

Initial Study

2700 Booksin Avenue General Plan Amendment

File Number: GP16-012

Prepared by



In consultation with



September 2017

**PUBLIC NOTICE
INTENT TO ADOPT
A NEGATIVE DECLARATION
CITY OF SAN JOSÉ, CALIFORNIA**

Project Name: 2700 Booksin Ave.

File No.: GP16-012

Description:

The project proposes a General Plan Amendment from *Public/Quasi-Public (PQP)* to *Residential Neighborhood (RN)* on an approximately 1.65-acre site.

Location: 2700 Booksin Avenue.

Assessor's Parcel No.: 446-33-040

Council District: 9

Applicant Contact Information: SummerHill Homes, 3000 Executive Pkwy, Suite 450
San Ramon, CA 94583, (925) 244-7500.

The City has performed environmental review on the project. Environmental review examines the nature and extent of any adverse effects on the environment that could occur if a project is approved and implemented. Based on the review, the City has prepared a draft Negative Declaration (ND) for this project. An ND is a statement by the City that the project will not have a significant effect on the environment.

The public is welcome to review and comment on the draft Negative Declaration. The public comment period for this draft Negative Declaration begins on **Friday September 29, 2017**.

The draft Negative Declaration, initial study, and reference documents are available online at: <http://www.sanjoseca.gov/index.aspx?nid=2165> . The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street.

For additional information, please contact Dipa Chundur at (408) 535-7688, or by e-mail at dipa.chundur@sanjoseca.gov

Rosalynn Hughey, Interim Director
Planning, Building and Code Enforcement

9/21/17

Date



Deputy

Circulation period: Friday September 29, 2017 to Wednesday October 18, 2017

NEGATIVE DECLARATION

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: 2700 Booksin Avenue

PROJECT FILE NUMBER: GP16-012

PROJECT DESCRIPTION: The project proposes a General Plan Amendment from *Public/Quasi-Public* (PQP) to *Residential Neighborhood* (RN) on an approximately 1.65-acre site.

PROJECT LOCATION: 2700 Booksin Avenue.

ASSESSORS PARCEL NO.: 446-33-040

COUNCIL DISTRICT: 9

APPLICANT CONTACT INFORMATION: SummerHill Homes, 3000 Executive Pkwy, Suite 450
San Ramon, CA 94583, (925) 244-7500.

FINDING: The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies no significant effects on the environment.

NO MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

- A. **AESTHETICS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- B. **AGRICULTURE AND FOREST RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- C. **AIR QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- D. **BIOLOGICAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- E. **CULTURAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- F. **GEOLOGY AND SOILS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- G. **GREENHOUSE GAS EMISSIONS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- H. **HAZARDS AND HAZARDOUS MATERIALS** – The project will not have a significant impact on

this resource, therefore no mitigation is required.

- I. **HYDROLOGY AND WATER QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- J. **LAND USE AND PLANNING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- K. **MINERAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- L. **NOISE** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- M. **POPULATION AND HOUSING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- N. **PUBLIC SERVICES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- O. **RECREATION** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- P. **TRANSPORTATION / TRAFFIC** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- Q. **UTILITIES AND SERVICE SYSTEMS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- R. **MANDATORY FINDINGS OF SIGNIFICANCE** – The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings, therefore no mitigation is required.


PUBLIC REVIEW PERIOD

Before 5:00 p.m. on **Wednesday October 18, 2017** any person may:

- 1. Review the Draft Negative Declaration (ND) as an informational document only; or
- 2. Submit written comments regarding the information and analysis in the Draft ND. Before the ND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft ND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final ND.

Rosalynn Hughey, Interim Director
Planning, Building and Code Enforcement

9/21/17
Date


Deputy

Circulation period: Friday September 29, 2017 to Wednesday October 18, 2017

TABLE OF CONTENTS

Section 1.0	Introduction and Purpose	1
Section 2.0	Project Information	2
Section 3.0	Project Description.....	7
Section 4.0	Environmental Setting, Checklist, and Impact Discussion	10
4.1	Aesthetics.....	12
4.2	Agricultural and Forestry Resources	20
4.3	Air Quality	22
4.4	Biological Resources	28
4.5	Cultural Resources.....	35
4.6	Geology and Soils.....	40
4.7	Greenhouse Gas Emissions.....	45
4.8	Hazards and Hazardous Materials	50
4.9	Hydrology and Water Quality	57
4.10	Land Use and Planning	65
4.11	Mineral Resources	69
4.12	Noise and Vibration.....	70
4.13	Population and Housing.....	75
4.14	Public Services	77
4.15	Recreation	82
4.16	Transportation/Traffic.....	84
4.17	Utilities and Service Systems	89
4.18	Mandatory Findings of Significance	95
Section 5.0	References.....	104
Section 6.0	Lead Agency and Consultants.....	108

TABLE OF CONTENTS

Figures

Figure 2.4-1: Regional Map	3
Figure 2.4-2: Vicinity Map	4
Figure 2.4-3: Aerial Photograph and Surrounding Land Uses.....	5
Figure 2.6-1: Regional Map	6

Tables

Table 3.2-1: Land Uses Surrounding the Project Site.....	7
Table 4.3-1: Criteria Air Pollutants and Precursors Screening Level Size	26
Table 4.4-1: Tree Replacement Ratios.....	33
Table 4.10-1: Land Uses Surrounding the Project Site.....	66
Table 4.12-1: Land Use Compatibility Guidelines for Noise in San José	71
Table 4.18-1: 2017 General Plan Amendments – Existing and Proposed Land Use.....	97
Table 4.18-2: MOE Significance Thresholds	98
Table 4.18-3: Daily VMT Per Service Population.....	99
Table 4.18-4: Journey-to-Work Mode Share Percentages	99
Table 4.18-5: AM Peak-Hour Vehicle Speeds (mph) in Transit Priority Corridors	100
Table 4.18-6: AM Four-Hour Traffic Impacts in Adjacent Jurisdictions	101

Appendices

- Appendix A: Preliminary Arborist Report
- Appendix B: Phase I Environmental Site Assessment
- Appendix C: Long-Range Traffic Impact Analysis

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

This Initial Study has been prepared by the City of San José as the Lead Agency, in conformance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (Title 14, California Code of Regulations §15000 *et seq*), and the regulations and policies of the City of San José. The purpose of this Initial Study is to inform decision makers and the general public of the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

The City of San José is the Lead Agency under CEQA and has prepared this Initial Study to evaluate the environmental impacts that might reasonably be anticipated to result from a proposed General Plan Amendment from *Public/Quasi-Public* to *Residential Neighborhood* for a 1.65-acre site located at 2700 Booksin Avenue.

This Initial Study and all documents referenced in it are available for public review in the Department of Planning, Building and Code Enforcement at San José City Hall, 200 E. Santa Clara Street, 3rd floor, during normal business hours.

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

2700 Booksin Avenue General Plan Amendment (GP16-012)

2.2 LEAD AGENCY CONTACT

City of San José
Department of Planning, Building and Code Enforcement
Dipa Chundur, Environmental Planner
200 East Santa Clara Street
San José, CA 95113
Email: dipa.chundur@sanjoséca.gov
Phone: 408-535-7688

2.3 PROJECT APPLICANT

SummerHill Homes, Layne Jensen
3000 Executive Pkwy, Suite 450
San Ramon, CA 94583

2.4 PROJECT LOCATION

The project site is located at 2700 Booksin Avenue in San José, California. The project site and its relationship to the general area are shown in Figure 2.4-1: Regional Map, Figure 2.4-2: Vicinity Map, and Figure 2.4-3: Aerial Photograph and Surrounding Uses.

2.5 ASSESSOR'S PARCEL NUMBER

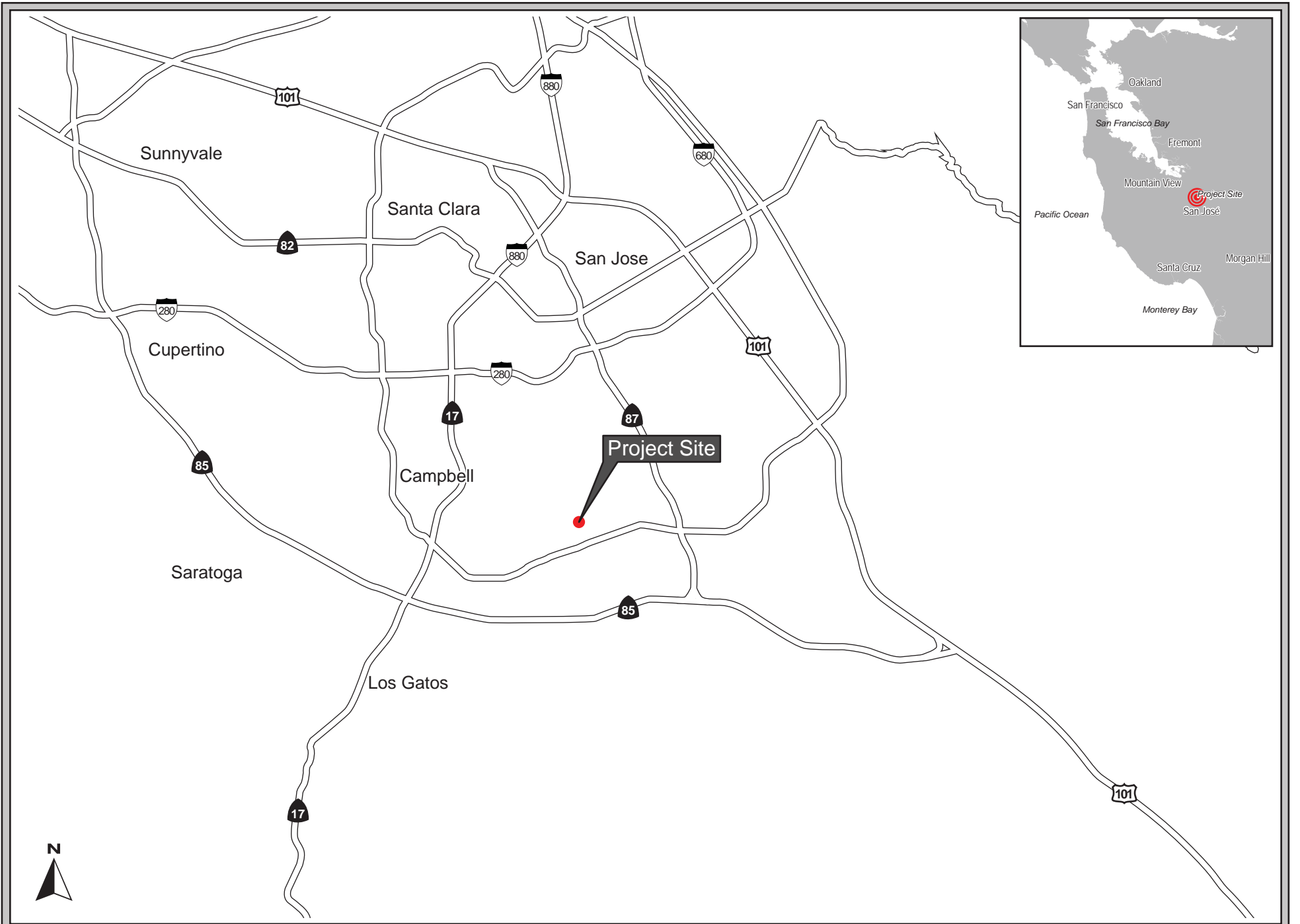
The project includes a portion of Assessor's Parcel Number (APN) 446-33-040

2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

Zoning District: R-1-8 (PD) Planned Development Zoning
Current General Plan Designation: District *Public/Quasi-Public* (see Figure 2.6-1)
Proposed General Plan Designation: *Residential Neighborhood*

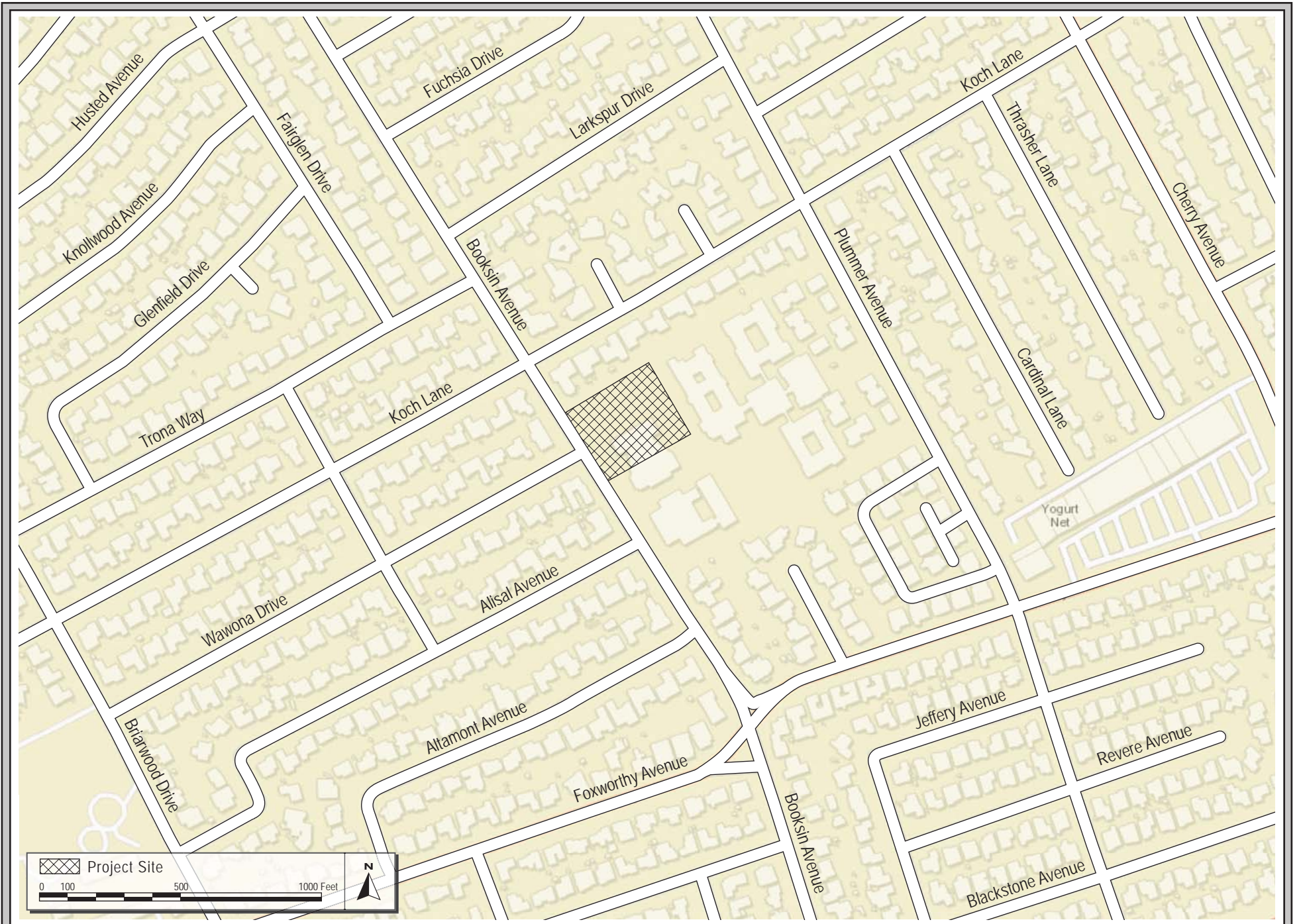
2.7 HABITAT PLAN DESIGNATIONS

Land Cover Designation: Urban-Suburban
Development Zone: Development Covered Equal to or Greater than Two Acres
Fee Zone: Urban Areas (No Land Cover Fee)
Wildlife Survey Area: Not Applicable



REGIONAL MAP

FIGURE 2.4-1



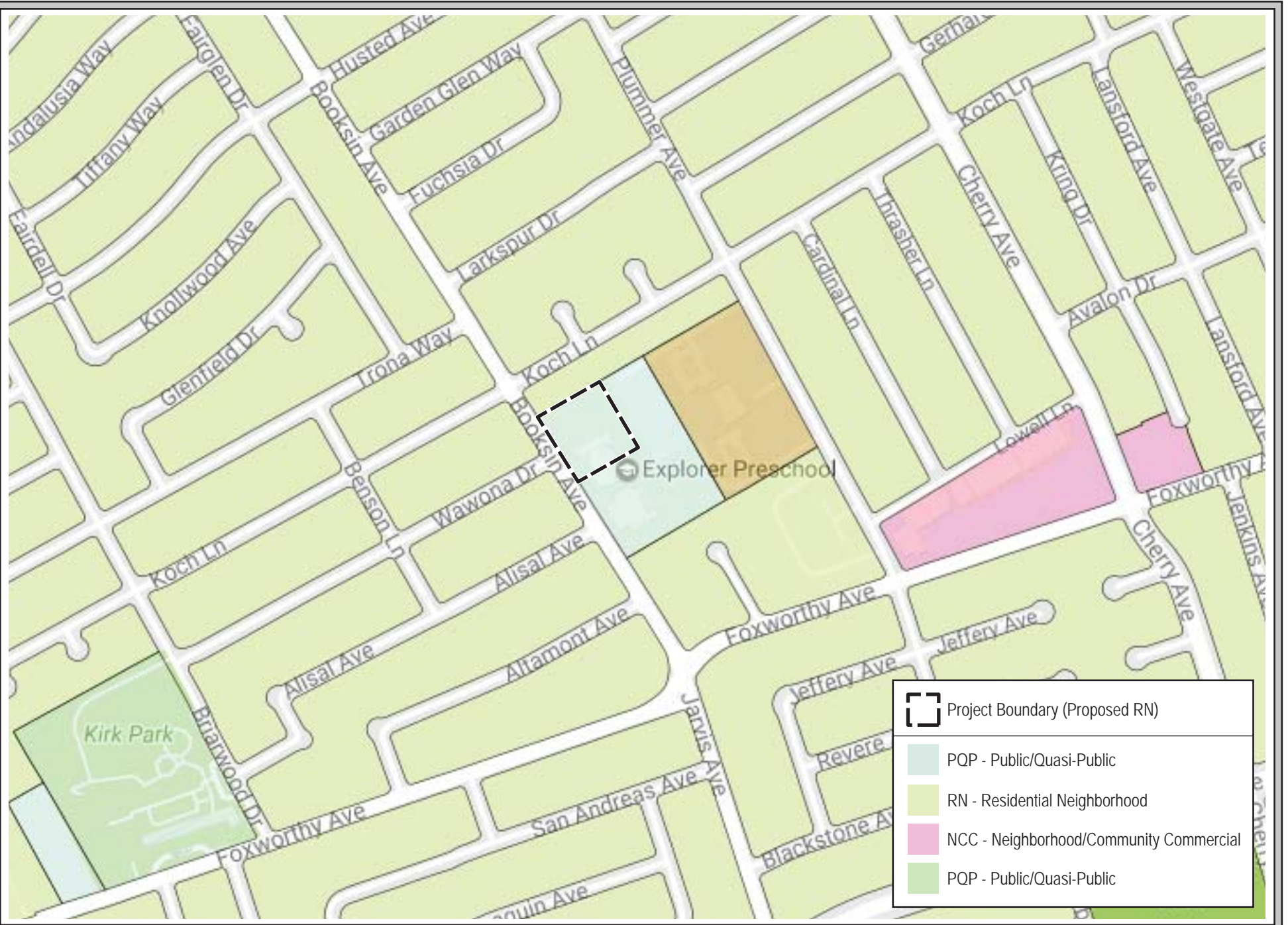
VICINITY MAP

FIGURE 2.4-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.4-3



CURRENT GENERAL PLAN DESIGNATIONS

FIGURE 2.6-1

SECTION 3.0 PROJECT DESCRIPTION

The approximately 1.65-acre project site is a portion of APN 446-33-040, located at 2700 Booksin Avenue in San José, California, and is designated Public/Quasi-Public on the *Envision San José 2040 General Plan* (General Plan) Land Use Transportation diagram. The project proposes a General Plan Amendment from *Public/Quasi-Public* (PQP) to *Residential Neighborhood* (RN). A rezoning of site is not currently proposed at this time, nor is a specific development project proposed. Future development under the *Residential Neighborhood* General Plan land use designation would require issuance of appropriate land development permits.

The existing site, surrounding uses, and existing and proposed General Plan designations are described below.

3.1 EXISTING USES AT THE SITE

The project site is currently occupied by an approximately 100-space parking lot and a portion of a church building associated with the Lincoln Glen Church. The site is accessed via two driveways on Booksin Avenue. There is ornamental vegetation and approximately 30 trees surrounding the parking lot and building.

The entire project site is designated *Public/Quasi-Public* in the *Envision San José 2040 General Plan* (General Plan). This land use designation does not have a specific allowed height or floor area ratio (FAR)¹. The project site is zoned *R-1-8 (PD) Planned Development Zoning District* to allow the church use, classrooms, and convalescent facility.

3.2 SURROUNDING USES

The project is located in a developed suburban area of San José. A variety of church-related and residential uses surround the project site, as described in Table 3.2-1.

Direction	General Plan Designation	Zoning District	Existing Use
North	Residential Neighborhood	R-1-8	Single family residences
South	Public/Quasi-Public	R-1-8(PD)	Church facilities
East	Mixed Use Neighborhood	A(PD)	Convalescent facility
West	Residential Neighborhood	R-1-8	Single family residences

3.3 CURRENT GENERAL PLAN DESIGNATION

The 1.65-acre project site is designated *Public/Quasi-Public* in the General Plan. As stated previously, this designation does not have a specific allowed height or FAR. The General Plan states the following for the *Public/Quasi-Public* land use designation:

¹ The FAR of a building is the total square footage of that building divided by the total square footage of the lot on which the building is located.

This 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. This category is also used to designate lands used by some private entities, including private schools, daycare centers, hospitals, public utilities, and the facilities of any organization involved in the provision of public services such as gas, water, electricity, and telecommunications facilities that are consistent in character with established public land uses. 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.

The existing uses at the site would be considered to be consistent with this General Plan land use designation.

3.4 PROPOSED GENERAL PLAN DESIGNATION

The project proposes a General Plan Amendment to change the designation on 1.65 acres to *Residential Neighborhood*. This designation allows a maximum of eight dwelling units per acre (DU/AC); and a FAR of up to 0.7 (1 to 2.5 stories). Additionally, the *Residential Neighborhood* designation is described as follows in the General Plan (only relevant excerpts from the General Plan are provided below):

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.

Existing development within this designation will typically have a density of approximately 8 DU/AC, but in some cases this designation may be applied to areas already developed at slightly higher or slightly lower densities. New infill development should conform to the Envision General Plan design guidelines for Residential Neighborhoods and be limited to a density of 8 DU/AC or the prevailing neighborhood density, whichever is lower. For example, on a site bordered by development with a prevailing average density of 5 DU/AC, new development should include the number of units that would most closely match this density. An alternative density may be appropriate if it would result in an infill development that matches existing development along the same street from which the new houses take direct access.

Private Community Gathering Facilities compatible with the surrounding residential neighborhood are also supported under this land use designation.

The church building, located on the southern portion of the project site, would be consistent with this designation as a Community Gathering Facility (i.e., a building used for religious activities). Any future development proposed at the site would need to comply with the allowed land uses and stated goals for the *Residential Neighborhood* designation.

3.5 DEVELOPMENT ASSUMPTIONS FOR ENVIRONMENTAL REVIEW

Development on properties with the Residential Neighborhood land use designation typically allows up to eight DU/AC; however, new infill development should be integrated into the existing neighborhood pattern, and closely conform to the prevailing existing neighborhood character as defined by density, lot size and shape, massing and neighborhood form and pattern. The surrounding neighborhood has an average density of five DU/AC. In order to evaluate an appropriate development potential for the proposed General Plan Amendment to *Residential Neighborhood*, a unit count of five DU/AC was assumed. For the purposes of this analysis, it is assumed that a maximum buildout of eight residential units would be developed on the site under the proposed *Residential Neighborhood* designation. It should be noted that a specific development is not proposed for the project site at this time.

SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.10	Land Use and Planning
4.2	Agricultural and Forestry Resources	4.11	Mineral Resources
4.3	Air Quality	4.12	Noise and Vibration
4.4	Biological Resources	4.13	Population and Housing
4.5	Cultural Resources	4.14	Public Services
4.6	Geology and Soils	4.15	Recreation
4.7	Greenhouse Gas Emissions	4.16	Transportation/Traffic
4.8	Hazards and Hazardous Materials	4.17	Utilities and Service Systems
4.9	Hydrology and Water Quality	4.18	Mandatory Findings of Significance

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Checklist and Discussion of Impacts** – This subsection includes a checklist for determining potential impacts and discusses the project’s environmental impact as it relates to the checklist questions. For significant impacts, feasible mitigation measures are identified. “Mitigation measures” are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered using an alphanumeric system that identifies the environmental issue. For example, **Impact HAZ-1** denotes the first potentially significant impact discussed in the Hazards and Hazardous Materials section. Mitigation measures are also numbered to correspond to the impact they address. For example, **MM NOI-2.3** refers to the third mitigation measure for the second impact in the Noise section.
- **Conclusion** – This subsection provides a summary of the project’s impacts on the resource.

Important Note to the Reader

The California Supreme Court in a December 2015 opinion (*California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 [No. S 213478]) confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on impacts of the project on the environment, including whether a project may exacerbate existing environmental hazards.

The City of San José currently has policies that address existing conditions (e.g., air quality, noise, and hazards) affecting a proposed project, which are also addressed in this section. This is consistent with one of the primary objectives of CEQA and this document, which is to provide objective information to decision-makers and the public regarding a project as a whole. The CEQA Guidelines and the courts are clear that a CEQA document (e.g., EIR or Initial Study) can include information of interest even if such information is not an “environmental impact” as defined by CEQA.

Therefore, where applicable, in addition to describing the impacts of the project on the environment, this chapter will discuss effects on the project related to City policies pertaining to existing conditions. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, in a geologic hazard zone, in a high noise environment, or on/adjacent to sites involving hazardous substances.

4.1 AESTHETICS
4.1.1 Environmental Setting
4.1.1.1 *Regulatory Framework*

State

Scenic Highways Program

The California Scenic Highway Program is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. State laws governing the Scenic Highway Program are found in the Streets and Highway Code, Sections 260 through 263. There are no state-designated scenic highways in San José. SR 280 from the San Mateo County line to SR17, which includes segments in San José, is an eligible, but not officially designated, State Scenic Highway.

City of San José

Scenic Corridors

The General Plan defines scenic vistas in the City of San José as views of and from the Santa Clara Valley, surrounding hillsides, and urban skyline. Scenic urban corridors, such as segments of major highways that provide gateways into the City, can also be defined as scenic resources by the City. The City of San José has many General Plan-designated scenic resources and routes. The designation of a scenic route applies to routes affording especially aesthetically pleasing views. There are no designated Scenic Corridors in the project area.

Outdoor Lighting Policy

The City of San José’s Outdoor Lighting Policy (City Council Policy 4-3) promotes energy efficient outdoor lighting on private development to provide adequate light for nighttime activities while benefiting the continued enjoyment of the night sky and continuing operation of the Lick Observatory by reducing light pollution and sky glow.

General Plan Policies

Various policies in the General Plan have been adopted for the purpose of avoiding or mitigating visual and aesthetic impacts resulting from development within the City. Future development allowed under the proposed *Residential Neighborhood* land use designation would be subject to the following visual and aesthetic policies from the City’s General Plan.

Policy	Description
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	Description
CD-1.8	Create an attractive street presence with pedestrian-scaled building and landscaping elements that provide an engaging, safe, and diverse walking environment. Encourage compact, urban design, including use of smaller building footprints, to promote pedestrian activity throughout the City.
CD-1.12	Use building design to reflect both the unique character of a specific site and the context of surrounding development and to support pedestrian movement throughout the building site by providing convenient means of entry from public streets and transit facilities where applicable, and by designing ground level building frontages to create an attractive pedestrian environment along building frontages. Unless it is appropriate to the site and context, franchise-style architecture is strongly discouraged.
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.
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.
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.

In addition to these General Plan policies, future development on the project site allowed under the proposed land use designation would be required to comply with the City’s Residential Design Guidelines, as applicable.

4.1.1.2 Existing Conditions

Project Site

The 1.65-acre, relatively flat project site is a portion of one parcel located along Booksin Avenue in San José. Approximately two-thirds of the project site is occupied by an at-grade parking lot with associated lighting and landscaping. Approximately one-third of the site is occupied by a portion of a building utilized by the Lincoln Glen Church. These uses are shown in Photographs 1 through 4. There is a five-foot-wide sidewalk with young street trees in front of the project site, with additional mature trees on the subject property itself. These trees, as well as additional landscaping, obscure the parking lot and portions of the two-story-tall, white stucco church structure from public views along Booksin Avenue.

Surrounding Area

As shown previously in Table 3.2-1, the project site is surrounded by single-family residential homes to the north and west, church facilities to the south and a convalescent facility to the east. The single-family residences are primarily one-story with uniform front-yard setbacks. The street-tree pattern is varied and inconsistent. Views are dominated by the wide streets typical of this suburban area.



Photograph 1: The project frontage and right-of-way along Booksin Avenue, facing south



Photograph 2: View into the parking lot at 2700 Booksin with the existing convalescent facility to the east in the background, facing east



Photograph 3: Front of the church structure, a portion of which is located on the project site, facing northeast



Photograph 4: Portion of the existing church building located on the project site, facing east



Photograph 5: Adjacent single-story, single-family residences to the west of the project site, facing northwest



Photograph 6: Adjacent church structure (classrooms, community rooms, offices) to the south of the project site, facing southeast



Photograph 7: Single-family residence located immediately north of the project site, facing east



Photograph 8: View down Wawona Drive to the west of the project site, facing west

The surrounding buildings are shown in Photographs 4 through 6, and are composed of a mix of exterior materials and colors. There is a dominant pattern of attached garages with garage doors at the front of the homes. The adjacent church and convalescent facility uses are housed within one and two-story structures that have a mid-century modern architectural feel with stone cladding and white or beige stuccoed exteriors.

4.1.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
d) Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2

4.1.2.1 *Scenic Vistas (Question a)*

The project is located within a developed suburban area, and there are no designated scenic vistas that would be impacted by the future redevelopment of the site under the proposed land use designation. **(No Impact)**

4.1.2.2 *Scenic Resources (Question b)*

The project site is not located along a state scenic highway and no scenic resources such as heritage trees, rock outcroppings, or historic buildings are present on the site. **(No Impact)**

4.1.2.3 *Visual Character (Question c)*

The project site is entirely developed with a paved parking lot, existing church building, and associated landscaping. Future redevelopment of the site under the proposed *Residential Neighborhood* General Plan designation would alter the existing visual character of the site and its surroundings by replacing the existing development on the site with new residences up to 2.5 stories tall. Since the project site is surrounded by single-family residential development, as well as church and convalescent facility structures, the future residential development would be generally compatible with the visual character of the surroundings because it would consist of the single-family residential use, consistent with the dominant land use in the vicinity.

Future redevelopment of the site under the proposed *Residential Neighborhood* General Plan designation would be reviewed in accordance with the City's Residential Design Guidelines and the City's Outdoor Lighting Policy (Council Policy 4-3). This would be completed during the Planning Permit stage as part of the City's planning review process. For this reason and those stated above, the future redevelopment of the site under the proposed land use designation would not substantially degrade the existing visual character of the site or its surroundings. **(Less Than Significant Impact)**

4.1.2.4 ***Light and Glare (Question d)***

The project site is located in an area developed with one and two-story residential and church-related structures and uses. The majority of the site itself, however, is a paved parking lot with pole lighting. Future redevelopment of the site under the proposed *Residential Neighborhood* General Plan designation could increase the amount of nighttime lighting on the project site if a significant amount of exterior lighting were proposed. As described previously, future redevelopment would be required to conform to the City's Residential Design Guidelines and to the standards of the City's Outdoor Lighting Policy. The City's planning review processes will ensure compatibility of the lighting and building materials of any future development on the site with the surrounding uses. For these reasons, future redevelopment of the site under the proposed *Residential Neighborhood* land use designation would not create a source of substantial light or glare that would affect views in the area. **(Less Than Significant Impact)**

4.1.3 **Conclusion**

Conformance with existing General Plan policies, Residential Design Guidelines, and City Council policy will ensure that future redevelopment of the project site under the proposed *Residential Neighborhood* General Plan designation would not result in a significant aesthetics impact. **(Less Than Significant Impact)**

4.2 AGRICULTURAL AND FORESTRY RESOURCES

4.2.1 Environmental Setting

4.2.1.1 *Regulatory Framework*

California Department of Conservation’s Division of Land Resource Protection generates maps depicting Important Farmlands, which are categorized according to specific criteria, including soil quality and irrigation conditions. The California Department of Conservation manages the Farmland Mapping and Monitoring Program to assess and record how suitable a particular tract of land is for agricultural purposes. In each county, the land is analyzed for soil and irrigation quality and the highest quality land is designated as Prime Farmland.

4.2.1.2 *Existing Conditions*

Agricultural Resources

The project site is not designated as farmland nor is it under a Williamson Act Contract. According to the *Santa Clara County Important Farmland 2014* map and the *Santa Clara County Williamson Act FY 2013/2014* map, the project site is designated as Urban and Built-Up Land, meaning that the land contains a building density of at least six units per 10-acre parcel or is used for industrial or commercial purposes, golf courses, landfills, airports, or other utilities.

Forestry Resources

The project site does not contain forest land and no forest or timberland is located in the vicinity of the project.

4.2.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,4,5,6
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
d) Result in a loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,4

4.2.2.1 *Farmland Conversion (Question a)*

The project site is not designated, zoned, or used for agricultural purposes. The project site is not under a Williamson Act contract. For these reasons, future redevelopment of the site under the proposed General Plan land use designation would not result in impacts to agricultural resources. **(No Impact)**

4.2.2.2 *Williamson Act Contract Conflict (Question b)*

The project site is not under a Williamson Act contract; therefore, there would be no impact as a result of a conflict with the contract. **(No Impact)**

4.2.2.3 *Forestland Conflict or Conversion (Questions c and d)*

The project site does not contain forest land, there are no forest lands in the vicinity, and the site is not zoned for forest-related uses. For this reason, there would be no use conflict or conversion of forest lands as a result of the project. **(No Impact)**

4.2.2.4 *Other Changes Resulting Forest or Agricultural Changes (Question e)*

The project site is surrounded by urban development and there is no land zoned for forestry-related uses within the City of San José. Therefore, the proposed General Plan Amendment or any future development at project site would not result in the conversion of agricultural or forest lands to other uses. **(No Impact)**

4.2.3 Conclusion

The project would not result in any impacts to agricultural or forest lands. **(No Impact)**

4.3 AIR QUALITY

4.3.1 Environmental Setting

4.3.1.1 *Regulatory Framework*

Federal, state, and regional agencies regulate air quality in the San Francisco Bay Area Air Basin, within which the proposed project is located. At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Federal Clean Air Act and its subsequent amendments. The California Air Resources Board (CARB) is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act.

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area Air Basin. BAAQMD has permit authority over stationary sources, acts as the primary reviewing agency for environmental documents, and develops regulations that must be consistent with or more stringent than, federal and state air quality laws and regulations. For all proposed projects, BAAQMD recommends implementation of the updated Basic Construction Mitigation Measures whether or not construction-related emissions exceed applicable thresholds.

Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state air quality standards would be met. BAAQMD's most recent adopted plan is the 2017 Bay Area Clean Air Plan (2017 CAP), which was approved on April 17, 2017. The 2017 CAP aims to lead the region to a post-carbon economy, to continue progress toward attaining state and federal air quality standards, and to eliminate health risk disparities from exposure to air pollution among Bay Area communities.

Envision San José 2040 General Plan

Various policies in the General Plan have been adopted for the purpose of avoiding or mitigating air quality impacts from development projects. All future development under the proposed land use designation would be subject to the air quality policies listed in the General Plan, including the following:

Policy	Description
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.
MS-10.2	Consider the cumulative air quality impacts from proposed developments for proposed land use designation changes and new development, consistent with the region's Clean Air Plan and state law.
MS-11.1	Require completion of air quality modeling for sensitive land uses such as new residential developments that are located near sources of pollution such as freeways and industrial uses. Require new residential development projects and projects categorized as sensitive receptors to incorporate effective mitigation into project designs or be located an adequate distance from sources of toxic air contaminants (TACs) to avoid significant risks to health and safety.
MS-11.2	For projects that emit toxic air contaminants, require project proponents to prepare health risk assessments in accordance with BAAQMD-recommended procedures as part of environmental

review and employ effective mitigation to reduce possible health risks to a less than significant level. Alternatively, require new projects (such as, but not limited to, industrial, manufacturing, and processing facilities) that are sources of TACs to be located an adequate distance from residential areas and other sensitive receptors.

- MS-11.5 Encourage the use of pollution absorbing trees and vegetation in buffer areas between substantial sources of TACs and sensitive land uses.
- MS-13.1 Include dust, particulate matter, and construction equipment exhaust control measures as conditions of approval for subdivision maps, site development and planned development permits, grading permits, and demolition permits. At minimum, conditions shall conform to construction mitigation measures recommended in the current BAAQMD CEQA Guidelines for the relevant project size and type.
- MS-13.3 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 for Construction, Grading, Quarrying, and Surface Mining Operations.
- 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.
- 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.
-

4.3.1.2 *Existing Conditions*

Regional and Local Criteria Pollutants

Major criteria pollutants, listed in “criteria” documents by the EPA and CARB, include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and suspended particulate matter (PM). These pollutants can have health effects such as respiratory impairment and heart/lung disease symptoms.

Violations of ambient air quality standards are based on air pollutant monitoring data and are judged for each air pollutant. The Bay Area, as a whole, does not meet state or federal ambient air quality standards for ground level ozone and fine particulate matter (PM_{2.5}) and state standards for particulate matter (PM₁₀). The area is considered in attainment or unclassified for all other pollutants.

Local Community Risks/Toxic Air Contaminants and Fine Particulate Matter

Besides criteria air pollutants, there is another group of substances found in ambient air referred to as Toxic Air Contaminants (TACs). TACs tend to be localized and are found in relatively low concentrations in ambient air. Exposure to low concentrations over long periods, however, can result in adverse chronic health effects. Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs (based on the Bay Area average).

Fine Particulate Matter (PM_{2.5}) is a complex mixture of substances that includes elements such as carbon and metals; compounds such as nitrates, organics, and sulfates; and complex mixtures such as diesel exhaust and wood smoke. Long-term and short-term exposure to PM_{2.5} can cause a wide range of health effects. Common stationary sources of TACs and PM_{2.5} include gas stations, dry cleaners,

and diesel backup generators. The other, more significant, common source is motor vehicles on roadways and freeways.

There are no other mobile sources of TACs located within 1,000 feet of the project site (e.g., freeways and major expressways are located over 1,000 feet from the project site). There are no stationary TAC sources within a 1,000-foot radius of the site.²

BAAQMD’s Community Air Risk Evaluation (CARE) Program unites government, communities, and businesses to address areas of concentrated air pollution and related public health effects in the Bay Area. The project site is at the southern end of an identified community impact area in San José with elevated pollution levels based on detailed emissions inventories and air dispersion modeling completed by BAAQMD.

Sensitive Receptors

BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include residences, school playgrounds, child-care centers, retirement homes, convalescent homes, hospitals, and medical clinics. Sensitive receptors near the project site include the adjacent residential uses and convalescent facility.

4.3.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,7
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,7
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,7
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3

² Bay Area Air Quality Management District. “Stationary Source Screening Analysis Tool.” Accessed February 24, 2017. <http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/ceqa-tools>.

The project involves a modification to the City's long-range General Plan. The City's land use methodology for predicting employment and population growth for various General Plan land use designations assumes that the development potential of the site would decrease by approximately 10 jobs under the proposed *Residential Neighborhood* designation and increase by eight new single-family residences. The effect of future development is discussed below; though in the absence of a specific development proposal, project-level impacts are not quantitatively analyzed. Rather, project-level quantitative analysis would occur as part of the discretionary review process when a future specific development application proposed.

4.3.2.1 *Applicable Air Quality Plan (Question a)*

Determining consistency with the 2017 CAP involves assessing whether the project would conflict with the primary goals of the 2017 CAP (i.e., protecting public health and protecting the climate) or prevent implementation of Control Measures contained in the 2017 CAP. The 2017 CAP defines an integrated, multipollutant control strategy to reduce emissions of particulate matter, toxic air contaminants, ozone precursors, and greenhouse gasses. The 2017 CAP includes control measures that are intended to reduce air pollutant emissions in the Bay Area either directly or indirectly. The control measures are divided into five categories that include:

- Measures to reduce emissions from stationary and area sources;
- Mobile source measures;
- Transportation control measures;
- Land use and local impact measures; and
- Energy and climate measures

The project is a General Plan amendment that would allow for construction of additional housing within a developed area of San José. While the proposed General Plan Amendment would diverge from the General Plan policies intended to focus development in identified Growth Areas, it is in an area served by bus transit and the potential future development of up to eight units in south central San José would not result in a substantial increase in vehicle miles travelled by residents of San José.

The project does not include a specific development that could be compared to control measures for stationary, area, or mobile sources or energy control measures. Project design and conditions for vehicle, bicycle and pedestrian access and access to public transit would be reviewed for consistency with City General Plan policies and Residential Design Guidelines by the City (e.g., building energy efficiency, energy use, provision for pedestrian and bicycle modes, appropriate TDM measures) that correspond with Control Measures in the 2017 CAP. This review would be undertaken during the development environmental and permit review phase.

Exposure of sensitive receptors to TAC and PM_{2.5} emissions that might be associated with construction of a future project would be required to implement City's Standard Permit Conditions for dust and diesel exhaust control. Conformance with policies MS-11.1 and MS-13.3 and implementation of Standard Permit Conditions at the time of construction would reduce impacts and would not conflict with control measures in the 2017 CAP to reduce air pollutant emissions or the goals of protecting public health or the climate. The project would also not affect population

forecasts used for 2017 CAP projections. Therefore, the project would not conflict with implementation of the 2017 CAP. **(Less Than Significant Impact)**

4.3.2.2 *Air Quality Standards (Question b)*

Table 3-1 in the 2017 BAAQMD *CEQA Air Quality Guidelines* contains screening level sizes for various land use types/development. The screening levels were developed to provide a conservative indication of whether a proposed project could result in potentially significant air quality impacts. If all of the screening criteria are met by a proposed project, then a detailed air quality assessment of a project’s air pollutant emissions does not need to be prepared and the project’s air quality impacts are considered less than significant. As noted previously, there is not a specific project application filed that would allow for a comparison against Table 3-1 screening levels; however, it is assumed that up to eight single-family residences could be constructed, which is well below the screening threshold (as summarized below in Table 4.3-1).

Table 4.3-1: Criteria Air Pollutants and Precursors Screening Level Size	
Land Use Type	Operational Criteria Pollutant Screening Size
Single-Family Residences	325 dwelling units
Below screening threshold?	
Potential Future Project (8 dwelling units)	Yes

Future residential development at the site would be required to prepare a site-specific air quality analysis if the thresholds within Table 3-1 in the 2017 BAAQMD *CEQA Air Quality Guidelines* would be exceeded.

Any future project would also be reviewed for compliance with Policy MS.10-1, requiring the implementation of air emissions reduction measures reduce the potential for impacts. Any future development would also be reviewed for compliance with air quality regulations and policies (including the construction emissions reduction measures in Policy MS-13.1) as part of the overall development review process. Therefore, the project would not exceed a BAAQMD threshold or standard and the impact would be less than significant. **(Less Than Significant Impact)**

4.3.2.3 *Cumulative Non-Attainment Pollutant Increase (Question c)*

Non-attainment pollutants of concern for the San Francisco Bay Air Basin are ozone, PM₁₀, and PM_{2.5}. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project’s individual emissions would be cumulatively considerable. If a project exceeds the significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region’s existing air quality conditions.

As described previously, future residential development at the site would be required to prepare a site-specific air quality analysis if the thresholds within Table 3-1 in the 2017 BAAQMD *CEQA Air Quality Guidelines* would be exceeded (also shown in Table 4.3-1). In addition, future construction on the site would be required to implement BAAQMD’s Best Management Practices for dust control in accordance with the City’s General Plan policies MS-13.1 and MS-13.3 to reduce the project’s contribution to a cumulative impact. Therefore, implementation of the proposed General Plan

Amendment would not result in a significant cumulative impact under CEQA. (**Less than Significant Impact**)

4.3.2.4 *Sensitive Receptor Exposure (Question d)*

While there are sensitive receptors adjacent to the project site, including residences, a pre-school, and a convalescent facility, the future residential development allowed under the proposed General Plan Amendment is not expected to result in any localized emissions that could expose sensitive receptors in the surrounding environment to unhealthy air pollutant levels. Single-family residential uses are not stationary sources of TACs, and don't involve significant diesel-powered trucks that generate mobile TAC emissions.

Future construction activities would result in localized emissions of dust and diesel exhaust that could temporarily impact adjacent sensitive receptors; however, those activities would be required to comply with state and local regulations and implement the City's Standard Permit Conditions for dust and diesel exhaust control. Future development of the site would be required to conform with policies MS-11.1 and MS-13.3 at the time of construction would further reduce impacts. Thus, impacts to sensitive receptors would be less than significant. (**Less than Significant Impact**)

4.3.2.5 *Objectionable Odors (Question e)*

The proposed General Plan Amendment would not allow a new class of uses that could potentially create new sources of odor. During future construction activities, use of diesel powered vehicles and equipment could temporarily generate localized odors; however any odors would be minimized with implementation of Standard Permit Conditions for noise (which prohibit unnecessary idling of equipment), would be temporary in nature, and would cease upon project completion. (**Less Than Significant Impact**)

4.3.3 **Conclusion**

Implementation of the proposed General Plan Amendment would have a less than significant impact on air quality and would not expose sensitive receptors on or off site to excessive pollutants. Future development of the project site under the proposed *Residential Neighborhood* land use designation, in conformance with existing General Plan policies, would ensure that air quality impacts would be reduced to a less than significant level. (**Less Than Significant Impact**)

4.4 BIOLOGICAL RESOURCES

The discussion within this section is based in part on the arborist report prepared by Hort Science Inc. in October of 2016. This report is included with this document as Appendix A.

4.4.1 Environmental Setting

4.4.1.1 *Regulatory Framework*

Federal Endangered Species Act and California Endangered Species Act

The Federal Endangered Species Act and California Endangered Species Act protect listed wildlife species from harm or “take,” which can include habitat modification or degradation that directly results in death or injury to a listed wildlife species. The long-term purpose of these laws are to ultimately restore listed wildlife species numbers to where they are no longer threatened or endangered.

Federal Migratory Bird Treaty Act

The Federal Migratory Bird Treaty Act protects migratory birds. It prohibits killing, taking, selling, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs.

State Fish and Game Code

Birds of prey, such as owls and hawks, are protected in California under provisions of the State Fish and Game Code, it is “unlawful to take, possess, or destroy any birds in the order falconiformes or strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season can result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by the California Department of Fish and Wildlife (CDFW).

Santa Clara Valley Habitat Plan/Natural Community Conservation Plan

The Santa Clara Valley Habitat Plan (Habitat Plan) is a conservation program 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 Habitat Plan is a regional partnership between six Local Partners (the County of Santa Clara, Santa Clara Valley Transportation Authority, Santa Clara Valley Water District, and the cities of San José, Gilroy, and Morgan Hill) and two Wildlife Agencies (the CDFW and the United States Fish and Wildlife Service [USFWS]).

The Habitat Plan identifies and preserves land that provides important habitat for endangered and threatened species. The land preservation is intended to mitigate for the environmental impacts of planned development, public infrastructure operations, and maintenance activities, as well as to enhance the long term viability of endangered species.

The Habitat Plan requires nitrogen deposition fees for all study area projects that generate new vehicle trips in order to address cumulative nitrogen deposition impacts.³ Nitrogen deposition is known to have damaging effects on many of the serpentine plants in the Habitat Plan study area, as well as the host plants that support the Bay checkerspot butterfly. Mitigation for the impacts of nitrogen deposition upon serpentine habitat and the Bay checkerspot butterfly can be correlated to the amount of new vehicle trips that a project is expected to generate. Fees collected under the Habitat Plan for new vehicle trips will be used to purchase conservation land for the Bay checkerspot butterfly.

City of San José Tree Ordinance

The City of San José maintains the urban landscape partly by promoting the health, safety, and welfare of the City by controlling the removal of ordinance trees on private property (San José Municipal Code Section 13.32). Ordinance trees are defined as trees over 56 inches in circumference, or approximately 18 inches in diameter, at a height of 24 inches above natural grade. Ordinance trees are generally mature trees that help beautify the City, slow erosion of topsoil, minimize flood hazards, minimize the risk of landslides, increase property values, and improve local air quality. A tree removal permit is required from the City of San José for the removal of trees covered under the ordinance.

In addition, any tree found by the City Council to have special significance based on factors including, but not limited to, its history, girth, height, species, or unique quality, can be designated as a heritage tree (San José Municipal Code Section 13.28.330 and 13.32.090). It is unlawful to vandalize, mutilate, remove, or destroy such heritage trees. There are no heritage trees on the project site.⁴

General Plan Policies

The General Plan includes the following policies, which are specific to biological resources and are applicable to development projects in San José.

Policy	Description
ER-5.1	Avoid implementing activities that result in the loss of active native birds' nests, including both direct loss and indirect loss through abandonment, of native birds. Avoidance of activities that could result in impacts to nests during the breeding season or maintenance of buffers between such activities and active nests would avoid such impacts.
ER-5.2	Require that development projects incorporate measures to avoid impacts to nesting migratory birds.
MS-21.4	Encourage the maintenance of mature trees, especially natives, on public and private property as an integral part of the community. Prior to allowing the removal of any mature tree, pursue all reasonable measures to preserve it.

³ County of Santa Clara, USFWS. *Santa Clara Valley Habitat Plan Final Environmental Impact Report/Environmental Impact Statement*. Accessed January 25, 2017. <http://scv-habitatagency.org/178/Santa-Clara-Valley-Habitat-Plan>.

⁴ City of San José. *Resolution No. 72274 A Resolution of the Council of the City of San José Designating Certain Trees as Heritage Trees, Placing Said Trees on the Heritage Tree List, and Deleting Certain Trees Therefrom, and Repealing Resolution No. 69745*. August 10, 2004.

- MS-21.5 As part of the development review process, preserve protected trees (as defined by the Municipal Code), and other significant trees. Avoid any adverse effect on the health and longevity of protected or other significant trees through appropriate design measures and construction practices. Special priority should be given to the preservation of native oaks and native sycamores. When tree preservation is not feasible, include appropriate tree replacement, both in number and spread of canopy.
- 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.
- 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.
- CD-1.24 Within new development projects, include preservation of ordinance-sized and other significant trees, particularly natives. Any adverse effect on the health and longevity of such trees should be avoided through design measures, construction, and best maintenance practices. When tree preservation is not feasible include replacements or alternative mitigation measures in the project to maintain and enhance our Community.
-

4.4.1.2 Existing Conditions

The project site is currently occupied by an approximately 100-space parking lot, a portion of a church sanctuary building, and landscaping. There are approximately 30 trees located on the project site, including large mature trees. The project site has an overall low value for wildlife due to the disturbed nature of the property and limited habitat; however, nesting birds could use the trees on site and in the immediate vicinity of the site.

The project site is located within the Habitat Plan study area and is designated as *Urban-Suburban* land. *Urban-Suburban* land comprises areas where native vegetation has been cleared for residential, commercial, industrial, transportation, or recreational structures, and is defined as one or more structures per 2.5 acres. Vegetation found in the Urban-Suburban Land cover type is usually in the form of landscaped residences, planted street trees, and parklands.

4.4.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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 CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
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 CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,9
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, impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,9
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,12
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9

4.4.2.1 *Special-Status Species (Question a)*

The project site is located within an urban area of San José. The site is partially developed with a parking lot, church, and associated landscaping. Vegetation generally consists of common landscape trees and plants, as well as ruderal grasses that are regularly mowed. No natural or sensitive habitats exist that would support endangered, threatened, or special-status wildlife species.

The trees on and adjacent to the project site could provide nesting habitat for birds, including migratory birds and raptors. 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 development of the site during the nesting season (i.e., February 1 to August 31) 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 by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact. Future construction activities such as tree removal and site grading that disturb a nesting bird or raptor on-site or immediately adjacent to the construction zone would also constitute an impact.

In conformance with the California State Fish and Game Code, the provisions of the Migratory Bird Treaty Act, and General Plan policies ER-5.1 and ER-5.2, future residential development under the proposed land use designation would be required to implement measures to avoid and/or reduce impacts to nesting birds (if present on or adjacent to the site) to a less than significant level. Potential standard measures may include the following:

- Requirements for pre-construction nesting bird surveys prior to the start of construction activities, if construction activities are proposed to commence during the nesting season (February 1 to August 31) in order to avoid impacts to nesting birds. These surveys shall be completed by a qualified biologist no more than 14 days before construction begins. During this survey, the biologist or ornithologist shall inspect all trees and other possible nesting habitats in and immediately adjacent to the construction areas for nests.
- If an active nest is found in an area that will be disturbed by construction, the ornithologist shall designate an adequate buffer zone to be established around the nest, in consultation with the CDFW. The buffer would ensure that nests shall not be disturbed during project construction.
- The applicant shall submit a report to the City's Supervising Environmental Planner indicating the results of the pre-construction survey and any designated buffer zones to the satisfaction of the Director of Planning, prior to the issuance of a Grading Permit.

Implementation of General Plan policies and conformance to state and federal laws protecting nesting birds would reduce potential impacts special-status species to a less than significant level. **(Less Than Significant Impact)**

4.4.2.2 *Riparian Habitat or Sensitive Community (Question b)*

The project would not have an adverse effect on any riparian habitat or sensitive communities, either directly or through habitat modifications, because there is none on or adjacent to the project site. Future development at the project site would not impact any riparian habitat or sensitive communities. Thus, there would be no impact. **(No Impact)**

4.4.2.3 *Wetlands (Question c)*

The project site does not support wetlands, marshes, or vernal pools. The project would not impact any federally protected wetlands under the Clean Water Act; therefore, there would be no impact. **(No Impact)**

4.4.2.4 *Wildlife Movement (Question d)*

The project site is located in an urban area and does not support any watercourse, river, or provide habitat that facilitates the movement of any native resident or migratory fish or wildlife species. Therefore, the site has limited potential to serve as a migratory corridor for wildlife and any impact as a result of future development at the site would be less than significant. **(Less Than Significant Impact)**

4.4.2.5 *Local Policies and Ordinances (Question e)*

While no specific development is proposed as part of the General Plan Amendment, future development of the project site would likely result in the loss of trees, as there are approximately 30 trees currently located on the project site.⁵ In accordance with existing City policy and the Municipal Code, trees removed during future development of the site under the proposed land use designation would be replaced at the ratios shown in Table 4.4-1. The species of trees to be planted shall be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement at the development permit phase. Tree replacement would occur on-site or the applicant will pay an in-lieu fee to Our City Forest to compensate for the loss of trees on-site.

Table 4.4-1: Tree Replacement Ratios				
Circumference of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Replacement Tree
	Native	Non-Native	Orchard	
56 inches or more	5:1	4:1	3:1	24-inch box
38 to 56 inches	3:1	2:1	none	24-inch box
Less than 38 inches	1:1	1:1	none	15-gallon container

x:x = tree replacement to tree loss ratio
Note: Trees greater than or equal to 56-inch circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.

Future development of the project site would be required to conform to the City’s tree preservation ordinance including preparation of a tree survey to document the location, size, species, and condition of all trees, and provide replacement trees in conformance with City policy. The project would also be required to implement MS-21.6, MS-21.8, and CD-1.24 to protect street trees and add new trees and landscaping overall. Compliance with local regulations and policies would reduce impacts as a result of conflict to a less than significant level. **(Less Than Significant Impact)**

4.4.2.6 *Habitat Conservation Plan Conflict (Question f)*

The project site is within the Habitat Plan area. Private development in the Habitat Plan area is subject to the provisions and requirements of the Habitat Plan if it meets the following criteria:

- The activity is subject to either ministerial or discretionary approval by the county or one of the cities;

⁵ The City of San José defines a protected tree as any tree that measures 56 inches or greater in circumference at 24 inches above the ground surface.

- The activity is described in Section 2.3.2 Urban Development or in Section 2.3.7 Rural Development; and;
- The activity is located in an area identified as Private Development is Covered, or the activity is equal to or greater than two acres and;
 - The project is located in an area identified as Rural Development Equal to or Greater than 2 Acres is Covered, or Urban Development Equal to or Greater than 2 Acres is Covered or;
 - The activity is located in an area identified as Rural Development is not Covered but, based on land cover verification of the parcel (inside the Urban Service Area) or development area, the project is found to impact serpentine, wetland, stream, riparian, or pond land cover types; or the project is located in occupied or occupied nesting habitat for western burrowing owl.

The project site is designated as Urban–Suburban and is not identified as important habitat for endangered and threatened species. Therefore, the development of the project site would not result in impacts to any of the Habitat Plan’s covered species. Further, a General Plan Amendment is not a ground-disturbing project and is not subject to the requirements of the Habitat Plan.

While the proposed project is not subject to the nitrogen fee as there are no trips generated from the General Plan Amendment, future project is required to pay all applicable fees prior to issuance of permits. The Habitat Plan requires payment of nitrogen-deposition fees for projects that generate net new vehicle trips. This fee accounts for indirect impacts from vehicle emissions on sensitive habitats within the Habitat Plan Permit Area and is calculated based on the number of new daily vehicle trips generated by the project. Therefore, the project would not conflict with the provisions of the Habitat Plan. **(Less than Significant Impact)**

4.4.3 Conclusion

Implementation of the project would not impact riparian, wetland, or sensitive habitats. The proposed project would not result in significant impacts to special-status species, nor would it result in conflicts with adopted conservation plans and policies because any future development project would be required to comply with tree preservation and planting General Plan policies and migratory bird protection requirements. **(Less Than Significant Impact)**

4.5 CULTURAL RESOURCES

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

CEQA Regulations Regarding Human Remains

Section 15064.5 of the State CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on nonfederal land. These procedures are outlined in Public Resources Code, Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

California Native American Historical, Cultural and Sacred Sites Act

The California Native American Historical, Cultural and Sacred Sites Act applies to both state and private lands. The Act requires that upon discovery of human remains, construction, or excavation activity must cease and the County Coroner be notified. If the remains are of a Native American, the coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The Act stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

California Health and Safety Code

California Health and Safety Code Section 7050.5 regulates the procedure to be followed in the event of human remains discovery. Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the County Coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are determined to be Native American, the Coroner is required to contact the NAHC. The NAHC is responsible for contacting the most likely Native American descendent, who would consult with the local agency regarding how to proceed with the remains. According to Section 15064.5 of the CEQA Guidelines, all human remains are considered a significant resource.

Native American Tribal Resources

Assembly Bill 52

On September 25, 2014, Governor Edmund G. Brown signed Assembly Bill 52 (AB 52), creating a new category of environmental resources (tribal cultural resources), which must be considered under CEQA. The legislation imposes new requirements for consultation regarding projects that may affect a tribal cultural resource, includes a broad definition of what may be considered to be a tribal cultural resource, and includes a list of recommended mitigation measures. AB 52 also requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified of projects proposed within that area. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree

to measures to mitigate or avoid a significant effect on a tribal cultural resource or when it is concluded that mutual agreement cannot be reached.

Senate Bill 18

SB 18 is a process separate from CEQA that requires local governments to consult with federally and non-federally recognized Native American tribes prior to approving certain land use plans that include traditional tribal cultural places on both public and private lands. SB 18 places the responsibility of initiating consultation on local governments. SB 18 consultation applies to the adoption and amendment of both General and Specific Plans proposed on or after March 1, 2005 and consultation is a “government to government” interaction between tribal representatives and representatives of the local jurisdiction. The purpose of SB 18 is to provide time for tribal input early in the planning process. Tribal consultation concerning the proposed General Plan Amendment pursuant to SB 18 was initiated by the City with applicable Santa Clara County tribal representatives identified by the NAHC.

Envision San José 2040 General Plan

The following General Plan policies are specific to cultural resources and are applicable to the proposed project.

Policy	Description
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.
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.
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.

4.5.1.2 Existing Conditions

The project site is located in the Willow Glen area of San José. The church facility occupying a portion of the project site was constructed in 1965 and is affiliated with the Lincoln Glen Church, which was founded in 1940 and was originally known as the San José Mennonite Brethren Church. The church structure (located on a portion of the project site) is not listed on any local, state, or federal historic registers.⁶

The site is not located in an archaeologically sensitive area and there are no recorded prehistoric or historic archaeological sites at the project site. The site is located in an area of high paleontological

⁶ City of San José. General Plan FPEIR. *City of San José Historic Resources Inventory, Landmarks, Districts, and Architectural and Archaeological Resources*. Map. 2010.

sensitivity at depth, but is not within an area of high paleontological sensitivity at the ground surface.⁷

4.5.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,,32
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
e) Cause a substantial adverse change in the significance of a tribal cultural resource, 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:					
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3
2. 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 this criteria, the significance of the resource to a California Native American tribe shall be considered.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3

⁷ City of San José. General Plan FPEIR. Figure 3.11-1. 2010.

4.5.2.2 *Change to Historical Resource (Question a)*

There are no known historic resources at the site or in the immediate area. The existing church building occupying a portion of the project site is of modern construction and is approximately 52 years old. It does not appear to have exemplary characteristics in design or be associated with any patterns of development or significant events contributing to the history of the City that would make the building eligible for national, state, or local historic inventories. Further, no change to the structure would occur as part of the proposed General Plan Amendment. At the time of a future development project, a historic evaluation of the structure would occur consistent with City and CEQA requirements for a structure of this age and condition. **(Less Than Significant Impact)**

4.5.2.3 *Change to Archaeological Resource (Questions b and d)*

There are no known archaeological sites at the proposed project location, nor is the project site within an area of archaeological sensitivity. However, future construction activities during development of the site could significantly impact cultural resources if they are encountered.

Consistent with General Plan policies ER-10.2 and ER-10.3, the following Standard Permit Conditions to reduce or avoid impacts to subsurface cultural resources, will apply to future discretionary permits for development of the site:

- 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 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.

Implementation of Standard Permit Conditions in accordance with General Plan policies will ensure future development of the site with would not significantly impact cultural resources. **(Less Than Significant Impact)**

4.5.2.4 *Paleontological Resource Impacts (Question c)*

The site is located in an area of high paleontological sensitivity at depth.⁸ Construction activities associated with future development allowed under the proposed General Plan Amendment could significantly impact paleontological resources, if they are encountered.

⁸ City of San José. General Plan FPEIR. Figure 3.11-1. 2010.

Consistent with General Plan Policy ER-10.3, the following measure could be applied to future development of the project site to reduce and avoid impacts to as of yet unidentified paleontological resources:

- If vertebrate fossils are discovered during construction, all work on the site will stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The project proponent will be responsible for implementing the recommendations of the paleontological monitor.

Implementation of General Plan policies would ensure future development of the site would not significantly impact paleontological resources. **(Less Than Significant Impact)**

4.5.2.5 ***Tribal Cultural Resources (Question e)***

The project is located in a fully developed area within a mostly residential area of San José and no tribal cultural resources have been listed or determined eligible for listing in the California Register or a local register of historical resources. Further, notification as part of SB 18 requirements was conducted by the City with applicable Santa Clara County tribal representatives identified by the NAHC. To date, no Native American tribes that are or have been traditionally culturally affiliated with the project vicinity have requested notification from the City of San José under AB 52 regarding projects in the area and their effects on a tribal cultural resource. **(No Impact)**

4.5.3 **Conclusion**

Implementation of General Plan policies and Standard Permit Conditions would ensure future development of the site would result in a less than significant impact to cultural and paleontological resources. **(Less Than Significant Impact)**

4.6 GEOLOGY AND SOILS

4.6.1 Environmental Setting

4.6.1.1 *Regulatory Framework*

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act regulates development in California near known active faults due to hazards associated with surface fault ruptures. The Earthquake Fault Zones indicate areas with potential surface fault-rupture hazards. Areas within the Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault. The project site is not located in an Alquist-Priolo Earthquake Fault Zone.

California Building Code

The California Building Code prescribes a standard for constructing safer buildings throughout the State of California. It contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, strength of the ground and distance to seismic sources. The Code is renewed on a triennial basis every three years; the current version is the 2016 Building Standards Code.

City of San José Municipal Code

Title 24 of the San José Municipal Code includes the 2013 California Building, Plumbing, Mechanical, Electrical, Existing Building, and Historical Building Codes. Requirements for building safety and earthquake hazard reduction are also addressed in Chapter 17.40 (Dangerous Buildings) and Chapter 17.10 (Geologic Hazards Regulations) of the Municipal Code. Requirements for grading, excavation, and erosion control are included in Chapter 17.10 (Building Code, Part 6 Excavation and Grading). In accordance with the Municipal Code, the Director of Public Works must issue a Certificate of Geologic Hazard Clearance prior to the issuance of grading and building permits within defined geologic hazard zones, including State Seismic Hazard Zones for Liquefaction.

General Plan Policies

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects with the City. Future development allowed by the proposed land use designation would be subject to the geology and soil policies listed in the City's General Plan, including the following:

Policy	Description
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.
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.

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.
EC-4.4	Require all new development to conform to the City of San José’s Geologic Hazard Ordinance.
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.
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.

4.6.1.2 *Existing Conditions*

Geology

The project site is located on an alluvial plain within the Santa Clara Valley. The 1.65-acre site is relatively flat; thus, the potential for landsliding and erosion to affect the site is considered negligible. Expansive soils may be present at the project site.

Seismicity

The San Francisco Bay Area is one of the most seismically active regions in the United States. Strong ground shaking can be expected at the site during moderate to severe earthquakes in the general region. The significant earthquakes that occur in the Bay Area are generally associated with crustal movement along well defined active fault zones of the San Andreas Fault System, which regionally trends in a northwesterly direction.

The project site is not within designated Alquist-Priolo Earthquake Fault Zone⁹, or in a Santa Clara County Fault Hazard Zone.¹⁰ Faults in the region are, however, capable of generating earthquakes of magnitude 7.0 or higher and strong to very strong ground shaking would be expected to occur at the project site during a major earthquake on a nearby faults. The closest fault of significance to the site is the Monte Vista-Shannon Fault, located approximately six miles west of the project site. The Hayward Fault is approximately nine miles east and San Andres Fault is 10 miles west. There are no mapped active faults on the property and there is no evidence of active faulting visible on the site.

⁹ California Department of Conservation Website. Alquist-Priolo Maps. Accessed June 13, 2016. <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>.

¹⁰ Santa Clara County. *County Geologic Hazards Zones*. Maps. Accessed June 13, 2016. <http://www.sccgov.org/sites/PLANNING/GIS/GEOHAZARDZONES/Pages/SCCGeoHazardZoneMaps.aspx>.

Liquefaction

Liquefaction is the result of seismic activity and is characterized as the transformation of loose water-saturated soils from a solid state to a liquid state during ground shaking. During ground shaking, such as during earthquakes, cyclically induced stresses may cause increased pore water pressures within the soil voids, resulting in liquefaction. Liquefied soils may lose shear strength that may lead to large shear deformations and/or flow failure under moderate to high shear stresses, such as beneath foundations or sloping ground. The project site is located within a state-designated Liquefaction Hazard Zone.¹¹ Groundwater is located approximately 30 feet below the ground surface.¹²

4.6.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. Rupture of a known earthquake fault, as described 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.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
2. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
d) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3

¹¹ California Department of Conservation. *Seismic Hazard Zones*. San José East Quadrangle. Accessed February 24, 2017. ftp://ftp.consrv.ca.gov/pub/dmg/pubs/lsim/LSIM_SanJoseEaStreetpdf.

¹² State of California. *Seismic Hazard Zone Report for the San José West 7.5-Minute Quadrangle, Santa Clara County, California*. Accessed February 24, 2017. http://gmw.consrv.ca.gov/shmp/download/quad/SAN_JOSÉ_WEST/reports/sjosw_eval.pdf.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

4.6.2.2 Seismic Risk (Questions a & c)

The project site is not located within a known earthquake fault zone or landslide hazard zone. Since no known active faults cross the site, fault rupture or ground failure is not a significant geologic hazard at the site. The site is flat; thus, landslide and related erosion risks are low. The site is located within a state-designated Liquefaction Hazard Zone.

Future development of a project would expose structures to significant potential seismic and possibly liquefaction-related effects. These potential impacts are common to all projects throughout the Bay Area. To minimize any impacts, future development would be required to utilize design and construction practices in accordance with seismic building criteria, as described in the current City of San José Building Standards Code and Fire Code. A design-level geotechnical investigation report addressing the potential seismic (and any other) geologic hazards would also be required. The report would be reviewed and approved by the City of San José Geologist and City of San José Building Division prior to issuance of a grading permit or Public Works clearance. Therefore, future residential development of the site under the proposed land use designation would address seismic hazard risk and would not exacerbate existing geologic hazards on the project site. Thus, the impact would be less than significant under CEQA. **(Less Than Significant Impact)**

4.6.2.3 Soil Erosion (Question b)

Future residential development of the project site allowed under the proposed *Residential Neighborhood* General Plan designation would disturb the ground and expose soils, thereby, increasing the potential for wind or water-related erosion and sedimentation at the site until construction is complete. The National Pollutant Discharge Elimination System (NPDES) General Permit for construction, urban runoff policies, and the San José Municipal Code (which are discussed in more detail in Section 4.9 Hydrology and Water Quality) are the primary means of enforcing erosion control measures. Future construction activities would be subject to the requirements of the aforementioned policies and regulations and, therefore, the future development would have a less than significant soil erosion impact. **(Less Than Significant Impact)**

4.6.2.4 Expansive Soils (Question d)

Existing soils at the project site may be expansive. Future development of the project under the proposed land use designation would be required to address site-specific conditions and would not exacerbate existing soil conditions on the project site such that they would have off-site impacts. Therefore, impacts under CEQA would be less than significant. **(Less Than Significant Impact)**

4.6.2.5 *Septic Tanks and Wastewater Disposal (Question e)*

The project site is located within an urbanized area of San José where sewers are available to dispose wastewater from the project site. Therefore, the site will not need to support septic tanks or alternative wastewater disposal systems. **(No Impact)**

4.6.3 Geology and Soil Effects on the Project

4.6.3.1 *Seismic Shaking*

The project site is located in a seismically active region and future residential development on the project site would likely be exposed to strong shaking and seismic-related hazards. Future development on the project site will need to comply with the City's Standard Permit Condition. In accordance with the City's General Plan policies and actions and the City's 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. Building design and construction at the site will be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report to the City. The structural designs for the proposed development will account for repeatable horizontal ground accelerations. The report shall be reviewed and approved by the City of San José's Building Division as part of the building permit review and issuance process. The buildings shall meet the requirements of applicable building and fire codes, including the 2016 California Building Code Chapter 16, Section 1613, as adopted or updated by the City. Future development shall be designed to withstand soil hazards identified on the site and future development shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.

4.6.3.2 *Liquefiable Soils*

The project site is located in an area mapped by the state as a liquefaction zone. Future development of the project site would be subject to hazards related to liquefiable soils and will need to comply with the Standard Permit Condition below.

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 soils that are prone to liquefaction on the site.

4.6.4 Conclusion

Conformance with General Plan policies and the standard engineering practices required by the Municipal Code will ensure that geology, soils, and seismicity impacts would be reduced to a less than significant level at the time of future development of the site. **(Less Than Significant Impact)**

4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Environmental Setting

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of Greenhouse Gases (GHGs) have a broader, global impact. Global warming associated with the greenhouse effect is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth's atmosphere. The principal GHGs contributing to global warming and associated climate change are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated compounds. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial and manufacturing, utility, residential, commercial, and agricultural sectors.

4.7.1.1 *Regulatory Framework*

State of California

California Global Warming Solutions Act

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

On September 8, 2016, Governor Brown signed Senate Bill (SB) 32 into law, amending the California Global Warming Solution Act. SB 32 requires the California Air Resources Board to ensure that statewide greenhouse gas emissions are reduced to 40 percent below the 1990 level by 2030. As a part of this effort, CARB is required to update the *Climate Change Scoping Plan* to express the 2030 target in terms of million metric tons of carbon dioxide equivalent. CARB has initiated the public process to update the state's *Climate Change Scoping Plan*. The updated plan will provide a framework for achieving the 2030 target and is anticipated to be completed and adopted by CARB in 2017.

Senate Bill 375 – Redesigning Communities to Reduce Greenhouse Gases

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035, as compared to 2005 emissions levels. The per-capita GHG emissions reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.¹³

Consistent with the requirements of SB 375, Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and Bay

¹³ The emission reduction targets are for those associated with land use and transportation strategies, only. Emission reductions due to the California Low Carbon Fuel Standards or Pavley emission control standards are not included in the targets.

Conservation and Development Commission (BCDC) to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP) process. The SCS is referred to as *Plan Bay Area*.

Originally adopted in 2013 *Plan Bay Area*, established a course for reducing per-capita GHG emissions through the promotion of compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified Priority Development Areas (PDAs). Building upon the development strategies outlined in the original plan, *Plan Bay Area 2040* was adopted in July 2017 as a focused update with revised planning assumptions based current demographic trends. Target areas in the *Plan Bay Area 2040* Action Plan area related to reducing GHG emissions, improving transportation access, maintaining the region's infrastructure, and enhancing resilience to climate change (including fostering open space as a means to reduce flood risk and enhance air quality).

Regional

2017 Clean Air Plan

On April 19, 2017, the BAAQMD adopted the 2017 Bay Area Clean Air Plan, (2017 CAP). This plan updates the previous 2010 Clean Air Plan and focuses on two closely-related goals: protecting public health and protecting the climate. To protect the climate, the 2017 CAP defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious GHG reduction targets for 2030 and 2050, and provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve those GHG targets.

The 2017 CAP includes a wide range of control measures designed to decrease emissions of methane and other "super-GHGs" that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

Local

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

In October 2008, the City adopted the Private Sector Green Building Policy (6-32) that establishes baseline green building standards for private sector new construction and provides a framework for

the implementation of these standards. This policy requires that applicable projects achieve minimum green building performance levels using the Council adopted standards. Future development under the proposed land use designation would be subject to this policy and would be required to achieve a GreenPoint Rated 50 Points or LEED Certification, at minimum.

General Plan and GHG Reduction Strategy

The General Plan includes a GHG Reduction Strategy embedded in its policies and programs that are designed to help the City sustain its natural resources, grow efficiently, and meet state legal requirements for GHG emissions reduction. The GHG Reduction Strategy was initially approved by the City Council in November 2011 in conjunction with the General Plan. Following litigation, the GHG Reduction Strategy was re-adopted after certification of a Final Supplemental Program EIR to the General Plan FPEIR in December 2015 (SCH# 2009072096). Multiple policies and actions in the General Plan have GHG implications, including land use, housing, transportation, water usage, solid waste generation and recycling, and reuse of historic buildings. The City’s Green Vision, as reflected in these policies, also has a monitoring component that allows for adaptation and adjustment of City programs and initiatives related to sustainability and associated reductions in GHG emissions. The GHG Reduction Strategy is intended to meet the mandates as outlined in the CEQA Guidelines and the recent standards for “qualified plans” as set forth by BAAQMD.

Projects that conform to the General Plan may make use of the GHG Reduction Strategy in lieu of completing a separate analysis of a project’s potential GHG emissions. Projects that are consistent with the GHG Reduction Strategy would have a less than significant impact related to GHG emissions through 2020.

The *Envision San José 2040 Final Program Environmental Impact Report (General Plan FPEIR) Final Supplemental Program Environmental Impact Report* identified significant unavoidable GHG emissions impacts for development and the built environment in the 2035 timeframe and overriding considerations for those impacts were adopted by the City Council in 2015.

4.7.1.2 Existing Conditions

The project site is currently developed with a parking lot and church building. GHG emissions associated with the existing building are from vehicle trips of church attendees, electricity use, and heating and cooling for the building.

4.7.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,7,8

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,7,8

The following discussion focuses on whether project GHG emissions represent a cumulatively considerable contribution to climate change as determined by consistency with City of San José and statewide efforts to curb GHG emissions. For the purposes of this analysis, the projected emissions from the assumed construction and occupancy of future redevelopment in conformance with the proposed *Residential Neighborhood* land use designation were estimated to be 166 metric tons (MT) CO₂e per year. The BAAQMD *CEQA Air Quality Guidelines* include quantitative thresholds for GHG emissions.

4.7.2.1 Greenhouse Gas Emissions and Policy Conflict (Questions a and b)

Construction GHG Emissions

Future development of the project site under the proposed *Residential Neighborhood* General Plan land use designation would result in GHG emissions associated with construction activities, including operation of construction equipment and emissions from construction workers' personal vehicles traveling to and from the construction site. Construction-related GHG emissions vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel. Neither the City of San José nor BAAQMD has established a quantitative threshold or standard for determining whether a project's construction-related GHG emissions are significant. Because project construction would be a temporary condition (this analysis assumes a total of 12 months) and would not result in a permanent increase in emissions that would interfere with the implementation of AB 32, the increase in emissions would be less than significant.

Operational GHG Emissions

The BAAQMD developed screening criteria for GHG emissions within their 2017 *CEQA Air Quality Guidelines* based on the Urban Land Use Emissions Model (URBEMIS). Projects below the applicable screening criteria would not exceed the 1,100 MT of CO₂e per year threshold of significance for GHG emissions. The proposed General Plan Amendment to the *Residential Neighborhood* designation would allow up to eight dwelling units per acre (DU/AC) as long as it conforms to the neighborhood pattern. For residential developments, the applicable screening criteria is 56 dwelling units.

As stated previously, the maximum development allowed under the proposed *Residential Neighborhood* designation is eight DU/AC, or a density consistent with the surrounding neighborhood. Based on the size of the parcel and the density of the surrounding neighborhood, development at the maximum density would result in up to five DU/AC. This is significantly below BAAQMD's GHG screening criteria for single-family residential developments, which is 56

dwelling units. Therefore, the project will not result in a significant increase in GHG emissions. The project will not conflict with any other applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Additionally, future development will comply with General Plan Policies established for the purpose of reducing GHG emissions. As a result, GHG emissions impacts would be less than significant. **(Less than Significant Impact)**

4.7.3 Conclusion

The proposed General Plan Amendment to the *Residential Neighborhood* land use designation would not have a significant GHG emissions impact because the allowed future development would not exceed the applicable BAAQMD screening criteria. As a result, any impact would be less than significant. **(Less Than Significant Impact)**

4.8 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based in part on a Phase I Environmental Site Assessment prepared by Engeo Incorporated in October 2016. A copy of the report is included with this Initial Study as Appendix B.

4.8.1 Environmental Setting

4.8.1.1 *Regulatory Framework*

Hazardous waste generators and users in the City are required to comply with regulations enforced by several federal, state, and local agencies. The regulations are designed to reduce the risk associated with human exposure to hazardous materials and minimize adverse environmental effects. The San José Fire Department coordinates with the Santa Clara County Hazardous Materials Compliance Division to implement the Santa Clara County Hazardous Materials Management Plan and to ensure that commercial and residential activities involving classified hazardous substances are properly handled.

Government Code Section 65962.5 (Cortese List)

The Hazardous Waste and Substances Sites (Cortese List) is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code section 65962.5 requires CalEPA to develop at least annually an updated Cortese List. The Cortese List includes lists maintained by the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB).¹⁴

General Plan

The following General Plan policies are specific to hazards and hazardous materials and are applicable to the proposed project.

Policy	Description
EC-6.1	Require all users and producers of hazardous materials and wastes to clearly identify and inventory the hazardous materials that they store, use, or transport in conformance with local, state, and federal laws, regulations, and guidelines.
EC-6.2	Require proper storage and use of hazardous materials and wastes to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal by businesses and residences. Require proper disposal of hazardous materials and wastes at licensed facilities.
EC-7.1	For development and redevelopment projects, require evaluation of the proposed site's historical and present uses to determine if any potential environmental conditions exist that could adversely impact the community or environment.
EC-7.2	Identify existing soil, soil vapor, groundwater and indoor air contamination and mitigation for identified human health and environmental hazards to future users and provide as part of the

¹⁴ Engeo Incorporated. *Phase I Environmental Site Assessment, 2700 Booksin Avenue, San José, California.* October 27, 2016.

Policy	Description
EC-7.4	environmental review process for all development and redevelopment projects. Mitigation measures for soil, soil vapor and groundwater contamination shall be designed to avoid adverse human health or environmental risk, in conformance with regional, state and federal laws, regulations, guidelines and standards.
EC-7.9	On redevelopment sites, determine the presence of hazardous building materials during the environmental review process or prior to project approval. Mitigation and remediation of hazardous building materials, such as lead-paint and asbestos-containing materials, shall be implemented in accordance with state and federal laws and regulations.
EC-7.9	Ensure coordination with the County of Santa Clara Department of Environmental Health, Regional Water Quality Control Board, Department of Toxic Substances Control or other applicable regulatory agencies, as appropriate, on projects with contaminated soil and/or groundwater or where historical or active regulatory oversight exists.
EC-7.10	Require review and approval of grading, erosion control and dust control plans prior to issuance of a grading permit by the Director of Public Works on sites with known soil contamination. Construction operations shall be conducted to limit the creation and dispersion of dust and sediment runoff.
EC-7.11	Require sampling for residual agricultural chemicals, based on the history of land use, on sites to be used for any 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.
MS-13.2	Construction and/or demolition projects that have the potential to disturb asbestos (from soil or building material) shall comply with all the requirements of the California Air Resources Board's air toxics control measures (ATCMs) for Construction, Grading, Quarrying, and Surface Mining Operations.

4.8.1.2 *Existing Conditions*

A portion of the project site is currently developed with a church building that was constructed in 1965. The remainder of the site contains an approximately 100-space parking lot. Portions of the site were in agricultural use before and after the church structure was built in 1965, which could have results in residual soils contamination at the site. There have not been any recorded hazardous materials violations or discharges on the property or within 1,000 feet of the property.

Up until 1979, building materials containing lead-based paint and/or asbestos containing materials (ACMs) were commonly used. Additionally, florescent light ballasts manufactured prior to 1980 may contain polychlorinated biphenyls (PCBs). All three of these substances can pose a threat to human health. The existing church building was constructed in 1975; therefore, the building and adjacent soils likely contain one or more of these hazardous materials.

4.8.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,11
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,11
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,11
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, will it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,11
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, will the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
f) For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

4.8.2.1 *Hazardous Material Transport, Disposal, Release (Questions a and b)*

Uses allowed under the *Residential Neighborhood* land use designation are unlikely to routinely use, transport, or release hazardous materials. Additionally, there are no known spill incidents at the site,

nor are there incidents of spills or hazardous materials in the vicinity that might impact the site or adjacent uses.

Agricultural Chemicals

The project site has a history of past agricultural use. Organochlorine pesticides¹⁵, which were introduced in the 1940s and restricted or banned in the 1970s and 1980s, persist in the environment long after they were applied. Pesticide based metals, such as lead and arsenic, also can be found in the Santa Clara Valley from historic applications. These agricultural chemicals could be present on the site based upon this historic use. There is the potential for future development to disturb and/or release residual chemicals during construction activities and impact construction workers, adjacent uses, or the environment.

Compliance with applicable General Plan policies during the future development review and permitting stage, including Policy EC-7.2, would ensure that any residual agricultural chemicals present in soil are properly handled and disposed of to ensure they are not released into the environment. Consistent with Policy EC-7.2, measures to reduce or avoid environmental risks at the time of future redevelopment of the site may include, but are not limited to:

- Sampling and analysis of on-site soil by a qualified professional to determine whether residual agricultural chemicals (organochlorine pesticides and metals) are present on the site. A report summarizing the results and comparisons to appropriate environmental screening levels would be prepared and provided to the City's Supervising Environmental Planner for review. If contamination from the previous agricultural uses of the site is found above established screening levels or thresholds, additional characterization of the lateral and horizontal extent of contamination and remediation measures would be required under the oversight of a regulatory agency, such as the Santa Clara County Department of Environmental Health, Regional Water Quality Control Board, or the Department of Toxic Substances Control, in accordance with a Work Plan prepared by a qualified professional and approved by the oversight agency. The Work Plan shall be approved prior to building demolition and site clearing or excavation and include appropriate risk-based screening levels for comparison of the sampling results.
- If pesticides are detected at levels that exceed appropriate regulatory thresholds or environmental screening levels, the extent of contamination would be identified, and recommendations for a Health and Safety Plan (HSP), Site Management Plan (SMP), and methods for cleanup would be implemented, as applicable.
- A SMP would be developed to establish management practices for handling contaminated soil or other materials encountered during construction activities. Prior to issuance of grading permits, a copy of the SMP would be approved by the Environmental Supervising Planner of the Department of Planning, Building and Code Enforcement, and the Environmental Services Department. The SMP may include the following:
 - A detailed discussion of the site background;
 - Preparation of a HSP (see below)

¹⁵ Organochlorine pesticides include the well-known insecticide DDT (Dichloro diphenyl trichlorethane) as well as pesticides now banned in the U.S., such as Aldrin, dieldrin, chlordane, toxaphene, chlordane, and heptachlor.

- Management of stockpiles, including sampling, disposal, and dust and runoff control and implementation of a stormwater pollution prevention program;
 - Sampling and laboratory analyses of excess soil requiring disposal at an appropriate off-site waste disposal facility;
 - Protocols to manage ground water that may be encountered during trenching and/or subsurface excavation activities.
 - Procedures to follow if evidence of an unknown historic release of hazardous materials (e.g., underground storage tanks, etc.) is discovered during excavation or demolition activities;
 - Procedures for proper disposal of contaminated materials (if required); and
 - Monitoring, reporting, and regulatory oversight arrangements.
- A site-specific HSP would be prepared as part of the SMP prior to issuance of grading permits for project construction to address potential health and safety hazards associated the project (e.g., site preparation, demolition, grading and construction). The HSP would govern activities of personnel present during field activities.
 - Soil materials removed from the site would be characterized and disposed of according to the California hazardous waste regulations. Contaminated soil that exceeds regulatory thresholds is required to be handled by trained personnel using appropriate protective equipment and engineering and dust controls, in accordance with local, state, and federal laws. Any contaminated soils that are removed from the site are required to be disposed of at a licensed hazardous materials disposal site.

Conformance with the California Hazardous Waste regulations and implementation of on-site soil sampling and remediation (if needed) in conformance with General Plan policies and federal, state, and local laws would ensure that hazards and hazardous material impacts associated with historic agricultural use would be reduced to a less than significant level at the time of future development of the site. **(Less Than Significant Impact)**

Hazardous Building Materials

Future development of the project site would require the demolition of at least a portion of the existing church building, which may contain ACMs, lead-based paint, and/or PCBs. In conformance with state and local laws and General Plan Policy EC-7.4, a visual inspection/pre-demolition survey, and possible sampling, will be conducted prior to the demolition of the building to determine the presence of these hazardous materials. Demolition done in conformance with these laws and regulations and the following Standard Permit Conditions, would ensure that, if present, ACMs, lead-based paint, and/or PCBs are properly handled and disposed so that they are not released into the environment. As a result, the impact would be less than significant.

Based on BAAQMD and California Division of Occupational Safety and Health (Cal/OSHA) rules and regulations, the following conditions are required to limit impacts to construction workers and others from ACMs.

- In conformance with state and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site building to determine the presence of asbestos-containing materials and/or lead-based paint.
- During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code Regulations 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings would be disposed of at landfills that meet acceptance criteria for the waste being disposed.
- All potentially friable ACMs shall be removed in accordance with NESHAP guidelines prior to building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards contained in Title 8 of CCR, Section 1529, to protect workers from asbestos exposure.
- A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.
- Materials containing more than one percent asbestos are also subject to BAAQMD regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with BAAQMD requirements and notifications.

Conformance with the state regulations and implementation of remediation to standards in conformance with General Plan policies and federal, state, and local laws would ensure that hazards and hazardous material impacts associated with building materials would be reduced to a less than significant level at the time of future development of the site. **(Less Than Significant Impact)**

4.8.2.2 Hazardous Materials Near Schools (Question c)

The project site is located immediately adjacent to the north of Explorer Pre-School, and the nearest public school is Schallenberger Elementary School (approximately 0.5 mile east). Presentation High School and Street Christopher Elementary School are located approximately 0.5 mile north. The proposed General Plan Amendment would not allow a new class of uses that might handle hazardous or acutely hazardous materials, substances, or waste. Any use of hazardous materials associated with future residential uses at the site would be limited to common landscaping-related or cleaning chemicals, which would have limited potential for off-site effects.

Future potential construction and grading at the site could result in the release and/or transport of agricultural chemicals, lead, ACMs, or PCBs (if present). As discussed previously in the response to Questions a and b, any future development of the site would be required to test and properly dispose of contaminated soils. As a result, impacts to schools would be less than significant. **(Less Than Significant Impact)**

4.8.2.3 Cortese List (Question d)

The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.¹⁶ Thus, there would be no impact. **(No Impact)**

¹⁶ Engeo Incorporated. *Phase I Environmental Site Assessment, 2700 Booksin Avenue, San José, California.* October 27, 2016.

4.8.2.4 *Airport Hazards (Questions e and f)*

The project site is not located within an airport land use plan nor is it within five miles of public or private airport or airstrip; therefore, future development of the site would not result in a safety hazard for people related to airport activities. **(No Impact)**

4.8.2.5 *Emergency Plan Interference (Question g)*

The future residential development allowed under the proposed General Plan land use designation would not physically interfere with an adopted emergency response or evacuation plan. During construction and operation of any future project, roadways would not be permanently blocked such that emergency vehicles would be unable to access the site or surrounding sites. Thus, any impacts would be less than significant. **(Less Than Significant Impact)**

4.8.2.6 *Wildfire Risk (Question h)*

The project site is not located in an area that is exposed to wildland fire hazards and there would be no impact. **(No Impact)**

4.8.3 **Conclusion**

Hazardous materials impacts could result from the construction of a future residential development project; however, any future project would be required to comply with federal, state, and local requirements (including General Plan policies, federal and state laws and regulations, and Standard Permit Conditions) with regard to hazardous materials. For these reasons, the impact would be less than significant. **(Less Than Significant Impact)**

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

Federal Emergency Management Agency

In 1968, Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer funded disaster relief for flood victims and the increasing amount of damage caused by floods. The NFIP makes federally-backed flood insurance available for communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage.

The Federal Emergency Management Agency (FEMA) manages the NFIP and creates Flood Insurance Rate Maps that designate 100-year floodplain zones and delineate other flood hazard areas. A 100-year floodplain zone is the area that has a one in one hundred (one percent) chance of being flooded in any one year based on historical data. Portions of the City, but not the project site, are identified as special flood hazard areas with a one percent or two percent annual chance of flooding (also known as the 100-year and 500-year flood zones) as determined by the FEMA NFIP.

Federal and State Water Quality Laws and Programs

The Federal Clean Water Act (CWA) and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality. The CWA governs discharges to the "Waters of the United States," which includes oceans, bays, rivers, streams, lakes, ponds, and wetlands. The Porter-Cologne Act established the State Water Resources Control Board (SWRCB).

Regulations set forth by the EPA and the SWRCB have been developed to fulfill the requirements of this legislation. EPA's regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into Waters of the United States. These regulations are implemented at the regional level by water quality control boards. For the City of San José, the water board is the San Francisco Bay Regional Water Quality Control Board (RWQCB). Regional Boards are responsible for developing and enforcing water quality objectives and implementation plans, known as Basin Plans. The San Francisco region's Basin Plan was last updated in 2010.

CWA Section 303(d) lists polluted water bodies which require further attention to support future beneficial uses. San Francisco Bay is on the Section 303(d) list as an impaired water body for several pollutants and the Guadalupe River (where the water from the project site ultimately drains) is listed as an impaired water body for diazanon and pesticides.¹⁷

State Water Quality Control Board Nonpoint Source Pollution Program

In 1988, the SWRCB adopted the Nonpoint Source Management Program in an effort to control nonpoint source pollution in California. The Nonpoint Source Management Program requires individual permits to control discharge associated with construction activities. The Nonpoint Source

¹⁷ SWRCB. Impaired Water Bodies. Accessed February 10, 2017.
http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml.

Management Program is administered by RWQCB under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. Projects must comply with the requirements of the Nonpoint Source Program if:

- They disturb one acre or more of soil; or
- They disturb less than one acre of soil but are part of a larger development that, in total, disturbs one acre or more of soil.

The NPDES General Permit for Construction Activities requires the developer to submit a Notice of Intent (NOI) to the RWQCB and to develop a Stormwater Pollution Prevention Plan (SWPPP) to control discharge associated with construction activities.

Municipal Regional Stormwater NPDES Permit (MRP)/C.3 Requirements

The San Francisco Bay RWQCB also issued a Municipal Regional Stormwater NPDES Permit (Permit Number CAS612008) (MRP). A regional permit applies for 77 Bay Area municipalities, including the City of San José. Under provisions of the MRP, development projects that add and/or replace more than 10,000 square feet of impervious surface, or 5,000 square feet of uncovered parking area, are required to design and construct stormwater treatment controls to treat post-construction stormwater runoff. Amendments to the MRP require all post-construction runoff to be treated using Low Impact Development (LID) treatment controls, such as biotreatment facilities, unless the project qualifies for Special Project credit reduction, which would allow the project to implement non-LID measures for all or a portion of the site depending on the project characteristics. This would also require a narrative discussion as to why the implementation of 100 percent LID measures is not feasible per the MRP.

City of San José

Post-Construction Urban Runoff Management

The San Francisco Bay RWQCB also issued a Municipal Regional Stormwater NPDES Permit (MRP) (Permit Number CAS612008), which is a regional permit covering 77 Bay Area municipalities, including the City of San José. Under Provision C.3 of the MRP, regulated new and redevelopment projects that add and/or replace more than 10,000 square feet of impervious surface, or 5,000 square feet of uncovered parking area require that LID stormwater treatment controls, such as site design, pollutant source control, and stormwater treatment measures be included to minimize and properly treat post-construction stormwater runoff. The MRP also requires that stormwater treatment control measures are properly installed, operated, and maintained.

The MRP also requires regulated projects to include measures to control hydromodification impacts where the project would otherwise cause increased erosion, silt pollutant generation, or other adverse impacts to local rivers and creeks. Development projects that create and/or replace 1 acre or more of impervious surface and are located in a subwatershed or catchment that is less than 65percent impervious, must manage increases in runoff flow and volume so that post-project runoff does not exceed estimated pre-project rates and durations

The City's Post-Construction Hydromodification Management Policy (Council Policy 8-14) implements Provision C.3, consistent with the MRP and requires an implementation framework for incorporating measures to control hydromodification impacts from development projects. Council

Policy 8-14 requires these projects to be designed to control project-related hydromodification through preparation and implementation of a Hydromodification Management Plan (HMP). Future development under the proposed land use designation is subject to NPDES hydromodification requirements related to preparation of an HMP because the project site is greater than one-acre in size and located in a subwatershed less than 65 percent impervious.

Envision San José 2040 General Plan

Future development allowed by the proposed land use designation would be subject to the hydrology policies of the City’s General Plan, including the following:

Policy	Description
IN-3.7	Design new projects to minimize potential damage due to stormwaters and flooding to the site and other properties.
IN-3.9	Require developers to prepare drainage plans for proposed developments that define needed drainage improvements per City standards.
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.
ER-8.1	Manage stormwater runoff in compliance with the City’s Post-Construction Urban Runoff (6-29) and Hydromodification Management (8-14) Policies.
ER-8.3	Ensure that private development in San José includes adequate measures to treat stormwater runoff.
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.
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.
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.

4.9.1.2 Existing Conditions

Water Quality

Under existing conditions, the project site is fully developed, paved with some landscaping. Runoff from the site contains sediment, metals, trash, oils and grease from the paved areas of the site. Runoff from the project site currently flows directly into the City’s storm drainage system untreated for the removal of pollutants.

Hydrology and Drainage

The project site is located in the Guadalupe Watershed.¹⁸ Five major creeks drain the 170-square-mile Guadalupe Watershed, including Guadalupe, Los Gatos, Ross, Alamitos, and Canoas. The Guadalupe River is the main waterway in the watershed.

Flooding and Other Hazards

The project site is not located in a 100-year floodplain.¹⁹ According to the FEMA Flood Insurance Rate Map for the project area, the project site is designated as Zone D, which is defined as areas where flood hazards are undetermined, but possible. There are no City floodplain requirements for Zone D.

As identified in the General Plan FPEIR, the project site is located within a dam failure inundation area for Lenihan Dam, which is the area that may be flooded in the event of a complete dam failure.

Earthquake-Induced Waves and Mudflow Hazards

Due to the project site's inland location and distance from large bodies of water (i.e., the San Francisco Bay), it is not subject to seiche or tsunami hazards, or sea level rise.²⁰ The project site is located on the valley floor and not subject to mudflows.

4.9.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

¹⁸ City of San José. Middle and Upper Guadalupe Watershed Map. Accessed February 10, 2017. <https://www.sanJoseca.gov/DocumentCenter/View/801>.

¹⁹ FEMA GeoPlatform. Accessed February 10, 2017. <http://fema.maps.arcgis.com/home/webmap/viewer.html?webmap=cbe088e7c8704464aa0fc34eb99e7f30&extent=-121.88620702655062,37.367936536613456,-121.86002866656457,37.3791910545685>

²⁰ California Department of Conservation. Santa Clara County Tsunami Inundation USGS 24 Quads. Accessed February 10, 2017. http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/SantaClara.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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 will result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
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 which will result in flooding on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
e) Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
h) Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3

4.9.2.1 *Violate Water Standards (Question a and f)*

Construction-Related Water Quality Impacts

At the time of future development, construction activities (e.g., grading and excavation) at the project site, may result in temporary impacts to surface water quality. When disturbance to underlying soils occurs, the surface runoff that flows across the site may contain sediments that are ultimately discharged into the storm drainage system. Future construction on the project site would likely disturb more than one acre of soil; therefore, compliance with the NPDES General Permit for Construction Activities would be required.

All development projects in San José are required to comply with the City’s Grading Ordinance. 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. Prior to issuance of a permit for grading activity occurring during the rainy season (October 15 to April 15), the applicant is required to submit an Erosion Control Plan to the Director of Public Works for review and approval. The Plan must detail the Best Management Practices (BMPs) that would be implemented to prevent the discard of stormwater pollutants. Thus future development will be consistent with the following Standard Permit Conditions.

Consistent with the General Plan, Standard Permit Conditions and MRP requirements to prevent stormwater pollution and minimize potential sedimentation during construction on the site will apply to future discretionary permits for development at the project site, including but not limited to the following:

- Utilize on-site sediment control BMPs to retain sediment on the project site;
- Utilize stabilized construction entrances and/or wash racks;
- Implement damp street sweeping;
- Provide temporary cover of disturbed surfaces to help control erosion during construction; and
- Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

Future development of the project site under the proposed land use designation, with the implementation of the above Standard Permit Conditions, would not result in significant construction-related water quality impacts. **(Less Than Significant Impact)**

Post-Construction Water Quality Impacts

Future development would likely add impervious surfaces to the project site (such as buildings and parking lots) which could contribute to water quality impacts as a result of polluted stormwater runoff. To avoid potential impacts, future development would be required to comply with the City of San José's Post-Construction Urban Runoff Policy 6-29 and MRP, as applicable. Stormwater runoff from future development would drain into treatment areas prior to entering the storm drainage system. Proposed treatment facilities will be numerically sized and would have sufficient capacity to treat the roof and any parking lot runoff prior entering the storm drainage system consistent with the NPDES requirements.

The project site is also subject to HMP requirements. Future development would be required (through the discretionary permit process) to meet management standards for stormwater flow controls through a combination of on-site, off-site, and in-stream control measures, consistent with Council Policy 8-14. HMP controls would detain flows on site so that that runoff leaving the site would match flow and durations of runoff for the pre-project condition. Additionally, stormwater treatment and site design measures, such as grassy swales, bioretention, and detention in landscaping, also help to detain and infiltrate increased flows.

Details of specific site design, pollutant source control, and stormwater treatment control measures demonstrating compliance with Provision C.3 of the MRP, will be included in the future project design, to the satisfaction of the Director of Planning, Building and Code Enforcement. With the regulatory programs currently in place, stormwater runoff from new residential development would

have a less than significant impact on stormwater quality. With implementation of a stormwater control plan consistent with RWQCB requirements and compliance with the City's regulatory policies pertaining to stormwater runoff, future development on the site would have a less than significant water quality impact. **(Less Than Significant Impact)**

4.9.2.2 *Deplete Groundwater Supplies (Question b)*

The project site is located in a developed urban area; the project site is not within a designated groundwater recharge zone. The site is developed with areas of impervious surfaces (church building and parking lot) with landscaping under existing conditions. The depth to groundwater in the project area is approximately 30 feet below the ground surface.²¹ Development on the site is not anticipated to result in the need to pump groundwater from the site and would not interfere with groundwater recharge. **(Less Than Significant Impact)**

4.9.2.3 *Drainage Pattern Alteration (Siltation and Flooding) (Question c and d)*

Future development of the site could alter the existing drainage patterns of the site as a result of increased impervious surfaces. However, future development of the site would be required to comply with the MRP and City of San José Policy 6-29, which would remove pollutants and reduce the rate and volume of runoff from the project site, reducing the potential for erosion, siltation, and flooding on and off the site. The project site is also subject to HMP requirements. Future development would be required (through the discretionary permit process) to meet management standards for stormwater flow controls through a combination of on-site, off-site, and in-stream control measures, consistent with Policy 8-14. **(Less Than Significant Impact)**

4.9.2.4 *Stormwater Capacity (Question e)*

The project site is developed with areas of impervious surfaces, and part of the site is landscaped. Future residential development could result in increased stormwater flows from the site due to increased impervious surfaces. Future residential development would be required to comply with the MRP requirements (Council Policy 6-29), which would remove pollutants from stormwater and reduce the rate and volume of runoff from the project. The project site is also subject to HMP requirements to implement stormwater flow controls through a combination of on-site, off-site, and in-stream control measures, consistent with Policy 8-14. For these reasons, development of the project site would not significantly impact the water quality of runoff and would not exceed the capacity of the existing storm drainage system serving the project site. **(Less Than Significant Impact)**

4.9.3 Hydrology Effects on the Project

4.9.3.1 *Flooding and Inundation (Questions g, h, i, and j)*

The California Supreme Court in a December 2015 opinion confirmed CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Even so, the project would not place housing within a flood zone because the site is not

²¹ State of California. *Seismic Hazard Zone Report for the San José West 7.5-Minute Quadrangle, Santa Clara County, California*. Accessed February 24, 2017. http://gmw.consrv.ca.gov/shmp/download/quad/SAN_JOSÉ_WEST/reports/sjosw_eval.pdf.

located within a flood zone, and therefore, would also not impede flood flows. The project is also not located within area subject to inundation by seiche, tsunami, or mudflow. While the project site is located in the Lenihan Dam inundation area; however, the Santa Clara Valley Water District's comprehensive dam safety program and emergency action plan ensures public safety. For this reason, the site is not subject to a significant risk of loss, injury, or death involving dam inundation. **(Less Than Significant Impact)**

4.9.4 Conclusion

With the implementation of the Standard Permit Conditions, Council Policies, and General Plan polices (which would be included as part of the any future development approval process) impacts to hydrology and water quality would be less than significant. **(Less Than Significant Impact)**

4.10 LAND USE AND PLANNING

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Santa Clara Valley Habitat Plan/Natural Community Conservation Plan

The Habitat Plan is a conservation program 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 Habitat Plan is a regional partnership between six Local Partners (the County of Santa Clara, Santa Clara Valley Transportation Authority, Santa Clara Valley Water District, and the cities of San José, Gilroy, and Morgan Hill) and two Wildlife Agencies (CDFW and USFWS).

The Habitat Plan identifies and preserves land that provides important habitat for endangered and threatened species. The land preservation is intended to mitigate for the environmental impacts of planned development, public infrastructure operations, and maintenance activities, as well as to enhance the long term viability of endangered species.

Envision San José 2040 General Plan

The proposed land use change is subject to the land use policies of the City's General Plan, including the following:

Policies	Description
CD-1.12	Use building design to reflect both the unique character of a specific site and the context of surrounding development and to support pedestrian movement throughout the building site by providing convenient means of entry from public streets and transit facilities where applicable, and by designing ground level building frontages to create an attractive pedestrian environment along building frontages. Unless it is appropriate to the site and context, franchise-style architecture is strongly discouraged.
CD-4.9	For development subject to design review, ensure the design of new or remodeled structures is consistent or complementary with the surrounding neighborhood fabric (including but not limited to prevalent building scale, building materials, and orientation of structures to the street).
CD-5.8	Comply with applicable Federal Aviation Administration regulations identifying maximum heights for obstructions to promote air safety.
LU-1.8	Preserve existing Public/Quasi-Public lands in order to maintain an inventory of sites suitable for Private Community Gathering Facilities, particularly within the Residential Neighborhoods, Urban Villages and commercial areas, and to reduce the potential conversion of employment lands to non-employment use.
LU-2.3	To support the intensification of identified Growth Areas, and to achieve the various goals related to their development throughout the City, restrict new development on properties in non-Growth Areas.
LU-6.2	Prohibit encroachment of incompatible uses into industrial lands, and prohibit non-industrial uses which would result in the imposition of additional operational restrictions and/or mitigation requirements on industrial users due to land use incompatibility issues.
LU-6.3	When new uses are proposed in proximity to existing industrial uses, incorporate measures within the new use to minimize its negative impacts on existing nearby land uses and to promote

the health and safety of individuals at the new development site.

- LU-9.4 Prohibit residential development in areas with identified hazards to human habitation unless these hazards are adequately mitigated.
- LU-9.5 Require that new residential development be designed to protect residents from potential conflicts with adjacent land uses.
- LU-9.7 Ensure that new residential development does not impact the viability of adjacent employment uses that are consistent with the General Plan Land Use/Transportation Diagram.
- LU-9.17 Limit residential development in established neighborhoods that are not identified growth areas to projects that conform to the site’s Land Use / Transportation Diagram designation and meet Urban Design policies in this Plan.
- LU-10.5 Facilitate the development of housing close to jobs to provide residents with the opportunity to live and work in the same community.
- VN-1.1 Include services and facilities within each neighborhood to meet the daily needs of neighborhood residents with a goal that all San José residents be provided with the opportunity to live within a 0.5-mile walking distance of schools parks and retail services.
- VN-1.2 Maintain existing and develop new community services and gathering spaces that allow for increased social interaction of neighbors (i.e., parks, community centers and gardens, libraries schools, commercial areas, churches, and other gathering spaces).

4.10.1.2 Existing Conditions

A parking lot and a portion of an existing a church building are located on the project site. The entire project site is currently designated *Public/Quasi-Public* in the General Plan. The site is zoned R-1-8(PD), allowing for the existing church use, and adjacent classrooms, and convalescent facility.

Habitat Plan Land Designation

The project site is identified within the Habitat Plan as Area 4: Development Equal to or Greater Than Two Acres Covered. The project site is designated as Urban-Suburban.

Surrounding Land Uses

The project is located in a developed suburban area of San José. The uses surrounding the project site are shown in Table 4.10-1. Beyond the immediate project site, primarily single-family residential uses comprise the greater area.

Table 4.10-1: Land Uses Surrounding the Project Site			
Direction	General Plan Designation	Zoning District	Existing Use
North	Residential Neighborhood	R-1-8	Single family residences
South	Public/Quasi-Public	R-1-8(PD)	Church facilities
East	Mixed Use Neighborhood	A(PD)	Convalescent facility
West	Residential Neighborhood	R-1-8	Single family residences

4.10.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,9

4.10.2.1 *Divide an Established Community (Question a)*

Examples of projects that have the potential to physically divide an established community include new freeways and highways, major arterials streets, and railroad lines. The proposed *Residential Neighborhood* General Plan designation would allow similar development (in size and scale) as currently exists on the adjacent residential property also designated *Residential Neighborhood*. Modifications to the roadway and pedestrian network that would block movements throughout the neighborhood would not be needed to redevelop the site. Thus, future development allowed under the proposed land use designation would not divide an established community and the impact would be less than significant. **(Less Than Significant Impact)**

4.10.2.2 *Land Use Plan Conflict (Question b)*

The General Plan includes several policies (including LU-1.8, VN-1.1, and VN-1.2) calling for the preservation of community services and spaces within existing neighborhoods. The intent of these policies is to allow residents the opportunity walk to access these services and to increase the degree of an opportunity for social interaction within neighborhoods. The proposed project would reduce the area of the lot available for Public/Quasi-Public land uses by 1.65 acres, leaving approximately 2.5 acres remaining. The remainder of the project area (not covered by the proposed General Plan Amendment) would continue to be designated Public/Quasi-Public allowing continued operation and function of the existing church and related services, although at a smaller scale. The reduced area may limit the number of community groups for which the site would be of adequate size for services, classes, or other functions.

Policy LU-2.3 calls for discouraging development in locations not identified as Growth Areas in the General Plan. Similarly, Policy LU-9.17 specifically limits residential development outside of Growth Areas to projects that conform to their Land Use/Transportation Diagram designation and meet Urban Design policies. Additionally, Policy LU-10.5 calls for development of housing near jobs. The project site is not located within an identified Growth Area and proposes a General Plan

Amendment. The nearest Growth Areas are the Almaden Expressway/Hillsdale Avenue and Curter Light Rail/Caltrain Urban Villages (both located approximately 1.7 miles from the project site) and the Communications Hill Specific Plan area (located approximately two miles east of the project site). Any future project would, however, be required to meet Urban Design polices

While the proposed General Plan Amendment would diverge from the General Plan policies intended to maintain community services and focus development in identified Growth Areas, those conflicts are primarily associated with the City's overall land use, economic development, alternative transportation, and neighborhood-desirability goals; rather than policies specifically adopted for the purpose of avoiding an environmental impact. While policies that focus development near transit and jobs and could reduce vehicle miles traveled (and associated air quality and greenhouse gas emissions impacts), the potential future development of up to eight units would not result in an environmental impact to those resource areas (as describe in Section 4.3 Air Quality and Section 4.7 Greenhouse Gas emissions) and thus there would not be a significant environmental impact as a result of the proposed project.

The proposed *Residential Neighborhood* General Plan land use designation is applied to areas intended for predominantly single-family residences. Existing neighborhoods with this designation are typically characterized by a prevalence of typical lot sizes and shapes and traditional single-family development, such as the neighborhood surrounding the project site. Future redevelopment of the proposed site under the *Residential Neighborhood* General Plan designation would be compatible with the surrounding development and would not represent a conflict with policies adopted for avoiding or mitigating an environmental effect. **(Less Than Significant Impact)**

4.10.2.3 *Habitat Conservation Plan Conflict (Question c)*

The project site is located within an area designated as Urban-Suburban within the Habitat Plan. No sensitive species or habitat types are present on the project site and the project would not have any direct impacts to any of the covered species in the Habitat Plan. As discussed in Section 4.4, Biological Resources, the project would conform to all applicable policies in the Habitat Plan (including the payment of nitrogen-deposition fees) and, therefore, would be consistent with the Habitat Plan. **(Less Than Significant Impact)**

4.10.3 Conclusion

Conformance with the General Plan policies related to land use compatibility and environmental effects will ensure that future redevelopment of the project site with residential uses under the proposed land use designation would not result in significant land use impacts. **(Less Than Significant Impact)**

4.11 MINERAL RESOURCES

4.11.1 Environmental Setting

The General Plan FPEIR states that an area of Communications Hill in central San José is designated by the State Mining and Geology Board under the Surface Mining and Reclamation Act of 1975 as containing mineral deposits of regional significance. Communications Hill is the only area in the City with this designation.

4.11.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3

4.11.2.1 *Loss of Mineral Resources – No Impact (Questions a and b)*

The project site is in a developed urban area that does not contain any known or designated mineral resources. The proposed project would not result in the loss of availability of any known mineral resource; therefore, there would be no impact. **(No Impact)**

4.11.3 Conclusion

Implementation of the project would not result in the loss of availability of any known mineral resources. **(No Impact)**

4.12 NOISE AND VIBRATION

4.12.1 Noise Overview

Sound levels in decibels are calculated on a logarithmic basis. There are several methods of Acceptable levels of noise vary from land use to land use. In any one location, the noise level will vary over time, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining the compatibility of a particular land use with its noise environment.

A decibel (dB) is measured based on the relative amplitude of a sound. Ten on the decibel scale marks the lowest sound level that a healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis such that each 10 decibel increase is perceived as a doubling of loudness. The California A-weighted sound level, or dBA, gives greater weight to sounds to which the human ear is most sensitive. L_{max} and L_{eq} are used to define the maximum and average A-weighted noise levels during a measurement period, respectively.

Sensitivity to noise increases during the evening and at night because excessive noise interferes with the ability to sleep. To emphasize quiet-time noise events, the Day/Night Average Sound Level (DNL or L_{dn}) and Community Noise Equivalent Level (CNEL) were developed to measure the average cumulative noise exposure over a 24-hour period. Both DNL and CNEL include a 10 dB addition to noise levels from 10:00 p.m. to 7:00 a.m. to account for human sensitivity to night noise, while CNEL also includes a 5 dB addition to noise generated between 7:00 p.m. and 10:00 p.m.




4.12.2 Environmental Setting

4.12.2.1 *Regulatory Framework*

Envision San José 2040 General Plan

Noise and land use compatibility guidelines set forth in the General Plan are shown in the following Table 4.12-1.

Table 4.12-1: Land Use Compatibility Guidelines for 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 ¹						
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 Arena, Outdoor Spectator Sports						
6. Public and Quasi-Public Auditoriums, Concert Halls, and Amphitheaters						
¹ Noise mitigation to reduce interior noise levels pursuant to Policy EC-1.1 is required. 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.						

The following General Plan policies are specific to noise and vibration and are applicable to future development on the project site allowed by the proposed land use designation.

Policies	Description
EC-1.1	<p>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:</p> <p><u>Interior Noise Levels</u></p> <ul style="list-style-type: none"> 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 <i>Envision General Plan</i> traffic volumes to ensure land use compatibility and General Plan consistency over the life of this plan. <p><u>Exterior Noise Levels</u></p> <ul style="list-style-type: none"> 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.

- 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.
- 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.
- 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.
- 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.
-

City of San José Municipal Code

The Municipal Code restricts construction hours within 500 feet of a residential unit to 7:00 AM to 7:00 PM Monday through Friday, unless otherwise expressly allowed in a development permit or other planning approval.²² The Zoning Ordinance limits noise levels to 55 dBA L_{eq} at any residential property line and 60 dBA L_{eq} at commercial property lines, unless otherwise expressly allowed in a development permit or other planning approval.

4.12.2.2 Existing Conditions

The project site is surrounded by residential uses, including single-family residences, a multi-family senior living facility, and a convalescent facility. According to the General Plan FPEIR, noise levels in the project area would be about 55 dBA DNL along Booksin Avenue and Koch Lane. The noise environment on the project site results primarily from vehicular traffic along Booksin Avenue and (to a lesser extent) Koch Lane. Highway 87 is located over a mile from the project site and is unlikely to influence the noise environment at the project site. Overhead aircraft activity associated with nearby airports including the Norman Y. Mineta San José International Airport, and Reid-Hillview Airport could add to the noise overall levels in the area; however, per the land use plans for both airports, the project site is located outside of their influence area and 65 dB CNEL noise contour.

²² The Municipal Code does not establish quantitative noise limits for demolition or construction activities occurring in the City.

4.12.3 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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, will the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
f) For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

4.12.3.1 Increase in Ambient Noise Levels (Questions c and d)

Future redevelopment of the project site with single-family residential uses would not substantially increase permanent ambient noise levels in the project area because there would not be new sources of substantial noise. **(Less Than Significant Impact)**

Construction Noise

Construction noise from future development of the project site would temporarily increase ambient noise levels in the project area. It is anticipated that the effects of construction noise levels would be reduced through the implementation of regulations in the City’s Municipal Code on construction hours (which limits construction hours near residential land uses) and General Plan Policy EC-1.7 (which addresses the types of construction equipment that are sources of significant noise). The following measures would be implemented to reduce construction noise and vibration levels consistent with the City of San José policy:

- Construction hours within 500 feet of residential uses will be limited to the hours of 7:00 a.m. and 7:00 p.m. weekdays, with no construction on weekends or holidays.
- Utilize ‘quiet’ models of air compressors and other stationary noise sources where technology exists.
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses;
- Locate staging areas and construction material areas as far away as possible from adjacent land uses;
- Prohibit all unnecessary idling of internal combustion engines;

Implementation of these measures, which are required by the City’s Municipal Code and General Plan and would be required for future development of the project site, would avoid potentially significant construction-related noise and vibration impacts. Therefore, construction noise during future development of the project site would not result in a significant noise impact. **(Less Than Significant Impact)**

4.12.3.2 *Excessive Airport Noise (Questions e and f)*

The project site is located over five miles from both the San José International Airport and Reid-Hillview Airport. There are no private airstrips located in the project vicinity. The project site is not located within either airport’s influence area and is outside of the 65 dBA CNEL noise-contour areas. Therefore, future development of the project site would not expose people to excessive noise levels from aircraft overflights. **(Less Than Significant Impact)**

4.12.4 Noise Effects on the Project

4.12.4.1 *Noise and Vibration Exposure (Questions a and b)*

Based on the General Plan noise and land use compatibility guidelines (Table 4.12-1), residential development is allowed in areas with ambient noise levels up to 60 dBA DNL and is conditionally allowed in areas with noise levels up to 75 dBA DNL. The project area has existing noise levels of 55 dBA DNL, which is below the levels specified in the compatibility guidelines.

There are no heavy rail tracks or other sources of excessive groundborne vibration or noise near the project site. Therefore, future uses on the project site would not be exposed to substantial vibration. **(Less Than Significant Impact)**

4.12.5 Conclusion

Future development of the project site under the proposed land use designation, with implementation Municipal Code requirements and General Plan policies, would not result in a significant noise impact. **(Less Than Significant Impact)**

4.13 POPULATION AND HOUSING

4.13.1 Environmental Setting

4.13.1.1 *Existing Conditions*

Based on California Department of Finance estimates for 2016, San José has a population of 1,042,094 persons and 329,824 households, with an average of 3.22 persons per household.²³ According to the City’s General Plan, the projected population in 2035 will be 1.3 million persons occupying 429,350 households. Assumptions, as amended in the first four-year review in 2016, envisions a jobs/employee resident ratio of 1.1/1, or 382,000 jobs by 2040.²⁴

In 2014, there were approximately 382,200 jobs in San José.²⁵ The General Plan envisions adding 382,000 jobs by 2040. To meet the current and projected housing needs in the City, the Envision San José 2040 General Plan identifies areas for residential development to accommodate 120,000 new dwelling units by 2040.

The jobs/housing balance is the relationship between the number of housing units required as a result of local jobs and the number of residential units available in the City. This relationship is quantified by the jobs/employed resident ratio. When the ratio reaches 1.0, a balance is struck between the supply of local housing and local jobs. The jobs/employed resident ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing. At the time of preparation of the General Plan FPEIR, San José had a higher number of employed residents than jobs (approximately 0.8 jobs per employed resident) but this trend is projected to reverse with full build-out under the current General Plan.

4.13.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

²³ State of California Department of Finance. *Table 2: E-5 City/County Population and Housing Estimates*. January 1, 2016. Available at: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>. Accessed February 27, 2017.

²⁴ City of San José. *Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report and Supplemental Program Environmental Impact Report; Envision San José 2040 Four-Year Review*. November 2016. Text amendments approved by the City Council on December 13, 2016.

²⁵ Strategic Economics. *San José Market Overview and Employment Lands Analysis*. February 24, 2017. <https://www.sanJoseca.gov/DocumentCenter/View/53472>.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

4.13.2.1 *Population Growth (Question a)*

The project site is located in an urbanized area in the City of San José. Although the proposed General Plan Amendment to *Residential Neighborhood* would allow approximately eight housing units (and approximately 26 residents) that were not accounted for in the General Plan, this increase is not substantial given the overall population growth projected within the central area of San José. Future redevelopment of the project site would also not result in an expansion of urban services or the pressure to expand beyond the City’s existing Sphere of Influence. As a result, impacts would be less than significant. **(Less Than Significant Impact)**

4.13.2.2 *Population Displacement (Questions b and c)*

The project site is currently developed with a surface parking lot and a portion of a church building. Redevelopment of the project site with residential uses would not displace people or housing and there would be no impact. **(No Impact)**

4.13.3 Conclusion

The future development of approximately eight residential units allowed under the proposed *Residential Neighborhood* land use designation on the project site would not displace people or housing units nor induce substantial population growth. **(Less Than Significant Impact)**

4.14 PUBLIC SERVICES

4.14.1 Environmental Setting

4.14.1.1 *Regulatory Framework*

School Facilities - Government Code Section 65996

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to issuance of a building permit. The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA [§65996(b)]. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code. The CEQA documents must identify that school impact fees and the school districts' methods of implementing measures specified by Government Code 65996 would adequately mitigate project-related increases in student enrollment

Parks and Open Space

Quimby Act-California Code Sections 66475-66478

The Quimby Act (California Government Code Sections 66475-66478) was approved by the California legislature to preserve open space and parkland in the State. The Quimby Act authorizes local governments to establish ordinances requiring developers of new subdivisions to dedicate parks, pay an in-lieu fee, or perform a combination of the two. As described below, the City has adopted a Parkland Dedication Ordinance and a Park Impact Ordinance, consistent with the Quimby Act.

Parkland Dedication Ordinance and the Park Impact Ordinance

The City of San José has adopted the Parkland Dedication Ordinance (PDO) and Park Impact Ordinance (PIO) requiring new residential development to either dedicate sufficient land to serve new residents, or pay fees to offset the increased costs of providing new park facilities for new development. Under the PDO and PIO, a project can satisfy half of its total parkland obligation by providing private recreational facilities on-site. For projects over 50 units, it is the City's decision whether the project will dedicate land for a new public park site or accept a fee in-lieu of land dedication. Affordable housing including low, very-low, and extremely-low income units are subject to the PDO and PIO at a rate of 50 percent of applicable parkland obligation. The acreage of parkland required is based on the minimum acreage dedication formula outlined in the PDO.

Envision San José 2040 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects in the City. The following policies are specific to public services and are applicable to the proposed project:

Policy	Description
FS-5.7	Encourage school districts and residential developers to engage in early discussions regarding the nature and scope of proposed projects and possible fiscal impacts and mitigation measures early in the project planning stage, preferably immediately preceding or following land acquisition.
ES-3.1	Provide rapid and timely Level of Service (LOS) response time to all emergencies: <ol style="list-style-type: none"> 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.
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.
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.
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.
PR-1.12	Regularly update and utilize San José’s Parkland Dedication Ordinance/Parkland Impact Ordinance (PDO/PIO) to implement quality facilities.
PR-2.4	To ensure that residents of a new project and existing residents in the area benefit from new amenities, spend PDO and PIO fees for neighborhood serving elements (such as playgrounds/tot-lots, basketball courts, etc.) within a 0.75-mile radius of the project site that generates the funds.
PR-2.5	Spend, as appropriate, PDO/PIO fees for community serving elements (such as soccer fields, community gardens, community centers, etc.) within a 3-mile radius of the residential development that generates the PDO/PIO funds.

4.14.1.2 Existing Conditions

Fire and Police Protection Services

Fire protection services for the project site are provided by the San José Fire Department (SJFD). The SJFD responds to all fires, hazardous materials spills, and medical emergencies in the City. The nearest station to the project site is Station Number 9, located at 3410 Ross Avenue, approximately 1.3 miles southwest of the project site.

Police protection services for the project site are provided by the San José Police Department (SJPD), headquartered at 201 West Mission Street and approximately 6 miles northeast of the site. The City has four patrol divisions and 16 patrol districts. Patrols are dispatched from police headquarters and the patrol districts consist of 83 patrol beats, which include 357 patrol beat building blocks.

Schools

The project site is located within the San José Unified School District. The nearest public school is Schallenberger Elementary School (approximately 0.5 mile east) and Booksin Elementary School

(approximately 0.9 mile north). Presentation High School and Street Christopher Elementary School (private schools) are located approximately 0.5 mile north.

Parks

The City provides and maintains developed parkland and open space to serve its residents. Residents of San José are served by regional and community park facilities, including regional open space, community and neighborhood parks, playing fields and trails. The City’s Department of Parks, Recreation, and Neighborhood Services is responsible for development, operation, and maintenance of all City park facilities.

The Willow Glen Area of San José, within which the proposed project is located, is currently underserved with respect to parklands for the population. The area needs approximately 100 acres of additional parkland to provide the desired 3.5 acres/1,000 residents for the projected 2020 population.²⁶ Paul Moore Park is the nearest park to the project site, located approximately 0.5 miles southeast of the site.

Libraries

The San José Public Library System consists of one main library and 22 branch libraries. Residents of the project area are served by the Cambrian Branch Library, located 1.2 miles southwest of the site at 1780 Hillsdale Avenue.

4.14.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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:					
- Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
- Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
- Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
- Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
- Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2

²⁶ City of San José. *Greenprint 2009 Update*. December 8, 2009. Page 141.

4.14.2.1 *Impacts to Public Facilities and Services (Question a)*

Fire and Police Protection Services

The project site is currently served by both the SJFD and SJPD. The proposed General Plan amendment would allow residential uses on the project site. Future redevelopment on the project site under the proposed land use designation would intensify development on the site and would incrementally increase the demand for fire and police protection services compared to existing conditions. Future development on the site would not, by itself, preclude the SJFD and SJPD from meeting their service goals and would not require the construction of new or expanded fire or police facilities. Future residential development would be constructed in accordance with current building codes and would be required to be maintained in accordance with applicable City policies such as General Plan Policy ES-3.9 to promote public and property safety. For these reasons, the proposed General Plan Amendment would not result in a significant impact on fire and police protection services. **(Less Than Significant Impact)**

Schools

The proposed General Plan Amendment to *Residential Neighborhood* would allow a maximum buildout of eight residential units. The incremental increase of students attending local public schools that could result from the proposed project is not expected to require construction of a new school. Although future redevelopment of the project site with residential uses would generate new students in the area, future redevelopment on the site would be in conformance with Government Code Section 65996, which requires new development projects to pay school impact fees. **(Less Than Significant Impact)**

Parks

Future residents of the site would use existing recreational facilities in the area including Paul Moore Park, located southeast of the site. The new residents on the site would incrementally increase the use of existing recreational facilities in the project area.

Consistent with City's policies, future redevelopment under the proposed land use designation will be subject to the City's Parkland Dedication Ordinance and Park Impact Ordinance (PDO/PIO), and would be required to pay PDO/PIO fees to offset the increased demand for parks and recreational facilities resulting from future residential development on the site. The PDO/PIO fees generated by new residential development will be used to provide neighborhood-serving facilities within a 0.75 mile radius of the development site and/or community-serving facilities within a three-mile radius (as stated in General Plan policies PR-2.4 and PR-2.5). **(Less Than Significant Impact)**

Other Public Facilities

There are 22 branch libraries serving neighborhoods located throughout San José. Development approved under the *Envision San José 2040 General Plan* is projected to increase the City's residential population to 1,313,811. The existing and planned library facilities in the City will provide approximately 0.68 square feet of library space per capita for the anticipated population under buildout of the *Envision San José 2040 General Plan* by the year 2035, which is above the City's service goal. Although the proposed General Plan Amendment would incrementally increase

the amount of residential development and population growth anticipated in the General Plan, future redevelopment of the project site would not substantially increase use of San José library facilities or otherwise require the construction of new library facilities. **(Less Than Significant Impact)**

4.14.3 Conclusion

Implementation of General Plan policies would ensure future development on the site, under the proposed land use designation, would not result in significant impacts to public services or facilities. **(Less Than Significant Impact)**

4.15 RECREATION

4.15.1 Environmental Setting

4.15.1.1 *Regulatory Framework*

The previous discussion in Section 4.14 contains a discussion of applicable Quimby Act and City of San José PDO/PIO impact fees and regulations.

Envision San José 2040 General Plan Policies

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects with the City. The following policies are specific to recreational resources and are applicable to the proposed project:

Policy	Description
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.
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.
PR-1.3	Provide 500 SF per 1,000 population of community center space.
PR-2.4	To ensure that residents of a new project and existing residents in the area benefit from new amenities, spend Park Dedication Ordinance and Park Impact Ordinance fees for neighborhood serving elements (such as playgrounds/tot-lots, basketball courts, etc.) within a ¾ mile radius of the project site that generates the funds.
PR-2.5	Spend, as appropriate, PDO/PIO fees for community serving elements (Such as soccer fields, community gardens, community centers, etc.) within a 3-mile radius of the residential development that generates the PDO/PIO funds.

4.15.1.2 *Existing Conditions*

The City of San José owns and maintains approximately 3,435 acres of parkland, including neighborhood parks, community parks, and regional parks. The City also has 54 community centers and neighborhood centers. Other recreational facilities include five public pools, six public skate parks and over 55 miles of trails.²⁷ The Willow Glen Area of San José, within which the proposed project is located, is currently underserved with respect to parklands for the population. The area needs approximately 100 acres of additional parkland to provide the desired 3.5 acres/1,000 residents for the projected 2020 population.²⁸

²⁷ City of San José. *Envision San José 2040 General Plan FPEIR*. September 2011. Pages 615-618.

²⁸ City of San José. *Greenprint 2009 Update*. December 8, 2009. Page 141.

4.15.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3

4.15.2.1 *Recreational Facility Use (Question a)*

Development of the site under the proposed *Mixed Use Neighborhood* land use designation would result in approximately eight new dwelling units (approximately 26 new residents) on the project site, using the City’s average of 3.22 persons per household.²⁹ Although the proposed General Plan Amendment would allow residential development and population growth that was not anticipated in the General Plan, conformance with the City’s PDO and PIO ordinance would ensure that the future redevelopment of the project site with residential uses would not significantly impact neighborhood and regional park facilities. **(Less Than Significant Impact)**

4.15.2.2 *Recreational Facility Expansion (Question b)*

Future redevelopment of the project site with residential uses would require the provision of open space on site and/or payment of in-lieu fees, consistent with the City’s PDO and POI ordinance requirements. No new off-site recreational facilities would be required to serve the incremental population increase that could result from the future residential uses. The proposed project, therefore, would not result in the construction of new recreational facilities with the potential to adversely affect the physical environment. **(Less Than Significant Impact)**

4.15.3 Conclusion

Future redevelopment of the project site under the proposed *Residential Neighborhood* designation, with implementation of General Plan policies and/or the City’s PDO/PIO ordinance requirements, will not result in significant impacts to recreational facilities in the City of San José. **(Less Than Significant Impact)**

²⁹ State of California Department of Finance. *Table 2: E-5 City/County Population and Housing Estimates 1/1/2016*. Accessed February 24, 2017. <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>.

4.16 TRANSPORTATION/TRAFFIC

4.16.1 Environmental Setting

4.16.1.1 *Regulatory Framework*

Metropolitan Transportation Commission

Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted *Plan Bay Area 2040* in July 2017, which includes the region's Sustainable Communities Strategy (integrating transportation, land use, and housing to meet GHG reduction targets set by CARB) and Regional Transportation Plan (including a regional transportation investment strategy for revenues from federal, state, regional and local sources over the next 24 years).

Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA) oversees the County's Congestion Management Program (CMP). State legislation requires that all urbanized counties in California prepare a CMP in order to obtain each county's share of gas tax revenues. The legislation requires that each CMP contain the following five mandatory elements: 1) a system definition and traffic level of service standard element; 2) a transit service and standards element; 3) a trip reduction and transportation demand management element; 4) a land use impact analysis program element; and 5) a capital improvement element. The Santa Clara County CMP includes the five mandated elements and three additional elements, including a county-wide transportation model and data base element, an annual monitoring and conformance element, and a deficiency plan element.

Bike Plan 2020

The City of San José *Bike Plan 2020* (adopted in 2009) contains policies for guiding the development and maintenance of bicycle and trail facilities within San José, as well as the following goals for improving bicycle access and connectivity: 1) complete 500 miles of bikeways, 2) achieve a five percent bike mode share, 3) reduce bike collision rates by 50 percent, 4) add 5,000 bicycle parking spaces, and 5) achieve Gold-Level Bicycle Friendly Community status. The plan defines a 500 mile network of bikeways that focuses on connecting off-street bikeways with on-street bikeways.

Level of Service Standards and City Council Policy 5-3

As established in 2005 within City Council Policy 5-3 Transportation Impact Policy, the City of San José uses the same level of service (LOS) method as the 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 the LOS to existing conditions or better, unless the mitigation measures would have an unacceptable impact on

the neighborhood or other transportation facilities (such as pedestrian, bicycle, and transit facilities). In accordance with the LOS Policy and CMP, a project-specific Traffic Impact Analysis is required when a project would result in 100 or more peak hour trips.

General Plan

The Circulation Element of the General Plan contains various long-range goals and policies that are intended to:

- provide a transportation network that is safe, efficient, and sustainable (minimizes environmental, financial, and neighborhood impacts);
- improve multimodal accessibility to employment, housing, shopping, entertainment, schools, and parks;
- create a city where people are less reliant on driving to meet their daily needs; and
- increase bicycle, pedestrian, and transit travel, while reducing motor vehicle trips.

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects in the City. All future redevelopment allowed by the proposed land use designations would be subject to the transportation policies of the City’s General Plan, including the following:

Policy	Description
TR-1.1	Accommodate and encourage use of non-automobile transportation modes to achieve San José’s mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).
TR-1.2	Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.
TR-1.6	Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.
TR-2.8	Require new development where feasible to provide on-site facilities such as bicycle storage and showers, provide connections to existing and planned facilities, dedicate land to expand existing facilities or provide new facilities such as sidewalks and/or bicycle lanes/paths, or share in the cost of improvements.
TR-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.
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.
TR-8.7	Encourage private property owners to share their underutilized parking supplies with the general public and/or other adjacent private developments.
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.

³⁰ Examples of unacceptable impacts include reducing the width of a sidewalk or bicycle lane below the city standard or creating unsafe pedestrian operating conditions.

Policy	Description
CD-2.3	Enhance pedestrian activity by incorporating appropriate design techniques and regulating uses in private developments, particularly in Downtown, Urban Villages, Corridors, Main Streets, and other locations where appropriate.

Residential Design Guidelines

In addition to the policies of the *Envision San José 2040 General Plan*, future redevelopment of the project site with residential uses would be required to comply with the San José Residential Design Guidelines, with regards to pedestrian access.

4.16.1.2 Existing Conditions

Existing Roadway Network

Regional access to the project site is provided via Highway 17, 85, and 87 and. Local access to the project site is provided to Booksin Avenue via Curtner Avenue and Hillsdale Avenue.

Pedestrian and Bicycle Facilities

Sidewalks are found along the project frontage on Booksin Avenue. Sidewalks are generally present on the surrounding residential streets in the project area. Bicycle facilities in the project area include Class II bike lanes/sharrows on Cherry Street and Foxworthy Avenue in the vicinity of the project site.

Transit Service

Existing transit service to the project area is provided by the Santa Clara Valley Transportation Authority (VTA). The project area is served by four VTA bus routes 26, 37, 63, and 64; operating on Curtner Avenue, Hillsdale Avenue, Meridian Avenue, and Lincoln Avenue/Almaden Expressway (respectively).

4.16.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,4

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,4
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2

4.16.2.1 *Plan, Policy, or LOS Standard Conflict (Questions a and b)*

The City of San José’s General Plan Amendment procedures require an analysis of proposed General Plan amendments when they would result in more than 250 peak hour trips. Redevelopment of the site under the proposed *Residential Neighborhood* General Plan designation would result in approximately eight new residences on the project site. Based on the trip generation rates for single-family residential units, eight single-family units would generate approximately 6 AM peak hour trips and 7 PM peak hour trips.³¹ Therefore, the proposed General Plan amendment does not require a project-specific General Plan traffic analysis, and future residential development on the project site under the proposed land use designation is not expected to conflict with an adopted plan, ordinance, or policy related to the effectiveness of the circulation system.

The City of San José has reviewed and determined that the proposed 2017 General Plan Amendments on file for this cycle, including the proposed project, would not meet the threshold required for a cumulative General Plan traffic analysis. This is because the projected total increase in traffic volume for all the proposed General Plan amendments combined is less than 250 peak hour trips. Therefore, the proposed project would not result in significant cumulative traffic impacts. (**Less Than Significant Impact**)

³¹ Institute of Transportation Engineers. *Trip Generation Manual, 9th Edition, Volume 2: Data*. Pages. 308 and 309. 2012

4.16.2.2 *Air Traffic Change (Question c)*

The proposed project is located approximately five miles from Reid-Hillview Airport and Norman Y. Mineta San José International Airport. Due to the distance of separation, the proposed project would not result in a change in air traffic patterns or obstruct airport operations. **(No Impact)**

4.16.2.3 *Hazards Increase (Question d)*

Future redevelopment of the project site would be reviewed for consistency with City General Plan policies and Residential Design Guidelines as part of the development permit review phase, including pedestrian, bicycle and vehicular access, as well as circulation and safety. Future development of the project site in accordance with City design standards would ensure that hazards due to a design feature would be avoided. **(Less Than Significant Impact)**

4.16.2.4 *Emergency Access (Question e)*

Any future redevelopment project at the site would be reviewed and approved by the San José Fire Department and Department of Public Works to ensure adequate emergency access during construction and operation. As a result, impacts would be less than significant. **(Less Than Significant Impact)**

4.16.2.5 *Public Transportation, Pedestrian, and Bicycle Facilities (Question f)*

Project design and conditions for vehicle, bicycle and pedestrian access and access to public transit would be reviewed for consistency with City General Plan policies and Residential Design Guidelines by the City during the development permit review phase. The proposed General Plan Amendment would not conflict with existing or planned multimodal transportation facilities. **(Less Than Significant Impact)**

4.16.3 Conclusion

The proposed General Plan Amendment is not anticipated to effect public streets or bicycle lanes and would not result in significant long-range traffic impacts. Further, implementation of General Plan policies, City Council policies, and Residential Design Guidelines would ensure that future residential development of the project site would not result in significant impacts on the transportation system or emergency access. **(Less Than Significant Impact)**

4.17 UTILITIES AND SERVICE SYSTEMS

4.17.1 Environmental Setting

4.17.1.1 *Regulatory Framework*

Assembly Bill 939

Assembly Bill 939 (AB 939) established the California Integrated Waste Management Board (now CalRecycle) and required all California counties to prepare integrated waste management plans. AB 939 required all municipalities to divert 50 percent of the waste stream by the year 2000.

California Green Building Standards Code

In January 2017, the State of California adopted the most recent version of the California Green Building Standards Code, which establishes mandatory green building standards for new and remodeled structures in California. These standards include a mandatory set of guidelines, as well as more rigorous voluntary measures, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 50 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupant.

San José Zero Waste Strategic Plan/Green Vision

The Green Vision provides a comprehensive approach to achieve sustainability through new technology and innovation. The Zero Waste Strategic Plan outlines policies to help the City of San José foster a healthier community and achieve its Green Vision goals, including 75 percent diversion by 2013 (which has been accomplished) and zero waste by 2022.

Private Sector Green Building Policy

The City of San José's Green Building Policy for private sector new construction encourages building owners, architects, developers, and contractors to incorporate meaningful sustainable building goals early in the building design process. This policy establishes baseline green building standards for private sector new construction and provides a framework for the implementation of these standards. It is also intended to enhance the public health, safety and welfare of San José residents, workers, and visitors by fostering practices in the design, construction, and maintenance of buildings that would minimize the use and waste of energy, water and other resources in the City of San José.

Envision San José 2040 General Plan

Future development of the project site allowed by the proposed land use designation would be subject to the utilities and services policies of the City's General Plan, including the following:

Policy	Description
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.
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.
MS-3.3	Promote the use of drought-tolerant plants and landscaping materials for nonresidential and residential uses.
Action EC-5.1	Implement the Post-Construction Urban Runoff Management requirements of the City’s Municipal National Pollutant Discharge Elimination System (NPDES) Permit to reduce urban runoff from project sites.
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.
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.
IN-3.7	Design new projects to minimize potential damage due to stormwaters and flooding to the site and other properties.
IN-3.9	Require developers to prepare drainage plans that define needed drainage improvements for proposed developments per City standards.
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 NPDES permit.

4.17.1.2 Existing Conditions

Water Supply

Water service to the site would be supplied by the San José Municipal Water System, which gets its water from a variety of groundwater and surface water sources. Based on the San José Municipal Water System *2015 Urban Water Management Plan* and General Plan FPEIR, with the utilization of conservation measures and recycled water, water supplies would meet projected future demand assumed under the General Plan. Additionally, future groundwater well development projects would provide an additional approximately 1,368,576,000 gallons of water per normal water year between 2017 and 2025.³²

The project site is mostly covered with paved parking and includes a portion of an existing church. Landscaped areas on the site cover approximately 7,775 square feet. Water use associated with the

³² San José Municipal Water System. *2015 Urban Water Management Plan*. Accessed February 28, 2017. https://wuedata.water.ca.gov/public/uwmp_attachments/3271939933/2015_UWMP_SanJoséMunicipalWaterSystem_Final.pdf.

existing on-site landscaping is approximately 350,000 gallons per year.³³ Water use associated with the approximately 7,000-square-foot portion of the church on the project site is assumed to be 219,023 gallons per year.³⁴

Wastewater

Wastewater from the project area is treated at the San José/Santa Clara Regional Wastewater Facility (RWF) in Alviso. The RWF has a capacity to treat 167 million gallons per day (mgd) of sewage during dry weather flow.³⁵ In 2015, the RWP's average dry weather influent flow was 108 mgd.³⁶ The resulting fresh water from the RWP is discharged to the South San Francisco Bay or delivered to the South Bay Water Recycling Project for distribution. As stated in the General Plan FPEIR, the City's average dry weather flow is approximately 69.8 mgd. The City's share of the RWP's treatment capacity is 108.6 mgd, which leaves the City with approximately 38.8 mgd of excess treatment capacity.³⁷

Sanitary sewer lines in the area are owned and maintained by the City of San José. The General Plan FPEIR states that average wastewater flow rates are approximately 70 to 80 percent of domestic water use and 85 to 95 percent of business use (assuming no internal recycling or reuse programs). For the purposes of this analysis, wastewater flow rates are assumed to be 90 percent of the total on-site water use at the church. The current land uses on-site would generate approximately 197,120 gallons of wastewater each year.

Storm Drainage

The City of San José owns and maintains the municipal storm drainage system that serves the project site. The lines that serve the project site drain directly into Guadalupe River, which ultimately flows to the San Francisco Bay. There is no overland release of stormwater directly into any water body from the project site. There are existing storm drain lines within Booksin Avenue and Koch Lane.

Solid Waste

Santa Clara County's Integrated Waste Management Plan (IWMP) was approved by the California Integrated Waste Management Board in 1996 and was reviewed in 2004, 2007, and 2011. Each jurisdiction in the County has a landfill diversion requirement of 50 percent per year. In 2014, the City of San José diverted approximately 73 percent of the waste generated in the City.³⁸ According

³³ Association of California Water Agencies. "California's Water: Facts on Water Efficiency Gardens in Full Bloom". Accessed February 28, 2017. <http://www.acwa.com/content/conservation/californias-water-facts-water-efficiency-gardens-full-bloom>.

³⁴ California Air Pollution Control Officers Association. CalEEMod. *Appendix A Calculation Detail for CalEEMod*. Table 9.1 Water Use Rates. Accessed February 26, 2017. <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>.

³⁵ City of San José. Water Pollution Control Capital Program 2016-2020 - Adopted Capital Improvement Program. Accessed February 9, 2017. <http://www.sanJoseca.gov/DocumentCenter/View/46177>.

³⁶ City of San José. "Clean Bay Strategy Reports." Accessed February 9, 2017. <http://www.sanJoseca.gov/ArchiveCenter/ViewFile/Item/1629>.

³⁷ City of San José. *Envision San José 2040 General Plan FPEIR*. September 2011. Page 648.

³⁸ City of San José. Using Diversion and Innovation to Become a Zero Waste City. Accessed February 9, 2017. <https://www.sanJoseca.gov/index.aspx?NID=2950>.

to the IWMP, the County has adequate disposal capacity beyond 2022. The City landfills approximately 494,000 tons of solid waste per year. The total permitted landfill capacity of the five operating landfills in the City is approximately 5.3 million tons per year.

The existing land uses at the project site is mostly covered with a paved parking lot and a portion of the existing church building. The current amount of waste produced on the project site is primarily associated with the church and is estimated to be 17,885 pounds per year.³⁹

4.17.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3

4.17.2.1 Exceedance of Treatment Requirements (Question a and b)

Wastewater from the project site would be transported through existing sanitary sewer pipelines to the RWF for treatment. The RWF completes tertiary treatment of all wastewater to remove 99 percent of impurities before effluent is released to the San Francisco Bay or delivered to the South

³⁹ CIWMB. "Estimated Solid Waste Generation Rates". Accessed March 6, 2016 <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Institution>. 0.007lb/sqft/day(7,000 sqft).

Bay Water Recycling Project for distribution.⁴⁰ The RWF is currently operating with a 120 mgd dry weather effluent flow capacity. This requirement is based upon the SWRCB and the RWQCB concerns over the effects of additional freshwater discharges from the RWF on the saltwater marsh habitat, and pollutant loading to the San Francisco Bay from the RWF.

As stated previously, however, the City currently has approximately 38.8 mgd of excess treatment capacity at the RWF. The project site is currently developed with a parking lot and church structure. Future redevelopment of the project site with residential uses under the proposed land use designation could result in additional wastewater generation. It is assumed that residential development on site would generate up to 1,071 gallons of wastewater per day (assuming eight single family homes were built on the site).⁴¹ This amount, however, is not substantial such that the increase wastewater from the site that could cause an exceedance of the RWQCB's treatment requirements for the RWP given that 38.8 mgd of excess capacity at the RWF. **(Less Than Significant Impact)**

4.17.2.2 *Drainage Facility Expansion (Question c)*

Future development of the site, however, would comply with the MRP and City of San José Policy 6-29, which address on site treatment of stormwater at new development projects. Future development would be required (through the planning permit process) to meet stormwater treatment and site design requirements through the incorporation of measures such as grassy swales, bioretention in landscape areas, and disconnected downspouts. For these reasons, future redevelopment of the project site would likely improve the water quality of runoff as compared to existing conditions and would not exceed the capacity of the existing storm drainage system. **(Less Than Significant Impact)**

4.17.2.3 *Water Supply (Question d)*

The General Plan FPEIR determined that the three water suppliers for the City (including the San José Municipal Water Company, which serves the subject site) could serve planned growth under the General Plan until 2025. While water demand could exceed water supply with implementation of the General Plan during dry and multiple dry years after 2025, the General Plan has specific policies to reduce water consumption including expansion of the recycled water system and implementation of water conservation measures. The General Plan FPEIR concluded that with implementation of existing regulations and adopted General Plan policies, full build out under the General Plan would not exceed the available water supply under standard conditions and drought conditions.

The proposed General Plan Amendment would allow up to eight single-family residences on the site that would require 521,232 gallons of water per year. This additional water demand is not considered substantial considering the water demand of the existing uses on site and the total estimated supply described in the General Plan FPEIR. Additionally, the any future project would comply with General Plan policies and regulations identified in the General Plan FPEIR with regard

⁴⁰ City of San José. *San José-Santa Clara Regional Wastewater Facility*. Accessed February 10, 2017. <http://sanjoseca.gov/index.aspx?nid=1663>.

⁴¹ California Air Pollution Control Officers Association. *CalEEMod. Appendix A Calculation Detail for CalEEMod*. Table 9.1 Water Use Rates. Accessed February 26, 2017. <http://www.aqmd.gov/docs/default-source/calceemod/calceemod-appendixa.pdf?sfvrsn=2>. 521,232 gallons per year (0.75)=390,924 gallons per year sewage/365 days per year=1,071 gallons per day.

to water efficiency. Therefore, implementation of the proposed project would have a less than significant impact on the City's water supply. **(Less Than Significant Impact)**

4.17.2.4 Wastewater Capacity (Question e)

As stated previously, the City currently has approximately 38.8 mgd of excess wastewater treatment capacity. Development allowed under the General Plan (including the proposed project) would not exceed the City's allocated capacity at the City's wastewater treatment facility. The incremental increase in wastewater generation resulting from eight residences constructed to current building and landscaping codes would not substantially or measurably increase wastewater flows. Additionally, there is an existing sewer line in Booksin Avenue that the project could likely utilize. Therefore, implementation of the proposed General Plan Amendment and future residential development at the site would have a less than significant impact on wastewater treatment capacity. **(Less Than Significant Impact)**

4.17.2.5 Landfill Capacity and Waste Regulations (Questions f and g)

Future increases in solid waste generation from an eight-unit residential development project allowed under the *Residential Neighborhood* designation would generate approximately 122 pounds of waste per day or 44,603 pounds per year.⁴² The total permitted landfill capacity of the five operating landfills in the City is approximately 5.3 million tons per year; therefore, there is sufficient landfill capacity to serve the project. Additionally, any future development project at the site would be subject to ongoing implementation of the City's Zero Waste Strategic Plan, including the 75 percent diversion goal. Thus, implementation of the proposed project would have a less than significant impact on the solid waste disposal capacity. **(Less Than Significant Impact)**

4.17.3 Conclusion

Future development of the project site under the proposed land use designation would not require construction of new off-site facilities for wastewater treatment, storm drainage, water, or waste disposal because existing facilities have the capacity to serve the anticipated level of future development. Further, implementation of General Plan and other City policies would ensure development of the project site would not significantly impact utilities and service systems serving the project site. **(Less Than Significant Impact)**

⁴² CalRecycle. California's 2015 Per Capita Disposal Rate. Accessed February 28, 2017. <http://www.calrecycle.ca.gov/Igcentral/goalmeasure/DisposalRate/MostRecent/default.htm>.

4.18

MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a) Does the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pages 6-95
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pages 6-95
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pages 6-95

4.18.1 Project Impacts (Question a)

As discussed in the individual sections, the proposed General Plan Amendment to the *Residential Neighborhood* General Plan designation would not degrade the quality of the environment with the implementation of measures in accordance with the City’s General Plan and Municipal Code and other applicable plans, policies, regulations, and ordinances.

As discussed in Section 4.4 Biological Resources, the project is located in an urban environment and would not directly impact sensitive habitat or species. The project site is located within the Habitat Plan study area and, as a result, would be subject to all applicable Habitat Plan fees. There is a low potential for buried archaeological and paleontological resources on-site. As discussed in Section 4.5 Cultural Resources, implementation of measures in accordance with the General Plan would ensure impacts to cultural resources are less than significant.

As discussed in Section 4.8 Hazardous Materials, the existing buildings on the site may contain asbestos materials and lead-based paint, and pesticides may be present in onsite soils as a result of previous agricultural use. Site clearing and remediation in accordance with the General Plan and applicable state and local regulations would ensure less than significant hazardous materials impacts to the environment. As discussed in Section 4.9 Hydrology and Water Quality, construction activities during redevelopment of the site could result in temporary impacts to surface water quality.

Implementation of measures in accordance with the City’s General Plan and Grading Ordinance would reduce the risk of impacts to surface water quality and associated wildlife habitat to a less than significant level. **(Less Than Significant Impact)**

4.18.2 Cumulative Impacts (Question b)

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of San José were designed such that a project impact would also be a cumulatively considerable impact. The proposed General Plan Amendment would not result in a significant emissions of criteria air pollutants or GHG emissions and, therefore, would not make a substantial contribution to cumulative air quality or GHG emissions impacts statewide and globally.

With the implementation of measures in accordance with the City’s General Plan and Municipal Code and other applicable plans, policies, regulations, and ordinances, future residential development allowed under the proposed land use designation would not result in significant geology and soils, hydrology and water quality, or public services impacts and would not contribute to cumulative impacts to these resources. Also, the project would not impact agricultural and forest resources or mineral resources; therefore, the project would not contribute to a significant cumulative impact on these resources.

The project site is located in an urban area and, given its limited size, redevelopment under the proposed land use designation would not contribute to a cumulative impact on aesthetics, population and housing, or recreation with the implementation of General Plan policies, Municipal Code requirements, and Residential Design Guidelines.

4.18.2.1 *Cumulative Long-Range Traffic Impacts*

The cumulative long-range traffic impacts of all proposed 2017 General Plan Amendments were evaluated in a Long-Range Traffic Impact Analysis model forecast prepared by Hexagon Transportation Consultants (included as Appendix C). This analysis evaluated the cumulative impacts of ten proposed General Plan Amendments, as listed in the following Table 4.18-1. 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 4.18-1 also summarizes the existing (adopted General Plan) and proposed land uses, as well as density for each of the ten sites under each General Plan Amendment.

Table 4.18-1: 2017 General Plan Amendments – Existing and Proposed Land Use

Site No.	Project Name	Location	APN	Size (acres)	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 Avenue)	2720 Booksin Avenue	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. 4 th Street)	120 N. 4 th Street	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 Avenue)	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 Avenue)	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 Avenue)	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
9	GP17-006 (West Julian Street)	715 West 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 to 10.0
10	GP17-007 (Trimble Road)	370 West 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/AC = dwelling units/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 Measure of Effectiveness (MOE) thresholds are used to evaluate long-range transportation impacts resulting from implementation of the General Plan Amendments. As summarized in Table 4.18-2, the General Plan Amendments would have a significant cumulative long-range traffic impact if one or more of the following occurs: i) the amendments result in an increase in daily VMT per service population, ii) the amendments result in an increase in the percentage of journey-to-work drive alone trips; and/or iii) the amendments result in a 7.5 percent decrease in average vehicle speeds on designated transit priority corridors. In addition to the three MOEs, the cumulative traffic analysis evaluated potential cumulative effects on adjacent jurisdictions.

Table 4.18-2: MOE Significance Thresholds	
MOE	Citywide Threshold
Daily VMT/Service Population	Any increase over current 2040 General Plan conditions
Journey-to-Work Mode Share (Drive Alone Percentage)	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: <ol style="list-style-type: none"> 1. The average speed drops below 15 mph or decreases by 25 percent 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. <ol style="list-style-type: none"> 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 percent or more on the deficient segment.
Source: <i>Envision San José 2040 General Plan TIA</i> , October 2010.	

The results of the cumulative long-range traffic analysis for the 2017 General Plan Amendments are discussed below and summarized in Table 4.18-3 through Table 4.18-6.

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. Therefore, cumulatively, the 2017 General Plan Amendments 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 GP policies and goals that would further reduce VMT by increased use of non-auto modes of travel.

	Base Year (2015)	Existing General Plan	Existing General Plan Plus Amendments
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

¹ Service Population = Residents + Jobs
Source: Hexagon Transportation Consultants, Inc. *City of San José 2017 General Plan Amendments: Long-Range Traffic Impact Analysis*. August 18, 2017.

Journey-to-Work Mode Share

The proposed General Plan Amendments would not result in an increase in drive alone journey-to-work mode share when compared to the current General Plan; therefore, the 2017 General Plan Amendments would result in a less than significant cumulative impact on citywide journey-to-work mode share.

Mode	Base Year (2015)		Existing General Plan		Existing General Plan Plus Amendments	
	Trips	Percent	Trips	Percent	Trips	Percent
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 Drive Alone Percentage over General Plan Conditions						-0.1
Significant Impact?						No

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

Average Vehicle Speeds in Transit Priority Corridors

The proposed General Plan Amendments would 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. Therefore, cumulatively, the 2017 General Plan Amendments would result in a less than significant impact on the AM peak-hour average vehicle speeds on the transit priority corridors.

Table 4.18-5: AM Peak-Hour Vehicle Speeds (mph) in Transit Priority Corridors					
Transit Priority Corridor	Base Year (2015)	Existing General Plan	Existing General Plan Plus Amendments	Percent Change	Absolute Change
2nd Street from San Carlos St to Street James St	11.4	11.4	11.4	0	0.0
Alum Rock Avenue from Capitol Av to US 101	21.2	15.3	15.1	-2	-0.3
Camden Avenue from SR 17 to Meridian Av	22.2	14.6	15.2	4	0.6
Capitol Avenue from S. Milpitas Boulevard to Capitol Expressway	23.9	20.8	20.5	-1	-0.2
Capitol Expressway from Capitol Avenue to Meridian Avenue	25.8	24.5	25.0	2	0.5
East Santa Clara Street from Highway 101 to Delmas Avenue	20.3	16.9	16.7	-1	-0.2
Meridian Avenue from Park Avenue to Blossom Hill Road	22.7	19.1	18.7	-3	-0.5
Monterey Road from Keyes Street to Metcalf Road	24.2	17.2	17.3	1	0.1
North 1st Street from SR 237 to Keyes Street	19.8	12.7	13.4	5	0.7
San Carlos Street from Bascom Avenue to SR 87	22.1	21.0	20.7	-2	-0.3
Stevens Creek Boulevard from Bascom Avenue to Tantau Avenue	21.3	17.2	17.2	0	0.0
Tasman Drive from Lick Mill Boulevard to McCarthy Boulevard	24.0	13.5	13.5	0	0.0
The Alameda from Alameda Way to Delmas Avenue	19.7	14.1	13.7	-3	-0.5
West San Carlos Street from SR 87 to 2nd Street	19.3	18.3	18.2	0	0.0
Source: Hexagon Transportation Consultants, Inc. <i>City of San José 2017 General Plan Amendments: Long-Range Traffic Impact Analysis</i> . 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 General Plan. 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 General Plan FPEIR.

Table 4.18-6: AM Four-Hour Traffic Impacts in Adjacent Jurisdictions

City	Base Year (2015)			Existing General Plan			Existing General Plan Plus Amendments		
	Deficient Lane Miles ¹	Deficient Lane Miles Attributed to San José ²	Percent Deficient Lane Miles Attributed to San José	Total Deficient Lane Miles ¹	Total Deficient Lane Miles Attributed to San José ²	Percent Deficient Lane Miles Attributed to San José	Total Deficient Lane Miles ¹	Total Deficient Lane Miles Attributed to San José ²	Percent 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	1.01	100	1.01	1.01	100
Caltrans Facilities	5,311	4,131	78	5,234	4,402	84	5,236	4,402	84
Santa Clara County Expressways	2.75	2.75	100	13.03	12.83	98	11.84	11.64	98

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 percent or more on the deficient segment.

Bold: Indicates Significant Impacts

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

Compared to the current General Plan, the *City of San José 2017 General Plan Amendments: Long-Range Traffic Analysis* found that the General Plan Amendments would i.) not result in an increase citywide daily VMT per service population; ii) reduce the percentage of journey-to-work drive alone trips; or iii) increase average vehicle speeds on the transit priority corridors.

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. For these reasons, the cumulative long-range traffic impact is less than significant. **(Less Than Significant Cumulative Impacts)**

4.18.3 Direct or Indirect Adverse Effects on Human Beings (Question c)

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include community risks from air emissions, soil and seismic hazards, hazardous materials, and noise. Implementation of measures in accordance with the City's General Plan and Municipal Code, and other applicable plans, policies, regulations, and ordinances, however, would ensure these impacts are less than significant to future residential development on the site. No other direct or indirect adverse effects on human beings have been identified. **(Less Than Significant Impact)**

Checklist Sources

1. Professional judgment and expertise of the environmental specialists preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.
2. City of San José. *Envision San José 2040 General Plan*.
3. City of San José. *Envision San José 2040 General Plan FPEIR*. 2010.
4. City of San José. *Municipal Code*. February 2015.
5. California Department of Conservation, Division of Land Resource Protection. *Santa Clara County Important Farmland 2014*. Map. 2014.
6. California Department of Conservation, Division of Land Resource Protection. *Santa Clara County Williamson Act FY 2013/2014*. 2013.
7. Bay Area Air Quality Management District. *Bay Area 2017 Clean Air Plan*. April 19, 2017.
8. Bay Area Air Quality Management District. *CEQA Guidelines*. May 2017.
9. County of Santa Clara. *Santa Clara Valley Habitat Plan*. August 2012.
10. FEMA. GeoPlatform. Accessed February 10, 2017.
<http://fema.maps.arcgis.com/home/webmap/viewer.html?webmap=cbe088e7c8704464aa0fc34eb99e7f30&extent=-121.88620702655062,37.367936536613456,-121.86002866656457,37.3791910545685>.
11. Engeo Incorporated. *Phase I Environmental Site Assessment, 2700 Booksin Avenue, San José, California*. October 27, 2016.
12. Hort Science. Preliminary Arborist Report 2700 Booksin Avenue, San José, CA. October 28, 2016.
13. Hexagon Transportation Consultants, Inc. *City of San José 2017 General Plan Amendments: Long-Range Traffic Impact Analysis*. August 18, 2017.

SECTION 5.0 REFERENCES

- ABAG. PDA Showcase. Accessed February 24, 2017. <http://gis.abag.ca.gov/website/PDAShowcase/>.
- ABAG. *Plan Bay Area Projections 2013*. December 2013.
- ABAG MTC. *Plan Bay Area 2040*. Accessed September 9, 2017. <http://2040.planbayarea.org/>.
- Association of California Water Agencies. "California's Water: Facts on Water Efficiency Gardens in Full Bloom". Accessed February 28, 2017. <http://www.acwa.com/content/conservation/californias-water-facts-water-efficiency-gardens-full-bloom>.
- BAAQMD. *California Environmental Quality Act Air Quality Guidelines*. May 2017. Accessed May 24, 2017. http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.
- BAAQMD. "Stationary Source Screening Analysis Tool." Accessed February 24, 2017. <http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/ceqa-tools>.
- California Air Pollution Control Officers Association. CalEEMod. *Appendix A Calculation Detail for CalEEMod*. Table 9.1 Water Use Rates. Accessed February 26, 2017. <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>.
- California Air Pollution Control Officers Association. CalEEMod.2013.2.2. Program accessed March 2, 2017.
- City of San José. "Clean Bay Strategy Reports." Accessed February 9, 2017. <http://www.sanJoseca.gov/ArchiveCenter/ViewFile/Item/1629>.
- California Department of Conservation. Alquist-Priolo Maps. Accessed February 24, 2017. <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>.
- California Department of Conservation, Division of Land Resource Protection. *Santa Clara County Important Farmland 2014*. Map. 2014.
- California Department of Conservation. Santa Clara County Tsunami Inundation USGS 24 Quads. Accessed February 10, 2017. http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/SantaClara.
- California Department of Conservation. *Seismic Hazard Zones*. San José East Quadrangle. Accessed February 24, 2017. ftp://ftp.consrv.ca.gov/pub/dmg/pubs/lisim/LSIM_SanJoseEaStreetpdf.
- California Department of Transportation. "Scenic Highways". Site accessed May 23, 2017. <http://www.dot.ca.gov/design/lap/livability/scenic-highways/index.html>

- CalRecycle. California's 2015 Per Capita Disposal Rate. Accessed February 28, 2017.
<http://www.calrecycle.ca.gov/lgcentral/goalmeasure/DisposalRate/MostRecent/default.htm>.
- Caltrans. "California Scenic Highway Mapping System: Santa Clara County." Accessed February 24, 2017. http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm.
- CARB. "Assembly Bill 32 Overview". Accessed February 24, 2017.
<https://www.arb.ca.gov/cc/ab32/ab32.htm>.
- Center for the Continuing Study of the California Economy, *Projections of Jobs, Populations, and Households for the City of San José*, August 2008.
<http://www.sanJoseca.gov/DocumentCenter/View/3326>.
- City of San José. *Clean Bay Strategy Reports*. Accessed February 24, 2017:
<http://www.sanJoseca.gov/ArchiveCenter/ViewFile/Item/1629>.
- City of San José. *Envision San José 2040 General Plan*.
- City of San José. *Envision San José 2040 General Plan FPEIR*. September 2011.
- City of San José. *Greenprint 2009 Update*. December 8, 2009.
- City of San José. Middle and Upper Guadalupe Watershed Map. Accessed February 10, 2017.
<https://www.sanJoseca.gov/DocumentCenter/View/801>.
- City of San José. "Planned Growth Areas Diagram". Accessed May 24, 2017.
<https://www.sanjoseca.gov/DocumentCenter/View/7463>.
- City of San José. *Resolution No. 72274 A Resolution of the Council of the City of San José Designating Certain Trees as Heritage Trees, Placing Said Trees on the Heritage Tree List, and Deleting Certain Trees Therefrom, and Repealing Resolution No. 69745*. August 10, 2004.
- City of San José. *Recycled Water Pipeline System*. Map. Accessed February 16, 2017.
<https://www.sanJoseca.gov/DocumentCenter/View/4692>
- City of San José. *Resolution No. 72274 A Resolution of the Council of the City of San José Designating Certain Trees as Heritage Trees, Placing Said Trees on the Heritage Tree List, and Deleting Certain Trees Therefrom, and Repealing Resolution No. 69745*. August 10, 2004.
- City of San José. *San José Area School Districts*. Accessed February 26, 2017.
<https://www.sanJoseca.gov/DocumentCenter/View/1351>.
- City of San José. *San José-Santa Clara Regional Wastewater Facility*. Accessed February 10, 2017.
<http://sanJoseca.gov/index.aspx?nid=1663>.

- City of San José. *Using Diversion and Innovation to Become a Zero Waste City*. Accessed February 9, 2017. <https://www.sanJoseca.gov/index.aspx?NID=2950>.
- City of San José. Water Pollution Control Capital Program 2016-2020 - Adopted Capital Improvement Program. Accessed February 9, 2017. <http://www.sanJoseca.gov/DocumentCenter/View/46177>.
- CIWMB. *Estimated Solid Waste Generation Rates for Institutions*. January 5, 2004. . <http://www.ciwmb.ca.gov/wastechar/WasteGenRates/WGInstit.htm>.
- County of Santa Clara, USFWS. *Santa Clara Valley Habitat Plan Final Environmental Impact Report/Environmental Impact Statement*. Accessed January 25, 2017. <http://scv-habitatagency.org/178/Santa-Clara-Valley-Habitat-Plan>.
- Engeo Incorporated. *Phase I Environmental Site Assessment, 2700 Booksin Avenue, San José, California*. October 27, 2016.
- FEMA GeoPlatform. Accessed February 10, 2017. <http://fema.maps.arcgis.com/home/webmap/viewer.html?webmap=cbe088e7c8704464aa0fc34eb99e7f30&extent=-121.88620702655062,37.367936536613456,-121.86002866656457,37.3791910545685>.
- Google Earth. Version 7.1.8.3036. Program used February 2017.
- Hexagon Transportation Consultants, Inc. *City of San José 2017 General Plan Amendments: Long-Range Traffic Impact Analysis*. August 18, 2017.
- Hort Science. Preliminary Arborist Report 2700 Booksin Avenue, San José, CA. October 28, 2016.
- Institute of Transportation Engineers. *Trip Generation Manual, 9th Edition, Volume 2: Data*. 2012
- Santa Clara County Website. County Geologic Hazards Zones – Maps. Accessed February 24, 2017. <http://www.sccgov.org/sites/PLANNING/GIS/GEOHAZARDZONES/Pages/SCCGeoHazardZoneMaps.aspx>.
- San José Municipal Water System. *2015 Urban Water Management Plan*. Accessed February 28, 2017. https://wuedata.water.ca.gov/public/uwmp_attachments/3271939933/2015_UWMP_SanJose_MunicipalWaterSystem_Final.pdf.
- San José Water Company. *Water Supply Map*. Accessed February 28, 2017. P:\Research Tools\Document Sections\Utilities and Service Systems\Established Guidelines\Water\Service & Systems Maps\SJWater - Water Supply Map.mht.
- Santa Clara Valley Habitat Agency. *Santa Clara Valley Habitat Plan*. August 2012.

- Santa Clara Valley Urban Runoff Pollution Prevention Plan. *Classification of Subwatersheds and Catchment Areas for Determining Applicability of HMP Requirements*. Map. Accessed May 23, 2017. [http://www.scvurppp-w2k.com/HMP_app_maps/San José HMP Map.pdf](http://www.scvurppp-w2k.com/HMP_app_maps/San_José_HMP_Map.pdf).
- State of California. Department of Conservation. *Fault Activity Map of California (2010)*. Accessed February 16, 2017. <http://maps.conservation.ca.gov/cgs/fam/>
- State of California. Department of Finance. *Table 2: E-5 City/County Population and Housing Estimates 1/1/2016*. Accessed February 24, 2017. <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>.
- State of California. *Seismic Hazard Zone Report for the San José West 7.5-Minute Quadrangle, Santa Clara County, California*. Accessed February 24, 2017. [http://gmw.consrv.ca.gov/shmp/download/quad/SAN JOSÉ WEST/reports/sjosw_eval.pdf](http://gmw.consrv.ca.gov/shmp/download/quad/SAN_JOSÉ_WEST/reports/sjosw_eval.pdf).
- Strategic Economics. *San José Market Overview and Employment Lands Analysis*. Accessed February 25, 2017. <https://www.sanJoséca.gov/DocumentCenter/View/53472>.
- SWRCB. *Impaired Water Bodies*. Accessed February 10, 2017. http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml.
- VTA. *Bikeways Map*. Accessed February 28, 2017. http://vtaorgcontent.s3-us-west-1.amazonaws.com/Site_Content/BikewaysMapE.pdf.

SECTION 6.0 LEAD AGENCY AND CONSULTANTS

6.1 LEAD AGENCY

City of San José
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San José, CA 95113
Rosalynn Hughey, Interim Director
Dipa Chundur, Environmental Planner
Kimberly Vacca, Planner

6.2 CONSULTANTS

David J. Powers & Associates, Inc.
Environmental Consultants and Planners
San José, CA
Nora Monette, Principal Project Manager
Amie Ashton, Project Manager
Zach Dill, Graphic Artist