

DRAFT

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING
CERTAIN REAL PROPERTY OF APPROXIMATELY 0.6
GROSS ACRE, LOCATED AT THE SOUTH SIDE OF
SHARON DRIVE APPROXIMATELY 220 FEET EAST OF
SOUTH DE ANZA BOULEVARD (7246 SHARON DRIVE)
FROM THE CP COMMERCIAL PEDESTRIAN ZONING
DISTRICT TO THE MUN MIXED USE NEIGHBORHOOD
ZONING DISTRICT**

WHEREAS, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken with respect to the real property hereinafter described; and

WHEREAS, an Initial Study/Negative Declaration was prepared in conformance with the California Environmental Quality Act of 1970 (CEQA), as amended, for the subject rezoning to the MUN Mixed Use Neighborhood Zoning District under File Numbers C21-009 and GP21-004 (the "IS/ND"); and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the MUN Mixed Use Neighborhood Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves the IS/ND as the appropriate environmental clearance for the proposed project prior to acting upon or approving the subject rezoning; and

WHEREAS, the proposed rezoning is consistent with the designation of the site in the applicable General Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned to the to the MUN Mixed Use Neighborhood Zoning District.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, depicted in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 3. The district map of the City is hereby amended accordingly.

SECTION 4. Any land development approval that is the subject of City File No. C21-009 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

PASSED FOR PUBLICATION of title this ____ day of _____, 2022 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

Exhibit "A"

Lot 11, as shown upon that Map entitled, "Tract No. 529 H.V. Cross Subdivision", in the City of San Jose, County of Santa Clara, State of California, which Map was filed for record in the Office of the Recorder of the County of Santa Clara, State of California on July 6, 1948 in Book of Maps Numbered 18 at Page 50

Assessor's Parcel Numbers(s): 372-21-003