

Overview of the Evergreen Development Policy

The original *Evergreen Area Development Policy*, adopted in 1976, was based on City analyses that concluded that transportation and flood protection deficiencies signified substantial constraints to development in Evergreen, defined as land within San Jose's Urban Service Area Boundary, south of Story Road and east of U.S. Highway 101. The EDP identified specific programs and policies for correcting the service deficiencies, and established an allocation program to phase residential development based on available traffic capacity and planned traffic improvements. The Level of Service (LOS) policy for the Evergreen area required that new development not degrade the average traffic capacity of screenline intersections (gateway intersections leading into Evergreen) to less than "D." LOS "D" is when traffic backs up at a signal, but will clear when the light turns green. In the case of flood protection, development was permitted only if the 100-year flood protection was in place for each project and downstream of each project.

Subsequent revisions to the EDP in the early 1990's preserved the basic tenets of the original Policy, while providing updated information on the affected watersheds and street system improvements required to allow development of the remaining planned dwelling units.

Evergreen Area Development Policy, as Revised 1995

The *Evergreen Area Development Policy* (EDP), as revised May 9, 1995, continues to provide the framework for planned levels of development in the Evergreen area. Traffic Level of Service (LOS) and hundred-year flood protection continue to be the prerequisites to project approvals.

In tandem with the 1995 Policy, a Benefit Assessment District was formed, which funded over \$9.5 million of transportation improvements in the area. These improvements allowed the construction of up to 4,759 residential units. Any property participating in the Benefit Assessment District was allocated approved vehicle trips based on the parcel's planned residential dwelling unit yield. Development proposals seeking to increase the unit yield on a participating property, and thus increase the trips, were required to mitigate the impacts of the additional units based on a traffic analysis. Any proposed residential development not included in the Benefit Assessment District was required to conduct a traffic analysis, and mitigate any project impacts. As stated in Ordinance No. 24849, effective October 1998, which established the procedures and methodology for transportation analysis in the EDP area, an impact that requires mitigation is defined as:

1. An increase in traffic which causes a level of service designation to change; or
2. Other:
 - a. Residential projects: The addition of any traffic in an intersection operating at level of service E or F.
 - b. Non-residential projects: The addition of more than a one-half percent (0.5%) increase in critical traffic movement in an intersection operating at level of service E or F.

Since 1995, over 1100 units with allocation have been constructed in the Evergreen area. An additional 57 units without allocation have been approved based on project level traffic analysis and feasible mitigation to resolve traffic issues. The projects associated with these 57 units

Overview of the Evergreen Area Development Policy

Page 2

contributed close to \$1 million in traffic mitigation, resulting in improvements including the intersections of Story and Capitol Expressway, and Story and White Road.

The Silver Creek Planned Residential Community, the Evergreen Specific Plan, and the Evergreen Area Development Policy have facilitated growth in Evergreen as projected in the San Jose 2020 General Plan. The majority of the planned development has been completed; however, planning efforts and land use proposals in the few years have identified both the need and the opportunity for additional development within the area. The West Evergreen, KONA, and East Valley/680 Strong Neighborhoods Initiative (SNI) Improvement Plans identify priority action items to enhance existing conditions and create new community facilities, parks, trails, and other investments in the area. The Knight Program in Community Building selected the Evergreen-Eastridge area for an intensive five-day planning exercise (commonly known as the “charrette”), the result of which is a report that builds upon past plans, and suggests future land use development, transportation, and community facility opportunities. In addition, two major Evergreen property owners filed General Plan amendments to allow additional housing and retail development; any new housing requires an update to the EDP to accommodate additional housing growth.

Evergreen Visioning Project/Smart Growth Strategy and EDP Update

On November 4, 2003, the City Council delegated approval of the funding agreement to the City Manager for the Evergreen Visioning Project/Smart Growth Strategy, update the EDP, and prepare related environmental documents. Property owners or developers of four key sites are funding this effort. This comprehensive land use and transportation planning effort is the result of past and recent planning and policy efforts completed to guide land use and development in the Evergreen area. These efforts have created momentum for creating a new vision to direct infill development in Evergreen consistent with Smart Growth principles.

As described in the report to City Council, the EVP process is balancing land use development with transportation improvements and community facilities. The EVP involves the community, property owners, City staff, and consultant participation. A community task force, under the leadership of Councilmember David Cortese, is providing input to the effort.

To prevent piecemeal General Plan changes and EDP modifications in the meantime, the Council adopted a resolution in January 2004 to discourage residential development proposals without unit allocations or those requesting increased density in order to allow the community, the City, and the property owners the opportunity to identify the land use changes that will reflect the community-based vision to guide future development in Evergreen.

As part of the EVP, an updated Evergreen Area Development Policy is needed to facilitate the EVP’s proposed land uses. The Council is expected to consider the updated Evergreen Development Policy with the Evergreen Visioning Project, associated General Plan amendments, and financing strategy (estimated in April 2006).