

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING 47 PROPERTIES FROM THE CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO THE UV URBAN VILLAGE ZONING DISTRICT, ONE PROPERTY FROM THE CO COMMERCIAL OFFICE ZONING DISTRICT TO THE UV URBAN VILLAGE ZONING DISTRICT, 11 PROPERTIES FROM THE CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE UV URBAN VILLAGE ZONING DISTRICT, 34 PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE UV URBAN VILLAGE ZONING DISTRICT, SIX PROPERTIES FROM THE R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO THE UV URBAN VILLAGE ZONING DISTRICT, 16 PROPERTIES FROM THE R-M MULTIPLE RESIDENCE ZONING DISTRICT TO THE UV URBAN VILLAGE ZONING DISTRICT, TWO PROPERTIES FROM THE LI LIGHT INDUSTRIAL ZONING DISTRICT TO THE UV URBAN VILLAGE ZONING DISTRICT, 13 PROPERTIES FROM THE CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO THE UVC URBAN VILLAGE COMMERCIAL ZONING DISTRICT, TWO PROPERTIES FROM THE CO COMMERCIAL OFFICE ZONING DISTRICT TO THE UVC URBAN VILLAGE COMMERCIAL ZONING DISTRICT, SIX PROPERTIES FROM THE CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE UVC URBAN VILLAGE COMMERCIAL ZONING DISTRICT, 13 PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE UVC URBAN VILLAGE COMMERCIAL ZONING DISTRICT, ONE PROPERTY FROM THE R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO THE UVC URBAN VILLAGE COMMERCIAL ZONING DISTRICT, 59 PROPERTIES FROM THE CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, THREE PROPERTIES FROM THE CO COMMERCIAL OFFICE ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, EIGHT PROPERTIES FROM THE CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, FOUR PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, THREE PROPERTIES FROM THE R-1-8 SINGLE-FAMILY

RESIDENTIAL ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, ONE PROPERTY FROM THE R-M MULTIPLE RESIDENCE DISTRICT ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, ONE PROPERTY FROM THE CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT, ONE PROPERTY FROM THE R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO THE OS OPEN SPACE ZONING DISTRICT, ONE PROPERTY FROM THE R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO THE CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, TWO PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE SPLIT ZONED UV URBAN VILLAGE AND UVC URBAN VILLAGE COMMERCIAL ZONING DISTRICTS, ONE PROPERTY FROM THE SPLIT ZONED CP COMMERCIAL PEDESTRIAN AND R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, ONE PROPERTY FROM THE SPLIT ZONED A AGRICULTURE AND CP COMMERCIAL PEDESTRIAN ZONING DISTRICTS TO THE UV URBAN VILLAGE ZONING DISTRICT, ONE PROPERTY FROM THE SPLIT ZONED CP COMMERCIAL PEDESTRIAN AND R-M MULTIPLE RESIDENCE ZONING DISTRICTS TO THE UV URBAN VILLAGE ZONING DISTRICT, AND ONE PROPERTY FROM THE SPLIT ZONED CP COMMERCIAL PEDESTRIAN AND R-M MULTIPLE RESIDENCE ZONING DISTRICTS TO THE UR URBAN RESIDENTIAL ZONING DISTRICT, LOCATED ON THOSE CERTAIN REAL PROPERTIES THROUGHOUT THE VALLEY FAIR/SANTANA ROW AND WEST SAN CARLOS STREET PLANNED GROWTH AREAS

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, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined the proposed rezoning is pursuant to, in furtherance of and within the scope of the previously approved program evaluated in the Final Program

Environmental Impact Report for the Envision San José 2040 General Plan (the “FEIR”), for which findings were adopted by City Council through its Resolution No. 76041 on November 1, 2011 and Supplemental Environmental Impact Report (the “SEIR”), through Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto, and does not involve new significant effects beyond those analyzed in the FEIR and SEIR; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the UV Urban Village, UVC Urban Village Commercial, MUC Mixed Use Commercial, UR Urban Residential, PQP Public/Quasi-Public, OS Open Space, and CP Commercial Pedestrian Zoning Districts; and

WHEREAS, this Council of the City of San José has considered and approves the information contained in the FEIR and related City Council Resolution No. 76041, and in the SEIR and related City Council Resolution No. 77617, and Addenda thereto, and the determination of consistency therewith prior to acting upon or approving the subject rezoning; and

WHEREAS, the proposed rezoning is consistent with the designations of the sites in the applicable General Plan; and

WHEREAS, pursuant to Senate Bill 330, the proposed rezoning (File Nos. C22-005, C22-006, C22-007, and C22-008, C22-009, C22-010, C22-011) would not decrease the residential units satisfying Senate Bill 330 and Senate Bill 940 requirements; these rezonings decrease the residential capacity by 2,253 residential units but increase the residential capacity by 7, 059 residential units; and therefore, there is still a surplus of 6,874 residential units available ($7,059 - 2,253 = 4,806$ units) satisfying Senate Bill 330 and Senate Bill 940 requirements;

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 UV Urban Village, UVC Urban Village Commercial, MUC Mixed Use Commercial, UR Urban Residential, PQP Public/Quasi-Public, OS Open Space and CP Commercial Pedestrian zoning districts.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, described in Exhibit "A" and depicted in Exhibit "B" 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 Nos. C22-005, C22-006, C22-007, and C22-008, C22-009, C22-010, C22-011 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”
EXISTING GENERAL PLAN DESIGNATION AND EXISTING AND
PROPOSED ZONING DISTRICT PARCEL LIST**

File Nos. C22-005, C22-006, C22-007, C22-008, C22-009, C22-010, C22-011: The following parcels specified by Assessor’s Parcel Number (APN) are hereby rezoned from the zoning district specified below as “Existing Zoning” to the zoning district specified below as “Conforming Rezoning”:

No.	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Dwelling Units)	Area
1	27443046	UV	CG	UV	120	1
2	27443048	UV	CG	UV	189	1
3	27443076	UV	CG	UV	386	1
4	27443083	UV	CG	UV	981	1
5	27443101	UV	CG	UV	286	1
6	27443102	UV	CG	UV	151	1
7	27733003	UV	CG	UV	226	1
8	27733006	UVC	CN	UVC	-27	1
9	27733009	UVC	CG	UVC	0	1
10	27733010	UV	CG	UV	39	1
11	27733011	UV	CG	UV	38	1
12	27733012	UV	CG	UV	38	1
13	27733013	UV	CG	UV	38	1
14	27733014	UV	CG	UV	38	1
15	27733015	UV	CG	UV	40	1
16	27734002	UVC	CG	UVC	0	1
17	27734003	UVC	CG	UVC	0	1
18	27734004	UV	CG	UV	54	1
19	27734005	UV	CG	UV	55	1
20	27734006	UV	CG	UV	107	1
21	27734007	UV	CG	UV	57	1
22	27734008	UV	CG	UV	58	1
23	27734009	UV	CG	UV	55	1
24	27734013	UVC	CP	UVC	-58	1
25	27734015	UVC	CN	UVC	-84	1
26	27734016	UVC	R-2	UVC	-1	1
27	27734017	UV	R-2	UV	53	1
28	27734018	UV	R-2	UV	53	1
29	27734019	UV	R-2	UV	54	1

30	27734020	UV	CN	UV	32	1
31	27734022	UV	CG	UV	40	1
32	27734023	UV	CG	UV	38	1
33	27734025	UV	CG	UV	40	1
34	27734026	UV	CG	UV	40	1
35	27734027	UV	CG	UV	39	1
36	27734028	UVC	CG	UVC	0	1
37	27734030	UVC	CN	UVC	-32	1
38	27734031	UVC	CN	UVC	-29	1
39	27734032	UVC	CG	UVC	0	1
40	27734033	UVC	CG	UVC	0	1
41	27734034	UV	CG	UV	39	1
42	27734035	UV	CG	UV	37	1
43	27734036	UV	CG	UV	37	1
44	27734037	UV	CG	UV	39	1
45	27734038	UV	CP	UV	22	1
46	27734039	UV	CP	UV	23	1
47	27734040	UV	CG	UV	39	1
48	27734041	UV	CG	UV	38	1
49	27734042	UV	CG	UV	39	1
50	27734043	UV	CG	UV	37	1
51	27734044	UV	CG	UV	37	1
52	27734045	UV	CG	UV	37	1
53	27734046	UVC	CG	UVC	0	1
54	27734047	UVC	CG	UVC	0	1
55	27734048	UVC	CN	UVC	-17	1
56	27734049	UVC	CN	UVC	-41	1
57	27734052	UVC	CG	UVC	0	1
58	27734052	UV	CG	UV	137	1
59	27734053	UVC	CG	UVC	0	1
60	27735024	MUC	CN	MUC	-15	1
61	27735045	MUC	CO	MUC	12	1
62	27735046	MUC	CO	MUC	12	1
63	27735047	MUC	R-1-8	MUC	12	1
64	27735048	MUC	R-1-8	MUC	12	1
65	27735049	MUC	R-1-8	MUC	12	1
66	27735050	MUC	CO	MUC	12	1
67	27735051	MUC	CN	MUC	-19	1
68	27738001	OSPH	R-1-8	OS	-10	1

69	27739001	UVC	CG	UVC	0	1
70	27739011	UVC	CG	UVC	0	1
71	27739012	UVC	CG	UVC	0	1
72	27739014	UVC	CG	UVC	0	1
73	30339041	MUC	CN	MUC	-17	1
74	30339042	MUC	CN	MUC	-31	1
75	30339044	MUC	CG	MUC	27	1
76	30339046	MUC	CG	MUC	18	1
77	30339047	MUC	CP	MUC	-29	1
78	30339048	MUC	CN	MUC	-47	1
79	30339049	MUC	CN	MUC	-43	1
80	30339051	MUC	CP	MUC	-16	1
81	30339059	MUC	CN	MUC	-11	1
82	30339060	MUC	CN	MUC	-17	1
83	30339062	MUC	CG	MUC	17	1
84	27416024	MUC	CP	MUC	-16	2
85	27416027	MUC	CP	MUC	-1	2
86	27416028	MUC	CP	MUC	-8	2
87	27416029	MUC	CP	MUC	-7	2
88	27416030	MUC	CP	MUC	-8	2
89	27416049	MUC	R-M	MUC	-7	2
90	27416051	MUC	CP	MUC	-14	2
91	27416066	MUC	CP	MUC	-15	2
92	27417075	PQP	CP	PQP	-10	2
93	27417087	MUC	CP	MUC	-30	2
94	27417087	MUC	R-1-8	MUC	20	2
95	27441062	UVC	CP	UVC	-129	2
96	27441089	UVC	CP	UVC	-12	2
97	27441098	UVC	CP	UVC	-42	2
98	27441100	UVC	CP	UVC	-29	2
99	27441102	UVC	CP	UVC	-120	2
100	27457009	NCC	R-2	CP	26	2
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102	27459002	UVC	CO	UVC	0	2
103	27704020	UVC	CP	UVC	-17	2
104	27704021	UVC	CP	UVC	-49	2
105	27704022	UVC	CP	UVC	-19	2
106	27704023	UVC	CP	UVC	-18	2
107	27704024	UVC	CP	UVC	-31	2

108	27704025	UVC	CP	UVC	-25	2
109	27704026	UVC	CP	UVC	-21	2
110	27706023	MUC	CP	MUC	-27	2
111	27706024	MUC	CP	MUC	-7	2
112	27709027	MUC	CG	MUC	5	2
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124	27415112	MUC	CP	MUC	-102	3
125	27415139	MUC	CP	MUC	-17	3
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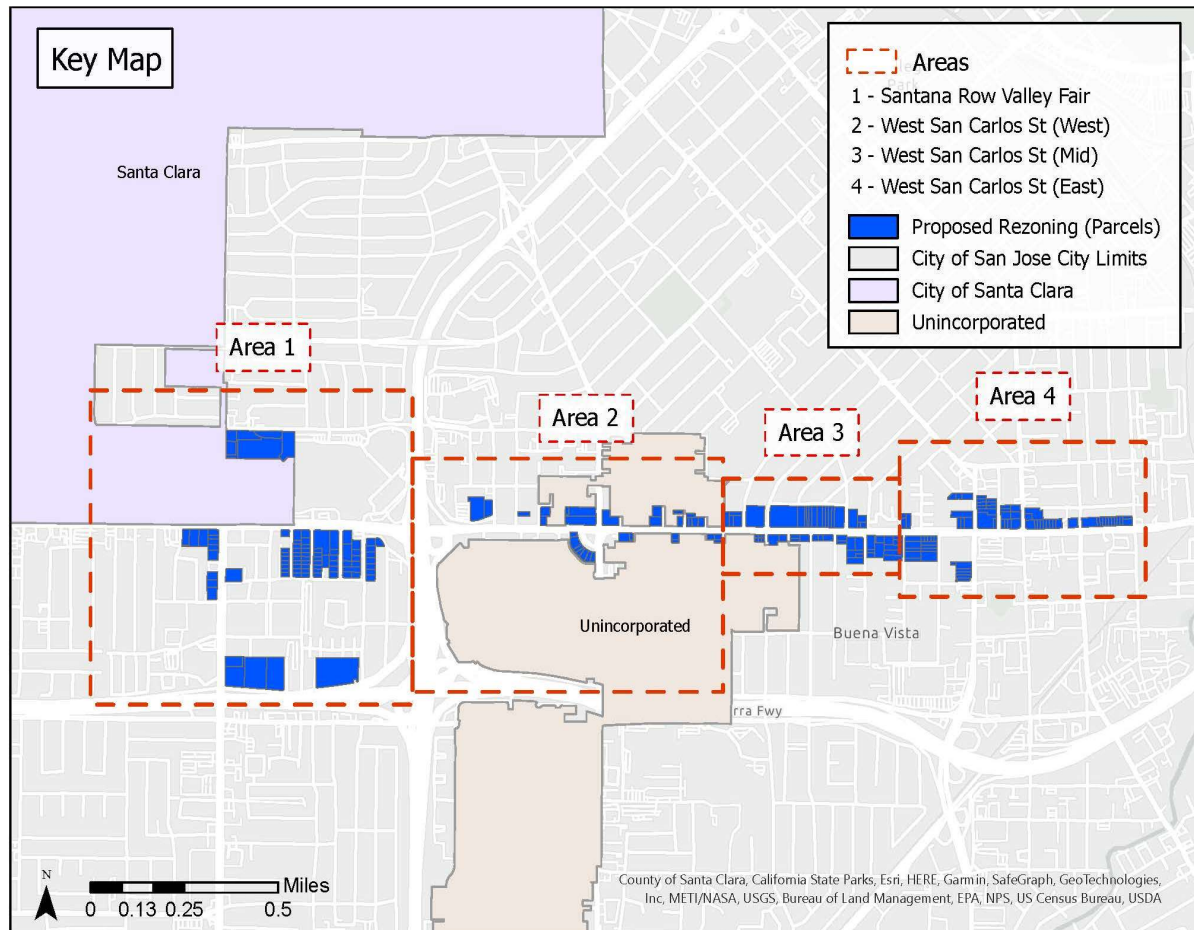
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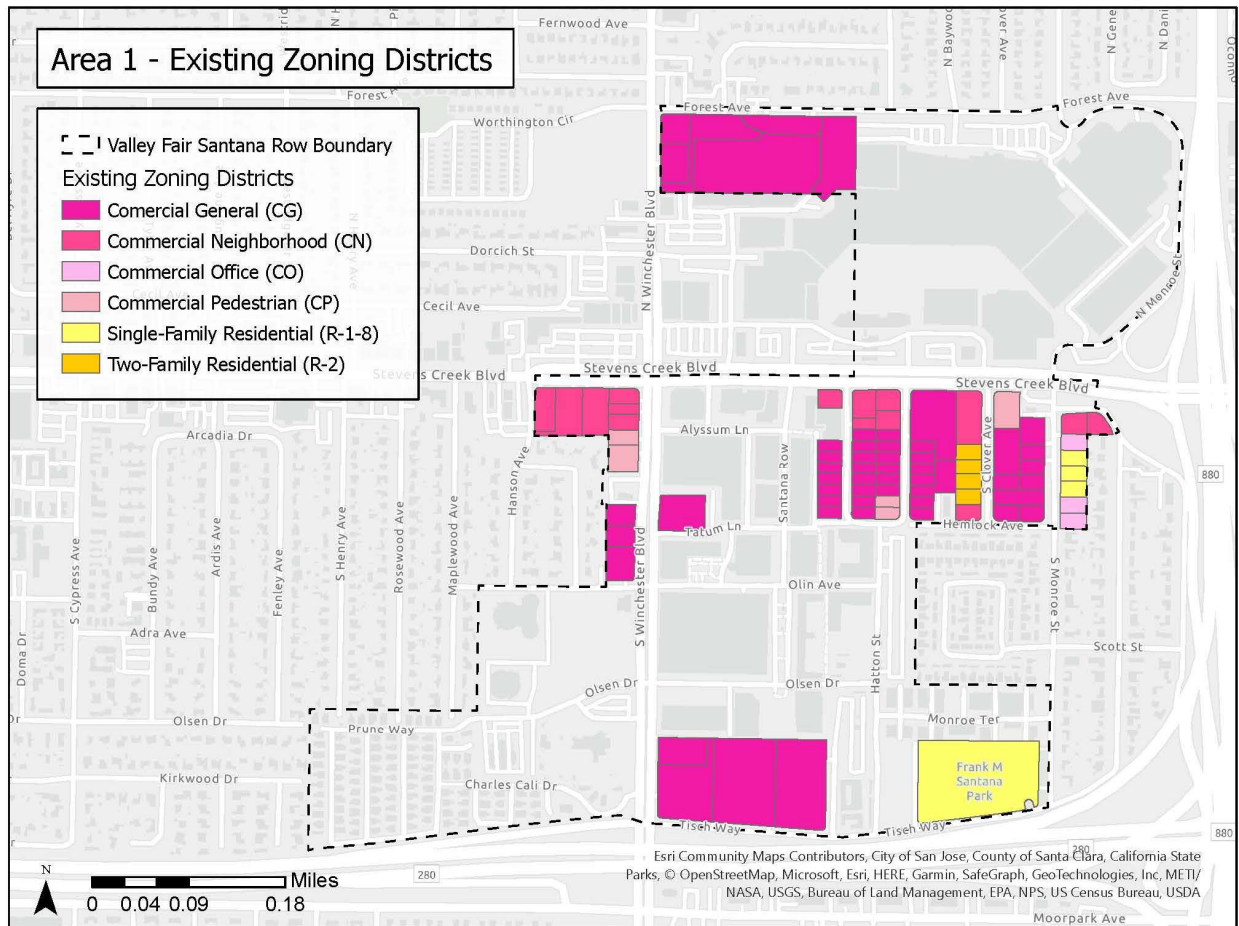
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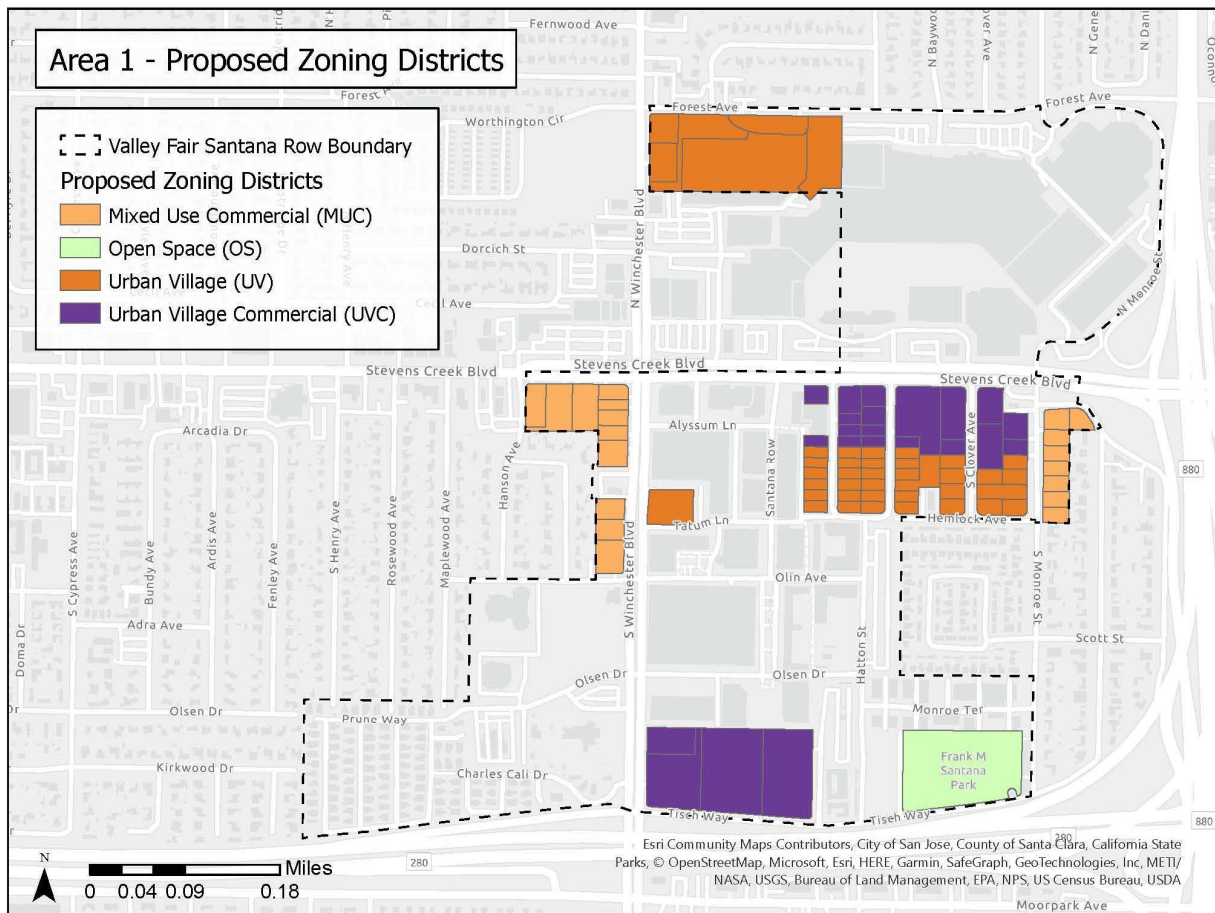
EXHIBIT "B" EXISTING GENERAL PLAN DESIGNATION AND EXISTING AND PROPOSED ZONING DISTRICT MAPS

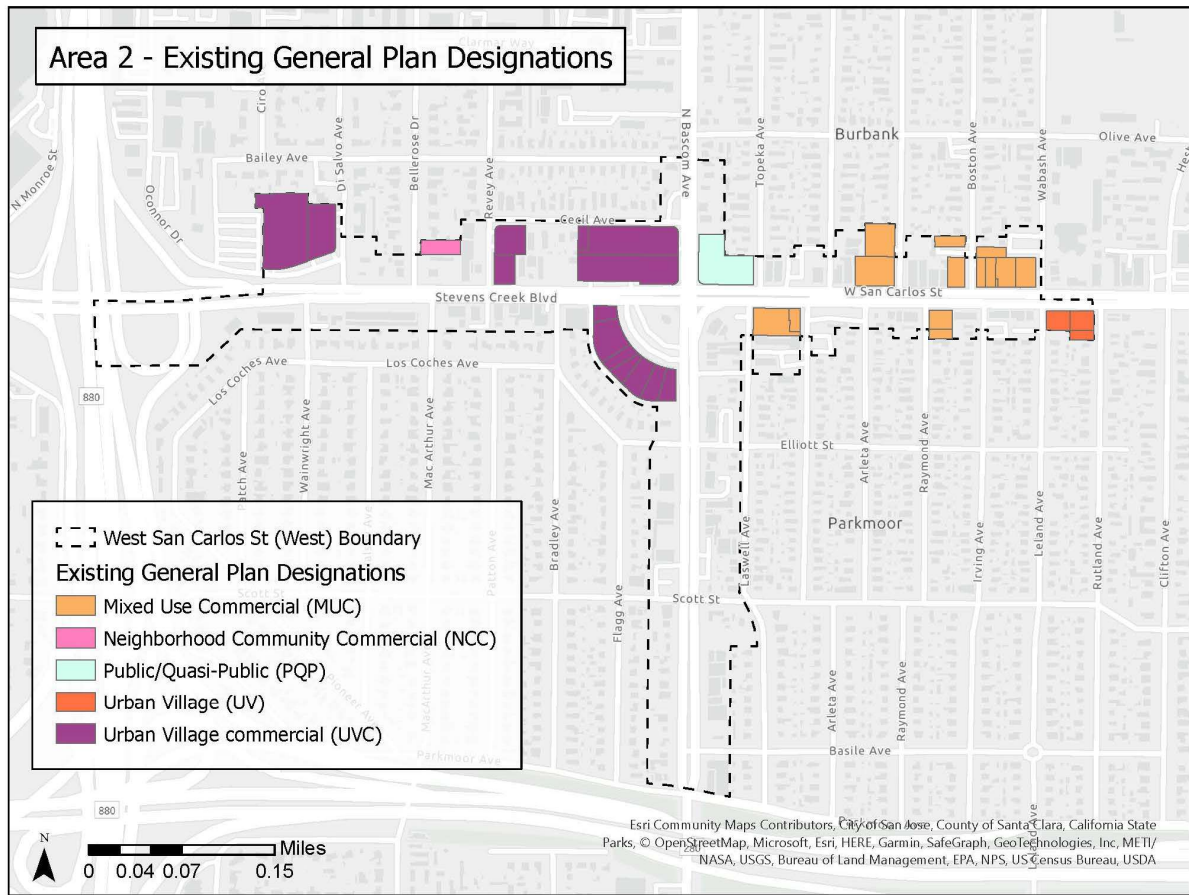
File Nos. C22-005, C22-006, C22-007, C22-008, C22-009, C22-010, C22-011: The Zoning District Map is hereby amended as follows:

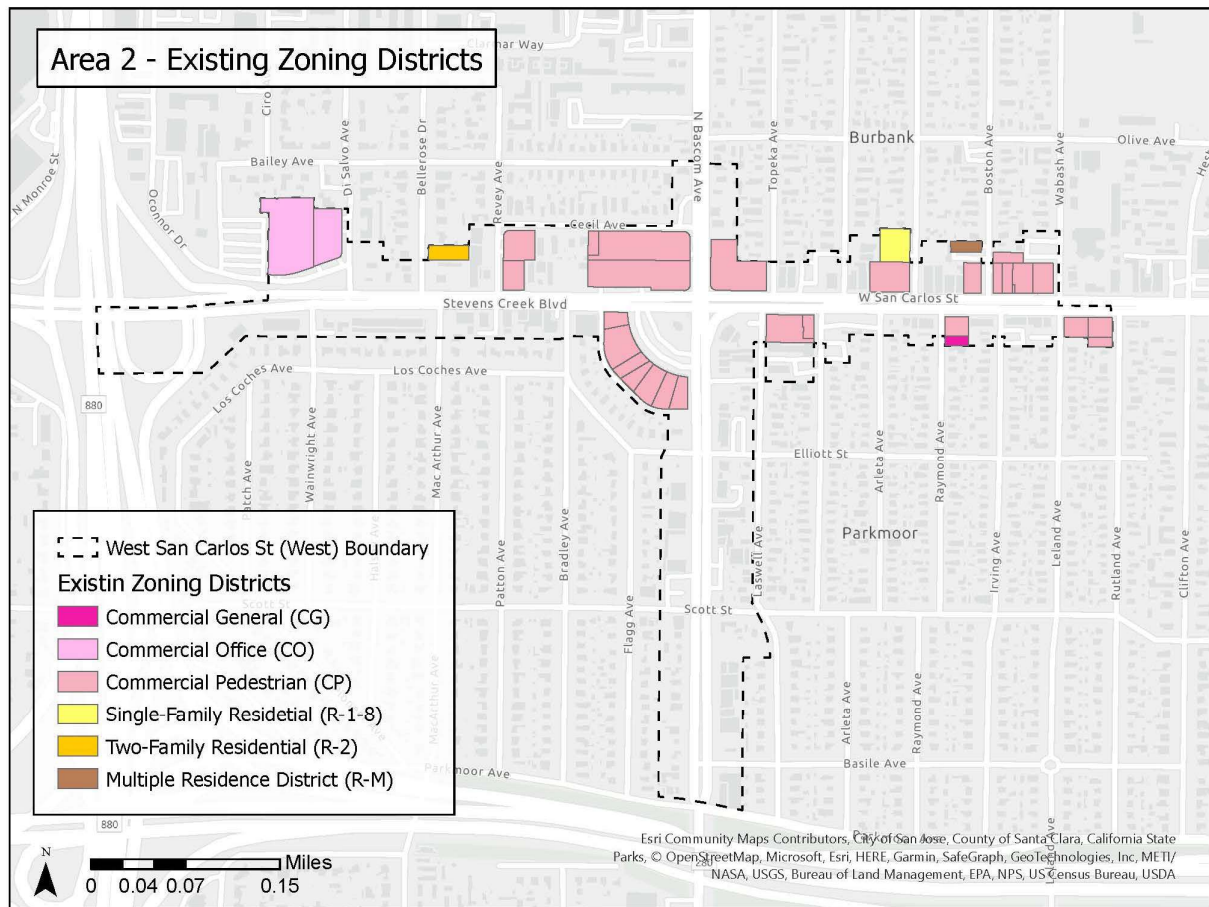


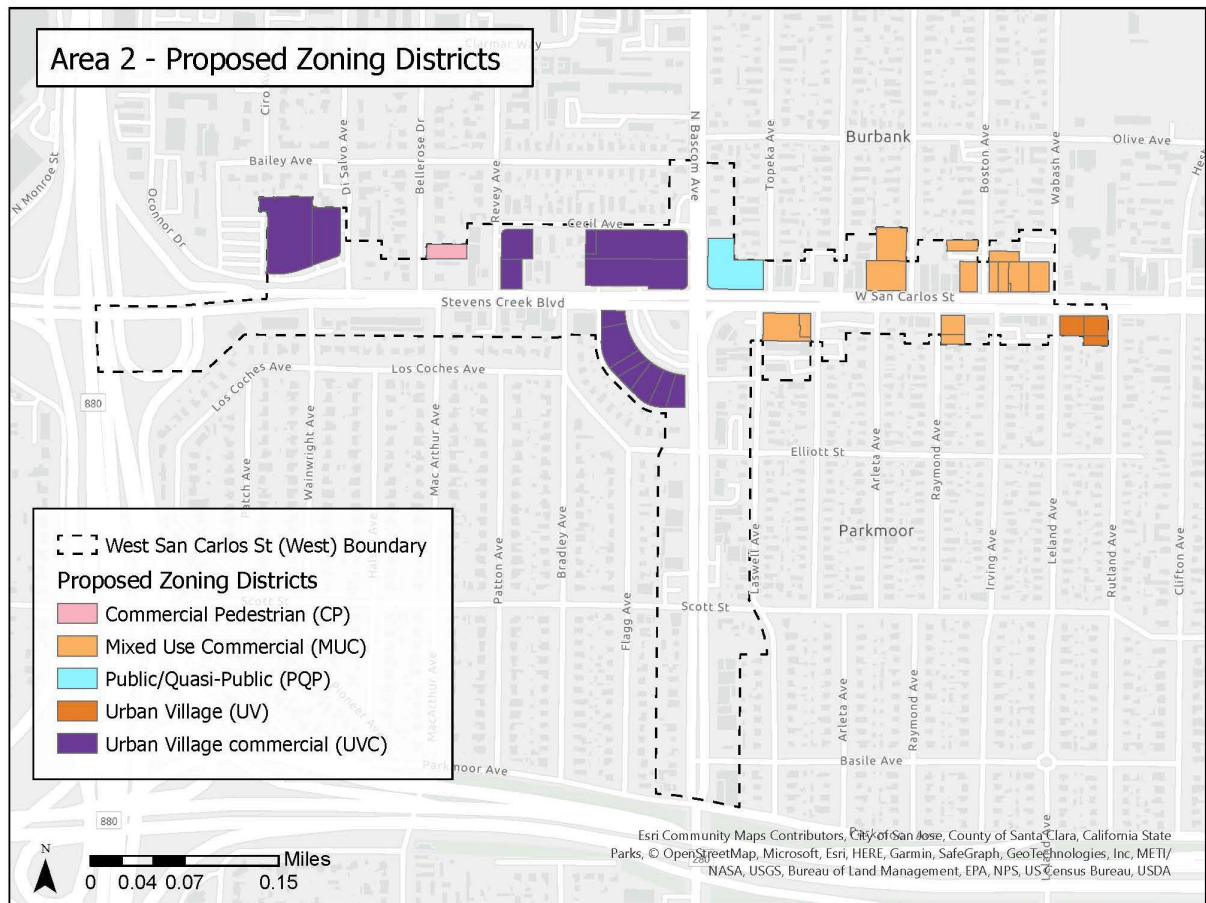


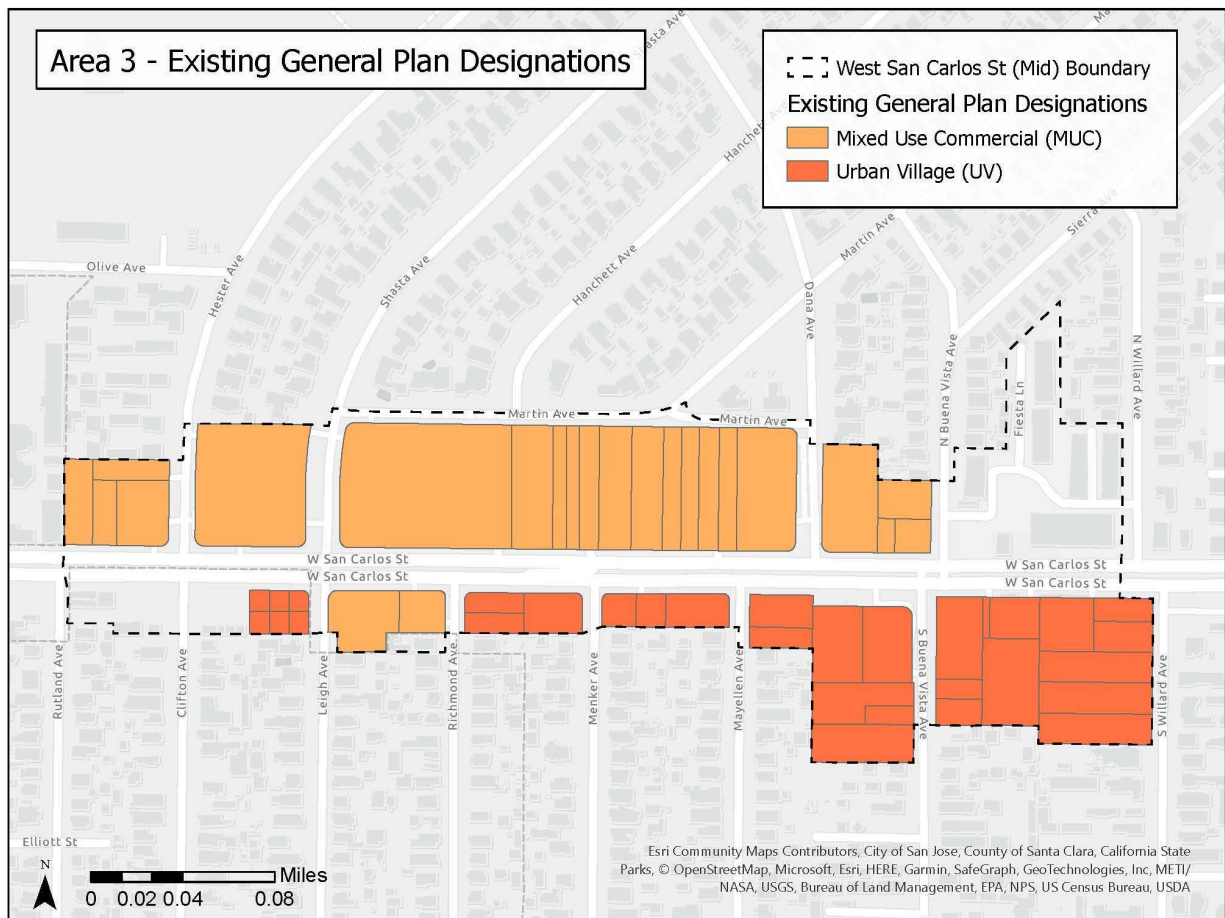


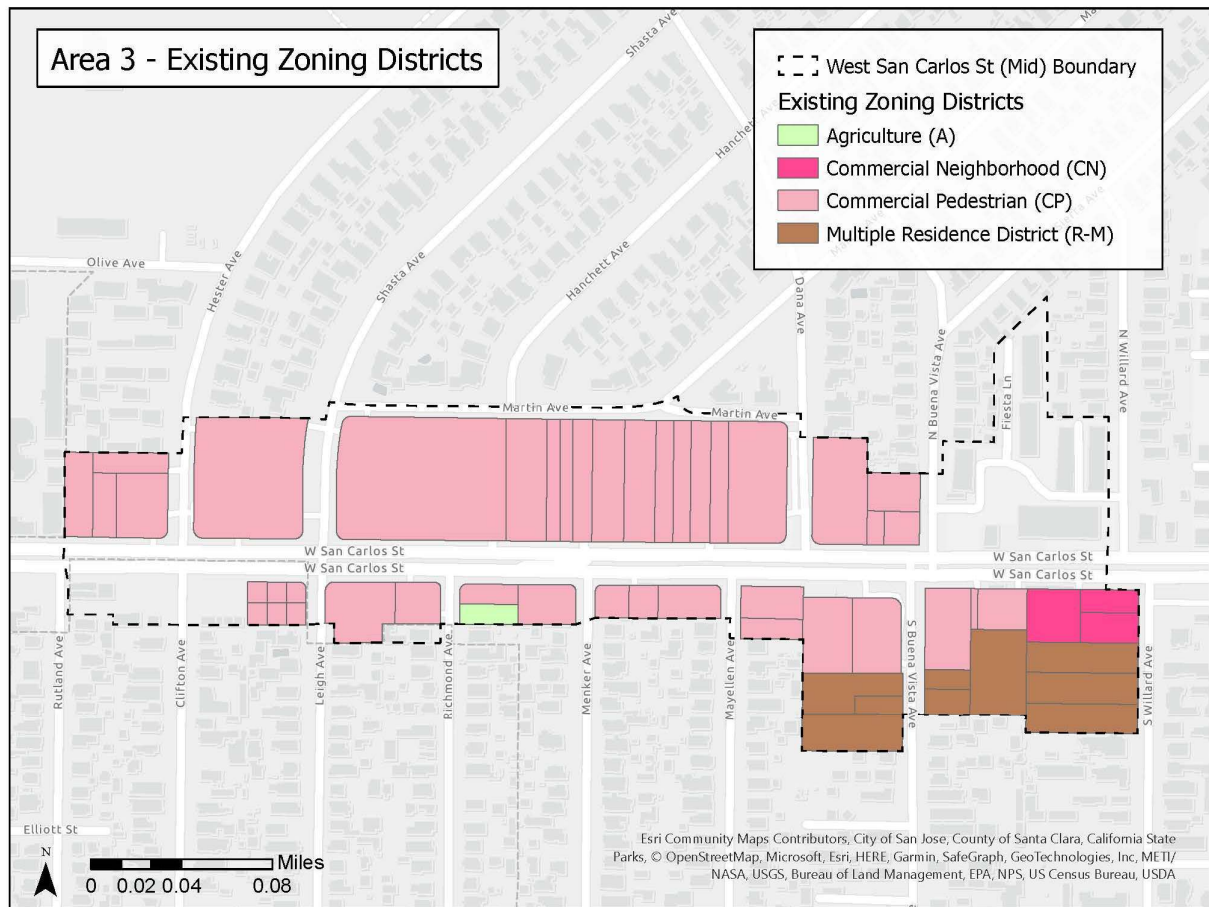


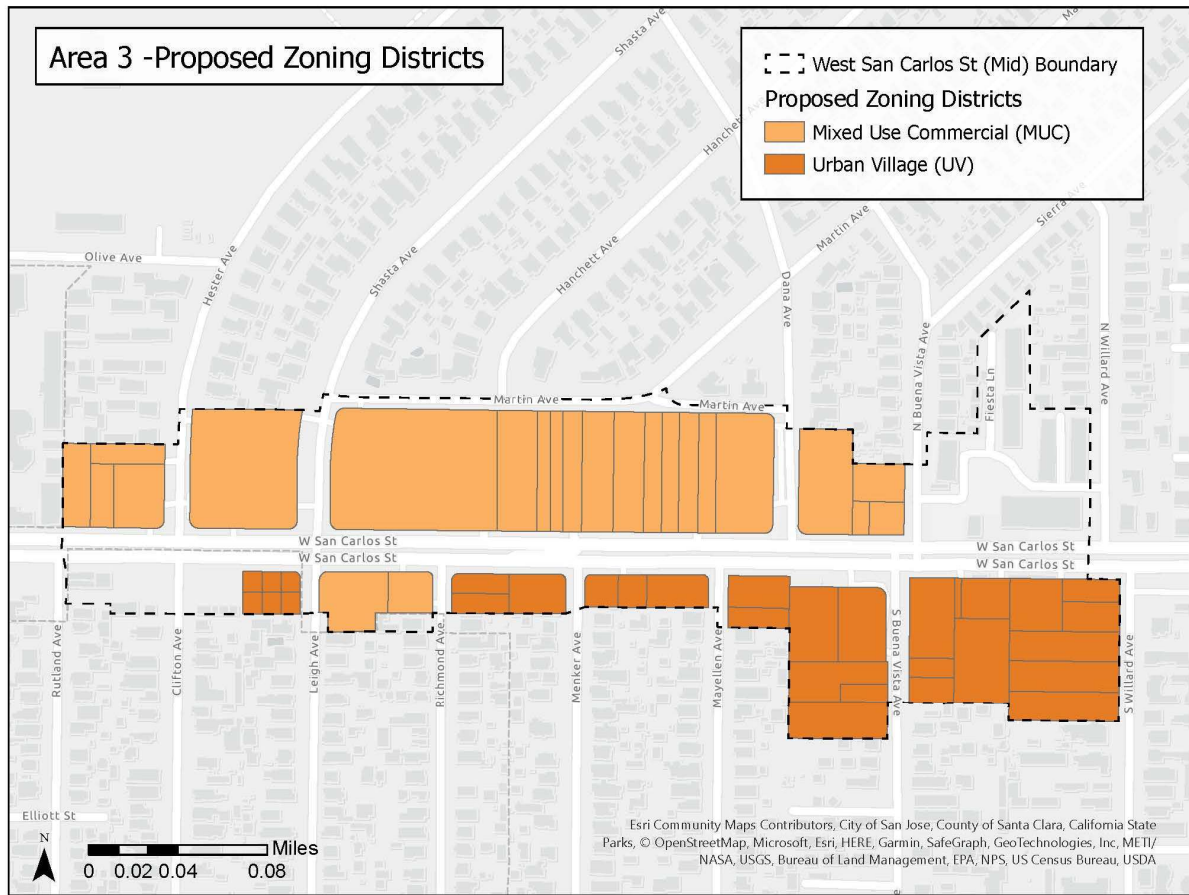


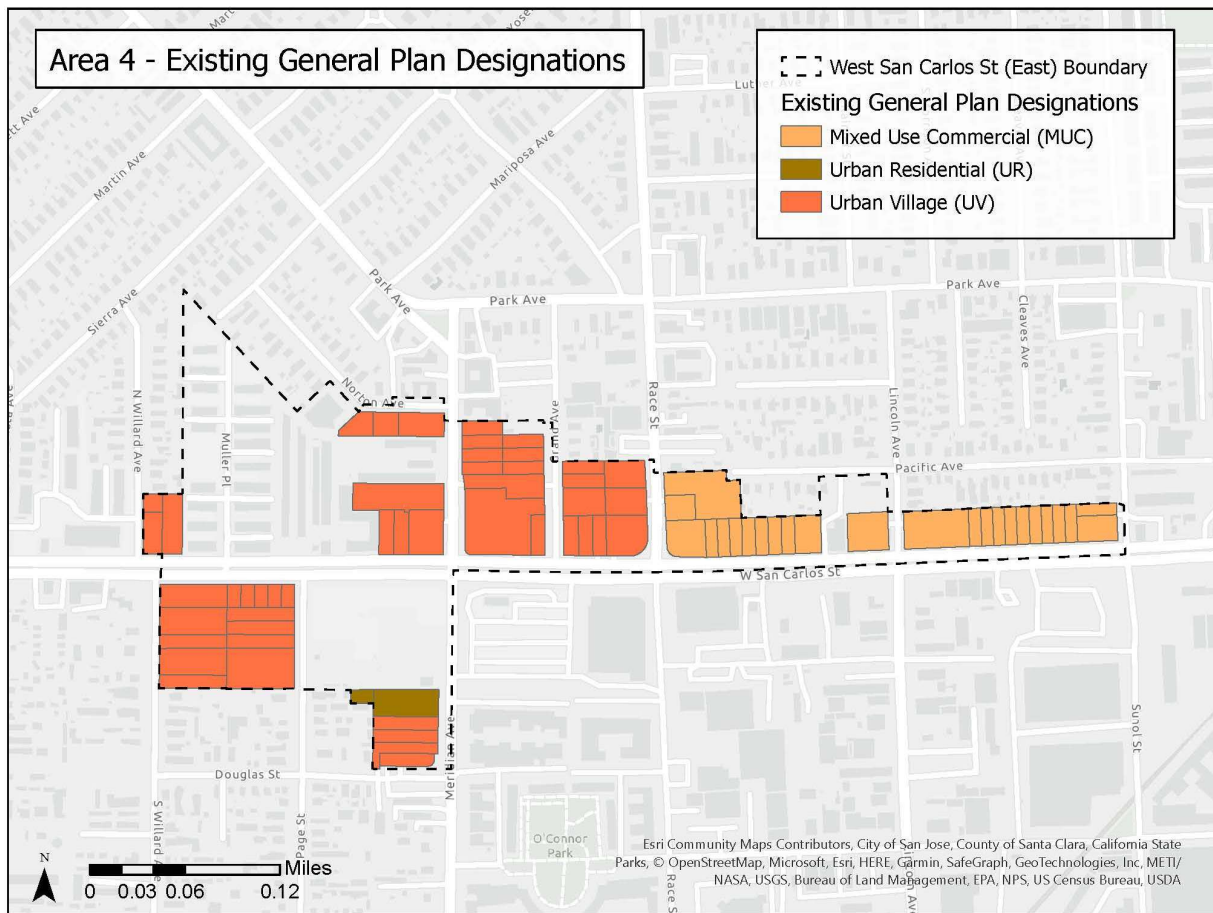


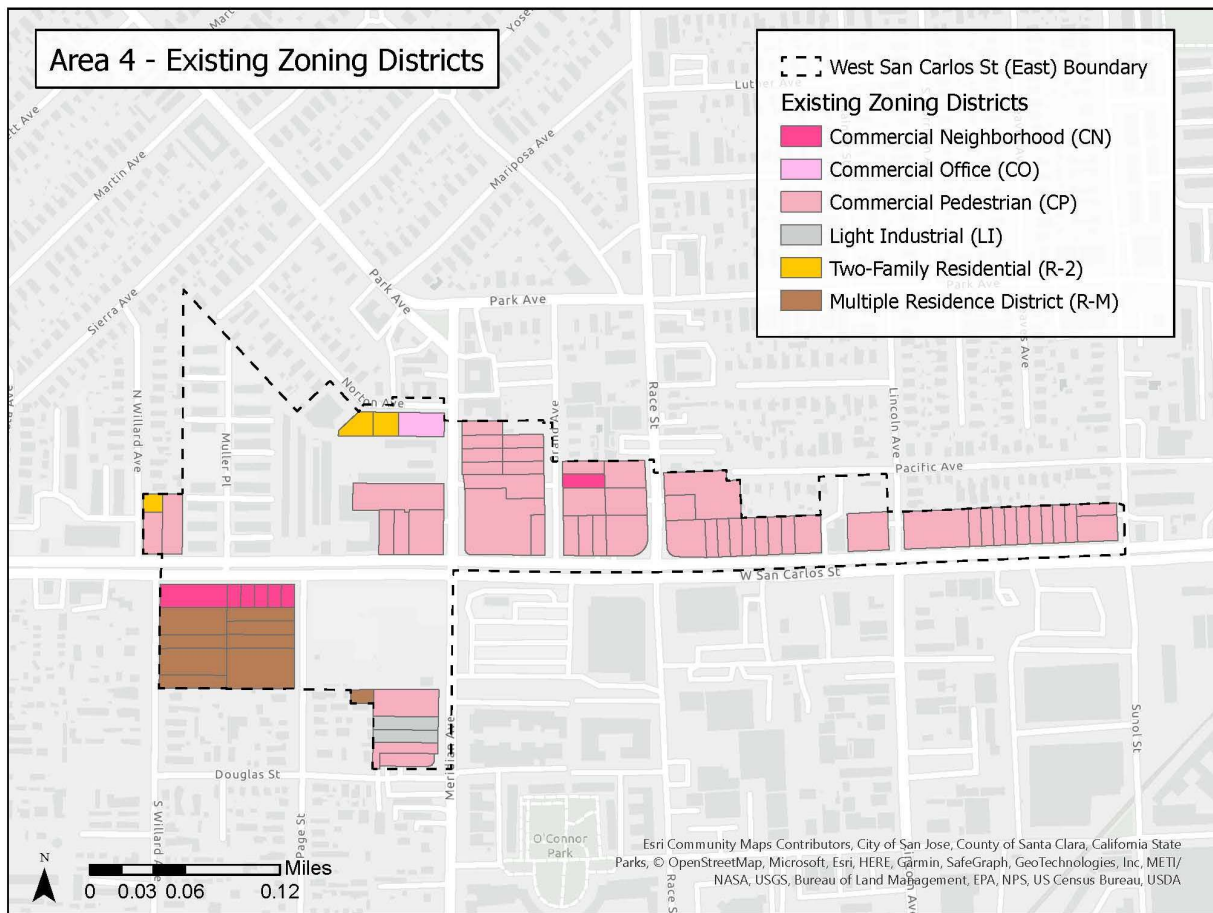


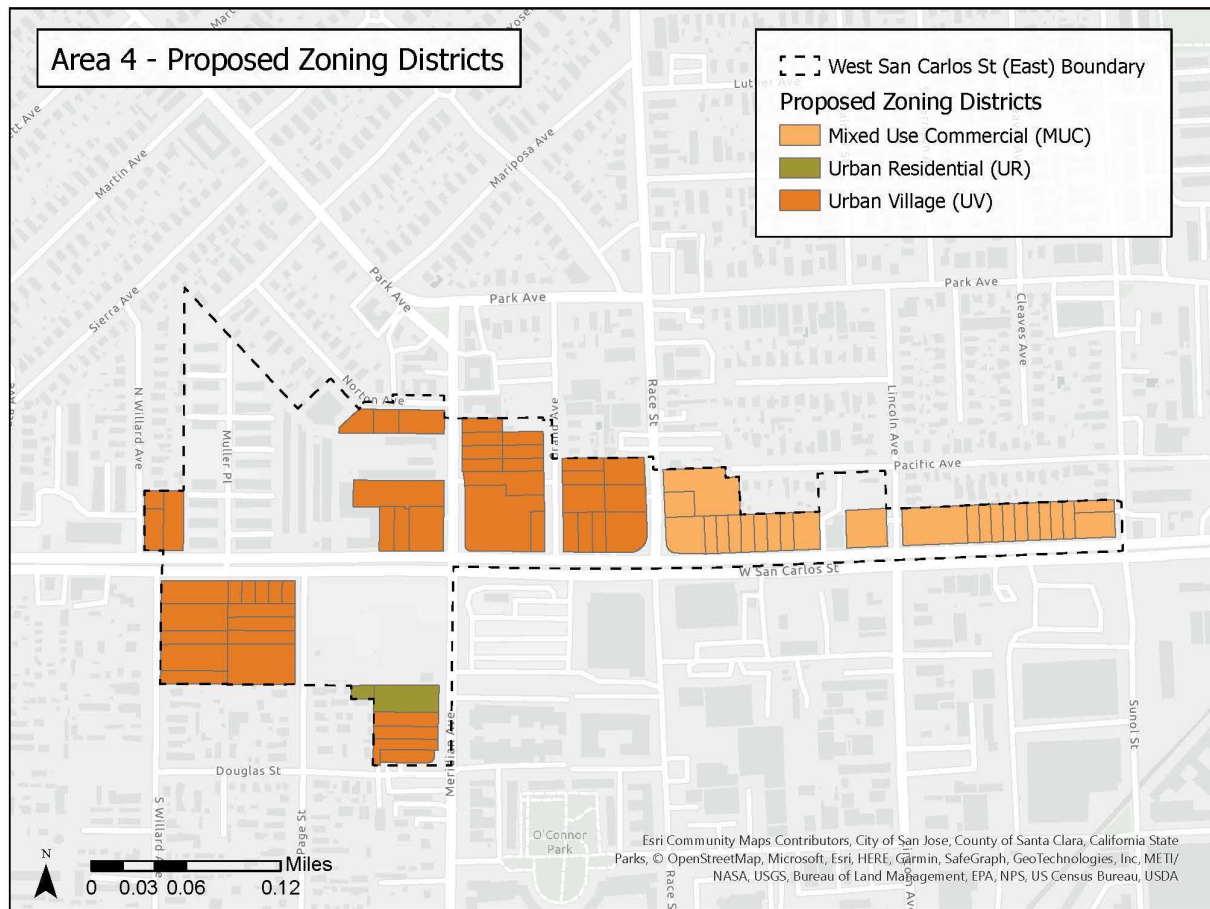












B-13

T-51000/1911252

Council Agenda: 04-19-2022

Item No.: 10.1(a)

DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.