

**DRAFT**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING 114 PROPERTIES FROM THE R-M MULTIFAMILY RESIDENTIAL ZONING DISTRICT TO THE MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, 93 PROPERTIES FROM THE R-M MULTIFAMILY RESIDENTIAL ZONING DISTRICT TO THE UR URBAN RESIDENTIAL ZONING DISTRICT, 13 PROPERTIES FROM THE CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, 12 PROPERTIES FROM THE R-M MULTIFAMILY RESIDENTIAL ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT, 11 PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, 11 PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE R-1-8 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, NINE PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE UR URBAN RESIDENTIAL ZONING DISTRICT, SEVEN PROPERTIES FROM THE CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE R-1-8 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, SEVEN PROPERTIES FROM THE CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO THE UR URBAN RESIDENTIAL ZONING DISTRICT, FOUR PROPERTIES FROM THE CO COMMERCIAL OFFICE ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, FOUR PROPERTIES FROM THE CO COMMERCIAL OFFICE ZONING DISTRICT TO THE R-1-8 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, THREE PROPERTIES FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, THREE PROPERTIES FROM THE R-M MULTIFAMILY RESIDENTIAL ZONING DISTRICT TO THE MUC MIXED USE COMMERCIAL ZONING DISTRICT, THREE PROPERTIES FROM THE R-M MULTIFAMILY RESIDENTIAL ZONING DISTRICT TO THE OS OPEN SPACE ZONING DISTRICT, THREE PROPERTIES FROM THE R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT, TWO PROPERTIES FROM THE R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO THE MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, TWO PROPERTIES FROM THE CG**

**COMMERCIAL GENERAL ZONING DISTRICT TO THE OS OPEN SPACE ZONING DISTRICT, AND ONE PROPERTY FROM THE CG COMMERCIAL GENERAL ZONING DISTRICT TO THE PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT, LOCATED IN VARIOUS LOCATIONS ON THOSE CERTAIN REAL PROPERTIES WITHIN 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 MUN Mixed Use Neighborhood, PQP Public/Quasi-Public, MUC Mixed Use Commercial, OS Open Space, R-1-8 Single Family Residential, and UR Urban Residential 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 designation of the site in the applicable General Plan; and

**WHEREAS**, pursuant to Senate Bill 330, the proposed rezonings (File Nos. C22-079, C22-080, C22-081, C22-082, C22-083, and C22-085) would not decrease the residential units satisfying Senate Bill 330 and Senate Bill 940 requirements; the change in existing zoning decreases residential capacity by 1,588 residential units which is balanced by rezoning that increases residential capacity by 2,195 residential units. Therefore, the rezoning results in a surplus of 607 residential units available ( $2,195 - 1,588 = 607$  units) complying with both 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 MUN Mixed Use Neighborhood, PQP Public/Quasi-Public, MUC Mixed Use Commercial, OS Open Space, R-1-8 Single Family Residential, and UR Urban Residential 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 C22-079, C22-080, C22-081, C22-082, C22-083, and C22-085 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:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

**EXHIBIT “A”  
EXISTING ZONING AND GENERAL PLAN DESIGNATION PARCEL LIST**

File Nos. C22-079, C22-080, C22-081, C22-082, C22-083, and C22-085: 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	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
1	46730035	MUN	R-M	MUN	-12
2	46730036	MUN	CG	MUN	2
3	46730036	MUN	R-M	MUN	-4
4	46730040	MUN	CG	MUN	1
5	46730040	MUN	R-M	MUN	-9
6	46730041	MUN	R-M	MUN	-9
7	46730042	MUN	R-M	MUN	-9
8	46730043	MUN	R-M	MUN	-9
9	46730044	MUN	R-M	MUN	-12
10	46730045	MUN	R-M	MUN	-15
11	46730046	MUN	R-M	MUN	-9
12	46730047	MUN	R-M	MUN	-12
13	46730048	MUN	R-M	MUN	-12
14	46730050	MUN	R-M	MUN	-9
15	46730051	PQP	R-M	PQP	2
16	46730052	PQP	R-M	PQP	1
17	46731001	MUN	R-M	MUN	-23
18	46731004	MUN	R-M	MUN	-12
19	46731005	MUN	R-M	MUN	-12
20	46731006	MUN	R-M	MUN	-12
21	46731112	MUN	R-M	MUN	-12
22	46731008	MUN	R-M	MUN	-8
23	46731009	MUN	R-M	MUN	-8
24	46731010	MUN	CG	MUN	2
25	46731010	MUN	R-M	MUN	-4
26	46730056	MUN	CG	MUN	1
27	46730056	MUN	R-M	MUN	-11
28	46730012	MUN	R-M	MUN	-14

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
29	46730013	MUN	R-M	MUN	-13
30	46730014	MUN	R-M	MUN	-6
31	46730053	MUN	R-M	MUN	-13
32	46730015	MUN	R-M	MUN	-4
33	46730016	MUN	R-M	MUN	-4
34	46730017	MUN	R-M	MUN	-13
35	46730018	MUN	R-M	MUN	-33
36	46730019	MUN	R-M	MUN	-25
37	46730020	MUN	R-M	MUN	-20
38	46730021	MUN	R-M	MUN	-18
39	46730022	MUN	R-M	MUN	-17
40	46730057	MUN	R-M	MUN	-20
41	46730024	MUN	R-M	MUN	-23
42	46730024	MUN	R-2	MUN	4
43	46730054	MUN	R-M	MUN	-30
44	46730025	PQP	R-M	PQP	1
45	46730026	MUN	R-M	MUN	-12
46	46730028	MUN	R-M	MUN	-12
47	46730029	MUN	R-M	MUN	-12
48	46730030	MUN	R-M	MUN	-12
49	46730031	MUN	R-M	MUN	-12
50	46730032	MUN	R-M	MUN	-12
51	46730033	MUN	R-M	MUN	-11
52	46730034	MUN	R-M	MUN	-13
53	46738091	MUN	R-2	MUN	5
54	46730001	MUN	R-M	MUN	-1
55	46731016	MUN	R-M	MUN	-8
56	46731017	MUN	R-M	MUN	-6
57	46731018	MUN	R-M	MUN	-12
58	46731019	MUN	R-M	MUN	-12
59	46730007	MUN	CG	MUN	4
60	46730008	MUN	CG	MUN	2
61	46730008	MUN	R-M	MUN	-9
62	46730009	MUN	R-M	MUN	-13
63	46731020	MUN	R-M	MUN	-18
64	46731021	MUN	R-M	MUN	-10

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
65	46731022	MUN	R-M	MUN	-8
66	46731023	MUN	R-M	MUN	-12
67	46731024	MUN	R-M	MUN	-12
68	46731025	MUN	R-M	MUN	-8
69	46731029	MUN	R-M	MUN	-12
70	46731030	MUN	R-M	MUN	-12
71	46731031	MUN	R-M	MUN	-12
72	46731032	MUN	R-M	MUN	-8
73	46731033	MUN	R-M	MUN	-8
74	46725083	PQP	R-M	PQP	2
75	46726037	RN	CG	R-1-8	1
76	46728074	RN	CO	R-1-8	1
77	46732025	MUN	R-M	MUN	-12
78	46732017	MUN	R-M	MUN	-8
79	46732018	MUN	R-M	MUN	-8
80	46732019	MUN	R-M	MUN	-8
81	46732020	MUN	R-M	MUN	-12
82	46732021	MUN	R-M	MUN	-12
83	46732022	MUN	R-M	MUN	-12
84	46732023	MUN	R-M	MUN	-12
85	46732024	MUN	R-M	MUN	-12
86	46748053	UR	R-M	UR	0
87	46748054	UR	R-M	UR	0
88	46748055	UR	R-M	UR	0
89	46748058	UR	R-M	UR	0
90	46749060	UR	R-M	UR	0
91	46749090	RN	CO	R-1-8	1
92	46749034	RN	CN	R-1-8	-17
93	46749034	RN	CO	R-1-8	1
94	46749089	MUC	CN	MUC	-14
95	46749001	PQP	R-M	PQP	6
96	46725096	UR	R-M	UR	0
97	46725097	UR	R-M	UR	0
98	46725098	UR	R-M	UR	0
99	46725099	PQP	R-M	PQP	4
100	46725029	PQP	R-M	PQP	16

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
101	46725087	UR	R-M	UR	0
102	46725101	UR	R-M	UR	0
103	46725090	UR	R-M	UR	0
104	46731045	MUN	R-M	MUN	-12
105	46731046	MUN	R-M	MUN	-12
106	46731047	MUN	R-M	MUN	-12
107	46731048	MUN	R-M	MUN	-12
108	46731049	MUN	R-M	MUN	-12
109	46731050	MUN	R-M	MUN	-12
110	46725091	UR	R-M	UR	0
111	46726018	UR	R-M	UR	0
112	46726098	UR	R-M	UR	0
113	46726094	UR	R-M	UR	0
114	46731034	MUN	R-M	MUN	-8
115	46731104	MUN	R-M	MUN	-12
116	46731105	MUN	R-M	MUN	-12
117	46731036	MUN	R-M	MUN	-12
118	46731037	MUN	CG	MUN	1
119	46731037	MUN	R-M	MUN	-12
120	46731038	MUN	CG	MUN	3
121	46731038	MUN	R-M	MUN	-1
122	46731103	MUN	R-M	MUN	-12
123	46731102	MUN	CG	MUN	2
124	46731102	MUN	R-M	MUN	-9
125	46731042	MUN	R-M	MUN	-12
126	46731043	MUN	R-M	MUN	-12
127	46731044	MUN	R-M	MUN	-12
128	46731095	PQP	R-2	PQP	19
129	46731096	PQP	R-2	PQP	15
130	46725092	UR	R-M	UR	0
131	46725093	UR	R-M	UR	0
132	46725094	UR	R-M	UR	0
133	46725095	UR	R-M	UR	0
134	46726096	UR	R-M	UR	0
135	46732001	MUN	R-M	MUN	-12
136	46732002	MUN	R-M	MUN	-12



NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
137	46732003	MUN	R-M	MUN	-13
138	46732004	MUN	R-M	MUN	-12
139	46732005	MUN	R-M	MUN	-12
140	46732006	MUN	R-M	MUN	-12
141	46732007	MUN	R-M	MUN	-8
142	46732008	MUN	R-M	MUN	-14
143	46732009	MUN	R-M	MUN	-8
144	46732010	MUN	R-M	MUN	-10
145	46732011	MUN	CG	MUN	4
146	46732011	MUN	R-M	MUN	-2
147	46749031	RN	CO	R-1-8	1
148	46749092	UR	R-M	UR	0
149	46749063	UR	R-M	UR	0
150	46748116	UR	R-M	UR	0
151	46748021	UR	R-M	UR	0
152	46748105	UR	R-M	UR	0
153	46748023	UR	R-M	UR	0
154	46748024	UR	R-M	UR	0
155	46748010	RN	CG	R-1-8	1
156	46748011	RN	CG	R-1-8	1
157	46748012	RN	CG	R-1-8	1
158	46748119	MUC	CG	MUC	8
159	46748039	RN	CG	R-1-8	1
160	46748049	MUC	CO	MUC	8
161	46742091	MUC	CN	MUC	-15
162	46742086	MUC	CN	MUC	-18
163	46742041	UR	CN	UR	-4
164	46742078	UR	R-M	UR	0
165	46742097	UR	R-M	UR	0
166	46742098	UR	R-M	UR	0
167	46742099	UR	R-M	UR	0
168	46742100	UR	CN	UR	-3
169	46742105	MUC	CN	MUC	-12
170	46742014	RN	CN	R-1-8	-15
171	46742103	RN	CN	R-1-8	-17
172	46747080	RN	CG	R-1-8	1

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
173	46748073	UR	R-M	UR	0
174	46748115	UR	R-M	UR	0
175	46748076	UR	R-M	UR	0
176	46748107	UR	R-M	UR	0
177	46748080	UR	R-M	UR	0
178	46748103	UR	R-M	UR	0
179	46748083	UR	R-M	UR	0
180	46748084	UR	R-M	UR	0
181	46748085	UR	R-M	UR	0
182	46748086	UR	R-M	UR	0
183	46748087	UR	CN	UR	-3
184	46748088	UR	CN	UR	-2
185	46748089	MUC	CN	MUC	-9
186	46748090	MUC	CN	MUC	-8
187	46748026	MUC	R-M	MUC	-13
188	46748027	MUC	R-M	MUC	-6
189	46748028	MUC	R-M	MUC	-6
190	46749093	MUC	CN	MUC	-9
191	46749094	MUC	CN	MUC	-5
192	46749039	MUC	CN	MUC	-12
193	46748059	UR	CN	UR	-4
194	46748060	UR	CN	UR	-3
195	46748060	UR	R-M	UR	0
196	46748118	MUC	CG	MUC	8
197	46748013	RN	CG	R-1-8	1
198	46748017	UR	R-M	UR	0
199	46748113	UR	R-M	UR	0
200	46748104	UR	R-M	UR	0
201	46748101	UR	R-M	UR	0
202	46748102	UR	R-M	UR	0
203	46748112	UR	R-M	UR	0
204	46748051	UR	R-M	UR	0
205	46748052	UR	R-M	UR	0
206	47229062	UR	R-M	UR	0
207	47229063	UR	R-M	UR	0
208	47229064	UR	R-M	UR	0

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
209	47229097	UR	R-M	UR	0
210	47229067	UR	R-M	UR	0
211	47229089	MUC	CO	MUC	10
212	47229090	MUC	CO	MUC	13
213	47229026	UR	R-M	UR	0
214	47229027	UR	R-M	UR	0
215	47229028	UR	R-M	UR	0
216	47229029	UR	R-M	UR	0
217	47229088	UR	R-M	UR	0
218	47229032	UR	R-M	UR	0
219	47229042	UR	R-M	UR	0
220	47229043	MUC	CN	MUC	-14
221	47229044	MUC	CN	MUC	-13
222	46748002	UR	R-M	UR	0
223	46747064	UR	CG	UR	6
224	46747079	RN	CG	R-1-8	1
225	46741092	UR	R-M	UR	0
226	46741093	UR	R-M	UR	0
227	46755C01	UR	R-M	UR	0
228	46742106	MUC	CN	MUC	-11
229	46742040	UR	CN	UR	-3
230	46742013	RN	CN	R-1-8	-15
231	46741074	UR	R-M	UR	0
232	46748025	MUC	CO	MUC	3
233	46749064	UR	R-M	UR	0
234	46749066	UR	R-M	UR	0
235	46749065	UR	R-M	UR	0
236	46741075	UR	R-M	UR	0
237	46741077	RN	CN	R-1-8	-15
238	46741078	RN	CN	R-1-8	-15
239	46741079	RN	CN	R-1-8	-15
240	46741091	UR	R-M	UR	0
241	46742046	UR	R-M	UR	0
242	46742047	UR	R-M	UR	0
243	46742048	UR	R-M	UR	0
244	46742087	UR	R-M	UR	0

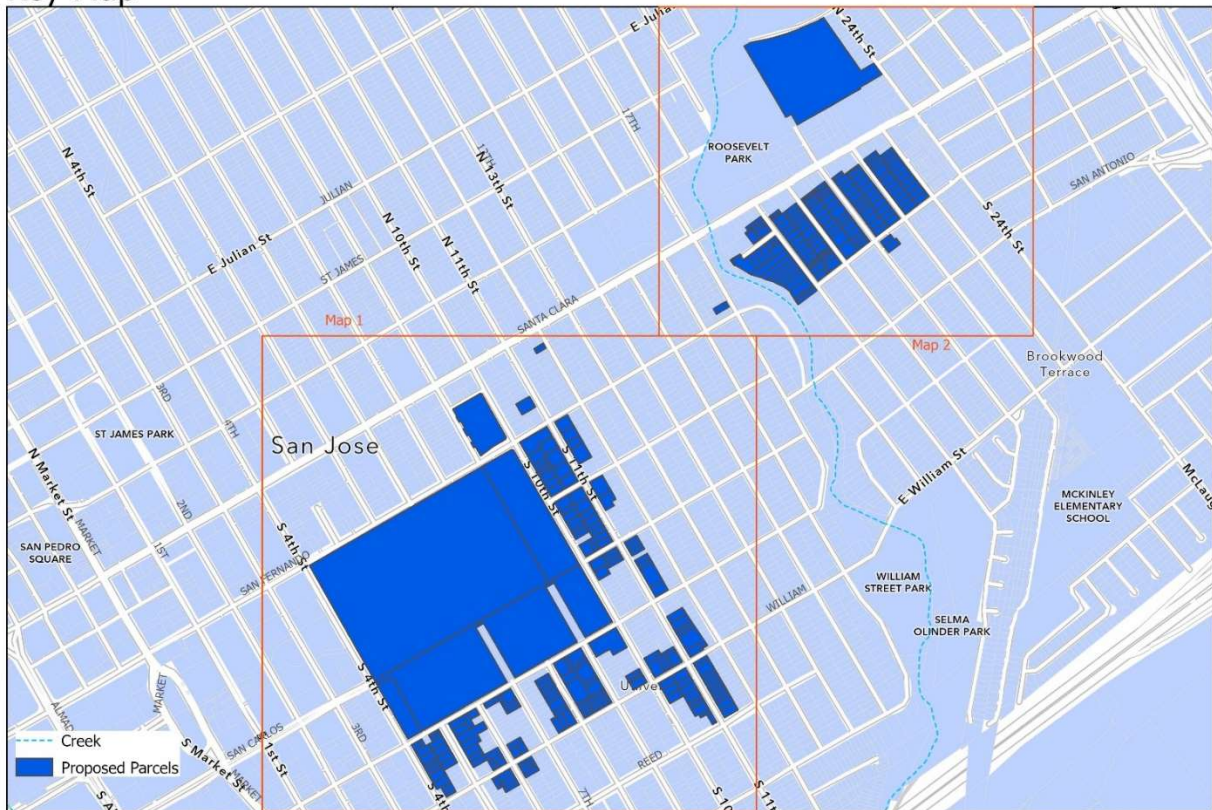
NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
245	46742043	UR	R-M	UR	0
246	46747082	UR	CG	UR	21
247	46747083	UR	CG	UR	22
248	46747084	UR	CG	UR	11
249	46747085	UR	CG	UR	12
250	46747088	UR	CG	UR	21
251	46747087	UR	CG	UR	21
252	46747067	UR	R-M	UR	0
253	46747068	UR	R-M	UR	0
254	46747069	UR	R-M	UR	0
255	46747070	UR	R-M	UR	0
256	46747071	UR	R-M	UR	0
257	46747072	UR	R-M	UR	0
258	46747086	UR	CG	UR	10
259	46748111	UR	R-M	UR	0
260	47228026	RN	CG	R-1-8	1
261	47228098	OSPH	R-M	OS	-14
262	47229057	UR	R-M	UR	0
263	47229058	UR	R-M	UR	0
264	47229059	UR	R-M	UR	0
265	47229060	UR	R-M	UR	0
266	47229061	UR	R-M	UR	0
267	47229056	UR	R-M	UR	0
268	47229033	UR	R-M	UR	0
269	47228046	RN	CG	R-1-8	1
270	47228047	RN	CG	R-1-8	1
271	47228048	MUC	CG	MUC	4
272	47228001	OSPH	CG	OS	1
273	47228002	OSPH	CG	OS	1
274	46731015	MUN	CG	MUN	4
275	46731015	MUN	R-M	MUN	-4
276	46730061	MUN	R-M	MUN	-4
277	46731026	MUN	R-M	MUN	-8
278	46731027	MUN	R-M	MUN	-8
279	46729032	OSPH	R-M	OS	-2
280	46729032	MUN	R-M	MUN	-1

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
281	46730064	MUN	R-M	MUN	-3
282	46730066	MUN	R-M	MUN	-3
283	46744002	PQP	R-M	PQP	235
284	46742080	UR	R-M	UR	0
285	47228025	OSPH	R-M	OS	-11
286	46747063	UR	CG	UR	10
287	46732026	MUN	R-M	MUN	-13
288	46730C01	MUN	R-M	MUN	-4
289	46730067	MUN	R-M	MUN	-3
290	46730065	MUN	R-M	MUN	-4
291	46749100	MUC	CN	MUC	-19
292	46742C01	UR	R-M	UR	0
293	46730062	MUN	R-M	MUN	-3
294	46731106	MUN	R-M	MUN	-23
295	46730063	MUN	R-M	MUN	-3
296	46731111	MUN	R-M	MUN	-12
297	46753002	PQP	R-M	PQP	60
298	46753002	PQP	CG	PQP	181
299	46752006	PQP	R-M	PQP	43
300	46743091	PQP	R-M	PQP	44
301	46742116	PQP	R-M	PQP	19
302	46711042	PQP	R-2	PQP	1307

## EXHIBIT "B" EXISTING ZONING AND GENERAL PLAN MAPS

File Nos. C22-079, C22-080, C22-081, C22-082, C22-083, C22-085: The Zoning District Map is hereby amended as follows:

### Key Map



City Council Meeting, August 30, 2022

File Nos. C22-079, C22-080, C22-081, C22-082, C22-083, C22-085

B-1

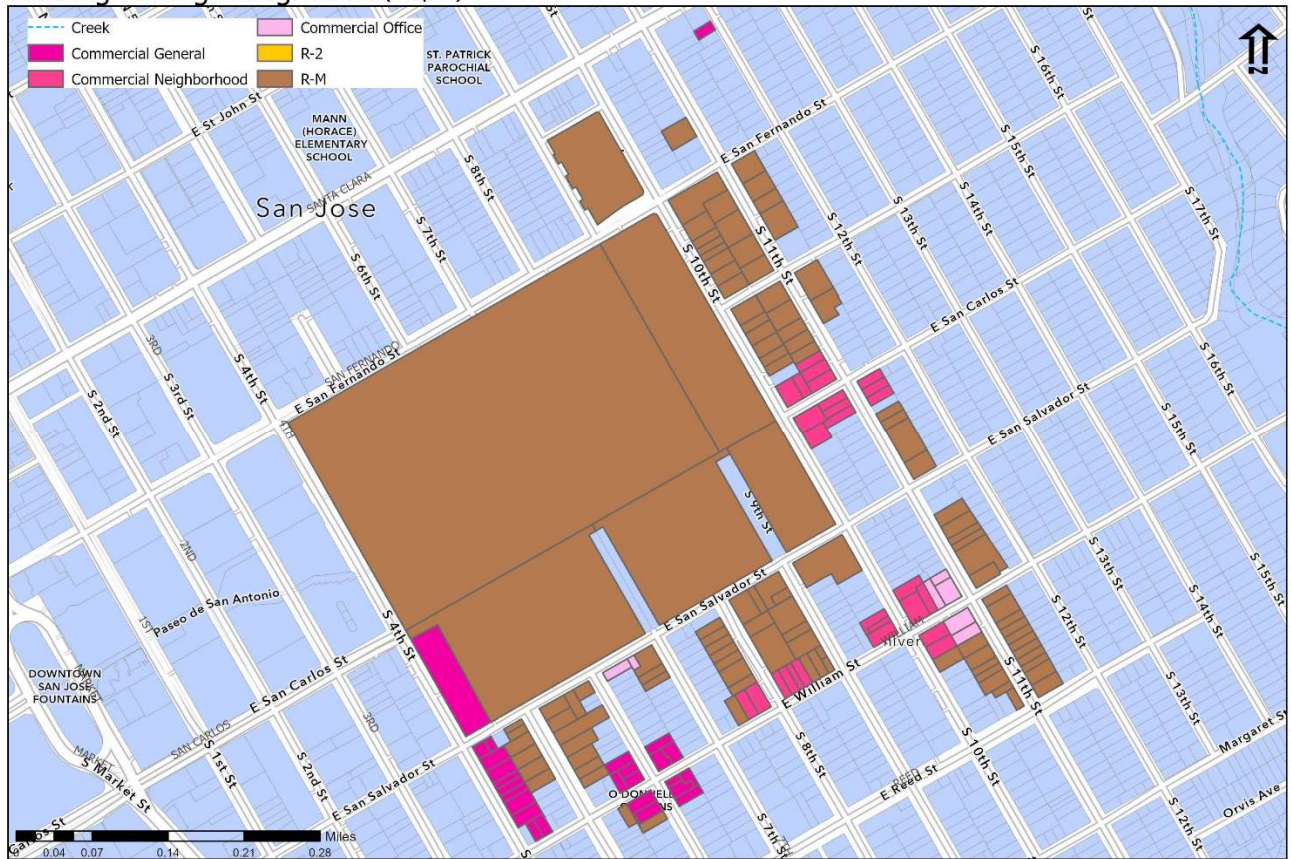
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Council Agenda: 08-30-2022

Item No.: 10.1(a)

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

Existing Zoning Designation (Map 1)



City Council Meeting, August 30, 2022

File Nos. C22-079, C22-080, C22-081, C22-082, C22-083, C22-085

### Existing Zoning Designation (Map 2)



City Council Meeting, August 30, 2022

File Nos.C22-079, C22-080, C22-081, C22-082, C22-083, C22-085



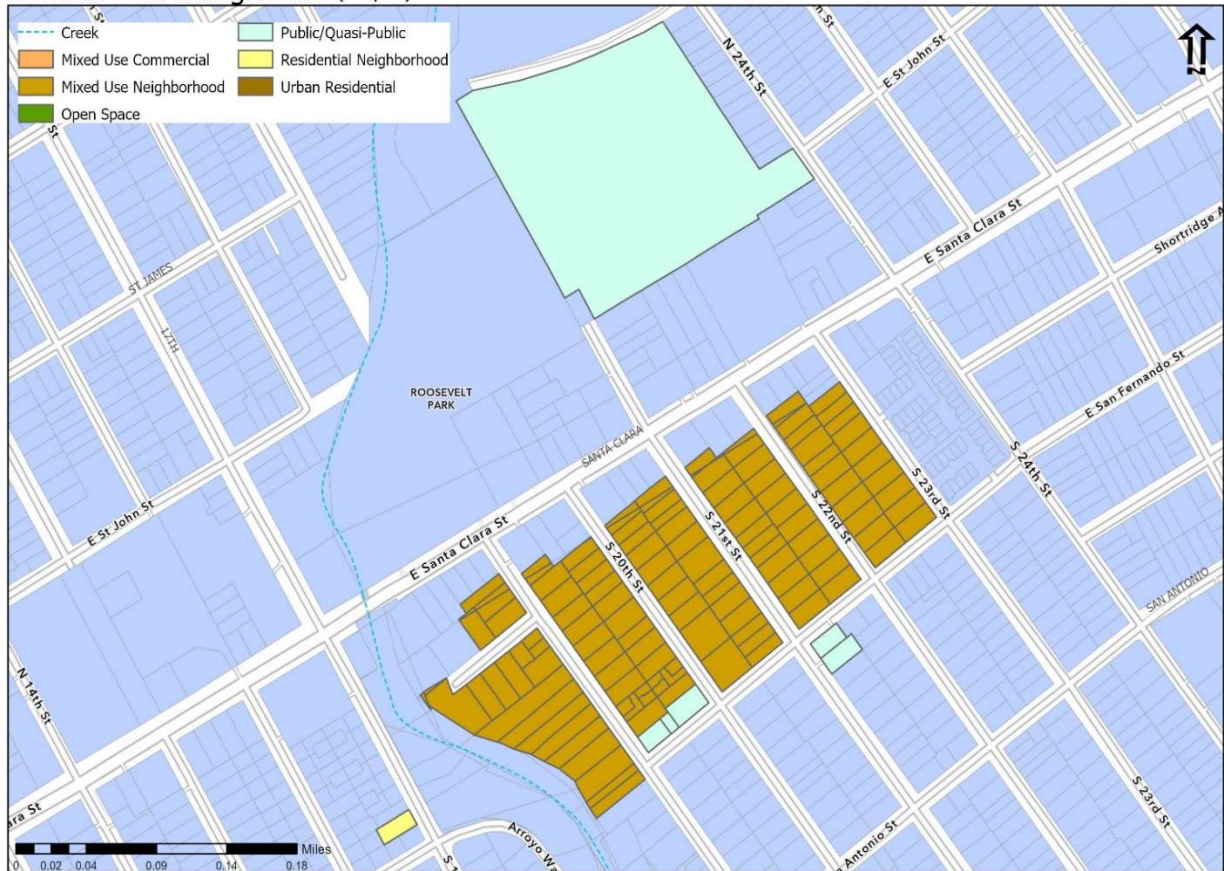
### General Plan Designation (Map 1)



City Council Meeting, August 30, 2022

File Nos. C22-079, C22-080, C22-081, C22-082, C22-083, C22-085

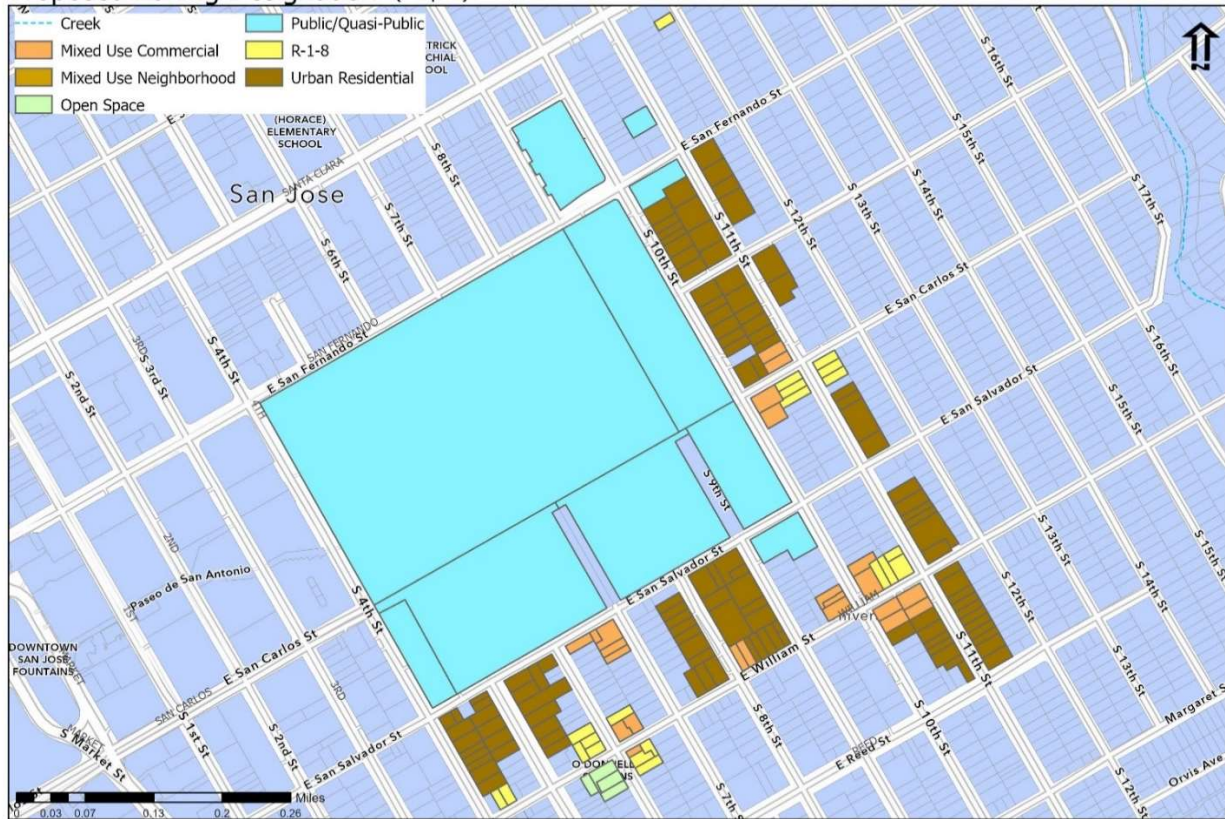
### General Plan Designation (Map 2)



City Council Meeting, August 30, 2022

File Nos.C22-079, C22-080, C22-081, C22-082, C22-083, C22-085

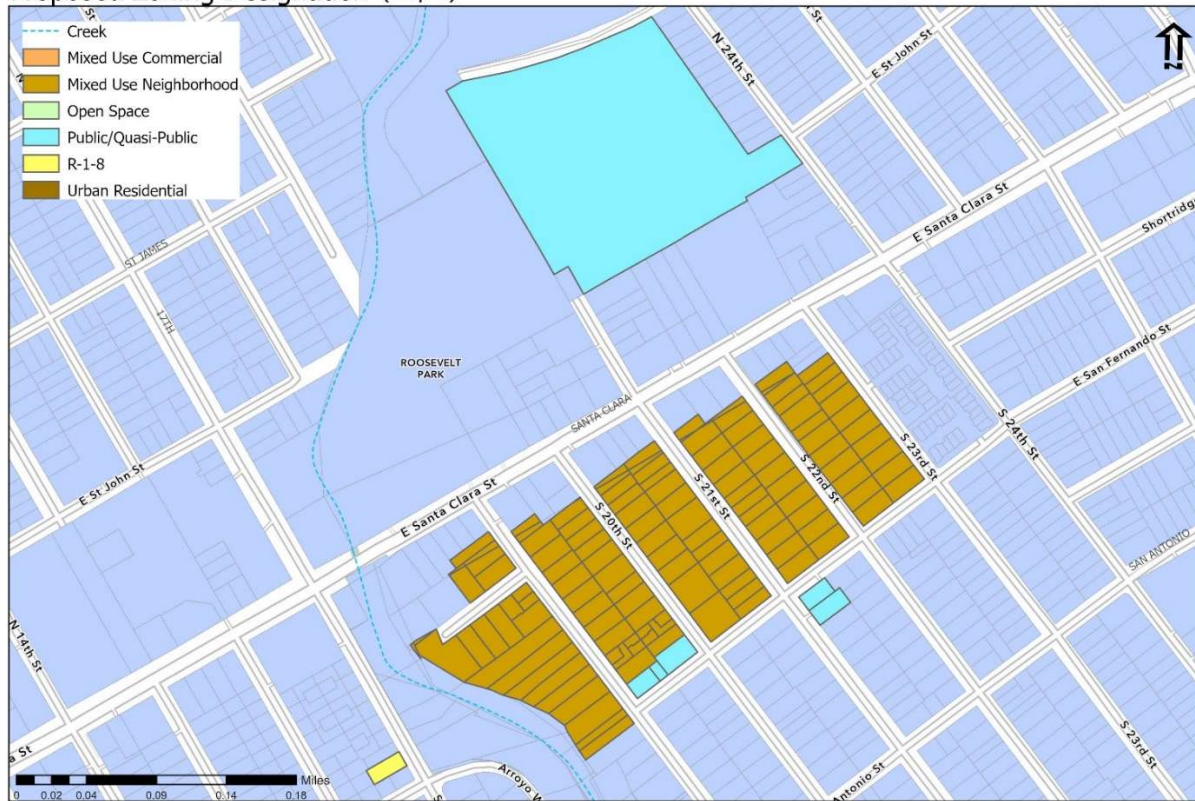
### Proposed Zoning Designation (Map 1)



City Council Meeting, August 30, 2022

File Nos. C22-079, C22-080, C22-081, C22-082, C22-083, C22-085

### Proposed Zoning Designation (Map 2)



City Council Meeting, August 30, 2022

File Nos. C22-079, C22-080, C22-081, C22-082, C22-083, C22-085