

**(b) C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023 - City Initiated Rezoning of 511 Parcels to Align a Property's Zoning District to its' General Plan in Land Use Designation in Response to Senate Bill 1333. – TO BE HEARD IMMEDIATELY AFTER CONSENT**

**Recommendation:**

Approve an ordinance rezoning 212 properties from R-M Multi-Family Residential Zoning District to UR Urban Residential Zoning District, 73 properties from R-1-8 Single-Family Residential Zoning District to OS Open Space Zoning District, 57 properties from R-1-8 Single-Family Residential Zoning District to PQP Public/Quasi-Public Zoning District, 39 properties from R-1-8 Single-Family Residential Zoning District to R-1-2 Single-Family Residential Zoning District, 20 properties from R-M Multi-Family Residential Zoning District to MUN Mixed Use Neighborhood Zoning District, 17 properties from R-2 Two Family Residential Zoning District to MUN Mixed Use Neighborhood Zoning District, 16 properties from A Agriculture Zoning District to OS Open Space Zoning District, 12 properties from CO Commercial Office Zoning District to R-1-8 Single-Family Residential Zoning District, eight properties from CP Commercial Pedestrian Zoning District to R-1-8 Single-Family Residential Zoning District, six properties from R-1-5 Single-Family Residential Zoning District to PQP Public/Quasi-Public Zoning District, five properties from R-1-1 Single-Family Zoning District to PQP Public/Quasi-Public Zoning District, four properties from CN Commercial Neighborhood Zoning District to OS Open Space Zoning District, four properties from CO Commercial Office Zoning District to OS Open Space Zoning District, three properties from CG Commercial General Zoning District to OS Open Space Zoning District, three properties from CP Commercial Pedestrian Zoning District to OS Open Space Zoning District, three properties from R-1-5 Single-Family Residential Zoning District to OS Open Space Zoning District, three properties from A Agriculture Zoning District to PQP Public/Quasi-Public Zoning District, three properties from CP Commercial Pedestrian Zoning District to UR Urban Residential Zoning District, two properties from R-1-8 Single-Family Residential Zoning District to MUC Mixed Use Commercial Zoning District, two properties from CP Commercial Pedestrian Zoning District to PQP Public/Quasi-Public Zoning District, one property from R-1-8 Single-Family Residential Zoning District to CP Commercial Pedestrian Zoning District, one property from A Agriculture Zoning District to CP Commercial Pedestrian Zoning District, one property from R-M Multi-Family Residential Zoning District to CP Commercial Pedestrian Zoning District, one property from CO Commercial Office Zoning District to MUC Mixed Use Commercial Zoning District, one property from CP Commercial Pedestrian Zoning District to MUC Mixed Use Commercial Zoning District, one property from R-M Multi-Family Residential Zoning District to MUC Mixed Use Commercial Zoning District, one property from A Agriculture Zoning District to MUN Mixed Use Neighborhood Zoning District, one property from CP Commercial Pedestrian Zoning District to MUN Mixed Use Neighborhood Zoning District, one property from HI Heavy Industrial Zoning District to OS Open Space Zoning District, one property from LI Light Industrial Zoning District to OS Open Space Zoning District, one property from R-1-2 Single-Family Residential Zoning District to OS Open Space Zoning District, one property from R-2 Two Family Residential Zoning District to OS Open Space Zoning District, one property from CN Commercial Neighborhood Zoning District to PQP Public/Quasi-Public Zoning District, one property

from CO Commercial Office 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 R-2 Two Family Residential Zoning District to R-1-2 Single-Family Residential Zoning District, one property from R-M Multi-Family Residential Zoning District to R-1-2 Single-Family Residential Zoning District, one property from A Agriculture Zoning District to R-1-8 Single-Family Residential Zoning District, and one property from R-1-8 Single-Family Residential Zoning District to CIC Combined Industrial/Commercial Zoning District, located in various locations on those certain real properties within the City of San José.

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. (Planning, Building and Code Enforcement)

**TO BE HEARD IMMEDIATELY AFTER CONSENT**



## CITY COUNCIL STAFF REPORT

<b>File Nos.</b>	C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, C24-023
<b>Location</b>	511 parcels at various locations within the City of San José.
<b>Existing Zoning</b>	A Agriculture, CG Commercial General, CN Commercial Neighborhood, CO Commercial Office, CP Commercial Pedestrian, HI Heavy Industrial, LI Light Industrial, R-1-1, R-1-2, R-1-5 and R-1-8 Single-Family Residential, R-2 Two Family Residential, R-M Multi-Family Residential
<b>Proposed Zoning</b>	CIC Combined Industrial/Commercial, CP Commercial Pedestrian, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, OS Open Space, PQP Public/Quasi-Public, R-1-2 and R-1-8 Single-Family Residential, UR Urban Residential
<b>CEQA:</b>	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. Consider the 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.
2. Approve an ordinance of the City of San José rezoning 212 properties from R-M Multi-Family Residential Zoning District to UR Urban Residential Zoning District, 73 properties from R-1-8 Single-Family Residential Zoning District to OS Open Space Zoning District, 57 properties from R-1-8 Single-Family Residential Zoning District to PQP Public/Quasi-Public Zoning District, 39 properties from R-1-8 Single-Family Residential Zoning District to R-1-2 Single-Family Residential Zoning District, 20 properties from R-M Multi-Family Residential Zoning District to MUN Mixed Use Neighborhood Zoning District, 17 properties from R-2 Two Family Residential Zoning District to MUN Mixed Use Neighborhood Zoning District, 16 properties from A Agriculture Zoning District to OS Open Space Zoning District, 12 properties from CO Commercial Office Zoning District to R-1-8 Single-Family Residential Zoning District, eight properties from CP Commercial Pedestrian Zoning District to R-1-8 Single-Family Residential Zoning District, six properties from R-1-5 Single-Family Residential Zoning District to PQP Public/Quasi-

Public Zoning District, five properties from R-1-1 Single-Family Zoning District to PQP Public/Quasi-Public Zoning District, four properties from CN Commercial Neighborhood Zoning District to OS Open Space Zoning District, four properties from CO Commercial Office Zoning District to OS Open Space Zoning District, three properties from CG Commercial General Zoning District to OS Open Space Zoning District, three properties from CP Commercial Pedestrian Zoning District to OS Open Space Zoning District, three properties from R-1-5 Single-Family Residential Zoning District to OS Open Space Zoning District, three properties from A Agriculture Zoning District to PQP Public/Quasi-Public Zoning District, three properties from CP Commercial Pedestrian Zoning District to UR Urban Residential Zoning District, two properties from R-1-8 Single-Family Residential Zoning District to MUC Mixed Use Commercial Zoning District, two properties from CP Commercial Pedestrian District to PQP Public/Quasi-Public Zoning District, one property from R-1-8 Single-Family Residential Zoning District to CP Commercial Pedestrian Zoning District, one property from A Agriculture Zoning District to CP Commercial Pedestrian Zoning District, one property from R-M Multi-Family Residential Zoning District to CP Commercial Pedestrian District, one property from CO Commercial Office Zoning District to MUC Mixed Use Commercial Zoning District, one property from CP Commercial Pedestrian Zoning District to MUC Mixed Use Commercial Zoning District, one property from R-M Multi-Family Residential Zoning District to MUC Mixed Use Commercial Zoning District, one property from A Agriculture Zoning District to MUN Mixed Use Neighborhood Zoning District, one property from CP Commercial Pedestrian Zoning District to MUN Mixed Use Neighborhood Zoning District, one property from HI Heavy Industrial Zoning District to OS Open Space Zoning District, one property from LI Light Industrial Zoning District to OS Open Space Zoning District, one property from R-1-2 Single-Family Residential Zoning District to OS Open Space Zoning District, one property from R-2 Two Family Residential Zoning District to OS Open Space Zoning District, one property from CN Commercial Neighborhood Zoning District to PQP Public/Quasi-Public Zoning District, one property from CO Commercial Office 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 R-2 Two Family Residential Zoning District to R-1-2 Single-Family Residential Zoning District, one property from R-M Multi-Family Residential Zoning District to R-1-2 Single-Family Residential Zoning District, one property from A Agriculture Zoning District to R-1-8 Single-Family Residential Zoning District, and one property from R-1-8 Single-Family Residential Zoning District to CIC Combined Industrial/Commercial 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, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, NCC Neighborhood/Community Commercial, OSPH Open Space, Parklands and Habitat, PQP Public/Quasi-Public, PROS Private Recreation and Open Space, RN Residential Neighborhood, RR Rural Residential, UR Urban Residential



	<input checked="" type="checkbox"/> <b>Consistent</b> <input type="checkbox"/> <b>Inconsistent</b>
<b>Consistent Policies</b>	<b>Implementation Policies IP-1.7, IP-8.2, IP-8.3</b>

## PROJECT DESCRIPTION

City-initiated Conforming Rezoning to rezone a total of 511 properties. The 511 would be rezoned as follows: 212 properties from R-M Multi-Family Residential Zoning District to UR Urban Residential Zoning District, 73 properties from R-1-8 Single-Family Residential Zoning District to OS Open Space Zoning District, 57 properties from R-1-8 Single-Family Residential Zoning District to Public/Quasi-Public Zoning District, 39 properties from R-1-8 Single-Family Residential Zoning District to R-1-2 Single-Family Residential Zoning District, 20 properties from R-M Multi-Family Residential Zoning District to MUN Mixed Use Neighborhood Zoning District, 17 properties from R-2 Two Family Residential Zoning District to MUN Mixed Use Neighborhood Zoning District, 16 properties from A Agriculture Zoning District to OS Open Space Zoning District, 12 properties from CO Commercial Office Zoning District to R-1-8 Single-Family Residential Zoning District, eight properties from CP Commercial Pedestrian Zoning District to R-1-8 Single-Family Residential Zoning District, six properties from R-1-5 Single-Family Residential Zoning District to Public/Quasi-Public Zoning District, five properties from R-1-1 Single-Family Zoning District to Public/Quasi-Public Zoning District, four properties from CN Commercial Neighborhood Zoning District to OS Open Space Zoning District, four properties from CO Commercial Office Zoning District to OS Open Space Zoning District, three properties from CG Commercial General Zoning District to OS Open Space Zoning District, three properties from CP Commercial Pedestrian Zoning District to OS Open Space Zoning District, three properties from R-1-5 Single-Family Residential Zoning District to OS Open Space Zoning District, three properties from A Agriculture Zoning District to PQP Public/Quasi-Public Zoning District, three properties from CP Commercial Pedestrian Zoning District to UR Urban Residential Zoning District, two properties from R-1-8 Single-Family Residential Zoning District to MUC Mixed Use Commercial Zoning District, two properties from CP Commercial Pedestrian District to PQP Public/Quasi-Public Zoning District, one property from R-1-8 Single-Family Residential Zoning District to CP Commercial Pedestrian Zoning District, one property from A Agriculture Zoning District to CP Commercial Pedestrian Zoning District, one property from R-M Multi-Family Residential Zoning District to CP Commercial Pedestrian District, one property from CO Commercial Office Zoning District to MUC Mixed Use Commercial Zoning District, one property from CP Commercial Pedestrian Zoning District to MUC Mixed Use Commercial Zoning District, one property from R-M Multi-Family Residential Zoning District to MUC Mixed Use Commercial Zoning District, one property from A Agriculture Zoning District to MUN Mixed Use Neighborhood Zoning District, one property from CP Commercial Pedestrian Zoning District to MUN Mixed Use Neighborhood Zoning District, one property from HI Heavy Industrial Zoning District to OS Open Space Zoning District, one property from LI Light Industrial Zoning District to OS Open Space Zoning District, one property from R-1-2 Single-Family Residential Zoning District to OS Open Space Zoning

District, one property from R-2 Two Family Residential Zoning District to OS Open Space Zoning District, one property from CN Commercial Neighborhood Zoning District to PQP Public/Quasi-Public Zoning District, one property from CO Commercial Office 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 R-2 Two Family Residential Zoning District to R-1-2 Single-Family Residential Zoning District, one property from R-M Multi-Family Residential Zoning District to R-1-2 Single-Family Residential Zoning District, one property from A Agriculture Zoning District to R-1-8 Single-Family Residential Zoning District, and one property from R-1-8 Single-Family Residential Zoning District to CIC Combined Industrial/Commercial 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-Draft Ordinance.

### **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 the change 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 the 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 the 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 zoning districts consistent with the General Plan land use designations represents the final phase of work to bring the Zoning District Map into conformance with the General Plan land use map. Currently, staff proposes rezoning 511 properties to make their designated zoning consistent with their General Plan land use designation. The proposed 511 properties are in various locations, as indicated on the attached draft Ordinance and shown on the maps. (Attachment: Draft Ordinance)

### **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

### **Envision San José 2040 General Plan Conformance**

The subject sites have Envision San José 2040 General Plan Land Use/Transportation Diagram land use designations of CIC Combined Industrial/Commercial, MUC Mixed Use Commercial,

MUN Mixed Use Neighborhood, NCC Neighborhood/Community Commercial, OSPH Open Space, Parklands and Habitat, PQP Public/Quasi-Public, PROS Private Recreation and Open Space, RN Residential Neighborhood, RR Rural Residential, UR Urban Residential. (see Exhibit A-1 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.

*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 Floor Area Ratio (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 allows for a greater intensity of use. Appropriate commercial uses include neighborhood retail, mid-rise offices, medium-scale hospitals or other healthcare 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 a 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 are 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 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 use, 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 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 that 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.

*PROS Private Recreation and Open Space:* The Private Recreation and Open Space areas allow a broad range of recreation or open space uses, located within the Urban Growth Boundary, and typically at a higher intensity than those found on lands with Open Space, Parklands, and Habitat designation. Possible recreation uses include amusement parks, country clubs, golf courses, tennis clubs, driving ranges, recreational vehicle parks, private campgrounds, and cemeteries. Ancillary commercial uses, such as bars and restaurants, are allowed in conjunction with private recreation uses. The intensity of any combination of buildings or structures developed under this category is expected to be limited with the majority of the land area maintained as open space, so that the Private Recreation and Open Space lands generally maintain an open space character.

*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 that 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 that 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 is 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.

*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 document. 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.

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; and,

- h. Address height limits, setbacks, land use interfaces, and other design standards 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, MUC, MUN, NCC, OSPH, PQP, PROS, RN, RR, and UR. Therefore, staff proposes a Conforming Rezoning of the properties from the R-M to UR, R-1-8 to OS, R-1-8 to PQP, R-1-8 to R-1-2, R-M to MUN, R-2 to MUN, A to OS, CO to R-1-8, CP to R-1-8, R-1-5 to PQP, R-1-1 to PQP, CN to OS, CO to OS, CG to OS, CP to OS, R-1-5 to OS, A to PQP, CP to UR, R-1-8 to MUC, CP to PQP, R-1-8 to CP, A to CP, R-M to CP, CO to MUC, CP to MUC, R-M to MUC, A to MUN, CP to MUN, HI to OS, LI to OS, R-1-2 to OS, R-2 to OS, CN to PQP, CO to PQP, R-2 to PQP, R-2 to R-1-2, R-M to R-1-2, A to R-1-8, and R-1-8 to CIC. 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, CP, MUC, MUN, OS, PQP, R-1-2, R-1-8 and UR as a conforming district to the respective CIC, MUC, MUN, NCC, OSPH, PQP, PROS, RN, RR, and UR 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 (Senate Bill 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. C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023 would not result in a decrease in residential capacity. Among the properties that are the subject of the proposed rezoning, 124 properties would have a reduction of a total of 5,905 residential unit capacity, 119 properties would have an increase of a total of 44,698 residential unit capacity, and 268 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 38,793 units residential capacity increase that, complies with Senate Bill 330 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. C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023 on March 22, 2024 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 direction to the Rezoning and General Plan Alignment website that 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/

Chris Burton, Director

Planning, Building and Code Enforcement

For questions, please contact Ruth Cueto, Principal Planner, Planning, Building, and Code Enforcement at (408) 535-7886 or [Ruth.Cueto@sanjoseca.gov](mailto:Ruth.Cueto@sanjoseca.gov).

Attachment: Draft Ordinance



**DRAFT**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING 212 PROPERTIES FROM R-M MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO UR URBAN RESIDENTIAL ZONING DISTRICT, 73 PROPERTIES FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, 57 PROPERTIES FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO PUBLIC/QUASI-PUBLIC ZONING DISTRICT, 39 PROPERTIES FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO R-1-2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, 20 PROPERTIES FROM R-M MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, 17 PROPERTIES FROM R-2 TWO FAMILY RESIDENTIAL ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, 16 PROPERTIES FROM A AGRICULTURE ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, 12 PROPERTIES FROM CO COMMERCIAL OFFICE ZONING DISTRICT TO R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, EIGHT PROPERTIES FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, SIX PROPERTIES FROM R-1-5 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO PUBLIC/QUASI-PUBLIC ZONING DISTRICT, FIVE PROPERTIES FROM R-1-1 SINGLE-FAMILY ZONING DISTRICT TO PUBLIC/QUASI-PUBLIC ZONING DISTRICT, FOUR PROPERTIES FROM CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, FOUR PROPERTIES FROM CO COMMERCIAL OFFICE ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, THREE PROPERTIES FROM CG COMMERCIAL GENERAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, THREE PROPERTIES FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, THREE PROPERTIES FROM R-1-5 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, THREE PROPERTIES FROM A AGRICULTURE ZONING DISTRICT TO PUBLIC/QUASI-PUBLIC ZONING DISTRICTS, THREE PROPERTIES FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO UR URBAN RESIDENTIAL ZONING DISTRICT, TWO PROPERTIES FROM R-**

**1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO MUC MIXED USE COMMERCIAL ZONING DISTRICT, TWO PROPERTIES FROM CP COMMERCIAL PEDESTRIAN DISTRICT TO PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT, ONE PROPERTY FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, ONE PROPERTY FROM A AGRICULTURE ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, ONE PROPERTY FROM R-M MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN DISTRICT, ONE PROPERTY FROM CO COMMERCIAL OFFICE ZONING DISTRICT TO MUC MIXED USE COMMERCIAL ZONING DISTRICT, ONE PROPERTY FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO MUC MIXED USE COMMERCIAL ZONING DISTRICT, ONE PROPERTY FROM R-M MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO MUC MIXED USE COMMERCIAL ZONING DISTRICT, ONE PROPERTY FROM A AGRICULTURE ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, ONE PROPERTY FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, ONE PROPERTY FROM HI HEAVY INDUSTRIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, ONE PROPERTY FROM LI LIGHT INDUSTRIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, ONE PROPERTY FROM R-1-2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, ONE PROPERTY FROM R-2 TWO FAMILY RESIDENTIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, ONE PROPERTY FROM CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT, ONE PROPERTY FROM CO COMMERCIAL OFFICE 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 R-2 TWO FAMILY RESIDENTIAL ZONING DISTRICT TO R-1-2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, ONE PROPERTY FROM R-M MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO R-1-2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, ONE PROPERTY FROM A AGRICULTURE ZONING DISTRICT TO R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, AND ONE PROPERTY FROM**

**R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO  
CIC COMBINED INDUSTRIAL/COMMERCIAL ZONING  
DISTRICT, ALL LOCATED ON THOSE CERTAIN REAL  
PROPERTIES SITUATED WITHIN THE CITY OF SAN JOSE**

**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 California Environmental Quality Act (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 CIC Combined Industrial/Commercial, CP Commercial Pedestrian, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, OS Open Space, PQP Public/Quasi-Public, R-1-2 and R-1-8 Single-Family Residential, and UR Urban Residential; 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. C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023) would not decrease the residential units satisfying Senate Bill 330 and Senate Bill 940 requirements; the changes in zoning decrease the residential capacity on some properties by 5,905 residential units but increase the residential capacity on other properties by 44,698 residential units; therefore, there is still a surplus of 38,793 residential units available ( $44,698 - 5,905 = 38,793$  units) complying with Senate Bill 330 and Senate Bill 940 requirements;

**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 CIC Combined Industrial/Commercial, CP Commercial Pedestrian, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, OS Open Space, PQP Public/Quasi-Public, R-1-2 and R-1-8 Single-Family Residential, and UR Urban Residential.

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. C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023 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:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

## EXHIBIT “A”

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

File Nos C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023: 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	41910026	RN	CO	R-1-8	1
2	41910027	RN	CO	R-1-8	1
3	41932074	OSPH	R-1-2	OS	-4
4	41925014	PQP	R-1-8	PQP	318
5	41932072	MUN	R-M	MUN	-200
6	42102089	PQP	R-1-8	PQP	344
7	41910028	RN	CO	R-1-8	1
8	41910030	RN	CO	R-1-8	1
9	41915055	PQP	R-1-8	PQP	968
10	41939026	PQP	R-1-8	PQP	1206
11	41939100	OSPH	R-1-8	OS	-1
12	41939103	OSPH	R-1-8	OS	-5
13	41940141	PQP	R-1-8	PQP	131
14	41953023	PQP	R-1-8	PQP	96
15	41939014	OSPH	R-1-8	OS	-1
16	41941062	OSPH	R-1-8	OS	-1
17	42122005	OSPH	R-1-8	OS	-56
18	42114070	PQP	R-1-8	PQP	1016
19	42120027	MUC	R-1-8	MUC	159
20	42120014	MUC	CO	MUC	109
21	42121065	OSPH	R-2	OS	-2
22	43943043	PQP	R-1-8	PQP	870
23	43942058	RN	CO	R-1-8	1
24	43942059	RN	CO	R-1-8	1
25	43942060	RN	CO	R-1-8	1

26	41935082	PQP	R-1-8	PQP	899
27	45907004	OSPH	A	OS	0
28	45907009	PQP	A	PQP	863
29	45913028	OSPH	R-1-8	OS	-14
30	45913024	OSPH	R-1-8	OS	-4
31	45911094	OSPH	R-1-8	OS	-2
32	45916030	OSPH	R-1-8	OS	-6
33	45106007	PQP	R-1-8	PQP	292
34	41220007	UR	R-M	UR	0
35	41220008	UR	R-M	UR	0
36	41220009	UR	R-M	UR	0
37	41220010	UR	R-M	UR	0
38	41220011	UR	R-M	UR	0
39	41403001	UR	R-M	UR	0
40	41225017	MUN	R-M	MUN	-14
41	41225018	MUN	R-M	MUN	-16
42	41225019	MUN	R-M	MUN	-20
43	41403002	UR	R-M	UR	0
44	41403003	UR	R-M	UR	0
45	41403004	UR	R-M	UR	0
46	41403005	UR	R-M	UR	0
47	41403006	UR	R-M	UR	0
48	41403007	UR	R-M	UR	0
49	45110042	RN	CO	R-1-8	1
50	45110043	RN	CO	R-1-8	1
51	41220012	UR	R-M	UR	0
52	41220013	UR	R-M	UR	0
53	41220014	UR	R-M	UR	0
54	41220015	UR	R-M	UR	0
55	41220016	UR	R-M	UR	0
56	41220017	UR	R-M	UR	0
57	41220018	UR	R-M	UR	0
58	41220019	UR	R-M	UR	0
59	41220020	UR	R-M	UR	0
60	41220021	UR	R-M	UR	0
61	41220022	RR	R-M	R-1-2	-4
62	41220023	RR	R-1-8	R-1-2	0
63	41220024	RR	R-2	R-1-2	0

64	41224008	MUN	R-M	MUN	-23
65	41225016	MUN	R-M	MUN	-15
66	45118057	PQP	R-1-8	PQP	225
67	45114028	OSPH	R-1-8	OS	-17
68	41221014	UR	R-M	UR	0
69	41221015	UR	R-M	UR	0
70	41405017	UR	R-M	UR	0
71	41220042	UR	R-M	UR	0
72	41220043	UR	R-M	UR	0
73	41405032	UR	R-M	UR	0
74	41405033	UR	R-M	UR	0
75	41405025	UR	R-M	UR	0
76	41220044	UR	R-M	UR	0
77	41220045	UR	R-M	UR	0
78	41220046	UR	R-M	UR	0
79	56709072	OSPH	R-1-8	OS	-1
80	56709069	OSPH	R-1-8	OS	-6
81	45130039	PQP	R-1-8	PQP	131
82	41421063	PQP	R-1-8	PQP	953
83	56705052	OSPH	R-1-8	OS	-14
84	56706028	UR	R-M	UR	0
85	56706029	UR	R-M	UR	0
86	56706030	UR	R-M	UR	0
87	56706031	UR	R-M	UR	0
88	56706032	UR	R-M	UR	0
89	56706033	UR	R-M	UR	0
90	56706034	UR	R-M	UR	0
91	56706035	UR	R-M	UR	0
92	56706036	UR	R-M	UR	0
93	41220047	UR	R-M	UR	0
94	41221001	UR	R-M	UR	0
95	41221002	UR	R-M	UR	0
96	41221003	UR	R-M	UR	0
97	41221004	UR	R-M	UR	0
98	41221005	UR	R-M	UR	0
99	41221006	UR	R-M	UR	0
100	41221007	UR	R-M	UR	0
101	41221008	UR	R-M	UR	0



102	41221009	UR	R-M	UR	0
103	41405004	MUN	CP	MUN	-16
104	41405005	UR	R-M	UR	0
105	41405006	UR	R-M	UR	0
106	41405007	UR	R-M	UR	0
107	41405008	UR	R-M	UR	0
108	41405009	UR	R-M	UR	0
109	41221010	UR	R-M	UR	0
110	41221011	UR	R-M	UR	0
111	41221012	UR	R-M	UR	0
112	41405010	UR	R-M	UR	0
113	41405011	UR	R-M	UR	0
114	41405012	UR	R-M	UR	0
115	41405013	UR	R-M	UR	0
116	41405014	UR	R-M	UR	0
117	41405015	UR	R-M	UR	0
118	41405016	UR	R-M	UR	0
119	56708004	UR	R-M	UR	0
120	56708005	UR	R-M	UR	0
121	56708006	UR	R-M	UR	0
122	56708007	UR	R-M	UR	0
123	56708008	UR	R-M	UR	0
124	56708009	UR	R-M	UR	0
125	56708001	UR	R-M	UR	0
126	56708002	UR	R-M	UR	0
127	56708003	UR	R-M	UR	0
128	56709067	OSPH	R-1-8	OS	-1
129	45134078	PQP	R-1-8	PQP	175
130	45818009	OSPH	LI	OS	1
131	45818012	OSPH	CN	OS	-85
132	45918003	PQP	R-1-8	PQP	176
133	56901051	PQP	R-1-1	PQP	289
134	45138026	PQP	CN	PQP	-24
135	45817005	OSPH	A	OS	0
136	52733001	UR	R-M	UR	0
137	52733002	UR	R-M	UR	0
138	52733003	UR	R-M	UR	0
139	52733004	UR	R-M	UR	0

140	52733005	UR	R-M	UR	0
141	52733006	UR	R-M	UR	0
142	52733007	UR	R-M	UR	0
143	52750001	PQP	R-1-8	PQP	350
144	52750002	PQP	R-1-5	PQP	594
145	52750003	PQP	R-1-5	PQP	2818
146	52750004	PQP	R-1-5	PQP	219
147	52750004	PQP	A	PQP	197
148	44716012	RN	CO	R-1-8	4
149	44711001	PQP	R-1-8	PQP	122
150	44713073	OSPH	R-1-8	OS	-5
151	44729037	PQP	R-1-8	PQP	341
152	44729038	PQP	R-1-8	PQP	894
153	52748010	OSPH	R-1-8	OS	-4
154	52340002	PQP	R-1-5	PQP	631
155	52340014	PQP	R-1-8	PQP	1190
156	52734074	OSPH	R-1-8	OS	-5
157	52733034	UR	CP	UR	-19
158	52733035	UR	CP	UR	-19
159	52733036	UR	CP	UR	-19
160	52734075	PQP	R-1-8	PQP	970
161	52334010	NCC	R-1-8	CP	18
162	44732002	PQP	R-1-8	PQP	609
163	45925026	PROS	R-1-8	OS	-2
164	52338025	OSPH	R-1-8	OS	-3
165	45928003	RN	A	R-1-8	10
166	56901045	MUN	R-M	MUN	-568
167	56901054	PQP	R-1-8	PQP	2163
168	45806002	PQP	R-1-8	PQP	841
169	45817003	OSPH	A	OS	0
170	45817004	OSPH	CG	OS	1
171	45817004	OSPH	A	OS	0
172	56902033	MUN	R-M	MUN	-767
173	45902007	OSPH	R-1-8	OS	-4
174	56906044	PQP	A	PQP	44
175	45817002	OSPH	A	OS	0
176	56733001	PQP	R-1-8	PQP	2588
177	45805104	RN	CP	R-1-8	-47

178	56738077	OSPH	R-1-8	OS	-19
179	45901003	OSPH	CN	OS	-34
180	45901004	OSPH	CO	OS	1
181	45901005	OSPH	CO	OS	1
182	45901021	OSPH	CO	OS	1
183	45901021	OSPH	A	OS	0
184	45901015	OSPH	CN	OS	-28
185	45902004	OSPH	R-1-8	OS	-5
186	56901020	NCC	A	CP	38
187	56901032	NCC	R-M	CP	7
188	56927017	PQP	R-1-1	PQP	3
189	56927016	PQP	R-1-1	PQP	1251
190	56905024	PQP	R-1-8	PQP	869
191	56913080	PQP	R-1-8	PQP	91
192	56913081	PQP	R-1-8	PQP	86
193	56916026	PQP	R-1-8	PQP	248
194	56916019	PQP	R-1-8	PQP	226
195	56916018	PQP	R-1-8	PQP	100
196	56918022	MUN	R-2	MUN	5
197	56918023	MUN	R-2	MUN	5
198	56918024	MUN	R-2	MUN	5
199	56918025	MUN	R-2	MUN	5
200	56917062	PQP	R-1-8	PQP	359
201	56917054	PQP	R-1-8	PQP	375
202	56918026	MUN	R-2	MUN	5
203	56918027	MUN	R-2	MUN	6
204	56918028	MUN	R-2	MUN	6
205	56918029	MUN	R-2	MUN	5
206	56918030	MUN	R-2	MUN	5
207	56918031	MUN	R-2	MUN	5
208	56918032	MUN	R-2	MUN	5
209	56918033	MUN	R-2	MUN	5
210	56918034	MUN	R-2	MUN	5
211	56918035	MUN	R-2	MUN	7
212	56918036	MUN	R-2	MUN	5
213	56918037	MUN	R-2	MUN	5
214	56918038	MUN	R-2	MUN	5
215	56946088	OSPH	R-1-8	OS	-1

216	56926004	PQP	R-1-1	PQP	2719
217	56926004	PQP	R-2	PQP	183
218	56926004	PQP	CP	PQP	-8
219	56926004	PQP	CO	PQP	272
220	56926004	PQP	CP	PQP	-8
221	56935001	PQP	R-1-8	PQP	845
222	56918018	MUN	A	MUN	6
223	56918065	PQP	R-1-8	PQP	218
224	56925032	MUN	R-M	MUN	-385
225	52735067	OSPH	R-1-8	OS	-4
226	56925026	UR	R-M	UR	0
227	56925048	MUN	R-M	MUN	-80
228	56925039	MUN	R-M	MUN	-25
229	56915056	PQP	R-1-8	PQP	976
230	56915022	OSPH	R-1-8	OS	-5
231	52338058	OSPH	R-1-8	OS	-1
232	41425019	PQP	R-1-8	PQP	5
233	41425023	CIC	R-1-8	CIC	-12
234	45902001	OSPH	CO	OS	1
235	45902002	OSPH	R-1-5	OS	-1
236	45902003	OSPH	R-1-5	OS	-1
237	45902008	OSPH	R-1-8	OS	-4
238	45902013	OSPH	R-1-8	OS	-4
239	56925050	MUN	R-M	MUN	-16
240	56925053	MUN	R-M	MUN	-36
241	41240038	PQP	R-1-8	PQP	90
242	41240038	PQP	R-1-8	PQP	97
243	45811025	OSPH	R-1-8	OS	-3
244	45825C02	MUN	R-M	MUN	-71
245	44223060	OSPH	R-1-8	OS	-1
246	41414005	RN	CO	R-1-8	1
247	41415074	PQP	R-1-8	PQP	274
248	56702053	OSPH	CP	OS	-10
249	45822C02	MUN	R-M	MUN	-149
250	45823C01	MUN	R-M	MUN	-511
251	41405026	UR	R-M	UR	0
252	41405027	UR	R-M	UR	0
253	41405028	UR	R-M	UR	0

254	41405029	UR	R-M	UR	0
255	41405030	UR	R-M	UR	0
256	41405031	UR	R-M	UR	0
257	41405055	UR	R-M	UR	0
258	41405056	UR	R-M	UR	0
259	41405018	UR	R-M	UR	0
260	41405019	UR	R-M	UR	0
261	41405020	UR	R-M	UR	0
262	41405021	UR	R-M	UR	0
263	41405022	UR	R-M	UR	0
264	41405023	UR	R-M	UR	0
265	41405024	UR	R-M	UR	0
266	41405054	UR	R-M	UR	0
267	41405034	UR	R-M	UR	0
268	41405035	UR	R-M	UR	0
269	41405036	UR	R-M	UR	0
270	41406001	UR	R-M	UR	0
271	41420043	RN	CO	R-1-8	1
272	41429014	PQP	R-1-8	PQP	1018
273	45822C01	MUN	R-M	MUN	-188
274	45814029	OSPH	HI	OS	1
275	45908004	UR	R-M	UR	0
276	41904001	OSPH	R-1-8	OS	-16
277	28805040	RR	R-1-8	R-1-2	0
278	28805028	RR	R-1-8	R-1-2	0
279	28805031	RR	R-1-8	R-1-2	0
280	28805048	RR	R-1-8	R-1-2	0
281	28805049	RR	R-1-8	R-1-2	0
282	28805041	RR	R-1-8	R-1-2	0
283	28805029	RR	R-1-8	R-1-2	0
284	28819026	RR	R-1-8	R-1-2	0
285	28819027	RR	R-1-8	R-1-2	0
286	28819028	RR	R-1-8	R-1-2	0
287	28819029	RR	R-1-8	R-1-2	0
288	28819030	RR	R-1-8	R-1-2	0
289	28819031	RR	R-1-8	R-1-2	0
290	28819032	RR	R-1-8	R-1-2	0
291	28805032	RR	R-1-8	R-1-2	0

292	28805033	RR	R-1-8	R-1-2	0
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294	28805035	RR	R-1-8	R-1-2	0
295	28805036	RR	R-1-8	R-1-2	0
296	28805037	RR	R-1-8	R-1-2	0
297	28805038	RR	R-1-8	R-1-2	0
298	28805039	RR	R-1-8	R-1-2	0
299	28805026	RR	R-1-8	R-1-2	0
300	28805027	RR	R-1-8	R-1-2	0
301	45121001	PQP	R-1-8	PQP	910
302	44205046	RR	R-1-8	R-1-2	0
303	44205047	RR	R-1-8	R-1-2	0
304	45142103	OSPH	R-1-8	OS	-4
305	41951038	OSPH	R-1-8	OS	-4
306	44205036	RR	R-1-8	R-1-2	0
307	44205037	RR	R-1-8	R-1-2	0
308	44205038	RR	R-1-8	R-1-2	0
309	44205039	RR	R-1-8	R-1-2	0
310	44205041	RR	R-1-8	R-1-2	0
311	44205042	RR	R-1-8	R-1-2	0
312	44205043	RR	R-1-8	R-1-2	0
313	44205044	RR	R-1-8	R-1-2	0
314	44205045	RR	R-1-8	R-1-2	0
315	56921056	OSPH	R-1-8	OS	-4
316	42134C01	MUC	R-M	MUC	-87
317	45818081	OSPH	CN	OS	-222
318	44220001	PQP	R-1-8	PQP	2781
319	44221006	RN	CP	R-1-8	-26
320	44221007	RN	CP	R-1-8	-18
321	44221008	RN	CP	R-1-8	-18
322	44221009	RN	CP	R-1-8	-18
323	44221010	RN	CP	R-1-8	-16
324	45817009	OSPH	CG	OS	1
325	45815032	OSPH	A	OS	0
326	45816035	OSPH	A	OS	0
327	45816035	OSPH	A	OS	0
328	44221011	RN	CP	R-1-8	-17
329	44221012	RN	CP	R-1-8	-21

330	44221001	PQP	R-1-8	PQP	86
331	44208005	PQP	R-1-5	PQP	217
332	44230020	OSPH	R-1-8	OS	-2
333	44230021	OSPH	R-1-8	OS	-22
334	44204001	RR	R-1-8	R-1-2	0
335	44204002	RR	R-1-8	R-1-2	0
336	44204003	RR	R-1-8	R-1-2	0
337	45539021	OSPH	A	OS	0
338	44231001	OSPH	R-1-8	OS	-2
339	41950015	OSPH	R-1-8	OS	-1
340	41953009	OSPH	R-1-8	OS	-1
341	41953061	OSPH	R-1-8	OS	-1
342	44605001	PQP	R-1-8	PQP	311
343	41905007	PQP	R-1-8	PQP	973
344	52334036	OSPH	R-1-8	OS	-3
345	41950016	OSPH	R-1-8	OS	-3
346	41953010	OSPH	R-1-8	OS	-1
347	44601035	PQP	R-1-8	PQP	143
348	44249021	OSPH	R-1-8	OS	-1
349	44217047	PQP	R-1-8	PQP	1032
350	44601034	PQP	R-1-8	PQP	893
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352	45125001	PQP	R-1-8	PQP	829
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355	56944C15	UR	R-M	UR	0
356	56944C16	UR	R-M	UR	0
357	56944C17	UR	R-M	UR	0
358	56944C18	UR	R-M	UR	0
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360	56945C02	UR	R-M	UR	0
361	56945C03	UR	R-M	UR	0
362	56942C01	UR	R-M	UR	0
363	56945C04	UR	R-M	UR	0
364	56945C05	UR	R-M	UR	0
365	56945C06	UR	R-M	UR	0
366	56945C07	UR	R-M	UR	0
367	56945C08	UR	R-M	UR	0

368	56945C09	UR	R-M	UR	0
369	56945C10	UR	R-M	UR	0
370	56945C11	UR	R-M	UR	0
371	56943C01	UR	R-M	UR	0
372	44709092	PQP	R-1-8	PQP	269
373	44709078	OSPH	R-1-8	OS	-4
374	44709078	OSPH	R-1-8	OS	-1
375	44710079	PQP	R-1-8	PQP	185
376	45539023	OSPH	A	OS	0
377	45539024	OSPH	A	OS	0
378	52737020	OSPH	R-1-8	OS	-6
379	44732001	PQP	R-1-5	PQP	426
380	41952C01	MUN	R-M	MUN	-591
381	42132071	OSPH	R-1-8	OS	-1
382	52748002	PQP	R-1-8	PQP	34
383	44226023	PQP	R-1-8	PQP	274
384	56942C02	UR	R-M	UR	0
385	56942C03	UR	R-M	UR	0
386	56942C04	UR	R-M	UR	0
387	56942C05	UR	R-M	UR	0
388	45135077	OSPH	R-1-8	OS	-4
389	56942C15	UR	R-M	UR	0
390	56940C01	UR	R-M	UR	0
391	56940C02	UR	R-M	UR	0
392	56940C03	UR	R-M	UR	0
393	56940C04	UR	R-M	UR	0
394	56940C05	UR	R-M	UR	0
395	56940C06	UR	R-M	UR	0
396	56940C07	UR	R-M	UR	0
397	56940C08	UR	R-M	UR	0
398	56940C09	UR	R-M	UR	0
399	56940C10	UR	R-M	UR	0
400	45906036	OSPH	R-1-8	OS	-4
401	45906047	OSPH	R-1-8	OS	-2
402	45906031	OSPH	R-1-8	OS	-1
403	45906032	OSPH	R-1-8	OS	-1
404	45906004	OSPH	R-1-8	OS	-3
405	44709043	PQP	R-1-8	PQP	15



406	45122062	OSPH	R-1-8	OS	-1
407	45125002	PQP	R-1-8	PQP	8
408	56942C06	UR	R-M	UR	0
409	56942C07	UR	R-M	UR	0
410	56942C08	UR	R-M	UR	0
411	56942C09	UR	R-M	UR	0
412	56942C10	UR	R-M	UR	0
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427	56940C21	UR	R-M	UR	0
428	56940C22	UR	R-M	UR	0
429	56941C12	UR	R-M	UR	0
430	45903007	OSPH	R-1-8	OS	-4
431	45903008	OSPH	CG	OS	1
432	45904001	OSPH	A	OS	0
433	45904002	OSPH	A	OS	0
434	45906001	OSPH	R-1-8	OS	-4
435	45906002	OSPH	R-1-8	OS	-1
436	45906003	OSPH	R-1-8	OS	-1
437	45136083	OSPH	R-1-8	OS	-2
438	45133045	OSPH	R-1-8	OS	-2
439	56941C01	UR	R-M	UR	0
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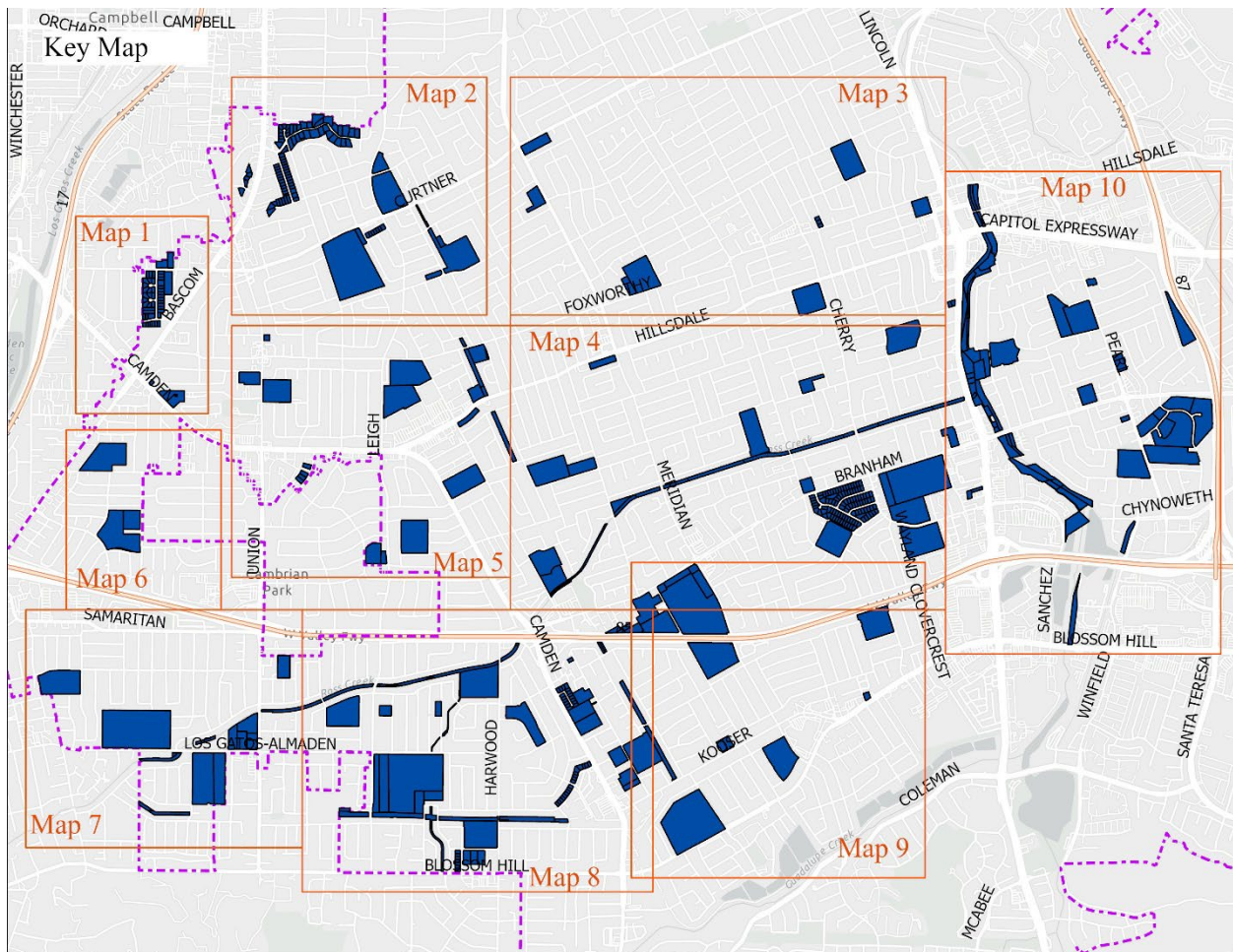
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448	56941C10	UR	R-M	UR	0
449	56941C11	UR	R-M	UR	0
450	56944C06	UR	R-M	UR	0
451	56944C07	UR	R-M	UR	0
452	56944C08	UR	R-M	UR	0
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454	56944C10	UR	R-M	UR	0
455	56944C11	UR	R-M	UR	0
456	56944C12	UR	R-M	UR	0
457	45136084	OSPH	R-1-8	OS	-1
458	45138036	OSPH	R-1-8	OS	-3
459	56944C01	UR	R-M	UR	0
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461	56944C03	UR	R-M	UR	0
462	56944C04	UR	R-M	UR	0
463	56702051	OSPH	CP	OS	-85
464	45137051	OSPH	R-1-8	OS	-5
465	45131067	OSPH	R-1-8	OS	-3
466	44733020	OSPH	CP	OS	-43
467	44733020	OSPH	R-1-5	OS	-1
468	44733020	OSPH	R-1-8	OS	-1
469	56943C07	UR	R-M	UR	0
470	56943C08	UR	R-M	UR	0
471	56943C09	UR	R-M	UR	0
472	56943C10	UR	R-M	UR	0
473	56943C11	UR	R-M	UR	0
474	56945C13	UR	R-M	UR	0
475	56945C14	UR	R-M	UR	0
476	56943C12	UR	R-M	UR	0
477	56943C13	UR	R-M	UR	0
478	56943C14	UR	R-M	UR	0
479	56943C15	UR	R-M	UR	0
480	56943C16	UR	R-M	UR	0
481	56943C17	UR	R-M	UR	0

482	56943C18	UR	R-M	UR	0
483	56943C19	UR	R-M	UR	0
484	56943C20	UR	R-M	UR	0
485	56943C21	UR	R-M	UR	0
486	56943C22	UR	R-M	UR	0
487	56943C23	UR	R-M	UR	0
488	56945C12	UR	R-M	UR	0
489	56945C15	UR	R-M	UR	0
490	56945C16	UR	R-M	UR	0
491	45826C01	MUN	R-M	MUN	-651
492	56943C02	UR	R-M	UR	0
493	56943C03	UR	R-M	UR	0
494	56943C04	UR	R-M	UR	0
495	56943C05	UR	R-M	UR	0
496	56943C06	UR	R-M	UR	0
497	45812033	PQP	R-1-1	PQP	911
498	42102088	OSPH	R-1-8	OS	-23
499	44733002	OSPH	R-1-8	OS	-2
500	45133044	OSPH	R-1-8	OS	-2
501	45142001	OSPH	R-1-8	OS	-5
502	45825C01	MUN	R-M	MUN	-243
503	41925074	PQP	R-1-8	PQP	76
504	41220052	UR	R-M	UR	0
505	45817034	OSPH	A	OS	0
506	45817040	OSPH	A	OS	0
507	56946089	OSPH	R-1-8	OS	-1
508	42120028	MUC	R-1-8	MUC	37
509	42120028	MUC	CP	MUC	-69
510	45807002	OSPH	R-1-8	OS	-1
511	45807003	OSPH	R-1-8	OS	-1

## EXHIBIT “B”

### EXISTING GENERAL PLAN DESIGNATION AND EXISTING AND PROPOSED ZONING DISTRICT MAPS

File Nos C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023: The Zoning District Map is hereby amended as follows:



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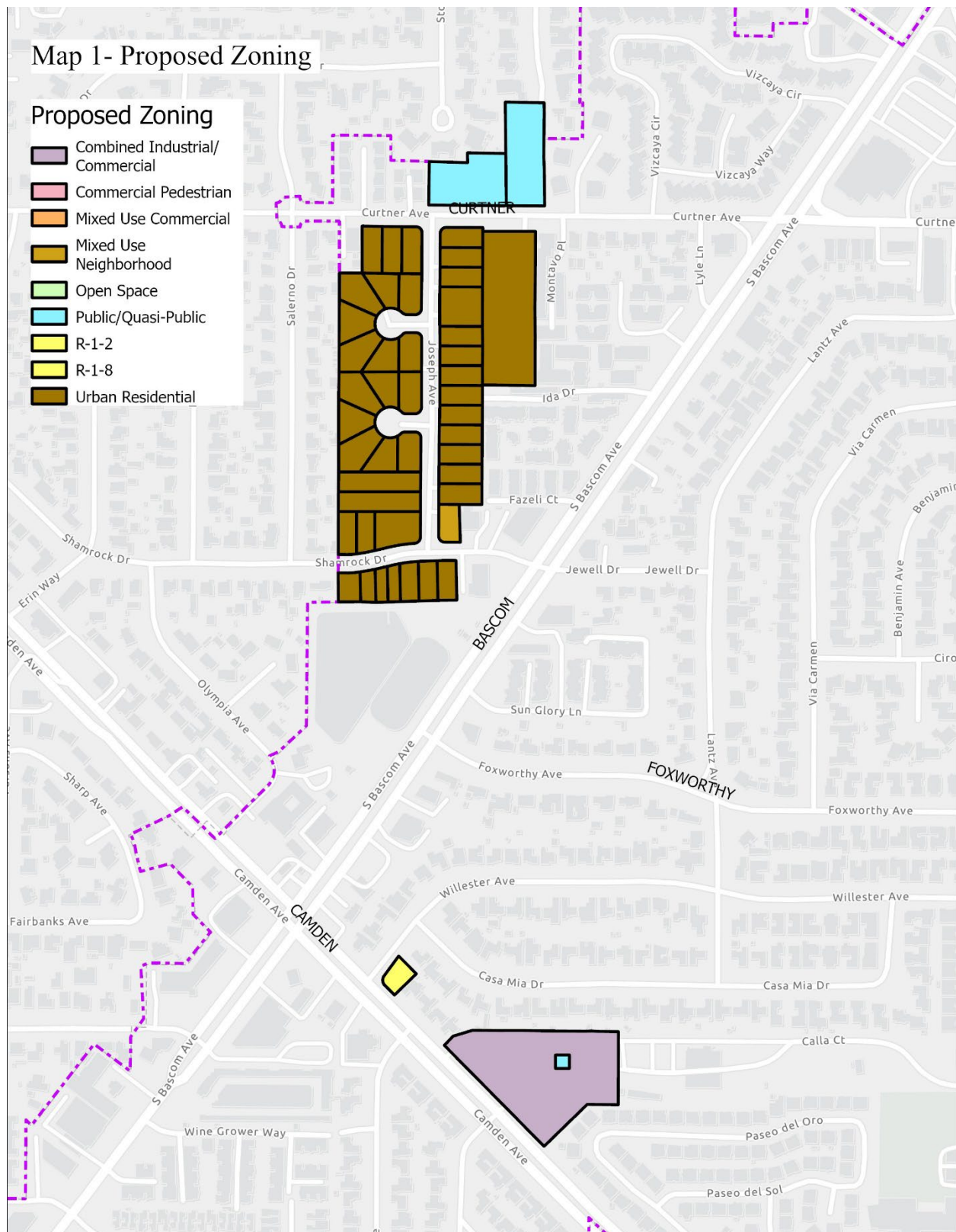
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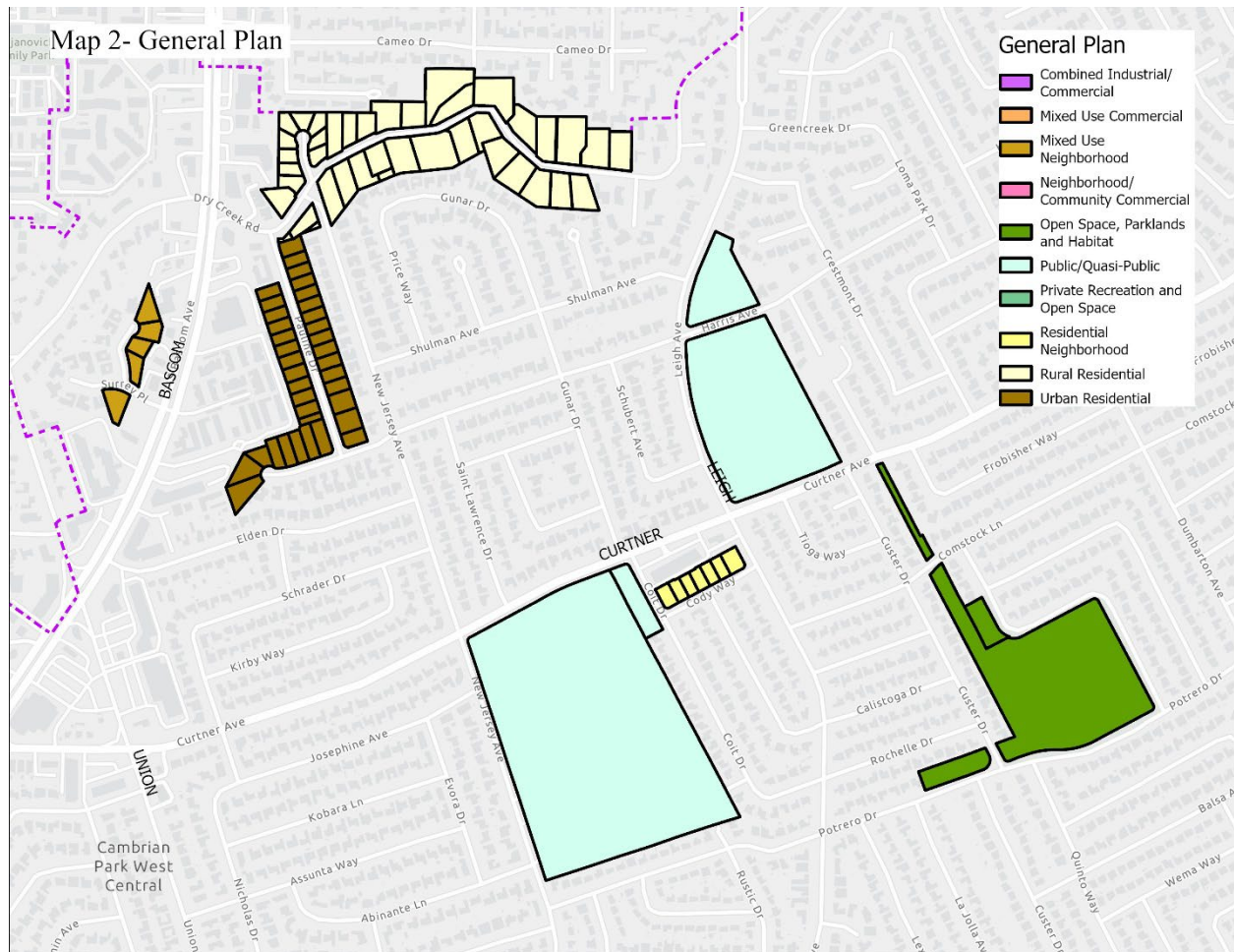
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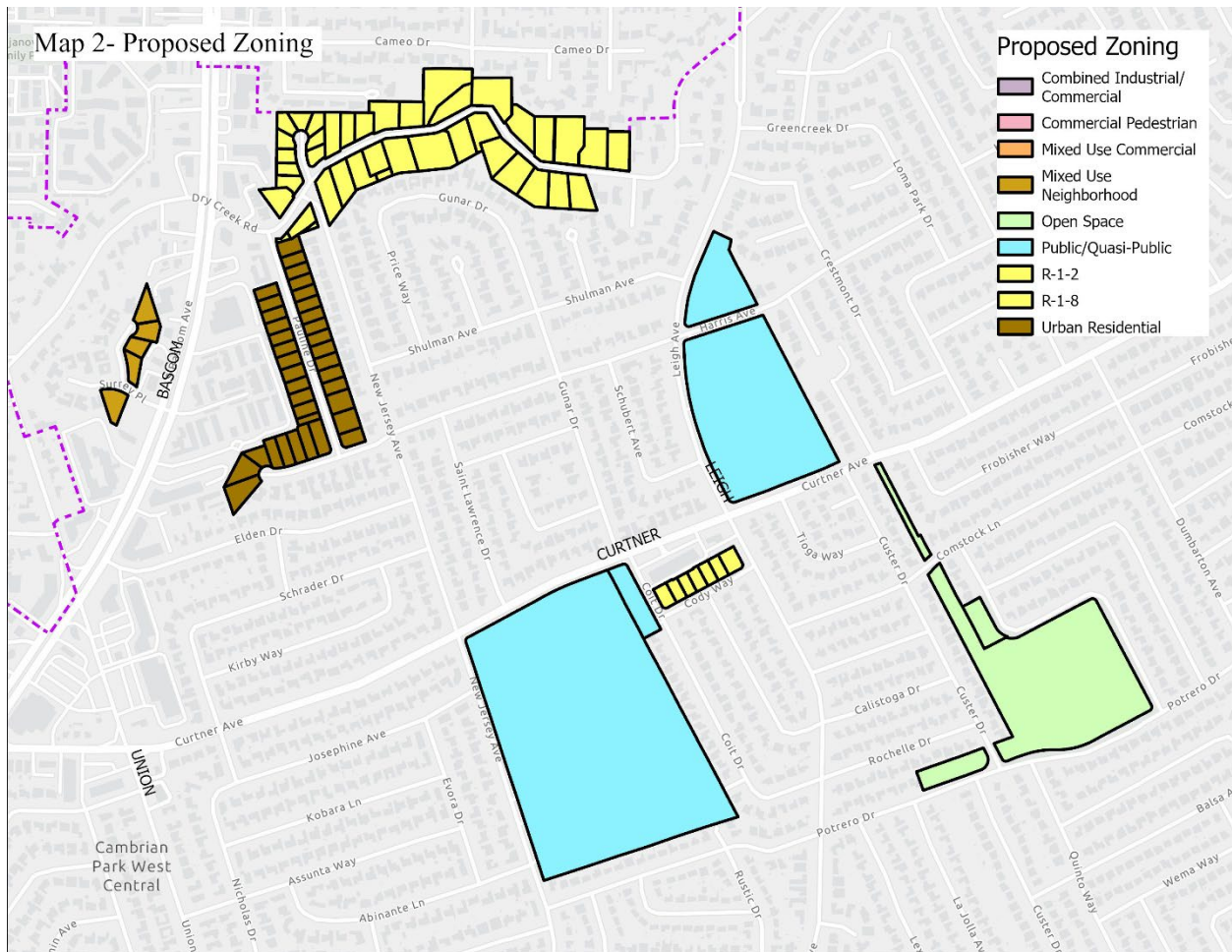
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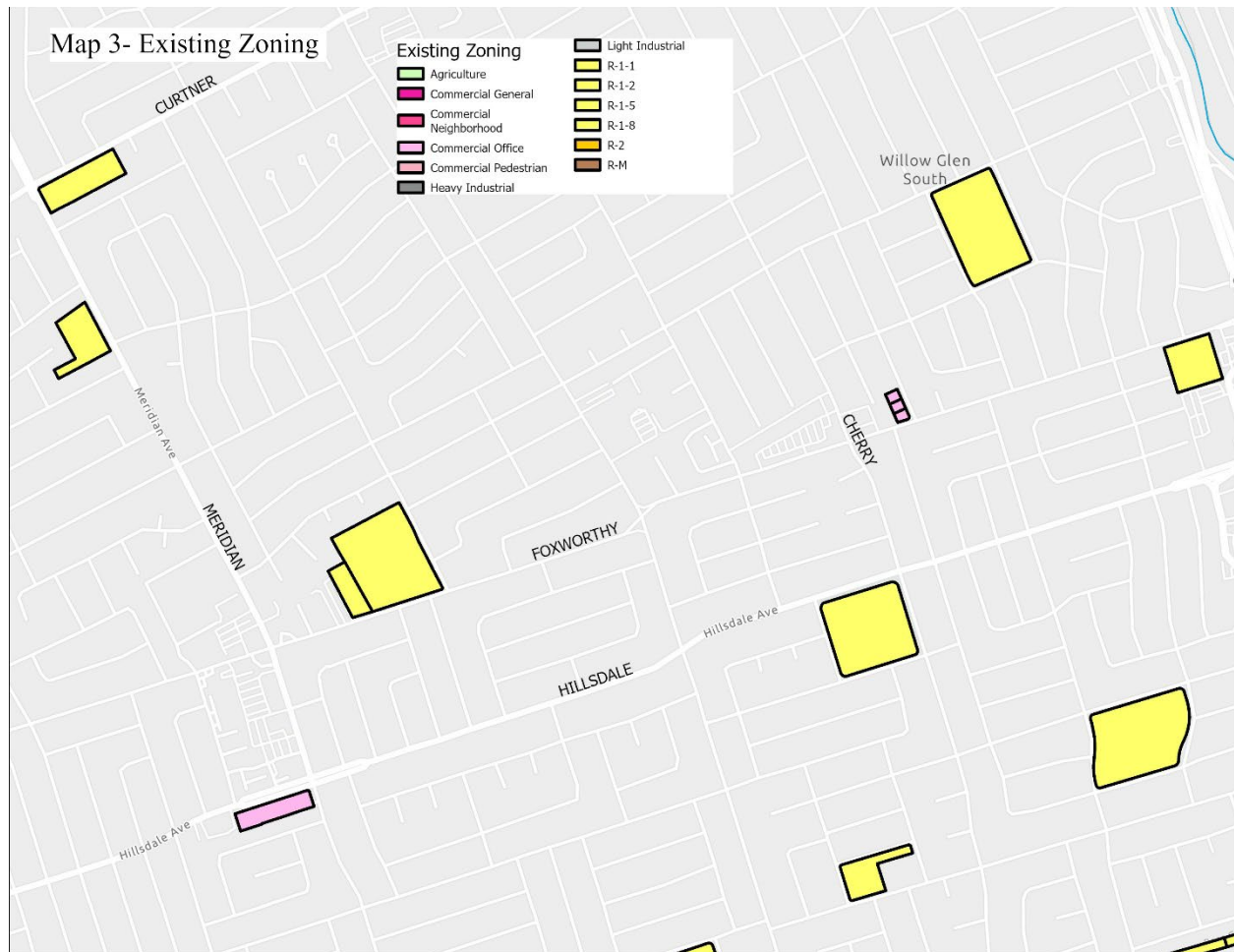




















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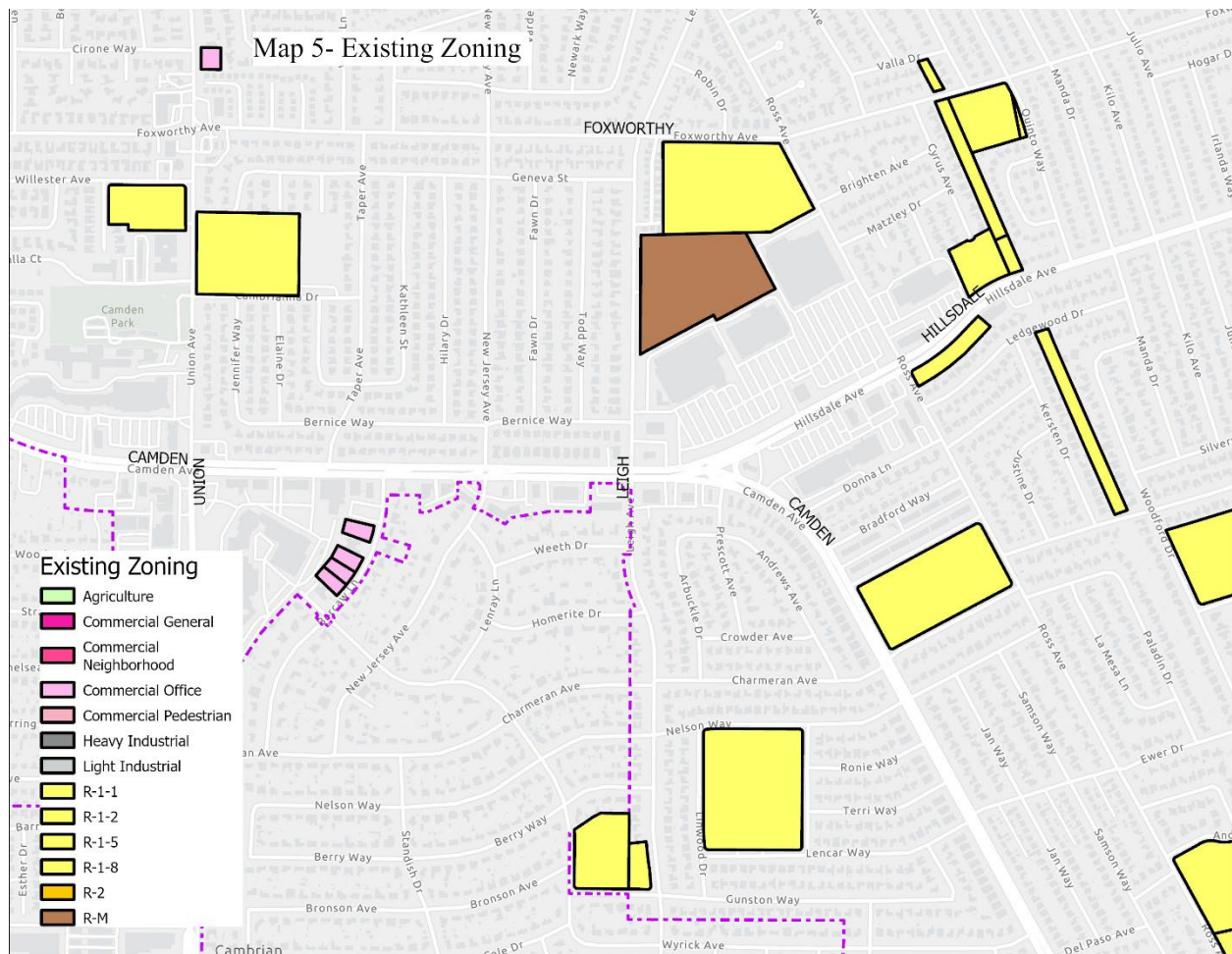
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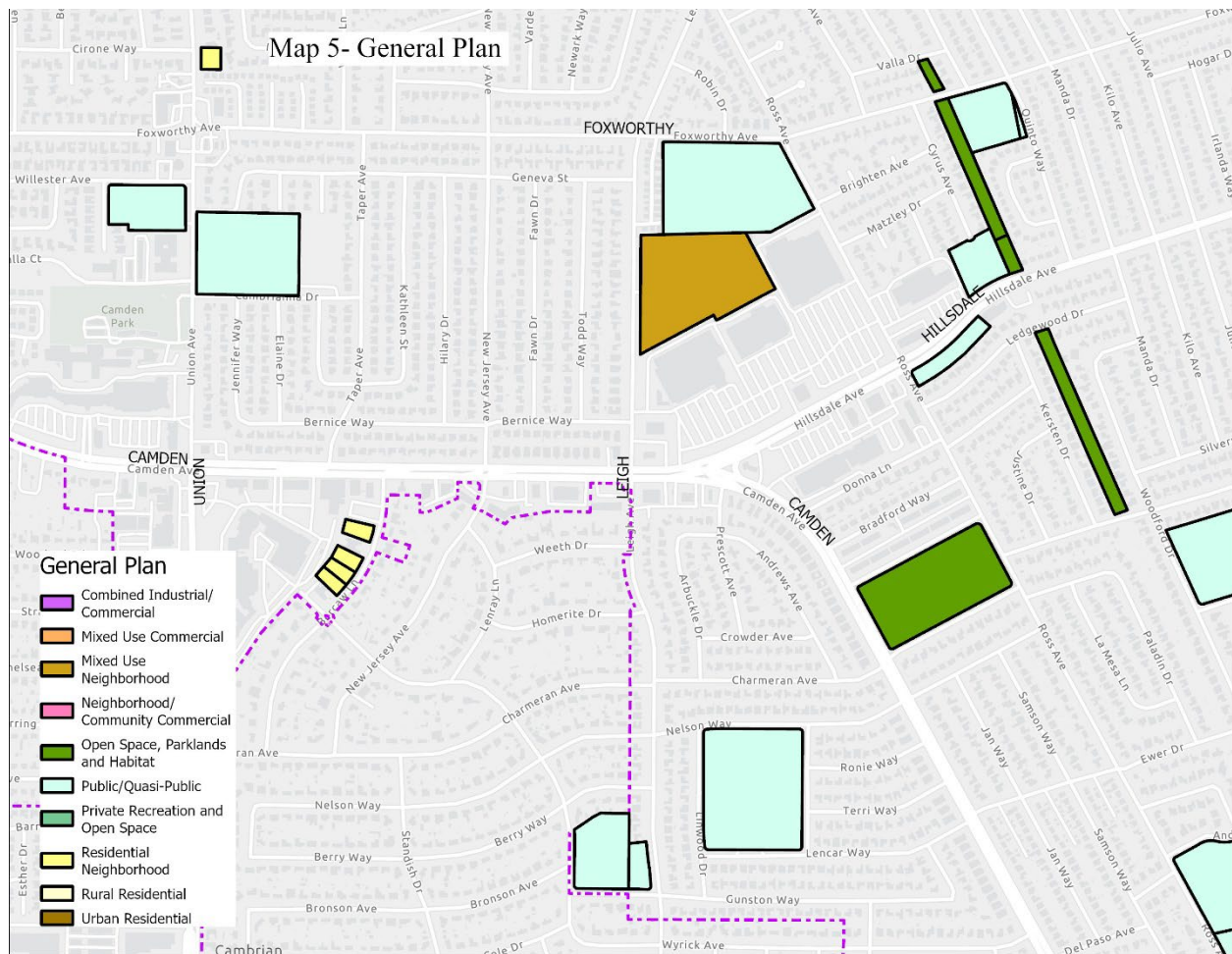


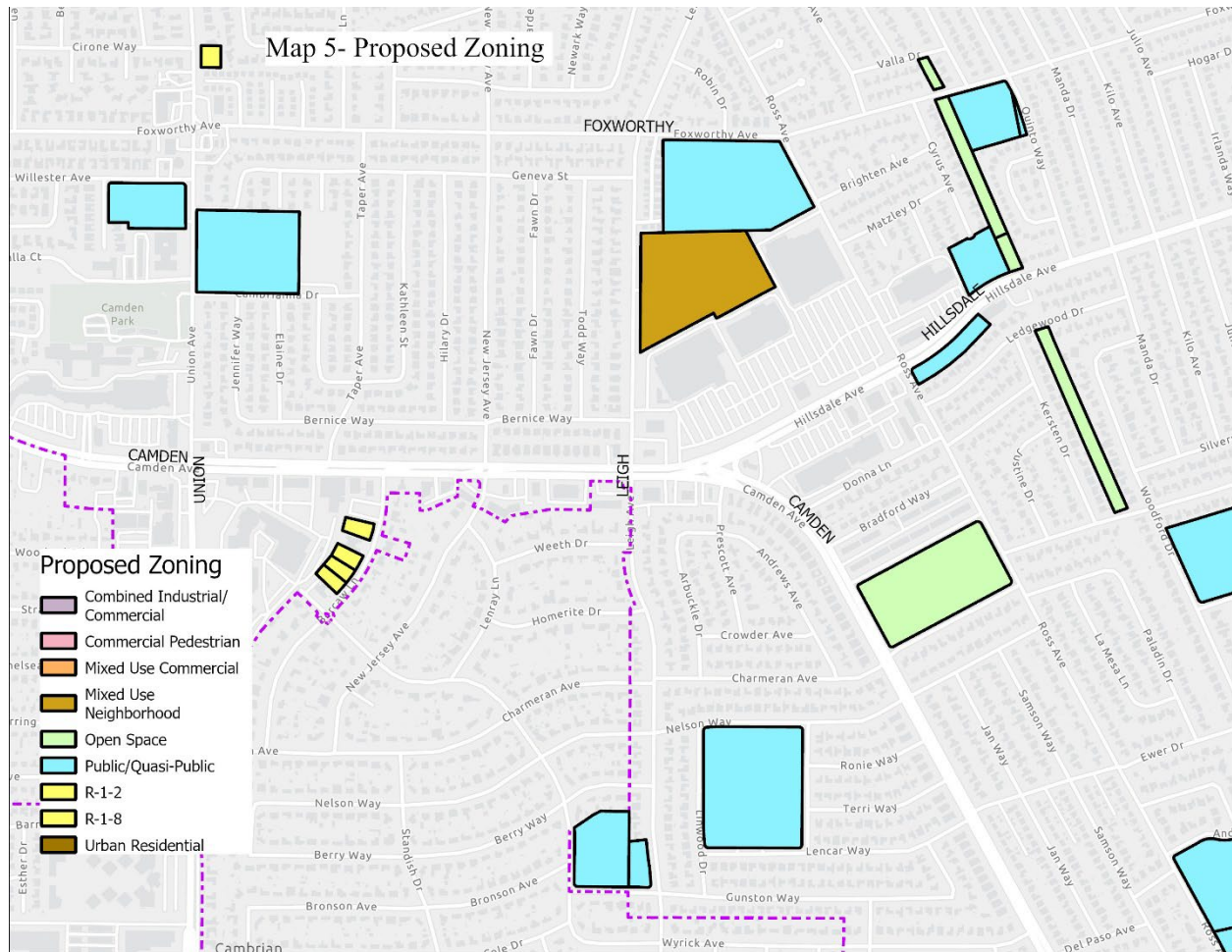




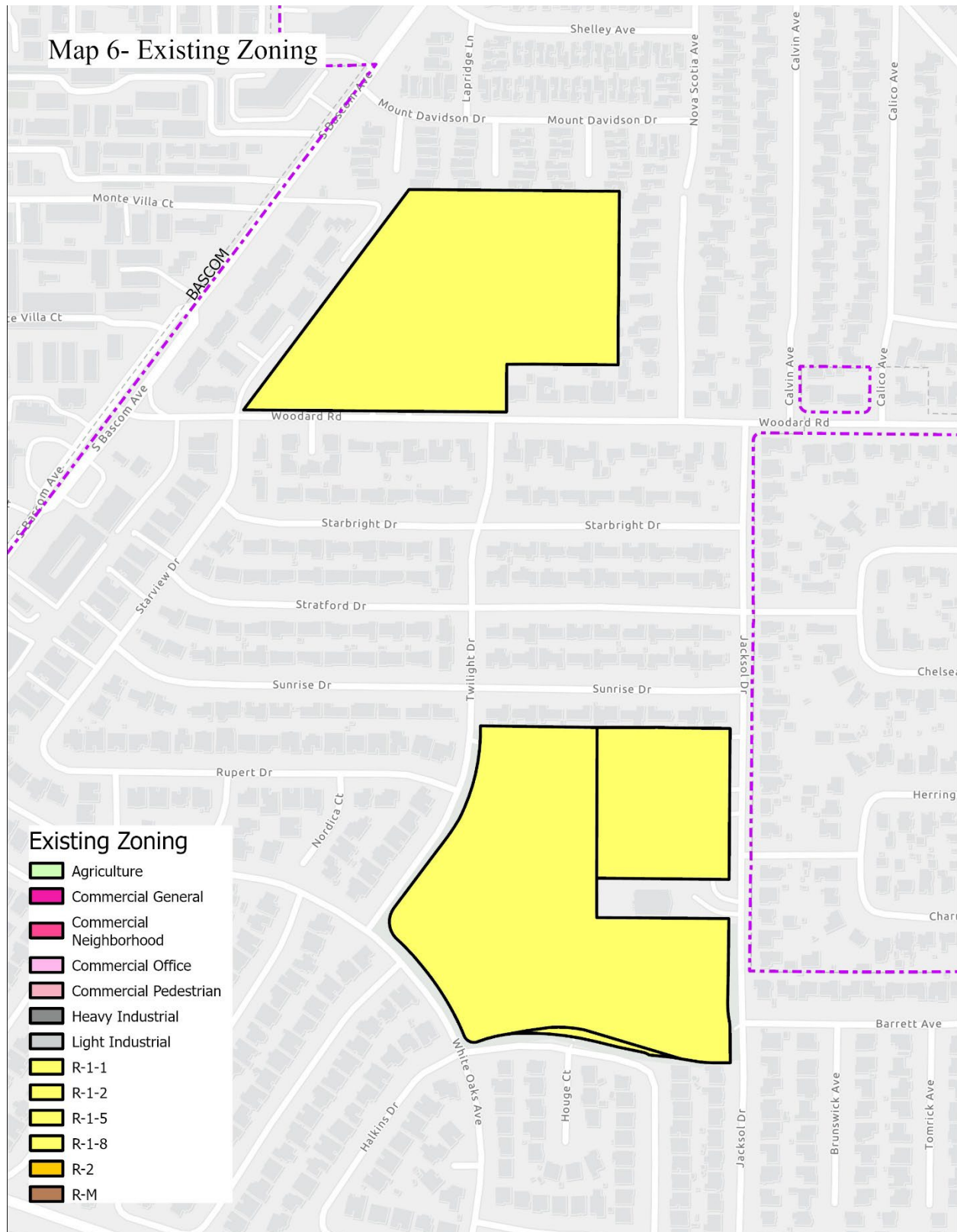












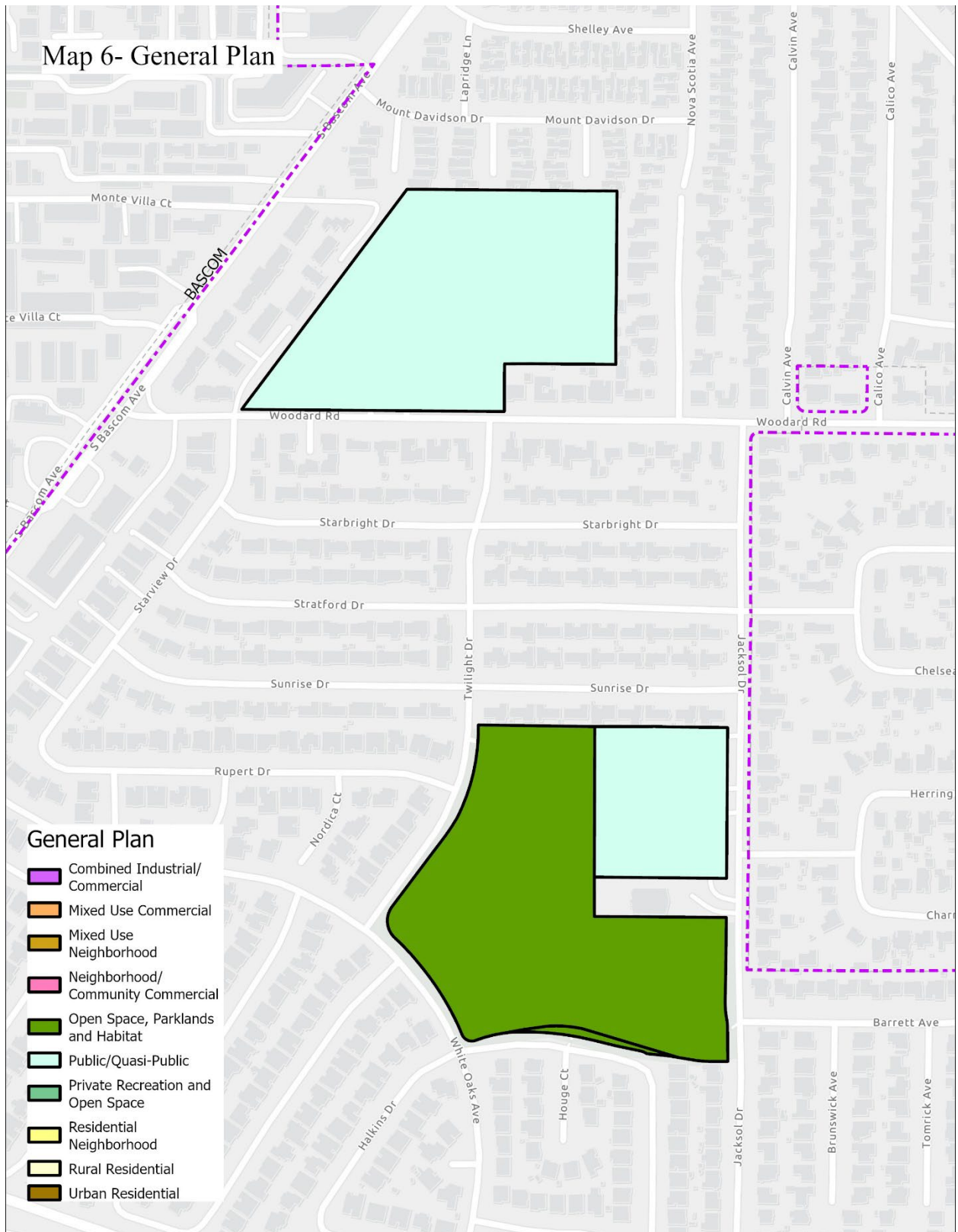
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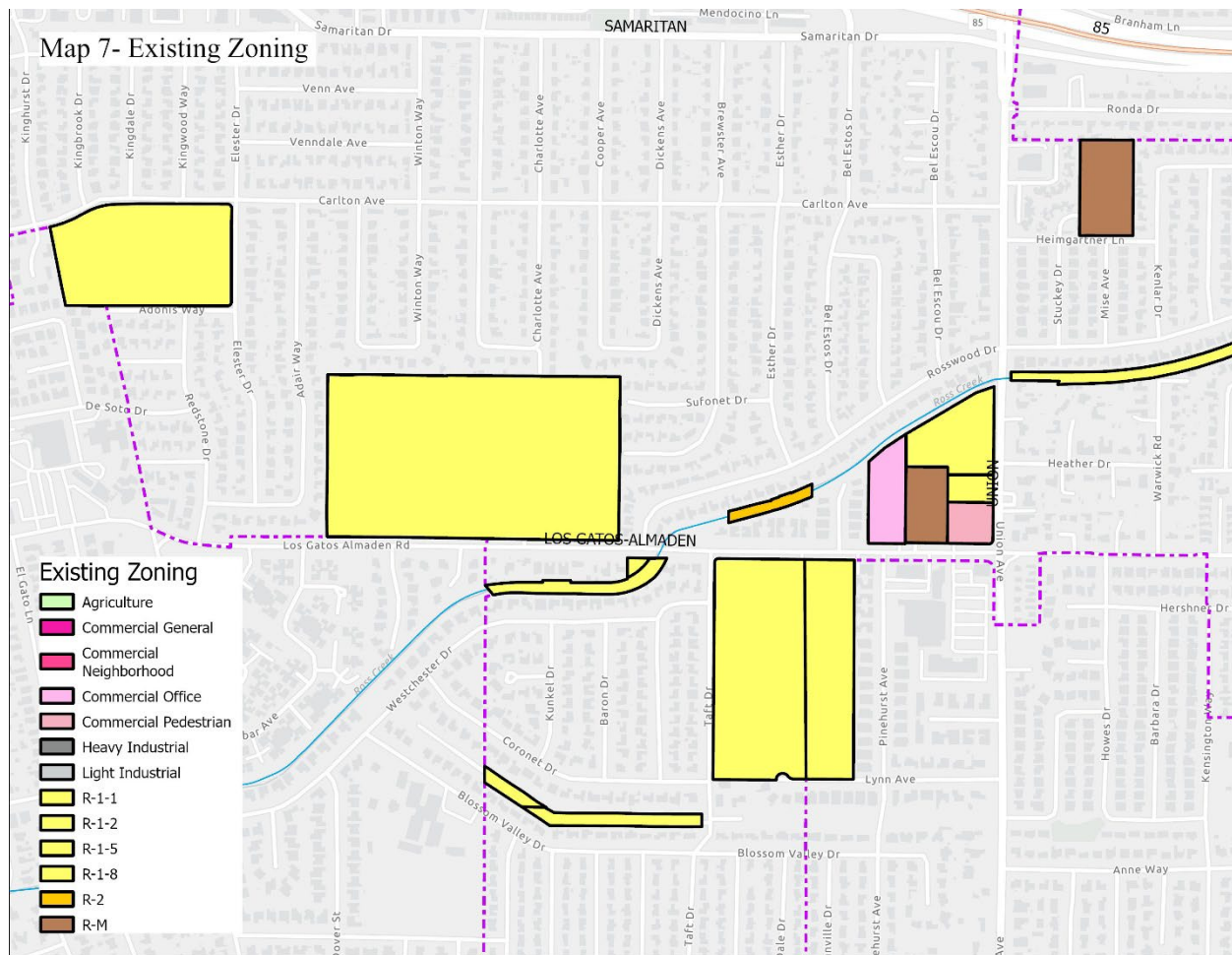
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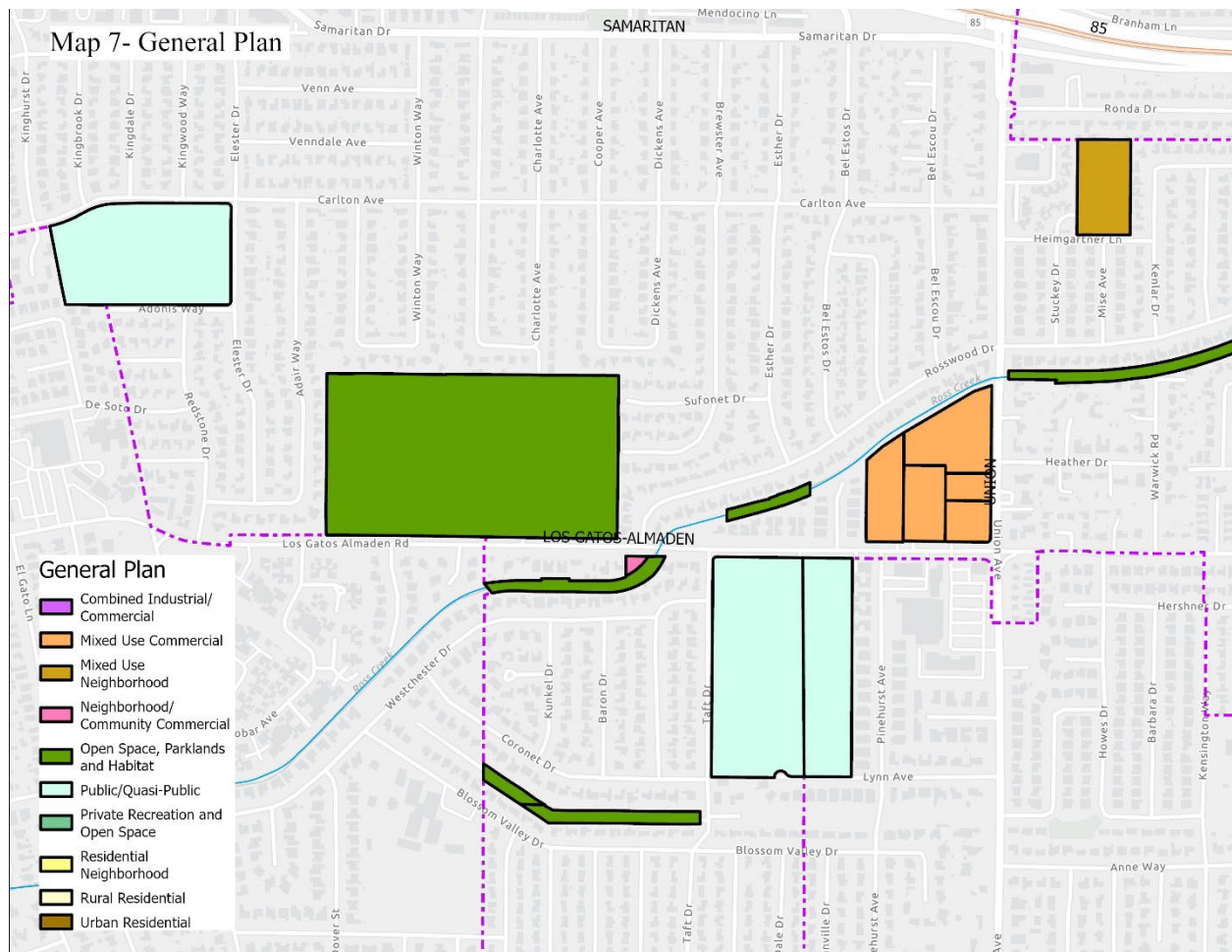
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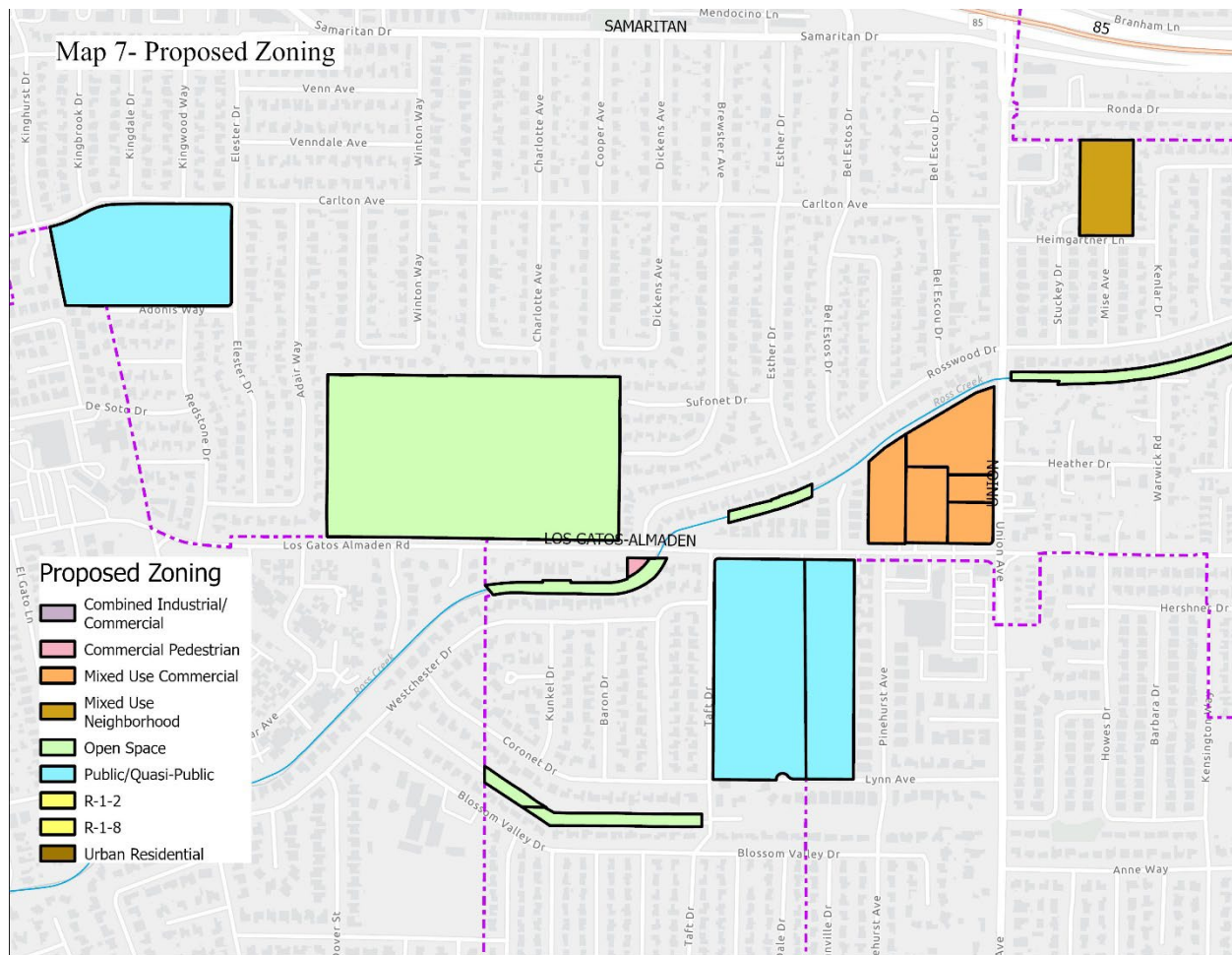


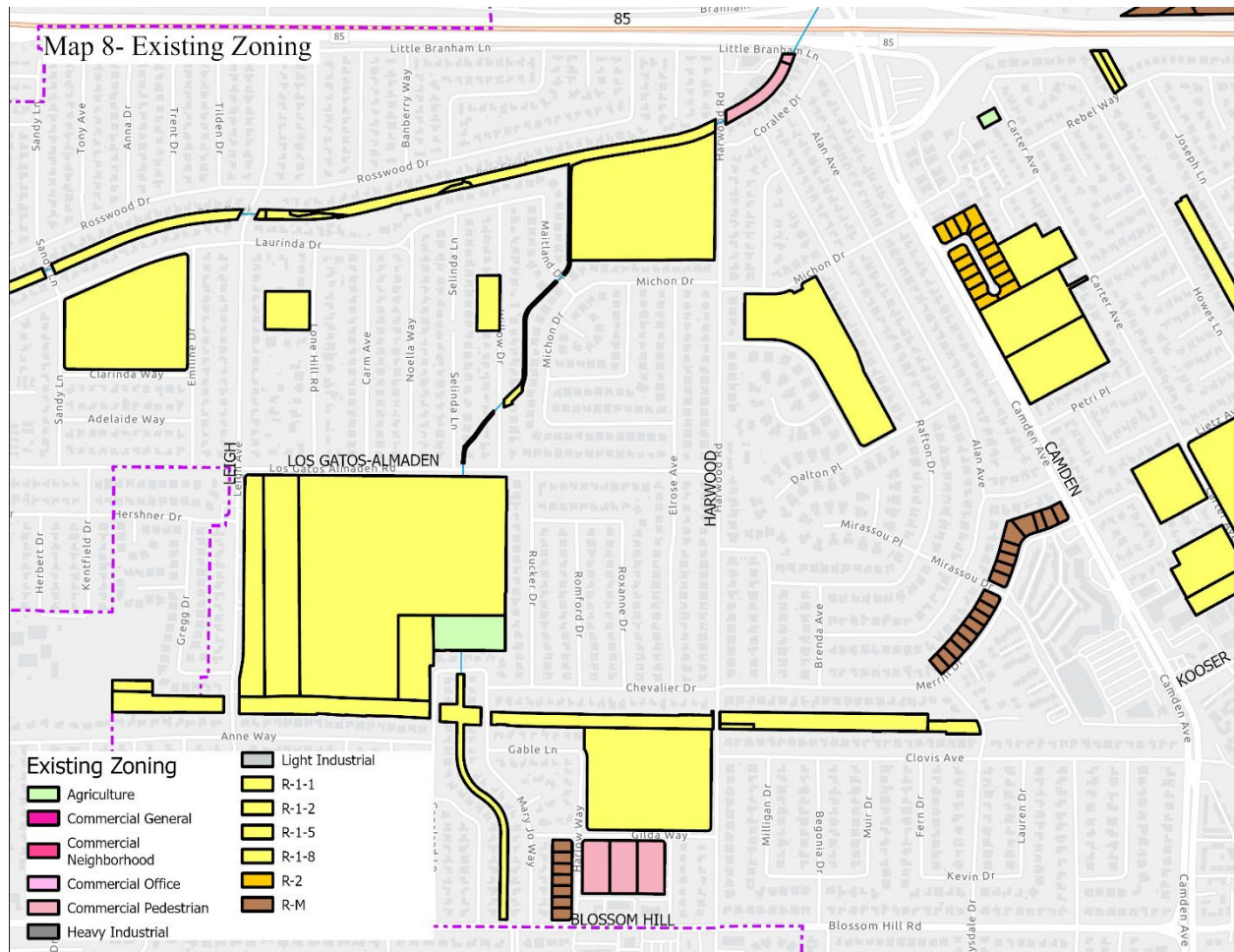


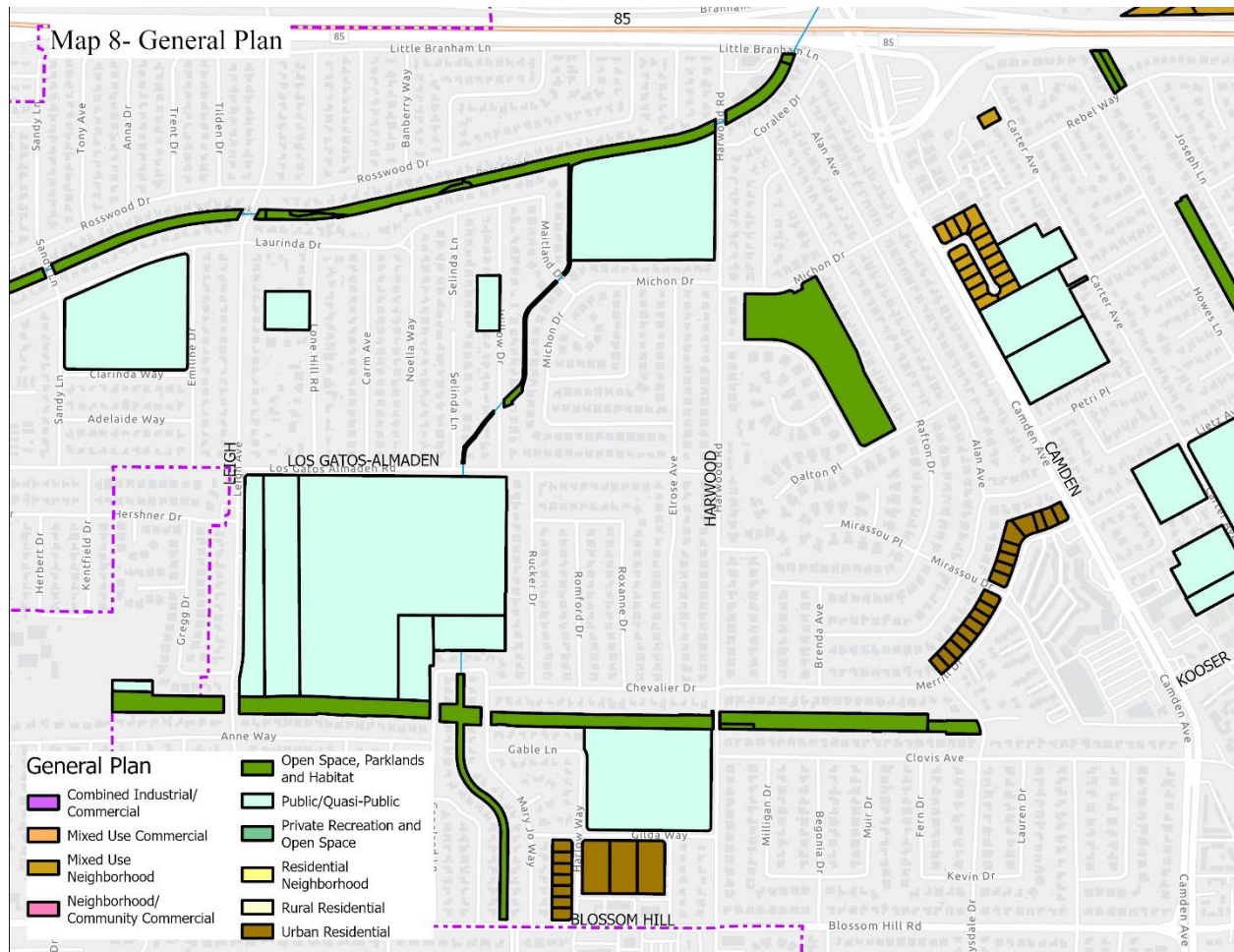




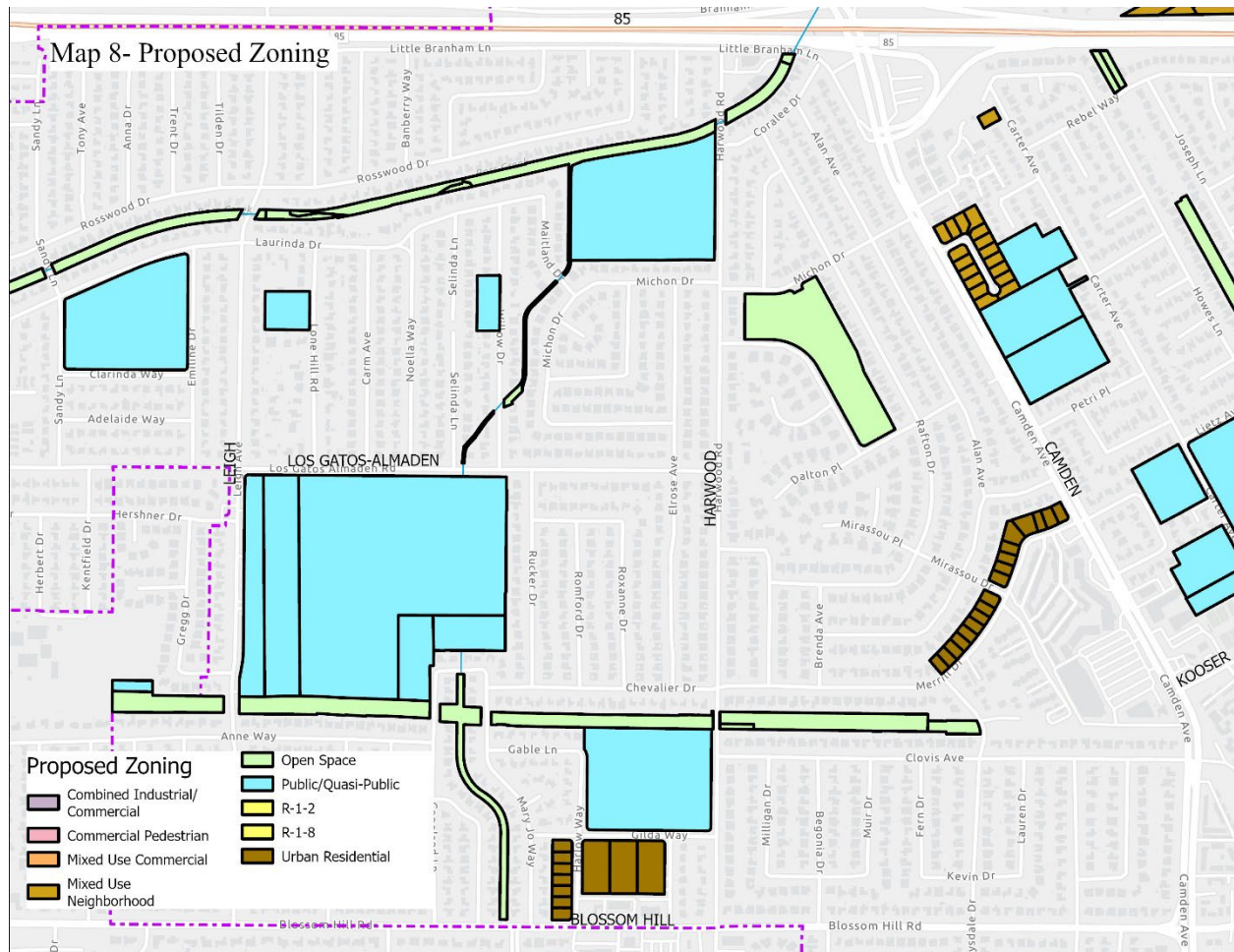


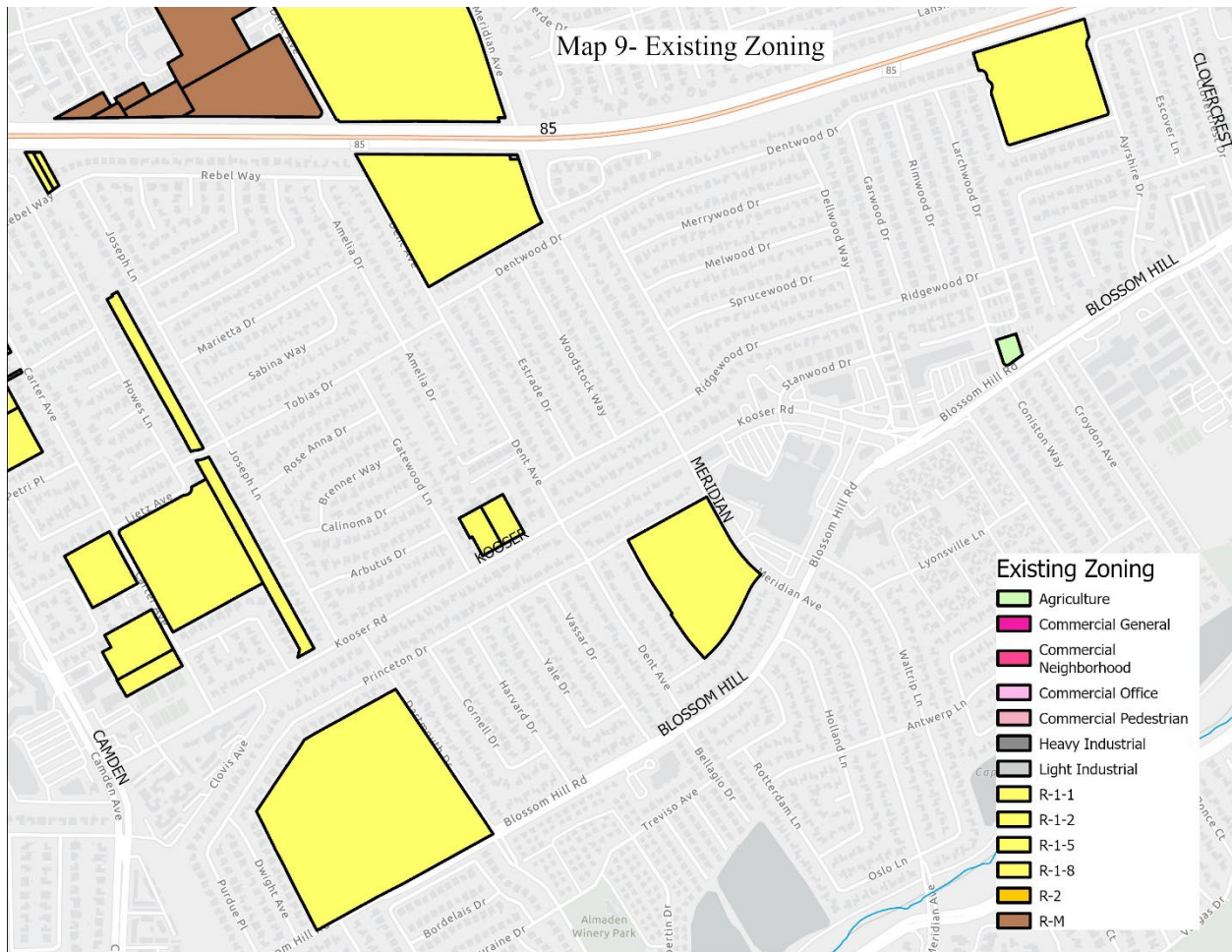


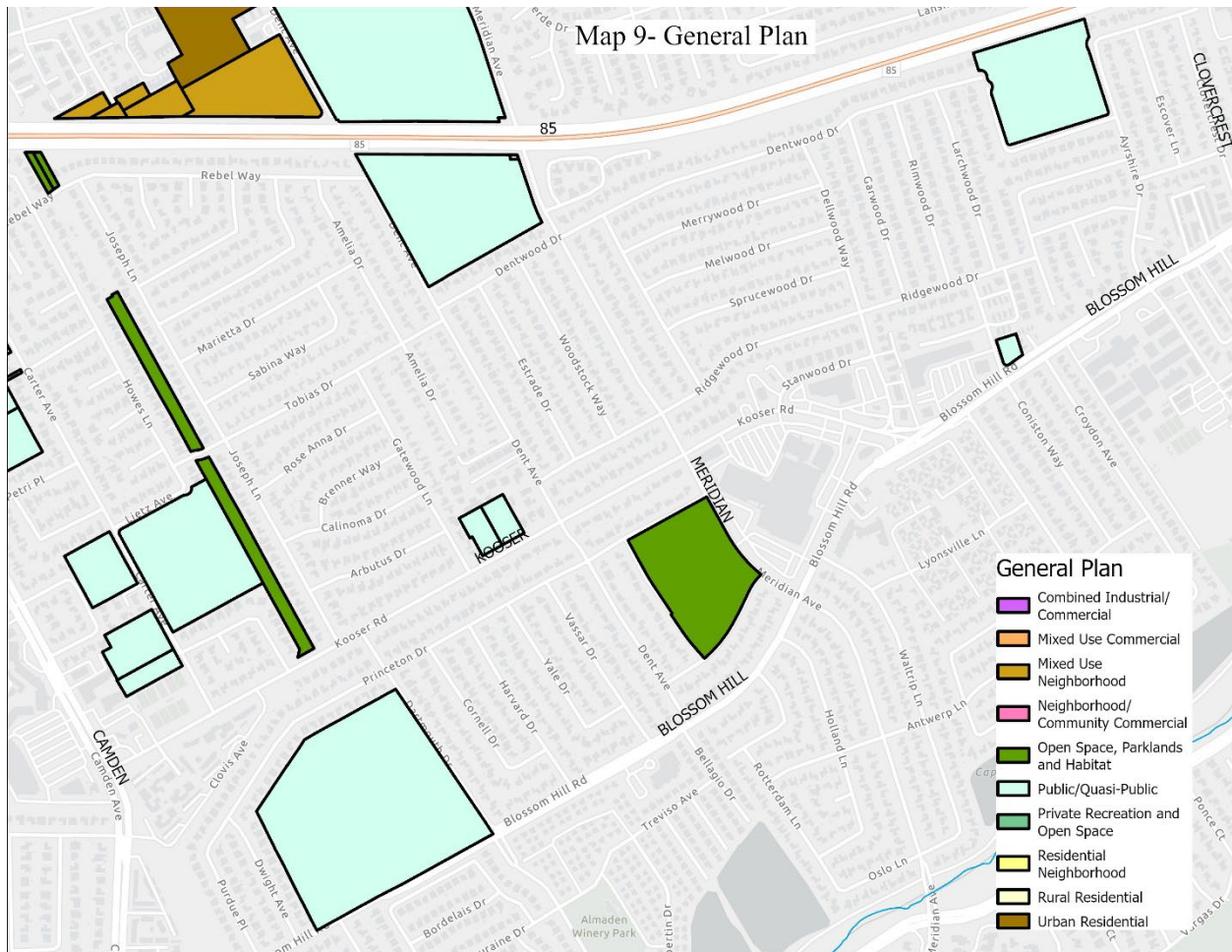




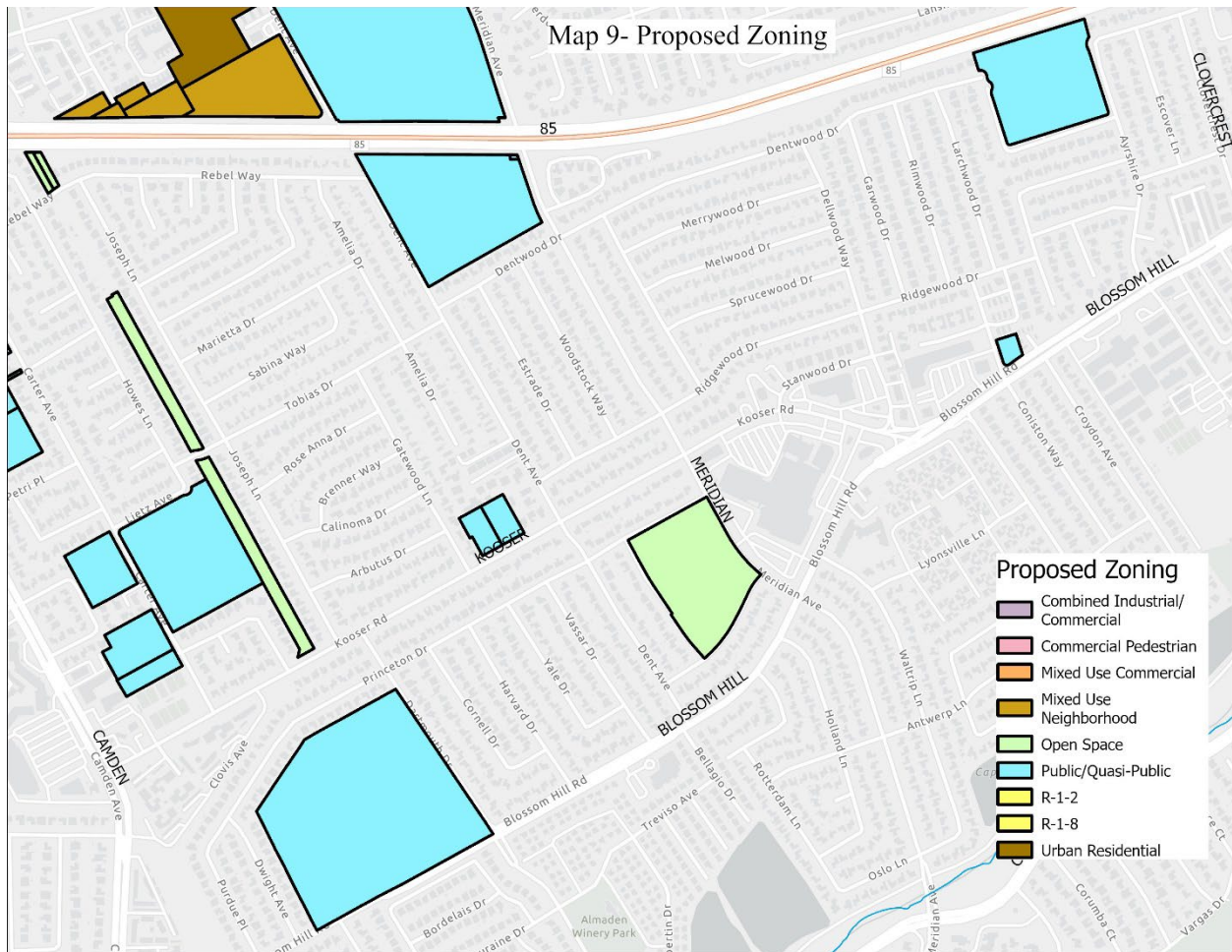


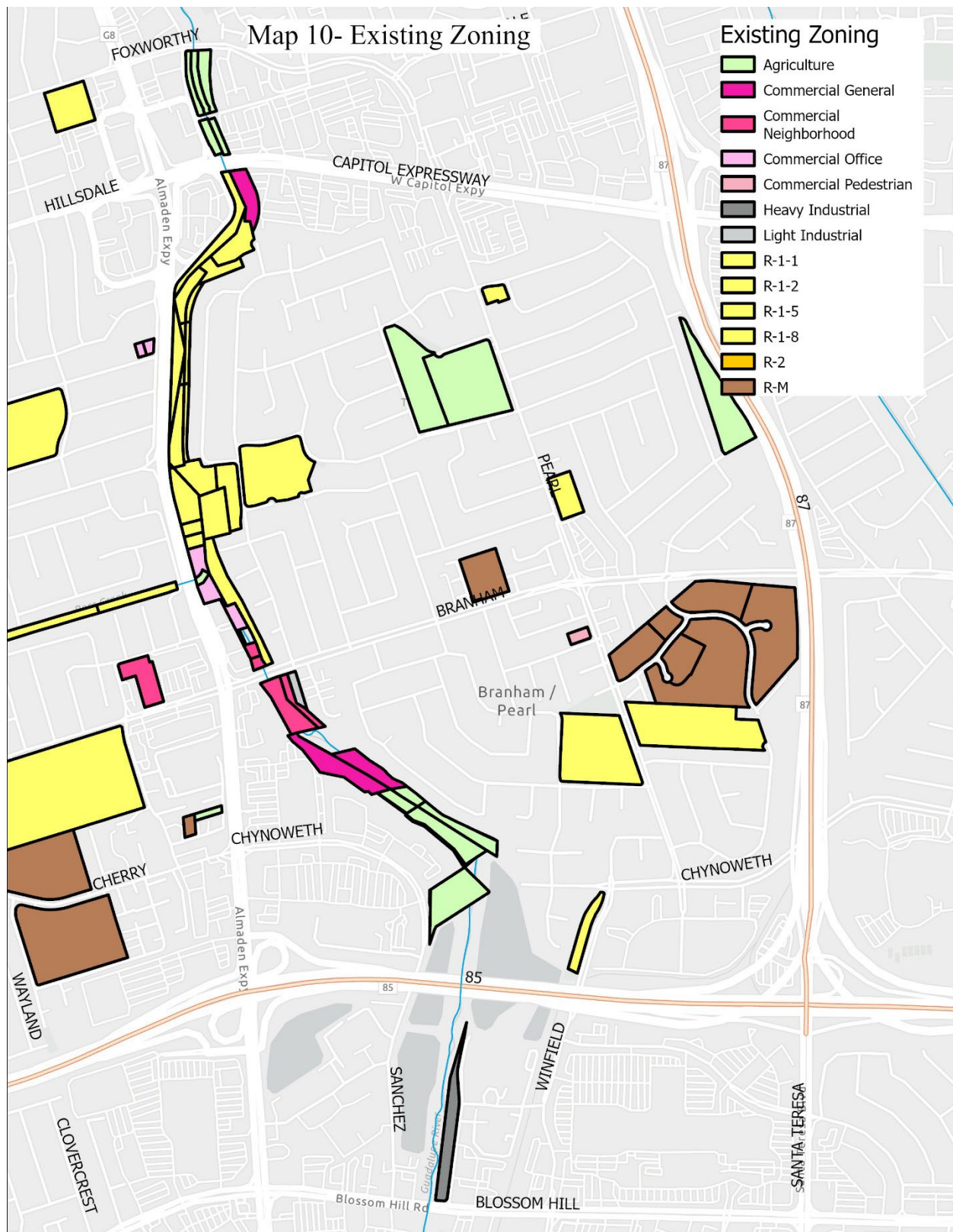












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**DRAFT**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING 212 PROPERTIES FROM R-M MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO UR URBAN RESIDENTIAL ZONING DISTRICT, 73 PROPERTIES FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, 57 PROPERTIES FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO PUBLIC/QUASI-PUBLIC ZONING DISTRICT, 39 PROPERTIES FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO R-1-2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, 20 PROPERTIES FROM R-M MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, 17 PROPERTIES FROM R-2 TWO FAMILY RESIDENTIAL ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, 16 PROPERTIES FROM A AGRICULTURE ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, 12 PROPERTIES FROM CO COMMERCIAL OFFICE ZONING DISTRICT TO R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, EIGHT PROPERTIES FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, SIX PROPERTIES FROM R-1-5 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO PUBLIC/QUASI-PUBLIC ZONING DISTRICT, FIVE PROPERTIES FROM R-1-1 SINGLE-FAMILY ZONING DISTRICT TO PUBLIC/QUASI-PUBLIC ZONING DISTRICT, FOUR PROPERTIES FROM CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, FOUR PROPERTIES FROM CO COMMERCIAL OFFICE ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, THREE PROPERTIES FROM CG COMMERCIAL GENERAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, THREE PROPERTIES FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, THREE PROPERTIES FROM R-1-5 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, THREE PROPERTIES FROM A AGRICULTURE ZONING DISTRICT TO PUBLIC/QUASI-PUBLIC ZONING DISTRICTS, THREE PROPERTIES FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO UR URBAN RESIDENTIAL ZONING DISTRICT, TWO PROPERTIES FROM R-**

**1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO MUC MIXED USE COMMERCIAL ZONING DISTRICT, TWO PROPERTIES FROM CP COMMERCIAL PEDESTRIAN DISTRICT TO PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT, ONE PROPERTY FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, ONE PROPERTY FROM A AGRICULTURE ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, ONE PROPERTY FROM R-M MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN DISTRICT, ONE PROPERTY FROM CO COMMERCIAL OFFICE ZONING DISTRICT TO MUC MIXED USE COMMERCIAL ZONING DISTRICT, ONE PROPERTY FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO MUC MIXED USE COMMERCIAL ZONING DISTRICT, ONE PROPERTY FROM R-M MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO MUC MIXED USE COMMERCIAL ZONING DISTRICT, ONE PROPERTY FROM A AGRICULTURE ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, ONE PROPERTY FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, ONE PROPERTY FROM HI HEAVY INDUSTRIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, ONE PROPERTY FROM LI LIGHT INDUSTRIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, ONE PROPERTY FROM R-1-2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, ONE PROPERTY FROM R-2 TWO FAMILY RESIDENTIAL ZONING DISTRICT TO OS OPEN SPACE ZONING DISTRICT, ONE PROPERTY FROM CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT, ONE PROPERTY FROM CO COMMERCIAL OFFICE 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 R-2 TWO FAMILY RESIDENTIAL ZONING DISTRICT TO R-1-2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, ONE PROPERTY FROM R-M MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO R-1-2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, ONE PROPERTY FROM A AGRICULTURE ZONING DISTRICT TO R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, AND ONE PROPERTY FROM**



**R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO  
CIC COMBINED INDUSTRIAL/COMMERCIAL ZONING  
DISTRICT, ALL LOCATED ON THOSE CERTAIN REAL  
PROPERTIES SITUATED WITHIN THE CITY OF SAN JOSE**

**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 California Environmental Quality Act (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 CIC Combined Industrial/Commercial, CP Commercial Pedestrian, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, OS Open Space, PQP Public/Quasi-Public, R-1-2 and R-1-8 Single-Family Residential, and UR Urban Residential; 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. C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023) would not decrease the residential units satisfying Senate Bill 330 and Senate Bill 940 requirements; the changes in zoning decrease the residential capacity on some properties by 5,905 residential units but increase the residential capacity on other properties by 44,698 residential units; therefore, there is still a surplus of 38,793 residential units available ( $44,698 - 5,905 = 38,793$  units) complying with Senate Bill 330 and Senate Bill 940 requirements;

**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 CIC Combined Industrial/Commercial, CP Commercial Pedestrian, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, OS Open Space, PQP Public/Quasi-Public, R-1-2 and R-1-8 Single-Family Residential, and UR Urban Residential.

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. C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023 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:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk



## EXHIBIT "A"

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

File Nos C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023: 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	41910026	RN	CO	R-1-8	1
2	41910027	RN	CO	R-1-8	1
3	41932074	OSPH	R-1-2	OS	-4
4	41925014	PQP	R-1-8	PQP	318
5	41932072	MUN	R-M	MUN	-200
6	42102089	PQP	R-1-8	PQP	344
7	41910028	RN	CO	R-1-8	1
8	41910030	RN	CO	R-1-8	1
9	41915055	PQP	R-1-8	PQP	968
10	41939026	PQP	R-1-8	PQP	1206
11	41939100	OSPH	R-1-8	OS	-1
12	41939103	OSPH	R-1-8	OS	-5
13	41940141	PQP	R-1-8	PQP	131
14	41953023	PQP	R-1-8	PQP	96
15	41939014	OSPH	R-1-8	OS	-1
16	41941062	OSPH	R-1-8	OS	-1
17	42122005	OSPH	R-1-8	OS	-56
18	42114070	PQP	R-1-8	PQP	1016
19	42120027	MUC	R-1-8	MUC	159
20	42120014	MUC	CO	MUC	109
21	42121065	OSPH	R-2	OS	-2
22	43943043	PQP	R-1-8	PQP	870
23	43942058	RN	CO	R-1-8	1
24	43942059	RN	CO	R-1-8	1

25	43942060	RN	CO	R-1-8	1
26	41935082	PQP	R-1-8	PQP	899
27	45907004	OSPH	A	OS	0
28	45907009	PQP	A	PQP	863
29	45913028	OSPH	R-1-8	OS	-14
30	45913024	OSPH	R-1-8	OS	-4
31	45911094	OSPH	R-1-8	OS	-2
32	45916030	OSPH	R-1-8	OS	-6
33	45106007	PQP	R-1-8	PQP	292
34	41220007	UR	R-M	UR	0
35	41220008	UR	R-M	UR	0
36	41220009	UR	R-M	UR	0
37	41220010	UR	R-M	UR	0
38	41220011	UR	R-M	UR	0
39	41403001	UR	R-M	UR	0
40	41225017	MUN	R-M	MUN	-14
41	41225018	MUN	R-M	MUN	-16
42	41225019	MUN	R-M	MUN	-20
43	41403002	UR	R-M	UR	0
44	41403003	UR	R-M	UR	0
45	41403004	UR	R-M	UR	0
46	41403005	UR	R-M	UR	0
47	41403006	UR	R-M	UR	0
48	41403007	UR	R-M	UR	0
49	45110042	RN	CO	R-1-8	1
50	45110043	RN	CO	R-1-8	1
51	41220012	UR	R-M	UR	0
52	41220013	UR	R-M	UR	0
53	41220014	UR	R-M	UR	0
54	41220015	UR	R-M	UR	0
55	41220016	UR	R-M	UR	0
56	41220017	UR	R-M	UR	0
57	41220018	UR	R-M	UR	0
58	41220019	UR	R-M	UR	0
59	41220020	UR	R-M	UR	0
60	41220021	UR	R-M	UR	0
61	41220022	RR	R-M	R-1-2	-4
62	41220023	RR	R-1-8	R-1-2	0

63	41220024	RR	R-2	R-1-2	0
64	41224008	MUN	R-M	MUN	-23
65	41225016	MUN	R-M	MUN	-15
66	45118057	PQP	R-1-8	PQP	225
67	45114028	OSPH	R-1-8	OS	-17
68	41221014	UR	R-M	UR	0
69	41221015	UR	R-M	UR	0
70	41405017	UR	R-M	UR	0
71	41220042	UR	R-M	UR	0
72	41220043	UR	R-M	UR	0
73	41405032	UR	R-M	UR	0
74	41405033	UR	R-M	UR	0
75	41405025	UR	R-M	UR	0
76	41220044	UR	R-M	UR	0
77	41220045	UR	R-M	UR	0
78	41220046	UR	R-M	UR	0
79	56709072	OSPH	R-1-8	OS	-1
80	56709069	OSPH	R-1-8	OS	-6
81	45130039	PQP	R-1-8	PQP	131
82	41421063	PQP	R-1-8	PQP	953
83	56705052	OSPH	R-1-8	OS	-14
84	56706028	UR	R-M	UR	0
85	56706029	UR	R-M	UR	0
86	56706030	UR	R-M	UR	0
87	56706031	UR	R-M	UR	0
88	56706032	UR	R-M	UR	0
89	56706033	UR	R-M	UR	0
90	56706034	UR	R-M	UR	0
91	56706035	UR	R-M	UR	0
92	56706036	UR	R-M	UR	0
93	41220047	UR	R-M	UR	0
94	41221001	UR	R-M	UR	0
95	41221002	UR	R-M	UR	0
96	41221003	UR	R-M	UR	0
97	41221004	UR	R-M	UR	0
98	41221005	UR	R-M	UR	0
99	41221006	UR	R-M	UR	0
100	41221007	UR	R-M	UR	0

101	41221008	UR	R-M	UR	0
102	41221009	UR	R-M	UR	0
103	41405004	MUN	CP	MUN	-16
104	41405005	UR	R-M	UR	0
105	41405006	UR	R-M	UR	0
106	41405007	UR	R-M	UR	0
107	41405008	UR	R-M	UR	0
108	41405009	UR	R-M	UR	0
109	41221010	UR	R-M	UR	0
110	41221011	UR	R-M	UR	0
111	41221012	UR	R-M	UR	0
112	41405010	UR	R-M	UR	0
113	41405011	UR	R-M	UR	0
114	41405012	UR	R-M	UR	0
115	41405013	UR	R-M	UR	0
116	41405014	UR	R-M	UR	0
117	41405015	UR	R-M	UR	0
118	41405016	UR	R-M	UR	0
119	56708004	UR	R-M	UR	0
120	56708005	UR	R-M	UR	0
121	56708006	UR	R-M	UR	0
122	56708007	UR	R-M	UR	0
123	56708008	UR	R-M	UR	0
124	56708009	UR	R-M	UR	0
125	56708001	UR	R-M	UR	0
126	56708002	UR	R-M	UR	0
127	56708003	UR	R-M	UR	0
128	56709067	OSPH	R-1-8	OS	-1
129	45134078	PQP	R-1-8	PQP	175
130	45818009	OSPH	LI	OS	1
131	45818012	OSPH	CN	OS	-85
132	45918003	PQP	R-1-8	PQP	176
133	56901051	PQP	R-1-1	PQP	289
134	45138026	PQP	CN	PQP	-24
135	45817005	OSPH	A	OS	0
136	52733001	UR	R-M	UR	0
137	52733002	UR	R-M	UR	0
138	52733003	UR	R-M	UR	0

139	52733004	UR	R-M	UR	0
140	52733005	UR	R-M	UR	0
141	52733006	UR	R-M	UR	0
142	52733007	UR	R-M	UR	0
143	52750001	PQP	R-1-8	PQP	350
144	52750002	PQP	R-1-5	PQP	594
145	52750003	PQP	R-1-5	PQP	2818
146	52750004	PQP	R-1-5	PQP	219
147	52750004	PQP	A	PQP	197
148	44716012	RN	CO	R-1-8	4
149	44711001	PQP	R-1-8	PQP	122
150	44713073	OSPH	R-1-8	OS	-5
151	44729037	PQP	R-1-8	PQP	341
152	44729038	PQP	R-1-8	PQP	894
153	52748010	OSPH	R-1-8	OS	-4
154	52340002	PQP	R-1-5	PQP	631
155	52340014	PQP	R-1-8	PQP	1190
156	52734074	OSPH	R-1-8	OS	-5
157	52733034	UR	CP	UR	-19
158	52733035	UR	CP	UR	-19
159	52733036	UR	CP	UR	-19
160	52734075	PQP	R-1-8	PQP	970
161	52334010	NCC	R-1-8	CP	18
162	44732002	PQP	R-1-8	PQP	609
163	45925026	PROS	R-1-8	OS	-2
164	52338025	OSPH	R-1-8	OS	-3
165	45928003	RN	A	R-1-8	10
166	56901045	MUN	R-M	MUN	-568
167	56901054	PQP	R-1-8	PQP	2163
168	45806002	PQP	R-1-8	PQP	841
169	45817003	OSPH	A	OS	0
170	45817004	OSPH	CG	OS	1
171	45817004	OSPH	A	OS	0
172	56902033	MUN	R-M	MUN	-767
173	45902007	OSPH	R-1-8	OS	-4
174	56906044	PQP	A	PQP	44
175	45817002	OSPH	A	OS	0
176	56733001	PQP	R-1-8	PQP	2588



177	45805104	RN	CP	R-1-8	-47
178	56738077	OSPH	R-1-8	OS	-19
179	45901003	OSPH	CN	OS	-34
180	45901004	OSPH	CO	OS	1
181	45901005	OSPH	CO	OS	1
182	45901021	OSPH	CO	OS	1
183	45901021	OSPH	A	OS	0
184	45901015	OSPH	CN	OS	-28
185	45902004	OSPH	R-1-8	OS	-5
186	56901020	NCC	A	CP	38
187	56901032	NCC	R-M	CP	7
188	56927017	PQP	R-1-1	PQP	3
189	56927016	PQP	R-1-1	PQP	1251
190	56905024	PQP	R-1-8	PQP	869
191	56913080	PQP	R-1-8	PQP	91
192	56913081	PQP	R-1-8	PQP	86
193	56916026	PQP	R-1-8	PQP	248
194	56916019	PQP	R-1-8	PQP	226
195	56916018	PQP	R-1-8	PQP	100
196	56918022	MUN	R-2	MUN	5
197	56918023	MUN	R-2	MUN	5
198	56918024	MUN	R-2	MUN	5
199	56918025	MUN	R-2	MUN	5
200	56917062	PQP	R-1-8	PQP	359
201	56917054	PQP	R-1-8	PQP	375
202	56918026	MUN	R-2	MUN	5
203	56918027	MUN	R-2	MUN	6
204	56918028	MUN	R-2	MUN	6
205	56918029	MUN	R-2	MUN	5
206	56918030	MUN	R-2	MUN	5
207	56918031	MUN	R-2	MUN	5
208	56918032	MUN	R-2	MUN	5
209	56918033	MUN	R-2	MUN	5
210	56918034	MUN	R-2	MUN	5
211	56918035	MUN	R-2	MUN	7
212	56918036	MUN	R-2	MUN	5
213	56918037	MUN	R-2	MUN	5
214	56918038	MUN	R-2	MUN	5

215	56946088	OSPH	R-1-8	OS	-1
216	56926004	PQP	R-1-1	PQP	2719
217	56926004	PQP	R-2	PQP	183
218	56926004	PQP	CP	PQP	-8
219	56926004	PQP	CO	PQP	272
220	56926004	PQP	CP	PQP	-8
221	56935001	PQP	R-1-8	PQP	845
222	56918018	MUN	A	MUN	6
223	56918065	PQP	R-1-8	PQP	218
224	56925032	MUN	R-M	MUN	-385
225	52735067	OSPH	R-1-8	OS	-4
226	56925026	UR	R-M	UR	0
227	56925048	MUN	R-M	MUN	-80
228	56925039	MUN	R-M	MUN	-25
229	56915056	PQP	R-1-8	PQP	976
230	56915022	OSPH	R-1-8	OS	-5
231	52338058	OSPH	R-1-8	OS	-1
232	41425019	PQP	R-1-8	PQP	5
233	41425023	CIC	R-1-8	CIC	-12
234	45902001	OSPH	CO	OS	1
235	45902002	OSPH	R-1-5	OS	-1
236	45902003	OSPH	R-1-5	OS	-1
237	45902008	OSPH	R-1-8	OS	-4
238	45902013	OSPH	R-1-8	OS	-4
239	56925050	MUN	R-M	MUN	-16
240	56925053	MUN	R-M	MUN	-36
241	41240038	PQP	R-1-8	PQP	90
242	41240038	PQP	R-1-8	PQP	97
243	45811025	OSPH	R-1-8	OS	-3
244	45825C02	MUN	R-M	MUN	-71
245	44223060	OSPH	R-1-8	OS	-1
246	41414005	RN	CO	R-1-8	1
247	41415074	PQP	R-1-8	PQP	274
248	56702053	OSPH	CP	OS	-10
249	45822C02	MUN	R-M	MUN	-149
250	45823C01	MUN	R-M	MUN	-511
251	41405026	UR	R-M	UR	0
252	41405027	UR	R-M	UR	0

253	41405028	UR	R-M	UR	0
254	41405029	UR	R-M	UR	0
255	41405030	UR	R-M	UR	0
256	41405031	UR	R-M	UR	0
257	41405055	UR	R-M	UR	0
258	41405056	UR	R-M	UR	0
259	41405018	UR	R-M	UR	0
260	41405019	UR	R-M	UR	0
261	41405020	UR	R-M	UR	0
262	41405021	UR	R-M	UR	0
263	41405022	UR	R-M	UR	0
264	41405023	UR	R-M	UR	0
265	41405024	UR	R-M	UR	0
266	41405054	UR	R-M	UR	0
267	41405034	UR	R-M	UR	0
268	41405035	UR	R-M	UR	0
269	41405036	UR	R-M	UR	0
270	41406001	UR	R-M	UR	0
271	41420043	RN	CO	R-1-8	1
272	41429014	PQP	R-1-8	PQP	1018
273	45822C01	MUN	R-M	MUN	-188
274	45814029	OSPH	HI	OS	1
275	45908004	UR	R-M	UR	0
276	41904001	OSPH	R-1-8	OS	-16
277	28805040	RR	R-1-8	R-1-2	0
278	28805028	RR	R-1-8	R-1-2	0
279	28805031	RR	R-1-8	R-1-2	0
280	28805048	RR	R-1-8	R-1-2	0
281	28805049	RR	R-1-8	R-1-2	0
282	28805041	RR	R-1-8	R-1-2	0
283	28805029	RR	R-1-8	R-1-2	0
284	28819026	RR	R-1-8	R-1-2	0
285	28819027	RR	R-1-8	R-1-2	0
286	28819028	RR	R-1-8	R-1-2	0
287	28819029	RR	R-1-8	R-1-2	0
288	28819030	RR	R-1-8	R-1-2	0
289	28819031	RR	R-1-8	R-1-2	0
290	28819032	RR	R-1-8	R-1-2	0

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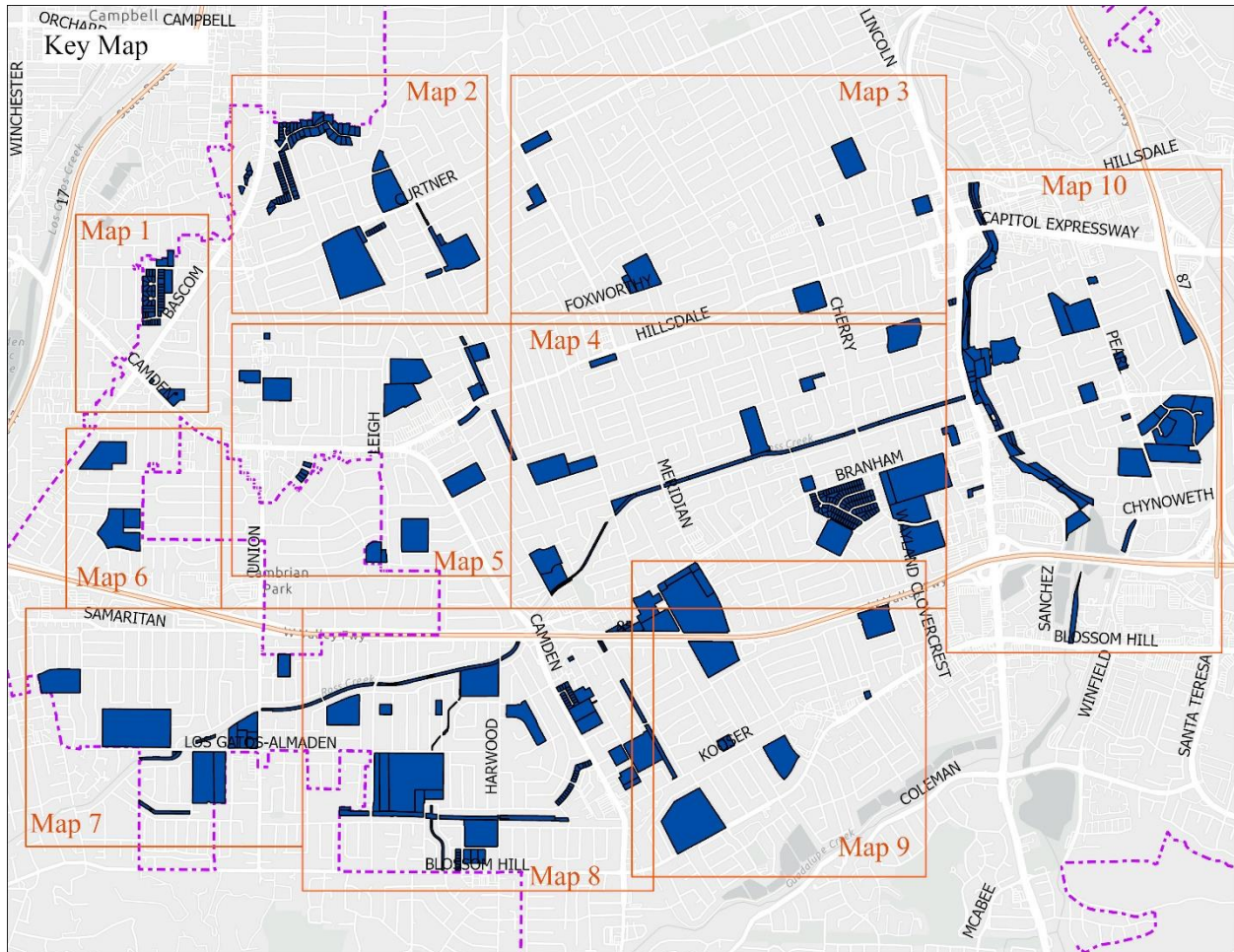
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## EXHIBIT “B”

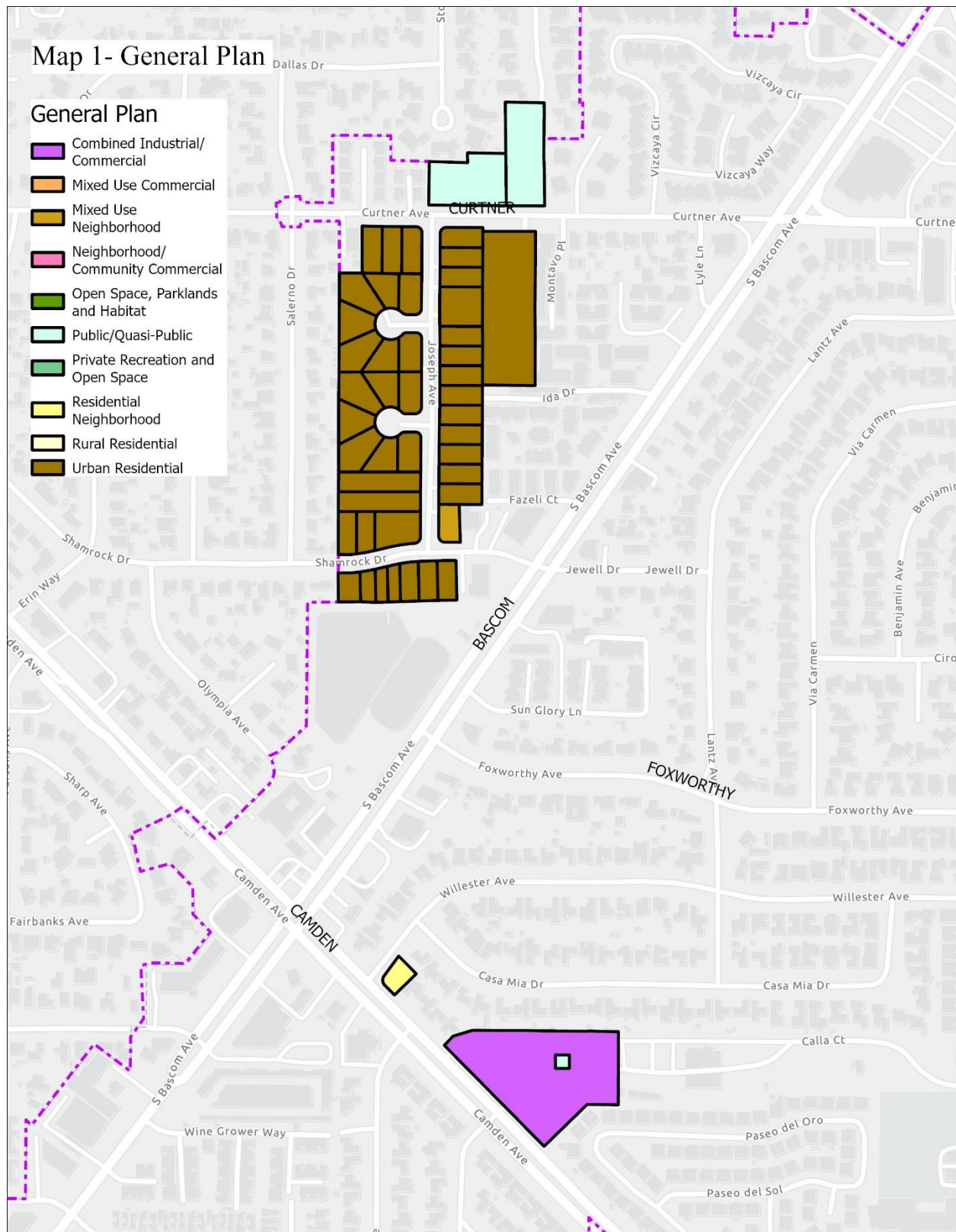
### EXISTING GENERAL PLAN DESIGNATION AND EXISTING AND PROPOSED ZONING DISTRICT MAPS

File Nos C24-002, C24-016, C24-017, C24-018, C24-019, C24-020, C24-021, C24-022, and C24-023: The Zoning District Map is hereby amended as follows:

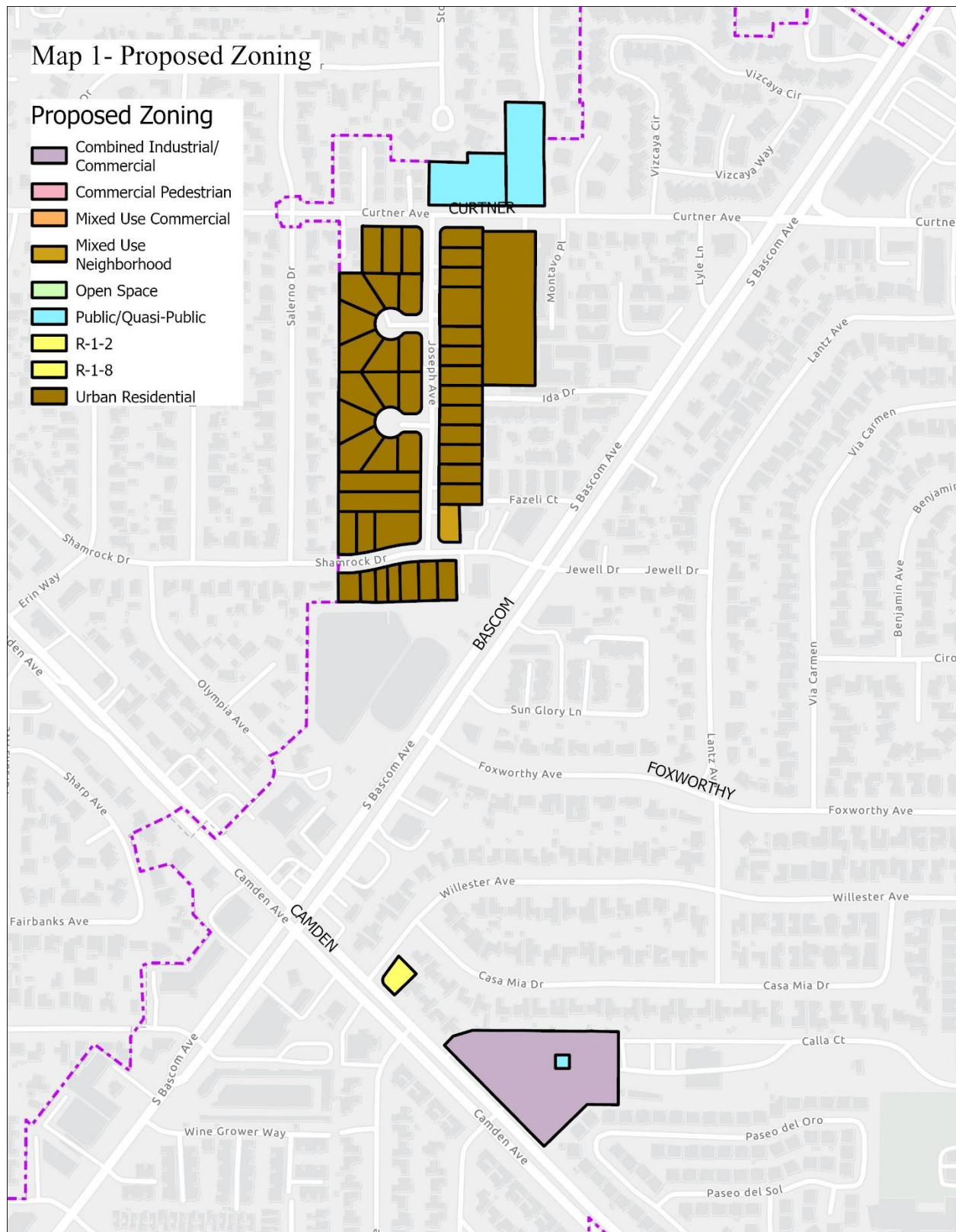










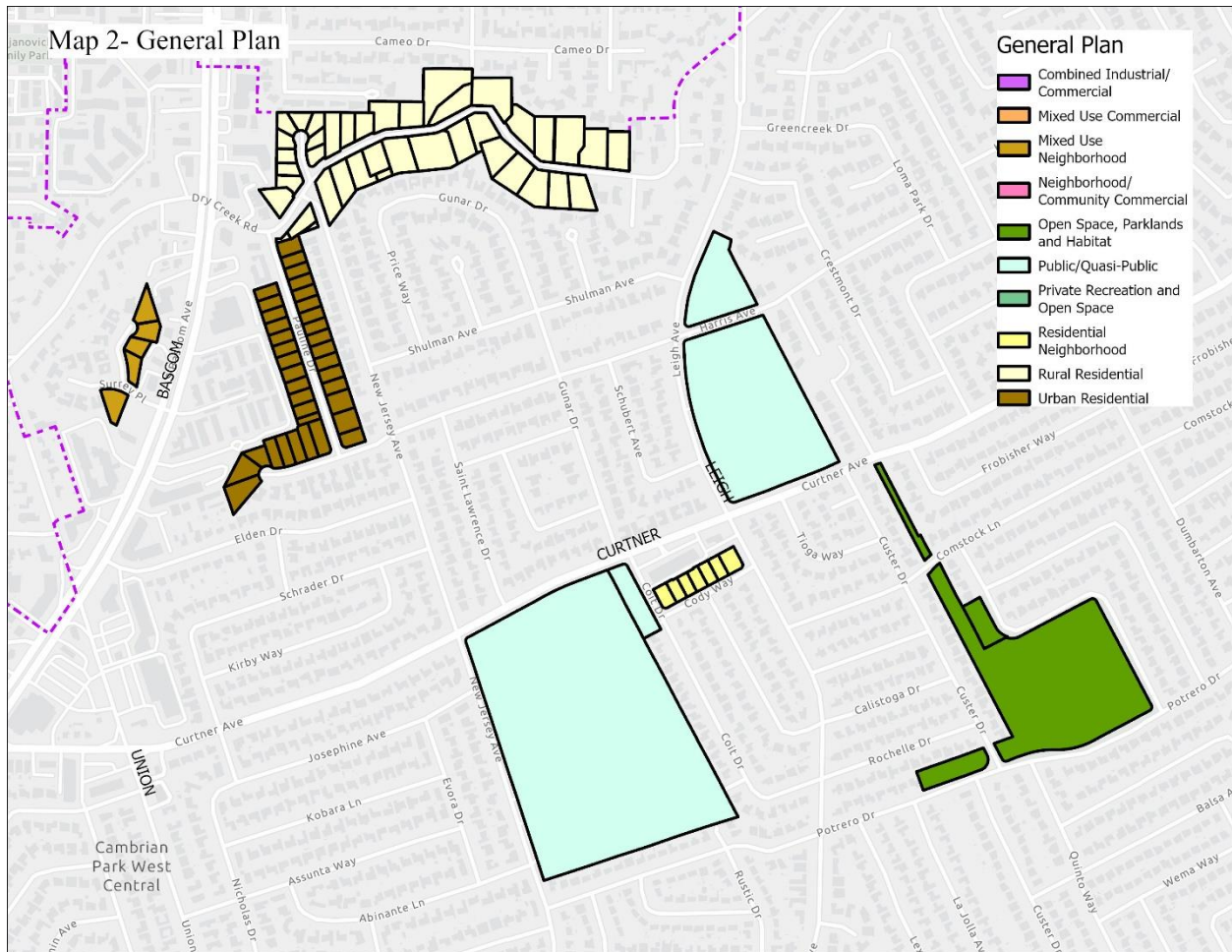


B-4

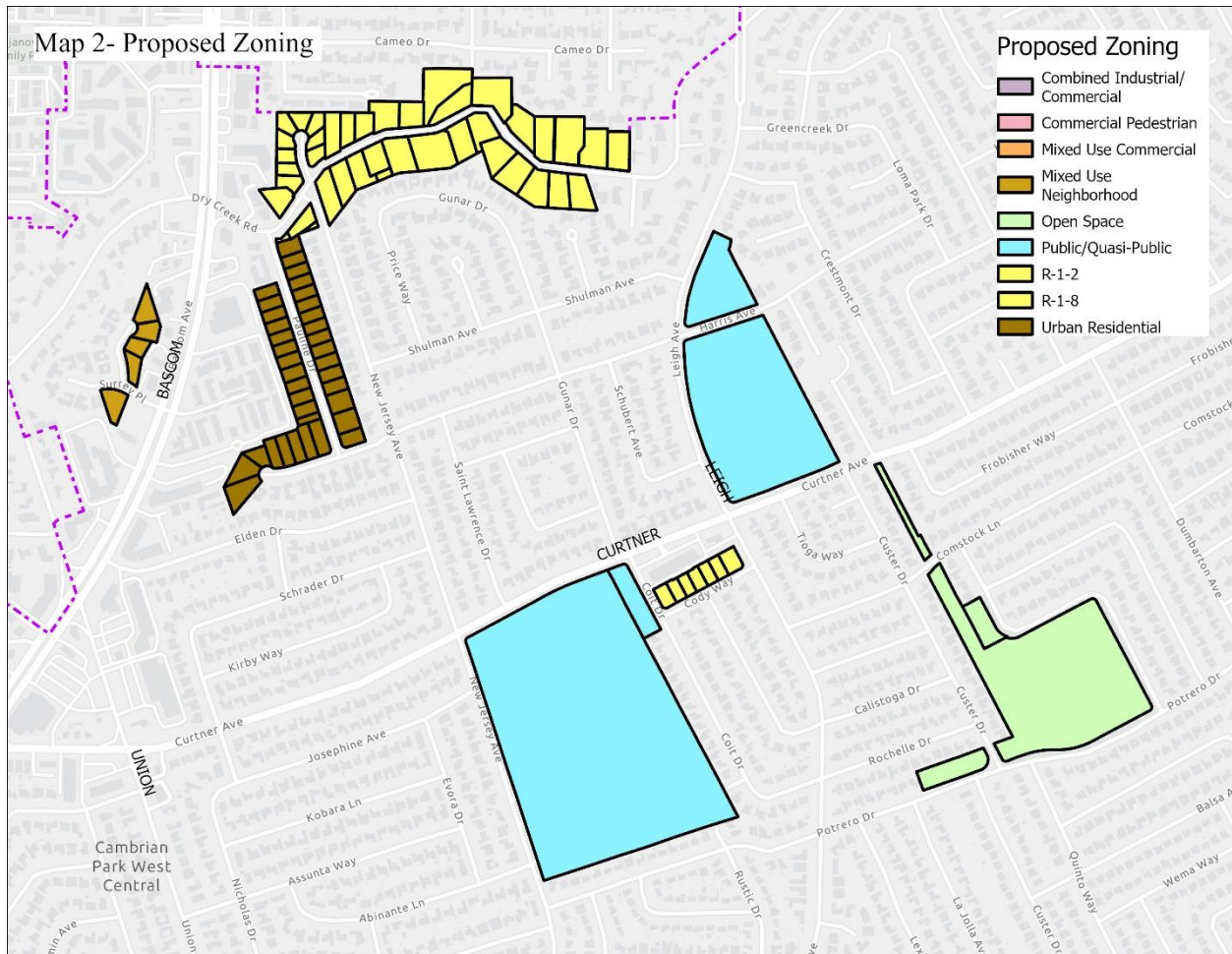
T-53000 / 2107805  
Council Agenda: 5/21/24  
Item No.: 10.1(b)

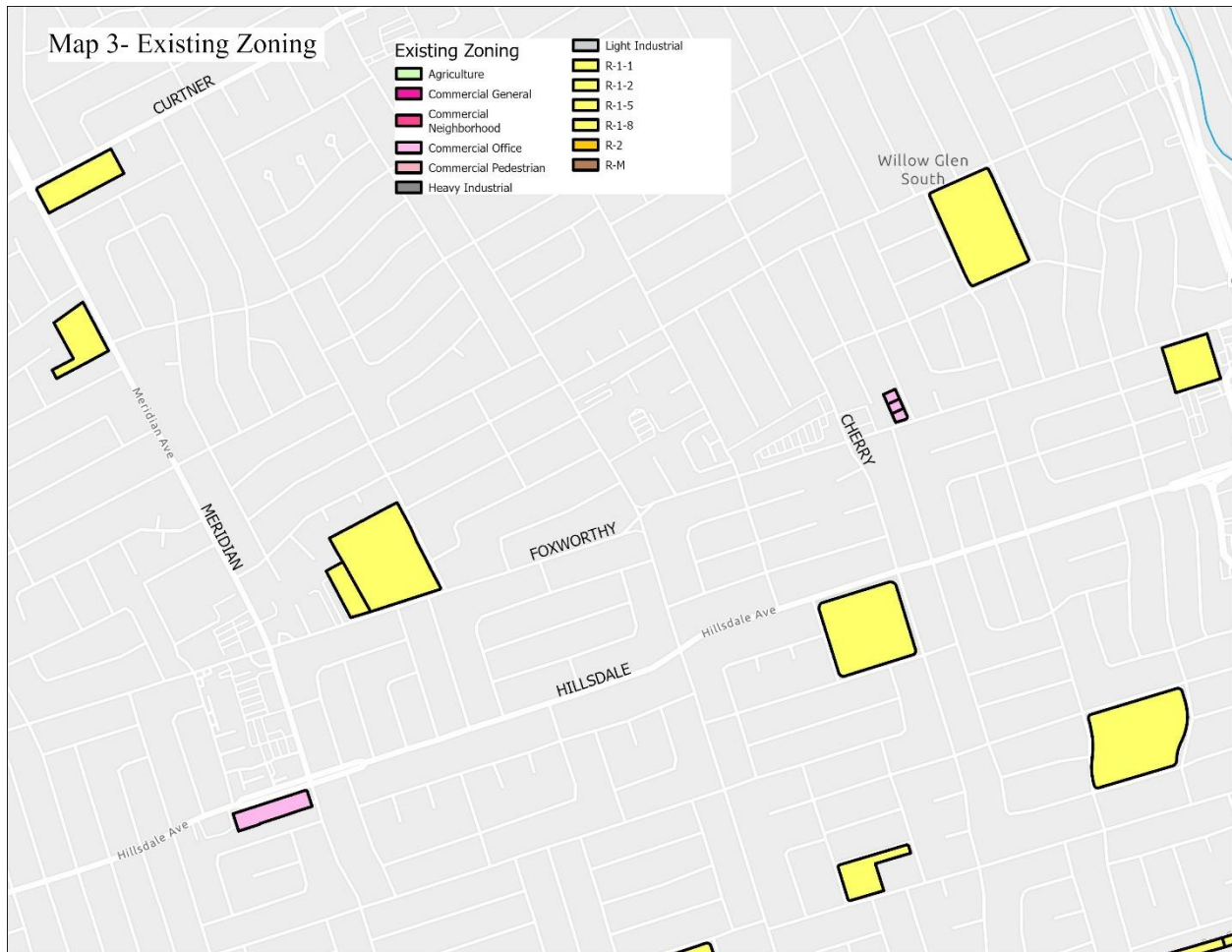
**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or [CityClerk@sanjoseca.gov](mailto:CityClerk@sanjoseca.gov) for final document.**

















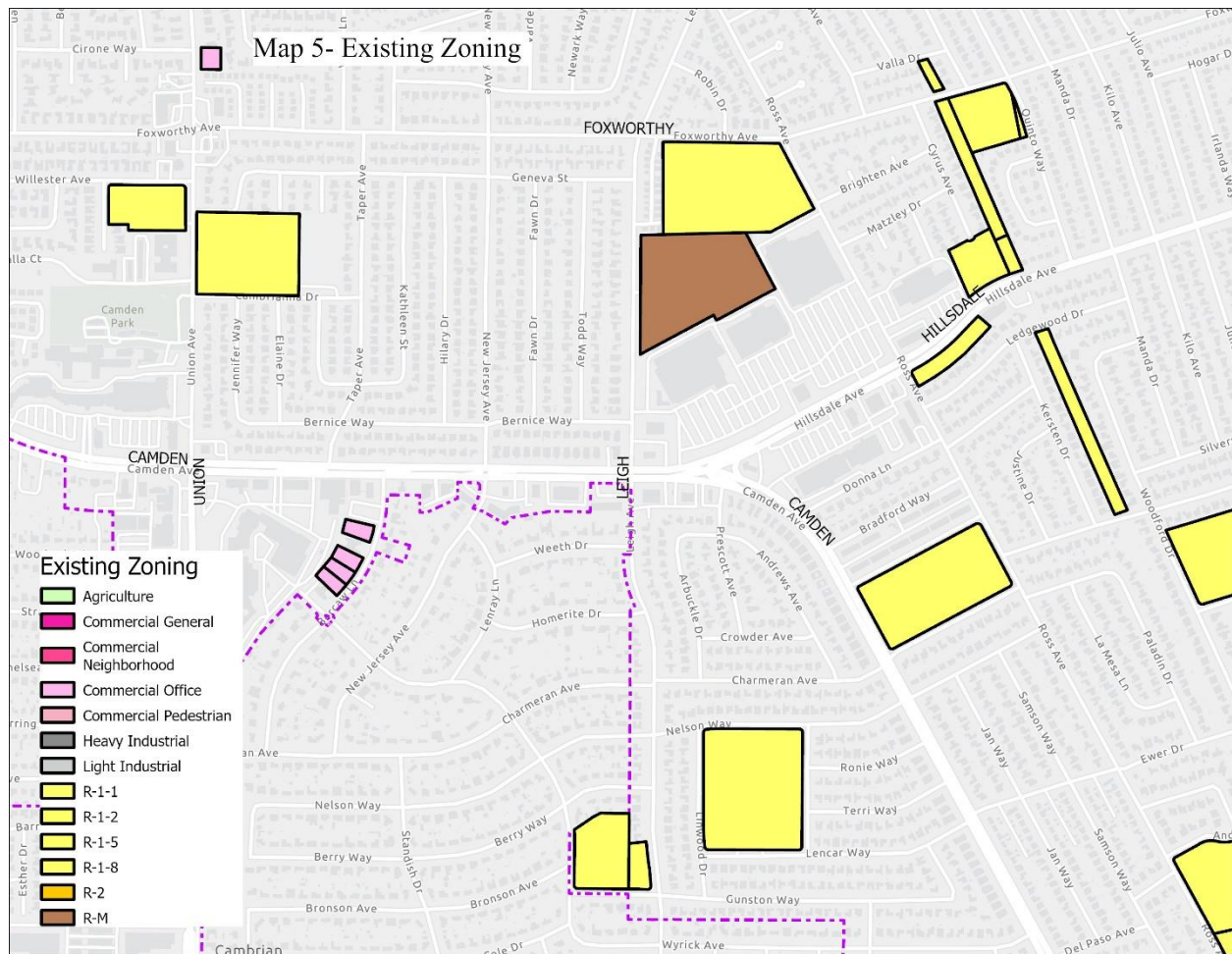


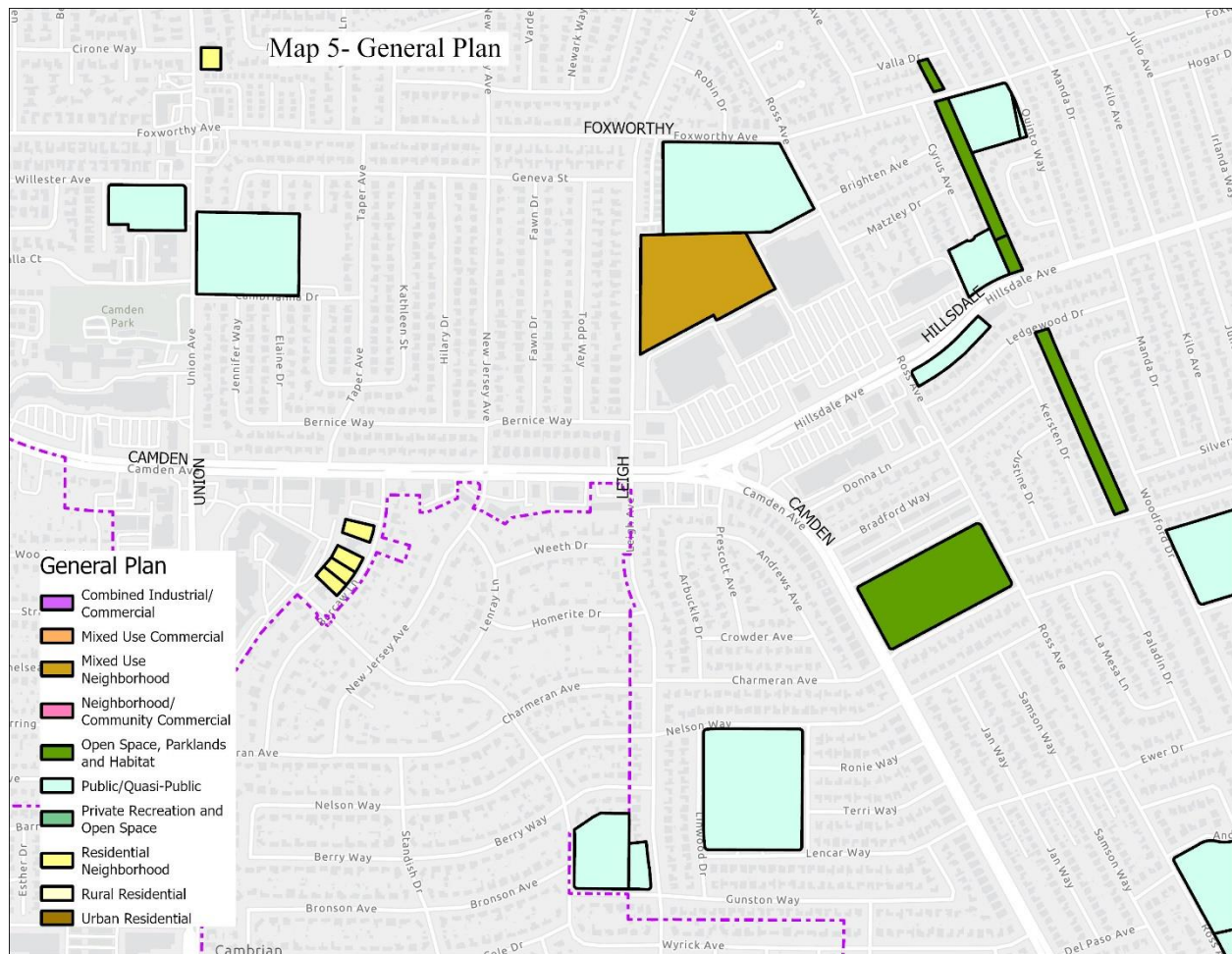
B-11



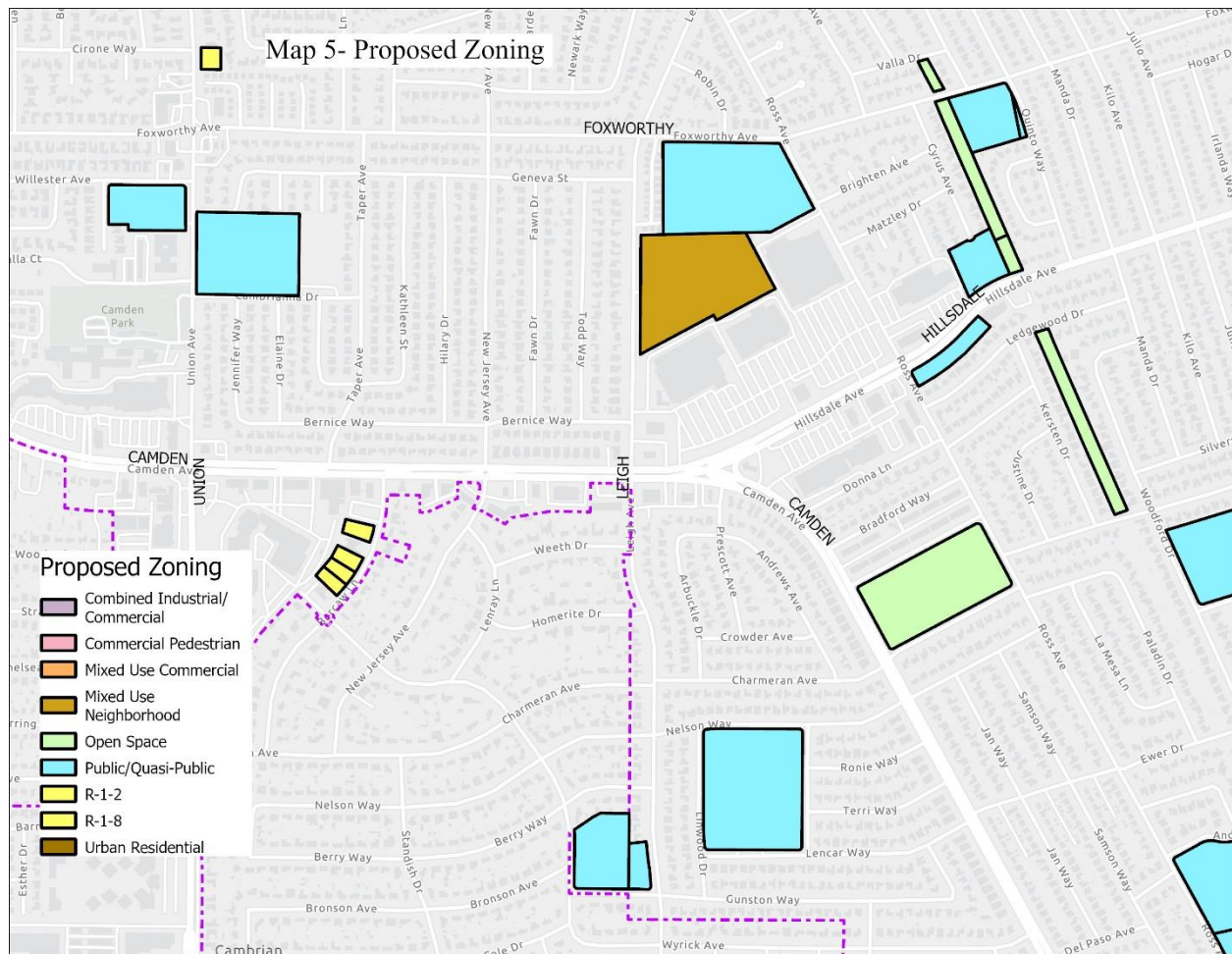


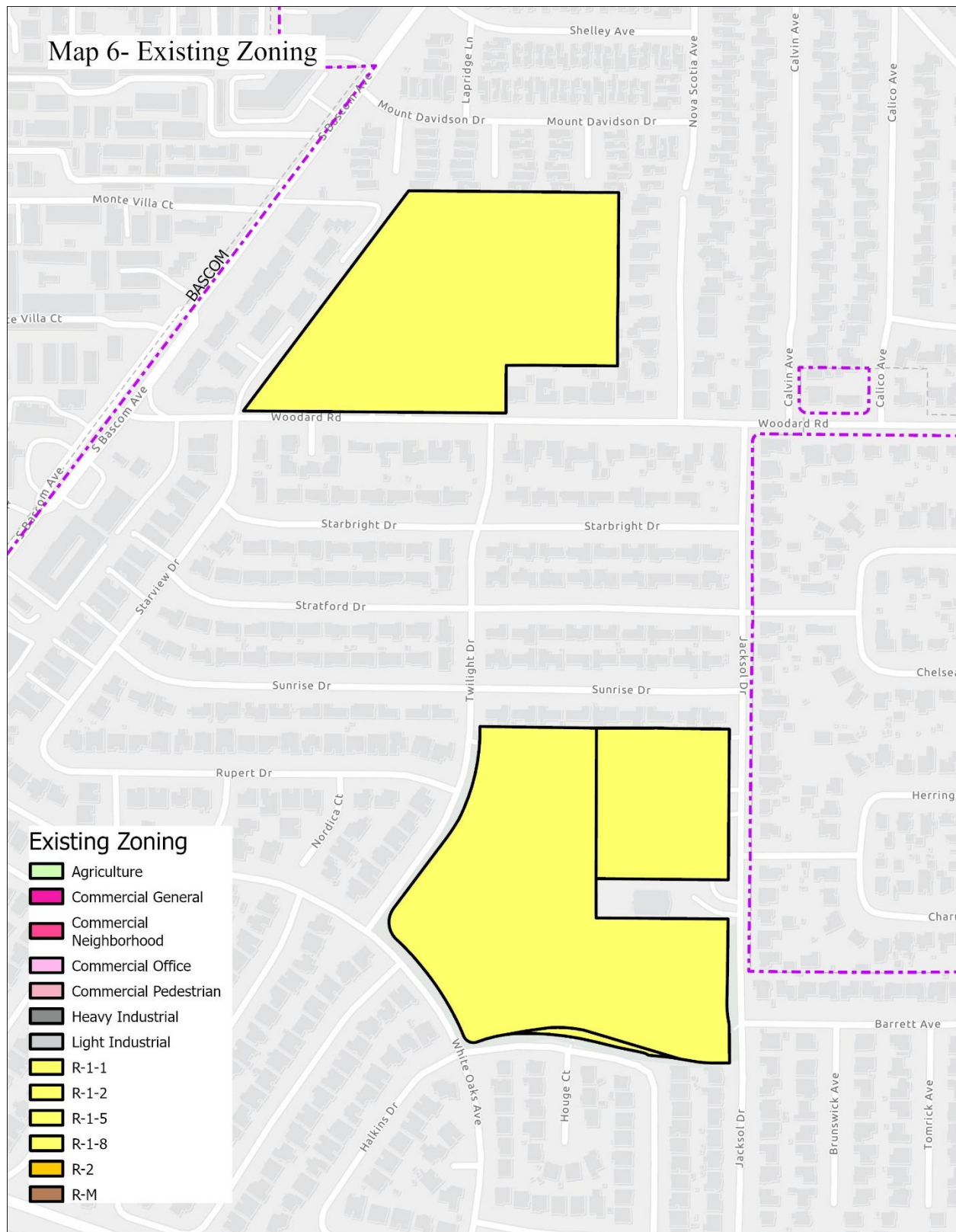






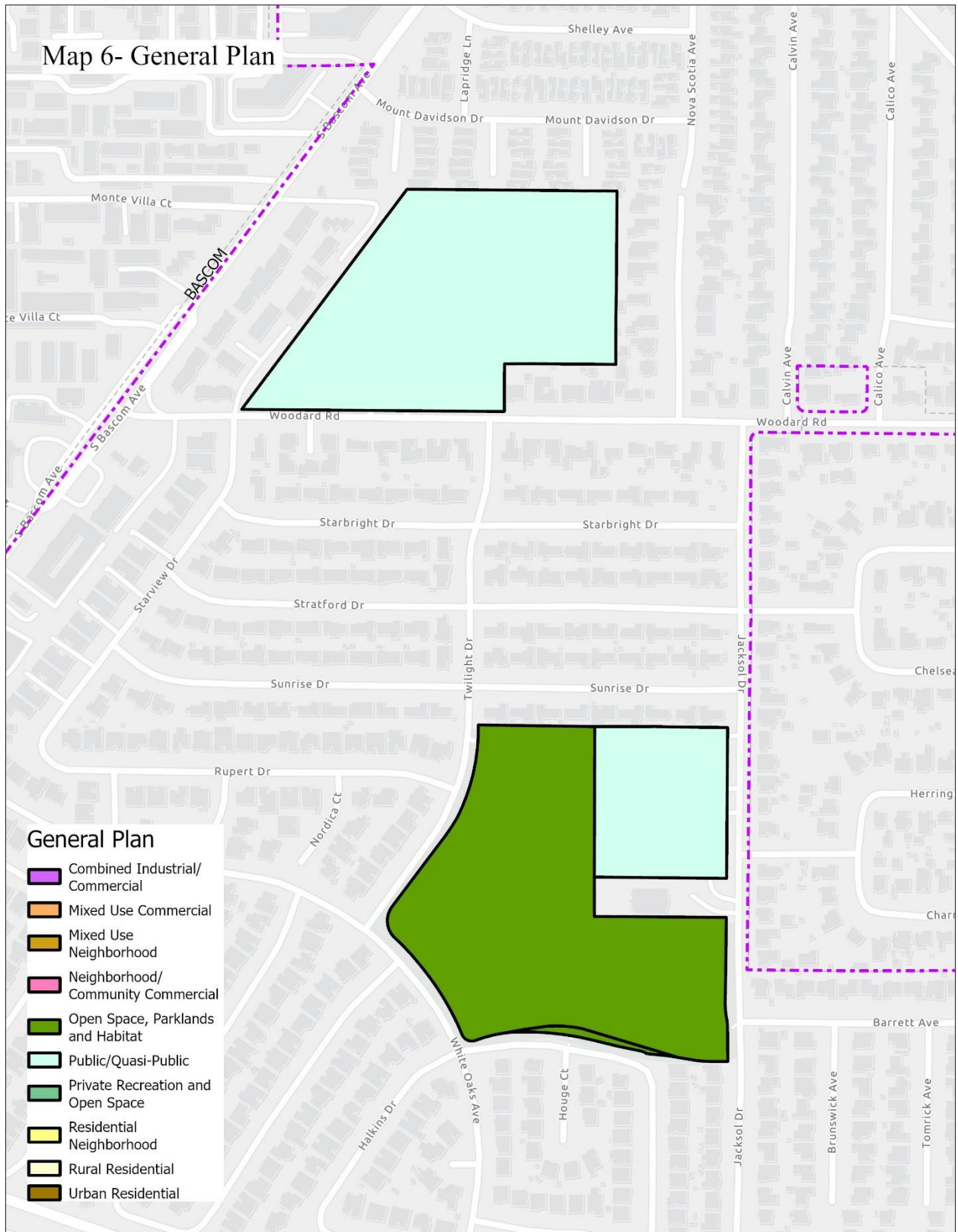


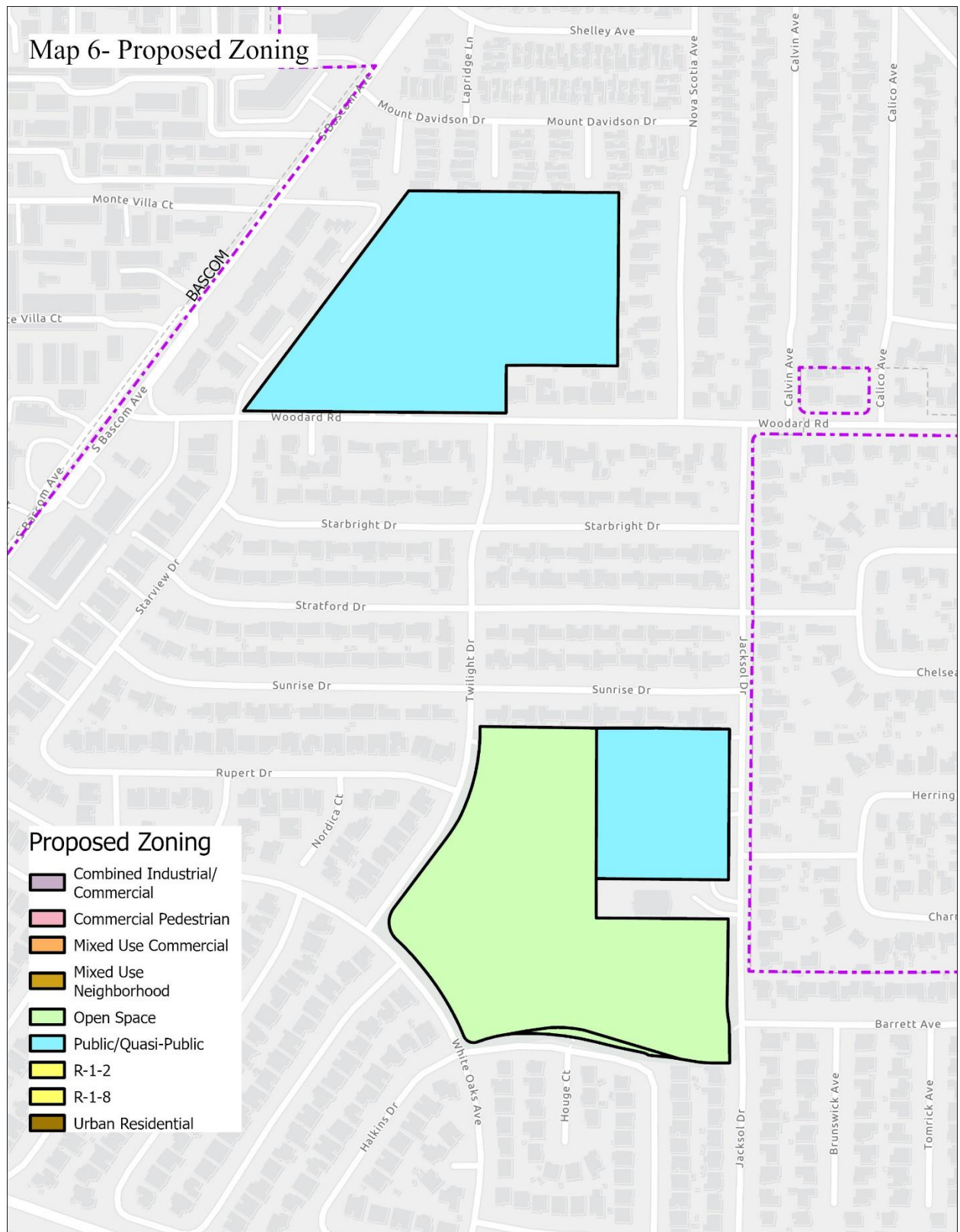


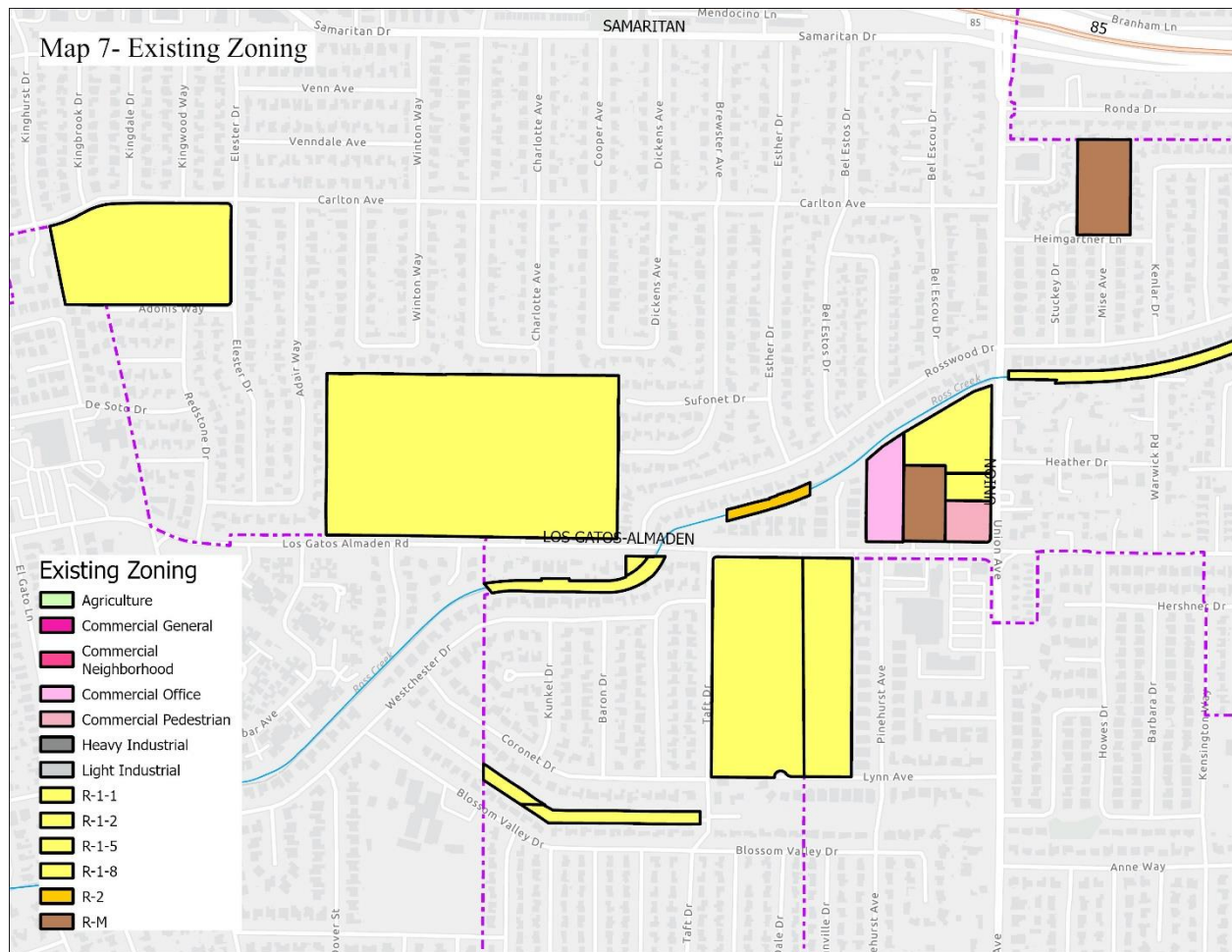


B-17

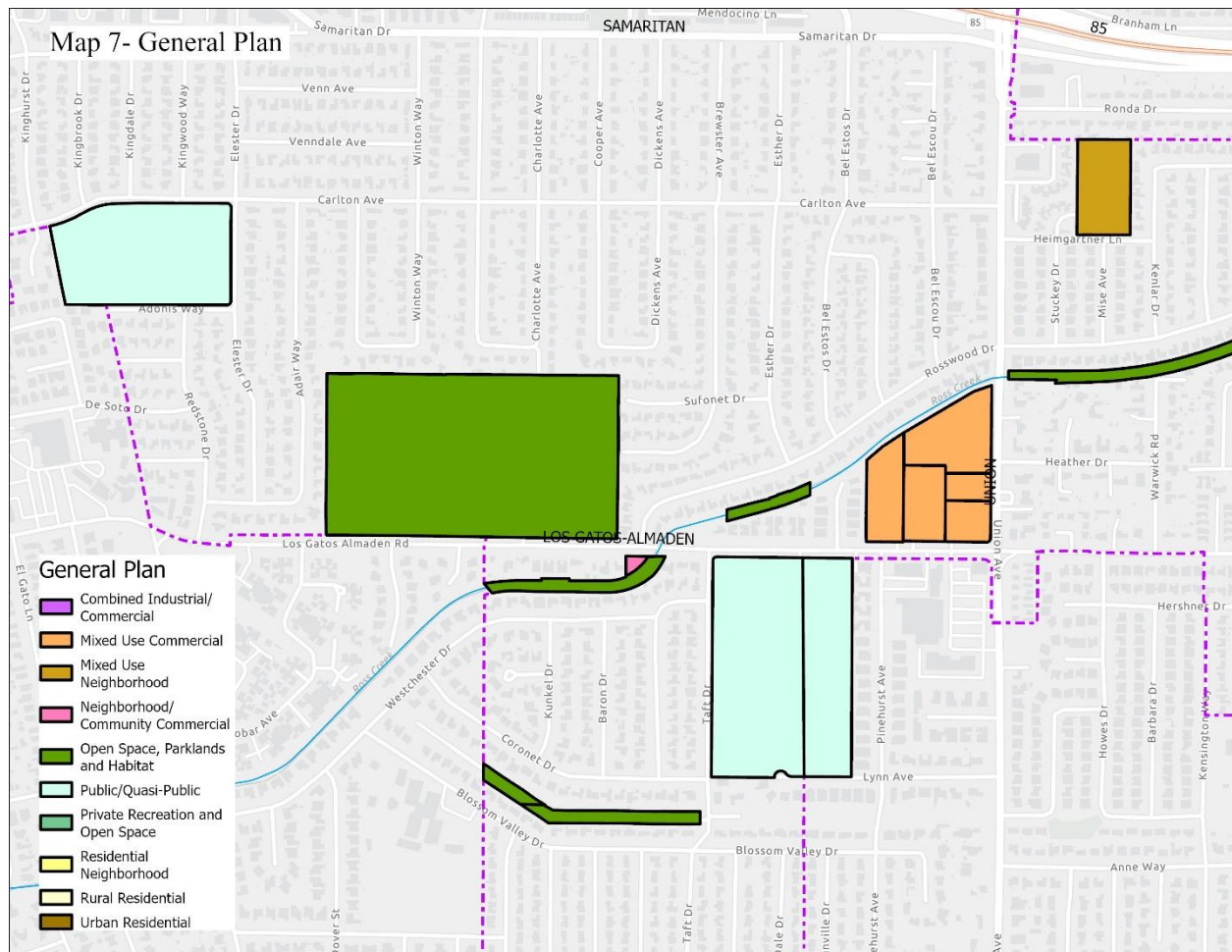


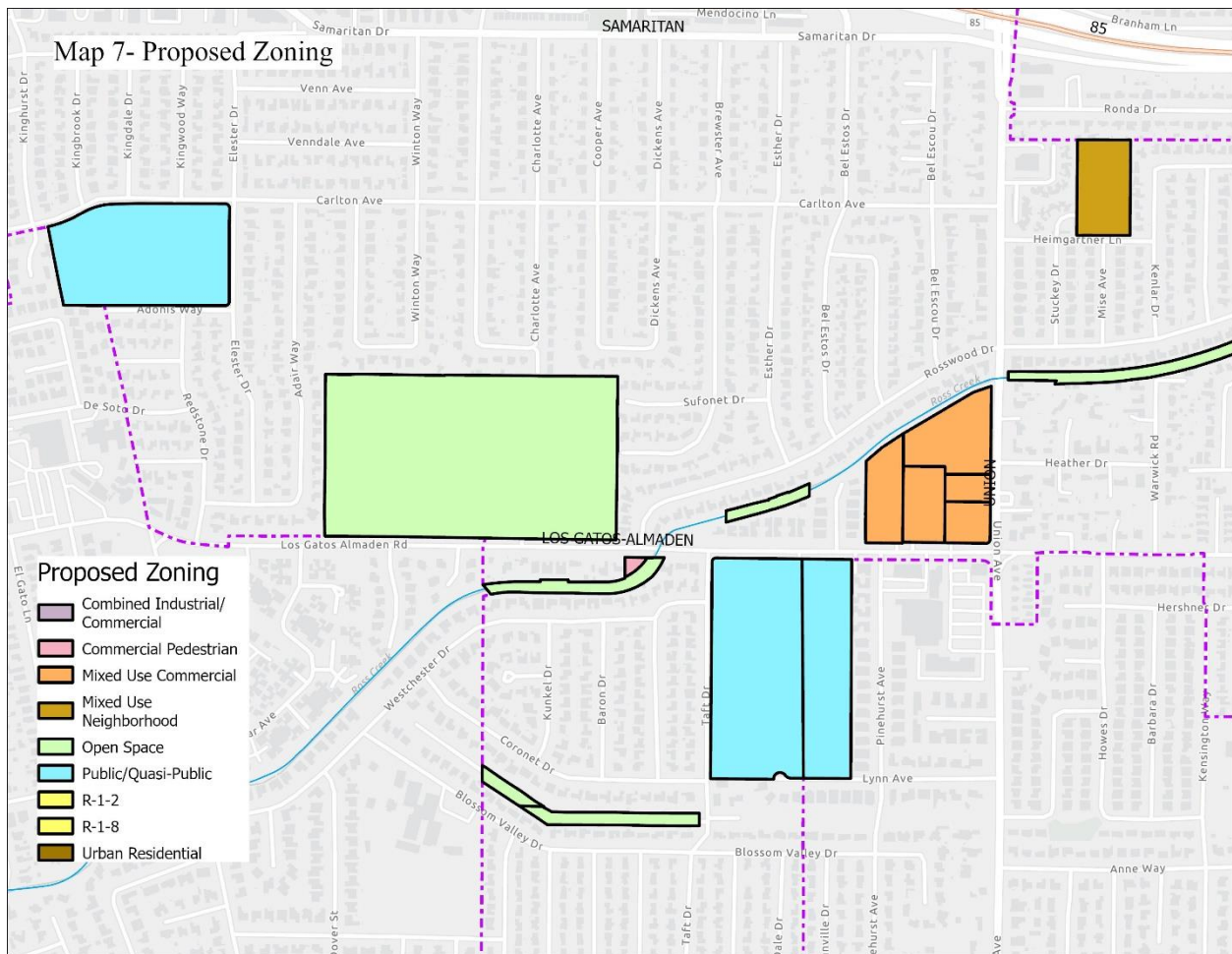




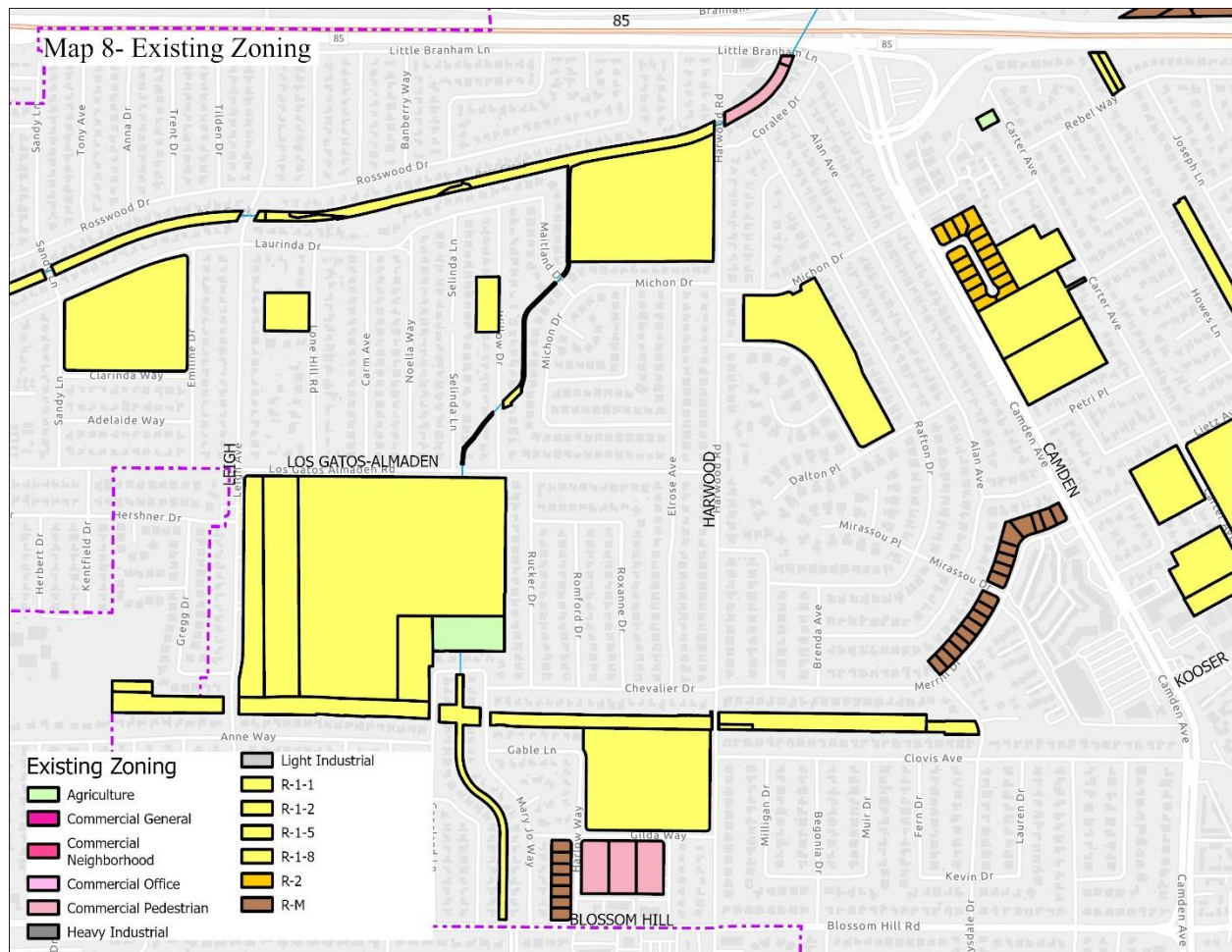




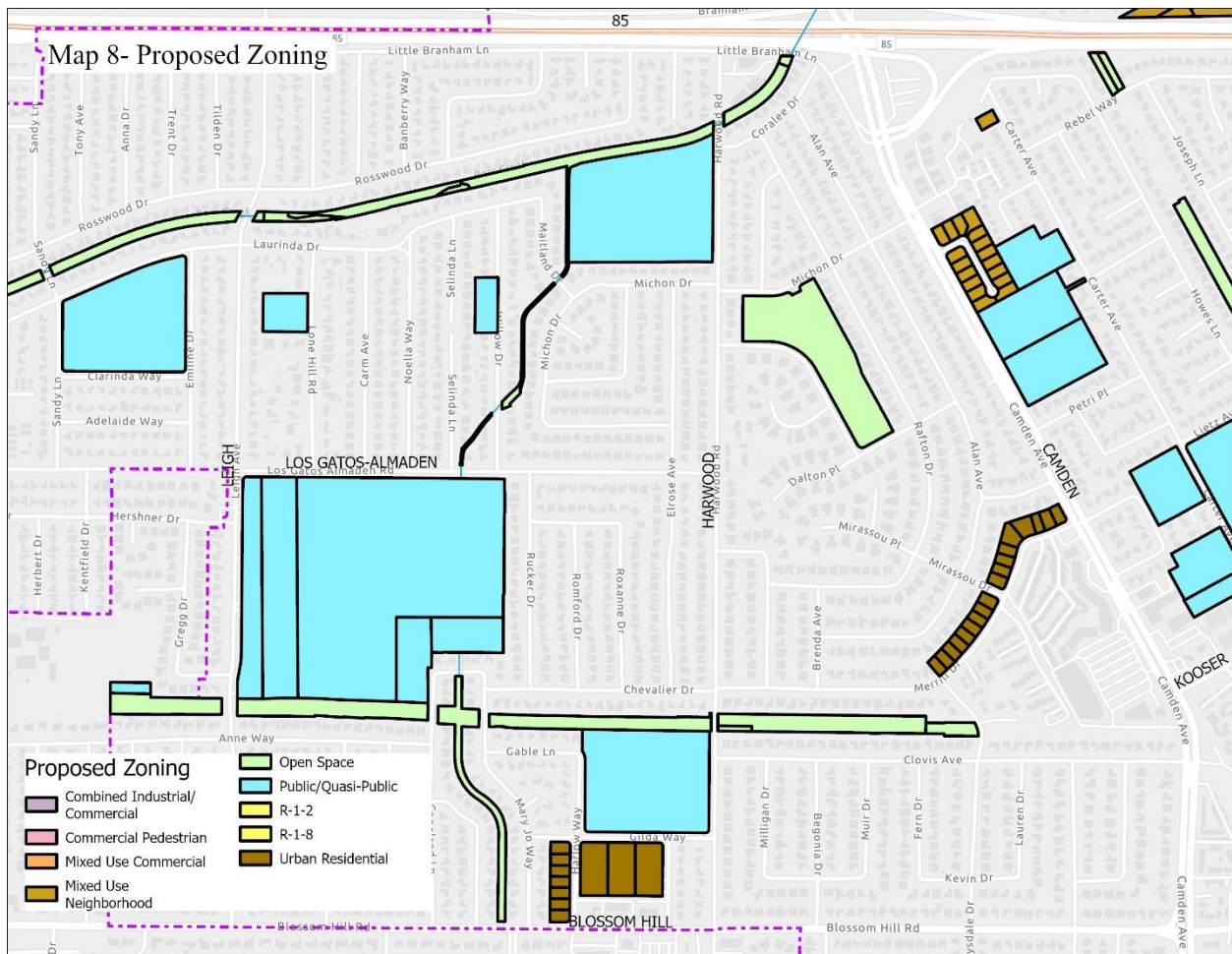




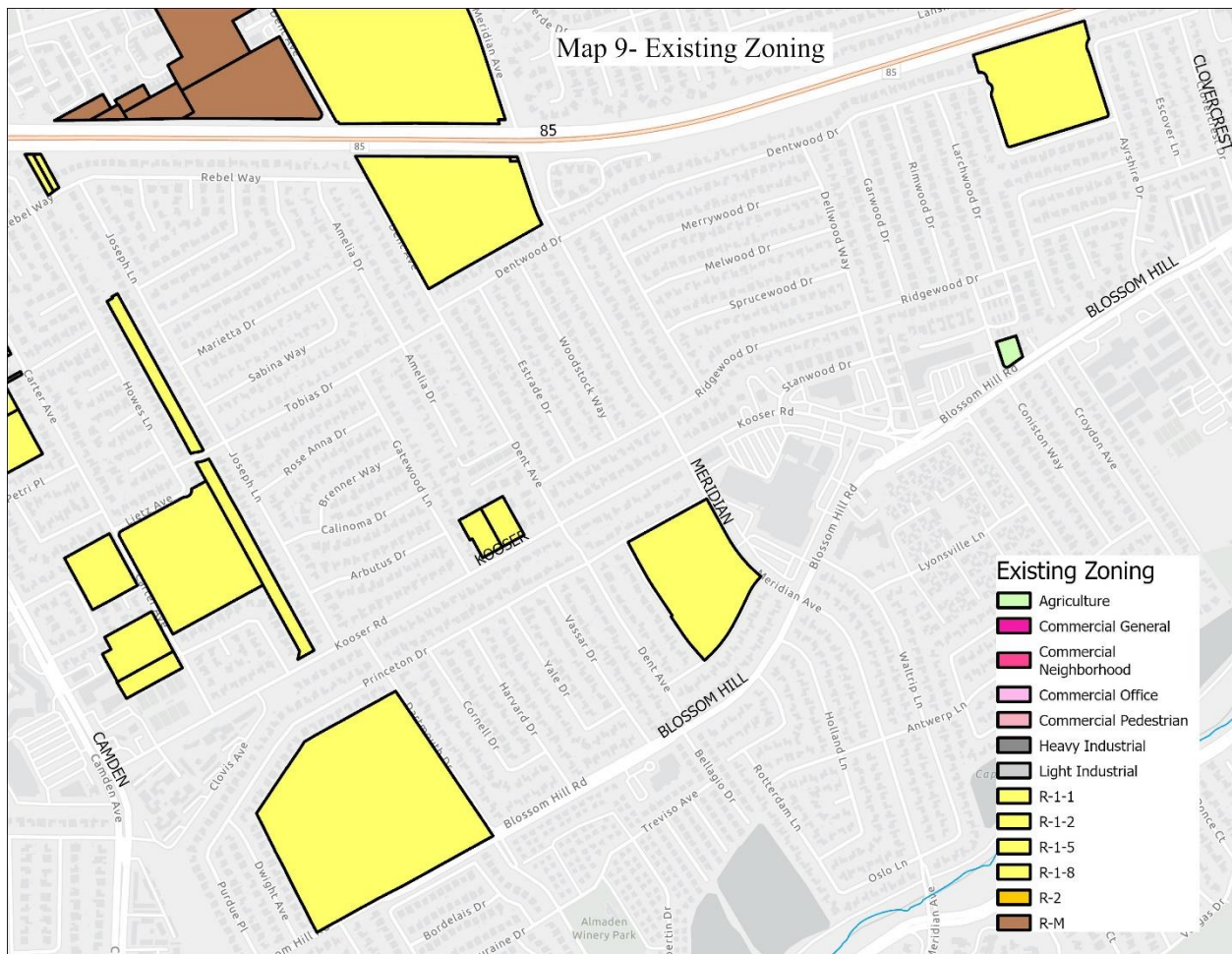


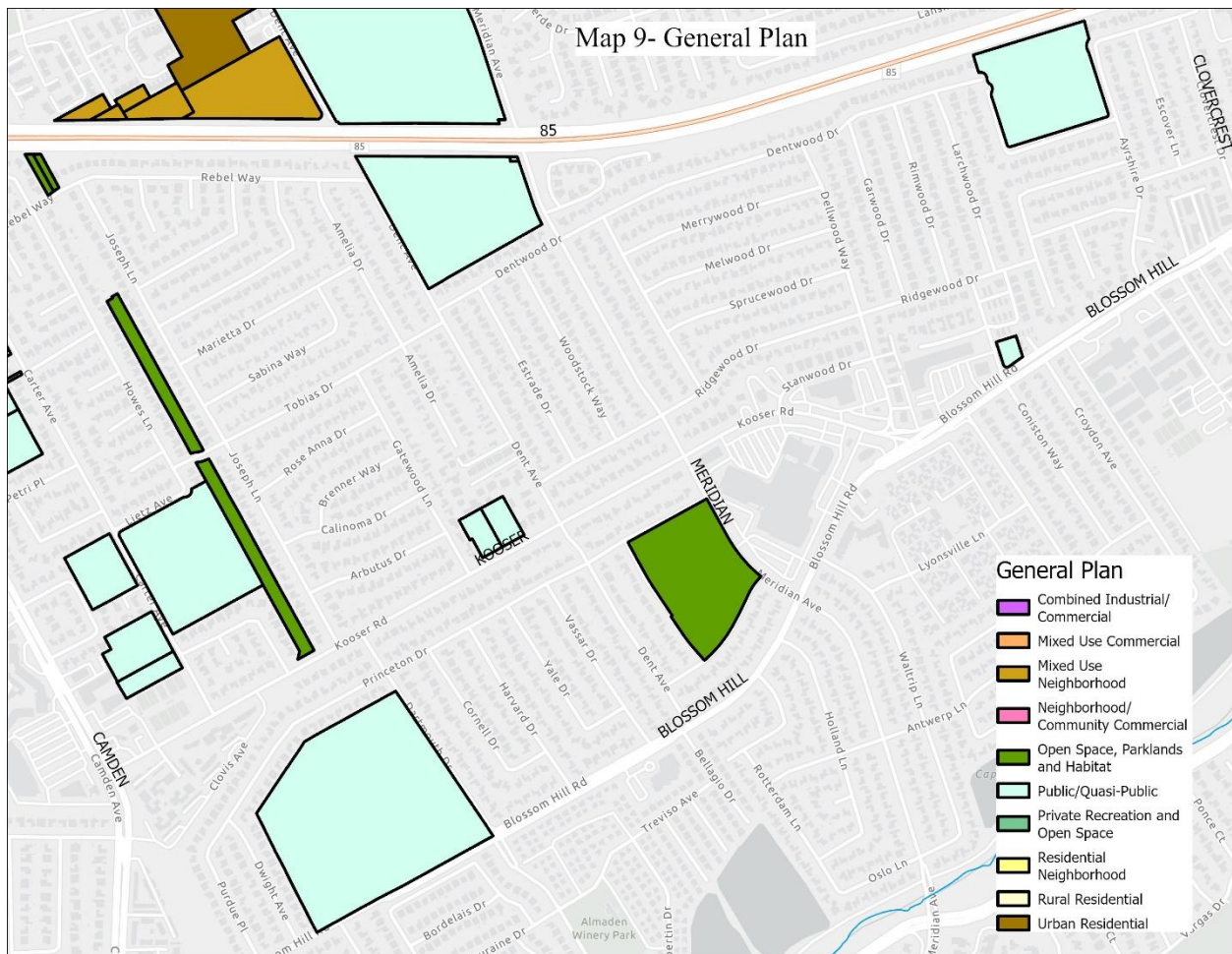




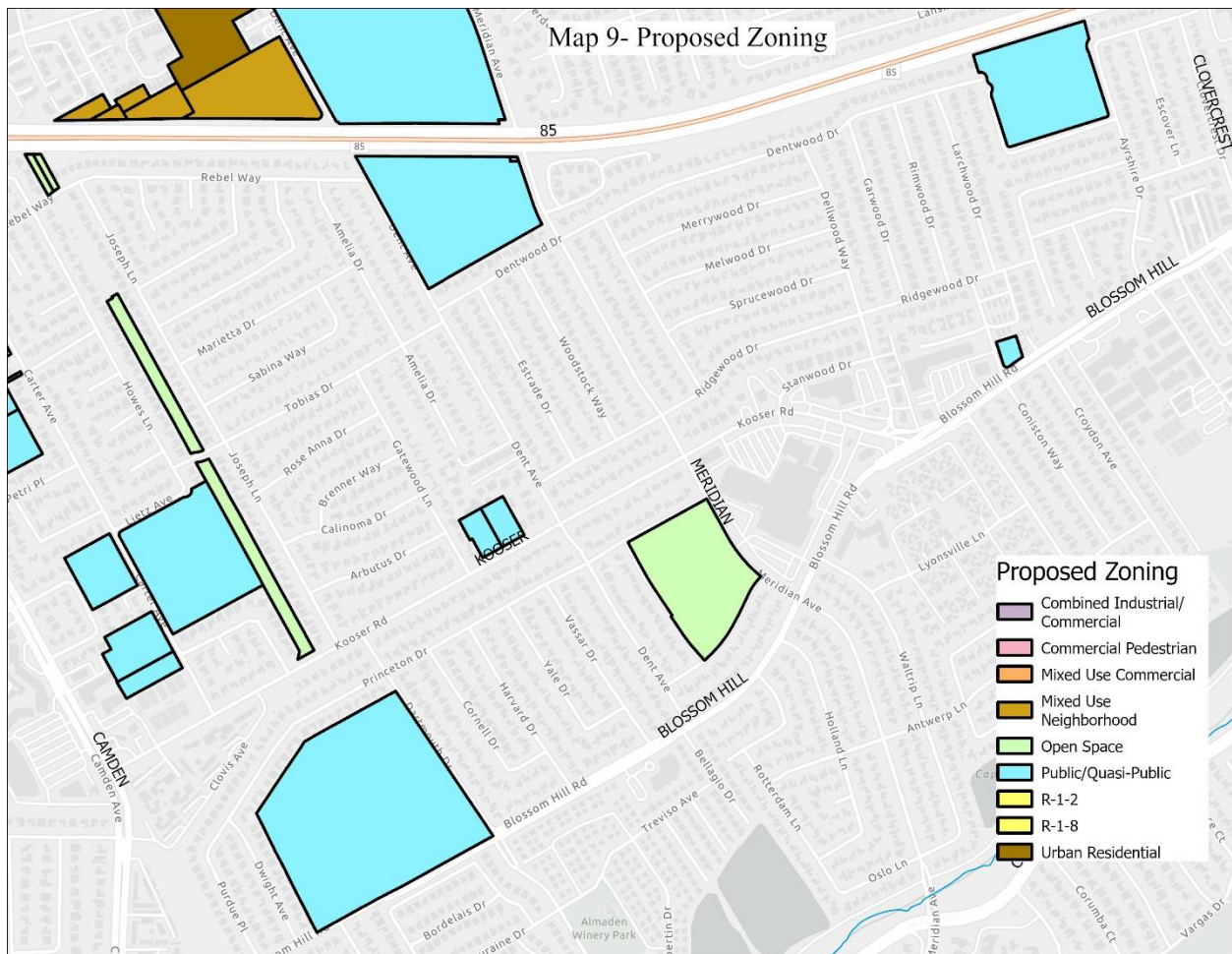


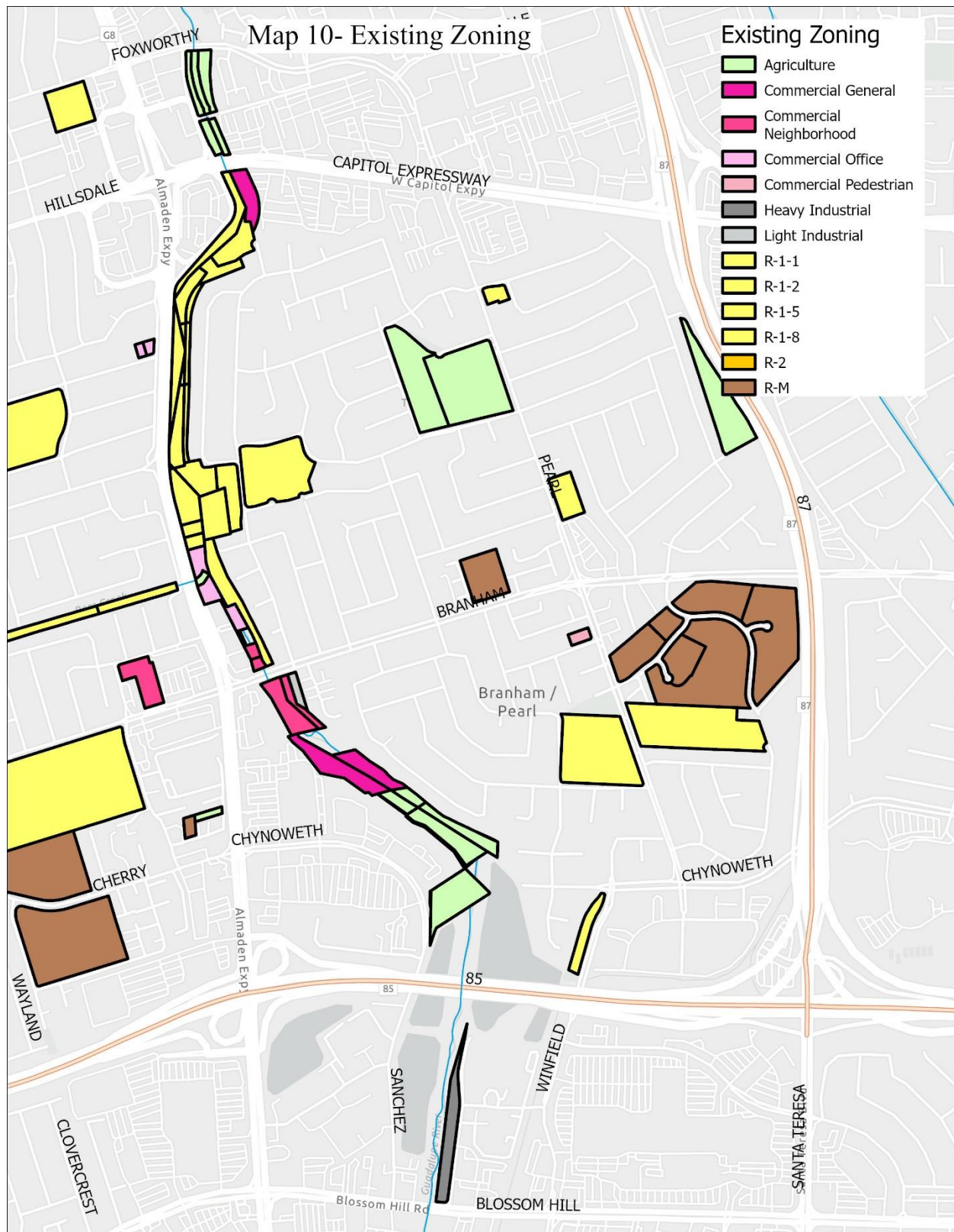












B-29





B-30



B-31

T-53000 / 2107805  
Council Agenda: 5/21/24  
Item No.: 10.1(b)

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or [CityClerk@sanjoseca.gov](mailto:CityClerk@sanjoseca.gov) for final document.**

**FW: 5/21 City Council Meeting Item 10b**

City Clerk &lt;city.clerk@sanjoseca.gov&gt;

Mon 5/20/2024 12:16 PM

To: Agendadesk &lt;Agendadesk@sanjoseca.gov&gt;

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**From:** Scott <[REDACTED]>**Sent:** Monday, May 20, 2024 11:54 AM**To:** City Clerk <city.clerk@sanjoseca.gov>; Upadhyay, Ami <ami.upadhyay@sanjoseca.gov>; District9 <district9@sanjoseca.gov>**Subject:** 5/21 City Council Meeting Item 10b

[External Email]

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Dear San Jose Staff/City Council,

As a long-time resident of San Jose, I have a few questions and would like to express my concerns regarding the intended rezoning of certain parcels. Residentially-zoned churches and schools surrounded by residential uses should not be rezoned to PQP and instead the general plan designation should be amended to match the zoning.

Under a residential designation/zone district, churches and schools are still allowable uses along with many other uses compatible with the surrounding residential. PQP has a much greater potential for negative impacts on the adjacent residents with limited or no opportunities for public input such as:

- Permitted by-right land uses such as fuel cell facilities (who would feel safe living next to that?) and homeless shelters with no other nearby resources/services
- Development standards like a 65-foot maximum building height compared to 35-45 feet for residential

It's extremely disappointing that the City is choosing to go in this direction when there are better solutions instead of just unilaterally rezoning these parcels as a simpler fix.

**\*\*Can staff please explain:**

- How the residential to PQP parcels would result in a net gain of hundreds of residential units? Under what land use and how was the density determined?
- How is the rezoning to PQP consistent with the Planned Growth Areas in the general plan if it places intensive uses outside of these areas?

I appreciate your time.

Thank you,  
Scott

This message is from outside the City email system. Do not open links or attachments from untrusted sources.



## FW: 5/21 City Council Meeting Item 10.b Public Comment

City Clerk <city.clerk@sanjoseca.gov>

Tue 5/21/2024 7:59 AM

To:Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Scott <[REDACTED]>  
**Sent:** Monday, May 20, 2024 9:38 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** 5/21 City Council Meeting Item 10.b Public Comment

[External Email]

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear City Clerk, please distribute this email chain to the City Council as public comment and include it as part of the project record. Thank you

**From:** Scott [REDACTED]  
**Sent:** Monday, May 20, 2024 11:53 AM  
**To:** <city.clerk@sanjoseca.gov>; Upadhyay, Ami <ami.upadhyay@sanjoseca.gov>; District9 <district9@sanjoseca.gov>  
**Subject:** Re: 5/21 City Council Meeting Item 10.b

Dear San Jose Staff/City Council,

As a long-time resident of San Jose, I have a few questions and would like to express my concerns regarding the intended rezoning of certain parcels. Residentially-zoned churches and schools surrounded by residential uses should not be rezoned to PQP and instead the general plan designation should be amended to match the zoning.

Under a residential designation/zone district, churches and schools are still allowable uses along with many other uses compatible with the surrounding residential. PQP has a much greater potential for negative impacts on the adjacent residents with limited or no opportunities for public input such as:

- Permitted by-right land uses such as fuel cell facilities (who would feel safe living next to that?) and homeless shelters with no other nearby resources/services
- Development standards like a 65-foot maximum building height compared to 35-45 feet for residential

It's extremely disappointing that the City is choosing to go in this direction when there are better solutions instead of just unilaterally rezoning these parcels as a simpler fix.

**\*\*Can staff please explain:**

- How the residential to PQP parcels would result in a net gain of hundreds of residential units? Under what land use and how was the density determined?
- How is the rezoning to PQP consistent with the Planned Growth Areas in the general plan if it places intensive uses outside of these areas?

I appreciate your time.

Thank you,  
Scott

On Mon, May 20, 2024 at 12:40 PM Daniels, Justin <Justin.Daniels@sanjoseca.gov> wrote:

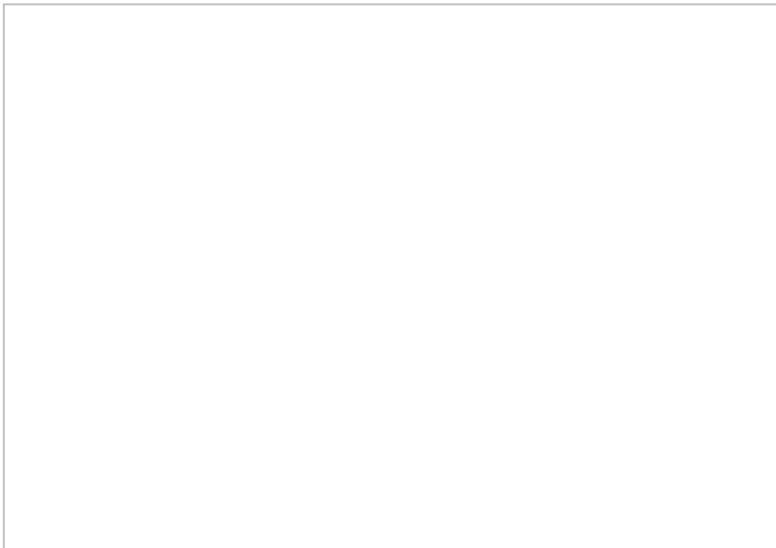
Hi Scott,

Thanks for reaching. Per Senate Bill 1333, charter cities such as San Jose are required to align a property's zoning with it's General Plan Land Use Designation. Schools and religious institutions have had the PQP Public/Quasi-Public designation since our previous 2020 General Plan. The reason they have this designation is because they are public land uses. Below is the Public/Quasi-Public General Plan Land Use designation that is located in our General Plan. As you can see, PQP is used to designate public land uses, including, schools, colleges, homeless shelters, libraries, etc. Any new project must adhere to the PQP Development Standards and would most likely go through a public hearing process depending on the use. There are no projects associated with these rezonings and current uses can continue to operate. Below in red are the responses to your more specific questions.

Can staff please explain:

- How the residential to PQP parcels would result in a net gain of hundreds of residential units? Under what land use and how was the density determined? PQP allows supportive housing and we used previous project densities to determine the density. This is just for compliance with SB330, doesn't mean residential units will be built on these properties.
- How is the rezoning to PQP consistent with the Planned Growth Areas in the general plan if it places intensive uses outside of these areas? PQP allows for a wide range of uses that support areas outside of Planned Growth Areas. Schools, religious facilities, libraries, fire stations, etc are scattered throughout the city and there's a need for these services city wide.

Below is the Public/Quasi-Public section from the General Plan.



Please let me know if you have any questions.

Thank you,  
Justin Daniels  
Supervising Planner, Citywide Team  
(408) 535-7842

**From:** Scott <[REDACTED]>  
**Sent:** Monday, May 20, 2024 1:16 PM  
**To:** Daniels, Justin <[Justin.Daniels@sanjoseca.gov](mailto:Justin.Daniels@sanjoseca.gov)>  
**Cc:** Upadhyay, Ami <[ami.upadhyay@sanjoseca.gov](mailto:ami.upadhyay@sanjoseca.gov)>; District9 <[district9@sanjoseca.gov](mailto:district9@sanjoseca.gov)>  
**Subject:** Re: 5/21 City Council Meeting Item 10.b

Hi Justin, thanks for your response. Why are churches and schools (or any other nonresidential use) listed as allowable uses under residential zoning districts in the zoning code if you're saying they can only be zoned PQP?

Thanks,  
Scott

On Mon, May 20, 2024 at 1:49 PM Daniels, Justin <[Justin.Daniels@sanjoseca.gov](mailto:Justin.Daniels@sanjoseca.gov)> wrote:

PQP properties are very limited, so the Zoning Ordinance allows flexibility in other zoning districts for uses depending on the site. I just want to reiterate that these rezonings are per State Law and that we are required to do these rezonings.

Thank you,  
Justin Daniels  
Supervising Planner, Citywide Team  
(408) 535-7842

**From:** Scott [REDACTED]  
**Sent:** Monday, May 20, 2024 2:26 PM  
**To:** Daniels, Justin <[Justin.Daniels@sanjoseca.gov](mailto:Justin.Daniels@sanjoseca.gov)>  
**Cc:** Upadhyay, Ami <[ami.upadhyay@sanjoseca.gov](mailto:ami.upadhyay@sanjoseca.gov)>; District9 <[district9@sanjoseca.gov](mailto:district9@sanjoseca.gov)>  
**Subject:** Re: 5/21 City Council Meeting Item 10.b

The 2018 law? There hasn't been much urgency in complying that would prevent the City from changing the GP where it makes more sense, instead of arbitrarily rezoning them all at once. Land use decisions have considerable and long lasting effects. Residents deserve better than just a quick fix.

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