

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSÉ REZONING 25 PROPERTIES FROM A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, 10 PROPERTIES FROM A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO CG COMMERCIAL GENERAL ZONING DISTRICT, 10 PROPERTIES FROM A(PD) PLANNED DEVELOPMENT TO IP INDUSTRIAL PARK ZONING DISTRICT, SIX PROPERTIES FROM A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT, FOUR PROPERTIES FROM LI(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT, THREE PROPERTIES FROM CO(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, TWO PROPERTIES FROM R-1-8(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, TWO PROPERTIES FROM A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO CIC COMBINED INDUSTRIAL/COMMERCIAL ZONING DISTRICT, TWO PROPERTIES FROM IP(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO TEC TRANSIT EMPLOYMENT CENTER, ONE PROPERTY FROM R-2(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN, ONE PROPERTY FROM CO(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO CG COMMERCIAL GENERAL ZONING DISTRICT, AND ONE PROPERTY FROM R-1-8(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO CG COMMERCIAL GENERAL ZONING DISTRICT, ALL LOCATED ON THOSE CERTAIN REAL PROPERTIES SITUATED WITHIN THE CITY OF SAN JOSÉ

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

WHEREAS, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined the proposed rezoning is pursuant to, in furtherance of and within

the scope of the previously approved program evaluated in the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (the “FEIR”), for which findings were adopted by City Council through its Resolution No. 76041 on November 1, 2011 and Supplemental Environmental Impact Report (the “SEIR”), through Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto, and does not involve new significant effects beyond those analyzed in the FEIR and SEIR; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezonings to the CP Commercial Pedestrian, CG Commercial General, CN Commercial Neighborhood, CIC Combined Industrial/Commercial, TEC Transit Employment Center, IP Industrial Park; and

WHEREAS, this Council of the City of San José has considered and approves the information contained in the FEIR and related City Council Resolution No. 76041, and in the SEIR and related City Council Resolution No. 77617, and Addenda thereto, and the determination of consistency therewith prior to acting upon or approving the subject rezoning; and

WHEREAS, the proposed rezonings are consistent with the designations of the sites in the applicable General Plan; and

WHEREAS, pursuant to Senate Bill 330, the proposed rezonings (File Nos. C24-024, C24-025, C24-026, C24-027, C24-028, C24-030) will not decrease the number of residential units allowed. The Planned Development Zonings will allow continued commercial or industrial uses prior to rezonings by this ordinance. Rezoning the Planned Development zoned parcels will allow the updated uses of the current zoning ordinance, thereby complying with Senate Bill 330 requirements; and

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

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 CP Commercial Pedestrian, CG Commercial General, CN Commercial Neighborhood, CIC Combined Industrial/Commercial, TEC Transit Employment Center, and IP Industrial Park.

The subject properties referred to in this section are all those real properties situated in the County of Santa Clara, State of California, described in Exhibit "A" and depicted in Exhibit "B" attached hereto and incorporated herein by this reference.

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

SECTION 4. Any land development approval that is the subject of City File Nos. C24-024, C24-025, C24-026, C24-027, C24-028, C24-030 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

PASSED FOR PUBLICATION of title this ____ day of _____, 2024 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT “A”

EXISTING GENERAL PLAN DESIGNATION AND EXISTING AND PROPOSED ZONING DISTRICT PARCEL LIST

File Nos. C24-024, C24-025, C24-026, C24-027, C24-028, C24-030: The following parcels specified by Assessor’s Parcel Number (APN) are hereby rezoned from the zoning district specified below as “Existing Zoning” to the zoning district specified below as “Conforming Rezoning:”

No	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Residential Units)
1	23701051	CIC	A(PD)	CIC	0
2	46219006	CIC	A(PD)	CIC	0
3	23702074	IP	A(PD)	IP	0
4	23702075	IP	A(PD)	IP	0
5	23702082	IP	A(PD)	IP	0
6	23702083	IP	A(PD)	IP	0
7	23702084	IP	A(PD)	IP	0
8	23719053	IP	A(PD)	IP	0
9	23702078	IP	A(PD)	IP	0
10	23702039	IP	A(PD)	IP	0
11	23702081	IP	A(PD)	IP	0
12	23702072	IP	A(PD)	IP	0
13	46249004	NCC	A(PD)	CG	0
14	67853002	NCC	A(PD)	CG	0
15	67853005	NCC	A(PD)	CG	0
16	69419020	NCC	A(PD)	CG	0
17	67853001	NCC	A(PD)	CG	0
18	56902071	NCC	A(PD)	CG	0
19	69419026	NCC	A(PD)	CG	0
20	69419025	NCC	A(PD)	CG	0
21	69419018	NCC	A(PD)	CG	0
22	46249008	NCC	A(PD)	CG	0
23	27735052	NCC	CO(PD)	CG	0
24	27735052	NCC	R-1-8(PD)	CG	0
25	26106036	NCC	A(PD)	CN	0
26	26106037	NCC	A(PD)	CN	0
27	24544008	NCC	A(PD)	CN	0

No	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Residential Units)
28	67603035	NCC	A(PD)	CN	0
29	67043C01	NCC	A(PD)	CN	0
30	68430010	NCC	A(PD)	CN	0
31	67015020	NCC	LI(PD)	CN	0
32	67015021	NCC	LI(PD)	CN	0
33	67015022	NCC	LI(PD)	CN	0
34	67015023	NCC	LI(PD)	CN	0
35	25465027	NCC	A(PD)	CP	0
36	48117070	NCC	A(PD)	CP	0
37	48406113	NCC	A(PD)	CP	0
38	48445116	NCC	A(PD)	CP	0
39	59201022	NCC	A(PD)	CP	0
40	59201021	NCC	A(PD)	CP	0
41	24544010	NCC	A(PD)	CP	0
42	48456050	NCC	A(PD)	CP	0
43	70610030	NCC	A(PD)	CP	0
44	57709045	NCC	A(PD)	CP	0
45	46264012	NCC	A(PD)	CP	0
46	27705007	NCC	A(PD)	CP	0
47	69524071	NCC	A(PD)	CP	0
48	69524072	NCC	A(PD)	CP	0
49	46220005	NCC	A(PD)	CP	0
50	46220006	NCC	A(PD)	CP	0
51	46264003	NCC	A(PD)	CP	0
52	46264004	NCC	A(PD)	CP	0
53	46264005	NCC	A(PD)	CP	0
54	46264006	NCC	A(PD)	CP	0
55	46264007	NCC	A(PD)	CP	0
56	46264008	NCC	A(PD)	CP	0
57	46264009	NCC	A(PD)	CP	0
58	46264010	NCC	A(PD)	CP	0
59	46264011	NCC	A(PD)	CP	0
60	48407076	NCC	CO(PD)	CP	0
61	48407077	NCC	CO(PD)	CP	0
62	38131C01	NCC	CO(PD)	CP	0

No	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Residential Units)
63	46427028	NCC	R-1-8(PD)	CP	0
64	46427029	NCC	R-1-8(PD)	CP	0
65	68702051	NCC	R-2(PD)	CP	0
66	10130003	TEC	IP(PD)	TEC	0
67	10130002	TEC	IP(PD)	TEC	0

EXHIBIT “B”

EXISTING GENERAL PLAN DESIGNATION AND EXISTING AND PROPOSED ZONING DISTRICT MAPS

File Nos. C24-024, C24-025, C24-026, C24-027, C24-028, C24-030: The Zoning District Map is hereby amended as follows:



































































