

## Legislation Details (With Text)

<b>File #:</b>	22-707	<b>Version:</b>	1
<b>Type:</b>	Land Use Regular Agenda	<b>Status:</b>	Agenda Ready
<b>File created:</b>	5/2/2022	<b>In control:</b>	City Council
<b>On agenda:</b>	5/17/2022	<b>Final action:</b>	
<b>Title:</b>	City Roadmap - North San José Strategy: Settlement Agreement with City of Santa Clara and GPT21-003, PP21-008 & C21-018 - Amendment to the General Plan and North San José Area Development Policy; Amendment to Title 20 (Zoning Ordinance); and Amendment to Title 14, Chapter 14.29 (North San José Traffic Impact Fee Requirements). - TO BE HEARD IMMEDIATELY AFTER CONSENT		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Memorandum, 2. Supplemental Memorandum, 5/13/2022, 3. Memorandum from Liccardo, Cohen & Peralez, 5/12/2022, 4. Memorandum from Mahan, 5/17/2022, 5. (a) Agreement, 6. (c) Resolution, 7. (d) Resolution, 8. (e) Ordinance, 9. (f) Ordinance, 10. Presentation - est. 15 minutes, 11. Letter from CSC, 12. Letters from SCC, 13. Letters from the Public		

Date	Ver.	Action By	Action	Result
5/17/2022	1	City Council		

**City Roadmap - North San José Strategy: Settlement Agreement with City of Santa Clara and GPT21-003, PP21-008 & C21-018 - Amendment to the General Plan and North San José Area Development Policy; Amendment to Title 20 (Zoning Ordinance); and Amendment to Title 14, Chapter 14.29 (North San José Traffic Impact Fee Requirements). - TO BE HEARD IMMEDIATELY AFTER CONSENT**

(a) Approve an Amended Settlement Agreement between the City of Santa Clara and the City of San José related to the North San José Traffic Impact Fees and authorize the City Manager and City Attorney to execute the Amended Settlement Agreement to amend Section 1.2 of the existing Settlement Agreement dated November 16, 2006, whereby San José agrees to a total value of \$28 million of traffic improvements in lieu of constructing the Trimble Flyover as originally contemplated in the existing Settlement Agreement.

**PART (a) REQUIRES A SEPARATE VOTE FROM THE CITY COUNCIL PRIOR TO TAKING ACTION ON REMAINING ITEMS**

(b) Accept the February 18, 2022 North San José Traffic Impact Fee Plan Update.

(c) Adopt a resolution adopting the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report and Supplemental Environmental Impact Report to the Envision San José General Plan Final Program Environmental Impact Report amending the Envision San José 2040 General Plan and the North San José Area Development Policy (ADP) to:

(1) Remove or modify references to the North San José ADP which will no longer apply to future development in North San José;

(2) Increase the minimum density within the Transit Employment Residential Overlay (TERO) General Plan land use designation from 55 dwelling units per acre to 75 dwelling units per acre and remove the minimum floor area ratio requirement; and

(3) Limit the application of the North San José ADP to projects that received an approved entitlement (general plan amendment and/or zoning amendment) and/or a land use permit from the effective date of the North San José ADP to the effective date of the resolution making such changes, and making the North San José Traffic Impact Fee inapplicable to future North San José development projects.

(d) Adopt a resolution amending the Envision San Jose 2040 General Plan pursuant to Title 18 of the San José Municipal Code to make modifications and clarifying revisions to remove references to the North San José Area Development Policy and amend the General Plan to raise the minimum density within the TERO Transit Employment Residential Overlay designation.

(e) Approve an ordinance amending San José Municipal Code Title 20 (Zoning Ordinance) to add Chapter 20.65 “Overlay Districts” including the “TERO Transit Employment Residential Overlay District,” and amending the Zoning District Map to include the “TERO Transit Employment Residential Overlay District”.

(f) Approve an ordinance amending San José Municipal Code Title 14, Chapter 14.29 (North San José Traffic Impact Fee Requirements) to limit the application of Chapter 14.29 to projects that received an approved entitlement (general plan amendment and/or zoning amendment) and/or a land use permit from the effective date of the ADP to the effective date of the resolution making such changes, and making the North San José Traffic Impact Fee inapplicable to future North San José development project.

CEQA: Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San José General Plan Final Program Environmental Impact Report (Resolution No. 77617). Planning Commission recommends approval (9-1-1; Oliverio oppose; Terrens absent). Council Districts 3 and 4. (Planning, Building and Code Enforcement)

[Deferred from 5/3/2022 - Item 10.2 (22-614)]

[Rules Committee referral 5/11/2022 - Item A.1.a for item 10.2(a)]

**TO BE HEARD IMMEDIATELY AFTER CONSENT**