The Transit Residential and Urban Residential designations have minimum and maximum density criteria that staff proposes to clarify in the text of the General Plan.

Staff also proposes to add a definition of “floor-area-ratio” (FAR) to clarify to planners, architects, engineers, and others which components are included or excluded from FAR calculations.

5. Implementation Policies (Text Reference: Envision San José 2040 General Plan, Chapter 7 (“Implementation”), “Implementation – Land Use/Transportation Diagram” section, page 5)

City services and facilities such as public parks, fire stations and libraries are necessary functions to serve the community, and staff proposes a new policy to clarify that these services are allowed on all properties within the City, regardless of General Plan land use designation or zoning district.

6. Capacity Shifts and Residential Entitlements in Growth Areas (Text Reference: Envision San José 2040 General Plan, Appendix 5)

The proposed amendments to Appendix 5 would update the Growth Areas Planned Capacity by Horizon table to reflect residential entitlements approved in Fiscal Year 2019-20 and since the adoption of the General Plan (November 1, 2011). The amendments to Appendix 5 are shown in Attachment B, and the specific entitlements and their project descriptions shown in Attachment C.

7. Midtown Specific Plan Boundary Clarifications (Text Reference: Midtown Specific Plan, Context and Boundary Maps, after cover page)

In 2014, the City of San Jose adopted the Diridon Station Area Plan (DSAP). A number of properties in the DSAP were originally in the Midtown Specific Plan area. Staff proposes including new figures and text to the Midtown Specific Plan section to clarify which properties are subject to the Midtown Specific Plan.

## ANALYSIS

The proposed General Plan Text and Transportation Network Diagram Amendment application is analyzed with respect to conformance with:

1. Envision San José 2040 General Plan
2. California Environmental Quality Act (CEQA)

### Envision San José 2040 General Plan Conformance

1. Transportation Network Updates

Staff proposes updates to the definitions to the City Connector and Local Connector street typologies to emphasize the accommodation for volume of through traffic, rather than the number of lanes which may not determine the street type.

Staff also proposes to modify the Transportation Network Diagram to reflect capital improvement projects completed on existing roadways and identified in the Department of Transportation's transportation improvement plans.

2. Generalized Land Use Designations

In May 2019, the City Council approved an additional General Plan hearing cycle for non-city-initiated 100% deed restricted affordable housing projects and the creation of the Affordable Priority Planning Area (APPA) Overlay. Staff proposes to update the number of overlay designations referenced in the Generalized Land Use Designations text to reflect the new overlay designation for a total of six overlay designations.

3. Land Use Designations

Staff proposes minor text clarifications to four land use designations – Mixed Use Commercial, Public/Quasi-Public, Transit Residential, and Urban Residential.

The Mixed Use Commercial (MUC) designation allows for a mix of commercial and residential uses with an emphasis on commercial activity. To provide clarity on the minimum commercial FAR required for mixed-use developments, staff proposes minor modifications to the text which may currently be interpreted to require above the minimum 0.5 FAR of commercial space required for mixed-use projects.

The Public/Quasi-Public (PQP) land use designation currently allows public land uses such as schools, colleges, corporation yards, and supportive housing for the homeless among other uses. Staff proposes a minor revision to the text to change the term “supportive housing for the homeless” to “permanent supportive housing” for consistency with the Zoning Ordinance. Also, PQP discusses the progress of the Plant Master Plan for the Regional Wastewater Facility and associated surrounding buffer lands. The plan was approved in 2013 by City Council and staff proposes to update the text to reflect that status.

The Transit Residential, and Urban Residential designations have minimum and maximum density criteria that staff proposes to clarify in the text of the General Plan.

Staff also propose to include a definition of “floor-area-ratio” (FAR) to clarify to planners, architects, engineers, and others which components are included or excluded from FAR calculations.

#### 4. Implementation Policies – City Services and Facilities

City services and facilities such as public parks, fire stations and libraries are necessary functions to service the community. Currently, the General Plan is unclear where these facilities and services can be located and can result in a General Plan amendment process that would create a burden in extra costs and delays to expand existing or build new facilities. Staff proposes a new General Plan policy to clarify that these services are allowed on all properties within the City, regardless of General Plan land use designation or zoning district.

#### 5. Capacity Shifts and Residential Entitlements in Growth Areas

The revisions to Appendix 5 are consistent with General Plan Goal IP-3: “Evaluate the progress of the Envision General Plan’s implementation actions and programs...during [the] Annual Review.”

The proposed text Amendment would update Appendix 5 to reflect residential entitlements approved within the City’s Growth Areas in Fiscal Year 2018-2019 and since adoption of the Envision San José 2040 General Plan. The changes are driven by residential entitlements, including an adjustment for an expired entitlement for Berryessa BART Urban Village consistent with Growth Areas Action LU-2.4.

These changes are best suited to be included in the General Plan Annual Review because staff annually tracks the amount of residential development (General Plan Policy IP-3.2) and reports on newly adopted Urban Village Plans in the General Plan Annual Performance Review report. The Growth Areas Planned Capacity by Horizon table in Appendix 5 provides developers, land-owners, and City staff with important information concerning the remaining residential capacity within the City’s Growth Areas. The amendments to Appendix 5 are shown in Attachment B, and the specific entitlements and their project descriptions shown in Attachment C.

#### 6. Midtown Specific Plan Boundary Clarifications

In 2014, the City adopted the Diridon Station Area Plan (DSAP). A number of properties in the DSAP were originally in the Midtown Specific Plan area. Staff proposes including new figures and text to the Midtown Specific Plan section to clarify which properties are subject to the Midtown Specific Plan.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The proposed General Plan Text and Diagram Amendment does not include any construction, demolition, or other activity that has the potential to negatively impact the environment. Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has made a Determination of Consistency (DOC), as this activity is within the scope of the approved Envision San José 2040 General Plan, and the Final Program EIR for the Envision San José 2040 General Plan and Supplemental EIR to the Envision San José 2040 General Plan EIR, and Addenda thereto, for which findings were adopted by City Council Resolution Nos. 76041 and 77617 respectively, that adequately describe the activity for the purposes of CEQA. See Exhibit E for more information on the DOC.

**PUBLIC OUTREACH**

Staff followed Council Policy 6-30: Public Outreach Policy. A notice of the public hearing was published in the San Jose Post Record and posted on the City's website. The staff report is also posted on the City's website and staff has been available to respond to questions from the public.

**Project Manager:** Kieulan Pham

**Approved by:** /s/ Deputy Director for Rosalynn Hughey, Planning Director

**ATTACHMENTS:**

Exhibit A: Strikethrough/Underline of General Plan Text Amendment Changes

Exhibit B: Strikethrough/Underline of Appendix 5 Changes

Exhibit C: Residential Entitlements Approved in Growth Areas from 7/1/19 to 6/30/20

Exhibit D: Draft Resolution

Exhibit E: CEQA Determination of Consistency Statement



## **GPT20-003 & GP20-006 List of Attachments**

[Exhibit A- Strikethrough/Underline of General Plan Text Amendment Changes](#)

[Exhibit B- Strikethrough/Underline of Appendix 5 Changes](#)

[Exhibit C- Residential Entitlements Approved in Growth Areas from 7/1/19 to 6/30/20](#)

[Exhibit D- Draft Resolution](#)

[Exhibit E- CEQA Determination of Consistency Statement](#)