

## CITY COUNCIL STAFF REPORT

<b>File Nos.</b>	C25-019, C25-020, C25-021, C25-022, C25-023, C25-024, C25-025, C25-026, C25-027, C25-028, C25-029, C25-030, C25-031, C25-032, C25-033, C25-034, C25-035.
<b>Location</b>	951 parcels at various locations within the City of San José.
<b>Existing Zoning</b>	A Agricultural, CG Commercial General, CN Commercial Neighborhood, CP Commercial Pedestrian, HI Heavy Industrial, IP Industrial Park, LI Light Industrial,, R-1-1 Single Family Residence, R-1-2 Single-Family Residence, R-1-5 Single-Family Residence, R-1-8 Single-Family Residence, R-2 Two-Family Residence, R-M Multiple Residence, R-MH Mobilehome Park, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, A(PD) Agriculture Planned Development, LI(PD) Light Industrial Planned Development
<b>Proposed Zoning</b>	CIC Combined Industrial/Commercial, CG Commercial General, CN Commercial Neighborhood, CP Commercial Pedestrian, HI Heavy Industrial, IP Industrial Park, LI Light Industrial, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, OS Open Space, PQP Public/Quasi-Public, R-MH Mobilehome Park, R-1-5 Single Family Residence, R-1-8 Single-Family Residence, TEC Transit Employment Center, TR Transit Residential, UR Urban Residential, UV Urban Village
<b>CEQA:</b>	Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto.

## **RECOMMENDATION:**

Staff recommends that the City Council:

1. Consider the Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto.
2. Approve an ordinance of the City of San José rezoning 153 properties from the R-M Multiple Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 91 properties from the LI Light Industrial Zoning District to the HI Heavy Industrial Zoning District, 82 R-2 Two-Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 61 properties from the R-M Multiple Residence Zoning District to the UR Urban Residential Zoning District, 55 properties from the R-1-8 Single-Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 53 properties from the A Agricultural Zoning District to the OS Open Space Zoning District, 52 properties from the R-1-8 Single-Family Residence Zoning District to the OS Open Space Zoning District, 42 properties from the IP Industrial Park Zoning District to the LI Light Industrial Zoning District, 36 properties from the Heavy Industrial Zoning District to the LI Light Industrial Zoning District, 25 properties from the R-2 Two Family Residence Zoning District to the OS Open Space Zoning District, 24 properties from the R-1-8 Single-Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, 23 properties from the LI Light Industrial Zoning District to the UV Urban Village Zoning District, 20 properties from the IP Industrial Park Zoning District to the CIC Combined Industrial/Commercial Zoning District, 19 properties from the IP Industrial Park Zoning District to the HI Heavy Industrial Zoning District, 17 properties from the CG Commercial General Zoning District to the UV Urban Village Zoning District, 17 properties from the HI Heavy Industrial to the CIC Combined Industrial/Commercial Zoning District, 16 properties from the A Agricultural Zoning District to the R-1-8 Single-Family Residence Zoning District, 13 properties from the LI Light Industrial Zoning District to the MUN Mixed Use Neighborhood Zoning District, 11 properties from the R-M Multiple-Family Residence Zoning District to the OS Open Space Zoning District, ten properties from the LI Light Industrial Zoning District to the OS Open Space Zoning District, nine properties from the A Agricultural Zoning District to the PQP Public/Quasi-Public Zoning District, eight properties from the LI(IP) Light Industrial Planned Development Zoning District to the IP Industrial Park Zoning District, seven properties from the R-1-8 Single Family Residence Zoning District to the LI Light Industrial Zoning District, seven properties from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District, six properties from the CP Commercial Pedestrian Zoning District to the R-1-8 Single Family Residence Zoning District, six properties from the HI Heavy Industrial Zoning

District to the TEC Transit Employment Center, five properties from the CG Commercial General Zoning District to the CIC Combined Industrial/Commercial Zoning District, four properties from the IP Industrial Park Zoning District to the TEC Transit Employment Center Zoning District, four properties from the R-1-1 Single Family Residence Zoning District to the OS Open Space Zoning District, three properties from the LI Light Industrial Zoning District to the R-1-8 Single Family Residence Zoning District, three properties from the CP Commercial Pedestrian Zoning District to the PQP Public/Quasi-Public Zoning District, three properties from the R-1-2 Single Family Residence Zoning District to the OS Open Space Zoning District, three properties from the IP Industrial Park Zoning District to the OS Open Space Zoning District, three properties from the R-1-5 Single Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the CP Commercial Pedestrian Zoning District to the UR Urban Residential Zoning District, two properties from the IP Industrial Park Zoning District to the CN Commercial Neighborhood Zoning District, two properties from the A Agricultural Zoning District to the IP Industrial Park Zoning District, two properties from the A Agricultural Zoning District to the LI Light Industrial Zoning District, two properties from the R-MH Mobilehome Park Zoning District to the LI Light Industrial Zoning District, two properties from the CN Commercial Neighborhood Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the CP Commercial Pedestrian Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the R-1-2 Single Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the R-MH Mobilehome Park Zoning District to the OS Open Space Zoning District, two properties from the R-1-5 Single Family Residence Zoning District to the OS Open Space Zoning District, two properties from the HI Heavy Industrial Zoning District to the OS Open Space Zoning District, two properties from the R-2 Two Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, two properties from the CN Commercial Neighborhood Zoning District to the R-1-8 Single Family Residence Zoning District, two properties from the R-MH Mobilehome Park Zoning District to the R-1-8 Single Family Residence Zoning District, two properties from the MUC Mixed Use Commercial Zoning District to the TR Transit Residential Zoning District, two properties from the MUN Mixed Use Neighborhood Zoning District to the UR Urban Residential Zoning District, two properties from the CN Commercial Neighborhood Zoning District to the UV Urban Village Zoning District, two properties from the CP Commercial Pedestrian Zoning District to the UR Urban Residential Zoning District, one property from the A Agricultural Zoning District to the CN Commercial Neighborhood Zoning District, one property from the LI Light Industrial Zoning District to the CG Commercial General Zoning District, one property from the A Agricultural Zoning

District to the CP Commercial Pedestrian Zoning District, one property from the R-MH Mobilehome Park Zoning District to the HI Heavy Industrial Zoning District, one property from the CG Commercial General Zoning District to the LI Light Industrial Zoning District, one property from the CIC Combined Industrial/Commercial Zoning District to the LI Light Industrial Zoning District, one property from the A(PD) Agricultural Planned Development Zoning District to the MUC Mixed Use Commercial Zoning District, one property from the LI Light Industrial Zoning District to the MUC Mixed Use Commercial Zoning District, one property from the A(PD) Agricultural Planned Development Zoning District to the MUN Mixed Use Neighborhood Zoning District, one property from the R-MH Mobilehome Park Zoning District to the MUN Mixed Use Neighborhood Zoning District, one property from the R-2(PD) Two Family Planned Development Zoning District to the OS Open Space Zoning District, one property from the CN Commercial Neighborhood Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the IP Industrial Park Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-1-1 Single Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-1-2 Single Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-1-5 Single Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-M Multi Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-MH Mobilehome Park Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-M Multi Family Residence Zoning District to the R-MH Mobilehome Park Zoning District, one property from the CG Commercial General Zoning District to the R-1-8 Single Family Residence Zoning District, one property from the HI Heavy Industrial Zoning District to the R-1-8 Single Family Residence Zoning District, one property from the A(PD) Agricultural Planned Development Zoning District to the UV Urban Village Zoning District, one property from the CP Commercial Pedestrian Zoning District to the UV Urban Village Zoning District, and one property from the R-2 Two Family Residence Zoning District to the UV Urban Village Zoning District, all located on those certain real properties situated within the City of San José.

**PROJECT DATA**

<b>GENERAL PLAN CONSISTENCY</b>	
<b>General Plan Designation</b>	CIC Combined Industrial/Commercial, HI Heavy Industrial, IP Industrial Park, LI Light Industrial, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, MHP Mobilehome Park, NCC Neighborhood/Community Commercial, OSPH Open Space, Parklands and Habitat, PQP Public/Quasi-Public, RN Residential Neighborhood, TEC Transit Employment Center, TR Transit Residential, UR Urban Residential, UV Urban Village  <input checked="" type="checkbox"/> <b>Consistent</b> <input type="checkbox"/> <b>Inconsistent</b>
<b>Consistent Policies</b>	<b>Implementation Policies IP-1.7, IP-8.2, IP-8.3</b>

**PROJECT DESCRIPTION**

The proposed project is a city-initiated Conforming Rezoning to rezone a total of 951 properties to comply with Senate Bill 1333 and to streamline the development review process for projects consistent with the General Plan. These rezonings include 153 properties from the R-M Multiple Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 91 properties from the LI Light Industrial Zoning District to the HI Heavy Industrial Zoning District, 82 R-2 Two-Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 61 properties from the R-M Multiple Residence Zoning District to the UR Urban Residential Zoning District, 55 properties from the R-1-8 Single-Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 53 properties from the A Agricultural Zoning District to the OS Open Space Zoning District, 52 properties from the R-1-8 Single-Family Residence Zoning District to the OS Open Space Zoning District, 42 properties from the IP Industrial Park Zoning District to the LI Light Industrial Zoning District, 36 properties from the Heavy Industrial Zoning District to the LI Light Industrial Zoning District, 25 properties from the R-2 Two Family Residence Zoning District to the OS Open Space Zoning District, 24 properties from the R-1-8 Single-Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, 23 properties from the LI Light Industrial Zoning District to the UV Urban Village Zoning District, 20 properties from the IP Industrial Park Zoning District to the CIC Combined Industrial/Commercial Zoning District, 19 properties from the IP Industrial Park Zoning District to the HI Heavy Industrial Zoning District, 17 properties from the CG Commercial General Zoning District to the UV Urban Village Zoning District, 17 properties

from the HI Heavy Industrial to the CIC Combined Industrial/Commercial Zoning District, 16 properties from the A Agricultural Zoning District to the R-1-8 Single-Family Residence Zoning District, 13 properties from the LI Light Industrial Zoning District to the MUN Mixed Use Neighborhood Zoning District, 11 properties from the R-M Multiple-Family Residence Zoning District to the OS Open Space Zoning District, ten properties from the LI Light Industrial Zoning District to the OS Open Space Zoning District, nine properties from the A Agricultural Zoning District to the PQP Public/Quasi-Public Zoning District, eight properties from the LI(IP) Light Industrial Planned Development Zoning District to the IP Industrial Park Zoning District, seven properties from the R-1-8 Single Family Residence Zoning District to the LI Light Industrial Zoning District, seven properties from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District, six properties from the CP Commercial Pedestrian Zoning District to the R-1-8 Single Family Residence Zoning District, six properties from the HI Heavy Industrial Zoning District to the TEC Transit Employment Center, five properties from the CG Commercial General Zoning District to the CIC Combined Industrial/Commercial Zoning District, four properties from the IP Industrial Park Zoning District to the TEC Transit Employment Center Zoning District, four properties from the R-1-1 Single Family Residence Zoning District to the OS Open Space Zoning District, three properties from the LI Light Industrial Zoning District to the R-1-8 Single Family Residence Zoning District, three properties from the CP Commercial Pedestrian Zoning District to the PQP Public/Quasi-Public Zoning District, three properties from the R-1-2 Single Family Residence Zoning District to the OS Open Space Zoning District, three properties from the IP Industrial Park Zoning District to the OS Open Space Zoning District, three properties from the R-1-5 Single Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the CP Commercial Pedestrian Zoning District to the UR Urban Residential Zoning District, two properties from the IP Industrial Park Zoning District to the CN Commercial Neighborhood Zoning District, two properties from the A Agricultural Zoning District to the IP Industrial Park Zoning District, two properties from the A Agricultural Zoning District to the LI Light Industrial Zoning District, two properties from the R-MH Mobilehome Park Zoning District to the LI Light Industrial Zoning District, two properties from the CN Commercial Neighborhood Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the CP Commercial Pedestrian Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the R-1-2 Single Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the R-MH Mobilehome Park Zoning District to the OS Open Space Zoning District, two properties from the R-1-5 Single Family Residence Zoning District to the OS Open Space Zoning District, two properties from the HI Heavy Industrial Zoning District to the OS Open Space Zoning District, two properties from the R-2 Two Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, two properties from the CN Commercial Neighborhood Zoning District to the R-1-8 Single Family Residence Zoning District, two properties from the R-MH Mobilehome Park Zoning District to the R-1-8 Single

Family Residence Zoning District, two properties from the MUC Mixed Use Commercial Zoning District to the TR Transit Residential Zoning District, two properties from the MUN Mixed Use Neighborhood Zoning District to the UR Urban Residential Zoning District, two properties from the CN Commercial Neighborhood Zoning District to the UV Urban Village Zoning District, two properties from the CP Commercial Pedestrian Zoning District to the UR Urban Residential Zoning District, one property from the A Agricultural Zoning District to the CN Commercial Neighborhood Zoning District, one property from the LI Light Industrial Zoning District to the CG Commercial General Zoning District, one property from the A Agricultural Zoning District to the CP Commercial Pedestrian Zoning District, one property from the R-MH Mobilehome Park Zoning District to the HI Heavy Industrial Zoning District, one property from the CG Commercial General Zoning District to the LI Light Industrial Zoning District, one property from the CIC Combined Industrial/Commercial Zoning District to the LI Light Industrial Zoning District, one property from the A(PD) Agricultural Planned Development Zoning District to the MUC Mixed Use Commercial Zoning District, one property from the LI Light Industrial Zoning District to the MUC Mixed Use Commercial Zoning District, one property from the A(PD) Agricultural Planned Development Zoning District to the MUN Mixed Use Neighborhood Zoning District, one property from the R-MH Mobilehome Park Zoning District to the MUN Mixed Use Neighborhood Zoning District, one property from the R-2(PD) Two Family Planned Development Zoning District to the OS Open Space Zoning District, one property from the CN Commercial Neighborhood Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the IP Industrial Park Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-1-1 Single Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-1-2 Single Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-1-5 Single Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-M Multi Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-MH Mobilehome Park Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-M Multi Family Residence Zoning District to the R-MH Mobilehome Park Zoning District, one property from the R-1-2 Single Family Residence Zoning District to the R-1-5 Single Family Zoning District, one property from the CG Commercial General Zoning District to the R-1-8 Single Family Residence Zoning District, one property from the HI Heavy Industrial Zoning District to the R-1-8 Single Family Residence Zoning District, one property from the A(PD) Agricultural Planned Development Zoning District to the UV Urban Village Zoning District, one property from the CP Commercial Pedestrian Zoning District to the UV Urban Village Zoning District, and one property from the R-2 Two Family Residence Zoning District to the UV Urban Village Zoning District, all located on those certain real properties situated within the City of San José. The specific locations of the parcels to be rezoned are specified in the proposed rezoning ordinance, attached hereto and incorporated herein by reference as Attachment- Draft Ordinance.

## **Background**

Government Code section 65860 (amended in 2018 by Senate Bill 1333) requires charter cities such as San José to make zoning consistent with the General Plan land use designation. To comply with the change in state law and to streamline the development review process for projects consistent with the General Plan, staff has been working on a multiyear effort to make the zoning district map consistent with the Envision San José 2040 General Plan land use map. The first phase of this work (Phase 1(a)) was approved by City Council in June 2019, which aligned the existing zoning districts with their respective General Plan designations, including changes to permitting requirements in the Zoning Ordinance across all zoning districts. Phase 1(b) was approved by City Council in June 2021 and created six new urban village and mixed-use zoning districts to support areas that are planned for mixed-use development and high-density residential or commercial uses.

Rezoning properties to make zoning districts consistent with the General Plan land use designations represents the final phase of work to bring the Zoning District Map into conformance with the General Plan land use map. At this time, staff proposes rezoning 952 properties to make consistent their designated zoning with their General Plan land use designation. The proposed properties are located in various locations, as indicated in the attached draft Ordinance and shown on the maps. (Exhibit “B” of Attachment)

## **ANALYSIS**

The proposed project was analyzed for conformance with the following:

- 1) Envision San José 2040 General Plan
- 2) Zoning Ordinance
- 3) Senate Bill 330; and,
- 5) California Environmental Quality Act.

### **Envision San José 2040 General Plan Conformance**

The subject sites have an Envision San José 2040 General Plan Land Use/Transportation Diagram land use designations of CIC Combined Industrial/Commercial, HI Heavy Industrial, IP Industrial Park, LI Light Industrial, MHP Mobilehome Park, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, NCC Neighborhood/Community Commercial, OSPH Open Space, Parklands and Habitat, PQP Public/Quasi-Public, RN Residential Neighborhood, TEC Transit Employment Center, TR Transit Residential, UR Urban Residential, UV Urban Village. (See Exhibit “A” of the attached ordinance).

*CIC Combined Industrial/Commercial:* This designation is intended for commercial, office, or industrial developments or a compatible mix of these uses, where the existing



development pattern exhibits a mix of commercial and industrial land uses or in areas on the boundary between commercial and industrial uses. Development intensity can vary significantly in this designation based on the nature of specific uses likely to occur in a particular area. In order to maintain an industrial character, small, suburban strip centers are discouraged in this designation, although larger big-box type developments may be allowed because they mix elements of retail commercial and warehouse form and uses.

*HI Heavy Industrial:* This designation is intended for industrial users with nuisance or hazardous characteristics which for reasons of health, safety, environmental effects, or welfare are best segregated from other uses. Very limited scale retail sales and service establishments serving nearby businesses and their employees may be considered appropriate where such establishments do not restrict or preclude the ability of surrounding Heavy Industrial land from being used to its fullest extent and are not of a scale or design that depend on customers from beyond normal walking distances.

*IP Industrial Park:* This designation is intended for a wide variety of industrial users such as research and development, manufacturing, assembly, testing and offices. Areas identified exclusively for Industrial Park uses may contain a very limited number of supportive and compatible commercial uses, when those uses are of a scale and design providing support only to the needs of businesses and their employees in the immediate industrial area. These commercial uses should typically be located within a larger industrial building to protect the character of the area and maintain land use compatibility.

*LI Light Industrial:* This designation is intended for a wide variety of industrial uses and excludes uses with unmitigated hazardous or nuisance effects. Warehousing, wholesaling, and light manufacturing are examples of typical uses in this designation. Light Industrial designated properties may also contain service establishments that serve only employees of businesses located in the immediate industrial area. Office and higher-end industrial uses, such as research and development, are discouraged in order to preserve the scarce, lower cost land resources that are available for companies with limited operating history (startup companies) or lower cost industrial operations.

*MHP Mobilehome Park:* This designation allows for the construction, use and occupancy of a Mobilehome Park as defined in Section 18214 of the California Health and Safety Code, as amended. The intent of this designation is to preserve existing housing stock and to reduce and avoid the displacement of long-term residents. New residential development in this designation is limited to mobilehome parks and incidental uses for mobilehome park residents such as clubhouses and community rooms, pools, parks, and other common areas. New infill development of mobilehome park uses must match the density of mobilehome lots in the existing mobilehome park.

*MUC Mixed Use Commercial:* This designation is intended to accommodate a mix of commercial and residential uses with an emphasis on commercial activity. New

development of a property with this designation should accordingly include commercial space equivalent to at least a 0.5 FAR for residential/commercial mixed-use projects and 0.25 FAR for commercial projects with a typically appropriate overall FAR of up to 4.5, allowing for a medium intensity of development. This designation therefore is more commercially focused than the Mixed Use Neighborhood designation and also allows for a greater intensity of use. Appropriate commercial uses include neighborhood retail, mid-rise office, medium scale hospitals or other health care facilities, and medium scale private community gathering facilities. Low impact industrial uses are appropriate if they are compatible and do not pose a hazard to other nearby uses.

*MUN Mixed Use Neighborhood:* This designation is applied to areas intended for development primarily with either townhouse or small lot single-family residences and also to existing neighborhoods that were historically developed with a wide variety of housing types, including a mix of residential densities and forms. Existing neighborhoods with this designation are typically characterized by a prevalence of atypical lot sizes or shapes and a parcel-by-parcel development pattern where small townhouse development may exist adjacent to more traditional single-family development or more intense multifamily development. This designation should be used to establish new neighborhoods with a cohesive urban form, to provide transition between higher-density and lower-density neighborhoods, or to facilitate new infill development within an existing area that does not have an established cohesive urban character. Small lot single-family neighborhoods with this designation may involve zero lot-line or other design features not available through a standard subdivision process.

*NCC Neighborhood/Community Commercial:* This designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood serving retail and services and commercial/professional office development. Neighborhood / Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use and public interaction. General office uses, hospitals and private community gathering facilities are also allowed in this designation. This designation also supports one hundred percent (100%) deed restricted affordable housing developments that are consistent with General Plan Policy H-2.9 and Policy IP-5.12.

*OSPH Open Space, Parklands and Habitat:* This designation is applied within the Urban Growth Boundary to lands that are owned by nonprofits or public agencies that intend their permanent use as open space, including lands adjacent to various creeks throughout the City. Lands in this designation are typically devoted to open space, parks, recreation areas, trails, habitat buffers, nature preserves and other permanent open space areas. Development of public facilities such as restrooms, playgrounds, educational/visitors' centers, or parking areas can be an inherent part of City or County park properties and are appropriate for Open Space, Parklands and Habitat properties both within and outside of the Greenline / Urban Growth Boundary, but in the latter case

should be sensitively located so as to minimize potential environmental and visual impacts. Within the Greenline / Urban Growth Boundary, community centers, public golf courses, and other amenities open to the public would also be allowed within publicly-owned properties in this designation.

*PQP Public/Quasi-Public:* This category is used to designate public land uses, including schools, colleges, corporation yards, homeless shelters, permanent supportive housing, libraries, fire stations, water treatment facilities, convention centers and auditoriums, museums, governmental offices and airports. Joint development projects which include public and private participation - such as a jointly administered public/private research institute or an integrated convention center/hotel/restaurant complex - are allowed. This category is also used to designate lands used by some private entities, including private schools, daycare centers, hospitals, public utilities, and the facilities of any organization involved in the provision of public services such as gas, water, electricity, and telecommunications facilities that are consistent in character with established public land uses. Private community gathering facilities, including those used for religious assembly or other comparable assembly activity, are also appropriate on lands with this designation. The appropriate intensity of development can vary considerably depending on potential impacts on surrounding uses and the particular Public/Quasi-Public use developed on the site.

*RN Residential Neighborhood:* This designation is applied broadly throughout the City to encompass most of the established, single-family residential neighborhoods, including both the suburban and traditional residential neighborhood areas which comprise the majority of its developed land. The intent of this designation is to preserve the existing character of these neighborhoods and to strictly limit new development to infill projects which closely conform to the prevailing existing neighborhood character as defined by density, lot size and shape, massing and neighborhood form and pattern. New infill development should improve and or enhance existing neighborhood conditions by completing the existing neighborhood pattern and bringing infill properties into general conformance with the quality and character of the surrounding neighborhood. New infill development should be integrated into the existing neighborhood pattern, continuing and, where applicable, extending or completing the existing street network. This designation supports the development of new commercial uses within established residential neighborhoods if located on busier streets or at street intersections, and provided such development does not negatively impact the surrounding neighborhood. Hospitals and other healthcare facilities may potentially be located within such areas provided that any potential land use impacts can be mitigated. New commercial uses are discouraged on small existing streets unless it can be clearly demonstrated that the commercial use can integrate with the existing residential neighborhood without creating adverse impacts. Commercial uses in these locations will typically be limited to home occupations or similar home-based commercial activities unlikely to create a nuisance within the established Residential Neighborhood setting.

*TEC Transit Employment Center:* This designation is applied to areas planned for intensive job growth because of their importance as employment districts to the City and high degree of access to transit and other facilities and services. All of these areas fall within identified Growth Areas and have access to transit and other important infrastructure to support their intensification.

*TR Transit Residential:* This is the primary designation for new high-density, mixed-use residential development sites that are located in close proximity to transit, jobs, amenities, and services. This designation also supports intensive commercial employment uses, such as office, retail, hotels, hospitals and private community gathering facilities. To help contribute to “complete communities,” commercial uses should be included with new residential development in an amount consistent with achievement of the planned job growth and Urban Village Plan for the relevant Urban Village area. An important difference between this designation and the Industrial Park designation is that the development intensity and site design elements in Transit Employment Center areas should reflect a more intense, transit-oriented land use pattern than that typically found in Industrial Park areas. This designation permits development with retail and service commercial uses on the first two floors; with office, research and development or industrial use on upper floors; as well as wholly office, research and development, or industrial projects. New development should orient buildings toward public streets and transit facilities and include features to provide an enhanced pedestrian environment.

*UR Urban Residential:* This designation allows for medium density residential development and a fairly broad range of commercial uses, including retail, offices, hospitals, and private community gathering facilities, within identified Urban Villages, in other areas within the City that have existing residential development built at this density, within Specific Plan areas, or in areas in close proximity to an Urban Village or transit facility where intensification will support those facilities. Any new residential development at this density should be in Growth Areas or, on a very limited basis, as infill development within areas with characteristics similar to the Urban Village areas (generally developed at high-density and in proximity to transit, jobs, amenities and other services). The allowable density for this designation is further defined within the applicable Zoning Ordinance designation and may also be addressed within an Urban Village Plan or other policy document. This designation is also used to identify portions of Urban Village areas where the density of new development should be limited to a medium intensity in order to provide for a gradual transition between surrounding low-density neighborhoods and other areas within the Urban Village suitable for greater intensification. Developments in this designation would typically be three to four stories of residential or commercial uses over parking.

*UV Urban Village:* Urban Village areas are divided into several categories depending upon their location: Regional and Local Transit Urban Villages; Commercial Urban Villages; and Neighborhood Urban Villages. These Urban Village areas are designated with the Urban Village Area Boundary to indicate their significant potential for

intensification through redevelopment over the timeframe of the Envision General Plan. In most cases these Urban Village areas have proximity to transit, existing services and other amenities that support their intensification. Each Urban Village has a planned job and housing growth capacity, the distribution of which should be carefully defined through an Urban Village Plan. Location of a site within the Urban Village Area Boundary does not necessarily allow residential or other specific uses. In some cases, limited housing growth is allowed on sites within an Urban Village without an approved Plan when the housing is explicitly consistent with the goals and policies in this General Plan.

The proposed conforming rezoning is consistent with the following General Plan policies:

1. Implementation Policy IP-1.7: Ensure that proposals to rezone and prezone properties conform to the Land Use/Transportation Diagram, and advance Envision General Plan vision, goals, and policies.
2. Implementation Policy IP-8.2: Use the City's conventional zoning districts, contained in its Zoning Ordinance, to implement the Envision General Plan Land Use/Transportation Diagram. These districts include a range of allowed land uses, development intensities, and standards within major land use categories (residential, commercial and industrial) together with zoning districts for other land uses such as mixed-use and open space. The various ranges of allowed use and development intensity correspond generally to the respective Envision General Plan land use designations, while providing greater detail as to the appropriate land uses and form of development.
3. Implementation Policy IP-8.3 – Zoning: For the review of privately or publicly initiated rezoning applications, consider the appropriateness of the proposed zoning district in terms of how it will further the Envision General Plan goals and policies as follows:
  - a. Align with the Envision General Plan Land Use/Transportation Diagram;
  - b. Retain or expand existing employment capacity;
  - c. Preserve existing retail activity;
  - d. Avoid adverse land use incompatibilities;
  - e. Implement the Envision General Plan goals and policies including those for Urban Design;
  - f. Support higher density land uses consistent with the City's transition to a more urban environment;
  - g. Facilitate the intensification of villages and other growth areas consistent with the goal of creating walkable, mixed-use communities; and,

- h. Address height limits, setbacks, land use interfaces and other design standards to provide for the intensification of land uses adjacent to already developed areas.

*Analysis: The General Plan land use designations for the proposed sites include CIC, HI, IP, LI, MHP, MUC, MUN, NCC, OSPH, PQP, RN, TEC, TR, UR, and UV. Therefore, staff proposes a Conforming Rezoning of the properties from the CG to CIC, LI to CIC, HI to CIC, IP to CIC, A to CN, IP to CN, LI to CG, A to CP, LI to HI, IP to HI, R-MH to HI, A to IP, A(PD) to IP, LI(PD) to IP, A to LI, CG to LI, CIC to LI, HI to LI, IP to LI, R-1-8 to LI, R-MH to LI, A(PD) to MUC, LI to MUC, CN to MUN, CP to MUN, A(PD) to MUN, LI to MUN, R-1-2 to MUN, R-1-5 to MUN, R-1-8 to MUN, R-2 to MUN, R-M to MUN, R-MH to MUN, R-2(PD) to OS, R-1-5 to OS, IP to OS, R-MH to OS, R-1-1 to OS, R-1-2 to OS, HI to OS, R-M to OS, LI to OS, R-2 to OS, A to OS, R-1-8 to OS, A to PQP, CN to PQP, CP to PQP, IP to PQP, R-1-1 to PQP, R-1-2 to PQP, R-1-5 to PQP, R-1-8 to PQP, R-2 to PQP, R-M to PQP, R-MH to PQP, R-M to R-MH, R-1-2 to R-1-5, A to R-1-8, CG to R-1-8, CN to R-1-8, CP to R-1-8, R-MH to R-1-8, HI to R-1-8, LI to R-1-8, HI to TEC, IP to TEC, MUC to TR, CG to UR, CP to UR, R-M to UR, MUN to UR, A(PD) to UV, CP to UV, CN to UV, CG to UV, LI to UV, R-2 to UV. This would correspond to the existing Envision General Plan land use designations for the subject sites. The proposed rezoning would allow future development consistent with the sites' General Plan land use designations.*

## **Zoning Ordinance Conformance**

The proposed rezoning conforms with Table 20-270 in Section 20.120.110 of the San José Municipal Code, which identifies CIC, CG, CN, CP, HI, IP, LI, MUC, MUN, OS, PQP, R-MH, R-1-5, R-1-8, TEC, TR, UR, and UV as a conforming district to the respective CIC, HI, IP, LI, MHP, MUC, MUN, NCC, OSPH, PQP, RN, TEC, TR, UR and UV General Plan land use designations (see Exhibit A of the attached ordinance). The proposed rezoning would allow the properties to be used and developed in accordance with the allowable uses in Title 20 of the San José Municipal Code.

## **Senate Bill 330 Compliance**

The Housing Crisis Act of 2019 (Senate Bill 330) limits the manner in which local governments may reduce the capacity for residential units that can be built on properties that allow housing, including actions such as down-zoning, changing general or specific plan land use designations to a less intensive use, reductions in height, density or floor area ratio, or other types of increased requirements. An exception to this is that a property may be allowed to reduce intensity of residential uses if changes in land use designations or zoning elsewhere ensure “no net loss” (down-zoning) in residential capacity within the jurisdiction.

Approval of File Nos. C25-019, C25-020, C25-021, C25-022, C25-023, C25-024, C25-025, C25-026, C25-027, C25-028, C25-029, C25-030, C25-031, C25-032, C25-033,

C25-034, C25-035, C25-036 will result in adding residential capacity of 33,210 units, complying with Senate Bill 330 requirements.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined that the proposed project is pursuant to, in furtherance of, and within the scope of the Envision San José 2040 General Plan Program, the impacts of which were analyzed and disclosed in the Final Environmental Impact Report for the Envision San José 2040 General Plan (FEIR), for which findings were adopted by City Council Resolution No. 76041 on November 1, 2011 and Supplemental Environmental Impact Report (SEIR) adopted by City Council Resolution No. 77617 on December 15, 2015, and addenda thereto. The FEIR, SEIR, and Addenda were prepared for the comprehensive update and revision of all elements of the City of San José General Plan, including an extension of the planning timeframe to the year 2040.

No new or more significant environmental impacts beyond those identified in the Envision San José 2040 General Plan FEIR, SEIR, and Addenda have been identified, nor have any new mitigation measures or alternatives which are considerably different from those analyzed in the FEIR, SEIR and Addenda been identified.

### **PUBLIC HEARING NOTIFICATION**

Staff followed Council Policy 6-30: Public Outreach Policy. Planning staff distributed notices to the property owners and tenants for File Nos C25-019, C25-020, C25-021, C25-022, C25-023, C25-024, C25-025, C25-026, C25-027, C25-028, C25-029, C25-030, C25-031, C25-032, C25-033, C25-034, C25-035, C25-036 on August 15, 2025, to provide information on the proposed Conforming Rezoning. Staff included their contact information on the notice and have been available to answer any questions that property owners and tenants may have. The notice also included direction to the Rezoning and General Plan Alignment website that has information to assist property owners and tenants with the process and includes frequently ask questions. The notice also included directions to our interactive Rezoning Map Viewer where the community can view the rezonings that are happening within their neighborhood and throughout the City.

HONORABLE MAYOR AND CITY COUNCIL

August 25, 2025

**Subject: C25-019, C25-020, C25-021, C25-022, C25-023, C25-024, C25-025, C25-026, C25-027, C25-028, C25-029, C25-030, C25-031, C25-032, C25-033, C25-034, C25-035**

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Subsequent to sending the rezoning notice to affected property owners and tenants, a notice of the public hearing was distributed to the owners and tenants of all properties located within 300 feet of each rezoning site and posted on the City website. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

/s/

Chris Burton, Director  
Planning, Building, and Code  
Enforcement Department

For questions, please contact Ruth Cueto, Principal Planner, Planning, Building, and Code Enforcement Department at (408) 535-7886 or [ruth.cueto@sanjoseca.gov](mailto:ruth.cueto@sanjoseca.gov).