



### 3.1 Introduction

This Land Use Chapter describes how the Winchester Urban Village will accommodate the growth that is planned in the Envision San José 2040 General Plan. The Chapter introduces the land use designations that are applied within the Urban Village, describes the permitted land uses and intensities of each designation, and maps the location of each on a Land Use Diagram. A separate Height Diagram that depicts the maximum permitted building heights throughout the Urban Village is located in Chapter 5 (Urban Design). This Chapter also provides specific goals and policies related to land use that will transform the area into the thriving, mixed-use, walkable and livable place envisioned by the community.

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## 3.2 Planned Growth and Objectives

This Urban Village Plan provides for a commercial/employment square footage and a residential unit capacity based on the planned jobs and housing capacities established for the SRVF Urban Village by the Envision San José 2040 General Plan, and updated by the 2016 Four-Year Review of the General Plan's planned capacity for new jobs. Consistent with General Plan Policy IP-5.1, this Urban Village Land Use Plan identifies the locations and intensities of new development, which will accommodate the planned jobs and housing growth.

### 3.2-1 EMPLOYMENT GROWTH

The Winchester Boulevard Urban Village currently has about 712,600 square feet of existing commercial space (retail, professional office, restaurants, etc.). The planned job capacity for the Winchester Boulevard Urban Village is 2,000 jobs. This establishes the total amount of commercial and employment growth that is planned to be accommodated in the Winchester Boulevard Urban Village over the planning horizon (2040) and amounts to roughly 600,000 square feet of net new commercial space. The current approved commercial development for this Urban Village is 18,511 square feet, or approximately 67 jobs, based on the General Plan's assumption of one job for every 300 square feet.

### 3.2-2 HOUSING GROWTH

The planned housing capacity for the residential portion of the Winchester Boulevard Urban Village is 2,200 new units. There are currently about 3,648 existing dwelling units within the Village boundaries and an approved project that will add 424 new units. These 424 approved dwelling units pull from the 2,200 units of housing capacity, leaving a remainder of 1,776 units.

The overall residential unit capacity is the maximum residential growth planned for the Winchester Boulevard Urban Village in the Envision San José 2040 General Plan. In this Plan, the community recognizes the importance of providing new housing as a means of creating a more vibrant and active place; however, the Envision San José 2040 General Plan does not establish a residential unit objective, but rather a maximum number of housing units that is planned to be accommodated in this Village.

### 3.3 Land Use Plan Overview

This Urban Village Plan supports new mixed use development that is compatible and well integrated with the adjacent neighborhoods with ground floor commercial along Winchester Boulevard. This Urban Village Plan provides land uses that support higher intensity uses at either end of the Urban Village creating nodes of activity with lower intensity uses in between the nodes to connect the areas.

**The northern node** encourages higher intensity commercial/office development where there is convenient freeway access, and will complement the growing market for commercial office in and around Santana Row. It is anticipated that in the near future as new office development fills the available sites north of I-280, there will be interest in expanding office development south of I-280 into the Winchester Urban Village.

**A central node** at the corner of Williams Road and Winchester Boulevard is intended to provide medium intensity mixed-use, inviting public spaces with an emphasize on pedestrian activity, vibrant social life and public art.

**The southern node** around the corner of Payne Avenue and Winchester Boulevard encourages higher intensity mixed-use, walkable development, with ground floor commercial and residential uses above. New development should integrate a variety of outdoor plazas, public art, and parks where the community can meet, linger, and socialize.

To maintain a continuous commercial street wall, active ground floor uses or pedestrian-oriented design (as identified in Urban Design Chapter) are required along Winchester Boulevard.

### 3.3-1 LAND USE DESIGNATIONS

#### Neighborhood/Community Commercial

*FAR up to 3.5*

The Neighborhood/Community Commercial land use designation supports a broad range of commercial uses such as neighborhood-serving retail stores and services, commercial and professional offices and private community gathering facilities. New residential uses are not supported by this land use designation.

This designation is applied to smaller, shallow parcels fronting Winchester Boulevard and abutting single-family residences. Given the size of the parcels, parking requirements in the zoning code and the urban design step down policies, these properties are appropriate for the location of smaller commercial businesses. Neighborhood/Community Commercial uses should have a strong connection to, and provide services and amenities for, the community. These uses should be designed to promote this connection with an appropriate urban form that supports walking, transit use and public interaction. Also, this designation supports the neighborhood servicing retail and small businesses along Winchester Boulevard.

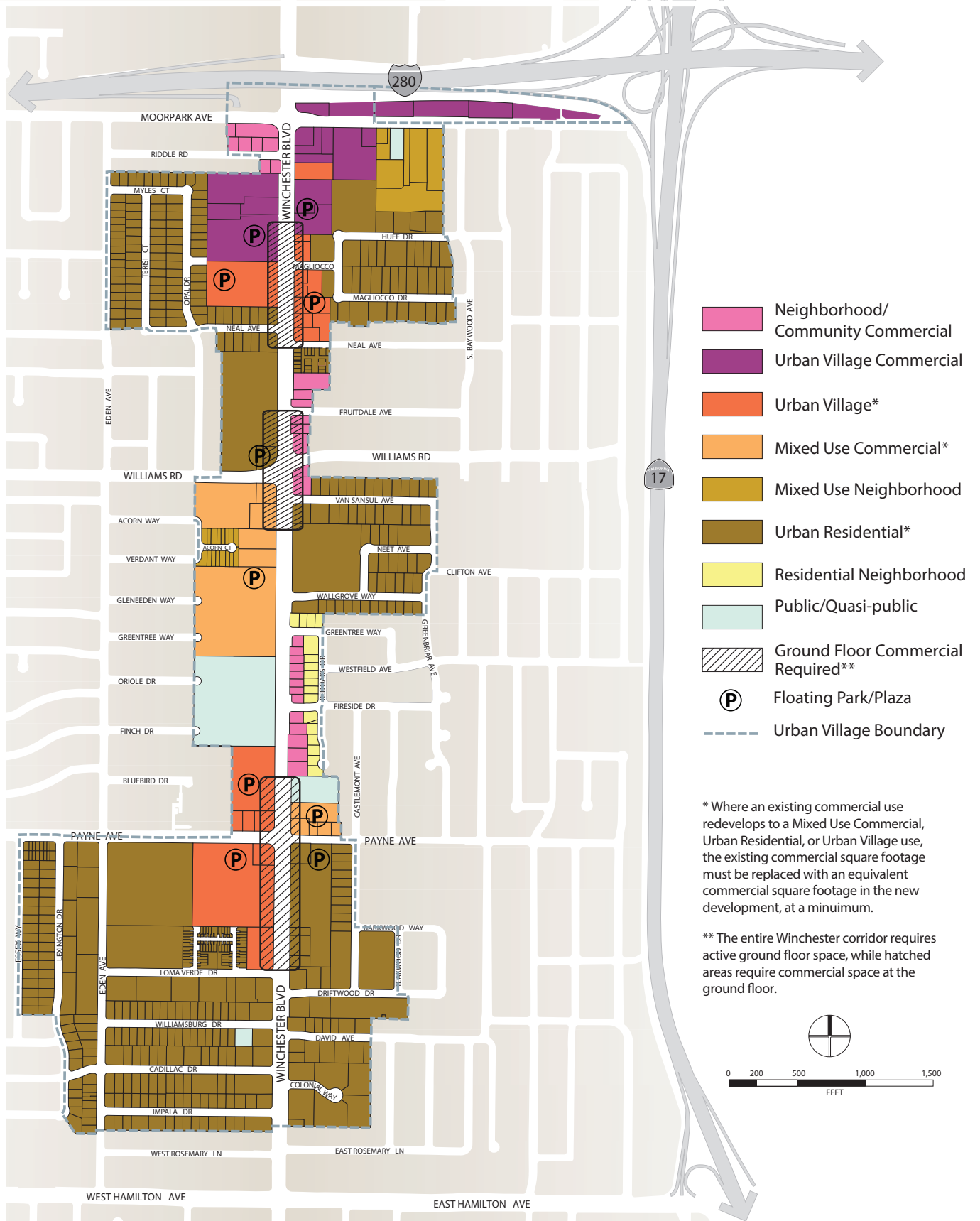
#### Urban Village Commercial

*FAR up to 8*

The Urban Village Commercial land use designation is applied to properties on Winchester Boulevard and Moorpark Avenue adjacent to, and on the south side of Interstate 280. This area was identified as an opportunity for new commercial development that could build off the success and vibrancy of the commercial development in the adjacent Santana Row/Valley Fair Urban Village. This designation supports commercial activity that is more intensive than that of the Neighborhood/Community Commercial land use designation. Appropriate uses in this designation include a variety of commercial uses, mid-rise office buildings and hotels, along with ground floor neighborhood serving commercial and retail uses. Lower intensity commercial land uses could be supported, but these uses are intended to be interim until there is a market that supports higher intensity uses. This Plan supports the aggregation of smaller parcels with this designation in order to form parcels ideal for larger, mid-rise development.

Development under this designation should be developed with an urban and pedestrian-oriented form with the presence of parking and automobile circulation minimized from the adjacent public right-of-way. This designation does not support drive-through use, stand-alone self-storage and big-box retail (except in a vertical mixed-use format).

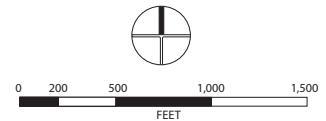
FIGURE 3-1: LAND USE MAP



- Neighborhood/Community Commercial
- Urban Village Commercial
- Urban Village\*
- Mixed Use Commercial\*
- Mixed Use Neighborhood
- Urban Residential\*
- Residential Neighborhood
- Public/Quasi-public
- Ground Floor Commercial Required\*\*
- P Floating Park/Plaza
- Urban Village Boundary

\* Where an existing commercial use redevelops to a Mixed Use Commercial, Urban Residential, or Urban Village use, the existing commercial square footage must be replaced with an equivalent commercial square footage in the new development, at a minimum.

\*\* The entire Winchester corridor requires active ground floor space, while hatched areas require commercial space at the ground floor.



## Urban Village

*65 to 250 DU/AC*

The Urban Village designation supports a wide range of commercial uses, including retail sales and services, professional and general offices, and institutional uses as stand-alone uses or in a mixed use format. This designation also allows residential uses in a mixed-use format. Residential and commercial mixed-use projects can be vertical mixed-use with residential above retail for example, or, where a larger site allows, they can be mixed horizontally, with commercial and residential uses built adjacent to each other, in one integrated development.

All new development under this designation must include ground-floor commercial uses along Winchester Boulevard. This Plan does not establish a maximum FAR for commercial or mixed residential/commercial development for properties designated Urban Village, but new developments should provide a commercial FAR based on the average commercial FAR of the entire Village at the time of a development proposal. This requirement is to meet the overall goal of the Urban Village job capacity. The intensity of new commercial development will effectively be limited by the maximum height limits established in this Plan and shown on the Height Diagram by transitional height and parking requirements established in the Zoning Ordinance.

## Mixed Use Commercial

*Commercial-Only Projects: FAR 0.25 to 4.5*

*Residential Mixed Use Projects: Commercial use FAR minimum 0.50; up to 50 DU/AC; up to 75 DU/AC for sites larger than 0.7 acres.*

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. This designation also allows development that only includes commercial uses. New mixed use commercial and residential development shall include commercial square footage at the equivalent of at least 0.50 FAR of the property. New commercial development could be developed at an FAR of up to 4.5. Multi-story development is envisioned. Appropriate commercial uses include neighborhood retail, mid-rise office, medium to small scale health care facilities, and medium scale private community gathering facilities. Projects that aggregate parcels and have a of minimum 0.7 acre site, can increase their residential density to 75 dwelling units per acre to take advantage of larger developments.

This land use designation is used on the parcels between Williams Road and south of Greentree Way of the west side of Winchester Boulevard and on the parcels on the Northeast corner of Payne Avenue and Winchester Boulevard.

## Mixed Use Neighborhood

*Overall FAR 0.25 to 2.0 (1 to 3.5 stories); Up to 30 DU/AC*

This designation is applied to areas intended for development primarily with either townhouse or small lot single-family residences and also to existing neighborhoods that were historically developed with a wide variety of housing types, including a mix of residential densities and forms. This designation supports commercial or mixed-use development integrated within the Mixed Use Neighborhood area. This designation is used to establish new neighborhoods with a cohesive urban form, to provide transition between higher-density and lower-density neighborhoods, or to facilitate new infill development within an existing area that does not have an established cohesive urban character.

It is appropriate to allow for infill development in Mixed Use Neighborhood areas that includes medium density residential uses such as townhouses or stacked flats and some opportunity for live/work, residential/commercial, or small stand-alone commercial uses. Hospitals and other health care facilities may potentially be located within Mixed Use Neighborhood areas provided that any potential land use impacts can be mitigated. The allowable density/intensity for mixed-use development will be determined using an allowable Floor Area Ratio (FAR) (0.25 to 2.0) rather than Dwelling Units per Acre (DU/ AC) to better address the urban form and to potentially allow fewer units per acre if in combination with other non-residential uses such as commercial or office.

## Urban Residential

*45-95 DU/AC*

This designation allows for medium density residential development and a fairly broad range of commercial uses, including retail, offices, and private community gathering facilities. This designation is used to identify portions of Urban Village areas where the density of new development should be limited to a medium intensity in order to provide for a gradual transition between surrounding low-density neighborhoods and other areas within the Urban Village suitable for greater intensification. Development in this designation would typically be residential, commercial or mixed uses over parking; however, this designation also allows commercial only development. All new development under this designation with frontage along Winchester Boulevard must include active ground floor uses along Winchester Boulevard.

## Residential Neighborhood

*Typ. 8 DU/AC (Must match existing neighborhood character); FAR up to 0.7*

The Residential Neighborhood land use designation is applied to a limited number of single-family detached residential properties located on the east side of Winchester Boulevard behind properties that front Winchester Boulevard. The intent of this designation is to preserve the existing character of these neighborhoods and to strictly limit new development to infill projects which closely conform to the prevailing existing neighborhood character as defined by density, lot size and shape, massing and neighborhood form and pattern. New infill development should improve and/ or enhance existing neighborhood conditions by completing the existing neighborhood pattern and bringing infill properties into general conformance with the quality and character of the surrounding neighborhood. New infill development should be integrated into the existing neighborhood pattern, continuing and, where applicable, extending or completing the existing street network. The average lot size, orientation, and form of new structures for any new infill development must therefore generally match the typical lot size and building form of any adjacent development, with particular emphasis given to maintaining consistency with other development that fronts onto a public street to be shared by the proposed new project.

## Public/Quasi-Public

*FAR N/A*

The Public/Quasi- Public category is used to designate public land uses, including schools, colleges, corporation yards, homeless shelters, libraries, fire stations, water treatment facilities, convention centers and auditoriums, museums, governmental offices and airports. Joint development projects which include public and private participation - such as a jointly administered public/private research institute or an integrated convention center/hotel/restaurant complex - are allowed. Private community gathering facilities, including those used for religious assembly or other comparable assembly activity, are also appropriate on lands with this designation. The appropriate intensity of development can vary considerably depending on potential impacts on surrounding uses and the particular Public/Quasi-Public use developed on the site.

## LAND USE DESIGNATION OVERLAY

### Floating “P” – Parks And Plazas

The Floating Parks and Plazas category is used to designate lands that can be publicly or privately-owned that are intended to be programmed for low intensity open space uses and are publicly accessible. This Plan envisions the development of a traditional public park on a larger development site



that could accommodate the space and envisions Plazas and pocket parks as solutions to provide more public space in the Winchester Urban Village on smaller development sites. Plazas will generally be spaces that are developed and maintained privately, but open to the public. Opportunities for the creation of these types of plazas will occur as properties within the Urban Village redevelop with higher intensity uses.

No specific sites have yet been identified for parks and plazas; therefore, the designation for the park or plaza will be indicated on the land use diagram with a circle border and the letter “P.” This symbol represents a “floating” designation and is only intended to indicate a general area within which a park or plaza site should be located. The specific size, exact location and configuration of such urban park or plaza sites will be finalized only through future development of particular parcels in the Village. Until such time that these properties are purchased by the City or privately developed as a publicly accessible urban park or plaza space, development is allowed consistent with the underlying land use designation shown on the land use diagram.

### 3.4 Land Use Policy Overview

A primary objective of the Winchester Boulevard Urban Village Plan is to retain the existing amount of commercial space within the Winchester Urban Village area and increase neighborhood-oriented commercial activity, employment opportunities, and housing options as the area develops.

This Plan does not establish specific objectives for the different types of commercial or employment uses, but these uses are largely envisioned to be a mix of retail shops, personal service uses (such as dry cleaners and salons), and professional and general offices. The Plan supports retail uses that are small or mid-sized in scale, and that serve the immediately surrounding neighborhoods, as well as the larger-format retail uses such as a grocery, serving the broader community. Large-format or “big box” retail uses are only allowed if they meet the urban design guidelines of the Urban Village and are pedestrian- and bike-friendly. This Plan encourages the integration of commercial tenant spaces within new development that is designed to accommodate small businesses.

Additionally, since the Winchester Boulevard Urban Village focuses on creating a rich and inviting pedestrian environment, new drive-through uses are not supported. While auto-oriented uses are not prohibited (such as auto repair, automobile sales and rentals, or sales of auto parts), these are considered interim uses to be replaced over time by more pedestrian- and transit-supportive uses.

New residential uses will also be instrumental in creating a vibrant and walkable place. This Plan supports medium to high density residential uses in areas identified in the land use diagram as Urban Residential, Mixed Use Neighborhood, Urban Village, and, to a lesser extent, Mixed-Use Commercial. The Winchester Boulevard Urban Village will be enlivened as more people live and shop along this corridor. To this end, the Plan encourages residential development to be built at densities higher than the existing typical pattern of development, while respecting the existing adjacent single-family neighborhoods.

Additional development specifications can be found in the following Land Use Goals and Policies as well as in Chapter 5: Urban Design.

### 3.4-1 VIBRANT COMMERCIAL CORRIDOR

**GOAL LU-1** Support new job-generating and area-regional serving commercial development in the Winchester Urban Village by increasing the Village's commercial building square footage by at least 85 percent, or about 600,000 square feet.

**GOAL LU-2** GOAL LU-2: The combined commercial FAR of all the parcels within the Urban Village boundary should not drop below 0.4 to meet the job capacity identified in this Urban Village.

#### Policies

**Policy 3-1:** New commercial development built at an FAR of less than 0.5 is considered interim until a market exists for higher intensity development.

**Policy 3-2:** To achieve the growth goals of this Plan, encourage new commercial development on parcels with an Urban Village Commercial land use designation to be built at a Floor Area Ratio (FAR) of 0.7 or greater.

**Policy 3-3:** Within the Mixed Use Commercial, Urban Residential, or Urban Village land use designations, existing commercial or industrial square footage shall be replaced with an equivalent commercial square footage in the new residential or residential mixed use development.

**Policy 3-4:** Support a variety of commercial space to accommodate the needs of small, medium, and large companies.

**Policy 3-5:** The City should work with local organizations including area corporations to support and retain small businesses in the Urban Village.

**Policy 3-6:** The City should continue to support and attract innovative leading-edge industries within this Urban Village.

- Policy 3-7:** Encourage the integration of commercial tenant spaces within new development that is designed to accommodate small businesses.
- Policy 3-8:** When a new development replace an existing development that includes small businesses, it is encouraged to dedicate new/flexible space for small businesses within the new development.
- Policy 3-9:** Ensure that proposals for redevelopment or significant intensification of existing land uses on a property conform to the Land Use Plan. Because the Land Use Plan identifies the City’s long-term planned land use for a property, non-conforming uses should transition to the planned use over the time. Allow improvements or minor expansion of existing, non-conforming land uses provided that such development will contribute to San José’s and this Plan’s employment growth goals or advance a significant number of other goals of this Plan.
- Policy 3-10:** For a period of up to 12 months following the adoption date of this Urban Village Plan, Planned Development Zoning and discretionary development permits that are applying under the “Signature Project” policy, as defined in the Envision San José 2040 General Plan may continue to move forward as such, and will not be required to be in conformance with this Urban Village Plan. All of the “Pipeline” applications benefiting from this policy must have been submitted to the City, including full payment of initial application fees, prior to adoption of this Urban Village Plan and their review must be completed within this same 12-month period.
- Policy 3-11:** Building and site improvements for existing interim commercial uses, including auto uses, that require discretionary approvals, shall be designed to improve the pedestrian environment by increasing landscaping adjacent to the sidewalk, installing large canopy street trees, improving the sidewalk consistent with the polices and guidelines of this Plan, providing public art, or providing a publicly accessible plaza or pocket park. Improvements should also include those that enhance the pedestrian connection or access between the sidewalk and the existing commercial use.
- Policy 3-12:** Residential mixed-use projects utilizing the residential pool must build the commercial and residential portions of the development concurrently.

**Policy 3-13:** Residential projects utilizing the Envision San Jose 2040 General Plan “Residential Pool” policy (Policy IP-2.11), which can allow residential mixed use projects prior to the opening of an urban village’s designated horizon, shall replace any existing commercial square footage on the development site or provide a minimum commercial FAR of 0.9, whichever is greater.

### 3.4-2 MIXED-USE URBAN VILLAGE

**GOAL LU-3** Create a mixed-use Urban Village that focuses commercial activity along Winchester Boulevard, is pedestrian focused, enhances the quality of life for residents in surrounding communities, and supports existing and planned public transit.

#### Policies

**Policy 3-14:** Encourage new development to include uses with a mix and intensity that supports transit ridership, walking, and biking.

**Policy 3-15:** New development along Winchester Boulevard should include ground floor commercial and/or active spaces such as lobbies fronting the street and wrapping the corner when located on a corner lot.

#### Action Item

- » When the entire commercial allocation for the Village is met, explore an Urban Village Plan update during the nearest Four-year review, and during the update, consider allowing residential in a mixed-use format on commercial-only land use designations within the Urban Village boundaries.

### 3.4-3 PEDESTRIAN- AND BICYCLE-FRIENDLY ENVIRONMENT

**GOAL LU-4** Foster a development pattern that supports the creation of a walkable dynamic environment and reduces motor vehicle travel by encouraging the use of alternative travel modes.

#### Policies

**Policy 3-16:** Prohibit drive-through uses in the Winchester Urban Village.

**Policy 3-17:** Prohibit self-storage and “big box” building formats in the Winchester Urban Village, except as a part of a vertical mixed use development that is pedestrian- and bicycle-

accessible and is otherwise consistent with the urban design polices of this Plan.

- Policy 3-18:** Motor vehicle uses, including auto repair, automobile sale and rental lots, and auto parts sales are allowed as interim uses. Ultimately this Plan intends that they be redeveloped with pedestrian and transit supportive uses over time.
- Policy 3-19:** Locate buildings that specifically serve individuals with disabilities or seniors near accessible pathways to transit and public services.
- Policy 3-20:** New development should support and enhance the pedestrian and bicycle environment and provide greater connectivity to the overall network.

### 3.4-4 DIVERSITY OF HOUSING

**GOAL LU-5** Support a range of housing types within the Winchester Urban Village and increase the supply of the Village’s residential units, consistent with the housing growth assigned by the Envision San José 2040 General Plan.

**GOAL LU-6** Integrate affordable housing within the Winchester Urban Village by allocating 25% of the total new residential units to be affordable.

#### Policies

- Policy 3-21:** Encourage the integration of deed restricted affordable units within housing development. A goal, and not a requirement of individual projects, is to deed restrict 25% or more of the new units as affordable housing, with 15% of the units targeting households with income below 30% of Area Median Income.
- Policy 3-22:** Facilitate opportunities to incorporate innovative design and program features into affordable housing development, such as neighborhood hubs, community gardens, car-sharing, and bike facilities to increase access to health and transportation resources.
- Policy 3-23:** Encourage the development of micro-units or affordable by design units for new residential or mixed-use development within the Urban Village.
- Policy 3-24:** Facilitate housing that is affordable to those employed in population-serving business in the Urban Village area.

### Action Item

- » The City should aggressively pursue incentives for developers to include onsite affordable housing for new projects.

## 3.4-5 PLACEMAKING AND OPEN SPACE

**GOAL LU-7** New development should increase the total area of public space that serves existing and new residents.

### Policies

**Policy 3-25:** Larger developments, especially mixed-use residential projects, should incorporate publicly accessible space such as plazas and pocket parks. Such spaces should be privately owned and maintained.

**Policy 3-26:** Consider allowing the reduction of required private open space in residential development when publicly accessible open space is significantly increased, well designed, and usable.

**Policy 3-27:** Ensure that new development provides convenient, walkable pedestrian connections through the site and to existing and planned open spaces.