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# Memorandum

**TO: HONORABLE MAYOR  
AND CITY COUNCIL**

**FROM: Joseph Horwedel**

**SUBJECT: SEE BELOW**

**DATE: March 20, 2008**

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Approved Paul Krutz → Date 3/20/08

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**SUBJECT: UPDATE ON TOPICS OF INTEREST IN THE ENVISION SAN JOSE  
GENERAL PLAN UPDATE PROCESS**

## INFORMATION

### BACKGROUND

The purpose of this memo is to provide the City Council with information on the current status of the following three topics related to the Envision San Jose 2040 General Plan Update Work Program. These topics are discussed within the context of the Council's June 2007 direction associated with the initiation of the General Plan Update.

- Capacity of the South Almaden Valley Urban Reserve
- Consideration of expansion of the Greenline/Urban Growth Boundary(UGB) and Urban Service Area (USA)
- Review of Specific Plans as a part of the General Plan Update

### ANALYSIS

#### The Capacity of the South Almaden Valley Urban Reserve (SAVUR)

The Council-approved Envision San Jose 2040 Work Program identifies specific questions and issues to be addressed, including the two following issues relative to SAVUR:

- What is the realistic holding capacity of the South Almaden Valley Urban Reserve (SAVUR)?
- Verify the location of the 15% Slope Line to confirm those areas considered appropriate for future urban development.

These two issues will be addressed in the Alternatives Analysis component of the work program. On March 19, 2008, the City Council received a separate Information Memorandum describing the growth assessment of the SAVUR. This effort was undertaken at the request of Councilmember Pyle, and directed by the City Council as a part of its denial of a proposed subdivision of approximately 1,000 acres outside the SAVUR and the UGB/USA in 2006. The SAVUR Growth Assessment found that there are a total of 193 existing dwelling units located within the SAVUR. The existing County zoning would allow approximately 72 additional units on existing legal parcels. As part of the General Plan Update, additional analysis will be done to verify the location of the 15% slope line and quantify the potential developable land area within this urban reserve. The Task Force and City Council will have these data as they discuss the policy issues associated with allocating any potential future growth to SAVUR within the timeframe of the Envision San Jose 2040 General Plan.

#### Consideration of Expansion of the Urban Growth Boundary/Urban Service Area

The Envision San Jose 2040 Task Force received a letter from Davidon Homes requesting the evaluation of their property on Suncrest Drive in the east foothills for inclusion in the UGB, as a part of the General Plan Update. The letter and the City's response are included as Attachment 1 and 2 to this memo. A similar letter from YCS Investments, managers of approximately 2,000 acres in the foothills south of the Silver Creek Valley Country Club, also outside the UGB, was received on March 18, 2008. A response to that letter is pending. Almaden Valley property owner(s) have initiated discussions in the community for land adjacent to the SAVUR regarding the potential for expansion of the UGB/USA in this area.

The Council's actions initiating the General Plan Update identified topics not to be included in the work program. One of these items is the expansion of the Urban Growth Boundary or Urban Service Area. As noted in the response to the Davidon Homes letter, based on the Council direction, the City will not be initiating any expansions of the UGB/USA on its own as a part of the General Plan update process but will consider formal applications in accordance with the Municipal Code.

Chapter 18.30 of the Municipal Code establishes the procedures for modifications to the Urban Growth Boundary. This section includes policy limitations in Section 18.30.270A, which state:

“Significant modifications of the UGB are strongly discouraged in order to ensure the long-term stability of the boundary by directing urban growth to areas of the city that are urbanized or planned for urbanization.”

In addition, the Council-adopted Guiding Principles for the General Plan Update include the Greenline/Urban Growth Boundary which states:

“Preserve land that protects water, habitat and agricultural resources and/or offers recreational opportunities, as well as to preserve the scenic backdrop of the hillsides surrounding San Jose.”

HONORABLE MAYOR AND CITY COUNCIL

**RE: Update on Envision San Jose 2040 General Plan Update Process**

March 20, 2008

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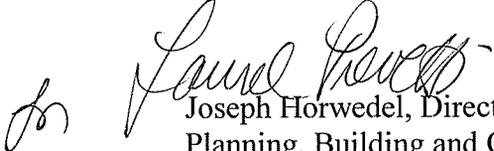
Review of Specific Plans as a part of the General Plan Update

At its February 25, 2008 meeting, the Envision San Jose 2040 Task Force discussed the importance of including a review of the existing Specific Plans as a part of the General Plan Update. The June 2007 Council initiation memo lists "Revisiting Specific Plans/Area Plans" as a topic not included in the General Plan Update. Based on recent discussions, the Task Force is expected to forward a recommendation to the City Council regarding Specific Plans. Staff's guidance to the Task Force is that the basic vision, scope and direction of adopted specific and area plans should remain in tact.

The Task Force is expected to recommend that the City Council clarify that the review of the jobs and housing capacities of specific plan areas be included in the General Plan Update Alternatives Analysis. This will provide information necessary to ensure that the entire City is evaluated in a consistent manner when analyzing where and how to accommodate projected future growth in the most efficient and sustainable way. Should recommendations for changes in specific/area plan capacity be incorporated in the Envision San Jose 2040 General Plan, staff would seek future Council direction after completion of the General Plan Update to initiate updates to such plans, involving interested property owners, businesses, neighborhoods and other community members.

Conclusion

The above information is intended to provide clarification for the City Council, the Envision San Jose 2040 Task Force and interested stakeholders regarding these issues. Planning Staff is also preparing a more comprehensive status report on the Envision San Jose 2040 General Plan Update process, anticipated to be presented to City Council in mid-April.

  
Joseph Horwedel, Director  
Planning, Building and Code Enforcement

For questions regarding this information, please contact Laurel Prevetti, Assistant Director Planner at 535-7901.

Attachments:

- 1) January 28, 2008 letter from Davidon Homes
- 2) March 17, 2008 response to Davidon Homes

Attachment 1

# DAVIDON HOMES

January 28, 2008

Envision 2040 Task Force  
C/O Mr. Stan Ketchum, Principal Planner  
200 E. Santa Clara Street  
San Jose, CA 95113

Dear Mr. Ketchum,

I am writing as a representative of Davidon Homes, which owns property immediately outside the Urban Growth Boundary contiguous to Suncrest Avenue in the eastern foothills of San Jose. Davidon believes that there are development opportunities for our property, other than residential development, that the City of San Jose would find attractive. For this reason, Davidon Homes wishes to formally request the city's evaluation of the Urban Growth Boundary (UGB) during the Envision San Jose 2040 General Plan Update process.

Our understanding is that modifications to the UGB can only be considered as part of a Comprehensive Update of the General Plan. Additionally, it is our understanding that upon adoption, the Envision 2040 Comprehensive General Plan will serve as the official blueprint for growth for the City of San Jose for an additional 15-20 years.

The current General Plan 2020 has provided land use guidance for the city for the past 13+ years, including the existing voter approved UGB. The Guiding Principles for the Envision 2040 include (1) Growth Management, (2) Urban Conservation/Preservation and the (3) Greenline/Urban Growth Boundary. With the conditions and policies in place to guide the expansion and/or contraction of the UGB, it would appear that the need to re-evaluate the UGB as part of the Envision 2040 process is required.

Davidon Homes looks forward to participating in the General Plan Envision 2040 process. Please advise me as to how Davidon Homes can facilitate this review.

Thank you for your consideration,

Sincerely,



Jeff Thayer  
Vice President

cc: Councilmember Sam Liccardo, Envision San Jose 2040 Co-Chair  
Shirley Lewis, Envision San Jose 2040 Co-Chair

## Attachment 2



*Department of Planning, Building and Code Enforcement*  
JOSEPH HORWEDEL, DIRECTOR

March 17, 2008

Mr. Jeff Thayer, Vice President  
Davidon Homes  
1600 S. Main Street, Suite 150  
Walnut Creek, CA 94596

Dear Mr. Thayer:

This letter is in response to your January 28, 2008 letter addressed to the Envision San Jose 2040 General Plan Update Task Force in which you requested the City's evaluation of the Urban Growth Boundary (UGB) adjoining your company's property on Suncrest Drive, as a part of the Envision San Jose 2040 General Plan Update. Your letter was included in the materials distributed to the Task Force for their February meeting as correspondence received. The letter was not placed on the agenda so no discussion occurred.

In June, 2007, the City Council initiated the Envision San Jose 2040 General Plan Update process and approved a Work Program, as described in the memo to the Council dated June 4, 2007, copy attached. On page 5, the memo identifies topics the Council has directed not be included in the General Plan Update work program, to be completed by City Staff and the Council-appointed Envision San Jose 2040 Task Force. The first item listed is "Expansions of the Urban Growth Boundary and Urban Service Area". Accordingly, the City will not be initiating any such expansions on its own as a part of the General Plan update process, but will consider formal applications in accordance with Municipal Code Chapter 18.30.

Chapter 18.30 of the Municipal Code establishes the General Provisions and the Modification process for the Greenline/Urban Growth Boundary. A copy of this section is attached to inform you of the process. The established process would need to be followed in order for the City to evaluate and consider any proposal for expansion of the Greenline/Urban Growth Boundary. Since your property is larger than 5 acres, we assume the process for a significant modification is most appropriate. Further information regarding the application process is available on Planning's website at <http://www.sanjoseca.gov/planning/applications> under General Plan Amendment. Please note, however, the policy limitations in Section 18.30.270A which states: "Significant modifications of the UGB are strongly discouraged in order to ensure the long-term stability of the boundary by directing urban growth to areas of the city that are urbanized or planned for urbanization."

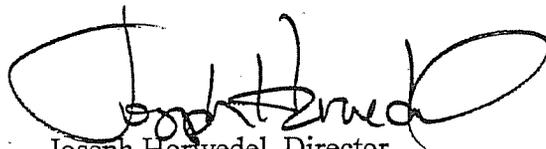
Furthermore, the City Council action initiating the General Plan Update also approved a set of Guiding Principles for the General Plan Update, which closely follow the Major Strategies

Mr. Jeff Thayer  
Davidon Homes  
March 17, 2008  
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contained in the San Jose 2020 General Plan, including the Greenline/Urban Growth Boundary (see attached). The Council's Guiding Principle states: Preserve land that protects water, habitat and agricultural resources and/or offers recreational opportunities, as well as to preserve the scenic backdrop of the hillsides surrounding San Jose.

Any application for modification of the Greenline/Urban Boundary would be considered in accordance with the relevant ordinance and Council policy direction.

Should you have any questions regarding this matter, please contact Stan Ketchum, Principal Planner at 535-7876.



Joseph Horwedel, Director  
Planning, Building and Code Enforcement

Attachments

June 4, 2007 City Council memo  
Municipal Code Chapter 18.30  
Envision San Jose 2040 Guiding Principles

Cc Envision San Jose 2040 Task Force



# Memorandum

TO: HONORABLE MAYOR  
AND CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: Envision San José 2040  
General Plan Update  
Work Program

DATE: June 4, 2007

Approved

Date

6/11/07

COUNCIL DISTRICT: Citywide  
SNI: All

## RECOMMENDATION

The City Council initiate the Envision San José 2040 General Plan Update by approving the proposed Guiding Principles, Work Program, and Community Participation Program

## OUTCOMES

The approval of the above actions will begin the process to update the San José 2020 General Plan, the City's long-range planning document to guide the future growth and development of the City, leading to the adoption of the proposed Envision San Jose 2040 General Plan.

## EXECUTIVE SUMMARY

This memorandum describes the proposed Envision San Jose 2040 General Plan Update process, including the proposed Guiding Principles, Work Program, and Community Participation Program. The discussion of the proposed Work Program includes the overview of the work program and schedule, and sections addressing Key Questions to Focus the General Plan Update process, and Key Issues Not a Part of the General Plan Update, including implications for the Coyote Valley Specific Plan process. The discussion of the Community Participation Program addresses the proposed Envision San Jose Committee, Public Workshops and the Public Outreach Plan.

## BACKGROUND

On May 3, 2007, the City Council held a Study Session to review information necessary to facilitate the initiation of the proposed Envision San José 2040 General Plan Update. This

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memorandum presents the proposed Guiding Principles, Work Program, and Community Participation Program for Council approval.

Study Session Comments

At the Study Session, the City Council provided a number of comments to help guide the formation of the General Plan Update process. They included the following:

- The draft work program framework anticipated an approximate three-year process. The Council recommended developing a process that can be completed in approximately two years, with a draft General Plan completed by August, 2008.
- The Council encouraged identifying aspects of the General Plan that do not need significant review, including such topics as Specific Plans and Area Development Policies that meet current and future General Plan and other City policies.
- The Council confirmed that the seven Major Strategies contained in the San José 2020 General Plan continue to represent the appropriate framework for the future growth of the City. In addition, the Council agreed that topics including enhanced sustainability, cultural diversity, social equity, fiscal stability, and accountability should be addressed in the Guiding Principles and considered for inclusion in the Major Strategies in the Updated General Plan.
- In regards to community participation, the Council comments included the following:
  - Provide multi-lingual services, as necessary to ensure inclusion and representation of the various ethnic groups in the City
  - Identify clear roles, responsibilities and expectations for an Advisory Committee
  - Explore methods to consolidate and use existing community contact lists to build a comprehensive public outreach database
  - Consider conducting a scientific survey to help identify and validate community values and vision for the future of San José.

ANALYSIS

Proposed Guiding Principles

As mentioned above, at the May 3 Study Session the Council confirmed that the seven Major Strategies contained in the San José 2020 General Plan continue to represent the appropriate framework for the future growth of the City. These strategies are: Economic Development, Growth Management, Downtown Revitalization, Urban Conservation/Preservation, Greenline/Urban Growth Boundary, Housing and Sustainable City. The Council agreed that topics including enhanced sustainability, cultural diversity, social equity, and fiscal stability should be addressed in the Guiding Principles and considered for inclusion in the Major Strategies in the Updated General Plan. Attachment A includes the proposed Guiding Principles for the Envision San José 2040 General Plan Update.

The proposed Sustainability Guiding Principle expands on the General Plan Sustainable City Major Strategy by acknowledging and incorporating the City's ongoing efforts to implement the Urban Environmental Accords, adopted by the City Council in November 2005, which address a comprehensive range of sustainability factors, including energy, waste reduction, urban design, urban nature, transportation, environmental health and water resources.

A new topic to be included in the Guiding Principles is Social Equity, which states that the City should "cultivate ethnic, cultural and socio-economic diversity and equity in the planning for all public facilities and services to protect and enhance the quality of life for all San José residents." This concept follows the lead of the City's successful Strong Neighborhoods Initiative process to promote inclusiveness and participation in the decision-making process and equity in the provision of City facilities and services.

These Principles should be adopted by the City Council and used throughout the General Plan Update process to guide discussions and decisions. In particular, the work of the Advisory Committee will be shaped and guided by these principles.

### **Proposed Envision San José 2040 General Plan Update Work Program**

#### Work Program Overview

The proposed Envision San José 2040 General Plan work program is divided into two primary phases. Phase I comprises the fundamental work elements necessary to shape the updated General Plan, including:

- Analyzing existing conditions and future projections
- Conducting issue identification and community visioning workshops,
- Developing and selecting a preferred alternative for the future growth of the City.

Phase I is anticipated to conclude with Council direction on a preferred land use alternative in approximately September 2008.

Phase II of the work program will consist of:

- Comprehensively reviewing and refining all General Plan Goals and Policies
- Drafting the updated General Plan text
- Preparing the General Plan Draft Environmental Impact Report (DEIR).

Phase II will conclude with Planning Commission public hearings on the DEIR and Draft Plan and City Council public hearings and adoption of the Envision San José 2040 General Plan in approximately February 2010. The proposed Work Program Schedule is shown graphically in Attachment B. A detailed list of the tasks included in each phase of the work program is included in Attachment C.

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### Project Schedule

The entire Envision San José 2040 process is anticipated to occur over a two and a half year period. The Advisory Committee timeframe would be roughly two years. As noted above, the primary process and decision-making for the updated General Plan will occur in Phase I, to be completed in September 2008. Given the proposed outcomes and scope of Envision San José 2040, the complexity of issues involved and the level of public participation both expected and desired, staff believes that the proposed schedule incorporates the minimum necessary timeframe practical for completion of the process. Each task in the work program builds upon the work completed in the previous task. For example, the issue identification and community vision creation are critical to the development of alternatives. The thoroughness and quality of the work and outreach conducted for each task will affect the outcome and quality of work in subsequent tasks. Further compression of the schedule will not provide adequate time for either City Departments or community-wide input on the development of the content and direction of the plan, while also permitting the thorough analysis needed by decision makers to make informed decisions.

### Key Questions to Focus the General Plan Update Process

There are a number of key questions that will form the focus for the development of the updated General Plan. They follow closely the proposed Guiding Principles, and are as follows:

1. Future Growth Projections
  - How much projected job, population and housing growth will San Jose need to accommodate?
  - How do San Jose's projected growth rates relate to that of the greater Bay Area region?
  
2. Land Capacity
  - How much and what type of land will be required to accommodate future new employment, housing and all other uses anticipated?
  - How much land is currently available, both vacant and underutilized, in the San Jose 2020 General Plan?
  - What are the current and future trends and projections for the types and intensity of employment and housing development expected?
  - What amount and type of land will be required for all uses and activities, including commercial, recreational, schools, churches, etc?
  - What is the realistic holding capacity of the South Almaden Valley Urban Reserve (SAVUR)?
  - Verify the location of the 15% Slope Line to confirm those areas considered appropriate for future urban development
  
3. Infrastructure and Services
  - What is the current status of the City's infrastructure capacity and service levels?
  - What is the level of unfunded capital infrastructure needs and deferred maintenance?
  - What are the projected infrastructure needs and service level expansions required to serve both the existing community and projected new growth?

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- What are the projected services needs of other public and outside agencies, e.g., schools, healthcare, etc.?
- 4. Economic and Fiscal Analysis
  - How do the projected infrastructure and service level demands of the updated General Plan impact the City's economic and fiscal health and stability?
  - What are the economic and fiscal implications of the proposed mix of land uses?
- 5. Environmental Resources
  - How can the General Plan protect, restore and enhance San Jose's environmental assets, e.g., habitat protection, energy conservation, green building practices?
- 6. Social Equity
  - How can General Plan policies support social equity?
- 7. Proposed Envision 2040 General Plan Land Use Plan
  - What is the optimum land use plan and capacity to accommodate projected future growth in the manner that most effectively achieves the Guiding Principles?
  - How much growth can/should occur in transit corridors, other infill locations and the urban reserves?
  - What are the existing infrastructure capacities available/needed to serve transit corridors, other infill locations, and the urban reserves?

Answering these questions within the compressed timeframe recommended by the City Council will be challenging and complex, requiring a combination of significant staff and professional consultant analysis, on-going community participation and dedicated involvement by the Advisory Committee and the City Council.

Key Issues Not a Part of the General Plan Update

Due to the proposed compressed timeframe of the General Plan Update, several issues are not proposed for inclusion in the General Plan Update process, including:

- Expansions of the Urban Growth Boundary and Urban Service Area
- Revisions to the Coyote Valley Urban Reserve Prerequisite Conditions (triggers):
  1. Five thousand (5,000) new jobs are added, as evidenced by the issuance of building permits sufficient to accommodate such growth, to the 2,000 existing jobs (1990) in the North Coyote Valley Campus Industrial Area as part of a continuing demonstrated interest in North Coyote Valley as a location for industrial development.
  2. The City's fiscal condition is stable, predictable and adequate in the long term. This determination should be based on:
    - A five year economic forecast for the City which projects a balanced budget or budget surplus for each of the forecast years.
    - City services must be at least at the same level as they were in 1993, throughout the City. At least the following quantifiable services should be considered in this

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assessment: police response time, police personnel per capita, fire response time, fire personnel per capita, library books per capita, library floor space per capita, hours open at Main and branch libraries, and community center floor space per capita.

- Reasonable certainty that the City's basic fiscal relationship with the state or other levels of government will not be significantly altered during the period of the five year economic forecast.

- Revisiting Specific Plans/Area Plans
- Architectural/Urban Design and Community Character Policy enhancements
- Historic Preservation Policy and Surveys

#### Implications for the Coyote Valley Specific Plan (CVSP)

Staff is continuing its work on the Coyote Valley Specific Plan. The language in the San Jose 2020 General Plan states "*the Prerequisite Conditions (triggers) should only be modified during a comprehensive update of the General Plan involving a community task force similar to the San Jose 2020 General Plan update process.*" The project description in the CVSP Draft Environmental Impact Report (DEIR) includes a General Plan text amendment to modify the purpose of the existing triggers and their timing to allow the City Council to adopt a CVSP and Planned Community designation without having to first meet the triggers. This text amendment would not change the Prerequisite Conditions themselves, but would rather change the timing of when those conditions are to be met. This means that the specific plan could be adopted, but no residential development could be approved prior to satisfying all the triggers.

As noted above, any proposed changes to the Prerequisite Conditions can only be considered during the General Plan Update, per the San Jose 2020 General Plan. In addition, any proposed change to the 25,000 dwelling unit and 50,000 job minimum development capacities proposed for the CVSP should only occur during the General Plan Update. Neither of these issues is currently included in the General Plan Update Work Program. Staff is recommending that the Work Program not include either item. If the City Council would like to consider changes to either or both of these topics, then they should be incorporated into the General Plan Update Work Program and schedule, and work on the CVSP process should be suspended until the conclusion of the Update process.

#### Continued Processing of Privately-Initiated General Plan Amendments

In order to accomplish the proposed work program and schedule, processing of individual privately-initiated General Plan Amendments will not be referred to the General Plan Update and should proceed during the General Plan Amendment hearing process.

#### Outcomes of the Envision San José 2040 General Plan Update

The proposed Envision San José 2040 work program is designed to achieve the following outcomes:

- A Plan that will guide the City towards the realization of San José as a diverse and vibrant World Class City

- A Plan that provides a blueprint to accommodate future population and economic growth, while at the same time improving the quality of life for current and future residents and achieving environmental and fiscal sustainability for the City
- A Plan that cultivates the unique character of the many communities within San Jose by providing greater livability and identity within a citywide perspective
- A public educated on the importance and role of the General Plan, and strongly supportive of and invested in the Plan's vision, guiding principles, and goals and policies
- A General Plan that is a comprehensive and strategic Plan for the whole City organization, integrating decisions on land use and community development with those by all City Departments on the development of infrastructure and the provision of services
- A policy document that includes innovative and effective, yet feasible, goals and policies to implement the identified vision of the City in 2040. Goals and policies will include those that address the City's service and infrastructure needs, environmental sustainability and resources conservation, quality of life and the shape of future development.
- A Plan that establishes accountability measures to track progress and achievement of Guiding Principles, Major Strategies and Goals established in the General Plan Update.

#### Community Participation Program

The two goals of the Community Participation Program are:

- Achieve active, consistent community participation with significant involvement and guidance for the General Plan Update.
- General Awareness of the General Plan Update throughout San Jose with ample opportunities to participate throughout the process in a meaningful way

The core components of the community participation program are the proposed Envision San Jose Committee, the Public Workshop Series, the Public Outreach Plan and the Envision San José 2040 website. Each of these is described below.

#### Envision San Jose Committee

Community input and guidance on the development of the General Plan Update should be lead by the Envision San Jose Committee, an advisory committee selected by the Mayor and City Council. The Envision San José Committee will be responsible for providing input and direction on the key policy decisions leading to the development of the content of the Plan. The Committee will make recommendations to the Planning Commission and the City Council on the preferred land use alternative and the Draft General Plan. In making recommendations and in working with staff on the direction and content of the plan, the Committee will review and consider input provided by the general public at the Public Workshops, through the website, or

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through other venues. Committee meetings will occur approximately monthly and will be open to the public and the public will have an opportunity to participate in these meetings.

The Envision San Jose Committee should represent the wide range of community interests and cultural and ethnic diversity that make-up San José. This should include community representatives from each Council District and members representing various interests in the City including neighborhood, business, environmental, affordable housing, development, and other community organizations. The Committee should also include a representative from the City's Youth Commission and representation from San José State University and the School Districts. The Envision San José Committee is proposed to be led by a Chair and a Co-Chair. A proposed composition of this Committee is shown in Attachment D.

#### Public Workshop Series

The primary opportunity for public input will be the Public Workshop Series. Throughout the process, Public Workshop Series are planned at key points in the process. Each Workshop Series will include five workshops to be held at different locations throughout the City. The following four Workshop Series are proposed:

- City Vision and Issue Identification Workshop
- Alternatives Review and Selection Workshop
- Existing Conditions/Alternatives Development
- Goals and Policies Review and Development Workshop
- Review of Draft General Plan and EIR Workshop

Each of these Workshop Series will include a component to engage youth in the process. Furthermore, workshops will be held for Spanish and Vietnamese speakers, either as part of the larger General Public Workshops, or as stand-alone workshops. Staff will work with the Spanish and Vietnamese speaking communities to identify the most effective approach.

#### Public Outreach Plan

Developing a Public Outreach Plan that effectively reaches all of San José's diverse communities will be one of the first tasks of the Update Process. Staff will work with community leaders to identify the best approach for each community, building on the many suggestions collected during the Early Community Outreach process. Opportunities for community participation, particularly the public workshops, will be advertised in multiple local newspapers and public service announcements will be developed for airing on local television and radio stations, including the San José public access channel. Staff will also work with the media to develop stories on the General Plan to further public interest and participation in the process. Other likely tactics will include inserting Envision San José Workshop announcements in resident's utility bills and posting/distributing Workshop Announcements at community centers, libraries and schools. All outreach materials will inform the public that they can also participate in the process by providing input on the website.

A key piece of the public outreach "infrastructure" is the development of a Public Outreach Database. This effort will build upon the database managed by the Neighborhood Development

Center and currently being updated by the City Manager's Office. Staff will also coordinate with the Council Offices to ensure that this database integrates the outreach databases from each Council Office, as appropriate. The database will be updated on a regular basis to add names of individuals attending the public workshops, committee meetings, or providing input through the website. The primary outreach mode will be through E-mail. However, staff will also maintain a mailing database of individuals not able to access E-mail and who provide mailing addresses.

#### Envision San José 2040 Website

The other key vehicle for public participation in General Plan Update is the Envision San José 2040 website. The website, already in operation, will be used to inform the public of upcoming meetings and workshops and provide updates on the status of the Update process. Furthermore, all public meeting and workshop agendas, materials, products and summary notes will be posted on the website. This website, however, is not only proposed to disseminate information, but will facilitate participation in the process by members of the public, who either cannot or choose not to attend meetings and workshops. This website is proposed to include web versions of all Public Workshop exercises and offer the opportunity to submit comments on the process, thereby facilitating broader and more diverse public participation. Staff is exploring online surveying tools to assist in the update process.

#### Conclusions/Next Steps

Upon Council approval of the recommended actions, Planning Staff will immediately commence Task A, in Phase I, Project Initiation, with the limited staff resources currently allocated, pending adoption of the FY2007-08 Budget and authorization to begin recruitment of the additional staff proposed to create the full General Plan Update Team.

#### PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City.
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may Community group that requires special outreach.

Significant public outreach has occurred. Twenty-five public meetings were scheduled throughout the community. All meetings were included on the Planning website Community Calendar. The calendar was also distributed through the Neighborhood Development Center E-mail distribution. In addition, the Envision San José 2040 General Plan Update website is being kept current with materials describing the process.

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### BUDGET IMPLICATIONS

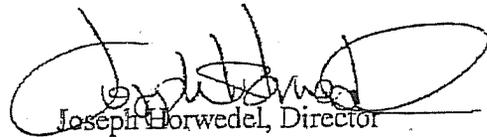
The proposed Operating Budget contains funding for staffing and consultant resources for the General Plan Update. The start of the General Plan Update would occur assuming the proposed funding is approved as a part of the Budget process in June.

### COORDINATION

Preparation of this memorandum was coordinated with the City Attorney's Office. If the General Plan Update is initiated, staff will continue working with all City Departments and begin coordination with other agencies regarding the General Plan Update.

### CEQA

Not a Project



Joseph Horwedel, Director  
Planning, Building and Code Enforcement

For questions please contact Stan Ketchum, Principal Planner, at 535-7876.

## ATTACHMENT A

### Guiding Principles

**Economic Development** – Maximize the economic and revenue generation potential of the City's land resources and employment opportunities for San Jose residents.

**Growth Management** – Balance the urban services and facilities demands of new development with the need to address the City's fiscal stability through the operating and capital budget process.

**Downtown Revitalization** – Invigorate Downtown as San Jose's cultural center with a mix of housing, employment, convention and visitor amenities, museums, parks, linkages to San Jose State University, etc.

**Urban Conservation/Preservation** – Protect and enhance San Jose's neighborhoods and historic resources to promote community identity and pride.

**Greenline/Urban Growth Boundary** – Preserve land that protects water, habitat, and agricultural resources and/or offers recreational opportunities, as well as to preserve the scenic backdrop of the hillsides surrounding San Jose.

**Housing** – Provide a wide variety of housing opportunities to meet the needs of all economic segments of the community in stable neighborhoods.

**Sustainability** – Manage, conserve and preserve natural resources for present and future generations. Identify opportunities to enhance the City's sustainability policies through the implementation of the Urban Environmental Accords.

**Social Equity** - Cultivate ethnic, cultural and socio-economic diversity and equity in the planning for all public facilities and services to protect and enhance the quality of life for all San Jose residents.

## ATTACHMENT C

### ENVISION SAN JOSE 2040 GENERAL PLAN UPDATE WORK PROGRAM SUMMARY

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#### PHASE I

##### Task A. Project Initiation

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1. Work Program Refinement
  2. Identification of City staff Technical Advisory Committees
  3. Existing Data Collection
  4. Selection of Envision San Jose Committee
  5. Development of Public Outreach Strategy and Database
  6. Refinement of General Plan Update Website
  7. Selection of Consultants
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##### Task B. Issue Identification and Vision

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1. Initial Stakeholder Outreach
  2. Public Workshop Series #1 – Issue Identification and Vision
  3. Draft Vision Statement
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##### Task C. Existing Conditions Analysis

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1. Demographic and Employment Trend Analysis
  2. Existing Land Use and Community Character
  3. Housing Conditions and Needs Assessment
  4. Employment Lands Needs Assessment
  5. Assessment of San Jose 2020 General Plan Population/Employment “Holding” Capacity
  6. Transportation Facilities and Traffic Conditions
  7. Public Facilities and Services
  8. Utilities
  9. Historic and Cultural Resources
  10. Biological Resources
  11. Noise and Air Quality
  12. Hazards and Hazardous Materials
  13. Hydrology and Water Quality
  14. Water Supply Assessment
  15. Geology and Soils
  16. Fiscal and Economic Analysis
  17. Recommendation for Fiscal Sustainability
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##### Task D. Alternatives Development

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1. Public Workshop Series #2 – Development of Alternatives
  2. Alternatives Development Report
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##### Task E. Alternatives Evaluation and Selection

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1. Economic/Fiscal Evaluation of Alternatives
  2. Circulation Evaluation of Alternatives
  3. Overall Assessment of Alternatives for Consistency with Vision and Guiding Principles
  4. Public Workshop Series #3 – Alternatives Evaluation and Selection
  5. Planning Commission Hearing on Alternatives Selection
  6. City Council Hearing on Alternatives Selection
  7. Selection of Preferred Land Use Alternative
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## ATTACHMENT D

### Envision San Jose 2040 General Plan Update

#### Stakeholders Groups Proposed for Inclusion on the Envision San Jose Committee

Note: Proposed stakeholder groups are in bold.  
Potential organizations and interest groups that could represent these groups are also included below.

- 1) **Community Representative from each Council District**
- 2) **Neighborhood Organizations**
  - a. Strong Neighborhoods Initiative Representative
  - b. United Neighborhoods of Silicon Valley
- 3) **Business**
  - a. Chambers of Commerce
  - b. Silicon Valley Leaderships Group
  - c. Downtown Association
  - d. Home Builders Association
  - e. American Institute of Architects
  - f. National Association of Industrial and Office Properties
  - g. Light/Heavy Industrial Business and/or Property Owner
- 4) **Community Based Organizations**
  - a. Salvation Army
  - b. League of Women Voters
- 5) **Education**
  - a. San Jose State University
  - b. School Districts
- 6) **Youth**
  - a. Youth Commissioner
- 7) **Planning Commissioner**
- 8) **Other City Commissions/Committees**
  - a. Parks and Recreation Commission
  - b. Housing and Community Development Advisory Commission
  - c. Historic Landmarks Commission
  - d. Bicycle and Pedestrian Advisory Committee
  - e. Arts Commission
- 9) **Other Interest Groups**
  - a. Environmental Interest Group
  - b. Affordable Housing
  - c. Labor
  - d. Faith Organizations
  - e. Health Industry

1. Has a value equal to or greater than such facilities benefit assessments as determined by the city council. The city council may request a report from the director of public works to assist in determining the value of the construction; and
  2. Is built to standards acceptable to the city council; and
  3. Is within the scope of the public facilities project.
- i. The city council may accept construction in lieu of the facilities benefit assessments required pursuant to this part where the city council finds that the construction proposed is less than the value of such facilities benefit assessment after payment of an amount equal to the difference between the value of the construction as determined by the city council and the amount of such facilities benefit assessments.
- Ord. 24187.)

**18.20.240 Termination of area of benefit.**

Upon receipt of an application by a majority of landowner(s) or their designated agents, or on its own motion, the city council may initiate proceedings for the termination of an area of benefit by adopting a resolution stating its intention. The resolution of intention shall state the time and place at which the city council will hold a hearing to consider such termination. If, at the conclusion of such hearing, the city council finds and determines that the public facilities project for which the area was originally formed will not be required in the reasonably foreseeable future, or that the installation of said public facilities project may be financed more effectively by another method, the city council may adopt a resolution declaring the area of benefit terminated.

Ord. 24187.)

**18.20.250 Reimbursement, credit and refund.**

In the event the city council agrees to accept construction in lieu of facilities benefit assessments as provided by Section 18.20.230 the value of which the city council finds is greater than the amount of the otherwise applicable facilities benefit assessments, the council may enter into an agreement with a developer pursuant to which said developer may be credited or reimbursed for the amount of the otherwise

applicable facilities benefit assessments. The determination to treat the in lieu construction as a credit shall be at the sole discretion of the city council. Unless a credit has been authorized, the agreement shall set forth the amount to be reimbursed, and the time and manner in which payments shall be made only from revenues paid into the special fund created for the area of benefit. If no funds are available to reimburse the developer, the developer shall be placed on a prioritized list for reimbursement.

- B. Upon termination of an area of benefit as provided in Section 18.20.240, any money remaining in the special fund established in connection therewith shall be expended for the general benefit of the area of benefit.
- (Ord. 24187.)

**18.20.260 Alternative method.**

This Part 2 is intended to establish an alternative method for the spreading of the costs of certain public improvements against the lands which will be benefitted thereby; and the provisions of this part shall not be construed to limit the power of the city council to utilize any other method for accomplishing this purpose but shall be in addition to any other requirements which the city council is authorized to impose as a condition to approving new development.

(Ord. 24187.)

**Chapter 18.30**

**GREENLINE/URBAN  
GROWTH BOUNDARY**

**Parts:**

- 1 General Provisions
- 2 Modification Process

**Part 1**

**GENERAL PROVISIONS**

**Sections:**

- 18.30.100 Intent.
- 18.30.130 Land use changes outside the UGB.

**18.30.100 Intent.**

- A. The Greenline/Urban Growth Boundary (UGB), as shown on the land use/transportation diagram and as described in the text of the general plan, is intended to be the ultimate limit to urbanization within which all future urban development in San José should occur and is designed to encourage compact, efficient infill development and discourage more costly development at the edge of the city. The UGB also helps to ensure that urban services provided by the city to existing neighborhoods will not be reduced by service demands of new urban development at the city's fringe.
- B. Significant modifications to the UGB, or significant modifications to the general plan text supporting the boundary, will only be considered in the context of a major, comprehensive update of the general plan which fully considers all of the implications of expanding the limits of urbanization.
- C. The procedures established in this Chapter 18.30 shall be used to process any request for a modification filed prior to the effective date of this chapter.  
(Ords. 25301, 25302, 25706, 26082.)

**18.30.130 Land use changes outside the UGB.**

Any request for a general plan amendment proposing to change non-urban land use designations to urban land use designations on lands located outside of the UGB shall be processed in conjunction with a request to modify the UGB in accordance with this chapter.  
(Ords. 25301, 25302, 25706, 26082.)

**Part 2**

**MODIFICATION PROCESS**

**Sections:**

- 18.30.200 Modifications.
- 18.30.220 Criteria - Minor modification.
- 18.30.260 Modification - Hearings.
- 18.30.270 Significant modifications.
- 18.30.280 Fees.

**18.30.200 Modifications:**

- A. Any request for a modification to the UGB, as shown on the land use/transportation diagram or the text of the general plan with regard to the UGB, shall be filed by December 1 to qualify for hearing during the annual review process of the general plan for the succeeding year.
- B. If, within ninety days after the application is filed, the director determines the request clearly qualifies as a minor modification based on the strict interpretation of the criteria set forth in Section 18.30.220, the modification may be considered during the annual review of the general plan.
- C. If, within ninety days after the application is filed, the director determines the request does not qualify as a minor modification based on the strict interpretation of the criteria set forth in Section 18.30.220, the request shall be set for hearing pursuant to Section 18.30.260.  
(Ords. 25301, 25302, 25706, 26082.)

**18.30.220 Criteria - Minor modification.**

To qualify as a minor modification, a proposed modification to the UGB must meet the criteria in subsections A., B., C., or D. below.

- A. Subject to the limitations of subsections B., C., and D. below, lands proposed for inclusion within the UGB must be:
  - 1. Be no larger than five acres in size unless the proposal would further the goals of the UGB by creating a permanent open space buffer or other clear limit to future urban development in the vicinity; and
  - 2. Located below the fifteen percent slope line, as defined in the general plan; and
  - 3. Be contiguous to lands with an urban land use designation on the city's general plan land use /transportation diagram.
- B. Lands adjacent to the Coyote Valley Urban Reserve, proposed for inclusion within the UGB must meet all of the following additional criteria:
  - 1. Be no larger than five acres in size; and
  - 2. Be located partly within the UGB; and
  - 3. Be proposed for development with a single, master plan process and coordinated implementation, such as a single planned development zoning and permit, that addresses uses and development on the entirety of such lands and that is compatible with neighboring uses and development.

- C. Land proposed for inclusion in the UGB for public service or facility uses must meet all of the following additional criteria:
  - 1. Require urban services; and
  - 2. Be required to serve existing or planned development within the urban service area.
- D. Lands within the Alviso Planning Area proposed for inclusion within the UGB must meet all of the additional criteria set forth in either subsection 1. or subsection 2. below:
  - 1. Type I criteria:
    - a. Be no larger than five acres in size; and
    - b. Be located partly within the UGB; and
    - c. Be proposed for development with a single master plan process and coordinated implementation, such as a single planned development zoning and permit, that addresses uses and development on the entirety of such lands and that is compatible with neighboring uses and development; or
  - 2. Type II criteria:
    - a. Notwithstanding the five-acre size requirement set forth in subsection A. above, be no larger than twenty acres in size; and
    - b. Have a solid waste disposal site designation on the city's general plan land use/transportation diagram; and
    - c. Be proposed for a use and for development in a manner that is auxiliary to or connected with an adjacent landfill use; and
    - d. Be contiguous to lands with an urban land use designation on the city's general plan land use/transportation diagram and to the city's urban service area on at least twenty percent of its boundaries; and
    - e. Be visually not distinguishable from contiguous, existing urban uses; and
    - f. Be proposed for development with a single master plan process and coordinated implementation, such as a single planned development zoning and permit, that addresses uses and development on the entirety of such lands and that is compatible with neighboring uses and development; and

- g. Inclusion of the lands proposed for inclusion within the UGB will be consistent with the goals of the UGB by creating a permanent open space buffer or other clear limit to future urban development in the vicinity; and
- h. No lands immediately adjacent to the lands proposed for inclusion within the UGB have been processed under the minor modification provisions of this section; and
- i. Development of the lands will provide an environmental benefit.

(Ords. 25301, 25302, 25706, 26082, 26631.)

**18.30.260 Modification - Hearings.**

- A. If the director determines that the application does not qualify as a minor modification, the director shall set hearings before the planning commission and the city council on the issue of whether:
  - 1. The application qualifies as a minor modification; or
  - 2. A comprehensive update of the general plan is currently underway or scheduled, and that the application should be referred to that process; or
  - 3. A comprehensive update of the general plan shall be undertaken.
- B. Notice of the time and place of the hearing by one publication in a newspaper of general circulation in the city at least ten days before the date set for the planning commission and city council hearings.
- C. If the city council initiates a comprehensive update of the general plan, the request for a significant modification shall be referred to the update process.
- D. The modification request shall be denied unless the city council:
  - 1. Determines that the application qualifies as a minor modification; or
  - 2. Refers the application to an existing comprehensive update of the general plan; or
  - 3. Initiates a comprehensive update of the general plan based on the findings in Section 18.30.270.

(Ords. 25301, 25302, 25706, 26082.)

**18.30.270 Significant modification.**

- A. Significant modifications to the UGB are strongly discouraged in order to ensure the long term stability of the boundary by directing urban growth to areas of the city that are urbanized or planned for urbanization.
- B. The city council shall refer a significant modification to a comprehensive update of the general plan only if it makes one of the following findings:
  - 1. A comprehensive update of the general plan is being scheduled for reasons independent of this application; or
  - 2. The applicant has demonstrated that without the modification, an owner would be denied economically viable use of his or her land.

(Ords. 25301, 25302, 25706, 26082.)

**18.30.280 Fees.**

A filing fee, as set forth in the schedule of fees adopted by resolution of the city council, shall be submitted with each request for a modification to the UGB.

(Ords. 25301, 25302, 25706, 26082.)



### Guiding Principles

**Economic Development** – Maximize the economic and revenue generation potential of the City's land resources and employment opportunities for San Jose residents.

**Growth Management** – Balance the urban services and facilities demands of new development with the need to address the City's fiscal stability through the operating and capital budget process.

**Downtown Revitalization** – Invigorate Downtown as San Jose's cultural center with a mix of housing, employment, convention and visitor amenities, museums, parks, linkages to San Jose State University, etc.

**Urban Conservation/Preservation** – Protect and enhance San Jose's neighborhoods and historic resources to promote community identity and pride.

**Greenline/Urban Growth Boundary** – Preserve land that protects water, habitat, and agricultural resources and/or offers recreational opportunities, as well as to preserve the scenic backdrop of the hillsides surrounding San Jose.

**Housing** – Provide a wide variety of housing opportunities to meet the needs of all economic segments of the community in stable neighborhoods.

**Sustainable City** – Manage, conserve and preserve natural resources for present and future generations. Identify opportunities to enhance the City's sustainability policies through the implementation of the Urban Environmental Accords.

**Social Equity** - Cultivate ethnic, cultural and socio-economic diversity and equity in the planning for all public facilities and services to protect and enhance the quality of life for all San Jose residents.