



Executive Director
Gabriel Metcalf

San Jose Director
Leah Toeniskoetter

San Jose Advisory Board

Co-Chairs
Chris Block
Lydia Tan

Teresa Alvarado
Andy Barnes
J. Richard Braugh
Larry Burnett
Brian Darrow
Gordon Feller
Karla Rodriguez
Lomax
James MacGregor
Connie Martinez
Anu Natarajan
Dr. Mohammad Qayoumi
Robert Steinberg
Kim Walesh
Jessica Zenk

September 27, 2012

Joe Horwedel
Director, Planning, Building and Code Enforcement

Hans Larsen
Director, Department of Transportation

City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Re: Planning requirements to encourage transportation innovation

Dear Mr. Horwedel and Mr. Larsen:

The City of San Jose is considering new planning requirements in new development to encourage mode share shifts in walking, biking, and use of public transit. SPUR has studied this topic, and is very supportive of the goals. We offer the following comments and suggestions about how to move forward with new, and attainable, planning requirements.

The basics: density, diversity, and design

To begin with, it is important to understand the planning conditions that enable people to move around easily without a car. These are frequently expressed as the “three D’s” density, diversity of uses, and pedestrian-oriented design. These ingredients are interconnected and all three are essential to make a real impact on travel behavior. Together, they support “Access by Proximity”, in which basic needs are met nearby, with fewer overall trips.

- **Density** — High levels of transit service and pedestrian-oriented retail depend on having enough people within walking distance — in other words, high population densities. There is no magic number that is “enough,” but in general, the higher the density, the more services that can be supported within walking distance.
- **Diversity of uses** — People will only walk if there is something to walk to. High densities give a neighborhood the possibility of a vibrant pedestrian life, but only if there is a mix of stores, restaurants, services and amenities to draw people out. In general, the more diverse the mix of uses, the more likely it is that people will access those uses on foot. In downtowns (and certain other settings) the diversity of uses may include work, residential, retail, civic, and entertainment uses. But the same principle applies in residential neighborhoods, where the planning goal is to create “complete neighborhoods” that provide grocery stores, dry cleaners, and other life necessities within walking distance of every resident. If people cannot walk to meet these basic needs, then the neighborhood will lose its potential customer base to car-oriented shopping malls.
- **Design** — The final ingredient in planning to promote sustainable transportation modes is pedestrian-oriented design. The perception of distance, which is highly sensitive to a pedestrian’s sense of comfort and safety, has a major impact on the distance they will walk. Although the “quarter-mile radius” is a popular shorthand for walking distance, people will walk much farther in a well-designed urban setting than they will in a car-oriented setting. Good urban design is therefore essential to capturing the potential benefits of density and diversity of land use. Indeed, whether or not a destination is “accessible” from transit is not just based on its proximity to transit but also the experience of walking from the transit station to the front door. Specifically, pedestrian-oriented design means:

SPUR HEADQUARTERS
654 Mission Street
San Francisco, California
94105
415.781.8726 t
www.spur.org

SPUR SAN JOSE
38 West Santa Clara Street
San Jose, California
95113
408.200.2020 x106 t
www.spur.org/sanjose

- Buildings are placed adjacent to streets and oriented toward sidewalks, not set back behind surface parking lots or landscaping, forming a clearly definable “urban edge” to streets.
- Clear, direct, and continuous routes among key activity nodes and destinations, including transit
- Generous sidewalks with trees, lighting, and other streetscape amenities, with adequate crosswalks and signals at intersections
- A “porous” street network composed of smaller blocks, which allows pedestrians more choices and more direct access
- Minimizing curb cuts and blank walls along the ground floors of street-oriented buildings
- Tall ground floors (approximately 14’ to 15’ minimum) where there are active uses such as retail, lobbies or office space.
- Ensure that primary building entrances are from the sidewalk
- When necessary, place surface parking behind buildings and away from the street edge, to maintain active streetwall.

We start with these “basics” because we believe these are the fundamental determinants of how residents, workers and visitors choose to get around. Without density, diversity, and design, no amount of “bells and whistles” — and no amount of transit service — will get people out of their cars.

The primary planning objective in downtown San Jose, those parcels adjacent to major transit nodes and in all the designated urban villages should be to require that every new building contribute to high densities, diverse uses, and good pedestrian design. These principles not only support transit riders by bringing services and amenities within reach, they also reduce driving by creating “park once” environments, in which drivers can leave their cars behind and accomplish several errands on foot.

Control parking design; de-control parking quantity

Realistically, the vast majorities of adults in San Jose are going to own cars and use them for the foreseeable future. What SPUR promotes is a “transition strategy,” which can create places where people want to walk, and create good access to transit for longer trips, while still accommodating high levels of parking. What we suggest, in other words, is that the next phase in San Jose’s urban evolution should embrace **stringent controls on the design (and location) of parking, without trying to limit the quantity of parking** that developers provide. Translating that general approach into specific requirements, we make the following recommendations:

1. **Eliminate minimum parking requirements.** In downtown San Jose, and wherever else possible, San Jose should not force developers to build more parking than they believe the market requires. This follows the principle of “first, do no harm.” Using the power of government to force added parking is contrary to all of the goals in the 2040 plan. We acknowledge that, over time, this could tend to lead to a decline in on-street availability. However, it is a simple matter to maintain on-street availability through the use of variable pricing, and we would note that a high demand for on-street parking is a prime indicator of any thriving urban neighborhood in the country.
2. **Un-bundle parking from the price of residential units.** Residents in developments should be given the choice of how much parking they want to buy or lease, ranging from no parking spaces to multiple spaces. Parking in new developments should be sold or rented separately from residential units, creating transparency around the cost of parking and giving residents the ability to save money for other things by forgoing the obligation to own or rent a parking space. The City can require un-bundling of parking through an ordinance of general applicability or as a condition of approval in residential developments.
3. **Allow developers to lease or purchase space in nearby garages, rather than building new parking.** Downtown San Jose, and perhaps other neighborhoods, has excess off-street parking capacity. One of the best ways to reduce the cost of development, while improving the design of

new buildings, is to allow developers to make arrangements for parking off-site rather than always requiring them to build it new on-site. The City of San Jose can monitor such lease or purchase arrangements actively or enforce the requirement based on complaints, as it sees fit. Or, better yet, if the City is eliminating minimum requirements altogether (as per recommendation #1), there is no need to enforce leasing arrangements at all, and this can simply be a private transaction between a building owner and his or her residential customers. For publicly-owned garages, the City can monitor overall levels of parking availability to ensure that not too many spaces are leased to residents.

4. **Design parking the right way.** The overall goal of parking design should be to maintain the quality of the pedestrian experience while minimizing potential automobile conflicts with other modes, especially transit services. In cities with high real estate prices, this usually means requiring parking to be under ground. But where prices don't support this (or where the water table is too high), the impact of parking on the public realm can still be controlled through good design. This includes:
 - a. **Limiting the amount of building façade that can be taken up with parking or, conversely, requiring active ground floors on a minimum percent of the façade.** This leads to the "Texas donut" as a common solution – a building form that puts parking on multiple floors, but wraps the non-parking use around the parking on three-and-a-half sides. Similarly, San Francisco's Mission Bay prohibits exposed parking at the street level, requiring pedestrian entrances or active uses instead. San Jose's Fourth and San Fernando garage is an excellent example of a garage whose design and organization – including ground floor retail, pedestrian circulation, and architectural expression – allow it to serve as a supportive point of entry into a pedestrian-friendly downtown environment.
 - b. **Limit the size and location of curb cuts and garage portals.** Oversized garage entrances can severely disrupt the pedestrian environment. Entrances should be narrow, limited in number, and placed away from key pedestrian corridors.
 - c. **Require surface parking to be behind, not in front of, buildings.** While we think San Jose is largely moving away from surface parking lots, if any new development includes surface parking, it should be located behind the building, and the building should have its primary entrance from the sidewalk.

We also make the following recommendations to the City of San Jose about other ways to encourage alternative transportation:

5. **Phase out subsidies for parking.**

San Jose's "Parking Incentive Program" provides free or half-off parking for businesses signing or renewing downtown office leases. This program is intended as an economic development incentive to encourage businesses to move into downtown by making the price of employee parking free or lower cost. Such a policy conflicts with the goal of changing mode shift away from driving because the city is subsidizing driving to work. Downtown offers urban amenities to an office tenant, something not found in nearby free parking job centers. As the downtown vacancy rate declines, the city should focus its economic development subsidies on continuing to strengthen the urbanism of downtown, and not attempt to compete with free parking of surrounding suburban areas.

6. **Restore Eco Pass subsidy for City employees.**

The City of San Jose should restore the subsidy for VTA's Eco Pass for city employees, particularly at City Hall. While in times of limited budgets, this appeared to be a line item that was relatively easy to eliminate, restoring Eco Passes should be a near-term goal. In addition, it will

simply not be possible for the city to achieve its mode shift goals if it continues to provide free parking employees but not provide subsidized transit. The message of that policy choice is that car commuting is more valued than transit commuting. If the city cannot prioritize transit, it will be more difficult to expect other employers to do so.

We are, on the other hand, very skeptical about the idea of requiring residential developers to provide building occupants with Eco Passes. First, this is a potentially expensive requirement that might have little actual use. Second, it would be difficult to track and administer. And third, payment mechanisms for transit are in flux, meaning that both the costs and methods of providing an Eco Pass are likely to change in the future. That being said, a model for administering such a requirement can be found in San Francisco's recently approved Parkmerced Development Agreement.

7. Streamline the environmental review process for projects that support city goals.

Finally, we would note that one change to planning practice in San Jose would reap benefits for infill development of all kinds: the City should conduct a master environmental review on the 2040 plan which would acknowledge, in advance, the congestion impacts of the development envisioned in the plan. This is something the City did for the North San Jose Plan and it is something the City of San Francisco is doing citywide at this time. With such an EIR in place, San Jose could adopt a citywide transportation mitigation fee that would reduce the need for subsequent transportation analysis of individual projects, saving time and money for developers. In other words, rather than have developers spend huge amounts of time and money studying the impacts of congestion, the city could have developers contribute funds to do something about it. These funds could be spent on road improvements, sidewalk improvements, bicycle infrastructure, or public transit.

Conclusion: each new development brings the city closer, or farther away, from its goals.

Each project that comes to the city is an opportunity. It's important to make good use of these opportunities when they come, to repair the urban fabric and make San Jose more walkable over time. Although there is a pressing need to attract and facilitate new development in San Jose, different approaches to development have profoundly different ramifications for transportation and sustainability goals. Tempting as it may be, the wrong sort of development hurts the city several times over: reinforcing drive-alone commuting, telegraphing the city's willingness to compromise its stated goals, and removing opportunity sites that could be developed in a catalytic and transformational way. Conversely, accommodating development that fits in with the city's long-range vision sends the right message and moves the city closer, building by building, to a more sustainable future.

Thank you for considering these ideas. We look forward to continuing to work with you on the implementation of the San Jose 2040 General Plan, which we believe is one of the most visionary planning documents of any American city.

Sincerely,



Leah Toeniskoetter
Director
SPUR San Jose

cc: Laurel Prevetti