



Department of Planning, Building and Code Enforcement  
200 East Santa Clara Street  
San José, CA 95113-1905

Hearing Date/Agenda Number:  
P.C. 11/09/05 Item:  
C.C. 12/06/05 Item: 6.a.

File Number:  
GP05-T-03

Council District and SNI Area:  
Citywide

Major Thoroughfares Map Number:  
N/A

Assessor's Parcel Number(s):  
N/A

Project Manager:  
Jenny Nusbaum

# GENERAL PLAN TEXT AMENDMENT STAFF REPORT

2005 Fall Hearing

**TEXT REFERENCE:**

Description

General Plan text amendment.

Amend Chapter V., Land Use/Transportation Diagram, pages 235-236, 239, and 247 as described below.

**PROJECT DESCRIPTION:**

Amend the *San Jose 2020 General Plan* text to 1) discourage the application of the Mixed Industrial Overlay designation on Light Industrial and Heavy Industrial properties, and 2) revise and update the Discretionary Alternate Use Policies for Residential Uses on Commercially Designated Parcels to clarify the intent of exceeding minimum site and architectural design standards.

**LOCATION:**  
Citywide

**ACREAGE:** N/A

**APPLICANT/OWNER:**

Staff

**ENVIRONMENTAL REVIEW STATUS:**

Reuse of the San Jose 2020 General Plan Final Environmental Impact Report, certified by the City Council on August 16, 1994, Resolution No. 65459.

**PLANNING STAFF RECOMMENDATION:**

Adopt the proposed General Plan text amendment.

**Approved by:**

**Date:**

**PLANNING COMMISSION RECOMMENDATION:**

**CITY COUNCIL ACTION:**

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**CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:**

- None received.

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**GENERAL CORRESPONDENCE:**

- None received.

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**ANALYSIS AND RECOMMENDATIONS:**

**PROJECT DESCRIPTION**

This is a staff initiated text amendment to amend the *San Jose 2020 General Plan* text to 1) revise and update industrial Land Use/Transportation Diagram designations consistent with the analysis contained in the *Status Report on Industrial Lands*, as presented in the memorandum dated October 13, 2005, from the Planning Director to the Driving a Strong Economy Committee, and 2) revise and update the Discretionary Alternate Use Policies for Residential Uses on Commercially Designated Parcels to clarify the intent of exceeding minimum design standards for site design and architectural design.

**BACKGROUND**

On October 24, 2005, Planning staff presented a status report on industrial lands that included ideas for preservation of the remaining industrial lands within the City of San Jose's Urban Service Area. The report concluded that parcels with the Light Industrial or Heavy Industrial Land Use/Transportation Diagram designations have become scarce, and identified ways in which the City could enhance policies to preserve remaining parcels that have a Light Industrial or Heavy Industrial land use designation for purely industrial uses.

The staff-initiated text amendment to the Discretionary Alternate Use Policies for Residential Uses on Commercially Designated Parcels is intended to provide more specificity regarding which aspects of a project design should exceed the City's minimum design standards.

**ANALYSIS**

This is a staff-initiated amendment to the General Plan to make minor text revisions to clarify and enhance the intent of the existing text. The proposed changes to the text include minor modifications to discourage applications of the Mixed Industrial Overlay on sites that currently have a Light Industrial or Heavy Industrial land use designation, and also include text additions to the design criteria stated in the Discretionary Alternate Use Policies for Residential Uses on Commercially Designated Parcels, in order to clarify that these criteria apply to the development's site design as well as architectural design.

## **ENVIRONMENTAL REVIEW**

The environmental impacts of this project were addressed by a Final EIR entitled, "San José 2020 General Plan EIR." The City of San José City Council adopted a resolution of findings on August 16, 1994.

The City of San Jose may take action on the proposed project as being within the scope of the General Plan and uses of the Program EIR in that (1) the Final EIR is a Program EIR pursuant to CEQA and CEQA Guidelines Section 15168, (2) it is determined that no new significant impacts will occur from this proposed project, and no new mitigation measures would be required beyond those contained in the General Plan and Final EIR pursuant to CEQA Guidelines 15162.

## **PUBLIC OUTREACH**

Notice of the hearings for the proposed General Plan text amendment was published in the San Jose Post-Record. In addition, the memorandum on the Status of Industrial Lands, dated October 13, 2005, from the Planning Director to the Driving a Strong Economy Committee, was posted on the City's website. This memorandum states, on page 5, that staff intends to initiate a General Plan text amendment to discourage the addition of the Mixed Industrial Overlay to lands designated Light or Heavy Industrial in order to retain the limited supply of this land for businesses that are not typically compatible with residential or assembly uses.

## **RECOMMENDATION**

Adopt the proposed text amendment.

Attachment

PBCE002/GP\_Team/2005/GP05-T-03 staff report.doc

# **ATTACHMENT 1**

## **PROPOSED TEXT AMENDMENT**

### **GP05-T-03**

#### **Description**

General Plan text amendment to 1) revise and update industrial Land Use/Transportation Diagram designations to align with the recommendations in the *Status Report on Industrial Lands*, as presented in the memorandum dated October 13, 2005 from the Planning Director to the Driving a Strong Economy Committee, and 2) revise and update the Discretionary Alternate Use Policies for Residential Uses on Commercially Designated Parcels to clarify the intent of exceeding minimum design standards for site design and architectural design.

Amend Chapter V. Land Use/Transportation Diagram, Industrial, pages 235-236 as follows:

#### **Light Industrial**

Like the Industrial Park designation, the Light Industrial designation is also intended for a wide variety of industrial uses and excludes uses with unmitigated hazardous or nuisance effects. Because of the limited supply of land available for industrial suppliers/services firms in the City, General Plan land use changes on sites designated Light Industrial within areas reserved exclusively for industrial uses are discouraged. The design controls for this category of use are not as stringent as for the "Industrial Park" uses. Examples of typical uses within this designation are warehousing, wholesaling, and light manufacturing. On the other hand, office and higher-end industrial uses are discouraged in order to preserve the scarce, lower cost land resources that are available for start-up industries or lower cost industrial operations. Light Industrial designated properties may also contain service establishments that serve only employees of businesses located in the immediate industrial area. The addition of the Mixed Industrial Overlay to property with the Light Industrial designation broadens the industrial character to allow a greater range of uses such as limited large scale, high volume, single entity commercial uses. Due to the scarcity of land with the Light Industrial designation, and the potential for compromising the viability of the remaining Light Industrial sites, future proposals for adding the Mixed Industrial Overlay to Light Industrial sites should be discouraged.

#### **Heavy Industrial**

This category is intended for industrial uses with nuisance or hazardous characteristics which for reasons of health, safety, environmental effects, or welfare are best segregated from other uses. Extractive and primary processing industries are typical of this category. The Heavy Industrial designation is the appropriate category for solid waste transfer and processing stations, but only for sites which meet all General Plan policies such as adequate access, compatibility with surrounding land uses and preservation of the character of residential neighborhoods. The Heavy Industrial designation is applied only to areas where heavy industrial uses presently predominate. Because of the limited supply of land available for heavy industrial uses, land use changes should be discouraged on sites with this designation in areas reserved exclusively for industrial uses. Office, and research and development uses are discouraged under the designation in order to reserve development sites for traditional industrial activities, such as heavy and light manufacturing and warehousing.

Very limited scale retail sales and service establishments serving nearby businesses and their employees may be considered appropriate where such establishments do not restrict or preclude the ability of surrounding

Heavy Industrial land from being used to its fullest extent and are not of a scale or design that depend on customers from beyond normal walking distances. Any such uses should be clearly incidental to the industrial user on the property and integrated within an industrial building.

The addition of the Mixed Industrial Overlay broadens the industrial character to allow a greater range of uses as described further in the Mixed Industrial Overlay designation section. Free-standing non-industrial uses are not appropriate in areas identified exclusively for industrial uses without the Mixed Industrial Overlay designation. Due to the scarcity of land with the Heavy Industrial designation, and the potential for compromising the viability of the remaining Heavy Industrial sites, future proposals for adding the Mixed Industrial Overlay to Heavy Industrial sites should be discouraged.

Amend Chapter V. Land Use/Transportation Diagram, Mixed Use, page 239 as follows:

### **Mixed Industrial Overlay**

In order to preserve a supply of land devoted exclusively for industrial uses and maintain its attractiveness, the Land Use/Transportation Diagram designates non-exclusive industrial areas with a Mixed Industrial Overlay. Areas designated with the Mixed Industrial Overlay may be appropriate for a mixture of primarily industrial with compatible commercial or public/quasi-public uses, or may be developed entirely with industrial uses in accordance with the base designation. Areas with this overlay designation contain or are surrounded by an existing mix of uses, so that additional non-industrial uses would not compromise the integrity of areas reserved exclusively for industrial uses. Examples of non-industrial uses include, but are not limited to, primary or secondary schools, hotels and motels, nightclubs, churches, free standing daycare centers, big box retailers, large gymnasiums, sports or arts instruction facilities, and hospitals.

The proximity of areas established exclusively for industrial uses should be considered in the application of this overlay to minimize any restrictions on the operations of tenants in the exclusively industrial areas. New uses within the Overlay area should be considered secondary when land use compatibility issues occur between existing or planned users of hazardous materials and sensitive receptors. For these reasons, the addition of the Mixed Industrial Overlay on sites with a Heavy Industrial land use designation or Light Industrial land use designation should be discouraged.

Amend Chapter V. Land Use/Transportation Diagram, Discretionary Alternate Use Policies, page 247 as follows:

### **Residential Uses on Commercially Designated Parcels**

Higher density residential development (minimum 17 dwelling units per acre) or mixed use commercial/residential development may be allowed under a Planned Development zoning on properties which are located on major thoroughfares and designated for Neighborhood/Community Commercial, Office, General Commercial, or Regional Commercial use if such development: (a) is designed to facilitate transit ridership and pedestrian activity; (b) is compatible, well integrated, and part of an appropriate residential or mixed use environment; and (c) the site and architectural design is of exceptional quality and exceeds the City's minimum design standards. The appropriate density for a given site should be determined based on compatibility with the surrounding land uses. Generally, the density of residential development allowed under this policy should not exceed 65 dwelling units per acre for properties on Major Arterial (115-130 ft. ROW) streets and 40 dwelling units per acre for properties on Minor Arterial (80-106 ft. ROW) or Major Collector (60-90 ft. ROW) streets.