



CITY COUNCIL STAFF REPORT

File Nos.	C22-101, C22-104, C22-110, C22-111, C22-115, C22-116, C22-117, C22-118, C22-119, C22-120, C22-121, C23-001, C23-002, C23-003, C23-004, C23-005
Location	870 parcels at various locations in the Communications Hill, Martha Gardens, Midtown, and Tamien Station Area Specific Plan Areas; Monterey Business Corridor, Senter Rd, County Fairgrounds, and Monterey Hwy/Senter Rd Employment Areas; and, The Alameda East, S. Bascom Ave North, S Bascom Ave South, Camden Ave/Hillsdale Ave, Hamilton Ave/Meridian Ave, Almaden Ex/Hillsdale Ave, Camden Ave/Branham Ln, Kooser Rd/Meridian Ave, Camden Ave/Kooser Rd, Curtner Light Rail/Caltrain, W. Capitol Ex/Monterey Rd, Capitol Ex/Hwy 87 Light Rail, Oakridge Mall and Vicinity/Cambrian, Oakridge Mall and Vicinity/Edenvale, Blossom Hill Rd/Cahalan Ave, and Blossom Hill Rd/Snell Ave Urban Villages.
Existing Zoning	A Agriculture, A (PD) Planned Development, CP Commercial Pedestrian, CN Commercial Neighborhood, CG Commercial General, CO Commercial Office, CIC Combined Industrial/Commercial, HI Heavy Industrial, IP Industrial Park, LI Light Industrial, OS Open Space, PQP Public/Quasi-Public, R-1-5 and R-1-8 Single-Family Residential, R-2 Two-Family Residential, and R-M Multiple Residence District.
Proposed Zoning	CG Commercial General, CIC Combined Industrial Commercial, CP Commercial Pedestrian, HI Heavy Industrial, IP Industrial Park, LI Light Industrial, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, OS Open Space, PQP Public/Quasi-Public, R-1-1 and R-1-8 Single-Family Residential, TR Transit Residential, UR Urban Residential, UV Urban Village, UVC Urban Village Commercial.
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:

Adopt an ordinance of the City of San José rezoning 76 properties from R-M Multiple Residence Zoning District to MUN Mixed Use Neighborhood Zoning District, 55 properties from R-M Multiple Residence Zoning District to UR Urban Residential Zoning District, 50 properties from HI Heavy Industrial Zoning District to LI Light Industrial Zoning District, 48 properties from HI Heavy Industrial Zoning District to CIC Combined Industrial/Commercial Zoning District, 41 properties from CN Commercial Neighborhood Zoning District to MUN Mixed Use Neighborhood Zoning District, 40 properties from CP Commercial Pedestrian Zoning District to MUC Mixed Use Commercial Zoning District, 38 properties from LI Light Industrial Zoning District to CIC Combined Industrial/Commercial Zoning District, 34 properties from LI Light Industrial Zoning District to HI Heavy Industrial Zoning District, 32 properties from LI Light Industrial Zoning District to TR Transit Residential Zoning District, 31 properties from LI Light Industrial Zoning District to R-1-8 Single-Family Residential Zoning District, 24 properties from LI Light Industrial Zoning District to CP Commercial Pedestrian Zoning District, 24 properties from LI Light Industrial Zoning District to UR Urban Residential Zoning District, 20 properties from R-1-8 Single-Family Residential Zoning District to CP Commercial Pedestrian Zoning District, 20 properties from R-M Multiple Residence Zoning District to CP Commercial Pedestrian Zoning District, 20 properties from LI Light Industrial Zoning District to OS Open Space Zoning District, 18 properties from LI Light Industrial Zoning District to MUN Mixed Use Neighborhood Zoning District, 17 properties from CG Commercial General Zoning District to UV Urban Village Zoning District, 17 properties from CP Commercial Pedestrian Zoning District to UV Urban Village Zoning District, 17 properties from CP Commercial Pedestrian Zoning District to UVC Urban Village Commercial Zoning District, 14 properties from CO Commercial Office Zoning District to UVC Urban Village Commercial Zoning District, 11 properties from A(PD) Planned Development Zoning District to CP Commercial Pedestrian Zoning District, 10 properties from IP Industrial Park Zoning District to HI Heavy Industrial Zoning District, 10 properties from IP Industrial Park Zoning District to LI Light Industrial Zoning District, 10 properties from CG Commercial General Zoning District to UVC Urban Village Commercial Zoning District, nine properties from A Agriculture Zoning District to CP Commercial Pedestrian Zoning District, nine properties from LI Light Industrial Zoning District to MUC Mixed Use Commercial Zoning District, eight properties from CP Commercial Pedestrian Zoning District to CG Commercial General Zoning District, eight properties from CG Commercial General Zoning District to CIC Combined Industrial/Commercial Zoning District, eight properties from HI Heavy Industrial Zoning District to MUN Mixed Use Neighborhood Zoning District, eight properties from CN Commercial Neighborhood Zoning District to UV Urban Village Zoning District, seven properties from IP Industrial Park Zoning to CIC Combined Industrial/Commercial Zoning District, seven properties from A Agriculture Zoning District to MUN Mixed Use Neighborhood Zoning District, seven properties from R-1-8 Single-Family Residential Zoning District to PQP Public/Quasi-Public Zoning District, seven properties from CO Commercial Office Zoning District to UV Urban Village Zoning District, six properties from CN Commercial Neighborhood Zoning District to R-1-8 Single-Family Residential Zoning

District, five properties from CN Commercial Neighborhood Zoning District to CG Commercial General Zoning District, five properties from R-1-5 Single-Family Residential Zoning District to CP Commercial Pedestrian Zoning District, five properties from CG Commercial General Zoning District to LI Light Industrial Zoning District, five properties from CP Commercial Pedestrian Zoning District to MUN Mixed Use Neighborhood Zoning District, five properties from HI Heavy Industrial Zoning District to OS Open Space Zoning District, four properties from PQP Public/Quasi-Public Zoning District to CP Commercial Pedestrian Zoning District, four properties from R-2 Two-Family Residential Zoning District to CP Commercial Pedestrian Zoning District, four properties from A Agriculture Zoning District to OS Open Space Zoning District, four properties from PQP Public/Quasi-Public Zoning District to TR Transit Residential Zoning District, four properties from CO Commercial Office Zoning District to UR Urban Residential Zoning District, three properties from HI Heavy Industrial Zoning District to CP Commercial Pedestrian Zoning District, three properties from CP Commercial Pedestrian Zoning District to OS Open Space Zoning District, three properties from LI Light Industrial Zoning District to PQP Public/Quasi-Public Zoning District, three properties from A Agriculture Zoning District to R-1-8 Single-Family Residential Zoning District, three properties from HI Heavy Industrial Zoning District to TR Transit Residential Zoning District, three properties from R-M Multiple Residence Zoning District to TR Transit Residential Zoning District, three properties from CP Commercial Pedestrian Zoning District to UR Urban Residential Zoning District, three properties from HI Heavy Industrial Zoning District to UR Urban Residential Zoning District, three properties from IP Industrial Park Zoning District to UR Urban Residential Zoning District, two properties from PQP Public/Quasi-Public Zoning District to HI Heavy Industrial Zoning District, two properties from A Agriculture Zoning District to IP Industrial Park Zoning District, two properties from PQP Public/Quasi-Public Zoning District to OS Open Space Zoning District, two properties from R-1-8 Single-Family Residential Zoning District to OS Open Space Zoning District, two properties from R-M Multiple Residence Zoning District to OS Open Space Zoning District, two properties from CP Commercial Pedestrian Zoning District to PQP Public/Quasi-Public Zoning District, two properties from R-1-5 Single-Family Residential Zoning District to PQP Public/Quasi-Public Zoning District, two properties from CN Commercial Neighborhood Zoning District to UVC Urban Village Commercial Zoning District, one property from A Agriculture Zoning District to CG Commercial General Zoning District, one property from R-1-5 Single-Family Residential Zoning District to CG Commercial General Zoning District, one property from R-2 Two-Family Residential Zoning District to CG Commercial General Zoning District, one property from A Agriculture Zoning District to HI Heavy Industrial Zoning District, one property from CIC Combined Industrial/Commercial Zoning District to HI Heavy Industrial Zoning District, one property from R-2 Two-Family Residential Zoning District to HI Heavy Industrial Zoning District, one property from PQP Public/Quasi-Public Zoning District to IP Industrial Park Zoning District, one property from R-M Multiple Residence Zoning District to LI Light Industrial Zoning District, one property from A(PD) Planned Development Zoning District to MUN Mixed Use Neighborhood Zoning District, one property from R-2 Two-Family Residential Zoning District to MUN Mixed Use Neighborhood Zoning District, one property from CN Commercial Neighborhood Zoning District to OS Open Space Zoning District, one property from CG Commercial General Zoning District to PQP Public/Quasi-Public Zoning District, one property from R-2 Two-

Family Residential Zoning District to PQP Public/Quasi-Public Zoning District, one property from OS Open Space Zoning District to R-1-1 Single-Family Residential Zoning District, one property from CG Commercial General Zoning District to R-1-8 Single-Family Residential Zoning District, one property from CO Commercial Office Zoning District to R-1-8 Single-Family Residential Zoning District, one property from A(PD) Planned Development Zoning District to UV Urban Village Zoning District, one property from LI Light Industrial Zoning District to UV Urban Village Zoning District, one property from PQP Public/Quasi-Public Zoning District to UV Urban Village Zoning District, one property from R-1-8 Single-Family Residential Zoning District to UV Urban Village Zoning District, one property from R-M Multiple Residence Zoning District to UVC Urban Village Commercial Zoning District, all located on those certain real properties throughout the Communications Hill, Martha Gardens, Midtown, Tamien Station Area Specific Plan Areas, Monterey Business Corridor, Senter Rd, County Fairgrounds, Monterey Hwy/Senter Rd Employment Areas, The Alameda East, S. Bascom Ave North, S Bascom Ave South, Camden Ave/Hillsdale Ave, Hamilton Ave/Meridian Ave, Almaden Ex/Hillsdale Ave, Camden Ave/Branham Ln, Kooser Rd/Meridian Ave, Camden Ave/Kooser Rd, Curtner Light Rail/Caltrain, W. Capitol Ex/Monterey Rd, Capitol Ex/Hwy 87 Light Rail, Oakridge Mall and Vicinity/Cambrian, Oakridge Mall and Vicinity/Edenvale, Blossom Hill Rd/Cahalan Ave; and Blossom Hill Rd/Snell Ave Urban Villages.

PROJECT DATA

GENERAL PLAN CONSISTENCY	
General Plan Designation	<p>CIC Combined Industrial/Commercial, HI Heavy Industrial, IP Industrial Park, LI Light Industrial, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, NCC Neighborhood Community/Commercial, OSPH Open Space, Parkland, and Habitats, PQP Public/Quasi-Public, RC Regional Commercial, RN Residential Neighborhood, RR Rural Residential, TR Transit Residential, UR Urban Residential, UV Urban Village, UVC Urban Village Commercial.</p> <p><input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent</p>
Consistent Policies	Implementation Policies IP-1.7, IP-8.2, IP-8.3

City-initiated conforming rezoning throughout the Communications Hill, Martha Gardens, Midtown, Tamien Station Area Specific Plan Areas, Monterey Business Corridor, Senter Rd, County Fairgrounds, Monterey Hwy/Senter Rd Employment Areas, The Alameda East, S. Bascom Ave North, S Bascom Ave South, Camden Ave/Hillsdale Ave, Hamilton Ave/Meridian Ave, Almaden Ex/Hillsdale Ave, Camden Ave/Branham Ln, Kooser Rd/Meridian Ave, Camden Ave/Kooser Rd, Curtner Light Rail/Caltrain, W. Capitol Ex/Monterey Rd, Capitol Ex/Hwy 87 Light Rail, Oakridge Mall and Vicinity/Cambrian, Oakridge Mall and Vicinity/Edenvale, Blossom Hill Rd/Cahalan Ave; and Blossom Hill Rd/Snell Ave Urban Villages to rezone a total

of 870 properties, including 43 split zoned properties. The 870 properties would be rezoned as follows:

- 76 properties from R-M Multiple Residence Zoning District to MUN Mixed Use Neighborhood Zoning District
- 55 properties from R-M Multiple Residence Zoning District to UR Urban Residential Zoning District
- 50 properties from HI Heavy Industrial Zoning District to LI Light Industrial Zoning District
- 48 properties from HI Heavy Industrial Zoning District to CIC Combined Industrial/Commercial Zoning District
- 41 properties from CN Commercial Neighborhood Zoning District to MUN Mixed Use Neighborhood Zoning District
- 40 properties from CP Commercial Pedestrian Zoning District to MUC Mixed Use Commercial Zoning District
- 38 properties from LI Light Industrial Zoning District to CIC Combined Industrial/Commercial Zoning District
- 34 properties from LI Light Industrial Zoning District to HI Heavy Industrial Zoning District
- 32 properties from LI Light Industrial Zoning District to TR Transit Residential Zoning District
- 31 properties from LI Light Industrial Zoning District to R-1-8 Single-Family Residential Zoning District
- 24 properties from LI Light Industrial Zoning District to CP Commercial Pedestrian Zoning District,
- 24 properties from LI Light Industrial Zoning District to UR Urban Residential Zoning District
- 20 properties from R-1-8 Single-Family Residential Zoning District to CP Commercial Pedestrian Zoning District
- 20 properties from R-M Multiple Residence Zoning District to CP Commercial Pedestrian Zoning District
- 20 properties from LI Light Industrial Zoning District to OS Open Space Zoning District
- 18 properties from LI Light Industrial Zoning District to MUN Mixed Use Neighborhood Zoning District
- 17 properties from CG Commercial General Zoning District to UV Urban Village Zoning District
- 17 properties from CP Commercial Pedestrian Zoning District to UV Urban Village Zoning District
- 17 properties from CP Commercial Pedestrian Zoning District to UVC Urban Village

Commercial Zoning District

- 14 properties from CO Commercial Office Zoning District to UVC Urban Village Commercial Zoning District
- 11 properties from A(PD) Planned Development Zoning District to CP Commercial Pedestrian Zoning District
- 10 properties from IP Industrial Park Zoning District to HI Heavy Industrial Zoning District
- 10 properties from IP Industrial Park Zoning District to LI Light Industrial Zoning District
- 10 properties from CG Commercial General Zoning District to UVC Urban Village Commercial Zoning District
- Nine properties from A Agriculture Zoning District to CP Commercial Pedestrian Zoning District
- Nine properties from LI Light Industrial Zoning District to MUC Mixed Use Commercial Zoning District
- Eight properties from CP Commercial Pedestrian Zoning District to CG Commercial General Zoning District
- Eight properties from CG Commercial General Zoning District to CIC Combined Industrial/Commercial Zoning District
- Eight properties from HI Heavy Industrial Zoning District to MUN Mixed Use Neighborhood Zoning District
- Eight properties from CN Commercial Neighborhood Zoning District to UV Urban Village Zoning District
- Seven properties from IP Industrial Park Zoning to CIC Combined Industrial/Commercial Zoning District
- Seven properties from A Agriculture Zoning District to MUN Mixed Use Neighborhood Zoning District
- Seven properties from R-1-8 Single-Family Residential Zoning District to PQP Public/Quasi-Public Zoning District
- Seven properties from CO Commercial Office Zoning District to UV Urban Village Zoning District
- Six properties from CN Commercial Neighborhood Zoning District to R-1-8 Single-Family Residential Zoning District
- Five properties from CN Commercial Neighborhood Zoning District to CG Commercial General Zoning District
- Five properties from R-1-5 Single-Family Residential Zoning District to CP Commercial Pedestrian Zoning District
- Five properties from CG Commercial General Zoning District to LI Light Industrial

Zoning District

- Five properties from CP Commercial Pedestrian Zoning District to MUN Mixed Use Neighborhood Zoning District
- Five properties from HI Heavy Industrial Zoning District to OS Open Space Zoning District
- Four properties from PQP Public/Quasi-Public Zoning District to CP Commercial Pedestrian Zoning District
- Four properties from R-2 Two-Family Residential Zoning District to CP Commercial Pedestrian Zoning District
- Four properties from A Agriculture Zoning District to OS Open Space Zoning District
- Four properties from PQP Public/Quasi-Public Zoning District to TR Transit Residential Zoning District
- Four properties from CO Commercial Office Zoning District to UR Urban Residential Zoning District
- Three properties from HI Heavy Industrial Zoning District to CP Commercial Pedestrian Zoning District
- Three properties from CP Commercial Pedestrian Zoning District to OS Open Space Zoning District
- Three properties from LI Light Industrial Zoning District to PQP Public/Quasi-Public Zoning District
- Three properties from A Agriculture Zoning District to R-1-8 Single-Family Residential Zoning District
- Three properties from HI Heavy Industrial Zoning District to TR Transit Residential Zoning District
- Three properties from R-M Multiple Residence Zoning District to TR Transit Residential Zoning District
- Three properties from CP Commercial Pedestrian Zoning District to UR Urban Residential Zoning District
- Three properties from HI Heavy Industrial Zoning District to UR Urban Residential Zoning District
- Three properties from IP Industrial Park Zoning District to UR Urban Residential Zoning District
- Two properties from PQP Public/Quasi-Public Zoning District to HI Heavy Industrial Zoning District
- Two properties from A Agriculture Zoning District to IP Industrial Park Zoning District
- Two properties from PQP Public/Quasi-Public Zoning District to OS Open Space Zoning District
- Two properties from R-1-8 Single-Family Residential Zoning District to OS Open Space

Zoning District

- Two properties from R-M Multiple Residence Zoning District to OS Open Space Zoning District
- Two properties from CP Commercial Pedestrian Zoning District to PQP Public/Quasi-Public Zoning District
- Two properties from R-1-5 Single-Family Residential Zoning District to PQP Public/Quasi-Public Zoning District
- Two properties from CN Commercial Neighborhood Zoning District to UVC Urban Village Commercial Zoning District
- One property from A Agriculture Zoning District to CG Commercial General Zoning District
- One property from R-1-5 Single-Family Residential Zoning District to CG Commercial General Zoning District
- One property from R-2 Two-Family Residential Zoning District to CG Commercial General Zoning District
- One property from A Agriculture Zoning District to HI Heavy Industrial Zoning District
- One property from CIC Combined Industrial/Commercial Zoning District to HI Heavy Industrial Zoning District
- One property from R-2 Two-Family Residential Zoning District to HI Heavy Industrial Zoning District
- One property from PQP Public/Quasi-Public Zoning District to IP Industrial Park Zoning District
- One property from R-M Multiple Residence Zoning District to LI Light Industrial Zoning District
- One property from A(PD) Planned Development Zoning District to MUN Mixed Use Neighborhood Zoning District
- One property from R-2 Two-Family Residential Zoning District to MUN Mixed Use Neighborhood Zoning District
- One property from CN Commercial Neighborhood Zoning District to OS Open Space Zoning District
- One property from CG Commercial General Zoning District to PQP Public/Quasi-Public Zoning District
- One property from R-2 Two-Family Residential Zoning District to PQP Public/Quasi-Public Zoning District
- One property from OS Open Space Zoning District to R-1-1 Single-Family Residential Zoning District
- One property from CG Commercial General Zoning District to R-1-8 Single-Family Residential Zoning District

- One property from CO Commercial Office Zoning District to R-1-8 Single-Family Residential Zoning District
- One property from A(PD) Planned Development Zoning District to UV Urban Village Zoning District
- One property from LI Light Industrial Zoning District to UV Urban Village Zoning District
- One property from PQP Public/Quasi-Public Zoning District to UV Urban Village Zoning District
- One property from R-1-8 Single-Family Residential Zoning District to UV Urban Village Zoning District
- One property from R-M Multiple Residence Zoning District to UVC Urban Village Commercial Zoning District

The proposed 870 properties also include 43 split zoned properties. The split zoned properties would be rezoned as follows:

- Four properties from the split zoned CG Commercial General and CO Commercial Office Zoning Districts to the UVC Urban Village Commercial Zoning District
- Three properties from the split zoned CG Commercial General and CO Commercial Office Zoning Districts to the UV Urban Village Zoning District
- One property from the split zoned CG Commercial General and R-1-8 Single-Family Residential Zoning Districts to the UV Urban Village Zoning District
- One property from the split zoned CN Commercial Neighborhood and CP Commercial Pedestrian Zoning District to the UVC Urban Village Commercial Zoning Districts
- One property from the split zoned CP Commercial Pedestrian and R-M Multiple Residence District Zoning Districts to the UVC Urban Village Commercial Zoning District
- One property from the split zoned R-1-8 Single-Family Residential and CP Commercial Pedestrian Zoning Districts to the split zoned PQP Public/Quasi-Public and UVC Urban Village Commercial Zoning Districts
- Two properties from the split zoned CP Commercial Pedestrian and R-M Multiple Residence District Zoning Districts to the OS Open Space Zoning District
- One property from the split zoned LI Light Industrial and R-2 Two-Family Residential Zoning Districts to the MUN Mixed Use Neighborhood Zoning District
- One property from the CN Commercial Neighborhood Zoning District to the split zoned OS Open Space and R-1-8 Single-Family Residential Zoning Districts
- Two properties from the LI Light Industrial Zoning District to the split zoned OS Open Space and UR Urban Residential Zoning Districts
- One property from the split zoned HI Heavy Industrial and LI Light Industrial Zoning Districts to the split zoned CP Commercial Pedestrian and HI Heavy Industrial Zoning Districts

- One property from the split zoned CG Commercial General and HI Heavy Industrial Zoning Districts to the LI Light Industrial Zoning District
- One property from the split HI Heavy Industrial and LI Light Industrial Districts to the split zoned LI Light Industrial and UR Urban Residential Zoning Districts
- Two properties from the HI Heavy Industrial District to the split zoned MUN Mixed Use Neighborhood and UR Urban Residential Zoning Districts
- Eight properties from the split zoned HI Heavy Industrial and LI Light Industrial Zoning Districts to the CIC Combined Industrial/Commercial Zoning District
- One property from the split zoned CG Commercial General and HI Heavy Industrial Zoning Districts to the CIC Combined Industrial/Commercial Zoning Districts
- One property from the IP Industrial Park Zoning District to split zoned CIC Combined Industrial/Commercial and HI Heavy Industrial Zoning Districts
- One property from the split zoned A Agriculture and PQP Public/Quasi-Public to the split zoned HI Heavy Industrial, IP Industrial Park, and OS Open Space Zoning Districts
- One property from the IP Industrial Park to the CIC Combined Industrial/Commercial Zoning District
- One property from the HI Heavy Industrial to the split zoned LI Light Industrial and TR Transit Residential Zoning Districts
- One property from the split zoned LI Light Industrial and R-2 Two-Family Residential Zoning Districts to the PQP Public/Quasi-Public Zoning Districts
- Two properties from the HI Heavy Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District
- Two properties from the HI Heavy Industrial Zoning District to the LI Light Industrial Zoning District
- One property from the split zoned R-1-8 Single-Family Residential and R-M Multiple Residence Zoning Districts to the CP Commercial Pedestrian Zoning District
- Two properties from the A Agriculture Zoning District to the split zoned CP Commercial Pedestrian and R-1-8 Single-Family Residential Zoning Districts

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 recent changes in State law and to streamline the development review process for projects consistent with the General Plan, staff has been working on a multiyear effort to make the zoning district map consistent with the Envision San José 2040 General Plan land use map. The first phase of this work (Phase 1(a)) was approved by City Council in June 2019, which aligned the existing zoning districts with their respective General Plan designations, including changes to permitting requirements in the Zoning Ordinance across all zoning districts. Phase 1(b) was approved by City Council in June 2021 and created six new urban village 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 the 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 870 properties to make their designated zoning consistent with their General Plan land use designation. The proposed 870 properties are located throughout the Communications Hill, Martha Gardens, Midtown, Tamien Station Area Specific Plan Areas, Monterey Business Corridor, Senter Rd, County Fairgrounds, Monterey Hwy/Senter Rd Employment Areas, The Alameda East, S. Bascom Ave North, S Bascom Ave South, Camden Ave/Hillsdale Ave, Hamilton Ave/Meridian Ave, Almaden Ex/Hillsdale Ave, Camden Ave/Branham Ln, Kooser Rd/Meridian Ave, Camden Ave/Kooser Rd, Curtner Light Rail/Caltrain, W. Capitol Ex/Monterey Rd, Capitol Ex/Hwy 87 Light Rail, Oakridge Mall and Vicinity/Cambrian, Oakridge Mall and Vicinity/Edenvale, Blossom Hill Rd/Cahalan Ave; and Blossom Hill Rd/Snell Ave Urban Villages, 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
- 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, HI Heavy Industrial, IP Industrial Park, LI Light Industrial, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, NCC Neighborhood Community/Commercial, OSPH Open Space, Parkland, and Habitats, PQP Public/Quasi-Public, RC Regional Commercial, RN Residential Neighborhood, RR Rural Residential, TR Transit Residential, UR Urban Residential, UV Urban Village, UVC Urban Village Commercial. (see Exhibit A of 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. While this designation potentially accommodates a wide variety of uses and building forms, more specific guidance should be provided through the application of the Zoning Ordinance in order to establish use and form standards that will promote the development of a cohesive employment area across multiple adjoining properties that share this designation.

HI Heavy Industrial: This category is intended for industrial users with nuisance or hazardous characteristics which for reasons of health, safety, environmental effects, or welfare are best segregated from other uses. Extractive and primary processing industries are typical of this category. Office and research and development uses are discouraged under this designation in order to reserve development sites for traditional industrial activities, such as heavy and light manufacturing and warehousing. The Heavy Industrial designation is also the appropriate category for solid waste transfer and processing stations if those sites meet other Envision General Plan policies. Very limited-scale retail sales and service establishments serving nearby businesses and their employees may be considered appropriate where such establishments do not restrict or preclude the ability of surrounding Heavy Industrial land from being used to its fullest extent and are not of a scale or design that depend on customers from beyond normal walking distances. Any such uses should be clearly incidental to the industrial users on the property and integrated within an industrial building.

IP Industrial Park: This designation is an industrial designation intended for a wide variety of industrial users such as research and development, manufacturing, assembly, testing and offices. This designation is differentiated from the Light Industrial and Heavy Industrial designations in that Industrial Park uses are limited to those for which the functional or operational characteristics of a hazardous or nuisance nature can be mitigated through design controls. Hospitals may be appropriate within this designation if it can be demonstrated that they will not be incompatible with Industrial Park uses or other nearby activities. Areas identified exclusively for Industrial Park use may contain a very limited number of supportive and compatible commercial uses when those uses are of a scale and design providing support only to the needs of businesses and their employees in the immediate industrial area. These commercial uses should typically be located within a larger industrial building to protect the character of the area and maintain land use compatibility. Additional flexibility may be provided for retail and service commercial uses, including hotels within the North San José Development Policy area and the Edenvale Development Policy area through the City's discretionary review and permitting process. One primary difference between this use category and the "Light Industrial" category is that, through the Zoning Ordinance, performance and design standards are more stringently applied to Industrial Park 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. Because of the limited supply of land available for industrial suppliers/services firms in the city, Land Use Policies in the Envision General Plan restrict land use changes on sites designated Light Industrial. Design controls for this category of use are not as stringent as for the “Industrial Park” uses.

MUC Mixed Use Commercial: This designation is intended to accommodate a mix of commercial and residential uses with an emphasis on commercial activity. 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 designation supports commercial or mixed-use development integrated within the Mixed Use Neighborhood area. This designation should be used to establish new neighborhoods with a cohesive urban form, to provide the transition between higher-density and lower-density neighborhoods, or to facilitate new infill development within an existing area that does not have an established cohesive urban character. 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. The allowable density/intensity for mixed-use development will be determined using an allowable Floor Area Ratio (FAR) (0.25 to 2.0) rather than Dwelling Units per Acre (DU/ AC) to better address the urban form and to potentially allow fewer units per acre if in combination with other non-residential uses such as commercial or office.

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 neighborhood 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. This designation also supports one hundred percent (100%) deed-restricted affordable housing developments that are consistent with General Plan Policy H-2.9 and Policy IP-5.12.

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. Privately-owned lands in this designation are to be used for low-intensity, open-space activities. Appropriate uses for privately-owned lands in this category include cemeteries, salt ponds, and private buffer lands such as riparian setbacks. Where appropriate and where it has not otherwise been identified for use as open space (through a zoning, for instance), privately owned land in this designation may be considered for low-intensity agricultural uses provided that such uses do not involve the addition of buildings or other structures or use of irrigation on significant portions of the site.

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.

RC Regional Commercial: These commercial areas attract customers from a regional area and play an important fiscal and economic role for the City. This designation is applied primarily to existing regional shopping centers, though sometimes it may reflect the cumulative attraction of a regional center and one or more nearby community or specialty commercial centers, or two or

more community or specialty centers in close proximity whose combined drawing power is of a regional scale. This designation supports a very wide range of commercial uses, which may develop at a wide range of densities. Large shopping malls and large or specialty commercial centers that draw customers from the greater regional area are appropriate in this designation along with office uses ranging in intensity up to a 12.0 FAR. Hospitals and private community gathering facilities can also be considered in this designation. The Envision General Plan supports the intensification and urbanization of Regional Commercial areas in order to promote increased commercial activity and more walkable, urban environments in Regional Commercial districts.

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.

RR Rural Residential: This designation is applied to areas already largely developed for residential use with a low density or rural character. Any new infill development should be limited to densities that match the established density, lot size, and character of surrounding properties. Properties with this designation that have existing zoning entitlements or traffic allocations in place may proceed with the development of those entitlements, even if at a higher density than 2 DU/AC or existing land use pattern. New development in this designation may also be limited to densities lower than 2 DU/AC due to issues such as geologic conditions, grading limitations, proximity to creeks, or higher costs for the provision of services. Since this designation is planned on the fringes of the City, the type and level of services required to support future developments in this category are expected to be less than that required for more urban land uses. Projects should minimize the demand for urban services and provide their own major funding for the construction of service facilities necessitated for the project. Discretionary development permits should be required for new development and subdivisions in these areas as a mechanism to address public service levels, grading, geologic, environmental, aesthetics, and other issues.

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 office, 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 commercial projects is a FAR of 2.0 to 12.0 with a minimum FAR of 2.0. Residential/commercial mixed-use development shall require a minimum of 50 DU/AC with a maximum FAR of 12.0. 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 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.

UV Urban Village: This designation is applied within the Urban Village areas that are planned in the current Horizon to accommodate higher density housing growth along with a significant amount of job growth. This designation is also applied in some cases to specific sites within Urban Village Area Boundaries that have received entitlements for Urban Village type development. This designation supports a wide variety of commercial, residential, institutional, or other land uses with an emphasis on establishing an attractive urban form in keeping with the Urban Village concept. Development within the Urban Village designation should conform to land use and design standards established with an adopted Urban Village Plan, which specifies how each Urban Village will accommodate the planned housing and job growth capacity within the identified Urban Village Growth Area. Prior to the preparation of an Urban Village Plan, this designation supports uses consistent with those of the Neighborhood Community Commercial designation, as well as the development of Signature Projects as described in the Envision General Plan Implementation policies. Following the preparation of an Urban Village Plan, the appropriate use for a site will be commercial, residential, mixed-use, public facility, or other use as indicated within the Urban Village plan as well as those uses supported by the Neighborhood/Community Commercial designation.

UVC Urban Village Commercial: The Urban Village Commercial designation is applied within the Urban Village Growth Areas. The Urban Village Commercial land use designation supports commercial activity that is more intensive than that of the Neighborhood/Community Commercial land use designation. Appropriate uses in this designation include mid-rise office

buildings, health care facilities, and hotels, along with ground floor neighborhood-serving commercial and retail uses. Aggregation of smaller parcels is supported in this designation in order to form parcels ideal for larger, mid-rise development. Development within the Urban Village Commercial designation should conform to land use and design standards established with an adopted Urban Village Plan. Development under this designation should be developed in an urban and pedestrian-oriented form. This designation does not support drive-through uses. Allowable uses, FAR, height, and building form for this designation may be further defined within the applicable Urban Village Plan.

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

1. Implementation Policy IP-1.7: Ensure that proposals to rezone and prezone 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 General Plan land use designations for the proposed sites include, CIC, HI, IP, LI, MUC, MUN, NCC, OSPH, PQP, RC, RN, RR, TR, UR, UV, and UVC. Therefore, staff proposes a Conforming Rezoning of the properties from the A(PD) to MUC, CP to MUC, LI to MUC, A to MUN, A(PD) to MUN, CN to MUN, CP to MUN, HI to MUN, LI to

MUN, R-M to MUN, A to OS, CP to OS, HI to OS, LI to OS, PQP to OS, R-1-8 to OS, CG to PQP, CP to PQP, LI to PQP, R-1-5 to PQP, R-1-8 to PQP, R-M to PQP, OS to R-1-1, CG to R-1-8, CN to R-1-8, CO to R-1-8, LI to R-1-8, CP to TR, HI to TR, LI to TR, PQP to TR, R-M to TR, CO to UR, CP to UR, HI to UR, IP to UR, LI to UR, R-M to UR, A(PD) to UV, CG to UV, CN to UV, CO to UV, CP to UV, LI to UV, PQP to UV, CG to UVC, CN to UVC, CO to UVC, CP to UVC, split zoned CG and CO to UVC, split zoned CG and CO to UV, split zoned CG and R-1-8 to UV, split zoned CN and CP to UVC, split zoned CP and R-M to UVC, split zoned R-1-8 and CP to split zoned PQP and UVC, split zoned CP and R-M to OS, split zoned LI and R-2 to MUN, CN to split zoned OS and R-1-8, LI to split zoned OS and UR, split zoned HI and LI to split zoned CP and HI, split zoned CG and HI to LI, split zoned HI and LI to split zoned LI and UR, HI to split zoned MUN and UR, split zoned HI and LI to CIC, split zoned CG and HI to CIC, IP to split zoned CIC and HI, split zoned A and PQP to split zoned HI, IP, and OS, HI to split zoned LI and TR, split zoned LI and R-2 to PQP, HI to CIC, HI to LI, split zoned R-1-8 and R-M to CP, A to split zoned CP and R-1-8. 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 CIC, CG, CP, HI, IP, LI, MUC, MUN, OS, PQP, R-1-1, R-1-8, TR, UR, UV, and UVC Zoning District as a conforming district to the respective CIC, RC, NCC, HI, IP, LI, MUC, MUN, OSPH, PQP, RR, RN, TR, UR, UV, and UVC General Plan land use designations. (see Exhibit A of 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.

Approval of File Nos. C22-101, C22-104, C22-110, C22-111, C22-115, C22-116, C22-117, C22-118, C22-119, C22-120, C22-121, C23-001, C23-002, C23-003, C23-004, C23-005 would not result in a decrease of residential capacity. Among the properties that are the subject of the proposed rezoning, 200 properties would have a reduction of a total of 6,016 residential unit capacity, 341 properties would have an increase of a total of 25,221 residential unit capacity, 329 properties would not have any change in residential capacity. Thus, the proposed rezoning would not result in any decrease in residential unit capacity but will result in a 19,205-unit residential capacity increase, which complies with SB330 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 Envision San José 2040 General Plan FEIR, SEIR, and Addenda have been identified, nor have any new mitigation measures or alternatives that are considerably different from those analyzed in the FEIR, SEIR, and Addenda been identified.

PUBLIC HEARING NOTIFICATION

Staff followed Council Policy 6-30: Public Outreach Policy. Planning staff distributed notices to the property owners and tenants for File Nos. C22-101, C22-104, C22-110, C22-111, C22-115, C22-116, C22-117, C22-118, C22-119, C22-120, C22-121, C23-001, C23-002, C23-003, C23-004, C23-005 on April 14, 2023, to provide information on the proposed Conforming Rezoning. Staff included their contact information on the notice and have been available to answer any questions that property owners and tenants may have. The notice also included directions to the Rezoning and General Plan Alignment website which has information to assist property owners and tenants with the process and includes frequently asked questions. The notice also included directions to our interactive Rezoning Map Viewer where the community can view the rezonings that are happening within their neighborhood and throughout the city.

Subsequent to sending the rezoning notice to affected property owners and tenants, a notice of the public hearing was distributed to the owners and tenants of all properties located within 300 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.

Attachment: Draft Ordinance