

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING 113 PROPERTIES FROM R-M MULTI-FAMILY RESIDENTIAL TO MUN MIXED USE NEIGHBORHOOD, 102 PROPERTIES FROM R-M MULTI-FAMILY RESIDENTIAL TO UR URBAN RESIDENTIAL, 59 PROPERTIES FROM R-2 RESIDENTIAL TO MUN MIXED USE NEIGHBORHOOD, 13 PROPERTIES FROM R-1-8 SINGLE-FAMILY RESIDENTIAL TO PQP PUBLIC/QUASI-PUBLIC, TWO PROPERTIES FROM R-1-8 SINGLE-FAMILY RESIDENTIAL TO MUN MIXED USE NEIGHBORHOOD, TWO PROPERTIES FROM R-M MULTI-FAMILY RESIDENTIAL TO PQP PUBLIC/QUASI-PUBLIC, TWO PROPERTIES FROM CP COMMERCIAL PEDESTRIAN TO R-1-8 SINGLE-FAMILY RESIDENTIAL, TWO PROPERTIES FROM CO COMMERCIAL OFFICE TO PQP PUBLIC/QUASI-PUBLIC, ONE PROPERTY FROM CP COMMERCIAL PEDESTRIAN TO PQP PUBLIC/QUASI-PUBLIC, ONE PROPERTY FROM R-1-5 SINGLE-FAMILY RESIDENTIAL TO PQP PUBLIC/QUASI-PUBLIC, AND ONE PROPERTY FROM R-2 RESIDENTIAL TO PQP PUBLIC/QUASI-PUBLIC, 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 UR Urban Residential, MUN Mixed Use Neighborhood, PQP Public/Quasi-Public, and R-1-8 Single Family Residence 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. C22-025, C22-026, C22-027, and C22-028) would not decrease the residential units satisfying Senate Bill 330 and Senate Bill 940 requirements: the change in existing zoning decreases residential capacity by 3,221 residential units which is balanced by rezoning that increases residential capacity by 12,258 residential units. Therefore, the rezoning results in a surplus of 9,126 residential units available ($12,258 - 3,221 = 9,037$ 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 UR Urban Residential, MUN Mixed Use Neighborhood, PQP Public/Quasi-Public, and R-1-8 Single Family Residence 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. C22-025, C22-026, C22-027, and C22-028 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:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

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

File Nos. C22-025, C22-026, C22-027, C22-028: 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	40350C01	MUN	R-M	MUN	-487
2	40356C01	MUN	R-M	MUN	-51
3	40351C01	MUN	R-M	MUN	-92
4	38144031	MUN	R-2	MUN	5
5	38143029	MUN	R-M	MUN	-10
6	38143030	MUN	R-M	MUN	-11
7	38143038	MUN	R-M	MUN	-14
8	38143039	MUN	R-M	MUN	-10
9	38144013	MUN	R-2	MUN	6
10	38150005	MUN	R-2	MUN	5
11	38150006	MUN	R-2	MUN	5
12	38140018	MUN	R-M	MUN	-9
13	38140019	MUN	R-M	MUN	-9
14	38140020	MUN	R-M	MUN	-9
15	38144011	MUN	R-2	MUN	5
16	38140001	MUN	R-M	MUN	-9
17	38143057	MUN	R-1-8	MUN	4
18	38143001	MUN	R-M	MUN	-11
19	38143002	MUN	R-M	MUN	-11
20	38143003	MUN	R-M	MUN	-11
21	38143004	MUN	R-M	MUN	-11
22	38143005	MUN	R-M	MUN	-11
23	38143006	MUN	R-M	MUN	-11
24	38143007	MUN	R-M	MUN	-12
25	38143073	MUN	R-M	MUN	-13
26	38143074	MUN	R-M	MUN	-12
27	38143075	MUN	R-M	MUN	-12
28	38143076	MUN	R-M	MUN	-12

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
29	38143077	MUN	R-M	MUN	-12
30	38143078	MUN	R-M	MUN	-12
31	38143014	MUN	R-2	MUN	5
32	38143015	MUN	R-2	MUN	5
33	38143016	MUN	R-2	MUN	5
34	38143079	MUN	R-M	MUN	-12
35	38143080	MUN	R-M	MUN	-12
36	38143081	MUN	R-M	MUN	-12
37	38143082	MUN	R-M	MUN	-12
38	38143008	MUN	R-2	MUN	7
39	38143009	MUN	R-2	MUN	6
40	38143010	MUN	R-2	MUN	5
41	38143011	MUN	R-2	MUN	5
42	38143012	MUN	R-2	MUN	5
43	38150007	MUN	R-2	MUN	5
44	38150008	MUN	R-2	MUN	5
45	38143017	MUN	R-2	MUN	6
46	38140003	MUN	R-M	MUN	-9
47	38140004	MUN	R-M	MUN	-9
48	38140005	MUN	R-2	MUN	4
49	38140006	MUN	R-2	MUN	4
50	38140007	MUN	R-2	MUN	4
51	38140008	MUN	R-2	MUN	4
52	38140009	MUN	R-2	MUN	4
53	38140010	MUN	R-2	MUN	4
54	38140011	MUN	R-2	MUN	5
55	38140012	MUN	R-2	MUN	5
56	38140013	MUN	R-2	MUN	5
57	38140014	MUN	R-2	MUN	5
58	38140015	MUN	R-2	MUN	5
59	38140016	MUN	R-2	MUN	5
60	38140017	MUN	R-M	MUN	-9
61	38144005	MUN	R-2	MUN	5
62	38144006	MUN	R-2	MUN	5
63	38144007	MUN	R-2	MUN	5

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
64	38144008	MUN	R-2	MUN	5
65	38144009	MUN	R-2	MUN	5
66	38144010	MUN	R-2	MUN	5
67	38143013	MUN	R-2	MUN	5
68	38143058	MUN	R-1-8	MUN	4
69	38143084	MUN	R-M	MUN	-13
70	38143085	MUN	R-M	MUN	-14
71	38143072	MUN	R-M	MUN	-15
72	38144014	MUN	R-2	MUN	5
73	38144033	MUN	R-2	MUN	5
74	38144012	MUN	R-2	MUN	5
75	38144032	MUN	R-2	MUN	5
76	38144017	MUN	R-2	MUN	6
77	38144018	MUN	R-2	MUN	6
78	38144019	MUN	R-2	MUN	7
79	38144020	MUN	R-2	MUN	6
80	38144021	MUN	R-2	MUN	5
81	38144022	MUN	R-2	MUN	5
82	38144023	MUN	R-2	MUN	6
83	38144024	MUN	R-2	MUN	5
84	38144025	MUN	R-2	MUN	5
85	38144026	MUN	R-2	MUN	5
86	38144027	MUN	R-2	MUN	5
87	38144028	MUN	R-2	MUN	5
88	38144029	MUN	R-2	MUN	5
89	38144030	MUN	R-2	MUN	5
90	38140002	MUN	R-M	MUN	-9
91	38143088	MUN	R-M	MUN	-11
92	38143089	MUN	R-M	MUN	-11
93	38143090	MUN	R-M	MUN	-11
94	38143091	MUN	R-M	MUN	-12
95	38143092	MUN	R-M	MUN	-31
96	38143036	MUN	R-M	MUN	-10
97	38143035	MUN	R-M	MUN	-11
98	38143031	MUN	R-M	MUN	-10

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
99	38143032	MUN	R-M	MUN	-10
100	38143033	MUN	R-M	MUN	-10
101	38143034	MUN	R-M	MUN	-11
102	38143026	MUN	R-M	MUN	-11
103	38143027	MUN	R-M	MUN	-11
104	38143028	MUN	R-M	MUN	-10
105	29946022	MUN	R-M	MUN	-32
106	29946003	MUN	R-M	MUN	-70
107	29946002	MUN	R-M	MUN	-15
108	30512004	MUN	R-M	MUN	-82
109	38107032	MUN	R-M	MUN	-11
110	38107033	MUN	R-M	MUN	-11
111	38107034	MUN	R-M	MUN	-11
112	38107035	MUN	R-M	MUN	-15
113	38107036	MUN	R-M	MUN	-11
114	38107037	MUN	R-M	MUN	-11
115	38107038	MUN	R-M	MUN	-11
116	38107039	MUN	R-M	MUN	-11
117	38107040	MUN	R-M	MUN	-11
118	38107041	MUN	R-M	MUN	-11
119	38107042	MUN	R-M	MUN	-11
120	38107043	MUN	R-M	MUN	-11
121	38107044	MUN	R-M	MUN	-11
122	38107045	MUN	R-M	MUN	-11
123	38107046	MUN	R-M	MUN	-11
124	38107047	MUN	R-M	MUN	-11
125	37239006	MUN	R-2	MUN	2
126	38107030	MUN	R-M	MUN	-13
127	38107031	MUN	R-M	MUN	-11
128	37829001	MUN	R-M	MUN	-152
129	38107008	MUN	R-M	MUN	-11
130	38107009	MUN	R-M	MUN	-11
131	38107010	MUN	R-M	MUN	-11
132	38107011	MUN	R-M	MUN	-11
133	38107012	MUN	R-M	MUN	-11

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
134	38107013	MUN	R-M	MUN	-11
135	38107014	MUN	R-M	MUN	-12
136	38107015	MUN	R-M	MUN	-12
137	38107016	MUN	R-M	MUN	-11
138	38107017	MUN	R-M	MUN	-13
139	38107018	MUN	R-M	MUN	-12
140	38107019	MUN	R-M	MUN	-12
141	38107020	MUN	R-M	MUN	-12
142	38107021	MUN	R-M	MUN	-12
143	38107022	MUN	R-M	MUN	-12
144	38107023	MUN	R-M	MUN	-12
145	38107025	MUN	R-M	MUN	-11
146	38107026	MUN	R-M	MUN	-10
147	38107027	MUN	R-M	MUN	-10
148	38107048	MUN	R-M	MUN	-13
149	38107049	MUN	R-M	MUN	-18
150	30513C01	MUN	R-M	MUN	-206
151	30512C01	MUN	R-M	MUN	-284
152	37239005	MUN	R-2	MUN	3
153	37239001	MUN	R-2	MUN	2
154	37239002	MUN	R-2	MUN	2
155	37239004	MUN	R-2	MUN	2
156	37239003	MUN	R-2	MUN	2
157	37826003	MUN	R-M	MUN	-94
158	37826007	MUN	R-M	MUN	-12
159	37826008	MUN	R-M	MUN	-12
160	37826009	MUN	R-M	MUN	-12
161	37826002	MUN	R-M	MUN	-73
162	37826010	MUN	R-M	MUN	-12
163	37826011	MUN	R-M	MUN	-12
164	37826012	MUN	R-M	MUN	-12
165	37826013	MUN	R-M	MUN	-12
166	37826014	MUN	R-M	MUN	-12
167	37826015	MUN	R-M	MUN	-26
168	37826016	MUN	R-M	MUN	-69

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
169	37826001	MUN	R-M	MUN	-98
170	37827026	MUN	R-M	MUN	-182
171	37827025	MUN	R-M	MUN	-55
172	37826004	MUN	R-M	MUN	-13
173	37826005	MUN	R-M	MUN	-12
174	37826006	MUN	R-M	MUN	-12
175	40311005	PQP	R-1-8	PQP	186
176	38121016	PQP	R-1-8	PQP	46
177	29905016	PQP	R-1-8	PQP	907
178	38121018	PQP	R-1-8	PQP	426
179	38121021	PQP	R-1-8	PQP	1706
180	38121022	PQP	R-1-8	PQP	109
181	29931045	PQP	R-M	PQP	10
182	29931046	PQP	R-M	PQP	13
183	29903117	PQP	R-1-8	PQP	188
184	30512001	PQP	R-2	PQP	207
185	29929142	PQP	R-1-8	PQP	402
186	29930005	PQP	R-1-5	PQP	874
187	37205001	PQP	R-1-8	PQP	873
188	30732011	PQP	R-1-8	PQP	1000
189	30738019	PQP	CO	PQP	144
190	30738006	PQP	CO	PQP	8
191	29932074	PQP	CP	PQP	-6
192	30732012	PQP	R-1-8	PQP	14
193	29933007	PQP	R-1-8	PQP	4481
194	38121023	PQP	R-1-8	PQP	373
195	38151089	RN	CP	R-1-8	-12
196	38131012	RN	CP	R-1-8	-22
197	29932077	UR	R-M	UR	0
198	29944001	UR	R-M	UR	0
199	29944002	UR	R-M	UR	0
200	29944003	UR	R-M	UR	0
201	29944004	UR	R-M	UR	0
202	29944005	UR	R-M	UR	0
203	29944006	UR	R-M	UR	0

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
204	29944007	UR	R-M	UR	0
205	29944008	UR	R-M	UR	0
206	29944009	UR	R-M	UR	0
207	29944010	UR	R-M	UR	0
208	29944011	UR	R-M	UR	0
209	29944012	UR	R-M	UR	0
210	29944013	UR	R-M	UR	0
211	30737023	UR	R-M	UR	0
212	30737024	UR	R-M	UR	0
213	30737025	UR	R-M	UR	0
214	30737026	UR	R-M	UR	0
215	30737027	UR	R-M	UR	0
216	30737028	UR	R-M	UR	0
217	30737029	UR	R-M	UR	0
218	30737030	UR	R-M	UR	0
219	30737031	UR	R-M	UR	0
220	30737032	UR	R-M	UR	0
221	30737033	UR	R-M	UR	0
222	30737034	UR	R-M	UR	0
223	30737035	UR	R-M	UR	0
224	30737036	UR	R-M	UR	0
225	30737037	UR	R-M	UR	0
226	30737038	UR	R-M	UR	0
227	30737039	UR	R-M	UR	0
228	30737040	UR	R-M	UR	0
229	30737041	UR	R-M	UR	0
230	30737042	UR	R-M	UR	0
231	30737043	UR	R-M	UR	0
232	30737044	UR	R-M	UR	0
233	37224015	UR	R-M	UR	0
234	37224016	UR	R-M	UR	0
235	37224017	UR	R-M	UR	0
236	37224029	UR	R-M	UR	0
237	37224030	UR	R-M	UR	0
238	37224019	UR	R-M	UR	0

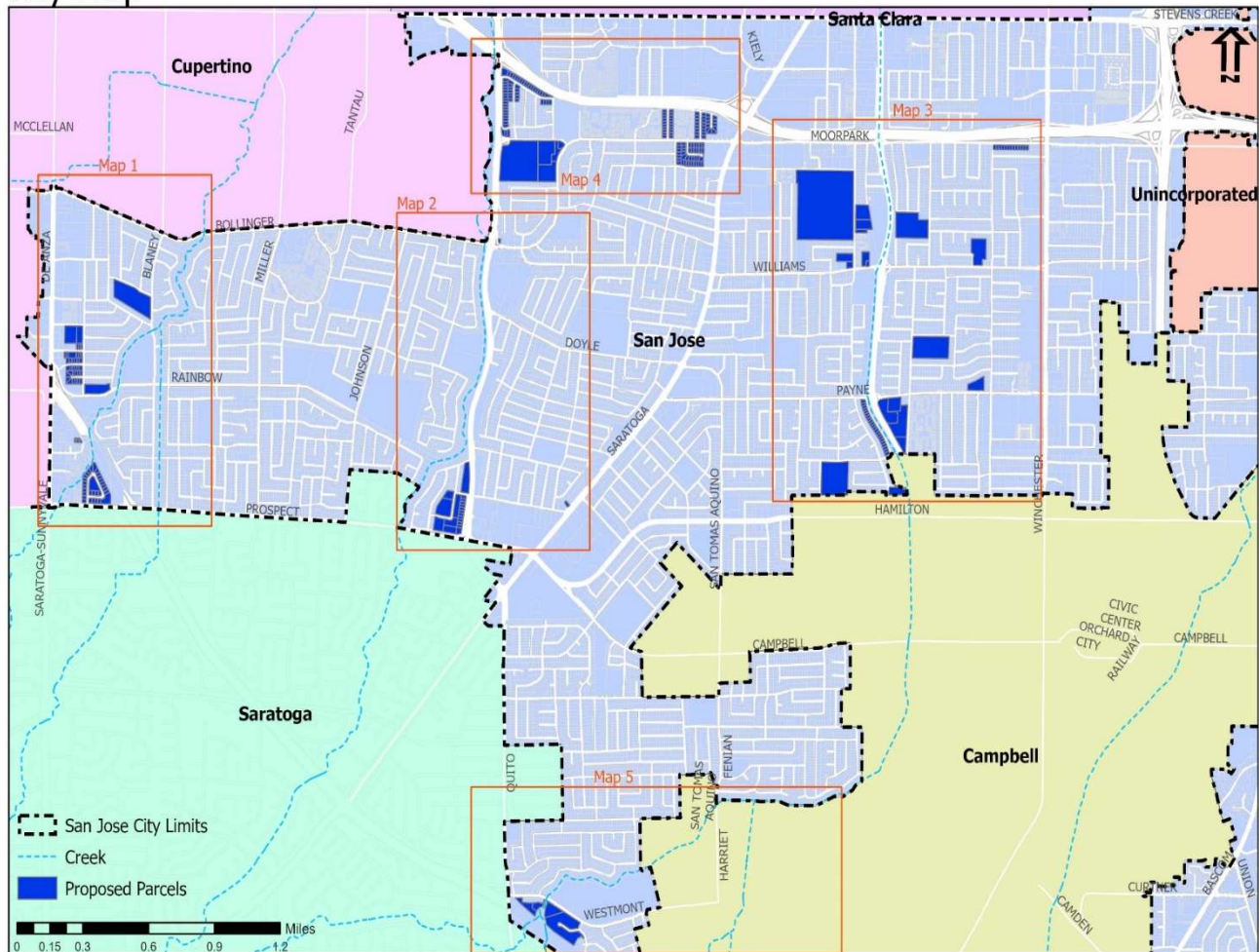
NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
239	37219025	UR	R-M	UR	0
240	37219026	UR	R-M	UR	0
241	37223016	UR	R-M	UR	0
242	37223017	UR	R-M	UR	0
243	37223018	UR	R-M	UR	0
244	37223019	UR	R-M	UR	0
245	37224031	UR	R-M	UR	0
246	37224032	UR	R-M	UR	0
247	37224007	UR	R-M	UR	0
248	37224009	UR	R-M	UR	0
249	37219005	UR	R-M	UR	0
250	37219006	UR	R-M	UR	0
251	37219007	UR	R-M	UR	0
252	37219008	UR	R-M	UR	0
253	37219011	UR	R-M	UR	0
254	37219012	UR	R-M	UR	0
255	37219013	UR	R-M	UR	0
256	37219014	UR	R-M	UR	0
257	37219015	UR	R-M	UR	0
258	37219016	UR	R-M	UR	0
259	37219017	UR	R-M	UR	0
260	37219018	UR	R-M	UR	0
261	37219019	UR	R-M	UR	0
262	37219020	UR	R-M	UR	0
263	37219021	UR	R-M	UR	0
264	37219022	UR	R-M	UR	0
265	37219023	UR	R-M	UR	0
266	37219024	UR	R-M	UR	0
267	37223008	UR	R-M	UR	0
268	37223009	UR	R-M	UR	0
269	37223010	UR	R-M	UR	0
270	37223011	UR	R-M	UR	0
271	37223012	UR	R-M	UR	0
272	37223013	UR	R-M	UR	0
273	37223014	UR	R-M	UR	0

NO	APN	General Plan	Existing Zoning	Conforming Zoning	Residential Capacity
274	37223015	UR	R-M	UR	0
275	37219027	UR	R-M	UR	0
276	37219028	UR	R-M	UR	0
277	37219029	UR	R-M	UR	0
278	37219036	UR	R-M	UR	0
279	37219037	UR	R-M	UR	0
280	37219038	UR	R-M	UR	0
281	37219039	UR	R-M	UR	0
282	37219009	UR	R-M	UR	0
283	37219010	UR	R-M	UR	0
284	37223002	UR	R-M	UR	0
285	37223003	UR	R-M	UR	0
286	37223004	UR	R-M	UR	0
287	37223005	UR	R-M	UR	0
288	37223006	UR	R-M	UR	0
289	37223007	UR	R-M	UR	0
290	37224020	UR	R-M	UR	0
291	37224021	UR	R-M	UR	0
292	37224022	UR	R-M	UR	0
293	37224023	UR	R-M	UR	0
294	37224024	UR	R-M	UR	0
295	37224034	UR	R-M	UR	0
296	37237C02	UR	R-M	UR	0
297	37227C01	UR	R-M	UR	0
298	37228C01	UR	R-M	UR	0

EXHIBIT “B” EXISTING ZONING AND GENERAL PLAN MAPS

File Nos. C22-025, C22-026, C22-027, C22-028: The Zoning District Map is hereby amended as follows:

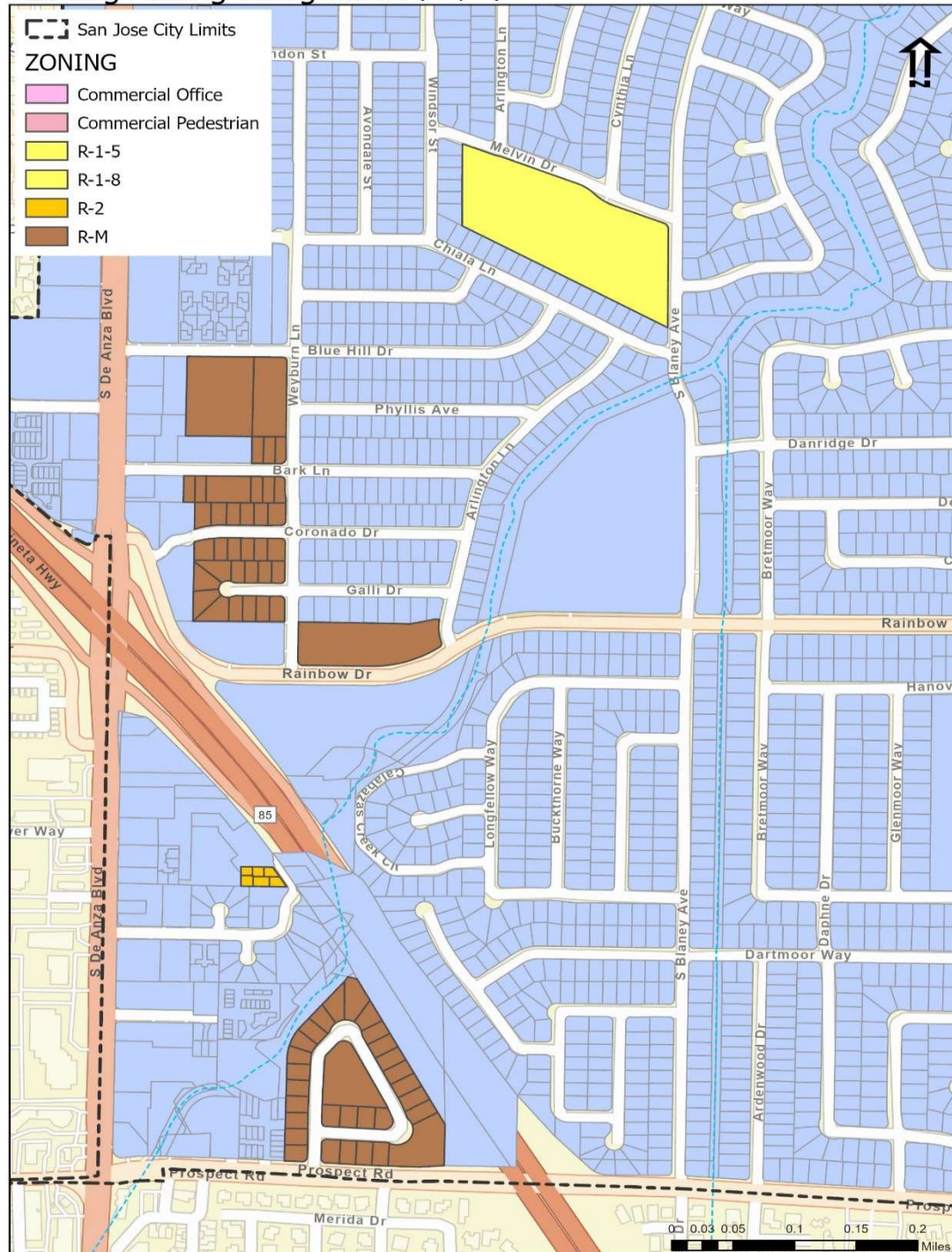
Key Map



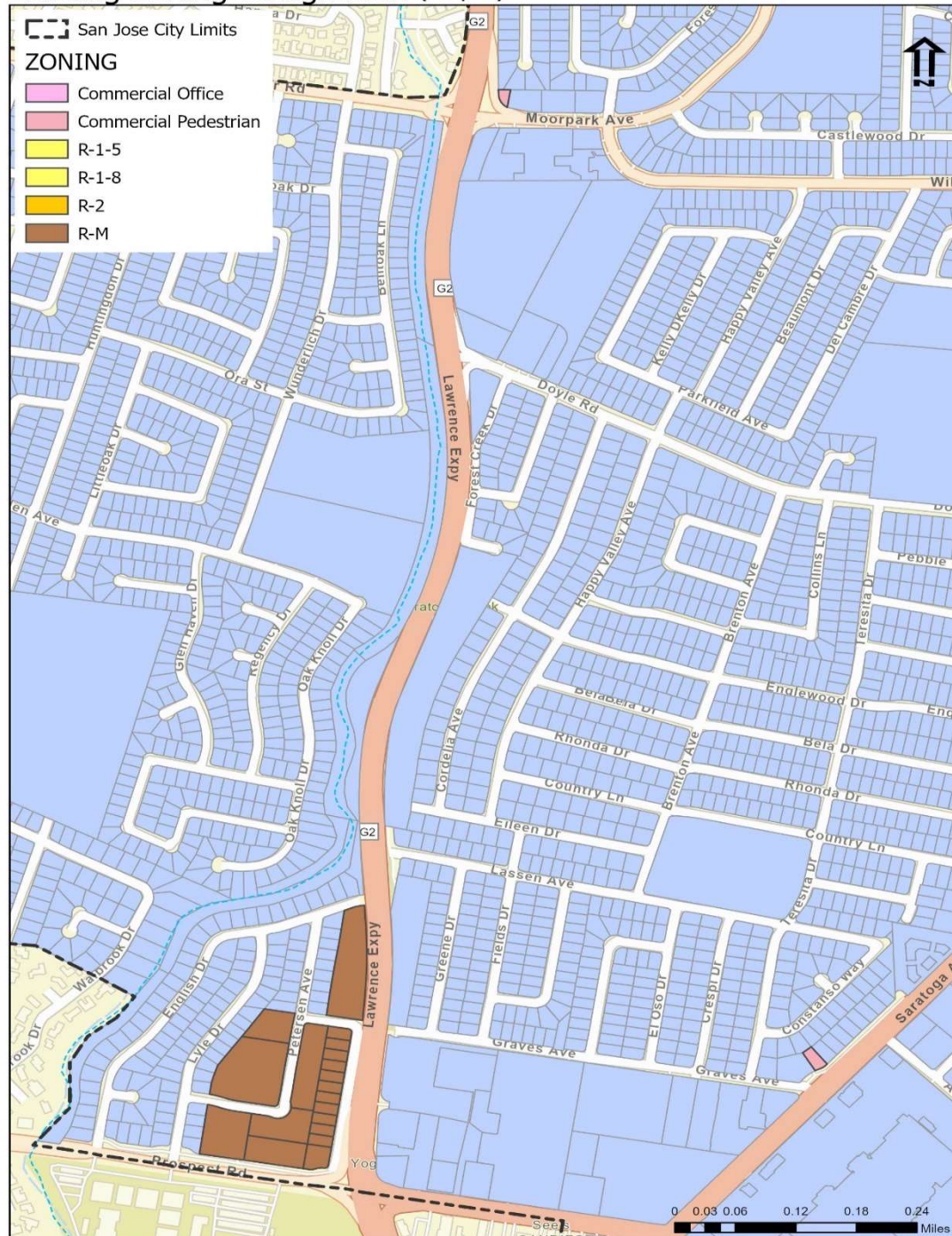
City Council Meeting, June 7, 2022

File Nos. C22-025, C22-026, C22-027, C22-028

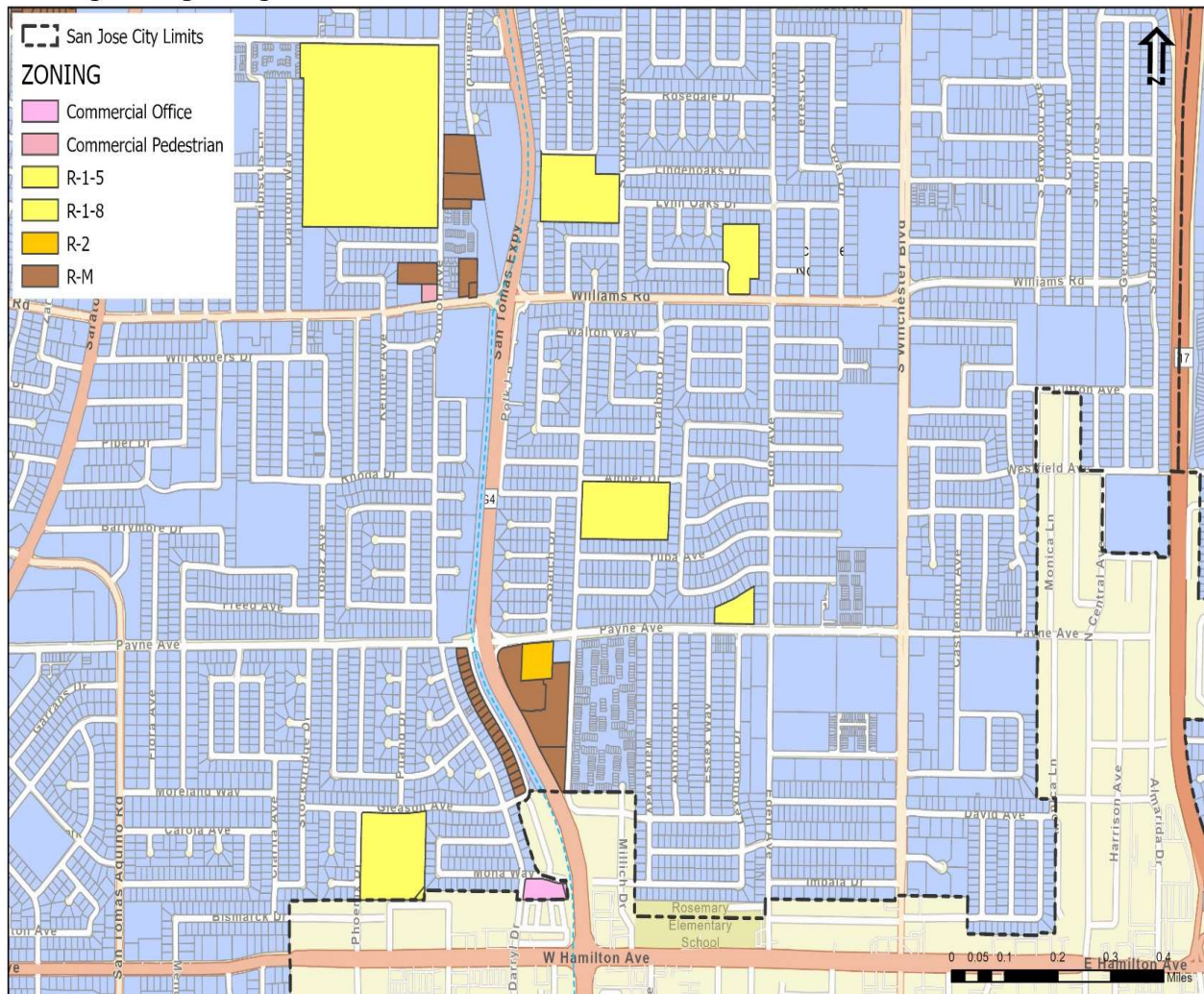
Existing Zoning Designation (Map 1)



Existing Zoning Designation (Map 2)



Existing Zoning Designation (Map 3)



B-4

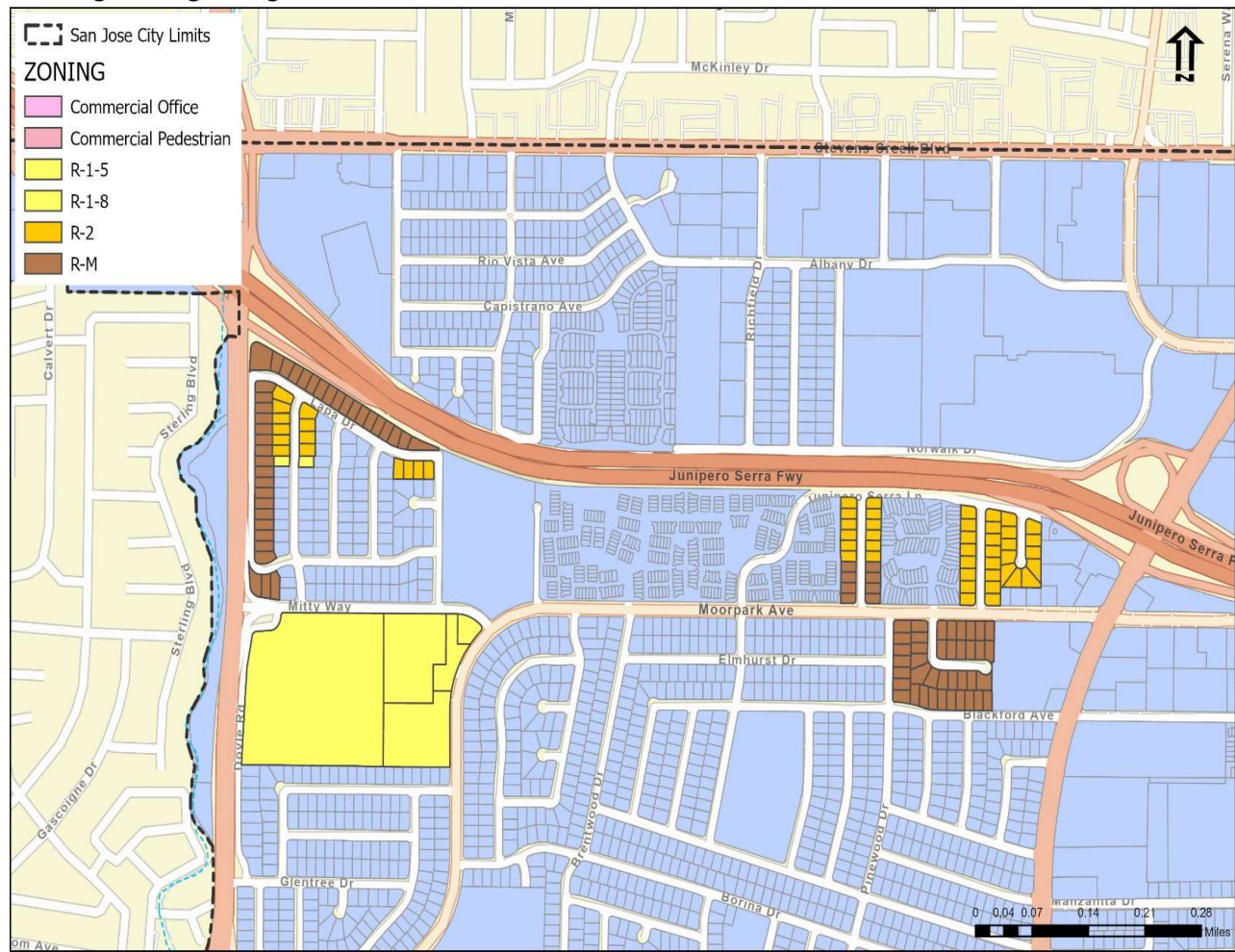
T-51000/1922355

Council Agenda: 06-07-2022

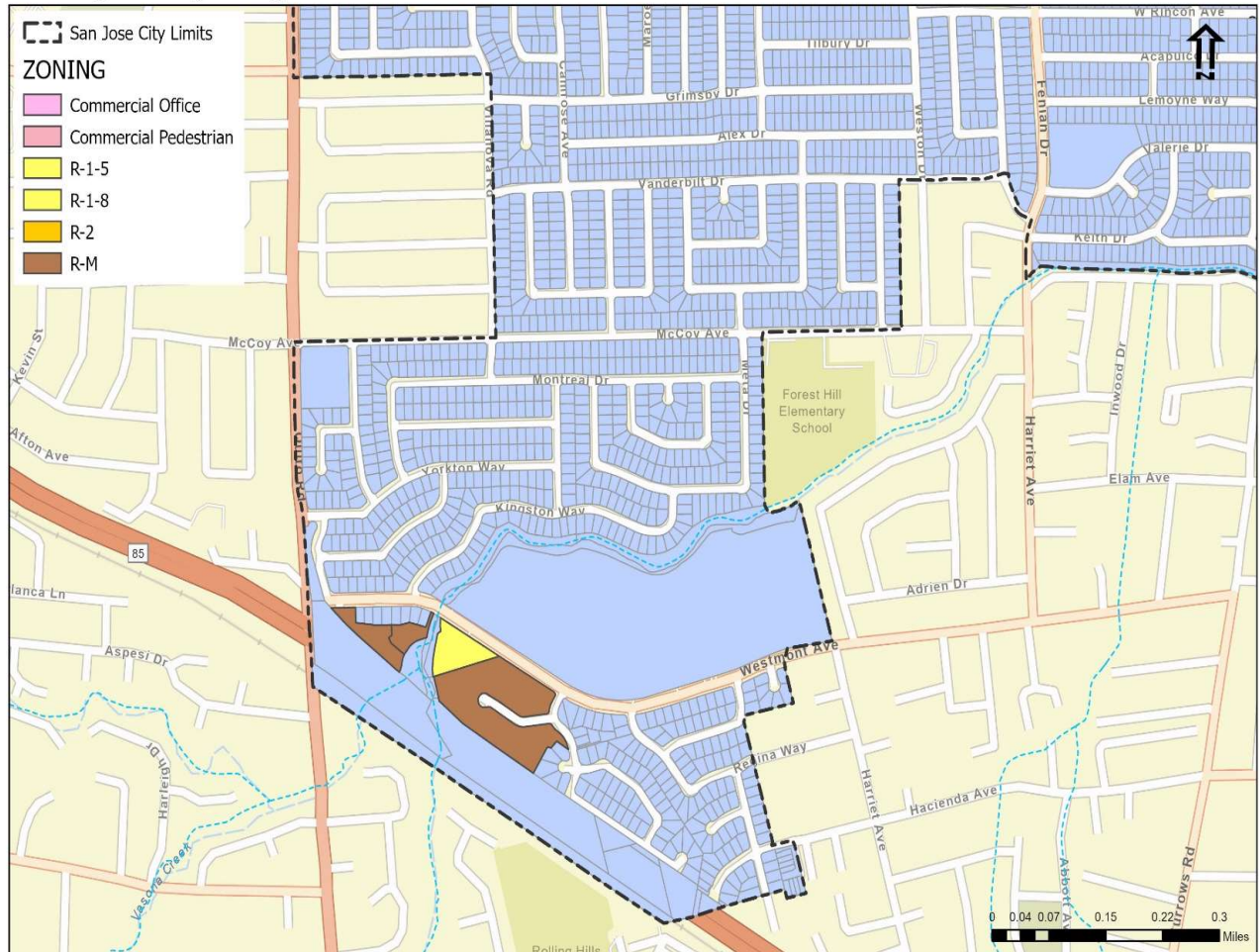
Item No.: 10.1(b)

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

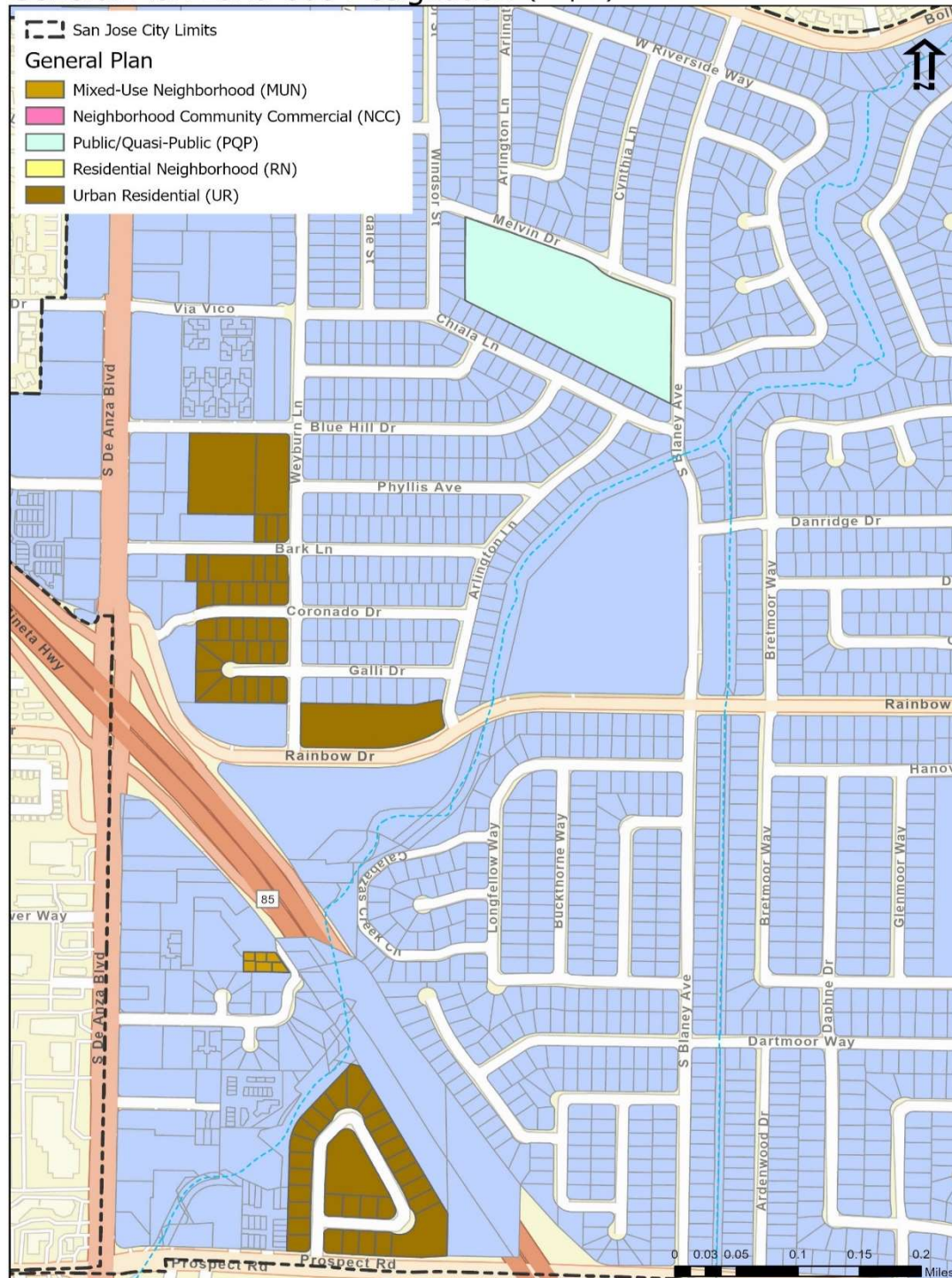
Existing Zoning Designation (Map 4)



Existing Zoning Designation (Map 5)



General Plan Land Use Designation (Map 1)



B-7

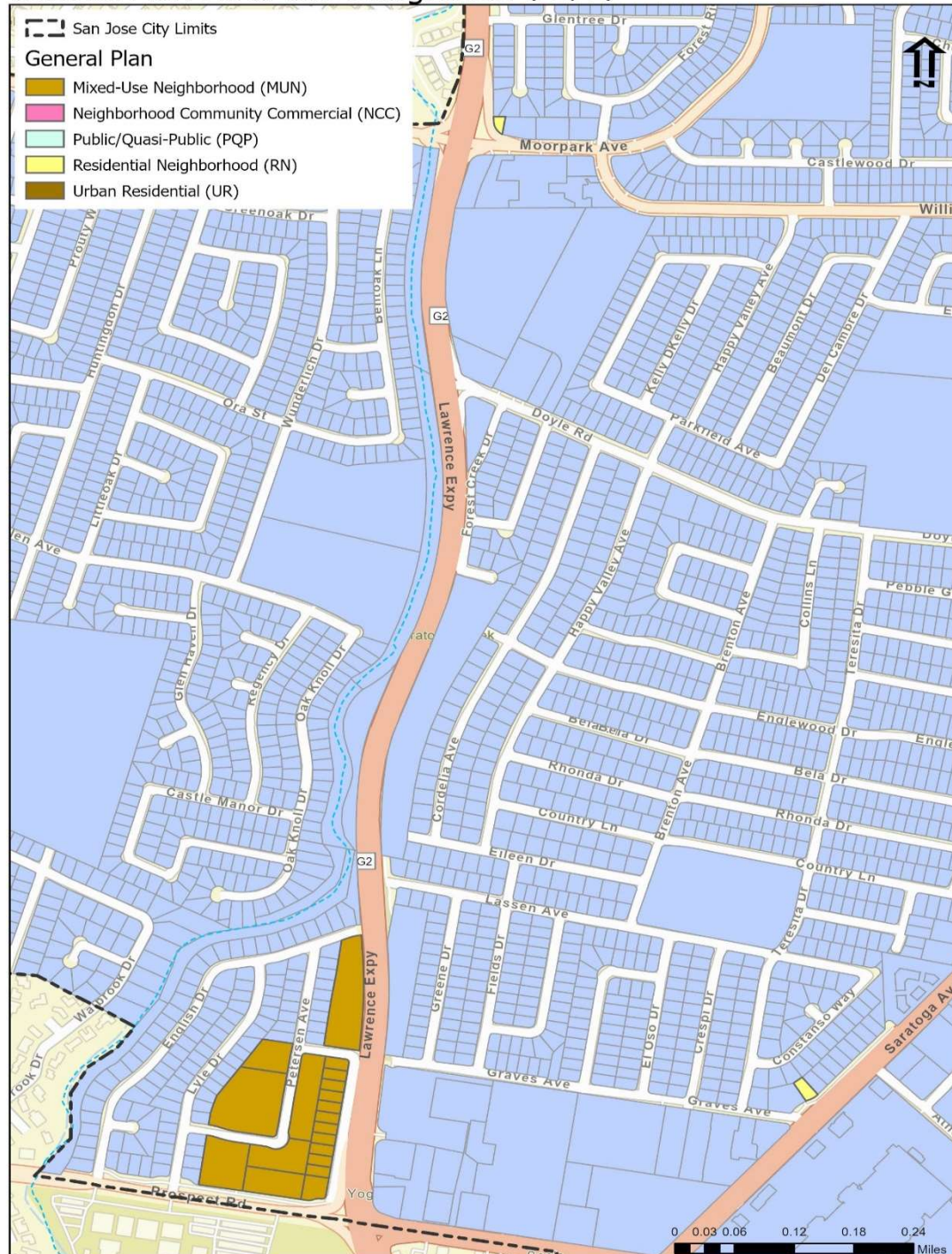
T-51000/1922355

Council Agenda: 06-07-2022

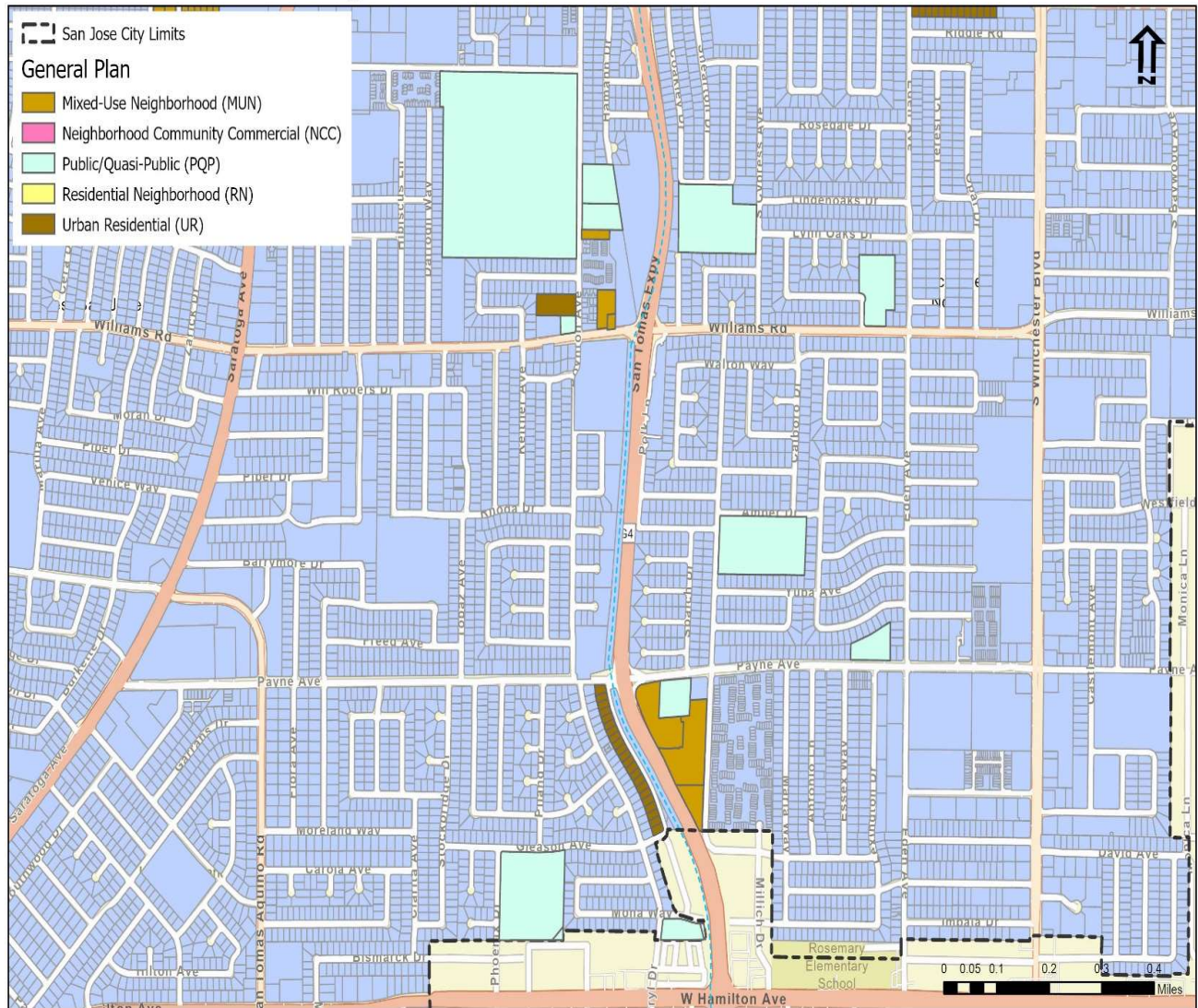
Item No.: 10.1(b)

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

General Plan Land Use Designation (Map 2)



General Plan Land Use Designation (Map 3)



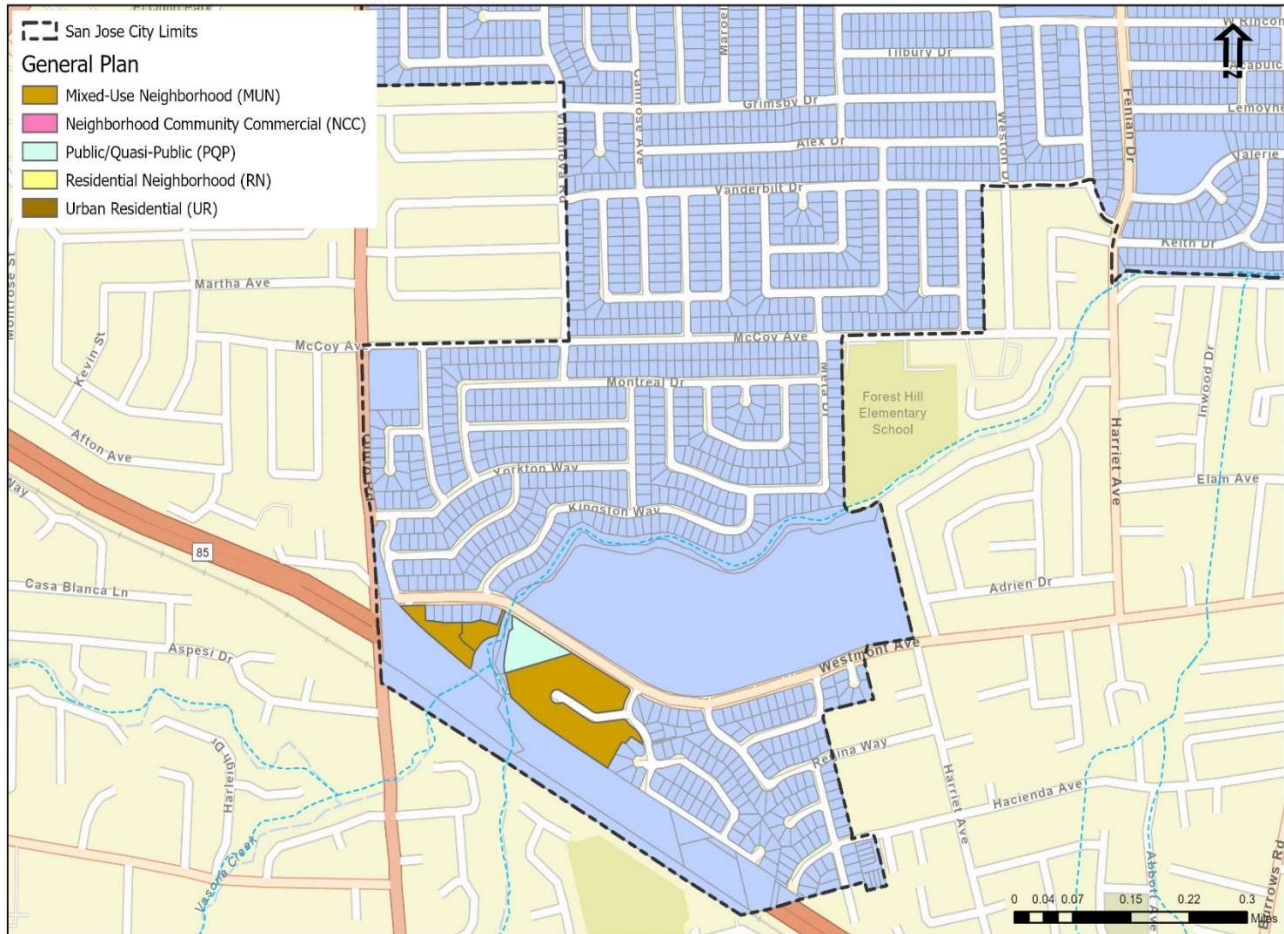
San Jose City Limits

General Plan

- Mixed-Use Neighborhood (MUN)
- Neighborhood Community Commercial (NCC)
- Public/Quasi-Public (POP)
- Residential Neighborhood (RN)
- Urban Residential (UR)

Map showing the General Plan for San Jose City Limits. The map displays various land use designations (MUN, NCC, POP, RN, UR) and major roads (Junipero Serra Fwy, Lawrence Expy, etc.). A scale bar at the bottom right indicates distances from 0 to 0.26 miles.

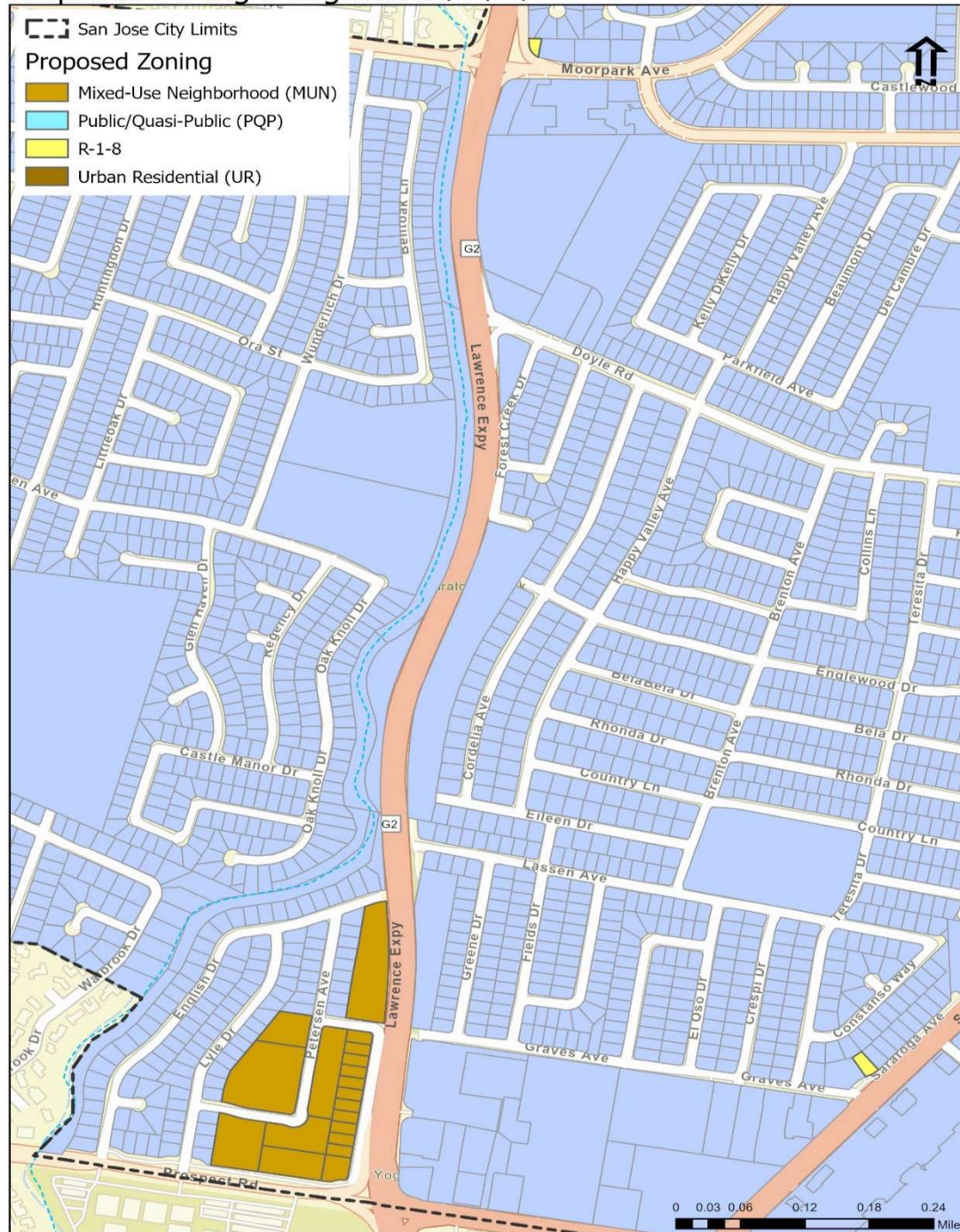
General Plan Land Use Designation (Map 5)



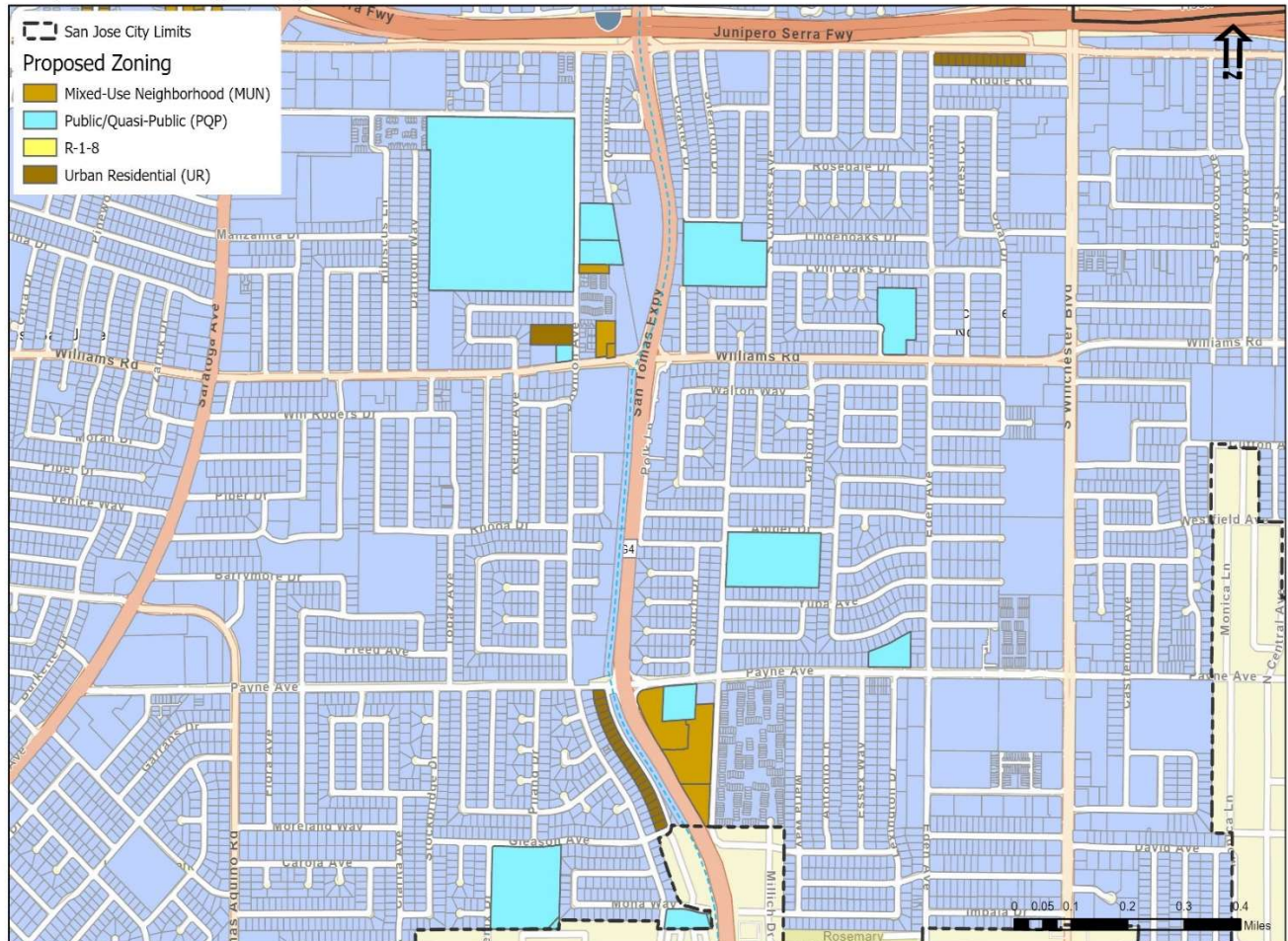
Proposed Zoning Designation (Map 1)



Proposed Zoning Designation (Map 2)



Proposed Zoning Designation (Map 3)



B-14

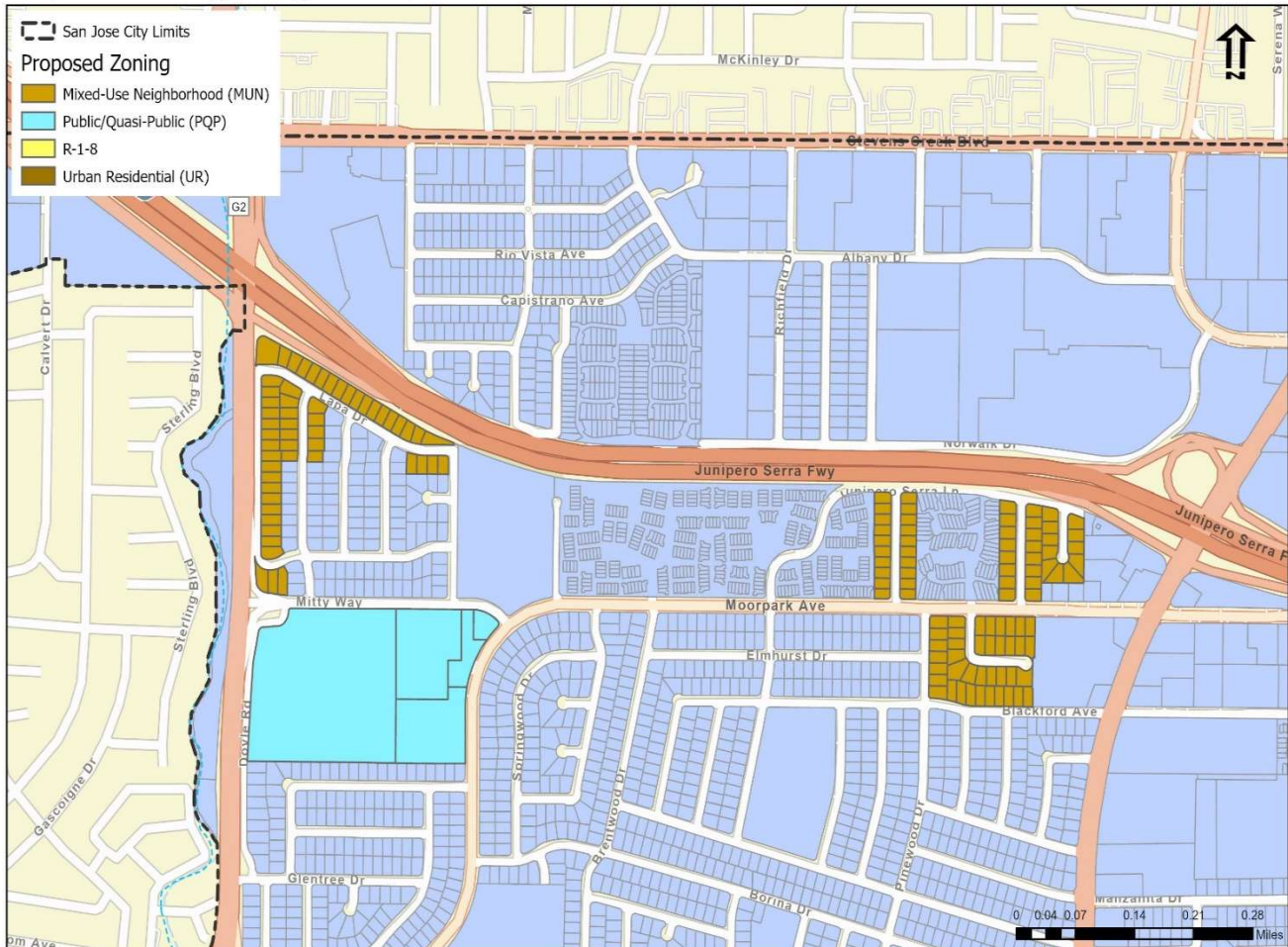
T-51000/1922355

Council Agenda: 06-07-2022

Item No.: 10.1(b)

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

Proposed Zoning Designation (Map 4)



Proposed Zoning Designation (Map 5)

