ADDENDUM TO THE DIRIDON STATION AREA PLAN FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2011092022)

Pursuant to CEQA Guidelines §15164, the City of San José has prepared an Addendum to the Diridon Station Area Plan Final 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.

Project Title: Julian Street General Plan Amendment, Diridon Station Area Plan Text Amendment & Rezoning

File No. GP17-006: General Plan Amendment to change Land Use Designation change from Mixed Use Commercial to Urban Village on a 1.22 gross acre site.

File No. GPT17-008: General Plan Text Amendment (associated with GP17-006) to revise the Diridon Station Area Plan to shift residential and parking capacity from the Southern Zone to the Northern Zone of the plan area.

File No. C17-031: Conforming Rezoning from LI Zoning District to the CP Zoning District on a 1.22 gross acre site.

Location: The project on the northwest corner of West Julian Street and Stockton Avenue, at 715 West Julian Street. **Council District:** 3. **Assessor's Parcel Numbers**: 261-01-030 and 261-01-094.

The environmental impacts of this project was addressed in the Diridon Station Area Plan Final Program Environmental Impact Report (DSAP FEIR), adopted by City Council Resolution No. 77096 on June 17, 2014. 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 DSAP FEIR:

- ☒ Land Use
- ☒ Transportation
- ☒ Noise and Vibration
- ☒ Air Quality
- ☒ Cultural Resources
- ☒ Hazards and Hazardous Materials
- ☒ Biological Resources
- ☒ Geology and Soils
- ☒ Hydrology and Water Quality
- ☒ Utilities and Service Systems
- ☒ Energy
- ☒ Greenhouse Gas Emissions
- ☒ Aesthetics
- ☒ Agricultural and Forest Resources
- ☒ Population and Housing
- ☒ Public Facilities and Services
- ☒ Utilities & Service Systems

ANALYSIS

The project site is located within the boundaries of the Diridon Station Area Plan (DSAP). The DSAP encompasses approximately 250 acres within and adjacent to Downtown San José. The DSAP consists of a conceptual plan for expansion of the Diridon transit station in anticipation of the future BART and High Speed

Rail service and sets forth maximum development capacities for residential, commercial, hotel, and retail uses within the plan boundaries. The DSAP is divided into three sub-zones: the Northern, Central, and Southern Zones. The project site is located within the Northern Zone, which has the following maximum development capacities:

- 3,012,400 square feet of office/R&D/light industrial
- 81,100 square feet of retail/restaurant
- 223 residential units

The proposed development capacity in the DSAP represents a subset of the growth anticipated in the Envision San José 2040 General Plan. The environmental review conducted for the DSAP, thus, tiered off the Envision San José 2040 Program Environmental Impact Report. The entire DSAP area is designated as an Urban Village and identifies implementing strategies and actions to guide redevelopment of the Diridon Station Area Urban Village. The strategies and guidelines in the DSAP are intended to support transit ridership and economic development; improve pedestrian, bicycle, and transit connectivity; provide a range of development opportunities; provide for high quality design; and generally ensure the continued vitality of the San José Arena, Diridon Station, and nearby downtown areas.

The project includes a General Plan Amendment to change the land use designation from Mixed Use Commercial to Urban Village to increase the allowable residential density on the property. The project site is located within the Northern Zone of the DSAP, which has used all of its residential allocations. Therefore, the project proposes a Text Amendment to the DSAP to allow the transfer of residential units from the Southern Zone (Section E) to the Northern Zone (Section C) to allow 305 new residential units. The project also includes a Rezoning on the site from LI (Light Industrial) and CP (Commercial Pedestrian) to CP only on the entire property. This proposal is consistent with the intent of the DSAP and the findings of the DSAP FEIR.

The Addendum concluded that the proposed project would not result in any new impacts not previously disclosed in the DSAP FEIR. The project will not result in a substantial increase in the magnitude of any significant environmental impact previously identified in the EIRs. For these reasons, a supplemental or subsequent EIR is not required and an addendum to the DSAP FEIR has been prepared for the proposed project.

The Addendum will not be circulated for public review, but will be attached to the DSAP FEIR, pursuant to CEQA Guidelines §15164(c). The Addendum provides background on the project description, specific project impacts, and the relationship between previous project conditions and the revised project.

Krinjal Mathur
Environmental Project Manager

Rosalynn Hughey, Interim Director
Planning, Building and Code Enforcement

10/18/17
Date

Deputy

Attachment: Julian Street General Plan Amendment, Diridon Station Area Plan Text Amendment & Rezoning, Addendum to the Diridon Station Area Plan Final Environmental Impact Report, October 2017

ADDENDUM TO THE
DIRIDON STATION AREA PLAN
FINAL ENVIRONMENTAL IMPACT REPORT
(SCH# 2011092022)

———

JULIAN STREET
GENERAL PLAN AMENDMENT, DIRIDON STATION AREA PLAN TEXT AMENDMENT & REZONING

City File Nos: GP17-006, GPT17-008, and C17-031

CITY OF SAN JOSÉ
CALIFORNIA

October 2017

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Chapter 1. Background Information

PROJECT DATA

1. **Project Title**: Julian Street General Plan Amendment, Diridon Station Area Plan Amendment & Rezoning

2. **Lead Agency Name and Address:** City of San José Planning, Building and Code Enforcement, 200 E. Santa Clara Street, San José, CA 95113

   Environmental Review
   Krinjal Mathur
   Phone: (408) 535-7874
   Email: krinjal.mathur@sanjoseca.gov

   Project Management
   Kimberly Vacca
   Phone: (408) 535-1241
   Email: kimberly.vacca@sanjoseca.gov

3. **Project Owner/Representative:** *Owner*: Speno Enterprises, 73 N Keeble Avenue, San José, CA 95126 *Representative*: Kurt Anderson, Anderson Architects, 120 W. Campbell Ave., Suite D, Campbell, CA 95008 (408) 371-1269.

4. **Project Location:** The approximately 1.22 gross acre project site is located at the northeast corner of West Julian Street and Stockton Avenue near downtown San José within the Diridon Station Area Plan.

   APNs: 261-01-030 and 261-01-094 **Council District**: 3

5. **Project Description Summary:** General Plan Amendment, Diridon Station Area Plan Text Amendment, and Rezoning.

6. **General Plan and Zoning Designations**: General Plan – Mixed Use Commercial;

   Zoning – LI Light Industrial and CP Commercial Pedestrian

7. **Habitat Conservation Plan Designations:**
   Area 4: Urban Development Equal to or Greater than 2 Acres Covered
   Land Cover: Urban-Suburban
   Land Cover Fee Zone: Urban Areas (No Land Cover Fee)

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Chapter 2. Project Description

INTRODUCTION

The project is a General Plan Amendment, Diridon Station Area Plan Text Amendment, and Rezoning. The project site is located within the boundaries of the Diridon Station Area Plan. The project, thus, relies on the CEQA documentation prepared for this Plan as described below.

Diridon Station Area Plan

The project site is located within the boundaries of the Diridon Station Area Plan (DSAP). The DSAP encompasses approximately 250 acres within and adjacent to Downtown San José. The DSAP consists of a conceptual plan for expansion of the Diridon transit station in anticipation of the future BART and High Speed Rail (HSR) service and sets forth maximum development capacities for residential, commercial, hotel, and retail uses within the plan boundaries. The DSAP is divided into three sub-zones: the Northern, Central, and Southern Zones. The project site is located within the Northern Zone, which has the following maximum development capacities:

- 3,012,400 square feet of office/R&D/light industrial
- 81,100 square feet of retail/restaurant
- 223 residential units

The proposed development capacity in the DSAP represents a subset of the growth anticipated in the Envision San José 2040 General Plan. The environmental review conducted for the DSAP, thus, tiered off the Envision San José 2040 Program Environmental Impact Report. The entire DSAP area is designated as an Urban Village and identifies implementing strategies and actions to guide redevelopment of the Diridon Station Area Urban Village. The strategies and guidelines in the DSAP are intended to support transit ridership and economic development; improve pedestrian, bicycle, and transit connectivity; provide a range of development opportunities; provide for high quality design; and generally ensure the continued vitality of the San José Arena, Diridon Station, and nearby downtown areas.

The Final Environmental Impact Report (FEIR) for the DSAP was certified by the San José City Council under Resolution Number 77096 on June 17, 2014 (SCH Number 2011092022).

EIR Addendum

The proposed project is eligible for an Addendum to the DSAP FEIR 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 §15162 calling for preparation of a subsequent EIR have occurred."

The DSAP FEIR contains sufficient information to provide project-level CEQA clearance for certain impacts by including standard measures that apply to all projects in San José. Supplemental analyses may be required as part of the subsequent environmental review process to evaluate impacts that are unique to a specific site or design to identify additional mitigation measures, if necessary. Future actions that implement the DSAP, as identified in the EIR, include amendments to the General Plan,

updates to the Zoning Code, and rezoning of properties in conformance with the DSAP and General Plan Land Use/Transportation Diagram.

CEQA Guidelines §15162 establishes the following criteria for the preparation of a Supplemental EIR. None of these criteria may be met if an addendum is to be prepared.

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

   (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
   (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 alternative; 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.

The City must consider this addendum, along with the DSAP FEIR, prior to making a decision on the project addressed herein; however, the addendum does not need to be circulated for public review (CEQA §15164). Based on the analysis contained herein, it is concluded that the DSAP FEIR adequately addresses the environmental effects of the proposed project with supplemental evaluation contained herein, and the project would not result in significant environmental effects that are not already identified in the FEIR. The project, therefore, meets the eligibility requirements for preparation of an addendum and does not require a supplemental EIR or Negative Declaration.

PROJECT LOCATION

The approximately 1.22 gross acre project site is located at the northwest corner of Julian Street and Stockton Avenue near downtown San José (refer to Figure 1). The property is located on Santa Clara County Assessor Parcel Numbers (APNs) 261-01-094 and 261-01-030 (see Figure 2). The site is currently occupied by five buildings: two residences, a commercial building, and two vacant buildings (previously occupied by San Jose Blue, a blueprinting company).

Surrounding land uses include commercial and residential to the west, commercial/office to the east, residential to the north, and a mix of residential and commercial to the south. An aerial showing the project site and surrounding area is presented in Figure 3.

The property is currently zoned LI (Light Industrial) and CP (Commercial Pedestrian) and has a General Plan Land Use/Transportation Diagram designation of Mixed Use Commercial.

PROJECT DESCRIPTION

The project applicant is proposing a General Plan Amendment, DSAP Text Amendment, and Rezoning to allow future development on the 1.22 acre site at a higher density than what is currently permitted under the existing land use designations and zoning districts. The project includes a General Plan Amendment to change the land use designation from Mixed Use Commercial to Urban Village to increase the allowable residential density on the property. The project site is located within the Northern Zone of the DSAP, which has used all of its residential allocations. Therefore, the project proposes a Text Amendment to the DSAP to allow the transfer of residential units from the Southern Zone (Section E) to the Northern Zone (Section C) to allow 305 new residential units. The project also includes a Rezoning on the site from LI (Light Industrial) and CP (Commercial Pedestrian) to CP only on the entire property.

PROJECT SCHEDULE

No specific project is proposed at this time. Future development will require additional entitlements and environmental clearance for these actions.

PROJECT OBJECTIVES

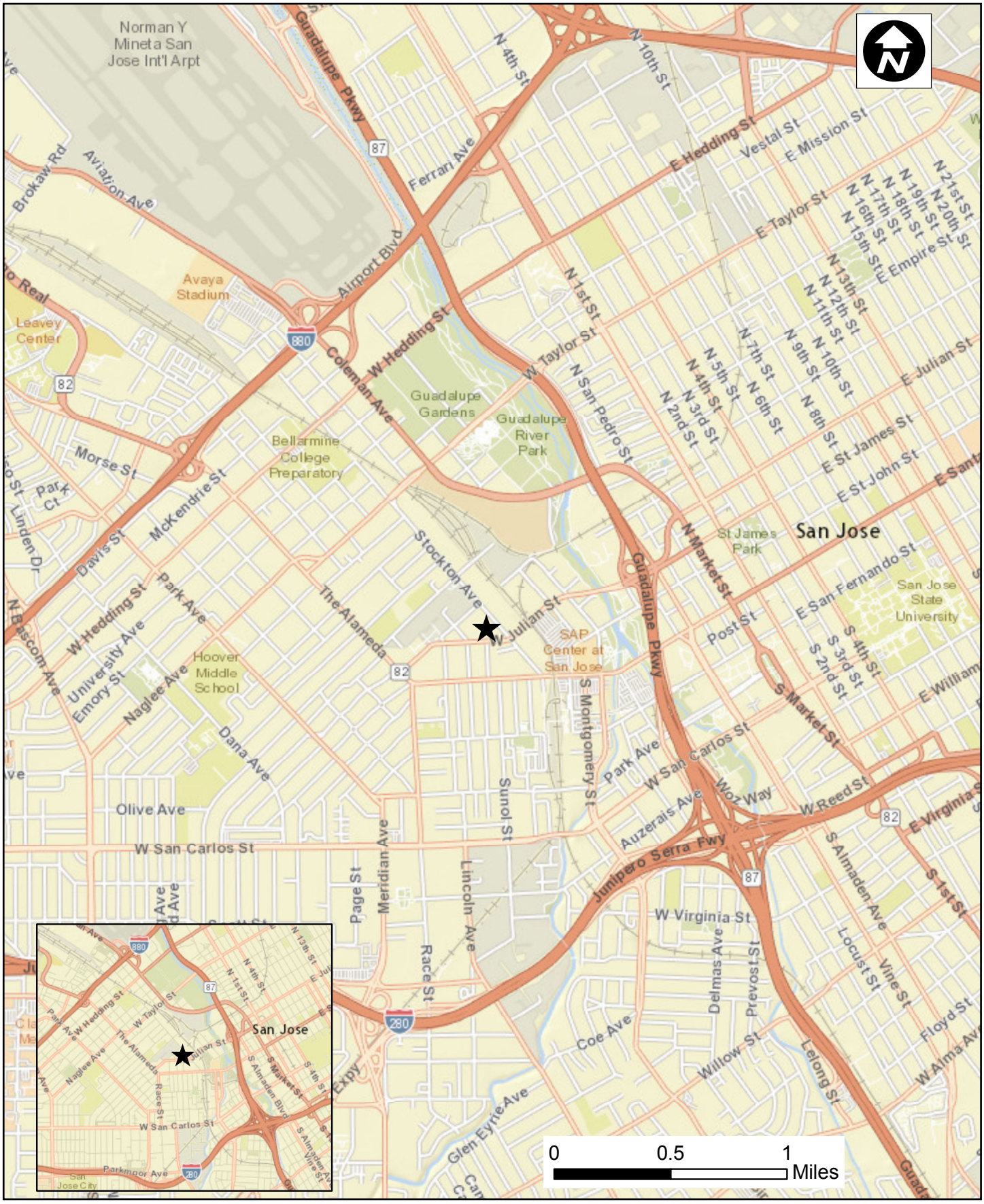
The objective of the proposed General Plan Amendment, DSAP Text Amendment, and Rezoning is to allow future high density uses on the site in support of the Diridon Station Area Plan. Future development will require additional entitlements and environmental clearance for these actions.

The development assumption used for the analysis in this Addendum is the density allowed by the General Plan Amendment (GPA) of up to 250 DU/AC, which is the future development of up to 305 residential units (with the reallocation of units allowed by the DSAP Text Amendment).

PROJECT APPROVALS

The project will require the following approvals:

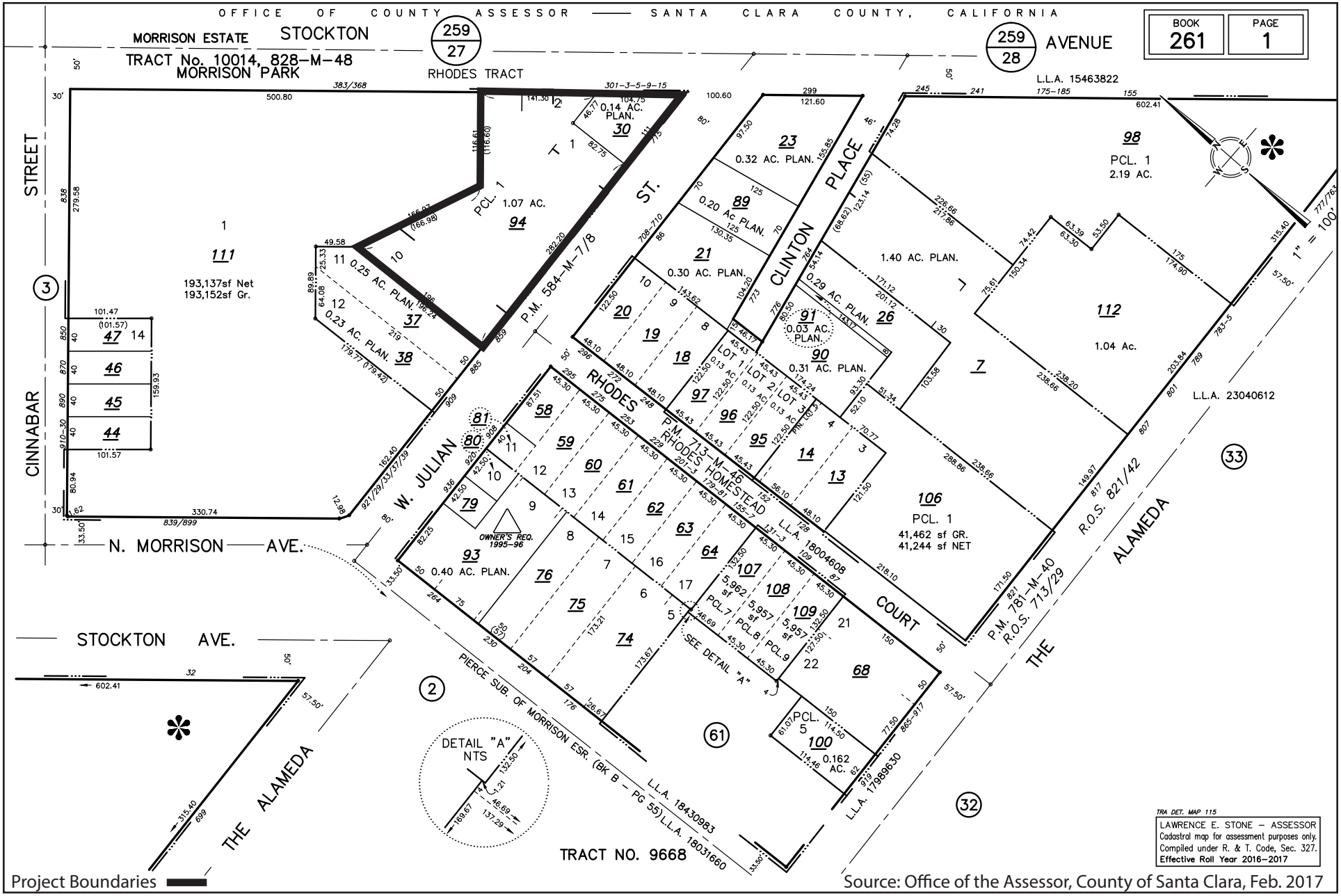
- City of San José – Environmental Clearance, General Plan Amendment, DSAP Text Amendment, and Rezoning.



Location Map

Figure 1

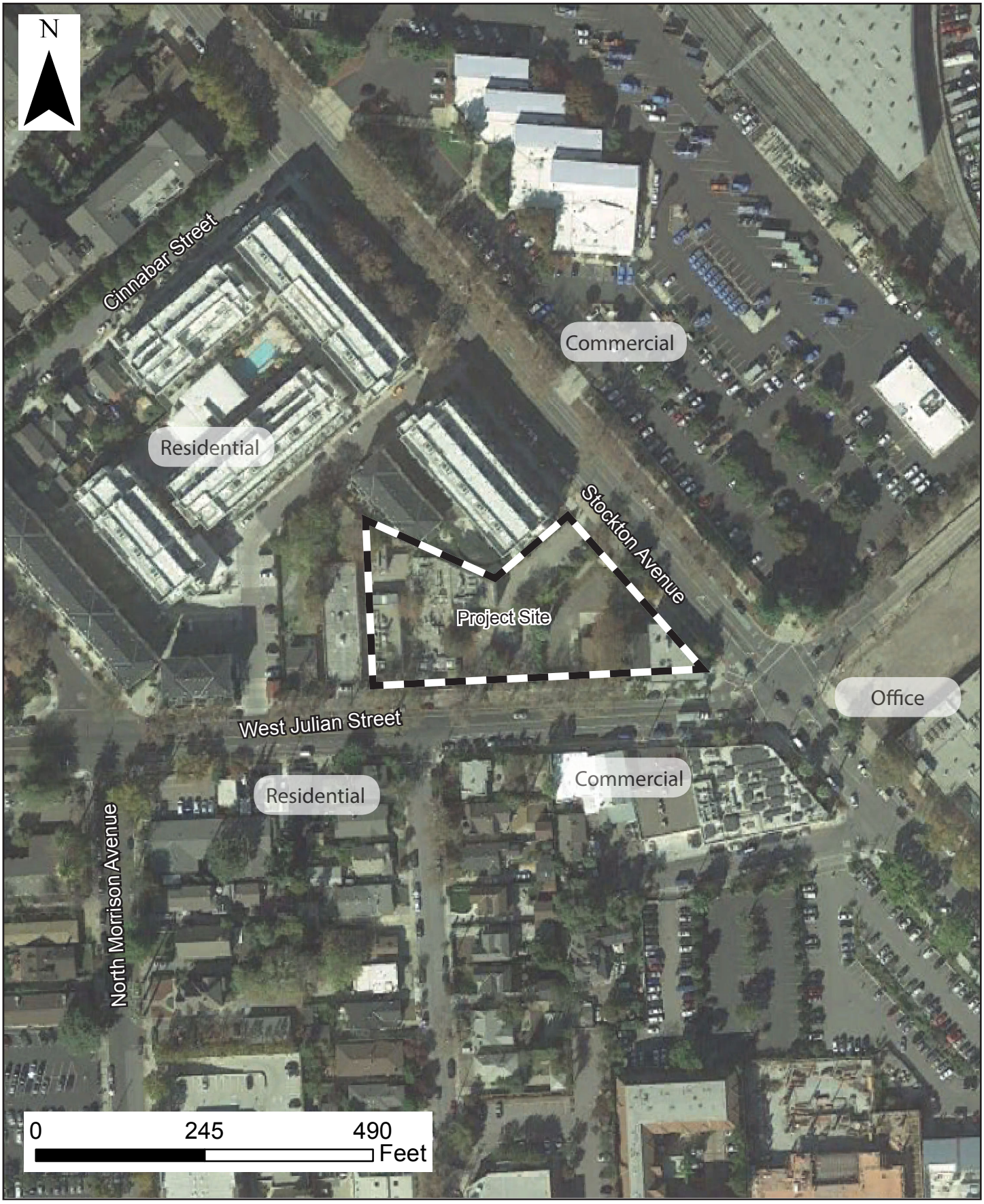
Julian Street
EIR Addendum



APN Map

Figure 2

Julian Street
EIR Addendum



Aerial

Julian Street
EIR Addendum

Figure
3

Photo 1. View of southeast portion of site looking northwest from Julian Street and Stockton Avenue.

Photo 2. View of south portion of site looking east from Julian Street.

Photo 3. View of southwest portion of site looking northeast from Julian Street.

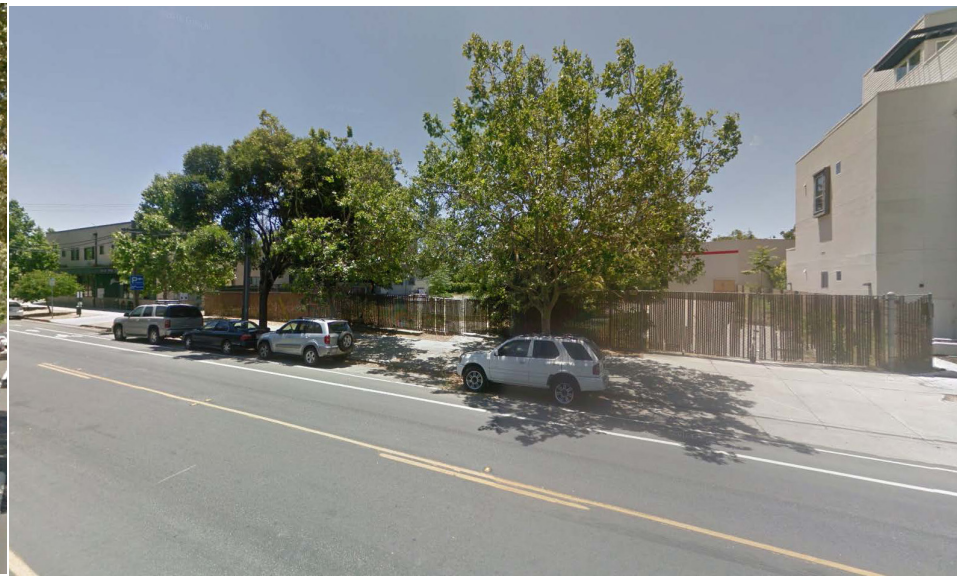


Photo 4. View of site from Stockton Avenue looking southwest toward Julian Street.

Source: Google Maps, Feb. 2017

Site Photos

Julian Street
EIR Addendum

Figure
4

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Chapter 3. Environmental Evaluation

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The key environmental factors identified below are discussed within Chapter 3. Environmental Setting and Impacts. Sources used for analysis of environmental effects are cited in parenthesis after each discussion, and are listed in Chapter 4. References.

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

EVALUATION OF ENVIRONMENTAL IMPACTS

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

2. All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.
b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

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

ENVIRONMENTAL SETTING AND IMPACTS

The following section describes the environmental setting and identifies the environmental impacts anticipated from implementation of the proposed project. The criteria provided in the CEQA environmental checklist form was used to identify potentially significant environmental impacts associated with the project. Sources used for the environmental analysis are cited in the checklist and listed in Chapter 4.

A. AESTHETICS

Setting

The visual character of the project site is that of vacant and occupied residential and commercial buildings, pavement, fencing, and landscaping including mature trees. No notable scenic resources are found on the project site or in the immediate project vicinity. Photos of the project site are provided in Figure 4.

The visual character of the larger project area is urban, consisting of commercial, residential, industrial, and office development. The project site is obscured from view from notable public viewpoints, with the exception of Stockton Avenue and Julian Street.

Aesthetic Impacts Analyzed in the DSAP FEIR

The DSAP FEIR did not identify significant impacts on aesthetics. The DSAP FEIR indicated that new buildings located on the west side of the creek corridors in the Central and Northern Zones could increase afternoon winter shade of the corridor, but would not cast shadows for the majority of the year. The DSAP FEIR found that future development would not result in or make a considerable contribution to a cumulative impact related to shade and shadow.

General Plan Policies

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

Envision San José 2040 Relevant Aesthetic Policies	
Policy CD-1.1	Require the highest standards of architecture and site design, and apply strong design controls for all development projects, both public and private, for the enhancement and development of community character and for the proper transition between areas with different types of land uses.
Policy CD-1.13	Use design review to encourage creative, high-quality, innovative, and distinctive architecture that helps to create unique, vibrant places that are both desirable urban places to live, work, and play and that lead to competitive advantages over other regions.
Policy CD-1.17	Minimize the footprint and visibility of parking areas. Where parking areas are necessary, provide aesthetically pleasing and visually interesting parking garages with clearly identified pedestrian entrances and walkways. Encourage designs that encapsulate parking facilities behind active building space or screen parked vehicles from view from the public realm. Ensure that garage lighting does not impact adjacent uses, and to the extent feasible, avoid impacts of headlights on adjacent land uses.
Policy CD-1.23	Further the Community Forest Goals and Policies in this Plan by requiring new development to plant and maintain trees at appropriate locations on private property and along public street frontages. Use trees to help soften the appearance of the built environment, help provide transitions between land uses, and shade pedestrian and bicycle areas.

DSAP Design Guidelines

The DSAP sets forth Design Guidelines for future development within the plan area. The project site is located within the DSAP Northern Zone, specifically the "Northern Innovation Zone." Future development allowed by the proposed land use designation would be subject to relevant guidelines summarized below.

Block Size. Small block sizes are desirable for increasing pedestrian activity, improving overall connectivity, and creating a vibrant urban environment. The maximum block size should not exceed 350 feet on either side for the Northern Zone.

Height. The urban design height guidelines in the Northern Zone, west of the existing Union Pacific and Caltrain rail line, are intended to ensure the compatibility of new development with the existing residential neighborhood.

Building Form/Siting. The following guidelines apply to the Northern Zone:

- Buildings should be oriented parallel to streets or public spaces, and along the edges of a site to create a tight urban fabric;
- A perpendicular orientation should only be considered for taller buildings, or if the buildings form a street-accessible park or plaza;
- If taller buildings are oriented perpendicular to the street, a shorter building portion should be placed parallel to the street to form a continuous street wall;
- Avoid placing buildings at an angle to the street or with large convex forms facing the street;
- Maximize a building's active spaces along its public street perimeter by locating retail, office, or commercial uses with customer activity on the ground floor level;
- Encourage secondary entrances for buildings that face onto a secondary street, pathway, or public street;
- Walls along the street should not be blank; walls should vary in architectural detail and facade treatments to provide texture and interest to the pedestrian environment;
- Vary dimensions, height and design to avoid monolithic feel and to add variety and texture;
- Encourage innovative office building forms such as narrow floor plates and/or atrium buildings to maximize day lighting, natural ventilation, energy conservation; and visual interest.

Street Frontages. The following street frontage guidelines apply to the Northern Zone:

- Buildings should be placed parallel to the street; surface parking areas, if permitted, should be located behind or on the side of a building;
- Place buildings with more customer interaction such as offices along the street edge; place larger buildings with less customer interaction such as production facilities behind these buildings;
- Build buildings to the edges of public streets with no or minimal setbacks except for entrance areas and small plazas facing the street;
- Provide frequent entrances into buildings and active ground floor uses;
- Main entries should be visually prominent and must be oriented to a public street; secondary entrances along secondary pathways or driveways are encouraged;
- Double-height and transparent entry lobbies are encouraged for office and mixed-use buildings;
- Ground floor retail should have a minimum 18 feet floor-to-floor height;
- Ground floor retail should wrap around the corners of buildings for at least 15 feet;
- Building recesses and encroachments are allowed as follows:

- Building recesses of up to 10 feet and encroachments of up to 6 feet are allowed from the main façade line to increase building articulation;
- Altogether, recesses and encroachments (measured by length) should not exceed 50% of the portion of the building's street-oriented façade that meets the main façade line;
- Occasional recesses on the ground floor for entrances, lobbies, and service retail are encouraged;
- Encroachments may occur only at a height of 15 feet or more from the street level.

Mixed Uses. For mixed-use development within the Northern Zone, ground floor retail should be integrated in mixed-use buildings that take advantage of maximum heights and densities.

Parking Structures. Parking should be accommodated in above-ground or underground parking structures. In the Northern Zone, the following guidelines apply:

- Podium garages should be enclosed with buildings on at least three sides; if freestanding garages are the only feasible option, they must be located at the center of the site and surrounded by buildings or structures that hide it from direct street views, or along inaccessible areas such as railway tracks or back sides of large industrial or commercial buildings;
- If a garage or portions of a garage must front onto a street due to site constraints, it should be fully wrapped with office or retail uses;
- Minimize access to parking areas from primary public streets by locating parking entrances on secondary streets and by consolidating driveways or garage entrances;
- Provide a high-quality, multi-layered architectural façade on any side of a parking structure that is visible from a street, driveway, or path.

Building Design. The following general building design principles support the vision for the DSAP:

- Deploy the most up-to-date green design methods and sustainable systems and materials early in the development process in accordance with the City's Green Vision and Green Building Ordinance;
- Make green building methods and systems as much visible as possible by integrating them into the building envelope or in open spaces;
- Encourage a variety of building typologies and architectural styles that underline the area's contemporary character and its identity as a place of innovation;
- Ensure high-quality architecture and design by selecting the architect and development team through a discriminating and competitive process, for example by conducting a design competition;
- Encourage new building typologies and layouts that reflect changed work environments and life styles, and allow for flexibility of use over time;
- Design all buildings with regards to its context and make them interact with the public realm;
- The main façades of buildings should generally be oriented parallel to public streets or pathways;
- Design all ground floor façades to respond to the pedestrian scale; avoid long stretches of blank walls;
- Place the most active functions such as office spaces or customer areas along public streets;

- Design building volumes and façade portions to reflect their varying internal functions;
- Encourage the use of public art above the street level such as pieces that involve cladding elements and skyline delineation;
- Residential units at grade and facing a street should have an elevated ground-floor level to provide a transition between the public and private realm;
- Encourage retail frontages to express a distinct personality, engaging the customer and contributing to placemaking;
- At least 60% of the ground-floor retail façades should be glazed with clear, untinted glass;
- Prefer long-lasting and low-maintenance façade materials such as metals, glass, brick, engineered wood, concrete and stone. Use light colors for large façade areas;
- On the façades of large buildings, use a balanced mix of materials;
- Encourage building design and technology that minimizes energy consumption and environmental impacts over the building's life cycle;
- Encourage maximization of daylighting through skylights, atriums, light baffles, glazed northern façades, and shaded southern façades to reduce reliance on artificial lighting;
- Encourage operable windows or double skin façades to allow for natural ventilation;
- Use generous roof overhangs and awnings for shading;
- In cases where roofs will be visible from above, green roofs or non-reflective materials in neutral colors should be used;
- Minimize the visual impact of service areas and garage entrances by locating them in or behind buildings and away from public streets and pathways;
- Utility areas and boxes should be located out of sight from public streets and pathways and should be integrated in the overall design;
- Integrate a variety of usable open spaces in the building layout;
- Investigate opportunities to reuse existing buildings for new development.
- The parking garages for large commercial development should be designed to accommodate large event parking.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
1. AESTHETICS. Would the project:						
a) Have a substantial adverse effect on a scenic vista?				X		1, 2
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X		1, 2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X		1, 2
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X		1, 2

Explanation

a) **Same Impact as Approved Project (Less Than Significant)**. The project site does not contain any scenic resources. Future development on the project site would not impact any scenic vistas.

b) **Same Impact as Approved Project (Less Than Significant)**. The project site is not located within any City or state-designated scenic routes.

c) **Same Impact as Approved Project (Less Than Significant)**. The proposed project is limited to the General Plan Amendment, Diridon Station Area Plan Text Amendment, and Rezoning, which would not alter the existing visual character or quality of the site and its surroundings. Future development of the project site would alter the existing visual character of the property and its surroundings by introducing more dense urban development than what currently exists on the site. The project property is surrounded by residential and commercial uses and contains several one to two story buildings. All future development on the site will be subject to the DSAP Design Guidelines, Zoning Ordinance, General Plan policies, Municipal Code standards, and other relevant regulations to assure high quality design. Thus, future development would not substantially degrade the existing visual character or quality of the site and its surroundings.

d) **Same Impact as Approved Project (Less Than Significant)**. The project site is located in an area of existing ambient night lighting associated with the surrounding commercial uses. The project is not proposing any new sources of lighting and glare. Future development would increase nighttime lighting in the area. However, this impact would be less-than-significant with required compliance with the City's outdoor lighting policies, including the City's Outdoor Lighting Policy for Private Development (Council Policy 4-3).

Aesthetics Chapter Conclusion

The DSAP FEIR did not identify significant impacts on aesthetics. The DSAP FEIR indicated that new buildings located on the west side of the creek corridors in the Central and Northern Zones could increase afternoon winter shade of the corridor, but would not cast shadows for the majority of the year. The DSAP would not result in or make a considerable contribution to a cumulative impact related to shade and shadow.

Conformance with the General Plan Policies and DSAP Design Guidelines would ensure that aesthetic impacts of future development on the site would be reduced to a less-than-significant level. Future development on the project site would not result in new or more significant impacts than previously identified in the DSAP FEIR.

B. AGRICULTURAL AND FOREST RESOURCES

Setting

The project site is currently occupied by commercial and residential buildings and pavement. The site contains several planted trees.

Regulatory Background

In California, agricultural land is given consideration under CEQA. According to Public Resources Code §21060.1, "agricultural land" is identified as prime farmland, farmland of statewide importance, or unique farmland, as defined by the U.S. Department of Agriculture land inventory and monitoring criteria, as modified for California. The California Resources Agency's Farmland Mapping and Monitoring Program (FMMP) provides maps and data to assist decision makers in making informed decisions regarding the planning of the present and future use of California's agricultural land resources. CEQA also requires consideration of impacts to lands that are under Williamson Act contracts (contracts between government and private entities restricting lands to agricultural or open space uses).

CEQA requires the evaluation of forest and timber resources where they are present. The project site does not contain forest resources as defined in Public Resources Code section 12220(g), timberland as defined by Public Resources Code section 4526, and/or property zoned for Timberland Production as defined by Government Code section 51104(g).

General Plan Policies

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

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

Agricultural Impacts Analyzed in the DSAP FEIR

The DSAP FEIR found that future development under the plan would have no impact on agricultural or forest resources.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X		3
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X		2
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?				X		1
d) Result in the loss of forest land or conversion of forest land to non-forest uses?				X		1
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X		1

Explanation

a) **Same Impact as Approved Project (No Impact)**. The project site is designated as "urban land/built up land" on the Important Farmlands Map for Santa Clara County and future development will not affect agricultural land on this infill site.

b) **Same Impact as Approved Project (No Impact)**. The project site is not zoned for agricultural use and does not contain lands under Williamson Act contract; therefore, no conflicts with agricultural uses will occur.

c) **Same Impact as Approved Project (No Impact)**. The project site does not contain any forest land as defined in the Public Resources Code or timberland as defined in the Public Resources Code and Government Code.

d) **Same Impact as Approved Project (No Impact)**. Future development will not result in the loss of forest land or conversion of forest land to non-forest uses.

e) **Same Impact as Approved Project (No Impact)**. Future development would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.

Agriculture and Forest Resources Chapter Conclusion

Future development would not impact on agricultural or timber resources. The project will not result in new or more significant agricultural impacts beyond those in the DSAP FEIR, since none were identified.

C. AIR QUALITY

Setting

The Federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these Acts, the U.S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NO_X), particulate matter (PM_{10}), sulfur dioxide (SO_2), and lead (Pb). Secondary criteria pollutants include ozone (O_3), and fine particulate matter ($PM_{2.5}$). The Bay Area Air Quality Management District (BAAQMD) is the local agency authorized to regulate stationary air quality sources in the Bay Area.

The BAAQMD is primarily responsible for assuring that the federal and state ambient air quality standards are attained and maintained in the Bay Area. In 2011, the BAAQMD revised the CEQA Air Quality Guidelines, which outline BAAQMD recommended procedures for evaluating regional air pollutants including criteria air pollutants, greenhouse gases (evaluated in a following section), local risk and hazards (from toxic air contaminants and fine particulate matter), carbon monoxide, odor, and air pollutants associated with construction activities. The Guidelines include screening criteria to determine if a project is below, meets, or exceeds the Guidelines' thresholds of significance established by BAAQMD.

The BAAQMD's CEQA Guidelines provide recommendations for evaluating air pollution emissions, including BAAQMD's CEQA Thresholds Options and Justification Report (2009), and are based on substantial evidence. The City of San José relies on the thresholds of significance and screening criteria established by the BAAQMD.

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

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

Toxic air contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer). TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, state, and Federal level.

Sensitive Receptors

The BAAQMD defines sensitive receptors as facilities where sensitive population groups are located, including residences, schools, childcare centers, convalescent homes, and medical facilities. For cancer risk assessments, children are the most sensitive receptors, since they are more susceptible to cancer causing TACs. Residential locations are assumed to include infants and small children. The closest sensitive receptors to the project site are the multi-family residences to the north and west of the project site and single-family homes to the south.

General Plan Policies

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

Envision San José 2040 Relevant Air Quality Policies	
Policy MS-10.1	Assess projected air emissions from new development in conformance with the BAAQMD CEQA Guidelines and relative to state and federal standards. Identify and implement air emissions reduction measures.
Policy MS-10.2	Consider the cumulative air quality impacts from proposed developments for proposed land use designation changes and new development, consistent with the region's Clean Air Plan and State law.
Policy MS-11.2	For projects that emit toxic air contaminants, require project proponents to prepare health risk assessments in accordance with BAAQMD-recommended procedures as part of environmental review and employ effective mitigation to reduce possible health risks to a less than significant level. Alternatively, require new projects (such as, but not limited to, industrial, manufacturing, and processing facilities) that are sources of TACs to be located an adequate distance from residential areas and other sensitive receptors.
Policy MS-11.5	Encourage the use of pollution absorbing trees and vegetation in buffer areas between substantial sources of TACs and sensitive land uses.
Policy MS-13.1	Include dust, particulate matter, and construction equipment exhaust control measures as conditions of approval for subdivision maps, site development and planned development permits, grading permits, and demolition permits. At minimum, conditions shall conform to construction mitigation measures recommended in the current BAAQMD CEQA Guidelines for the relevant project size and type.
Policy MS-13.3	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 toxic control measures (ATCMs) for Construction, Grading, Quarrying, and Surface Mining Operations.
Policy CD-3.3	Within new development, create and maintain a pedestrian-friendly environment by connecting the internal components with safe, convenient, accessible, and pleasant pedestrian facilities and by requiring pedestrian connections between building entrances, other site features, and adjacent public streets.

Air Quality Impacts Analyzed in the DSAP FEIR

The DSAP FEIR found that buildout of the plan area would result in net increase in ROG and NOx, contributing to existing violations of ozone standards. The FEIR also concluded that buildout would have adverse cumulative impacts on regional air quality. Mitigation was identified in the form of transportation management programs.

The DSAP FEIR also considered community health risks from TACs. The City of San José is working with BAAQMD to develop a Community Risk Reduction Plan to reduce exposures of residents within the community to TAC and $PM_{2.5}$ emissions. Until this plan is in place, the DSAP FEIR identified site-specific construction management and best management practices for individual projects that impact sensitive receptors as well as site-specific modeling for new residential uses that could be affected by TACs associated with roadways or stationary sources, in accordance with BAAQMD and City requirements. If impacts are identified, projects would be required to incorporate mitigation into project design including installation of indoor air quality filters and ventilation and the planting of pollution absorbing trees and vegetation in buffer areas. The DSAP FEIR concluded that this mechanism for screening and mitigating the effects of TACs would reduce potential impacts to sensitive receptors to a less-than-significant level.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:						
a) Conflict with or obstruct implementation of the applicable air quality plan?				X		1, 4
b) Violate any air quality standard or contribute to an existing or projected air quality violation?				X		1, 4
c) 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 (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X		1, 4
d) Expose sensitive receptors to substantial pollutant concentrations?				X		1, 4
e) Create objectionable odors affecting a substantial number of people?				X		1, 4

Explanation

a) **Same Impact as Approved Project (Less Than Significant)**. The Bay Area 2017 Clean Air Plan was adopted by BAAQMD in April 2017. The proposed project would not conflict with clean air planning efforts since future development would be considered urban infill, and future development (including housing) would be near existing transit with regional

connections. In addition, future development allowed by the proposed land use designation with accompanying DSAP Text Amendment would not increase regional population growth or cause changes in vehicle travel that affect implementation of the 2017 Clean Air Plan, since this growth was anticipated and accounted for in the DSAP.

b) **Same Impact as Approved Project (Significant Unavoidable Impact)**. The DSAP FEIR found that buildout of the plan area would result in a net increase in ROG and NOx, contributing to existing violations of ozone standards. Mitigation was identified in the form of transportation management programs; however, it was deemed unavoidable since these measures could not fully mitigate the effect, and the City Council adopted a statement of overriding considerations for the impact.

The City of San José uses the thresholds of significance established by the BAAQMD to assess air quality impacts of proposed development. The BAAQMD CEQA Guidelines include screening levels and thresholds for evaluating air quality impacts in the Bay Area. With adoption of the proposed DSAP Text Amendment, the project site would have a capacity of 305 residential units. The BAAQMD screening threshold for operational criteria pollutants is 451 dwelling units. The screening threshold for operational greenhouse gas emissions is 78 dwelling units and the screening threshold for construction criteria pollutants is 240 dwelling units. When future development is proposed, a project-specific air quality assessment will be required to confirm conformance with the BAAQMD thresholds.

Construction of future development would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. The BAAQMD CEQA Guidelines identify best management practices to minimize air pollutant emissions during construction. Future construction on the site would be required to implement these practices in accordance with General Plan Policies MS-13.1 and MS-13.3.

c) **Same Impact as Approved Project (Significant Unavoidable Impact)**. The DSAP FEIR concluded that the additional anticipated development downtown would have a significant cumulative impact on regional air quality. Transportation demand management practices were identified as mitigation to minimize this impact; however, it was deemed unavoidable since these measures could not fully mitigate the effect, and the City Council adopted a statement of overriding considerations for this impact for the DSAP FEIR. Future construction on the site would be required to implement the conditions and mitigations outlined in the DSAP FEIR and BAAQMD's Best Management Practices for dust control in accordance with the City's General Plan policies.

d) **Same Impact as Approved Project (Less Than Significant with Mitigation)**. The DSAP FEIR considered community health risks from TACs and identified site-specific construction management and best management practices for individual projects as well as site-specific modeling for new residential uses that could be affected by TACs associated with roadways or stationary sources, in accordance with BAAQMD and City requirements. Impacts related to increased community risk can occur either by introducing a new sensitive receptor, such as a residential use, in proximity to an existing source of TACs or by introducing a new source of TACs with the potential to adversely affect existing sensitive receptors in the project vicinity. The BAAQMD recommends using a 1,000-foot screening radius around a project site to identify community health risk from siting a new sensitive receptor or a new source of

TACs. The proposed General Plan Amendment, DSAP Text Amendment, and Rezoning will not result in an impact to nearby sensitive receptors.

Operation of future development on the site is not expected to cause any localized emissions that could expose sensitive receptors to unhealthy air pollutant levels. Future development could introduce new sensitive receptors to the area (e.g., residences). In addition, construction activity would generate dust and diesel equipment exhaust on a temporary basis that could affect nearby sensitive receptors. A health risk assessment would be required for future development on the site in accordance with the City's General Plan Policy MS-11.2 to identify potential health risks and mitigation measures.

e) **Same Impact as Approved Project (Less Than Significant)**. Implementation of the proposed General Plan Amendment, DSAP Text Amendment, and Rezoning would not create objectionable odors affecting a substantial number of other residential uses near the site. Future development on the site is not expected to create any permanent new sources of odor and would not be located in an area affected by existing or planned odor-generating sources.

Air Quality Chapter Conclusion

The DSAP FEIR found that buildout of the plan area would result in a net increase in ROG and NOx, contributing to existing violations of ozone standards. The FEIR also concluded that buildout would have adverse cumulative impacts on regional air quality. Mitigation was identified in the form of transportation management programs; however, it was deemed unavoidable since these measures could not fully mitigate the effect, and the City Council adopted a statement of overriding considerations for the impact.

The DSAP FEIR called for site-specific modeling for new residential uses that could be affected by TACs associated with roadways, railways, or stationary sources, in accordance with BAAQMD and City requirements. If impacts are identified, projects would be required to incorporate mitigation into project design consistent with the DSAP FEIR. The DSAP FEIR concluded that this mechanism for screening and mitigating the effects of TACs would reduce potential impacts to sensitive receptors to a less-than-significant level.

Future development of the project site would not result in new or more significant air quality impacts than those identified in the DSAP FEIR.

D. BIOLOGICAL RESOURCES

Setting

The project site is located within an urbanized area near downtown San José. The existing property is developed with buildings and pavement and contains 36 trees. Due to the disturbed nature of the site, it has a low habitat value.

The City of San José's Municipal Code (Title 13) regulates the removal of trees, including any live or dead woody perennial plant, having a main stem or trunk 56 inches or more in circumference (18 inches in diameter) at a height of 24 inches above the natural grade slope. In addition, City-designated heritage trees are considered sensitive resources. A heritage tree is any tree located on private property, which because of factors including (but not limited to) history, girth, height, species, or unique quality has been found by the City Council to have special significance to the community. It is unlawful to vandalize, mutilate, remove or destroy heritage trees. The project site does not contain any City-designated heritage trees.

An arborist report was prepared for the project by Dsoto Tree & Arborist Services (February 2017). A copy of this report is included as Appendix A in this Initial Study. The results of the tree survey are presented in Table 1 below. As shown in Table 1, the site contains 36 trees. Of these, 12 trees are ordinance size (over 18" in diameter).

Table 1
Results of Tree Survey

No.	Scientific Name	Common Name	Diameter (inches)	Condition
1	***Platanus acerifolia***	**London Plane Tree**	**18.4**	**Good**
2	***Platanus acerifolia***	**London Plane Tree**	**29.6**	**Good**
3	***Platanus acerifolia***	**London Plane Tree**	**20.3**	**Good**
4	*Platanus acerifolia*	London Plane Tree	15.2	Good
5	***Platanus acerifolia***	**London Plane Tree**	**22.2**	**Good**
6	*Platanus acerifolia*	London Plane Tree	14.3	Good
7	*Platanus acerifolia*	London Plane Tree	17.5	Good
8	***Platanus acerifolia***	**London Plane Tree**	**23.2**	**Good**
9	*Platanus acerifolia*	London Plane Tree	7.6	Good
10	*Platanus acerifolia*	London Plane Tree	6.6	Good
11	*Cercis occidentalis*	Western Redbud Tree	6.0	Good
12	*Platanus acerifolia*	London Plane Tree	7.6	Good
13	*Platanus acerifolia*	London Plane Tree	4.5	Good
14	*Platanus acerifolia*	London Plane Tree	8.2	Good
15	***Ligustrum lucidum***	**Glossy Privet Tree**	**18.1**	**Good**
16	*Platanus acerifolia*	London Plane Tree	10	Good
17	*Platanus acerifolia*	London Plane Tree	12.1	Good
18	***Washington Filifera***	**Desert Fan Palm**	**35.6**	**Good**
19	***Ailanthus altissima***	**Tree of Heaven**	**Multi-Trunk 40**	**Fair**
20	***Ailanthus altissima***	**Tree of Heaven**	**21.9**	**Fair**
21	***Ailanthus altissima***	**Tree of Heaven**	**Multi-Trunk 36.1**	**Poor**

Table 1 Results of Tree Survey				
No.	**Scientific Name**	**Common Name**	**Diameter (inches)**	**Condition**
22	*Ailanthus altissima*	Tree of Heaven	14.3	Poor
23	*Ailanthus altissima*	Tree of Heaven	14.3	Fair
24	*Ailanthus altissima*	Tree of Heaven	16.5	Fair
25	***Ailanthus altissima***	**Tree of Heaven**	**29.2**	**Poor**
26	*Ailanthus altissima*	Tree of Heaven	14	Fair
27	***Sequoia sempervirens***	**Redwood Tree**	**44.5**	**Fair**
28	*Juniperus chinensis*	Hollywood Juniper	16.5	Good
29	*Pistacia chinensis*	Chinese pistache	14.6	Poor
30	*Platanus acerifolia*	London Plane Tree	16.2	Good
31	*Maytenus boaria*	Mayten	15.6	Fair
32	*Ligustrum lucidum*	Glossy Privet	7.0	Good
33	*Maytenus boaria*	Mayten	9.5	Poor
34	*Ligustrum lucidum*	Glossy Privet	7.6	Good
35	*Ligustrum lucidum*	Glossy Privet	13	Good
36	*Schinus terebinthifolia*	Brazilian Pepper	7.6	Fair
Source: Dsoto Tree & Arborist Services, February 2017. Ordinance size trees are shown in **bold**.				

Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan

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

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

General Plan Policies

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

Envision San José 2040 Relevant Biological Resource Policies	
Policy ER-1.7	Prohibit planting of invasive non-native plant species in oak woodlands, grasslands, chaparral and coastal scrub habitats, and in hillside areas.
Policy ER-8.3	Ensure that private development in San José includes adequate measures to treat stormwater runoff.
Policy MS-21.6	As a condition of new development, require, where appropriate, the planting and maintenance of both street trees and trees on private property to achieve a level of tree coverage in compliance with and that implements City laws, policies or guidelines.
Policy MS-21.8	For Capital Improvement Plan or other public development projects, or through the entitlement process for private development projects, require landscaping including the selection and planting of new trees to achieve the following goals: 1. Avoid conflicts with nearby power lines. 2. Avoid potential conflicts between tree roots and developed areas. 3. Avoid use of invasive, non-native trees. 4. Remove existing invasive, non-native trees. 5. Incorporate native trees into urban plantings in order to provide food and cover for native wildlife species. 6. Plant native oak trees and native sycamores on sites which have adequately sized landscape areas and which historically supported these species.

Biological Resource Impacts Analyzed in the DSAP FEIR

The DSAP FEIR concluded that with implementation of General Plan policies and existing regulations, future buildout would not result in a significant impact to sensitive riparian and aquatic habitats, trees, special status species, or wildlife migratory corridors. In addition, the DSAP found that buildout would not conflict with local policies or ordinances protecting biological resources or the provisions of a habitat conservation plan.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
4. BIOLOGICAL RESOURCES. Would the project:						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X		1, 2
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					X	1, 2

ENVIRONMENTAL IMPACTS	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	Source(s)
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					X	1, 2
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?					X	1, 2
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X		1, 2
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X		1, 2

Explanation

a) **Same Impact as Approved Project (Less Than Significant)**. The project site is located in an urban area developed with buildings, pavement, and trees. No sensitive habitats or habitats suitable for special-status plants or wildlife species occur within or adjacent to the project site. The project site is considered to have a low habitat value, due to the developed nature of the property and high human activity levels surrounding the property, and would not directly result in impacts to special-status species.

However, the site contains mature trees that could provide habitat for nesting raptors and other birds. Nesting birds are among the species protected under provisions of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 2800. Future redevelopment of the site during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking. Future construction activities, such as tree removal and site grading, would be required to avoid and/or reduce impacts to nesting birds (if present on or adjacent to the site) through completion of pre-construction bird surveys. The DSAP FEIR identifies measures for protecting nesting birds during future development activities.

b) **Less Impact than Approved Project (Less Than Significant)**. The proposed project and future development would not have a substantial adverse effect on any riparian habitat or other sensitive natural community given the lack of these resources on or near the project site.

c) **Less Impact than Approved Project (Less Than Significant)**. The project site does not contain any wetland resources; therefore, the proposed project and future development would

not adversely affect federally protected wetlands as defined by Section 404 of the Clean Water Act.

d) **Less Impact than Approved Project (Less Than Significant)**. Given the project site's location in a highly urban setting, and does not contain any watercourse, river, or habitat that facilitates the movement of any native resident or migratory fish or wildlife species. Therefore, the proposed project and future development would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

e) **Same Impact as Approved Project (Less Than Significant)**. Implementation of the proposed project will not result in any tree removal. Future development on the project site is not expected to not conflict with any local policies or ordinances protecting biological resources. The site contains 36 existing trees. Of these, 12 trees exceed 18 inches in diameter and are considered ordinance sized trees. Future tree removal on the site would be subject to the City's Tree Removal Ordinance.

f) **Same Impact as Approved Project (Less Than Significant)**. The project site is located within the boundaries of the Santa Clara Valley HCP. The project site is designated in the HCP as follows:

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

No covered species are known or expected to occur within the project site. Future development will be subject to relevant HCP fees (including the nitrogen deposition fee) and conditions as applicable.

Biological Resources Chapter Conclusion

The DSAP FEIR concluded that with implementation of General Plan policies and existing regulations, such as the Riparian Corridor Policy and Municipal Code, future development under the DSAP would not result in a significant impact to sensitive riparian and aquatic habitats, special status species, or wildlife migratory corridors. The DSAP FEIR concluded that buildout would not conflict with local policies or ordinances protecting biological resources or the provisions of an adopted habitat conservation plan.

Future development on the project site would not result in new or more significant biological impacts than those identified in the DSAP FEIR.

E. CULTURAL RESOURCES

Setting

Archaeological Resources

An archaeological archival search was conducted for the project site by Holman & Associates (February 2017). On February 9, 2017, a records search was conducted at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) at the Sonoma State University. All recorded cultural resource records and reports within the project area were reviewed. Additional research was conducted using Holman & Associates' library.

No cultural resources are recorded on the project site; nor are any cultural resources listed in federal, state, or local listings. To the southeast of the project site, partial remains of an adult human were discovered that had previously been disturbed (Hamm and Kintscher 2000). The remains were identified less than 200 feet from the project site. The burial was 35 to 55cm below the ground surface with no associated cultural materials or ecofacts noted. The remains were identified during archaeological monitoring of utility installation. Burial retrieval was limited to the construction trench and was conducted near other utilities.

The project site has not been previously studied. Lands surrounding the parcel have been investigated between 1975 and 2001. The archaeological archival report concluded that the site has a moderate to high potential for prehistoric and historic-era archaeological deposits.

California Assembly Bill (AB) 52

AB 52 went into effect on July 1, 2015, and establishes a new category of CEQA resources for "tribal cultural resources" (Public Resources Code §21074). The intent of AB 52 is to provide a process and scope that clarifies California tribal government's involvement in the CEQA process, including specific requirements and timing for lead agencies to consult with tribes on avoiding or mitigating impacts to tribal cultural resources. AB 52 also creates a process for consultation with California Native American Tribes in the CEQA process. Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project. The Public Resources Code requires avoiding damage to tribal cultural resources, if feasible. If not, lead agencies must mitigate impacts to tribal cultural resources to the extent feasible. On June 1, 2017, the City of San José sent a notification letter regarding the proposed General Plan Amendment to a list of Native American contacts provided by the Native American Heritage Commission (NAHC) in compliance with AB 52. At the time of preparation of this Initial Study, the City of San José had yet to receive any requests for notification from tribes.

Historical Resources

The project site contains existing structures, including five buildings that are over 50 years in age. None of these structures have been recorded in the National Register of Historic Places, the California National Register of Historic Resources, or the San José Historic Resources Inventory.

General Plan Policies

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

Envision San José 2040 Relevant Cultural Resource Policies	
Policy LU-13.22	Require the submittal of historic reports and surveys prepared as part of the environmental review process. Materials shall be provided to the City in electronic form once they are considered complete and acceptable.
Policy ER-10.1	For proposed development sites that have been identified as archaeologically or paleontologically sensitive, require investigation during the planning process in order to determine whether potentially significant archaeological or paleontological information may be affected by the project and then require, if needed, that appropriate mitigation measures be incorporated into the project design.
Policy ER-10.2	Recognizing that Native American human remains may be encountered at unexpected locations, impose a requirement on all development permits and tentative subdivision maps that upon discovery during construction, development activity will cease until professional archaeological examination confirms whether the burial is human. If the remains are determined to be Native American, applicable state laws shall be enforced.
Policy ER-10.3	Ensure that City, State, and Federal historic preservation laws, regulations, and codes are enforced, including laws related to archaeological and paleontological resources, to ensure the adequate protection of historic and pre-historic resources.

Cultural Resource Impacts Analyzed in the DSAP FEIR

The DSAP FEIR found that with implementation of standard measures, General Plan policies, and existing regulations, future development under the DSAP would not result in a significant impact to archaeological, paleontological, or historic resources. Future redevelopment activities within the DSAP were determined to have a cumulatively considerable and unavoidable contribution to previously identified significant impacts to historic resources.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
5. CULTURAL RESOURCES. Would the project:						
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA 15064.5?				X		1, 2

ENVIRONMENTAL IMPACTS	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	Source(s)
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA 15064.5?				X		1, 2, 5
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X		1, 2
d) Disturb any human remains, including those interred outside of formal cemeteries?				X		1, 2
TRIBAL CULTURAL RESOURCES. Would the project:						
Cause a substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:						
e) Listed or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X			1, 2, 5
f) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X			1, 2, 5

Explanation

a) **Same Impact as Approved Project (Significant Unavoidable Cumulative Impact)**. The project site contains existing structures, some of which are over 45 years of age. None of these structures have been recorded in the National Register of Historic Places, the California National Register of Historic Resources, or the San Jose Historic Resources Inventory. Future development of the site would be subject to measures in the DSAP FEIR and General Plan Policy LU-13.22, which requires the submittal of historic reports and surveys as part of the environmental review process. Future development activities within the DSAP were determined to have a cumulatively considerable contribution to (previously identified) significant impacts to historic resources. This impact was found to be unavoidable and the City Council adopted a statement of overriding consideration for this impact.

b) **Same Impact as Approved Project (Less Than Significant)**. The archaeological report for the project site concluded that the property has a moderate to high potential for intact prehistoric and historic-era archaeological deposits. Future development on the site would be subject to General Plan Policies ER-10.2 and ER-10.3, to reduce or avoid impacts to subsurface cultural resources.

Future development on site will comply with the following conditions in accordance with the City's General Plan.

- In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Director of Planning, Building and Code Enforcement shall be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Planning, Building and Code Enforcement.

- In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

c) **Same Impact as Approved Project (Less Than Significant)**. The project site is disturbed and not known to contain any paleontological resources. Future development of the project site has a low potential to impact undiscovered paleontological resources, based on the age and type of surface soils. Future development on the site will comply with General Plan Policy ER-10.3, to reduce and avoid impacts to as yet unidentified paleontological resources. See also b) above.

d) **Same Impact as Approved Project (Less Than Significant)**. Though unlikely, human remains may be encountered during construction activities for future development. See b) above.

e) **New Less Than Significant Impact**. Since certification of the DSAP FEIR in 2014, AB 52 went into effect and the CEQA Guidelines were subsequently updated to address tribal cultural resources. On June 1, 2017, the City of San José sent a notification letter regarding the proposed General Plan Amendment to a list of Native American contacts provided by the Native American Heritage Commission (NAHC) in compliance with AB 52 and SB 18.[1] At the time of preparation of this Initial Study, the City of San José had yet to receive any requests for notification from tribes. The archaeological report for the project site concluded that the property has a moderate to high potential for prehistoric archaeological deposits. Future development on the site would be subject to General Plan Policies, permit conditions, and mitigation measures that would minimize effects on tribal cultural resources.

[1] SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to approvals and amendments of both general plans and specific plans.

f) **New Less Than Significant Impact.** See discussion e) above. Future development on the site would be subject to General Plan Policies, permit conditions, and mitigation measures that would minimize effects on tribal cultural resources.

Cultural Resources Conclusion

The DSAP FEIR concluded that with implementation of standard measures, General Plan policies, and existing regulations, future development under the DSAP would not result in a significant impact to archaeological, paleontological, or historic resources. Future redevelopment activities within the DSAP were determined to have a cumulatively considerable contribution to (previously identified) significant impacts to historic resources. This impact was found to be unavoidable and the City Council adopted a statement of overriding consideration for this impact. Future development of the project site would not result in new or more significant impacts to cultural resources than those identified in the DSAP FEIR.

Tribal Cultural Resources Conclusion

Since certification of the DSAP FEIR in 2014, AB 52 went into effect and the CEQA Guidelines were subsequently updated to address tribal cultural resources. The City of San José sent a notification letter to a list of Native American contacts provided by NAHC on June 1, 2017, in compliance with AB 52 and SB 18. At the time of preparation of this Initial Study, the City of San José had yet to receive any requests for notification from tribes. Future development on the site would be subject to General Plan Policies, permit conditions, and mitigation measures that would minimize effects on tribal cultural resources.

F. GEOLOGY AND SOILS

Setting

The following discussion is based, in part, on a geotechnical investigation prepared for a former development proposal on the project site (TRC, March 2015). A copy of this report is contained in Appendix B of this Initial Study. The scope of this investigation included drilling four borings on the site, advancing three Cone Penetration Tests (CPTs), and evaluation of the physical and engineering properties of the subsurface soils through visual classification and lab tests.

The City of San José is located in the Santa Clara Valley, a broad alluvial-covered plain lying between the Santa Cruz Mountains to the west and the Diablo Range to the east. The project site is located at an elevation of approximately 92 feet above mean sea level, and local topography slopes to the north-northeast.

Soils encountered in the CPTs generally consisted of interbedded layers of clay, silty clay, clayey silt, sandy silt, silty sand, sand and gravelly sand to depths ranging from approximately 41 to 58 feet. Below these depths were interbedded layers of sand and gravelly sand to a maximum depth of 61 feet. The medium dense sand layers across the site appear to be generally in the upper 15 feet and discontinuous below the depth of 15 feet and vary up to approximately four feet in thickness. All borings encountered a pavement section consisting of two inches of asphalt concrete underlain by 8½ to 12 inches of aggregate base, except for one boring that encountered approximately eight inches of crushed rock. Three Plasticity Index (PI) tests were performed from representative clay soil samples. The tests indicated moderate and low plasticity and expansion potential of the soils.

The project site is located in the seismically-active San Francisco Bay Area region. Major active fault systems in the area are the San Andreas, Calaveras, Hayward, and Monte Vista-Shannon. The probability of a magnitude 6.7 or greater earthquake occurring in the Bay Area by 2030 is approximately 70% (USGS and California Division of Mines & Geology, 1999). The project site will be subject to strong ground shaking in the event of a large magnitude earthquake on any of the regional fault systems.

The 2015 geotechnical investigation identified the primary geotechnical and geologic concerns at the project site as follows:

- Compressible soils
- Shallow groundwater
- Liquefaction-induced total and differential settlement
- Demolition debris above and below grade
- Corrosion potential or near-surface soils
- Differential settlement for utilities tie-ins

General Plan Policies

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

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

Geological Impacts Analyzed in the DSAP FEIR

The DSAP FEIR found that with implementation of standard measures, General Plan policies, and existing regulations, future development under the DSAP would not result in a significant impact related to geologic or seismic hazards.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
6. GEOLOGY AND SOILS. Would the project:						
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:						
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?				X		1, 2, 6
ii) Strong seismic ground shaking?				X		1, 2, 6
iii) Seismic-related ground failure, including liquefaction?				X		1, 2, 6
iv) Landslides?				X		1, 2
b) Result in substantial soil erosion or the loss of topsoil?				X		1, 2
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X		1, 2, 6
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X		1, 2, 6
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X		1, 2

Explanation

ai) **Same Impact as Approved Project (Less Than Significant)**. The project site is not located within a State of California Earthquake Fault Hazard Zone and no known active faults cross the site. The risk of ground rupture within the subject site is considered low. The project is not mapped within an Alquist-Priolo Earthquake Fault Zone.

aii) **Same Impact as Approved Project (Less Than Significant)**. Due to its location in a seismically active region, future development may be subject to strong seismic ground shaking during its design life in the event of a major earthquake on any of the region's active faults. Compliance with General Plan Policies, as discussed in aiii) below, would ensure future development on the project site minimizes seismic-related hazards.

aiii) **Same Impact as Approved Project (Less Than Significant)**. The site is located in a seismically active region is subject to strong shaking and seismic-related hazards, including liquefaction. In accordance with the City's General Plan Policies and the Municipal Code, future development on the project site would be constructed using standard engineering and seismic safety design techniques. Building design and construction at the site would be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report subject to review and approval by the City.

aiv) **Same Impact as Approved Project (Less Than Significant)**. The project site has virtually no vertical relief and is not subject to landslides.

b) **Same Impact as Approved Project (Less Than Significant)**. The proposed project will not result in soil erosion or the loss of topsoil. Construction of future development on the project could result in a temporary increase in erosion. Future development of the site would be required to comply with General Plan Policies and Municipal Code regulations pertaining to erosion and protection of water quality.

c) **Same Impact as Approved Project (Less Than Significant)**. Future development of the site would be required to comply with General Plan Policies and Municipal Code regulations to avoid geotechnical hazards. In accordance with the City's General Plan and Municipal Code, to avoid or minimize potential damage from seismic shaking, future development on the project site would be built using standard engineering and seismic safety design techniques. Future building design and construction at the site will be conducted in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report to the City. Additionally, future buildings shall meet the requirements of applicable Building and Fire Codes.

d) **Same Impact as Approved Project (Less Than Significant)**. Future development of the site would be required to comply with General Plan Policies and Municipal Code regulations to avoid geotechnical hazards, including expansive soils. Future development shall be constructed in accordance with the standard engineering practices in the California Building Code, as adopted by the City of San José. In addition, the City of San José Department of Public Works requires a grading permit to be obtained prior to the issuance of a Public Works Clearance. These standard practices, would ensure that future buildings on the site are designed properly to account for the presence of expansive soils on the site. Conformance with the standard engineering practices required by the Municipal Code would ensure that the effects of soil-related hazards would be addressed through building design at the time of future development of the site.

e) **Same Impact as Approved Project (No Impact)**. The project site has access to public services and utilities and future development would not involve the use of septic tanks or alternative wastewater disposal systems.

Geology and Soils Chapter Conclusion

The DSAP FEIR found that with implementation of standard measures, General Plan policies, and existing regulations, future development under the DSAP would not result in a significant impact related to geologic or seismic hazards.

Future development on the project site would not result in new or more significant geotechnical impacts than those identified in the DSAP FEIR.

G. GREENHOUSE GAS EMISSIONS

Setting

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

City of San José Municipal Code

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

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

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

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

City of San José Greenhouse Gas Reduction Strategy

On December 15, 2015, the San José City Council certified a Supplemental Program Environmental Impact Report to the Envision San José 2040 Final Program Environmental Impact Report and re-adopted the City's GHG Reduction Strategy in the General Plan. The Reduction Strategy identifies specific General Plan policies and action items intended to reduce GHG emissions. The polices included in the Reduction Strategy are both measures the City is taking to reduce GHG emissions at the municipal level (e.g., Green Vision) as well as actions that can be implemented by private land development through project design features. Projects that conform to the General Plan Land

Use/Transportation Diagram and supporting policies are considered consistent with the City's GHG Reduction Strategy.

The GHG Reduction Strategy identifies GHG emissions reduction measures to be implemented by development projects in three categories: 1) built environment and energy, 2) land use and transportation, and 3) recycling and waste reduction. Some measures are mandatory for all proposed development projects and others are voluntary. Voluntary measures could be incorporated as mitigation measures for proposed projects, at the City's discretion.

Greenhouse Gas Emissions Analyzed in the DSAP FEIR

The DSAP FEIR evaluated GHG emissions and concluded that the proposed DSAP would be consistent with the City's GHG Reduction Strategy, and therefore, would not result in a significant impact related to GHG emissions through 2020. However, buildout of the DSAP is expected to occur over 25-30 years, and the evaluation of buildout of the DSAP area was found to considerably contribute to the significant unavoidable cumulative impact to global climate change, as identified in the Envision San José 2040 PEIR. Although the intent of the DSAP is to reduce emissions of regional air pollutants over the long-term, the DSAP FEIR stated that it could not determine whether implementation of General Plan policies and proposed measures would reduce GHG emissions to meet carbon efficiency standards. This was identified as a significant unavoidable impact and the City Council made a statement of overriding considerations for this impact.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
7. GREENHOUSE GAS EMISSIONS. Would the project:						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X		1, 2
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X		1, 2

Explanation

a) **Same Impact as Approved Project (Significant Unavoidable Cumulative Impact)**. The project proposes to change the General Plan land use designation of the site from Mixed Use Commercial to Urban Village. The project also proposes a Text Amendment to the DSAP to transfer residential units from the DSAP's Southern Zone to the Northern Zone to accommodate increased residential densities on the site. Therefore, the transfer of units to accommodate increased residential densities on the site does not represent new growth as it was anticipated and accounted for in the DSAP FEIR's evaluation of GHG emissions. The DSAP FEIR concluded that the DSAP would be consistent with the City's GHG Reduction Strategy and would not result in a significant impact related to GHG emissions through 2020.

However, buildout of the DSAP is expected to occur over 25-30 years, and the evaluation of buildout of the DSAP area was found to considerably contribute to the significant unavoidable cumulative impact to global climate change, as identified in the Envision San José 2040 PEIR. The City Council made an overriding consideration for this unavoidable impact.

b) **Same Impact as Approved Project (Less Than Significant)**. See a) above. Future redevelopment of the site under the proposed General Plan would be generally consistent with adopted statewide and regional plans designed to reduce GHG emissions. The City of San José has an adopted GHG Reduction Strategy that includes both mandatory measures for all projects and other measures which are considered voluntary. Voluntary measures could be incorporated in the project as conditions of approval for future development, at the discretion of the City. Future development on the site would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Greenhouse Gas Emissions Chapter Conclusion

The DSAP FEIR concluded that the DSAP would be consistent with the City's GHG Reduction Strategy and would not result in a significant impact related to GHG emissions through 2020. However, buildout of the DSAP is expected to occur over 25-30 years, and the evaluation of buildout of the DSAP area was found to considerably contribute to the significant unavoidable cumulative impact to global climate change The City Council made an overriding consideration for this unavoidable impact.

Future development would not result in new or more significant GHG emissions impacts than those identified in the DSAP FEIR.

H. HAZARDS AND HAZARDOUS MATERIALS

Setting

A Phase I Environmental Site Assessment (February 17, 2017) and supplemental Phase II investigations (October 21, 2015) were prepared for the project site by TRC. Copies of these reports are contained in Appendix C of this Initial Study. The Phase I assessment included a review of historical maps, search of regulatory database and agency files, a site inspection, and consultation with the project owner. The project site is bounded by Stockton Avenue to the east (with commercial and office further east), residential and commercial uses to the west and south, and residential uses to the north.

The project site is currently occupied by three commercial buildings, two single family residences (one currently occupied and one vacant), a mixed use building with a hair salon on the first floor and apartments on the second floor, and paved and gravel parking areas. Street addresses for the site are 715-835 W. Julian Street and 303, 307, and 311 Stockton Avenue.

Historically, the site was occupied by a variety of residential and commercial uses. These included a photo processing company, auto repair business, and tool company. These businesses may have used chemicals in connection with their operations. During its previous photo processing activities, the site was previously listed as a RCRA-SQG, generating small quantities of hazardous materials including toner and ink. However, the site no longer generates hazardous waste and appropriate closure documents were provided to the appropriate county agencies.

Three Phase II investigations were conducted from 2014 – 2015 to determine the presence of hazardous substances in onsite soils from previous uses on the site (print shop, auto repair). Based on the Phase II subsurface investigations, metals including lead, cobalt, and nickel and Total Petroleum Hydrocarbons as motor oil (TPHmo) were found to be present in shallow soils throughout the site. These substances were detected at levels exceeding residential screening levels. This constitutes a Recognized Environmental Condition (REC).[2]

In addition, the supplemental Phase II subsurface investigation identified soil with gravel that contained naturally occurring asbestos (NOA) at a concentration of 2.5% by weight, and was present in the top two to three feet of fill across the site. The BAAQMD regulates construction work at sites where NOA is present and requires an asbestos dust mitigation plan (ADMP) for sites over one acre in size, which applies to the site. The presence of NOA in gravel within shallow fill soils at the site constitutes an REC.

The Phase I Assessment also revealed the following de minimis conditions in connection with the project site:

- A dry well is located in the paved access area between 835 and 859 W. Julian Street. No water was observed in the well; however, leaves and gravel debris were observed in the interior of the dry well. No apparent staining was noted, and no odors were detected. A previous Phase I Assessment in 2005 stated that the well was used to hold stormwater runoff

[2] A recognized environmental condition (REC) refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment.

during rain events, which was then allowed to percolate into the subsurface. This could potentially allow a pathway for hazardous materials to enter the subsurface if a release were to occur on-site.

- The identification of an open Leaking Underground Storage Tank (LUST) case listed as Cancilla Property (Case# T10000007704), south of the Site across W. Julian St. represents a de minimis condition. According to review of the RWQCB's Geotracker online database, the case was opened as of September 2015. The results of Phase II activities indicated that TPH-d and TPH-mo were detected at 490 and 5,100 micrograms per liter (µg/L), respectively, in groundwater near the reported location of a historic 100 to 200 gallon gasoline UST, in approximately the center of the Cancilla property. According to the Phase II investigation, groundwater at the Cancilla property is anticipated to flow to the east which would be cross-gradient from the project site. Furthermore, groundwater samples taken from the Cancilla property, across W. Julian St. from the project site, showed TPH-d and TPH-mo were not present above laboratory reporting limits, and the case is not anticipated to have impacted the project site.

Finally, the existing structures on the site may contain asbestos and lead paint, although no surveys were conducted. These materials would require proper handling and disposal during future development activities, subject to local, state, and federal regulations.

San José International Airport

The Mineta San José International Airport is located approximately 1.25 miles north of the project site. The project is located within the Santa Clara County Airport Land Use Commission's adopted Airport Influence Area for the airport, although it is not located within an Airport Safety Zone.

General Plan Policies

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

Envision San José 2040 Relevant Hazardous Material Policies	
Policy EC-7.1	For development and redevelopment projects, require evaluation of the proposed site's historical and present uses to determine if any potential environmental conditions exist that could adversely impact the community or environment.
Policy EC-7.2	Identify existing soil, soil vapor, groundwater and indoor air contamination and mitigation for identified human health and environmental hazards to future users and provide as part of the environmental review process for all development and redevelopment projects. Mitigation measures for soil, soil vapor and groundwater contamination shall be designed to avoid adverse human health or environmental risk, in conformance with regional, state and federal laws, regulations, guidelines and standards.
Policy EC-7.5	In development and redevelopment sites, require all sources of imported fill to have adequate documentation that it is clean and free of contamination and/or acceptable for the proposed land use considering appropriate environmental

Envision San José 2040 Relevant Hazardous Material Policies	
	screening levels for contaminants. Disposal of groundwater from excavations on construction sites shall comply with local, regional, and State requirements.
Action EC-7.11	Require sampling for residual agricultural chemicals, based on the history of land use, on sites to be used for any new development or redevelopment to account for worker and community safety during construction. Mitigation to meet appropriate end use such as residential or commercial/industrial shall be provided.

Hazards/Hazardous Materials Impacts Analyzed in the DSAP FEIR

The DSAP FEIR concluded that with implementation of General Plan policies, appropriate clean-up actions, and precautionary measures, future development under the proposed DSAP would not expose construction workers, the public, or environment to significant hazards related to soil or groundwater contamination. Mitigation in the DSAP FEIR calls for the preparation of Phase I Assessments for new projects and the completion of a Phase II Environmental Site Assessment, Human Health Risk Assessment, Remedial Action Plan, and/or Soil Management Plan as needed. The DSAP FEIR also identified potential impacts from above-ground tanks, including a propane tank explosion at the PG&E service center located at 308 Stockton Avenue. The FEIR concluded that this did not pose a significant threat given that PG&E must comply with very specific local and state regulatory requirements to maintain permits for their current operations. The DSAP FEIR recommends that the presence of the PG&E tank be disclosed to future residents. Finally, future development under the DSAP was not found to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable accident conditions.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X		1, 2
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X		1, 2, 7
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?				X		1, 2

ENVIRONMENTAL IMPACTS	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	Source(s)
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X		1, 2, 7
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X		1, 2
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X		1, 2
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X		1, 2
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X		1, 2

Explanation

a) **Same Impact as Approved Project (Less Than Significant)**. The proposed project and future development is not expected to involve the routine transport, use, or disposal of hazardous materials, consistent with the conclusions in the DSAP FEIR.

b) **Same Impact as Approved Project (Less Than Significant)**. Given the project's location and former uses, the site may contain contamination from hazardous materials. Future development of the site would be subject to General Plan Policies EC-7.1, 7.2, 7.5, and 7.11, which require investigation and evaluation of existing soil, soil vapor, and groundwater contamination and identification of mitigation/remediation as needed. Phase II investigations for the project site have identified the following conditions:

- Metals, including lead, cobalt, and nickel and TPH-mo in shallow soils throughout the project site at levels exceeding residential screening levels.

- Soil with gravel that contained naturally occurring asbestos (NOA) at a concentration of 2.5% by weight, and was present in the top two to three feet of fill across the site. The BAAQMD regulates construction work at sites where NOA is present.

In accordance with General Plan Policy EC-7.2, future development of the project site would be required to implement mitigation measures for contamination to adverse human health or environmental risk, in conformance with regional, state and federal laws, regulations, guidelines and standards. In addition, demolition of existing structures for future development would be required to be conducted in conformance with federal, state and local regulations to avoid exposure of construction workers and/or the public to asbestos and lead-based paint. Finally, mitigation identified in the DSAP FEIR calls for the preparation of a Human Health Risk Assessment, Remedial Action Plan, and Soil Management Plan as needed.

c) **Same Impact as Approved Project (Less Than Significant)**. The project site is not located within ¼ mile of a school. See also a) and b) above.

d) **Same Impact as Approved Project (Less Than Significant)**. The project is not located on a site that is included on a list of hazardous materials sites as per Government Code Section 65962.5 (Cortese List).

e) **Same Impact as Approved Project (Less Than Significant)**. The Mineta San José International Airport is located approximately 1.25 miles north of the project site. The project is located within the Santa Clara County Airport Land Use Commission's adopted Airport Influence Area for Mineta San José International Airport. For the project site, any proposed structure exceeding approximately 45 feet in height above ground would be required under FAR Part 77 to be submitted to the Federal Aviation Administration (FAA) for airspace safety review. City General Plan Policy requires FAA issuance of "no hazard" determinations prior to future development permit approval.

f) **Same Impact as Approved Project (Less Than Significant)**. The project is not located within the vicinity of a private airstrip.

g) **Same Impact as Approved Project (Less Than Significant)**. Future development on the site is not expected to interfere with any emergency response or evacuation plans since it would be required to comply with all Fire Department codes and regulations.

h) **Same Impact as Approved Project (Less Than Significant)**. The project will not expose people or structures to risk from wildland fires as it is located in an urban area that is not prone to such events.

Hazards and Hazardous Materials Chapter Conclusion

Mitigation in the DSAP FEIR calls for the preparation of Phase I Assessments for new projects, and, if necessary, the completion of a Phase II Environmental Site Assessment, Human Health Risk Assessment, Remedial Action Plan, and Soil Management Plan as needed.

The DSAP FEIR concluded that with implementation of General Plan policies, appropriate clean-up actions, and precautionary measures, future development under the proposed DSAP would not expose construction workers, the public, or environment to significant hazards related to soil or groundwater contamination. The DSAP also identified potential impacts from above-ground tanks, including a propane tank explosion at the PG&E service center at 308 Stockton Avenue. The FEIR concluded that this did not pose a significant threat since PG&E must comply with very specific local and state regulatory requirements to maintain permits for their current operations, although it did

recommend that the presence of the PG&E tank be disclosed to future residents. Finally, future development under the DSAP was not found to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable accident conditions.

Future development on the project site would not result in new or more significant impacts associated with hazards and hazardous materials than those identified in the DSAP FEIR.

I. HYDROLOGY AND WATER QUALITY

Setting

The project site is located at approximately 92 feet above mean sea level. The topography of the site is essentially flat. The nearest surface water to the site is the Guadalupe River, which lies approximately 0.4 miles east of the property.

The project site is currently developed, and there are no drainages or other water features on or adjacent to the project site. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, the site is located in Flood Zones D. The City does not have building restrictions for Zone D.

Groundwater depth in the project vicinity is reported by the Santa Clara Valley Water District as flowing towards the northeast. Studies in the project area identified groundwater depths of about 15 feet below ground surface. Groundwater direction and depth is variable, as it is influenced by rainfall, tidal effects, and local groundwater pumping.

Regulatory Background

The City of San José is required to operate under a Federal Stormwater National Pollution Discharge Elimination System (NPDES) Permit to discharge stormwater from the City's storm drain system to surface waters. The NPDES permit program is administered by the State Water Quality Control Board (Water Board). The Water Board grants Regional Water Quality Control Boards authority in regulating the NPDES Permit. In 2009, the San Francisco Bay Regional Water Quality Control Board adopted the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP) for 76 Bay Area municipalities, including the City of San José. The Municipal Regional Permit (NPDES Permit No. CAS612008) mandates the City of San José use its planning and development review authority to require that stormwater management measures are included in new and redevelopment projects to minimize and properly treat stormwater runoff. Provision C.3 of the MRP regulates the following types of development projects:

- Projects that create or replace 10,000 square feet or more of impervious surface.

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

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

The City has developed policies that implement Provision C.3, consistent with the MRP. The City's Post-Construction Urban Runoff Management Policy (6-29) establishes specific requirements include LID design features to minimize and treat stormwater runoff from new and redevelopment projects. The City's Post-Construction Hydromodification Management Policy (8-14) establishes an implementation framework for incorporating measures to control hydromodification impacts from development projects.

General Plan Policies

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

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

Hydrology/Water Quality Impacts Analyzed in the DSAP FEIR

The DSAP concluded that with implementation of the standard measures, General Plan policies, and existing regulations, future development under the DSAP would not expose people or structures to a significant risk of loss, injury or death involving flooding. Impacts related to construction-related and long-term drainage or water quality and groundwater quality were also found to be less-than-significant.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
9. HYDROLOGY AND WATER QUALITY. Would the project:						
a) Violate any water quality standards or waste discharge requirements?				X		1, 2
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (for example, the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X		1, 2
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.				X		1, 2
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?				X		1, 2
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X		1, 2
f) Otherwise substantially degrade water quality?				X		1, 2
g) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X		1, 2, 8
h) Place within a 100-year flood-hazard area structures, which would impede or redirect flood flows?				X		1, 2, 8
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X		1, 2
j) Inundation by seiche, tsunami, or mudflow?				X		1, 2

Explanation

a) **Same Impact as Approved Project (Less Than Significant)**. Grading, excavation, and other site disturbance activities for future development would result in erosion and temporary impacts to surface water quality during construction. Runoff may contain sediments that would be discharged into surface waters. All development projects in San José must comply with the City's Grading Ordinance whether or not the projects are subject to the NPDES General Permit for Construction Activities. The City of San José Grading Ordinance requires the use of erosion and sediment controls to protect water quality while a site is under construction.

b) **Same Impact as Approved Project (Less Than Significant)**. Future development would not deplete or otherwise affect groundwater supplies or recharge, since the site is not located within a groundwater recharge area.

c) **Same Impact as Approved Project (Less Than Significant)**. There are no watercourses on or adjacent to the project site and future development on the project site would not substantially alter existing drainage patterns or cause alteration of streams or rivers.

d) **Same Impact as Approved Project (Less Than Significant)**. Future development on the project site would not significantly alter the drainage pattern of the site and surrounding area. Future development would be required to implement a Stormwater Control Plan to retain and control runoff in accordance with City and RWQCB requirements. Therefore, future development would not result in an increase in flooding on- or off-site.

e) **Same Impact as Approved Project (Less Than Significant)**. See a) and d) above. Future development of the site would not result in runoff that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

f) **Same Impact as Approved Project (Less Than Significant)**. See a) and d) above.

g) **Same Impact as Approved Project (Less Than Significant)**. The project site is located in FEMA Flood Zone D, which is designated as areas where there are possible but undetermined flood hazard. The City does not have building restrictions for Zone D. The proposed project would not allow housing within the 100-year flood zone.

h) **Same Impact as Approved Project (Less Than Significant)**. See g) above.

i) **Same Impact as Approved Project (Less Than Significant)**. Future development on the site would not expose people or structures to a significant risk of loss, injury or death involving flooding from levee flooding because no levees are located in the project area.

j) **Same Impact as Approved Project (Less Than Significant)**. The project site is not located in an area subject to significant seiche, tsunami, or mudflow risk.

Hydrology and Water Quality Chapter Conclusion

The DSAP concluded that with implementation of standard measures, General Plan policies, and existing regulations, future development under the DSAP would not expose people or structures to a significant risk of loss, injury, or death involving flooding. Impacts related to construction-related and long-term drainage or water quality and groundwater quality were also found to be less-than-significant.

Future development would not result in new or more significant impacts associated with hydrology and water quality than those identified in the DSAP FEIR.

J. LAND USE

Setting

The project site is designated Mixed Use Commercial in the City's 2040 General Plan Land Use/Transportation Diagram. The entire DSAP area is designated as an Urban Village and the DSAP serves as the Urban Village Plan for the planning area. The project proposes a General Plan Amendment to change the land use designation on the site to Urban Village to increase the residential density allowed on the site. The project also proposes a Text Amendment to the DSAP to transfer 305 residential units from the DSAP's Southern Zone to the Northern Zone to accommodate increased residential densities on the site.

The DSAP establishes regulations, implementation strategies and detailed design guidelines for expansion of the existing Diridon Station and the development of land uses within the 250 acre project boundary surrounding the station to encourage appropriate transit-adjacent development within the DSAP area.

Surrounding land uses include residential to the north, commercial (office) to the east and a mix of residential and commercial to the south and west. The site currently contains five occupied or vacant commercial and residential buildings.

The project is located about 1.25 miles south of the Mineta San José International Airport. The project is located within the Santa Clara County Airport Land Use Commission's adopted Airport Influence Area for the airport. For the project site, any proposed future structure(s) exceeding approximately 45 feet in height above ground would be required under FAR Part 77 to be submitted to the FAA for airspace safety review.

General Plan Policies

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

Envision San José 2040 Relevant Land Use Policies	
Policy 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.
Policy LU-9.8	When changes in residential densities in established neighborhoods are proposed, the City shall consider such factors as neighborhood character and identity; historic preservation; compatibility of land uses and impacts on livability; impacts on services and facilities, including schools, to the extent permitted by law; accessibility to transit facilities; and impacts on traffic levels on both neighborhood streets and major thoroughfares.
Policy LU-10.2	Distribute higher residential densities throughout our city in identified growth areas and facilitate the development of residences in mixed-use development within these growth areas.

Envision San José 2040 Relevant Land Use Policies	
Policy LU-10.3	Develop residentially- and mixed-use-designated lands adjacent to major transit facilities at high densities to reduce motor vehicle travel by encouraging the use of public transit.
Policy TR-3.3	As part of the development review process, require that new development along existing and planned transit facilities consist of land use and development types and intensities that contribute toward transit ridership. In addition, require that new development is designed to accommodate and to provide direct access to transit facilities.
Policy IE-1.5	Promote the intensification of employment activities on sites in close proximity to transit facilities and other existing infrastructure, in particular within the Downtown, North San José, the Berryessa International Business Park and Edenvale.

DSAP Land Use Strategies

The DSAP is a key strategy for achieving many of the City's goals related economic growth, fiscal sustainability, and environmental stewardship. To minimize impacts from the intensification of development on adjoining low-density neighborhoods, the DSAP contains Design Guidelines related to buildings, open spaces, streetscapes, and landscaping. The Design Guidelines are intended to create a transit-oriented, pedestrian/bicycle-friendly environment with a vibrant urban character and to maximize compatibility between new and existing uses.

The entire DSAP is designated as an Urban Village and the DSAP serves as the Urban Village Plan. It was developed in accordance with the Urban Village planning process and includes the required components, including suitable areas for employment and residential development through application of General Plan land use designations, infrastructure improvements, sustainability goals, and design guidelines.

Land Use Impacts Analyzed in the DSAP FEIR

The DSAP concluded that with implementation of the DSAP Design Guidelines, General Plan policies, the Zoning Ordinance, and other applicable regulations, future development under the DSAP would not result in significant land use impacts.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
10. LAND USE AND PLANNING. Would the project:						
a) Physically divide an established community?				X		1, 2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X		1, 4
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?				X		1

Explanation

a) **Same Impact as Approved Project (Less Than Significant)**. The project is located on a developed infill site in an urban area. Future development on the project site would not physically divide an established community.

b) **Same Impact as Approved Project (Less Than Significant)**. The project's consistency with the 2040 General Plan and the DSAP is presented below.

Envision San José 2040 General Plan

The project site is designated in the City's 2040 General Plan as Mixed Use Commercial. This designation is intended to accommodate a mix of commercial and residential uses with an emphasis on commercial activity as the primary use and residential activity allowed in a secondary role. New development of a property with this designation should include commercial space equivalent to at least a 0.5 floor area ratio (FAR) for the property with a typically appropriate overall FAR of up to 3.0, allowing for a medium intensity of development. This designation allows up to 50 du/ac and building heights of one to six stories.

The project is proposing a change in designation to Urban Village. The Urban Village land use designation supports a wide variety of commercial, residential, and institutional land uses with an emphasis on establishing an attractive and pedestrian-oriented urban form. This land use designation supports a FAR of up to 10.0 and a residential density of up to 250 dwelling units to the acre. Given the building height limits in the Urban Design Chapter of the DSAP Draft Plan and the FAA height limits for the Mineta San José International Airport, the

intensities and densities of new development under this land use designation would, however, be significantly lower than the identified maximums.

The Urban Village land use designation, as applied to the Diridon Area, has a minimum commercial FAR of 0.5 for projects containing residential uses. This designation only supports residential development in a vertical or horizontal mixed-use format that includes commercial uses or square footage that is equal to or greater than a 0.5 FAR for a given project. Any commercial component of future development would need to be built simultaneously or prior to the construction of any residential component. In addition, future development would be required to include active and functional retail space fronting the street (per the other designated Urban Village sites identified in the DSAP).

The project proposes a General Plan amendment to change the land use designation to Urban Village. With implementation of the DSAP Design Guidelines, General Plan policies, and other applicable regulations, future development under the proposed land use designation would not result in significant land use impacts.

Diridon Station Area Plan

The project site is located within an area designated by the DSAP as the Northern Zone, specifically the "Northern Innovation Zone." This zone targets development of innovative office environments, product research and development, emerging 'green' businesses, and "incubator" space for high-tech startup companies to help promote this district as an area of innovation adjacent to transit. These facilities are intended to be developed in an urban format to align with the goals and vision of the DSAP. All of the residential allocations for the Northern Zone have been used. The project proposes a Text Amendment to the DSAP to allow the transfer of 305 residential units from the Southern Zone (Section F) to the Northern Zone (Section C) to accommodate additional residential density.

The project proposes a Text Amendment to the DSAP as described above. With implementation of the DSAP Design Guidelines, General Plan policies, and other applicable regulations, future development under the proposed DSAP Text Amendment would not result in significant land use impacts.

In conclusion, the project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

c) **Same Impact as Approved Project**. The project is located within the boundaries of the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan. Please refer to the discussion in D. Biological Resources of this addendum. Future development on the project site would not conflict with the HCP.

Land Use and Planning Chapter Conclusion

The DSAP FEIR concluded that redevelopment of the plan area would not have significant land use effects. Future development on the project site would not result in new or more significant land use impacts than those identified in the DSAP FEIR.

K. MINERAL RESOURCES

Setting

The project site is located in downtown San José, and there are no mineral resources found in the project area, as described further below.

Under the Surface Mining and Reclamation Act of 1975 (SMARA), the State Mining and Geology Board has designated only the Communications Hill Area of San José as containing mineral deposits of regional significance for aggregate (Sector EE). There are no mineral resources in the project area. Neither the State Geologist nor the State Mining and Geology Board has classified any other areas in San José as containing mineral deposits that are of statewide significance or for which the significance requires further evaluation. Other than the Communications Hill area cited above, San José does not have mineral deposits subject to SMARA. The project site lies outside of the Communications Hill area.

Mineral Resource Impacts Analyzed in the DSAP FEIR

The DSAP FEIR found no significant impacts related to mineral resources.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
11. MINERAL RESOURCES. Would the project:						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X		1
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X		1

Explanation

a), b) **Same Impact as Approved Project (No Impact)**. The project site is located outside the Communications Hill area, the only area in San José containing mineral deposits subject to SMARA; therefore, future development on the project site would not result in a significant impact from the loss of availability of a known mineral resource.

Mineral Resources Chapter Conclusion

The DSAP FEIR found no significant impacts to mineral resources. Future development would not impact mineral resources, and would not result in new or more significant mineral resource impacts than those in the DSAP FEIR.

L. NOISE

Setting

Noise is defined as unwanted or objectionable sound. State and local regulations define objectionable noise levels and identify land use compatibility standards. Sound is comprised of three variables: magnitude, frequency, and duration. The magnitude of air pressure changes associated with sound waves results in the quality commonly referred to as "loudness." Variations in loudness are measured on the "decibel" (dB) scale. On this scale, noise at zero decibels is barely audible, while noise at 120-140 decibels is painful and may cause hearing damage. These extremes are not encountered in commonplace environments. Noise is typically characterized using the A-weighted sound level or dBA. This scale gives greater weight to those frequencies that the human ear is most sensitive. For evaluating noise over extended periods, the "Day-Night Noise Level" scale (DNL or Ldn) or "Community Noise Equivalent Level" (CNEL) are measures of the average equivalent sound level during a 24-hour period.

The project site is located on the northeast corner of W. Julian Street and Stockton Avenue. The project site is surrounded by a variety of land uses. The Avalon Morrison Park multi-family residential buildings are located adjacent to the project site to the north. A single-story commercial building is located adjacent to the project site to the west, with a single-family residence just west of the commercial building. Opposite W. Julian Street, south of the project site, is a mix of uses including single-family residences, a machine shop, a daycare facility, and a senior care center. A PG&E service center is located to the east of the project site opposite Stockton Avenue. The predominant noise sources in the area consist of roadway noise and operations at nearby commercial developments.

General Plan Policies

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

Envision San José 2040 Relevant Noise Policies	
Policy EC-1.1	Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state and City noise standards and guidelines as a part of new development review. Applicable standards and guidelines for land uses in San José include: Interior Noise Levels • The City's standard for interior noise levels in residences, hotels, motels, residential care facilities, and hospitals is 45 dBA DNL. Include appropriate site and building design, building construction and noise attenuation techniques in new development to meet this standard. For sites with exterior noise levels of 60 dBA DNL or more, an acoustical analysis following protocols in the City-adopted California Building Code is required to demonstrate that development projects can meet this standard. The acoustical analysis shall base required noise attenuation techniques on expected *Envision General Plan* traffic volumes to ensure land use compatibility and General Plan consistency over the life of this plan.

Envision San José 2040 Relevant Noise Policies	
	Exterior Noise Levels • The City's acceptable exterior noise level objective is 60 dBA DNL or less for residential and most institutional land uses (refer to Table EC-1 in the General Plan or Table 3.12-1 in this Initial Study). Residential uses are considered "normally acceptable" with exterior noise exposures of up to 60 dBA DNL and "conditionally compatible" where the exterior noise exposure is between 60 and 75 dBA DNL such that the specified land use may be permitted only after detailed analysis of the noise reduction requirements and needed noise insulation features are included in the design.
Policy EC-1.2	Minimize the noise impacts of new development on land uses sensitive to increased noise levels (Land Use Categories 1, 2, 3 and 6 in Table EC-1 in the General Plan or Table 4.12-1 in this Initial Study) by limiting noise generation and by requiring use of noise attenuation measures such as acoustical enclosures and sound barriers, where feasible. The City considers significant noise impacts to occur if a project would: • Cause the DNL at noise sensitive receptors to increase by five dBA DNL or more where the noise levels would remain "Normally Acceptable"; or • Cause the DNL at noise sensitive receptors to increase by three dBA DNL or more where noise levels would equal or exceed the "Normally Acceptable" level.
Policy EC-1.3	Mitigate noise generation of new nonresidential land uses to 55 dBA DNL at the property line when located adjacent to uses through noise standards in the City's Municipal Code.
Policy EC-1.6	Regulate the effects of operational noise from existing and new industrial and commercial development on adjacent uses through noise standards in the City's Municipal Code.
Policy EC-1.7	Require construction operations within San José to use best available noise suppression devices and techniques and limit construction hours near residential uses per the City's Municipal Code. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would: • Involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months. For such large or complex projects, a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints will be required to be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses.
Policy EC-2.3	Require new development to minimize vibration impacts to adjacent uses during demolition and construction. For sensitive historic structures, a vibration limit of 0.08 in/sec PPV (peak particle velocity) will be used to minimize the potential for cosmetic damage to a building. A vibration limit of 0.20 in/sec PPV will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction.

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

Noise Impacts Analyzed in the DSAP FEIR

The DSAP FEIR found that buildout of the DSAP would result in a significant unavoidable impact at existing noise-sensitive land uses adjacent to segments of Julian Street, Park Avenue, and San Carlos Street due to substantial increases in traffic noise. However, no mitigation was identified and the City adopted a statement of overriding considerations for the impact.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
12. NOISE. Would the project result in						
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?				X		1, 2
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				X		1, 2
c) Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X		1, 2

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X		1, 2
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X		1, 2
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X		1, 2

Explanation

a) **Same Impact as Approved Project (Significant Unavoidable Impact)**. The City's Land Use Compatibility Guidelines for Community Noise are presented in the setting above. Potential noise sources from future development could include outdoor mechanical equipment and operations, traffic noise, and truck deliveries/docking. Future development on the site would be required to comply with the City's noise standards and General Plan policies for adjacent sensitive uses (e.g., residential uses). Specifically, future development would be required to provide a noise assessment as part of its environmental review to address potential noise impacts.

The DSAP FEIR found that buildout of the DSAP would result in a significant unavoidable impact at existing noise-sensitive land uses adjacent to segments of Julian Street, Park Avenue, and San Carlos Street due to substantial increases in traffic noise. However, no mitigation was identified and the City adopted a statement of overriding considerations for the impact.

b) **Same Impact as Approved Project (Less Than Significant).** The project site is not subject to groundborne vibration; however, construction of future development on the project site could generate temporary vibration that could affect adjacent uses. Future development would be subject to General Plan Policy EC-2.3, which requires new development to minimize vibration impacts to adjacent uses during demolition and construction.

c) **Same Impact as Approved Project (Less Than Significant).** Future development could result in permanent ambient noise increases above existing levels depending on the proposed use. Noise will be generated on the site in the short-term during construction activities as described in d) below. Future development on the site would be required to comply with the City's noise standards and General Plan policies for adjacent sensitive uses (e.g., residential uses) to minimize temporary construction noise impacts.

d) **Same Impact as Approved Project (Less Than Significant)**. Construction of future development would result in short-term noise impacts on nearby sensitive uses (e.g., residential uses). The City's Municipal Code limits construction hours near residential land uses, and General Plan Policy EC-1.7 addresses the types of construction equipment that are sources of significant noise.

e) **Same Impact as Approved Project (Less Than Significant)**. Mineta San José International Airport is located approximately 1.25 miles north of the project site. The project site lies

outside the 2027 60 dBA CNEL noise contour shown in the Airport Master Plan Update. Noise levels resulting from aircraft would be less than 65 dBA CNEL at the project site.

f) **Same Impact as Approved Project (Less Than Significant).** The project site is not located near any private airstrips.

Noise Chapter Conclusion

The DSAP FEIR indicated that implementation of General Plan policies and other applicable regulations will ensure that future development allowed under the DSAP would not be exposed to interior and exterior noise levels in excess of City standards in the long or short-term. Future development under the DSAP would not expose people residing or working in the Plan area to excessive noise levels associated with aircraft operations. The DSAP FEIR identified significant noise impacts from additional traffic associated with future buildout of the plan area along certain streets. No specific measures were identified to mitigate for this noise impact in the FEIR and the City Council adopted a statement of overriding considerations for the impact.

Future development would not generate new or more significant noise impacts than those identified in the DSAP FEIR.

M. POPULATION AND HOUSING

Setting

Since 2000, the total population of San José has increased by an average of 12,795 residents per year, reaching 1,023,083 at the beginning of 2010. Over half of the city's housing stock consists of single-family detached units, although multi-family development (i.e., apartments, condominiums, and townhouses) has been the fastest growing housing type in recent years, accounting for 75 percent of all residential construction since 2000. The average household size is expected to decrease from the current rate of 3.2 people to about 3.06 people by 2035 (DSAP 2014). Current census data indicates that the population of San José is approximately 1,026,908 (U.S. Census Bureau, 2015).

Population/Housing Impacts Analyzed in the DSAP FEIR

The DSAP FEIR found that development under the proposed DSAP would not induce substantial population growth in San José displace substantial amounts of existing housing or people. However, future development under the proposed DSAP was found to make a substantial contribution to the significant unavoidable impact related to the jobs/housing imbalance.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
13. POPULATION AND HOUSING. Would the project:						
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X		1
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X		1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X		1

Explanation

a) **Same Impact as Approved Project (Less Than Significant)**. Future development on the site would not induce substantial population growth, since this development was anticipated and accounted for in the DSAP.

b) **Same Impact as Approved Project (Less Than Significant)**. The project site currently contains two single family residential units that will be displaced when future development is constructed. This does not represent a substantial number of displaced housing.

c) **Same Impact as Approved Project (Less Than Significant)**. See b) above.

Population and Housing Chapter Conclusion

The DSAP FEIR found that development under the proposed DSAP would not induce substantial population growth in San José displace substantial amounts of existing housing or people. However, future development under the proposed DSAP was found to make a substantial contribution to the significant unavoidable impact related to the jobs/housing imbalance. This was deemed unavoidable and a statement of overriding consideration was adopted by the City Council for this impact.

Future development would not result in new or more significant population or housing impacts than those in the DSAP FEIR.

N. PUBLIC SERVICES

Setting

Fire Protection: The project site is located within the service area of the San José Fire Department (SJFD). The closest fire station to the project site is Station 1, located at 255 Market Street, approximately 0.8 miles from the project site.

Police Protection: Police protection is provided to the project area by the San José Police Department (SJPD).

Schools: The project is located within the San José Unified School District (SJUSD), the largest district in the City. Schools in the SJUSD serving the greater downtown San José area are listed below.

- Hester Elementary School, 1460 The Alameda
- Horace Mann Elementary School, 55 N. 7th Street
- Gardner Elementary School, 502 Illinois Avenue
- Grant Elementary School, 470 Jackson Street
- Lowell Elementary School, 625 S. 7th Street
- Herbert Hoover Middle School, 1635 Park Avenue
- Abraham Lincoln Senior High School, 555 Dana Avenue

State law (Government Code §65996) identifies the payment of school impact fees as an acceptable method of offsetting a project's impact on school facilities. In San José, developers can either negotiate directly with the affected school district or make a payment per square foot of new multi-family units and commercial uses (prior to the issuance of a building permit). The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Parks: There are several park facilities in the project area; those nearest to the project site are as follows:

- Cahill Park, located at W. San Fernando Street and Wilson Street, 0.5 miles to the south
- San José Theodore Lenzen Park, Located at Stockton Avenue and Lenzen Avenue, 0.3 miles to the northwest
- Arena Green, located adjacent to the SAP Center 0.4 miles to the east
- Guadalupe River Park, access at Guadalupe River and Santa Clara Street, 1.1 miles to the northeast

Libraries: The San José Public Library System consists of one main library and 18 branch libraries. The Dr. Martin Luther King Jr. Main Library, operated jointly with San José University serves the downtown area. The library is located at 150 E. San Fernando Street. The East San José Carnegie branch is also located downtown at 1102 E. Santa Clara Street.

General Plan Policies

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

Envision San José 2040 Relevant Public Service Policies	
Policy ES-2.2	Construct and maintain architecturally attractive, durable, resource-efficient, and environmentally healthful library facilities to minimize operating costs, foster learning, and express in built form the significant civic functions and spaces that libraries provide for the San José community. Library design should anticipate and build in flexibility to accommodate evolving community needs and evolving methods for providing the community with access to information sources. Provide at least 0.59 SF of space per capita in library facilities.
Policy ES-3.1	Provide rapid and timely Level of Service (LOS) response time to all emergencies: 1. For police protection, use as a goal a response time of six minutes or less for 60 percent of all Priority 1 calls, and of eleven minutes or less for 60 percent of all Priority 2 calls. 2. For fire protection, use as a goal a total response time (reflex) of eight minutes and a total travel time of four minutes for 80 percent of emergency incidents.
Policy ES-3.9	Implement urban design techniques that promote public and property safety in new development through safe, durable construction and publically-visible and accessible spaces.
Policy ES-3.11	Ensure that adequate water supplies are available for fire-suppression throughout the City. Require development to construct and include all fire suppression infrastructure and equipment needed for their projects. PR-1.1 Provide 3.5 acres per 1,000 population of neighborhood/community serving parkland through a combination of 1.5 acres of public park and 2.0 acres of recreational school grounds open to the public per 1,000 San José residents.
Policy PR-1.2	Provide 7.5 acres per 1,000 population of citywide /regional park and open space lands through a combination of facilities provided by the City of San José and other public land agencies.

Public Service Impacts Analyzed in the DSAP FEIR

The DSAP FEIR found that buildout would contribute to increased demand for fire and police protection services, libraries, school, parkland, and recreational facilities in San José, but planned growth is not anticipated to result in the need for construction of facilities in excess of those currently planned. This was determined to be a less-than-significant impact.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:						
a) Fire protection?				X		1, 2
b) Police protection?				X		1, 2
c) Schools?				X		1, 2
d) Parks?				X		1, 2
e) Other public facilities?				X		1, 2

Explanation

a) **Same Impact as Approved Project (Less Than Significant)**. Future development could result in an incremental increase in the demand for fire protection services. The DSAP FEIR found that buildout would contribute to increased demand for fire protection facilities in San José, but this planned growth would not result in the need for construction of facilities in excess of those currently planned.

b) **Same Impact as Approved Project (Less Than Significant)**. Future development could result in an incremental increase in the demand for police protection services. The DSAP FEIR found that buildout would contribute to increased demand for police protection facilities in San José, but this planned growth would not result in the need for construction of facilities in excess of those currently planned.

c) **Same Impact as Approved Project (Less Than Significant)**. Future development that includes residential uses could incrementally increase demands on school services. The DSAP FEIR found that buildout would contribute to increased demand for school facilities in San José, but this planned growth would not result in the need for construction of facilities in excess of those currently planned.

d) **Same Impact as Approved Project (Less Than Significant)**. The City's Parkland Dedication Ordinance and Park Impact Ordinance require residential developers to dedicate public park land or pay in-lieu fees (or both) to compensate for the increase in demand for neighborhood parks. Future development would be subject to developer fees to accommodate its incremental demand on park services if residential uses are proposed.

e) **Same Impact as Approved Project (Less Than Significant).** Future development would not adversely impact other public services, such as library services, consistent with the findings of the DSAP FEIR, which did not identify significant impacts to public services and facilities.

Public Services Chapter Conclusion

The DSAP FEIR found that buildout would contribute to increased demand for fire and police protection services, libraries, school, parkland, and recreational facilities in San José, but planned growth is not anticipated to result in the need for construction of facilities in excess of those currently planned. This was determined to be a less-than-significant impact.

Future development would not result in new or more significant impacts to public services than those in DSAP FEIR.

O. RECREATION

There are several parks in downtown San José. The two nearest parks to the project site are as follows:

- San José Theodore Lenzen Park, Located at Stockton Avenue and Lenzen Avenue, 0.3 miles to the northwest.

- Arena Green, located adjacent to the SAP Center 0.4 miles to the east

The City of San José has adopted the Parkland Dedication Ordinance (PDO) and Park Impact Ordinance (PIO) to compensate for the increase in demand for neighborhood parks from new residential development.

General Plan Policies

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

Envision San José 2040 Relevant Recreation Policies	
Policy PR-1.1	Provide 3.5 acres per 1,000 population of neighborhood/community serving parkland through a combination of 1.5 acres of public park and 2.0 acres of recreational school grounds open to the public per 1,000 San José residents.
Policy PR-1.2	Provide 7.5 acres per 1,000 population of citywide/regional park and open space lands through a combination of facilities provided by the City of San José and other public land agencies.
Policy PR-1.3	Provide 500 SF per 1,000 population of community center space.

Recreation Impacts Analyzed in the DSAP FEIR

The DSAP FEIR concluded that future development within the plan area would contribute to increased demand for recreational facilities in San José, but planned growth was not anticipated to result in the need for construction of recreational facilities in excess of those currently planned.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
15. RECREATION. Would the project:						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X		1

ENVIRONMENTAL IMPACTS	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	Source(s)
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X		1

Explanation

a), b) **Same Impact as Approved Project (Less Than Significant)**. Future development's conformance to the PDO/PIO would ensure that the increase in residents on the project site would result in less-than-significant impacts to neighborhood and regional park facilities. The DSAP FEIR found that buildout would contribute to increased demand for recreational facilities in San José, but this planned growth would not result in the need for construction of facilities in excess of those currently planned.

Recreation Chapter Conclusion

The DSAP FEIR concluded that future development within the plan area would contribute to increased demand for recreational facilities in San José, but planned growth was not anticipated to result in the need for construction of recreational facilities in excess of those currently planned.

Future development on the project site would not result in new or more significant impacts to recreational facilities than those in the DSAP FEIR.

P. TRANSPORTATION

Setting

A long-range traffic impact analysis for the all the City of San José 2017 General Plan Amendments was prepared for the project by Hexagon Transportation Consultants, Inc. (August 18, 2017). This report is contained in Appendix D of this Addendum.

Regional access to the project site is provided by State Route (SR) 87. Local site access is provided by W. Julian Street, Stockton Avenue, The Alameda/W. Santa Clara Street, and Race Street. The roadway network is described below.

State Route (SR) 87 is primarily a six-lane freeway (four mixed-flow lanes and two HOV lanes) that is aligned in a north-south orientation within the project vicinity. SR 87 begins at its interchange with SR 85 and extends northward, terminating at its junction with US 101. SR 87 provides access to US 101 and I-280/I-680. Access to the site to and from SR 87 is provided via a full interchange at Julian Street/St. James Street and an off-ramp at Santa Clara Street.

W. Julian Street is primarily a one-way two-lane westbound local connector street downtown. Outside of the downtown core, west of SR 87 and east of 19th Street, Julian Street is a two-way, two-lane facility. Julian Street extends east from The Alameda through downtown San José to US 101, where it becomes McKee Road. Cars, bikes, pedestrians, and trucks are prioritized equally on local connector streets. In the vicinity of the project, W. Julian Street serves as the southern boundary of the project site. W. Julian Street provides access to the project site via its intersection with Stockton Avenue. Note that Julian Street and St. James Street are currently under construction to change their alignment and function.

Stockton Avenue is a two-lane north-south local connector street with a two-way center left-turn lane that serves as the eastern boundary of the project site. Stockton Avenue extends north from The Alameda to the College Park Caltrain station, where it becomes Emory Street. Cars, bikes, pedestrians, and trucks are prioritized equally on local connector streets.

The Alameda/Santa Clara Street is primarily a four-lane east-west grand boulevard that extends from Santa Clara University eastward through Downtown San José to US 101. East of US 101, Santa Clara Street becomes Alum Rock Avenue, which extends further eastward to Alum Rock Park near the foothills in East San José. As defined by the Envision San José 2040 General Plan, Grand boulevards are identified to serve as major transportation corridors for primary routes for VTA light-rail, bus rapid transit, standard or community busses, and other public transit vehicles. Although grand boulevards accommodate all modes of travel, the primary priority is given to public transit. The Alameda/Santa Clara Street provides access to I-880 and US 101 via a cloverleaf interchange at I-880 and a diamond interchange at US 101.

Race Street is a two-lane north-south local connector street extending from The Alameda to just south of I-280, where it becomes Cherry Avenue. Automobiles, bicycles, pedestrians, and trucks are prioritized equally on local connector streets. Race Street has a partial interchange (northbound off-ramp) with I-280 and provides access to the project site via The Alameda and West Julian Street.

Existing Bicycle and Pedestrian Facilities

Pedestrian facilities in the study area consist of sidewalks, crosswalks, and pedestrian signals at signalized intersections. In the project vicinity, sidewalks exist along both sides of W. Julian Street and Stockton Avenue as well as along The Alameda and Race Street, providing pedestrian access to and from the project site. There are no sidewalks along the south side of Julian Street between Stockton Avenue and Montgomery Street. However, pedestrians can use the sidewalk along the north side of Julian Street to cross under the train tracks. Marked crosswalks with ADA compliant ramps are provided on all legs of the signalized study intersections except at the SR 87 southbound ramp/Julian Street (west) intersection and the SR 87 northbound ramp/Julian Street (East) intersection. No crosswalks exist along the west leg of the SR 87 northbound ramp/Julian Street (East) intersection, east leg of the SR 87 southbound ramp/Julian Street (West) intersection, south leg of the Stockton Avenue/W. Julian Street intersection, and the north and east legs of the SR 87 northbound ramp/Santa Clara Street intersection. Although some crosswalk connections are missing along W. Julian Street and Santa Clara Street, the overall network of sidewalks and crosswalks in the study area has good connectivity and provides pedestrians with safe routes to transit services and other points of interest near the project site.

A Class I Bikeway/Trail is an off-street path with exclusive right-of-way for non-motorized transportation. The Guadalupe River multi-use trail is a Class I bicycle facility in the vicinity of the project site. The trail system runs through the City of San José along the Guadalupe River and is shared between pedestrians and bicyclists and separated from motor vehicle traffic. The Guadalupe River trail is an 11-mile continuous Class I bikeway from Curtner Avenue in the south to Alviso in the north. The trail system offers many connections to other streets with bicycle facilities, both inside and outside the downtown area. Access to the trail system is provided via an entrance along Julian Street just west of the signalized intersection of SR 87 southbound ramps and Julian Street (West).

Class II Bike Lanes are striped along the following street segments:

- Stockton Avenue between Asbury Street and the Alameda
- Santa Clara Street between Stockton Avenue and Notre Dame Avenue
- West Julian Street between The Alameda and Stockton Avenue
- San Fernando Street between the Diridon Station and 10th Street
- Almaden Boulevard between Woz Way and Santa Clara Street
- Taylor Street between Walnut Street and 1st Street
- Coleman Avenue between Newhall Drive and Santa Teresa Street.

Class III Bike Routes are signed bike routes that provide a connection through residential, downtown, and rural/hillside areas to Class I and Class II facilities. Bike routes serve as transportation routes within neighborhoods to parks, schools and other community amenities. The Alameda is a designated Class III bike route in the vicinity of the project site from Hedding Street to Montgomery Street. Although none of the local streets adjacent to the project site (e.g., Cinnabar Street, Keeble Avenue, Morrison Avenue) are designated as bike routes, due to their low traffic volumes many of them are conducive to bicycle usage.

The City of San José also participates in the Bay Area Bike Share program, which allows users to rent and return bicycles at various locations around the downtown area. There are currently 16 bike share stations in downtown San José with four stations located about 2,000 feet from the project site: at The Alameda/Bush Street intersection, at Cahill Park, at the SAP Center, and at Diridon Station.

Existing Transit Services

Existing transit services to the study area are provided by the Santa Clara Valley Transportation Authority (VTA), Caltrain, Altamont Commuter Express (ACE), and Amtrak.

Bus Service. VTA operates several bus routes within ½ mile of the project site. These consist of routes 22, 63, 64, 65, and 68. Express routes near the project site include 55, 86, 168, 181, 522, and 970 (Hwy 17 Express).

The VTA also provides a shuttle service within the downtown area. The downtown area shuttle (DASH) provides shuttle service from the San José Diridon Station to San José State University and the Paseo De San Antonio and Convention Center LRT Stations via San Fernando and San Carlos Streets.

The Santa Clara-Alum Rock Bus Rapid Transit (BRT) project is currently under construction. The VTA project will provide just over seven miles of limited-stop rapid bus service from the Eastridge Transit Center in East San José to the Arena Station in downtown San José using Capitol Expressway, Alum Rock Avenue, and Santa Clara Street. To support the improved bus service, the BRT project includes a combination of dedicated bus lanes with median platforms along Alum Rock Avenue, shared bus lanes with curbside platform bulb outs along Santa Clara Street, and transit signal priority at all intersections within the system. The BRT stations along Santa Clara Street, including those near City Hall, have already been installed. A BRT stop will be provided on West Santa Clara Street adjacent to Montgomery Street. This stop will be located about a ½ mile from the project site.

Diridon Station. The San José Diridon Station, located approximately ½ mile from the project site, is situated along the Mountain View-Winchester LRT line and is served by Caltrain, ACE and Amtrak. The Diridon Station provides bike racks and bike lockers. The Diridon Station can be easily accessed from the project site via Stockton Avenue and Santa Clara Street.

VTA currently operates the 42.2-mile VTA light rail line system extending from south San José through downtown to the northern areas of San José, Santa Clara, Milpitas, Mountain View and Sunnyvale. The service operates nearly 24-hours a day with 15-minute headways during much of the day. The San José Diridon Station is located along the Mountain View–Winchester LRT line.

Commuter rail service between San Francisco and Gilroy is provided by Caltrain, which currently operates 92 weekday trains. The Diridon Station provides 581 parking spaces, as well as 18 bike racks and 48 bike lockers. Trains stop frequently at the Diridon station between 4:30 AM and 10:30 PM in the northbound direction, and between 6:28 AM and 1:34 AM in the southbound direction. Caltrain provides passenger train service seven days a week, and provides extended service to Morgan Hill and Gilroy during weekday commute hours.

The Altamont Commuter Express (ACE) provides commuter rail service between Stockton, Tracy, Pleasanton, and San José during commute hours, Monday through Friday. Service is limited to four westbound trips in the morning and four eastbound trips in the afternoon/evening.

Amtrak provides daily commuter passenger train service along the 170-mile Capitol Corridor between the Sacramento region and the Bay Area, with stops in San José, Santa Clara, Fremont, Hayward, Oakland, Emeryville, Berkeley, Richmond, Martinez, Suisun City, Davis, Sacramento, Roseville, Rocklin, and Auburn. The Capitol Corridor trains stop at the San José Diridon Station eight times during the weekdays.

The Coast Starlight trains provide daily passenger train service between Los Angeles and Seattle. The southbound Coast Starlight train stops at the San José Diridon Station at 9:55 AM and departs at 10:07 AM. The northbound train stops at the Diridon Station at 8:11 PM and departs at 8:23 PM.

Level of Service Standards and City Council Policy 5-3

As established in City Council Policy 5-3 "Transportation Impact Policy" (2005), the City of San José uses the same level of service (LOS) method as the Congestion Management Program (CMP), although the City's standard is LOS D rather than LOS E. According to this Policy and General Plan Policy TR-5.3, an intersection impact would be satisfactorily mitigated if the implementation of measures would restore level of service to existing conditions or better, unless the mitigation measures would have an unacceptable impact on the neighborhood or on other transportation facilities (such as pedestrian, bicycle, and transit facilities).

General Plan Policies

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

Envision San José 2040 Relevant Transportation Policies	
Policy TR-1.1	Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).
Policy TR-1.2	Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.
Policy TR-1.4	Through the entitlement process for new development, fund needed transportation improvements for all transportation modes, giving first consideration to improvement of bicycling, walking and transit facilities. Encourage investments that reduce vehicle travel demand.

Envision San José 2040 Relevant Transportation Policies	
Policy TR-1.5	Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.
Policy TR-1.6	Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.
Policy TR-2.8	Require new development where feasible to provide on-site facilities such as bicycle storage and showers, provide connections to existing and planned facilities, dedicate land to expand existing facilities or provide new facilities such as sidewalks and/or bicycle lanes/paths, or share in the cost of improvements.
Policy TR-3.3	As part of the development review process, require that new development along existing and planned transit facilities consist of land use and development types and intensities that contribute towards transit ridership. In addition, require that new development is designed to accommodate and to provide direct access to transit facilities.
Policy TR-5.3	The minimum overall roadway performance during peak travel periods should be level of service "D" except for designated areas and specified exceptions identified in the General Plan including the Downtown Core Area. Mitigation measures for vehicular traffic should not compromise or minimize community livability by removing mature street trees, significantly reducing front or side yards, or creating other adverse neighborhood impacts.
Policy TR-8.4	Discourage, as part of the entitlement process, the provision of parking spaces significantly above the number of spaces required by code for a given use.
Policy TR-9.1	Enhance, expand and maintain facilities for walking and bicycling, particularly to connect with and ensure access to transit and to provide a safe and complete alternative transportation network that facilitates non-automobile trips.
Policy CD-3.3	Within new development, create a pedestrian friendly environment by connecting the internal components with safe, convenient, accessible, and pleasant pedestrian facilities and by requiring pedestrian connections between building entrances, other site features, and adjacent public streets.

Transportation Impacts Analyzed in the DSAP FEIR

The DSAP FEIR found that buildout of the DSAP would not result in a significant impact to intersection operations or conflict with adopted policies or plans regarding public transit, bicycle, or pedestrian facilities. However, when compared to existing conditions, buildout of the DSAP would result in significant traffic impacts on the following facilities: 1) 15 directional mixed flow freeway segments and four directional HOV lane freeway segments during at least one peak hour; 2) the intersections of The Alameda/Naglee Avenue and Park Avenue/Naglee Avenue under Strategy 2000 plus buildout conditions; 3) mixed flow lanes of one additional freeway segment under Strategy 2000 plus buildout conditions; 4) substantial cumulative impacts at the intersections of Park Avenue/Naglee Avenue, The Alameda/Naglee Avenue, and Lincoln Avenue/San Carlos Street; and 5) substantial contribution to significant impacts on transit priority corridors. The FEIR concluded that although General Plan policies, DSAP strategies, and planned BRT improvements are intended to reduce traffic congestion and improve transit efficiency, these measures may not reduce the cumulative impact or the DSAP's contribution to a less-than-significant level.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
16. TRANSPORTATION/TRAFFIC. Would the project:						
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X		1, 2
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X		1, 2
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X		1, 2
d) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?				X		1, 2
e) Result in inadequate emergency access?				X		1, 2
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X		1, 2

Explanation

a) **Same Impact as Approved Project (Significant Unavoidable Impact)**. No specific development is proposed at this time. Future development on the site would be required to meet the City's Transportation LOS Policy, which establishes an acceptable standard of LOS D at affected intersections.

The DSAP FEIR concluded that although General Plan policies, DSAP strategies, and planned BART improvements are intended to reduce traffic congestion and improve transit efficiency, these measures may not reduce the cumulative impact or the DSAP's contribution to a less-than-significant level. These impacts were deemed unavoidable and the City Council adopted a statement of overriding consideration. See also discussion b) below.

b) **Same Impact as Approved Project (Significant Unavoidable Impact)**. The cumulative long-range traffic impacts of all of the proposed 2017 General Plan Amendments were evaluated in a Long-Range Traffic Impact Analysis model forecast prepared by Hexagon Transportation Consultants (see Appendix D). This analysis evaluated the cumulative impacts of 10 proposed General Plan Amendments, listed in Table 2. Each of the proposed General Plan Amendments would result in changes to the assumed number of households and/or jobs on each site when compared to the Envision San José 2040 General Plan assumptions for each site. However, the total number of jobs and households citywide would not change as a result of these Amendments. Table 2 summarizes the existing (adopted 2040 General Plan) and proposed land uses and density for each of the 10 sites under each General Plan Amendment.

Table 2
2017 General Plan Land Use Amendments – Existing and Proposed Land Use

Site No.	Project Name	Location	APN	Size (AC)	Existing General Plan		Proposed General Plan Amendment	
					Land Use	Max. Density	Land Use	Max. Density
1	GP16-011 (Oakland Rd.)	1202 Oakland Rd.	241-11-014, 020, 021, 022	1.54	Heavy Industrial	FAR up to 1.5	Combined Industrial/ Commercial	FAR up to 12.0
2	GP16-012 (Booksin Ave.)	2720 Booksin Ave.	446-33-040	1.65	Public/Quasi-Public	N/A	Residential Neighborhood	8 DU per AC; FAR up to 0.7
3	GP16-013 (N. 4th St.)	120 N. 4th St.	467-20-019, 020, 021, 022, 040	0.91	Residential Neighborhood & Transit Residential	8 DU/ AC; FAR up to 0.7; 50-250 DU/AC; FAR 2.0 to 12.0	Downtown	50-800 DU/AC; FAR 2.0 to 12.0
4	GP17-001 (Capitol Ave.)	100 S. Capitol Avenue	484-23-039	0.35	Neighborhood/ Community Commercial	FAR up to 3.5	Residential Neighborhood	8 DU/ AC; FAR up to 0.7
5	GP17-002 (Moorpark Ave.)	2323 Moorpark Avenue	282-01-014, 015, 016, 020, 021, 022	1.07	Residential Neighborhood	8 DU/ AC; FAR up to 0.7	Mixed-Use Neighborhood	up to 30 DU/AC; FAR 0.25 to 2.0
6	GP17-003 (Branham LR Park & Ride)	4746 Narvaez Road	462-02-022, 024, 026, 027, 028, 021, 023, 025	3.14	Mixed-Use Neighborhood	up to 30 DU/AC; FAR 0.25 to 2.0	Transit Residential	50-250 DU/AC; FAR 2.0 to 12.0
7	GP17-004 (Cottle LR Park & Ride)	272 International Circle	706-05-038	4.48	Neighborhood/ Community Commercial Public/Quasi-Public	FAR up to 3.5; N/A	Transit Residential	50-250 DU/AC; FAR 2.0 to 12.0
8	GP17-005 (Lincoln Ave.)	2119 Lincoln Avenue	439-08-059	0.28	Neighborhood/ Community Commercial	FAR up to 3.5	Urban Residential	30-95 DU/AC; FAR 1.0 to 4.0

Table 2 2017 General Plan Land Use Amendments – Existing and Proposed Land Use								
9	GP17-006 (W. Julian St.)	715 W. Julian Street	261-01-030, 094	1.22	Mixed-Use Commercial	up to 50 DU/AC; FAR 0.5 to 4.5	Urban Village	up to 250 DU/AC; FAR up 10.0
10	GP17-007 (Trimble Road)	370 W. Trimble Road	101-02-013, 014	19.4	Industrial Park	FAR up to 10.0	Combined Industrial/ Commercial	FAR up to 12.0
Notes: FAR = floor-to-area ratio; DU = dwelling units; AC = acre; APN = assessor's parcel number; N/A = not applicable. Source: City of San José Planning Department (June 2017)								

The City of San José has adopted policy goals in the Envision San José 2040 General Plan to reduce the drive alone mode share to no more than 40 percent of all daily commute trips, and to reduce the Vehicle Miles Traveled (VMT) per service population by 40 percent from 2008 conditions. To meet these goals by the General Plan horizon year of 2040, and to satisfy CEQA requirements, three Measures of Effectiveness (MOE) thresholds are used to evaluate long-range transportation impacts resulting from implementation of the General Plan Amendments. The General Plan Amendments would be considered to have a significant cumulative long-range traffic impact if one or more of the following occurs: 1) the Amendments result in an increase in daily VMT per service population, 2) the Amendments result in an increase in the percentage of journey-to-work drive alone trips; and/or 3) the Amendments result in a 7.5 percent decrease in average vehicle speeds on designated transit priority corridors (summarized in Table 3). In addition to the three MOEs, the cumulative traffic analysis evaluated potential cumulative effects on adjacent jurisdictions.

Table 3 MOE Significance Thresholds	
Measure of Effectiveness (MOE)	**Citywide Threshold**
Daily VMT/Service Population	Any increase over current 2040 General Plan conditions.
Journey-to-Work Mode Share (Drive Alone %)	Any increase in journey-to-work drive alone mode share over current 2040 General Plan conditions.
Transit Corridor Travel Speeds	Decrease in average travel speed on a transit corridor below current 2040 General Plan conditions in the AM peak one-hour period when: 1. The average speed drops below 15 mph or decreases by 25% or more, or 2. The average speed drops by one mph or more for a transit corridor with average speed below 15 mph under current 2040 General Plan conditions.
Adjacent Jurisdiction	When 25% or more of total deficient lane miles on streets in an adjacent jurisdiction are attributable to the City of San José during the AM peak-4-hour period: 1. Total deficient lane miles are total lane miles of street segments with V/C ratios of 1.0 or greater. 2. A deficient roadway segment is attributed to San José when trips from the City are 10% or more on the deficient segment.
Source: Envision San José 2040 General Plan TIA, October 2010.	

The results of the cumulative Long-Range traffic analysis for all of the 2017 General Plan Amendments are discussed below and summarized in Tables 4 through 7.

Daily Vehicle Miles Traveled per Service Population. Compared to the current General Plan, the proposed General Plan Amendments would not result in an increase in VMT per service population, as shown in Table 4. Therefore, cumulatively, the 2017 GPAs would result in a less-than-significant impact on citywide daily VMT per service population. It is important to note that the VMT per service population is based on raw model output and does not reflect the implementation of adopted General Plan policies and goals that would further reduce VMT by increased use of non-auto modes of travel.

Table 4
Daily Vehicle Miles Traveled per Service Population

	Base Year (2015)	Existing General Plan	Existing General Plan plus GPAs
Citywide Daily VMT	20,588,249	31,251,446	31,290,755
Citywide Service Population	1,385,030	2,065,461	2,065,461
Daily VMT Per Service Population	14.9	15.1	15.1
Increase in VMT/Service Population over General Plan	--	--	0.0
Significant Impact?			**No**

Note: Service Population = Residents + Jobs
Source: City of San José 2017 General Plan Amendments: Long-Range Traffic Impact Analysis, Hexagon Transportation Consultants, Inc., August 18, 2017.

Journey-to-Work Mode Share. The proposed General Plan Amendments will not result in an increase of drive alone journey-to-work mode share when compared to the current General Plan, as shown in Table 5. Therefore, cumulatively, the 2017 GPAs would result in a less-than-significant impact on citywide journey-to-work mode share.

Table 5
Journey-to-Work Mode Share Percentages

Mode	Base Year (2015)		Existing General Plan		Existing General Plan plus GPAs	
	Trips	%	Trips	%	Trips	%
Drive Alone	724,530	78.3	1,061,730	72.5	1,062,180	72.4
Carpool 2	112,030	12.1	178,190	12.2	178,670	12.2
Carpool 3+	42,310	4.6	79,220	5.4	79,660	5.4
Transit	26,820	2.9	99,570	6.8	100,580	6.9
Bicycle	7,060	0.8	19,610	1.3	19,770	1.3
Walk	12,130	1.3	26,260	1.8	26,470	1.8
Increase in Drive Alone Percentage over General Plan Conditions						-0.1
Significant Impact?					**No**	

Source: City of San José 2017 General Plan Amendments: Long-Range Traffic Impact Analysis; Hexagon Transportation Consultants, Inc.; August 18, 2017.

Average Vehicle Speeds in Transit Priority Corridors. The proposed General Plan Amendments will not result in a decrease in travel speeds of greater than one mph or 25 percent on any of the 14 transit priority corridors when compared to current General Plan conditions as shown in Table 6. Therefore, cumulatively, the 2017 GPAs would result in a less than significant impact on the AM peak-hour average vehicle speeds on the transit priority corridors.

Table 6
AM Peak-Hour Vehicle Speeds (m.p.h.)
in Transit Priority Corridors

Transit Priority Corridor	Base Year (2015)	Existing General Plan	Existing General Plan plus GPAs	% Change (Existing General Plan plus GPAs – Existing GP)	Absolute Change (Existing General Plan plus GPAs – Existing GP)
2nd St from San Carlos St to St. James St	11.4	11.4	11.4	0	0.0
Alum Rock Av from Capitol Av to US 101	21.2	15.3	15.1	-2	-0.3
Camden Av from SR 17 to Meridian Av	22.2	14.6	15.2	4	0.6
Capitol Av from S. Milpitas Bl to Capitol Expwy	23.9	20.8	20.5	-1	-0.2
Capitol Expwy from Capitol Av to Meridian Av	25.8	24.5	25.0	2	0.5
E. Santa Clara St from US 101 to Delmas Av	20.3	16.9	16.7	-1	-0.2
Meridian Av from Park Av to Blossom Hill Rd	22.7	19.1	18.7	-3	-0.5
Monterey Rd from Keyes St to Metcalf Rd	24.2	17.2	17.3	1	0.1
N. 1st St from SR 237 to Keyes St	19.8	12.7	13.4	5	0.7
San Carlos St from Bascom Av to SR 87	22.1	21.0	20.7	-2	-0.3
Stevens Creek Bl from Bascom Av to Tantau Av	21.3	17.2	17.2	0	0.0
Tasman Dr from Lick Mill Bl to McCarthy Bl	24.0	13.5	13.5	0	0.0
The Alameda from Alameda Wy to Delmas Av	19.7	14.1	13.7	-3	-0.5
W. San Carlos St from SR 87 to 2nd St	19.3	18.3	18.2	0	0.0

Source: City of San José 2017 General Plan Amendments: Long-Range Traffic Impact Analysis; Hexagon Transportation Consultants, Inc.; August 18, 2017.

Adjacent Jurisdictions. The current General Plan land use designations and proposed General Plan Amendment land use adjustments result in the same impacts to roadway segments within the same 14 adjacent jurisdictions identified in the Envision San José 2040 General Plan, as shown in Table 7. Therefore, the proposed General Plan Amendment land use adjustments would not result in further impact on roadways in adjacent jurisdictions than that identified for the current General Plan land uses in the adopted Envision San José 2040 General Plan EIR.

Table 7
AM 4-Hour Traffic Impacts in Adjacent Jurisdictions

City	Base Year (2015)			Existing General Plan			Existing General Plan Plus GPAs		
	Total Deficient Lane Miles (1)	Total Deficient Lane Miles Attributed to San José (2)	% of Deficient Lane Miles Attributed to San José	Total Deficient Lane Miles (1)	Total Deficient Lane Miles Attributed to San José (2)	% of Deficient Lane Miles Attributed to San José	Total Deficient Lane Miles (1)	Total Deficient Lane Miles Attributed to San José (2)	% of Deficient Lane Miles Attributed to San José
Campbell	0.14	0.14	100	0.86	0.86	**100**	0.86	0.86	**100**
Cupertino	3.76	2.96	79	1.01	0.79	**78**	1.01	0.79	**78**
Gilroy	0.00	0.00	0	1.13	1.13	**100**	1.13	1.13	**100**
Los Altos	1.21	0.25	21	1.63	0.25	**15**	1.24	0.25	**20**
Los Altos Hills	0.65	0.00	0	1.71	0.93	**54**	1.71	0.93	**54**
Los Gatos	0.70	0.70	100	1.02	1.02	**100**	0.82	0.82	**100**
Milpitas	1.08	0.87	81	10.56	10.56	**100**	10.8	10.8	**100**
Monte Sereno	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0
Morgan Hill	0.46	0.46	100	0.56	0.56	**100**	0.24	0.24	**100**
Mountain View	1.69	1.51	89	1.91	1.63	**85**	1.96	1.67	**85**
Palo Alto	0.64	0.16	25	2.81	0.16	6	2.81	0.16	6
Santa Clara	0.04	0.04	100	1.06	0.99	**93**	1.06	0.99	**93**
Saratoga	1.86	1.57	85	3.22	3.22	**100**	3.22	3.22	**100**
Sunnyvale	0.95	0.46	49	1.01	1.1	**100**	1.01	1.01	**100**
Caltrans Facilities	5,311	4,131	78	5,234	4,402	**84**	5,236	4,402	**84**
SC Co. Expressways	2.75	2.75	100	13.03	12.83	**98**	11.84	11.64	**98**

Notes:
(1) Total deficient lane miles are total lane miles of street segments with V/C ratios of 1.0 or greater.
(2) A deficient roadway segment is attributed to San José when trips from the City are 10% or more on the deficient segment.

Bold: Indicates Significant Impact

Source: City of San José 2017 General Plan Amendments: Long-Range Traffic Impact Analysis; Hexagon Transportation Consultants, Inc.; August 18, 2017.

Conclusion. Compared to the Envision San José 2040 General Plan, the 2017 General Plan Amendments Long-Range Traffic Analysis found that the General Plan Amendments: 1) would not result in an increase citywide daily VMT per service population; 2) would reduce the percentage of journey-to-work drive alone trips; and 3) would increase average vehicle speeds on the transit priority corridors consistent with the cumulative traffic threshold criteria established. Future development on each of the General Plan Amendment project sites will be required to evaluate near-term traffic for project-level CEQA clearance for each planning permit. This has been completed for the proposed project, as summarized earlier in this discussion.

c) **Same Impact as Approved Project (Less Than Significant)**. Future development would not result in any changes to air traffic patterns. See discussion in Section H. Hazards and Hazardous Materials regarding compliance with FAA review requirements.

d) **Same Impact as Approved Project (Less Than Significant)**. Future development is not expected to substantially increase hazards due to a design feature or incompatible uses since it does not propose any roadway modifications. Development in accordance with City design standards will ensure that hazards due to a design feature would be avoided.

e) **Same Impact as Approved Project (Less Than Significant)**. Future development would not result in inadequate emergency access since it will comply with all police and fire department codes and regulations.

f) **Same Impact as Approved Project (Less Than Significant)**. Future development is not expected to conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities

Transportation Chapter Conclusion

The DSAP FEIR indicated that buildout of the DSAP would not result in a significant impact to intersection operations or conflict with adopted policies or plans regarding public transit, bicycle, or pedestrian facilities. However, when compared to existing conditions, buildout of the DSAP would result in significant project and cumulative traffic impacts on several facilities (see discussion in above setting). Although General Plan policies, DSAP strategies, and planned BART improvements are intended to reduce traffic congestion and improve transit efficiency, these measures may not reduce the cumulative impact or the DSAP's contribution to a less-than-significant level. These impacts were deemed unavoidable and the City Council adopted a statement of overriding consideration for the impact.

Future development on the project site would not result in new or more significant impacts to transportation facilities than those identified in the DSAP FEIR.

Q. UTILITIES AND SERVICE SYSTEMS

Setting

Utilities and services are furnished to the project site by the following providers:

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

General Plan Policies

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

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

Envision San José 2040 Relevant Utilities and Service System Policies	
Policy IN-3.10	Incorporate appropriate stormwater treatment measures in development projects to achieve stormwater quality and quantity standards and objectives in compliance with the City's National Pollutant Discharge Elimination System (NPDES) permit.

Utility Impacts Analyzed in the DSAP FEIR

The DSAP FEIR found that future development would not result in a significant impact due to increased demand for water or the need for additional wastewater treatment facilities or solid waste services. The DSAP FEIR concluded that with implementation of General Plan policies and existing regulations, the combined increase in demand for utilities and service systems resulting from future development under the DSAP and planned development and improvements in the plan area would not result in a significant cumulative impact related to any utility or service systems.

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	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	Source(s)
17. UTILITIES AND SERVICE SYSTEMS. Would the project:						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X		1, 2
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction or which could cause significant environmental effects?				X		1, 2
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X		1, 2
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X		1, 2
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X		1, 2
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X		1, 2
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X		1, 2

Explanation

a) **Same Impact as Approved Project (Less Than Significant)**. Future development is not expected to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. Wastewater from the project site would be transported to the Regional Wastewater Facility (RWF) for treatment. The RWF is currently operating under a 120 million gallon per day dry weather effluent flow constraint. The project would not substantially increase wastewater from the site that could cause an exceedance of the RWQCB's treatment requirements for the RWF.

b) **Same Impact as Approved Project (Less Than Significant)**. Future development would incrementally increase water demands and wastewater generation. Besides the extension of service lines, future development is not expected to require the construction of new water or wastewater treatment facilities or expansion of existing facilities.

c) **Same Impact as Approved Project (Less Than Significant)**. Future development would be required to provide a drainage system to manage stormwater runoff. Implementation of local and regional regulations will minimize the amount of runoff entering the City's storm drainage system.

d) **Same Impact as Approved Project (Less Than Significant)**. See b) above. Sufficient water supplies are available to serve future development from existing entitlements and resources.

e) **Same Impact as Approved Project (Less Than Significant)**. The wastewater treatment provider has adequate capacity to serve incremental demand from future development on the site.

f), g) **Same Impact as Approved Project (Less Than Significant)**. Future development would be required to comply with all federal, state, and local statutes and regulations related to solid waste.

Utilities and Services Chapter Conclusion

The DSAP FEIR concluded that with implementation of General Plan policies and existing regulations, the combined increase in demand for utilities and service systems resulting from future development under the DSAP and planned development and improvements in the Plan area would not result in a significant cumulative impact related to any utility or service systems.

Future development on the project site would not result in new or more significant impacts on utilities than those identified in the DSAP FEIR.

R. MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL IMPACTS	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	Source(s)
18. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:						
a) Have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X		1, 2, 4, 5
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.				X		1, 2, 4
c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?				X		1, 2

Explanation

a) **Same Impact as Approved Project**. Based on the analysis provided in this addendum, future development allowed by the General Plan amendment would not substantially degrade or reduce wildlife species or habitat, or impact historic or other cultural resources with implementation of the DSAP Design Guidelines, General Plan policies, and other applicable regulations.

b) **Same Impact as Approved Project**. Based on the analysis provided in this addendum, future development would not significantly contribute to cumulative impacts that are not addressed and mitigated within the DSAP FEIR.

c) **Same Impact as Approved Project**. Based on the analysis provided in this addendum, future development would not result in environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly with implementation of the DSAP Design Guidelines, General Plan policies, and other applicable regulations.

SUMMARY OF CONCLUSIONS PER CEQA GUIDELINES SECTIONS 15162 AND 15164

The 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 which call for the preparation of a subsequent EIR have occurred." Circumstances that would warrant a subsequent EIR include substantial changes in the project or new information of substantial importance that 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.

As described in this addendum, future development under the proposed land use designation would not result in new or more significant environmental impacts than those identified in the DSAP FEIR. The project would not result in significant environmental effects or increase the severity of environmental impacts beyond those already identified in the FEIR. Since certification of the DSAP FEIR, conditions in the downtown area have not changed such that implementation of the project would result in new significant environmental effects or substantially increase the severity of environmental effects already identified in the FEIR. For these reasons, a supplemental or subsequent FEIR is not required and an addendum to the DSAP FEIR has been prepared for the proposed project.

In summary, no new information of substantial importance has been identified in regard to the project or the project site such that the proposed development would result in: 1) significant environmental effects not identified in the FEIR, or 2) more severe environmental effects than shown in the FEIR, or 3) require mitigation measures that were previously determined not to be feasible or mitigation measures that are considerably different from those recommended in the FEIR. This addendum will not be circulated for public review, but will be attached to the DSAP FEIR pursuant to CEQA Guidelines §15164(c).

Chapter 4. References

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