

City of San José, California
COUNCIL POLICY

TITLE Greenhouse Gas Reduction Strategy Implementation	PAGE 1 of 8	POLICY NUMBER
EFFECTIVE DATE	REVISED DATE	
APPROVED BY COUNCIL ACTION		

BACKGROUND

The Envision San José 2040 General Plan (General Plan) includes a Greenhouse Gas Reduction Strategy (GHG Reduction Strategy) that the City of San Jose approved as part of the adoption of the General Plan. The General Plan was developed with the purpose of encouraging sustainable practices citywide that will reduce greenhouse gas emissions. The General Plan supports the development of land uses in a manner to minimize energy use and encourages the expansion of the transportation network in a way that reduces the need for automobile travel, thereby reducing greenhouse gas emissions. The Greenhouse Gas Reduction Strategy identifies specific policies incorporated in the General Plan that will reduce greenhouse gas emissions and analyzes the effectiveness of those policies.

The Greenhouse Gas Reduction Strategy includes two approaches to reducing greenhouse gas emissions: 1) specific City-sponsored initiatives and actions the City is taking over matters with which the City has direct control (e.g. Green Vision, implementation of the General Plan), and 2) establishing policies to direct, guide or influence actions of third parties to implement and maintain consistency with the Strategy on a project-by-project basis. The adoption of this City Council Policy is intended to implement the latter approach, as required by the General Plan.

California Environmental Quality Act (CEQA) Streamlining

The Greenhouse Gas Reduction Strategy also provides a method to streamline the California Environmental Quality Act (CEQA) review process. Projects that conform to the General Plan may make use of the Greenhouse Gas Reduction Strategy in lieu of completing a separate analysis of a project's potential greenhouse gas emissions, by complying with this policy. Compliance is demonstrated by completing and submitting a completed checklist (below) with a permit application.

PURPOSE

The purpose of this policy is to further implement the City's Greenhouse Gas Reduction Strategy adopted with the General Plan by providing a method to demonstrate, on a

TITLE Greenhouse Gas Reduction Strategy Implementation	PAGE 2 of 8	POLICY NUMBER
---	-----------------------	----------------------

project-by-project basis, the greenhouse gas reduction measures which are correlated with energy reduction usage, sustainable site design, and the reduction of vehicle emissions. Any new development which meets the thresholds identified below shall be required to document the greenhouse gas emission reduction features included in the design and construction of a project. This policy enhances the public health, safety and welfare of San José residents, workers, and visitors by promoting measures to reduce greenhouse gas emissions in accordance with State regulations.

POLICY

Applicability

New discretionary approvals subject to review by the Director of PBCE shall demonstrate conformance to this policy by submitting a completed checklist (below) with a Development or Use Permit application and shall be enforced through a Permit Condition upon approval of a Development or Use Permit. Development permit and/or Use Permit (as defined in the DEFINITIONS section of this policy) means any permit issued pursuant to [Chapter 20.100](#) of Municipal Code Title 20 (Zoning Ordinance).

Any commercial and/or industrial projects that includes 10,000 square feet (or more) in size of new construction, and/or any residential project that includes at least new ten units (or more), and/or any project which includes a “substantial change of use”(as defined in the DEFINITIONS section of this policy) shall demonstrate conformance to this policy by submitting a completed checklist (below) with a Development or Use Permit application and shall be enforced through a Permit Condition upon project approval (Capitalized terms used herein are defined in the DEFINITIONS section of this policy, below).

Demonstration of Conformance with Policy and General Plan

Projects shall certify and demonstrate conformance to this policy by:

- 1) Completing the Greenhouse Gas Reduction Strategy Project Implementation Checklist maintained by the Department of Planning, Building and Code Enforcement (below is a checklist for illustrative purposes) as part of the development application. . At least one item from each category must be checked to have a complete application. This completed checklist must be included on the final approved plan set(s) and be incorporated accordingly into the design of the project as applicable (either as detail drawings or as notes); and

TITLE Greenhouse Gas Reduction Strategy Implementation	PAGE 3 of 8	POLICY NUMBER
---	-----------------------	----------------------

- 2) Agreeing to a permit condition that the property owner or management company shall be required to maintain these checked items in good visual and functional condition during the life of the project as a condition of permit approval.

As projects move through subsequent stages, such as building permit and construction, additional information (i.e. final architecture and plumbing design, availability of materials, etc.) may become available that may warrant revisions to the completed checklist. In the event this occurs, it will be necessary for applicants to file a Permit Adjustment to complete a new checklist in order that City staff can verify compliance with this policy.

Any project proposing to amend the General Plan must provide an analysis of a project’s potential greenhouse gas emissions by completing the requirements for evaluating, measuring, and mitigating greenhouse gas emissions as recommended by the Bay Area Air Quality Management District’s (Air District) CEQA Air Quality Guidelines (as amended) in addition to completing the Policy checklist. Conformance to the Air District’s regulations shall be included in a separate report prepared by a qualified consultant and provided to the Director of PBCE prior to any public hearing.

Adaptive Management and Amendments to Checklist

The Greenhouse Gas Reduction Strategy consists of a phased approach to build upon existing efforts to reduce greenhouse gas emissions. Based upon current practices, the City is on track to meet the AB 32 targets for the year 2020 and is moving progressively towards meeting the targets for the next milestone years (2035 and 2050). It is anticipated that further changes in behavior or common practices, implemented through new technologies, increased State regulation or other policy changes enacted in future years, will allow the State to achieve its 2035 and 2050 goals, but it is not yet possible to analyze the benefits of such changes.

Implementation of the Greenhouse Gas Reduction Strategy will thus be an ongoing adaptive management process, whereby opportunities to reduce greenhouse gas emissions will continue to be evaluated and selected based on a variety of factors, including available technology, relative cost, and policy preferences, among others. The attached Illustrative Implementation Checklist will be periodically revised to include more effective measures as they become available and feasible.

Process for Amending the Checklist

The Director of Planning, Building and Code Enforcement is authorized to modify the Implementation Checklist as necessary to implement the policies identified in the Greenhouse Gas Reduction Strategy in the General Plan. Prior to adopting a revised Implementation Checklist, the Director shall consult with community and development

TITLE Greenhouse Gas Reduction Strategy Implementation	PAGE 4 of 8	POLICY NUMBER
---	-----------------------	----------------------

stakeholders and conduct a public hearing to receive comments on the proposed revision.

Review of Greenhouse Gas Reduction Strategy Implementation by City Council

Additionally, the effectiveness of this policy will be evaluated during the annual General Plan review process and more extensively every four years during the Major Review of the General Plan. As part of the annual review, the City Council will have an opportunity to also review and provide input on the Implementation Checklist that is in use at the time of the review. As part of a General Plan Major Review the City should complete a comprehensive citywide greenhouse gas emissions analysis and further evaluate how this policy can be revised to include additional measures to reduce greenhouse gas emissions. Accordingly, new development over the General Plan timeframe will be designed, constructed, and operated according to the most efficient standards and practices available at the time of the project’s implementation.

***DEFINITIONS**

Development Permit and/or Use Permit: means any permit issued pursuant to [Chapter 20.100](#) of Municipal Code Title 20 (Zoning Ordinance).

New Construction: New Construction means any project that includes the construction of a new structure (including parking structures), building and/or surface parking lot which includes 30 new parking spaces.

“**Change in use**” means any enlargement, conversion or alteration in structure or use.

“**Substantial change in use**” means more than a forty percent difference between (a) and (b), as follows: (a) the number of parking spaces required under current Code for the structure or use, as it existed on November 10, 1965, and (b) the number of parking spaces required under the current Code for the proposed structure or use. [Substantial change: $b - a = c$, if $c/a > .40$ (40%)] (Municipal Code Section 20.90.210 Vehicle Parking – Change in structure or use)

“**On-Street Primary Bicycle Facilities**” are either classified with Class II (bike lanes) or Class III (signed routes) and are through routes for bicycles providing continuous access and connections to the local and regional bicycle network. Through and high volumes of motor vehicle traffic are generally discouraged, but may be allowed in localized areas where necessary to accommodate adjacent land uses. Local automobile, truck, and transit traffic are accommodated in the roadway, but if there are conflicts, bicycles have priority. Neighborhood traffic management strategies to slow and discourage through automobile and truck traffic may be appropriate (pursuant to Envision San José 2040 General Plan Chapter 5 • Interconnected City).

TITLE Greenhouse Gas Reduction Strategy Implementation	PAGE 5 of 8	POLICY NUMBER
---	-----------------------	----------------------

“**Main Streets**” are locations identified within new planned Growth Areas where the City envisions increased density of commercial and residential development or within established neighborhoods. Main Street physical form supports many transportation modes, with significant emphasis given to pedestrian activity (pursuant to Envision San José 2040 General Plan Chapter 5 • Interconnected City).

Greenhouse Gas Reduction Strategy
Project Implementation Illustrative Checklist

At least one item from each category (Reduce Energy Use, Sustainable Site Design, and Vehicle Trip Reduction) is required to be checked. This checklist shall be submitted with the Planning land use entitlement application and be included within the final approved plan set. The Director of Planning, Building and Code Enforcement (PBCE) is authorized to maintain and modify this checklist in accordance with Council Policy (“Policy”).

Planning staff will verify consistency with this policy during the review of the entitlement permit and during subsequent conformance reviews.

Category 1 - Reduce Energy Use

- Project includes light-emitting diode (LED) lamps [light bulbs] for at least 85% of all indoor and/or outdoor lighting systems, including public and private streets and driveways as indicated by a note or detail drawings on a Lighting Plan.
- The project will include renewable energy systems such as micro-co-generation systems (thermodynamic combined heating and power), solar, wind turbine, etc as indicated as a detail drawing and/or note on the plans and/or a note in the specifications.
- The project will be designed to facilitate the installation of solar panels at a later date as indicated by dimensioned detailed drawings which show the enclosed conduit connections between the solar inverter and the waterproofed roof top connection box.
- The project will be engineered to allow the installation of a ‘green’/vegetated roof as part of the project or as a future renovation as shown on a Roof Plan.
- The project will be built with a Cool Roof. “Cool Roof” means a roof that consists of materials which reflect the sun's energy from the roof surface (mainly bright white in color) and have high emissivity allowing the roof to emit infrared energy.
- The project will be designed to increase water and energy efficiency by complying with the requirements of Municipal Code Title 15, Water Efficient Landscape Standards

TITLE Greenhouse Gas Reduction Strategy Implementation	PAGE 6 of 8	POLICY NUMBER
---	-----------------------	----------------------

for New and Rehabilitated Landscaping, Chapter 15.11 and Title 20, Zoning Ordinance, Section 20.100.440.

Building façade(s) will be designed to ensure that no more than 40% of any surface façade will be fenestration (i.e. windows, doors, and other openings).

Category 2 – Sustainable Site Design

The project is located within a General Plan Growth Area, such as an Urban Village.

The project is designed to meet the maximum density standards listed in the General Plan Land Use designation descriptions.

The project is located within 1/2 mile of public transit, services, and other amenities.

The project is designed to be directly connected to pedestrian paths leading public transit stops/access and/or public pedestrian/bicycle trails.

Additional showers/changing rooms with extra amenities (such as lockers, hair dryers, etc) are provided above Municipal Code Title 20, Zoning Ordinance, requirements.

The project will provide “Class I” bicycle parking facilities. “Class 1” is defined as, “Facilities which protect the entire bicycle, its components and accessories against theft and against inclement weather, including wind-driven rain. Examples of this type of facility include (1) lockers, (2) check-in facilities, (3) monitored parking, and (4) restricted access parking.

The project is oriented east to west; and the facades and majority of windows face south to maximize solar orientation.

Landscaping on the site is maximized to the greatest extent possible as determined by exceeding Municipal Code and Design Guidelines standards.

Deciduous trees are planted near building roofs; and/or evergreen trees are planted near hardscape areas [Trees should be planted at least 10 feet away from building foundations to prevent potential damage to the structure from roots spreading].

Large outdoor gathering areas are provided on site.

Area for compost collection, processing, and reuse is provided on site.

TITLE Greenhouse Gas Reduction Strategy Implementation	PAGE 7 of 8	POLICY NUMBER
---	-----------------------	----------------------

- Project will connect to recycled water system (purple pipe).
- Eight to ten foot wide sidewalks are provided to promote pedestrian use.
- Pedestrian paths include street furniture (includes seating/benches, public transit shelters, pedestrian lighting, and other features designed to help elevate the livability, quality of experience and overall image of the right-of-way).
- The building is at least four stories tall.
- The project will plant at least one 15-gallon tree (which is native to San José and drought tolerant) for every four open parking spaces provided or provide an approximate equivalent monetary donation to Our City Forest (compliance is demonstrated by providing a receipt of donation to Our City Forest prior to any public hearing).
- The project will include a public community garden.
- The project preserves open space, wildlife/riparian habitats and/or agricultural lands.

Category 3 - Vehicle Emission Reduction

- The project will be pre-wired to facilitate the installation of charging stations for clean air vehicles and/or includes charging stations for clean air vehicles.
- The project will provide a “one car” garage for at least 40% of the residential units included in the project.
- The project will provide preferred/reserved parking spaces for car pool vehicles/commuter vans/buses, and/or Car Share vehicles.
- Eco passes will be provided to all on site residents and/or employees.
- Long term parking spaces will be provided near public transit stops/stations.
- To facilitate bicycle riding existing bike lanes associated with the project will be improved, or if no bike lanes currently exist, will be constructed.
- Vehicular cross access easements connecting the project to adjacent properties will

TITLE Greenhouse Gas Reduction Strategy Implementation	PAGE 8 of 8	POLICY NUMBER
---	-----------------------	----------------------

be provided to alleviate unnecessary street congestion and idling time.

Pedestrian cross access easements will be provided to allow people to access other properties without having to move their car.

The property management will implement and maintain an employee incentive program to encourage the use of public transportation including a reward program for employees who bike to work or use transit.

The project includes a public bicycle rental station.

Streets within the project will be designed as an 'on street primary bicycle facility*' or as a 'main street*' per General Plan, Chapter Five, Interconnected City standards.

Mid block pedestrian crosswalks will be provided.

The project will include 'unbundled vehicle parking' (parking spaces are available for purchase, rent, or lease and are not automatically included in the cost for tenancy).

The project includes a shared parking arrangement.

New vehicular parking spaces are not provided for any existing development that meets Municipal Code, Title 20 (Zoning Ordinance) standards.

The project meets or exceeds all Municipal Code requirements for reduced parking spaces.

Up to 40% of all provided vehicular parking spaces are compact parking spaces.

The project provides onsite child care.

.