



December 17, 2004

Members of the CVSP Task Force
Department of Planning
Building and Code Enforcement
City of San Jose
801 N. First St., Rm 400
San Jose CA 95110-1795

Re: future changes to San Jose's jobs-housing balance, and farmland mitigation requirements

Dear CVSP Task Force Members,

Sal Yakubu asked me to give him the information I mentioned in the most recent Technical Advisory Committee meeting, and I would like to pass this on directly to the Task Force as well. Developing Coyote Valley together with the proposed North First Street development suggests that the City will have more jobs than employed residents, a significant environmental impact. Second, the California Supreme Court recently "depublished" an appellate court case stating there is no need to purchase mitigation for the loss of farmland, which is a strong indication that San Jose will have to require the purchase of agricultural conservation easements in the CVSP EIR.

Attached are excerpts from the Association of Bay Area Governments "Projections 2003" document. They show a fairly consistent surplus of 85,000 employed San Jose residents relative to San Jose jobs for the next 20 years. San Jose's plan to create 50,000 "industry leading" jobs, plus a still-completely-unknown number of support jobs in Coyote Valley, plus an unknown number of additional jobs in the rest of San Jose, is only partially balanced by planned construction of 25,000 residences. A reasonable estimate would conclude that a job demand of 65,000 positions would be created, while Coyote Valley's housing supply would only accommodate 35,000 employed residents. The effect then is to reduce San Jose's employed resident "surplus" from 85,000 to 55,000. Meanwhile, the proposed North First Street development plans to accommodate over 100,000 new jobs while providing just 25,000 residences. North First Street will create 60,000 more jobs than housed residents. Together, Coyote Valley plus North First Street will create a net deficit in housing versus jobs in San Jose, making the city much like the Peninsula cities that have been criticized for not shouldering their housing responsibilities.

While the above does not take into account other housing projects, it also does not consider other job and business development projects. The implication is that San Jose is not just harming the regional housing balance, but creating significant housing problems within the City itself.

Sal and I also discussed the responsibility to mitigate the loss of farmland through agricultural preservation of nearby farmland. It is my understanding that the City has previously argued preserving existing farmland does not mitigate the loss of other farmland. The California Supreme Court recently depublished an appellate court opinion that adopted an identical argument to the City's, *Friends of the Kangaroo Rat v. California Dept. of Corrections* (2003) 111 Cal.App.4th 1400. Depublication means the opinion cannot be used as legal precedent, and is a strong indication that the Supreme Court disagrees with the legal reasoning. This indicates that the City should require mitigation for the loss of agricultural land.

Please contact me if you have any questions.

Sincerely,

Brian A. Schmidt
Legislative Advocate, Santa Clara County

SUBREGIONAL STUDY AREA TOTAL JOBS

	2000	2005	2010	2015	2020	2025	2030
CAMPBELL**	26,500	26,380	28,890	30,210	31,540	33,230	35,600
CUPERTINO**	46,330	44,940	51,120	53,940	54,690	55,140	55,850
GILROY**	20,510	20,390	24,290	30,460	32,260	33,270	33,930
LOS ALTOS**	11,560	11,550	11,850	12,220	12,270	12,270	12,290
LOS ALTOS HILLS**	2,720	2,720	2,750	2,790	2,790	2,790	2,790
LOS GATOS**	19,490	19,410	20,650	21,840	21,970	22,000	22,070
MILPITAS**	50,280	48,770	55,370	61,940	66,040	68,440	70,490
MONTE SERENO**	790	790	810	830	830	830	830
MORGAN HILL**	14,100	13,950	16,610	19,880	22,010	24,120	26,920
MOUNTAIN VIEW**	82,370	82,140	89,840	95,080	99,460	102,840	104,750
PALO ALTO**	110,890	110,620	113,850	118,580	118,200	119,500	121,130
SAN JOSE**	442,670	439,830	494,780	546,140	583,810	618,660	658,420
SANTA CLARA**	135,960	135,140	148,910	158,420	162,650	168,710	171,520
SARATOGA**	7,440	7,390	7,800	8,260	8,440	8,450	8,580
SUNNYVALE**	119,540	118,750	129,160	137,800	143,160	147,850	153,690
REMAINDER	2,180	2,150	2,680	2,810	2,810	2,810	2,910
SANTA CLARA COUNTY	1,092,330	1,085,860	1,199,160	1,299,200	1,362,830	1,418,810	1,481,670
*CITY **CITY SPHERE OF INFLUENCE ***OTHER SUBREGIONAL AREA							

SUBREGIONAL STUDY AREA EMPLOYED RESIDENTS

	2000	2005	2010	2015	2020	2025	2030
CAMPBELL**	25,053	24,240	24,280	26,430	27,100	27,620	28,410
CUPERTINO**	32,886	33,730	34,300	37,700	38,180	38,880	39,340
GILROY**	23,726	25,440	27,920	32,140	33,810	34,750	35,320
LOS ALTOS**	18,455	16,800	15,820	17,020	17,230	17,460	17,560
LOS ALTOS HILLS**	5,091	4,970	4,890	5,420	5,500	5,610	5,690
LOS GATOS**	19,725	19,090	19,110	21,330	22,090	22,850	23,400
MILPITAS**	34,289	35,490	36,770	43,870	47,730	50,360	51,930
MONTE SERENO**	2,490	2,510	2,520	2,820	2,940	3,040	3,070
MORGAN HILL**	20,738	21,830	23,310	25,990	26,640	27,410	28,070
MOUNTAIN VIEW**	47,556	46,380	46,970	53,470	56,650	58,640	60,350
PALO ALTO**	42,992	42,080	42,110	47,360	50,140	52,580	55,550
SAN JOSE**	516,452	520,210	534,700	617,380	662,290	702,350	744,540
SANTA CLARA**	63,158	63,340	66,010	75,670	80,140	84,100	88,110
SARATOGA**	16,475	16,050	18,070	17,720	18,130	18,540	18,770
SUNNYVALE**	84,294	82,380	82,430	93,020	97,160	101,480	104,960
REMAINDER	7,741	7,580	7,590	8,280	8,270	8,320	8,330
SANTA CLARA COUNTY	959,071	961,100	984,800	1,125,600	1,184,000	1,254,000	1,313,400

CITY SPHERE OF INFLUENCE *OTHER SUBREGIONAL AREA