



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Christopher Burton

SUBJECT: See Below

DATE: December 5, 2025

COUNCIL DISTRICT: Citywide

SUBJECT: PP25-001 – Amendment to Title 19 (Subdivisions) and Various Sections of Title 20 (Zoning Code) of the San José Municipal Code for Compliance with State Law and to Streamline Regulations

RECOMMENDATION

The Planning Commission voted 9-0-1 (Commissioner Casey absent) to recommend the City Council take the following actions:

1. Adopt a resolution adopting the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto for the amendments to Title 19 and Title 20 of the San José Municipal Code, in accordance with the California Environmental Quality Act as amended.
2. Adopt an ordinance amending Title 19 (Subdivisions) and various sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to:
 - (i) Add a new Chapter 19.11, 'Ministerial Tentative Maps,' and related state law references; and
 - (ii) Implement City Council direction to amend Senate Bill 9 provisions within Chapter 20.30 to: (1) Revising existing Senate Bill 9 objective design standards within Part 8, 'Senate Bill 9 Implementation,' (2) Adding new Part 9, 'City permitted streamlined implementation for two-unit developments on a single lot within Two-Family Zoning Districts,' (3) Adding new Part 9.5, 'Streamlined implementation for properties of lesser significance listed on the Historic Resources Inventory within R-1 and R-2 Zoning Districts,' to allow two-unit developments on a single lot, (4) Amending Sections 20.80.300, 20.80.450, 20.100.610, 20.100.1030 and

- 20.100.1040 to incorporate references to two-unit developments, (5) Adding Section 20.200.675 to include new definition for 'lot coverage;'
- (iii) Amend Chapter 20.200 to add Section 20.200.165 to include a new definition for 'Building, Main,' add Section 20.200.445 to include a new definition for 'Group Home,' amend existing definition of Residential Care Facility in Section 20.200.1010, amend existing definition of 'Residential Service Facility,' in Section 20.200.1030, amend Section 20.200.1265, 'Permanent Supportive Housing,' and include references to Transitional and Supportive Housing in Table 20-50, Section 20.30.100, Chapter 20.30; and
 - (iv) Amend Chapter 20.80 'Specific Use Regulations,' Part 2.75, 'Accessory Dwelling Units' by amending Section 20.80.176, 'Streamlined Approval' and adding Section 20.80.177, 'Tree Removal', and Part 2.76, 'Accessory Dwelling Unit Condominium' by amending Section 20.80.185, 'ADU Condominium Requirements', to revise existing Accessory Dwelling Unit provisions for compliance with state law; and
 - (v) Amend Chapter 20.190 'Affordable Housing Density Bonuses and Incentives' to improve readability and streamline existing text to ensure compliance with state law; and
 - (vi) Amend Chapter 20.195 'Ministerial Approvals' in its entirety to: (1) Amend existing text to improve readability and maintain compliance with applicable state laws, (2) Incorporate ministerial approval provisions pursuant to Senate Bill 684 and Senate Bill 1123,
 - (vii) Incorporate provisions of Senate Bill 1418 by amending Table 20-90, Section 20.40.100, Chapter 20.40, 'Commercial Zoning Regulations,' amending Table 20-110, Section 20.50.100, Chapter 20.50, 'Industrial Zoning Regulations,' amending Table 29-138, Section 20.55.203, Chapter 20.55, 'Urban Village and Mixed-Use Zoning District Use Regulations,' amending Table 20-140, Section 20.70.100, Chapter 20.70, 'Downtown Zoning Regulations,' amending Section 20.80.600, Part 8 'Gasoline Service Station Conversions,' of Chapter 20.80, 'Specific Use Regulations;' and incorporate provisions of Assembly Bill 2632 in Table 20-140, Section 20.70.100, Chapter 20.70, 'Downtown Zoning Regulations;'
 - (viii) Amend Chapter 20.80, 'Specific Use Regulations,' Part 11, 'Off-Sale of Alcoholic Beverages' Section 20.80.900, 'Off-Sale of Alcoholic Beverages' to allow alcoholic beverages within previously established Entertainment Zone Boundary; and
 - (ix) Incorporate heat pumps by amending Chapter 20.30, 'Residential Zoning Districts,' Section 20.30.400, 'Setback Areas – Setback area to be kept open, unobstructed, and unoccupied', Chapter 20.40, 'Commercial Zoning Districts and Public/Quasi-Public Zoning District, Section 20.40.400, 'Setback areas – open, unobstructed, unoccupied,' Chapter 20.50 'Industrial Zoning Districts,' Section 20.50.270, 'Setback areas –

- open, unobstructed, and unoccupied,' Chapter 20.55 'Urban Village and Mixed Use Zoning Districts' Part 2, 'Development Regulations' Section 20.55.101, 'Exceptions to Setback Regulations;' and
- (x) Amend Section 20.55.104, "MUN Mixed Use Neighborhood Development Standards' to revise existing development standards for improved clarity; and
 - (xi) Amend Chapter 20.100, 'Administration and Permits,' Part 7, 'Special Use Permits' to incorporate amendment provisions and add Section 20.100.860, 'Amendment Findings,' and
 - (xii) Make other technical, non-substantive, or formatting changes within those sections of Title 19 or Title 20 of the San José Municipal Code.

SUMMARY AND OUTCOME

Approval of the proposed San José Municipal Code amendments will amend various sections within Title 19 and Title 20, as described in the Analysis section below.

BACKGROUND

The proposed Zoning Code amendments incorporate changes to ensure the following outcomes: (a) Address state law updates associated with Accessory Dwelling Units (ADUs) (Senate Bill 1211), small lot subdivisions and housing development (Senate Bill 684 and Senate Bill 1123) in multi-family and single-family neighborhoods, hydrogen fuel cell stations (Senate Bill 1418), and secondhand stores within Downtown (Assembly Bill 2632); (b) Implement City of San José's 2023-2031 Housing Element (HE) action items for Group Housing; (c) Implement City Council direction for two-unit development projects in single-family (Senate Bill 9) and two-family neighborhoods; and (d) Streamline permitting process for heat pumps, update San José Municipal Code references, and ensure consistency with prior amendments.

ANALYSIS

A complete analysis of the issues related to Title 19 (Subdivisions) and Title 20 (Zoning Code) updates is contained in the attached Planning Commission staff report dated November 19, 2025.

The Planning Commission voted 9-0-1 (Commissioner Casey absent) to recommend to the City Council to approve the proposed Title 19 and Title 20 Zoning Code updates pursuant to staff's recommendation.

Climate Smart San Jose

The recommendation in this memorandum aligns with one or more Climate Smart San José energy, water, or mobility goals as it facilitates a reduction in resources by streamlining the development review process, incorporating updates, and supporting current trends.

EVALUATION AND FOLLOW-UP

If the proposed Title 19 and Title 20 changes are approved by City Council, the new ordinance will be effective 30 days after the second reading.

COORDINATION

The preparation of this memorandum was coordinated with the City Attorney's Office and Planning, Building and Code Enforcement Department.

PUBLIC OUTREACH

This memorandum will be posted on the City Council Agenda website for the December 16, 2025 City Council Meeting.

Staff conducted extensive outreach for this update between June 2024 and October 2025, including seven public outreach meetings. Most of the outreach was focused on Senate Bill 9 standards, as this was of the highest interest to residents, developers, and the historic preservation community. On October 6, 2025, staff conducted a final public community meeting to review all aspects of proposed Zoning Code updates. Notice of the community meeting was posted on the City's Planning Event Calendar, and a link was also distributed to planning webpage subscribers.

Staff also created an informational webpage on the proposal, which was posted to the City's website on June 7, 2024. This report and attachments were posted on the City's website. Staff has been available to respond to questions from the public. Staff followed City Council Policy 6-30: Public Outreach Policy, in that the notices for the public hearing were posted on the City's website and published in the San José Post-Record.

COMMISSION RECOMMENDATION/INPUT

On November 19, 2025, the Planning Commission held a public hearing on the proposed Zoning Code updates. Staff presented an overview of the background and summary of the proposed San José Municipal Code amendments.

During public comment, two speakers addressed the Commission. Glenn Garfunkel, representing the San José Climate Advisory Commission, voiced support for updating the setback ordinance to allow heat pumps within required setbacks for residential properties.

The second speaker, developer Alex Sywak, discussed his project involving attached ADUs. His team intends to develop ADUs that may be sold or retained as separate parcels. He thanked staff for proactively helping clarify how the new ADU-related ordinance amendments would apply to his project.

Following public testimony, Commissioner Oliverio asked about the proposal to remove specific state law citations from the density bonus section of the code. Staff explained that while general references to state law would remain, removing specific statutory citations would avoid the need for frequent code amendments due to continual changes in state housing legislation. Instead, application materials and the city's website would provide detailed explanations for the public.

He questioned whether residents would still understand the City's legal obligations, and staff affirmed that the ordinance was drafted to convey that information, even if most residents do not consult the code directly. Commissioner Oliverio inquired about the removal of permitting processes for group homes. Staff clarified that this change is mandated by state law and applies statewide for jurisdictions with certified housing elements. He also asked about the type of development that Senate Bill 684 would enable. Staff responded that Senate Bill 684 allows up to ten parcels and ten units, typically resulting in townhome-style development on very small lots, such as 1,200-square-foot lots in single-family zones or 600-square-foot lots in multifamily zones. While small cottages are technically permissible, staff noted that townhomes are more likely to result from market conditions.

Commissioner Oliverio also inquired if the proposed Senate Bill 9 driveway and garage standards would effectively remove on-site parking. Staff clarified that although San José already has no minimum parking requirements and previous driveway standards functionally created space for a standard parking spot. The proposed change would instead allow a driveway or pedestrian accessway. Staff emphasized that this driveway standard is not required by state law; rather, it was developed to comply with a Housing Element action item to refine Senate Bill 9 standards and make them more functional for development.

After concluding questions, Commissioners expressed appreciation for staff's work, particularly related to the complexities of Senate Bill 9. Commissioner Cantrell made a motion to recommend approval of the staff recommendations. Commissioner Bhandal seconded the motion. The Planning Commission voted 9-0-1 (Commissioner Casey absent) to recommend that the City Council approve this item per staff's recommendation.

CEQA

An Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), for which findings were adopted by City Council through Resolution No. 76041 on November 1, 2011, and Supplemental EIR Resolution No. 77617, adopted by City Council on December 15, 2015, and Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto is prepared in accordance with CEQA, as amended. The Addendum analyzed the proposed Zoning Code changes and found that the project will not result in new or substantial significant impacts not already addressed in the above reports. It would not increase the overall development capacity beyond what is already identified in the Envision San José 2040 General Plan and analyzed in the Envision San José 2040 General Plan Final Program Environmental Impact Report, as supplemented and amended. Therefore, no subsequent EIR or Negative Declaration is required pursuant to CEQA Guidelines Section 15164(c).

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

Chris Burton

Secretary, Planning Commission

For questions, please contact Martina Davis, Division Manager, Planning, Building, and Code Enforcement, at (408) 535-7888 or martina.davis@sanjoseca.gov

ATTACHMENT: Planning Commission Staff Report



Memorandum

TO: PLANNING COMMISSION FROM: Christopher Burton
SUBJECT: File No. PP25-001 DATE: November 19, 2025

Project	Zoning Ordinance Update
Applicability	Citywide in applicable Zoning districts
Project Description	An ordinance of the City of San José amending Title 19 (Subdivisions) and various sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code for compliance with State law and to streamline regulations related to Senate Bill 9, Accessory Dwelling Units, Small Lot Subdivisions and Housing Development, Density Bonus, Ministerial Approvals, Hydrogen Fuel Cell Station Permit Streamlining, Secondhand Stores, Entertainment Zone Boundary, Heat Pumps, Mixed Use Neighborhood development standards, and Special Use Permit amendment provisions, and to make other technical, non-substantive, or formatting changes within those sections of the San José Municipal Code.
CEQA	Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto, in accordance with the California Environmental Quality Act as amended.
Project Planners	Rina Horie, Brent Carvalho

RECOMMENDATION

Staff recommends that the Planning Commission recommend the City Council take all of the following actions:

1. Consider adopting the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto, in accordance with the California Environmental Quality Act as amended; and
2. Adopt an ordinance of the City of San José amending Title 19 (Subdivisions) and various sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to:
 - a. Implement City Council direction to amend Senate Bill 9 (SB 9) provisions within Chapter 20.30 to: (1) Revise existing SB 9 objective design standards within Part 8, ‘Senate Bill 9 Implementation,’ (2) Add new Part 9, ‘City permitted streamlined implementation for two-unit developments on a single lot within Two-Family Zoning districts,’ (3) Add new Part 9.5, ‘Streamlined implementation for properties of lesser significance listed on the Historic Resources Inventory within R-1 and R-2 Zoning districts,’ to allow two-unit developments on a

single lot, (4) Amend Sections 20.80.300, 20.80.450, 20.100.610, 20.100.1030 and 20.100.1040 to incorporate references to two-unit developments, (5) Add Section 20.200.675 to include new definition for ‘Lot Coverage;’ and

- b. Amend Chapter 20.200 to add Section 20.200.445 to include new definition for ‘Group Home,’ amend existing definition of 20.200.1030 ‘Residential Service Facility,’ and include references to transitional and supportive housing in Table 20-50, Section 20.30.100, Chapter 20.30; and
- c. Amend Chapter 20.80 Specific Use Regulations, Part 2.75, ‘Accessory Dwelling Units’ and Part 2.76, ‘Accessory Dwelling Unit Condominium’ to revise existing Accessory Dwelling Unit provisions for compliance with State law; and
- d. Amend Chapter 20.190 ‘Affordable Housing Density Bonuses and Incentives’ to improve readability and streamline existing text to ensure compliance with State law; and
- e. Amend Chapter 20.195 ‘Ministerial Approvals’ to: (1) Amend existing text to improve readability and maintain compliance with applicable State laws, (2) Incorporate ministerial approval provisions pursuant to Senate Bill 684 and Senate Bill 1123, and (3) Amend Title 19 (Subdivisions) to include new Chapter 19.11, ‘Ministerial Tentative Maps,’ and related State law references; and
- f. Incorporate provisions of Senate Bill 1418 to amend Table 20-90, Section 20.40.100, Chapter 20.40, ‘Commercial Zoning Regulations,’ amend Table 20-110, Section 20.50.100, Chapter 20.50, ‘Industrial Zoning Regulations,’ amend Table 29-138, Section 20.55.203, Chapter 20.55, ‘Urban Village and Mixed-Use Zoning District Use Regulations,’ amend Table 20-140, Section 20.70.100, Chapter 20.70, ‘Downtown Zoning Regulations,’ amend Section 20.80.600, Part 8 ‘Gasoline Service Station Conversions,’ of Chapter 20.80, ‘Specific Use Regulations;’ and incorporate provisions of Assembly Bill 2632 in Table 20-140, Section 20.70.100, Chapter 20.70, ‘Downtown Zoning Regulations;’ and
- g. Amend Chapter 20.80, ‘Specific Use Regulations,’ Part 11, ‘Off-Sale of Alcoholic Beverages’ Section 20.80.900, ‘Off-Sale of Alcoholic Beverages’ to allow alcoholic beverages within previously established Entertainment Zone Boundary; and
- h. Incorporate heat pumps to amend Chapter 20.30, ‘Residential Zoning districts,’ Section 20.30.400, ‘Setback Areas – Setback area to be kept open, unobstructed, and unoccupied,’ Chapter 20.40, ‘Commercial Zoning districts and Public/Quasi-Public Zoning district, Section 20.40.400, ‘Setback areas – open, unobstructed, unoccupied,’ Chapter 20.50 ‘Industrial Zoning districts’ Section 20.50.270, ‘Setback areas – open, unobstructed, and unoccupied,’ Chapter 20.55 ‘Urban Village and Mixed Use Zoning districts’ Part 2, ‘Development Regulations’ Section 20.55.101, ‘Exceptions to Setback Regulations;’ and
- i. Amend Section 20.55.104, ‘MUN Mixed Use Neighborhood Development Standards’ to revise existing development standards for improved clarity; and
- j. Amend Chapter 20.100, ‘Administration and Permits,’ Part 7, ‘Special Use Permits’ to include Amendment provisions and add Section 20.100.860, ‘Amendment Findings,’ and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code.

OUTCOME

Approval of the proposed Municipal Code amendments will amend Title 19 (Subdivisions) and various sections within Title 20 (Zoning Ordinance or Zoning Code) for compliance with State law and to

streamline regulations related to Senate Bill 9, Accessory Dwelling Units, Small Lot Subdivisions and Housing Development, Density Bonus, Ministerial Approvals, Hydrogen Fuel Cell Station Permit Streamlining, Secondhand Stores, Entertainment Zone Boundary, Heat Pumps, Mixed Use Neighborhood development standards, and Special Use Permit amendment provisions, as described in the Analysis section below.

PROJECT BACKGROUND

The proposed Zoning Code amendments would incorporate changes to ensure the following outcomes as described further below:

1. Address State law updates associated with Accessory Dwelling Units (ADUs) (SB 1211), small lot subdivision and housing development (SB 684/1123) in multi-family and single-family neighborhoods, hydrogen fuel cell stations (SB 1418), and secondhand stores within Downtown (AB 2632), and
2. Implement City of San José's 2023-2031 Housing Element (HE) action items for Group Housing, and
3. Implement City Council direction for two-unit development projects in single-family (SB 9) and two-family neighborhoods, and
4. Streamline permitting process for heat pumps, update Code references, and ensure consistency with prior amendments.

This Ordinance includes changes within Title 19 (Subdivisions) and Title 20 (Zoning Code) to incorporate and streamline regulations for the following items:

ANALYSIS

(A) State Law Updates:

Accessory Dwelling Units (Senate Bill 1211): As of January 2025, SB 1211 expands the ability to build Accessory Dwelling Units (ADUs) on multifamily properties, allowing up to eight detached ADUs on a lot with an existing multifamily dwelling, provided the number of ADUs does not exceed the number of existing units. New multifamily developments are permitted a maximum of two detached ADUs. The proposed update would amend Chapter 20.80, "Specific Use Regulations," Part 2.75, "Accessory Dwelling Units," and Part 2.76, "Accessory Dwelling Unit Condominium," to revise existing ADU provisions to comply with State law. Currently, the ADU Condominium provisions allow a maximum of four condominium units per lot, including up to two ADU units (detached or attached) and up to two primary dwelling units subdivided under SB 9, applicable to single-family, two-family, or multi-family lots. The proposed regulations would eliminate this limitation and allow condominium conversion of ADUs as allowed and required by State law.

Analysis: The proposed amendments do not introduce any changes to the existing allowances for Accessory Dwelling Units (ADUs), except for an increase in the number of allowed ADUs on multi-family property required for consistency with California State law. The proposed revisions do not alter existing development standards, including height, permitted land uses, or setbacks as presently established in the City's Zoning Ordinance for single-family and multi-family residential zoning districts. All provisions will remain consistent with the applicable underlying zoning regulations.

Small Lot Subdivisions and Housing Developments (SB 684, SB 1123):

Senate Bill (SB) 684, effective July 2024, authorizes ministerial approval for small housing developments consisting of up to ten new lots and ten housing units within multi-family zoning districts. Senate Bill (SB) 1123, effective July 2025, expands upon SB 684 by extending eligibility to vacant or non-habitable sites within single-family zoning districts. Under SB 684 and 1123, the City must approve qualifying developments ministerially, without public hearing or discretionary review, provided the projects meet specified eligibility criteria and are not located on farmlands, wetlands, wildlife protection zones, conservation easements, hazardous waste sites, flood-prone areas or earthquake fault zones.

In accordance with the density eligibility requirement under SB 684/1123, if the parcel is not already identified in the Housing Element to accommodate projected low- or very-low income units, the development must result in 66 percent of the maximum allowable residential density specified by the City or the applicable residential density specified in Government Code Section 65583.2(c)(3)(B), whichever is greater. For metropolitan jurisdictions, the statewide default density is 30 dwelling units per acre (du/ac), and 66 percent would thereby default to 19.8 du/ac.

Analysis: The San José's 6th Cycle Housing Element draft requires that for sites with lower density (e.g., 8 units/acre) in Residential Neighborhood (R-1-8) districts, the City needs to demonstrate they can achieve densities of at least 30 units/acre per default density requirements of State law unless higher. Most single-family and two-family zoned properties have a maximum density of 8 units to the acre (du/ac) so the minimum density for projects using SB 684/1123 would default to 66 percent which is 19.8 du/ac as described above. Multi-family zoned properties typically have a higher maximum density than the Housing Element law by default so would need to conform to 66 percent of the maximum density as specified by the City. A significant majority of R-1 and R-2 lots measure approximately 6,000 square feet and would have to include at least three parcels to meet the minimum density requirement of 19.8 du/ac.

The City cannot impose lot size restrictions, including width or depth, or side or rear setbacks exceeding four feet, as established by SB 684. The City's front setback requirements would remain in effect, such as the 20 feet setback required along public streets for R-1, Single-family Zoning districts. SB 684/1123 caps unit sizes at no more than an average of 1,750 square feet per dwelling unit and additionally does not allow a city to impose a maximum floor area ratio (FAR) of less than 1.0 for projects of three to seven units and 1.25 for projects of eight to ten units (Table 1).

Table 1: Summary of SB 684/1123 Standards		
	Single Family Zones	Multi-Family Zones
Original lot size	Up to 1.5 acre	Up to 5 Acres
Minimum lot size for new development*	1,200 square feet	600 square feet
Minimum Density**	19.8 du/ac	Applicable density of 19.8 du/ac under Government Code Section 65583.2(c)(3)(B) or State Housing Element law or 66% of minimum density specified by City, whichever is greater

Maximum Unit Size	1,750 square feet average between all units
Inclusionary Housing	Must comply with local inclusionary housing requirements.
Environmental Considerations	Cannot be located on prime farmland or farmland of statewide importance, wetlands, high or very high fire hazard severity zones, hazardous waste sites, earthquake fault zones, special flood hazard areas, conservation easements, and habitats for protected species..
Development standards: • No requirements on lot frontage, dimensions, or depth • May not impose a maximum floor area ratio (FAR) of less than 1.0 for projects of 3-7 units and 1.25 for projects of 8-10 units • Must comply with other standards such as height, setbacks, objective design standards that do not conflict with state law allowances • In single family zones, cities may maintain the existing height limit • ADUs not allowed unless City opts to allow them	
Other Requirements: • Property must be substantially surrounded by urban uses • Property may not have been created through a SB 9 subdivision • Cannot demolish restricted affordable or rent controlled units and cannot demolish housing that has been occupied by a tenant in the past 5years • Must be served by public water and sewer system • Cannot use process to subdivide existing units from each other for individual sale	
* City may adopt a lower minimum lot size ** If a property is identified in the Housing Element, the project must provide at least as many units as identified in the Housing Element, including lower income units	

Applicants may submit parcel maps or tentative/final maps for ministerial review of qualifying subdivisions. The proposed update would also amend Title 19 (Subdivisions) to include new Chapter 19.11, 'Ministerial Tentative Maps,' and related State law references. These maps are subject to review and approval through a ministerial process based on objective criteria and do not involve discretionary approval. This process simplifies and streamlines the approval of specific subdivisions or developments that meet established standards and maintain consistency with State law.

The proposed amendments would incorporate these recent state law provisions into Chapter 20.195, '*Ministerial Approvals*'. The primary intent of SB 684/SB 1123 is to streamline small lot subdivisions and housing developments to facilitate affordable homeownership. The State law imposes limitations on required minimum density, maximum number of lots/units, building size, setbacks and subdivision process to accomplish that goal. The City must approve on a ministerial basis, under Government Code Section 65913.15 (SB 1123) and Government Code Section 65852.25 (SB 684), housing developments of up to ten new lots and up to ten housing units on a lot within a multi-family or single-family zoning district, provided the project complies with objective zoning, subdivision, and design standards. The proposed update aligns with current State law provisions that streamline the approval process for small-scale housing projects with an objective to increase housing stock and supply. The development standards and land uses remain in compliance with underlying zoning in single-family and multi-family zoning districts. The maximum height is determined by the City's existing standards for the underlying zoning district, unless that standard would physically preclude a feasible 10-unit project. Although State law generally supports construction of ADUs that are permitted state-wide, the lots developed under SB 684/SB 1123 are not permitted to have ADUs unless a City elects to allow them.

Analysis: Staff analyzed the policy implications for excluding ADUs and found that the density criteria of at least 66 percent (%) of the maximum allowable residential density would result in smaller lots that would be impractical for development of detached ADUs. There may be feasibility, however, to fit a smaller attached ADU or JADU within the types of developments anticipated by this State law. Staff recommends that if ADUs are included in the housing development project, they shall be limited to attached units that meet the height limits currently allowed within the underlying Zoning districts.

Hydrogen Fuel Cell Station Permit Streamlining (SB 1418):

Senate Bill 1418, effective January 1, 2025, authorizes an expedited, streamlined process for the installation of hydrogen-fueling stations. In accordance with required State law provisions, the proposed updates incorporate Hydrogen Fuel Cell Station references in existing notes within Table 20-90, Chapter 20.40, “Commercial Zoning Regulations” and Table 20-110, Chapter 20.50, “Industrial Zoning Regulations” and Table 20.138, Chapter 20.55, “Urban Village and Mixed Use Zoning District Use Regulations” and Table 20-140, Chapter 20.70, “Downtown Zoning Regulations” and Section 20.80.600, Part 8 “Gasoline Service Station Conversions.”

Analysis: Pursuant to Senate Bill 1418 effective September 2025, the proposed update aligns with current State law provisions to streamline the permitting process for Hydrogen Fuel Cell Station within the commercial and industrial zoning districts. The existing development standards, including height, requirements for the underlying zoning district would be applicable to these stations.

Secondhand Stores (AB 2632):

AB 2632, effective January 2025, prohibits cities from requiring a Use Permit for secondhand stores if such a permit is not required for general retailers in that same zone. The only zoning district in which the City differentiates secondhand stores from other retail establishments is the Downtown Zoning district requirement in that a secondhand store that does not deal primarily in antiques, artworks, or vintage clothing must obtain a Special Use Permit. In order to comply with AB 2632, this Special Use Permit requirement will be removed. The draft ordinance includes a prohibition on outdoor drop-off of items for secondhand stores to preserve the Downtown setting.

Analysis: Pursuant to Assembly Bill 2632, the proposed update aligns with current State law provisions to streamline the permitting process for secondhand stores. The existing development standards for the underlying zoning district would be applicable.

(C) Implementation of City Council Direction and Housing Element Action Items:

Senate Bill (SB 9) Implementation:

Senate Bill 9 (SB 9), also known as the California HOME Act, was enacted in September 2021 and became effective January 1, 2022. SB 9 allows property owners in single-family Zoning district to subdivide one parcel into two lots and construct up to two units on each lot, potentially resulting in four units on a single undivided lot. Projects that meet objective design and subdivision standards are approved ministerially, without discretionary review or public hearings, and are exempt from the California Environmental Quality Act (CEQA). The City cannot impose development standards that preclude the construction of two units or that prevent either unit from being at least 800 square feet in floor area. On December 14, 2021, the City Council adopted an ordinance implementing SB 9 at the General Plan Hearing (2021 2nd cycle). At that hearing, Council directed planning staff to develop objective design standards for SB 9 and to explore allowances for “SB 9-type” projects within R-2 Zoning Districts and on historic properties not otherwise eligible under SB 9. Council also directed

staff to develop standards for properties within the City's twelve (12) historic districts to ensure that SB 9 implementation for R-2 parcels with structures built before 1950 could proceed once a clear discretionary historic review process is in place.

As of November 1, 2025, the City received a total of 85 SB 9 subdivision application submittals and 62 SB 9 duplex development projects. Approximately 16 parcel maps were recorded and 22 are in progress for the year 2025. The City has observed a growing number of SB 9 urban lot split applications, accompanied by a similar increase in duplex development projects. Although the total number of completed projects remains limited, the rising volume of applications reflects increasing interest in SB 9 infill opportunities. Staff anticipates that the streamlined review process, combined with the additional flexibility provided by the proposed objective design standards, will further support and facilitate SB 9 projects.

Planning staff collaborated with consultants, community members, and stakeholders, from July 2024 through September 2025, to create objective design standards that align with the City's housing and design goals and ensure compliance with State law. The City has 151,425 parcels zoned R-1 (Single-Family) and 7,981 parcels zoned R-2 (Two-Family). Of these, approximately 127,955 R-1 parcels qualify for SB 9, and 5,723 R-2 parcels could qualify for SB 9-type development should the City elect to expand the SB 9 standards onto R-2 properties. A smaller subset of 2,567 parcels within R-1 or R-2 zones are on the Historic Resources Inventory.

The proposed amendments related to SB 9 fall into three general categories:

Modification of existing SB 9 Standards on R-1 properties: The existing SB 9 zoning standards were put together quickly after adoption of the bill to strictly adhere to State law and allow for immediate implementation. With approximately three years of implementation, staff has a better understanding of on-the-ground challenges and is proposing updating these standards to further facilitate construction of SB 9 units. Updating the zoning standards to facilitate development is also consistent with Housing Element Action Item P-7 that commits the City to streamlining approval of infill housing developments. Senate Bill 450, effective on January 1, 2025, limits the ability of local governments to impose restrictive SB 9 standards. The cities may not apply any development standards to SB 9 units that are not applied for all units in the same zoning district, unless the unique SB 9 standards are more permissive. The City's proposed objective design standards comply with this bill. Based on community outreach input that included both residents and development stakeholders, consultant feedback, and interdepartmental collaboration, staff proposes the following modifications to the existing lot configuration, Floor Area Ratio, and height standards as listed below:

Lot configuration: Currently, the SB 9 standards allow two ways to subdivide: a traditional subdivision where both lots have at least 30 feet of frontage on a public street, or a flag lot configuration with a front lot and a rear lot that is connected to the street by an access corridor.

LOT CONFIGURATIONS ALLOWED UNDER SB 9

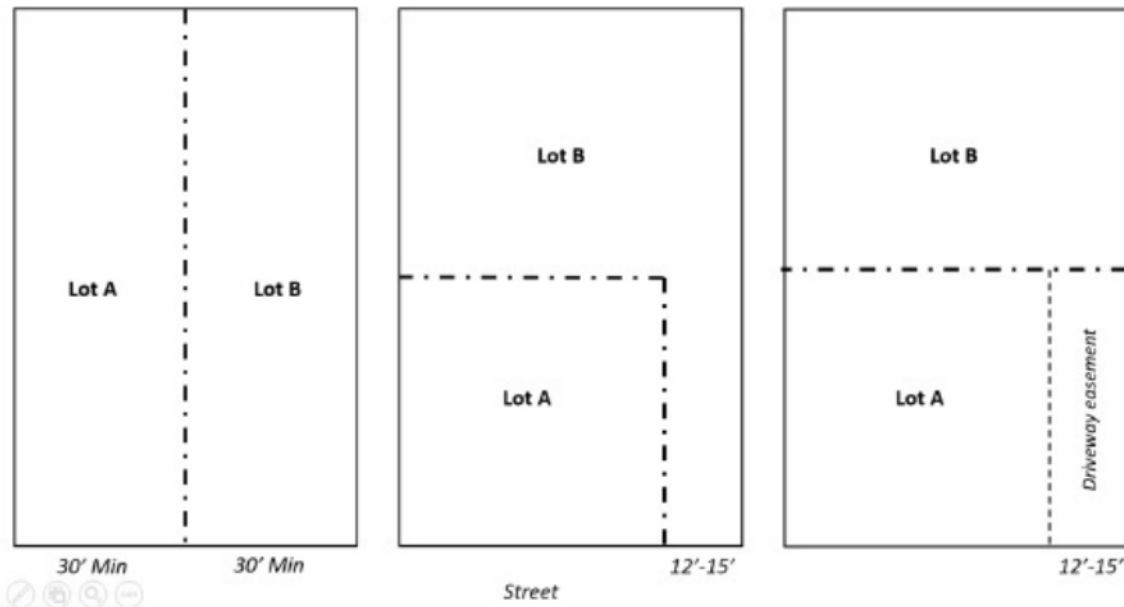


Figure 1. Existing access corridor standards for SB 9 Urban Lot Split configurations.

Note: Existing lot configurations include a 12-15 feet driveway easement (Figure 1). The proposed amendments would allow an applicant to opt for either a 4-7 feet driveway easement or a 12-15 feet driveway easement based on existing vehicle travel lane width as described below (Figure 2).

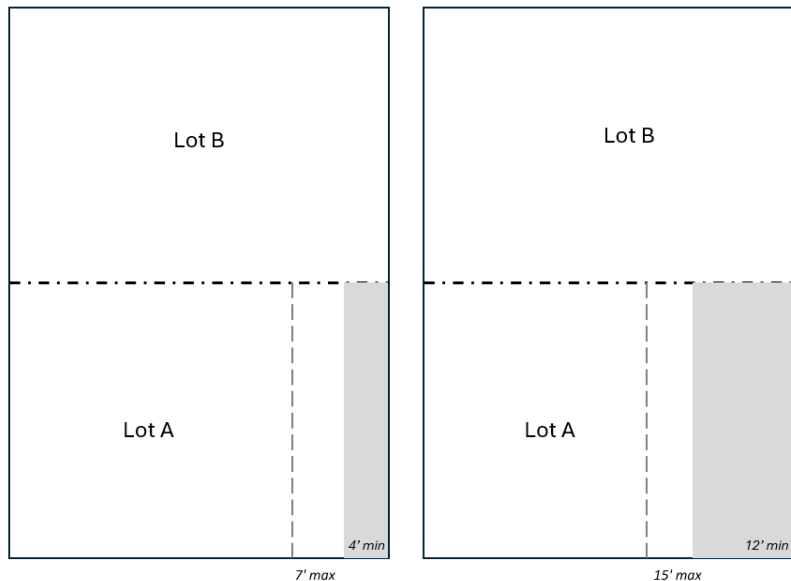


Figure 2. Proposed access corridor standards for SB 9 Urban Lot Split configurations.

The existing access corridor driveway standard of 12-15 feet is a significant constraint to using SB 9 to subdivide property. The vast majority of single-family homes in the City are built with five-foot side setbacks. Therefore, the 12-15 feet driveway standard to access a potential rear lot or unit would require at least part of the existing home to be demolished. To address this issue, staff incorporated Fire Department staff's input to propose reducing the access corridor width requirement with exceptions for dwellings on unusually narrow streets due to safety concerns. For substandard streets with less than 20 feet of travel lane, the access corridor requirement would remain at 12-15 feet wide to accommodate

car parking, should the homeowner or renter choose to use it for that purpose. For streets with 21 feet or more of travel lane, property owners may choose an access corridor width of 4-7 feet or 12-15 feet, which allows the option to include a pedestrian walkway. Staff does not recommend allowing access corridors of 7-12 feet because that configuration is wide enough to accommodate parked vehicles that would obstruct Fire Department staff access to the rear lot. A driveway width of 12-15 feet provides enough room for a vehicle to be parked and firefighters to traverse to the rear (Figure 3).

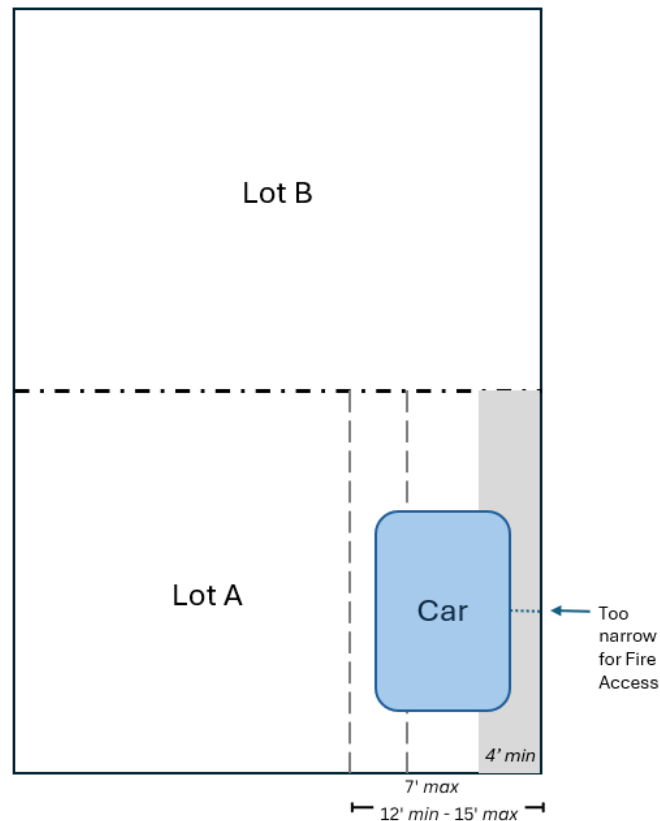


Figure 3. Illustrating the fire access constraint when a car is parked within the access corridor.

Increase Floor Area Ratio: A Floor Area Ratio (FAR) is a measurement of floor area of a dwelling divided by lot area. For example, a 3,000 square foot dwelling on a 6,000 square foot lot has a FAR of 0.50. The development community expressed concerns that the current floor area ratio (FAR) maximum of 0.45 may limit the feasibility of SB 9 projects. At the same time, input from other residents highlighted concerns regarding privacy, open space, and lot permeability. To address both concerns, staff proposes increasing the maximum FAR for SB 9 development using a combination of FAR and lot coverage standards (Figure 4). The FAR for SB 9 development would increase to 0.65 but a lot coverage standard based on the lot size would be introduced as listed below (Table 2). This would accommodate larger SB 9 units while still accommodating open space on the lot outside of setbacks. Analysis indicates that if FAR is increased to 0.65 on a typical single-family lot without a lot coverage standard, then SB 9 units could be built with no rear or side yards outside of required four-foot side setbacks.

Table 2. Lot Coverage requirements based on parcel size.

Lot Size (square feet)	Maximum Lot Coverage (percent)
1,200 – 2,500	0.75
2,501 – 9,000	0.65
Greater than 9,000	0.60

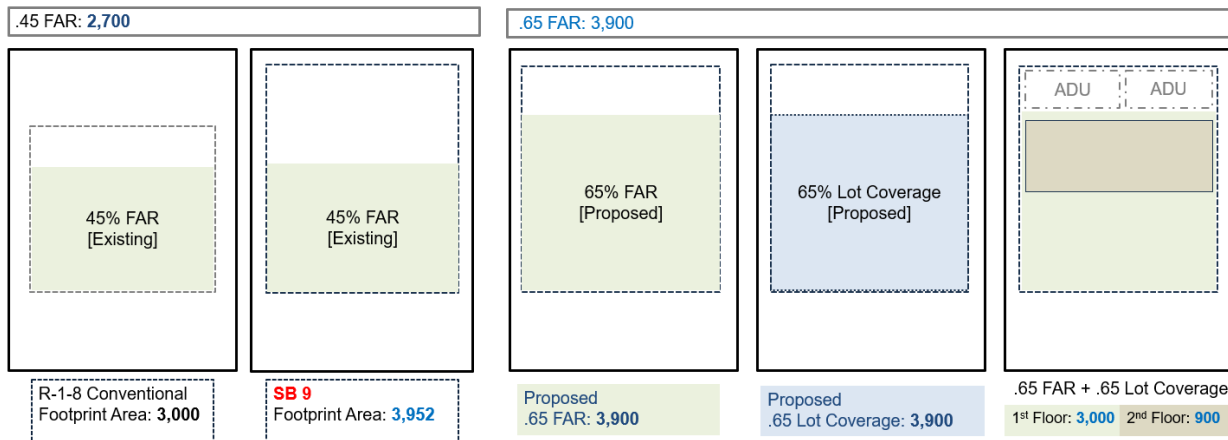


Figure 4. Development Standards: Existing FAR and proposed Lot Coverage requirements:

Height and rear setback: The height and setback standards for SB 9 dwellings within the rear 20 feet of the property would be aligned with Accessory Dwelling Unit (ADU) regulations. Existing standards limit building height to a maximum of 20 feet within 20 feet of the rear property line. The proposed standards would limit units to a maximum height of 25 feet within 15 feet of the rear property line which corresponds to the existing maximum ADU height. No other increases to height or setback standards are proposed.

Unit Typology: The proposed amendment would clarify that SB 9 two-unit development would be constructed as either two single-family units or as one two-family unit/duplex. The current regulations allow only attached units/duplex configuration. This change would provide flexibility for developers to better respond to market demands. For unit configurations, SB 9 projects in R-1 zones may follow either City or State ADU standards to not exceed a maximum of four units on one undivided lot or two units each on a subdivided lot. Staff proposes to retain the existing unit cap for SB 9 development within R-1 Zoning districts.

Remove garage frontage limit: To respond to SB 450, the proposed ordinance would remove a standard unique to SB 9 development that prohibits garages from occupying more than 50 percent of the street-facing façade of a SB 9 unit.

Allow SB 9-type streamlined development on R-2 zoned property: Currently, the Zoning Ordinance provides for ministerial approval of duplexes in the single-family zoning districts as required by SB 9 but retains the discretionary Site Development Permit requirement to construct a duplex in the R-2 Two-Family Zoning District, that leads to added time and cost. The proposed update would establish a new Part 9 within Chapter 20.30 (Residential Zoning Districts) to extend ministerial approval to two-

unit developments in the R-2 Two-Family Zoning District, ensuring consistency across similar residential districts and supporting the City's goals for housing growth. Because the R-2 district is comparable to the R-1 Single-Family Zoning district in lot size, building typology, and neighborhood context, extending the existing SB 9 ministerial provisions to the R-2 district would promote consistency and create a more uniform and efficient approval process for small-scale residential developments. This would also align with State law goals by streamlining small-scale housing and supporting infill development within established residential neighborhoods. While the proposed amendment introduces a ministerial approval process for two-unit developments in the R-2 district, the intent is not to alter the established character or scale of existing neighborhoods. Projects would be subject to the objective development standards including setbacks, height limits, lot coverage and other requirements and maintain the overall neighborhood character. The ministerial process streamlines approval for eligible projects would be achieved through clear, enforceable and efficient process.

For R-2 two-family parcels, detached primary dwellings are considered similar to R-1 parcels, permitting up to four units under SB 9. However, attached two-family units or duplexes follow State ADU law, which allows up to five units, including two detached or attached ADUs and one conversion ADU. This would exceed the SB 9 limit of four units applicable to R-1 parcels due to State ADU allowances. These proposed standards balance streamlined SB 9 implementation with community concerns and safety requirements, provide clear guidance on access, buildable area, height, and unit configuration and maintain consistency with State law.

Allow SB 9-type development on properties listed in the Historic Resources Inventory: This Zoning Ordinance update would establish clear objective standards and facilitate either a streamlined ministerial review or a discretionary process, as applicable, for the development of two-unit dwellings on single lots listed within the San Jose Historic Resources Inventory within the R-1 and R-2 Zoning districts.

This proposed amendment would allow for the ministerial development of two-units on a lot that is listed on the City's Historic Resources Inventory unless it is designated within the California State Register, National Register or as a City Landmark. These properties would be allowed two-unit development subject to a Single-Family House Permit review, or a Historic Preservation Permit in case of a designated City Landmark and will not be eligible for a ministerial process. Other properties listed on the Historic Resources Inventory would be eligible for ministerial development, the new units must comply with objective standards listed new Part 9.5 within Chapter 20.30, which require them to be compatible with the scale, massing, and appearance of the existing main dwelling unit. These amendments ensure that there are no adverse impacts to historic character, and the project does not result in new or substantially more severe environmental impacts than previously analyzed, consistent with the policies of CEQA and the applicable State laws.

In response to Council direction and to provide a process to protect historic resources that are considered significant under CEQA, the proposed ordinance includes a process to evaluate any structures in the R-2 Zoning District constructed prior to 1950 to determine the appropriate review process for facilitating two-unit development consistent with objective standards. The applicant must provide a report by a qualified consultant to determine if the existing structure is eligible for listing as a City Landmark, in the California Register of Historic Resources, or the National Register of Historic Places. Properties deemed eligible would be allowed two-unit development subject to the discretionary processes described above.

Recent State law AB 1061 that would be effective in January 2026, extends ministerial SB 9 provisions onto historic districts except when the parcel is an individual Historic Landmark property or listed on the State Historic Resources Inventory as an individual resource. If a property is in a historic district

(contributing or non-contributing) meets AB 1061 criteria, it is deemed eligible for a SB 9 ministerial lot-split and two-unit development unless the project proposes to demolish or alter a contributing structure or more than 25% of an exterior structural wall. Since this recently adopted bill was moving through legislature and undergoing revisions while this proposed ordinance was being drafted, additional analysis is currently underway to ensure that this draft ordinance is fully consistent with AB 1061. Adjustments will be proposed, if necessary, as part of a State law zoning update planned for 2026.

Analysis: The City Council specifically directed staff to establish standards to support the implementation of SB 9-type development within R-2 zoned properties, with the goal of increasing housing opportunities on underutilized lots. The R-2 Zoning district currently allows construction of a two-family dwelling through a discretionary review process. The proposed amendment would facilitate and streamline this type of development through a ministerial permitting process. Additionally, recent State legislation, including Assembly Bill (AB) 1061, signed on October 10, 2025, and effective on January 1, 2026, further expands SB 9 provisions to allow duplexes or urban lot splits on properties within historic districts and R-1 single-family Zoning districts, provided such projects do not demolish or alter existing historic structures. The proposed amendments are consistent with the intent and goals of State housing law to promote infill and small-scale residential development.

Group Homes: The City of San José's 2023-2031 Housing Element (HE, certified in 2024 by the Department of Housing and Community Development [HCD]) identifies the City's housing needs and opportunities and establishes goals and policies to further inform housing decisions. HE Strategy P-42 directs City staff to update the Zoning Code to be consistent with State and federal laws and 'Affirmatively Furthering Fair Housing' by ensuring that group homes serving seven or more persons are only subject to the applicable health, safety, and zoning laws that apply to all single-family dwelling units. The proposed update amends Chapter 20.30 to include a new definition for 'Group Home,' and incorporates those references in other existing definitions, and includes transitional and supportive housing allowances, as required by HCD, in Table 20-50, Section 20.30.100, Chapter 20.30.

Analysis: The proposed update adds a new definition of Group Homes and makes them subject to the same health, safety, and zoning laws that apply to all single-family dwelling units, while maintaining development standards in compliance with the underlying zoning in single-family and/or multi-family Zoning districts.

(D) Other Changes: The proposed update would incorporate necessary changes and restructure and reformat existing Zoning Code sections:

Density Bonus: The proposed amendments to Chapter 20.190, "Affordable Housing Density Bonuses and Incentives" streamlines this Chapter to improve readability, remove duplicative and redundant references to State laws as well as outdated text. The Housing Element HE Strategy P-43 requires review and if necessary, updates to the City's Chapter 20.190 Density Bonus ordinance to be consistent with current state Density Bonus Law.

Analysis: The proposed amendments do not introduce any changes to the existing provisions except that it ensures City's conformance without the need continue to update the ordinance as State law evolves. The ordinance also removes "local incentives" that did not provide any incentives above those already allowed under state law. This section was unused and created confusion in interpreting the ordinance.

Ministerial Approvals: The proposed amendments to Chapter 20.195, “Ministerial Approvals” would reformat and restructure existing text to improve readability while maintaining compliance with all relevant State law provisions on ministerial housing approvals.

Analysis: The proposed amendments, other than inclusion of standards for developments authorized under SB 684/1123, do not introduce any changes to the existing provisions except that it ensures City’s conformance without the need to present a compliance check with City Council every time the State law provisions change.

Heat Pumps: Currently, certain types of mechanical equipment such as tankless water heaters and power inverters are allowed to encroach two feet into required setbacks. The proposed amendments would add heat pumps as a type of equipment allowed to encroach into setback areas of Residential Zoning Districts, Commercial Zoning Districts, Public/Quasi-Public Zoning Districts, Industrial Zoning Districts, Urban Villages and Mixed-Use Neighborhood Zoning Districts.

Analysis: Heat pumps would be required to comply with the existing noise performance standards of the underlying Zoning district. For instance, a noise level of 55 dB at the property line is consistent with the requirements of Chapter 20.30, Residential Zoning Districts. The proposed amendments do not include any changes to the existing development standards within those zoning districts except to allow heat pump installation within the existing side and rear setback with a minimum three-foot clearance from the property line. This allowance would primarily be utilized by properties located within Residential Zoning Districts.

Entertainment Zone Boundary: This item is part of a maintenance update to allow consumption of off-sale alcoholic beverages within designated Entertainment Zone Boundary, in accordance with previously approved Ordinance No. 31207. The proposed amendment will incorporate a note in Part 11, “Off-Sales of Alcoholic Beverages,” within Chapter 20.80.

Analysis: The proposed amendment would ensure consistency across the municipal code that consumption of alcoholic beverages within designated and previously established Entertainment Zone Boundaries is permitted.

Mixed Use Neighborhood Development Standards: This staff-initiated change would clarify existing text related to setback regulations in Section 20.55.101, “Exceptions to Setback Regulations” and Section 20.55.104, “MUN Mixed Use Neighborhood Development Standards.” within Chapter 20.55.

Analysis: The proposed amendment does not alter development standards but clarifies existing language to ensure better understanding and clear interpretation for applicants.

Special Use Permit Amendment: This staff-initiated change would amend Chapter 20.100, “Administration and Permits” to include new amendment provisions, Section 20.100.860, “Amendment Findings.” to existing Special Use Permits allowances.

Analysis: The proposed amendment would incorporate amendment provisions for Special Use Permits. There are no modifications to existing provisions except to allow the City to issue amendments to Special Use Permits for project modifications instead of requiring a new Special Use Permit each time.

GENERAL PLAN CONFORMANCE

The Envision San José 2040 General Plan encourages the periodic review of the Zoning Ordinance and other supporting Ordinances in the Municipal Code to ensure that the document conforms to State mandates and requirements, is consistent with General Plan approvals, and reflects the goals, policies, and implementation of the General Plan.

General Plan Goals and Policies: Title 20 - Zoning Ordinance

The proposed amendments to Title 20 would update and clarify certain sections of the Zoning Code to allow for conformance with changes to the General Plan. The proposed amendments to Title 19 and Title 20 are consistent with the following General Plan policy:

General Plan Goals and Policies: General Plan Land Use Policy

LU-1.10: Review criteria in the Zoning Ordinance and update it as appropriate to reflect Land Use goals, policies, and implementation actions in this Plan.

Analysis: The amendments are either for conformance with state law, City Council directed, and City-initiated changes proposed to further the City's housing goals, process improvements, clarity and consistency. These changes help ensure that the Zoning Ordinance is maintained and is consistent with any General Plan amendments.

General Plan Goals and Policies: Vibrant, Attractive, and Complete Neighborhoods

VN-1.10 Promote the preservation of positive character-defining elements in neighborhoods, such as architecture; design elements like setbacks, heights, number of stories, or attached/detached garages; landscape features; street design; etc.

VN-1.16 Develop and implement policies, design guidelines, and regulations to promote the preservation of positive character-defining elements within neighborhoods.

Analysis: The proposed ordinance update to streamline small-scale housing development in low density areas align with the above policies as they promote the preservation of existing residential housing design for heights, number of stories, and unit configurations and subject to objective design standards. The proposed draft ordinance update follows the goals and policies of the General Plan—one that envisions a future for the City to 2040; therefore, the draft ordinance update is consistent with the General Plan.

General Plan Goals and Policies: Housing – Social Equity and Diversity

H-1.1 Through the development of new housing and the preservation and rehabilitation of existing housing, facilitate the creation of economically, culturally, and demographically diverse and integrated communities.

H-1.5 Facilitate the development of multi-generational housing in compact form that meets the needs of families living together.

H-1.7 Comply with State and Federal laws prohibiting discrimination in housing and that support fair and equal access to housing.

Analysis: With this proposed update, streamlined processes and flexible design standards offer a better opportunity for the development of new housing and rehabilitation of existing housing for a diverse demographic and promote economic feasibility when compared to alternative housing types.

General Plan Goals and Policies: Landmarks and Districts

LU-13.4 Require public and private development projects to conform to the adopted City Council Policy on the Preservation of Historic Landmarks.

LU-13.12 Develop and encourage public/public and public/private partnerships as a means to support, expand, and promote historic preservation.

LU-13.13 Foster the rehabilitation of buildings, structures, areas, places, and districts of historic significance. Utilize incentives permitting flexibility as to their uses; transfer of development rights; tax relief for designated landmarks and districts; easements; alternative building code provisions for the reuse of historic structures; and financial incentives.

Analysis: The proposed draft ordinance update is consistent with the goals of Historic Preservation by implementing a process in which applicants must submit a qualified historic report signifying whether their structure is eligible as a historic resource and by providing clear objective standards that balance the need for infill housing within historic districts with protection of important historic resources.

General Plan Goals and Policies: Balanced Transportation System

TR-1.16 Develop a strategy to construct a network of public and private alternative fuel vehicle charging/fueling stations city wide. Revise parking standards to require the installation of electric charging infrastructure at new large employment sites and large, multiple family residential developments.

Analysis: The City of San José's General Plan envisions a balanced transportation system—one that provides safe, efficient, fiscally, economically, and environmentally-sensitive transportation systems that balance the needs of bicyclists, pedestrians, and public transit riders with those of automobiles and trucks. The proposed ordinance streamlines the installation of hydrogen-fuel cell stations throughout the City and to reduce the reliance on fossil-fuel.

Other Agency Coordination

Staff referred the proposed ordinance amendment to the Airport Land Use Commission (ALUC) meeting scheduled on November 19, 2025, to determine if the amendment is consistent with the San José International Airport (SJC) and Reid-Hillview Airport (RHV) Comprehensive Land Use Plans (CLUP). An update on the ALUC's determination will be provided to the City Council.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

An Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), for which findings were adopted by City Council through Resolution No. 76041 on November 1, 2011, and Supplemental EIR Resolution No. 77617, adopted by City Council on December 15, 2015, and Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto is prepared in accordance with CEQA, as amended. The project would not increase the overall development capacity beyond what is already identified in the Envision San José 2040 General Plan and analyzed in the Envision San José 2040 General Plan Final Program Environmental Impact Report, as supplemented and amended. The Addendum analyzed the proposed Zoning Code changes and found that the project would not result in new or substantial significant impacts not already addressed in the above Reports. Therefore, no subsequent EIR or Negative Declaration is required pursuant to CEQA Guidelines Section 15164(c).

PUBLIC OUTREACH

Staff conducted extensive outreach for this update between June 2024 and October 2025, including seven public outreach meetings. Most of the outreach was focused on SB 9 standards, as this was of the highest interest to residents, developers, and the historic preservation community.

The first focus group meeting was held on June 20, 2024, and had 11 attendees. This meeting identified challenges and constraints for developers, architects, and design professionals while applying the City's SB 9 standards. Attendees expressed the need for larger units for market feasibility, reduced access corridor requirement, and flexible attached/detached unit configurations.

The second focus group meeting was held on July 31, 2024, with 9 attendees. The emphasis was on identifying challenges, constraints, and additional considerations for SB 9 design standards applicable to historic resources. Attendees included advocates and professionals from the historic preservation community. They expressed overall support for infill housing within historic districts and on historic properties but urged caution as this could result in loss of significant resources and neighborhood character if appropriate design standards are not included.

On August 26, 2024, staff and the consultant AECOM hosted the first community meeting to introduce the project to the broader public and request general feedback and it included 21 attendees. The group expressed concerns related to neighborhood densification, on-street parking overflow, reduced open space, infrastructure impacts, and privacy issues related to building height allowances along rear property line.

On September 23, 2024, staff and the consultant AECOM hosted a community meeting to present proposed objective design standards for R-1 and R-2 zoning districts, and for Historic Resources to obtain feedback from the community and 17 attendees participated in this meeting. Staff presented an analysis on eligible existing dwelling units on the Historic Resources Inventory and proposed objective design standards that would reduce impact on existing dwelling units. The attendees were open to allow development on the inventory properties with specific standards to encourage infill development on underutilized lots.

After this first round of outreach in summer and fall 2024, staff worked on refining draft standards and evaluating further changes to State law mandates that occurred after the initial draft of potential SB 9 development standards. On March 20, 2025, staff was asked by a neighborhood stakeholder group to conduct an in-person meeting to learn more about the proposed standards. Six attendees participated in this meeting. Staff provided an overview of recent State law provisions and provided additional visuals, diagrams, and explanations to help the attendees understand the existing and proposed standards. The group expressed concerns related to neighborhood densification and privacy issues related building height along rear property line.

On March 24, 2025, staff held an additional focus group meeting with developers and design professionals to demonstrate the updated proposed standards based on community feedback. This meeting included 19 attendees and they were in support of proposed options for reduced driveway width, combination of lot coverage and floor area ratio, and unit configuration.

On September 8, 2025, staff held a final focus group to discuss the finalized proposed SB 9 standards and offer clarity to the challenges and constraints expressed by the community. This focus group included developers and design professionals as well as representatives from the community group. There were 17 attendees at this focus group meeting who provided input and expressed concerns related to neighborhood densification, building height and privacy concerns. The design professionals suggested an increase in lot coverage ratios to ensure buildability and inquired if the existing building height for multi-family ADUs could match single-family height allowances.

On October 6, 2025, staff conducted a final public community meeting to review all aspects of proposed Zoning Code updates. Staff identified the proposed updates to SB 9 Objective Design Standards aligned with the other proposed updates to Title 20 and decided to combine the items into one ordinance. Notice of the community meeting was posted on the City's Planning Event Calendar, and a link was also distributed to planning webpage subscribers. Approximately 14 members of the

public attended the virtual meeting. Two attendees asked questions regarding SB 684 and SB 1123, seeking clarification on eligibility criteria. Staff provided detailed explanations of the specific requirements for utilizing each statute. Three attendees inquired about SB 9 unit configurations. Staff clarified that sites within R-2 zoning districts follow existing Accessory Dwelling Unit (ADU) provisions, while SB 9 applies only to properties within R-1 zoning districts.

Staff also created an informational webpage on the proposal which was posted to the City's website on June 7, 2024. This report and attachments were posted on the City's website. Staff has been available to respond to questions from the public. Staff followed Council Policy 6-30: Public Outreach Policy, in that the notices for the public hearing were posted on the City's website and published in the San José Post-Record.

Project Manager: Rina Horie, Brent Carvalho
Approved by: /s/ Manira Sandhir, Deputy Director for Christopher Burton, Planning Director

ATTACHMENTS:

Exhibit A:	Draft Ordinance
Exhibit B:	CEQA Addendum

PP25-001

Links to Correspondence Received After 11/12/25

Click on the title to view document.

Correspondence Received After 11/12/25
--