

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING ONE PROPERTY FROM THE LI LIGHT INDUSTRIAL ZONING DISTRICT TO THE CIC COMBINED INDUSTRIAL/COMMERCIAL ZONING DISTRICT; 67 PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE DC DOWNTOWN PRIMARY COMMERCIAL ZONING DISTRICT; TWO PROPERTIES FROM THE CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE DC DOWNTOWN PRIMARY COMMERCIAL ZONING DISTRICT; 16 PROPERTIES FROM THE CO COMMERCIAL OFFICE ZONING DISTRICT TO THE DC DOWNTOWN PRIMARY COMMERCIAL ZONING DISTRICT; ONE PROPERTY FROM THE PQP PUBLIC /QUASI-PUBLIC ZONING DISTRICT TO THE DC DOWNTOWN PRIMARY COMMERCIAL ZONING DISTRICT; 61 PROPERTIES FROM THE R-M MULTIPLE RESIDENCE ZONING DISTRICT TO THE DC DOWNTOWN PRIMARY COMMERCIAL ZONING DISTRICT; FOUR PROPERTIES FROM THE LI LIGHT INDUSTRIAL ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT; ONE PROPERTY FROM THE R-M MULTIPLE RESIDENCE ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT; TWO PROPERTIES FROM THE DC DOWNTOWN PRIMARY COMMERCIAL ZONING DISTRICT TO THE OS OPEN SPACE ZONING DISTRICT; TWO PROPERTIES FROM THE LI LIGHT INDUSTRIAL ZONING DISTRICT TO THE OS OPEN SPACE ZONING DISTRICT; 12 PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT; ONE PROPERTY FROM THE DC DOWNTOWN PRIMARY COMMERCIAL ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT; ONE PROPERTY FROM THE R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT; 16 PROPERTIES FROM THE R-M MULTIPLE RESIDENCE ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT; SIX PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT; ONE PROPERTY FROM THE CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO THE R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT; ONE PROPERTY FROM THE

HI HEAVY INDUSTRIAL ZONING DISTRICT TO THE TR TRANSIT RESIDENTIAL ZONING DISTRICT; 32 PROPERTIES FROM THE R-M MULTIPLE RESIDENCE ZONING DISTRICT TO THE TR TRANSIT RESIDENTIAL ZONING DISTRICT; 16 PROPERTIES FROM THE R-M MULTIPLE RESIDENCE ZONING DISTRICT TO THE UR URBAN RESIDENTIAL ZONING DISTRICT; ONE PROPERTY FROM THE SPLIT ZONED LI LIGHT INDUSTRIAL AND HI HEAVY INDUSTRIAL ZONING DISTRICTS TO THE CIC COMBINED INDUSTRIAL/COMMERCIAL ZONING DISTRICT; ONE PROPERTY FROM THE SPLIT ZONED CG COMMERCIAL GENERAL AND CO COMMERCIAL OFFICE ZONING DISTRICTS TO THE DC DOWNTOWN PRIMARY COMMERCIAL ZONING DISTRICT; THREE PROPERTIES FROM THE SPLIT ZONED CG COMMERCIAL GENERAL AND R-M MULTIPLE RESIDENCE ZONING DISTRICTS TO THE DC DOWNTOWN PRIMARY COMMERCIAL ZONING DISTRICT; ONE PROPERTY FROM THE SPLIT ZONED CG COMMERCIAL GENERAL AND R-M MULTIPLE RESIDENCE ZONING DISTRICTS TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT; AND ONE PROPERTY FROM THE R-M MULTIPLE RESIDENCE ZONING DISTRICT TO THE SPLIT ZONED TR TRANSIT RESIDENTIAL AND UR URBAN RESIDENTIAL ZONING DISTRICTS, ALL LOCATED ON THOSE CERTAIN REAL PROPERTIES THROUGHOUT THE DOWNTOWN AND DIRIDON STATION AREA PLAN 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 rezonings to CIC Combined Industrial/Commercial, DC Downtown Primary Commercial, MUC Mixed Use Commercial, OS Open Space, PQP Public/Quasi-Public, R-1-8 Single-Family Residential, TR Transit Residential, UR Urban Residential; 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 rezonings are consistent with the designations of the sites in the applicable General Plan; and

WHEREAS, pursuant to Senate Bill 330, the proposed rezonings (File Nos. C22-100, C22-102, C22-103, C22-105, C22-106, C22-107, C22-108, and C22-109) would not decrease the residential units satisfying Senate Bill 330 and Senate Bill 940 requirements; the changes in zoning decrease the residential capacity on some properties by 7,333 residential units but increase the residential capacity on other properties by 27,245 residential units, resulting in a surplus of 19,912 residential units available ($27,245 - 7,333 = 19,912$ units) complying with 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 CIC Combined Industrial/Commercial, DC Downtown Primary Commercial, MUC Mixed Use Commercial, OS Open Space, PQP Public/Quasi-Public, R-1-8 Single-Family Residential, TR Transit Residential, UR Urban Residential zoning districts.

The subject properties referred to in this section are all those real properties 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. C22-100, C22-102, C22-103, C22-105, C22-106, C22-107, C22-108, and C22-109 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.

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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. C22-100, C22-102, C22-103, C22-105, C22-106, C22-107, C22-108, C22-109:
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)
1	46720085	DT	CG	DC	125
2	46720085	DT	R-M	DC	121
3	46724116	DT	R-M	DC	506
4	46724005	DT	R-M	DC	56
5	46724030	DT	R-M	DC	90
6	46724029	DT	R-M	DC	60
7	46724031	DT	R-M	DC	88
8	46724032	DT	R-M	DC	97
9	46724033	DT	R-M	DC	98
10	46724034	DT	R-M	DC	151
11	46724035	DT	R-M	DC	137
12	46724036	DT	R-M	DC	87
13	46724024	DT	R-M	DC	155
14	46724025	DT	R-M	DC	158
15	46701030	DT	CG	DC	201
16	46701031	DT	CG	DC	82
17	46701013	DT	CG	DC	57
18	46701014	DT	CG	DC	50
19	46701015	DT	CG	DC	47
20	46701016	DT	CO	DC	49
21	46701011	DT	CG	DC	230
22	46701002	DT	CG	DC	157
23	46701029	DT	CG	DC	262
24	46701035	DT	CG	DC	83
25	46701036	DT	CG	DC	91
26	46701037	DT	CG	DC	108
27	46701038	DT	CG	DC	116
28	46701039	DT	CG	DC	113
29	46701026	DT	CG	DC	219

No.	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Dwelling Units)
30	46701027	DT	CG	DC	231
31	46701017	DT	CO	DC	77
32	46701018	DT	CO	DC	107
33	46701019	DT	CO	DC	117
34	46701020	DT	CO	DC	90
35	46701021	DT	CO	DC	146
36	46701022	DT	CO	DC	115
37	46701023	DT	CO	DC	170
38	46701024	DT	CO	DC	170
39	46701077	DT	CG	DC	152
40	46701078	DT	CG	DC	99
41	46701079	DT	CO	DC	95
42	46701042	DT	CO	DC	129
43	46701043	DT	CG	DC	130
44	46701043	DT	CO	DC	226
45	46701044	DT	CO	DC	136
46	46701045	DT	CO	DC	126
47	46701046	DT	CO	DC	127
48	46701047	DT	CO	DC	154
49	46701048	DT	CO	DC	153
50	46701081	DT	CG	DC	384
51	46701033	DT	CG	DC	309
52	46724110	DT	CG	DC	642
53	46724111	DT	CG	DC	1218
54	46724026	DT	R-M	DC	173
55	46724027	DT	R-M	DC	137
56	46724028	DT	R-M	DC	32
57	46724006	DT	R-M	DC	98
58	46724007	DT	R-M	DC	106
59	46724008	DT	R-M	DC	107
60	46724009	DT	R-M	DC	94
61	46724010	DT	R-M	DC	113
62	46724011	DT	R-M	DC	47
63	46724012	DT	R-M	DC	394
64	46724013	DT	R-M	DC	113
65	46720040	DT	CG	DC	160
66	46720019	DT	CG	DC	103
67	46720073	DT	CG	DC	740

No.	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Dwelling Units)
68	46719066	DT	R-M	DC	193
69	46719068	DT	R-M	DC	111
70	46719071	DT	R-M	DC	200
71	46720048	DT	CG	DC	184
72	46720075	DT	CG	DC	464
73	46720068	DT	CG	DC	357
74	46723028	DT	CG	DC	166
75	46719050	DT	R-M	DC	78
76	46719051	DT	R-M	DC	74
77	46719048	DT	CG	DC	69
78	46719049	DT	R-M	DC	64
79	46720017	DT	CG	DC	328
80	46720017	DT	R-M	DC	16
81	46720020	DT	CG	DC	389
82	46720021	DT	CG	DC	49
83	46720018	DT	R-M	DC	16
84	46720022	DT	CG	DC	87
85	46720053	DT	CG	DC	115
86	46720054	DT	CG	DC	102
87	46720069	DT	CG	DC	108
88	46720059	DT	CG	DC	132
89	46720041	DT	CG	DC	349
90	46720084	DT	CG	DC	601
91	46747052	DT	CG	DC	80
92	46747053	DT	CG	DC	165
93	46747032	DT	R-M	DC	132
94	46747033	DT	R-M	DC	82
95	46747098	DT	PQP	DC	324
96	46723023	DT	R-M	DC	154
97	46719053	DT	R-M	DC	154
98	46719054	DT	CG	DC	56
99	46719055	DT	CG	DC	55
100	46720001	DT	R-M	DC	127
101	46720002	DT	R-M	DC	181
102	46720003	DT	R-M	DC	105
103	46720004	DT	R-M	DC	105
104	46720005	DT	R-M	DC	99
105	46747023	DT	CG	DC	197

No.	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Dwelling Units)
106	46747043	DT	CG	DC	39
107	46747044	DT	CG	DC	38
108	46747049	DT	R-M	DC	147
109	46747050	DT	R-M	DC	168
110	47226046	DT	CG	DC	302
111	47226047	DT	R-M	DC	70
112	47226048	DT	R-M	DC	87
113	46747045	DT	CG	DC	45
114	46747046	DT	CG	DC	47
115	46747062	DT	CG	DC	339
116	46747057	DT	CG	DC	102
117	46747092	DT	CG	DC	256
118	46747024	DT	CG	DC	158
119	46747025	DT	R-M	DC	84
120	46747026	DT	R-M	DC	149
121	46747027	DT	R-M	DC	74
122	46747028	DT	R-M	DC	101
123	46747029	DT	R-M	DC	107
124	46747030	DT	R-M	DC	103
125	46747031	DT	R-M	DC	111
126	46747047	DT	CG	DC	182
127	46747048	DT	R-M	DC	350
128	47226062	DT	CN	DC	121
129	47226063	DT	CN	DC	89
130	47226064	DT	CG	DC	233
131	47227012	DT	R-M	DC	106
132	47227013	DT	R-M	DC	307
133	47227014	DT	CG	DC	375
134	47227002	DT	R-M	DC	105
135	47227003	DT	R-M	DC	83
136	47227004	DT	R-M	DC	100
137	47227005	DT	R-M	DC	104
138	47227006	DT	R-M	DC	104
139	47227054	DT	CG	DC	168
140	47227055	DT	R-M	DC	118
141	47227056	DT	CG	DC	104
142	47227057	DT	CG	DC	107
143	47227106	DT	CG	DC	88

No.	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Dwelling Units)
144	47227106	DT	R-M	DC	85
145	47227008	DT	CG	DC	57
146	47227009	DT	CG	DC	52
147	47227010	DT	CG	DC	52
148	47227001	DT	R-M	DC	104
149	47227053	DT	R-M	DC	66
150	46723100	DT	CG	DC	263
151	46723101	DT	CG	DC	265
152	46723005	DT	CG	DC	87
153	46723006	DT	CG	DC	76
154	46723007	DT	CG	DC	25
155	46723008	DT	CG	DC	146
156	46721001	OSPH	DC	OS	-2802
157	46721014	OSPH	DC	OS	-2814
158	26421005	PQP	R-2	PQP	46
159	46724015	PQP	R-M	PQP	1
160	46724016	PQP	R-M	PQP	1
161	46724017	PQP	R-M	PQP	1
162	46724018	PQP	R-M	PQP	1
163	46724019	PQP	CG	PQP	8
164	46724002	PQP	R-M	PQP	1
165	46724003	PQP	R-M	PQP	1
166	46724020	PQP	CG	PQP	24
167	46724021	PQP	CG	PQP	14
168	46724001	PQP	CG	PQP	57
169	46724014	PQP	R-M	PQP	1
170	46723075	PQP	CG	PQP	38
171	46723076	PQP	CG	PQP	18
172	46723013	PQP	CG	PQP	20
173	46723009	PQP	CG	PQP	13
174	46723010	PQP	CG	PQP	33
175	46723011	PQP	CG	PQP	12
176	46723074	PQP	CG	PQP	5
177	46723077	PQP	CG	PQP	7
178	46723017	PQP	R-M	PQP	1
179	46723018	PQP	R-M	PQP	1
180	46723019	PQP	R-M	PQP	1
181	46723020	PQP	R-M	PQP	1

No.	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Dwelling Units)
182	46723021	PQP	R-M	PQP	1
183	46723022	PQP	R-M	PQP	1
184	46746098	PQP	DC	PQP	-1686
185	46724115	PQP	R-M	PQP	1
186	46724117	PQP	CG	PQP	32
187	46724117	PQP	R-M	PQP	3
188	46719052	PQP	R-M	PQP	14
189	26421031	RN	CP	R-1-8	-26
190	46701072	RN	CG	R-1-8	1
191	46701073	RN	CG	R-1-8	1
192	46701074	RN	CG	R-1-8	1
193	46701075	RN	CG	R-1-8	1
194	46720023	RN	CG	R-1-8	1
195	46720024	RN	CG	R-1-8	2
196	26415034	CIC	LI	CIC	0
197	26415034	CIC	HI	CIC	0
198	26415022	CIC	LI	CIC	0
199	26138053	MUC	LI	MUC	20
200	26138066	MUC	R-M	MUC	-5
201	26138060	MUC	LI	MUC	65
202	26138052	MUC	LI	MUC	5
203	26138059	MUC	LI	MUC	1
204	26137027	OSPH	LI	OS	1
205	26137009	OSPH	LI	OS	1
206	26135034	PQP	R-M	PQP	4
207	26101007	TR	R-M	TR	216
208	26101021	TR	R-M	TR	44
209	26101037	TR	R-M	TR	39
210	26101038	TR	R-M	TR	37
211	26101089	TR	R-M	TR	30
212	26101090	TR	R-M	TR	45
213	26101113	TR	R-M	TR	190
214	26138001	TR	R-M	TR	15
215	26138004	TR	R-M	TR	16
216	26138005	TR	R-M	TR	16
217	26138018	TR	R-M	TR	4
218	26138030	TR	R-M	TR	15
219	26138037	TR	R-M	TR	30

No.	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Dwelling Units)
220	26138047	TR	R-M	TR	16
221	26138048	TR	R-M	TR	15
222	26138049	TR	R-M	TR	85
223	26138057	TR	R-M	TR	44
224	26138063	TR	R-M	TR	1
225	26138064	TR	R-M	TR	101
226	26138065	TR	R-M	TR	186
227	26138067	TR	R-M	TR	216
228	26139002	TR	R-M	TR	38
229	26139003	TR	R-M	TR	53
230	26139004	TR	R-M	TR	18
231	26139005	TR	R-M	TR	14
232	26139010	TR	R-M	TR	103
233	26139025	TR	R-M	TR	124
234	26139027	TR	R-M	TR	123
235	26139028	TR	R-M	TR	12
236	26139035	TR	R-M	TR	38
237	26139036	TR	R-M	TR	74
238	26139041	TR	R-M	TR	39
239	26139043	TR	R-M	TR	45
240	26415029	TR	HI	TR	310
241	26139010	UR	R-M	UR	0
242	26139011	UR	R-M	UR	0
243	26139012	UR	R-M	UR	0
244	26139013	UR	R-M	UR	0
245	26139014	UR	R-M	UR	0
246	26139015	UR	R-M	UR	0
247	26139016	UR	R-M	UR	0
248	26139020	UR	R-M	UR	0
249	26139024	UR	R-M	UR	0
250	26139026	UR	R-M	UR	0
251	26139029	UR	R-M	UR	0
252	26415021	UR	R-M	UR	0
253	26415033	UR	R-M	UR	0
254	26416027	UR	R-M	UR	0
255	26416028	UR	R-M	UR	0
256	26416029	UR	R-M	UR	0
257	26416030	UR	R-M	UR	0

EXHIBIT "B"

EXISTING GENERAL PLAN DESIGNATION AND EXISTING AND PROPOSED ZONING DISTRICT MAPS

File Nos. C22-100, C22-102, C22-103, C22-105, C22-106, C22-107, C22-108, C22-109:
The Zoning District Map is hereby amended as follows:

















