



CITY COUNCIL STAFF REPORT

File Nos.	C22-089, C22-090, C22-091, C22-092, C22-093, C22-094, C22-095, C22-096, C22-097, C22-098
Location	516 parcels in various locations within the City of San José.
Existing Zoning	A Agricultural Zoning District, CG Commercial General Zoning District, CN Commercial Neighborhood Zoning District, CO Commercial Office Zoning District, CP Commercial Pedestrian Zoning District, IP Industrial Park Zoning District, LI Light Industrial Zoning District, R-1-8 Zoning District, R-2 Two-Family Residence Zoning District, R-M Multifamily Residential Zoning District
Proposed Zoning	CIC Combined Industrial/Commercial Zoning District, CP Commercial Pedestrian Zoning District, LI Light Industrial Zoning District, MUC Mixed-Use Commercial Zoning District, MUN Mixed-Use Neighborhood Zoning District, OS Open Space Zoning District, PQP Public/Quasi-Public Zoning District, R-1-8 Single-Family Zoning District, TR Transit Residential Zoning District, UR Urban Residential Zoning District
CEQA:	Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto.

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve an ordinance rezoning 86 properties from CP Commercial Pedestrian Zoning District to MUC Mixed-Use Commercial Zoning District, 44 properties from CO Commercial Office Zoning District to R-1-8 Single-Family Zoning District, 42 properties from CN Commercial Neighborhood Zoning District to R-1-8 Zoning District, 40 properties from CG Commercial General Zoning District to R-1-8 Zoning District, 40 properties from CN Commercial Neighborhood Zoning District to MUC Mixed-Use Commercial Zoning District, 32 properties from LI Light Industrial Zoning District to R-1-8 Zoning District, 27 properties from R-M Multifamily Residential Zoning District to UR Urban Residential Zoning District, 24 properties from LI Light Industrial Zoning District to CIC Combined Industrial/Commercial Zoning District, 18 properties from CP Commercial Pedestrian Zoning District to R-1-8 Zoning District, 18 properties from R-M Multifamily Residential Zoning District to MUN Mixed-Use Neighborhood Zoning District, 15 properties from IP Industrial Park Zoning District to LI Light Industrial Zoning District, 13 properties from R-M Multifamily Residential Zoning District to PQP Public/Quasi-Public Zoning District, 11

properties from LI Light Industrial Zoning District to MUC Mixed-Use Commercial Zoning District, 10 properties from R-2 Two-Family Residence Zoning District to PQP Public/Quasi-Public Zoning District, nine properties from R-M Multifamily Residential Zoning District to LI Light Industrial Zoning District, eight properties from R-M Multifamily Residential Zoning District to MUC Mixed-Use Commercial Zoning District, seven properties from R-2 Two-Family Residence Zoning District to CP Commercial Pedestrian Zoning District, six properties from CO Commercial Office Zoning District to MUC Mixed-Use Commercial Zoning District, six properties from CP Commercial Pedestrian Zoning District to LI Light Industrial Zoning District, five properties from CN Commercial Neighborhood Zoning District to CIC Combined Industrial/Commercial Zoning District, five properties from LI Light Industrial Zoning District to CP Commercial Pedestrian Zoning District, five properties from R-1-8 Zoning District to OS Open Space Zoning District, five properties from R-1-8 Zoning District to PQP Public/Quasi-Public Zoning District, four properties from LI Light Industrial Zoning District to PQP Public/Quasi-Public Zoning District, four properties from R-1-8 Zoning District to MUN Mixed-Use Neighborhood Zoning District, four properties from R-2 Two-Family Residence Zoning District to MUC Mixed-Use Commercial Zoning District, three properties from LI Light Industrial Zoning District to OS Open Space Zoning District, three properties from R-2 Two-Family Residence Zoning District to UR Urban Residential Zoning District, three properties from R-M Multifamily Residential Zoning District to CP Commercial Pedestrian Zoning District, three properties from R-M Multifamily Residential Zoning District to TR Transit Residential Zoning District, two properties from R-1-8 Zoning District to LI Light Industrial Zoning District, two properties from CP Commercial Pedestrian Zoning District to MUN Mixed-Use Neighborhood Zoning District, two properties from A Agricultural Zoning District to R-1-8 Zoning District, two properties from A Agricultural Zoning District to OS Open Space Zoning District, two properties from R-M Multifamily Residential Zoning District to OS Open Space Zoning District, one property from CG Commercial General Zoning District to CIC Combined Industrial/Commercial Zoning District, one property from CG Commercial General Zoning District to MUC Mixed-Use Commercial Zoning District, one property from CG Commercial General Zoning District to OS Open Space Zoning District, one property from CO Commercial Office Zoning District to OS Open Space Zoning District, one property from CO Commercial Office Zoning District to PQP Public/Quasi-Public Zoning District, and one property from R-2 Two-Family Residence Zoning District to OS Open Space Zoning District, located in various locations on those certain real properties within the City of San José.

PROJECT DATA

GENERAL PLAN CONSISTENCY	
General Plan Designation	CIC Combined Industrial/Commercial, LI Light Industrial, MUC Mixed-Use Commercial, MUN Mixed-Use Neighborhood, NCC Neighborhood/Community Commercial, OSPH Open Space, Parklands and Habitat, PQP Public/Quasi-Public, RN Residential Neighborhood, TR Transit Residential, UR Urban Residential <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent
Consistent Policies	Implementation Policies IP-1.7, IP-8.2, IP-8.3

PROJECT DESCRIPTION

City-initiated Conforming Rezoning to rezone a total of 516 properties. The 516 properties would be rezoned as follows: 86 properties from CP Commercial Pedestrian Zoning District to MUC Mixed-Use Commercial Zoning District, 44 properties from CO Commercial Office Zoning District to R-1-8 Single-Family Zoning District, 42 properties from CN Commercial Neighborhood Zoning District to R-1-8 Zoning District, 40 properties from CG Commercial General Zoning District to R-1-8 Zoning District, 40 properties from CN Commercial Neighborhood Zoning District to MUC Mixed-Use Commercial Zoning District, 32 properties from LI Light Industrial Zoning District to R-1-8 Zoning District, 27 properties from R-M Multifamily Residential Zoning District to UR Urban Residential Zoning District, 24 properties from LI Light Industrial Zoning District to CIC Combined Industrial/Commercial Zoning District, 18 properties from CP Commercial Pedestrian Zoning District to R-1-8 Zoning District, 18 properties from R-M Multifamily Residential Zoning District to MUN Mixed-Use Neighborhood Zoning District, 15 properties from IP Industrial Park Zoning District to LI Light Industrial Zoning District, 13 properties from R-M Multifamily Residential Zoning District to PQP Public/Quasi-Public Zoning District, 11 properties from LI Light Industrial Zoning District to MUC Mixed-Use Commercial Zoning District, 10 properties from R-2 Two-Family Residence Zoning District to PQP Public/Quasi-Public Zoning District, nine properties from R-M Multifamily Residential Zoning District to LI Light Industrial Zoning District, eight properties from R-M Multifamily Residential Zoning District to MUC Mixed-Use Commercial Zoning District, seven properties from R-2 Two-Family Residence Zoning District to CP Commercial Pedestrian Zoning District, six properties from CO Commercial Office Zoning District to MUC Mixed-Use Commercial Zoning District, six properties from CP Commercial Pedestrian Zoning District to LI Light Industrial Zoning District, five properties from CN Commercial Neighborhood Zoning District to CIC Combined Industrial/Commercial Zoning District, five properties from LI Light Industrial Zoning District to CP Commercial Pedestrian Zoning District, five properties from R-1-8 Zoning District to OS Open Space Zoning District, five properties from R-1-8 Zoning District to PQP Public/Quasi-Public Zoning District, four properties from LI Light Industrial Zoning District to PQP Public/Quasi-Public Zoning District, four properties from R-1-8 Zoning District to MUN Mixed-Use Neighborhood Zoning District, four properties from R-2 Two-Family Residence Zoning District to MUC Mixed-Use Commercial Zoning District, three properties from LI Light Industrial Zoning District to OS Open Space Zoning District, three properties from R-2 Two-Family Residence Zoning District to UR Urban Residential Zoning District, three properties from R-M Multifamily Residential Zoning District to CP Commercial Pedestrian Zoning District, three properties from R-M Multifamily Residential Zoning District to TR Transit Residential Zoning District, two properties from R-1-8 Zoning District to LI Light Industrial Zoning District, two properties from CP Commercial Pedestrian Zoning District to MUN Mixed-Use Neighborhood Zoning District, two properties from A Agricultural Zoning District to R-1-8 Zoning District, two properties from A Agricultural Zoning District to OS Open Space Zoning District, two properties from R-M Multifamily Residential Zoning District to OS Open Space Zoning District, one property from CG Commercial General Zoning District to CIC Combined Industrial/Commercial Zoning District, one property from CG Commercial General Zoning District to MUC Mixed-Use Commercial Zoning District, one property from CG Commercial General Zoning District to OS Open Space Zoning District, one property from CO Commercial Office Zoning District to OS Open Space Zoning District, one property from CO Commercial Office Zoning District to PQP Public/Quasi-Public Zoning District, and one property from R-2 Two-Family Residence Zoning District to OS Open Space Zoning District, located in

various locations on those certain real properties within the City of San José. The specific locations of the parcels to be rezoned are specified in the proposed rezoning ordinance, attached hereto and incorporated herein by reference as Attachment 1.

Background

Government Code section 65860 (amended in 2018 by Senate Bill 1333) requires charter cities such as San José to make zoning consistent with the General Plan land use designation. To comply with State law and streamline the development review process for projects consistent with the General Plan, staff has been working on a multiyear effort to bring the Zoning District map into conformance with the Envision San José 2040 General Plan land use designation for properties in the City. The first phase of this work (Phase 1(a)) was approved by City Council in June 2019, changing permitting requirements in the Zoning Ordinance across all Zoning Districts. Phase 1(b) was approved by City Council in June 2021, creating six new urban villages and mixed-use Zoning Districts to support areas that are planned for mixed-use development and high-density residential or commercial uses.

Rezoning properties to make zoning consistent with the General Plan represents the final phase of work to bring the Zoning District Map into conformance with the General Plan. At this time, staff is proposing the rezoning of 516 properties to make consistent their designated zoning with their General Plan land use designation. The proposed 516 properties are located in various locations within Council Districts 3, as indicated on the attached draft Ordinance and shown on the maps. (Attachment 1)

ANALYSIS

The proposed project was analyzed for conformance with the following:

- 1) Envision San José 2040 General Plan
- 2) Zoning Ordinance
- 3) Senate Bill 330
- 4) Senate Bill 1333
- 5) California Environmental Quality Act (CEQA)

Envision San José 2040 General Plan Conformance

The subject sites have an Envision San José 2040 General Plan Land Use/Transportation Diagram land use designations of CIC Combined Industrial/Commercial, LI Light Industrial, MUC Mixed-Use Commercial, MUN Mixed-Use Neighborhood, NCC Neighborhood/Community Commercial, OSPH Open Space, Parklands and Habitat, PQP Public/Quasi-Public, RN Residential Neighborhood, TR Transit Residential, UR Urban Residential. (see Exhibit A to the attached ordinance)

CIC Combined Industrial/Commercial: This category allows a significant amount of flexibility for the development of a varied mixture of compatible commercial and industrial uses, including hospitals and private community gathering facilities. Properties with this designation are intended for commercial, office, or industrial developments or a compatible mix of these uses. This designation occurs in areas where the existing development pattern exhibits a mix of

commercial and industrial land uses or in areas on the boundary between commercial and industrial uses. Development intensity can vary significantly in this designation based on the nature of specific uses likely to occur in a particular area. In order to maintain an industrial character, small, suburban strip centers are discouraged in this designation, although larger big-box type developments may be allowed because they mix elements of retail commercial and warehouse forms and uses.

LI Light Industrial: This designation is intended for a wide variety of industrial uses and excludes uses with unmitigated hazardous or nuisance effects. Warehousing, wholesaling, and light manufacturing are examples of typical uses in this designation. Light Industrial designated properties may also contain service establishments that serve only employees of businesses located in the immediate industrial area. Office and higher-end industrial uses, such as research and development, are discouraged in order to preserve the scarce, lower-cost land resources that are available for companies with limited operating history (startup companies) or lower-cost industrial operations.

MUC Mixed-Use Commercial: This designation is intended to accommodate a mix of commercial and residential uses with an emphasis on the commercial activity as the primary use and residential activity allowed in a secondary role. New development of a property with this designation should accordingly include commercial space equivalent to at least a 0.5 FAR for residential/ commercial mixed-use projects and 0.25 FAR for commercial projects with a typically appropriate overall FAR of up to 4.5, allowing for a medium intensity of development. This designation, therefore, is more commercially focused than the Mixed-Use Neighborhood designation and also allows for a greater intensity of use. Appropriate commercial uses include neighborhood retail, mid-rise office, medium-scale hospitals or other health care facilities, and medium-scale private community gathering facilities. Low-impact industrial uses are appropriate if they are compatible and do not pose a hazard to other nearby uses.

MUN Mixed-Use Neighborhood: This category is applied to the area as intended for development primarily with either townhouse or small lot single-family residences and to existing neighborhoods that were historically developed with a wide variety of housing types, including a mix of residential densities and forms. This designation supports commercial or mixed-use development integrated within the Mixed-Use Neighborhood area. Hospitals and other healthcare facilities may potentially be located within Mixed-Use Neighborhood areas provided that any potential land use impacts can be mitigated. This designation may also be appropriate for areas in close proximity to urban amenities (such as transit stations), but that is not within a proposed Urban Village area. Development within this designation should occur through the use of standard Zoning Districts which specify the minimum lot size. Development at higher ends of the density range will typically require larger lot sizes (or a combination of existing lots) and must still meet Community Design Policies in the Envision General Plan and applicable design guidelines.

NCC Neighborhood/Community Commercial: This designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhoods serving retail and services and commercial/professional office development. Neighborhood/Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use, and public

interaction. General office uses, hospitals, and private community gathering facilities are also allowed in this designation.

OSPH Open Space, Parklands and Habitat: These lands can be publicly- or privately-owned areas that are intended for low-intensity uses. Lands in this designation are typically devoted to open space, parks, recreation areas, trails, habitat buffers, nature preserves, and other permanent open space areas. This designation is applied within the Urban Growth Boundary to lands that are owned by nonprofits or public agencies that intend their permanent use as open space, including lands adjacent to various creeks throughout the City. This designation is also applied outside of the Urban Growth Boundary to the bay lands located within Alviso. New development on lands within this designation should be limited to minimize potential environmental and visual impacts and, for properties located outside of the Greenline / Urban Growth Boundary, should avoid the use of non-native, irrigated vegetation or development of new structures that would alter the environmental and visual quality of native habitat areas. Development of public facilities such as restrooms, playgrounds, educational/visitors' centers, or parking areas can be an inherent part of City or County park properties and are appropriate for Open Space, Parklands, and Habitat properties both within and outside of the Greenline / Urban Growth Boundary, but in the latter case should be sensitively located so as to minimize potential environmental and visual impacts. Within the Greenline / Urban Growth Boundary, community centers, public golf courses, and other amenities open to the public would also be allowed within publicly owned properties in this designation.

PQP Public/Quasi-Public: This category is used to designate public land uses, including schools, colleges, corporation yards, homeless shelters, supportive housing for the homeless, libraries, fire stations, water treatment facilities, convention centers and auditoriums, museums, governmental offices, and airports. Joint development projects which include public and private participation - such as a jointly administered public/private research institute or an integrated convention center/hotel/restaurant complex - are allowed. This category is also used to designate lands used by some private entities, including private schools, daycare centers, hospitals, public utilities, and the facilities of any organization involved in the provision of public services such as gas, water, electricity, and telecommunications facilities that are consistent in character with established public land uses. Private community gathering facilities, including those used for religious assembly or other comparable assembly activity, are also appropriate on lands with this designation. The appropriate intensity of development can vary considerably depending on potential impacts on surrounding uses and the particular Public/Quasi-Public use developed on the site.

RN Residential Neighborhood: This designation is applied broadly throughout the City to encompass most of the established, single-family residential neighborhoods, including both the suburban and traditional residential neighborhood areas which comprise the majority of its developed land. The intent of this designation is to preserve the existing character of these neighborhoods and to strictly limit new development to infill projects which closely conform to the prevailing existing neighborhood character as defined by density, lot size and shape, massing and neighborhood form and pattern. New infill development should improve and/ or enhance existing neighborhood conditions by completing the existing neighborhood pattern and bringing infill properties into general conformance with the quality and character of the surrounding neighborhood. New infill development should be integrated into the existing neighborhood pattern, continuing and, where applicable, extending or completing the existing street network.

The average lot size, orientation, and form of new structures for any new infill development must therefore generally match the typical lot size and building form of any adjacent development, with particular emphasis given to maintaining consistency with other development that fronts onto a public street to be shared by the proposed new project.

TR Transit Residential: This is the primary designation for new high-density, mixed-use residential development sites that are located in close proximity to transit, jobs, amenities, and services. This designation may also be appropriate for some sites within Urban Village areas as identified through an Urban Village Planning process. This designation also supports intensive commercial employment uses, such as offices, retail, hotels, hospitals, and private community gathering facilities. To help contribute to “complete communities,” commercial uses should be included with new residential development in an amount consistent with the achievement of the planned job growth and Urban Village Plan for the relevant Urban Village area. The allowable density/intensity for mixed-use development will be determined using an FAR 2.0 to 12.0 to better address the urban form and potentially allow fewer units per acre if in combination with other uses such as commercial or office. The allowable density for this designation is further defined within the applicable Zoning Ordinance designation and may also be addressed within an Urban Village Plan or other policy documents.

UR Urban Residential: This designation allows for medium-density residential development and a fairly broad range of commercial uses, including retail, offices, hospitals, and private community gathering facilities, within identified Urban Villages, in other areas within the City that have existing residential development built at this density, within Specific Plan areas, or in areas in close proximity to an Urban Village or transit facility where intensification will support those facilities. Any new residential development at this density should be in Growth Areas or, on a very limited basis, as infill development within areas with characteristics similar to the Urban Village areas (generally developed at high density and in proximity to transit, jobs, amenities, and other services). The allowable density for this designation is further defined within the applicable Zoning Ordinance designation and may also be addressed within an Urban Village Plan or other policy documents. This designation is also used to identify portions of Urban Village areas where the density of new development should be limited to a medium intensity in order to provide for a gradual transition between surrounding low-density neighborhoods and other areas within the Urban Village suitable for greater intensification. The allowable density/intensity for mixed-use development will be determined using an allowable FAR (1.0 to 4.0) to better address the urban form and potentially allow fewer units per acre if in combination with other uses such as commercial or office. Developments in this designation would typically be three to four stories of residential or commercial uses over parking.

The proposed conforming rezoning is consistent with the following General Plan policies:

1. Implementation Policy IP-1.7: Ensure that proposals to rezone and rezone properties conform to the Land Use/Transportation Diagram, and advance Envision General Plan vision, goals, and policies.
2. Implementation Policy IP-8.2: Use the City’s conventional Zoning Districts, contained in its Zoning Ordinance, to implement the Envision General Plan Land Use/Transportation Diagram. These districts include a range of allowed land uses, development intensities and standards within major land use categories (residential, commercial, and industrial) together with Zoning Districts for other land uses such as mixed-use and open space. The

various ranges of allowed use and development intensity correspond generally to the respective Envision General Plan land use designations while providing greater detail as to the appropriate land uses and form of development.

3. Implementation Policy IP-8.3 – Zoning: For the review of privately or publicly initiated rezoning applications, consider the appropriateness of the proposed Zoning District in terms of how it will further the Envision General Plan goals and policies as follows:
 - a. Align with the Envision General Plan Land Use/Transportation Diagram.
 - b. Retain or expand existing employment capacity.
 - c. Preserve existing retail activity.
 - d. Avoid adverse land use incompatibilities.
 - e. Implement the Envision General Plan goals and policies including those for Urban Design.
 - f. Support higher density land uses consistent with the City’s transition to a more urban environment.
 - g. Facilitate the intensification of Villages and other growth areas consistent with the goal of creating walkable, mixed-use communities
 - h. Address height limits, setbacks, land use interfaces, and other design standards so as to provide for the intensification of land uses adjacent to already developed areas.

Analysis: The conforming General Plan land use designations for the proposed sites include, MUN, CIC, LI, MUC, NCC, OSPH, PQP, RN, TR, UR; therefore, staff proposes a Conforming Rezoning of the properties from the A to R-1-8, A to OS, CG to CIC, CG to MUC, CG to OS, CG to R-1-8, CN to R-1-8, CN to CIC, CN to MUC, CO to MUC, CO to OS, CO to PQP, CO to R-1-8, CP to MUC, CP to MUN, CP to R-1-8, IP to LI, LI to CIC, LI to CP, LI to MUC, LI to OS, LI to PQP, LI to R-1-8, R-1-8 to LI, R-1-8 to MUN, R-1-8 to OS, R-1-8 to PQP, R-2 to CP, R-2 to MUC, R-2 to OS, R-2 to PQP, R-2 to UR, R-M to CP, R-M to LI, R-M to MUC, R-M to MUN, R-M to OS, R-M to PQP, R-M to TR, and R-M to UR. This would correspond to the existing Envision General Plan land use designations for the subject sites. The proposed rezoning would allow future development consistent with the sites’ General Plan land use designations.

Zoning Ordinance Conformance

The proposed rezoning conforms with Table 20-270 in Section 20.120.110 of the San José Municipal Code, which identifies the MUN Mixed-Use Neighborhood, PQP Public/Quasi-Public,, CIC Combined Industrial/Commercial, LI Light Industrial, A Agricultural, MUC Mixed-Use Commercial, OS Open Space, CP Commercial Pedestrian, R-1-8, R-2, UR Urban Residential Zoning Districts as a conforming district to the respective MUN Mixed-Use Neighborhood, CIC Combined Industrial/Commercial, LI Light Industrial, MUC Mixed-Use Commercial, NCC Neighborhood/Community Commercial, OSPH Open Space, Parklands and Habitat, PQP Public/Quasi-Public, RN Residential Neighborhood, TR Transit Residential, UR Urban Residential General Plan land use designations. (see Exhibit A-1 to the attached ordinance)

The proposed rezoning would allow the properties to be used and developed in accordance with the allowable uses in Title 20 of the San José Municipal Code.

Senate Bill 330 Compliance

The Housing Crisis Act of 2019 (SB 330) limits the manner in which local governments may reduce the capacity for residential units that can be built on properties that allow housing, including actions such as down-zoning, changing general or specific plan land use designations to a less intensive use, reductions in height, density or floor area ratio, or other types of increased requirements. An exception to this is that a property may be allowed to reduce the intensity of residential uses if changes in land use designations or zoning elsewhere ensure “no net loss” (down-zoning) in residential capacity within the jurisdiction. Additionally, SB 940 authorizes the City of San José to proactively change a zoning to a more intensive use (up-zoning) and to use the added capacity to subsequently change the zoning to a less intensive use.

Approval of File Nos. C22-089, C22-090, C22-091, C22-092, C22-093, C22-094, C22-095, C22-096, C22-097, and C22-098 would not result in a decrease of residential capacity. Among the proposed properties, 244 properties would have a total of 4,985 down-zoned units, 203 properties would have a total of 6,699 up-zoned units and 69 properties would not have any change. Thus, the proposed rezoning would not have any decrease in the units, moreover, it would have an increase of a total of 1,714 units, which complies with SB 330 and SB 940 requirements.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined that the proposed project is pursuant to, in furtherance of, and within the scope of the Envision San José 2040 General Plan program, the impacts of which were analyzed and disclosed in the Final Environmental Impact Report for the Envision San José 2040 General Plan (FEIR), for which findings were adopted by City Council Resolution No. 76041 on November 1, 2011, and Supplemental Environmental Impact Report (SEIR) adopted by City Council Resolution No. 77617 on December 15, 2015, and addenda thereto. The FEIR, SEIR, and Addenda were prepared for the comprehensive update and revision of all elements of the City of San José General Plan, including an extension of the planning timeframe to the year 2040.

No new or more significant environmental impacts beyond those identified in the FEIR, SEIR, and Addenda have been identified, nor have any new mitigation measures or alternatives that are considerably different from those analyzed in the FPEIR, SIER, and Addenda been identified.

CONCLUSION

The proposed Conforming Rezoning of 516 properties, in which 86 properties from CP Commercial Pedestrian Zoning District to MUC Mixed-Use Commercial Zoning District, 44 properties from CO Commercial Office Zoning District to R-1-8 Single-Family Zoning District, 42 properties from CN Commercial Neighborhood Zoning District to R-1-8 Zoning District, 40 properties from CG Commercial General Zoning District to R-1-8 Zoning District, 40 properties from CN Commercial Neighborhood Zoning District to MUC Mixed-Use Commercial Zoning District, 32 properties from LI Light Industrial Zoning District to R-1-8 Zoning District, 27 properties from R-M Multifamily

Residential Zoning District to UR Urban Residential Zoning District, 24 properties from LI Light Industrial Zoning District to CIC Combined Industrial/Commercial Zoning District, 18 properties from CP Commercial Pedestrian Zoning District to R-1-8 Zoning District, 18 properties from R-M Multifamily Residential Zoning District to MUN Mixed-Use Neighborhood Zoning District, 15 properties from IP Industrial Park Zoning District to LI Light Industrial Zoning District, 13 properties from R-M Multifamily Residential Zoning District to PQP Public/Quasi-Public Zoning District, 11 properties from LI Light Industrial Zoning District to MUC Mixed-Use Commercial Zoning District, 10 properties from R-2 Two-Family Residence Zoning District to PQP Public/Quasi-Public Zoning District, nine properties from R-M Multifamily Residential Zoning District to LI Light Industrial Zoning District, eight properties from R-M Multifamily Residential Zoning District to MUC Mixed-Use Commercial Zoning District, seven properties from R-2 Two-Family Residence Zoning District to CP Commercial Pedestrian Zoning District, six properties from CO Commercial Office Zoning District to MUC Mixed-Use Commercial Zoning District, six properties from CP Commercial Pedestrian Zoning District to LI Light Industrial Zoning District, five properties from CN Commercial Neighborhood Zoning District to CIC Combined Industrial/Commercial Zoning District, five properties from LI Light Industrial Zoning District to CP Commercial Pedestrian Zoning District, five properties from R-1-8 Zoning District to OS Open Space Zoning District, five properties from R-1-8 Zoning District to PQP Public/Quasi-Public Zoning District, four properties from LI Light Industrial Zoning District to PQP Public/Quasi-Public Zoning District, four properties from R-1-8 Zoning District to MUN Mixed-Use Neighborhood Zoning District, four properties from R-2 Two-Family Residence Zoning District to MUC Mixed-Use Commercial Zoning District, three properties from LI Light Industrial Zoning District to OS Open Space Zoning District, three properties from R-2 Two-Family Residence Zoning District to UR Urban Residential Zoning District, three properties from R-M Multifamily Residential Zoning District to CP Commercial Pedestrian Zoning District, three properties from R-M Multifamily Residential Zoning District to TR Transit Residential Zoning District, two properties from R-1-8 Zoning District to LI Light Industrial Zoning District, two properties from CP Commercial Pedestrian Zoning District to MUN Mixed-Use Neighborhood Zoning District, two properties from A Agricultural Zoning District to R-1-8 Zoning District, two properties from A Agricultural Zoning District to OS Open Space Zoning District, two properties R-M Multifamily Residential Zoning District to OS Open Space Zoning District, one property from CG Commercial General Zoning District to CIC Combined Industrial/Commercial Zoning District, one property from CG Commercial General Zoning District to MUC Mixed-Use Commercial Zoning District, one property from CG Commercial General Zoning District to OS Open Space Zoning District, one property from CO Commercial Office Zoning District to OS Open Space Zoning District, one property from CO Commercial Office Zoning District to PQP Public/Quasi-Public Zoning District, and one property from R-2 Two-Family Residence Zoning District to OS Open Space Zoning District; is consistent with General Plan policies IP-1.7, IP-8.2, and IP-8.3. The rezoning also conforms to the General Plan Land Use designation of MUN, UR, PQP, and R-1-8, and would streamline proposed projects consistent with the General Plan on the subject properties.

CLIMATE SMART SAN JOSE

The recommendation in this staff report has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC HEARING NOTIFICATION

Staff followed Council Policy 6-30: Public Outreach Policy. Planning staff distributed rezoning notices to the property owners and tenants for File Nos C22-089, C22-090, C22-091, C22-092, C22-093, C22-094, C22-095, C22-096, C22-097, and C22-098 on August 8, 2022, to provide information on the proposed Conforming Rezoning. Staff has been available to answer any questions from property owners and tenants. Staff included their contact information on the notice to answer any questions that property owners and tenants may have. Staff also included the Rezoning and General Plan Alignment website to assist property owners and tenants with the rezoning process, frequently asked questions, and where they can view an interactive rezoning map that shows properties that have been rezoned. The website can be accessed at www.bit.ly/SJZoningAlignment.

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public. Staff received one email from a member of the public inquiring about the rezoning.

/s/

Christopher Burton, Director
Planning, Building and Code Enforcement

For questions, please contact Michael Brilliot, Deputy Director, at (408) 535-7831 or michael.brilliot@sanJoseca.gov.

Attachments: Draft Ordinance