

DRAFT

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING TITLE 20 OF THE SAN JOSE MUNICIPAL CODE (ZONING ORDINANCE) TO: ADD OR REMOVE USES AND CHANGE PERMIT REQUIREMENTS IN THE OPEN SPACE/AGRICULTURE, RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND DOWNTOWN ZONING DISTRICTS IN TABLES 20-30, 20-50, 20-90, 20-110, AND 20-140; AMEND SECTION 20.50.110 FOR COMMERCIAL SUPPORT IN INDUSTRIAL DISTRICTS; REPEAL SECTION 20.50.115 FOR LARGE FORMAT COMMERCIAL ESTABLISHMENT, ASSOCIATED COMMERCIAL; REPEAL SECTION 20.70.140 ON ART DISPLAY STRUCTURE; AMEND SECTION 20.70.520 FOR THE DOWNTOWN GROUND-FLOOR SPACE OVERLAY (DG OVERLAY) TO REPLACE IT WITH THE ACTIVE USE AREA OVERLAY; CLARIFY AND CONSOLIDATE USES IN THE PARKING AND LOADING CHAPTER 20.90; AMEND SECTION 20.120.110 TO UPDATE TABLE 20-270 FOR CONFORMANCE WITH THE GENERAL PLAN; ADD, REMOVE, OR UPDATE VARIOUS DEFINITIONS IN CHAPTER 20.200; AND MAKE OTHER TECHNICAL, NON-SUBSTANTIVE, OR FORMATTING CHANGES; ALL TO EFFECTUATE ZONING CODE AND GENERAL PLAN CONFORMANCE

WHEREAS, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined that this Ordinance 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 this Ordinance; and

WHEREAS, this Council of the City of San José has considered and approves the information contained in the FEIR, as supplemented and addenda thereto, and related

City Council Resolution Nos. 76041 and 77617 and the determination of consistency therewith prior to taking any approval actions on this Ordinance;

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

SECTION 1. Section 20.20.100 of Chapter 20.20 of Title 20 of the San José Municipal Code is amended to read as follows:

20.20.100 Allowed Uses and Permit Requirements

- A. "Permitted" land uses are indicated by a "P" on Table 20-30.
- B. "Conditional" uses are indicated by a "C" on Table 20-30. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a conditional use permit as set forth in Chapter 20.100.
- C. "Special" uses are indicated by a "S" on Table 20-30. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a special use permit as set forth in Chapter 20.100
- D. Land uses not permitted are indicated by a "-" on Table 20-30. Land uses not listed on Table 20-30 are not permitted.
- ED. When the right column of Table 20-30 includes a reference to a section number or a footnote, the regulations cited in the section number or footnote applies to the use. In addition, all uses are subject to any other applicable provision of this title and any other title of the San José Municipal Code.

Table 20-30
Agricultural and Open Space Zoning District Use Regulations
OS Open Space and A Agricultural District Land Use Regulations

| Use | Zoning District | | Applicable Section & Notes |
|--|-----------------|---|----------------------------|
| | OS | A | |
| Agriculture and Resource Uses | | | |
| Animal breeding (except fish, frogs, rabbits, poultry, and hogs) | P | P | Note 1 |
| Animal breeding (fish, frogs, rabbits, poultry, and hogs) | C | P | Note 1 |

| | | | |
|--|-----------------------|-----------------------|---------------------------------|
| Any use or improvement for the conservation of water, reclamation, and erosion control | P | P | Note 1 |
| Botanical conservatories, nature garden, nature study areas, and similar uses not within greenhouses or structures | P | - | Note 1 |
| Certified F farmers' M market | S | S | Note 1 |
| Certified Farmers' Market - Small | P | P | Note 1; Part 3.5, Chapter 20.80 |
| Dairies | P | P | Note 1 |
| Extraction of chemicals from water by natural evaporation | C | - | Note 1 |
| Extraction of minerals from the ground, including quarrying | C | - | Note 1 |
| Filling or removal of earth, including grading | C | - | Note 1 |
| Grazing | P | P | Note 1 |
| Livestock ranch, excluding hogs | P | P | |
| Livestock ranch, hogs | C | C | |
| Natural R resource P reservation/ R reservation | P | - | Note 1 |
| Pasture | P | P | Note 1 |
| Planting, cultivating, growing, harvesting, and drying of crops | C | P | Note 1 |
| Tree farms and forestlands | C | C <u>S</u> | Note 1 |
| Wholesale sale of any animals, articles, wares, goods, merchandise, or commodities produced on-site in the conduct of any P permitted or C conditional U use | C | C | Note 1 |
| Wildlife refuge | P | - | Note 1 |
| Education and Training | | | |
| Child D day C care C center located on an existing school site or as an incident to an on-site C church/ R religious A assembly use involving no building additions or changes to the site | P | P | Note 1 |
| Educational, charitable, and philanthropic activities that provide environmental and nature related services/education and are dedicated to the protection and preservation of the environment and/or rural and landscape preservation | C <u>S</u> | - <u>S</u> | Note 1 |

| Entertainment and Recreation | | | |
|--|----------|--------------|--|
| Equestrian and riding club | C | C | Note 1 |
| Golf course | C | - | Notes 1, and <u>Note 2</u> |
| Marinas and other uses and facilities incidental to water recreation | C | - | Note 1 |
| Shooting range | C | - | Note 1 |
| Trails and paths, including equestrian, pedestrian, and bicycle | P | P | Note 1 |
| Public, Quasi-Public and Assembly Uses | | | |
| Community television antenna systems | - | C | |
| <u>Residential Uses</u> | | | |
| <u>Home occupations</u> | <u>P</u> | <u>P</u> | <u>Part 9, Chapter 20.80</u> |
| <u>One-family dwelling</u> | <u>C</u> | <u>C</u> | <u>Note 1 and Note 3;</u> <u>Section 20.30.110</u> |
| <u>Temporary farm labor camp necessary to the gathering of crops grown on the site</u> | - | <u>C</u> | |
| <u>Transportation and Utilities</u> | | | |
| <u>Community television antenna systems</u> | - | <u>C</u> | |
| <u>Utility Facilities, excluding corporation yards, storage or repair yards and warehouses</u> | <u>C</u> | <u>C</u> | <u>Note 1</u> |
| Wireless C ommunication <u>A</u> ntenna | C | C | Notes 1 and <u>Note 2;</u> Sections 20.100.1300, 20.80.1915 |
| Wireless C ommunication <u>A</u> ntenna, <u>S</u> limline <u>M</u> onopole | C | S | Notes 1 and <u>Note 4;</u> |

| | | | |
|--|--------------|--------------|---|
| | | | Sections 20.80.1900, 20.80.1915 |
| Wireless C ommunication A ntenna, B uilding M ounted | P | P | Notes 1 and <u>Note 4</u> ; Sections 20.80.1910, 20.80.1915 |
| Residential Uses | | | |
| One-family Dwelling | C | C | Note 1, Note 3, Section 20.30.110 |
| Home Occupations | P | P | Part 9, Chapter 20.80 |
| Temporary farm labor camp necessary to the gathering of crops grown on the site | - | C | |
| <u>Utilities, Electric Power Generation</u> | | | |
| Private Electrical Power Generation Facility | | | |
| Stand-By/Backup Electrical Power Generation Facility | | | |
| Solar photovoltaic power system | P | P | Section 20.100.610(C)(7) |
| Stand-by/backup F acilities that do not exceed noise or air standards | S | S | |
| Stand-by/backup F acilities that do exceed noise or air standards | C | C | |
| Solar Photovoltaic Power system | P | P | Section 20.100.610(C)(7) |

Notes:

1. The erection, enlargement, structural alteration, or use of any permanent building or structure for any permitted or conditional use in the OS open space district requires the issuance of a conditional use permit, with the exception of certain modifications of existing wireless facilities pursuant to Section 20.80.1915.

2. Clubhouses, pro shops, snack shops, restaurants, bars, and driving ranges may be operated in conjunction with, but not independent of, the golf course. "Miniature golf courses" are not allowed.
3. A one-family dwelling may be used for a residential care facility or residential service facility for six or fewer residents. No services may be provided to non-residents.
4. Certain modifications of existing wireless facilities may be permitted with an administrative permit in accordance with Section 20.80.1915 of Chapter 20.80.

SECTION 2. Section 20.30.100 of Chapter 20.30 of Title 20 of the San José Municipal Code is amended to read as follows:

20.30.100 Allowed Uses and Permit Requirements

- A. Permitted" land uses are indicated by a "P" on Table 20-50.
- B. "Conditional" uses are indicated by a "C" on Table 20-50. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a conditional use permit as set forth in Chapter 20.100.
- C. "Special" uses are indicated by an "S" on Table 20-50. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a special use permit as set forth in Chapter 20.100.
- D. "Restricted" land uses are indicated by an "R" on Table 20-50. These uses may occur in such designated districts, as an independent use, but only upon issuance of and in full compliance with a valid and effective zoning code verification certificate as set forth in Chapter 20.100.
- E. Land uses not permitted are indicated by a "-" on Table 20-50. Land uses not listed on Table 20-50 are not permitted.
- F. When the right column of Table 20-50 includes a reference to a section number or a footnote, the regulations cited in the section number or footnote apply to the use. In addition, all uses are subject to any other applicable provision of this Title 20 and any other title of the San José Municipal Code.

**Table 20-50
Residential Zoning Districts Use Regulations
Land Use Regulations**

| Use | Zoning District | | | | Applicable Sections & Notes |
|--|-----------------|--------------|--------------|--------------|---|
| | R-1 | R-2 | R-M | R-MH | |
| Residential Uses | | | | | |
| One-family dwelling | P | P | P | C | Note 1; Section 20.30.110 |
| Secondary dwelling <u>unit/accessory dwelling unit (ADU)</u> | P | P | P | - | Note 2 <u>and</u> <u>Note 3</u> ; Section 20.30.150 |
| Two-family dwelling | - | P | P | - | Note 2; Section 20.30.110 |
| Multiple dwelling | - | - | P | - | |
| Guesthouse | - | - | C | - | Section 20.30.120 |
| Mobilehome parks | - | - | - | P | |
| Travel trailer parks | - | - | - | C | |
| Residential care facility, six or fewer persons | P | P | P | P | |
| Residential care facility, seven or more persons | - | - | C | C | |
| Residential service facility, six or fewer persons | P | P | P | P | |
| Residential service facility, seven or more persons | - | - | C | C | |
| Servants quarters attached to a one-family dwelling or attached to a garage structure | P | - | - | - | Note 3 |

| | | | | | |
|--|----------|----------|-----------------------|----------|--|
| <u>Single room occupancy living unit facility</u> | - | - | <u>C</u> | - | <u>Part 15, Chapter 20.80</u> |
| Sororities, fraternities, and dormitories occupied exclusively (except for administrators thereof) by students attending college or other educational institutions | - | - | C | - | |
| Single room occupancy living unit facility | - | - | C | - | Part 15, Chapter 20.80 |
| Residential Accessory Uses and Improvements | | | | | |
| Accessory buildings and structures | P | P | P | P | Note <u>34</u> ; Section 20.80.200 |
| Home occupations | P | P | P | P | Part 9, Chapter 20.80 |
| Mixed use, residential/commercial | - | - | C <u>S</u> | - | Note 40 <u>9</u> |
| <u>Agriculture</u> | | | | | |
| <u>Certified farmers' market</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>Note 6</u> |
| <u>Certified farmers' market, small</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Part 3.5, Chapter 20.80; Note 6</u> |
| <u>Neighborhood agriculture</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Part 9, Chapter 20.80</u> |
| <u>Education and Training</u> | | | | | |
| <u>Child day care center located on an existing school site or as an incident to an on-site church/religious assembly use involving no building additions or changes to the site</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <u>Day care center</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| <u>School, elementary and secondary (public)</u> | <u>P</u> | <u>P</u> | <u>P</u> | - | |
| <u>School, elementary and secondary (private)</u> | <u>C</u> | <u>C</u> | <u>C</u> | - | |

| Entertainment and Recreation Related | | | | | |
|--|--------------|--------------|--------------|--------------|--|
| Equestrian and riding club | C | - | - | - | |
| Golf course | C | C | C | - | Note 54 |
| Private club or lodge | - | - | C | - | |
| Swim or tennis club | C | C | C | C | |
| Education and Training | | | | | |
| Child day care center located on an existing school site or as an incident to an on-site church/religious assembly use involving no building additions or changes to the site | P | P | P | P | |
| Day care center | C | C | C | C | |
| School -- Elementary and secondary (public) | P | P | P | - | |
| School -- Elementary and secondary (private) | C | C | C | - | |
| Public, Quasi-Public and Assembly Uses | | | | | |
| Cemetery | C | C | C | C | |
| Church/religious assembly | C | C | C | C | |
| Museums, libraries, parks, playgrounds, or community centers (privately operated) | C | C | C | C | |
| Museums, libraries, parks, playgrounds, or community centers (publicly operated) | P | P | P | P | |
| Health and Veterinary Services | | | | | |
| Emergency ambulance service | C | C | C | C | |
| General Services | | | | | |
| Certified farmers' market | S | S | S | S | Part 3.5, Chapter 20.80; Note 7 |
| Certified farmers' market -- Small | P | P | P | P | Part 3.5, Chapter 20.80; Note 7 |
| Neighborhood agriculture | P | P | P | P | Part 9, Chapter 20.80 |

| | | | | | |
|--|--------------|--------------|--------------|----------|---|
| <u>Bed and breakfast inn</u> | <u>C</u> | <u>C</u> | <u>C</u> | - | <u>Section 20.80.110</u> |
| Outdoor vending, F fresh fruits and vegetables | P | P | P | P | <u>Note 6 and Note 7;</u> <u>Part 10, Chapter 20.80;</u> Notes 7 and 8 |
| Bed and breakfast inn | C | C | C | - | Section 20.80.110 |
| <u>Health and Veterinary Services</u> | | | | | |
| <u>Emergency ambulance service</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| <u>Historic Reuse</u> | | | | | |
| <u>Historic landmark structure reuse</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>Part 8.5, Chapter 20.80</u> |
| <u>Public, Quasi-Public and Assembly Uses</u> | | | | | |
| <u>Cemetery</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| <u>Church/religious assembly</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| <u>Museums, libraries, parks, playgrounds, or community centers (privately operated)</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| <u>Museums, libraries, parks, playgrounds, or community centers (publicly operated)</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <u>Transportation and Utilities</u> | | | | | |
| Community television antenna systems | C | C | C | C | |
| Off-site, alternating use and alternative use parking arrangements | S | S | S | S | Section 20.90.200 |
| Parking establishment, off-street | C | C | C | C | Section 20.90.150 |
| Utility facilities, excluding corporation yards, storage or repair yards and warehouses | C | C | C | C | |
| Wireless communication antenna | C | C | C | C | <u>Note 89;</u> Sections 20.30.130, 20.30.140, |

| | | | | | |
|---|--------------|--------------|--------------|--------------|--|
| | | | | | 20.80.1900, 20.100.1300 and 20.80.1915 |
| Wireless communication antenna, slimline monopole | S | S | S | S | Note 89 ; Sections 20.30.130, 20.30.140, 20.80.1900, 20.100.1300 and 20.80.1915 |
| Wireless communication antenna, building mounted | P | P | P | P | Note 89 ; Sections 20.30.130, 20.30.140, 20.80.1910, 20.100.1300 and 20.80.1915 |
| <u>Utilities, Electrical Power Generation</u> | | | | | |
| <u>Stand-By/Backup</u> | | | | | |
| Facilities that do not exceed noise or air standards | S | S | S | S | Note 6 |
| Solar photovoltaic system | P | P | P | P | Sections 20.100.610.C.7 and 20.100.1030.A. 6 |
| Stand-by/backup facilities that do not exceed noise or air standards | S | S | S | S | Note 5 |
| Stand-by/backup facilities that do exceed noise or air standards | - | - | - | - | |
| Solar photovoltaic system | P | P | P | P | Sections 20.100.610.C.7 and 20.100.1030.A. 6 |
| <u>Historic Reuse</u> | | | | | |

| | | | | | |
|--|---|---|---|---|----------------------------|
| Historic landmark structure reuse | Ⓒ | Ⓒ | Ⓒ | Ⓒ | Part 8.5, Chapter 20.80 |
|--|---|---|---|---|----------------------------|

Notes:

1. Only one one-family dwelling unit per lot in the R-1, R-2, R-M and R-MH districts.
2. A maximum of two living units per lot are permitted in the R-2 district. A secondary dwelling on a lot in the R-2 district may be permitted without a development permit in accordance with the provisions of Section 20.30.150 if there is only one primary living unit on the lot and that primary living unit is a one-family dwelling.
- ~~3. Only permitted in the R-1-1 estate residential district.~~
- ~~43.~~ No lot may be used solely for an accessory structure or an accessory building.
- ~~54.~~ No driving ranges or miniature golf facilities.
- ~~65.~~ Stand-by or backup generators that would not otherwise require some permit from the city (including but not limited to building, electrical, or mechanical), and do meet the applicable noise and air standards are not subject to the special use permit requirement.
- ~~76.~~ Allowed on school sites, library sites, community center sites, church/religious assembly sites, and other publicly accessible sites that contain government operations including but not limited to United States Post Offices or State of California Department of Motor Vehicles offices.
- ~~87.~~ The activity must conform with the location and operational requirements in Section 20.80.820 of Part 10, Chapter 20.80. Allowed for up to eight hours per day for each vending facility, but not to exceed eight hours per day per lot.
- ~~98.~~ Certain modifications of existing wireless facilities may be permitted with an administrative permit in accordance with Section 20.80.1915 of Chapter 20.80.
- ~~409.~~ Permitted or special uses allowed in the CP commercial pedestrian zoning district may be allowed with a special use permit for a residential-commercial mixed use project, except that twenty-four-hour non-

residential uses or conditional uses allowed in the CP commercial pedestrian zoning district require a conditional use permit.

SECTION 3. Section 20.40.100 of Chapter 20.40 of Title 20 of the San José Municipal Code is amended to read as follows:

20.40.100 Allowed Uses and Permit Requirements

- A. "Permitted" land uses are indicated by a "P" on Table 20-90.
- B. "Conditional" uses are indicated by a "C" on Table 20-90. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a conditional use permit as set forth in Chapter 20.100. "Conditional" uses which may be approved only on parcels designated on the land use/transportation diagram of the general plan, as amended, with a designation that allows residential use are indicated by a "C^{GP}" on Table 20-90. These uses may be allowed in such designated districts, as a part of mixed use residential/commercial, but only upon issuance of and in compliance with a conditional use permit as set forth in Chapter 20.100.
- C. "Conditional" uses requiring city council approval as the initial decision-making body are indicated by a "CC" on Table 20-90. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a conditional use permit approved by the city council as set forth in Chapter 20.100. Applications for these uses shall first be considered by the planning commission at a public hearing of the commission for the commission's report and recommendation on the application to the city council pursuant to the processes set forth in Chapter 20.100.
- D. "Special" uses are indicated by a "S" on Table 20-90. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a special use permit as set forth in Chapter 20.100. "Special" uses which may be approved only on parcels designated on the land use/transportation diagram of the general plan, as amended, with a designation that allows residential use are indicated by a "S^{GP}" on Table 20-90. These uses may be allowed in such designated districts, as a part of mixed use residential/commercial, but only upon issuance of and in compliance with a special use permit as set forth in Chapter 20.100.
- E. "Administrative" uses are indicated by an "A" on Table 20-90. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with an administrative permit as set forth in Chapter 20.100.

- F. "Restricted" land uses are indicated by an "R" on Table 20-90. These uses may occur in such designated districts, as an independent use, but only upon issuance of and in full compliance with a valid and effective zoning code verification certificate as set forth in Chapter 20.100.
- G. Land uses not permitted are indicated by a "-" on Table 20-90. Land uses not listed on Table 20-90 are not permitted.
- H. When the right column of Table 20-90 includes a reference to a section number or a footnote, the regulations cited in the section number or footnote applies to the use. In addition, all uses are subject to any other applicable provision of this Title 20 and any other title of the San José Municipal Code.

Table 20-90
Commercial Zoning Districts and
Public/Quasi-Public Zoning District Use Regulations
~~Land Use Regulations~~

| Use | Zoning District | | | | | Notes & Section |
|---|-----------------|--------------|--------------|--------------|--------------|--|
| | CO | CP | CN | CG | PQP | |
| General Retail | | | | | | |
| Retail sales, goods and merchandise | - | P | P | P | - | Note 21 |
| Alcohol, off- sales ite sales - beer and/or wine only | - | C | C | C | - | <u>Note 21;</u> <u>Section 20.80.900;</u> Note 21 |
| Alcohol, off- sales ite sales , - full range of alcoholic beverages | - | C | C | C | - | <u>Note 21;</u> <u>Section 20.80.900;</u> Note 21 |
| <u>Alcohol, off-sales - as incidental to a winery, brewery, or distillery</u> | - | <u>S</u> | <u>S</u> | <u>S</u> | - | <u>Note 4</u> |
| Aquaculture/ Aquaponics | S | S | S | S | S | |
| Auction | - | - | - | C | C | |

| | | | | | | |
|---|----------|----------|----------|----------|----------|--|
| Bakery, retail | - | <u>P</u> | <u>P</u> | <u>P</u> | - | Note 21 |
| Certified Farmers' Market | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | Part 3.5, Chapter 20.80 |
| Certified Farmers' Market--Small | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | Part 3.5, Chapter 20.80 |
| Food, beverages, <u>and</u> groceries | - | <u>P</u> | <u>P</u> | <u>P</u> | <u>S</u> | |
| Neighborhood Agriculture | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | Title 7; Note 19 |
| <u>Nursery, plant</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Note 1</u> |
| Outdoor V <u>y</u> ending | - | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | Part 10, Chapter 20.80 |
| Outdoor V <u>y</u> ending, F <u>r</u> esh F <u>r</u> uits and v <u>e</u> getables | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | Part 10, Chapter 20.80 |
| Pawn shop/broker | - | <u>C</u> | <u>C</u> | <u>C</u> | - | See Title 6 |
| Seasonal sales | | | | | | Part 14, Chapter 20.80 |
| Retail A <u>a</u> rt S <u>s</u> tudio | - | <u>P</u> | <u>P</u> | <u>P</u> | - | <u>Note 21</u> ; <u>Section 20.80.117 5</u> ; Note 21 |
| <u>Retail bakery</u> | <u>-</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>-</u> | <u>Note 21</u> |
| <u>Retail sales, goods, and merchandise</u> | <u>-</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>-</u> | <u>Note 21</u> |
| <u>Seasonal sales</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>-</u> | <u>Part 14, Chapter 20.80</u> |

| <u>Agriculture</u> | | | | | | |
|--|----------|--------------|--------------|--------------|-----------------------|---|
| <u>Aquaculture, aquaponics, and hydroponics</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | |
| <u>Certified farmers' market</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>Part 3.5, Chapter 20.80</u> |
| <u>Certified farmers' market, small</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Part 3.5, Chapter 20.80</u> |
| <u>Neighborhood agriculture</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Note 19; Title 7</u> |
| <u>Drive-Through Uses</u> | | | | | | |
| <u>Drive-through uses in conjunction with any use</u> | <u>-</u> | <u>-</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| Education and Training | | | | | | |
| Child D ay C are C enter located on an existing School Site or as an incident to a permitted on-site church/religious assembly use involving no B uilding additions or changes to the S ite | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | P <u>P</u> | Note 21 |
| Day care center | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| Instructional A rt S tudios | <u>-</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>S</u> | |
| Instructional Art Studios, with live models | <u>-</u> | C | C | C | C | |
| Private instruction, personal enrichment | <u>-</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>S</u> | |
| School, --- elementary and secondary (public or private) | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>S</u> | <u>Note 16₄₇; Note 20₄₇ and Note 21</u> |

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|--|---|-----------------------|-----------------------|-----------------------|-----------------------|---|
| School, driving (class C & M license) | - | P | P | P | S | Note 2, ¹ Note 20, ¹ and -Note 21 |
| School, P post S secondary | - | P | P | P | S | Note 3, ¹ Note 20, ¹ <u>and</u> Note 21 |
| School, T trade and V vocational | - | C | C | C | S | Note 16, ¹ Note 20, ¹ <u>and</u> Note 21 |
| Entertainment and Recreation-Related | | | | | | |
| Arcade, a Amusement G game | - | C <u>P</u> | C <u>P</u> | C <u>P</u> | - | Note 21 |
| Dancehall | - | C | C | C | C | Note-21 |
| Health club, gymnasium | - | P | P | P | S | |
| Performing arts rehearsal space | - | P | P | P | - | |
| Poolroom/billiards establishment | - | C <u>P</u> | C <u>P</u> | C <u>P</u> | - | Note 21 |
| Private club or lodge | C | C | C | C | - | |
| Recreation, C commercial indoor | - | P | P | P | S | Note 21 |
| Recreation, C commercial outdoor | - | C | C | C | C | Note 21 |
| Relocated C cardroom | - | - | - | C | - | Section 20.80.115 5 |
| Stadium, 2,000 seats or fewer | - | C | C | C | C | Note 17 |
| Stadium, more than 2,000 seats | - | CC | CC | CC | CC | Note 17 <u>and</u> ; Note 18 |
| Theatre <u>Theater</u> , indoor | - | C <u>S</u> | C <u>S</u> | C <u>S</u> | C <u>S</u> | Note 21 |

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| Theatre <u>Theater</u> , outdoor | - | - | - | C <u>S</u> | C <u>S</u> | Note 21 |
| Food Services | | | | | | |
| Banquet F <u>Facility</u> | - | C <u>S</u> | C <u>S</u> | C <u>S</u> | C <u>S</u> | |
| Caterer | - | P | P | P | S | Note 4 |
| <u>Commercial kitchen</u> | - | <u>S</u> | <u>P</u> | <u>P</u> | - | |
| Drinking E <u>Establishments</u> | - | C | C | C | - | Note 21 |
| Drinking E <u>Establishments</u> interior to a full-service hotel <u>or</u> /motel that includes 75 or more guest rooms | - | P | P | P | - | Section 20.80.475; Note 21 |
| <u>Drinking establishment in conjunction with a winery, brewery, or distillery</u> | - | <u>S</u> | <u>S</u> | <u>S</u> | - | |
| Public E <u>Eating</u> E <u>Establishments</u> | - | P | P | P | - | Note 21 |
| Outdoor dining, incidental to a Public Eating Establishment or a retail establishment <u>Public eating establishment or retail establishment with incidental outdoor dining</u> | - | P | P | P | - | Note 21; Section 20.40.520; Note 21 |
| Wineries, breweries | - | C | C | C | - | Note 21 |
| Incidental recreational dancing as part of a Public Eating Establishment or Drinking Establishment <u>Public eating establishment or drinking establishment with incidental dancing</u> | - | P | P | P | - | Note 21 |
| Health and Veterinary Services | | | | | | |
| Animal boarding, indoor | P <u>only as incidental to Neighborhooed Agricu</u> | P | P | P | P <u>only as incidental to Neighborhooed Agricu</u> | Section 20.40.120 |

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| | ulture; Other wise prohib ited. | | | | lture; Other wise S. | |
| Animal-grooming | P only as incide ntal to Neigh borho ed Agric ulture; Other wise prohib ited. | P | P | P | P only as incide ntal to Neigh borho ed Agricu lture; Other wise S. | Section 20.40.120 |
| Emergency ambulance service | E | E | E | E | E | |
| Hospital/in-patient facility | E | E | E | E | E | Note 21 |
| Office, Medical | P | P | P | P | S | Note 21 |
| Veterinary Clinic | - | P | P | P | E | Note 16 |
| General Services | | | | | | |
| Bail bond establishment - outside main jail area | - | P outsi de of Urba n Villag e; S in Urba n Villag e P/S | P | P | - | Note 5; Part 1.5, Chapter 20.80 |

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|--|---|--|---|---|---|---|
| Bail B ond E stablishment - within main jail area | - | P outside of Urban Village; S in Urban Village P/S | P | P | - | <u>Note 5</u> and Note 14; - Part 1.5, Chapter 20.80 |
| Bed and B reakfast Inn | - | P | P | P | - | <u>Note 21</u> ; _ Part 2, Chapter 20.80; Note 21 |
| Dry cleaner | - | P | P | P | - | Note 21 |
| Hotel or M otel | - | P | P | P | - | Note 21 |
| Single R oom O ccupancy (SRO) H otel | - | C | C | C | - | Part 15, Chapter 20.80 |
| Laundromat | - | P | P | P | - | Note 21 |
| Maintenance and repair, small household appliances | - | P | P | P | - | Note 21 |
| Messenger services | P | P | P | P | - | Note 2 <u>and</u> ; Note 21 |
| Mortuary and F uneral Services | P | P | P | P | - | Note 21 |
| Personal S ervices | - | P | P | P | - | <u>Note 21</u> ; _ Section 20.200.88 0; Note 21 |

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|--|------------|----------|----------|----------|------------|---|
| Photo processing and developing | - | P | P | P | - | Note 21 |
| Printing and publishing | - | P | P | P | - | Note 21 |
| <u>Social service agency</u> | - | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | |
| <u>Health and Veterinary Services</u> | | | | | | |
| <u>Animal boarding, indoor</u> | <u>P/-</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P/S</u> | <u>Note 8</u> <u>Section</u> <u>20.40.120</u> |
| <u>Animal grooming</u> | <u>P/-</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P/S</u> | <u>Note 8</u> <u>Section</u> <u>20.40.120</u> |
| <u>Emergency ambulance service</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| <u>Hospital/in-patient facility</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>Note 21</u> |
| <u>Office, medical</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>S</u> | <u>Note 21</u> |
| <u>Veterinary clinic</u> | - | <u>P</u> | <u>P</u> | <u>P</u> | <u>C</u> | <u>Note 16</u> |
| <u>Historic Reuse</u> | | | | | | |
| <u>Historic landmark structure reuse</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>Part 8.5,</u> <u>Chapter</u> <u>20.80</u> |
| Offices and Financial Services | | | | | | |
| Automatic teller machine | P | P | P | P | S | Section 20.80.200 |
| Business S support | - | P | P | P | - | Note 21 |
| Financial institution services | P | P | P | P | - | Note 21 |
| Office, G general B business | P | P | P | P | S | <u>Note 21;</u> |

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|--|----------------|---|----------------|----------------|---|--|
| | | | | | | Section 20.40.110; Note 21 |
| Payday L ending E establishment | - | R outside of Urban Village; P rohibited in Urban Village R/- | R | R | - | <u>Note 24</u> Part 12.5, Chapter 20.80 ; Section 20.200.87 5 |
| <u>Retail bank</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | - | <u>Note 21</u> |
| Public, Quasi-Public and Assembly Uses | | | | | | |
| Cemetery | C | C | C | C | C | |
| Church/religious assembly | C-S | C-S | C-S | C-S | S | Note 16, Note 20, <u>and</u> ; Note 21 |
| Construction/ corporation yard associated with P ublic, Q uasi- P ublic or A sssembly U se or T ransportation or U tility U se | - | - | - | - | C | |
| Museums, libraries, parks, playgrounds, or community centers (publicly operated) | P | P | P | P | P | Note 21 |
| Museums, libraries, parks, playgrounds, or community centers (privately operated) | C | C | C | C | S | Note 20; <u>and</u> Note 21 |
| <u>Recycling Uses</u> | | | | | | |

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|--|----------|---|----------|-----------------|----------|--|
| <u>Reverse vending machine</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>Part 13, Chapter 20.80</u> |
| <u>Small collection facility</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>Part 13, Chapter 20.80</u> |
| Residential | | | | | | |
| Emergency Residential Shelter | <u>E</u> | <u>E</u> | <u>E</u> | <u>E</u> | <u>E</u> | <u>Section 20.80.500</u> |
| <u>Emergency residential shelter</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>Section 20.80.500</u> |
| <u>Hotel supportive housing</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>Note 22; Part 22, Chapter 20.80</u> |
| Live/Work Uses | - | S | S | S | - | <u>Note 6; Section 20.80.740</u> |
| Mixed Use residential/commercial | - | <u>C^{GP} outside of Urban Village; S^{GP} in Urban Village C/S</u> | C | C ^{GP} | - | <u>Note 6 and Note 25</u> |
| Residential C are F acility for seven or more persons | C | C | C | C | C | |
| Residential S ervice F acility for seven or more persons | C | C | C | C | C | |

| | | | | | | |
|--|---------------|---------------|---------------|---------------|---------------|--|
| Hotel Supportive Housing | C | C | C | C | C | Note 22; Part 22 of Chapter 20.80 |
| Single R room O ccupancy, L iving U nit | - | C | C | C | - | Note 6; Part 15, Chapter 20.80 |
| Drive-Through Uses | | | | | | |
| Drive-through Uses in conjunction with any use | - | - | C | C | C | |
| Recycling Uses | | | | | | |
| Reverse Vending Machine | A | A | A | A | A | Part 13, Chapter 20.80 |
| Small Collection Facility | A | A | A | A | A | Part 13, Chapter 20.80 |
| Transportation and Utilities | | | | | | |
| Data C center | - | - | - | C | - | Note 21 |
| Common Carrier | - | - | - | - | C | Note 21 |
| <u>Commercial vehicle storage</u> | <u>S</u> | <u>-</u> | <u>-</u> | <u>S</u> | <u>S</u> | |
| Common C carrier D epot | -S | - | -S | -S | S | Note 21 |
| Community television antenna systems | C | C | C | C | C | |
| Off-site, A alternating U se and A alternative P arking A rrangements | S | S | S | S | S | Section 20.90.200 |
| Parking E establishment, O ff-street | C | C- | C | C | C- | |
| Short term parking lot for uses or events other than on-site | - | - | - | C | C | Note 7 |

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| Television, radio studios without antenna/dishes | - | - | - | C | C | |
| Utility <u>F</u> acilities, excluding corporation yards, storage or repair yards and warehouses | C | C | C | C | C | |
| Utility <u>F</u> acilities including corporation yards, storage or repair yards and warehouses | - | - | - | - | C | |
| Wireless <u>C</u> ommunication <u>A</u> ntenna | C | C | C | C | C | Note 23; Sections 20.100.13 00, 20.80.191 5 |
| Wireless <u>C</u> ommunication <u>A</u> ntenna, <u>S</u> limline <u>M</u> onopole | S | S | S | S | S | Note 23; Sections 20.80.190 0, 20.80.191 5 |
| Wireless <u>C</u> ommunication <u>A</u> ntenna, <u>B</u> uilding <u>M</u> ounted | P | P | P | P | P | Note 23; Sections 20.80.191 0, 20.80.191 5 |
| <u>Utilities, Electrical Power Generation</u> | | | | | | |
| <u>Fuel Cells</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <u>Co-generation facility</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | |
| <u>Fuel cells</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <u>Private electrical power generation facility</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>Note 2</u> |

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| <u>Solar photovoltaic system</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Section 20.100.61 0 C.7.</u> |
| <u>Stand-by/backup facilities that do not exceed noise or air standards</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>P</u> | <u>A</u> | |
| <u>Stand-by/backup facilities that do exceed noise or air standards</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| <u>Temporary stand-by/backup</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| Private Electrical Power Generation Facility | G | G | G | G | G | Note 2 |
| Co-generation Facility | S | S | S | S | S | |
| Stand-by/Backup | | | | | | |
| Facilities that do not exceed noise or air standards | A | A | A | P | A | |
| Facilities that do exceed noise or air standards | G | G | G | G | G | |
| Temporary Stand-by/Backup | P | P | P | P | P | |
| Solar Photovoltaic System | P | P | P | P | P | Section 20.100.61 0 C.7. |
| Vehicle Related Uses | | | | | | |
| Accessory installation, passenger vehicles and pick-up trucks | - | G | C | P | - | |
| Auto dealer, wholesale, no on-site storage | P | P | P | P | - | |
| Car wash, detailing | - | - | C | C | - | |
| Fuel Gasoline Sservice station or Ccharge Sstation, no incidental service or repair | - | C | C | P | C | Note 8, Note 15 |
| Gasoline Fuel Sservice station or Ccharge Sstation with incidental service and repair | - | G | C | P | C | Note 9 and, -Note 13 |

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| Glass sales, installation, and tinting | - | - | C | P | - | Note 13 |
| Leasing (rental) passenger vehicles, pick-up trucks not exceeding twenty-five feet in length, and motorcycles | - | C | C | P | - | Note 2 |
| Sale, brokerage, or lease, commercial vehicles | - | C | C | C | - | Note 13 |
| Sale or brokerage, P passenger V vehicles, pick-up trucks not exceeding twenty-five 25 feet in length, and motorcycles | - | C | S | P | - | Note 12 and; Note 13 |
| Sale, vehicle parts | - | S | P | P | - | Note 11 |
| Tires, batteries, lube, oil change, smog check station, air conditioning servicing of passenger vehicles and pick-up trucks | - | C | C | P | - | Note 10 and; Note 13 |
| Historic Reuse | | | | | | |
| Historic Landmark Structure reuse | S | S | S | S | S | Part 8.5, Chapter 20.80 |

Notes applicable to all commercial districts:-

1. In the CP district, landscaping materials, such as rock, mulch, and sand are limited to prepackaged sales.
2. Classroom use only, no driving courses or No on site storage of vehicles permitted in the CP, CN, and CG and CN-z zoning ~~d~~Districts.
3. Includes public and private colleges and universities, as well as extension programs and business schools.
- ~~4. Not a catering facility.~~
- ~~5. No on site storage of vehicles permitted.~~
4. Alcohol, off-sales are limited to products manufactured on-site for wineries, breweries, or distilleries.
5. Permitted outside of Urban Village; Special use permit in Urban Villages.

6. In an urban village, mixed-use residential/commercial only ~~:(a) under an approved urban village plan with an implementation financing strategy approved by the city council; or (b) without an approved urban village plan in a signature project consistent with the general plan or (c) if the~~ residential portion of the use is 100% deed restricted and affordable to persons of low, very low, and/or extremely low income as defined in California Government Code Section 65915 et seq. and in conformance with all criteria in the general plan for such use. Live/work in an area with an urban village designation or urban village overlay in the general plan shall be consistent with applicable approved urban village plans.
7. Use must be less than twenty-four hours.
- ~~8. Permitted only as incidental to neighborhood agriculture; otherwise prohibited in CO. In PQP the use is permitted only as incidental to neighborhood agriculture; otherwise a special use permit is required.~~
- ~~8. No incidental repair or service permitted.~~
9. Incidental repair includes non-invasive engine service, maintenance, and repair, including but not limited to, air conditioning service, fuel system service, electrical service, coolant system service, tune-up, fluid exchanges, steering and suspension system service, brake system service, transmission adjustment and service, lube, oil change, smog check, diagnostics and vehicle inspections, stock catalytic converters and manifolds, as well as tires, batteries and accessories installation. Does not allow body repair, welding, vehicle restorations, other types of exhaust system repair, the removal of cylinder heads, engines, transmissions/transfer cases and differentials, or painting.
10. Includes non-invasive engine service, maintenance, and repair, including but not limited to, air conditioning service, carburetor and fuel injection system service, electrical service, radiator coolant system service, and tune-up, fluid exchanges, steering and suspension system service, brake system service, transmission adjustment and service, lube, oil change, and smog check, diagnostics and vehicle inspections, stock catalytic converters and manifolds, as well as tires, batteries and accessories installation. Does not allow body repair, welding, vehicle restorations, other types of exhaust system repair, the removal of cylinder heads, engines, transmissions/transfer cases and differentials, or painting.
11. No outdoor sales areas or dismantling allowed.

12. In the CG district, incidental repair of vehicles requires a special use permit. Incidental repair of vehicles is prohibited in all other commercial districts.
13. All vehicle-related repair, service, and accessory or other installation shall be conducted within a fully enclosed building.
14. Bail bond establishments shall not be located and are prohibited uses on the ground floors of structures located within the main jail area, as that area is defined in Section 20.80.070 of Chapter 20.80 of this title. Bail bond establishments are allowed as shown on Table 20-90 on other, above-ground floors of structures. All bail bond establishments shall meet all distance requirements specified in Section 20.80.075 of Chapter 20.80 of this title.
15. Charging stations that are incidental to a separate primary use that do not impact on-site or off-site vehicular circulation, and that serve patrons of the primary use on-site are permitted in all commercial zoning districts.
16. Public schools are subject to the regulations of this title, subject to the provisions of California Government Code Section 53094 for classroom facilities.
17. Primary uses include sporting events, assembly venues, concerts, and entertainment events of similar character and intensity. Incidental support uses include offices, locker rooms, retail, public eating establishments, drinking establishments, outdoor vending facilities, and other commercial uses of similar character and intensity.
18. Use permit applications for stadiums that consist of more than 2,000 seats and that are in airport influence areas shall be referred to the Santa Clara Airport Land Use Commission prior to approval by the city.
19. Neighborhood agriculture in conformance with this title is a permitted use that may operate on a site without a permanent building on that site.
20. The city council is the decision-making body for special use permit appeals for this use pursuant to Section 20.100.220 of this title.
21. In the PQP public/quasi-public zoning district, the following uses may be allowed as a use supporting and incidental to a primary PQP use:
 - a. Offices, retail, public eating establishments, and other commercial uses of similar character and intensity, with approval of a special use permit; and

- b. Drinking establishments, off-sale of alcoholic beverages, arcade amusement games, poolroom/billiards establishments, wineries, breweries, distilleries, and data centers, with approval of a conditional use permit.
- 22. Hotel supportive housing may be permitted only with a conditional use permit pursuant to Part 22 of Chapter 20.80 and only until December 31, 2026.
- 23. Certain modifications of existing wireless facilities may be permitted with an administrative permit in accordance with Section 20.80.1915 of Chapter 20.80.
- 24. Restricted outside of Urban Villages; Prohibited in Urban Villages.
- 25. Conditional use permit required outside of Urban Villages; Special use permit in Urban Villages.

SECTION 4. Section 20.50.100 of Chapter 20.50 of Title 20 of the San José Municipal Code is amended to read as follows:

20.50.100 Allowed Uses and Permit Requirements

- A. "Permitted" land uses are indicated by a "P" on Table 20-110.
- B. "Permitted" uses which may be approved only on property designated on the Land Use/Transportation Diagram of the General Plan, as amended, with the Combined Industrial/Commercial land use designation or, in the case of Hotel or /Motel establishments, which may also be approved on property designated on the Land Use/Transportation Diagram of the General Plan, as amended, with the Preferred Hotel Site Overlay, are indicated by a "P^{GP}" on Table 20-110.
- C. "Conditional" uses are indicated by a "C" on Table 20-110. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a Conditional Use Permit as set forth in Chapter 20.100.

"Conditional" uses which may be approved only on property designated on the Land Use/Transportation Diagram of the General Plan, as amended, with the Combined Industrial/Commercial Designation or, in the case of Hotel or /Motel establishments, may also be approved on property designated on the Land Use/Transportation Diagram of the General Plan, as amended, with the preferred Hotel Site Overlay, are indicated by a "C^{GP}" on Table 20-110. These uses may

be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a Conditional Use Permit as set forth in Chapter 20.100.

- D. "Conditional" uses requiring City Council approval as the initial decision-making body are indicated by a "CC" on Table 20-110. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a Conditional Use Permit approved by the City Council as set forth in Chapter 20.100. Applications for these uses shall first be considered by the planning commission at a public hearing of the Commission for the Commission's report and recommendation on the application to the City Council pursuant to the processes set forth in Chapter 20.100.

"Conditional" uses which may be approved only on property designated on the Land Use/Transportation Diagram of the General Plan, as amended, with the Combined Industrial/Commercial designation are indicated by a "CC^{GP}" on Table 20-110. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a Conditional Use Permit as set forth in Chapter 20.100.

- E. "Special" uses are indicated by a "S" on Table 20-110. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a Special Use Permit as set forth in Chapter 20.100.
- F. "Administrative" uses are indicated by an "A" on Table 20-110. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with an Administrative Permit as set forth in Chapter 20.100.
- G. "Restricted" land uses are indicated by an "R^{GP}" on Table 20-110. These uses may occur in such designated districts, as an independent use, but only upon issuance of and in full compliance with a valid and effective Zoning Code Verification Certificate as set forth in Chapter 20.100. "Restricted" uses may only occur on property designated on the Land Use/Transportation Diagram of the General Plan, as amended, with a Combined/Industrial Commercial, Industrial Park, Light Industrial, or Heavy Industrial designation.
- H. Land uses not permitted are indicated by a "-" on Table 20-110. Land uses not listed on Table 20-110 are not permitted.
- I. When the right column of Table 20-110 includes a reference to a section number or a footnote, the regulations cited in the section number or footnote applies to

the use. In addition, all uses are subject to any other applicable provision of this Title 20 and any other title of the San José Municipal Code.

**Table 20-110
Industrial Zoning Districts ~~Land~~ Use Regulations**

| Use | Zoning District | | | | | Applicable Sections & Notes |
|--|-----------------|--------------|---------------------------|---------------------------|--------------|-----------------------------|
| | CIC | TEC | IP | LI | HI | |
| Industry | | | | | | |
| Auction | C | C | C^{GP} | C^{GP} | - | |
| Construction/corporation yard | S | - | - | P | P | |
| Establishment for the repair, cleaning of household, commercial or industrial equipment or products | - | - | - | P | P | |
| Extraction of minerals from the ground, including quarrying | - | - | - | - | C | |
| Hazardous materials storage facility | - | - | - | C | C | |
| Hazardous waste facility | - | - | - | - | C | |
| Junkyard | - | - | - | - | C | |
| Industrial services | - | - | - | P | P | |
| Laboratory, processing | P | P | P | P | P | |
| Manufacturing and assembly | | | | | | |
| –Manufacturing and assembly, Light | P | P | P | P | - | |
| –Manufacturing and assembly, Medium | P | P | P | P | P | |
| Manufacturing and assembly, Heavy | - | - | - | - | P | |
| Research and development | P | P | P | - | - | |
| Catalog and mail order | P | P | P | P | - | |
| Construction/corporation yard | - | - | - | S | S | |

| | | | | | | |
|--|--------------|--------------|--------------|----------------|--------------|--|
| Establishment for the repair, cleaning of household, commercial or industrial equipment or products | - | - | - | P | P | |
| Extraction of minerals from the ground, including quarrying | - | - | - | - | C | |
| Hazardous materials storage facility | - | - | - | C | C | |
| Hazardous waste facility | - | - | - | - | C | |
| Junkyard | - | - | - | - | C | |
| Miniwarehouse/ M inistorage | - | - | - | P C | P | |
| Outdoor uses or storage, industrial | - | - | - | S | P | Section 20.50.210 |
| Private electrical power generation facility | C | C | C | C | C | |
| Research and development | P | P | P | - | - | |
| Stockyard, including slaughter | - | - | - | - | C | |
| Warehouse/distribution facility | P | P | P | P | P | <u>Note 2</u> |
| Wholesale sale establishment | P | S | S | P | P | <u>Note 2</u> |
| Wineries, breweries | P | P | P | P | P | |
| Additional Uses | | | | | | |
| Any use not set forth in Tables 20-30, 20-50, 20-90 | - | - | - | - | C | |
| Any use without a permanent fully enclosed building on-site | C | C | C | S | S | |
| Commercial support | - | P | P | - | - | Note 5; -Section 20.50.110 |
| Retail sales, goods and merchandise | P | P | - | - | - | Note 5; Section 20.50.110 |

| | | | | | | |
|---|---|---|---|---|---|----------------------------------|
| Retail art studio | P | P | - | - | - | |
| Off-sale, alcoholic beverages -- beer and/or wine only | G | G | - | - | - | Note 5; Section 20.50.110 |
| Off-sale, alcoholic beverages, full range of alcoholic beverages | G | G | - | - | - | Note 5; Section 20.50.110 |
| Off-sale, alcoholic beverages -- beer and/or wine only and incidental to a winery/brewery | G | G | G | G | G | Note 12; Section 20.50.110 |
| Off-sale, alcoholic beverages -- distilled spirits only and incidental to a distillery | G | G | G | G | G | Note 12; Section 20.50.110 |
| Bakery, retail | P | P | - | - | - | Note 5; Section 20.50.110 |
| Aquaculture; Aquaponics | S | S | S | S | S | |
| Certified farmers' market | - | S | S | - | - | Part 3.5, Chapter 20.80 |
| Certified farmers' market -- small | - | P | P | - | - | Part 3.5, Chapter 20.80 |
| Food, beverage, groceries | P | P | - | - | - | Note 5; Section 20.50.110 |
| Neighborhood agriculture | P | P | P | P | P | |
| Nursery, plant | P | P | - | G | G | |
| Outdoor vending | A | A | - | A | A | Part 10, Chapter 20.80 |

| | | | | | | |
|---|--------------|--------------|---------------------------------------|---------------------------------------|--------------|-----------------------------------|
| Outdoor vending – fresh fruits and vegetables | P | P | P | P | P | Part 10, Chapter 20.80 |
| Large format commercial establishment | - | - | C^{GP} | C^{GP} | - | |
| Large format commercial establishment, associated commercial | - | - | C^{GP} | C^{GP} | - | Section 20.50.115 |
| Warehouse retail | - | - | C | C | C | Section 20.50.130 |
| Sales, office furniture, industrial equipment, machinery | P | P | - | C | - | |
| Seasonal sales | P | P | P | P | P | Part 14, Chapter 20.80 |
| <u>Agriculture</u> | | | | | | |
| <u>Aquaculture, aquaponics, and hydroponics</u> | <u>S</u> | <u>-</u> | <u>S</u> | <u>S</u> | <u>S</u> | |
| <u>Certified farmers' market</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>-</u> | <u>-</u> | <u>Part 3.5, Chapter 20.80</u> |
| <u>Certified farmers' market - small</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>-</u> | <u>-</u> | <u>Part 3.5, Chapter 20.80</u> |
| <u>Neighborhood agriculture</u> | <u>P</u> | <u>-</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <u>Drive-Through Use</u> | | | | | | |
| <u>Drive-through in conjunction with any use</u> | <u>C</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | |
| Education and Training | | | | | | |
| Day care center | C | C | C^{GP} <u>C</u> | C^{GP} <u>=</u> | - | <u>Note 20</u> |
| <u>Instructional art studios</u> | <u>P</u> | <u>P</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>Note 14</u> |
| School, driving (class A & B license) | - | - | - | P | P | |

| | | | | | | |
|--|----------------|---|-----------------|-----------------|----------------|--------------------------------------|
| Instructional art studios | P | P | - | - | - | |
| Instructional art studios, live models | C | C | - | - | - | |
| Private instruction, personal enrichment | P | P | - | - | - | <u>Note 14</u> |
| <u>School, driving (class A & B license)</u> | <u>P/S</u> | <u>-</u> | <u>-</u> | <u>P</u> | <u>P</u> | <u>Note 23</u> |
| <u>School, driving (class C & M license)</u> | <u>P/S</u> | <u>-</u> | <u>-</u> | <u>S</u> | <u>S</u> | <u>Note 23 and Note 24</u> |
| School, - elementary and secondary (public or private) | C | C | - | - | - | Note 11 |
| School, post secondary | C | C | C | - | - | |
| School, trade and vocational | C-S | C | -S | C-S | C-S | |
| Entertainment and Recreation-Related | | | | | | |
| Recreation, commercial/indoor | P | C on land s with a Gen eral Plan land use designat ion of Tran sit Emp loy men t Cen ter; C-GP | C-GP | C-GP | - | Note 5, Section 20.50.110 |

| | | | | | | |
|--|-----------------------------------|--|-----------------------|----------------------------|---|---|
| | | on land s with othe r Gen eral Plan land use desi gnat ions | | | | |
| <u>Health club, gymnasium</u> | <u>P</u> | <u>S</u> | = | = | = | <u>Note 14;</u> <u>Section</u> <u>20.50.110</u> |
| <u>Recreation, commercial/outdoor</u> | <u>C</u> | - | - | - | | |
| <u>Relocated cardroom</u> | <u>C^{GP}</u> | <u>C^{GP}</u> | <u>C^{GP}</u> | <u>C^{GP}</u> | - | <u>Section</u> <u>20.80.1155</u> |
| Performing arts production and rehearsal space, excluding performances | <u>P</u> | <u>C</u> | <u>C</u> | <u>C^{GP}</u> = | - | |
| <u>Recreation, commercial/indoor</u> | <u>P</u> | <u>S</u> | = | = | = | <u>Note 2 and</u> <u>Note 5;</u> <u>Section</u> <u>20.50.110</u> |
| <u>Recreation, commercial/outdoor</u> | <u>C</u> | = | = | = | = | |
| <u>Relocated cardroom</u> | <u>C^{GP}</u> | <u>C^{GP}</u> | <u>C^{GP}</u> | <u>C^{GP}</u> | = | <u>Section</u> <u>20.80.1155</u> |
| Stadium, 2,000 seats or fewer including incidental support uses | <u>C^{GP}</u> <u>C</u> | on land s with a Gen | - | - | - | Note 15 |

| | | | | | | |
|--|----------|--|----------|----------|---|---------------------------------|
| | | eral Plan land use desi gnat ion of Tran sit Emp loy men t Gen ter; C ^{GP} on land s with othe r Gen eral Plan land use desi gnat ions C | | | | |
| Stadium, more than 2,000 seats including incidental support uses | CC GP | - | - | - | - | Note 15 <u>and</u> ; Note 16 |
| Food Services | | | | | | |
| Caterer | P | P | - | - | - | |
| <u>Commercial kitchen</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | - | <u>Note 2 and Note 14</u> |

| | | | | | | |
|---|-----------------------|--|-----------------------|-----------------------|-----------------------|---|
| Drinking establishments | C | C | - | - | - | |
| Drinking establishments interior to a full-service hotel <u>or</u> motel that includes 75 or more guest rooms | P | S if within a 150 feet of residentially used or zoned Lot; P if not within a 150 feet of residentially used or zoned Lot S/P | P ^{GP} | - | - | <u>Note 13 and Note 21;</u> Section 20.80.475; Note 13 |
| Drinking establishment in conjunction with a winery, or brewery, <u>or distillery</u> | C <u>S</u> | C <u>S</u> | C <u>S</u> | C <u>S</u> | C <u>S</u> | |
| Public eating establishments | P | P | - | C | C | Note 5; Section <u>20.50.110</u> and Section 20.50.113 |

| | | | | | | |
|---|----------|---|----------|----------|----------|--|
| Outdoor dining, incidental to a public eating establishment | P | S if within a 150 feet of residentially used or zoned Lot; P if not within a 150 feet of residentially used or zoned Lot S/P | - | C | C | Note 5 <u>and</u> <u>Note 21</u> ; Sections 20.50.110, <u>and Section</u> 20.50.113 |
| <u>Wineries, breweries, and distilleries</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <u>General Retail</u> | | | | | | |
| <u>Alcohol, off-sales - beer and/or wine only</u> | <u>C</u> | <u>C</u> | = | = | = | <u>Note 5</u> ; <u>Section</u> <u>20.50.110</u> |
| <u>Alcohol, off-sales - full range of alcoholic beverages</u> | <u>C</u> | <u>C</u> | = | = | = | <u>Note 5</u> ; <u>Section</u> <u>20.50.110</u> |

| | | | | | | |
|---|----------|----------|----------|----------|----------|--|
| <u>Alcohol, off-sales - as incidental to a winery, brewery, or distillery</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>Note 12;</u> <u>Section</u> <u>20.50.110</u> |
| <u>Food, beverages, and groceries</u> | <u>P</u> | <u>P</u> | <u>:</u> | <u>:</u> | <u>:</u> | <u>Note 5 and</u> <u>Note 14;</u> <u>Section</u> <u>20.50.110</u> |
| <u>Nursery, plant</u> | <u>P</u> | <u>:</u> | <u>P</u> | <u>C</u> | <u>C</u> | |
| <u>Outdoor vending</u> | <u>A</u> | <u>A</u> | <u>:</u> | <u>A</u> | <u>A</u> | <u>Part 10,</u> <u>Chapter</u> <u>20.80</u> |
| <u>Outdoor vending - fresh fruits and vegetables</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Part 10,</u> <u>Chapter</u> <u>20.80</u> |
| <u>Warehouse retail</u> | <u>:</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>Note 2;</u> <u>Section</u> <u>20.50.130</u> |
| <u>Retail sales, goods, and merchandise</u> | <u>P</u> | <u>P</u> | <u>:</u> | <u>:</u> | <u>:</u> | <u>Note 5 and</u> <u>Note 14;</u> <u>Section</u> <u>20.50.110</u> |
| <u>Retail art studio</u> | <u>P</u> | <u>P</u> | <u>:</u> | <u>:</u> | <u>:</u> | <u>Note 14</u> |
| <u>Retail bakery</u> | <u>P</u> | <u>P</u> | <u>:</u> | <u>:</u> | <u>:</u> | <u>Note 5 and</u> <u>Note 14;</u> <u>Section</u> <u>20.50.110</u> |
| <u>Sales, industrial equipment and machinery</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>:</u> | <u>Note 2</u> |
| <u>Seasonal sales</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Part 14,</u> <u>Chapter</u> <u>20.80</u> |

| <u>General Services</u> | | | | | | |
|---|--------------------|------------------------|-----------------------|-----------------------|--------------------|--|
| <u>Crematory</u> | : | : | : | : | <u>C</u> | <u>Note 7</u> |
| <u>Dry cleaner</u> | <u>P</u> | <u>P</u> | : | : | : | <u>Note 14</u> |
| <u>Hotel or motel</u> | <u>P</u> | <u>P/</u> <u>GP</u> | <u>C</u> | : | : | <u>Note 13</u> |
| <u>Laundromat</u> | <u>P</u> | <u>P</u> | : | : | : | <u>Note 14</u> |
| <u>Mortuary, without funeral services</u> | : | : | : | <u>P</u> | <u>P</u> | |
| <u>Personal services</u> | <u>P</u> | : | : | : | : | <u>Note 5:</u> <u>Section</u> <u>20.50.110</u> |
| <u>Printing and publishing</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <u>Social service agency</u> | <u>S</u> | : | : | : | : | |
| Health and Veterinary Services | | | | | | |
| Animal boarding, indoor | <u>P/S</u> | <u>P</u> | - | - | - | <u>Note 14</u> <u>Note</u> <u>22</u> |
| Animal grooming | <u>P</u> | <u>P</u> | - | - | - | <u>Note 14</u> |
| Emergency ambulance service | <u>C</u> | <u>C</u> <u>GP</u> | <u>C</u> <u>GP</u> | <u>C</u> <u>GP</u> | - | |
| Hospital/in-patient facility | <u>C</u> | <u>C</u> | <u>C</u> | - | - | <u>Note 6</u> |
| Medical cannabis collective | <u>R</u> <u>GP</u> | - | <u>R</u> <u>GP</u> | <u>R</u> <u>GP</u> | <u>R</u> <u>GP</u> | Part 9.75, Chapter 20.80 |
| Medical cannabis collective cultivation site only | <u>R</u> <u>GP</u> | - | <u>R</u> <u>GP</u> | <u>R</u> <u>GP</u> | <u>R</u> <u>GP</u> | Part 9.75, Chapter 20.80 |
| Medical cannabis collective dispensary site only | <u>R</u> <u>GP</u> | - | <u>R</u> <u>GP</u> | <u>R</u> <u>GP</u> | <u>R</u> <u>GP</u> | Part 9.75, Chapter 20.80 |

| | | | | | | |
|---|-----------------|---------------------------------|----------------------------|----------------------------|-----------------|--|
| Medical cannabis business | R ^{GP} | - | R ^{GP} | R ^{GP} | R ^{GP} | Part 9.75, Chapter 20.80 |
| Non-medical cannabis business | R ^{GP} | - | R ^{GP} | R ^{GP} | R ^{GP} | Part 9.75, Chapter 20.80 |
| Cannabis M anufacturing (Type 6) B usiness | R ^{GP} | - | R ^{GP} | R ^{GP} | R ^{GP} | Part 9.76, Chapter 20.80 |
| Cannabis D istribution B usiness | R ^{GP} | - | R ^{GP} | R ^{GP} | - | Part 9.76, Chapter 20.80 |
| Cannabis T esting B usiness | - | - | R ^{GP} | - | - | Part 9.76, Chapter 20.80 |
| Office, medical | P | P | C | - | - | <u>Note 14</u> Note 5, Section 20.50.110 |
| Veterinary clinic | P | P | - | - | - | Note 14 |
| <u>Historic Reuse</u> | | | | | | |
| <u>Historic landmark structure reuse</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>Part 8.5,</u> <u>Chapter</u> <u>20.80</u> |
| General Services | | | | | | |
| Crematory | - | - | - | C ^{GP} | C | Note 7 |
| Mortuary, without funeral services | - | - | - | P | P | |
| Dry cleaner | P | P | - | - | - | |
| Hotel/motel | P | P on land s | C ^{GP} | - | - | Note 13 |

| | | | | | | |
|--|---|---|---|---|---|--|
| | | with a General Plan land use designation of Transit Employment Center; P _{GP} on lands with other General Plan land use designations | | | | |
| Laundromat | P | P | - | - | - | |
| Maintenance and repair, small household appliances | P | P | - | - | - | |
| Messenger services | P | P | - | - | - | |

| | | | | | | |
|---|---|--|--------------|--------------|---|---------------------------------|
| Personal services | P | P | - | - | - | Note 5, Section 20.50.110 |
| Photo processing and developing | P | P | P | P | P | |
| Printing and publishing | P | P | P | P | P | |
| Social service agency | - | G | G | G | G | |
| Offices and Financial Services | | | | | | |
| Automatic teller machine | P | P | P | P | P | Section 20.80.200 |
| Business support use | P | P | P | - | - | |
| Financial institution | P | P | - | G GP - | - | Note 5, Section 20.50.110 |
| Office, general business | P | P | P | - | - | |
| Office, research and development | P | P | P | - | - | |
| Public, Quasi-Public and Assembly Uses | | | | | | |
| Church/religious assembly | C | G on land s with a Gen eral Plan land use desi gnat ion of Tran | G GP - | G GP - | - | |

| | | | | | | |
|---|----------|--|------------------------|----------|----------|--|
| | | sit Emp loy men t Cen ter; C _{GP} on land s with othe r desi gnat ions : | | | | |
| <u>Recycling Uses</u> | | | | | | |
| <u>Processing facility</u> | - | - | <u>C</u> | <u>S</u> | <u>S</u> | |
| <u>Transfer facility, recycling</u> | - | - | <u>C</u> | <u>S</u> | <u>S</u> | |
| <u>Collection facility, large</u> | - | - | - | - | <u>P</u> | |
| <u>Reverse vending machine</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | |
| <u>Collection facility, small</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | |
| Residential | | | | | | |
| Hotel supportive housing | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | Note 17; Part 22 of Chapter 20.80 |
| Emergency residential shelter, more than 50 beds | C | <u>C</u> _{GP} | <u>C</u> _{GP} | <u>C</u> | - | Section 20.80.500 |
| Emergency residential shelter, 50 beds or fewer | P | <u>C</u> | <u>C</u> _{GP} | <u>C</u> | - | Section 20.80.500 |

| | | | | | | |
|---|--------------|---------------------------|---------------------------|---------------------------|--------------|--|
| <u>Hotel supportive housing</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>Note 17;</u> <u>Part 22 of</u> <u>Chapter</u> <u>20.80</u> |
| Living quarters, custodian, caretakers | - | - | - | - | C | Note 1 |
| Drive-Through Use | | | | | | |
| Drive-through in conjunction with any use | C | C^{GP} | C^{GP} | C^{GP} | - | |
| Recycling Uses | | | | | | |
| Processing facility | - | C | C | S | S | |
| Transfer facility, recycling | - | C | C | S | S | |
| Collection facility, large | - | - | - | - | P | |
| Reverse vending machine | A | A | A | A | A | |
| Collection facility, small | A | A | A | A | A | |
| Transportation and Utilities | | | | | | |
| Common carrier | - | - | - | C | P | |
| <u>Commercial vehicle storage</u> | <u>S</u> | <u>-</u> | <u>-</u> | <u>S</u> | <u>S</u> | |
| Common carrier depot | S | S | S | S | S | |
| Community television antenna systems | C | C | C | C | C | |
| Data center | S | S | S | S | S | <u>Note 2</u> |
| Off-site, alternating and alternative use parking arrangements | S | S | S | S | S | Section 20.90.200 |
| Parking establishment not permitted in Tables 20-30, 20-50 and 20-90 | C | C | C | C | C | |
| Off-street parking establishment | C | C | C | C | C | |
| Television, radio studio | C | C | C | C | C | |

| | | | | | | |
|---|--------------|--------------|--------------|--------------|--------------|---|
| Utility facilities, excluding corporation yards, storage or repair yards and warehouses | C | C | C | C | C | |
| Wireless communications antenna | C | C | C | C | C | Note 18: ^{2,7} Sections 20.100.1300, 20.80.1915 |
| Wireless communications antenna, slimline monopole | S | S | S | S | S | Note 18: ^{2,7} Sections 20.80.1900, 20.80.1915 |
| Wireless communications antenna, building mounted | P | P | P | P | P | Note 18: ^{2,7} Sections 20.80.1910, 20.80.1915 |
| <u>Utilities, Power Generation</u> | | | | | | |
| Base load power plant | - | - | - | - | C | |
| <u>Co-generation facility</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | |
| <u>Private electrical power generation facility</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| Stationary peaking power plant | - | - | - | C | C | |
| Transportable peaking power plant | - | - | - | C | C | |
| Private electrical power generation facility | C | C | C | C | C | |
| Co-generation facility | S | S | S | S | S | |
| <u>Solar photovoltaic power system</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Section</u> <u>20.100.610</u> <u>C.7.</u> |
| <u>Stand-by/backup facilities that do not exceed noise and air standards</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <u>Stand-by/backup facilities that do exceed noise and air standards</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |

| | | | | | | |
|--|----------------------|----------|-----------------------------------|-----------------------------------|----------|----------------------------|
| <u>Stationary peaking power plant</u> | - | - | - | <u>C</u> | <u>C</u> | |
| <u>Temporary stand-by or backup electrical power generation facility</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <u>Transportable peaking power plant</u> | - | - | - | <u>C</u> | <u>C</u> | |
| Stand-By/Back-Up/Small Scale Renewable Power | | | | | | |
| Facilities that do not exceed noise and air standards | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| Facilities that do exceed noise and air standards | <u>G</u> | <u>G</u> | <u>G</u> | <u>G</u> | <u>G</u> | |
| Temporary stand-by or backup electrical power generation facility | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| Solar photovoltaic power system | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | Section 20.100.610 G.7. |
| Vehicle Related Uses | | | | | | |
| Auto dealer, wholesale, no on-site storage | <u>P</u> | <u>P</u> | <u>P</u> | - | - | |
| Car wash, detailing | <u>C</u> | <u>C</u> | - | - | - | |
| Gasoline Fuel service station or charge station, <u>excluding no</u> incidental service or repair | <u>P</u> | <u>G</u> | <u>G</u> <u>GP</u> <u>C</u> | <u>G</u> <u>GP</u> <u>-</u> | - | Note 2 , Note 8 |
| Gasoline Fuel service station or charge station with incidental service and repair | <u>P</u> | <u>G</u> | <u>G</u> <u>GP</u> <u>-</u> | <u>G</u> <u>GP</u> <u>-</u> | - | Note 3 |
| <u>Repair and cleaning of vehicles</u> | <u>C</u> | - | - | <u>P</u> | <u>P</u> | <u>Note 4</u> |
| Sale, brokerage, or lease (rental) of passenger vehicles, pick-up trucks not exceeding 25 feet in length, and motorcycles | <u>G</u> <u>S</u> | <u>G</u> | - | <u>G</u> | - | Note 10 |
| Warehouse retail indoor sale of passenger vehicles, pick-up trucks not exceeding 25 feet in length, and motorcycles | <u>G</u> | <u>G</u> | <u>G</u> | <u>G</u> | <u>G</u> | Section 20.50.140 |

| | | | | | | |
|--|--------------|--------------|--------------|--------------|--------------|--|
| Repair and cleaning of vehicles | G | - | - | P | P | Note 4 |
| Sale or lease of commercial trucks, buses, trailers, campers, boats, mobilehomes, construction equipment | C | - | - | C | - | |
| Sale, vehicle parts | P | P | - | P/S | - | Note 9 |
| Vehicle tow yard | - | - | - | C | S | <u>Note 19</u> |
| Vehicle wrecking, including sales of parts | - | - | - | - | C | |
| <u>Warehouse retail indoor sale of passenger vehicles, pick-up trucks not exceeding 25 feet in length, and motorcycles</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>Note 2;</u> <u>Section</u> <u>20.50.140</u> |
| Historic Reuse | | | | | | |
| Historic landmark structure reuse | S | S | S | S | S | Part 8.5, Chapter 20.80 |

Notes:

1. Site must be seven (7) acres or more.
2. No incidental repair or service. In TEC, only allowed in existing buildings with a valid certificate of occupancy as of (the effective date of this ordinance). Not allowed more than 5% expansion of the existing building floor area ratio as a minor improvement for the portion of the building occupied by the use subject to this note.
3. Incidental repair includes air conditioning service, carburetor and fuel injection service, electrical service, radiator service, and tune-up, lube, oil change, and smog check, as well as tires, batteries, and accessories installation. Does not allow body repair or painting.
4. All vehicle-related repair, service, and accessory or other installation, excepting the cleaning of vehicles, shall be conducted within a fully enclosed Building.
5. Retail; recreation, commercial/indoor establishments; Health club, gymnasium; Public Eating Establishments; outdoor dining, incidental to a public eating establishment; financial institutions; medical clinics; medical

offices; and Personal Service establishments are Permitted in the IP district subject to the limitations of Commercial Support Use, Section 20.50.110. Public Eating Establishments in the LI or HI districts are limited to a maximum of six hundred fifty (650) gross square feet in size.

6. Refer to the General Plan for criteria to determine if the use is permissible at the proposed location.
7. Crematories shall be separated by at least five hundred (500) linear feet from residential uses, schools, and day care centers, which distance(s) shall be measured from the nearest points of the Parcel boundary on which the crematory is proposed and the Parcel boundary on which the residential, school or day care center use is located.
8. Charge Stations that are incidental to a separate primary use, that do not impact on-site or off-site vehicular circulation, and that serve patrons of the primary use on-site are Permitted in all Industrial Zoning Districts.
9. Vehicle parts sales are permitted in the LI district when the total floor area dedicated to retail display and open to the public occupies no more than fifteen (15) percent of the gross floor area of the individual tenant space. Vehicle parts sales establishments that exceed fifteen (15) percent of the gross floor area of the individual tenant space are subject to a Special Use Permit.
10. Any incidental vehicle-related repair, service, and accessory or other installation, excepting the cleaning of vehicles, shall be conducted within a fully enclosed Building.
11. Public schools are subject to the regulations of this Title, subject to the provisions of California Government Code Section 53094 for classroom facilities.
12. Off-sale of alcoholic beverages. The total square footage of alcoholic beverages on display in a retail area and the total square footage of retail floor area in which alcoholic beverages are displayed for sale shall be the lesser of the following:
 - a. Two hundred fifty (250) gross square feet; or
 - b. Five (5) percent of the winery's, brewery's, or distillery's entire gross floor area; and any_-and all alcoholic beverages made available for retail sale shall be limited only to those alcoholic beverages manufactured and produced on-site.

13. At least two hundred (200) rooms and four (4) or more stories in height are required for Hotels located in the TEC Transit Employment Center Zoning District.
14. ~~The use is allowed in the TEC district only on the first or second floor of the a building containing another permitted, special, or conditional use of the TEC Zoning District that is not subject to this note. Not allowed as a standalone use. In the TEC Zoning District, all uses involving any type of care for animals, including but not limited to grooming, boarding, and medical care, must be conducted wholly inside a Building.~~
15. Primary uses include sporting events, large assembly, concerts, and entertainment events of similar character and intensity. Incidental support uses include offices, locker rooms, retail, Public Eating Establishments, Drinking Establishments, Outdoor Vending Facilities, and other commercial uses of similar character and intensity.
16. Use permit applications for stadiums that consist of more than two thousand (2,000) seats and that are in an airport influence area shall be referred to the Santa Clara Airport Land Use Commission prior to approval by the City.
17. Hotel Supportive Housing may be Permitted only with a Conditional Use Permit pursuant to Part 22 of Chapter 20.80 and only until December 31, 2026.
18. Certain modifications of existing Wireless Facilities may be Permitted with an Administrative Permit in accordance with Section 20.80.1915 of Chapter 20.80.
19. Vehicle auctions are permitted as part of a Vehicle tow yard.
20. Day care centers are allowed in the IP and TEC Zoning Districts as incidental uses to the primary TEC or IP development, not as a standalone use.
21. Special use permit required if within 150 feet of residentially used or zoned lot; Permitted if not within 150 feet of residentially used or zoned lot.
22. Outdoor Animal Boarding is allowed through a Special use permit in the CIC Zoning District.

23. Permitted in the CIC district for classroom use only, outside vehicle storage requires a Special use permit.

24. Only schools which offer driving instruction for commercial vehicles are permitted in this zoning district.

SECTION 5. Section 20.50.110 of Chapter 20.50 of Title 20 of the San José Municipal Code is amended to read as follows:

20.50.110 Commercial Support

Commercial support is permitted in the IP Industrial Park and TEC Transit Employment Center districts only when all of the following criteria are met:

- A. Such commercial uses serve the immediate area; and
- B. Such commercial uses are located entirely within Buildings occupied by primary uses permitted in the IP or TEC districts; and
- C. The sum of all such commercial uses in any single building on the site occupies no more than ten percent of the gross floor area of the building or no more than twenty thousand square feet, whichever is less; or, in the case of medical offices as the sole commercial support use in a building, the sum of such medical office use in any single building on the site occupies no more than twenty percent of the gross floor area of the building or no more than twenty thousand square feet, whichever is less; and
- D. Such commercial uses are limited to the following:
 - 1. Retail; including off-sale of alcohol, subject to a conditional use permit.
 - 2. Recreation, commercial/indoor.
 - 3. Health club, gymnasium
 - ~~3.4.~~ Personal service establishment.
 - ~~4.5.~~ Public eating establishment.
 - ~~5.6.~~ Outdoor dining, incidental to a public eating establishment.
 - ~~6.7.~~ Financial institution.
 - ~~7.8.~~ Medical clinic.
 - ~~8.9.~~ Medical office.
 - 9.10. Amusement game devices, up to nine per business establishment, as an (incident) to one or more of the above enumerated commercial uses.

SECTION 6. Section 20.50.115 of Chapter 20.50 of Title 20 of the San José Municipal Code is hereby repealed.

~~**20.50.115 Large Format Commercial Establishment, Associated Commercial**~~

~~A. A conditional use permit may be issued pursuant to the applicable provisions of this title for the following in conjunction with a large format commercial entity:~~

~~1. Up to ten thousand square feet of commercial uses may be allowed in a building or on a site containing a large format commercial entity; and~~

~~2. Such commercial uses that may be allowed are limited to the following uses:~~

~~a. Retail; including off sale of alcohol, subject to a conditional use permit;~~

~~b. Recreation, commercial/indoor;~~

~~c. Personal service establishment;~~

~~d. Public eating establishment;~~

~~e. Financial institution;~~

~~f. Medical clinic;~~

~~g. Medical office; and/or~~

~~h. Amusement game devices, up to nine per business establishment, as an incident to one or more of the above enumerated commercial uses.~~

SECTION 7. Part 1 of Chapter 20.70 of Title 20 of the San José Municipal Code is amended to read as follows:

**Part 1
General**

20.70.010 Applicability

This chapter shall apply only to properties with a zoning designation consistent with this chapter and located within the downtown area bounded by Julian Street, ~~properties~~ fronting both sides of North Fourth Street, ~~East St. John Street,~~ 7th Street, ~~East San Fernando Street,~~ South 4th Street, ~~Interstate 280,~~ the Union Pacific Railroad line, ~~Stockton Avenue,~~ Taylor Street and Coleman Avenue, which area is sometimes referred to as the downtown zoning area.

20.70.020 Downtown Zoning Districts and Overlays

A. This chapter sets forth the land use and development regulations applicable to the downtown zoning districts established by Section 20.10.060.

B. This chapter further sets forth land use and development regulations applicable to a portion of the DC Downtown Primary Commercial Zoning District, which is

designated as the ~~Downtown Ground-Floor Space Area (DG Overlay Area)~~ Ground Floor Active Use Area Overlay (AUA) and is described in Section 20.70.520.

- C. No building, structure, or land shall be used, and no building or structure shall be erected, enlarged, or structurally altered, in the ~~DG~~-Downtown Primary Commercial (DC) and ~~DC-NT1~~-Downtown Commercial - Neighborhood Transition 1 (DC-NT1) ~~z~~Zoning ~~d~~Districts except as set forth in this chapter.

SECTION 8. Part 2 of Chapter 20.70 of Title 20 of the San José Municipal Code is amended to read as follows:

Part 2 Uses Allowed

20.70.100 Allowed Uses and Permit Requirements

- A. "Permitted" land uses are indicated by a "P" on Table 20-140.
- B. "Permitted" uses which may be approved only on parcels within the downtown zoning districts which are designated on the land use/transportation diagram of the general plan, as amended, with a land use designation that allows some residential use, are indicated by a "P^{GP}" on Table 20-140. These uses may be allowed on such downtown zoning district parcels, but only in compliance with the general plan land use restrictions related to residential use.
- C. "Conditional" uses requiring planning commission approval as the initial decision-making body are indicated by a "C" on Table 20-140. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a conditional use permit approved by the planning commission, or city council on appeal, as set forth in Chapter 20.100.
- D. "Conditional" uses which may be approved only on parcels within the downtown zoning districts which are designated on the land use/transportation diagram of the general plan, as amended, with a land use designation that allows some residential use, are indicated by a "C^{GP}" on Table 20-140. These uses may be allowed on such downtown zoning district parcels, but only upon issuance of and in compliance with a conditional use permit as set forth in Chapter 20.100; and in compliance with the general plan land use restrictions related to residential use.

~~E. "Conditional" uses requiring city council approval as the initial decision-making body are indicated by a "CC" on Table 20-140. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and~~

~~in compliance with a conditional use permit approved by the city council as set forth in Chapter 20.100. Applications for these uses shall first be considered by the planning commission at a public hearing of the commission for the commission's report and recommendation on the application to the city council pursuant to the processes set forth in Chapter 20.100.~~

FE. "Special" uses are indicated by a "S" on Table 20-140. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a special use permit as set forth in Chapter 20.100.

GF. "Special" uses which may be approved only on parcels within the downtown zoning districts which are designated on the land use/transportation diagram of the general plan, as amended, with a land use designation that allows some residential use, are indicated by an "S^{GP}" on Table 20-140. These uses may be allowed on such downtown zoning district parcels, but only upon issuance of and in compliance with a special use permit as set forth in Chapter 20.100; and in compliance with the general plan land use restrictions related to residential use.

HG. "Administrative" uses are indicated by an "A" on Table 20-140. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with an administrative use permit as set forth in Chapter 20.100.

H. "Restricted" land uses are indicated by an "R" on Table 20-140. These uses may occur in such designated districts, as an independent use, but only upon issuance of and in full compliance with a valid and effective zoning code verification certificate as set forth in Chapter 20.100.

J. Land uses not permitted are indicated by a "-" on Table 20-140. Land uses not listed on Table 20-140 are not permitted.

KJ. The column of Table 20-140, under the heading "Additional Use Regulations for the ~~DG Overlay~~ Ground Floor Active Use Area Overlay", identifies further regulations on the uses of ground-floor building space within a portion of the DC zoning district. The portion of the DC downtown primary commercial district included in the ~~DG overlay area~~ Active Use Area Overlay is described in Section 20.70.520. ~~If there are no additional regulations noted in this column (such as the type of permit required or a "-" or cross references to notes or other section in the zoning code), then the use regulations for the DG overlay area are the same as the regulations of the DC zoning district.~~

K. The "Parking" column of Table 20-140 establishes the required parking. The amount of parking may not be increased or decreased unless modified by the director as set forth in Sections 20.70.320 and 20.70.330 of this chapter.

L. When the right column of Table 20-140 includes a reference to a section number or a footnote, the regulations cited in the section number or footnote apply to the use. In addition, all uses are subject to any other applicable provision of this Title 20 and any other title of the San José Municipal Code.

**Table 20-140
Downtown Zoning Districts Land-Use Regulations**

| Use | Zoning District | | Applicable Notes & <u>Sections Regulations</u> | | |
|---|-----------------|--------|--|-----------------------|--------------------------------------|
| | DC | DC-NT1 | <u>Additional Use Regulations for the AUA Overlay</u> <u>Additional Use Regulations for the DG Overlay Area</u> | Parking | Applicable to All Downtown Districts |
| Offices and Financial Services | | | | | |
| Automatic teller machine | P | P | <u>P</u> ; <u>Note A</u> | No parking | <u>Note a</u> ; Section 20.80.200 |
| Business support use | P | P | <u>S</u> , <u>Notes k and n</u> <u>P</u> | No parking | |
| Financial institution <u>Services</u> | P | P | <u>PS</u> ; <u>Note n</u> <u>b</u> | 2.5 per 1,000 sq. ft. | <u>Note b</u> |
| Financial services <u>Retail Bank</u> | P | P | <u>SP</u> ; <u>Notes m and n</u> <u>b</u> | No parking | <u>Note b</u> |

| | | | | | |
|---|----------------|----------------|-----------------------------|------------------------------------|--|
| Offices, business and administrative | P | P | S, Notes i and n | 2.5 per 1,000 sq. ft. | Section 20.70.110 |
| Payday lending establishment | R | R | - | No parking | Part 12.5, Chapter 20.80; Section 20.200.875 |
| Research and development | P | P | - | 2.5 per 1,000 sq. ft. | Note 4 |
| General Retail | | | | | |
| Alcohol, off-sales - Off-sale, alcoholic beverages - beer and/or wine only | C | C | C | No parking | Section 20.80.900 |
| Alcohol, off-sales - Off-sale, alcohol beverages - full range of alcoholic beverages | C | C | C | No parking | Section 20.80.900 |
| Alcohol, off-sales - as incidental to a winery, brewery, or distillery | S | C | S | No parking | Note 11 |
| Auction | S | - | No parking | | |
| Certified farmers' market | S-P | S-P | P | No parking | Part 3.5, Chapter 20.80 |
| Certified farmers' market - small | P | P | No parking | Part 3.5, Chapter 20.80 | |
| Food, beverages, and groceries | P | P | P | No parking | |
| Open air sales establishments and areas | S | S | No parking | | |

| | | | | | |
|--|------------|------------|---|-------------------|--|
| Outdoor vending | <u>S-A</u> | <u>S-A</u> | <u>A</u> ; <u>Note b</u> | No parking | <u>Note b</u> ; Part 10, Chapter 20.80 |
| Outdoor vending - fresh fruits and vegetables | P | P | <u>P</u> ; <u>Note b</u> | No parking | <u>Note b</u> ; Part 10, Chapter 20.80 |
| Pawn shop <u>or</u> , pawn broker, <u>incidental to a retail jewelry store</u> | C | C | <u>C</u> <u>pawn</u> , <u>Note b</u> | No parking | <u>Note b</u> ; <u>Chapter 6.52</u> |
| <u>Retail bakery</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | |
| <u>Retail art studio</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | |
| Retail sales, goods, and merchandise | P | P | <u>S/P</u> <u>Note a</u> | No parking | <u>Note c</u> |
| Seasonal sales | P | P | <u>P</u> | No parking | Part 14, Chapter 20.80 |
| <u>Agriculture</u> | | | | | |
| <u>Certified farmers' market</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>No parking</u> | <u>Part 3.5,</u> <u>Chapter</u> <u>20.80</u> |
| <u>Certified farmers' market, small</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | <u>Part 3.5,</u> <u>Chapter</u> <u>20.80</u> |
| <u>Neighborhood agriculture</u> | <u>P</u> | <u>P</u> | <u>P</u> | | |
| Education and Training | | | | | |
| Day care center | P | P | <u>SP</u> | No parking | <u>Note b</u> |

| | | | | | |
|--|--------------|--------------|----------------------------|--|---------------|
| | | | Notes c and n b | | |
| <u>Instructional art studios</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | |
| School, post-secondary | P | P | - | 1 per 360 sq. ft. | |
| School, trade and vocational | P | P | -P, Note b | 1 per 360 sq. ft. | |
| Personal enrichment, instructional art <u>Private instruction, P personal Enrichment</u> | P | P | -P, Note d b | 1 per 360 sq. ft. | <u>Note b</u> |
| School, elementary - grades K - 8 - (public or private grades K - 8) | C | C | = -C, Note b | 1 per teacher and employee | <u>Note b</u> |
| High school <u>School, secondary - grades 9 - 12 (grades 9 - 12 public or private)</u> | C | C | C, Note b- | .75 per teacher and employee and 1 per each 10 students | <u>Note b</u> |
| <u>School, post-secondary</u> | <u>P</u> | <u>P</u> | <u>=</u> | <u>1 per 360 sq. ft.</u> | |
| <u>School, trade and vocational</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>1 per 360 sq. ft.</u> | <u>Note b</u> |
| Entertainment and Recreation Related | | | | | |

| | | | | | |
|---|-----------------------|------------|----------------------------------|--------------------------|----------------------------------|
| <u>Arcade, amusement game</u> Amusement game arcade | S <u>P</u> | - | S, P <u>Note b</u> | No parking | <u>Note b</u> |
| <u>Health club, gymnasium</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | |
| <u>Lighting display</u> | <u>A/S</u> | <u>A/S</u> | <u>A/S</u> | <u>No parking</u> | <u>Section 20.70.150</u> |
| Movie theater | P | P | <u>P</u> | No parking | |
| <u>Recreation commercial/indoor</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | |
| <u>Poolroom/billiards establishment</u> | S <u>P</u> | - | <u>P</u> | No parking | |
| Private club or lodge | P | P | - | 1 per 360 sq. ft. | |
| <u>Art display structure</u> | <u>S</u> | - | <u>No parking</u> | <u>Section 20.70.140</u> | |
| <u>Lighting display</u> | <u>A/S</u> | <u>A/S</u> | <u>A/S</u> | <u>No Parking</u> | <u>Note e, Section 20.70.150</u> |
| <u>Recreation commercial/indoor</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | |
| Food Services | | | | | |
| Banquet — facility | P | P | <u>P</u> | No parking required | |
| Caterer | P | P | GP <u>Note f b</u> | No parking | <u>Note b</u> |
| Drinking establishments | G <u>S</u> | C | <u>S</u> | No parking | |

| | | | | | |
|---|----------|----------|-----------|---------------------|--------------------------------------|
| <u>Drinking establishment in conjunction with a winery, brewery, or distillery</u> | <u>S</u> | <u>C</u> | <u>S</u> | <u>No parking</u> | |
| Drinking establishments with an approved maximum occupancy load of over 250 persons and that operate between 12:00 midnight and 6:00 a.m. | CC | - | <u>CC</u> | No parking | Note <u>57</u> |
| Drinking establishments interior to a full-service hotel <u>or</u> motel with 75 or more guest rooms | P | P | - | No parking | Section 20.80.475 |
| Public eating establishments | P | P | <u>P</u> | No parking | Note <u>79</u> |
| <u>Public eating establishment in conjunction with a winery, brewery, or distillery in conjunction with a public eating establishment</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | |
| <u>Winery, brewery, or distillery with a drinking establishment</u> | <u>S</u> | <u>C</u> | <u>S</u> | <u>No parking</u> | |
| <u>Winery, brewery, or distillery with off-sale of alcohol</u> | <u>S</u> | <u>C</u> | <u>S</u> | <u>No parking</u> | <u>Note 11</u> |
| <u>General Services</u> | | | | | |
| <u>Bed and breakfast inn</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>.35 per room</u> | <u>Note b; Part 2, Chapter 20.80</u> |
| <u>Hotel or motel</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>.35 per room</u> | |
| <u>Laundromat</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | <u>Note b</u> |

| | | | | | |
|---|----------|----------|-------------------------------|-------------------|--------------------------|
| <u>Maintenance and repair of small household appliances</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | <u>Note b</u> |
| <u>Personal services</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | <u>Note d</u> |
| <u>Printing and publishing</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>No parking</u> | <u>Note b and Note f</u> |
| Health and Veterinary Services | | | | | |
| Animal grooming | P | P | P <u>Note b</u> | No parking | <u>Note b</u> |
| Animal boarding, indoor | P | P | P <u>Note b</u> | No parking | <u>Note b</u> |
| Emergency ambulance service | C | - | - | No parking | |
| Hospital/in-patient medical facility | C | - | - | 1.5 per doctor | |
| Medical or dental clinic/out-patient facility | P | P | P <u>Note b</u> | 1.5 per doctor | <u>Note b</u> |
| Medical cannabis collective | R | - | - | No parking | Part 9.75, Chapter 20.80 |
| Medical cannabis collective dispensary site only | R | - | - | No parking | Part 9.75, Chapter 20.80 |
| Medical cannabis business | R | - | - | No parking | Part 9.75, Chapter 20.80 |
| Non-medical cannabis business | R | - | - | No parking | Part 9.75, Chapter 20.80 |

| | | | | | |
|--|----------|----------|--|------------------------------|--------------------------------|
| Veterinarian | P | P | P <u>Note b</u> | 1.5 per doctor | <u>Note b</u> |
| <u>Historic Reuse</u> | | | | | |
| <u>Historic landmark structure reuse</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>Section 20.90.2 20 E.</u> | <u>Part 8.5, Chapter 20.80</u> |
| <u>General Services</u> | | | | | |
| Bed and breakfast inn | P | P | <u>SP</u> , <u>Note b</u> | .35 per room | Part 2, Chapter 20.80 |
| Hotel/motel | P | P | P , <u>Note 1 P</u> | .35 per room | |
| Maintenance and repair of <u>small household appliances, small</u> | P | P | P , <u>Note b</u> | No parking | |
| Mortuary and funeral services | C | C | .75 per employe e and vehicle | | |
| Personal services | P | P | <u>P</u> , <u>Note dg</u> | No parking | |
| Printing and publishing | P | P | <u>Note h P</u> , <u>Notes b and f</u> | No parking | |
| <u>Laundromat</u> | <u>P</u> | <u>P</u> | <u>P</u> , <u>Note b</u> | <u>No parking</u> | |
| <u>Photo Processing and Developing</u> | <u>P</u> | <u>P</u> | <u>P</u> , <u>Note b</u> | <u>No parking</u> | |
| Public, Quasi-Public and Assembly Uses | | | | | |
| Auditorium | C | - | C | No parking | |

| | | | | | |
|--|-----------------|-----------------|----------------------|--|--------------------------------------|
| Cemetery | C | C | No parking | | |
| Church/religious assembly | P | P | : | No parking | |
| Information center | P | P | <u>P</u> | No parking | |
| Museums <u>and</u> , libraries | P | - | P | No parking | |
| Parks, playgrounds, or community centers | P | P | S, Note j | No parking | |
| <u>Recycling Uses</u> | | | | | |
| <u>Reverse vending machine</u> | <u>S</u> | <u>S</u> | : | <u>No parking</u> | <u>Part 13, Chapter 20.80</u> |
| <u>Small collection facility</u> | <u>S</u> | <u>S</u> | : | <u>No parking</u> | <u>Part 13, Chapter 20.80</u> |
| Residential ^{GP} | | | | | |
| Residential shelter | C ^{GP} | - | - <u>Note e</u> | 1 per 4 beds, 2.5 per 1,000 sq. ft. | <u>Note e</u> |
| Live/work uses | P ^{GP} | S ^{GP} | <u>Note e</u> | 1.5 per unit | <u>Note e</u> ; Section 20.70.120 |
| Residential, multiple dwelling | P ^{GP} | P ^{GP} | - <u>Note e</u> | 1 per unit | <u>Note e</u> |
| Co- <u>L</u> iving <u>C</u> ommunity | S | S | - <u>Note e</u> | .25 per bedroom | <u>Note p10 and Note e</u> ; |

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| | | | | | Part 3.75, Chapter 20.80 |
| Residential care facility for seven or more persons | C ^{GP} | C ^{GP} | - <u>Note e</u> | .75 per employe e | <u>Note e</u> |
| Residential services facility, for seven or more persons | C ^{GP} | C ^{GP} | - <u>Note e</u> | .75 per employe e | <u>Note e</u> |
| Hotel supportive housing | C ^{GP} | C ^{GP} | - <u>Note e</u> | .35 per room | <u>Note e9 and Note e</u> ; Part 22 of Chapter 20.80 |
| Single room occupancy (SRO) living unit facility | S ^{GP} | S ^{GP} | - <u>Note e</u> | .6 per unit | <u>Note e</u> ; Part 15, Chapter 20.80 |
| Single room occupancy (SRO) residential hotel | S | S | - <u>Note e</u> | .6 per unit | <u>Note e</u> ; Part 15, Chapter 20.80 |
| Residential Accessory Uses^{GP} | | | | | |
| Accessory buildings and accessory structures | P ^{GP} | P ^{GP} | - | No parking | <u>Note 2-1</u> |
| Recycling Uses | | | | | |
| <u>Reverse vending machine</u> | <u>S</u> | <u>S</u> | - | <u>No parking</u> | <u>Part 13, Chapter 20.80</u> |

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|---|--------------|--------------|--------------------|--|---|
| Small collection facility | S | S | - | No parking | Part 13, Chapter 20.80 |
| Transportation and Communication | | | | | |
| Community television antenna systems | C | - | - | No parking | |
| Off-site and alternating use parking arrangements | P | P | -P | N/A | Section 20.90.200 |
| Off-street parking establishment | P | P | - | N/A | |
| Private electrical power generation facility | C | C | - | 1 for each vehicle used in the operation of such facility | |
| Standby generators that do not exceed noise or air standards | A | A | - | N/A | |
| Temporary stand-by/backup generators | P | P | - | N/A | |
| Short term parking lot for uses or events other than on-site | S | S | - | N/A | |
| Radio and television studios | P | - | Note n- | No parking | |
| Wireless communications antenna | S | - | - | No parking | Note 108 ; Sections 20.80.1900, 20.80.1915 |

| | | | | | |
|--|--------------|--------------|---|--|--|
| Wireless communications antenna, building mounted | P | - | - | No parking | Note 408 ; Sections 20.80.1900, 20.80.1915 |
| <u>Utilities, Electrical</u> Power Generation | | | | | |
| Solar photovoltaic power system | P | P | - | No parking | Section 20.100.610 C.7. |
| <u>Private electrical power generation facility</u> | <u>C</u> | <u>C</u> | = | <u>1 for each vehicle used in the operation of such facility</u> | |
| <u>Solar photovoltaic power system</u> | <u>P</u> | <u>P</u> | = | <u>No parking</u> | Section 20.100.610 C.7. |
| <u>Stand-by/backup facilities that do not exceed noise or air standards</u> | <u>A</u> | <u>A</u> | = | <u>N/A</u> | |
| <u>Temporary stand-by/backup generators</u> | <u>P</u> | <u>P</u> | = | <u>N/A</u> | |
| Vehicle Related Uses | | | | | |
| Accessory installation for cars and passenger trucks | P | - | - | No parking | |
| Car wash, detailing | P | - | - | No parking | |
| Gasoline-Fuel service station or charge station, <u>no incidental service or repair</u> | P | - | - | No parking | Note 3 , Note <u>6-8</u> |

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|--|--------------|--------------|--------------|----------------------------------|------------------------------------|
| Gasoline-Fuel service station or charge station, with incidental service and repair | P | - | - | No parking | Note 23 |
| Sale and lease, vehicles and equipment (less than one ton) | P | - | - | 1.5 per employee | Note 43 |
| Tires, batteries, accessories, lube, oil change, smog check station, air conditioning | P | - | - | 2 per bay or .75 per employee | Note 45 |
| Sale, vehicle parts, new | P | - | - | No parking required | |
| Historic Reuse | | | | | |
| Historic landmark structure reuse | S | S | S | Section 20.90.22 0-E. | Part 8.5, Chapter 20.80 |

Notes applicable to ~~the the Active Use Area Overlay DG area only:~~

- a. ~~Automatic Teller Machines must be a secondary use and must be architecturally integrated into the building on which they are placed. Automatic Teller Machines may not be standalone structures. Use may not be an ATM vestibule lobby. Second-hand stores not dealing primarily in antiques, artworks, or vintage clothing require a Special Use Permit in the DG overlay area.~~
- b. ~~Only as a use incidental to a retail jewelry store, otherwise, not Permitted. Not permitted in corner tenant spaces. Corner tenant spaces are defined as storefronts that extend up to or beyond 30 feet along the street in either direction from the intersection.~~
- c. ~~Only as a use incidental to existing on-site office use, otherwise not Permitted. Second-hand stores not dealing primarily in antiques, artworks, or vintage clothing require a Special Use Permit.~~

- ~~d. Culinary/art school with public classes and public demonstrations allowed, includes such areas as dance, music, martial arts, and fine arts. Excludes check-cashing services and bail bond services.~~
- ~~e. Section 20.70.150 specifies the permits required under Title 20 for a lighting display. A residential pedestrian entry portal not exceeding 25 feet in length is permitted in the Ground Floor Active Use Area~~
- ~~f. Only as a use incidental to restaurant, grocery or bakery uses for primarily on-site sales, otherwise not Permitted. Only if dedicated primarily to on-site retail customer copy services, otherwise not Permitted.~~
- ~~h. Only if dedicated primarily to on-site retail customer copy services, otherwise not Permitted.~~
- ~~i. Exception for travel agencies and real estate agencies which are the only Permitted uses.~~
- ~~j. Community centers are allowed with a Special Use Permit.~~
- ~~k. Exception for copy shops and mail centers which are the only Permitted uses.~~
- ~~l. Use of ground floor to be primarily dedicated to customer-related public services.~~
- ~~m. Includes financial retail services such as payroll advances, foreign currency exchange, debit card services and related financial services products but excludes check-cashing except as an ancillary use.~~
- ~~n. In order to be a Permitted use, the space to be occupied shall have been vacant on January 1, 2012, the size of the space of such use shall be limited in size to a total maximum area of no greater than twenty thousand (20,000) square feet, and the space shall not be located within a corner tenant space that is directly adjacent to the intersection of two public Streets. Any use that does not meet all of the criteria specified above in this note may be allowed with a Special Use Permit, and a Special Use Permit is and shall be required.~~
- ~~o. Hotel Supportive Housing may be Permitted only with a Conditional Use Permit pursuant to Part 22 of Chapter 20.80 and only until December 31, 2026.~~
- ~~p. A Co-Living Community with 600 or more units located adjacent, across or within 500 feet of a property line with Residential Neighborhood (RN) designation on the land use/transportation diagram of the General Plan, as amended, shall require 0.6 parking spaces per bedroom.~~

Notes applicable to the dDowntown pPrimary eCommercial (DC) zZoning dDistrict, including the Active Use Area Overlay: DG-area:

- ~~1. Excludes manufacturing uses.~~

- 21. No Lot may be used solely for an Accessory Structure or Accessory Building.
- 32. Incidental repair includes air conditioning service, carburetor and fuel injection service, electrical service, radiator service, and tune-up, lube, oil change, and smog check, as well as tires, batteries, and accessories installation. Does not allow body repair or painting.
- 43. All activity must be conducted indoors.
- 54. Non-engine and exhaust-related service and repair allowed as incidental use.
- ~~6. Limited to instrumental and vocal music and readings. Also, notwithstanding the provisions of Section 20.200.940 B., incidental instrumental and vocal music shall be allowed between the hours of 6:00 a.m. and 12:00 a.m.~~
- 75. Maximum occupancy load shall be that maximum occupancy load determined by the City fire marshal.
- 86. Pedestal Charge Stations that are incidental to a separate primary use, that do not impact on-site or off-site vehicular circulation, and that serve patrons of the primary use on-site are permitted in all Downtown Zoning Districts.
- 97. Includes on-site outdoor dining area(s).
- 840. Certain modifications of existing Wireless Facilities may be Permitted with an Administrative Permit in accordance with Section 20.80.1915 of Chapter 20.80.
- 9. Hotel Supportive Housing may be Permitted only with a Conditional Use Permit pursuant to Part 22 of Chapter 20.80 and only until December 31, 2026.
- 10. A Co-Living Community with 600 or more units located adjacent, across or within 500 feet of a property line with Residential Neighborhood (RN) designation on the land use/transportation diagram of the General Plan, as amended, shall require 0.6 parking spaces per bedroom.
- 11. Off-sale limited to items produced on-site otherwise a Conditional Use Permit is required.

SECTION 9. Section 20.70.140 of Chapter 20.70 of Title 20 of the San José Municipal Code is hereby repealed.

20.70.140 Art Display Structures – Regulation of Use

Art display structures shall be subject the following minimum criteria:

- ~~A. — Art display structures shall be allowed only as an incidental use to an existing allowed or permitted operational and occupied use, including parking lots. Art display structures are not allowed on sites that have exclusively residential use, or mixed use residential, or on vacant sites.~~
- ~~B. — Art display structures shall only be installed and maintained in the location that is specified in an approved special use permit.~~
- ~~C. — Only one art display structure shall be permitted on a site, except that corner sites may have up to two art display structures.~~
- ~~D. — An art display structure shall not exceed twenty feet in height above grade.~~
- ~~E. — An art display structure shall have a setback of at least seventy five feet from any lot line of a lot used exclusively for residential use.~~
- ~~F. — The linear length of an art display structure shall not exceed one-fourth the linear length of the street frontage of the site up to a maximum of twenty-five linear feet.~~
- ~~G. — The surface area of the outdoor art on an art display structure shall not exceed two hundred square feet. If two surface areas of the same outdoor art are back to back so that they face in opposite directions (i.e., the relative angle between the directions they face is one hundred eighty degrees) and the distance between the two surfaces is not more than one foot, then the surface area of only one of the two surfaces shall be included in the calculation of the surface area.~~
- ~~H. — The special use permit for an art display structure shall be limited to a term of five years. An application for renewal of a special use permit for an art display structure for additional successive terms of not to exceed five years may be filed and considered in accordance with Section 20.100.840.~~
- ~~I. — An art display structure shall not display any commercial speech as defined in Title 23 of the San José Municipal Code or be used to engage in the commercial enterprise of generating revenue by advertising or promoting businesses, establishments or causes.~~

SECTION 10. Section 20.70.520 of Chapter 20.70 of Title 20 of the San José Municipal Code is amended to read as follows:

20.70.520 Definitions of the Ground Floor Active Use Area Overlay (AUA) DG Overlay Area

- A. “Active Use Area Overlay” (AUA) means ground-floor, street frontage, building space. The overlay requires “active uses,” store front style façade design, and window transparency. Permitted uses include general retail, education and

training, entertainment and recreation, food service, personal services but not financial services, medical and veterinary services, other general services, public, quasi-public and assembly. Prohibit residential, and other uses not mentioned above (although a residential portal not exceeding 25 feet in width will be allowed). These design requirements and uses apply to the following street frontages:

1. Santa Clara Street from San Pedro Street to Fourth Street;
2. Post Street from Almaden Boulevard and to First Street;
3. San Fernando Street from Highway 87 to Second Street;
4. Park Avenue from Almaden Boulevard to First Street;
5. San Carlos Street from Market Street to Fourth Street;
6. San Pedro Street from St. John Street to San Fernando Street; and
7. First Street from Santa Clara Street to William Street.

B. Tenant spaces in the Active Use Area shall conform with the *San Jose Downtown Design Guidelines and Standards* as approved by City Council on April 23, 2019.

~~A. "Downtown ground floor space" ("DGRetail Required Corner Area") means ground floor, street frontage, building space that is located within the areas described as follows:~~

- ~~1. Both sides of Santa Clara Street, between San Pedro Street and Second Street;~~
- ~~2. Both sides of Fountain Alley, between First Street and Second Street;~~
- ~~3. Both sides of Post Street, between Lightson Street and First Street;~~
- ~~4. Both sides of San Fernando Street, between Market Street and Fourth Street;~~
- ~~5. Both sides of Park Avenue from Market Street, continuing westerly for five hundred feet;~~
- ~~6. Both sides of Paseo de San Antonio, between Market Street and Fourth Street;~~
- ~~7. Both sides of San Carlos Street, between Market Street and Fourth Street;~~
- ~~8. Both sides of San Pedro Street, between St. John Street and Santa Clara Street;~~
- ~~9. Both sides of Market Street, between San Fernando and San Carlos Street;~~
- ~~10. Both sides of First Street, between Santa Clara Street and San Carlos Street;~~
- ~~11. Both sides of Second Street, between Santa Clara Street and San Carlos Street;~~
- ~~12. East side of Third Street, from four hundred sixty-three feet north of San Fernando Street to the north side of San Fernando Street;~~
- ~~13. Both sides of Third Street, from San Fernando Street to two hundred seventy feet south of San Fernando Street;~~

- ~~14. Both sides of Fourth Street, from four hundred sixty-three feet north of San Fernando Street to the north side of San Fernando Street; and~~
- ~~15. West side of Fourth Street, from the south side of San Fernando Street to two hundred seventy feet south of San Fernando Street.~~

~~B. Tenant spaces in the DG overlay district Retail Required Corner Area shall include ground-floor space that can be segregated from the street frontage portion of the space, in a manner consistent with all applicable codes (as is required by existing law and practice) and that leaves a viable store front space. The clear height for the ground-floor uses and the available depth of such space should be adequate to accommodate retail uses consistent with the predominant character of retail uses in the immediate vicinity, or to promote a theme or identity of the larger area in which it is located.~~

SECTION 11. Section 20.90.060 of Chapter 20.90 of Title 20 of the San José Municipal Code is amended to read as follows:

20.90.060 Number of Parking Spaces Required

- A. Number of Off-Street Vehicle Spaces Required.
1. All parking requirements in Table 20-190 are minimums unless otherwise specified. Each land use shall provide, on site, at least the minimum number of vehicle parking spaces required by Table 20-190, unless a modification has been granted pursuant to Section 20.90.220 or 20.90.230.
 2. All required parking shall be made available to residents, patrons and employees of a use on the site.
 3. All vehicle parking spaces shall be standard size spaces as set forth in Section 20.90.100. Alternatively, a development permit may:
 - a. Authorize all off-street vehicle parking spaces to be uniform-size car spaces, as set forth in Section 20.90.100; or
 - b. Allow up to forty percent of the off-street vehicle parking spaces to be small car spaces as set forth in Section 20.90.100. The remainder of the required vehicle off-street parking spaces shall be standard car space as defined in Section 20.90.100.
 4. If the number of off-street vehicle parking spaces hereinafter required contains a fraction after all parking is totaled, such number shall be rounded to the nearest higher whole number.

5. Whenever alternative units of measurement are specified in Tables 20-190, 20-200 or 20-210 for computing vehicle off-street parking requirements for any given use, the unit of measurement which provides the greatest number of off-street parking spaces for such use shall control.
6. The minimum number of vehicle off-street parking spaces required for any given use is the same irrespective of the district in which such use is conducted. In case of a use for which vehicle off-street parking requirements are not specified at all, the requirements for the most nearly similar use for which vehicle off-street parking requirements are specified shall apply.
7. When two or more uses are located in the same lot or parcel of land or within the same building, the number of vehicle off-street parking spaces required shall be the sum total of the requirements of the various individual uses computed separately in accordance with this Chapter 20.90, except as hereinafter provided for alternating uses or exceptions.

B. Number of Bicycle Parking Spaces Required.

1. The minimum number of bicycle parking spaces required for uses permitted under this title is set forth in Table 20-190.
2. Except as otherwise expressly permitted in this chapter, the minimum number of bicycle parking spaces required under this title shall be provided on private property on a parcel or development site in an area, other than a public street, public way, or other public property, permanently reserved or set aside for bicycle parking spaces.
3. A minimum of two short-term bicycle parking spaces and one long-term bicycle parking space shall be provided for each site that has a nonresidential use set forth in Table 20-190.
4. If the number of bicycle parking spaces hereinafter required contains a fraction, such number shall be rounded to the nearest higher whole number.

**Table 20-190
Parking Spaces Required by Land Use**

| Use | Vehicle Parking Required | Applicable Sections | Bicycle Parking Required |
|--------------------------------------|--------------------------|---------------------|--------------------------|
| Agriculture and Resource Uses | | | |

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| Agriculture and Resource Uses | 1 per employee | Note 6 | 1 per 10 full-time employees |
| <u>Drive-Through Uses</u> | | | |
| Drive-through in conjunction with any use | No additional parking required | | None |
| Education and Training | | | |
| Day care center | 1 per 6 children, up to 5 spaces and thereafter 1 per 10 children (includes employee parking) | Note 6 | 1 per 10 full-time employees and children |
| Instructional studios | 1 per 150 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Private instruction, personal enrichment | 1 per 3 students, plus 1 per staff | Note 6 | 1 per 10 students and full-time employees |
| School- elementary (K - 8) | 1 per teacher, plus 1 per employee | Note 6 | 1 per 10 full-time employees plus 6 per classroom |
| School- secondary (9 - 12) | 1 per teacher, plus 1 per employee, plus 1 per 5 students | Note 6 | 1 per 10 full-time employees plus 10 per classroom |
| School, post secondary | 1 per 3 students, plus 1 per staff | Note 6 | 1 per 10 full-time employees plus 10 per classroom |
| School, trade and vocational | 1 per 3 students, plus 1 per staff | Note 6 | 1 per 10 full-time employees plus 10 per classroom |
| Entertainment and Recreation | | | |
| Arcade, amusement <u>game</u> | 1 per 200 sq. ft of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Batting cages | 1 per station, plus 1 per employee | Note 6 | 1 per 10 full-time employees |

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| | | | plus one per 6 stations |
| Bowling establishment | 7 per lane | Note 6 | 1 per 2 lanes |
| Dancehall | 1 per 40 sq. ft. open to public | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Driving range | 1 per tee, plus 1 per employee | Note 6 | 1 per 10 full-time employees plus 1 per 10 tees |
| Golf course | 8 per golf hole, plus 1 per employee | Note 6 | 1 per 10 full-time employees plus 1 per 2 golf holes |
| Health club, gymnasium | 1 per 80 sq. ft. recreational space | Note 6 | 1 per 1,600 sq. ft. of recreational space |
| Miniature golf | 1.25 per tee, plus 1 per employee | Note 6 | 1 per 10 full-time employees plus 1 per 6 tees |
| Performing arts rehearsal space | 1 per 250 sq. ft. of floor area | Section 20.90.220E. | 1 per 4,000 sq. ft. of floor area |
| Poolroom/ billiards establishment | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Private club or lodge | 1 per 4 fixed seats on the premises, or 1 per 6 linear feet of seating, plus 1 per 200 square feet of area without seating but designed for meeting or assembly by guests, plus 1 per 500 sq. ft. of outdoor area developed for recreational purposes | Note 6 | 1 per 60 fixed seats on the premises, or 1 per 90 linear feet of seating, plus 1 per 3,000 sq. ft. of area without seating but designed for meeting or assembly by guests, plus 1 per 5,000 sq. ft. |

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| | | | of outdoor area developed for recreational purposes |
| Recreation, commercial (indoor) | 1 per 80 sq. ft. of recreational area | Note 6 | 1 per 1,600 sq. ft. of recreational area |
| Recreation, commercial (outdoor) | 20 per acre of site | Note 6 | 2 per acre of site |
| Relocated cardroom | 1 per 40 sq. ft. of area devoted to card games | Note 6 | 1 per 800 sq. ft. area devoted to card games |
| Skating rink | 1 per 50 sq. ft. of floor area | Note 6 | 1 per 1,000 sq. ft. of floor area |
| Swim and tennis club | 1 per 500 sq. ft. of recreation area | Note 6 | 1 per 5,000 sq. ft. of recreation area |
| Motion picture theatre, indoor | 1 per 3 seats in theaters with 1-3 screens; 1 per 3.3 seats with 4+ screens | Note 6 | 1 per 45 seats in theaters with 1-3 screens; 1 per 50 seats with 4+ screens |
| Motion picture theatre, outdoor | 1 per 300 sq. ft. | Note 6 | 1 per 3,000 sq. ft. |
| Theaters, auditoriums, sports arenas, and stadiums- with or without fixed seats | 1 per 4 fixed seats on the premises, plus 1 per 7 linear feet of fixed benches, or 1 per 30 square feet of area used for assembly | Note 6 | 1 per 60 fixed seats on the premises, plus 1 per 100 linear feet of fixed benches, or 1 per 450 sq. ft. of area used for assembly |
| Food Services | | | |
| Banquet facility | 1 per 2.5 seats or 1 per 40 square feet of dining area, whichever requires the | Note 6 | 1 per 50 seats or 1 per 800 square feet of |

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| | greater number of parking spaces | | dining area, whichever requires the greater number of parking spaces |
| Caterer Caterer w/eating facility (not a catering facility) | 1 per 2.5 seats or 1 per 40 square feet of dining area, whichever requires the greater number of parking spaces | Note 3, Note 6 | 1 per 50 seats or 1 per 800 sq. ft. of dining area, whichever requires the greater number of parking spaces |
| Commercial kitchen Caterer w/no public interface | 1 per 250 sq. ft. | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Drinking establishments | 1 per 2.5 seats or 1 per 40 square feet of drinking area, whichever requires the greater number of parking spaces | Note 3, Note 6 | 1 per 50 seats or 1 per 800 sq. ft. of dining area, whichever requires the greater number of parking spaces |
| Entertainment (with any food or alcohol service) | 1 per 40 sq. ft. of area open to the public | Note 3, Note 6 | 1 per 800 sq. ft. of area open to the public |
| Outdoor dining incidental to a public eating establishment or a retail establishment | 0 spaces up to 25 seats, 1 space per 2.5 for seats over 25 | Note 6 | 1 space per 50 seats |
| Public eating establishments | 1 per 2.5 seats or 1 per 40 square feet of dining area, whichever requires the greater number of parking spaces | Note 3, Note 6 | 1 per 50 seats or 1 per 800 sq. ft. of dining area, whichever requires the greater number of parking spaces |

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| Take-out only establishment (including but not limited to pizza delivery, ice cream shops, doughnut shops) | 1 per 75 sq. ft. of area open to the public, minimum of 5 spaces, plus 1 per delivery vehicle (if applicable) | Note 3, Note 6 | 1 per 750 sq. ft. of area open to the public |
| General Retail | | | |
| Alcohol, off-site sales | 1 per 200 sq. ft. of floor area | Note 3 and Part 11, Chapter 20.80, Note 6 | 1 per 4,000 sq. ft. of floor area |
| Auction house | 1 per 2.5 seats, or 1 per 200 sq. ft. of auction area exclusive of warehouse area | Note 6 | 1 per 5,000 sq. ft. of floor area |
| Food, beverages, and groceries | 1 per 200 sq. ft. of sales area | Note 3, Note 6 | 1 per 3,000 sq. ft. of floor area |
| Nursery, plant Plant nursery | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Open air sales establishments and areas | 1 per 200 sq. ft. of sales area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Outdoor vending | 3 parking spaces | Part 10, Chapter 20.80, Note 6 | 2 parking spaces |
| Pawn shop/broker | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Large format commercial establishment | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Large format commercial establishment, associated commercial | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Retail sales, goods and merchandise | 1 per 200 sq. ft. of floor area | Note 3, Note 6 | 1 per 3,000 sq. ft. of floor area |
| Retail sales of furniture | 1 per 250 sq. ft. of floor area | Note 3, Note 6 | 1 per 4,000 sq. ft. of floor area |

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| Retail <u>Art Studio</u> | 1 space per 200 sq. ft. of retail area | Note 3, Note 6 | 1 per 3,000 sq. ft. of floor area |
| Sales, appliances, industrial equipment, and machinery | 1 per 1,000 sq. ft. of floor area | Note 6 | 1 per 10,000 sq. ft. of floor area |
| Neighborhood shopping center (minimum 100,000 sq. ft. in size), includes a mix of permitted, special, and conditional uses | 1 per 225 sq. ft. of floor area | Note 1, Note 6 | 1 per 3,000 sq. ft. of floor area at publicly accessible entrances with locations to be determined through a development permit |
| Neighborhood shopping center (minimum 20,000 sq. ft. in size), includes a mix of permitted, special, and conditional uses | 1 per 200 sq. ft. of floor area | Note 1, Note 6 | 1 per 3,000 sq. ft. of floor area at publicly accessible entrances with locations to be determined through a development permit |
| General Services | | | |
| Bed and breakfast <u>inn</u> | 2 spaces, plus 1 per guest room, plus 1 per employee | Note 6 | 1 per space plus 1 per 10 guest rooms |
| Crematory | 1 per full-time employee | Note 6 | 1 per 10 full-time employees |
| Dry cleaner | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Hotel <u>or</u> /motel | 1 per guest room or suite, plus 1 per employee | Section 20.90.220 C., Note 6 | 1 space plus 1 per 10 guest rooms |
| Laundromat | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |

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|--|--|-------------------|--|
| Maintenance and repair, small consumer goods | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Messenger services | 1 per 200 sq. ft of floor area, plus 1 per company vehicle | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Mortuary and funeral services | 1 per 4 seats, plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Mortuary, excluding funeral services | 1, per full-time employee, plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Personal services | 1 per 200 sq. ft. of floor area | Note 3 | 1 per 3,000 sq. ft. of floor area |
| Photo processing and developing | 1 per 200 sq. ft. | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Printing and publishing | Minimum 1 per 350 sq. ft. of floor area, maximum 5% over minimum required. | Note 6 | 1 per 5,000 sq. ft. of floor area |
| Social service agency | 1 per 250 sq. ft. of floor area | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Health and Veterinary Services | | | |
| Animal boarding, indoor | 1 per employee, plus 1 per 1,000 sq. ft. of floor area | Note 6 | 1 per 10 full-time employees |
| Animal grooming | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Emergency ambulance station | 1 per employee, plus 1 per on- site staff, plus 1 per facility vehicle | Note 6 | 1 per 10 full-time employees |
| Hospital per in-patient facility | 1 per 2.5 beds | Note 6 | 1 per 25 beds |
| <u>Office, medical</u> | <u>1 per 250 sq. ft. of floor area</u> | <u>Note 6</u> | <u>1 per 4,000 sq. ft. of floor area</u> |
| Medical clinic/out-patient facility | 1 per 250 sq. ft. of floor area | Note 6 | 1 per 4,000 sq. ft. of floor area |

| | | | |
|---|---|-------------------|--|
| Medical, dental and health practitioner | 1 per 250 sq. ft. of floor area | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Veterinary clinic | 1 per 250 sq. ft. of floor area | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Industry | | | |
| Catalog and mail order house | 1 per 250 sq. ft. of floor area of office space plus, plus 1 per 1,000 sq. ft. of floor area of warehouse and distribution area | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Commercial support | 1 per 350 sq. ft. of floor area | Note 6 | 1 per 5,000 sq. ft. of floor area |
| Distribution facility | A minimum of 2 for facilities with a total gross floor area under 5,000 square feet; a minimum of 5 for facilities with a total gross floor area between 5,000 sq. ft. and 25,000 sq. ft.; for facilities with a total gross floor area in excess of 25,000 sq. ft. a minimum of 1 per 5,000 sq. ft. of gross floor area or a fraction thereof | Note 6 | 1 per 10 full-time employees |
| Establishment for the repair, cleaning of household, commercial or industrial equipment or products | 1 per 350 sq. ft. of floor area | Note 6 | 1 per 5,000 sq. ft. of floor area |
| Hazardous materials storage facility | 1 per employee plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Hazardous waste facility | 1 per employee plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Industrial services | 1 per 350 sq. ft of floor area | Note 6 | 1 per 5,000 sq. ft. of floor area |
| Junkyard | 1 per employee | Note 6 | 1 per 10 full-time employees |

| | | | |
|--|--|----------------|------------------------------------|
| Laboratory | 1 per 350 sq. ft. of floor area | Note 6 | 1 per 5,000 sq. ft. of floor area |
| Manufacturing and assembly, light, medium, heavy | 1 per 350 sq. ft. of floor area plus 1 per company vehicle | Note 6 | 1 per 5,000 sq. ft. of floor area |
| Miniwarehouse/ministorage | 1 per 5,000 sq. ft. of floor area, plus 1 per resident manager | Note 4, Note 6 | 1 per 10 full-time employees |
| Outdoor storage | 1 per employee | Note 6 | 1 per 10 full-time employees |
| Private power generation | 1 per employee plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Research and development | 1 per 350 sq. ft. of floor area | Note 6 | 1 per 5,000 sq. ft. |
| Stockyard, including slaughter | 1 per employee | Note 6 | 1 per 10 full-time employees |
| Warehouse | A minimum of 2 for warehouses with a total gross floor area under 5,000 square feet; a minimum of 5 for warehouses with a total gross floor area between 5,000 sq. ft. and 25,000 sq. ft.; for warehouses in excess of 25,000 sq. ft. of total gross floor area a minimum of 1 per 5,000 sq. ft. of gross floor area or a fraction thereof | Note 6 | 1 per 10 full-time employees |
| Warehouse retail | Minimum 1 per 2,000 sq. ft. of floor area; maximum 1 per 250 sq. ft. of floor area | Note 6 | 1 per 10 full-time employees |
| Wholesale sale establishment | 1 per 2,000 sq. ft. of floor area, plus 1 per company vehicle | Note 6 | 1 per 20,000 sq. ft. of floor area |
| Offices and Financial Services | | | |

| | | | |
|--|---|--------|---|
| Automatic teller machine (free standing) | 2 per machine | Note 6 | 1 per 10 machines |
| Business support | 1 per 200 sq. ft. of floor area plus 1 per company vehicle | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Financial institution | 1 per 250 sq. ft. of floor area | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Offices, business and administrative-general business | 1 per 250 sq. ft. of floor area | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Offices, r esearch and d evelopment | 1 per 300 sq. ft. of floor area | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Private security | 1 per 250 sq. ft. of floor area office space, plus 1 per employee, plus 1 per company vehicle | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Public, Quasi-Public and Assembly Uses | | | |
| Cemetery | 1 per full-time employee | Note 6 | 1 per 10 full-time employees |
| Church/religious assembly | 1 per 4 fixed seats, or 1 per 6 linear feet of seating, or 1 per 30 sq. ft. of area designed for assembly, used together or separately for worship. | Note 6 | 1 per 60 fixed seats, or 1 per 90 linear feet of seating, or 1 per 450 sq. ft. of area designed for assembly, used together or separately for worship |
| Community television antenna systems | 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Museums and libraries | 1 per 300 sq. ft. of area open to the public | Note 6 | 1 per 4,000 sq. ft. of floor area open to the public |
| Parks and playgrounds | 1 per 500 sq. ft. | Note 6 | 1 per 5,000 sq. ft. of outdoor |

| | | | |
|---|---|--------|---|
| | | | recreation space |
| Community centers | 1 per 4 fixed seats, or 1 per 6 linear feet of seating, plus 1 per 200 square feet of area without seating but designed for meeting or assembly by guests, plus 1 per 500 sq. ft. of outdoor area developed for recreational purposes | Note 6 | 1 per 60 fixed seats, or 1 per 90 linear feet of seating, plus 1 per 3,000 sq. ft. of area without seating but designed for meeting or assembly by guests, plus 1 per 5,000 sq. ft. of outdoor area developed for recreational purposes |
| Utility facilities, excluding corporation yards, storage or repair yards and warehouses | 1 per 1.5 employees, plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Recycling Uses | | | |
| Processing facility | 1 per employee of the largest shift, plus 1 per facility vehicle | Note 6 | 1 per 10 full-time employees |
| Transfer facility | 1 per employee of the largest shift, plus 1 per facility vehicle | Note 6 | 1 per 10 full-time employees |
| Small collection facility | 1 per attendant | Note 6 | 1 per 10 full-time employees |
| Residential | | | |
| Co-living community with shared full kitchen facilities | .25 per bedroom | Note 7 | Long-term - .25 spaces per bedroom. Except for buildings containing over 100 bedrooms, |

| | | | |
|--|--|---------------------------------|--|
| | | | 25 long-term spaces plus .20 long-term spaces for every bedroom over 100. Short-term 2 spaces for every 100 bedrooms |
| Emergency residential shelter | 1 per 4 beds, 1 per 250 square feet of area which is used for office purposes | Section 20.90.220 G. | 1 per 5,000 sq. ft. of floor area |
| Guesthouse | 1 per guest room, plus 1 per each employee | Note 6 | 1 per 10 guest rooms plus 1 per 10 full-time employees |
| Live/work | No additional parking required above what is required for commercial use parking | Note 6 | 1 per 5,000 sq. ft. of floor area |
| Living quarters, custodian, caretakers | 1 per living unit | Note 6 | 1 per 10 living units |
| Mixed use/ground floor commercial with residential above | Respective commercial and residential parking requirements combined | Note 6 | |
| Multiple dwelling | See Table 20-210 and Table 20-211, required parking is determined by the type of parking facility and the number of bedrooms | | See Table 20-210 and Table 20-211 |
| One family dwelling | 2 covered | Note 5 and Section 20.90.220 B. | None |

| | | | |
|--|---|----------------------|--|
| Residential care or service facility | 1 per first 6 client beds, plus 1 additional space for up to 4 client beds (or portion thereof) above the first six, plus 1 additional space for each additional four client beds (or portion thereof), plus 1 space for each employee or staff member. | Section 20.90.220 G. | 1 per 10 full-time employees |
| Servants quarters attached to a one-family dwelling or attached to a garage structure | 1 additional parking space | Note 6 | 1 per 10 full-time employees |
| SRO facilities within 2,000 ft. of public transportation | | Note 6 | 1 per SRO unit |
| —SRO residential hotels | .25 per SRO unit | | |
| —SRO living unit facilities with shared kitchen and bathroom facilities | .25 per SRO unit | | |
| SRO living unit facilities with partial or full kitchen and bathroom facilities | 1 per SRO unit | | |
| SRO facilities not within 2,000 ft. of public transportation | 1 per SRO unit | Note 6 | 1 per SRO unit |
| Sororities, fraternities, and dormitories occupied exclusively (except for administrators thereof) by students attending college or other educational institutions | 1 per guest room, plus 1 per employee | Note 6 | 1 per guest room plus 1 per 10 full-time employees |
| Temporary farm labor camp necessary to the gathering of crops grown on the site | 1 per dwelling unit | | None |
| Travel trailer parks | 1 per employee | Note 6 | 1 per 10 full-time employees |

| | | | |
|---|--|-------------------|--|
| Two family dwelling | See Table 20-200, required parking is determined by the type of parking facility and the number of bedrooms | | None |
| Transportation and Utilities | | | |
| Common carrier depot | 1 per employee, plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Data center | 1 per 250 sq. ft. of office/meeting/technician work space, plus 1 for each 5,000 square feet of floor area, or fraction thereof, devoted to computer equipment space | Note 6 | 1 per 5,000 sq. ft. of office/meeting/technician work space, plus 1 for each 50,000 sq. ft. of floor area, or fraction thereof devoted to computer equipment space |
| Television and radio studio | 1 per 250 sq. ft. of space devoted to office use | Note 6 | 1 per 5,000 sq. ft. of space devoted to office use |
| Wireless communication antenna | 1 per site | Note 6 | 1 per site |
| Vehicle Related Uses | | | |
| Accessory installation, passenger vehicles and pick-up trucks | 4 per vehicle work station, plus 1 per employee | Note 6 | 1 per 10 full-time employees |
| Auto broker, w/on-site storage | See Vehicle sales and leasing | Note 6 | 1 per 10 full-time employees |
| Auto dealer, wholesale, no on-site storage | 1 per 250 sq. ft. of floor area | Note 6 | 1 per 10 full-time employees |
| Car wash | 1 per employee, plus stacking as follows: self service- 5 cars per lane | Note 2, Note 6 | 1 per 10 full-time employees |

| | | | |
|---|---|--------|-------------------------------------|
| | full service- 15 cars (may be in multiple lanes) | | |
| <u>Gas-Fuel service station or charge station, no incidental service or repair</u> | 1 per employee, plus 1 per air and water pump service area, plus 1 space for information stop | Note 6 | 1 per 10 full-time employees |
| <u>Gas-Fuel service station or charge station with incidental service and repair</u> | 4 per grease rack or vehicle work station, plus 1 per employee, plus 1 per air and water pump service area, plus 1 space for information stop | Note 6 | 1 per 10 full-time employees |
| Glass sales, installation and tinting | 4 per vehicle work station, plus 1 per employee | Note 6 | 1 per 10 full-time employees |
| Repair and cleaning per detailing of vehicles | 4 per grease rack or vehicle work station, plus 1 per employee | Note 6 | 1 per 10 full-time employees |
| Sale or lease of vehicles | 1 per 350 sq. ft. enclosed showroom, 1 per 2,500 sq. ft. open area, plus 2 per service bay | Note 6 | 1 plus 1 per 10 full-time employees |
| Exclusively indoors sales | 1 per 200 sq. ft. | Note 6 | 1 plus 1 per 10 full-time employees |
| Auto rental agency | 1 per 400 sq. ft. of floor area, plus 1 per rental vehicle | Note 6 | 1 plus 1 per 10 full-time employees |
| Sale, vehicle parts | 1 per 200 sq. ft. of floor area | Note 6 | 1 plus 1 per 10 full-time employees |
| Tires, batteries, accessories, lube, oil change, smog check station, air conditioning | 4 per grease rack or vehicle work station, plus 1 per employee | Note 6 | 1 plus 1 per 10 full-time employees |
| Tow yard | 1 per employee, plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Vehicle wrecking, including sales of parts | 1 per employee | Note 6 | 1 per 10 full-time employees |

Notes:

1. A covenant of easement is required when multiple parcels are involved.
2. Stacking shall be calculated at twenty feet per car.
3. Parking for uses of this type located within a Neighborhood Business District or an Urban Village and meeting all of the requirements set forth in Section 20.90.220C. may be reduced as specified in Section 20.90.220C.
4. Parking for miniwarehouse/ministorage uses meeting all of the requirements of Section 20.90.220F. may be reduced as specified in Section 20.90.220F.
5. Covered parking may include carports or garages.
6. When part or all of the bicycle parking spaces required for a land use is based on the number of full-time employees, that portion shall be provided in long-term bicycle parking facilities. When part or all of the bicycle parking spaces required for a land use is based on classrooms, that portion shall be provided in short-term bicycle parking facilities. When the bicycle parking required for a land use is based solely on square footage or other criteria in the table, at least eighty percent of the bicycle parking spaces shall be provided in short-term bicycle parking facilities and at most twenty percent shall be provided in long-term bicycle facilities.

**Table 20-200
Two-Family Dwelling**

| Living Unit Size | Type of Parking Facility | | |
|-------------------------|--------------------------|----------------|----------------|
| | All Open Parking | One-Car Garage | Two-Car Garage |
| 0 Bedroom (Studio) | 1.5 | 1.5 | 2.0 |
| 1 Bedroom | 1.5 | 2.0 | 2.0 |
| 2 Bedroom | 2.0 | 2.0 | 2.0 |
| 3 Bedroom | 2.0 | 2.0 | 2.0 |
| Each Additional Bedroom | 0.25 | 0.25 | 0.25 |

**Table 20-210
Multiple Dwelling**

| Living Unit Size | Type of Parking Facility |
|------------------|--------------------------|
|------------------|--------------------------|

| | All Open Vehicle Parking | One-Car Garage | Two-Car Garage Two-Bicycle Parking Spaces ¹ | |
|-------------------------|--------------------------|----------------|---|----------------------|
| 0 Bedroom (Studio) | 1.25 | 1.6 | 2.2 | 1 per 4 living units |
| 1 Bedroom | 1.25 | 1.7 | 2.3 | 1 per 4 living units |
| 2 Bedroom | 1.7 | 2.0 | 2.5 | 1 per 4 living units |
| 3 Bedroom | 2.0 | 2.2 | 2.6 | 1 per 4 living units |
| Each Additional Bedroom | 0.15 | 0.15 | 0.15 | 1 per 4 living units |

Note 1: Bicycle parking spaces shall consist of at least sixty percent long-term and at most forty percent short-term spaces.
Notwithstanding the provisions of Table 20-210, off-street parking for multiple dwellings in the pedestrian oriented zoning districts shall conform to the requirements of Table 20-211.

**Table 20-211
Multiple Dwellings in the Pedestrian Oriented Zoning Districts**

| | Vehicle Parking Spaces | Bicycle Parking Spaces |
|--------------------------------------|------------------------|------------------------|
| Minimum required spaces ¹ | 1.25 per living unit | 1 per living unit |
| Maximum required spaces | 2.0 per living unit | None |

Note 1: If tandem vehicle parking is provided, any residential unit utilizing tandem parking shall have a parking requirement of two vehicle parking spaces.

**Table 20-215
Clean Air Vehicles
For non-residential uses provide designated parking for any combination of low-emitting, fuel efficient, and carpool or van pool vehicles as follows:**

| Total Number of Parking Spaces | Clean Air Vehicle Parking Spaces |
|--------------------------------|----------------------------------|
| 0—9 | 0 |
| 10—25 | 1 |

| | |
|---------|---------------------------------|
| 26—50 | 3 |
| 51—75 | 6 |
| 76—100 | 8 |
| 101—150 | 11 |
| 151—200 | 16 |
| 201 + | At least eight percent of total |

SECTION 12. Section 20.120.110 of Chapter 20.120 of Title 20 of the San José Municipal Code is amended to read as follows:

20.120.110 Conformance with the General Plan

- A. For the purposes of Section 20.120.100 only, the determination of conformance of zoning or rezonings to the General Plan, shall be made in the manner set forth in Table 20-270:

Table 20-270

| General Plan Designation | Conforming District |
|---|----------------------------|
| All designations | OS, A |
| Open hillside | OS |
| Lower hillside (1 du/5 ac) | R-1-RR |
| Rural residential (2 du/ac) | R-1-1, R-1-2 |
| Residential neighborhood | R-1-8, R-1-5 |
| Urban residential, transit residential | R-M |
| Neighborhood/community commercial, urban village | CP, CN, CG |
| Regional commercial | CG |
| Public/Quasi-Public | PQP |
| Industrial park | IP |
| Transit employment center | IP , TEC |
| Light industrial | LI |
| Heavy industrial | HI |
| Combined industrial/commercial | CIC |
| <u>Downtown</u> | <u>DC</u> |

| | |
|---|---------------|
| <u>Transportation and Utilities</u> | <u>PQP</u> |
| <u>Open Space, Parklands, and Habitat</u> | <u>OS</u> |
| <u>Urban Village</u> | <u>CP, CN</u> |
| <u>Urban Village Commercial</u> | <u>CP, CN</u> |

- B. A Planned Development (PD) Combining District conforms to the General Plan designation where the uses permitted by the general development plan for such proposed district conform to General Plan designation and where the base zone thereof conforms to said designation in accordance with the foregoing table.
- C. Each portion of the property to be zoned or rezoned must conform to the General Plan designation for each such portion.
- D. Notwithstanding Subsections 20.120.110.A., B., and C. above, this Section is not applicable to Parcels that are developed with Mobilehome Parks.

SECTION 13. Section 20.200.100 of Chapter 20.200 of Title 20 of the San José Municipal Code is amended to read as follows:

20.200.100 Arcade, Amusement Game-arcade

"Arcade, a ~~amusement game-arcade~~" is a building or portion thereof having within its premises:

1. Ten or more amusement game devices, or
2. Fifteen percent or more of the net floor area of the primary use used for amusement game devices; or
3. ~~Nine or fewer~~ Any number of amusement game devices when not utilized in conjunction with a primary commercial use that is permitted by right or as a conditional use.

Net floor area for the purpose of this definition is that area available for customer use.

SECTION 14. Section 20.200.111.5 of Chapter 20.200 of Title 20 of the San José Municipal Code is hereby repealed.

~~20.200.111.5 Art display structure~~

~~Art display structure is a free-standing structure used only for outdoor art display.~~

SECTION 15. Section 20.200.140 of Chapter 20.200 of Title 20 of the San José Municipal Code is hereby repealed.

~~**20.200.140 Billiard room**~~

~~"Billiard room" is synonymous with "poolroom" for purposes of this title.~~

SECTION 16. Section 20.200.170 of Chapter 20.200 of Title 20 of the San José Municipal Code is amended to read as follows:

20.200.170 Business Support Use

"Business support uses" are commercial uses intended to support the business needs in the area. Such uses include but are not limited to copy shops, mail centers, small business machine repair, records retention, shredding, and technical support centers.

SECTION 17. Section 20.200.180 of Chapter 20.200 of Title 20 of the San José Municipal Code is hereby repealed.

~~**20.200.180 Catalogue and mail order**~~

~~A business establishment that is primarily organized to promote, receive, and fill requests for merchandise or services through the mail.~~

SECTION 18. A new section is added to Chapter 20.200 of Title 20 of the San José Municipal Code to be numbered, entitled and to read as follows:

20.200.205 Commercial Kitchen

A "commercial kitchen" is a non-retail, food facility devoted to the commercial preparation, production, and cooking of food and beverages for off-site consumption.

SECTION 19. Section 20.200.210 of Chapter 20.200 of Title 20 of the San José Municipal Code is amended to read as follows:

20.200.210 Common Carrier Commercial Vehicle Storage

~~"Common carrier" is a person or company in the business of transporting passengers or goods for hire. "Commercial vehicle storage" refers to sites devoted to on-site storage of commercial vehicles, such as cars, vans, trucks, and buses.~~

SECTION 20. Section 20.200.220 of Chapter 20.200 of Title 20 of the San José Municipal Code is amended to read as follows:

20.200.220 Common Carrier Depot

A "common carrier depot" is a facility which is served by one (1) or more ~~common carriers~~commercial vehicles and which is an intermediate destination of ~~goods or~~ passengers, and at which facility, ~~goods or~~ passengers are transferred from one (1) conveyance to another to resume their journeys, and which may include provision for the layover of such ~~goods or~~ passengers and an office.

SECTION 21. Section 20.200.440 of Chapter 20.200 of Title 20 of the San José Municipal Code is amended to read as follows:

20.200.440 Gasoline-Fuel Service Station

"Gasoline-Fuel service station" is a business establishment operated at a fixed location at which ~~gasoline-fuel~~ is offered for sale at retail, and, when sold, is dispensed from fixed tanks by pump, or otherwise, directly into the fuel system storage tanks of automobiles or other motor vehicles.

SECTION 22. A new section is added to Chapter 20.200 of Title 20 of the San Jose Municipal Code to be numbered, entitled and to read as follows:

20.200.395 Financial Services

"Financial Services" refers to companies which offer financial advice and services including but not limited to: investment banking, portfolio management, private equity, and venture capital. Financial services are distinct from retail banking in that there is limited customer interaction, typically by appointment only.

SECTION 23. A new section is added to Chapter 20.200 of Title 20 of the San José Municipal Code to be numbered, entitled and to read as follows:

20.200.505 Health Club, Gymnasium

A "Health club, gymnasium" refers to a business which offers exercise equipment or exercise training sessions for the express purpose of physical exercise, typically in exchange for a regular reoccurring fee. The business may include a combination of retail sales and service uses related to exercise and fitness.

SECTION 24. Section 20.200.890 of Chapter 20.200 of Title 20 of the San José Municipal Code is amended to read as follows:

20.200.890 Poolroom/Billiards Establishment

"Poolroom" is a building or portion thereof having within its premises three or more pool tables or billiard tables, or combination thereof, regardless of size, and whether activated manually or by the insertion of a coin, token or other mechanical device.

SECTION 25. Section 20.200.950 of Chapter 20.200 of Title 20 of the San José Municipal Code is amended to read as follows:

20.200.950 Recreation, Commercial/Indoor

"Commercial/indoor recreation" includes such uses as a skating rink, bowling alley, paintball, children's playland, ~~health club/fitness centers~~ and other similar indoor uses.

SECTION 26. A new section is added to Chapter 20.200 of Title 20 of the San José Municipal Code to be numbered, entitled and to read as follows:

20.200.1045 Retail Bank

"Retail Bank" refers to commercial and non-profit banks and credit unions which are primarily focused on in-person customer services such as, checking and savings accounts, mortgages, personal loans, and debit or credit card services.

PASSED FOR PUBLICATION of title this _____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk