

ADDENDUM TO THE ENVISION SAN JOSE 2040 GENERAL PLAN FINAL ENVIRONMENTAL IMPACT REPORT AND SUPPLEMENTAL PROGRAM ENVIRONMENTAL IMPACT REPORT (SCH# 2009072096) AND ADDENDA THERETO

Pursuant to Section 15164 of the CEQA Guidelines, the City of San José has prepared an Addendum to the Envision San Jose 2040 General Plan Final Environmental Impact Report and Supplemental Program Environmental Impact Report because minor changes made to the project, as described below, do not raise important new issues about the significant impacts on the environment.

North San José Area Related Amendments to the General Plan, North San José Area Development Policy, Zoning Ordinance and Zoning Map, and Traffic Impact Fee. Project includes amendments to all of the following:

- (a) Envision San Jose 2040 General Plan (“General Plan”),
- (b) North San Jose Area Development Policy (“Policy”),
- (c) Title 20 of the San Jose Municipal Code to add Chapter 20.65 establishing overlay districts (“Zoning Ordinance”),
- (d) Amendment of the Zoning Map to add the TERO Transit Employment Residential Overlay District (“Zoning Map”), and
- (e) Amendment of Chapter 14.29 of the San Jose Municipal Code relating to the North San Jose Traffic Impact Fee (“Traffic Impact Fee”) (collectively the “Project”).

The amendments to the Policy and the Traffic Impact Fee are to limit the application of the Policy and the Traffic Impact Fee to development within the Policy area boundary that received approved land use entitlements, including any general plan amendment and/or zoning amendment, and/or land use permits on or after July 28, 2005, and prior to the effective date of the resolution making such an amendment the Policy, and any subsequent amendments or adjustments to such entitlements and/or land use permits.

The amendment to the General Plan makes changes to acknowledge the amendments to the Policy, and changes the Transit Employment Residential Overlay (TERO) land use designation to increase the required minimum density from 55 dwelling units per acre to 75 dwelling units per acre and eliminate the required floor area ratio (FAR).

The amendment to the Zoning Ordinance adds Chapter 20.65 to the San Jose Municipal Code establishes Overlay Districts and the TERO - Transit Employment Residential Overlay District consistent with the General Plan.

The amendment of the Zoning Map adds the TERO Transit Employment Residential Overlay District consistent with the General Plan.

Location: North San Jose Growth Area, generally located south of State Route (SR) 237, east of the Guadalupe River, north and northwest of Interstate 880 (I-880), and west of Coyote Creek (approximately 4,987 gross acres in size).

Assessor’s Parcel Number: Multiple.

Council Districts: 3,4

The environmental impacts of this project were addressed by the following Final Environmental Impact Reports: Envision San José 2040 General Plan Final EIR, adopted by City Council Resolution No. 76041 on November 1, 2011, and addenda thereto; and Supplemental Program EIR, adopted by City Council Resolution No. 77617 on December 15, 2015, and addenda thereto.

The proposed project is eligible for an addendum pursuant to CEQA Guidelines §15164, which states that “A lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in CEQA Guidelines §15162 calling for preparation of a subsequent EIR have occurred.” Circumstances which would warrant a subsequent EIR include substantial changes in the project or new information of substantial importance which would require major revisions of the previous EIR due to the occurrence of new significant impacts and/or a substantial increase in the severity of previously identified significant effects.

The following impacts were reviewed and found to be adequately considered by the EIRs cited above:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazardous Materials |
| <input checked="" type="checkbox"/> Hydrology & Water Quality | <input checked="" type="checkbox"/> Land Use | <input checked="" type="checkbox"/> Noise and Vibration |
| <input checked="" type="checkbox"/> Population and Housing | <input checked="" type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities & Service Systems | <input checked="" type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Growth Inducing | <input checked="" type="checkbox"/> Cumulative Impacts | <input checked="" type="checkbox"/> Mandatory Findings of Sig. |

ANALYSIS

These changes would have minimal-to-no potential to result in physical environmental impacts beyond what was identified in the 2040 General Plan EIR and SEIR. Changes to the minimum residential density in TERO sites would not create substantially more severe environmental impacts because the 2040 General Plan EIR and SEIR analyzed the maximum development of up to 32,000 residential units. The maximum residential capacity in North San José would not change with the amendments to the NSJADP and General Plan. The amendment of the TIF program limiting its application to already entitled projects would not alter the General Plan Transportation Network in the North San José area; it would simply change the phasing and funding mechanism for those improvements. Several of these improvements have already been constructed, and the remaining improvements to be funded by the TIF have been determined based on a study of improvements needed to serve existing entitlements prepared by the City entitled “North San Jose Traffic Impact Fee Plan Update” dated February 18, 2022 (Attachment 1 to the attached Initial Study). Elimination of phased development would not alter the maximum development capacity assumptions of the 2040 General Plan EIR and SEIR and would therefore have no potential to result in new or substantially more severe impacts at General Plan buildout.

The attached Initial Study provides background on the project description, specific project-level impacts, and the relationship between previous mitigation measures and the revised project. This addendum (including Initial Study) will not be circulated for public review but will be attached to the Envision San Jose 2040 General Plan FEIR and SEIR pursuant of CEQA Guidelines §15164(c).

Christopher Burton, Director
Planning, Building and Code Enforcement



3/16/22

Date

Deputy

Environmental Project Manager: David Keyon

Attachment:

Initial Study/Addendum to Envision San Jose 2040 General Plan Final Environmental Impact Report and Supplemental Program Environmental Impact Report for the North San José Area Related Amendments to the General Plan, North San José Area Development Policy, Zoning Ordinance and Zoning Map, and Traffic Impact Fee.

**Initial Study/Addendum to the Envision San José 2040 General Plan
Environmental Impact Report and Supplemental Environmental
Impact Report**

**North San José Area Related
Amendments to the General Plan,
North San José Area Development
Policy, Zoning Ordinance and Zoning
Map, and Traffic Impact Fee**

State Clearinghouse No. 2009072096

File Numbers: GPT21-003, C21-018, and PP21-008

Council Districts 3 and 4

Prepared for



March 2022

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SECTION 1: INTRODUCTION AND PURPOSE

1.1 Project Title and File Number

Proposed North San José Area Development Policy (NSJADP) amendment (project); City File Nos.: GPT21-003, C21-018 and PP21-008; Council Districts 3 and 4

1.2 Lead Agency/Project Sponsor Name and Address

City of San José
Department of Planning, Building and Code Enforcement
200 E Santa Clara Street, San José, CA 95113

1.3 Previous Document

Envision San José 2040 General Plan (2040 General Plan) Environmental Impact Report (EIR); File Number PP09-011.

1.4 Purpose of Addendum

This Addendum has been prepared by the City of San José (City) as the Lead Agency, in conformance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (Title 14, California Code of Regulations §15000 et seq.), and City regulations and policies. This Addendum provides objective information regarding the environmental consequences of the proposed NSJADP amendment to the decision makers who will be reviewing and considering the NSJADP amendment.

This Addendum to the 2040 General Plan Environmental Impact Report (EIR) and Supplemental Environmental Impact Report (SEIR) analyzes the proposed changes associated with the NSJADP amendment. The purpose of this Addendum is to determine whether changes to the North San José (NSJ) area, proposed as part of this amendment, would result in new impacts or increase the severity of impacts identified in the 2040 General Plan EIR and SEIR.

This Addendum will be used by the City for entitlement review of future projects proposed within the NSJ area. Such projects will undergo additional project-level review under CEQA as necessary.

1.5 Criteria for Preparation of an Addendum to a Previous EIR & CEQA Determination

CEQA Statutes Section 21166 and CEQA Guidelines Sections 15162 and 15164 provide that an Addendum to a previously certified EIR can be prepared for a project if the criteria and conditions summarized below are satisfied:

- **No Substantial Project Changes:** There are no substantial changes proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- **No Substantial Changes in Circumstances:** Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- **No Substantial New Information:** There is no new information of substantial importance which was not known or could not have been known at the time of the previous EIR that shows any of the following:
 - (a) The project will have one or more significant effects not discussed in the previous EIR;
 - (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (c) Mitigation measures or alternatives previously found not to be feasible would, in fact, be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternatives; or
 - (d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative

If the changes would involve new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts, further environmental review (in the form of a Subsequent or Supplemental Environmental Impact Report) would be warranted per CEQA Guidelines Section 15162 and 15163. If the changes do not meet these criteria, then an Addendum, per CEQA Guidelines Section 15164, is prepared to document any resulting changes to environmental impacts or mitigation measures.

This Addendum evaluates and documents the environmental impacts that might reasonably be anticipated to result from implementation of the NSJADP amendment. On the basis of the analysis provided in the following sections, the City has determined that the proposed changes would not result in new significant environmental impacts or a substantial increase in the severity of previously identified significant effects and therefore, an Addendum to the Envision San José 2040 Environmental Impact Report is the appropriate CEQA clearance documentation for the proposed amendments to the North San José Area Development Policy and other related actions.

1.6 Lead Agency Contact

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SECTION 2: PROJECT INFORMATION AND DESCRIPTION

2.1 Summary of the North San José Area Development Policy

The NSJ area is within the former Rincon de los Esteros Redevelopment Area, which is generally located south of State Route (SR) 237, east of the Guadalupe River, north and northwest of Interstate 880 (I-880), and west of Coyote Creek (approximately 4,987 gross acres in size). Due to regional traffic concerns identified in the mid-1980s, the City adopted policies that restricted the development intensity within the NSJ area through a Floor Area Ratio (FAR) cap. Since 1988, this cap has been implemented through the NSJADP. As a result of this cap, industrial development in NSJ has been fairly uniform and low intensity in nature. In the year 2000 the overall average FAR for NSJ industrial development was 0.34. Consequently, NSJ industrial park development is characterized architecturally by low to mid-rise office buildings, one or two-story light manufacturing and research & development facilities, surface parking lots and generous amounts of landscaping. Consistent with this type of development, the block pattern is large and irregular and access into NSJ is provided mostly from a limited number of regional freeways or expressways.

Initially adopted in 2005 and most recently amended in 2017, the NSJADP established a policy framework to guide the ongoing development of the NSJ area as an important employment center for San José. The NSJADP provides for full development of the previously adopted base FAR caps but also provides additional industrial development capacity for 20 million square feet of transferable floor area credits that can be allocated to specific properties within the NSJ policy area. The NSJADP supports the conversion of specific sites from industrial to high-density residential, using specific criteria compatible with industrial activity. The NSJADP also identifies necessary transportation improvements to support new development and establishes an equitable funding mechanism for new development to share the cost of those improvements. The NSJADP EIR was certified on Jun 21, 2005, under Resolution No. 72768, and has since been added numerous times for specific projects.

The City now proposes to amend the NSJADP so that it will apply only to projects that have already received approval of entitlements (general plan and/or zoning amendments) and/or land use permits, in effect making the NSJADP inapplicable to future projects. The amendment will take effect upon the effective date of the Council resolution amending the NSJADP. After this date, new development projects within the NSJ growth area as identified in the 2040 Envision San José General Plan, shall continue to be consistent with the 2040 General Plan Land Use/Transportation Diagram designations. Consequently, development proposals and transportation network improvements in the area would be reviewed individually for conformance with development standards, in addition to project-specific CEQA analysis, instead of relying on the 2005 NSJADP EIR. Transportation impacts would be evaluated pursuant to the City's current Transportation Analysis Policy (City Council Policy 5-1), which uses vehicle miles traveled (VMT) as the metric for assessing transportation impacts, in conformance with the requirements of SB 743 and Section 15064.3 of the CEQA Guidelines. Projects entitled prior to the effective date of City Council's amendment of the Policy would still be subject to the Policy and the payment of the North San José Transportation Impact Fee.

2.1.1 Summary of City Outreach Performed to Date

The City has held meetings with neighborhood groups and area businesses to discuss the proposed amendment of the NSJADP. Meetings have included multiple presentations to the NSJ business roundtable, and active local neighborhood groups.

Consistent with the City's Public Outreach Policy (Council Policy 6-30), the City held two virtual community meetings on components of this project. On June 24, 2021, the City held a virtual community meeting on proposed changes to the Rincon South Urban Village Plan. On June 28, 2021, the City held a virtual community meeting on the amendment of the North San José Area Development Policy.

2.1.2 Areas of Known Controversy

Based on community outreach performed thus far, the following are identified areas of controversy associated with the proposed amendment of the NSJADP:

- Traffic congestion in North San José absent construction of improvements
- Ability to build housing, especially affordable housing
- Feasibility of residential projects in TERO sites with increased minimum density to 75 DU/acre
- Availability of water supply to serve future development
- Desire for neighborhood serving retail, such as grocery stores
- Fulfilling conditions of prior Settlement Agreements among the City of San José and the City of Santa Clara, the County of Santa Clara, and the City of Milpitas, within the context of changed CEQA regulations and applicable state laws.

2.2 Project Location

The location of the proposed project is within the Rincon de los Esteros Redevelopment Area, which is located generally south of SR 237, east of the Guadalupe River, north and northwest of I-880, and west of Coyote Creek. The NSJ area is estimated to be 4,987 gross acres in size, and is shown in **Figure 1**.

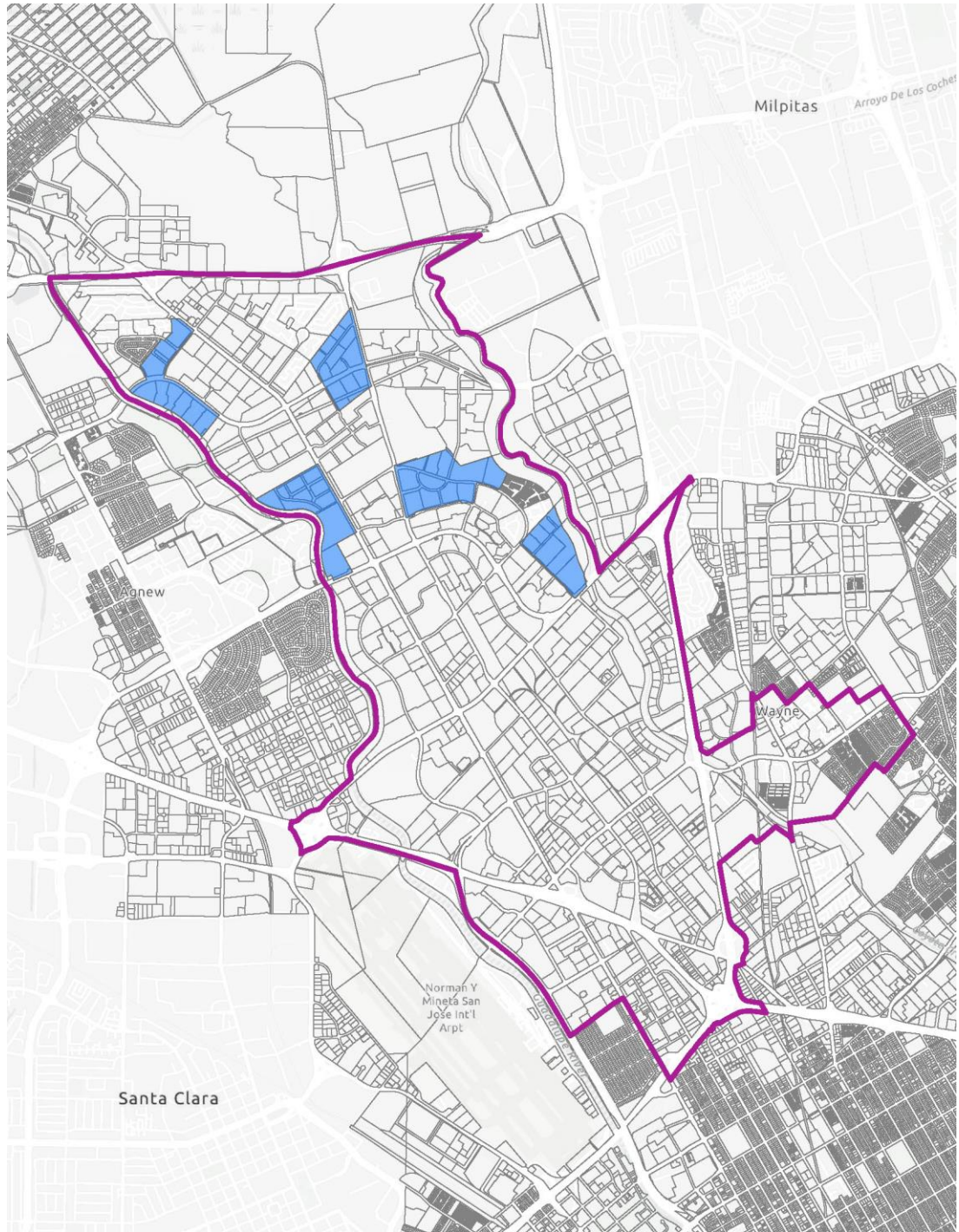


Figure 1 North San José Area (Blue Areas: TERO – Transit Employment Residential Overlay Sites)

2.3 North San José Area Development Policy Description

The NSJADP modified relevant plans and policies to encourage a greater intensity of development within the NSJ area, including up to a net-total of 26.7 million square feet of new industrial, office, and research and development space. Most of the planned industrial/office/research and development (16 million square feet) was concentrated in an industrial Core Area located on both sides of North 1st Street, between Montague Expressway and United States (US) Highway 101. The total new development was estimated to allow for approximately 83,300 new employees. In addition, the NSJADP allowed for the development of up to 32,000 new dwelling units within the NSJ area, resulting in a population increase of approximately 56,640 people.

In addition, the NSJADP included the following elements, each of which is discussed under a separate subheading below: Land Use, Traffic Policy and Standards, Infrastructure Improvements, and Implementation.

2.3.1.1 Land Use

The intent of the NSJADP land use policy was to support further intensification along existing light rail corridors, to create flexibility for minor expansions on any property within the NSJ area and to allow for intensification of specific sites. In general, the industrial properties outside of the Core Area were anticipated to continue to support the land uses and intensities established under existing policies. This land was allowed to be developed up to a maximum FAR of 0.35. Development on sites located within 2,000 feet of a light rail station was allowed to develop up to a maximum FAR of 0.40 provided that the sites incorporated site design measures to facilitate pedestrian access to nearby transit facilities. Approximately 16 million square feet of the total 26.7 million square feet of industrial development capacity was reserved for the approximately 600-acre Core Area shown in **Figure 2**. Full build out of this capacity would therefore result in an average 1.2 FAR.

The NSJADP also supported industrial-to-residential conversions, but only within the Transit/Employment Residential District Overlay (TERO) areas depicted in **Figure 2**. The NSJADP accomplished this by allowing for the conversion of 285 acres of existing industrial lands to residential use at minimum densities of 90 dwelling units/acres on at least 85 of those acres, and a minimum of 55 dwelling unit/acre on the remainder of the area (utilizing up to 200 acres) resulting in a minimum of 18,650 new residential units within the TERO. Additional residential development may occur through development at higher densities within the overlay, area, through mixed-use (residential and industrial) development within the Core Area (up to 6,000 units), or through the development of properties in the NSJ area with an existing residential General Plan designation. As new residential development also generates traffic within the NSJ area, a fair-share traffic impact fee used to fund necessary traffic improvements was established to be collected at the time of Building Permit entitlement for all new residential development in the NSJ area. Candidate industrial-to-residential conversion sites were required to meet the following criteria.

Limits on Conversion

1. A maximum of 285 acres of land may be converted to residential use within the areas designated as TERO on the City's 2040 General Plan Land Use / Transportation Diagram.
2. New residential density must have a minimum net density of 90 DU/AC on at least 85 of those acres. The remainder must have a minimum net density of 55 DU/AC.

Compatibility with Industrial Uses

1. The site must not contain an existing important vital or 'driving' industrial use.
2. The site must not be located adjacent to an industrial use that would be adversely impacted by the residential conversion.
3. The site must not be located in proximity to an industrial or hazardous use that would create hazardous conditions for the proposed residential development (e.g. an adequate buffer must be provided for new residential uses from existing industrial uses) in order to protect all occupants of the sites, and to enhance preservation of land use compatibility among sites within the NSJ policy area. A risk assessment may be required to address compatibility issues for any proposed industrial to residential conversion.

Services and Amenities

1. New parks, schools, community facilities and other supporting uses should be built within the TERO area to the extent feasible, but location of public facilities on land outside of the overlay area may be allowed to comply with other laws, policies and regulations. Suitable locations for these uses should be identified and included within a project when appropriate.
2. The site should be located within 1,000 feet of an existing neighborhood or community park (at least 3 acres in size). The proposed development should contribute toward the establishment of a new park (at least 3 acres in size) within 1,000 feet of the project site through compliance with the provisions of the City's Parkland Dedication Ordinance or voluntary donation. Staff will determine the most suitable site for a new park within the contiguous overlay area with the intent of identifying a centrally located and accessible park site. In some cases, the most suitable site to provide a centrally located park site or to support a joint school-park use within a particular overlay area may be more than 1,000 feet from some properties within that overlay area. All residential projects are subject to the Parkland Dedication Ordinance (PDO). Land dedication requirements will be consistent with the PDO in addition to the proximity requirement established in this Policy.
3. Master planning to identify sites for parks, schools and other public facilities as necessary must be completed within each of the seven new residential areas prior to any proposed conversion within that area.

Site Design

1. The proposed project must be designed to support transit use and pedestrian activity. Residential Conversions should not occur in advance of the industrial intensification provided for by the NSJADP. In the event that the City receives applications for new residential entitlements that exceed the number of units available per the phasing plan, priority for granting entitlement related to residential development shall be based upon the following criteria listed in order of importance. The NSJADP gives priority to the project that most fully meets the highest ranking and the greatest number of these criteria.

Criteria for Prioritization of Proposed Residential Conversions

1. The residential project will directly facilitate or enable the construction of a specific, related industrial development.

2. The proposed project includes on-site parklands that meet or exceed parkland dedication requirements and other applicable City standards or regulations.
3. The proposed project will assist in providing for a new school site.
4. The project provides a greater amount of affordable housing units beyond those required by City or Redevelopment Agency policy.
5. The proposed conversion site is located adjacent to existing residential use
6. The proposed project constitutes a vertically mixed-use project incorporating neighborhood serving commercial uses.
7. The proposed project reflects and incorporates strong transit-oriented design elements.
8. The proposed project exceeds the minimum density requirements.

2.3.1.2 Transportation Policy and Standards

The NSJADP established a special area within the City not subject to the City's standard Transportation Impact Policy based on intersection Level of Service (LOS), City Council Policy 5-3. The NSJADP instead provided the necessary project-level transportation impact analysis using LOS for the development of an additional 26.7 million square feet of industrial use, 1.7 million square feet of supporting "local serving" commercial use, 1 million square feet of regional commercial use, 1,000 hotel rooms and 32,000 residential units within the NSJ policy area. The specific traffic impacts of this amount of new development were analyzed and described in the traffic analysis of the NSJADP EIR. In order to be consistent with the traffic analysis included within NSJADP EIR, new projects are required to incorporate design features and programs that support multi-modal commute choices including provision of bicycle and pedestrian facilities and incorporation of transportation demand management (TDM) Measures.

The NSJADP also established a Traffic Impact Fee (TIF) to be used to fund the mitigation measures needed to meet future traffic conditions resulting from implementation of this NSJADP as described in the traffic analysis of the NSJADP EIR. TIF payments are spent on projects that have been identified as mitigation measures for the NSJ area. The City conducted a separate impact fee study to ascertain and confirm the scope of the relationship between the implementation of development under the NSJADP to the creation of the need for the infrastructure improvements. The traffic study and analysis identified infrastructure improvements with a projected cost of approximately \$519 million (in year 2005 cost). Of the total cost, \$30 Million was to be funded by the Redevelopment Agency and \$29 million is anticipated to be obtained through alternative public funding sources, such as State or regional agencies. The TIF was identified to fund the remaining \$460 million in improvement costs. TIF costs are shown in **Table 1**, below, for various project types through the year 2025 based on a 3.3 percent annual escalation.

Year	Trip Fee per PM Peak Hour Trip	Industrial Fee (per square foot)	Single Family Residential Fee (per unit)	Multi-Family Residential Fee (per unit)	Large-Scale Commercial Fee (per square foot)	Hotel Fee (per room)
2005	\$11,138	\$10.44	\$6,994	\$5,596	N/A	N/A
2007	\$11,885	\$11.14	\$7,463	\$5,971	N/A	N/A
2009	\$12,683	\$11.89	\$7,964	\$6,372	\$16.65	\$3,600
2011	\$13,533	\$12.69	\$8,498	\$6,800	\$17.66	\$3,819
2013	\$14,441	\$13.54	\$9,068	\$7,256	\$18.74	\$4,052
2015	\$15,410	\$14.44	\$9,677	\$7,742	\$19.88	\$4,299
2017	\$16,444	\$15.41	\$10,326	\$8,262	\$21.09	\$4,560
2019	\$17,547	\$16.45	\$11,019	\$8,816	\$22.38	\$4,838
2021	\$18,725	\$17.55	\$11,758	\$9,408	\$25.18	\$5,133
2023	\$19,981	\$18.73	\$12,547	\$10,039	\$26.72	\$5,445
2025	\$21,321	\$19.99	\$13,389	\$10,712	\$28.35	\$5,777

Source: City of San José 2017.

2.3.1.3 North San José Transportation Network

The NSJADP included changes to the transportation network in NSJ, which were generally intended to serve as gateways and/or major arterials to and within NSJ and to serve the NSJ area as a whole. Each of these improvements were tied to a specific phase of development per the phasing plan described in **Section 2.3.1.4, Implementation**, below. Each improvement was required to be built, under construction, or funded and within one year from beginning of construction before the next phase of development can begin. These changes to the Transportation Network were incorporated into the planned Citywide Transportation Network in the 2040 General Plan and were included in the Transportation Analysis prepared for buildout of the roadway network in the 2040 General Plan EIR. The changes to the Transportation Network in NSJ and phases are shown in **Table 2**:

Improvement	Phase	Status
Montague Expressway Widening	1	Completed
US 101/Trimble Road Interchange	1	Under Construction
Montague Expressway/Trimble Road Connection	1	Planning Phase
Charcot Avenue Extension	2	Approved*
Zanker Road Widening	2	Planning Phase
North 1 st Street & SR 237 Interchange	3	Planning Phase
McCarthy Boulevard & Montague Expressway Interchange	3	Planning Phase
Zanker Road/Skyport Drive Connection	4	Environmental Review Phase
US 101/Mabury Road Interchange	4	Design and Environmental Review Phase
North San José Core Area Grid Streets	All	

North San José Area Development Policy Amendment

**City Council approved construction of the Charcot Avenue Extension project on June 9, 2020. Subsequently, on February 1, 2022, the City Council voted to halt the project and redirect funds to the Mabury/Berryessa/101 and Zanker/101 projects, which are part of the US 101/Mabury Road Interchange project. However, the project remains listed as an improvement in the General Plan Transportation Network.*

The NSJADP included other Transportation Network changes including improvements to 28 intersections, improvements to transit access, bicycle and pedestrian improvements, a plan for a supporting street system. These improvements are listed in **Table 3** below:

Table 3 North San José Area Development Policy Intersection Improvements	
Improvement	Phase
Zanker Road and Montague Expressway	-
River Oaks Parkway and Montague Expressway	-
Trimble Road and Montague Expressway	-
McCarthy Boulevard and Montague Expressway	-
North First Street and Skyport Drive	-
Old Oakland Road and Montague Expressway	1
North First Street and Trimble Road	1
North First Street and Charcot Avenue	1
North First Street and Metro Drive	1
Bering Drive and Brokaw Road	1
Trade Zone Boulevard and Montague Expressway	1
Thirteenth Street and Hedding Street	1
King Road and McKee Road	1
Zanker Road and Trimble Road	2
Zanker Road and Brokaw Road3	2
Oakland Road and US-101 (South)	2
San Tomas Expressway and Stevens Creek Boulevard	2
North First Street and SR-237 (South)	3
Zanker Road and Tasman Drive	3
Zanker Road and Charcot Avenue	3
Junction Avenue and Charcot Avenue	3
Oakland Road and US-101 (North)	3
Capitol Avenue and Cropley Avenue	3
Lundy Avenue and Berryessa Road	4
Capitol Expressway and Capitol Avenue	4
San Tomas Expressway and Moorpark Avenue	4
Lundy Avenue and Trade Zone Boulevard	4
Capitol Avenue and Berryessa Road	4

Source: City of San José 2017.

In addition to roadway and intersection improvements, the NSJADP identified the following bicycle, pedestrian, and public transit improvements that would be implemented during all phases:

- Guadalupe River Trail
- Coyote Creek Trail
- SR-237 Bike Trail

- Specialized passenger shelters and bus/shuttle stop LRT northbound shelters at Orchard, Bonaventura, and Component in the Project area, as well as Tasman (lengthening existing plus southbound shelter) and River Oaks outside the Project area
- Intersection and crosswalk improvements; lane or intersection narrowing, including reducing curve radii and/or curb bulbouts; sidewalks along median from intersections to station platform
- Lighting, furniture, and landscaping at LRT stations, bus stops and key pedestrian locations
- Station platform Improvements
- Other stop and station amenities such as sidewalks or sidewalk widening and lengthening
- Self-cleaning bathrooms
- Real-time information infrastructure (on Light Rail Vehicles and at 17 stations and stops)
- Ducks outs (most important at Tasman station)
- Shuttles between residential, businesses and transit stops/stations
- New bus/shuttle stop locations (noted around Tasman LRT station) including dedication of right-of-way
- Transit traffic signal preemption; bi-directional full priority with ability to cascade calls for green signals for LRT along North First Street
- LRT operations capital improvements, including trackway improvements, switches, tail/storage/layover tracks, and platform improvements

Utilities and Other Infrastructure

In addition to roadway improvement, the NSJADP anticipated that improvement to utilities and infrastructure such as water supply, storm drainage and sanitary sewer systems would be necessary in order to serve the level of development allowed through the policy. The NSJADP anticipated that such improvements would be constructed through a variety of mechanisms, including localized improvements made through the private development review process, construction of new facilities by private utility providers and possible capital improvement projects undertaken by the City. The capacity of these systems would need to be reviewed and improvements made as necessary as development occurs. Expansion of the City's recycled water pipeline was also an important goal of the NSJADP, which stated that opportunities for expansion of the pipeline should be implemented as they are identified, including through the construction of the new grid street system. The NSJADP also included a requirement that the City should continue to require that new development include dual plumbing to allow use of recycled water for landscaping and for industrial processes as appropriate.

2.3.1.4 Implementation

The development anticipated under the 2005 NSJADP was planned to occur over a period of ten or more years. The NSJADP does not require that the infrastructure improvements be completed substantially in advance of the development, but it was deemed imprudent to allow substantial deterioration in roadway operations before constructing planned infrastructure improvements. Because of the traffic link within NSJ among industrial development, residential development and the construction of new infrastructure, it was deemed necessary that the construction of these three elements proceed concurrently. Providing commercial support services is also important to reduce the need for travel to such services. For this reason, the NSJADP included a phasing plan that limits how much industrial or residential development may occur in advance of the construction of supporting infrastructure improvements and commercial development. This plan is summarized in **Table 4** and discussed below.

Table 4 Phasing Plan							
Phase	Planning Permit Entitlement for new Industrial Development (max square feet)	Planning Permit Entitlement for New Commercial Development (min square feet)	Infrastructure Improvements	Planning Permit Entitlement Capacity for New Residential Units			
				Minimum	Maximum	Affordable (BMR) Reservation	Maximum Total Units (MR and BMR)
1	Up to 7 million	100,000	Group 1 Improvements	0	6,400	1,600	8,000
2	Up to 14 million	200,000	Group 2 Improvements	4,000	12,800	3,200	16,000
3	Up to 21 million	300,000	Group 3 Improvements	8,000	19,200	4,800	24,000
4	Up to 26.7 million	N/A	Group 4 Improvements	16,000	25,600	6,400	32,000

Source: City of San José 2017.

Phase 1: Up to a maximum of 8,000 dwelling units can potentially be built during Phase 1. At least 4,000 dwelling units and 100,000 square feet of commercial space must be built or under construction before construction of industrial floor area in excess of 7 million square feet, or the beginning of Phase 2, can begin.

Phase 2: Up to a maximum of 16,000 dwelling units (up to 12,800 market rate units and up to 3,200 affordable units) can be built through the end of Phase 2. At least 8,000 dwelling units and 200,000 square feet of commercial space must be built or under construction before construction of industrial floor area in excess of 14 million square feet, or the beginning of Phase 3, can begin. Evaluation of the need for a new fire station and new community policing center must also be completed prior to the commencement of Phase 3.

Phase 3: Up to a maximum of 24,000 dwelling units (up to 19,200 market rate units and up to 4,800 affordable units) can be built through the end of Phase 3. At least 12,000 dwelling units and 300,000 square feet of commercial space must be built or under construction before construction of industrial floor area in excess of 21 million square feet, or the beginning of Phase 4, can begin.

Phase 4: Up to a maximum of 32,000 dwelling units (up to 25,600 market rate units and up to 6,400 affordable units) can be built through the end of Phase 4. Construction of industrial floor area will not exceed 26.7 million square feet at the end of Phase 4.

2.3.2 Updated Information and Objectives

Since adoption of the NSJADP in 2005, the City adopted a new General Plan—the Envision San José 2040 General Plan (2040 General Plan)—in 2011. The 2040 General Plan (including the EIR prepared for it) identified the NSJ area as a planned growth area and incorporated the maximum development capacity and Transportation Network changes proposed under the NSJADP. The new General Plan also gave a new policy direction to transportation improvements in the City. It gave direction to reduce single-occupancy automobile trips in favor of transit, biking, and walking in order to reduce VMT and greenhouse gas (GHGs) emissions that contribute to climate change.

Additionally, in 2013 the State of California passed Senate Bill (SB) 743, which mandates that jurisdictions can no longer use automobile delay - commonly measured by LOS – in transportation analysis under the CEQA. The State has issued guidelines calling for the use of a broader measure of VMT, which measures the total amount of driving over a given area. These changes become mandatory on July 1, 2020. State law now requires that all transportation analyses under CEQA change to a VMT metric after July 2020.

The State’s intent in making this switch is to promote:

- The reduction of greenhouse gas emissions
- The development of multimodal transportation networks (i.e., networks that serve a variety of users including pedestrians, bicyclists, transit riders and drivers)

A diversity of land uses (i.e., neighborhoods and cities with housing, jobs, shops and services in close proximity to each other).

In February 2018 the City Council adopted Council Policy 5-1, the updated City’s Transportation Impact Policy, to comply with SB 743. Council Policy 5-1 uses VMT as a metric for determining transportation impacts under CEQA. Council Policy 5-1 includes provision that requires the NSJ Traffic Impact Fee (TIF) be paid by all projects that have received land use approvals in North San José and also allows those

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projects that are consistent with the NSJADP and the NSJADP EIR to proceed by paying the TIF. However, applications for projects that may not proceed under the NSJADP EIR are required to comply with VMT mitigation measures pursuant to Council Policy 5-1 and also comply with the requirement to pay the NSJ TIF as a fee established and supported under the Mitigation Fee Act (Government Code section 66000 et seq.).

These updated circumstances necessitated the amendment of the NSJADP and reversion of land use and development controls for future development in the NSJ area to the Envision San José 2040 General Plan Land Use designations.

2.4 Project Description

This section summarizes the actions included in the project to limit the application of the NSJADP to already entitled projects, including the NSJADP amendment proposed by the City to achieve the objectives articulated in **Section 2.3.2**, above. These changes are the subject of this Initial Study/Addendum to the Envision San José 2040 General Plan EIR.

The project analyzed in this Initial Study/Addendum consists of North San José related amendments to all of the following:

- (a) Envision San José 2040 General Plan (“General Plan”),
- (b) North San José Area Development Policy (“NSJADP” or “Policy”),
- (c) Title 20 of the San José Municipal Code to add Chapter 20.65 establishing overlay districts and the TERO Transit Employment Residential Overlay District (“Zoning Ordinance”),
- (d) Amendment of the Zoning Map to add the TERO Transit Employment Residential Overlay District (“Zoning Map”), and
- (e) Amendment of Chapter 14.29 of the San José Municipal Code relating to the North San José Traffic Impact Fee (“Traffic Impact Fee”) (collectively the “Project”).

The amendments to the Policy and the Traffic Impact Fee are to limit the application of the Policy and the Traffic Impact Fee to development within the Policy area boundary that received approved land use entitlements, including any general plan amendment and/or zoning amendment, and/or land use permits on or after July 28, 2005, and prior to the effective date of the resolution making such an amendment the Policy, and any subsequent amendments or adjustments to such entitlements and/or land use permits.

The amendment to the General Plan makes changes to acknowledge the amendments to the Policy, and changes the Transit Employment Residential Overlay (TERO) land use designation to increase the required minimum density from 55 dwelling units per acre to 75 dwelling units per acre and eliminate the required floor area ratio (FAR).

The amendment to the Zoning Ordinance adds Chapter 20.65 to the San José Municipal Code establishes Overlay Districts and the TERO Transit Employment Residential Overlay District consistent with the General Plan. The amendment of the Zoning Map adds the TERO Transit Employment Residential Overlay District consistent with the General Plan. Details of these actions are further described below.

2.4.1 Amendments to the General Plan and NSJADP

The project includes text amendments to the General Plan to acknowledge the amendments to the Policy and amend the Transit Employment Residential Overlay (TERO) land use designation to increase the required minimum density from 55 dwelling units per acre to 75 dwelling units per acre and eliminate the required floor area ratio (FAR); and also amends the NSJADP to limit application of the Policy to projects that have already received entitlements and/or land use permits.

2.4.1.1 General Plan Text Amendments

The proposed amendment includes several General Plan Text Amendments to background information and policies in the Envision San José 2040 General Plan that refer to the NSJADP. The text amendments generally eliminate or modify references to the NSJADP to reflect the amendment of the Policy to limit

its application to already entitled projects and, in effect, make the Policy inapplicable to future development in North San José. The text amendments include clarifications to limit the application of the NSJADP to projects that received approved entitlements (general plan amendment and/or zoning amendment) and/or a land use permit after July 28, 2005 (the effective date of the Policy) to the effective date of the proposed changes, thus making the North San José Traffic Impact Fee inapplicable to future North San José development projects. Entitled but not constructed projects would still be required to pay TIF fees (due prior to issuance of a building permit) in order to mitigate the traffic impacts identified in the NSJADP.

No changes are proposed to planned housing or job growth in the NSJ Planned Job Capacity and Housing Growth Areas as described in Appendix 5 of the 2040 General Plan. These growth capacities—which are the same as those in the NSJADP—are summarized in **Table 5**.

Table 5 NSJ Planned Job Capacity and Housing Growth				
	Development Capacity	Entitled	Constructed	Remaining Capacity
Industrial	26.7 million square feet	4.8 million square feet	3.6 million square feet	18.3 million square feet
Residential	32,000 dwelling units	-	7,937 dwelling units	24,063 dwelling units

Source: City of San José 2021.

The proposed amendment of the NSJADP would remove phasing of development discussed in **Section 2.3.1.4, Implementation**. All growth capacity identified in the 2040 General Plan that is not entitled would be available for future development projects. However, each individual project would require project-specific CEQA review (including analysis of vehicle miles traveled and GHG emissions, in full compliance with CEQA), within the context of the programmatic analysis in the 2040 General Plan EIR and SEIR.

Within the last few years, the state legislature adopted a significant amount of new housing and housing-related land use legislation. SB 330 includes several new procedural changes and limitations that impact the City, but of primary concern to North San José is a limitation on moratoria or similar restrictions being imposed on housing development, and a prohibition on placing housing unit caps on, or limitations on population or permits issued for, housing development. Specifically, Government Code section 66300(b)(1)(D), in relevant part, appears to invalidate any numeric cap on housing that: (i) limits the number of land use approvals or permits necessary for the approval and construction of housing that will be issued or allocated within all or a portion of the affected city; (ii) acts as a cap on the number of housing units that can be approved or constructed either annually or for some other time period; or (iii) limits the population of the affected city. Because development cannot advance under the North San José Area Development Policy until all residential, industrial, and commercial thresholds for advancement beyond Phase 1 have been met (with similar limitations on advancement to subsequent development phases in the Policy), the Policy may have the effect of being considered as a cap on housing approvals and permits.

2.4.1.2 Amendment to the NSJADP

The project includes an amendment to the NSJADP to limit the application of the NSJADP to projects that received approved entitlements on or after July 28, 2005 (the effective date of the Policy) through the effective date of the proposed General Plan Amendments and amendment to the NSJADP. The

amendments to the NSJADP would effectively eliminate the Phasing Plan, allowing the market to dictate the pace at which development proceeds for all remaining capacity under the ADP. These entitlements include general plan amendments, zoning amendments, development permits, and/or land use permits. Such action will make the North San José Traffic Impact Fee (TIF) inapplicable to future North San José development projects approved after Council adoption of this amendment.

The proposed text amendments to the NSJADP explain that since its adoption in 2005 development within the NSJADP to-date has not reached the levels to conclude Phase 1 and move forward with the other phases. Moreover, development has not occurred where projected in 2005, so changes to the priority of transportation improvements have been made to adjust for where development has actually occurred and been entitled. The changes to the NSJADP specify the general location and amount of development to-date. Revisions to the proposed transportation improvement program in the NSJADP is addressed. The proposed amendments clarify that future development that is not subject to the NSJADP will be required to obtain project-level CEQA clearance, including independent transportation analysis under the City's Transportation Analysis Policy (Council Policy 5-1).

2.4.1.3 Transit Employment Residential Overlay

General Plan Text Amendments will include changes to minimum densities in the Transit Employment Residential Overlay (TERO) sites in the NSJADP and remove the existing floor area ratio requirement of 2.0. No changes to TERO boundaries (Figure 1), which encompass approximately 285 acres, are proposed as part of the NSJADP amendment. However, the proposed NSJADP amendment would eliminate the minimum residential density standard of 55 dwelling units/acre and the area would default to the current General Plan standard of 75 dwelling units/acre. Maximum residential density in TERO sites would remain unchanged at 250 dwelling units/acre.

The General Plan TERO designation supports residential development as an alternate use at a minimum average density of 55 units per acre. These sites would continue to be allowed to develop consistent with the underlying designation of Industrial Park. The TERO designation permits development with commercial uses on the first two floors and residential use on upper floors, as well as wholly residential projects. Development within this category is intended to make efficient use of land to provide residential units in support of nearby industrial employment centers. Site specific land use issues and compatibility with adjacent uses are addressed through the development permit process. Land within this overlay area may also be converted for the development of new schools and parks as needed to support residential development. Approximately 156 acres remain eligible to develop for residential uses in the TERO areas, supporting approximately 15,300 additional dwelling units if developed at the established minimum density of 55 dwelling units per acre. Staff proposes an increase to the minimum density to 75 dwelling units per acre. At this density, the TERO areas could produce a minimum of 18,350 dwelling units at build-out, which is within the 2040 General Plan's residential growth capacity of 32,000 dwelling units allocated to North San José.

2.4.2 Zoning Code Changes for TERO Overlay Districts

The Project includes an amendment to Title 20 of the San José Municipal Code (Zoning Ordinance) to add Chapter 20.65 "Overlay Districts" and amendment of the Zoning Map to include the "TERO Transit Employment Residential Overlay District." This change will allow residential development on sites designated as TERO sites in the NSJADP through designation of an overlay in the Zoning code, which

would be consistent with the 2040 General Plan. The proposed action also includes conforming rezoning for sites located in Rincon South Urban Village Plan to align zoning of properties with their 2040 General Plan land use designations. These rezonings are required for compliance with SB 1333, which requires charter cities (like San José) to have zoning districts that are consistent with the General Plan land use designation.

The proposed TERO overlay zoning district includes development standards currently in the General Plan for the Transit Residential designation. These standards are summarized in **Table 6** below:

Table 6 Proposed TERO District Development Standards	
Category	Standard
Min. Lot Area	6000 sq. ft.
Mixed Use	Max 12.0 floor area ratio (FAR)
100% Residential DU/AC	50 -250 DU/AC
Maximum Building Height	270 feet
Setback Regulations	
Front	Maximum 10 feet
Side	Maximum 10 feet
Rear	Minimum 10 feet
Ground Floor Commercial Spaces	Refer to North San José Urban Design Guidelines and Citywide Design Standards (as applicable) for minimum frontage, height, depth and other requirements for ground-floor commercial spaces.
Common and Private Open Space Regulations for 100% Residential and Mixed Use	Refer to Section 20.55.102
Lighting	Refer to Section 20.55.103
Parking	For general parking regulations, refer to Chapter 20.90 No unmounted camper or vehicle, other than those vehicles expressly specified and allowed under Title 17 of this Code, shall be kept, stored or parked for a period of time in excess of forty-eight consecutive hours in the front setback area of any lot or parcel containing a residential use. Such parking or storage is limited to paved surfaces

Source: City of San José 2021.

2.4.3 North San José Transportation Impact Fee Ordinance Changes

The project includes an amendment to San José Municipal Code Title 14, Chapter 14.29 “North San José Traffic Impact Fee” to limit the application of Chapter 14.29 to projects that received approved entitlements (general plan amendment and/or zoning amendment) and/or a land use permit from the effective date of the Policy on July 28, 2005 to the effective date of the resolution making such changes, thus making the North San José Traffic Impact Fee inapplicable to future development projects in North San José.

With the proposed amendment, the TIF would not apply to projects entitled after the effective date of the City Council resolution amending the NSJADP. TIF collected to-date, or to be collected at building permit on entitled projects approved after July 28, 2005 but prior to the effective date of the amendment of the NSJADP, will deliver improvements to mitigate the established impacts associated with those developments. The City proposes to construct the remaining transportation improvements that support the amount of entitled and built developments to date from the TIF program. Development projects with existing entitlements would still be subject to the TIF program per their conditions of approval. The proposed amendment of the NSJADP would not include changes to the transportation improvements in the NSJ area anticipated in the 2040 General Plan. Any future changes to the transportation network in NSJ initiated by the City or development projects would require separate discretionary approvals and CEQA reviews.

To support the amendment of the Policy and revising the timing of transportation improvements under the Policy to reflect entitled development, the City conducted a study entitled North San José Traffic Impact Fee Plan Update, dated February 18, 2022 (Appendix A) (Hereinafter “Traffic Study Update”). This study indicates that some previously anticipated significant impacts identified in the NSJADP EIR did not occur as predicted and, therefore, some improvements identified as mitigation measures originally planned for Phase 1 would not be needed for implementation until later phases to reduce impacts. Conversely, some improvements originally planned for later phases would be needed earlier to address impacts of already entitled projects. Therefore, the timing of transportation improvements in the Policy are adjusted to more accurately reflect the need for such improvements generated by projects that have received entitlements and permits prior to the 2022 NSJADP Amendment Effective Date.

For development that received entitlements and/or land use permits prior to the 2022 NSJADP Amendment Effective Date, the following major roadway improvements and intersection improvements listed in **Table 6** have been identified in the Traffic Study Update as needed to support those projects.

Table 7 Improvements to be Funded by NSJADP TIF
Major Roadway Improvements
Montague Expressway Widening (Complete)
US-101 and Trimble Road Interchange
Zanker Road to Skyport Drive and Fourth Street Connection
North San José Core Area Grid Streets
Intersection Improvements
Zanker Road and Montague Expressway (Complete)
River Oaks Parkway and Montague Expressway (Complete)
Trimble Road and Montague Expressway (Complete)
McCarthy Boulevard and Montague Expressway (Complete)
Old Oakland Road and Montague Expressway (Complete)
58 Trade Zone Boulevard and Montague Expressway (Complete)
King Road and McKee Road
San Tomas Expressway and Stevens Creek Boulevard
Junction Avenue and Charcot Avenue
San Tomas Expressway and Moorpark Avenue
Capitol Avenue and Berryessa Road

Major Roadway Improvement projects beyond those funded by NSJADP TIF funds remain in the 2040 General Plan Transportation Network. The City will seek funding for these projects through grant programs, regional, state, and federal funding opportunities, regional transportation tax measures, and conditions on developments as appropriate. Other avenues for these projects to move forward include joint development with partner jurisdictions and agencies such as Santa Clara Valley Transportation Authority (VTA) and the County of Santa Clara.

2.4.4 Future Actions and Project-Level Environmental Review

Applications for future projects proposed in the NSJ area (those that receive entitlements and permits after the effective date of the amendment to the NSJADP) will be reviewed for consistency with the 2040 General Plan (as amended), City policies, and the municipal code including zoning ordinance. Future projects will also be required to prepare project-specific environmental review to evaluate impacts that are unique to a specific project site or design and identify mitigation measures, if necessary. For example, it is anticipated that applicants for most future projects in the NSJ area will be required to complete a Transportation Analysis and Local Transportation Analysis pursuant to the City's Transportation Analysis Policy (Policy 5-1) and demonstrate consistency with the City's 2030 Greenhouse Gas Reduction Strategy. Future projects may also require additional studies to support project-specific environmental review, including noise reports, biological reports, and/or air quality reports.

Additional analyses may be required for future projects depending on their location, land use type, and other design/operational characteristics. For projects that would impact structures more than 45 years old, preparation of a Historic Resources Report would be required to determine whether historically significant resources are present that could be affected by a project, and the significance of project impacts, along with mitigation measures and alternatives, as applicable.

The appropriate level of subsequent environmental review and need for additional analyses will be determined in accordance with CEQA at the time future actions are proposed.

SECTION 3: EVALUATION OF ENVIRONMENTAL IMPACTS

The environmental impacts of development associated with the NSJADP were cumulatively analyzed in the 2040 General Plan EIR and SEIR entitled, "Final Environmental Impact Report for the Envision San José 2040 General Plan", and findings were adopted by City Council Resolution No. 76041 on November 1, 2011. This chapter describes changes that have occurred in the existing environmental conditions within and near the NSJ area since the 2040 General Plan EIR and SEIR was adopted, as well as environmental impacts associated with the NSJADP related amendments. The changes proposed include:

Amendments to all of the following:

- (a) Envision San José 2040 General Plan ("General Plan"),
- (b) North San José Area Development Policy ("Policy"),
- (c) Title 20 of the San José Municipal Code to add Chapter 20.65 establishing overlay districts and the TERO Transit Employment Residential Overlay District ("Zoning Ordinance"),
- (d) Amendment of the Zoning Map to add the TERO Transit Employment Residential Overlay District ("Zoning Map"), and
- (e) Amendment of Chapter 14.29 of the San José Municipal Code relating to the North San José Traffic Impact Fee ("Traffic Impact Fee") (collectively the "Project").

The amendments to the Policy and the Traffic Impact Fee are to limit the application of the Policy and the Traffic Impact Fee to development within the Policy area boundary that received approved land use entitlements, including any general plan amendment and/or zoning amendment, and/or land use permits on or after July 28, 2005, and prior to the effective date of the resolution making such an amendment the Policy, and any subsequent amendments or adjustments to such entitlements and/or land use permits.

The amendment to the General Plan makes changes to acknowledge the amendments to the Policy, and changes the Transit Employment Residential Overlay (TERO) land use designation to increase the required minimum density from 55 dwelling units per acre to 75 dwelling units per acre and eliminate the required floor area ratio (FAR).

The amendment to the Zoning Ordinance adds Chapter 20.65 to the San José Municipal Code establishes Overlay Districts and the TERO Transit Employment Residential Overlay District consistent with the General Plan. The amendment of the Zoning Map adds the TERO Transit Employment Residential Overlay District consistent with the General Plan.

These changes would have minimal-to-no potential to result in physical environmental impacts beyond what was identified in the 2040 General Plan EIR and SEIR. Changes to the minimum residential density in TERO sites (#1, above) would not create substantially more severe environmental impacts because the 2040 General Plan EIR and SEIR analyzed the maximum development of up to 32,000 residential units. The maximum residential capacity in North San José would not change with the amendments to the NSJADP. As described in **Section 2.4.3**, the amendment of the NSJ TIF program limiting its application to already entitled projects would not alter the General Plan Transportation Network in the

North San José area; it would simply change the phasing and funding mechanism for those improvements. Several of these improvements have already been constructed, and the remaining improvements to be funded by the TIF have been determined based on a study of improvements needed to serve existing entitlements prepared by the City in 2018 (Appendix A). Elimination of phased development would not alter the maximum development capacity assumptions of the 2040 General Plan EIR and SEIR and would therefore have no potential to result in new or substantially more severe impacts at General Plan buildout.

Furthermore, because North San José Area amendments would not change/expand the boundaries of the NSJ area or alter the planned development capacity for this area, the proposed changes do not have the potential to affect the following environmental resources listed in the CEQA Guidelines Appendix G checklist, and, therefore, are not discussed further in this Initial Study/Addendum:

- Agriculture Resources
- Energy
- Mineral Resources
- Public Services
- Wildfire
- Biological Resources
- Geology/Soils
- Noise
- Recreation
- Cultural Resources
- Hydrology and Water Quality
- Population and Housing
- Tribal Cultural Resources

This document only discusses the following relevant environmental topics:

- Aesthetics
- Air Quality
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning
- Transportation
- Utilities and Service Systems

The analysis of the above topics follows the structure outlined below:

- **Environmental Setting** – This subsection is divided into two parts:
 - **Changes to the Regulatory Framework** – A brief overview of changes to relevant plans, policies, and regulations for development within the City that have been adopted since certification of the 2040 General Plan EIR and SEIR in 2011. Unless noted otherwise in this section, all regulations described in the 2040 General Plan EIR and SEIR are still relevant and would apply to all development under the NSJADP amendment.
 - **Changes to Environmental Conditions** – A brief overview of changes to the built and natural environment within the NSJ area since certification of the 2040 General Plan EIR and SEIR in 2011.
- **Checklist and Discussion of Impacts** – This subsection includes a checklist used to compare the environmental impacts of the NSJADP amendment (“Currently Proposed Project”) with those of the 2040 General Plan (“Approved Project”) and to identify whether the project as currently proposed would likely result in new or substantially worse significant environmental impacts. The categories in this checklist are described under **Determining Significance**, below.

- **Impact Discussion** – Each impact discussion begins with a summary of the impacts identified in the 2040 General Plan EIR and SEIR along with all measures identified to reduce or minimize those impacts. The changes associated with the NSJADP amendment are discussed in order to determine whether they would alter the conclusions reached in the 2040 General Plan EIR and SEIR or require new or more stringent measures to reduce impacts.
- **Conclusion** – This subsection provides a summary of the project’s impacts on the resource and states categorically whether any new or substantially worse significant impacts would occur.

Determining Significance

The purpose of the checklist is to evaluate the categories in terms of any changed condition (e.g., changed circumstances, “project” changes, or new information of substantial importance) that may result in a changed environmental result (e.g., a new significant impact or substantial increase in the severity of a previously identified significant effect) (CEQA Guidelines Section 15162).

The questions posed in the checklist come from Appendix G of the State CEQA Guidelines. Each possible response is described in detail below.

New Potentially Significant Impact

Pursuant to CEQA Guidelines section 15162, subdivision (a)(1), this response indicates that the changes represented by the NSJADP amendment will result in a new significant environmental impact not previously identified or mitigated by the 2040 General Plan EIR and SEIR, or that the NSJADP amendment will result in a substantial increase in the severity of a previously identified significant impact.

New Less than Significant with Mitigation Incorporated

Pursuant to the CEQA Guidelines section 15162, subdivision (a)(2), this response indicates that there have been substantial changes with respect to the circumstances under which the project is undertaken which will require major revisions to the 2040 General Plan EIR and SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

New Less than Significant Impact

This response indicates that an impact has been identified which was not discussed in the 2040 General Plan EIR and SEIR. However, this impact would be reduced to a less-than-significant level either through incorporation of standard conditions of approval or other regulatory requirements and no mitigation would be required.

Same Impact as “Approved Project”

This response indicates that while an impact may occur, this impact was previously identified and discussed adequately in the 2040 General Plan EIR and SEIR.

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Less Impact than “Approved Project”

This response indicates that changes proposed in the NSJADP amendment would reduce impacts to a level below that identified previously in the 2040 General Plan EIR and SEIR.

No Impact

This response indicates that neither the NSJADP amendment nor the 2040 General Plan EIR and SEIR were found to have an impact on a particular resource.

3.1 Aesthetics

3.1.1 Environmental Setting

Changes to the Regulatory Framework

State Designated Scenic Routes

The California Department of Transportation (Caltrans) designates State Scenic Highways based upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent that development modifies traveler's enjoyment of the view. No highways were eligible for designation as State Scenic Highways within the City when the 2040 General Plan EIR and SEIR was certified in 2011 and Caltrans has not designated any highways as State Scenic Highways within the City since that time.

California Senate Bill 743

On September 27, 2013, Senate Bill 743 (SB 743) was signed into law, starting a process that changed transportation impact analysis as part of CEQA compliance. SB 743 made several changes to CEQA for projects located in areas served by transit (i.e., transit-oriented development), directing the Governor's Office of Planning and Research to develop a new approach for analyzing the transportation impacts under CEQA. SB 743 also creates a new exemption for certain projects that are consistent with a Specific Plan and, eliminating the need to evaluate aesthetic and parking impacts of a project in some circumstances. However, the exemption for aesthetic impacts does not include impacts to historic or cultural resources.

City of San José Municipal Code

The City's Municipal Code includes several regulations associated with the protection of the City's visual character and control of light and glare. The City's Zoning Ordinance (Title 20 of the Municipal Code) includes design standards, maximum building height, and setback requirements. The requirements included in the Municipal Code have not been altered since certification of the 2040 General Plan EIR and SEIR in 2011.

City Council Policies 4-2: Lighting, and 4-3: Private Outdoor Lighting on Private Developments

City Policies 4-2 (Lighting) and 4-3 (Private Outdoor Lighting on Private Development), which include requirements for new streetlights, and outdoor lighting in private development, have not been altered since certification of the 2040 General Plan EIR and SEIR in 2011.

Envision San José 2040 General Plan

Since certification of the 2040 General Plan EIR and SEIR, a number of text amendments have been made to the 2040 General Plan. Such amendments have generally been small, project-specific modifications to General Land Use designations on certain parcels. These changes do not include additional provisions that would affect the 2040 General Plan policies related to creating an attractive city, maintaining compatibility with existing development or protecting landmarks and districts. See Chapter 4, Quality of Life, of the 2040 General Plan for goals and policies related to aesthetics

Changes to Environmental Conditions

As described in the 2040 General Plan EIR and SEIR, NSJ includes a mix of industrial, commercial, and residential buildings between Downtown San José (Downtown)¹ and State Route 237. The visual context is predominantly urban, though there are a few undeveloped and partially developed properties within the area. Approximately 30 acres on the north side of River Oaks Parkway between North 1st Street and Zanker Road is still an active agricultural field. Mineta San José International Airport is just southeast of the NSJ border across SR 87. Concentrated urban development east of the airport and SR 87 includes midrise office and hotel buildings. Most of the buildings in NSJ have been built within the last 50 years. The City has approved and is constructing several development projects within the NSJ area since adoption of the 2040 General Plan in 2011 such as the Coleman Highline Hotel Project and Office and the Station on North First Office Project. Implementation of these projects has increased both residential and commercial density, consistent with the assumptions included in the 2040 General Plan and contributed to a more modern aesthetic in the NSJ area.

Surrounding Area

The area surrounding NSJ is primarily residential, industrial, mixed-use commercial, and land uses associated with the Norman Y. Mineta San José International Airport. Single-family residences are concentrated south of US 101 south of the NSJ area, which contains a mix of land uses, such as Downtown, Transit Employment Center, Public/Quasi Public, and Residential. North of NSJ is the San Francisco Bay. Aside from higher density land uses, the character of this surrounding development has not changed substantially since certification of the 2040 General Plan EIR and SEIR.

Scenic Views

As described in the 2040 General Plan EIR and SEIR, the flat topography of NSJ limits views of the foothills of the Santa Cruz Mountains to the west, the Santa Teresa Hills to the south, and the Diablo Mountain Range to the east. Such views are obstructed by existing buildings, trees, and infrastructure. However, there are areas in the North 1st Street corridor from which the Diablo Range foothills to the east are visible. No new scenic views have been added since certification of the 2040 General Plan EIR and SEIR. Additionally, no State Scenic Highways are located within or near the NSJ area with views to or from Downtown. The only State Scenic Highway within Santa Clara County is over 8 miles southwest of NSJ at Highway 9 between Post Miles 0.0 and 10.8.

Nighttime Lighting

Sources of nighttime lighting in the City include indoor lighting visible through windows and outdoor lighting of signs, buildings, walkways, parking lots, and parking structures. Although some new lighting sources have been added to NSJ since 2011 through new commercial and industrial development, City Council Policies 4-2 and 4-3 have served to minimize contributions to nighttime lighting within NSJ.

¹ Downtown San José is located in the central part of the City and encompasses approximately three square miles generally bounded by Taylor Street to the north for areas west of SR 87 and Julian for areas east of SR87, San José State University and City Hall to the east, Interstate 280 to the south, and the Diridon Station Area to the west.

3.1.2 Checklist and Discussion of Impacts

Environmental Issue Area	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	No Impact
Aesthetics. Except as provided in Public Resources Code Section 21099 ¹ , would the project:						
a)	Have a substantial adverse effect on a scenic vista?			X		
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		
c)	Substantially degrade the existing visual character or quality of public views 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		
d)	Create a new source of substantial light or glare which would adversely affect day			X		

Environmental Issue Area	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	No Impact
or nighttime views in the area?						

¹ Per Public Resources Code Section 21099, aesthetic and parking impacts of residential, mixed-use residential, or employment center projects on infill sites within a transit priority area would not be considered a significant impact, unless such impacts would also affect historic or cultural resources.

Impact Discussion

The 2040 General Plan EIR and SEIR analyzed the following impacts anticipated to result from implementation of the 2040 General Plan: impacts to scenic vistas; impacts to scenic resources within a State Scenic Highway; impacts to visual character; impacts from nighttime lighting and daytime glare; and cumulative impacts to the visual setting.

Significant and Unavoidable Impacts

Scenic Vistas – Same as 2040 General Plan

The 2040 General Plan EIR and SEIR determined that there would be significant impacts to scenic vistas with implementation of standard 2040 General Plan policies (e.g., requirements that new development adjacent to freeways shall be designed to preserve and enhance attractive natural and man-made vistas). Specifically, build out of the Communications Hill Specific Plan area and the North Coyote Planning Area would alter or block views of grassy or wooded hillsides through the construction of new, multiple-storied development, which would result in a significant aesthetic impact at these locations. Both the Communications Hill Specific Plan area and the North Coyote Planning Area are located outside of the NSJ area.

The NSJADP Amendment would not allow increased development capacities within NSJ beyond those in the General Plan.

Scenic views in NSJ include key roadways with views of hillside areas, such as SR 237, Tasman Drive, and Montague Expressway. Implementation of 2040 General Plan policies CD-10.2, CD-10.3, and CD-10.4 would require development in the NSJ area to preserve and enhance attractive natural and man-made vistas where these views exist. Project-level design and environmental review of individual projects within the NSJ area would ensure the proper implementation of such policies. Therefore, the increase of maximum height limits would not interfere with existing views of scenic vistas within NSJ and amendment of the NSJADP would not result in a new or substantially more severe impact to scenic vistas beyond what was identified in the 2040 General Plan EIR and SEIR.

Less Than Significant Impacts

Several effects analyzed in the 2040 General Plan EIR were found to be less than significant; impacts to visual character, impacts from nighttime lighting and daytime glare; and cumulative impacts to the visual setting.

Visual Character in San José – Same as 2040 General Plan EIR

Although the 2040 General Plan EIR and SEIR acknowledged that the 2040 General Plan would alter the visual character of the City's built environment, the document determined that the project would avoid substantial degradation of the existing visual character or quality of the City and its surroundings on a local and citywide level. The 2040 General Plan EIR and SEIR determined that any potentially significant aesthetic impacts from future development would be reduced through conformance with applicable design guidelines.

Nighttime Lighting and Daytime Glare – Same as 2040 General Plan EIR

The 2040 General Plan EIR and SEIR determined that future development under the 2040 General Plan would be subject to the City's design review process and Municipal Code controls for lighting of signs and development adjacent to residential properties. Therefore, it was determined that the impact from light and glare would be less than significant.

Development projects within the NSJ area would continue to be subject to City Policies 4-2 (Lighting: Public Streetlights) and Policy 4-3 (Lighting: Outdoor Lighting on Private Developments), which require the use of energy-efficient lighting for outdoor building and street lighting, in addition to reducing nighttime light pollution. Projects within the NSJ area would also be subject to the City's design review process. As all individual projects within NSJ would be required to conform with these City policies, there would be no new or worsened impacts to visual character beyond what was identified in the 2040 General Plan EIR and SEIR.

Cumulative Impacts to the Visual Setting in San José – Same as 2040 General Plan EIR

The 2040 General Plan EIR and SEIR determined that build out of the 2040 General Plan would increase the number of commercial, industrial, and residential buildings in NSJ and would contribute to continued growth and densification in the NSJ area.

Although the determination of aesthetic effects is subjective, the project will not change the expected amount of development allocated to NSJ in the General Plan. Future development projects within the area, including the expansion of transit corridors, industrial redevelopment, and residential growth would not result in a cumulative change in the aesthetic character of NSJ beyond what was anticipated in the 2040 General Plan EIR and SEIR. Development in the NSJ area would continue to be subject to all of the same General Plan policies identified in the 2040 General Plan EIR and SEIR to reduce impacts to a less than significant level. Therefore, the project would not have a new or substantially worse contribution to a significant cumulative visual impact beyond what was previously identified in the 2040 General Plan EIR and SEIR.

No Impact

State Scenic Highways – Same as 2040 General Plan EIR

The 2040 General Plan EIR and SEIR concluded there would be no impact to designated State Scenic Highways, as none are located within or near the City, including the NSJ area. No new State Scenic Highways have been designated within Santa Clara County since certification of the 2040 General Plan EIR and SEIR; therefore, no impacts to scenic resources within a State Scenic Highway would occur under the project.

3.1.3 Conclusion

The North San José amendments would not result in new or substantially worse impacts than those identified in the 2040 General Plan EIR and SEIR because new development within the NSJ area would continue to adhere to City and local policies intended to preserve and enhance the visual environment. Based on this, the City finds that:

- A. Substantial changes in the 2040 General Pan EIR and circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects in the 2040 General Plan EIR and SEIR have not occurred;
- B. New information of substantial importance with respect to aesthetics resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed changes would significantly affect aesthetics.

Therefore, the conclusions in Section 3.12, Aesthetics, of the 2040 General Plan EIR and SEIR would remain valid with implementation of the project.

3.2 Air Quality

3.2.1 Environmental Setting

Ambient air quality standards have been established at both the state and federal level. The ambient air quality in a given area depends on the quantities of pollutants emitted within the area, transport of pollutants to and from surrounding areas, local and regional meteorological conditions, as well as the surrounding topography of the air basin. Air quality is described by the concentration of various pollutants in the atmosphere. Units of concentration are generally expressed in parts per million (ppm) or micrograms per cubic meter ($\mu\text{g}/\text{m}^3$).

As required by the federal Clean Air Act, National Ambient Air Quality Standards (NAAQS) have been established for six major air pollutants: carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O_3), particulate matter, including respirable particulate matter (PM_{10}) and fine particulate matter ($\text{PM}_{2.5}$), sulfur oxides (SO_x), and lead (Pb). Pursuant to the California Clean Air Act, the state has established the California Ambient Air Quality Standards (CAAQS). The “primary” standards have been established to protect the public health. The “secondary” standards are intended to protect the nation’s welfare and account for air pollutant effects on soil, water, visibility, materials, vegetation, and other aspects of the general welfare. CAAQS are generally the same or more stringent than NAAQS. The Bay Area meets all ambient air quality standards with the exception of ground-level O_3 , PM_{10} , and $\text{PM}_{2.5}$.

Air Pollutants of Concern

High O_3 levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO_x . These precursor pollutants react under certain meteorological conditions to form high O_3 levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area’s attempts to reduce O_3 levels. High O_3 levels aggravate respiratory and cardiovascular diseases, reduced lung function, and increase coughing and chest discomfort.

Particulate matter is another problematic air pollutant of the Bay Area. Particulate matter is assessed and measured in terms of PM_{10} and $\text{PM}_{2.5}$. Elevated concentrations of PM_{10} and $\text{PM}_{2.5}$ are the result of both regionwide (or cumulative) emissions and localized emissions. High particulate matter levels aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children. See Table 3.4-2 of the 2040 General Plan EIR and SEIR for the state and national ambient air quality standards for criteria pollutants.

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., DPM near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, state, and federal level.

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs (based on the Bay Area average). According to the California Air Resources Board (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.

Changes to the Regulatory Framework

Federal

The U.S. Environmental Protection Agency (EPA) sets nationwide emission standards for mobile sources, which include on-road (highway) motor vehicles such as trucks, buses, and automobiles, and non-road (off-road) vehicles and equipment used in construction, agricultural, industrial, and mining activities (such as bulldozers and loaders). The EPA also sets nationwide fuel standards, including diesel engine emission standards and diesel fuel requirements. In March 2020, the National Highway Traffic Safety Administration (NHTSA) and EPA finalized the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule, which relaxed federal greenhouse gas emissions and Corporate Average Fuel Economy (CAFE) standards to increase in stringency at only about 1.5 percent per year between 2020 and 2026, compared to about 4 percent under previous standards.

State

To address the issue of diesel emissions in the state, CARB developed the Diesel Risk Reduction Plan (Diesel RRP) to reduce diesel particulate matter emissions. In addition to requiring more stringent emission standards for new on- and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, a significant component of the plan involves application of emission control strategies to existing diesel vehicles and equipment. Many of the measures of the Diesel RRP have been approved and adopted, including the federal on- and non-road diesel engine emission standards for new engines, as well as adoption of regulations for low sulfur fuel in California.

CARB has adopted and implemented a number of regulations for stationary and mobile sources to reduce emissions of diesel particulate matter (DPM). Several of these regulatory programs affect medium and heavy-duty diesel trucks that represent the bulk of DPM emissions from California highways. CARB has also adopted and implemented regulations to reduce DPM and nitrogen oxides (NO_x) emissions from in-use (existing) and new off-road heavy-duty diesel vehicles (e.g., loaders, tractors, bulldozers, backhoes, off-highway trucks, etc.).

In November 2019, CARB released off-model adjustment factors to account for the first edition of the SAFE Vehicles Rule. Since finalization of the SAFE Vehicles rule in March 2020, CARB has evaluated these adjustment factors and determined that they continue to be valid and should be used for purposes of transportation conformity.²

Regional

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area Air Basin (SFBAAB). BAAQMD has permit authority over stationary sources, acts as the primary reviewing agency for environmental documents, and develops regulations that must be consistent with or more stringent than federal and state air quality laws and regulations.

² California Air Resources Board (CARB) 2020. *EMFAC Off-Model Adjustment Factors for Carbon Dioxide (CO₂) Emissions to Account for the SAFE Vehicles Rule Part One and the Final SAFE Rule*. Available: https://ww3.arb.ca.gov/msei/emfac_off_model_co2_adjustment_factors_06262020-final.pdf?utm_medium=email&utm_source=govdelivery.

2017 Clean Air Plan

BAAQMD’s most recently adopted plan is the Bay Area 2017 Clean Air Plan (CAP), an update to the Bay Area 2010 Clean Air Plan. The 2017 CAP defines an integrated, multi-pollutant control strategy to reduce emissions of particulate matter, Toxic Air Contaminants (TAC), ozone (O₃) precursors, and GHGs. The control strategy encompasses 85 individual control measures that describe 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 TACs 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.

The 2017 CAP represents a significant update to California’s air quality standards since the adoption of the 2040 General Plan and 2040 General Plan EIR and SEIR in 2011. Likewise, the BAAQMD’s 2010 CEQA guidelines were updated with the May 2017 revisions to address the California Supreme Court’s 2015 opinion in California Building Industry Association vs. Bay Area Air Quality Management District, 62 Cal. 4th 369. This Supreme Court decision concluded that it is the *project’s* impact on the environment (and not the *environment’s* impact on the project) that needs to be evaluated for effects on future residents or users.

Local

Envision San José 2040 General Plan

Various policies in the City’s 2040 General Plan have been adopted for the purpose of reducing or avoiding impacts related to air quality. These policies are listed below in **Table 8**.

Table 8 Applicable General Plan Air Quality Policies	
Policy	Description
MS-10.1	Assess projected air emissions from new development in conformance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and relative to state and federal standards. Identify and implement feasible air emission reduction measures.
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-10.5	In order to reduce VMT and traffic congestion, require new development within 2,000 feet of an existing or planned transit station to encourage the use of public transit and minimize the dependence on the automobile through the application of site design guidelines and transit incentives.
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

Table 8 Applicable General Plan Air Quality Policies	
Policy	Description
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.
MS-12.1	For new, expanded, or modified facilities that are potential sources of objectionable odors (such as landfills, green waste and resource recovery facilities, wastewater treatment facilities, asphalt batch plants, and food processors), the City requires an analysis of possible odor impacts and the provision of odor minimization and control measures as mitigation.
MS-12.2	Require new residential development projects and projects categorized as sensitive receptors to be located an adequate distance from facilities that are existing and potential sources of odor. An adequate separation distance will be determined based upon the type, size and operations of the facility.
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.
MS-13.2	Construction and/or demolition projects that have the potential to disturb asbestos (from soil or building material) shall comply with all the requirements of the California Air Resources Board’s air toxics control measures (ATCMs) for Construction, Grading, Quarrying, and Surface Mining Operations.

Source: *Envision San José 2040 General Plan*

The amendments made to the 2040 General Plan during the General Plan Four-Year Review did not substantially change the City’s strategy for reducing air quality impacts. Established policies for reducing project-level air quality impacts remain valid and the changes in the distribution of development capacity would generally reduce regional air quality impacts related to buildout of the General Plan by continuing to focus development in designated growth areas such as Urban Villages.

Climate Smart San José

Adopted by the City Council in 2018, Climate Smart San José (CSSJ) is the continuation and escalation of the San José Green Vision, the City’s 15-year sustainability plan. CSSJ outlines the issues of urban sustainability and how the City will transform in order to minimize the impacts of climate change, focusing on three pillars and nine key strategies, listed below in **Table 9**.

Table 9 Climate Smart San José Goals and Policies	
Pillar	Strategy
Pillar 1 – A Sustainable and Climate Smart City	Strategy 1.1: Transition to a renewable energy future
	Strategy 1.2: Embrace the Californian climate
Pillar 2 – A Vibrant City of Connected and Focused Growth	Strategy 2.1: Density the City to accommodate future residents
	Strategy 2.2: Make homes efficient and affordable for families
	Strategy 2.3: Create clean, personalized mobility choices
	Strategy 2.4: Develop integrated, accessible public transportation infrastructure
Pillar 3 – An Economically Inclusive City of Opportunity	Strategy 3.1: Create local jobs in the City to reduce VMT
	Strategy 3.2: Improve the City’s commercial building stock
	Strategy 3.3: Make commercial goods movement clean and efficient

Source: City of San José 2018

Changes to Environmental Conditions

The federal and state ambient air pollutant attainment status of the SFBAAB was last updated in January 2017, representing a change since adoption of the 2040 General Plan EIR and SEIR. The Bay Area is considered a non-attainment area for ground-level O₃ and fine particulate matter where particles have a diameter of 2.5 micrometers or less (PM_{2.5}) under both the federal Clean Air Act and the California Clean Air Act. The area is also considered non-attainment for respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM₁₀) under the California Clean Air Act, but not the federal act. The area has attained both state and federal ambient air quality standards for carbon monoxide (CO).

Land uses in NSJ are generally industrial and transit employment land uses, with residential uses with higher concentrations of sensitive receptors scattered throughout area. Development capacity for NSJ would not change beyond that designated to the NSJ Growth Area in the General Plan. NSJ is also the City’s largest employment district; the North San José Core Area along North First Street is considered an Employment Land area. Significant job growth is planned through intensification of each of the City’s Employment Land areas. Planned growth under the 2040 General Plan would introduce sensitive receptors to the NSJ area.

3.2.2 Checklist and Discussion of Impacts

Environmental Issue Area	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	No Impact
<p>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.</p> <p>Would the project:</p>						
a)	Conflict with or obstruct implementation of the applicable air quality plan?				X	
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	
c)	Expose sensitive receptors to substantial pollutant concentrations?				X	
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X	

Impact Discussion

The 2040 General Plan EIR and SEIR analyzed the following impacts anticipated to result from implementation of the 2040 General Plan: consistency with Clean Air Plan projections; consistency Air Quality Plan Control Measures; impacts to sensitive receptors from substantial pollutant concentrations; exposure of sensitive receptors to objectionable odors; impacts from construction dust and exhaust emissions; violation of an ambient air quality standard or contribute substantially to an existing or project air quality violation.

Significant and Unavoidable Impacts

The 2040 General Plan EIR and SEIR identified several significant and unavoidable impacts as a result of inconsistencies with the Bay Area Clean Air Plan and projected violation of ambient air quality standards. These impacts, as well as the associated implications of the project, are discussed below.

Bay Area Clean Air Plan – Same as 2040 General Plan EIR

BAAQMD is the regional agency responsible for overseeing compliance with state and federal laws, regulations, and programs within the SFBAAB. BAAQMD, with assistance from the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), prepares and implements specific plans to meet the applicable laws, regulations, and programs. The most recent and comprehensive of these is the Bay Area 2017 Clean Air Plan (2017 CAP). As shown in **Table 10**, the 2040 General Plan EIR and SEIR evaluated project consistency with the previous iteration of BAAQMD’s Clean Air Plan, Bay Area 2010 Clean Air Plan (2010 CAP). The 2040 General Plan EIR and SEIR determined that growth capacity planned in the 2040 General Plan, including planned development in the North San José Growth Area, would be lower than what BAAQMD assumed in the 2010 CAP, and therefore build out of the 2040 General Plan would not lead to population-based emissions beyond what BAAQMD has assumed in its regional air quality plan. However, the 2017 CAP projected lower population growth than what was assumed in the 2010 CAP. Therefore, the growth anticipated in the 2040 General Plan exceeds the population growth anticipated by BAAQMD in the 2017 CAP. The population capacity projected in the 2040 General Plan EIR and SEIR would result in more emissions and more sensitive receptors beyond what was anticipated in the 2017 CAP. The 2040 General Plan would therefore be inconsistent with the 2017 CAP, resulting in a significant impact.

Table 10 San José Population Forecast			
Projection Source	Population Projection Year		
	2025	2030	2035
2010 CAP (ABAG Projections 2007)	1,272,600	1,348,900	1,422,800
2017 CAP (ABAG Projections 2010)	1,110,405	1,189,660	1,283,360
2040 General Plan EIR	1,166,932	1,240,372	1,313,8111

Source: City of San José 2011; ABAG, MTC 2010.

Further, the rate of vehicle miles traveled (VMT) growth identified in the 2040 General Plan is substantially greater than the rate of population growth over the planning horizon of the 2040 General Plan, which could result in emissions beyond those anticipated in the region's Clean Air Plan. Therefore, the 2040 General Plan EIR and SEIR concluded that the 2040 General Plan would not be consistent with the 2010 CAP threshold of significance. As described above, the most recent regional Clean Air Plan is the 2017 CAP. However, this does not change the level of significance identified in the 2040 General Plan EIR and SEIR, as the rate of VMT growth would still be substantially greater than the rate of population growth.

While the 2040 General Plan EIR and SEIR would exceed population growth assumed in the 2017 CAP, the project would not contribute to this exceedance, as there would be no increase in development capacity anticipated in the NSJ growth area in the General Plan. Similarly, the project would not contribute to, or substantially change, VMT growth or population growth projected in the 2040 General Plan EIR and SEIR. Planned transportation improvement projects within the NSJ area would continue to be part of the General Plan Transportation Network although some improvements will have different funding mechanisms upon the amendment limiting the application of the TIF program. Therefore, the project would not result in new or substantially worse impacts than those identified in the 2040 General Plan EIR and SEIR. Individual development projects and infrastructure projects in NSJ will continue to require project-level air quality analysis pursuant to General Plan Policies MS-10.1 and 10.2 in conjunction with the project-level CEQA analysis prior to approval of any planning entitlements.

Violation of an Ambient Air Quality Standard – Same as 2040 General Plan EIR

The Bay Area as a whole does not meet State or Federal ambient air quality standards for ground level ozone and State standards for PM₁₀ and PM_{2.5}. The pollutant of most concern in the Santa Clara Valley is ozone. The 2040 General Plan EIR and SEIR indicates that new development and redevelopment allowed under the 2040 General Plan could increase the concentration of air pollutants due to mobile sources and operation of equipment. As discussed above, population projections under the 2040 General Plan are below those projected in the Bay Area 2010 Clean Air Plan, although the projected rate of VMT growth is greater than the rate of population growth and to a lesser extent the growth of the City's service population (residents plus employees). Therefore, the 2040 General Plan EIR and SEIR found that the 2040 General Plan is not wholly consistent with the Clean Air Plan for the Bay Area and the associated thresholds for population projections and air pollutants. As such, implementation of the 2040 General Plan could violate an ambient air quality standard or contribute substantially to an existing or projected air quality violation. Implementation of proposed policies and existing regulations and programs would reduce air pollutant emissions per capita, but not to a less than significant level.

The project would not contribute to, or substantially change, new development or redevelopment anticipated in the 2040 General Plan EIR and SEIR because there would be no changes in development capacity in the NSJ growth area and no change in the General Plan Transportation Network within NSJ. Therefore, the project would not increase air pollutant emissions and concentrations within the Air Basin beyond what was anticipated in the 2040 General Plan EIR and SEIR and no new or substantially more severe impacts would occur.

Less Than Significant Impacts

Several effects analyzed in the 2040 General Plan EIR and SEIR were found to be less than significant; the 2040 General Plan would be consistent with Clean Air Plan control measures and there would not be a

significant impact to sensitive receptors from pollutant concentration, objectionable odors, or construction dust/exhaust emissions.

Bay Area Clean Air Plan Control Measures – Same as 2040 General Plan EIR

As identified in the 2040 General Plan EIR and SEIR, the Air District has a long history of implementing control measures to reduce ozone precursor emissions from stationary, area, mobile and transportation sources. These include the following:

- **Transportation control measures (TCMs)** – TCMs were designed to reduce emissions from motor vehicles by reducing vehicle trips and VMT. TCMs may also reduce vehicle use, vehicle idling or traffic congestion. TCMs in particular address State ozone planning requirements for the Bay Area.
- **Mobile source measures (MSMs)** –MSMs are measures that reduce emissions by accelerating the replacement of older, dirtier vehicles and equipment.
- **Local Impacts Measures (LUMs)** – LUMs are a category of measures designed to: (1) Promote mixed-use, compact development to reduce motor vehicle travel and emissions, and (2) Ensure that planned growth is focused in a way that protects people from exposure to air pollution from stationary and mobile sources of emissions.
- **Energy and Climate Control Measures (ECMs)** – ECMs are a category of measures included in the 2010 CAP, and carried forth in the 2017 CAP, designed to reduce ambient concentrations of criteria pollutants and reduce emissions of CO₂. ECMs were designed to promote energy conservation and efficiency in buildings throughout the community, promote renewable forms of energy production, reduce the “urban heat island” effect by increasing reflectivity of roofs and parking lots, and promote the planting of (low-VOC emitting) trees to reduce biogenic emissions from trees, lower air temperatures, provide shade and absorb air pollutants.

The policies under the proposed 2040 General Plan support and reasonably implement the applicable 2017 CAP TCMs, MSMs, LUMs, and ECMs. Therefore, the 2040 General Plan would be consistent with 2017 CAP Control Measures.

The project would not affect implementation of 2040 General Plan policies that are relevant to 2017 CAP TCMs, MSMs, LUMs, and/or ECMs. The General Plan development capacity for the North San José Growth Area will remain unchanged, and no changes to the General Plan Transportation Network within NSJ are proposed at this time. Furthermore, future development and infrastructure projects within NSJ will be evaluated for compliance with the same 2040 General Plan policies designed to reduce emissions from motor vehicles by reducing vehicle trips and VMT. Therefore, no new or substantially more severe impacts would occur.

Impacts to Sensitive Receptors from Substantial Pollutant Concentrations – Same as 2040 General Plan EIR

As identified in the 2040 General Plan EIR and SEIR, the primary sources of TAC emissions in San José are traffic (Interstate 280, Interstate 680, Interstate 880, US 101, State Routes 17, 82, 85, 87 and 237 and other major roadways), industrial uses (including their truck traffic generation), commercial uses (i.e. dry cleaners and gas stations), backup generators, and the San José International Airport. Projects with sensitive receptors proposed near localized sources of TAC emissions (e.g., residences to be located near major roadways) could expose new sensitive populations to TACs and PM_{2.5}. The 2040 General Plan

includes updated policies that would help reduce exposure to TACs added by future development. Further, the City is committed to working with BAAQMD on development of a Community Risk Reduction Plan to address reducing exposures of residents to toxic air contaminants and particulate matter smaller than 2.5 microns emissions from all sources. For projects proposed prior to finalization of the Community Risk Reduction Plan, the 2040 General Plan requires that site specific modeling be conducted prior to development of residential uses that could be affected by toxic air contaminants associated with roadways or stationary sources, in accordance with BAAQMD health risk criteria. Ultimately, the Community Risk Reduction Plan is intended as a tool for enforcement and monitoring and a means to update community risk reduction measures based upon new information or changed conditions. Through these short-term and long-term measures, possible health hazards to new residents and other sensitive populations would be substantially reduced.

The project would not change the locations of sensitive receptors, such as residential uses, near localized sources of TACs and PM_{2.5} beyond what is anticipated in the 2040 General Plan. Proposed development and infrastructure projects in the NSJ area that would emit TACs would require separate project-level air quality analysis pursuant to General Plan policies, the BAAQMD rules and regulations, and CEQA. Additionally, such projects would have to adhere to local laws, regulations and adopted plans that would reduce or avoid possible air quality pollutants, such as the Clean Air Act, the Bay Area 2017 Clean Air Plan, BAAQMD CEQA Guidelines, and City Municipal Code Chapter 9.11 and Chapter 11.105. Therefore, no new or substantially more severe impacts would occur.

Exposure Sensitive Receptors to Objectionable Odors – Same as 2040 General Plan EIR

Implementation of the 2040 General Plan has the potential to result in the placement of sensitive receptors (e.g., new residences) near localized sources of odors that could include painting/coating operations or coffee roasters. However, the 2040 General Plan includes updated policies that would help reduce exposure to odors added by future development, including Policy MS-12.1 and Policy MS-12.2. The 2040 General Plan EIR and SEIR found that Policy MS-12.1 and Policy MS-12.2 would provide for adequate buffers between sources of odors and new residences or sensitive receptors.

With the project, future development and infrastructure projects in NSJ would continue be subject to the same policies established in the 2040 General Plan EIR and SEIR. The project would not change assumptions in the 2040 General Plan EIR and SEIR regarding the placement of sensitive receptors near facilities that emit objectionable odors. As such, impacts resulting from amendment of the NSJADP would not be new or substantially more severe than that identified in the 2040 General Plan EIR and SEIR.

Impacts from Construction Dust and Exhaust Emissions – Same as 2040 General Plan EIR

Development allowed under the 2040 General Plan would generate dust that could affect local and regional air quality. Dust is generated from a variety of project construction activities including grading, import/export of fill material, and vehicle travel on unpaved surfaces. Soil can also be tracked out onto paved roads where it is entrained in the air by passing cars and trucks. The rate of dust emissions is related to the type and size of the disturbance, meteorological conditions, and soil conditions. Similar to construction dust, construction exhaust emissions are difficult to predict because of the range of equipment used, variability in age of equipment, and variation in the hours of use for each project. Exhaust from diesel powered construction equipment affects regional ozone levels as well as localized particulate levels.

Diesel particulate matter is considered a toxic air contaminant per the California Health and Safety Code Section 39655. Construction equipment engines will be replaced and equipment fleets managed in the next several years as required under CARB diesel vehicle regulations, leading to an overall decrease in emissions of exhaust particulate matter and ozone precursor emissions, as reflected in URBEMIS (urban emissions) software used to estimate construction, area source, and operational air pollutant emissions from land use projects.

Future development and infrastructure projects within NSJ would continue to be subject to 2040 General Plan policies that require the evaluation of construction air quality impacts on sensitive receptors (such as residents and schools) and would be required to implement standard construction measures to substantially reduce construction dust emissions generated by future development. As such, the project would not cause new or substantially more severe impacts than those identified in the 2040 General Plan EIR and SEIR.

3.2.3 Conclusion

The project would not result in new or substantially worse impacts to air quality than those identified in the 2040 General Plan EIR and SEIR because there would be no net increase in General Plan development capacity within the NSJ growth area, as total development Citywide will be within the capacity anticipated in the 2040 General Plan. Additionally, despite changes to the TIF, the General Plan Transportation Network for the NSJ area would not change. The City would identify other funding mechanism outside of the TIF program for any unfunded transportation improvements anticipated in the 2040 General Plan. Based on this, the City finds that:

- A. Substantial changes in the 2040 General Plan and circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects in the 2040 General Plan EIR and SEIR have not occurred; and
- B. New information of substantial importance with respect to air quality resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified.

Therefore, the conclusions in Section 3.4, Air Quality, of the 2040 General Plan EIR and SEIR would remain valid with project.

3.3 Greenhouse Gas Emissions

3.3.1 Environmental Setting

Changes to the Regulatory Framework

Federal

Clean Air Act

The EPA is the federal agency responsible for implementing the Clean Air Act. The U.S. Supreme Court in its 2007 decision in *Massachusetts et al. v. Environmental Protection Agency et al.*, ruled that carbon dioxide (CO₂) is an air pollutant as defined under the Clean Air Act, and that EPA has the authority to regulate emissions of GHGs. Following the court decision, EPA has taken actions to regulate, monitor, and potentially reduce GHG emissions (primarily mobile emissions). In March 2020, the NHTSA and EPA finalized the SAFE Vehicles Rule, which relaxed federal greenhouse gas emissions and CAFE standards to increase in stringency at only about 1.5 percent per year between 2020 and 2026, compared to about 4 percent under previous standards.

State

California Global Warming Solutions Act

Under the California Global Warming Solutions Act, also known as Assembly Bill 32 (AB 32), CARB has established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHG, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, that identifies how emission reductions will be achieved from significant GHG sources.

On September 8, 2016, Governor Brown signed Senate Bill 32 (SB 32) into law, which requires CARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030. As a part of this effort, CARB is required to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons (MT) of carbon dioxide equivalent (CO₂e). CARB adopted the state's updated Climate Change Scoping Plan in December 2017 and has not since released an updated plan. The updated plan provides a framework for achieving the 2030 target.

California Senate Bill 375 – Redesigning Communities to Reduce GHGs

Senate Bill 375 (SB 375) builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035, as compared to 2005 emissions levels. Consistent with the requirements of SB 375, MTC partnered with the ABAG, BAAQMD, and Bay Conservation and Development Commission (BCDC) to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP) process. The SCS is referred to as Plan Bay Area.

Plan Bay Area established a course for reducing per-capita GHG emissions through the promotion of compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified Priority Development Areas (PDAs). NSJ is identified as a PDA. Plan Bay Area 2040 was updated in July 2017 as a focused update with revised planning assumptions based upon current demographic trends. The Amendment to Plan Bay Area 2040, adopted in March 2018, does not contain changes to any projects within the NSJ.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing (criteria) pollutants and GHG emissions into a single coordinated set of requirements for model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings. No new requirements have been passed since the September 2021 Amendments to the 2040 General Plan EIR and SEIR.

Regional

Bay Area Air Quality Management District

BAAQMD is the regional government agency that regulates sources of air pollution within the nine San Francisco Bay Area counties. Several key activities of BAAQMD related to GHG emissions are described below.

- Regional Clean Air Plans: BAAQMD and other agencies prepare clean air plans as required under the state and federal Clean Air Acts. Consistent with the GHG reduction targets adopted by the State of California, the 2017 CAP lays the groundwork for BAAQMD’s long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.
- BAAQMD 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 Guidelines include information on legal requirements, BAAQMD rules, plans and procedures, methods and thresholds for analyzing GHG emissions, mitigation measures, and background information.

BAAQMD’s CAP and CEQA guidelines have not been updated since the September 2021 Amendments to the 2040 General Plan EIR and SEIR.

Local

Envision San José 2040 General Plan

Various policies in the 2040 General Plan have been adopted for the purpose of reducing or avoiding impacts related to air quality. In addition, goals, and policies throughout the 2040 General Plan encourage a reduction in VMT and requirements for Transportation Demand Management programs for large employers. Additional policies related to transportation, energy, and air quality have also been adopted to reduce energy use (and thus emissions from fuel use). **Table 11** lists the relevant 2040 General Plan greenhouse gas emissions policies.

Table 11 Applicable Greenhouse Gas Emissions General Plan Policies	
Policy	Description
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

Table 11 Applicable Greenhouse Gas Emissions General Plan Policies	
Policy	Description
	cross ventilation and interior daylight) and through site design techniques (e.g., orienting buildings on sites to maximize the effectiveness of passive solar design).
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
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
CD-5.1	Design areas to promote pedestrian and bicycle movements, to facilitate interaction between community members, and to strengthen the sense of community
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.
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 toward transit ridership. In addition, require that new development is designed to accommodate and to provide direct access to transit facilities.

Source: *Envision San José 2040 General Plan*

Greenhouse Gas Reduction Strategy

The City’s GHG Reduction Strategy (GHGRS), as part of the 2040 General Plan, identifies GHG emissions reduction measures to be implemented by development projects as part of 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 and could be incorporated as mitigation measures for proposed projects, at the City’s discretion.

The environmental impacts of the GHGRS were analyzed in the 2040 General Plan EIR and SEIR, and as supplemented. Beyond 2020, the emission reductions in the GHG Reduction Strategy were not large enough to meet the City’s identified 3.04 MT CO₂e/SP efficiency metric for 2035. An additional reduction of 5,392,000 MT CO₂e per year would be required for the projected service population to meet the City’s target for 2035.

In August 2020, the City published the 2030 GHG Reduction Strategy, which is an update to the original GHGRS. The City Council adopted the updated Strategy in November 2020 and replaces the previous GHGRS in the 2040 General Plan. The 2030 GHG Reduction Strategy better aligns with SB 32 GHG reduction goal for 2030 (i.e., 40 percent reduction below 1990 levels by 2030) and builds upon the City’s 2040 General Plan and the Climate Smart San José carbon reduction goals. The 2030 GHG Reduction Strategy establishes an emission target for the City that is consistent with SB 32 and identified policies that will contribute to GHG reductions in the City. In addition, the 2030 GHG Reduction Strategy is also a

qualified CAP, so developments can tier off the document for CEQA review. A development checklist was developed that would streamline GHG analyses for future developments and ensure that new projects demonstrate consistency with 2030 GHG Reduction Strategy.

From 2017 to 2030, emissions are estimated to increase by approximately seven percent with no reductions implemented. Therefore, interim 2030 GHG emission targets were developed to ensure the City meets the SB 32 goal. The 2030 GHG target thresholds are 5.3 million metric tons (MMT) CO₂e/year in 2030 and 2.94 MT CO₂e/service population (SP). Individual projects must demonstrate compliance with the General Plan Land Use/Transportation Diagram, General Plan Policies for the purpose of reducing GHG emissions, and substantial conformance with several GHG reduction strategies are listed in the 2030 GHG Reduction Strategy to meet these target thresholds and further reduce GHGs. The GHG reduction strategies listed in **Table 12** would apply to future development projects within the NSJADP growth area.

Table 12 City of San José 2030 GHG Reduction Strategy
Applicable GHG Reduction Strategy Measures
<p>GHGRS 1 – San José Clean Energy The City will implement the San José Clean Energy program to provide residents and businesses access to cleaner energy at competitive rates.</p>
<p>GHGRS 2 – Zero Net Carbon – Residential Construction The City will implement building reach code ordinance (adopted September 2019) and its prohibition of natural gas infrastructure ordinance (adopted October 2019) to guide the City’s new construction toward zero net carbon (ZNC) buildings</p>
<p>GHGRS 3 – Renewable Energy Development The City will expand development of rooftop solar energy through the provision of technical assistance and supportive financial incentives to make progress toward the Climate Smart San José of becoming one-gigawatt solar city.</p>
<p>GHGRS 5 – Zero Waste Goal As an expansion to Climate Smart San José, the City will update its Zero Waste Strategic Plan and reassess zero waste strategies. Throughout the development of the update, the City will continue to divert 90 percent of waste away from landfills through source reduction, recycling, food recovery and composting, and other strategies.</p>
<p>GHGRS 7 – Water Conservation The City will expand its water conservation efforts to achieve and sustain long-term per capita reductions that ensure a reliable water supply with a changing climate, through regional partnerships, sustainable landscape designs, green infrastructure, and water-efficient technology and systems.</p>

Source: City of San José 2011

Projects that do not substantially comply with these strategies must either demonstrate that alternative project measures would accomplish similar GHG reduction or must prepare a project-specific GHG analysis during environmental review.

City of San José Municipal Code

The City’s Municipal Code includes regulations that would reduce GHG emissions from future development. Since certification of the 2040 General Plan EIR and SEIR, the natural gas infrastructure prohibition has been added to the City’s Municipal Code (Chapter 17.845).

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) that establishes baseline green building standards for private sector new 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. Future development in the NSJ area would be subject to this policy after amendment of the NSJADP, which has not changed since the September 2021 Amendments to the 2040 General Plan EIR and SEIR.

City of San José Reach Code Initiative

In September 2019, the City Council approved a building reach code ordinance (Ordinance No. 30311) that encourages building electrification and energy efficiency, requires solar-readiness on nonresidential buildings, and requires electric vehicle (EV)-readiness and EV equipment installation. In October 2019, the City Council approved an ordinance (Ordinance No. 30330) prohibiting natural gas infrastructure in new detached accessory dwelling units, single-family, and low-rise multi-family buildings that would supplement the reach code ordinance. This ordinance does not apply to high rise multi-family housing units, hotels/motels, or other non-residential units. These ordinances apply to new construction as of January 1, 2020.³

Climate Smart San José

Adopted by the City Council in 2018, Climate Smart San José (CSSJ) is the continuation and escalation of the San José Green Vision, the City's 15-year sustainability plan. CSSJ outlines the issues of urban sustainability and how the City will transform in order to minimize the impacts of climate change, focusing on nine key strategies. Transition to a renewable energy future, densification of City to accommodate future neighbors, and introduction of clean, personalized mobility choices are among listed strategies in the plan. The Community-Wide GHG Emissions Inventory is used to track the City's progress in achieving the goals of CSSJ. CSSJ has not been updated since certification of the 2040 General Plan EIR and SEIR.

Changes to Environmental Conditions

The environmental setting relevant to GHG emissions has not substantially changed since the certification of the 2040 General Plan EIR in 2011 and the General Plan Supplemental EIR in 2015 because development within the NSJ area has conformed to the NSJADP, the land use and development assumptions of which are accounted for in the 2040 General Plan.

³ City of San José 2019. *San José Reach Code*. Available: <https://www.sanjoseca.gov/your-government/departments-offices/environmental-services/climate-smart-san-jos/2019-reach-code-initiative>

3.3.2 Checklist and Discussion of Impacts

Environmental Issue Area		New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as “Approved Project”	Less Impact than “Approved Project”	No Impact
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		
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X		

Impact Discussion

The 2040 General Plan EIR and SEIR analyzed the following impacts anticipated to result from implementation of the 2040 General Plan: Projected Total San José GHG Emissions in 2035; and Consistency with Plans and Programs.

Significant and Unavoidable Impacts

The 2040 General Plan EIR and SEIR identified a significant and unavoidable impact as a result of the City’s projected cumulatively considerable contribution to global climate change. This impact, as well as the associated implications of amendment of the NSJADP, are discussed below.

Projected Total San José GHG Emissions in 2035 – Same as 2040 General Plan EIR

The 2040 General Plan EIR and SEIR found that achieving the substantial GHG emissions reductions needed to meet the 2050 state goals would require an aggressive multiple-pronged approach including policy decisions and additional emission controls at the federal and state level, and new and substantially advanced technologies that cannot be anticipated or predicted with any accuracy at this time. Future policy and regulatory decisions by other agencies (such as the California ARB, PUC, California Energy Commission, MTC, and BAAQMD) and technological advances are outside the City’s control, and therefore cannot be relied upon as feasible mitigation strategies.

Given the uncertainties about the feasibility of achieving the needed 2040 emissions reductions while fulfilling the City’s goals to increase employment in the City, the 2040 General Plan’s cumulative

contribution to greenhouse gas emissions and climate change for the 2040 timeframe was determined to be significant and unavoidable.

The actions associated with the project, including General Plan amendments, amendments to the NSJ TIF program, and changes to the TERO sites would not result in changes to GHG emissions beyond that anticipated in the 2040 General Plan EIR and SEIR. This is because the actions will not change the land use and transportation network assumed at buildout of the General Plan. Development and infrastructure projects within the NSJ area would continue to be subject to the same plans and policies (including the updated 2030 GHGRS), and there would be no change in General Plan development capacities or the General Plan Transportation Network. Furthermore, future development and infrastructure projects will be require an analysis of transportation impacts consistent with the City's Transportation Analysis Policy (Council Policy 5-1), which could identify project-level mitigation such as transportation demand management and improvements to the non-automobile transportation network to reduce VMT and GHG emissions. Therefore, the project would not exacerbate the significant and unavoidable impact identified in the 2040 General Plan EIR and SEIR, nor introduce a new or substantially worse GHG impact than that described in the 2040 General Plan EIR and SEIR.

Less Than Significant Impacts

The 2040 General Plan EIR and SEIR found the 2040 General Plan would be consistent with applicable plans and programs pertaining to the reduction of GHG emissions. Therefore, this impact was determined to be less than significant.

Consistency with Plans and Programs – Same as 2040 General Plan EIR

2017 Clean Air Plan

As discussed in the 2040 General Plan EIR and SEIR, the proposed 2040 General Plan would support the goals of the 2017 Clean Air Plan through incorporation of the following:

- Reducing motor VMT by facilitating development in proximity to existing/proposed/planned pedestrian, bicycle, and transit facilities;
- Including a TDM program that encourages automobile-alternative transportation;
- Complying with applicable regulations that would result in energy and water efficiency including Title 24 and California Green Building Standards Code.

Therefore, the 2040 General Plan EIR and SEIR concluded that the project would not disrupt or hinder the implementation of applicable control measures in the 2017 CAP.

All future development in the NSJ area would continue to be required to implement the strategies outlined above and cited in the 2040 General Plan EIR and SEIR, and will be required to demonstrate substantial conformance with the 2030 GHG Reduction Strategy or implementation of alternative measures. Therefore, amendment of the NSJADP would not affect consistency with the 2017 CAP and there would be no new or substantially more severe impact.

2030 GHG Reduction Strategy

The City has adopted an updated 2030 GHG Reduction Strategy since certification of the 2040 General Plan EIR and SEIR in 2011. This update was prepared in response to SB 32, which establishes an interim GHG reduction goal for 2030 and proposes strategies designed to reduce the City's greenhouse gas

emissions levels to 40 percent below 1990 levels by the year 2030 to meet the long-term target of carbon neutrality by 2045. **Table 12** above lists the relevant measures identified in the 2030 GHG Reduction Strategy. In addition, any future developments proposed in the NSJ area would need to complete the 2030 GHGRS Development Compliance Checklist to ensure that all developments adhere to the policies in the 2030 GHG Reduction Strategy or prepare a project-specific analysis of GHG emissions with alternative measures that achieve a similar level of reduction of GHG emissions.⁴ Therefore, future development in the NSJ area occurring through the horizon year 2030 would be required to either be consistent with the City's 2030 GHGRS, demonstrate alternative project measures would accomplish the same reductions as the 2030 GHGRS, or prepare a project-specific GHG analysis during environmental review and implement mitigation measures that achieve a similar level of reduction in GHG emissions as the 2030 GHGRS.

3.3.3 Conclusion

The project would not result in new or substantially worse impacts than those identified in the 2040 General Plan EIR and SEIR because there would be no net increase in General Plan development capacity within the NSJ area nor a change to the General Plan Transportation Network assumed at buildout of the General Plan. Further, future development and infrastructure projects in the NSJ area would continue to be subject to the same or stricter GHG regulations as outlined in the 2040 General Plan EIR and SEIR and applicable GHGRS. Based on the this, the City finds that:

- A. Substantial changes in 2040 General Plan and circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects in the 2040 General Plan EIR and SEIR have not occurred; and
- B. New information of substantial importance with respect to greenhouse gas emissions resulting in new significant effects or a substantial increase in the severity of previously identified effects in the 2040 General Plan EIR has not been identified.

Therefore, the conclusions in Section 3.8, Greenhouse Gas Emissions, of the 2040 General Plan EIR and SEIR would remain valid with implementation of the amendment of the NSJADP.

⁴ The City will prepare an updated GHG Reduction Strategy to address citywide emissions in 2040 to achieve an interim target between the 2030 target of 40 percent below 1990 levels and the 2050 goal established in EO S-3-05 of 80 percent 1990 levels. The timeframe for this updated GHG Reduction Strategy is unknown, but likely a decade away. Further analysis would be required to confirm consistency of any development in the NSJ area following amendment of the NSJADP post-2030 with the 2040 GHG Reduction Strategy following adoption of that document.

3.4 Hazards and Hazardous Materials

3.4.1 Environmental Setting

3.4.1.1 Changes to Regulatory Framework

No new updates to local, state, or federal regulations pertaining to hazards and hazardous materials have occurred since the 2040 General Plan EIR and SEIR was certified in 2011 and 2015, respectively. The text amendments in September 2021 of the 2040 General Plan do not contain changes to land use designations within the NSJ boundaries that would affect the NSJADP amendment’s impacts. **Table 13** lists the relevant 2040 General Plan hazards and hazardous materials policies.

Table 13 Applicable Hazards and Hazardous Waste 2040 General Plan Policies	
Policy	Description
ER-9.6	Require the proper construction and monitoring of facilities that store hazardous materials in order to prevent contamination of the surface water, groundwater and underlying aquifers. In furtherance of this policy, design standards for such facilities should consider high groundwater tables and/or the potential for freshwater or tidal flooding
EC-6.1	Require all users and producers of hazardous materials and wastes to clearly identify and inventory the hazardous materials that they store, use or transport in conformance with local, state and federal laws, regulations and guidelines.
EC-6.2	Require proper storage and use of hazardous materials and wastes to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal by businesses and residences. Require proper disposal of hazardous materials and wastes at licensed facilities.
EC-6.3	Provide information to the public on the proper disposal of products by households and small businesses with practical pollution prevention options for the use, recycling, and disposal of products containing hazardous substances under City and County of Santa Clara programs for Household Hazardous Waste Disposal.
EC-6.4	Require all proposals for new or expanded facilities that handle hazardous materials that could impact sensitive uses off-site to include adequate mitigation to reduce identified hazardous materials impacts to less than significant levels.
EC-6.5	The City shall designate transportation routes to and from hazardous waste facilities as part of the permitting process in order to minimize adverse impacts on surrounding land uses and to minimize travel distances along residential and other non-industrial frontages.
EC-6.6	Address through environmental review for all proposals for new residential, park and recreation, school, day care, hospital, church or other uses that would place a sensitive population in close proximity to sites on which hazardous materials are or are likely to be located, the likelihood of an accidental release, the risks posed to human health and for sensitive populations, and mitigation measures, if needed, to protect human health.
EC-6.7	Do not approve land uses and development that use hazardous materials that could impact existing residences, schools, day care facilities, community or recreation centers, senior residences, or other sensitive receptors if accidentally released without the incorporation of adequate mitigation or separation buffers between uses.

Table 13 Applicable Hazards and Hazardous Waste 2040 General Plan Policies	
Policy	Description
EC-6.8	The City will use information on file with the County of Santa Clara Department of Environmental Health under the California Accidental Release Prevention (CalARP) Program as part of accepted Risk Management Plans to determine whether new residential, recreational, school, day care, church, hospital, seniors or medical facility developments could be exposed to substantial hazards from accidental release of airborne toxic materials from CalARP facilities.
EC-6.12	Regulate new development on or in proximity to high pressure natural gas pipelines to promote public safety and reduce risks from land use incompatibility
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.
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.
EC-7.3	Where a property is located in near proximity of known groundwater contamination with volatile organic compounds or within 1,000 feet of an active or inactive landfill, evaluate and mitigate the potential for indoor air intrusion of hazardous compounds to the satisfaction of the City’s Environmental Compliance Officer and appropriate regional, state and federal agencies prior to approval of a development or redevelopment project.
EC-7.4	On redevelopment sites, determine the presence of hazardous building materials during the environmental review process or prior to project approval. Mitigation and remediation of hazardous building materials, such as lead-paint and asbestos-containing materials, shall be implemented in accordance with state and federal laws and regulations.
EC-7.5	On development and redevelopment sites, require all sources of imported fill to have adequate documentation that it is clean and free of contamination and/or acceptable for the proposed land use considering appropriate environmental screening levels for contaminants. Disposal of groundwater from excavations on construction sites shall comply with local, regional, and state requirements.
EC-7.6	The City will encourage use of green building practices to reduce exposure to volatile or other hazardous materials in new construction materials.
EC-7.8	Where an environmental review process identifies the presence of hazardous materials on a proposed development site, the City will ensure that feasible mitigation measures that will satisfactorily reduce impacts to human health and safety and to the environment are required of or incorporated into the projects. This applies to hazardous materials found in the soil, groundwater, soil vapor, or in existing structures.
EC-7.9	Ensure coordination with the County of Santa Clara Department of Environmental Health, Regional Water Quality Control Board, Department of Toxic Substances Control or other applicable regulatory agencies, as appropriate, on projects with contaminated soil and/or groundwater or where historical or active regulatory oversight exists.

Policy	Description
EC-7.10	Require review and approval of grading, erosion control and dust control plans prior to issuance of a grading permit by the Director of Public Works on sites with known soil contamination. Construction operations shall be conducted to limit the creation and dispersion of dust and sediment runoff.
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.
LU-6.2	Prohibit encroachment of incompatible uses into industrial lands, and prohibit non-industrial uses which would result in the imposition of additional operational restrictions and/or mitigation requirements on industrial users due to land use incompatibility issues.
LU-6.3	When new uses are proposed in proximity to existing industrial uses, incorporate measures within the new use to minimize its negative impacts on existing nearby land uses and to promote the health and safety of individuals at the new development site.

Changes to Environmental Conditions

The NSJ area is currently developed with a range of residential, commercial, and industrial uses, including facilities that may use hazardous materials or generate hazardous wastes such as dry cleaners, gas stations, automotive, machine shops and other uses. The 2040 General Plan EIR and SEIR identified no large-scale manufacturing facilities that are likely to store or use toxic gases or significant quantities of hazardous materials within or adjacent to the NSJ area, although there may be aboveground fuel tanks, high pressure natural gas transmission lines, and other facilities that generate small quantities of hazardous wastes. No new large-scale manufacturing facilities have been constructed within the NSJ area that would substantially increase the use of hazardous materials in the area since the certification of the 2040 General Plan EIR and SEIR. The NSJ area is still developed with residential, commercial, and industrial uses with a similar potential for use and storage of hazardous materials as identified in the 2040 General Plan EIR and SEIR.

3.4.2 Checklist and Discussion of Impacts

Environmental Issue Area		New Potentially significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as “Approved Project”	Less impact than “Approved Project”	No Impact
Hazards and Hazardous Materials. Would the project:							
a)	Create a significant hazard to the public or the environment through the routine transport, use, or				X		

North San José Area Development Policy Amendment

Environmental Issue Area		New Potentially significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as "Approved Project"	Less impact than "Approved Project"	No Impact
	disposal of hazardous materials?						
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		
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X		
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		
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				X		

Environmental Issue Area		New Potentially significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as “Approved Project”	Less impact than “Approved Project”	No Impact
	airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?						
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X		
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X		

3.4.2.1 Impact Discussion

No significant unavoidable impacts to hazards and hazardous materials were identified in the 2040 General Plan EIR or SEIR, nor were any mitigation measures required to reduce impacts to a less-than-significant level.

Less Than Significant Impacts – Same as 2040 General Plan EIR

Several impacts analyzed in the 2040 General Plan EIR and SEIR were found to be less than significant: hazardous materials use and potential for accidental releases, reported hazardous materials releases and existing contamination, airport hazard impacts, and wildfire hazards.

The NSJADP acknowledged that hazardous materials could pose a threat to people and the environment within the NSJ area. To avoid potential health impacts from hazardous materials, the NSJADP established criteria for siting new housing within or near industrial areas such as requiring a buffer between new residential uses and existing industrial uses (see **Section 2.3.1.1, Land Use** for a full description of these criteria). Although the NSJADP will be amended, the criteria for siting new housing near industrial uses have been incorporated into the 2040 General Plan policies summarized in **Table 13**. The project will not change the planned location of residential development or other sensitive

receptors. Future residential projects or projects that would place new sensitive receptors within the NSJ area would continue to be subject to project-level environmental review and review for conformance with General Plan policies, including those listed in Table 9. Therefore, the amendment of the NSJADP would not create any new or substantially more severe hazards to people and the environment beyond those previously identified in the 2040 General Plan EIR and SEIR.

3.4.3 Conclusion

Development subsequent to the amendment of the NSJADP would follow hazards and hazardous materials measures and protocols set forth in the 2040 General Plan. Development would continue to be subject to siting criteria under General Plan Policies LU-6.2 and LU-6.3. The project would not result in new or substantially worse hazards and hazardous waste impacts than those identified in the 2040 General Plan EIR and SEIR because the project does not propose changes to the planned locations of new residential development or other sensitive receptors, and new development would be subject to 2040 General Plan policies and measures, which would be enforced as part of the project-level design and environmental review processes. Based on this, the City finds that:

- A. Substantial changes in the 2040 General Plan EIR and circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects in the 2040 General Plan EIR and SEIR have not occurred;
- B. New information of substantial importance with respect to hazards and hazardous materials resulting in new significant effects or a substantial increase in the severity of previously identified effects in the 2040 General Plan EIR and SEIR has not been identified; and
- C. None of the proposed changes would significantly affect utilities and service systems.

Therefore, the conclusions in Section 3.8, Hazards and Hazardous Materials, of the 2040 General Plan EIR and SEIR would remain valid with implementation of the NSJADP amendment.

3.5 Land Use and Planning

3.5.1 Environmental Setting

3.5.1.1 Changes to the Regulatory Framework

Airport-Related Plans and Regulations

The Airport is owned and operated by the City and regulated by the Code of Federal Aviation regulations. These regulations have not changed substantially since certification of the 2040 General Plan EIR and SEIR.

Additionally, the Santa Clara County Airport Land Use Commission, under State of California mandate has adopted a Comprehensive Land Use Plan for the Airport. The Airport Land Use Commission is currently considering an update to the Comprehensive Land Use Plan.

Santa Clara Valley Habitat Plan / Natural Community Conservation Plan

The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (Habitat Plan), adopted in 2013 covers an area of 519,506 acres, or approximately 62 percent of Santa Clara County, including most of the NSJ growth area.

City of San José Plans and Policies

Envision San José 2040 General Plan

Since certification of the 2040 General Plan EIR and SEIR in 2011, a number of text and land use amendments have been made to the 2040 General Plan. Land use amendments have generally been small, project-specific modifications on certain parcels. These changes do not include additional provisions that would affect the overall vision for future growth, development, and the provision of municipal services for the City. For a full discussion of 2040 General Plan strategies and land use designations within NSJ, refer to Section 3.1.1.2 of the 2040 General Plan EIR and SEIR. **Table 14** lists the relevant 2040 General Plan land use and planning policies.

Table 14 Applicable Land Use and Planning 2040 General Plan Policies	
Policy	Description
LU-1.1	Foster development patterns that will achieve a complete community in San José, particularly with respect to increasing jobs and economic development and increasing the City’s jobs-to-employed resident ratio while recognizing the importance of housing and a resident workforce.
LU-1.4	Within Identified Growth Areas, where consolidation of parcels is necessary to achieve viable designated land uses or other objectives of the Envision General Plan, limit residential development of individual parcels that do not conform to approved Village Plans or further other plan objectives.
LU-1.7	Locate employee-intensive commercial and industrial uses within walking distance of transit stops. Encourage public transit providers to provide or increase services to areas with high concentrations of residents, workers, or visitors.
LU-2.1	Provide significant job and housing growth capacity within strategically identified “Growth Areas” in order to maximize use of existing or planned infrastructure (including fixed transit facilities), minimize the environmental impacts of new development, provide for more efficient delivery of City services, and foster the development of more vibrant, walkable urban settings.
LU-2.2	Include within the Envision General Plan Land Use / Transportation Diagram significant job and housing growth capacity within the identified Growth Areas. North San José – Because of its importance as a job center, access to transit facilities and proximity to the San José Mineta International Airport, the North San José Area is planned to accommodate up to 100,000 new jobs and 32,000 new housing units. The North San José Area Development Policy includes a phasing plan and a Traffic Impact Fee which link job and housing growth and provide funding for transportation improvements. The North San José Neighborhoods Plan and North San José Urban Design Guidelines provide additional guidance for the development of this City region.
LU-6.5	Maintain and create Light Industrial and Heavy Industrial designated sites that are at least one acre in size in order to facilitate viable industrial uses
LU-6.7	Encourage supportive and compatible commercial and office uses in industrial areas designated for those uses. In areas reserved for light and heavy industrial uses, only limited auxiliary and incidental commercial uses, such as small eating establishments, may be permitted when such uses are of a scale and design providing support only to the needs of businesses and their employees in the immediate industrial area.
LU-8.1	In areas that are designated for mixed industrial and commercial uses, allow only commercial uses that are compatible with industrial uses. Nonemployment uses are prohibited in these areas.
LU-8.2	Encourage more large-format commercial uses in Combined Industrial/ Commercial lands, since these development typologies are typically similar to the development scale of industrial development in the same area. Discourage small-scale and strip commercial shopping centers in the Combined Industrial/ Commercial area.

Zoning Ordinance

The City of San José's Zoning Ordinance (Title 20 of the Municipal Code) is intended to promote the public peace, health, safety, and general welfare of residents, while supporting the goals and policies of the 2040 General Plan. This Zoning Ordinance has changed slightly since certification of the 2040 General Plan EIR and SEIR to accommodate the approval of project-specific rezoning requests. However, the overall land use pattern for each zoning district in NSJ has not changed substantially since 2011.

San José Citywide Design Standards and Guidelines

Since certification of the 2040 General Plan EIR and SEIR, the City adopted new Citywide Design Guidelines and Standards in February 2021 (effective March 2021). Proposed projects starting in March 2021 are required to comply with the new Design Standards and Guidelines, except for projects with Planning applications under review prior to the Effective Date. The San José Citywide Design Standards and Guidelines fully replace the Residential (1997), Commercial (1990), and Industrial (1992) Design Guidelines.

3.5.1.2 Changes to Environmental Conditions

In general, existing Land Use conditions within the NSJ boundaries have not changed since certification of the 2040 General Plan EIR and SEIR. Some new development has been constructed since 2011 or is currently under construction. However, these projects are consistent with the future development assumptions included in the 2040 General Plan EIR and SEIR. Changes to land use designations set forth in the 2040 General Plan have generally been small, project-specific modifications on certain parcels.

2040 General Plan Employment Growth Areas within North San José

As discussed in the 2040 General Plan EIR and SEIR, NSJ is the City's largest employment district, home to many important leading technology companies and a key growth area for the City. The North San José Core Area along North 1st Street is considered an Employment Land area. Significant job growth is planned through intensification of each of the City's Employment Land areas. Employment Lands are planned to accommodate a wide variety of industry types and development forms, including high-rise and mid-rise office or research and development uses, heavy and light industrial uses and supporting commercial uses to respond to the projected demand for each type of industrial land.

Land Use Areas Established in 2040 General Plan

The 2040 General Plan EIR and SEIR identified the NSJ Planning Area is located between Downtown and State Route 237, and is adjacent to the cities of Santa Clara and Milpitas. The NSJ Planning Area is 8.8 square miles in size and contains portions of Council Districts 3 and 4. The Planning Area contains one Planned Community/Specific Plan Area, one Employment Land Area, and one Bay Area Rapid Transit (BART)/Caltrain Village. No substantial changes to the Land Use areas within NSJ identified within the General Plan has been made since adoption of the EIR in 2011.

Surrounding Land Uses

Land use patterns and neighborhood character surrounding the NSJ have not changed substantially since certification of the 2040 General Plan EIR and SEIR. The areas north and south in the NSJ boundaries consists of employment centers and transit employment centers.

Residential land uses include mobile home parks on North 1st Street and Zanker Road, newer high-density developments built north of Montague Expressway and south of SR 237, and older mixed density neighborhoods between the Guadalupe River and North Fourth Streets, south of US 101. The mobile home parks are set back from streets and screened by flood protection berms and are not visually prominent in the area. The newer, mid-rise residential structures above parking are located closer to major roadways and have perimeter landscaping. The neighborhood between North 1st Street and North 4th Street is made up of a mix of industrial and commercial uses and a substantial number of hotels and motels. Some office uses and new, high-density housing are also present south of US 101. Approximately 30 acres on the north side of River Oaks Parkway is still an active agricultural field. Existing land uses in NSJ include Industrial Park/Campus Industrial, Commercial, High-Density and Medium Density Residential, and Airport.

3.5.2 Checklist and Discussion of Impacts

Environmental Issue Area	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	No Impact
Land Use and Planning. Would the project:						
a) Physically divide an established community?				X		
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		

Impact Discussion

The 2040 General Plan EIR and SEIR concluded there would be a less than significant impact to Land Use designations, Land Use conflicts from high density development, and Private Community Gathering Facilities near industrial businesses. The 2040 General Plan EIR and SEIR also concluded a less than significant impact for areas designated by a *Specific Plan Area*, and areas designated as an Employment Lands. The only significant impact identified in the 2040 General Plan EIR and SEIR was to agricultural lands which was a result of the 2040 General Plan allowing new development on several sites

designated as Prime Farmland. No mitigation measures were identified for the 2040 General Plan EIR and SEIR Land Use and Planning resource.

Significant and Unavoidable Impacts

Agricultural Lands – Same as 2040 General Plan EIR

The 2040 General Plan EIR and SEIR determined that there would be significant and unavoidable impacts to agricultural lands within the Urban Growth Boundary (UGB) with implementation of the 2040 General Plan, as the General Plan assumes that all remnant agricultural land within the UGB will be developed, including any remnant agricultural land within NSJ. General Plan policies for protection of remaining farmlands outside the UGB will reduce potential impacts to agricultural resources occurring outside the UGB, but these policies do not apply to NSJ.

Less Than Significant Impacts – Same as 2040 General Plan EIR

Several effects analyzed in the 2040 General Plan EIR and SEIR were found to be less than significant; impacts land use designations, impacts from high density development, impacts in specific plan areas, impacts from employment lands, private community gathering facilities impacts, impacts outside the urban growth boundary, and impacts related to local airports.

The project would involve amendments to the General Plan, the NSJADP, and the TIF, and changes to the Zoning Ordinance to establish a TERO overlay zoning district. However, none of the changes will modify the 2040 General Plan land use designations in NSJ. Proposed General Plan changes to increase the minimum residential density in the TERO designated sites from 55 dwelling units per acre to 75 dwelling units per acre and to remove FAR requirements will not change overall development in NSJ because the maximum residential density of 250 dwelling units per acre will not change and overall General Plan residential capacity will remain at 32,000 residential units. No changes to the 2040 General Plan land use assumptions, including planned development capacity, are proposed by the project. Therefore, the project would not have a new or substantially more severe impact beyond what was previously identified in the 2040 General Plan EIR and SEIR.

3.5.3 Conclusion

Amendment of the NSJADP would not result in new or substantially more severe land use impacts than those identified in the 2040 General Plan EIR and SEIR because new development within the NSJ boundary would continue to be consistent with 2040 General Plan land use designations, and applicable land use policies and regulations. Based on this, the City finds that:

- A. Substantial changes in the 2040 General Plan EIR and SEIR and circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects in the 2040 General Plan EIR have not occurred;
- B. New information of substantial importance with respect to land use and planning resulting in new significant effects or a substantial increase in the severity of previously identified effects in the 2040 General Plan EIR and SEIR has not been identified; and
- C. None of the proposed changes would significantly affect land use and planning.

North San José Area Development Policy Amendment

Therefore, the conclusions in Section 3.1, Land Use, of the 2040 General Plan EIR and SEIR would remain valid with implementation of the NSJADP amendment.

3.6 Transportation

3.6.1 Environmental Setting

Changes to Regulatory Framework

The 2040 General Plan EIR and SEIR identifies state, federal and local agencies with authority over transportation facilities in the NSJ. These agencies retain the same authority as established in the 2040 General Plan EIR and SEIR. The City has jurisdiction over all City streets and City-operated traffic signals while Caltrans manages state facilities, such as State Route 237 (SR 237). Caltrain is owned by the Peninsula Corridor Joint Powers Board (PCJPB) and the Federal Highway Administration (FHWA) administers and oversees highway programs and the distribution of federal funds for transportation projects. The San Francisco Bay Area MTC is the transportation planning agency. VTA oversees the Congestion Management Program (CMP). The VTA also operates light rail and bus transit service in Santa Clara County

Federal Aviation Administration Regulations

Title 14 of the Code of Federal Aviation Regulations sets standards for obstructions to airspace, which would apply to the City, given the City's proximity to the Airport. Part 77 of the Federal Aviation Regulations establishes imaginary surfaces for airports and runways as a means to identify objects that are obstructions to air navigation, requiring FAA review of planned projects above height limits. The FAA has not altered Federal Aviation Regulations Title 14, Part 17 since certification of the 2040 General Plan EIR and SEIR.

California Senate Bill 743

On September 27, 2013, SB 743 was signed into law, starting a process that changed transportation impact analysis as part of CEQA compliance. SB 743 removes automobile vehicle delay and other similar measures of vehicular capacity or traffic congestion from CEQA transportation analysis. Rather, VMT are now used as a basis for determining significant transportation impacts in California. Although SB 743 took effect on July 1, 2020; City Council Policy 5-1 "Transportation Analysis Policy", which established the use of VMT as the metric to assess transportation impacts for new development under CEQA, was adopted on February 27, 2018.

Regional Transportation Planning

MTC is the transportation planning, coordinating, and financing agency with jurisdiction over the City. MTC and ABAG adopted Plan Bay Area 2050 in October 2021, which includes the region's Sustainable Communities Strategy (integrating transportation, land use, and housing to meet GHG reduction targets) and Regional Transportation Plan (including a regional transportation investment strategy for revenues from federal, state, regional and local sources over the next 30 years).

Congestion Management Program

The VTA oversees the CMP which is aimed at reducing regional traffic congestion within Santa Clara County. VTA has review responsibility for proposed development projects that are expected to affect CMP designated intersections. This document has not changed substantially since certification of the 2040 General Plan EIR and SEIR in 2011.

City of San José Plans and Policies

Transportation Analysis Policy (City Council Policy 5-1)

As established in City Council Policy 5-1, Transportation Analysis Policy, the City uses VMT as the metric to assess transportation impacts from new development, replacing the City's previous Transportation Impact Policy that used LOS as a metric for determining transportation impacts under CEQA (City Council Policy 5-3). According to the policy, an employment (e.g., office or research and development) or residential project's transportation impact would be less than significant if the project VMT would be 15 percent or more below the existing average regional VMT per employee or the existing average citywide VMT per capita, respectively.

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 VMT per employee. The threshold for a retail project is whether it generates net new regional VMT. Screening criteria have been established to determine which projects require a detailed VMT analysis. If a project meets the relevant screening criteria, it is considered to have a less than significant VMT impact.

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 transportation improvements. The VMT policy does not negate Area Development policies and Transportation Development policies approved prior to adoption of Policy 5-1, but as of July 2020 these policies can no longer be used for determining transportation impacts under CEQA. Policy 5-1 negates the City's Protected Intersection policy as defined in Policy 5-3.

Climate Smart San José

CSSJ is a comprehensive plan to reduce GHGs generated within the City as described in **Section 3.2, Air Quality**. CSSJ addresses GHG produced from transportation sources through methods including creating local jobs to reduce VMT, developing integrated, accessible public transport infrastructure, and creating clean and personalized mobility choices.

San José Better Bike Plan 2025

The City of San José Bike Plan 2020 (adopted in 2009) contains policies for guiding the development and maintenance of bicycle and trail facilities within the City. In September 2020, the City released the Draft San José Better Bike Plan 2025 to revise the City of San José Bike Plan 2020. The Draft San José Better Bike Plan 2025 indicates that a variety of bicycle facilities are planned in the NSJ area. The planned improvements to the bicycle network will provide improved connections to surrounding pedestrian, bicycle, and transit facilities and a balanced transportation system as outlined in the 2040 General Plan goals and policies.⁵

⁵ City of San José 2020. Draft San José Better Bike Plan 2025. Available: <https://www.bikesanjose.com/>. Accessed October 2020.

Envision San José 2040 General Plan

The Circulation Element of the 2040 General Plan contains various long-range goals and policies that are intended to reduce GHG emissions from transportation sources, while improving the pedestrian, transit, and bicycle transportation network. Since adoption of the 2040 General Plan EIR and SEIR in 2011, many text amendments have been made, including, most recently, the September 2021 text amendments, which take into account new policies such as those related to VMT. **Table 15** lists the relevant 2040 General Plan transportation policies.

Table 15 Applicable Transportation 2040 General Plan Policies	
Policy	Description
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).
TR-1.2	Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.
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.
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 toward transit ridership. In addition, require that new development is designed to accommodate and to provide direct access to transit facilities.
TR-7.1	Require large employers to develop and maintain TDM programs to reduce the vehicle trips and vehicle miles generated by their employees through the use of shuttles, provision for car-sharing, bicycle sharing, carpool, parking strategies and other measures.
TR-8.6	Allow reduced parking requirements for mixed-use developments and for developments providing shared parking or a comprehensive TDM program, or developments located near major transit hubs or within Urban Villages and other Growth Areas
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.

Source: *Envision San José 2040 General Plan*

Changes to Environmental Conditions

Since certification of the 2040 General Plan EIR and SEIR in 2011 and 2015, several projects have been approved in the NSJ policy area, including commercial and residential projects. In 2020, the BART Silicon Valley extension was completed to Berryessa with a station in Milpitas on the border of the NSJ policy area, and City Council approved the planned Charcot Road extension project in 2020. While these projects represent changes to the environmental setting, they were anticipated in the 2040 General Plan and analyzed as part of the 2040 General Plan EIR. No other major transportation improvement projects have been implemented in the NSJ policy area since certification of the 2040 General Plan EIR and SEIR, beyond those already anticipated under the NSJADP and 2040 General Plan.

Existing Transportation Network

US 101, SR-237, Montague Expressway, and I-880 provide regional access to the NSJ area. North 1st Street, Zanker Road, Brokaw Road, West Tasman Drive, and De La Cruz Boulevard provide local access to the NSJ area. Major roadway projects proposed under the NSJADP, and included in the Citywide Transportation Network in the 2040 General Plan, are listed in **Table 16**, below:

Table 16 North San José Area Development Policy Major Roadway Improvements		
Improvement	Phase	Status
Montague Expressway Widening	1	Completed
US 101/Trimble Road Interchange	1	Under Construction
Montague Expressway/Trimble Road Connection	1	Planning Phase
Charcot Avenue Extension	2	Approved*
Zanker Road Widening	2	Planning Phase
North 1 st Street & SR 237 Interchange	3	Planning Phase
McCarthy Boulevard & Montague Expressway Interchange	3	Planning Phase
Zanker Road/Skyport Drive Connection	4	Environmental Review Phase
US 101/Mabury Road Interchange	4	Design and Environmental Review Phase
North San José Core Area Grid Streets	All	

*City Council approved construction of the Charcot Avenue Extension project on June 9, 2020. Subsequently, on February 1, 2022, the City Council voted to cease work on the project and re-direct funds to other transportation projects at US 101/Mabury Road and US 101/Zanker Road.

Existing Transit Facilities

Existing Transit Facilities within NSJ have not changed substantially since the certification of the 2040 General Plan EIR and SEIR in 2011. VTA bus and light rail transit services continue to provide service in NSJ along North 1st Street. The extension of BART to the Milpitas and Berryessa stations to the east of NSJ is the largest transit facility improvement near NSJ since the adoption of the General Plan EIR and SEIR. This extension was included in the General Plan Transportation Network.

Existing Bicycle and Pedestrian Facilities

Pedestrian facilities in the NSJ area include sidewalks, pedestrian push buttons, and signal heads along the majority of the local roadways described above. Bikeways also continue to traverse the NSJ area including major routes such as the Lower Guadalupe Creek Trail, and the Coyote Creek Trail bicycle corridors.

3.6.2 Checklist and Discussion of Impacts

Environmental Issue Area		New Potentially significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as “Approved Project”	Less impact than “Approved Project”	No Impact
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		
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				X		
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X		
d)	Result in inadequate emergency access?				X		

Impact Discussion

The 2040 General Plan EIR and SEIR analyzed the following transportation impacts anticipated to result from implementation of the 2040 General Plan, including build out of development in the NSJ policy area with construction of transportation improvements in the NSJADP that were incorporated into the Citywide 2040 General Plan Transportation Network: Citywide VMT; Citywide mode share; screen line impacts; vehicle speeds in transit priority corridors; impacts to adjacent jurisdictions; airport impacts; and impacts from roadway designs and incompatible uses.

The transportation analysis for the 2005 NSJADP EIR used intersection level of service (LOS) to determine traffic impacts. However, with the passage of SB 743 and required implementation statewide by July 1, 2022, LOS is no longer a valid metric for evaluating transportation impacts under CEQA. Through the adoption of the City’s updated Transportation Analysis Policy (Policy 5-1), the metric for determining transportation impacts under CEQA changed from an LOS based metric to a VMT based metric. Therefore, individual projects within the NSJADP can no longer rely on the NSJ Development Policies Update Draft Program EIR for transportation CEQA clearance because it was based on LOS. Like

other projects throughout San José, individual projects within the NSJADP area will require a VMT-based Transportation Analysis pursuant to Policy 5-1. Based on this analysis, appropriate mitigation measures based on identified impacts will be required, including Transportation Demand Management measures and construction of pedestrian, bicycle, and transit improvements. Projects will also be required to prepare a Local Transportation Analysis (LTA) that will evaluate issues beyond the scope of the VMT analysis required for CEQA, including access, circulation, and local congestion at signalized intersections.

The project, including amendments to the Policy and the TIF will limit the application of the Policy and the TIF to development within the NSJ Policy area boundary that received approved land use entitlements, including any general plan amendment and/or zoning amendment, and/or land use permits on or after July 28, 2005, and prior to the effective date of the resolution making such an amendment the Policy, and any subsequent amendments or adjustments to such entitlements and/or land use permits. TIF collected to-date, or to be collected at building permit on entitled projects approved prior to the NSJADP amendment, will deliver improvements to mitigate the established impacts associated with those developments under the 2005 NSJADP EIR.

To support the amendment of the Policy and revising the timing of transportation improvements under the Policy to reflect entitled development, the City conducted a study entitled North San José Traffic Impact Fee Plan Update, dated February 18, 2022 (Appendix A). This study indicates that some previously anticipated significant impacts identified in the NSJADP EIR did not occur as predicted and, therefore, some improvements identified as mitigation measures originally planned for Phase 1 would not be needed for implementation until later phases to reduce impacts. Conversely, some improvements originally planned for later phases would be needed earlier to address impacts. Therefore, the timing of transportation improvements in the Policy are adjusted to more accurately reflect the need for such improvements generated by projects that have received entitlements and permits prior to the 2022 Amendment Effective Date. These improvements are listed in **Table 17** below:

Table 17 Improvements to be Funded by NSJADP TIF
Major Roadway Improvements
Montague Expressway Widening (Complete)
US-101 and Trimble Road Interchange
Zanker Road to Skyport Drive and Fourth Street Connection
North San José Core Area Grid Streets
Intersection Improvements
Zanker Road and Montague Expressway (Complete)
River Oaks Parkway and Montague Expressway (Complete)
Trimble Road and Montague Expressway (Complete)
McCarthy Boulevard and Montague Expressway (Complete)
Old Oakland Road and Montague Expressway (Complete)
58 Trade Zone Boulevard and Montague Expressway (Complete)
King Road and McKee Road
San Tomas Expressway and Stevens Creek Boulevard
Junction Avenue and Charcot Avenue
San Tomas Expressway and Moorpark Avenue
Capitol Avenue and Berryessa Road

Major Roadway Improvement projects beyond those funded by NSJADP TIF funds remain in the 2040 General Plan Transportation Network. The City will seek funding for these projects through grant programs, regional, state, and federal funding opportunities, regional transportation tax measures, and conditions on developments as appropriate. Other avenues for these projects to move forward include joint development with partner jurisdictions and agencies such as Santa Clara Valley Transportation Authority (VTA) and the County of Santa Clara.

Significant and Unavoidable Impacts

The 2040 General Plan identified several significant and unavoidable impacts, including Citywide VMT and Transit Priority Corridor impacts, screenline impacts, and impacts to adjacent jurisdictions. These impacts, as well as the associated implications of amendment of the NSJADP, are discussed below.

Citywide VMT - Same as 2040 General Plan EIR

Citywide VMT evaluated in the General Plan EIR and SEIR is a function of land uses, density, and the transportation network assumed at buildout of the General Plan in 2040. The project would not contribute to an increase in Citywide VMT beyond what is already anticipated in the 2040 General Plan EIR and SEIR. This is because the project, including amendments to the General Plan, NSJADP, TIF, and zoning code will not change the location and maximum density of development in the NSJ area. Development capacities for the NSJ area in the 2040 General Plan will not change, and no changes are proposed to the General Plan Transportation Network. Changes to the TIF program will prioritize funding for identified major roadway and intersection improvements and remove the phasing of transportation improvements, but will not change the Transportation Network at buildout because major roadway improvements no longer funded by the TIF would find alternative sources of funding. Furthermore, like projects elsewhere in the City, future development and infrastructure projects in NSJ will be required to evaluate transportation impacts pursuant to the City's updated Transportation Analysis Policy (Policy 5-1), which uses VMT as a metric for determining significant impacts. This could result in project-specific mitigation to reduce project VMT. However, as the distribution and density of land uses and the Transportation Network at buildout will remain unchanged, the General Plan EIR and SEIR impact will remain significant and unavoidable.

Average Speed in Transit Priority Corridor Impacts – Same as 2040 General Plan EIR

New development and redevelopment allowed under the 2040 General Plan was anticipated to generate a significant increase in congestion in designated Transit Priority Corridors over existing conditions. The 2040 General Plan EIR and SEIR found that the new development and redevelopment that would occur as a result of the 2040 General Plan would be a substantial increase in density (specifically within identified Growth Areas) from the land use pattern of existing low density residential neighborhoods and industrial campuses that occupy much of the City. The increased quantity of new residential and employment-related development allowed by the 2040 General Plan will generate increased vehicular traffic in Transit Priority Corridors including North First Street, a portion of which is within NSJ. As the project would not change land uses, maximum development capacity, or the General Plan Transportation Network at buildout, significant and unavoidable impacts to Transit Priority Corridors identified in the General Plan EIR and SEIR will remain unchanged.

Screenline Impacts – Same as 2040 General Plan EIR

A screenline is a barrier to transportation that affects multiple roadways. In utilizing this concept for long range traffic analysis in the City, regional screenlines were drawn along transportation barriers, whether manmade (such as a freeway) or natural (such as a river), that create a significant constraint on roadway capacity. Regional screenlines are a way of capturing regional travel characteristics at a macroscopic level, suitable for a General Plan level of analysis, especially in a geographically large jurisdiction. The 2040 General Plan EIR and SEIR found that implementation of the 2040 General Plan would result in significant increases in congestion on already congested roadways that cross most of the identified screenlines. Increasing the capacity of these roadway facilities would create substantial secondary impacts for those screenlines that are located in developed areas and neighborhoods, and could induce unplanned growth in neighboring areas. Implementation of 2040 General Plan policies and actions would serve to reduce the impacts, but not to less than significant levels. As indicated in the 2040 General Plan EIR and SEIR, roadway congestion along identified screenlines would be significant.

Amendment of the NSJADP would not introduce new screenlines in the NSJ area. Although the TIF program would be amended to be consistent with the application of the NSJADP, traffic improvement projects, which would ultimately serve to reduce barriers to transportation for the NSJ area, would continue to be implemented under a different funding mechanism. Therefore, the amendment of the NSJADP would not result in new or substantially worse impacts than those identified in the 2040 General Plan EIR and SEIR.

Impacts to Adjacent Jurisdictions – Same as 2040 General Plan EIR

The 2040 General Plan EIR and SEIR found that implementation of the 2040 General Plan would result in significant increases in traffic congestion on already congested roadways in neighboring cities and on County and Caltrans facilities. Amendment of the NSJADP would not contribute to new or substantially more severe traffic congestion in adjacent jurisdictions because no additional development capacity would be added to NSJ. As indicated previously, the City would continue to implement planned traffic improvement projects in the NSJ area using alternate funding mechanisms.

Less Than Significant Impacts

Several effects analyzed in the 2040 General Plan EIR and SEIR were found to be less than significant; impacts related to mode share, airport impact, and impacts from roadway designs and incompatible uses.

Journey to Work Mode Share Impacts – Same as 2040 General Plan EIR

The 2040 General Plan EIR and SEIR found that implementation of the 2040 General Plan would improve transportation mode share, encouraging use of transit in particular by focusing development in growth areas served by high-quality transit, such as Downtown. Creation of a physical infrastructure and aggressive implementation of the policies, plans and laws described in Section 3.2 of the 2040 General Plan EIR and SEIR are necessary to fully realize the goals embedded in the 2040 General Plan. As indicated in the 2040 General Plan EIR, new development in the growth areas identified in the 2040 General Plan in combination with proposed improvements to the transportation network and programs to encourage alternative transportation modes are anticipated to result in increased use of transportation modes other than automobiles.

With the project, new development projects in NSJ would continue to be subject to the same General Plan policies and proposed improvements to the transportation network and programs to encourage alternative transportation modes. Individual development and infrastructure projects will be required to prepare a project-level Transportation Analysis pursuant to City Council Policy 5-1 using VMT as a metric, and would require implementation of mitigation measures to reduce project VMT. Some of these mitigation measures, such as transit demand management (TDM) programs and construction of improvements to the local pedestrian, bicycle, and transit network would help the City meet its journey to work mode share goals. Therefore, no new or substantially more severe impacts related to journey to work mode share would occur.

Airport Impacts – Same as 2040 General Plan EIR

As indicated in the 2040 General Plan EIR and SEIR, implementation of the 2040 General Plan would not significantly alter land use patterns in the vicinity of either airport in San José, nor would it cause a change in air traffic patterns associated with either Norman Y. Mineta San José International Airport or Reid-Hillview Airport. General Plan implementation would not increase air traffic in excess of the adopted Airport Master Plan, nor would it result in a physical change to either airport or to air traffic.

With the project, planned land use patterns in the NSJ area would continue to be consistent with those in the 2040 General Plan. Therefore, the project would not cause new or substantially more severe impacts to local airports.

Impacts from Roadway Designs and Incompatible Uses – Same as 2040 General Plan EIR

The 2040 General Plan includes a set of updated long-range, multimodal transportation goals and policies that provide for a transportation network that is safe, efficient, and sustainable (i.e., minimizes environmental, financial, and neighborhood impacts). 2040 General Plan policies reflect the City's commitment to supporting and participating in the programs to expand transit operations and increase transit efficiency. Consistent with City policies and practices, modifications to public and private street designs included in the 2040 General Plan would be developed under the direction of the City's Directors of Transportation and Public Works and subject to professional engineering analysis. Implementation of design changes that reduce roadway capacity would be evaluated for timeliness relative to other modes and traffic levels, consistent with relevant General Plan policies. The 2040 General Plan EIR and SEIR concluded that impacts from roadway designs and incompatible uses would be less than significant.

The project would not contribute to new or worsen impacts from roadway designs or incompatible uses. New development proposals in NSJ would be evaluated on a project level for CEQA purposes, for consistency with the 2040 General Plan goals, policies and assumptions, and would include an LTA to evaluate circulation in the vicinity of the project site. Therefore, amendment of the NSJADP would not result in new or substantially more severe impacts than those identified in the 2040 General Plan EIR and SEIR.

3.6.3 Conclusion

The project would not result in new or substantially worse transportation impacts than those identified in the 2040 General Plan EIR and SEIR because it will not change the development assumptions and Citywide Transportation Network in the General Plan. Although the TIF program would end for new

projects, transportation improvement projects identified in the NSJADP and incorporated into the Citywide Transportation Network intended to improve accessibility, reduce VMT, and reduce congestion in the NSJ area would continue to be implemented under a different funding mechanism. Individual development projects and transportation improvement projects in the NSJ policy area will be required to undergo project-level transportation analysis using VMT based on the City's Transportation Analysis Policy (Council Policy 5-1). Based on this, the City finds that:

A. Substantial changes in the San José 2040 General Plan and circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects in the 2040 General Plan EIR and SEIR have not occurred; and

B. New information of substantial importance with respect to transportation resulting in new significant effects or a substantial increase in the severity of previously identified effects in the 2040 General Plan EIR and SEIR has not been identified.

Therefore, the conclusions in Section 3.2, Transportation, of the 2040 General Plan EIR and SEIR would remain valid with implementation of the project.

3.7 Utilities and Service Systems

3.7.1 Environmental Setting

3.7.1.1 Changes to Regulatory Framework

No new updates to local, state, or federal regulations pertaining to utilities have occurred since the 2040 General Plan EIR and SEIR was certified in 2011. The text amendments in September 2021 of the 2040 General Plan do not contain changes to land use designations within the NSJ boundaries that would affect the NSJADP amendment’s impacts.

3.7.2 Checklist and Discussion of Impacts

Environmental Issue Area	New Potentially significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as “Approved Project”	Less impact than “Approved Project”	No Impact	
Utilities. 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		
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X		
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				X		

	provider's existing commitments?						
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		
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X		

3.7.2.1 Impact Discussion

No significant unavoidable impacts to utilities and service systems were identified in the 2040 General Plan EIR and SEIR.

Less Than Significant Impacts – Same as 2040 General Plan EIR

Several effects analyzed in the 2040 General Plan EIR and SEIR were found to be less than significant; Water supply impacts, impacts to sanitary sewer/wastewater treatment, impacts to wastewater treatment, impacts to storm drainage, and impacts to solid waste.

As discussed in **Section 2.3.1.3**, the NSJADP included assumptions that utility improvements would be required to support planned development under the NSJADP. The 2040 General Plan accounted for this planned development as well and included measures and policies that would avoid and/or minimize impacts to utilities and service systems. These policies are outlined in Section 3.10.3 of the 2040 General Plan EIR and SEIR. With the project, future development in NSJ would continue to be subject to these policies and measures. Furthermore, no changes to the General Plan development capacity allocated to the NSJ growth area are proposed. Projects within the NSJ area would continue to be subject to project-level environmental review and City utility requirements. Required utility upgrades would be determined as part of this project-level review process. Therefore, the NSJADP amendment would not create new or substantially more severe impacts utility and service system impacts beyond those previously identified in the 2040 General Plan EIR and SEIR.

3.7.3 Conclusion

The project would not result in new or substantially worse utilities and service system impacts than those identified in the 2040 General Plan EIR and SEIR because new development would be subject to 2040 General Plan policies and measures, which would be enforced as part of the project-level design and environmental review processes. Based on this, the City finds that:

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A. Substantial changes in the 2040 General Plan EIR and SEIR and circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects in the 2040 General Plan EIR and SEIR have not occurred;

B. New information of substantial importance with respect to utilities and service systems resulting in new significant effects or a substantial increase in the severity of previously identified effects in the 2040 General Plan EIR and SEIR has not been identified; and

C. None of the proposed changes would significantly affect utilities and service systems.

Therefore, the conclusions in Section 3.10, Utilities and Service Systems, of the 2040 General Plan EIR and SEIR would remain valid with implementation of the NSJADP amendment.

3.8 Mandatory Findings of Significance

3.8.1 Checklist and Discussion of Impacts

Environmental Issue Area	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	No Impact
a) Does the project 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		
b) Does the project 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 past projects, the effects				X		

	of other current projects, and the effects of probable future projects)?						
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X		

Cumulative Impacts Identified in the 2040 General Plan EIR

The 2040 General Plan EIR and SEIR identified two significant and unavoidable cumulative impacts related to Land Use and Planning and Transportation. These include:

Impact C-LU-1: Build-out of the proposed General Plan in the north Coyote Valley area in conjunction with other planned or proposed development would be a cumulatively considerable contribution to cumulative impacts to agricultural resources. **(Significant Cumulative Impact)**

Impact C-TRANS-2: Build-out of the proposed General Plan in conjunction with other planned development in the South Bay would cause a substantial contribution to cumulatively significant regional transportation impacts. **(Significant Cumulative Impact)**

Discussion

Cumulative Land Use Effects

As discussed in **Section 3.2, Land Use and Planning**, with the project, land uses within the NSJ area would be consistent with the land use designations set forth in the 2040 General Plan. Therefore, planned or proposed development within the NSJ area is adequately analyzed in the 2040 General Plan EIR and SEIR. Amendment of the NSJADP would not alter development capacity within the NSJ area. Therefore, there would be no new or substantially more severe contribution to this significant unavoidable cumulative impact.

Cumulative Transportation Effects

As discussed in **Section 3.6, Transportation**, the project would not contribute to an increase in transportation impacts beyond what is already anticipated in the 2040 General Plan EIR and SEIR, as the transportation improvement projects already planned for the NSJ area would continue to be implemented as part of the General Plan Transportation Network with alternative funding sources due to amendment of the NSJADP TIF program. The City would identify other funding mechanisms outside of the TIF program for any unfunded transportation improvements anticipated in the 2040 General Plan. Therefore, there would be no new or substantially more severe contribution to this significant unavoidable cumulative impact.

Direct or Indirect Adverse Effects on Human Beings

Based on the analysis in **Section 3, Evaluation of Environmental Impacts**, the project would not result in any new or substantially worse direct or indirect adverse effects on human beings than previously identified in the 2040 General Plan EIR and SEIR.

3.8.2 Conclusion

The project would not result in new or substantially worse impacts than those identified in the 2040 General Plan EIR and SEIR. Measures identified in the 2040 General Plan EIR and SEIR would continue to apply and new requirements would reduce impacts to levels commensurate with those discussed in the 2040 General Plan EIR and SEIR. Based on this, the City finds that:

- A. Substantial changes in 2040 General Plan and circumstances resulting in new significant cumulative effects or a substantial increase in the severity of previously identified significant cumulative effects in the 2040 General Plan EIR and SEIR have not occurred;
- B. New information of substantial importance with respect to the cumulative scenario resulting in new significant cumulative effects or a substantial increase in the severity of previously identified cumulative effects in the 2040 General Plan EIR and SEIR has not been identified.

Therefore, the conclusions in the 2040 General Plan EIR and SEIR would remain valid with amendment of the NSJADP.

SECTION 4: GROWTH INDUCING IMPACTS

A project is considered growth-inducing if it would: directly or indirectly foster economic or population growth or the construction of additional housing; if it would remove obstacles to population growth or tax community service facilities to the extent that the construction of new facilities would be necessary; or if it would encourage or facilitate other activities that cause significant environmental effects.

NSJ is considered an Employment Growth area which is identified in the 2040 General Plan and incorporates development capacity proposed under the NSJADP. No changes are proposed to planned housing or job growth in the NSJ Planned Job Capacity and Housing Growth Areas.

The project would not alter the development capacities allocated to the NSJ area and studied in the 2040 General Plan EIR and SEIR. Rather, the amendment and all associated changes are intended to ensure that future development within the NSJ area is consistent with the 2040 General Plan. Therefore, the project would not create a new or substantially more severe growth-inducing impact beyond that identified in the 2040 General Plan EIR and SEIR.

SECTION 5: SIGNIFICANT AND IRREVERSIBLE ENVIRONMENTAL CHANGES

An EIR must identify any significant irreversible environmental changes that would be caused by the proposed project being analyzed. Irreversible environmental changes may include current or future commitments to the use of non-renewable resources, or secondary or growth-inducing impacts that commit future generations to similar uses. In addition, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified. The CEQA Guidelines describe three categories of significant irreversible changes that should be considered, as further detailed below.

5.1.1 Changes in land use which would commit future generations

Development under the 2040 General Plan would result in the intensification of underutilized areas and development of a proportionately small number of vacant sites within the City's planned Urban Growth Boundary. This development would constitute a long-term commitment (i.e., likely to exist for the next 50 to 100 years) to residential, commercial, industrial, parking and other urban uses. As described in the 2040 General Plan EIR and SEIR, the NSJ Planning contains one Planned Community/Specific Plan Area, one Employment Land Area, and one BART/Caltrain Village. Other land uses in NSJ include industrial, commercial, and residential uses. NSJ is the City's largest employment district; the North San José Core Area along North First Street is considered an Employment Land area. Significant job growth is planned through intensification of each of the City's Employment Land areas.

With implementation of the project, land uses in NSJ would remain consistent with those established in the 2040 General Plan. Therefore, NSJ would not subject future generations to substantial changes in land use beyond those analyzed and planned for in the 2040 General Plan.

5.1.2 Irreversible changes from environmental actions

The 2040 General Plan EIR and SEIR determined that the only irreversible changes to the environment that could occur from implementation of the 2040 General Plan EIR and SEIR was the accidental release of hazardous materials associated with development. However, it was found that compliance with federal, state, and local hazardous materials regulations and policies, no irreversible changes are expected to occur from the adoption and implementation of the 2040 General Plan.

Given that the NSJ area would be subject to all of the same regulations, policies, and measures after implementation of the project, it is anticipated that there would not be any irreversible changes from environmental actions in the NSJ area.

5.1.3 Consumption of non-renewable resources

Development allowed under the 2040 General Plan would commit nonrenewable resources to the construction and maintenance of buildings, infrastructure and roadways. These non-renewable resources include mining resources such as sand, gravel, iron, lead, copper and other metals and fabrication of other building materials, such as steel. Build-out of the 2040 General Plan also represents a long-term commitment to the consumption of fossil fuels, natural gas and gasoline. Increased energy demands would be used for construction, lighting, heating, and cooling of businesses and residences, and transportation of people within, to, and from the City. 2040 General Plan policies associated with

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Measurable Sustainability, Recycling, Energy Conservation and Renewable Energy Use, Water Conservation, and Energy Security would promote energy conservation and conservation of resources used as building materials, which could minimize or incrementally reduce the consumption of these resources. Growth within San José would also meet projected population and economic growth demand, accommodating that demand within an established, urbanized area. Implementation of the 2040 General Plan would also result in an irreversible commitment of limited, renewable resources such as lumber and water. 2040 General Plan policies associated with Recycling/Zero Waste, Water Conservation and Water Recycling would result in some savings of renewable resources.

Following implementation of the project, NSJ would not commit additional nonrenewable resources beyond those analyzed and planned for in the 2040 General Plan. The NSJ area would be subject to all of the same regulations, policies, and measures after amendment of the NSJADP, as those outlined in the 2040 General Plan.

SECTION 6: SIGNIFICANT AND UNAVOIDABLE IMPACTS

As discussed through **Section 3, Evaluation of Environmental Impacts**, amendment of the NSJADP would not result in any new or substantially worse environmental impacts, beyond those identified in the 2040 General Plan EIR and SEIR. However, amendment of the NSJADP would not substantially change the following significant and unavoidable impacts identified within the 2040 General Plan EIR and SEIR because land uses, development, and transportation network improvements will be unchanged from the 2040 General Plan:

Impact AES-1: New development and redevelopment allowed under the 2040 General Plan generally would occur on the valley floor and would not adversely affect scenic hillside resources. Where small-scale or larger-scale development (such as a retreat center, golf course or cemetery) does occur in hillside areas, implementation of the proposed policies and existing regulations and adopted plans would substantially reduce impacts to scenic resources on hillsides through careful siting and design. New development and redevelopment allowed under the 2040 General Plan also would alter views from key roadways that serve as gateways to the City or currently provide substantial views of the natural environment within or adjacent to the City. Implementation of the 2040 General Plan policies generally would avoid or substantially reduce impacts to natural scenic views from key gateways and roadways within the City. Build out of the Communications Hill Specific Plan area and the North Coyote Planning Area in conformance with previously approved entitlements, however, would alter or block views of grassy or wooded hillsides through the construction of new, multiple-storied development, which would result in a significant aesthetic impact at these locations. **(Significant Unavoidable Impact)**

Impact AQ-1: The projected rates of both VMT and vehicle trip growth assess in the 2040 General Plan EIR and SEIR were found to be greater than the rate of population growth. Therefore, the 2040 General Plan would not be consistent with the Bay Area 2010 CAP threshold of significance. **(Significant Unavoidable Impact)**

Impact AQ-8: New development and redevelopment allowed under the 2040 General Plan could increase air pollutant emissions and concentrations within the Air Basin. Implementation of proposed policies and existing regulations and programs would reduce air pollutant emissions per capita, but not to a less than significant level. **(Significant Unavoidable Impact)**

Impact GHG-2: The City's projected 2035 GHG emissions, without further reductions, would constitute a cumulatively considerable contribution to global climate change by exceeding the average carbon-efficiency standard necessary to maintain a trajectory to meet statewide 2050 goals as established by Executive Order S3-05. **(Significant Unavoidable Impact)**

Impact LU-6: Build out of the 2040 General Plan would allow new development on several sites designated as Prime Farmland. Although lands within the urban growth boundary have been planned and designated for urban uses for a number of years, loss of the remaining Prime Farmland in these areas would be a significant impact. **(Significant Unavoidable Impact)**

Impact C-LU-1: Build-out of the proposed General Plan in the north Coyote Valley area in conjunction with other planned or proposed development would be a cumulatively considerable

contribution to cumulative impacts to agricultural resources. **(Significant Unavoidable Cumulative Impact)**

Impact TRANS-1: New development and redevelopment allowed under the 2040 General Plan, including development in NSJ, would generate a significant increase in traffic, resulting in what is currently forecast to be a level of VMT substantially over existing conditions. Implementation of the 2040 General Plan Policies and Actions listed above will reduce VMT substantially over time. There is, however, no way to accurately quantify the benefits that can be achieved from those policies and actions using existing analytic tools. The impact is therefore significant. **(Significant Unavoidable Impact)**

Impact TRANS-3: Implementation of the 2040 General Plan, including development in NSJ, would result in significant increases in congestion on already congested roadways that cross most of the identified screenlines. Increasing the capacity of these roadway facilities would create substantial secondary impacts for those screenlines that are located in developed areas and neighborhoods and could induce unplanned growth in neighboring areas. Implementation of 2040 General Plan policies and actions would serve to reduce the impacts, but not to less than significant levels. Roadway congestion along the screenlines would be significant. **(Significant Unavoidable Impact)**

Impact TRANS-4: Implementation of the 2040 General Plan, including development in NSJ, would result in traffic congestion that will have significant adverse impacts on designated Transit Priority Corridors. Implementation of identified Policies and Actions would reduce these impacts, but the City is unable to ensure that the impacts can and will be reduced to a less than significant level by actions that are within the City's control. **(Significant Unavoidable Impact)**

Impact TRANS-5: Implementation of the 2040 General Plan, including development in NSJ, would result in significant increases in traffic congestion on congested roadways in neighboring cities and on County and Caltrans facilities. **(Significant Unavoidable Impact)**

Impact C-TRANS-2: Build-out of the proposed General Plan in conjunction with other planned development in the South Bay would cause a substantial contribution to cumulatively significant regional transportation impacts. **(Significant Unavoidable Cumulative Impact)**

SECTION 7: CONCLUSION

Actions to amend the NSJADP would continue to support planned growth previously identified and studied in the 2040 General Plan EIR and SEIR. Therefore, amendment of the NSJADP would not create new Citywide or regional impacts beyond what has already been identified. Adherence to the regulations and policies outlined in the 2040 General Plan would further reduce potential localized impacts. Correct implementation of these guidelines—and all relevant measures and requirements identified in the 2040 General Plan for the purpose of avoiding or mitigating impacts—would be ensured through the City’s project-level design review process. Traffic improvement projects for the NSJ area would continue to be implemented, as the City would identify other funding mechanism outside of the TIF program for any unfunded transportation improvements anticipated in the 2040 General Plan.

Based on the analysis in **Section 3**, which compares the potential effects from amendment of the NSJADP with the potential environmental impacts as discussed in the 2040 General Plan EIR and SEIR, amendment of the NSJADP would not require revisions of the 2040 General Plan EIR and SEIR due to:

- **No Substantial Project Changes:** There are no substantial changes proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (State CEQA Guidelines Section 15162(a)(1)).
- **No Substantial Changes in Circumstances:** In addition, no substantial changes have occurred with respect to the circumstances under which the project would be undertaken which would require major revisions of the 2040 General Plan EIR and SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (State CEQA Guidelines Section 15162(a)(2)).
- **No Substantial New Information:** Finally, no new information of substantial importance has been presented which would shows any of the following:
 - a) Amendment of the NSJADP would result in one or more significant effects not discussed in the prior EIR;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents declined to adopt the mitigation measure or alternatives; or
 - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents declined to adopt the mitigation measure or alternative (State CEQA Guidelines Section 15162(a)(3)).

Therefore, none of the conditions described in Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent EIR have occurred. The project as revised, and as described in this addendum, does not create any of the conditions described in Section 15162 of the CEQA Guidelines that call for the preparation of a subsequent EIR.

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Thus, an addendum to the 2040 General Plan EIR and SEIR is the appropriate environmental documentation to analyze the potential environmental impacts that would result from the refinement to the project description.

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Appendix A - North San
José Traffic Impact Fee
Plan Update



HEXAGON TRANSPORTATION CONSULTANTS, INC.

North San José Traffic Impact Fee Plan Update

Prepared for:

City of San José

February 18, 2022



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1. Introduction

This report presents the results of an updated analysis for the Phase 1 intersection and roadway improvements identified in the North San José Area Development Policy (NSJADP). The development levels completed and/or entitled in North San José are close to the current Phase 1 development capacity.

Improvements to the transportation system were split into four phases in the NSJADP – Phase 1 to Phase 4. The four-phase schedule was set up to ensure that, as development proceeds in North San José, they would be implemented concurrently to serve the expected increase in traffic volume, transit riders, and bicycle and pedestrian activities.

A review of traffic conditions between 2005 and 2021 shows that there are significant differences between projected and realized Phase 1 traffic levels. The 2005 NSJADP TIA assumed that the intensity levels in all parcels in North San Jose would grow to their maximum allowable levels at the same rate, but the intensity levels of built Phase 1 development have been disproportionately distributed across the parcels. Therefore, in some locations, improvements that were supposed to serve Phase 1 developments would no longer be needed until later phases since the development levels surrounding those locations did not grow as assumed. Other challenges include the uncertainties surrounding the construction timelines of land-use-entitled developments and transportation improvements.

This updated analysis consists of a review of development in North San José since the adoption of the NSJADP in 2005. Actual completed and entitled development and its associated traffic between 2005 and 2021 is used to update the original traffic forecasts for the same duration. The updated analysis focuses on only those improvements originally identified to provide capacity for the Phase 1 development levels identified in the NSJADP based on the 16 years of actual and entitled NSJ development levels (between 2005 and 2021).

The updated analysis was completed by City of San Jose staff in 2021. Hexagon reviewed and adjusted the City's analysis where necessary for incorporation in this study.

North San Jose Transportation Improvements

The North San José area plays a vital role in the achievement of San José's economic and fiscal goals. In 2005, the City adopted the North San José Area Development Policy (NSJADP) to guide, along with the Envision San José 2040 General Plan (General Plan), the ongoing intensified mixed-use development in the North San José area as an important employment center and innovation district. The NSJADP provides for a specified amount of new

development, including an additional 26.7 million square feet of new industrial development, 32,000 new residential units, 1.7 million square feet of local-serving retail, 1 million square feet of regional retail, and 1,000 hotel rooms.

In 2005, the North San José Area Development Policy Environmental Impact Report (EIR) identified nine major roadway improvements and 15 intersection improvements to be constructed as part of the Project. Based on the intersection level of service analysis, the NSJADP EIR showed that 74 of the 220 study intersections evaluated were projected to operate at unacceptable levels under Project conditions during either the AM or PM peak hour, or both. Among these 74 intersections, the Project would impact 48 intersections, of which 12 were in North San José, 21 in other areas of San José, and 15 in other jurisdictions. Among the 33 impacts in San José, 12 can be fully mitigated and 10 can be partially mitigated. There were no feasible mitigation measures at the other 11 impacts in San José.

The North San José Deficiency Plan (2005) was also developed to address the projected deficiencies in the level of service of intersections in North San José that are identified as part of the Santa Clara County Congestion Management Program (CMP). Among the 22 CMP-designated intersections located in North San José, 12 were expected to remain at or degrade to unacceptable levels in the future without improvements. Meeting the CMP level of service standard at 7 of the 12 deficient CMP intersections was determined to be infeasible. The North San José Deficiency Plan established a set of innovative and comprehensive transportation strategies for improving system-wide LOS rather than adhering to strict traffic LOS standards that may contradict other community goals. A list of offsetting improvements, such as transit enhancements and improvements to the bicycle network and pedestrian facilities, that support alternative modes of transportation in North San José were identified.

Based on the North San José Area Development Policy EIR and the North San José Deficiency Plan, the NSJADP identifies nine major roadway improvements, 28 local intersection improvements, and many improvements to transit, bicycle, and pedestrian facilities. Because of the traffic link within North San José among industrial development, residential development, and transportation infrastructure, it is necessary that the construction of new transportation infrastructure proceed concurrently with the planned development. Therefore, the NSJADP included a phasing plan that limits how much industrial, residential and retail development may occur in advance of the construction of the supporting infrastructure improvements. Each of the improvements is tied to one of the four roughly equivalent phases of development (see Table 1) per the phasing plan shown in Table 2 and mapped on Figure 1. The phase in which the improvements would be needed was determined based on peak hour intersection level of service calculations for intersection operational improvements and judgement as to need for major roadway improvements.

In addition, some previously anticipated significant impacts did not occur as predicted, and therefore, some mitigation measures originally planned for Phase 1 would not be needed for implementation until later phases to reduce impacts. On the other hand, some improvements originally planned for later phases would be needed earlier to address impacts. The resulting rephasing of improvements would align transportation improvements to appropriately address current and future Phase 1 entitled development level conditions.

The City of San Jose is considering amending the NSJADP to limit the application of the policy and the associated Traffic Impact Fees (TIF) to only the development projects that have already been entitled and/or have received approved land use permits. If such amendment is adopted, entitled developments projects would continue to be subject to the amended NSJADP and the associated TIF. This anticipated TIF, along with the TIF collected from built development projects to date, would be used to fund the transportation improvements identified in this study

that would appropriately address current development level conditions as well as projects that have not yet been constructed but have received the approval of an entitlement and/or a land uses permit under the Policy to date¹.

The NSJADP indicated that 12 of the identified intersection improvements and four major roadway improvements would be required to serve Phase 1 development levels. It is these intersection and roadway improvements that are the focus of this updated review.

Table 1
NSJADP Development Levels

Phase	Development Levels
1	7.0 msf industrial 8,000 residential units Min 100 ksf local retail
2	7.0 msf industrial 8,000 residential units Min 100 ksf local retail
3	7.0 msf industrial 8,000 residential units Min 100 ksf local retail
4	5.7 msf industrial 8,000 residential units 1.7 msf local retail
Total	26.7 msf industrial 32,000 residential units 1.7 msf local retail

¹ If property owners do not develop their properties in accordance with land use permits approved under the current NSJADP, development will not occur as anticipated and the impacts to transportation attributable to that development will not occur. However, all applications for land use entitlements and permits that are approved after the amended NSJADP takes effect will be required to complete appropriate environmental analysis pursuant to CEQA, including but not limited to transportation analysis using [the City's Transportation Analysis Policy](#) (Council Policy 5-1), adopted in February 2018.

Table 2
NSJADP Transportation Improvement Phasing Plan

Type of Improvement	ID	Improvement Name	Phase
Major Roadway Improvements	I	Montague Expressway Widening ¹	1
	II	US-101 and Trimble Road Interchange	1
	III	Trimble Road and Montague Expressway Flyover	1
	IV	I-880 and Charcot Avenue Overcrossing	2
	V	Zanker Road Widening	2
	VI	McCarthy Boulevard-O'Toole Avenue and Montague Expressway Interchange	3
	VII	Zanker Road to Skyport Drive and Fourth Street Connection	4
	VIII	US-101 and Mabury Road Interchange	4
	IX	North San José Core Area Grid Streets	1, 2, 3, 4
Intersection Improvements	6	Zanker Road and Montague Expressway ^{2, 3}	-
	7	River Oaks Parkway and Montague Expressway ²	-
	8	Trimble Road and Montague Expressway ^{2, 4}	-
	9	McCarthy Boulevard and Montague Expressway ^{2, 5}	-
	38	North First Street and Skyport Drive ⁶	-
	10	Old Oakland Road and Montague Expressway ¹	1
	12	North First Street and Trimble Road	1
	27	North First Street and Charcot Avenue	1
	37	North First Street and Metro Drive	1
	47	Bering Drive and Brokaw Road	1
	58	Trade Zone Boulevard and Montague Expressway ¹	1
	116	Thirteenth Street and Hedding Street	1
	117	King Road and McKee Road	1
	13	Zanker Road and Trimble Road ³	2
	16	Zanker Road and Brokaw Road ³	2
	61	Oakland Road and US-101 (South)	2
	98	San Tomas Expressway and Stevens Creek Boulevard	2
	2	North First Street and SR-237 (South)	3
	24	Zanker Road and Tasman Drive ¹	3
	43	Zanker Road and Charcot Avenue ³	3
	45	Junction Avenue and Charcot Avenue	3
	60	Oakland Road and US-101 (North)	3
	124	Capitol Avenue and Cropley Avenue	3
	59	Lundy Avenue and Berryessa Road	4
	97	Capitol Expressway and Capitol Avenue ¹	4
	99	San Tomas Expressway and Moorpark Avenue	4
123	Lundy Avenue and Trade Zone Boulevard	4	
126	Capitol Avenue and Berryessa Road	4	

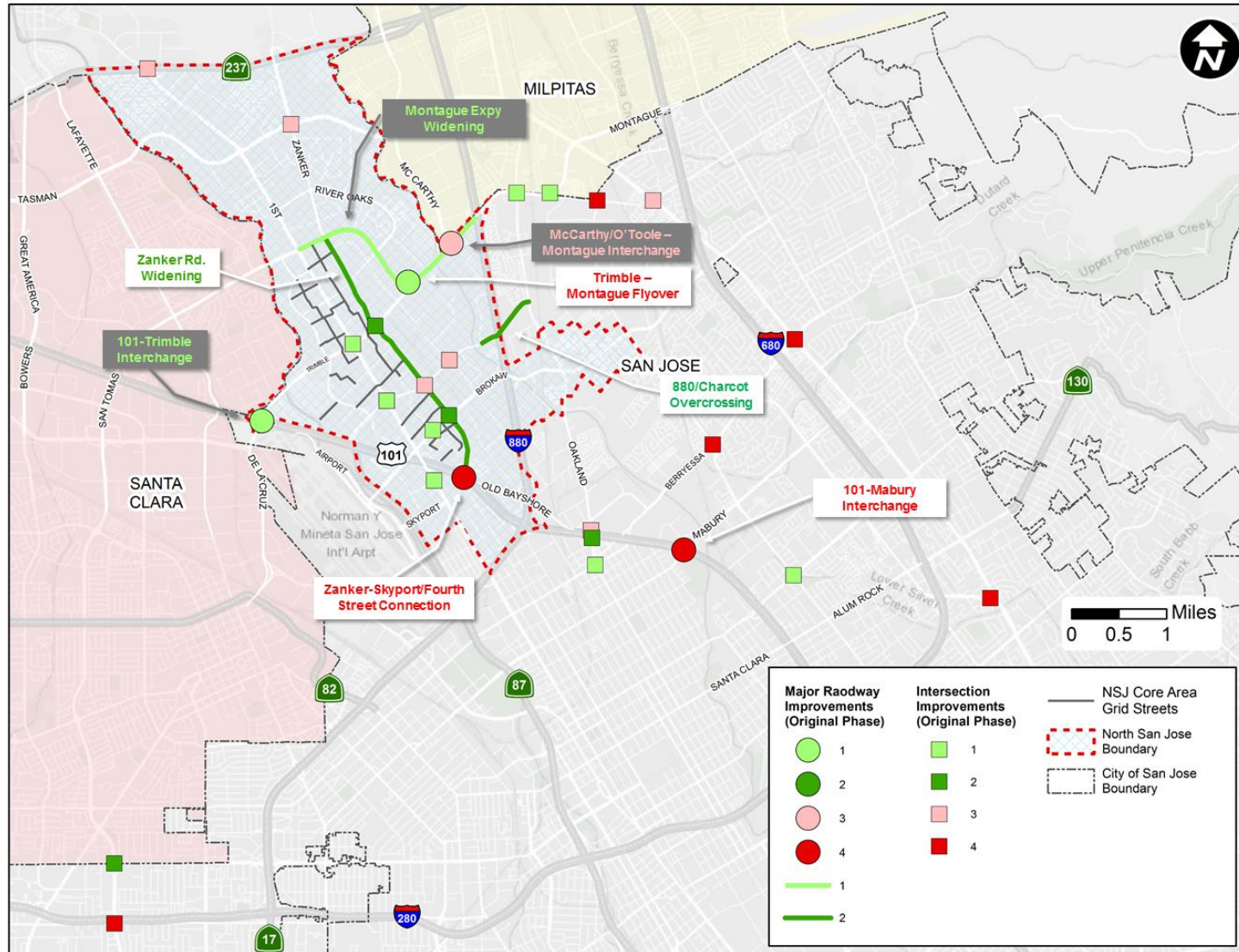
**Table 2 (cont'd)
NSJADP Transportation Improvement Phasing Plan**

Other Roadway Improvements	- Couplet Conversions	1, 2, 3, 4
Bicycle and Pedestrian Improvements	- Guadalupe River Trail ¹	1, 2, 3, 4
	- Coyote Creek Trail	1, 2, 3, 4
	- SR-237 Bike Trail	1, 2, 3, 4
	- Bike and Pedestrian Facilities, including bike lanes, bike racks, pedestrian scale lighting, enhanced crosswalks, and curb ramps, etc.	1, 2, 3, 4
Public Transit	- Specialized passenger shelters and bus/shuttle stop improvements including: curb bulbous depending on location and new locations	1, 2, 3, 4
	- LRT northbound shelters at Orchard, Bonaventura, and Component in the Project area, as well as Tasman (lengthening existing plus southbound shelter) and River Oaks outside the Project area	1, 2, 3, 4
	- Intersection and crosswalk improvements; lane or intersection narrowing, including reducing curve radii and/or curb bulbouts; sidewalks along median from intersections to station platform	1, 2, 3, 4
	- Lighting, furniture, and landscaping at LRT stations, bus stops and key pedestrian locations	1, 2, 3, 4
	- Station platform Improvements	1, 2, 3, 4
	- Other stop and station amenities such as sidewalks or sidewalk widening and lengthening	1, 2, 3, 4
	- Self-cleaning bathrooms	1, 2, 3, 4
	- Real-time information infrastructure (on LRVs and at 17 stations and stops)	1, 2, 3, 4
	- Ducks outs (most important at Tasman station)	1, 2, 3, 4
	- Shuttles between residential, businesses and transit stops/stations	1, 2, 3, 4
	- New bus/shuttle stop locations (noted around Tasman LRT station) including dedication of right-of-way	1, 2, 3, 4
	- Transit traffic signal preemption; bi-directional full priority with ability to cascade calls for green signals for LRT along North First Street	1, 2, 3, 4
- LRT operations capital improvements, including trackway improvements, switches, tail/storage/layover tracks, and platform improvements	1, 2, 3, 4	

Notes:

1. The improvement is complete.
2. Intersection improvements would be implemented as part of the Montague Expressway Widening (Phase 1) improvement.
3. Intersection improvements would be implemented as part of the Zanker Road Widening (Phase 2) improvement.
4. Intersection improvements would be implemented as part of the Trimble Road and Montague Expressway Flyover (Phase 1)
5. Intersection improvements would be implemented as part of the McCarthy Boulevard-O'Toole Avenue and Montague Expressway Interchange (Phase 3) improvement.
6. Intersection improvements would be implemented as part of the Zanker Road to Skyport Drive and Fourth Street Connection (Phase 4) improvement.

Figure 1
NSJADP Transportation Improvement Phasing Plan



Scope of Study

This study is conducted to re-evaluate and update the necessary improvements identified in the NSJADP to adequately mitigate the Phase 1 development levels that have been completed, entitled, and remaining. No changes to the NSJADP land uses are proposed; therefore, it is not the intent of the study to identify new or modify transportation impacts and mitigation. Rather, the study reviews 16 years of built development and traffic growth to update the required improvements to serve Phase 1 of the NSJADP that were previously identified based on 35 years of development and traffic forecasts at the time. Traffic conditions are evaluated for the following scenarios:

Intersection Analysis

Baseline Conditions: Baseline conditions are the same as the Background conditions studied in the transportation analysis for the NSJADP EIR in 2005. The current pandemic does not provide an opportune time to update the baseline conditions. Instead of updating the baseline to today's traffic levels, the original baseline in 2005 is used to evaluate which transportation improvements would be appropriate to serve Phase 1 development under pre-pandemic traffic patterns. The built development between 2005 and 2021 are reflected in Phase 1 conditions.

Phase 1 Conditions: The existing peak-hour volumes plus near-term future traffic growth associated with entitled Phase 1 development on the near-term future roadway network. The existing volumes reflect completed and entitled Phase 1 development between Year 2005 and 2021, as well as ambient growth in other jurisdictions and other areas of the City during the same period. The near-term future traffic growth represents traffic associated with the remaining Phase 1 development capacity as well as the approved but unconstructed developments outside of North San José. The most notable approved but unconstructed developments outside of North San Jose are phases 1 to 3 of the City Place and the Tasman East Specific Plan, both in the City of Santa Clara. Phase 1 conditions are evaluated relative to Baseline conditions to determine the appropriate necessary intersection improvements.

Screenline Analysis

Year 2015 conditions: Year 2015 conditions are the base year conditions in the City's travel demand forecasting model for evaluating major roadway improvements. In this scenario, directional traffic crossing the gateway facilities to and from North San José during the AM and PM peak hours and commute periods are compared against the capacity of the gateway facilities to determine how much of gateway capacity is currently utilized. Year 2015 conditions are used to reflect Phase 1 conditions for the screenline analysis since there has been minimal constructed development between 2015 and 2021.

Study Area

As described earlier in the report, there are no changes to the proposed NSJADP Phase 1 land uses. The purpose of the study is to provide an updated evaluation of only the necessary transportation improvements and mitigation already identified in the NSJADP to support Phase 1 development levels. Therefore, the study focuses on the four major roadway improvements and 12 intersection improvements and mitigation measures that were identified to be required to accommodate Phase 1

development in the 2005 NSJADP EIR. However, all 48 intersections at which impacts were identified in the NSJADP TIA were evaluated to ensure that any potential additional impacts also were captured in the updated analysis. The study facilities are listed below and shown graphically in Figure 2. To allow for easy reference to the NSJADP EIR, the study intersections are given the same study numbers in this report as those used in the NSJADP EIR.

Study Facilities

Major Roadway Improvements

- (I) Montague Expressway Widening***
- (II) US-101 and Trimble Road Interchange***
- (III) Trimble Road and Montague Expressway Flyover***
- (IV) I-880 and Charcot Avenue Overcrossing
- (V) Zanker Road Widening
- (VI) McCarthy Boulevard-O'Toole Avenue and Montague Expressway Interchange
- (VII) Zanker Road to Skyport Drive and Fourth Street Connection
- (VIII) US-101 and Mabury Road Interchange
- (IX) North San José Core Area Grid Streets***

Project Conditions Intersection Improvements

- (2) North First Street and SR-237 (South)
- (6) Zanker Road and Montague Expressway***
- (7) River Oaks Parkway and Montague Expressway***
- (8) Trimble Road and Montague Expressway***
- (9) McCarthy Boulevard-O'Toole Avenue and Montague Expressway***
- (10) Old Oakland Road and Montague Expressway***
- (12) North First Street and Trimble Road***
- (13) Zanker Road and Trimble Road
- (16) Zanker Road and Brokaw Road
- (24) Zanker Road and Tasman Drive
- (27) North First Street and Charcot Avenue***
- (37) North First Street and Metro Drive***
- (43) Zanker Road and Charcot Avenue
- (45) Junction Avenue and Charcot Avenue
- (47) Bering Avenue and Brokaw Road***

Project Impacts and Mitigation Measures

- (6) Zanker Road and Montague Expressway
- (7) River Oaks Parkway and Montague Expressway
- (10) Old Oakland Road and Montague Expressway
- (12) North First Street and Trimble Road
- (13) Zanker Road and Trimble Road
- (16) Zanker Road and Brokaw Road
- (19) Old Oakland Road and Brokaw Road
- (22) Lundy Avenue and Murphy Avenue
- (24) Zanker Road and Tasman Drive
- (27) North First Street and Charcot Avenue
- (38) North First Street and Skyport Drive
- (43) Zanker Road and Charcot Avenue

(58) Trade Zone Boulevard and Montague Expressway*

- (59) Lundy Avenue and Berryessa Road
- (60) Oakland Road and US-101 (North)
- (61) Oakland Road and US-101 (South)
- (97) Capitol Expressway and Capitol Avenue
- (98) San Tomas Expressway and Stevens Creek Boulevard
- (99) San Tomas Expressway and Moorpark Avenue
- (113) North First Street and Taylor Street
- (114) Fourth Street and Hedding Street
- (115) Eleventh Street and Taylor Street

(116) Thirteenth Street and Hedding Street***(117) King Road and McKee Road***

- (119) Capitol Avenue and McKee Road
- (123) Lundy Avenue and Trade Zone Boulevard
- (124) Capitol Avenue and Cropley Avenue
- (125) Capitol Avenue and Hostetter Road
- (126) Capitol Avenue and Berryessa Road
- (130) Almaden Avenue and Grant Street
- (143) Tenth Street and Hedding Street
- (146) Tenth Street and Julian Street
- (154) Tenth Street and Taylor Street

Bold and Asterisk indicates Phase 1 major roadway or intersection improvement.

Analysis Methodology

NSJADP EIR

The transportation impact analysis completed in the 2005 NSJADP EIR relied on traffic forecasts developed from the Valley Transportation Agency travel demand forecasting model at the time. The model was used to obtain Project-generated traffic growth and trip assignments on the transportation network. The peak hour vehicular traffic volumes for the Background conditions were obtained by combining the existing turning movement vehicular counts and near-term future traffic associated with entitled development at the time. The peak hour vehicular traffic for the Project conditions were calculated by applying modeled, Project-generated traffic growth to the Background conditions traffic. Intersection level of service under Project conditions were then evaluated against Background conditions to identify adverse traffic effects attributable to the Project on the near-term roadway network and identified transportation improvements to address those effects. The phasing of the nine major roadway improvements were also determined based on judgement of necessity of the improvements and level of service calculations.

Intersection Improvement Phasing

Since no changes to the adopted NSJADP land uses – as revised through General Plan amendments through 2021 – are proposed, this analysis update is neither about identifying any new transportation impacts nor any changes to the improvements as approved in the 2005 NSJADP EIR. Rather, the analysis update re-evaluates the required improvements to support Phase 1 development levels as completed to date. As such, the updated analysis follows the same approach and methodology as those in the 2005 NSJADP EIR when re-evaluating the phasing of the 12 intersection improvements and mitigation for Phase 1 development.

Major Roadway Improvement Phasing

In the 2005 NSJADP EIR, the phasing of the nine major roadway improvements was determined based on a qualitative judgement of their need to serve the overall North San José area. These major roadway improvements serve as gateways and/or major arterials to and within North San José and are needed to serve not only each of the development phases in North San José but also the overall citywide long-term growth. The major roadway improvements are included in the Land Use/Transportation Diagram in the General Plan.

To evaluate the need of the major roadway improvements to support Phase 1, a volume-to-capacity analysis is used. The Year 2015 model, which included land use growth and transportation improvements within the Bay Area consistent with the Plan Bay Area projections², is used to estimate peak hour and commute period directional volumes at five sets of gateway facilities (thereafter called “screenlines”) in North San José. A screenline is an imaginary line drawn across parallel roadways to evaluate the combined capacity and travel demand crossing the screenline. The screenlines often represent existing physical constrictions on travel at that location. The screenline analysis summarizes the volume and capacity of selected parallel roadways that cross each of the screenlines. Figure 3 presents graphically the five screenlines used in this analysis.

Volume-to-capacity ratio, or V/C, is defined as the mathematical ratio of the volume of traffic on a gateway facility to its capacity. The aggregated V/C for a screenline represents a ratio of the combined volume of traffic on parallel gateway facilities on the screenline to the combined capacity of the gateway facilities. In this analysis, the volume-to-capacity ratios for both the peak hours (7-9 AM and 4-6 PM) and four-hour commute periods (6-10 AM and 3-7 PM) are analyzed. Four-hour commute periods are analyzed because of findings in the NSJADP EIR that the North San José development would have adverse long-term impacts on the major roadway facilities serving the area. Traffic associated with future growth in North San José and the surrounding jurisdictions would result in almost all gateway facilities serving North San José to exceed capacity during the peak hours. The nine major roadway improvements would aid in reducing the severity of the long-term impacts in the peak hour but would not be adequate to fully mitigate them unless travel patterns change. Therefore, the four-hour commute periods are a more appropriate representation of a screenline’s capacity serving the overall travel needs.

In travel demand modeling, V/C is often used to represent a level of congestion for street segments, similar to the way average control delay is often used to represent a level of congestion for intersections. In this analysis, the volume-to-capacity ratio for gateway facilities and screenlines are defined as the equivalent of levels of service as shown in Table 3 below.

In the intersection level of service analysis, if an intersection is expected to be impacted by the Project by a certain phase of development, improvements to reduce the impact would need to be implemented during that phase. The screenline analysis undertakes a similar approach in evaluating the phasing of each major roadway improvement:

If the volume-to-capacity ratio of a screenline for a four-hour commute or peak-hour periods under Year 2015 Conditions is higher than 0.9 (i.e. LOS E or F), the major roadway improvements would be needed to increase the overall capacity of the screenline.

² To be consistent with the Plan Bay Area projections on the overall regional population and job growth, the difference in population and job growth in San José between the General Plan and the Plan Bay Area projections is subtracted from/added to the non-Santa Clara County areas.

Figure 3
Screenline Locations

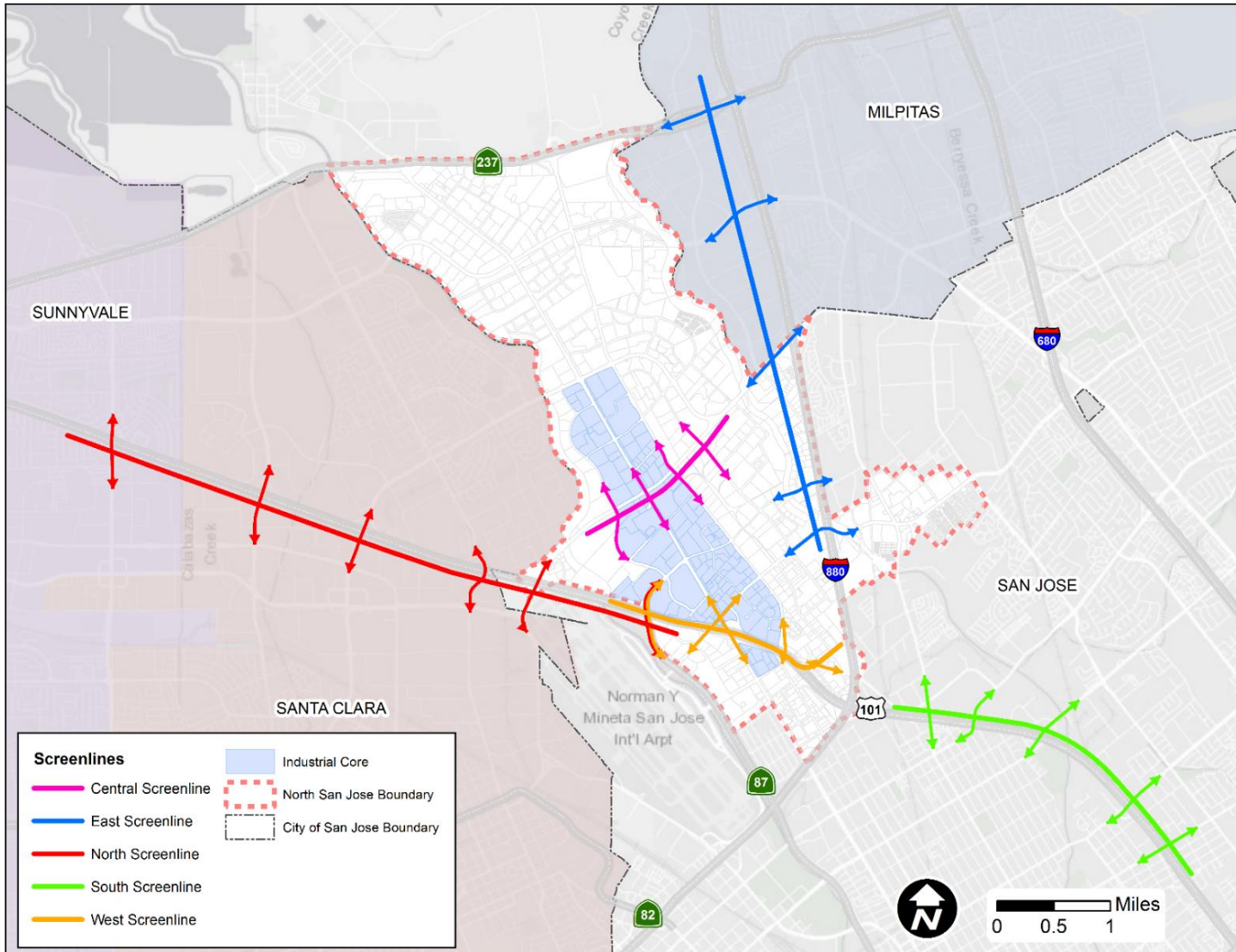


Table 3
Intersection and Roadway Segment Level of Service Definitions

Level of Service	Intersection	Gateway Facility/Screenline
	(Average Control Delay in Seconds per Vehicle) ¹	(Volume-to-capacity ratio)
A	≤ 10.0	≤ 0.6
B	> 10.0 and ≤ 20.0	>0.6 and ≤ 0.7
C	> 20.0 and ≤ 35.0	>0.7 and ≤ 0.8
D	>35.0 and ≤ 55.0	>0.8 and ≤ 0.9
E	>55.0 and ≤ 80.0	>0.9 and ≤ 1.0
F	> 80.0	> 1.0

Source:
1. Transportation Research Board, Highway Capacity Manual, Sixth Edition, published in 2016.

Significance Criteria

San José Significant Impact Criteria

The significant impact criteria in the NSJADP EIR that was certified in 2005 are as follows:

A project was said to create a significant adverse impact on the transportation conditions at any intersections located in San José if for either peak hour:

1. The level of service at the intersection degraded from an acceptable LOS D or better under baseline conditions to an unacceptable LOS E or F under project conditions, or
2. The level of service at the intersection was an unacceptable LOS E or F under baseline conditions and the addition of project trips caused both the critical-movement delay at the intersection to increase by four or more seconds and the volume-to-capacity (V/C) ratio to increase by 0.01 or more.

An exception to this rule applies when the addition of project traffic reduced the amount of average control delay for critical movements (i.e. the change in average control delay for critical movements was negative). In this case, the threshold of significance was an increase in V/C by 0.01 or more.

A significant impact was said to be fully mitigated when measures were implemented that would restore intersection level of service to baseline conditions or better.

CMP Significant Impact Criteria

The definition of a significant impact at a CMP intersection was the same as for the City at the time of the NSJADP EIR, except that the CMP standard for acceptable level of service is LOS E or better. A significant impact by CMP standards was said to be fully mitigated when measures were implemented that would restore intersection operations to LOS E or better. Designated CMP intersections located within the City of San José were evaluated against both the City's and CMP standards.

2. Major Roadway Improvements

Nine major roadway improvements in and surrounding the North San José area were planned as part of the NSJADP and were assumed to be operational prior to or at the time of completion of all four development phases. These roadway improvements consist of street widenings, construction of new streets, and major improvements at isolated intersections. This chapter presents an evaluation of the need of the four major roadway improvements that were identified to serve the Phase 1 development levels based on screenline analysis.

East Screenline

The East screenline is a group of gateway facilities serving eastbound and westbound traffic between North San José and areas east of the Coyote Creek. The screenline runs from SR-237 to the north and Brokaw Road to the south, and accounts for traffic that cross five key parallel gateways, including SR-237, Tasman Drive, Montague Expressway, and Brokaw Road. In the General Plan, Montague Expressway between North First Street and Trade Zone Boulevard is programmed to add a HOV lane and serve a total of four lanes in each direction. Widening the section of Montague Expressway between North First Street and I-880 is already complete and reflected in the 2015 analysis. Figure 4 provides a map of the east screenline and its gateway facilities.

Tables 4 and 5 present the volumes crossing the east screenline during the AM and PM 4-hour commute periods and peak hours. The screenline analysis indicates that the CA-237 gateway currently operates at unacceptable levels during the 4-hour AM commute and AM peak periods, while the Tasman and Brokaw gateways currently have inadequate capacity during the AM peak hour. Table 5 indicates that only eastbound CA-237 currently operates at unacceptable levels during the PM commute period and peak hour.

Two major roadway improvements along the East screenline were identified in the NSJADP to serve the Phase 1 development levels:

- (I) Montague Expressway Widening
- (III) Trimble Road and Montague Expressway Flyover

(I) Montague Expressway Widening (Original: Phase 1, Update: Completed)

NSJADP TIA: Project conditions included the widening of Montague Expressway within North San José from six to eight lanes between North First Street and I-880. The improvement was identified to be needed to serve Phase 1 development.

Figure 4
East Screenline and Gateway Facilities

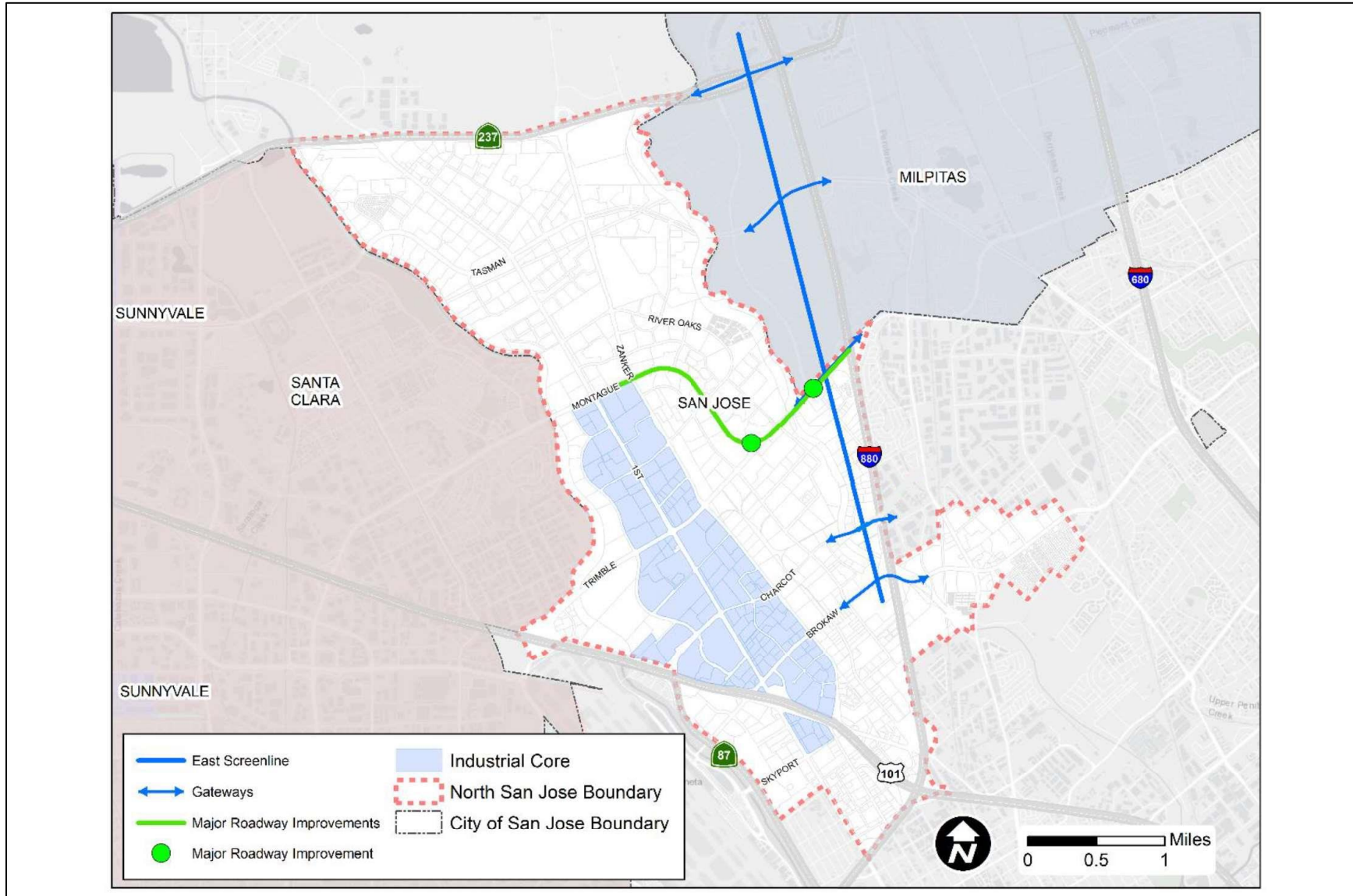


Table 4
2015 AM Westbound Volumes Crossing East Screenline

Gateway	Screenline	# Lanes	6-10 AM			# Lanes	AM Peak Hour		
			4-Hr. Vol.	4-Hr. Cap.	V/C LOS		Pk-Hr. Vol.	Pk-Hr. Cap.	V/C LOS
WB CA-237	East	5	27,960	30,400	0.92/E	5	6,990	7,600	0.92/E
WB Tasman	East	3	8,910	10,800	0.83/D	3	2,970	2,700	1.10/F
WB Montague	East	4	11,550	23,200	0.50/A	4	3,680	5,800	0.63/B
WB Charcot	East	-	-	-	-	-	-	-	-
WB Brokaw	East	3	6,350	10,800	0.59/A	3	3,580	2,700	1.33/F
All Gateways	East	15	54,770	75,200	0.74/C	15	17,220	18,800	0.92/E

Notes:

1. Congested gateways are defined as gateways having volume-to-capacity ratios of LOS E or F.

Table 5
2015 PM Eastbound Volumes Crossing East Screenline

Gateway	Screenline	# Lanes	3-7 PM			# Lanes	PM Peak Hour		
			4-Hr. Vol.	4-Hr. Cap.	V/C LOS		Pk-Hr. Vol.	Pk-Hr. Cap.	V/C LOS
EB CA-237	East	2	29,870	26,600	1.12/F	2	8,130	6,650	1.22/F
EB Tasman	East	2	660	10,800	0.06/A	2	220	2,700	0.08/A
EB Montague	East	3	13,410	23,200	0.58/A	3	4,170	5,800	0.72/C
EB Charcot	East	-	-	-	-	-	-	-	-
EB Brokaw	East	3	4,560	10,800	0.42/A	3	1,390	2,700	0.51/A
All Gateways	East	14	48,500	71,400	0.68/B	14	13,910	17,850	0.78/C

Notes:

1. Congested gateways are defined as gateways having volume-to-capacity ratios of LOS E or F.

2. The low eastbound volume on Tasman is resulted from inadequate calibration for the individual traffic assignment on CA-237 and Tasman. However, since the sum of assignments on the two corridors is adequately calibrated, the low eastbound volume on Tasman is acceptable for use in this study.

2021 Update: The widening of Montague Expressway from six to eight lanes between North First Street and I-880 is complete. The improvement is also part of the widening project on Montague Expressway between Lick Mill Boulevard and Trade Zone Boulevard as included in the VTA Measure B Expressway Program (2016), Valley Transportation Plan 2040 (2014), and County Expressway Plan 2040 (2008). As shown in Tables 4 and 5, the roadways that serve as the gateways across the east screenline currently have adequate capacity to serve both the AM and PM 4-hour commute periods. Therefore, further improvement of the east screenline gateways is not necessary to serve Phase 1 traffic conditions.

(III) Trimble Road and Montague Expressway Flyover (Original: Phase 1, Update: No Improvement)

NSJADP TIA: Project conditions included an improvement of this intersection serving as a major access point into and out of North San José. Left turns from westbound Montague Expressway to southbound Trimble Road, currently served by three lanes, would be replaced by a flyover. With the construction of the flyover, the westbound left-turn movement would be removed from the signal control at the intersection and all the other movements would improve. The improvement was identified to be needed to serve Phase 1 development.

2021 Update: It should be noted that the Trimble Road and Montague Expressway Flyover does not increase the capacity of the westbound Montague Expressway gateway. The improvement will reduce traffic congestion more so at the intersection level than at a roadway network level. The flyover is expected to improve the level of service at the intersection of Trimble Road and Montague Expressway, but would not generate much throughput capacity for Trimble Road or Montague Expressway at the corridor level. As shown in Tables 4 and 5, the roadways that serve as the gateways across the east screenline currently have adequate capacity to serve both the AM and PM 4-hour commute periods. Therefore, further improvement of the east screenline gateways is not necessary to serve Phase 1 traffic conditions. The City is considering alternative improvements to construction of the flyover along Montague Expressway to improve regional travel. The alternative improvements will focus on improvements that could provide greater benefit to multi-modal travel to and through North San Jose. Improvements could include grade separating the North First Street intersection with Montague Expressway to improve LRT operations. The City will coordinate its efforts with VTA and the County.

In summary, the NSJADP identified two major roadway improvements to increase the total roadway capacity through the east screenline. One of the two major roadway improvements, Montague Widening, has been completed. Based on the updated analysis, this study does not propose to modify the planned implementation of the remaining improvement as part of the Phase 1 development levels. The screenline analysis indicates that the roadways that serve as the gateways across the east screenline currently have inadequate capacity to serve AM peak hour volumes. However, the roadways have adequate capacity to serve both the AM and PM 4-hour commute periods. Therefore, further improvement of the east screenline gateways is not necessary to serve Phase 1 traffic conditions.

West Screenline

The West screenline is a group of gateway facilities serving northbound/eastbound and southbound/westbound traffic between North San José and areas south of US-101. The screenline runs from Charcot Avenue to the north and Zanker Road to the south, and accounts for traffic crossing five key gateways, including Charcot Avenue, Airport Parkway, North First Street, Zanker Road, and Old Bayshore Highway. Figure 5 provides a map of the screenline and its gateway facilities.

Tables 6 and 7 present the volumes crossing the west screenline during the AM and PM 4-hour commute periods and peak hours. Table 6 indicates that two gateways, CA-87/Charcot and North First Street gateways, currently operate at unacceptable levels during the AM peak hour. Table 7 indicates that all west screenline gateways currently have adequate capacity to serve PM commute period and peak hour traffic.

There were no major roadway improvements along the west screenline identified in the NSJADP EIR to serve the Phase 1 development levels. However, as described below, one improvement is proposed to be implemented with Phase 1 development.

(VII) Zanker Road to Skyport Drive and Fourth Street Connection (Original: Phase 4, Updated: Phase 1)

NSJADP TIA: Project conditions included replacing the intersection of Fourth Street and Matrix Boulevard by a new interchange or overcrossing over US-101 that would provide an extension of Zanker Road to Skyport Drive and Fourth Street. Currently, the US-101 southbound on-ramp at Fourth Street and Matrix Boulevard and the US-101 northbound off-ramp at Zanker Road and Old Bayshore Highway are provided with no bridge connection over US-101. The improvement would connect Zanker Road to Skyport Drive, providing direct access from Zanker Road to southbound US-101 and from northbound US-101 to Skyport Drive and Fourth Street. The improvement was identified to be needed to serve Phase 4 development.

2021 Update: The improvement is currently in the Project Approval and Environmental Document (PA&ED) phase. The connection of Zanker Road to Skyport Drive and Fourth Street would provide a much more attractive alternative to motorists that typically use North First Street, particularly during commute hours. Given that the improvement is already in the PA&ED phase, and that, when implemented, it would become one of the major gateway facilities along the West screenline serving traffic between North San José, Downtown and the Mineta-San José International Airport, it is proposed that the improvement be implemented to serve Phase 1 development.

In summary, the screenline analysis indicates that the roadways that serve as the gateways across the west screenline currently have adequate capacity to serve both the AM and PM 4-hour commute periods. Therefore, further improvement of the west screenline gateways is not necessary to serve Phase 1 traffic conditions. However, the NSJADP EIR identified the Zanker Road to Skyport Drive and Fourth Street Connection to increase the total roadway capacity in Phase 4. Given that the Zanker Road to Skyport Drive and Fourth Street Connection improvement is in the PA&ED phase, it is suggested that it be implemented to serve Phase 1 development rather than Phase 4 as identified in the original NSJADP EIR.

Figure 5
West Screenline and Gateway Facilities



Table 6
2015 AM Northbound/Eastbound Volumes Crossing West Screenline

Gateway	Screenline	# Lanes	6-10 AM			# Lanes	AM Peak Hour		
			4-Hr. Vol.	4-Hr. Cap.	V/C LOS		Pk-Hr. Vol.	Pk-Hr. Cap.	V/C LOS
CA-87/Charcot	West	2	4,770	11,200	0.43/A	2	2,740	2,800	0.98/E
EB Airport	West	3	1,840	10,800	0.17/A	3	1,600	2,700	0.59/A
NB North First	West	2	3,730	7,200	0.52/A	2	1,700	1,800	0.95/E
NB Zanker	West	-	-	-	-	-	-	-	-
NB Old Bayshore	West	2	1,740	7,200	0.24/A	2	580	1,800	0.32/A
All Gateways	West	9	12,080	36,400	0.33/A	9	6,620	9,100	0.73/C

Notes:
1. Congested gateways are defined as gateways having volume-to-capacity ratios of LOS E or F.

Table 7
2015 PM Southbound/Westbound Volumes Crossing West Screenline

Gateway	Screenline	# Lanes	3-7 PM			# Lanes	PM Peak Hour		
			4-Hr. Vol.	4-Hr. Cap.	V/C LOS		Pk-Hr. Vol.	Pk-Hr. Cap.	V/C LOS
Charcot-CA-87	West	2	4,750	11,200	0.42/A	2	1,640	2,800	0.58/A
WB Airport	West	3	1,460	10,800	0.14/A	3	420	2,700	0.15/A
SB North First	West	2	3,040	7,200	0.42/A	2	1,010	1,800	0.56/A
SB Zanker	West	-	-	-	-	-	-	-	-
SB Old Bayshore	West	2	2,430	7,200	0.34/A	2	840	1,800	0.47/A
All Gateways	West	9	11,680	36,400	0.32/A	9	3,910	9,100	0.43/A

Notes:
1. Congested gateways are defined as gateways having volume-to-capacity ratios of LOS E or F.

Central Screenline

The Central screenline is a group of gateway facilities serving northbound and southbound traffic within the employment core area of North San José. The screenline runs from Orchard Parkway to the west and Junction Avenue to the east, and captures traffic that cross four key parallel gateways, including Orchard Parkway, North First Street, Zanker Road, and Junction Avenue. Figure 6 provides a map of the central screenline and its gateway facilities.

Tables 8 and 9 present the volumes crossing the Central screenline during the AM and PM 4-hour commute periods and peak hours. Table 8 indicates that the North First Street gateway, currently operates at unacceptable levels during the AM peak hour. Table 9 indicates that all central screenline gateways currently have adequate capacity to serve PM commute period and peak hour traffic.

The North San José Core Area Grid Streets were identified in the NSJADP EIR to be implemented as each phase (Phases 1-4) of NSJ development progressed. The North San José Core Area Grid Streets will increase the capacity of the Central screenline.

(IX) North San José Core Area Grid Streets (Original: Phase: 1-4, Updated: Phase: 1-4)

NSJADP TIA: Project conditions included constructing several new local streets to form a “grid system” of streets to facilitate the efficient circulation of traffic within North San José. The grid streets would serve future development and provide connections to major arterials within North San José. They would generally be two-lane roadways connecting to the major roadways such as Montague Expressway, Trimble Road, North First Street, and Zanker Road. The additional roadways would serve to alleviate connection along the major arterials in the area and would include the following:

- Extend Orchard Parkway between Trimble Road to the north and Atmel Way to the south;
- Extend Component Drive between North First Street to the east and Orchard Parkway to the west;
- Extend Orchard Drive between Montague Expressway to the north and Atmel Way to the south, providing another north-south local street parallel to and in between Orchard Parkway and North First Street;
- Extend Bering Drive between Charcot Avenue to the south and Montague Expressway to the north, providing another north-south local street parallel to and in between North First Street and Zanker Road;
- Extend Orchard Parkway between North First Street to the west to Junction Avenue to the east;
- Add or extend multiple east-west local streets parallel to and in between Montague Expressway, Plumeria Drive, Trimble Road, Charcot Avenue, Brokaw Road, and Skyport Drive.

2021 Update: The extension of Orchard Parkway between Trimble Road to the north and Atmel Way to the south, as well as the extension of Component Drive between North First Street to the east and Orchard Parkway to the west, are complete. The remaining components of the grid street system are not complete. The improvement is also included in the Valley Transportation Plan 2040 (2014).

Figure 6
Central Screenline and Gateway Facilities

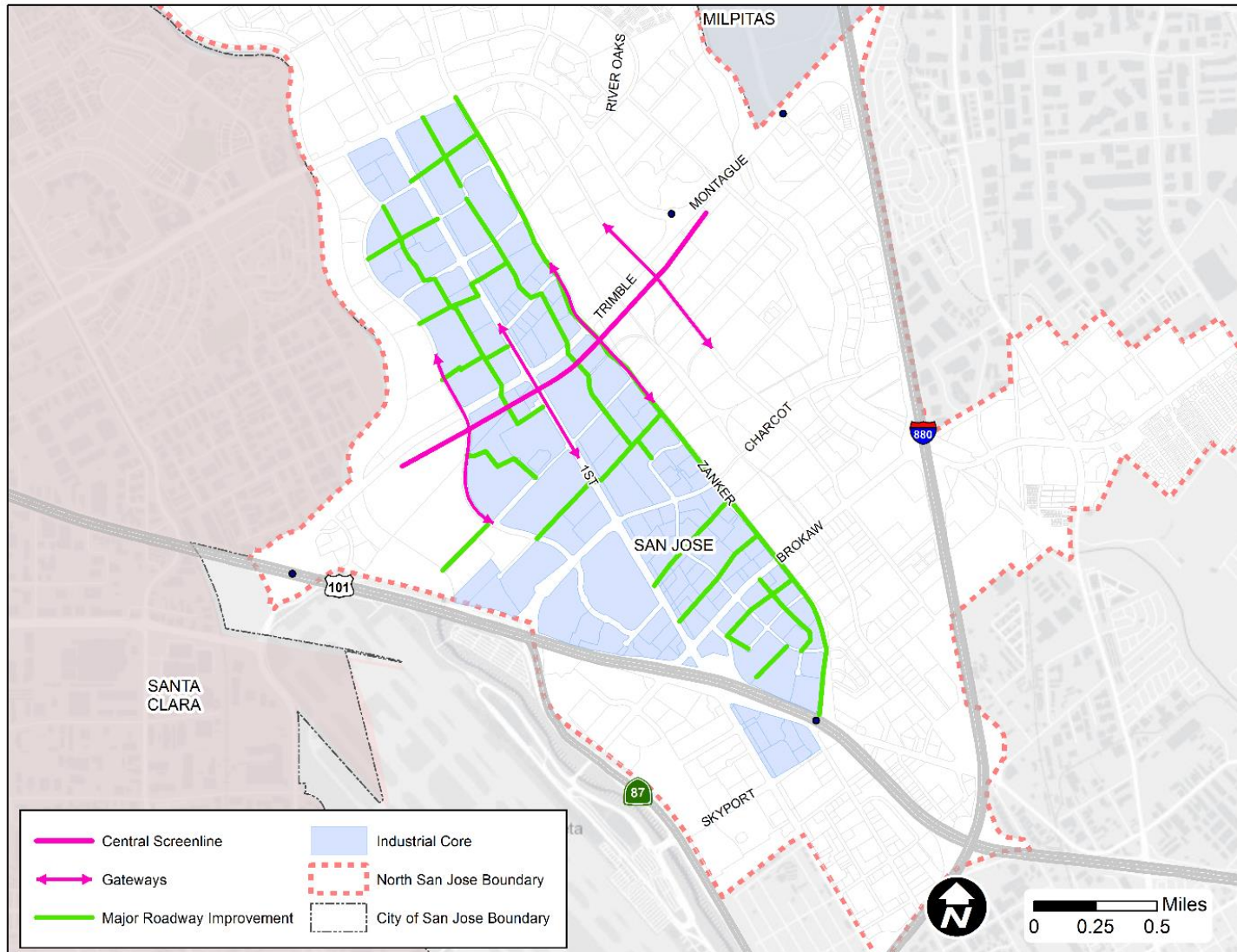


Table 8
2015 AM Northbound Volumes Crossing Central Screenline

Gateway	Screenline	# Lanes	6-10 AM			AM Peak Hour			
			4-Hr. Vol.	4-Hr. Cap.	V/C LOS	# Lanes	Pk-Hr. Vol.	Pk-Hr. Cap.	V/C LOS
NB Orchard	Central	2	620	4,400	0.14/A	2	460	1,100	0.42/A
NB North First	Central	2	4,900	7,200	0.68/B	2	2,710	1,800	1.50/F
NB Zanker	Central	2	1,500	7,200	0.21/A	2	610	1,800	0.34/A
NB Junction	Central	1	1,650	3,600	0.46/A	1	550	900	0.61/B
All Gateways	Central	7	8,670	22,400	0.39/A	7	4,330	5,600	0.78/C

Notes:
1. Congested gateways are defined as gateways having volume-to-capacity ratios of LOS E or F.

Table 9
2015 PM Southbound Volumes Crossing Central Screenline

Gateway	Screenline	# Lanes	3-7 PM			PM Peak Hour			
			4-Hr. Vol.	4-Hr. Cap.	V/C LOS	# Lanes	Pk-Hr. Vol.	Pk-Hr. Cap.	V/C LOS
SB Orchard	Central	2	720	4,400	0.16/A	2	250	1,100	0.22/A
SB North First	Central	2	3,310	7,200	0.46/A	2	1,120	1,800	0.62/B
SB Zanker	Central	2	90	7,200	0.01/A	2	30	1,800	0.02/A
SB Junction	Central	1	110	3,600	0.03/A	1	40	900	0.04/A
All Gateways	Central	7	4,230	22,400	0.19/A	7	1,440	5,600	0.26/A

Notes:
1. Congested gateways are defined as gateways having volume-to-capacity ratios of LOS E or F.

In summary, the screenline analysis indicates that the roadways that serve as the gateways across the central screenline currently have adequate capacity to serve both the AM and PM 4-hour commute periods. Therefore, further improvement of the central screenline gateways is not necessary to serve Phase 1 traffic conditions. The NSJADP EIR identified the North San José Core Area Grid Streets to increase the total roadway capacity as each phase (Phases 1-4) of NSJ development progressed. The extension of Orchard Parkway between Trimble Road to the north and Atmel Way to the south, as well as the extension of Component Drive between North First Street to the east and Orchard Parkway to the west, are complete. The remaining components of the grid street system are not complete and should be completed as planned as part of Phases 1-4.

North Screenline

The North screenline is a group of gateway facilities serving northbound and southbound traffic between North San José and areas south of the screenline at US-101. The screenline runs from Lawrence Expressway to the west and SR-87 to the east, and accounts for traffic that cross six key parallel gateways, including Lawrence Expressway, Bowers Avenue, San Tomas Expressway, Lafayette Street, De La Cruz Boulevard, and SR-87. Figure 7 provides a map of the screenline and its gateway facilities.

Tables 10 and 11 present the volumes crossing the North screenline during the AM and PM 4-hour commute periods and peak hours. Table 11 indicates that the CA 87 gateway, currently operates at unacceptable levels during the PM peak hour. Table 10 indicates that all north screenline gateways currently have adequate capacity to serve AM commute period and peak hour traffic.

The NSJADP EIR identified one major roadway improvement project, the (II) US-101 and Trimble Road Interchange to serve the Phase 1 development levels.

(II) US-101 and Trimble Road Interchange (Original: Phase: 1, Updated: Phase 1)

NSJADP TIA: Project conditions included eliminating the southbound loop off-ramp to eastbound Trimble Road, constructing a new southbound diagonal ramp that would serve both eastbound and westbound Trimble Road, and reconstructing the southbound diagonal on-ramp and the southbound and northbound loop on-ramps. The northbound US-101 loop off-ramp to westbound Trimble Road would also be eliminated and replaced by a new northbound diagonal off-ramp that would serve both eastbound and westbound Trimble Road. The northbound diagonal ramp would be fed by a new collector road that would exit US-101 south of SR-87. The improvement was included as part of the Project to be delivered by Phase 1 development.

2021 Update: The elimination and replacement of the northbound US-101 loop off-ramp to westbound Trimble Road with a new northbound diagonal off-ramp serving both eastbound and westbound Trimble Road was completed by VTA. The elimination of the southbound loop off-ramp to eastbound Trimble Road, construction of a new southbound diagonal ramp serving both eastbound and westbound Trimble Road, and reconstruction of the southbound diagonal on-ramp and the southbound and northbound loop on-ramps are not complete.

VTA, in partnership with Caltrans and the City, completed the Project Approval and Environmental Document (PA&ED) phase for the improvement in March 2016. Currently in the Plans, Specifications, and Estimates (PS&E) phase, the US-101 and Trimble Road Interchange improvement would include the following components:

- Reconstruct the existing three-quadrant cloverleaf interchange to a partial cloverleaf interchange;
- Replace the existing De La Cruz Boulevard-Trimble Road overcrossing structure to provide six through lanes and accommodating bike and pedestrian facilities;
- Widen De La Cruz Boulevard between Trimble Road and Central Expressway from four to six lanes;
- Construct a new intersection at the terminus of US-101 southbound off-ramp at De La Cruz Boulevard;
- Reconstruct the intersection of De La Cruz Boulevard and Central Expressway to provide bike lanes and additional through and turn lanes.

Figure 7
North Screenline and Gateway Facilities

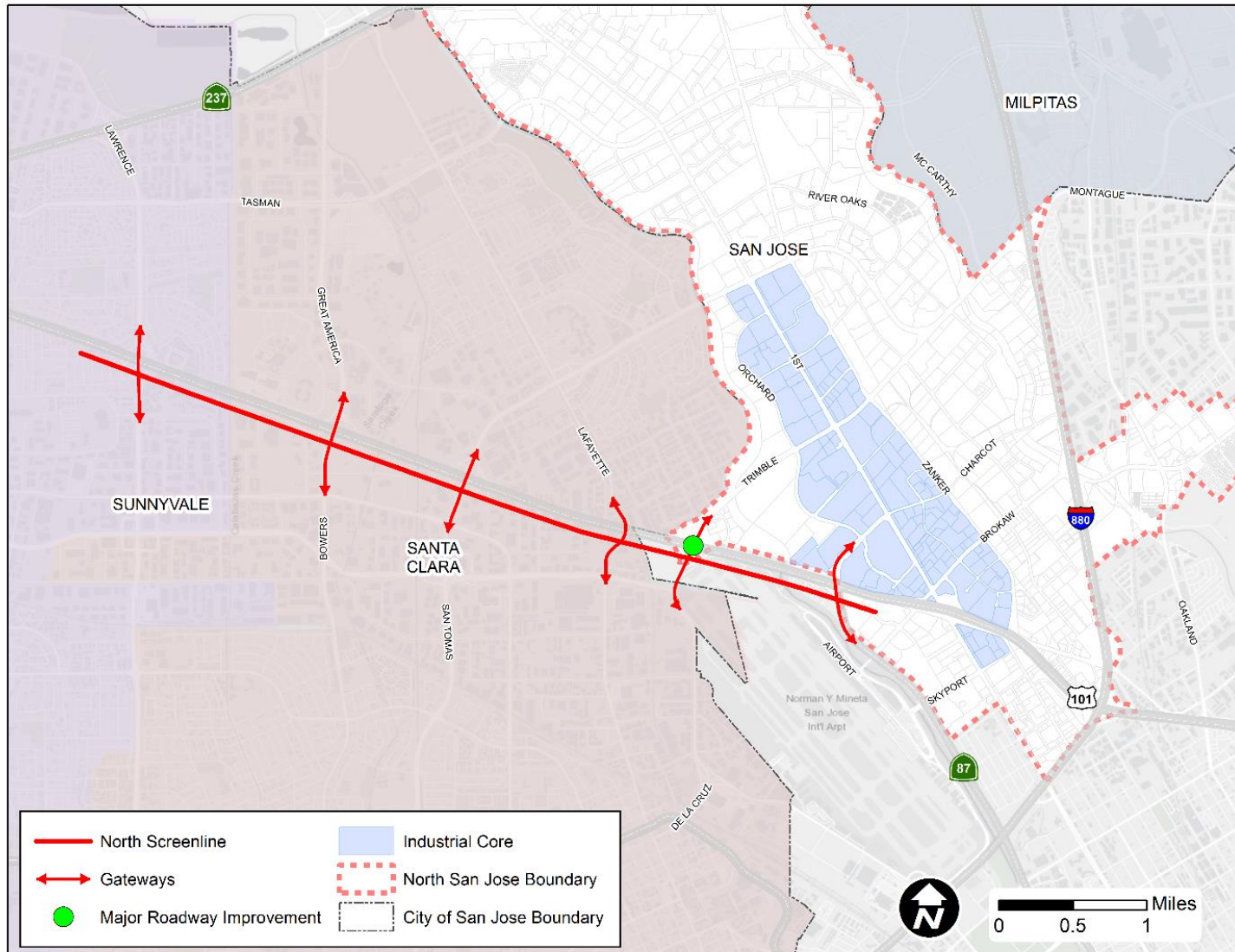


Table 10
2015 AM Northbound Volumes Crossing North Screenline

Gateway	Screen-line	# Lanes	6-10 AM			AM Peak Hour			
			4-Hr. Vol.	4-Hr. Cap.	V/C LOS	# Lanes	Pk-Hr. Vol.	Pk-Hr. Cap.	V/C LOS
NB Lawrence	North	4	8,380	23,200	0.36/A	4	3,220	5,800	0.56/A
NB Bowers	North	3	1,310	10,800	0.12/A	3	620	2,700	0.23/A
NB San Tomas	North	4	7,250	23,200	0.31/A	4	4,290	5,800	0.74/C
NB Lafayette	North	2	1,200	7,200	0.17/A	2	400	1,800	0.22/A
NB De La Cruz	North	4	6,690	15,200	0.44/A	4	2,230	3,800	0.59/A
NB SR-87	North	3	16,440	22,800	0.72/C	3	4,110	5,700	0.72/C
All Gateways	North	22	41,270	102,400	0.40/A	22	14,870	25,600	0.58/A

Notes:
1. Congested links are defined as gateways having volume-to-capacity ratios of LOS E or F.

Table 11
2015 PM Southbound Volumes Crossing North Screenline

Gateway	Screen-line	# Lanes	3-7 PM			PM Peak Hour			
			4-Hr. Vol.	4-Hr. Cap.	V/C LOS	# Lanes	Pk-Hr. Vol.	Pk-Hr. Cap.	V/C LOS
SB Lawrence	North	4	9,980	23,200	0.43/A	4	3,210	5,800	0.55/A
SB Bowers	North	3	2,560	10,800	0.24/A	3	820	2,700	0.30/A
SB San Tomas	North	4	9,740	23,200	0.42/A	4	3,200	5,800	0.55/A
SB Lafayette	North	2	970	7,200	0.14/A	2	330	1,800	0.18/A
SB De La Cruz	North	4	2,530	15,200	0.17/A	4	800	3,800	0.21/A
SB CA-87	North	3	20,500	22,800	0.90/D	3	6,870	5,700	1.20/F
All Gateways	North	22	46,280	102,400	0.45/A	22	15,230	25,600	0.59/A

Notes:
1. Congested links are defined as gateways having volume-to-capacity ratios of LOS E or F.

Because the improvement is in the PS&E phase and construction is forthcoming, it is recommended that the improvement, which is also included in the VTA Measure B Expressway Program (2016) and the Valley Transportation Plan 2040 (2014), would be implemented to serve Phase 1 development.

In summary, the screenline analysis indicates that the roadways that serve as the gateways across the north screenline currently have adequate capacity to serve both the AM and PM 4-hour commute periods. Therefore, further improvement of the north screenline gateways is not necessary to serve Phase 1 traffic conditions. However, the NSJADP EIR identified the improvement of the US-101 and Trimble Road Interchange in Phase 1. Given that the US-101 and Trimble Road Interchange improvement is in the PA&ED phase and construction is forthcoming, it is suggested that it be implemented to serve Phase 1 development.

South Screenline

The South screenline is a group of gateway facilities serving westbound and eastbound traffic between the east side of US-101 and the west side. The screenline runs from Oakland Road to the north and Alum Rock Avenue to the south, and accounts for traffic that cross five key parallel gateways, including Oakland Road, Berryessa Street, Mabury Road, McKee Road, and Alum Rock Avenue. Figure 8 provides a map of the screenline and its gateway facilities.

Tables 12 and 13 present the volumes crossing the South screenline during the AM and PM 4-hour commute periods and peak hours. The screenline analysis indicates that the McKee gateway currently operates at unacceptable levels during the AM commute period and both the AM and PM peak hours. The screenline analysis indicates that the remaining west screenline gateways currently have adequate capacity to serve commute period and peak hour traffic.

There were no major roadway improvements along the South screenline identified in the NSJADP EIR to serve the Phase 1 development levels. In summary, the screenline analysis indicates that the roadways that serve as the gateways across the south screenline currently have adequate capacity to serve both the AM and PM 4-hour commute periods. Therefore, further improvement of the south screenline gateways is not necessary to serve Phase 1 traffic conditions.

Figure 8
South Screenline and Gateway Facilities

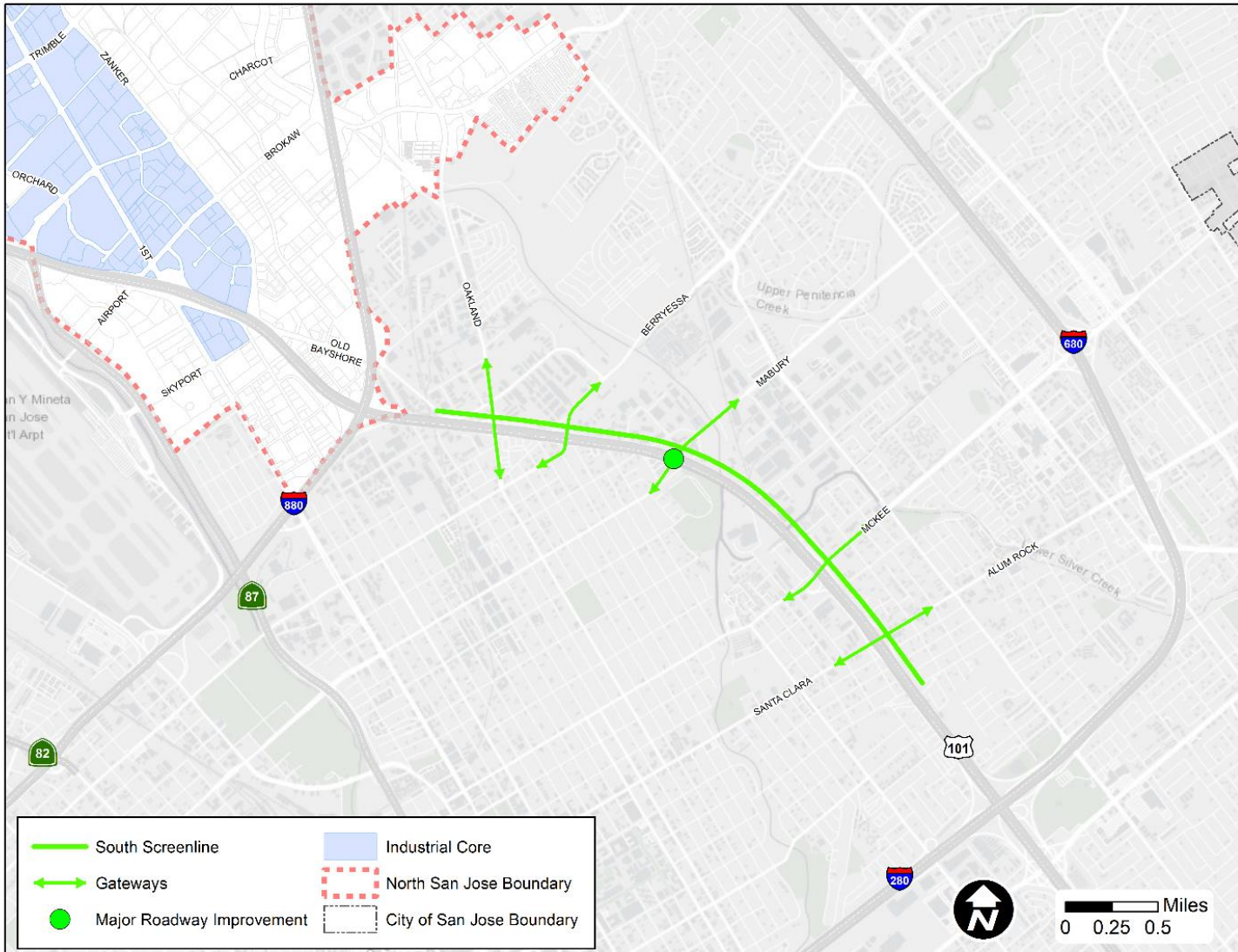


Table 12
2015 AM Westbound/Eastbound Volumes Crossing South Screenline

Gateway	Screen-line	# Lanes	6-10 AM			AM Peak Hour			
			4-Hr. Vol.	4-Hr. Cap.	V/C LOS	# Lanes	Pk-Hr. Vol.	Pk-Hr. Cap.	V/C LOS
Westbound									
WB Alum Rock	South	2	2,100	7,200	0.29/A	2	1,580	1,800	0.88/D
WB McKee	South	2	6,660	7,200	0.93/E	2	2,110	1,800	1.17/F
WB Mabury	South	1	980	3,600	0.27/A	1	750	900	0.84/D
WB Berryessa	South	2	3,570	7,200	0.50/A	2	640	1,800	0.35/A
SB Oakland	South	3	1,210	10,800	0.11/A	3	390	2,700	0.15/A
All Gateways	South	10	14,520	36,000	0.40/A	10	5,470	9,000	0.61/B
Eastbound									
EB Alum Rock	South	2	900	7,200	0.12/A	2	420	1,800	0.24/A
EB McKee	South	2	2,960	7,200	0.41/A	2	1,410	1,800	0.78/C
EB Mabury	South	1	490	3,600	0.14/A	1	220	900	0.25/A
EB Berryessa	South	3	900	10,800	0.08/A	3	500	2,700	0.19/A
NB Oakland	South	3	2,840	10,800	0.26/A	3	1,040	2,700	0.39/A
All Gateways	South	11	8,090	39,600	0.20/A	11	3,590	9,900	0.36/A
<u>Notes:</u>									
1. Congested links are defined as gateways having volume-to-capacity ratios of LOS E or F.									

Table 13
2015 PM Westbound/Eastbound Volumes Crossing South Screenline

Gateway	Screen-line	# Lanes	3-7 PM			PM Peak Hour			
			4-Hr. Vol.	4-Hr. Cap.	V/C LOS	# Lanes	Pk-Hr. Vol.	Pk-Hr. Cap.	V/C LOS
Westbound									
WB Alum Rock	South	2	1,140	7,200	0.16/A	2	350	1,800	0.19/A
WB McKee	South	2	4,750	7,200	0.66/B	2	1,490	1,800	0.83/D
WB Mabury	South	1	740	3,600	0.21/A	1	230	900	0.26/A
WB Berryessa	South	2	1,710	7,200	0.24/A	2	510	1,800	0.29/A
SB Oakland	South	3	3,850	10,800	0.36/A	3	1,300	2,700	0.48/A
All Gateways	South	10	12,190	36,000	0.34/A	10	3,880	9,000	0.43/A
Eastbound									
EB Alum Rock	South	2	2,100	7,200	0.29/A	2	680	1,800	0.38/A
EB McKee	South	2	5,060	7,200	0.70/C	2	1,630	1,800	0.91/E
EB Mabury	South	1	980	3,600	0.27/A	1	310	900	0.35/A
EB Berryessa	South	3	3,070	10,800	0.28/A	3	1,000	2,700	0.37/A
NB Oakland	South	3	1,700	10,800	0.16/A	3	530	2,700	0.20/A
All Gateways	South	11	12,910	39,600	0.33/A	11	4,150	9,900	0.42/A
<u>Notes:</u>									
1. Congested links are defined as gateways having volume-to-capacity ratios of LOS E or F.									

4. Phase 1 Intersection Impacts and Mitigation

As described previously, a total of nine major roadway improvements and 15 intersection improvements were assumed as part of the of the NSJADP development. Based on the NSJADP EIR, Phase 1 development would impact 12 intersections, of which 10 were in North San José and two in other areas of San José. This chapter provides an update of peak hour intersection level of service conditions for the purpose of ensuring that transportation improvements adequately address current and future Phase 1 development level conditions.

The results of the updated intersection level of service is discussed below. Table 14 provides updated intersection levels of service for all intersections that were identified to be impacted by buildout of all four phases of NSJADP development.

(6) Zanker Road and Montague Expressway (Original: Phase 1 & 2, Updated: Complete)

NSJADP TIA: Intersection Improvements: Phase 1 conditions included the widening of Montague Expressway from six to eight lanes between North First Street and I-880. The additions of second northbound and southbound left-turn lanes on Zanker Road were identified to be required to serve Phase 2 development in the NSJADP EIR.

2021 Update: Intersection Improvements: The widening of Montague Expressway from six to eight lanes between North First Street and I-880 is complete.

The additions of second northbound and southbound left-turn lanes on Zanker Road were identified to be required to serve Phase 2 development in the NSJADP EIR and are not complete. The improvement would be implemented as part of the Zanker Road Widening improvements planned as part of Phase 2 development. The Zanker Road Widening improvement is also included in the Valley Transportation Plan 2040 (2014). Therefore, the Phase 1 improvement for this intersection is complete.

(7) River Oaks Parkway and Montague Expressway (Original: Phase 1, Updated: Complete)

NSJADP TIA: Intersection Improvements: Phase 1 conditions included the widening of Montague Expressway from six to eight lanes between North First Street and I-880.

2021 Update: Intersection Improvements: Improvement at this intersection per the NSJADP consisted only of the Montague Expressway Widening which has been completed.

**Table 14
Intersection Level of Service Summary**

		Peak Hour	2005 NSJADP EIR										2018 Analysis Update			
			Baseline		Phase 1		Phase 1 Mitigated		Phase 1		Phase 1 Mitigated		Avg. Delay	LOS	Avg. Delay	LOS
			Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS				
North San Jose Intersections																
2	237/FIRST (S) *	AM	81.3	F	24.7	C					45.1	D				
		PM	59.0	E	29.4	C					40.8	D				
6	MONTAGUE/ZANKER *	AM	54.0	D	82.1	F	48.3	D	67.2	E	63.0	E				
		PM	90.2	F	115.3	F	67.9	E	72.1	E	59.1	E				
7	MONTAGUE/RIVER OAKS	AM	45.3	D	72.9	E	56.2	E	32.9	C						
		PM	54.9	D	68.9	E	62.7	E	35.5	D						
8	MONTAGUE/TRIMBLE *	AM	25.1	C	24.3	C	27.6	C	67.7	E						
		PM	140.6	F	109.5	F	43.0	D	50.8	D						
9	MONTAGUE/OTOOLE *	AM	86.7	F	82.1	F			87.9	F						
		PM	470.2	F	175.3	F			160.9	F						
10	MONTAGUE/OAKLAND *	AM	85.0	F	103.0	F	101.1	F	107.0	F						
		PM	101.7	F	128.2	F	123.6	F	85.5	F						
12	FIRST/TRIMBLE *	AM	76.7	E	51.6	D	47.1	D	46.4	D						
		PM	80.0	E	55.8	E	51.6	D	42.8	D						
13	TRIMBLE/ZANKER *	AM	44.7	D	41.0	D			39.4	D						
		PM	122.6	F	114.4	F			42.4	D						
16	BROKAW/ZANKER *	AM	54.3	D	68.4	E			44.6	D						
		PM	58.4	E	68.2	E			44.3	D						
19	BROKAW/OAKLAND *	AM	59.0	E	58.3	E			46.9	D						
		PM	47.9	D	47.3	D			51.8	D						
22	LUNDY/MURPHY *	AM	46.6	D	46.1	D			40.3	D						
		PM	43.1	D	47.8	D			44.7	D						
Other North San Jose Intersections																
24	TASMAN/ZANKER	AM	38.0	D	38.0	D			35.8	D						
		PM	54.7	D	44.5	D			34.8	C						
27	CHARCOT/FIRST	AM	103.8	F	71.9	E	40.4	D	51.5	D						
		PM	48.4	D	40.4	D	35.7	D	41.9	D						
37	FIRST/METRO	AM	12.9	B	13.7	B	13.6	B	12.1	B						
		PM	23.4	C	25.3	C	20.4	C	19.3	B						
38	FIRST/SKYPOR	AM	20.9	C	35.8	D			26.6	C						
		PM	26.9	C	22.8	C			40.1	D						
43	CHARCOT/ZANKER	AM	34.7	C	33.0	C			42.5	D						
		PM	31.9	C	37.6	D			43.6	D						
45	CHARCOT/JUNCTION	AM	21.5	C	22.7	C			34.1	C	28.8	C				
		PM	25.1	C	34.7	C			58.9	E	32.2	C				
47	BERING/BROKAW	AM	18.7	B	30.2	C	27.0	C	26.9	C						
		PM	24.3	C	28.9	C	30.3	C	31.0	C						
Other San Jose CMP Intersections																
58	TRADE ZONE/MONTAGUE *	AM	52.3	D	81.8	F	46.1	D	61.7	E						
		PM	79.9	E	109.0	F	53.0	D	70.3	E						
59	LUNDY/BERRYESSA *	AM	53.3	D	48.5	D			43.6	D						
		PM	44.3	D	47.2	D			47.7	D						
60	OAKLAND/US-101 (N) *	AM	35.5	D	41.0	D			85.5	F	84.7	F				
		PM	18.8	B	19.6	B			54.6	D	54.4	D				
61	OAKLAND/US-101 (S) *	AM	25.9	C	24.6	C			29.9	C	29.9	C				
		PM	38.0	D	45.9	D			85.7	F	85.6	F				
97	CAPITOL/CAPITOL *	AM	31.3	C	34.4	C			42.7	D						
		PM	101.4	F	86.3	F			49.9	D						

Table 14 (Cont'd)
Intersection Level of Service Summary

		Peak Hour	2005 NSJADP EIR										2018 Analysis Update			
			Baseline		Phase 1				Phase 1 Mitigated		Phase 1		Phase 1 Mitigated			
			Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS		
98	SAN TOMAS/STEVENS CREEK *	AM	56.6	E	55.3	E					78.2	E	57.5	E		
		PM	82.7	F	83.9	F					71.2	E	56.6	E		
99	SAN TOMAS/MOORPARK *	AM	67.8	E	67.2	E					82.5	F	60.1	E		
		PM	125.4	F	125.5	F					55.9	E	46.1	D		
Other San Jose Intersections																
113	FIRST/TAYLOR (Protected)	AM	-	-	-	-	-	-	-	-	-	-	-	-		
		PM	-	-	-	-	-	-	-	-	-	-	-	-		
114	FOURTH/HEDDING (Protected)	AM	-	-	-	-	-	-	-	-	-	-	-	-		
		PM	-	-	-	-	-	-	-	-	-	-	-	-		
115	ELEVENTH/TAYLOR (Protected)	AM	-	-	-	-	-	-	-	-	-	-	-	-		
		PM	-	-	-	-	-	-	-	-	-	-	-	-		
116	THIRTEENTH/HEDDING	AM	57.9	E	62.6	E	48.9	D			54.3	D				
		PM	42.7	D	42.8	D	38.6	D			52.1	D				
117	KING/MCKEE	AM	51.8	D	56.6	E	41.9	D			77.9	E	44.0	D		
		PM	47.1	D	51.9	D	38.9	D			78.4	E	41.7	D		
119	CAPITOL/MCKEE (Protected)	AM	-	-	-	-	-	-	-	-	-	-	-	-		
		PM	-	-	-	-	-	-	-	-	-	-	-	-		
123	LUNDY/TRADE ZONE	AM	40.9	D	43.8	D					32.1	C				
		PM	39.8	D	40.7	D					42.3	D				
124	CAPITOL/CROPLEY	AM	33.6	C	33.8	C					39.1	D				
		PM	57.1	E	58.2	E					54.7	D				
125	CAPITOL/HOSTETTER (Protected)	AM	-	-	-	-	-	-	-	-	-	-	-	-		
		PM	-	-	-	-	-	-	-	-	-	-	-	-		
126	CAPITOL/BERRYESSA	AM	46.4	D	46.9	D					48.8	D	48.7	D		
		PM	46.1	D	48.0	D					55.7	E	53.6	D		
130	ALMADEN/GRANT (Protected)	AM	-	-	-	-	-	-	-	-	-	-	-	-		
		PM	-	-	-	-	-	-	-	-	-	-	-	-		
143	TENTH/HEDDING (Protected)	AM	-	-	-	-	-	-	-	-	-	-	-	-		
		PM	-	-	-	-	-	-	-	-	-	-	-	-		
146	TENTH/JULIAN (Protected)	AM	-	-	-	-	-	-	-	-	-	-	-	-		
		PM	-	-	-	-	-	-	-	-	-	-	-	-		
154	TENTH/TAYLOR (Protected)	AM	-	-	-	-	-	-	-	-	-	-	-	-		
		PM	-	-	-	-	-	-	-	-	-	-	-	-		

Notes:
 * Denotes CMP Intersections
 Level of service analysis was not performed for intersections that are designated to be Protected Intersections under the NSJADP.
 Entries denoted in **bold** indicate conditions that exceed the applicable level of service standard.
 Entries denoted in **bold and boxed** indicate significant impact.

(8) Trimble Road and Montague Expressway (Original: Phase 1, Updated: Complete)

NSJADP TIA: Intersection Improvements: Phase 1 conditions included the widening of Montague Expressway from six to eight lanes between North First Street and I-880, providing four lanes in each direction. In addition, the construction of a flyover connecting from westbound Montague Expressway to southbound Trimble Road, thereby providing a free westbound left-turn movement and removing the movement from the intersection's signal control also was included in Phase 1 conditions.

Note that this intersection was not identified to be impacted by Phase 1 conditions in the 2005 EIR. The above-described major roadway improvements were included as part of the NSJADP project.

2021 Update: Intersection Improvements: The widening of Montague Expressway from six to eight lanes between North First Street and I-880 is complete.

The construction of a flyover connecting from westbound Montague Expressway to southbound Trimble Road was identified to be included as part of the NSJADP project. The improvement is also included in the VTA Measure B Expressway Program (2016), Valley Transportation Plan 2040 (2014), and County Expressway Plan 2040 (2008). However, the screenline analysis indicates that the flyover is not required to serve Phase 1 traffic conditions. It should be noted that the Trimble Road and Montague Expressway Flyover improvement will reduce traffic congestion at the intersection level, however it would not generate much throughput capacity for Trimble Road or Montague Expressway at the corridor level. Therefore, the City is considering alternative improvements to construction of the flyover along Montague Expressway to improve regional travel. The alternative improvements will focus on improvements that could provide greater benefit to multi-modal travel to and through North San Jose. Improvements could include grade separating the North First Street intersection with Montague Expressway to improve LRT operations. The City will coordinate its efforts with VTA and the County. Therefore, the Phase 1 improvement for this intersection is complete.

(9) McCarthy Boulevard and Montague Expressway (Original: Phase 1 & 3, Updated: Complete)

NSJADP TIA: Intersection Improvements: Phase 1 conditions included the widening of Montague Expressway from six to eight lanes between North First Street and I-880, providing four lanes in each direction. Note that this intersection was not identified to be impacted by Phase 1 conditions in the 2005 EIR. The above-described major roadway improvement was included as part of the NSJADP project.

Phase 3 conditions include the construction of a "square-loop" interchange to replace the at-grade intersection.

2021 Update: Intersection Improvements: The widening of Montague Expressway from six to eight lanes between North First Street and I-880 is complete. The NSJADP EIR indicated that the intersection was projected to operate at LOS F conditions with the Montague Expressway Widening. There were no other improvements identified to serve Phase 1 development in the NSJADP EIR.

The construction of a "square-loop" interchange to replace the at-grade intersection was identified to be needed to serve Phase 3 development and is not complete. The improvement is included in the VTA Measure B Expressway Program (2016), Valley

Transportation Plan 2040 (2014), and County Expressway Plan 2040 (2008) (Tier 1B improvement). However, the “square-loop” interchange is not required to support Phase 1 development based on the screenline analysis. Therefore, the Phase 1 improvement for this intersection is complete.

(10) Old Oakland Road and Montague Expressway (Original: Phase 1, Updated: Complete)

NSJADP TIA: Intersection Improvements: Phase 1 conditions included the addition of a second southbound left-turn lane on Old Oakland Road.

2021 Update: Intersection Improvements: The addition of a second southbound left-turn lane on Old Oakland Road is complete. The intersection was projected to continue to operate at LOS F conditions with the identified improvement in the NSJADP EIR. There are no further feasible improvements that can be implemented.

(12) North First Street and Trimble Road (Original: Phase 1, Updated: No Improvements)

NSJADP TIA: Intersection Improvements: Phase 1 conditions included adding a second eastbound left-turn lane and an exclusive westbound right-turn lane on Trimble Road. The improvement may require acquisition of a minimal amount of right-of-way.

2021 Update: The updated analysis indicates that this intersection will operate at acceptable levels under Phase 1 conditions. Therefore, the improvements described above are not required to support Phase 1 development based on the updated analysis.

(24) Zanker Road and Tasman Drive (Original: Phase 3, Updated: Complete)

NSJADP TIA: Intersection Improvements: The addition of second eastbound and westbound left-turn lanes on Tasman Drive were identified as needed to support Phase 3 development levels.

2021 Update: Intersection Improvements: The additions of second eastbound and westbound left-turn lanes on Tasman Drive are complete.

(27) North First Street and Charcot Avenue (Original: Phase 1, Updated: No Improvements)

NSJADP TIA: Intersection Improvements: Phase 1 conditions included adding exclusive eastbound and westbound right-turn lanes on Charcot Avenue and a second southbound left-turn lane on North First Street. The improvement may require the acquisition of right-of-way due to the LRT lane running within the median along North First Street.

2021 Update: The updated analysis indicates that this intersection will operate at acceptable levels under Phase 1 conditions. Therefore, the improvements described above are not required to support Phase 1 development based on the updated analysis.

(37) North First Street and Metro Drive (Original: Phase 1, Updated: No Improvements)

NSJADP TIA: Intersection Improvements: Phase 1 conditions included adding a second eastbound left-turn lane on Metro Drive at this City intersection in North San José.

2021 Update: The updated analysis indicates that this intersection will operate at acceptable levels under Phase 1 conditions. Therefore, the improvements described above are not required to support Phase 1 development based on the updated analysis.

(45) Junction Avenue and Charcot Avenue (Original: Phase 3, Updated Phase 1)

NSJADP TIA: Intersection Improvements: This intersection was projected to operate at acceptable levels and no improvements were identified to serve the Phase 1 development.

2021 Update: Intersection Improvements: The NSJADP identified the additions of second eastbound and westbound left-turn lanes on Charcot Avenue and the widening of Charcot Avenue and Junction Avenue from two to four lanes to serve Phase 3 development. The updated level of service analysis shows that the improvement would be needed to support Phase 1 development.

(47) Bering Drive and Brokaw Road (Original: Phase 1, Updated: No Improvements)

NSJADP TIA: Intersection Improvements: Phase 1 conditions included adding a second northbound left-turn lane and an exclusive southbound left-turn lane on Bering Drive. The improvement would require signal modifications and the acquisition of a minimum amount of right-of-way.

2021 Update: The updated analysis indicates that this intersection will operate at acceptable levels under Phase 1 conditions. Therefore, the improvements described above are not required to support Phase 1 development based on the updated analysis.

(58) Trade Zone Boulevard and Montague Expressway (Original: Phase 1, Updated: Complete)

NSJADP TIA: Intersection Improvements: Phase 1 conditions included adding second northbound and southbound left-turn lanes on Trade Zone Boulevard and an eastbound free right-turn lane on Montague Expressway.

2021 Update: Intersection Improvements: The additions of second northbound and southbound left-turn lanes on Trade Zone Boulevard and an eastbound free right-turn lane on Montague Expressway are complete. The impact is therefore determined to be less than significant with completion of the identified NSJADP improvements.

(60) Oakland Road and US-101 (North) (Original: Phase 3, Updated: Not Phase 1)

NSJADP TIA: Intersection Improvements: This intersection was projected to operate at acceptable levels and no improvements were identified to serve the Phase 1 development.

2021 Update: Intersection Improvements: The addition of a second southbound right-turn lane on Oakland Road, as well as the reconstruction of the US-101 and Oakland Road interchange overpass, are not complete. The NSJADP would contribute fair share towards the City's US-101/Oakland/Mabury Transportation Development Policy, which establishes a traffic impact fee program to fund the improvement while allowing for the intersection to temporarily exceed the City's LOS standards until the improvement is constructed. The impact is determined to be less-than-significant with payment of the TIF.

The improvement also is being evaluated as part of the Project Approval and Environmental Document (PA&ED) stage for the US-101 and Mabury Road interchange improvement. It is more appropriate to align the phasing of the US-101 and Oakland Road improvements with the major regional improvement at US-101 and Mabury Road. Therefore, the improvement will not be completed as part of Phase 1.

(61) Oakland Road and US-101 (South) (Original: Phase 3, Updated: Not Phase 1)

NSJADP TIA: Intersection Improvements: This intersection was projected to operate at acceptable levels and no improvements were identified to serve the Phase 1 development.

2021 Update: Intersection Improvements: The reconstruction of the interchange to include six lanes on the overpass is not complete. The NSJADP would contribute fair share towards the City's US-101/Oakland/Mabury Transportation Development Policy, which establishes a traffic impact fee program to fund the improvement while allowing for the intersection to temporarily exceed the City's LOS standards until the improvement is constructed. The impact is determined to be less-than-significant with payment of the TIF.

The improvement also is being evaluated as part of the PA&ED phase for the US-101 and Mabury Road interchange improvement, and it is more appropriate to align the phasing of the US-101 and Oakland Road improvements with the major regional improvement at US-101 and Mabury Road. Therefore, the improvement will not be completed as part of Phase 1.

(97) Capitol Expressway and Capitol Avenue (Original: Phase: 4, Update: Complete)

NSJADT TIA: Intersection Improvements: The addition of an exclusive eastbound left-turn lane on Capitol Avenue was identified as needed to support Phase 4 development levels.

2021 Update: The addition of an exclusive eastbound left-turn lane on Capitol Avenue is complete.

(98) San Tomas Expressway and Stevens Creek Boulevard (Original: Phase 2, Updated: Phase 1)

NSJADP TIA: Intersection Improvements: This intersection was projected to operate at LOS F conditions under Phase 1 conditions. However, no improvements were identified to serve the Phase 1 development.

2021 Update: Intersection Improvements: The NSJADP EIR identified the widening of San Tomas Expressway from six to eight lanes, providing four through lanes in both northbound and southbound approaches at the intersection to support Phase 2 development. The NSJADP will contribute a fair share towards the County's implementation of this improvement as part of the following countywide plans and programs:

- VTA Measure B Expressway Program (2016) – widening San Tomas Expressway between Stevens Creek Boulevard and Homestead Road, including extending San Tomas Aquino Spur Trail along the west side of the expressway and sidewalks consistent with pedestrian route plan
- VTA Measure B Expressway Program (2016) – widening San Tomas Expressway between Campbell Avenue and Stevens Creek Boulevard from six to eight lanes
- Valley Transportation Plan 2040 (2014) – widening San Tomas Expressway between Williams Road and El Camino Real from six to eight lanes
- County Expressway Plan 2040 (2008) – widening San Tomas Expressway between Williams Road and El Camino Real from six to eight lanes (Tier 1A improvement).

The updated analysis indicates that the improvement would be needed to support Phase 1 development.

(99) San Tomas Expressway and Moorpark Avenue (Original: Phase 4, Updated: Phase 1)

NSJADP TIA: This intersection was projected to operate at LOS F conditions under Phase 1 conditions. However, no improvements were identified to serve the Phase 1 development.

2021 Update: Intersection Improvements: The NSJADP EIR identified the addition of a second southbound left-turn lane on San Tomas Expressway to support Phase 2 development. Additional improvements to mitigate the Project impact would be the widening of San Tomas Expressway from six to eight lanes, providing four through lanes in both northbound and southbound approaches at the intersection. The NSJADP will contribute a fair share towards the County's implementation of this improvement as part of the following countywide plans and programs:

- VTA Measure B Expressway Program (2016) – widening San Tomas Expressway between Campbell Avenue and Stevens Creek Boulevard from six to eight lanes
- Valley Transportation Plan 2040 (2014) – widening San Tomas Expressway between Williams Road and El Camino Real from six to eight lanes
- County Expressway Plan 2040 (2008) – widening San Tomas Expressway between Williams Road and El Camino Real from six to eight lanes (Tier 1A improvement)

The updated analysis indicates that the improvement would be needed to serve Phase 1 development.

(116) Thirteenth Street and Hedding Street (Original: Phase 1, Updated: No Improvement)

NSJADP TIA: Intersection Improvements: The necessary improvement to mitigate the Phase 1 impact included adding second eastbound and westbound left-turn lanes on Hedding Street. The improvement would require the acquisition of right-of-way. The improvement would fully mitigate the Phase 1.

2021 Update: The updated analysis indicates that this intersection will operate at acceptable levels under Phase 1 conditions. Therefore, the improvements described above are not required to support Phase 1 development based on the updated analysis.

(117) King Road and McKee Road (Original: Phase 1, Updated: Phase 1)

NSJADP TIA: Intersection Improvements: The necessary improvements to mitigate the Phase 1 impact would include adding second eastbound and westbound left-turn lanes on McKee Road, and an exclusive southbound right-turn lane on King Road. The improvements would require the acquisition of right-of-way.

2021 Update: Intersection Improvements: The addition of a second eastbound left-turn lane on McKee Road is complete. The updated analysis indicates that the additions of a second westbound left-turn lane on McKee Road and an exclusive southbound right-turn lane on King Road are required to support Phase 1 development.

(126) Capitol Avenue and Berryessa Road (Original: Phase 4, Updated: Phase 1)

NSJADP TIA: Intersection Improvements: This intersection was projected to operate at acceptable levels and no improvements were identified to serve the Phase 1 development.

2021 Update: Intersection Improvements: The NSJADP identified the addition of a second westbound left-turn lane on Berryessa Road as being required to support Phase 4 development. The updated analysis indicates that the improvement would be needed to support Phase 1 development.

5. Conclusions

This study was completed to re-evaluate and update the necessary improvements identified in the NSJADP to adequately mitigate the Phase 1 development levels that have been completed and/or entitled to date. No changes to the NSJADP land uses are proposed; therefore, it was not the intent of the study to identify new or modify transportation impacts and mitigation that were identified in the NSJADP TIA. Rather, the study reviewed 16 years of built development and traffic growth to update the required improvements to serve Phase 1 of the NSJADP that were previously identified based on 35 years of development and traffic forecasts at the time.

Major Roadway Improvements

The original NSJADP TIA indicated that four major roadway improvements were required to serve the Phase 1 development. The screenline analysis indicated that three of the four major roadway improvements continue to be required to support Phase 1 development levels:

- (I) Montague Expressway Widening (Complete)
- (II) US-101 and Trimble Road Interchange
- (IX) North San José Core Area Grid Streets

In addition, based on the screenline analysis and changes to funding opportunities and progression of environmental review, the following additional major roadway improvement is now proposed to be completed to support Phase 1 development:

- (VII) Zanker Road to Skyport Drive and Fourth Street Connection: Given that the improvement is in the PA&ED phase, it is suggested that it be implemented to serve Phase 1 development rather than Phase 4 as identified in the original NSJADP EIR.

Intersection Improvements

Besides the major roadway improvements, the original NSJADP TIA also indicated that 12 intersection improvements would be required to serve Phase 1 development levels. It is these intersections and roadway improvements that were the focus of this updated review.

The updated analysis indicated that improvements at 6 of the 12 intersections originally identified to be required to support Phase 1 development, along with 2 other intersections originally identified to support later phases of development, are complete. Five (5) of the 12 intersections originally identified

to support Phase 1 development are now not required. Conversely, the updated analysis also indicated that Phase 1 development levels will require improvement at four (4) other intersections that were originally identified in the NSJADP TIA to support later phases of development.

In summary, based on the updated analysis, there are a total of 11 updated Phase 1 intersection improvements, listed below:

- (6) Zanker Road and Montague Expressway (Complete)
- (7) River Oaks Parkway and Montague Expressway (Complete)
- (8) Trimble Road and Montague Expressway (Complete)
- (9) McCarthy Boulevard and Montague Expressway (Complete)
- (10) Old Oakland Road and Montague Expressway (Complete)
- (45) Junction Avenue and Charcot Avenue
- (58) Trade Zone Boulevard and Montague Expressway (Complete)
- (98) San Tomas Expressway and Stevens Creek Boulevard
- (99) San Tomas Expressway and Moorpark Avenue
- (117) King Road and McKee Road
- (126) Capitol Avenue and Berryessa Road

Figure 9 provides the location of each of the original and new Phase 1 major roadway improvements and intersection improvements, along with those that are already completed.

Table 15 provides a side-by-side comparison analysis and improvement summary for those intersections that were identified to be impacted in either the 2005 NSJADP TIA and this updated analysis.

Table 16 compares the original phasing plan and the updated Phase 1 plan.

Figure 9
Phase 1 Intersection Improvement Locations

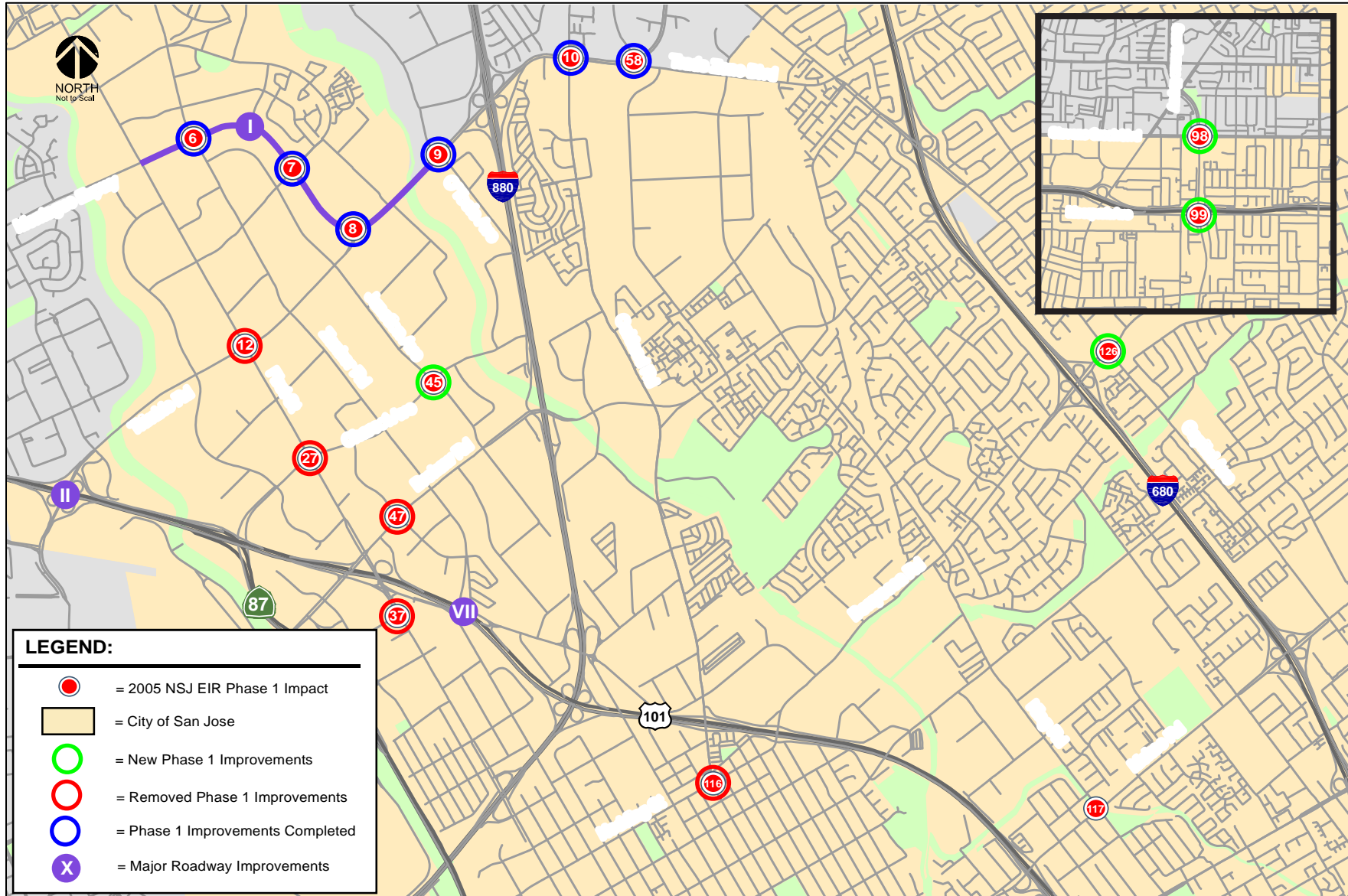


Table 15
Intersection Improvement Comparison Summary

Study Number	Intersection	Peak Hour	2005 NSJADP EIR				2021 Analysis Update					
			Phase 1		Phase 1		Phase 1		Phase 1			
			Avg. Delay	LOS	Avg. Delay	LOS	Improvements/Mitigations	Avg. Delay	LOS	Avg. Delay	LOS	Improvements/Mitigations
6	MONTAGUE/ZANKER *	AM	82.1	F	48.3	D	Widening of Montague to 8 lanes	67.2	E	63.0	E	Widening of Montague to 8 lanes is complete.
		PM	115.3	F	67.9	E		72.1	E	59.1	E	
7	MONTAGUE/RIVER OAKS	AM	72.9	E	56.2	E	Widening of Montague to 8 lanes	32.9	C			Widening of Montague to 8 lanes between North First Street and I-880 is complete. No improvement would be required for Phase 1.
		PM	68.9	E	62.7	E		35.5	D			
8	MONTAGUE/TRIMBLE *	AM	24.3	C	27.6	C	Widening of Montague to 8 lanes and construction of a flyover to serve WBL	67.7	E			Widening of Montague to 8 lanes between North First Street and I-880 is complete.
		PM	109.5	F	43.0	D		50.8	D			
9	MONTAGUE/O'TOOLE *	AM	82.1	F			Widening of Montague to 8 lanes	87.9	F			Widening of Montague to 8 lanes between North First Street and I-880 is complete.
		PM	175.3	F				160.9	F			
10	MONTAGUE/OAKLAND *	AM	103.0	F	101.1	F	Addition of 2 nd SBL	107.0	F			Addition of 2 nd SBL is complete. No additional mitigation was proposed for Phase 1.
		PM	128.2	F	123.6	F		85.5	F			
12	FIRST/TRIMBLE *	AM	51.6	D	47.1	D	Addition of 2 nd EBL and exclusive WBR	46.4	D			No improvement required for Phase 1.
		PM	55.8	E	51.6	D		42.8	D			
27	CHARCOT/FIRST	AM	71.9	E	40.4	D	Addition of exclusive WBR & EBR and 2 nd SBL	51.5	D			No improvement is required for Phase 1.
		PM	40.4	D	35.7	D		41.9	D			
37	FIRST/METRO	AM	13.7	B	13.6	B	Addition of 2 nd EBL	12.1	B			No improvement required for Phase 1.
		PM	25.3	C	20.4	C		19.3	B			
45	CHARCOT/JUNCTION	AM	22.7	C			No improvement required for Phase 1.	34.1	C	28.8	C	Addition of 2 nd EBL & WBL and widening of both Charcot and Junction to 4 lanes (Original Phase 3 Improvement)
		PM	34.7	C				58.9	E	32.2	C	
47	BERING/BROKAW	AM	30.2	C	27.0	C	Addition of 2 nd NBL and separate SBL	26.9	C			No improvement required for Phase 1.
		PM	28.9	C	30.3	C		31.0	C			
58	TRADE ZONE/MONTAGUE	AM	81.8	F	46.1	D	Addition of 2 nd NBL & SBL and free EBR	61.7	E			Addition of 2 nd NBL & SBL and free EBR is complete. No additional mitigation was proposed for Phase 1.
		PM	109.0	F	53.0	D		70.3	E			
60	OAKLAND/US-101 (N) *	AM	41.0	D			No improvement required for Phase 1.	85.5	F	84.7	F	US 101/Oakland/Mabury TIF (Original Phase 3 Improvement)
		PM	19.6	B				54.6	D	54.4	D	
61	OAKLAND/US-101 (S) *	AM	24.6	C			No improvement required for Phase 1.	29.9	C	29.9	C	US 101/Oakland/Mabury TIF (Original Phase 2 Improvement)
		PM	45.9	D				85.7	F	85.6	F	
98	SAN TOMAS/STEVENS CRE	AM	55.3	E			No improvement required for Phase 1.	78.2	E	57.5	E	Widening of San Tomas to 8 lanes (Original Phase 2 Improvement)
		PM	83.9	F				71.2	E	56.6	E	

Table 15 (Cont'd)
Intersection Improvement Comparison Summary

Study Number	Intersection	Peak Hour	2005 NSJADP EIR				2021 Analysis Update			
			Phase 1		Improvements/Mitigations	Phase 1		Improvements/Mitigations		
			Avg. Delay	LOS		Avg. Delay	LOS			
99	SAN TOMAS/MOORPARK *	AM	67.2	E	No improvement required for Phase 1.	82.5	F	60.1	E	Widening of San Tomas to 8 lanes and addition of 2 nd SBL (Original Phase 4 Improvement)
		PM	125.5	F		55.9	E	46.1	D	
116	THIRTEENTH/HEDDING	AM	62.6	E	Addition of 2 nd EBL and WBL	54.3	D			No improvement required for Phase 1.
		PM	42.8	D		38.6	D			
117	KING/MCKEE	AM	56.6	E	Addition of 2 nd EBL & WBL and separate SBR	77.9	E	44.0	D	Addition of 2 nd EBL is complete. Addition of 2 nd WBL and separate SBR would be required for Phase 1.
		PM	51.9	D		38.9	D	78.4	E	
126	CAPITOL/BERRYESSA	AM	46.9	D	No improvement required for Phase 1.	48.8	D	48.7	D	Addition of 2 nd WBL (Original Phase 4 Improvement)
		PM	48.0	D		55.7	E	53.6	D	

Notes:
 * Denotes CMP Intersections
 Entries denoted in **bold** indicate conditions that exceed the applicable level of service standard.
 Entries denoted in **bold and boxed** indicate significant impact.

Table 16
Updated Phase 1 Improvement Phasing

Type of Improvement	ID	Improvement Name	Phase	Updated Phase 1
Major Roadway Improvements	I	Montague Expressway Widening ¹	1	1
	II	US-101 and Trimble Road Interchange	1	1
	III	Trimble Road and Montague Expressway Flyover	1	Alt. Imp. ⁵
	IV	I-880 and Charcot Avenue Overcrossing	2	1
	V	Zanker Road Widening	2	
	VI	McCarthy Boulevard-O'Toole Avenue and Montague Expressway Interchange	3	
	VII	Zanker Road to Skyport Drive and Fourth Street Connection	4	1
	VIII	US-101 and Mabury Road Interchange	4	
	IX	North San José Core Area Grid Streets	1, 2, 3, 4	1, 2, 3, 4
Intersection Improvements	6	Zanker Road and Montague Expressway ^{1, 3}	1	1
	7	River Oaks Parkway and Montague Expressway ¹	1	1
	8	Trimble Road and Montague Expressway ¹	1	1
	9	McCarthy Boulevard and Montague Expressway ¹	1	1
	38	North First Street and Skyport Drive ⁴	4	
	10	Old Oakland Road and Montague Expressway ¹	1	1
	12	North First Street and Trimble Road	1	Not Req. ⁶
	27	North First Street and Charcot Avenue	1	Not Req. ⁶
	37	North First Street and Metro Drive	1	Not Req. ⁶
	47	Bering Drive and Brokaw Road	1	Not Req. ⁶
	58	Trade Zone Boulevard and Montague Expressway ¹	1	1
	116	Thirteenth Street and Hedding Street	1	Not Req. ⁶
	117	King Road and McKee Road	1	1
	13	Zanker Road and Trimble Road ³	2	
	16	Zanker Road and Brokaw Road ³	2	
	61	Oakland Road and US-101 (South)	2	
	98	San Tomas Expressway and Stevens Creek Boulevard	2	1
	2	North First Street and SR-237 (South)	3	
	24	Zanker Road and Tasman Drive ¹	3	
	43	Zanker Road and Charcot Avenue ³	3	
	45	Junction Avenue and Charcot Avenue	3	1
	60	Oakland Road and US-101 (North)	3	
	124	Capitol Avenue and Cropley Avenue	3	
	59	Lundy Avenue and Berryessa Road	4	
	97	Capitol Expressway and Capitol Avenue ¹	4	
	99	San Tomas Expressway and Moorpark Avenue	4	1
	123	Lundy Avenue and Trade Zone Boulevard	4	
126	Capitol Avenue and Berryessa Road	4	1	
Notes:				
1. The improvement is complete.				
2. Intersection improvements would be implemented as part of the Montague Expressway Widening (Phase 1) improvement.				
3. Intersection improvements would be implemented as part of the Zanker Road Widening (Phase 2) improvement.				
4. Intersection improvements would be implemented as part of the Zanker Road to Skyport Drive and Fourth Street Connection (Phase 4) improvement.				
5. City is considering alternative improvements to construction of the flyover along Montague Expressway to improve regional travel.				
6. The updated analysis indicates that this intersection will operate at acceptable levels under Phase 1 conditions and is not required.				