5.9 LAND USE

5.9.1 INTRODUCTION

An adverse effect on land use would occur if the alternatives physically divide an established community; change land use in a manner that would be incompatible with surrounding land uses; and conflict with any applicable land use plan, policy, or regulation (see Table 5.9-1). Residential and nonresidential relocations associated with implementing the alternatives are discussed in Section 5.12, Socioeconomics.

The alternatives would affect surrounding land use in a variety of ways, both during construction and operational phases (see Chapter 6, Construction, for discussion of effects from construction). Effects on land use include the physical effects of the ROW and station facilities, as well as ancillary facilities such as station entrances, ventilation shafts, electrical substations, park-and-ride lots, and yard and shops facilities.

Two proposed park-and-ride lots are located outside of the BEP and SVRTP alternative alignments; the Downtown Sunnyvale Station park-and-ride lot and the Evelyn LRT Station park-and-ride lot. These two parcels are existing parking lots within the cities of Sunnyvale and Mountain View. Their current and proposed future uses are consistent with the applicable planning and zoning designations. The proposed Downtown Sunnyvale Station park-and-ride lot is designated in the Downtown Specific Plan (DTSP) as retail specialty grocery store and district parking. The proposed Evelyn LRT Station park-and-ride lot is designated in the Mountain View Zoning Ordinance as general industrial, including required parking.

5.9.2 METHODOLOGY

The land use analysis for the No Build, BEP, and SVRTP alternatives focuses on four primary components: the alignment, the proposed station areas, the support facilities required for operation of the line, and the yard and shops options. The alternatives are evaluated against the existing and planned developments adjacent to and surrounding the SVRTC in order to evaluate the compatibility of the proposed facilities with neighboring land uses. The land use analysis incorporates a 300-foot to 1,200-foot area along either side of the proposed BEP and SVRTP alternative alignments and a ½-mile radius around the proposed BART stations.

5.9.3 IMPACT DISCUSSION

Physically Divide an Established Community

Community cohesion addresses the degree to which residents feel a sense of belonging to their neighborhood or experience attachment to community groups and institutions as a result of continued association over time. Possible adverse effects of a project on community cohesion include effects on interactions among persons and groups; whether certain people would be isolated from others; and the perceived effect on community quality of life.

No Build Alternative

The No Build Alternative consists of the existing transit and roadway networks and planned and programmed improvements in the SVRTC (see Section 2.6, Related Projects, for a list of these projects). The No Build Alternative projects would primarily involve expanding transit service on existing roadways. These projects are not anticipated to adversely affect residents' connectivity to each other or to current facilities. Projects planned under the No Build Alternative would, however, undergo separate environmental review to determine whether the projects would result in adverse effects to community cohesion.

BEP and SVRTP Alternatives

Alignment

The BEP and SVRTP alternatives would pass through the cities of Fremont, Milpitas, San Jose, and Santa Clara (SVRTP Alternative only), along existing rail corridors. The BEP Alternative would use the existing UPRR corridor and ROW through its terminus at the Berryessa Station, while the SVRTP Alternative would follow the same UPRR corridor and ROW for 11.5 miles until reaching the Alum Rock Station, where it would proceed underground, then surface at the Santa Clara Station. Because the BEP and SVRTP alternatives' surface alignment would use existing rail lines ROW, no new physical barriers would be created within these communities, and there would be no division of an existing community. The underground portion of the alignment would not adversely affect surface land uses, or physically divide an existing community.

Station Locations

Under the BEP and SVRTP alternatives, the proposed stations would be located in industrial, commercial, office, and low density residential areas. As such, nearby residential communities would benefit from the improved access to a transit system. Implementation of the BART stations would create a sense of community throughout the greater Bay Area, as the availability of transit options would allow for enhanced mobility.

Additionally, surrounding commercial and office areas would become more easily accessible to residents, customers, and employees, thereby establishing community cohesion. Thus, the stations would promote, rather than detract from, the surrounding communities within the area.

Support Facilities, and Yard and Shops Options

The supporting facilities and the yard and shops options for both the BEP and SVRTP alternatives would be located within primarily industrial and commercial areas. Their location in these areas would be consistent with existing uses, and would not adversely affect or divide an existing community.

Compatibility with Adjacent Land Uses

No Build Alternative

The No Build Alternative consists of the existing transit and roadway networks and planned and programmed improvements in the SVRTC (see Section 2.6, Related Projects, for a list of these projects). The No Build Alternative projects would primarily involve expanding transit service on existing roadways, which would not be anticipated to adversely change the physical environment or affect surrounding land uses. Projects planned under the No Build Alternative would, however, undergo separate environmental review to determine whether the projects would result in adverse effects to surrounding land uses.

BEP Alternative

The BEP Alternative begins south of the BART Warm Springs Station in the City of Fremont and traverses along the UPRR ROW through Milpitas to its terminus near Las Plumas Avenue in San Jose. The BEP Alternative includes the Milpitas and Berryessa BART Stations, several auxiliary and traction power substations, and two yard and shop options.

Alignment

The BEP Alternative would follow the existing Union Pacific railroad corridor through its terminus at the Berryessa Station in the City of San Jose. Since this active rail corridor is already established in the area, an additional rail transit use is not considered to be incompatible with the adjacent land uses.

Station Locations

Under the BEP Alternative, the proposed Milpitas and Berryessa Stations would be located in commercial, office, low density residential, and industrial areas. Locating the BART stations in these areas achieves compatibility with existing surrounding uses for the following reasons:

- Proximate residential uses, especially for lower-income and fixed-income residents, would benefit by increased access to mass transit. The presence of BART would broaden the availability of transit options and make people more mobile within the greater Bay Area (see Chapter 3, Transportation and Transit, for analysis of traffic circulation effects).

- Nearby commercial uses would benefit because stores would become more easily accessible to a broader base of customers and more attractive destinations for shoppers.

- Proximate office uses would benefit by being more easily accessible to employees. Commuting options would make those offices more attractive to current as well as future employees.

Thus, the proposed Milpitas and Berryessa Stations would support the existing land uses within the area and promote connectivity among the different types of land uses within the station areas. The station entrances for the underground subway stations have the potential to be integrated with the adjacent buildings or incorporated into new development projects.

VTA will develop adjacent building design criteria and guidelines to address considerations associated with the modification of existing structures, or the construction of new structures, adjacent to BART stations and facilities, and the creation of direct connections between BART stations and facilities and adjacent structures. Considerations will include urban design, pedestrian/transit integration, cost/value capture, safety and security, engineering requirements, operating requirements, maintenance, and BART design criteria and standards. These criteria will be developed in coordination with BART, the cities, and the community.

Additionally, under the BEP Alternative, the proposed Milpitas and Berryessa station campuses would be located within areas of an adopted transit area specific plan, and an approved planned development rezoning, respectively. Locating the BART stations in these areas achieves compatibility with approved plans for the following reasons:

- Locating BART and supporting transit facilities in close proximity to planned mixed land uses helps facilitate a pedestrian friendly environment that is consistent with the San Jose Flea Market planned development rezoning and Milpitas Transit Area Specific Plan vision to transform an older industrial district into a dense livable community with multimodal transit options.

- Proposed residential uses with one-half mile would benefit from convenient transit access.

- Proposed commercial uses would benefit by improved accessibility for employees and patrons, thus making commuting options more attractive to current and future residents and employees.

Supporting Facilities

Supporting facilities for the BEP Alternative include electrical and communication facilities, such as auxiliary power substations, traction power stations, switching stations, and locomotive wye turnarounds. These supporting facilities would be located directly adjacent to the rail corridor ROW and within areas of industrial land uses. Thus, the supporting facilities would not be incompatible with the surrounding land uses.

Yard Facilities

There are two yard options under the BEP Alternative. The first would be the No New Yard Option, which would construct a maintenance-of-way siding track west of the ROW and south of Las Plumas Avenue. The second would be the Las Plumas Yard Option located near Nicora Avenue and extending to Lower Silver Creek. The Las Plumas Yard Option would primarily support vehicle maintenance and material storage. The two yard options would be compatible with the adjacent industrial and commercial uses.

SVRTP Alternative

Effects of the SVRTP Alternative on land use would be the same as the BEP Alternative up to Berryessa Station. The following evaluation considers the effects on land use specific to the SVRTP Alternative beyond the termination of the BEP Alternative and through San Jose to the Santa Clara Station.

Alignment

South of the Berryessa Station, the SVRTP Alternative alignment would transition underground to its terminus near the Santa Clara Caltrain Station. As this portion of the SVRTP Alternative alignment would be underground, it would not be apparent to surface land uses and therefore not incompatible with their uses.

Station Locations

Under the SVRTP Alternative, the proposed Alum Rock, Downtown San Jose, and Diridon/Arena stations would be located in commercial, office, residential, and industrial areas. The 5-level parking garage structure at the Alum Rock Station and ventilation structures would be located at street level. The structures would be visible to merchants, workers, pedestrians/bicyclists, and motorists along East Santa Clara Street between 4th Street and San Pedro Street (Downtown San Jose Station) and Autumn Street and Bush Street (Diridon/Arena Station). The majority of such ventilation structures would be sited in vacant areas, commercial parking lots, and sidewalks.

As the Alum Rock Station is located in an industrial area adjacent to US 101 within San Jose, the above ground station parking garage has been designed so as not to conflict with surrounding land uses. The Alum Rock Station parking garage would be located within close proximity to the historic Five Wounds Church. Refer to the Visual Quality/Aesthetics section for a discussion of adverse effects on the church.

The Santa Clara Station within the City of Santa Clara would be located above ground within an area of light industrial and commercial uses, and in the vicinity of the historic Santa Clara Station Depot. Locating the Santa Clara Station in this area achieves compatibility with existing uses for the following reasons:

- Nearby commercial uses would benefit because stores would become more easily accessible to a broader base of customers and more attractive destinations for shoppers.

- Proximate office uses would benefit by being more easily accessible to employees. Commuting options would make those offices more attractive to current as well as future employees.

Thus, the proposed Santa Clara Station would support the existing land uses within the area.

Support Facilities

Supporting facilities for the SVRTP Alternative include auxiliary and traction power substations, which were described under the BEP Alternative, and tunnel ventilation structures. In San Jose there are two proposed above ground mid-tunnel ventilation structures located west of Coyote Creek and along Stockton Avenue south of Taylor Street. The Coyote Creek ventilation structure would be designed to be architecturally compatible with the surrounding land uses. Refer to Section 5.14, Visual Quality/Aesthetics for a discussion. The Stockton ventilation structure would not be inconsistent with the industrial uses on the east side of Stockton or with the residential uses across Stockton Avenue since it would not stand out from the existing industrial uses.

Yard and Shops Facilities

The SVRTP Alternative includes the development of the Newhall Yard and Shops Facility. The Newhall Yard and Shops Facility would be located on a narrow 69-acre area (formerly the UPRR Newhall Yard) beginning north of the tunnel portal at Newhall Street in San Jose and extending to De La Cruz Boulevard in the City of Santa Clara. The adjacent land uses are primarily industrial and the new residential uses are partially shielded by 10 to 14 foot high walls. Locating the yard and shops facility on a site previously used for a similar use in an industrial area would not be incompatible with surrounding land uses.

Consistency with Applicable Regional Goals and Policies

Consistency of the No Build, BEP, and SVRTP alternatives with regional goals and policies is summarized in Table 5.9-1.

No Build Alternative

The No Build Alternative would result, over time, in expanded bus, light rail, and commuter rail services along existing transit corridors. The expansion of existing services would be consistent with local and regional planning polices to improve the overall quality of life by enhancing transit services and improving access to transit facilities. An EIR was prepared and approved by BART in 1991 for the Warm Springs Extension Project; however, a Supplemental EIR was prepared to address recent changes proposed to the project, including the BART Irvington Station. On June 26, 2003, the BART Board of Directors certified the Supplemental EIR and adopted modifications to and updates of the Warm Springs Extension Project. Subsequently, in October 2006 FTA issued a Record of Decision on the BART Warm Springs Extension Project. The Capitol Expressway light rail extension was approved by the VTA Board of Directors in August of 2007. Santa Clara/Alum Rock light rail extension is currently undergoing environmental review that will identify any apparent land use conflicts and recommend mitigation measures where appropriate. Other projects planned under the No Build Alternative would also undergo separate environmental review to define adverse effects on land use.

The No Build Alternative includes programmed transit improvements to increase bus and light rail service in the South Bay as well as extending BART to Warm Springs. The No Build Alternative would be consistent with local and regional policies that encourage increased use of public transit, including extending BART to Warm Springs. However, this alternative would not be as supportive of regional plans and policies to promote infill development and densification around transit stations, as would the BEP and SVRTP alternatives.

The No Build Alternative, however, would not be consistent with the Fremont General Plan that promotes extending BART into Santa Clara County, nor would it be supportive of goals and policies stated in the Milpitas Midtown Specific Plan to extend BART along the railroad corridor or the City of Santa Clara General Plan policy that advocates a transit system encircling the South Bay and Peninsula. The No Build Alternative would also not stimulate the types of transit-oriented higher-density development around transit nodes that are encouraged in the Fremont, Milpitas, San Jose, and Santa Clara general plans, as well as the various Strong Neighborhoods Improvement Plans approved in San Jose.

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
City of Fremont; City of Fremont General Plan	**Policy T 1.4.1**: Establish a program encouraging the use of transit, ridesharing and other alternatives to commuting by single occupant vehicle.	◐	●	●
City of Fremont; City of Fremont General Plan	**Transportation (T) Goal 2**: Convenient alternatives to the automobile to conserve energy, reduce congestion, improve air quality and provide a variety of transportation choices to meet a variety of needs.	◐	●	●
City of Fremont; City of Fremont General Plan	**Policy T 2.1.2**: Support a regional bus system serving commuters. Implementation 1: Encourage continuation of express bus service to the Peninsula.	◐	●	●
City of Fremont; City of Fremont General Plan	**Policy T 2.2.1**: Encourage the development of rail systems serving Fremont residents, workers and businesses. **Implementation 1**: Actively support BART extension to the southern part of Fremont, with stations in Irvington, Warm Springs, and south Fremont. **Implementation 2**: Work with BART in support of extension into Santa Clara County.	◐ ○	● ●	● ●
City of Fremont; City of Fremont General Plan	**Objective T 2.3**: Easy transfer from one type of transportation to another to promote the use of alternatives to the automobile.	◐	●	●

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
City of Fremont; City of Fremont General Plan	**Policy T 2.3.2**: Provide facilities for transfers between different types of transportation. **Implementation 3**: Encourage future rail transit facilities to include inter-modal transfer facilities. Consider alternative City actions to assist in providing for such facilities.	◐	●	●
City of Milpitas; Milpitas Midtown Specific Plan	**Policy 4.3**: Support the establishment of BART service on the Union Pacific Railroad line.	○	●	●
City of Milpitas; Milpitas Midtown Specific Plan	**Policy 4.14**: Require a public access easement between the Montague LRT station to the Union Pacific Railroad right-of-way to provide a direct pedestrian connection between the LRT station and the potential future BART station. (MMSP)	○	●	●
City of Milpitas; Milpitas Midtown Specific Plan	**Policy 4.22**: Work with VTA and BART to allow the shared use of park-and-ride and transit station parking for off-peak users. In the future, design parking facilities to be compatible with adjacent areas and to reinforce the pedestrian environment. (MMSP)	○	●	●
City of Milpitas; City of Milpitas General Plan	Implementing Policy 3.c-I-1: Actively support regional planning efforts for the development of mass transit facilities generally along either the Union Pacific or Southern Pacific Railroad corridors. (CMGP)	○	●	●
City of Milpitas; Transit Area Specific Plan	**Goal Land Use**: Develop land uses and high densities that maximize transit ridership, so that land use planning supports the large public investment in transit facilities. Locate the highest densities closest to the transit stations.	○	◐	◐

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
City of San Jose; Focus on the Future San Jose– 2020 General Plan (SJGP); Strategy 2000	**Transit Facilities Policy 11**: The City should cooperate with the Santa Clara County Transit District, the California Department of Transportation and other transportation agencies to achieve the following objectives for the County's public transit system: Provide all segments of the City's population, including the handicapped, elderly, youth and economically disadvantaged, with adequate access to public transit. Public transit should be designed to be an attractive, convenient, dependable and safe alternative to the automobile. (SJGP)	◐	●	●
City of San Jose; Focus on the Future San Jose – 2020 General Plan (SJGP); Strategy 2000	Enhance transit service in major commute corridors, and provide convenient transfers between public transit systems and other modes of travel. (SJGP)	◐	●	●
City of San Jose; Focus on the Future San Jose – 2020 General Plan (SJGP); Strategy 2000	Develop an efficient and attractive public transit system which meets the travel demand at major activity centers, such as the Downtown, major employment centers, major regional commercial centers, government offices, and colleges and universities. (SJGP)	◐	●	●
City of San Jose; Focus on the Future San Jose – 2020 General Plan (SJGP); Strategy 2000	**Transportation Systems Management/Transportation Demand Management Policy 18**: The City should cooperate with the Santa Clara County Transit District, Cal-Train and other appropriate transit agencies in the development of park-and-ride lots to support public transit. (SJGP)	◐	●	●

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
City of San Jose; Focus on the Future San Jose – 2020 General Plan (SJGP); BART Station Area Nodes Policy	Direct transit-oriented and pedestrian friendly land use development in close proximity to BART Stations. The greatest densities, preferably within mixed-use developments, should be adjacent to the station. The overall residential density should be a minimum of 20 DU/AC up to 55 DU/AC.	○	◐	●
City of San Jose; Riparian Corridor Policy Study	Development in the Urban Service Area should be in accordance with the policy guidelines.	◐	●	●
City of San Jose; Focus on the Future San Jose – 2020 General Plan (SJGP); Strategy 2000	Expand transit services, upgrade transit stops, and encourage higher densities and mixed land uses.	◐	●	●
City of San Jose; Diridon/Arena Strategic Development Plan	Promote the development and expansion of downtown San Jose by creating an integrated Diridon transportation hub, encouraging transit ridership, providing an appropriate level of parking, protecting adjacent neighborhoods from negative impacts, and creating new public amenities for residents and workers in the area. (DASDP)	◐	N/A	●
City of San Jose; Midtown Specific Plan	Foster development in the Midtown area that reinforces transit use, provides a diversity of housing types, preserves viable industrial and commercial-service uses, and complements and extends adjacent residential and commercial areas. (MSP)	◐	N/A	●

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
City of San Jose; Strong Neighborhood Initiatives	Five Wounds/Brookwood Terrace Plan: Recommends the construction of a linear park to strengthen pedestrian and visual connections between East Santa Clara Street, a town square, and East Julian Street. The linear park offers flexibility for future accommodation of station entrances and ventilation shafts associated with an underground BART station. Recognizes the importance of BART parking while recommending that any parking structure should minimize disruption to walking and neighborhood livability.	◐	N/A	●
City of San Jose; Strong Neighborhood Initiatives	**Thirteenth Street Plan**: Supports the City of San Jose's General Plan designation of East Santa Clara Street as a Transit-Oriented Development Corridor allowing for high-intensity new residential development with ground floor retail. Such high-density residential development would add new housing to the downtown neighborhoods compatible with public transit investments such as the BART extension and VTA's Downtown East Valley project.	◐	N/A	●
City of San Jose; Strong Neighborhood Initiatives	**University Neighborhoods Revitalization Plan Update**: Identifies six vacant and underutilized properties as candidates for new development. Recognizing the proximity of the community to the BART Extension and the Downtown East Valley Project, the plan encourages the development of high-density or mixed-use projects on most of these properties.	◐	N/A	●

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
City of San Jose; Strong Neighborhood Initiatives	**Market-Almaden Neighborhood Improvement Plan**: Encourages mixed-use developments on Market Street, with an emphasis on retail, commercial, and/or institutional uses on the lower levels and high-density housing on upper levels.	◐	N/A	●
City of San Jose; Strong Neighborhood Initiatives	**Burbank/Del Monte Neighborhood Improvement Plan**: Recommends the reconfiguration and consolidation of parking lots in the community to encourage mixed-use development for ground level commercial frontage and upper level office and/or residential use consistent with the character of transit-oriented corridors.	◐	N/A	●
City of San Jose; Strong Neighborhood Initiatives	**Delmas Park Neighborhood Improvement Plan**: Envisions the neighborhood as a pedestrian and transit-oriented area with community-focused commercial corridors, and well-lit, tree-lined streets.	◐	N/A	●
City of Santa Clara; City of Santa Clara General Plan 2000-2010	**Transportation Demand Management Policy 4**: Minimize the number of automobiles used in commuting.	◐	N/A	●

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
City of Santa Clara; City of Santa Clara General Plan 2000-2010	**Bus and Rail Systems Policy 6**: Support a transit system that provides enhanced commuter service.	◐	N/A	●
City of Santa Clara; City of Santa Clara General Plan 2000-2010	**Bus and Rail Systems Policy 7**: Support a coordinated transit system that circles the South Bay and the Peninsula.	○	N/A	●
City of Santa Clara; City of Santa Clara General Plan 2000-2010	**Bus and Rail Systems Policy 8**: Support the County's effort to provide transit service to dependent populations such as the disabled, elderly, children, and those who cannot drive.	◐	N/A	●
City of Santa Clara; City of Santa Clara General Plan 2000-2010	**Bus and Rail Systems Program XIX**: Encourage as a long-range objective, rail extension between the East Bay and San Jose, Santa Clara, and beyond.	○	N/A	●
City of Santa Clara; City of Santa Clara Station Area Plan	**Principal 5**: Utilize the new BART connection by redeveloping the site east and south of the BART station (United Defense/FMC) at a high intensity with a diverse mix of uses.	○	N/A	●

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
County of Santa Clara; Santa Clara County General Plan – Charting a Course for Santa Clara County's Future: 1995 – 2010	**Economic Well-Being Policy (C-EC) 8**: Local government, as part of an overall economic development program, should work to maintain and improve the overall quality of life in Santa Clara County by improving our transportation network and facilitating alternative transportation modes.	◐	●	●
County of Santa Clara; Santa Clara County General Plan – Charting a Course for Santa Clara County's Future: 1995 – 2010	**C-TR 3**: In order to safeguard future mobility and achieve other transportation-related goals and objectives stated in the Vision of the General Plan, the following set of coordinated strategies should guide decision making and implementation efforts on a sub-regional basis: • develop urban land use patterns that support travel alternatives; • manage travel demand, system operation, and congestion levels; • expand system capacity and improve system integration; and • support new transportation technologies.	◐	●	●
Alameda County; The East County Area Plan: A portion of the Alameda County General Plan (Volume 1 – Goals, Policies and Programs 2002)	**Policy 177**: The County shall assign priority in funding decisions to arterial and transit improvements that would improve local circulation, and to improvements that would facilitate the movement of commercial goods. This policy shall not preclude the County from supporting or approving any rail projects or improvements required for roadway safety.	◐	●	●
Alameda County; The East County Area Plan: A portion of the Alameda County General Plan (Volume 1 – Goals, Policies and Programs 2002)	**Policy 188**: The County shall promote the use of transit, ridesharing, bicycling, and walking through land use planning as well as transportation funding decisions.	◐	●	●

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
Alameda County; The East County Area Plan: A portion of the Alameda County General Plan (Volume 1 – Goals, Policies and Programs 2002)	**Policy 199**: The County shall support investment in transit as an alternative to automobile-intensive transportation improvements.	◐	●	●
Alameda County; The East County Area Plan: A portion of the Alameda County General Plan (Volume 1 – Goals, Policies and Programs 2002)	**Policy 200**: The County shall work with transit providers to complete transit improvements to meet the demand for existing and future development.	◐	●	●
Alameda County; The East County Area Plan: A portion of the Alameda County General Plan (Volume 1 – Goals, Policies and Programs 2002)	**Policy 202**: The County shall encourage high-intensity development in locations convenient to public transit facilities and along transit routes.	◐	●	●
Alameda County; The East County Area Plan: A portion of the Alameda County General Plan (Volume 1 – Goals, Policies and Programs 2002)	**Policy 205**: The County shall encourage BART to locate new BART Stations in areas that can be developed at high densities and intensities to maximize transit patronage.	○	●	●
Alameda County; The East County Area Plan: A portion of the Alameda County General Plan (Volume 1 – Goals, Policies and Programs 2002)	**Program 82**: The County shall work with East County cities to designate high density and high intensity uses along major arterials and within walking distance of transit stops. The County shall work with cities to designate land near proposed BART stations for high density residential uses and personal services (e.g., child care).	◐	●	●
Santa Clara Valley Transportation Authority; Valley Transportation Plan	Provide transportation facilities and services that support and enhance the county's continued success by fostering a high quality of life for Santa Clara County's residents and continued health of Santa Clara County's economy.	●	●	●

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
Santa Clara Valley Transportation Authority; Community Design and Transportation Program	Target growth to cores, corridors, and station areas; intensify land use and activities; provide a mix of uses; focus on existing areas; create a multimodal transportation system; and integrate transit.	◐	●	●
Metropolitan Transportation Commission; 2005 Regional Transportation Plan for the San Francisco Bay Area	Promote vital and livable communities.	●	●	●
Metropolitan Transportation Commission; Resolution 3434	Establish thresholds along new corridors to determine appropriate minimum levels of development around transit station.	◐	●	●
Metropolitan Transportation Commission; Transportation for Livable Communities	Promote densification and concentrated development around transit nodes.	◐	●	●
Metropolitan Transportation Commission; Transportation for Livable Communities	Encourage redevelopment efforts, which add housing and economic vitality to older business and community centers throughout the San Francisco Bay Area region.	◐	●	●
Metropolitan Transportation Commission; Housing Incentive Program	Award TLC capital grants to cities/counties that build high-density housing within ⅓-mile of a major transit station or transit corridor.	◐	●	●
Association of Bay Area Governments; Focusing our Vision: Smart Growth and Sustainable Development	Promote opportunities for transit use and alternative modes of transportation including rail, bus, high occupancy vehicle (HOV) systems, ferry services, as well as enhanced walking and biking. Increase connectivity between and strengthen alternative modes of transportation including improved rail, bus, ride share, ferry services, as well as walking and biking.	◐	●	●

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
Association of Bay Area Governments; Focusing our Vision: Smart Growth and Sustainable Development	Enhance community livability by promoting in-fill, transit-oriented and walkable communities, and compact development as appropriate. Develop multi-family housing, mixed-use development, and alternative transportation to improve opportunities for all members of the community.	◐	●	●
Association of Bay Area Governments; Focusing our Vision: Smart Growth and Sustainable Development	Improve the jobs/housing linkages through the development of housing in proximity to jobs, and both in proximity to public transportation.	◐	●	●
Association of Bay Area Governments; Focusing our Vision: Smart Growth and Sustainable Development	Improve conditions in disadvantaged neighborhoods, ensure environmental justice, and increase access to jobs, housing, and public services for all residents in the region.	◐	●	●
Association of Bay Area Governments; Focusing our Vision: Smart Growth and Sustainable Development	Promote and enhance open space, agricultural lands, other valued lands, watersheds and ecosystems throughout the region. Promote development patterns that protect and improve air quality.	◐	●	●
Association of Bay Area Governments; Focusing our Vision: Smart Growth and Sustainable Development	Encourage local governments, stakeholders, and other constituents in the Bay Area to cooperate in supporting actions consistent with the adopted Smart Growth policies. Forge cooperative relationships with governments and stakeholders in surrounding regions to support actions that will lead to inter-regional Smart Growth benefits.	◐	●	●

Table 5.9-1: Consistency of the Project with Applicable Land Use Goals and Policies (continued)

City / County / Regulatory Agency	Goals and Policies	No Build Alternative	BEP Alternative	SVRTP Alternative
San Francisco Bay Area Rapid Transit District; BART Strategic Plan: A New Era of Partnership	Maximize transit ridership and balance transit-oriented development goals with community desires.	◐	●	●
San Francisco Bay Area Rapid Transit District; BART Strategic Plan: A New Era of Partnership	Promote transit ridership and enhance the quality of life by encouraging and supporting transit-oriented development within walking distance of BART stations.	○	●	●
San Francisco Bay Area Rapid Transit District; BART System Expansion Policy and Criteria	Enhance regional mobility, especially access to jobs; generate new ridership on a cost-effective basis; demonstrate a commitment to transit-supportive development; enhance multi-modal access to the BART system; develop projects in partnership with the communities that will be served; implement and operate technology-appropriate service; and ensure that all projects address the needs of the District's residents.	◐	●	●

Notes: Level of consistency key: ○ = Not consistent ◐ = Partially consistent ● = Consistent
Source: VTA, 2003.

BEP Alternative

The BEP Alternative would be consistent with the land use and development objectives of the City of Fremont. It would also be consistent with the regional plans of MTC, ABAG, VTA, and BART to extend BART along the railroad corridor, enhance transit service to the South Bay, support the creation of a unified transit system that encircles the Bay, and encourage higher-density, mixed-use development adjacent to proposed transit stations. Providing for a high-speed, high-capacity regional rail station in the vicinity of land uses approved for transit oriented development is consistent with the land use goals of the Milpitas Transit Area Specific Plan to develop land uses and high densities that maximize transit ridership, so that land use planning supports the large public investment in transit facilities.

Consistency with MTC's Resolution 3434

The BEP Alternative is consistent with MTC's Resolution 3434. The Resolution states that the housing threshold for BART expansion projects as 3,850 housing units, average per station area. MTC's *Planning for BART to Silicon Valley* brochure (MTC, 2007) illustrates that taken as a whole, the corridor exceeds the MTC housing target of 3,850 housing units within a half-mile radius of BART stations.

Consistency with BART's System Expansion Policy

The BEP Alternative is consistent with the BART System Expansion Policy (SEP). The project would extend transportation services to communities currently underserved by transit, and provide an intermodal regional link to bus, shuttle, automobile, bicycle and pedestrian transportation networks, enhancing access to regional jobs, schools, attractions, and other destinations.

Taken as a whole, the corridor averages more than 3,850 units within a half-mile radius of planned BART stations. Additionally, the project meets the BART SEP target threshold for ridership within the corridor. Below are some key city policies and plans that are consistent with the process of the BART SEP.

Milpitas Transit Area Specific Plan: The City of Milpitas has completed and approved the Milpitas Transit Area Specific Plan (TASP). The TASP proposes more than 7,000 dwelling units and an addition of 18,000 residents within a one-half mile radius of the planned Milpitas BART Station.

City of San Jose General Plan Policy: The City of San Jose General Plan includes the establishment of transit-oriented development (TOD) corridors and BART station area nodes under its Land-use/Transportation policy. The plan identifies Berryessa, Santa Clara Street/28th Street (near the proposed Alum Rock BART Station), and downtown San Jose as BART station nodes. The purpose of designating a BART station node well in advance of any approval of an extension is to direct transit-oriented and pedestrian friendly development near proposed BART stations.

Flea Market North and South Village Planned Development: Over 120 acres adjacent to the proposed Berryessa BART Station have been approved for a large-scale mixed-use TOD project. The project is anticipated to include more than 2,800 dwelling units and a range of 4,800 – 7,100 residents, depending on build-out densities.

Newbury Park Planned Development: This planned mixed-use community, located near Berryessa BART Station, would include over 1,200 dwelling units, including 165 senior affordable units and more than an acre of parks and open space.

Diridon Station Area Plan: VTA, City of San Jose and Peninsula Corridor JPB are participating agencies in this MTC awarded planning grant, which will evaluate transit-supportive features that support high levels of transit ridership and identify appropriate land-use for the Diridon Station area.

Santa Clara Station Area Plan: The Santa Clara Station Area Plan is a cooperative effort jointly funded by MTC, VTA, the City of Santa Clara, and the City of San Jose. The Plan proposes more than 2,200 dwelling units and an addition of approximately 6,200 residents in the vicinity of the proposed Santa Clara BART Station.

The proposed Berryessa Station land uses are consistent with the policies of the City of San Jose BART Station Area Node policy in the General Plan.

The BEP Alternative would not be consistent with approved Milpitas Transit Area Specific Plan land uses located east of the proposed Milpitas Station, where VTA has identified transit facilities. The Berryessa Station proposes transit facilities west of the BART alignment, which is in an area currently utilized as the San Jose Flea Market South Parking Lot, and not consistent with approved land uses for mixed commercial and office uses in the San Jose General Plan.

The proposed Milpitas Station and Berryessa Station transit facility land uses noted above are not consistent with applicable City of Milpitas and City of San Jose land use policies, respectively; however they would not adversely affect or divide the community. The proposed BART station transit facility land uses are compatible with other approved adjacent land uses in the station vicinity.

The BEP Alternative would be designed to the maximum extent practicable to the guidelines contained in the San Jose Riparian Corridor Policy Study. For example, the Berryessa Station area includes either a 150-foot setback from the near bank or a 100-foot setback from the riparian tree dripline (outer edges of the tree canopy) of Upper Penitencia and Coyote creeks, whichever is greater. This conforms to the Study guidelines, which requires “a minimum of 100 feet from the edge of the riparian corridor (or top of back, whichever is greater).” In addition, the BEP Alternative would be designed to avoid or minimize adverse effects on riparian habitats where possible. Where adverse effects are unavoidable, VTA would work with the CDFG to mitigate for those effects, as described in Section 5.2, Biological Resources and Wetlands.

SVRTP Alternative

Adverse effects related to the policy consistency for the SVRTP Alternative are identical to those discussed under the BEP Alternative. However, as the SVRTP Alternative continues beyond the terminus of the BEP Alternative near the Berryessa Station, the following discussion addresses the effects related to the SVRTP Alternative from the end of the BEP Alternative to the Santa Clara Station in the City of Santa Clara.

The SVRTP Alternative would remain consistent with the land use and development objectives of the cities of Fremont, Milpitas, San Jose, and Santa Clara. It would also be consistent with the regional plans of VTA, MTC, ABAG, and BART to extend BART along the railroad corridor, enhance transit service to the South Bay, support the creation of a unified transit system that encircles the Bay, and encourage higher-density, mixed-use development adjacent to proposed transit stations.

This alternative would maintain consistency with the Bus and Rail System policies of the Santa Clara County General Plan, as the SVRTP Alternative provides a transit system to improve commuter service. The SVRTP Alternative would also establish a coordinated transit system that circles the South Bay and the Peninsula, as the Diridon/Arena Station and the Santa Clara Station provide intermodal connections from BART to existing rail lines and stations. Thus, the alignment and proposed stations under the SVRTP Alternative would be consistent with local and regional policies.

Conversion of Agricultural Resources

No Build Alternative, BEP Alternative, and SVRTP Alternative

There are no active agricultural properties located along the No Build, BEP, and SVRTP alternatives, at station locations, at supporting facilities, or yard options. The alternatives are located in urbanized and developed areas of the cities of Fremont, Milpitas, San Jose, and Santa Clara. Adjacent and surrounding land uses are primarily designated for non-agricultural uses, such as industrial or commercial. Additionally, the SVRTC is designated as urban and built-up land by the California Department of Conservation. Urban and built-up land is defined as “land occupied by structures with a building density of at least one unit to 1½-acres.” No Prime Farmland, Unique Farmland, or any Farmland of Statewide Importance is located on or within close proximity to the proposed alternatives. Thus, the alternatives would not convert designated farmland to non-agricultural uses and would not affect agricultural resources.

5.9.4 CUMULATIVE IMPACTS

Over the last 30-40 years, the SVRTC has become increasingly urbanized. During this period, the mix and intensity of land uses has changed significantly. Land uses within 300 to 1,200 feet of the BEP and SVRTP alternatives included industrial, office, mixed-density residential, commercial, and recreational.

Current and future development in the SVRTC is influenced by county and municipal General Plans, specific area plans, and neighborhood plans. A trend among these plans, which will influence future development in the corridor, is support for evelopment within existing urban service areas where utilities and infrastructure already exist, including an intensification of development at or near transit hubs.

The extent of influence that transportation projects have had on land use in the corridor has typically been focused on station areas, where higher density mixed-use development has been introduced to take advantage of enhanced mobility and capacity. Development at station locations would be consistent with the ongoing trend of urbanization in the Bay Area and would support jurisdictions' efforts to site in-fill development and higher densities within existing urban and suburban areas.

Based on a review of existing land uses and relevant land use policies and documents, the BEP and SVRTP alternatives would not result in cumulative adverse effects on land use. Improvements to the transportation system have historically been in response to congestion and approved general plans. Other societal factors such as job growth have typically driven land use trends and general plans. As a result, these alternatives, in combination with other transportation projects in the counties and region are viewed more as accommodating growth that has already occurred or is planned by local jurisdictions. Accordingly, the BEP and SVRTP alternatives and other transportation projects would not cause unexpected growth or land use changes. The BEP and SVRTP alternatives are consistent with existing, planned, and programmed transportation improvements and are intended to accommodate planned growth by enhancing transit access for local residents and businesses. Thus, there are no adverse cumulative effects associated with the implementation of the BEP and SVRTP alternatives.

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