

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 3.5 GROSS ACRES SITUATED ON THE SOUTHERLY SIDE OF FOX LANE BETWEEN OAKLAND ROAD AND RIDDER PARK DRIVE (1330-1362 RIDDER PARK DRIVE) (APN 237-03-059) FROM THE IP INDUSTRIAL PARK ZONING DISTRICT TO THE CIC COMBINED INDUSTRIAL/COMMERCIAL ZONING DISTRICT

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 that 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; and

WHEREAS, the 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 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 in accordance with CEQA; 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 No. C24-058) does not reduce the capacity for residential units within the City because the current IP Industrial Park Zoning District does not allow residential uses;

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 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, 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. The land development approval that is the subject of City File No. C24-058 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that 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 _____, 2024 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk

LEGAL DESCRIPTION

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

ALL OF PARCEL 1, AS SHOWN ON THAT CERTAIN MAP ENTITLED, PARCEL MAP BEING ALL OF PARCEL 2 BOOK 497 OF MAPS AT PAGES 13 THROUGH 17, SANTA CLARA COUNTY RECORDS, WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON NOVEMBER 1, 1983 IN BOOK 520 OF MAPS, AT PAGE 44.

APN: 237-03-059

ARB: 237-03-004.04

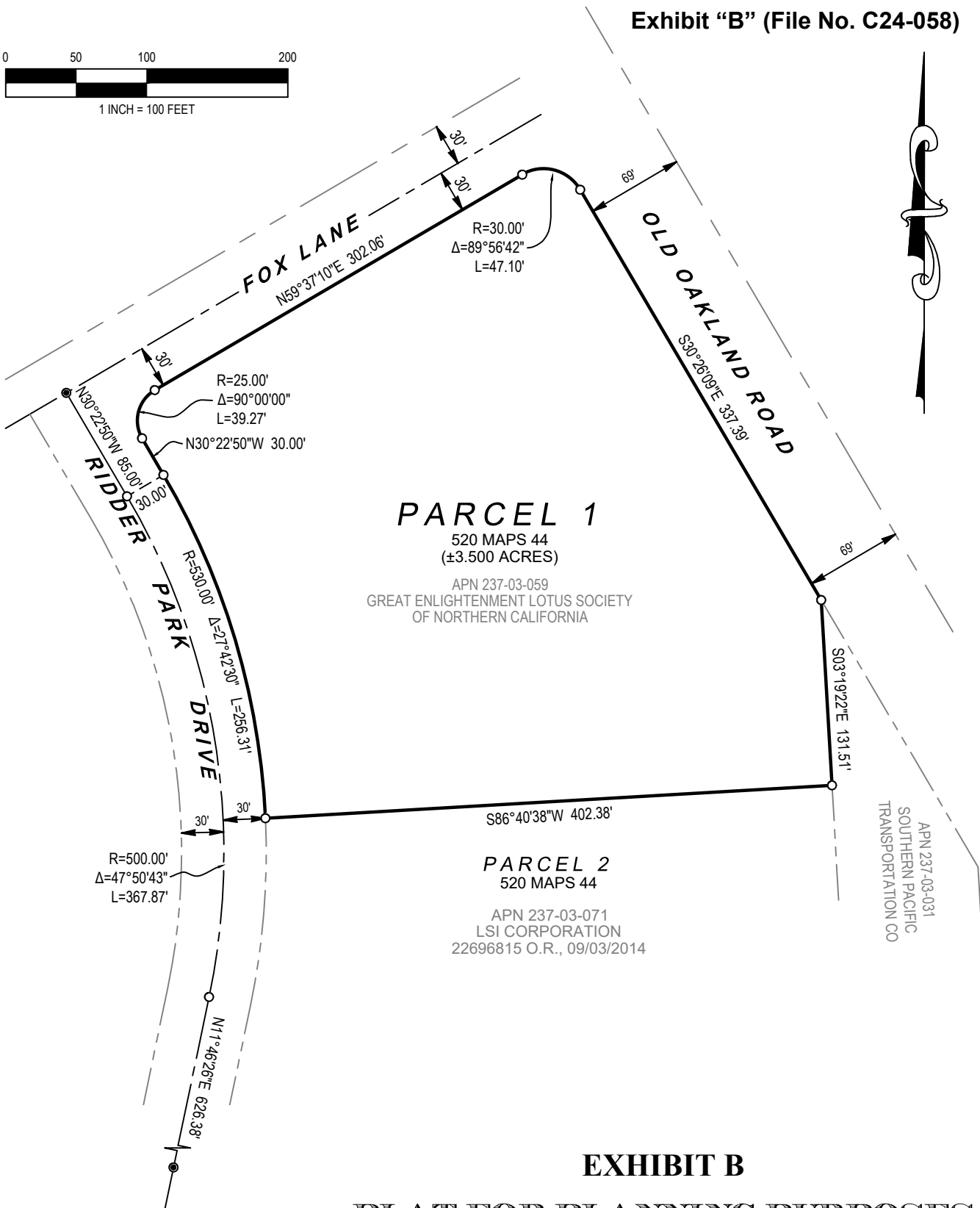
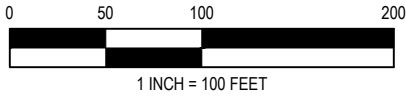


EXHIBIT B

PLAT FOR PLANNING PURPOSES

PARCEL 1
520 OF MAPS AT PAGE 44
SAN JOSE, CALIFORNIA

Prepared by

UNDER THE SUN SERVICES

3086 SUSAN CT., WEST SACRAMENTO, CALIFORNIA

SCALE 1"=100' (916) 716-3565

AUGUST 2024

