



Office of the City Attorney
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TO ALL INTERESTED PARTIES:

Attached is the City Attorney's title and summary for the proposed measure to amend the *Envision San José 2040 General Plan*, San José Municipal Code, and *Evergreen-East Hills Development Policy*, and to adopt the *Evergreen Senior Homes Specific Plan*. In preparing this title and summary, the City Attorney makes no representation about the merits or legality of the proposed measure, nor does the City Attorney verify or confirm any factual or legal assertion made in the proposed measure. Rather, the title and summary are presented as a "true and impartial statement of the purpose of the proposed measure" as required by California Elections Code Section 9203.

Very truly yours,

RICHARD DOYLE, City Attorney

By: Mark Vanni
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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The City Attorney of San José has prepared the following title and summary of the chief purpose and points of the proposed measure:

AN INITIATIVE AMENDING THE *ENVISION SAN JOSE 2040 GENERAL PLAN* TO: (1) CREATE A SENIOR HOUSING OVERLAY LAND USE DESIGNATION FOR CONVERTING EMPLOYMENT LANDS TO SENIOR HOUSING CITYWIDE; (2) APPLY THE SENIOR HOUSING OVERLAY TO A SPECIFIC INDUSTRIAL SITE IN EVERGREEN; (3) AMEND THE EVERGREEN-EAST HILLS DEVELOPMENT POLICY TO ADDRESS APPLICATION OF THE SENIOR HOUSING OVERLAY IN EVERGREEN; (4) ADOPT THE EVERGREEN SENIOR HOMES SPECIFIC PLAN FOR THE INDUSTRIAL SITE; AND (5) RELATED MUNICIPAL CODE CHANGES.

The City of San José adopted the *Envision San José 2040 General Plan* guiding growth through 2040, and establishing permissible land uses, maximum densities, and intensities for properties within San José. The City of San José also adopted the *Evergreen-East Hills Development Policy* (“Evergreen Policy”) to guide development to appropriate locations in Evergreen.

This measure proposes to amend San José’s General Plan and Municipal Code to specify a process for converting employment lands to senior housing citywide and apply a Senior Housing Overlay land use designation (“Overlay”) to a 200 acre site in Evergreen designated for industrial use (“Industrial Site”). In addition to these amendments, the measure would amend the Evergreen Policy and adopt the *Evergreen Senior Homes Specific Plan* to allow development on the Industrial Site of up to 910 residential units (with 20% affordable housing) for individuals age 55-plus (“senior”) and other qualified individuals.

The measure would amend:

- San José General Plan to:
 - Add goals for development of housing for seniors and military veterans citywide.
 - Create an Overlay that, when applied, would allow senior housing development in areas designated as employment lands subject to a General Plan amendment and adoption of a specific plan or other City approvals.
 - Specify that residential units developed in the Overlay will not count against the General Plan’s growth capacity of 120,000 new residential units.
 - Provide that if employment lands designated within the Overlay are developed with senior housing, the anticipated job capacity associated with the converted land must be redistributed to employment lands elsewhere in San José.
 - Apply the Overlay to the Industrial Site.

- Evergreen Policy to:
 - Add a senior housing policy.
 - Exempt senior housing from development capacity of 500 units.
 - Exempt senior housing from traffic impact fees and design guidelines.

- Municipal Code to:
 - Exempt For-Sale Residential Development in the Overlay from certain requirements to provide affordable housing including construction timing requirements, affordable unit standards, and compliance options under San José's Inclusionary Housing Ordinance (Chapter 5.08) when 20% of the total residential units are available for rent at an Affordable Housing Cost, or if 20% are available for purchase at an Affordable Housing Cost to households earning no more than 110% of the area median income.
 - Exempt any specific plan that implements an Overlay from the requirements for Specific Plans (Chapter 18.20) if that specific plan were adopted by voter initiative.
 - Create a new "Specific Plan District" zoning district and "Specific Plan Permits" in Title 20.

NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

SAN JOSE CITY REGISTERED VOTERS ONLY