

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING 51 PROPERTIES FROM THE CP COMMERCIAL PEDESTRIAN AND CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE CIC COMBINED INDUSTRIAL/COMMERCIAL ZONING DISTRICT, NINE PROPERTIES FROM THE CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO THE LI LIGHT INDUSTRIAL ZONING DISTRICT, AND TWO PROPERTIES FROM THE CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE IP INDUSTRIAL PARK ZONING DISTRICT, LOCATED IN VARIOUS LOCATIONS IN THE CITY OF SAN JOSE

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 CIC Combined Industrial/Commercial Zoning District, LI Light Industrial Zoning District, and IP Industrial Park Zoning District Zoning District; 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 designation of the site in the applicable General Plan; and

WHEREAS, pursuant to Senate Bill 330, the proposed rezoning (File Nos. C21-013, C21-015, and C21-016) reduces the intensity of residential uses because the proposed rezonings do not allow residential; these rezonings would decrease the residential capacity by 5,142 residential units. However, under Senate Bill 940 staff currently has 21,993 residential units that were rezoned to increase the residential capacity (File Nos. PDC19-039, C20-002, C20-014, C21-003). Therefore, there is still a surplus of 16,851 residential units available ($21,993 - 5,142 = 16,851$ 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 to the CIC Combined Industrial/ Commercial Zoning District, LI Light Industrial Zoning District, and IP Industrial Park Zoning District 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 Nos. C21-013, C21-015, and C21-016 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 _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

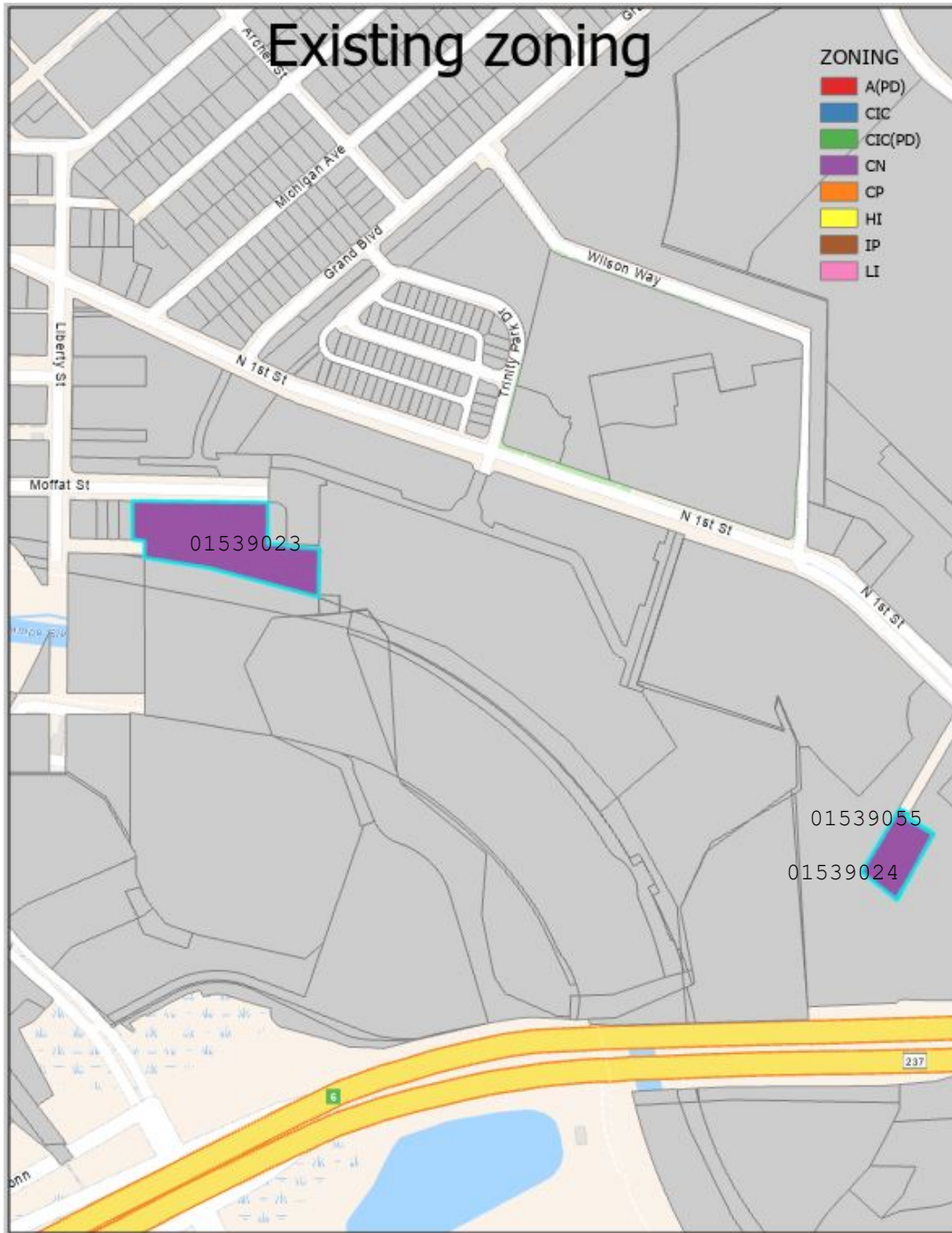
EXHIBIT "A"

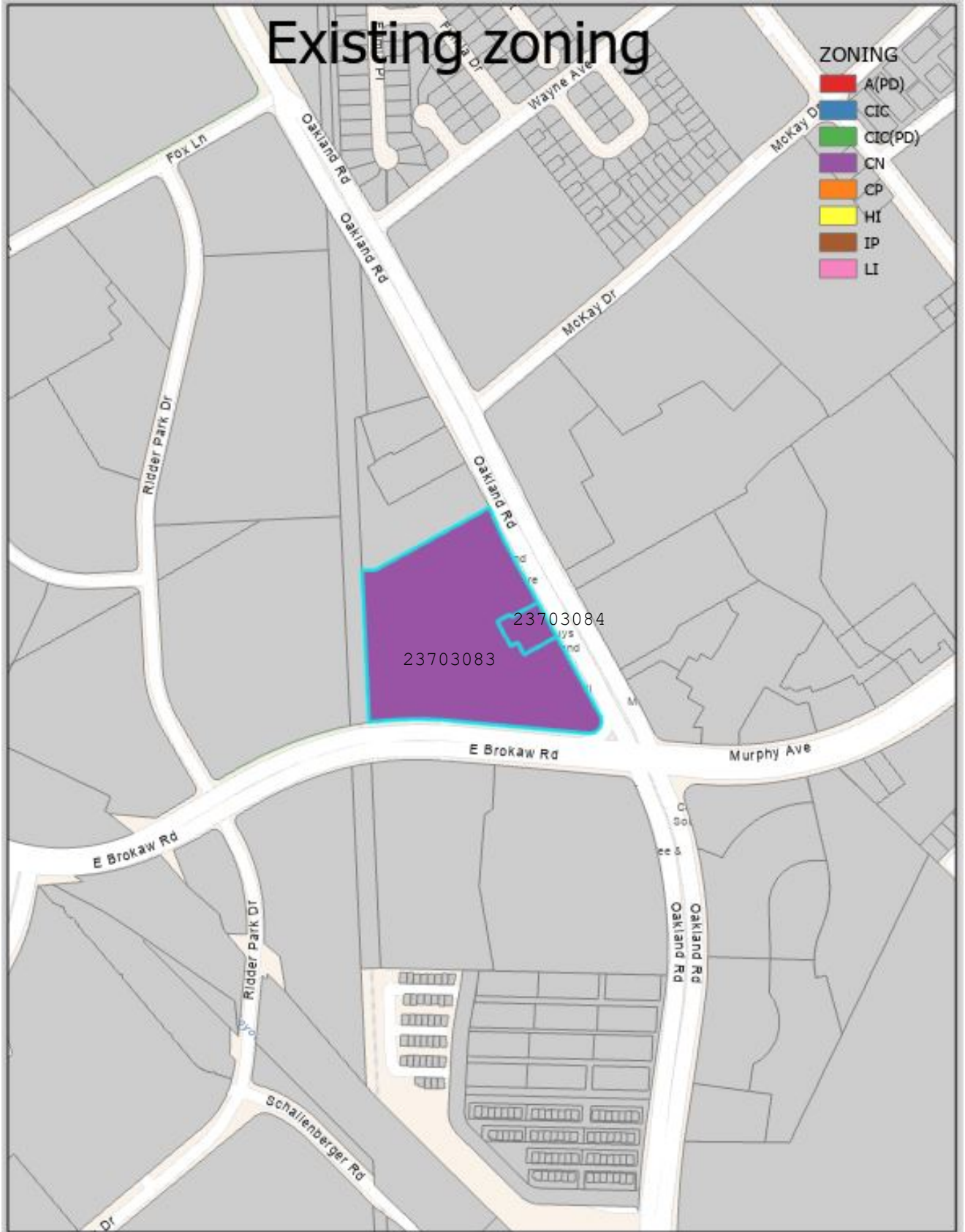
EXISTING ZONING AND GENERAL PLAN DESIGNATION PARCEL LIST

APN	General Plan	Existing Zoning	Conforming Zoning	Downzoning Units
01539023	CIC	CN	CIC	1
01539024	CIC	CN	CIC	93
01539033	CIC	CN	CIC	1
23029018	CIC	CN	CIC	46
23501010	CIC	CN	CIC	760
23501023	CIC	CN	CIC	100
23505018	CIC	CN	CIC	128
23505021	CIC	CN	CIC	134
23505022	CIC	CN	CIC	36
23703083	CIC	CN	CIC	882
23703084	CIC	CN	CIC	43
26410032	CIC	CN	CIC	24
26416040	CIC	CN	CIC	37
43641012	CIC	CN	CIC	130
43641013	CIC	CN	CIC	34
47210096	CIC	CN	CIC	41
47711060	CIC	CP	CIC	27
47722007	CIC	CN	CIC	196
47722072	CIC	CN	CIC	138
47722073	CIC	CN	CIC	33
47722077	CIC	CN	CIC	94
47722078	CIC	CN	CIC	75
47722080	CIC	CN	CIC	79
47722081	CIC	CN	CIC	81
47722082	CIC	CN	CIC	143
47777001	CIC	CN	CIC	4
47777002	CIC	CN	CIC	4
47777003	CIC	CN	CIC	4
47777004	CIC	CN	CIC	4
47777005	CIC	CN	CIC	4
47777006	CIC	CN	CIC	4
47777007	CIC	CN	CIC	4
47777008	CIC	CN	CIC	4
47777009	CIC	CN	CIC	4
47777010	CIC	CN	CIC	4
47777011	CIC	CN	CIC	4
47777012	CIC	CN	CIC	4
47777013	CIC	CN	CIC	4
47777014	CIC	CN	CIC	4
47777015	CIC	CN	CIC	4
47777016	CIC	CN	CIC	4
47777C01	CIC	CN	CIC	137
49738003	CIC	CN	CIC	166
49738018	CIC	CN	CIC	68
49738022	CIC	CN	CIC	134

49738023	CIC	CN	CIC	71
49738024	CIC	CN	CIC	36
49738025	CIC	CP	CIC	101
49738026	CIC	CP	CIC	90
68402002	CIC	CP	CIC	143
68402003	CIC	CP	CIC	110
23029023	IP	CN	IP	137
47211075	IP	CN	IP	1
23512022	LI	CP	LI	43
23512023	LI	CP	LI	11
23512024	LI	CP	LI	33
23512025	LI	CP	LI	11
23512026	LI	CP	LI	31
23512027	LI	CP	LI	49
25414115	LI	CP	LI	38
25901093	LI	CP	LI	54
25902091	LI	CP	LI	52

EXHIBIT "A-1"

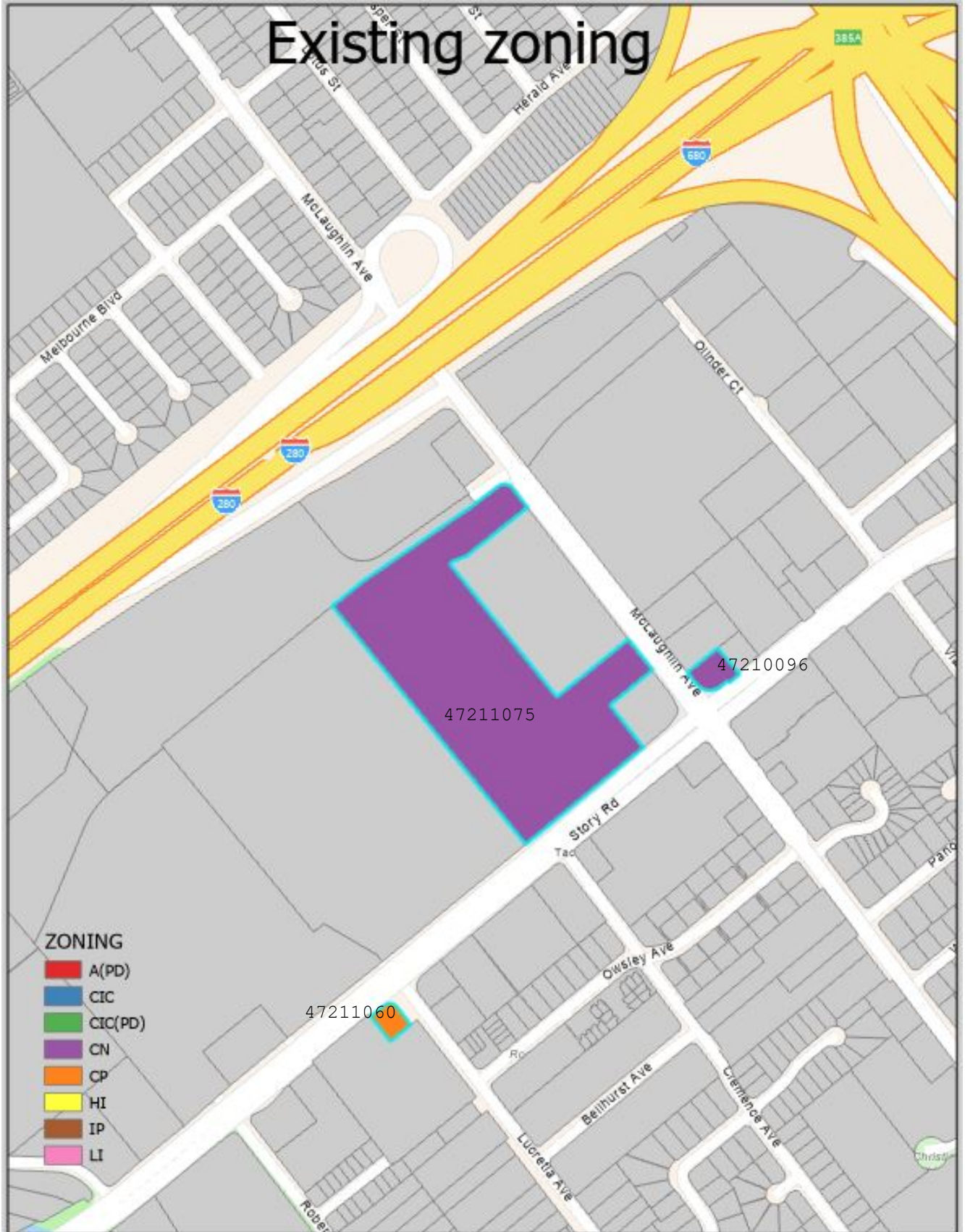




Item No. 10.1(b)

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

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



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

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



Item No. 10.1(b)

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

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



Item No. 10.1(b)

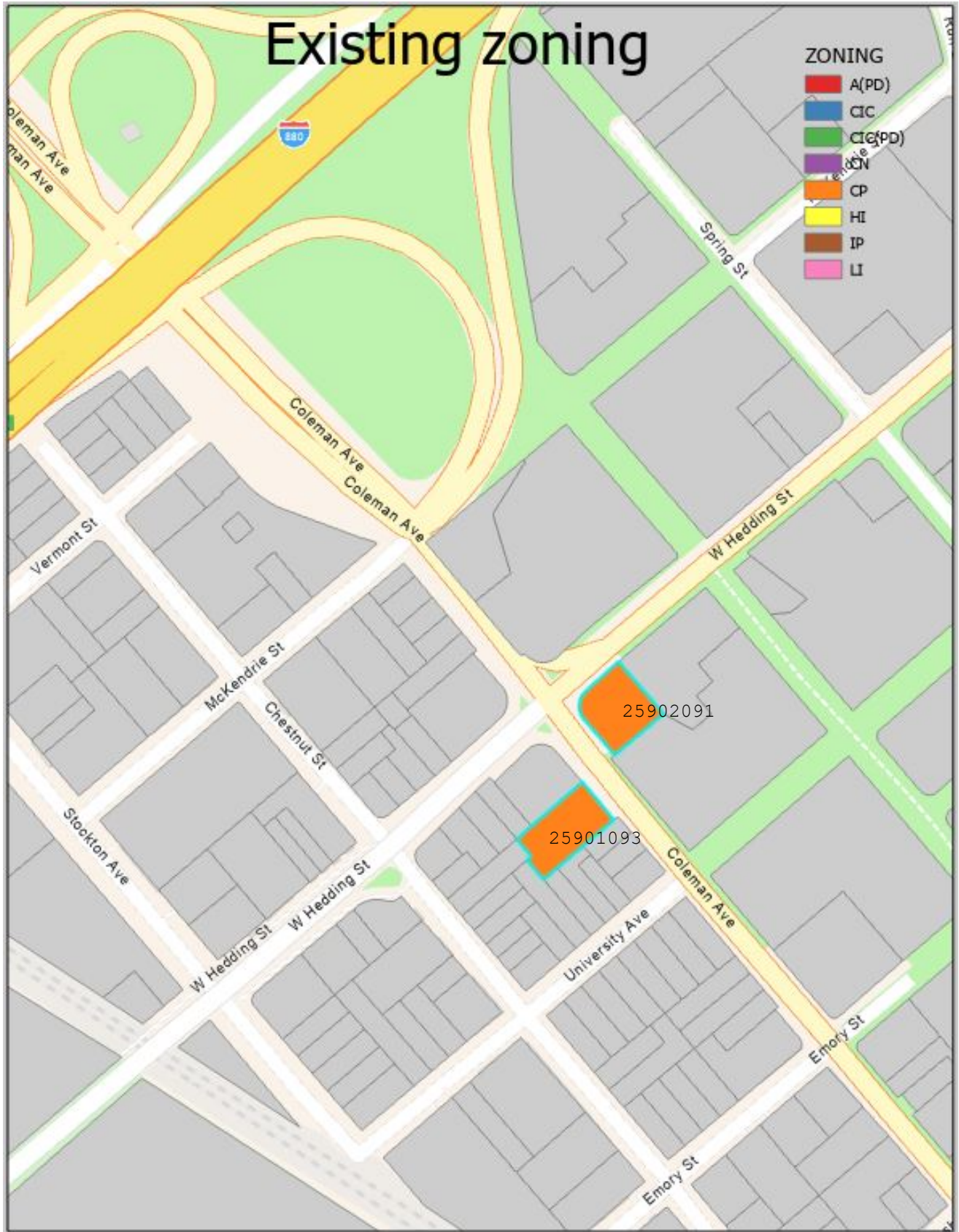
DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



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

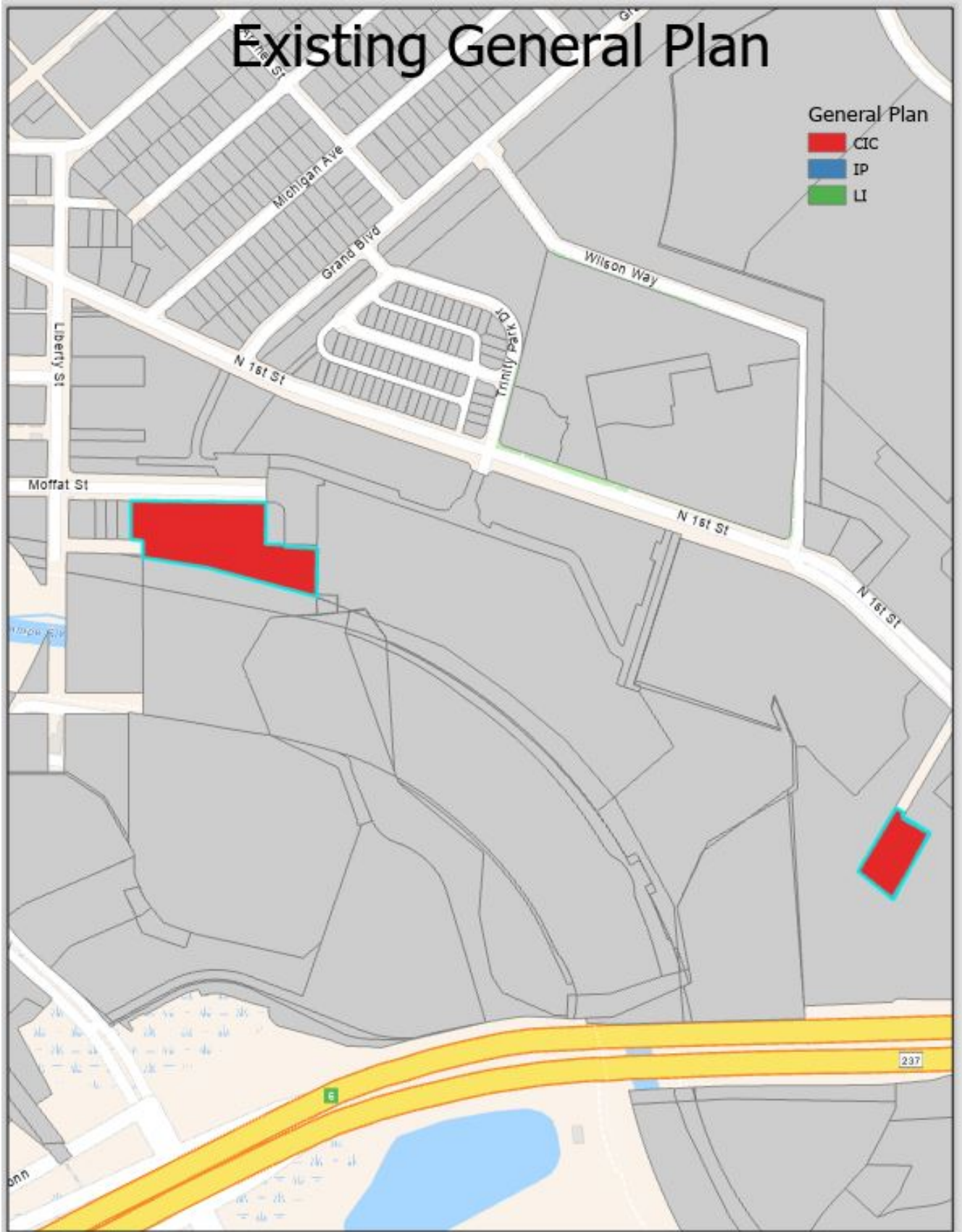
REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



Item No. 10.1(b)

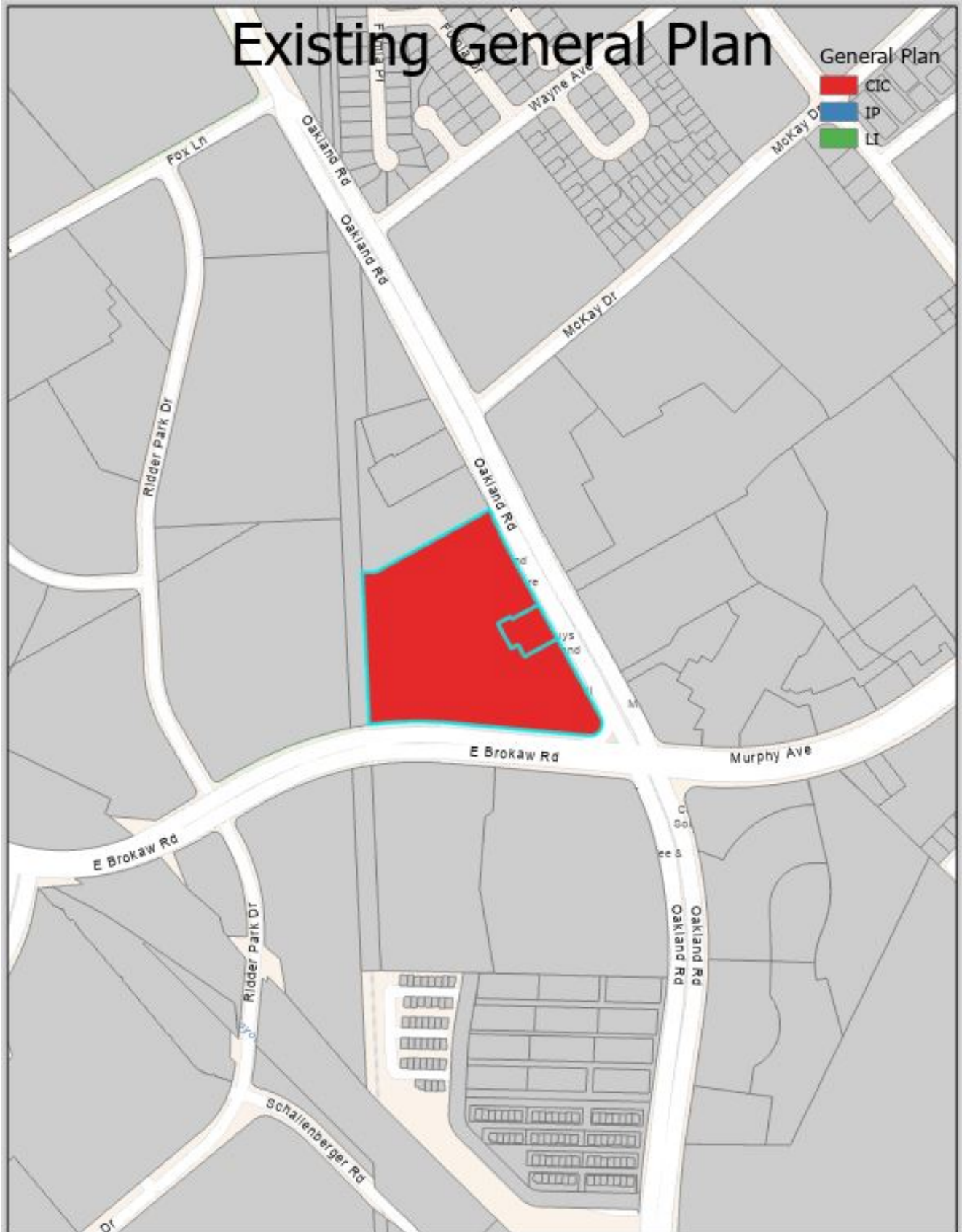
DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



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

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



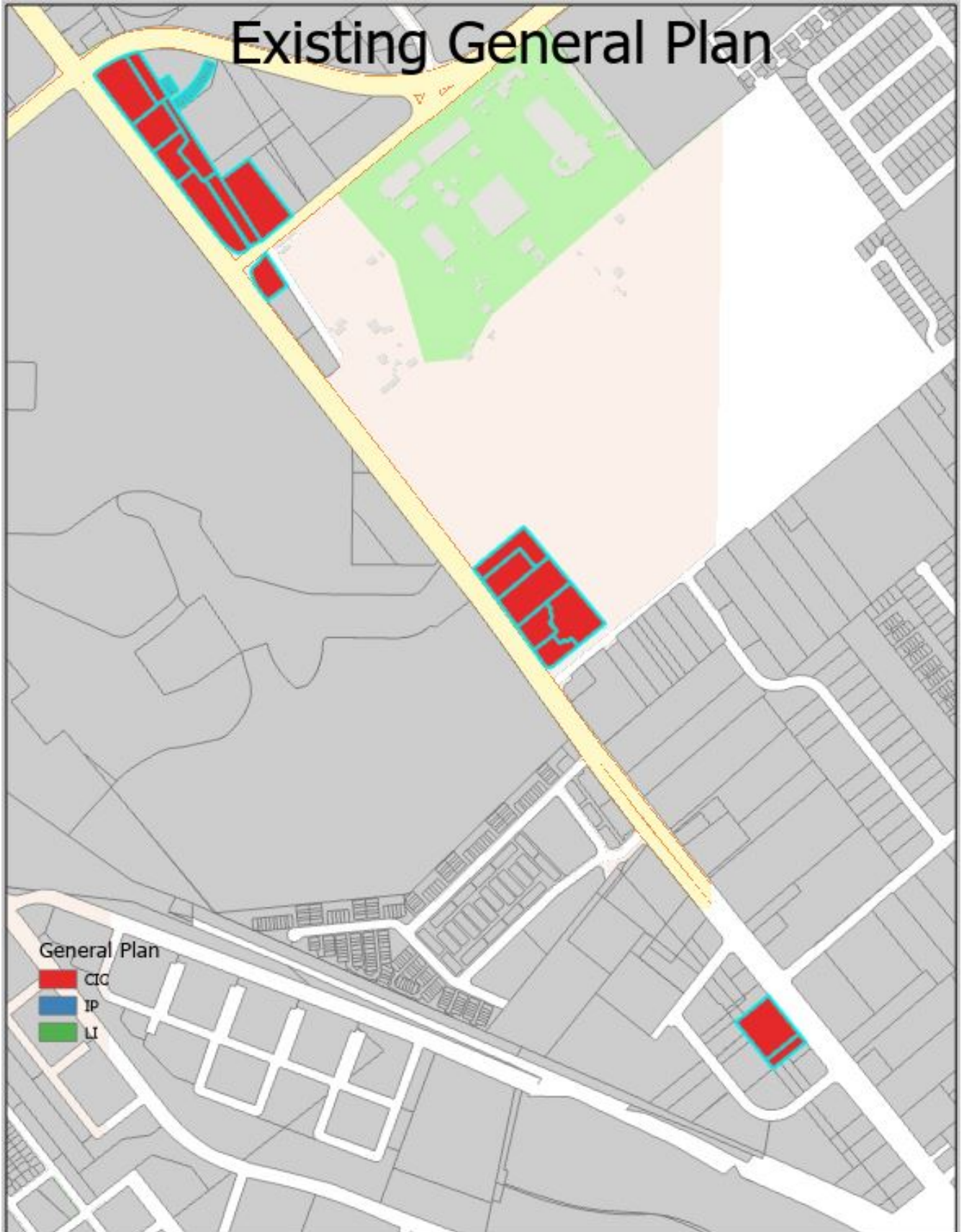
DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



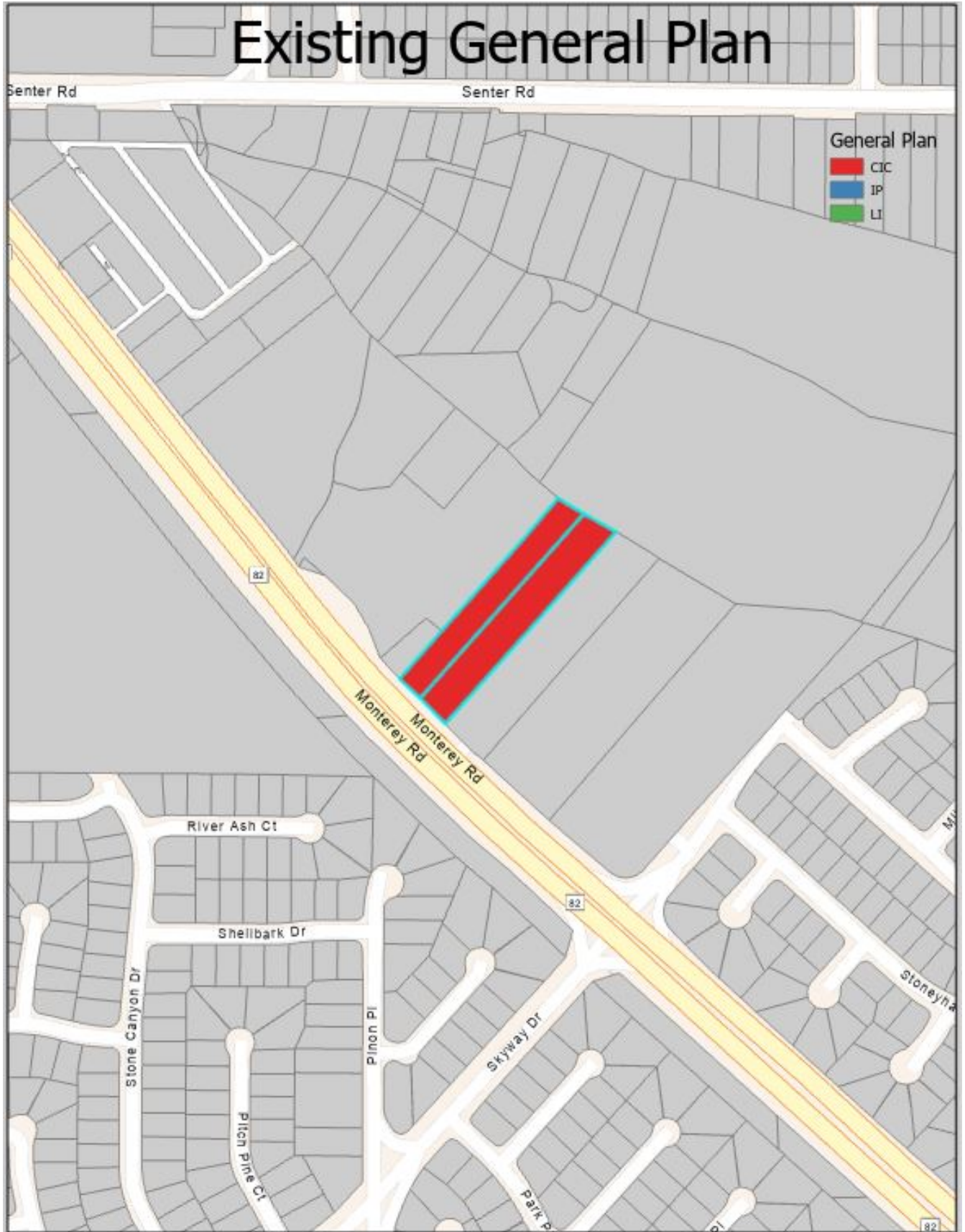
DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



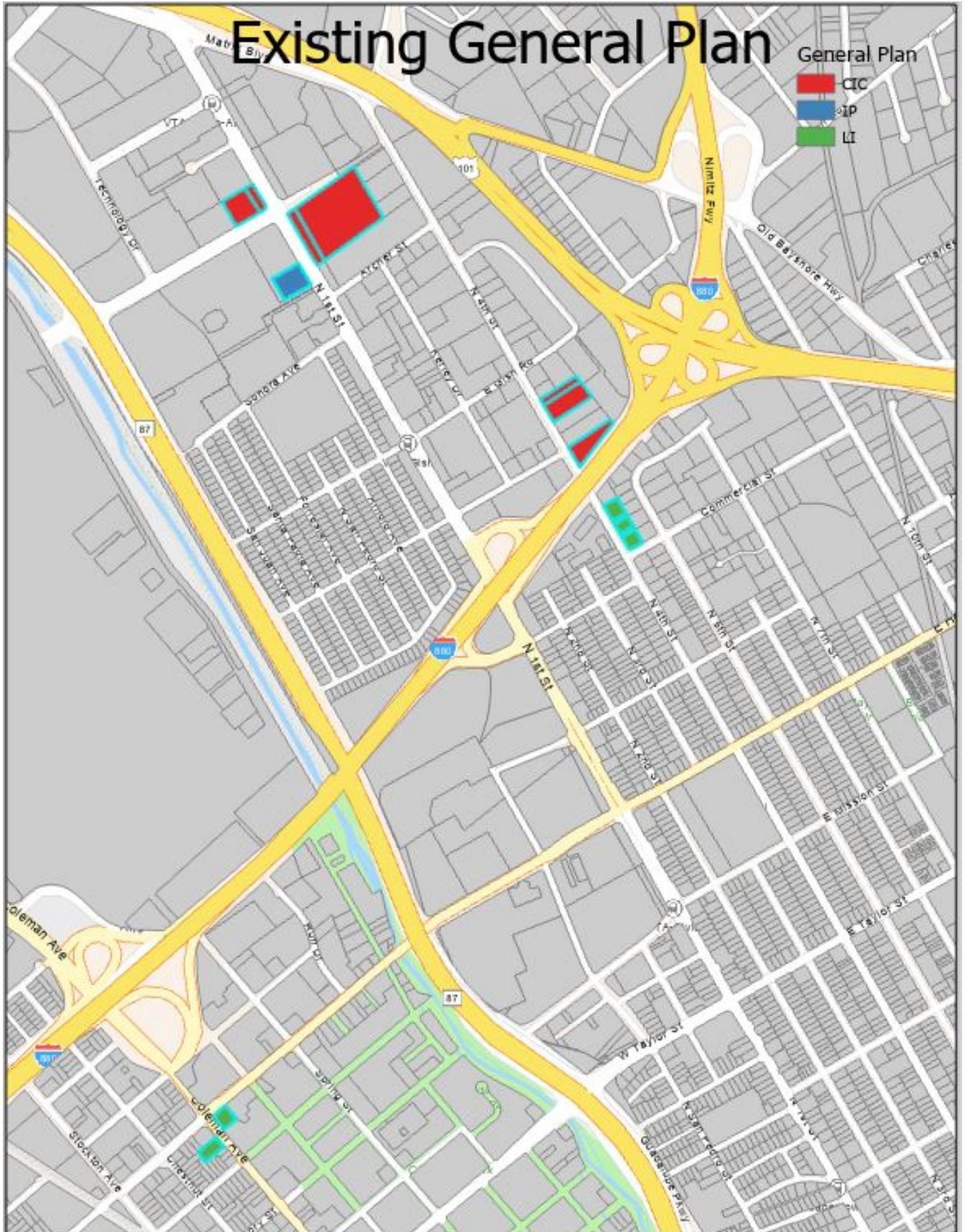
DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



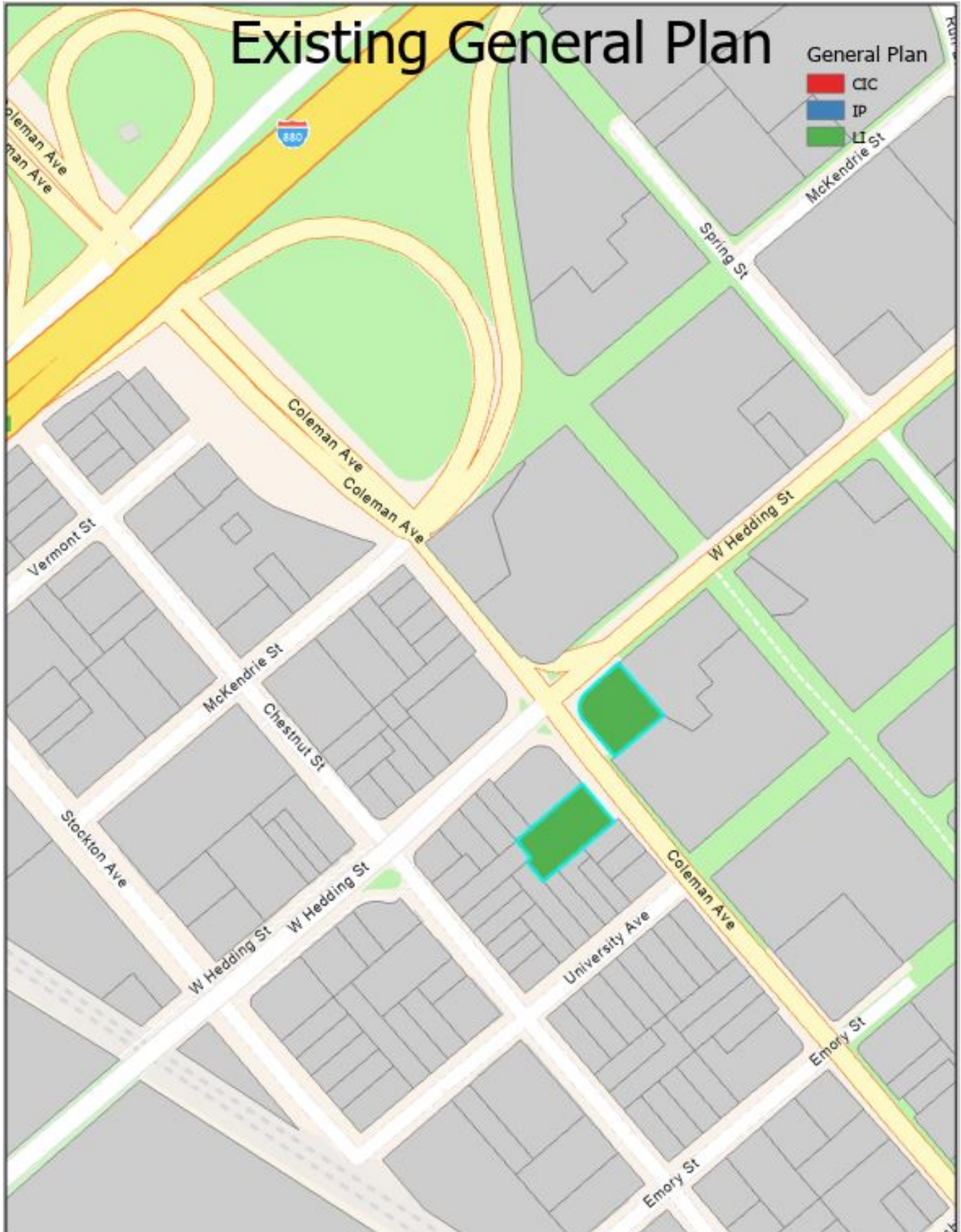
DRAFT — Contact the Office of the City Clerk at (408) 939-1200 or CityClerk@sanjoseca.gov for final document.

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



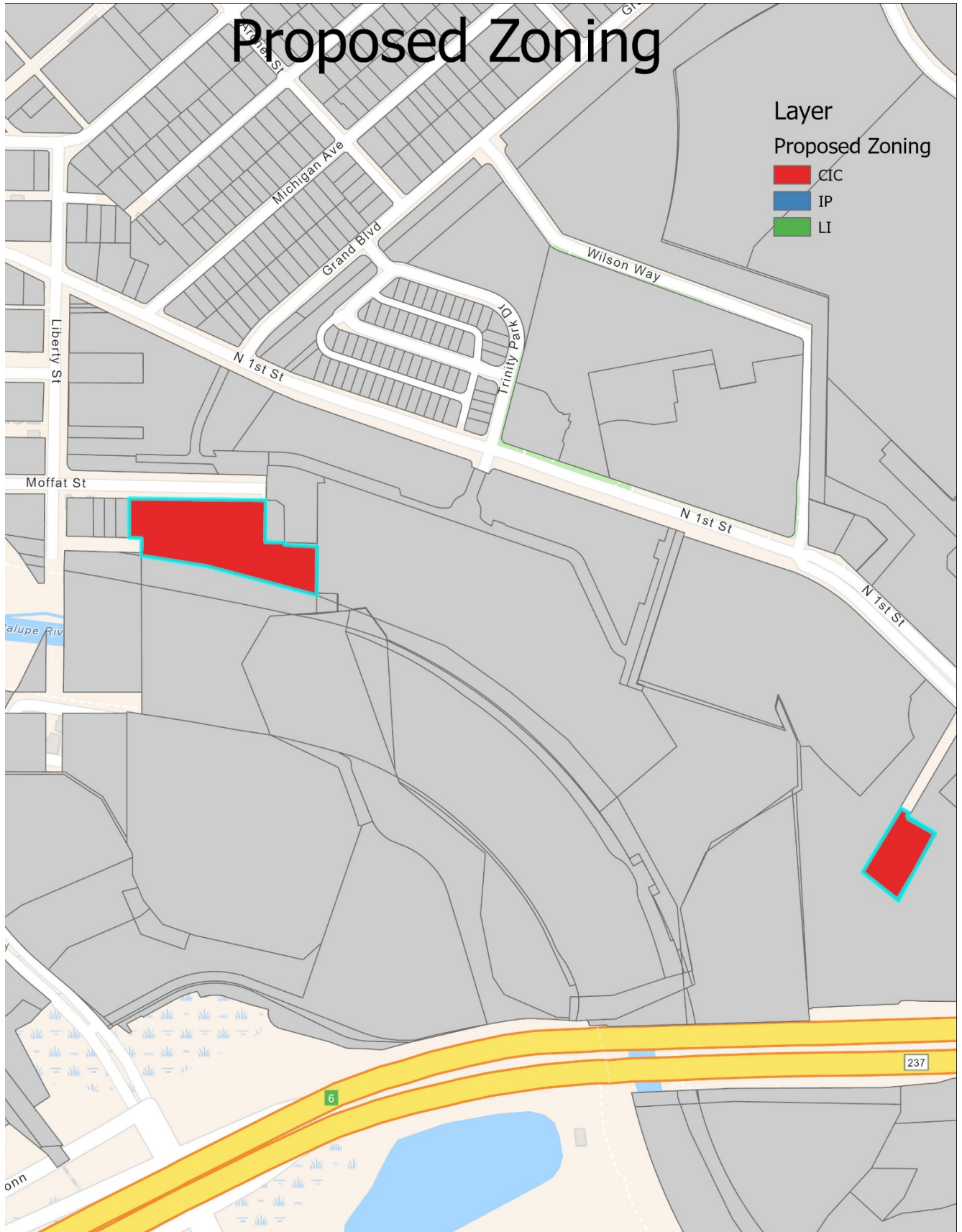
DRAFT - Contact the Office of the City Clerk at (408) 939-1200 or CityClerk@sanjoseca.gov for final document.

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



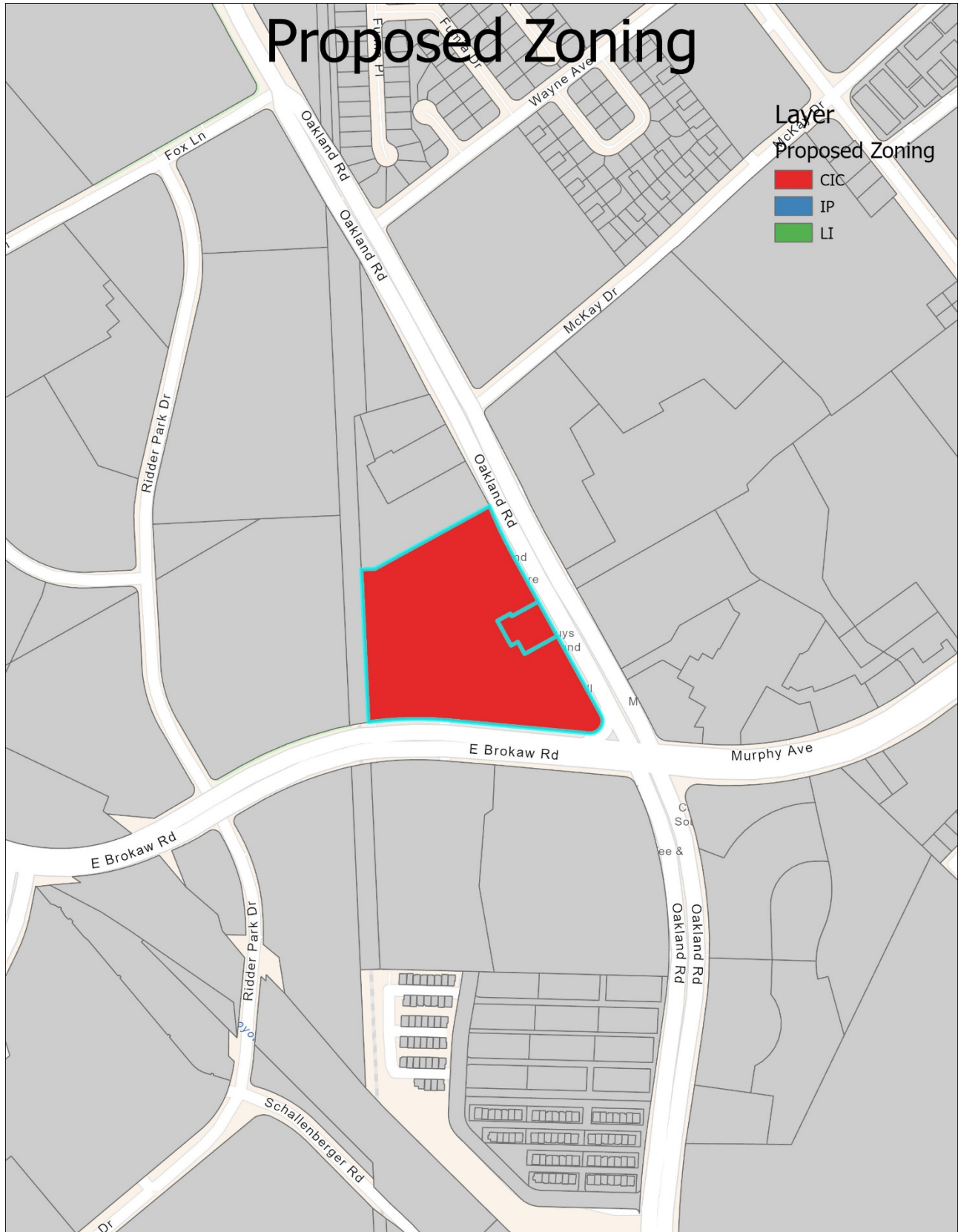
document.

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



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

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



Council Agenda: 8/31/2021
Item No.: 10.1(b)

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

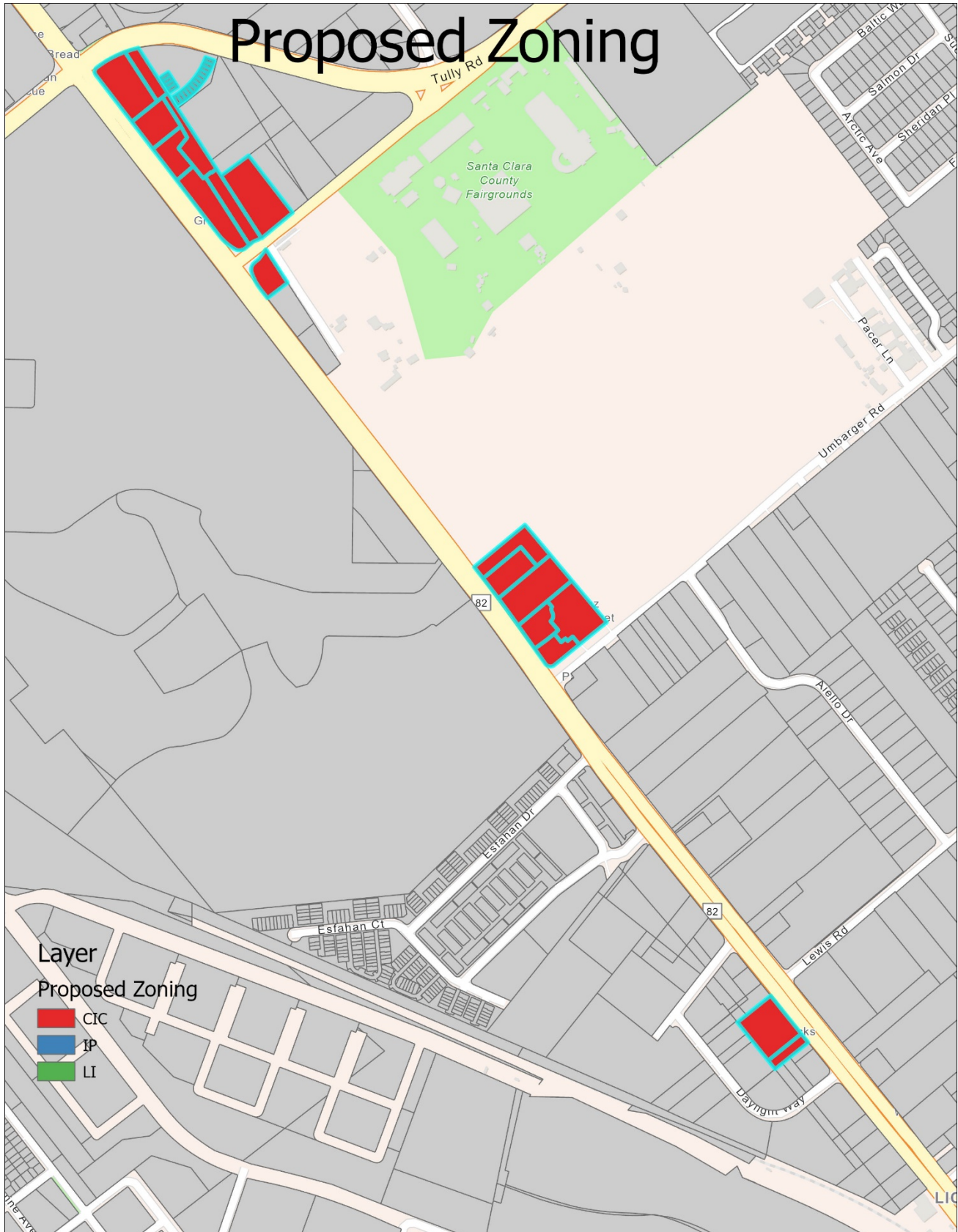
REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



Council Agenda: 8/5/2021
Item No.: 10.1(b)

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

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



Item No.: 10.1(b)

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

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



Council Agenda: 08/17/2021
Item No.: 10.1(b)

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

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



Council Agenda: 07/31/2021
Item No.: 10.1(b)

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

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21



Item No.: 10.1(b)

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

REVISED—EXHIBIT A-1 REPLACED AFTER ORIGINAL POSTING ON 8-19-21