

3.11 Land Use

This section describes the potential land use impacts associated with the proposed changes to the approved project.

Environmental Setting

The primary land use along the Capitol Expressway corridor is residential. Notable non-residential land uses along the corridor include the Reid-Hillview Airport, Lake Cunningham Park, and Eastridge Shopping Mall. As discussed in Chapter 2, *Changes to the Approved Project, Changes in Circumstances, and Introduction of New Information*, the Thompson Creek Trail was completed in 2017 and the nearest portion of the trail to the proposed changes to the approved project is located adjacent to Capitol Expressway between south of Tully Road and Quimby Road. Refer to Chapter 2 for additional information regarding the Thompson Creek Trail.

The following applicable plans and policies were either adopted or updated subsequent to the certification of the 2005 Final EIR, 2007 Final SEIR, or 2014 Subsequent IS/MND:

- **Valley Transportation Plan 2040 (Santa Clara Valley Transportation Authority 2014):** Valley Transportation Plan 2040 was adopted in October 2014 and provides a planning and policy framework for developing and delivering future transportation projects in three major program areas: highways, local system, and transit. The plan highlights the projects and plans that will be pursued in the next 25 years, including complete streets, express lanes, bus rapid transit, and bicycle/pedestrian improvement projects.
- **Santa Clara County Countywide Trails Master Plan, Existing and Proposed Regional Trail Connections Map Update (Santa Clara County 2015):** The existing and proposed regional trail connections map for the Countywide Trails Master Plan was updated in August 2015. The updated map depicts the existing and proposed off-street trails and on-street bike route with parallel trail in the vicinity of the approved project.
- **Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) (Santa Clara Valley Habitat Agency 2012):** Santa Clara Valley Transportation Authority (VTA), Santa Clara Valley Water District, Santa Clara County, and the cities of Gilroy, Morgan Hill, and San Jose prepared the plan which promotes the protection and recovery of covered species while accommodating planned public and private development infrastructure, and maintenance activities in accordance with applicable laws. Section 3.3, *Biological Resources*, provides a description of the plan’s goals. The proposed changes to the approved project are located within the regulatory boundary of the HCP/NCCP in areas designated as Urban Development.
- **Reid-Hillview Airport Comprehensive Land Use Plan (Santa Clara County 2007a):** This plan was adopted in October 2007 and amended in November 2016.

The plan identifies safety restriction policies and land use compatibility standards for areas within the Airport Influence Area (AIA). The proposed changes to the approved project are located within the AIA and the Traffic Pattern Safety Zone, and a portion of the Capitol Expressway south of Tully Road is within the Turning Safety Zone for the airport. Additionally, the proposed changes to the approved project would be located within the Federal Aviation Regulations Part 77 elevation restriction of 283 feet above mean sea level.

- **Reid-Hillview Airport Master Plan (Santa Clara County 2007b):** This plan was issued in June 2007 and defines the role of the airport and identifies airfield and building improvements/design that would enhance safety and provide for more orderly aircraft ground movements. The plan also identified three areas as potentially suitable for non-aviation commercial use. However, these areas remain undeveloped.
- **Envision San José 2040 General Plan (City of San Jose 2011):** In November 2011, the City of San Jose adopted the Envision San José 2040 General Plan, which provides the framework for guiding land use decisions through goals, policies, and land use designations. The general plan identifies the Capitol Expressway corridor as a Grand Boulevard, which designates it as a major transportation corridor and a primary route for transit services. Residential and retail growth along the light rail system is supported by the general plan. The general plan Transportation Network Diagram also identifies planned light rail stations along the Capitol Expressway corridor, consistent with the proposed changes to the approved project.

Environmental Impacts and Mitigation

This impact discussion primarily focuses on the proposed changes to the approved project that could result in new or more significant land use impacts compared to the impacts previously identified and analyzed for the approved project.

Similar to the approved project, construction activities associated with the proposed changes to the approved project would temporarily result in lane and street closures, and detours would occur. As with the approved project, a Traffic Management Plan would be implemented to restore traffic capacity and access to local businesses during construction. In addition, signs would be posted to direct pedestrians to intersections where they may cross to proceed along the project corridor and to avoid construction areas. Pedestrians would be able to access local businesses along the project corridor during construction. The construction activities associated with the proposed changes would not disrupt local businesses beyond what was previously identified and analyzed for the approved project and the effect would be temporary. In addition, construction of the concrete foundation for TSP No. 53A, TSP No. 54, and TSP No. 55 may require temporary closure of the Thompson Creek Trail for safety during drilling, and foundation work. However, this closure would be temporary.

As with the approved project, the proposed changes to the approved project would be located within the median of or on parcels directly adjacent to Capitol Expressway. Capitol Expressway is an existing major transportation corridor that currently functions as a barrier within the community and defines established communities within the area. Thus, the proposed changes would not result in the physical division of established communities.

As with the approved project, the proposed changes to the approved project would be located within areas identified as Urban Development in the Santa Clara Valley HCP/NCCP, as discussed in Section 3.3, *Biological Resources*. Transportation projects within the planning limits of urban growth are considered part of Urban Development and are covered activities under the HCP/NCCP. Thus, the proposed changes are covered activities under the HCP/NCCP and would not conflict with an applicable HCP/NCCP.

The majority of the proposed changes to the approved project (including the revisions to Capitol Expressway roadway lane configurations; modifications to the Eastridge Station platforms and tracks; modifications to Story Station pedestrian access; and relocation of a construction staging area) would be located at-grade within the existing Capitol Expressway roadway right-of-way. These proposed changes would be consistent with the Envision San José 2040 General Plan identification of Capitol Expressway as a major transportation corridor and a primary route for transit services. In addition, the proposed extension of the aerial guideway to grade-separate the Ocala Avenue and Cunningham Avenue intersections would result in the placement of a new elevated structure within the Reid-Hillview Airport AIA. This proposed change would occur within the Reid-Hillview Airport's Traffic Pattern Safety Zone where the potential for aircraft accidents is relatively low and the need for land use restrictions is minimal. This proposed change would also be located within the Federal Aviation Regulations Part 77 elevation restriction of 283 feet above mean sea level. At its maximum height of approximately 60 feet with the overhead catenary system and poles, the proposed aerial guideway would exceed the height restrictions in this area. However, a Notice of Proposed Construction or Alteration will be submitted to the Federal Aviation Administration in accordance with Title 14 of the Code of Federal Regulations Part 77. As such, the proposed changes to the approved project would not conflict with applicable land use plans compared to the impacts previously identified and analyzed for the approved project.

Three proposed changes to the approved project (the reduction in parking spaces at the Eastridge Park-and-Ride lot; minor shift in the location and straightening of the Story Station pedestrian overcrossing; and the relocation of the PG&E electrical transmission facilities) would include features located on parcels adjacent to the existing Capitol Expressway roadway right-of-way. In addition, the relocation of the Story Station pedestrian overcrossing would adjust the location of the eastern and western landings of the pedestrian overcrossing. On the east, this proposed change would maintain an existing driveway along Capitol Expressway into the gas station located south of Story Road, thereby maintaining access to the gas station. In addition, the proposed revisions to the Capitol Expressway roadway lane configurations would maintain access to other existing adjacent land uses. As discussed in Section 3.14, *Socioeconomics*, the proposed changes to the approved project would require fewer properties to construct and implement the

proposed changes compared to the approved project. In addition, most of the required properties would be partial. Furthermore, the proposed changes to the approved project would be compatible with the Thompson Creek Trail, which was completed subsequent to the certification of the 2014 Subsequent IS/MND. As such, these proposed changes to the approved project would be compatible with existing adjacent land uses, nor result in increased incompatibilities with or reductions in efficiency or effectiveness of adjacent land uses compared to the impacts previously identified and analyzed for the approved project.

Impact: Based on the analysis above, the proposed changes to the approved project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to land use.

The following impact from the 2005 Final EIR would apply to the proposed changes to the approved project: LU (Construction)-1 (Disruption of Local Businesses).

Mitigation: Operation. None required. This impact is “Less than Significant.”

Construction. None required. This impact is “Less than Significant.”

Less-than-significant operational and construction impacts. No mitigation required.