

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SAN JOSÉ REZONING CERTAIN REAL PROPERTY SITUATED AT THE WESTERLY TERMINUS OF DIXON LANDING ROAD, APPROXIMATELY 3,000 FEET WEST OF I-880 AND DIXON LANDING ROAD FROM R-M MULTIPLE RESIDENCE AND A(PD) PLANNED DEVELOPMENT ZONING DISTRICTS TO A(PD) PLANNED DEVELOPMENT ZONING DISTRICT

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, the area encompassed by the subject proposed rezoning was the subject of an environmental impact report prepared in conformance with the California Environmental Quality Act of 1970, together with related state and local implementation guidelines and regulations (collectively, "CEQA"), and certified as complete under CEQA by the City's Planning Commission on June 6, 2012, under File No. PDC07-071; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the A(PD) Planned Development Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves said environmental impact report previously certified and prepared for this project, and has adopted related findings under CEQA by City Council resolution, all prior to taking any approval actions on this project.

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

SECTION 1. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned as A(PD) Planned Development Zoning. The base zoning district of the subject property shall be the A-Agricultural Zoning District. The Planned Development zoning of the subject property shall be that development plan for the subject property entitled, "Planned Development Zoning for Newby Island Sanitary Landfill and the Recyclery," last revised April 30, 2012.

Said General Development Plan is on file in the office of the Director of Planning and is available for inspection by anyone interested therein, and said General Development Plan is by this reference adopted and incorporated herein the same as if

it were fully set forth herein.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, described in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 2. The district map of the City is hereby amended accordingly.

SECTION 3. The land development approval that is the subject of City File No. PDC07-071 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

PASSED FOR PUBLICATION of title this day of , 2012, by the following vote:

AYES:

NOES:

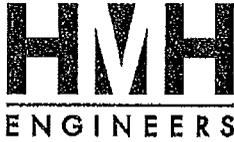
ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS D. HAWKINS, CMC
City Clerk



August 29, 2007
HMH 3628.00.130
Page 1 of 2

EXHIBIT "A"
FOR PD ZONING PURPOSES

REAL PROPERTY in the City of San Jose and City of Milpitas, County of Santa Clara, State of California, being all of that parcel of land described in the deed from San Jose Scavenger Company to Newby Island Improvement Company recorded May 15, 1959, in Book 4417 of Official Records, at page 39, Santa Clara County Records; all of that parcel of land described in the deed from Allan M. Standish and Beatrice M. Standish to San Jose Scavenger Co., Inc., recorded February 11, 1952, in Book 2363 of Official Records, at page 608, Santa Clara County Records; and all of Parcel A as shown on that certain Record of Survey filed for record on October 29, 1963 in Book 168 of Maps, at page 43, Santa Clara County Records, described as follows:

BEGINNING at the northeasterly corner of said Parcel A;

Thence along the southeasterly, southerly and westerly lines of said Parcel A, the following three courses:

1. Thence South 43°50'49" West, 595.62 feet;
2. Thence North 89°09'11" West, 796.90 feet;
3. Thence North 00°50'49" East, 435.61 feet, to the southerly line of that parcel of land described in said deed recorded May 15, 1959;

Thence along said southerly line, North 89°09'11" West, 1,006.34 feet, to the northeasterly corner of that parcel of land described in said deed recorded February 11, 1952;

Thence along the southeasterly, southerly and southwesterly lines of said parcel of land, the following three courses:

1. Thence South 72°52'49" West, 154.09 feet;
2. Thence North 89°01'11" West, 156.36 feet;
3. Thence North 56°14'11" West, 86.74 feet, to the southerly line of that parcel of land described in said deed recorded May 15, 1959;

Thence along the southerly, general southwesterly, general northwesterly and general northeasterly lines of said parcel of land, the following fifty-one courses:

1. Thence North 89°09'11" West, 58.09 feet;
2. Thence North 49°36'11" West, 509.94 feet;
3. Thence North 43°29'11" West, 208.00 feet;
4. Thence North 52°53'11" West, 255.40 feet;
5. Thence North 79°19'11" West, 213.00 feet;
6. Thence South 89°42'49" West, 300.80 feet;
7. Thence South 73°25'49" West, 315.70 feet;
8. Thence South 52°45'49" West, 535.20 feet;
9. Thence South 89°44'49" West, 639.80 feet;
10. Thence North 85°18'11" West, 284.80 feet;
11. Thence North 55°10'11" West, 441.10 feet;
12. Thence North 46°21'11" West, 412.10 feet;

13. Thence North 66°47'11" West, 540.60 feet;
14. Thence North 43°05'11" West, 193.70 feet;
15. Thence North 33°24'11" West, 432.00 feet;
16. Thence North 31°25'11" West, 900.80 feet;
17. Thence North 24°48'49" East, 280.60 feet;
18. Thence South 85°53'11" East, 569.00 feet;
19. Thence South 85°53'11" East, 201.10 feet;
20. Thence North 74°22'49" East, 491.70 feet;
21. Thence North 51°03'49" East, 514.00 feet;
22. Thence North 31°13'49" East, 441.00 feet;
23. Thence North 10°35'49" East, 375.40 feet;
24. Thence North 17°31'11" West, 360.00 feet;
25. Thence North 63°38'49" East, 600.30 feet;
26. Thence South 10°52'11" East, 230.00 feet;
27. Thence South 53°00'11" East, 314.10 feet;
28. Thence South 87°36'11" East, 459.60 feet;
29. Thence South 51°36'11" East, 408.80 feet;
30. Thence South 18°03'11" East, 533.10 feet;
31. Thence South 41°09'11" East, 350.80 feet;
32. Thence South 71°56'11" East, 405.40 feet;
33. Thence North 85°40'49" East, 472.60 feet;
34. Thence South 54°41'11" East, 289.50 feet;
35. Thence South 09°21'11" East, 329.40 feet;
36. Thence South 44°09'11" East, 244.20 feet;
37. Thence South 86°46'11" East, 625.90 feet;
38. Thence South 37°35'11" East, 156.80 feet;
39. Thence South 24°29'49" West, 305.30 feet;
40. Thence South 01°41'49" West, 671.90 feet;
41. Thence South 24°36'49" West, 499.10 feet;
42. Thence South 01°58'11" East, 314.40 feet;
43. Thence South 54°40'11" East, 155.60 feet;
44. Thence North 71°03'49" East, 212.10 feet;
45. Thence North 49°42'49" East, 222.60 feet;
46. Thence North 46°42'49" East, 312.20 feet;
47. Thence North 56°14'49" East, 393.30 feet;
48. Thence South 86°03'11" East, 273.40 feet;
49. Thence South 17°46'11" East, 557.10 feet;
50. Thence South 63°03'11" East, 583.60 feet;
51. Thence North 89°09'11" West, 127.05 feet, to the POINT OF BEGINNING.

Containing 350.1 acres, more or less.



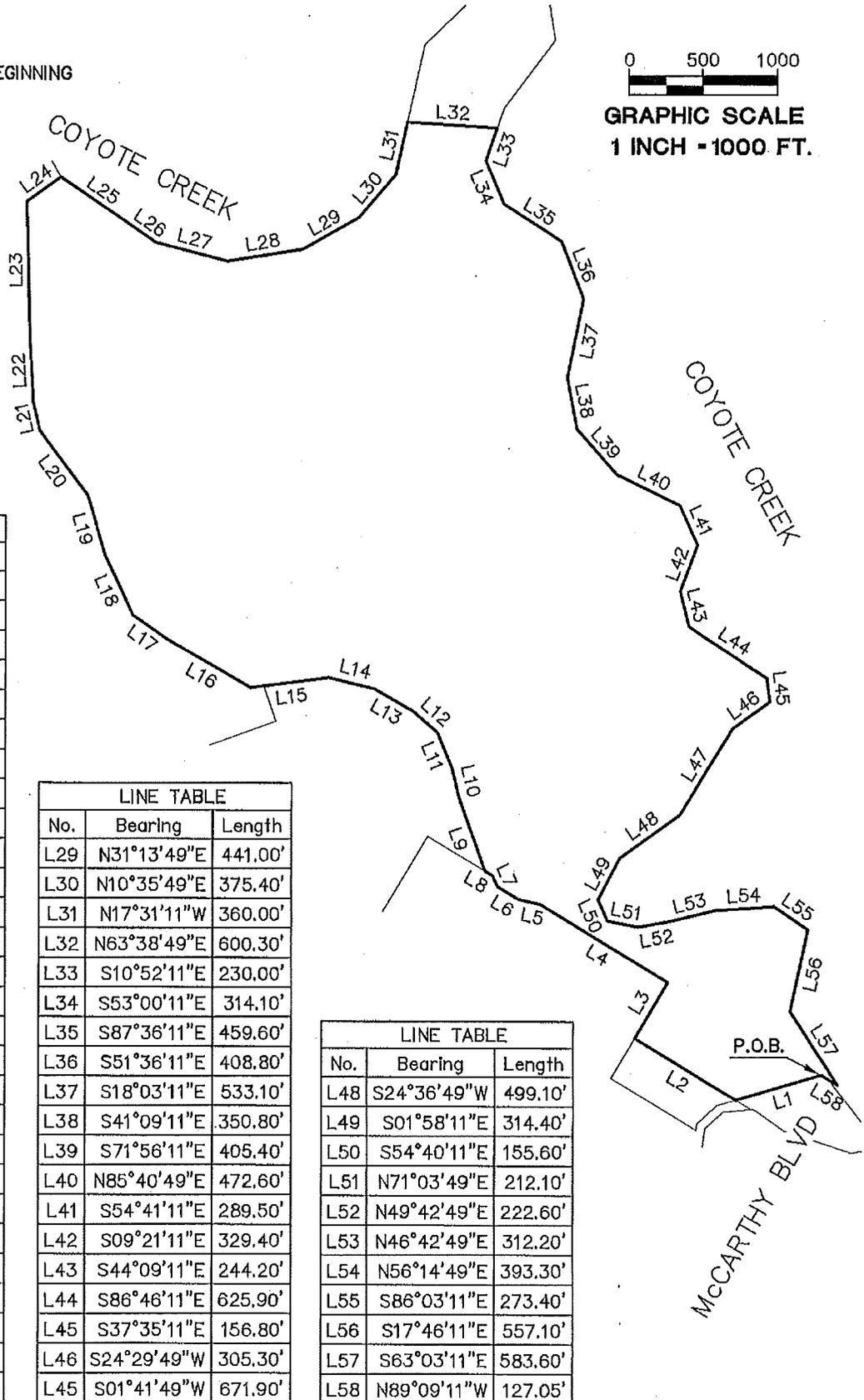
Steve W. Danner
9-5-07

LEGEND

P.O.B. POINT OF BEGINNING

0 500 1000

GRAPHIC SCALE
1 INCH = 1000 FT.



LINE TABLE

No.	Bearing	Length
L1	S43°50'49"W	595.62'
L2	S89°09'11"E	796.90'
L3	N00°50'49"E	435.61'
L4	N89°09'11"W	1006.34'
L5	S72°52'49"W	154.09'
L6	N89°01'11"W	156.36'
L7	N56°14'11"W	86.74'
L8	N89°09'11"W	58.09'
L9	N49°36'11"W	509.94'
L10	N43°29'11"W	208.00'
L11	N52°53'11"W	255.40'
L12	N79°19'11"W	213.00'
L13	S89°42'49"W	300.80'
L14	S73°25'49"W	315.70'
L15	S52°45'49"W	535.20'
L16	S89°44'49"W	639.80'
L17	N85°18'11"W	284.80'
L18	N55°10'11"W	441.10'
L19	N46°21'11"W	412.10'
L20	N66°47'11"W	540.60'
L21	N43°05'11"W	193.70'
L22	N33°24'11"W	432.00'
L23	N31°25'11"W	900.80'
L24	N24°48'49"E	280.60'
L25	S85°53'11"E	569.00'
L26	S85°53'11"E	201.10'
L27	N74°22'49"E	491.70'
L28	N51°03'49"E	514.00'

LINE TABLE

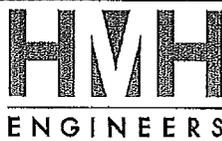
No.	Bearing	Length
L29	N31°13'49"E	441.00'
L30	N10°35'49"E	375.40'
L31	N17°31'11"W	360.00'
L32	N63°38'49"E	600.30'
L33	S10°52'11"E	230.00'
L34	S53°00'11"E	314.10'
L35	S87°36'11"E	459.60'
L36	S51°36'11"E	408.80'
L37	S18°03'11"E	533.10'
L38	S41°09'11"E	350.80'
L39	S71°56'11"E	405.40'
L40	N85°40'49"E	472.60'
L41	S54°41'11"E	289.50'
L42	S09°21'11"E	329.40'
L43	S44°09'11"E	244.20'
L44	S86°46'11"E	625.90'
L45	S37°35'11"E	156.80'
L46	S24°29'49"W	305.30'
L45	S01°41'49"W	671.90'

LINE TABLE

No.	Bearing	Length
L48	S24°36'49"W	499.10'
L49	S01°58'11"E	314.40'
L50	S54°40'11"E	155.60'
L51	N71°03'49"E	212.10'
L52	N49°42'49"E	222.60'
L53	N46°42'49"E	312.20'
L54	N56°14'49"E	393.30'
L55	S86°03'11"E	273.40'
L56	S17°46'11"E	557.10'
L57	S63°03'11"E	583.60'
L58	N89°09'11"W	127.05'

SHEET 1 OF 1

Date: 08-29-07
 Scale: 1" = 1000'
 Designed: -
 Drawn: TG
 Checked: SD
 Proj. Engr: -
 Dwg. Name: 3628PL01



San Jose
 (408) 487-2200
 Gilroy
 (408) 846-0707

ENGINEERS

hvh-engineers.com

Plat to accompany description:
 FOR PD ZONING PURPOSES

SAN JOSE

CALIFORNIA

20070727.1129