



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Jimenez

**SUBJECT: C21-013, C21-015 & C21-016 - City
Initiated Conforming Rezoning to align the
Zoning Ordinance with the General Plan.**

DATE: August 30, 2021

Approved

Date: 8/30/2021

A handwritten signature in cursive script, appearing to read "Sergio Jimenez".

RECOMMENDATION

1. For the next set of City-initiated conforming re-zonings, direct staff to prioritize properties in Mid-Coyote Valley and South Coyote Valley.
2. Direct staff to enhance the transparency of the SB330 compliance analysis for conforming re-zonings that reduce residential capacity.

BACKGROUND/ANALYSIS

The Envision San José 2040 General Plan does not permit residential development in South Coyote Valley, nor does it support growth within the Mid-Coyote Urban Reserve through the year 2040. However, many parcels in Mid- and South Coyote retain residential zoning, a legacy of the Dutch Hamann era. The state legislature has advanced aggressive housing production laws in recent years, and urgent action is necessary not only to comply with SB1333 but also to achieve the City's ambitious goals to preserve Coyote Valley. Conforming re-zonings in North Coyote Valley should be prioritized immediately following any Council action related to the potential General Plan amendments under consideration.

Separately, the staff-recommended action will eliminate sites for residential development that are allowable under state law. We should understand the impact of these decisions.

Clarification regarding how the capacity increase in PDC19-039 and C20-002 work together is needed: the first, Downtown West, is a subset of the second, the Diridon Station Area Plan amendment tied to an EIR with a fixed residential capacity. Similarly, it would be helpful to understand the feasibility of assigning significant residential capacity to Mitty High School (C21-003). The staff report for the latter admits readily that this site "has been used as a private school and religious assembly use for decades and it is unlikely that the current use of the site will change in the near future." The intent of SB 330 is not to create phantom residential capacity. Greater transparency in this accounting is essential.

The effort to align the City's zoning with our General Plan is tremendous, and I am grateful for staff's work on this important issue.