

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY WITHIN APPROXIMATELY 262 GROSS ACRES LOCATED WITHIN THE BOUNDARIES OF THE DIRIDON STATION AREA PLAN GENERALLY BOUNDED BY LENZEN AVENUE AND THE UNIION PACIFIC RAILROAD TRACKS TO THE NORTH; THE GUADALUPE RIVER AND STATE ROUTE 87 TO THE EAST; INTERSTATE 280 TO THE SOUTH; AND SUNOL STREET AND THE DIRIDON STATION COMMUTER RAIL TO THE WEST FROM ZONING DISTRICTS THAT INCLUDE COMBINED INDUSTRIAL/COMMERCIAL, COMMERCIAL GENERAL, COMMERCIAL NEIGHBORHOOD, COMMERCIAL PEDESTRIAN, HEAVY INDUSTRIAL, INDUSTRIAL PARK, LIGHT INDUSTRIAL, TWO-FAMILY RESIDENTIAL, AND TRANSIT EMPLOYMENT CENTER TO ZONING DISTRICTS THAT INCLUDE DOWNTOWN PRIMARY COMMERCIAL, OPEN SPACE, AND R-M RESIDENCE ZONING DISTRICTS (MULTIPLE UNIT/LOT)

WHEREAS, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken with respect to the real property hereinafter described; and

WHEREAS, an Initial Study/Addendum to the Downtown Strategy 2040 Final Environmental Impact Report (Resolution No. 78942), and Addenda thereto was prepared in conformance with the California Environmental Quality Act of 1970 (CEQA), as amended, for the subject rezoning to Downtown Primary Commercial, Open Space, and R-M Residence Zoning Districts (Multiple Unit/Lot) under File Number PP19-082 (the "Addendum"); and

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WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the Downtown Primary Commercial, Open Space, and R-M Residence Zoning Districts (Multiple Unit/Lot); and

WHEREAS, this Council of the City of San José has considered, approved, and adopted the Addendum to the Downtown Strategy 2040 Final Environmental Impact Report (Resolution No. 78942), and Addenda thereto under separate Council Resolution prior to taking any approval actions on this project; and

WHEREAS, the proposed rezoning is consistent with the designation of the sites in the applicable General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned to the Downtown Primary Commercial, Open Space, and R-M Residence Zoning Districts (Multiple Unit/Lot), as more particularly shown in Exhibit "A".

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, within the City of San José and generally bounded by Lenzen Avenue and the Union Pacific Railroad (UPRR) tracks to the north, Interstate 280 (I-280) to the south, the Guadalupe River and Delmas Avenue to the east, and Sunol Street and the Diridon Station Commuter rail tracks to the west, depicted in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 3. The district map of the City is hereby amended accordingly.

SECTION 4. Any land development approval that is the subject of City File No. C20-002 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

PASSED FOR PUBLICATION of title this ____ day of _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT "A"

Zoning Districts

