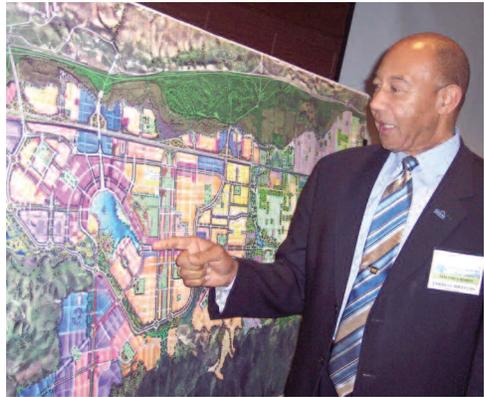
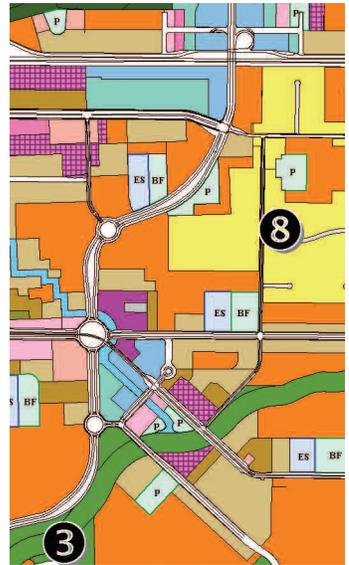




SECTION 10 IMPLEMENTATION



The implementation chapter provides a framework to assist in carrying out the Coyote Valley Specific Plan. It is anticipated that sufficient economic growth and demand for housing would occur over the timeframe of this Plan to make its proposals a reality. The Specific Plan attempts to anticipate the future needs of the City and direct development to meet those needs, while supporting a thoughtful, phased approach to achieving the Plan's long-term goals.

With a unified plan that outlines key principles for development, development in the area can be guided to establish a high quality, urban, living and work environment. This Plan would be realized as properties develop and redevelop

in accordance with the Plan's policies. The establishment, through the Specific Plan, of a new well-planned, transit-oriented development community based on tested smart-growth principles would support investment and the implementation of the Coyote Valley Specific Plan.

The framework contains six components:

- Land Use Regulation
- Implementation Policies/Action Plan
- Incorporation into/Consistency with General Plan
- Consistency with other City Policies and Programs
- Administration of the Coyote Valley Specific Plan

LAND USE REGULATION

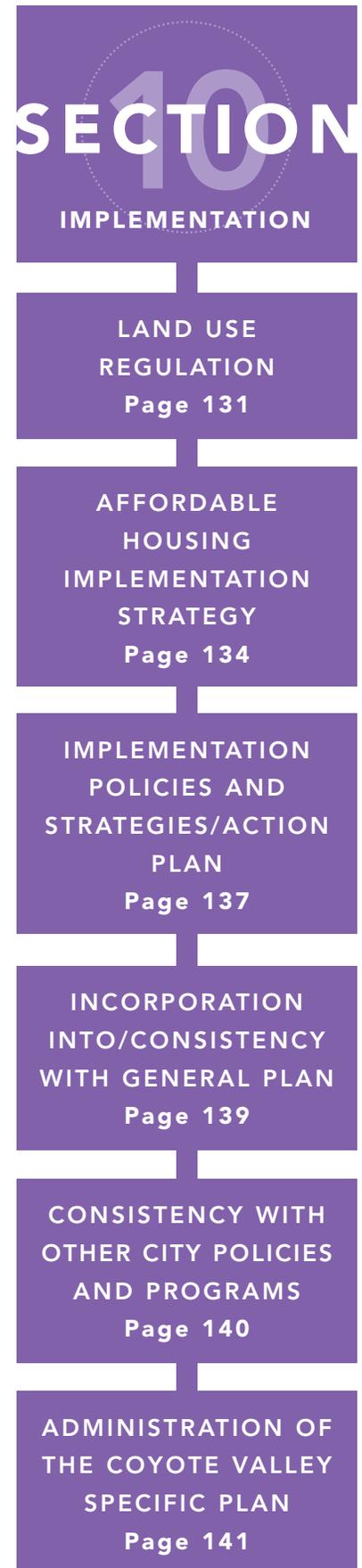
The Coyote Valley Specific Plan is a long-term plan providing direction for the future development of the area. The Specific Plan is incorporated into the San José 2020 General Plan and therefore, covers the same time frame as the General Plan. This section provides additional policy guidance necessary to implement the Coyote Valley Specific Plan over the entirety of this timeframe. The issues covered in this section include existing uses, interface issues, and master planning, and timing of development:

Existing Uses

The Specific Plan allows existing land uses in the Coyote Valley area to remain indefinitely, recognizing that implementation of the Plan would gradually occur over a period of years. As these existing uses age or as their economic value is reduced, it is expected that they would be replaced by the uses designated in the land use plan. To encourage this transition from existing to planned land uses, the implementation policies seek to limit the remodeling or expansion of existing buildings into interim uses or uses that are not consistent with the Specific Plan, consistent with maintaining the viability of existing uses.

Interface Issues

The implementation policies are designed to help ensure the achievement of the major goals of the Specific Plan, including: the preservation of the existing Dougherty Avenue and Lantz Drive neighborhood, the development of appropriate uses in the vicinity of the Metcalf Energy Center power plant, the preservation of land currently owned by industry-driving businesses for industrial use, and the promotion of a high quality industrial/office environment at gateway locations from Highway 101, the intensification of and vertical mixing of appropriate uses along the fixed transit guideway, and the creation of a new, high density residential and mixed use



community that is "pedestrian-friendly" and "transit-friendly," and properly integrated into cohesive neighborhoods. The Plan needs to address the development of compatible interfaces between each of these areas and in particular between new residential or mixed-use development and existing residential neighborhoods.

Regardless of the timeframe, various land use interfaces should be treated with care to avoid potential adverse impacts. The interface between the Lantz Drive and Dougherty Avenue neighborhoods and proposed adjoining land uses must be treated carefully to maintain existing neighborhood character, including single-family character.

Master Planning

To ensure that the Coyote Valley Specific Plan is efficiently and effectively implemented, the Plan calls for the master planning of certain key sites. These sites represent areas that can benefit from more detailed analysis and more specific development plans to achieve the objectives of the Coyote Valley Specific Plan. Master planning also provides an opportunity to determine specific circulation and access points, and to resolve interface issues with existing residential neighborhoods.

For specific properties the master planning should consist of a single site Master Development Permit. A master plan should be prepared for each of the following geographic areas (see Figure 35). (Master Planning process under preparation.)

1. The proposed Caltrain station on Monterey Road and adjoining properties.
2. The Central Commons, with its constituent land uses, bounded by the loop/oblong street, and extending from the westerly hillsides to those on the east.
3. The proposed realigned Fisher Creek and adjoining riparian corridor.
4. The proposed 55-acre lake and adjoining amenities including the International Park and Garden and the Lakeshore Promenade.
5. Vacant properties owned by IBM that adjoin the existing IBM campus northerly of Bailey Avenue.
6. The proposed 60-acre education campus with two high schools and joint-use amenities.

7. Properties along the westerly interface of the Coyote Creek corridor.

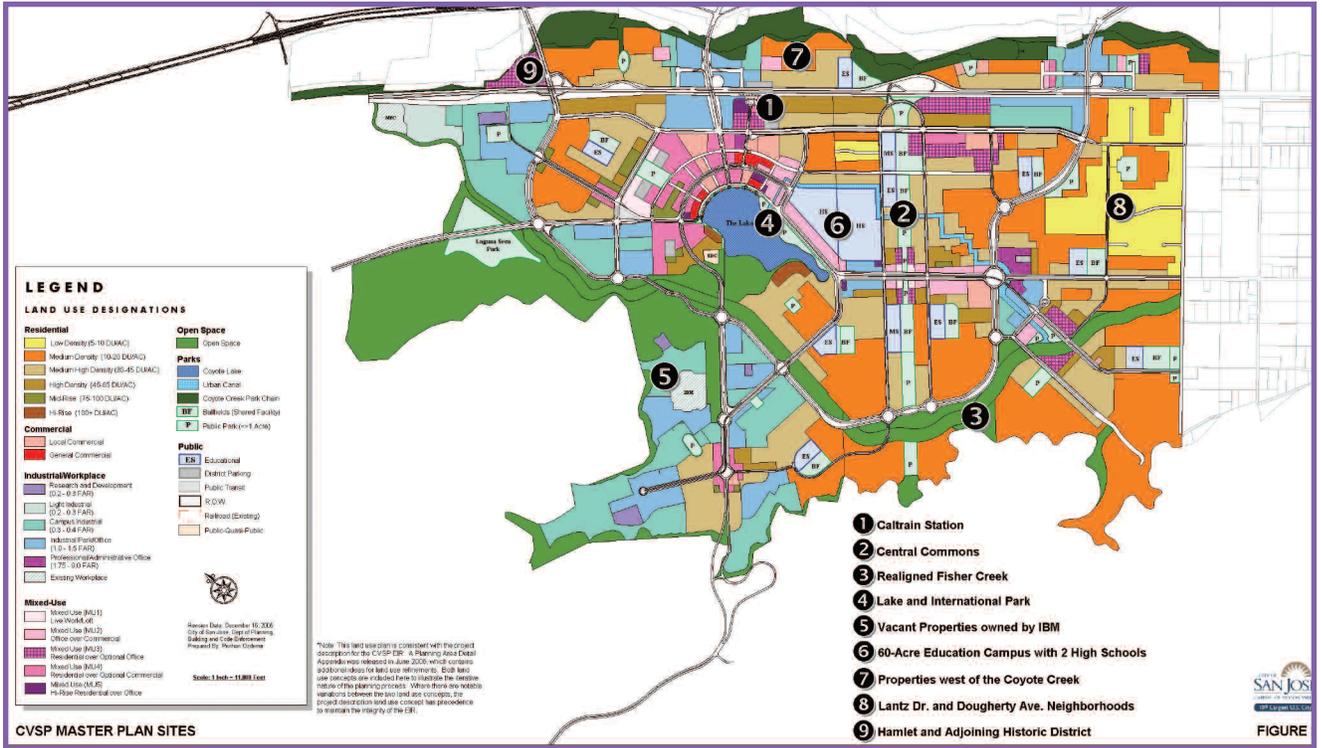
8. Any proposals to subdivide existing individual parcels in the Lantz Drive and Dougherty Avenue neighborhoods should be accommodated consistent with an approved master plan, which illustrates subdivision of a block or other cohesive unit of the neighborhood and the required public right-of-way.

9. The Hamlet and adjoining historic district and its connections to properties across the street to the west of Monterey Road.

Timing

Implementation of the Coyote Valley Specific Plan would take both perseverance and patience, since it may take more than 20 years to accomplish all the elements envisioned in the Plan. The following policies are intended to help keep the plan "on track" and to smoothly guide the transition from existing to planned uses. These policies should be used in conjunction with the goals and objectives and other policies of the Coyote Valley Specific Plan.

FIGURE 35: MASTER PLAN SITES



AFFORDABLE HOUSING IMPLEMENTATION STRATEGY

Background

The impetus for the Coyote Valley Specific Plan affordable housing strategy was the City Council's Vision and Expected Outcomes for the Coyote Valley Specific Plan which includes requirements for the development of at least 25,000 housing units at build-out of Coyote Valley, and that 20% of all the housing units be "deed restricted, below market-rate units." With these requirements, Coyote Valley has the capacity to provide a significant affordable housing stock in excess of 5,000 units.

The main tenets of the strategy evolved from several outreach meetings including the CVSP Task Force, the City's Housing Advisory Committee, and CVSP Housing Focus Group. Input was derived on a number of issues such as the need to: 1) distribute affordable units throughout the community and to discourage their over concentration at a few locations; 2) assist non-profit affordable housing developers with the "gap financing" that exist in the entitlement and construction cost of extremely-low and very-low income units (see Appendix 13, CVSP Affordable Apartment Financing Gap Analysis by Economic and Planning Systems, January 23, 2006); 3) avoid relegating the building of affordable units to the last phases of CVSP's development, and ensure that units are constructed simultaneously, or within a reasonable timeframe, with market-rate development; 4) ensure the diversity of tenure in the affordable housing stock with a recommendation of a hard 80/20 ratio for rental and ownership units respectively; and 5) devise a mechanism which ensures equivalency between payment of in-lieu fees and the actual cost of subsidizing the construction of affordable units.

Vision for Affordable Housing

The vision for Coyote Valley is: to create a healthy and memorable community where residents of all incomes, races and

ethnicities, education and occupation have reasonable access to affordable housing that is phased over time and distributed throughout the community with good access to transit, schools, parks, trails and open spaces, and other community amenities, and to facilitate the development of an affordable housing stock where differences in unit size, tenure, and income eligibility would contribute to community diversity, and provide a building block for a stronger, healthier, and more dynamic and interesting Coyote Valley community, so that each individual and the community at large can realize their full potential for maximum productivity and livability. The CVSP affordable housing strategy, as derived from this vision, is conceived as a dynamic and financially feasible approach to providing affordable housing for the future residents of Coyote Valley over the next 40 years.

Goals and Objectives

The goal of the affordable housing strategy is to define clear implementation policies to meet the 20% affordable housing requirement ("deed restricted, below market rate") for the Coyote Valley Specific Plan (CVSP) with the following objectives:

- Provide a mix of housing opportunities affordable to persons of Extremely Low-Income (ELI), Very Low-Income (VLI), Low-Income (LI) and Moderate Income (MOD) units using the City's current ratio of production goals (minimum 60% ELI/VLI, minimum 25% LI and maximum 15% MOD) as a guide for Coyote Valley.
- Encourage the development of both rental and ownership affordable housing products in Coyote Valley, and include policies to ensure the long-term sustainability of both entities.
- Encourage the distribution of the affordable housing units throughout

the Coyote Valley community and their integration with other housing products. Discourage the relegation and disproportionate concentration of affordable housing on the least desirable sites in terms of transit accessibility, proximity to community resources and noise impacts.

- Provide design guidance to future affordable housing developers by identifying building typologies (including non-traditional forms such as Single Room Occupancy (SRO) projects) within various CVSP land use designations that are appropriate for affordable housing.
- Maintain appropriate minimum densities (i.e. 30-45 DU/AC), project sizes (i.e. 100-200 units), and location standards (proximity to transit, schools, parks, services, trails and open spaces, etc.) for 100% affordable multi-family housing projects.
- Encourage development of affordable housing units concurrent with market rate units in each phase of development. However, on some occasions it may be acceptable for affordable units to lag slightly behind if necessary to allow maximum opportunity to line up financing.
- Create objective in-lieu fee criteria applicable to ownership and rental affordable housing units so that it is clear when the payment of fees is warranted, what the appropriate amount is, and develop a procedure for periodic review and adjustment in order to ensure that the affordable housing goals of the CVSP are not compromised.

Regulatory Framework

The following land use and administrative regulations should apply to affordable housing development in Coyote Valley:

- Affordable housing should be allowed in all areas designated for residential

and mixed-use purposes, adhering to the allowed development standards in regard to density, setbacks, height and building form.

- Standards for parking, lot coverage, and building profile should promote the urban design ideal of compact, transit-friendly development envisioned by the CVSP.
- Performance standards should reflect the principles of good neighborliness, and minimize the potential for negative impacts on adjoining land uses.
- Pursue measures to secure the waiver of taxes charged to new housing that is affordable to extremely-low and very-low income households for the Building and Structure Construction Tax, and the construction portion of the Construction and Conveyance Tax.
- Employ expedited development review processes for projects that include 100% affordable housing.

Affordable Housing Program

In order to realize the City Council’s Vision and Expected Outcomes for affordable housing in the CVSP, a program needs to be established to ensure the timely provision and implementation of affordable units over the long-term development of the CVSP.

The proposed CVSP Affordable Housing Program is intended to accomplish the Council’s Vision and Expected Outcomes, and addresses issues that emerged from various Task Force, Focus Group and subcommittee meetings, including the following:

- Clear goals for the production of affordable rental and ownership units at specific affordability levels;
- Specific methods for developers to meet their affordability requirements, either through dedicating land to a

“Land Bank” and paying in-lieu fees or through an “inclusionary” requirement (as discussed in detail below); and

- An implementation strategy for the provision of affordable units, which addresses phasing, design and location standards, availability of affordable housing subsidies, and a method for establishing the contributions from developers. Following are important details of the proposed Affordable Housing Program:

Affordability Goals

It is proposed that the CVSP would have affordability goals for Moderate-Income (MOD), Low-Income (LI), Very Low-Income (VLI), and Extremely Low-Income (ELI) units as shown in Table 10.

Meeting the Affordable Housing Requirement in the CVSP

It is proposed that the 5,000 units of affordable housing in Coyote Valley

would be met as follows:

1. Land Bank and In-lieu Fee

Contribution. All 2,900 VLI and ELI rental units and 600 LI rental units shall be provided through the creation of a “Land Bank” of 88 acres of dedicated land suitable for rental development (see Table 11). In addition, five to seven acres of land shall be dedicated for the creation of 100 units of for-sale housing affordable to very-low income households, preferably by nonprofit developers through “self-help,” “sweat equity,” or other similar programs. Sites dedicated would be placed into a Land Bank that would be administered by the City, with land made available to affordable housing developers. The sites that are dedicated would be consistent with affordable housing design principles and location criteria determined through the CVSP planning process and implemented by phase. The land would be subject to the proportionate share of assessments and

TABLE 10

Affordability Level	Rental Goals 80%	Ownership Goals 20%	TOTAL
ELI	1,500		1,500
VLI	1,400	100	1,500
LI	1,100	250	1,350
MOD		650	650
Totals	4,000	1,000	5,000

TABLE 11

Affordability Level	Land Bank Rental Goals	Land Bank Ownership Goals	TOTAL
ELI	1,500	n/a	1,500
VLI	1,400	100	1,500
LI	600	n/a	600
MOD	n/a	n/a	0
Totals	3,500	100	3,600

fees resulting from the CVSP process. (Land Bank process and land acquisition process still under preparation.)

In addition, developers of market rate developments would be required to pay in-lieu fees totaling approximately \$70 million, which in combination with the dedication of land, is estimated to provide sufficient subsidy to fund 3,500 affordable rental units targeted to low- and very low-income households. Fees would take into account present value (i.e. the amount of contributions would be indexed over time). Additionally, fees would be established to reflect variations in density, type and cost of market rate housing, and would be scaled to ensure that no economic disincentive is created for the construction of market rental units. Contributions would be “front-loaded” to allow for early development of fully affordable projects. Fees would be required to be paid upon issuance of the final map.

2. Inclusionary. 900 LI and MOD ownership units (see Table 12) would be met by directly incorporating the units into market rate developments (referred to as “inclusionary units”). In addition, 500 LI rental units would be inclusionary. The specific percentage inclusionary requirement for any individual market rate project would be established by the City, based on the expected number and type (i.e. rental vs. ownership) of market rate units at the beginning of each phase¹. Within each phase, developers may combine or “trade” their inclusionary obligations. To help promote the City’s desire for economic integration, however, trading of the inclusionary requirement would not be permitted if it would result in any individual market rate project having greater than 25% of its units as affordable.

TABLE 12

Affordability Level	Inclusionary Rental Goals	Inclusionary Ownership Goals	TOTAL
ELI	n/a	n/a	0
VLI	n/a	n/a	0
LI	500	250	750
MOD	n/a	650	650
Totals	500	900	1,400

Implementation

Several additional issues related to the Affordable Housing Program implementation were discussed with stakeholders and are presented below:

1. Phasing of Affordable Units. It is proposed that the CVSP have an Affordable Housing Phasing Plan that ensures that affordable units are built concurrently with the construction of market rate units in the overall CVSP. This Plan shall include measures to evaluate progress at each phase to ensure that the affordable rental and ownership housing goals are being achieved, on a cumulative basis, and to assess progress toward achieving income target goals. Additionally, the Plan shall provide for flexibility in making modifications over time to adapt to changes in funding programs, economic conditions, and legislation.

2. Design and Location Standards. It is proposed that land to be contributed to the Land Bank either be pre-identified through the CVSP planning process (and incorporated into the CVSP Land Use Plan and Zoning Plan) or be identified on an Affordable Housing Site Opportunity Map. Affordable housing units in the CVSP shall be designed to be indistinguishable from market rate units and located in market rate developments or on sites comparable to market rate developments in accordance with the affordable housing design principles and location criteria established for the CVSP.

3. Availability of City of San José Affordable Housing Subsidies in the CVSP. It is proposed that City of San José affordable housing subsidies not be available for funding of affordable units in Coyote Valley, except as follows:

- Funding for affordable housing in the CVSP is only to be available for deepening affordability of VLI rental units to ELI levels (i.e., the difference between the cost of subsidizing a VLI unit and an ELI unit).
- City funds used for ELI units in Coyote Valley would be subject to the City receiving future tax increment for affordable housing and would be made available through a competitive process with other areas of the City. No more than 20% of City funding available for affordable housing subsidy City-wide would be spent in Coyote Valley.

4. Developer Requirements. It is proposed that developers be required to make a contribution of land, units, and/or fees equal to an amount that is proportionate with their overall development. Each landowner’s “fair share” would be calculated and a credit/ debit balance established. Individual landowner contributions would probably be established through the creation of a Community Facilities District or similar program.

¹ Generally, it is presently estimated that 21,400 of units in Coyote Valley would be subject to the inclusionary requirement, of which 16,050, or 75%, is estimated to be for-sale. To realize the aforementioned 900 inclusionary for-sale units for LI and MOD, the requirement for each project would be approximately 6% (900/16,050). Similarly, it is estimated that 5,350 units would be rental housing, of which 500 would be inclusionary rental units. The inclusionary requirement for each rental project, then, would be approximately 9% (500/5,350).

IMPLEMENTATION POLICIES AND STRATEGIES/ACTION PLAN

The Coyote Valley Specific Plan contains specific policy direction for overall community character, future land uses, and long term development of Coyote Valley. With these policies, the Plan seeks to achieve a particular vision that respects Coyote Valley's natural setting. The Implementation Policies identify specific improvement items or strategies that would facilitate the accomplishment of this vision.

Existing Uses/Buildings Policies

Existing Land Uses to Remain. Existing land uses which do not conform to the Coyote Valley Specific Plan, or similar land uses that do not require major new improvements, may remain indefinitely until a property owner wishes to change uses. These existing land uses would not be required to participate in the financing of the backbone and other infrastructure needed for the Specific Plan.

Building Remodeling or Reconstruction.

In general, only minor building improvements for existing buildings or facilities should be allowed. For existing single-family residences, the scale of remodeling is almost unlimited on condition that the use remains for single-family purposes without adding new uses and subdividing existing parcels, and the expansion remains consistent to the applicable zoning regulation. For non-residential uses, any improvements should not change the character of existing structures and, in general, should not add more than 25% to the pre-improvement value of these structures, or more than 10% of the existing floor area whichever is the most measure the Director of Planning, Building and Code Enforcement deems most appropriate.

Potential Subdivision of parcels at Lantz Drive and Dougherty Avenue.

Any proposals to subdivide existing individual parcels in the Lantz Drive and Dougherty Avenue neighborhoods consisting of 40 and 8 residences respectively, should only be accommodated consistent with an approved master plan which illustrates subdivision of a block or other cohesive unit of the neighborhood and the

required public right-of-way. Potential subdivisions must be consistent with the Coyote Valley Specific Plan as well as the approved zoning. New subdivisions would also be required to pay their fair share of the "infrastructure costs" consistent with the financing plan approved for the Coyote Valley Specific Plan.

Exact Replacement of Legal Structures.

Specific protection exists in City regulations for the replacement of structures after a catastrophic event if the structures contain uses, which do not conform to existing zoning. The Coyote Valley Specific Plan provides similar protection to existing areas, which may not be consistent with the specific land use designation. This policy does not cover the deliberate destruction of structures to make way for new construction inconsistent with the Specific Plan. Such construction would constitute a significant investment, which could not be amortized very quickly and would inhibit the reuse of the site for the planned use in the short term.

Temporary Uses of Vacant properties.

This policy provides flexibility for vacant sites to accommodate short term, low intensity uses such as small scale agriculture, plant nurseries, farmers' markets and seasonal sales, etc. Allowed temporary uses should generally not be capital intensive, should not involve substantial investments that would require several years to amortize prior to the site transitioning to uses consistent with the Specific Plan, and should not require urban services to operate. Minor structures, which are incidental to the successful operation of the temporary use, such as small storage sheds, etc may

be approved with the temporary use. The Coyote Valley Specific Plan zoning code would elaborate on the permitting requirements for temporary uses, some of which may involve Conditional Use Permits.

Landscaping and Off-Site Improvements.

The City should continue to require and accept dedication, or offers of dedications, for major remodeling or minor expansions of existing industrial and commercial uses wherever the Plan requires expanded public rights of way. The remodeling of single-family residences would generally be exempt from this requirement.

Public Park/Open Space Acquisition Policies

This Plan identifies potential Public Park/Open Space sites in the specific land use plan but the Plan recognizes that flexibility would be necessary in the City's efforts to create parks particularly given the multitude of property ownerships and the consequent difficulty in assembling such parcels for park acquisition. It is expected that the proposed parklands would be included as backbone infrastructure in terms of parcel assemblage and acquisition. While the City's preference is to avoid condemnation and allow property transactions to occur on the open market, it may be necessary to exercise the City's power of eminent domain, as a last resort effort, should it be determined that doing so would advance the goals and integrity of the Specific Plan.

Backbone Infrastructure Improvement Policies

This Plan includes a Composite Core Infrastructure of blue, green and mobility

infrastructure elements. Various components of these elements constitute significant infrastructure that should be implemented comprehensively for an orderly development of the Specific Plan. These significant elements are called Backbone Infrastructure. Similar to the approach with Parks, the City's preference is to avoid condemnation and allow market place transactions for properties required for the Backbone Infrastructure. However, on occasion, it may be necessary to exercise the City's power of eminent domain, as a last resort effort, should it be determined that doing so would advance the goals and integrity of the Specific Plan. Given the significant expenditure involved in developing the Backbone Infrastructure, staff would urge the development community to explore various methods to create "upfront" funding for the purpose of right-of-way acquisition for Backbone Infrastructure improvement in the Coyote Valley area.

Common In-Tract Improvements and Amenities Policies

When development is proposed in the Specific Plan area, City staff should identify all those off-site improvements and amenities called for in the Plan (or that may be identified as part of a subsequent Master Permit) which are proximate to the development site and/or would serve the future residents and users of the site, and should, with the applicant, consider how best they might be provided. These In-Tract

improvements, such as streets, common open space, etc., should be financed and built by property owners proposing new development.

Parking District Financing Strategy

(under preparation)

School Financing Policies

The Specific Plan includes nine elementary schools, two middle schools, and one 60-acre site envisioned with two high schools sharing joint-use facilities. The CVSP staff and Morgan Hill Unified School District worked closely during the planning process on the applicable student generation rates, and locations and sizes of these schools, reaching consensus on all but the two high school campus explained above. While the proposed high school concept was not completely resolved, it is possible for the Morgan Hill Unified School District (MHUSD) to trade part of the 60-acre site for a second high school location in Coyote Valley if it is desirable to have two schools at different locations. While the Specific Plan sets the vision for schools in Coyote Valley, it is not intended to layout a detailed financing plan for the acquisition and improvement of schools. It is the responsibility of the MHUSD and the development community to develop the financing and phasing plan for the development of schools in Coyote Valley, which is anticipated to be completed in about one year after adoption of the Specific Plan.

Environmental Mitigations/ Interfaces Policies

Residential/Non-Residential Land Use Conflict Mitigation

New residential development should mitigate potential land use conflicts with existing industrial and commercial uses by locating driveways and parking areas adjacent to these uses to create effective on-site buffers. (Section to be updated after the EIR is finalized.)

Lantz Drive and Dougherty Avenue Neighborhoods Mitigation

New developments should provide adequate mitigation for nearby existing or planned residential uses by locating noisy activities or operations away from residential property lines or by providing effective buffering and landscaping solutions.

Hazardous Materials Mitigation

A soil and/or groundwater analysis should be prepared prior to new development in areas where there has been prior hazardous materials use or storage to determine the extent of contamination and to identify necessary mitigation measures. Hazardous materials or contaminants should be satisfactorily eliminated before allowing the conversion of these sites to urban uses.

Archaeological Resources Mitigation

New development should be required to conduct mechanical archaeological testing and, if necessary, more detailed in-field hand excavation and archaeological monitoring if archeological resources are discovered.

INCORPORATION INTO/CONSISTENCY WITH GENERAL PLAN

Coyote Valley Specific Plan

The Coyote Valley Specific Plan is consistent with the *San José 2020 General Plan*. The General Plan incorporates the land use plan and major development policies of Coyote Valley Specific Plan through the Coyote Valley Planned Community (CVPC) land use designation. The CVPC contains the major features and provisions of the Specific Plan including the specific land use map for the Coyote Valley area. The Coyote Valley Specific Plan is a separate policy document that describes the background, goals and objectives, and community character for the CVPC and detailed implementation measures beyond the scope of the General Plan.

The Coyote Valley Specific Plan differs from the CVPC in that it contains more detailed land use, urban design, and other provisions intended to implement the CVPC. These more detailed provisions should be used when evaluating development proposals in the CVPC.

General Plan Major Strategies

The Coyote Valley Specific Plan is consistent with the seven Major Strategies, or central themes, of the General Plan: Economic Development, Growth Management, Downtown Revitalization, Urban Conservation/Preservation, the Greenline, Housing and Sustainable City. The Major Strategies provide a broad framework that allows consistent interpretation and application of the General Plan's

individual goals and policies. The Coyote Valley Specific Plan furthers the Major Strategies by applying the principal objectives of these strategies to the planning of the Coyote Valley area.

The Coyote Valley Specific Plan advances the Economic Development Major Strategy by maximizing the economic potential of the Coyote Valley area's commercial, industrial and mixed-use lands and by supplying housing and employment for the City's labor pool and better connecting the new and existing housing in Coyote Valley and South San José to the new employment centers. It implements the Growth Management Major Strategy by promoting high-density, transit-oriented development to ensure the efficient delivery of urban services to future residents, and the preservation of the South Coyote Valley Greenbelt.

The Downtown Revitalization Strategy is addressed by recognizing the preeminence of the downtown as the cultural hub of the City, and not including land uses such as sports arenas that belong more in the City's downtown core. The Coyote Valley Specific Plan furthers the Urban Conservation/Preservation Major Strategy by preserving the character and integrity of the Dougherty Avenue and Lantz Drive residential neighborhoods, and the Hamlet of Coyote by incorporating supporting land uses in the Land Plan that seek to respect the integrity of the

surrounding neighborhoods, and by promoting the residents' pride in the quality of their living environments. The Coyote Valley Specific Plan implements the Greenline/Urban Growth Boundary Major Strategy by using an efficient land use plan that maximizes the development potential of lands, preserves the Greenbelt and surrounding hillsides, and protects watersheds, habitat, and recreational opportunities. The Housing Major Strategy is implemented by striving to provide a variety of housing opportunities (20% of which would be units affordable to lower income persons) for all the economic segments of the community close to jobs and urban services. The Sustainable City Major Strategy is supported by the Coyote Valley Specific Plan since it would improve energy efficiency by encouraging transit use and a compact form of development, by using limited land resources efficiently, and by minimizing wasteful consumption of resources, especially water.

Goals and Policies

The Coyote Valley Specific Plan is consistent with and reinforces the goals and policies of the General Plan and therefore, enhances the internal consistency of the General Plan as a whole. The goals and policies of the Coyote Valley Plan "nest" within the goals and policies of the General Plan but are more narrowly defined to ensure proper implementation of the Coyote Valley Specific Plan.

CONSISTENCY WITH OTHER CITY POLICIES AND PROGRAMS The Coyote Valley Specific Plan is consistent with other City policies and programs including but not limited to the Riparian Corridor Policy Study, Post-Construction Urban Run-off Policy, and the Consolidated Housing Plan.

Riparian Corridor Policy Study

This Council adopted Study requires that all buildings, structures, impervious surfaces, outdoor activity areas (except for passive or intermittent activities) and ornamental landscaped areas should be separated a minimum of 100 feet from the edge of any riparian corridor (or top of bank, whichever is greater). The Coyote Valley Specific Plan is consistent with the Riparian Corridor Policy Study by identifying appropriate land uses, setbacks, and design guidelines for properties adjacent to the Coyote Creek, and other waterways.

Post-Construction Urban Run-off Policy

The Federal Clean Water Act requires local municipalities to implement measures to control pollution from their storm sewer systems to the maximum extent practicable. Under the auspices of the Clean Water Act, as well as other Federal and State legislation since 1990, the San Francisco Regional Water Quality Control Board (RWQCB) has issued and reissued an area-wide National Pollutant Discharge Elimination System (NPDES MS4) Permit to the fifteen Co-permittees of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) for the discharge of storm water from urban areas in Santa Clara County. The fifteen SCVURPPP Co-permittees are the City of San José, twelve other municipalities within the Santa Clara Basin watershed area, the County of Santa Clara, and the Santa Clara Valley Water District. Under the provisions of the SCVURPPP Permit, each of the Co-permittees, including the City of San José, is required to ensure the reduction of pollutant discharges

from new and redevelopment projects, to the maximum extent practicable, through incorporation of treatment and other appropriate source control and site design measures. The SCVURPPP NPDES Permit New and Redevelopment permit provision further establishes minimum design criteria and maintenance requirements for such measures in certain types of development projects.

It is the purpose of this Policy to establish an implementation framework, consistent with SCVURPPP NPDES MS4 Permit requirements, for incorporating storm water runoff pollution control measures into new and redevelopment projects to reduce storm water runoff pollution from such projects to the maximum extent practicable.

The Policy requires all new and redevelopment projects to implement Post-Construction Best Management Practices (BMPs) and Treatment Control Measures (TCMs) to the maximum extent practicable, and establishes specified design standards for Post-Construction TCMs for applicable projects defined as:

“New development project that creates ten thousand (10,000) square feet or more of Impervious Surface Area; new streets, roads, highways and freeways built under the City’s jurisdiction that create ten thousand (10,000) square feet or more of Impervious Surface Area and Significant Redevelopment Projects.”

Consolidated Housing Plan (CHP)

The CHP is San José’s plan for providing affordable housing using its own and other resources. It describes the housing assistance programs and activities administered by the City’s Housing Department to provide affordable housing opportunities, including the rehabilitation and construction, of affordable housing. Approval of the CHP by the Department of Housing and Urban Development (HUD) is a prerequisite for federal funding of local housing projects. The Coyote Valley Specific Plan is consistent with the strategies described in the CHP to promote affordable housing.

Council’s Affordable Housing Requirement for CVSP

The Coyote Valley area would provide significant opportunities for the creation of new affordable housing pursuant of Council’s 20% affordable housing requirement, and also the innovative affordable housing strategy that has been produced through the planning process. The Coyote Valley Specific Plan is expected to continue to help increase the supply of affordable housing by at least 5,000 units, and by generally increasing the supply of high-density residential units by encouraging development to occur at higher densities. By increasing the overall supply of higher density housing, more affordable housing opportunities can be created since higher density can achieve lower production costs per unit. Finally, the addition of housing units to the San José housing supply should alleviate to some degree increases in housing sale costs related to the overall shortage of housing throughout the region.

DEVELOPMENT OF FINANCING AND PHASING PLAN: (under preparation)

ADMINISTRATION OF THE COYOTE VALLEY SPECIFIC PLAN

This section explains the process for maintaining and amending the Coyote Valley Specific Plan. Any proposed amendments to the Coyote Valley Specific Plan may only be considered during the City's General Plan Annual Review process. In general, proposed amendments must be consistent with the goals and objectives of the San José 2020 General Plan and the Coyote Valley Specific Plan. Future land use changes in the Coyote Valley area may be beneficial under certain circumstances.

Modifications to the Specific Plan

The Coyote Valley Specific Plan represents a long-term plan for the Coyote Valley area. Occasionally, it may be necessary to modify some of the components of the Specific Plan either to reflect changing conditions or to update City goals and policies. Such modification should occur as a General Plan amendment during the City's General Plan Annual Review process. Any modification of the Coyote Valley Specific Plan should be guided by the following criteria:

- Any modification should further, and be consistent with, the Major Strategies of the General Plan.
- Any modification should be consistent with the goals, objectives, and policies set forth in the General Plan and the Coyote Valley Specific Plan, as well as the Council's Vision and Expected Outcomes.
- Any modification on a specific site should be compatible with surrounding land uses.
- Any modification should be consistent with other applicable City policies.