

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING TITLE 20 OF THE SAN JOSE MUNICIPAL CODE (ZONING ORDINANCE) (A) TO ADD PART 5 TO CHAPTER 20.65 ENTITLED “OVERLAY DISTRICTS” INCLUDING THE ESTABLISHMENT OF THE “NEIGHBORHOOD BUSINESS DISTRICT OVERLAY,” (B) THE ZONING DISTRICT MAP TO ADD THE NEIGHBORHOOD BUSINESS DISTRICT OVERLAY ZONING DISTRICT TO 213 PARCELS TO ALLOW RESIDENTIAL USES IN THE NORTH 13TH STREET AND JAPANTOWN (TAYLOR STREET ONLY) BUSINESS DISTRICTS; (C) CHAPTER 20.40 ‘COMMERCIAL ZONING DISTRICTS AND PUBLIC/QUASI-PUBLIC ZONING DISTRICT’ TO ALLOW RESIDENTIAL USES, AS DESCRIBED IN TABLE 20-90 OF SECTION 20.40.100 OF CHAPTER 20.40, ‘COMMERCIAL ZONING DISTRICTS AND PUBLIC/QUASI-PUBLIC ZONING DISTRICT USE REGULATIONS’, WITH SPECIFIC DEVELOPMENT STANDARDS, AS DESCRIBED IN TABLE 20-100 OF SECTION 20.40.200 OF CHAPTER 20.40, ‘COMMERCIAL ZONING DISTRICTS DEVELOPMENT STANDARDS’, IN THE WILLOW GLEN NEIGHBORHOOD BUSINESS DISTRICT; AND (D) CHAPTER 20.55 ‘URBAN VILLAGE AND MIXED USE ZONING DISTRICTS’ TO ALLOW RESIDENTIAL USES, AS DESCRIBED IN TABLE 20-138 OF SECTION 20.55.203 OF CHAPTER 20.55, ‘URBAN VILLAGE AND MIXED USE ZONING DISTRICT USE REGULATIONS’, WITH SPECIFIC DEVELOPMENT STANDARDS, AS DESCRIBED IN TABLE 20-136 OF SECTION 20.55.100 OF CHAPTER 20.55, ‘URBAN VILLAGE AND MIXED USE ZONING DISTRICTS DEVELOPMENT STANDARDS’ AND TABLE 20-137 OF SECTION 20.55.104 OF CHAPTER 20.55, ‘MIXED USE NEIGHBORHOOD DEVELOPMENT STANDARDS’ IN THE NORTH 13TH STREET AND JAPANTOWN (TAYLOR STREET ONLY) NEIGHBORHOOD BUSINESS DISTRICTS

WHEREAS, the City Council of the City of San José is the decision-making body for this Ordinance; and

WHEREAS, the 2040 Envision San José General Plan establishes overlay land use designations including the Neighborhood Business District (NBD) Overlay designation; and

WHEREAS, on December 3, 2021, the City Council of the City of San José (“City”) approved inclusion of the Neighborhood Business District overlay districts in the General Plan, with the goal of using these overlay districts to meet the City’s housing goals and promote mixed use communities; and

WHEREAS, on _____, 2024, the City Council of the City of San José (“City”) approved an amendment to Chapter 20.65 of the San José Municipal Code and the Zoning District Map to create the Neighborhood Business District overlay to meet the City’s housing goals and promote mixed use communities and apply the Neighborhood Business District Overlay in the North 13th Street, Japantown (Taylor Street only), and the Willow Glen Neighborhood Business Districts; and

WHEREAS, the Zoning Ordinance and the Zoning District Map require amendment to provide consistency with the General Plan by establishing the corresponding Neighborhood Business District (“NBD”) Overlay District; and

WHEREAS, this Council of the City of San José has considered and approves the information contained in the Envision San José 2040 General Plan Final Program Environmental Impact Report and related City Council Resolution No. 76041, and in the Envision San José 2040 General Plan Supplemental Environmental Impact Report and related City Council Resolution No. 77617, and Addenda thereto, and the determination

of consistency therewith prior to acting upon or approving the subject Zoning District Map and ordinance update;

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

SECTION 1. The foregoing recitals above are incorporated herein.

SECTION 2. The City of San José Zoning District Map of the City is hereby amended accordingly upon the effective date of this ordinance.

SECTION 3. The City of San José Zoning District Map is hereby amended to apply the Neighborhood Business District Overlay on 213 sites in the North 13th Street Neighborhood Business District, the Japantown (Taylor Street only) Neighborhood Business District, and the Willow Glen Neighborhood Business District, shown in Exhibit “A”, Exhibit “B”, and Exhibit “C”, attached hereto, and incorporated herein by reference.

SECTION 4. A new Part 5 is added to Chapter 20.65 of Title 20 of the San José Municipal Code, to be numbered, entitled and to read as follows:

Chapter 20.65 “Overlay Districts”
Part 5
Neighborhood Business District Overlay

20.65.240 Purpose.

Neighborhood Business District (“NBD”) Overlay. The purpose of the Neighborhood Business District Overlay is to recognize the variety of commercial and non-commercial uses which contribute to neighborhood identity by serving as a focus for neighborhood activity. The NBD designation functions as an “overlay” designation which is applied to predominantly commercial land use designations. The NBD Overlay allows residential

uses in the Japantown (Taylor Street only), North 13th Street, and Willow Glen Neighborhood Business Districts that is consistent with the standards and conditions specified in Part 5 of Chapter 20.65 and comply with the other requirements of this title. Site specific land use issues and compatibility with adjacent uses shall be evaluated and addressed through the development permit application process.

20.65.250 Applicability and overlay location.

The Neighborhood Business District (“NBD”) Overlay applies to sites in Japantown (Taylor Street only), North 13th Street, and Willow Glen Neighborhood Business Districts on the General Plan Land Use/Transportation Diagram in the Envision San José 2040 General Plan and the Zoning District Map.

20.65.260 Overlay regulations and development standards.

The allowed uses and development standards for the Willow Glen Neighborhood Business District are specified below:

Table 20-142

Willow Glen Neighborhood Business District Overlay Development Standards

<u>Category</u>	<u>Standard</u>
<u>Mixed Use</u>	<u>Allowed, no minimum or maximum floor area ratio (“FAR”)</u>
<u>Ground Floor Commercial Spaces</u>	<u>Replace existing square footage of commercial or industrial space on site by providing, at a minimum, an equivalent square footage of ground floor commercial space.</u> <u>Where commercial or industrial uses do not currently exist, no commercial space is required unless the property is abutting existing commercial uses that also front</u>

	<u>Lincoln Avenue. In these locations, commercial space is required to be provided along at least 60% of the primary street frontage and must meet the development standards for commercial space in mixed use projects that are established in the Citywide Design Standards and Guidelines document.</u>
<u>Maximum Residential DU/AC</u>	<u>Sites less than 1.5 acres: 50 DU/AC Sites more than 1.5 acres: 65 DU/AC</u>
<u>Maximum Building Height</u>	<u>Sites less than 1.5 acres: 50 feet Sites more than 1.5 acres: 65 feet</u>
<u>Lighting</u>	<u>See Section 20.40.530</u>
<u>Parking</u>	<u>See Chapter 20.90</u>

Notes:

1. Setback regulations shall follow the underlying Zoning District.

20.65.270 Overlay regulations and development standards.

The allowed uses and development standards for the Japantown (Taylor Street only) Neighborhood Business District are specified below:

Table 20-143

Japantown (Taylor Street only) Neighborhood Business District Overlay Development Standards

<u>Category</u>	<u>Standard</u>
<u>Mixed Use</u>	<u>Allowed, no minimum or maximum floor area ratio ("FAR")</u>
<u>Ground Floor Commercial Spaces</u>	<u>Replace existing square footage of commercial or industrial space on site by providing, at a minimum, an equivalent</u>

	<p><u>square footage of ground floor commercial space.</u></p> <p><u>Where commercial or industrial uses do not exist at time of application for a development permit, no commercial space is required unless the property is abutting existing commercial uses that also front Taylor Street. In these locations, a residential project shall provide ground-floor commercial space to create continuity of the commercial frontage along the primary street; Commercial space is required to be provided along at least 60% of the primary street frontage and must meet the development standards for commercial space in mixed use projects that are established in the Citywide Design Standards and Guidelines document.</u></p>
<u>Maximum Residential DU/AC</u>	<p><u>North side of Taylor St: 50 DU/AC</u></p> <p><u>South side of Taylor St: 65 DU/AC</u></p>
<u>Maximum Building Height</u>	<p><u>North side of Taylor St: 50 feet</u></p> <p><u>South side of Taylor St: 65 feet</u></p>
<u>Lighting</u>	<u>See Section 20.55.103</u>
<u>Open Space Requirements</u>	<u>See Table 20-137 in Section 20.55.104</u>
<u>Parking</u>	<u>See Chapter 20.90</u>

Notes:

1. Setback regulations shall follow the underlying Zoning District.

20.65.280 Overlay regulations and development standards.

The allowed uses and development standards for the North 13th Street Neighborhood Business District are specified below:

Table 20-144
North 13th Street Neighborhood Business District Overlay Development Standards

<u>Category</u>	<u>Standard</u>
<u>Mixed Use</u>	<u>Allowed, no minimum or maximum floor area ratio (“FAR”)</u>
<u>Ground Floor Commercial Spaces</u>	<p><u>Replace existing square footage of commercial or industrial space on site by providing, at a minimum, an equivalent square footage of ground floor commercial space.</u></p> <p><u>Where commercial or industrial uses do not currently exist, no commercial space is required unless the property is abutting existing commercial uses that also front North 13th Street. In these locations, a residential project shall provide ground-floor commercial space to create continuity of the commercial frontage along the primary street; Commercial space is required to be provided along at least 60% of the primary street frontage and must meet the development standards for commercial space in mixed use projects that are established in the Citywide Design Standards and Guidelines document.</u></p>
<u>Maximum Residential DU/AC</u>	<u>50 DU/AC</u>
<u>Maximum Building Height</u>	<u>50 feet</u>
<u>Lighting</u>	<u>See Section 20.55.103</u>
<u>Open Space Requirements</u>	<u>See Table 20-137 in Section 20.55.104</u>
<u>Parking</u>	<u>See Chapter 20.90</u>

Notes:

- 1. Setback regulations shall follow the underlying Zoning District.**

SECTION 5. Table 20.90 Section 20.40.100 of Chapter 20.40 of Title 20 of the San José Municipal Code is hereby 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 an "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 an "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**

Use	Zoning District					Applicable Sections & Notes
	CO	CP	CN	CG	PQ P	
General Retail						
Alcohol, off-sale - beer and/or wine only	-	C	C	C	-	Note 21; Section 20.80.900
Alcohol, off-sale - full range of alcoholic beverages	-	C	C	C	-	Note 21; Section 20.80.900
Alcohol, off-sale - as incidental to a winery, brewery, or distillery	-	S	S	S	-	Note 4
Food, beverages, and groceries	-	P	P	P	S	
Nursery, plant	P	P	P	P	P	Note 1
Outdoor vending	-	A	A	A	A	Part 10, Chapter 20.80
Outdoor vending, fresh fruits fruits, and vegetables	P	P	P	P	P	Part 10, Chapter 20.80
Pawn shop/broker	-	C	C	C	-	See Title 6
Retail art studio	-	P	P	P	-	Note 21; Section 20.80.1175
Retail bakery	-	P	P	P	-	Note 21
Retail sales, goods, and merchandise	-	P	P	P	-	Note 21
Seasonal sales	P	P	P	P	-	Part 14, Chapter 20.80
Agriculture						
Aquaculture, aquaponics, and hydroponics	S	S	S	S	S	
Certified farmers' market	S	S	S	S	S	Part 3.5, Chapter 20.80
Certified farmers' market, small	P	P	P	P	P	Part 3.5, Chapter 20.80

Neighborhood agriculture	P	P	P	P	P	Note 19; Title 7
Drive-Through Uses						
Drive-through uses in conjunction with any use	-	-	C	C	C	
Education and Training						
Child day care center located on an existing School Site or as an incident to a permitted on-site church/religious assembly use involving no building additions or changes to the site	P	P	P	P	P	Note 21
Day care center	S	S	S	S	S	
Instructional art studios	-	P	P	P	S	
Private instruction, personal enrichment	-	P	P	P	S	
School, elementary and secondary (public or private)	C	C	C	C	S	Note 16, Note 20, and Note 21
School, driving (class C & M license)	-	P	P	P	S	Note 2, Note 20, and Note 21
School, post secondary <u>post-secondary</u>	-	P	P	P	S	Note 3, Note 20, and Note 21
School, trade and vocational	-	C	C	C	S	Note 16, Note 20, and Note 21
Entertainment and Recreation						
Arcade, amusement game	-	P	P	P	-	Note 21
Health club, gymnasium	-	P	P	P	S	
Performing arts rehearsal space	-	P	P	P	-	

Poolroom/billiards establishment	-	P	P	P	-	Note 21
Private club or lodge	C	C	C	C	-	
Recreation, commercial indoor	-	P	P	P	S	Note 21
Recreation, commercial outdoor	-	C	C	C	C	Note 21
Relocated cardroom	-	-	-	C	-	Section 20.80.1155
Stadium, 2,000 seats or fewer	-	C	C	C	C	Note 17
Stadium, more than 2,000 seats	-	CC	CC	CC	CC	Note 17 and Note 18
Theater, indoor	-	S	S	S	S	Note 21
Theater, outdoor	-	-	-	S	S	Note 21
Food Services						
Banquet facility	-	S	S	S	S	
Caterer	-	P	P	P	S	
Commercial kitchen	-	S	P	P	-	
Drinking establishments	-	C	C	C	-	Note 21
Drinking establishments interior to a full-service hotel or motel that includes 75 or more guest rooms	-	P	P	P	-	Section 20.80.475; Note 21
Public eating establishments	-	P	P	P	-	Note 21
Public eating establishment or retail establishment with incidental outdoor dining	-	P	P	P	-	Note 21; Section 20.40.520
Public eating establishment in conjunction with a winery, brewery, or distillery	-	P	P	P	-	

Taproom or tasting room with off-sale of alcohol	-	A	A	A	-	Part 5.75, Chapter 20.80
General Services						
Bail bond establishment - outside main jail area	-	P/S	P	P	-	Note 5; Part 1.5, Chapter 20.80
Bail bond establishment - within main jail area	-	P/S	P	P	-	Note 5 and Note 14; Part 1.5, Chapter 20.80
Bed and breakfast Inn	-	P	P	P	-	Note 21; Part 2, Chapter 20.80
Dry cleaner	-	P	P	P	-	Note 21
Hotel or motel	-	P	P	P	-	Note 21
Single room occupancy (SRO) hotel	-	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 and Note 21
Mortuary and funeral Services	P	P	P	P	-	Note 21
Personal services	-	P	P	P	-	Note 21; Section 20.200.880
Photo processing and developing	-	P	P	P	-	Note 21
Printing and publishing	-	P	P	P	-	Note 21
Social service agency	-	S	S	S	S	
Health and Veterinary						
Animal boarding, indoor	P/-	P	P	P	P/S	Note 8, Section 20.40.120
Animal grooming	P/-	P	P	P	P/S	Note 8 Section 20.40.120
Emergency ambulance service	C	C	C	C	C	
Hospital/in-patient facility	C	C	C	C	C	Note 21
Medical cannabis dispensary	-	R	R	R	-	Part 9.75, Chapter 20.80

Cannabis retail storefront	-	R	R	R	-	Part 9.75, Chapter 20.80
Medical cannabis collective dispensary site only	-	R	R	R	-	Part 9.75, Chapter 20.80
Office, medical	P	P	P	P	S	Note 21
Veterinary clinic	-	P	P	P	C	Note 16
Historic Reuse						
Historic landmark structure reuse	S	S	S	S	S	Part 8.5, Chapter 20.80
Offices and Financial Services						
Automatic teller machine	P	P	P	P	S	Section 20.80.200
Business support	-	P	P	P	-	Note 21
Financial services	P	P	P	P	-	Note 21
Office, general business	P	P	P	P	S	Note 21; Section 20.40.110
Payday lending establishment	-	R/-	R	R	-	Note 24 Part 12.5, Chapter 20.80 Section 20.200.875
Retail bank	P	P	P	P	-	Note 21
Public, Quasi-Public and Assembly Uses						
Cemetery	C	C	C	C	C	
Church/religious assembly	S	S	S	S	S	Note 16, Note 20, and Note 21
Construction/corporation yard associated with public, quasi-public or assembly use or transportation or utility use	-	-	-	-	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 and Note 21

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
Residential						
Emergency residential shelter within Airport Influence Area	-	S	S	S	S	Section 20.80.500
Emergency residential shelter outside of Airport Influence Area (more than 150 beds)	-	S	S	S	S	Section 20.80.500
Emergency residential shelter outside of Airport Influence Area (150 beds or fewer)	-	P	P	P	P	Section 20.80.500, Chapter 20.195
Hotel supportive housing	C	C	C	C	C	Note 22; Part 22, Chapter 20.80
Live/work uses	-	S	S	S	-	Note 6; Section 20.80.740
Low barrier navigation center	-	P	P	P	P	Chapter 20.195
Mixed use residential/commercial <u>outside Neighborhood Business District Overlay</u>	-	C/S	C	C GP	-	Note 6, 25 and 26
<u>Mixed use residential/commercial within Neighborhood Business District Overlay</u>	=	<u>P</u>	<u>P</u>	<u>P</u>	=	<u>Note 28, 29 and 30</u>
Permanent supportive housing	-	-	-	-	P	Note 27; Chapter 20.195
Residential care facility for seven or more persons	C	C	C	C	C	

Residential service facility for seven or more persons	C	C	C	C	C	
Single room occupancy, living unit	-	C	C	C	-	Note 6; Part 15, Chapter 20.80
Transportation and Utilities						
Data center	-	-	-	C	-	Note 21
Commercial vehicle storage	S	-	-	S	S	
Common carrier depot	S	-	S	S	S	Note 21
Community television antenna systems	C	C	C	C	C	
Off-site, alternating use and alternative parking arrangements	S	S	S	S	S	Section 20.90.200
Parking establishment, off-street	C	-	C	C	-	
Short term parking lot for uses or events other than on-site	-	-	-	C	C	Note 7
Television, radio studios without antenna/dishes	-	-	-	C	C	
Utility facilities, excluding corporation yards, storage or repair yards and warehouses	C	C	C	C	C	
Utility facilities including corporation yards, storage or repair yards and warehouses	-	-	-	-	C	
Wireless communication antenna	C	C	C	C	C	Note 23; Sections 20.100.1300, 20.80.1915
Wireless communication antenna, slimline monopole	S	S	S	S	S	Note 23; Sections 20.80.1900, 20.80.1915

Wireless communication antenna, building mounted	P	P	P	P	P	Note 23; Sections 20.80.1910, 20.80.1915
Utilities, Electrical Power Generation						
Co-generation facility	S	S	S	S	S	
Fuel cells	P	P	P	P	P	
Private electrical power generation facility	C	C	C	C	C	Note 2
Solar photovoltaic system	P	P	P	P	P	Section 20.100.610 C.7.
Stand-by/backup facilities that do not exceed noise or air standards	A	A	A	P	A	
Stand-by/backup facilities that do exceed noise or air standards	C	C	C	C	C	
Temporary stand-by/backup	P	P	P	P	P	
Vehicle Related Uses						
Accessory installation, passenger vehicles and pick-up trucks	-	-	C	P	-	
Auto dealer, wholesale - no on-site storage	P	P	P	P	-	
Car wash, detailing	-	-	C	C	-	
Fuel service station or charge station, no incidental service or repair	-	C	C	P	C	Note 15
Fuel service station or charge station with incidental service and repair	-	-	C	P	C	Note 9 and Note 13
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	P	-	Note 2
Sale, brokerage, or lease, commercial vehicles	-	-	C	C	-	Note 13
Sale or brokerage, passenger vehicles, pick-up trucks not exceeding 25 feet in length, and motorcycles	-	-	S	P	-	Note 12 and Note 13
Sale, vehicle parts	-	-	P	P	-	Note 11
Tires, batteries, lube, oil change, smog check station, air conditioning servicing of passenger vehicles and pick-up trucks	-	-	C	P	-	Note 10 and Note 13

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 onsite storage of vehicles permitted in the CP, CN, and CG Zoning Districts.
3. Includes public and private colleges and universities, as well as extension programs and business schools.
4. Alcohol, off-sales are limited to products manufactured onsite for wineries, breweries, or distilleries.
5. Permitted outside of Urban Village; Special Use Permit in Urban Villages.
6. Mixed use residential/ commercial development may be approved only on parcels designated on the land use/transportation diagram of the General Plan with a designation that allows residential use or through a General Plan or Urban Village Policy that allows ~~mixed-use~~mixed use development on a non-residential parcel.
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.
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.
26. Permanent supportive housing is allowed as a residential component of mixed use residential/ commercial.
27. Permanent supportive housing is only allowed in the PQP district as 100% of the residential use.
28. The Neighborhood Business District Overlay includes North 13th Street/Luna Park, Japantown (Taylor Street only), and the Willow Glen Neighborhood Business District.

29. 100% deed-restricted affordable housing is a permitted use and commercial space requirements shall not apply; subject to conformance with General Plan policies and state law mandates. Refer to Chapter 20.195 for information regarding the ministerial approval process.
30. One-hundred percent residential projects may be permitted if they meet ground floor commercial space standard in Table 20-142, Table 20-143, or Table 20-144.

SECTION 6. Table 20-100 in Section 20.40.200 of Chapter 20.40 of Title 20 of the San José Municipal Code is amended to read as follows:

20.40.200 Development standards.

All development in the Commercial Zoning Districts and the Public/Quasi-Public Zoning District shall conform to the development regulations set forth below in Table 20-100.

**Table 20-100
Commercial Zoning Districts
Development Standards**

Regulations	Zoning District				
	CO	CP	CN	CG	PQP
Minimum lot area (square feet or acreage)	6,000	6,000; or as established in approved Urban Village Plan	6,000; or as established in approved Urban Village Plan	1 acre (none if lot is located in a shopping center with shared access and shared parking among the lots)	6,000
Minimum Setback (feet)					
Front	10, or 15 where adjacent to side property	no minimum, 10 feet maximum; or as	10, or as established in approved	15	10; less than 10 if established in approved

	line of R-1 district	established in approved Urban Village Plan	Urban Village Plan		development permit
Side, interior	5	none; or as established in approved Urban Village Plan	None, or as established in approved Urban Village Plan	none	10; less than 10 if established in approved development permit
Side, corner	12.5	none; or as established in approved Urban Village Plan	12.5, or as established in approved Urban Village Plan	12.5	10; less than 10 if established in approved development permit
Rear, interior	25	25; or as established in approved Urban Village Plan	None, or as established in approved Urban Village Plan	none	10; less than 10 if established in approved development permit
Rear, corner	25	25; or as established in approved Urban Village Plan	None, or as established in approved Urban Village Plan	none	10; less than 10 if established in approved development permit
Maximum height (feet) (Note 1 and 3)	35, unless a different maximum is established in Chapter 20.85	50, unless a different maximum is established in Chapter 20.85; or as established in approved Urban Village Plan	50, unless a different maximum is established in Chapter 20.85, or as established in approved Urban Village Plan	65, unless a different maximum is established in Chapter 20.85	65, unless a different maximum is established in Chapter 20.85
Maximum individual occupant square footage		2,500/ Personal service shop 5,000/Eating, drinking or			

(square feet) (Note 2)		entertainment establishment 15,000/All other uses (See Note 2); None in approved Urban Village Plan			
Parking					
	See Chapter 20.90	See Chapter 20.90; or established in approved Urban Village Plan	See Chapter 20.90, or as established in approved Urban Village Plan	See Chapter 20.90	See Chapter 20.90 unless a different minimum is established in an approved Development Permit

Notes:

1. An alternative maximum height may be established as described in Chapter 20.85. Where an alternative maximum height restriction has been established as described in Chapter 20.85, that regulation described in Chapter 20.85 shall govern and control over the provisions of this section.
2. In the CP commercial pedestrian district, lots located wholly within the West San Carlos Street neighborhood business district, as indicated on the general plan land use diagram, shall not be subject to the maximum individual occupant square footage requirements set forth in this section.
3. An alternative maximum residential density and height may be established in the Neighborhood Business District Overlay as described in Part 5 of Chapter 20.65. Where an alternative maximum heights and residential density restrictions has been established as described in Part 5 of Chapter 20.65, that regulation shall govern and control over the provisions of this section.

SECTION 7. Table 20-136 in Section 20.55.100 of Chapter 20.55 of Title 20 of the San José Municipal Code is amended to read as follows:

20.55.100 Development standards.

A. All development in the Urban Village and Mixed Use Zoning Districts shall conform to the development regulations set forth below in Table 20-136.

B. For MUN development standards see Table 20-137 in Section 20.55.104.

C. Mixed use developments in the North 13th Street, Japantown (Taylor Street only), and Willow Glen Neighborhood Business Districts shall conform to the development regulations set forth in Part 5 of Chapter 20.65.

**Table 20-136
Urban Village and Mixed Use Zoning Districts
Development Standards**

Regulations		Zoning Districts				
		UVC	UV	MUC	UR	TR
Min. Lot Area		8,000 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	6,000 sq. ft.
100% Commercial FAR		Max. 8.0	Max. 10.0	0.25 - 4.5	1.0 - 4.0	2.0 - 12.0
Mixed use	FAR	N/A	Max. 10.0	0.5 - 4.5	Max. 4.0	Max. 12.0
	du/ac	N/A	Min. 55	Max. 50	Min. 30	Min. 50
100% Affordable Residential du/ac		N/A	55 - 250	Max. 50	30 - 95	50 - 250
		<u>Residential projects must be one-hundred percent affordable deed-restricted housing in the Mixed Use Commercial zoning districts.</u>				
Max. Building Height		Refer to Approved Urban Village Plan		85 ft.	135 ft.	270 ft.

	<p>For additional regulations for building heights refer to Chapter 20.85 Specific Height Restrictions.</p> <p>For development located in areas with approved Urban Village Plans refer to the Urban Village Plan for height regulations.</p> <p><u>For development in the Neighborhood Business District Overlay refer to Part 5 of Chapter 20.65 for height regulations.</u></p>
Additional regulations for Urban Villages	For development in Urban Villages with an approved plan, refer to the Urban Village Plan for additional information on development standards and requirements
<u>Additional Regulations for the Neighborhood Business District Overlay</u>	<u>For development in the Neighborhood Business District Overlay, refer to Part 5 of Chapter 20.65 for additional information on development standards and requirements.</u>
	Setback Regulations
Front Setback	Maximum 10 ft.
Side Setback	Maximum 10 ft.
Rear Setback	Minimum 10 ft.
Public Open Space in Setback areas	No setback shall be required to the property line abutting public plazas, paseos, POPOS, and other public open spaces, which conform to the Citywide Design Standards and Guidelines for Building Placement and Form, Proportion, and Scale.
Exceptions to Setback Regulations	Refer to Section 20.55.101
	Additional Development Regulations
Ground-Floor Commercial Regulations for 100% Commercial or Mixed use	<p>Refer to the Citywide Design Standards and Guidelines for additional standards and regulations regarding minimum frontage, height, depth, and other requirements for ground-floor commercial spaces.</p> <p><u>For development in the Neighborhood Business District Overlay refer to Part 5 of Chapter 20.65 for additional information on additional standards and regulations</u></p>

	<u>regarding minimum frontage, height, depth, and other requirements for ground-floor commercial spaces.</u>
Common and Private Open Space Regulations for 100% Residential and Mixed use	Refer to Section 20.55.102
Lighting	Refer to Section 20.55.103
Parking	For general parking regulations, refer to Chapter 20.90
	No unmounted camper or vehicle, other than those vehicles expressly specified and allowed under Title 17 of this Code, shall be kept, stored or parked for a period of time in excess of forty-eight consecutive hours in the front setback area of any lot or parcel containing a residential use. Such parking or storage is limited to paved surfaces.

SECTION 8. Table 20-137 in Section 20.55.104 of Chapter 20.55 of Title 20 of the San José Municipal Code is amended to read as follows:

20.55.104 MUN mixed use neighborhood development standards.

The MUN Mixed Use Neighborhood district provides conventional development standards and alternate development standards in order to accommodate a mix of housing product types.

- A. Conventional standards: Applicable to developments where all lots have frontage on and direct access to a public street, and where all buildings provide a setback to property lines.
- B. Alternate standards: Applicable to small-lot development characterized by access to lots provided off courts, driveways, and private streets, and/or with buildings without setbacks to property lines. Development using the Alternate

standards require that site development permits and subdivisions must be reviewed and acted upon concurrently.

**Table 20-137
Mixed Use Neighborhood Development Standards**

Regulations		MUN	
		Conventional	Alternate
Minimum Lot Area (excluding Accessory Dwelling Units)		1,452 square feet per unit	No Minimum. Entire project must be covered by a single development permit. Cannot exceed 30 dwelling units/acre
Lot Frontage Requirements to Public Right-of-Way		Requires at least 30 ft. of contiguous frontage on a public right-of-way, with vehicular and/or pedestrian access to the right-of-way	None required, provided all lots have access from a public right-of-way provided by easement
		Floor Area Ratio	
100% Commercial FAR		0.25 - 2.0	100% Commercial development must follow Conventional Standards
Mixed use	<u>Additional regulations for the Neighborhood Business District Overlay</u>	<u>Alternative maximum height and residential density restrictions been established in the Neighborhood Business District Overlay as described in Part 5 of Chapter 20.65, that regulation described in Part 5 of Chapter 20.65 shall govern and control over the provisions of this section.</u>	
	FAR	0.25 - 2.0	
	du/ac	Max. 30	
100% Residential du/ac		Max. 30	

FAR for Single-family Detached Residences, not including ADUs	3,000 sq. ft. or less	0.6 Max FAR	Max. 2.0 FAR across the entire development site
	3,000 - 6,000 sq. ft.	0.5 Max FAR	
	6,000 sq. ft. or greater	0.45 Max FAR	
FAR for single-family homes and duplexes in floodplain areas	<p>For the purposes of this Chapter, development in the Mixed Use Neighborhood zoning district, which is located on a site within a flood zone with a one hundred-year flood depth, where City policy requires elevation of the first finished floor of the proposed house to a height of at least five feet above grade, shall comply with the following provisions</p> <ol style="list-style-type: none"> 1. Where the finished first story is elevated by at least five feet above grade: <ol style="list-style-type: none"> a. The at grade, unoccupied space shall not constitute a story or floor and shall not count toward the overall FAR calculation or the maximum number of stories as described in this section. b. The at grade unoccupied space shall not constitute a floor or story as it relates to the Conventional or Alternate Setbacks regulations within this section. c. The overall maximum building height, including at grade space that is not occupiable, is set at a maximum of 40 feet. 		
Conventional Setback Regulations			
Front Setback	Minimum 10 ft.		
Interior Side Setback	Minimum 3 ft. for development up to 2.5 stories; Minimum 5 ft. setback for development up to 2.5 stories for properties adjacent to property designated as Residential Neighborhood		
	Minimum 8 ft. for development more than 2.5 stories; Minimum 10 ft. setback for development more than 2.5 stories for properties adjacent to property designated as Residential Neighborhood		

Street Side Setback	Minimum 5 ft. for development up to 2.5 stories; Minimum 10 ft. for development more than 2.5 stories
Rear Setback	Minimum 10 ft. for development up to 2.5 stories; Minimum 15 ft. for development more than 2.5 stories
Distance between structures	Garage door to garage door must have a minimum of 20 ft min. The front of structures must be at least 15 ft. distance.
Exceptions to Setback Regulations	Refer to Section 20.55.101
Alternate Setback Regulations	
Setback to Public Right-of-Way	Minimum 10 ft. Minimum 20 ft. to face of garage door to face of garage door
Setback to adjoining property line of property not covered by same development permit	Minimum 5 ft. side setback for development up to 2.5 stories; Minimum 10 ft. side setback for development up to 2.5 stories for properties adjacent to property designated as Residential Neighborhood.
	Minimum 10 ft. rear setback for development more than 2.5 stories; Minimum 15 ft. rear setback for development more than 2.5 stories for properties adjacent to property designated as Residential Neighborhood.
Setback to property line within project boundary covered by same development permit	Front to front setbacks shall be no less than 15 ft. Dwelling units shall be setback a minimum of 6 ft. from accessory structures.
	No side setbacks are required; subject to compliance with Building and Fire Codes
Distance between structures	Face of garage door to face of garage door shall have a minimum distance of 20 ft. from each other.
	The front of structures shall be developed at a minimum of 15 ft. distance from each other.
Exceptions to Setback Regulations	Refer to Section 20.55.101

	Additional Development Regulations for Conventional and Alternate			
	Single-Family dwelling unit (Detached)	Two-family dwelling unit (Duplex)	Townhouse or Rowhouse	Multiple Dwelling, Mixed use, or 100% Commercial
Max. Building Height	35 ft.	35 ft.	40 ft.	45 ft
Max. Number of Stories	2.5	2.5	3	4
Private Open Space Requirements for 100% Residential or Mixed use Development	400 sq. ft. per unit	300 sq. ft. per unit	300 sq. ft. per unit	60 sq. ft. per unit
	Minimum width for Private open space shall be 15 ft.			
Common Open Space Requirements	Mixed use Development which includes 15 or more units shall provide common open space at a minimum of 75 square feet per residential unit			
	100% Residential Development which includes 15 or more units shall provide common open space at a minimum of 100 square feet per residential unit			
Ground-Floor Commercial Regulations for 100% Commercial or Mixed use	Refer to the Citywide Design Standards and Guidelines for additional information regarding minimum frontage, height, depth, and other requirements for ground-floor commercial spaces.			
Regulations for development in Urban Villages	For development in approved Urban Village areas, refer to the Urban Village Plan for additional regulations and requirements for development standards.			
<u>Regulations for development in the Neighborhood Business District Overlay</u>	<u>For development in the Neighborhood Business Districts, refer to Part 5 of Chapter 20.65 for additional regulations and requirements for development standards.</u>			
Lighting	Refer to Section 20.55.103			
Fence Regulations	Refer to Table 20-80 in Chapter 20.30 for fence regulations.			
Parking	For general parking regulations, refer to Chapter 20.90			

	No unmounted camper or vehicle, other than those vehicles expressly specified and allowed under Title 17 of this Code, shall be kept, stored or parked for a period of time in excess of forty-eight consecutive hours in the front setback area of any lot or parcel containing a residential use. Such parking or storage is limited to paved surfaces.
	Front Setback and Façade Regulations for Single-family Homes
Floor level of ground floor	The finished floor level of the ground floor (1 st floor) must be within four vertical feet of the closest sidewalk. Finished floor is defined as the uppermost surface of a floor once construction has been completed and all floor finishes have been applied.
Residential Frontages facing a public right of way	Every dwelling that fronts a public street must have a door, other than a garage door, which is accessible to the street and enters a living space that is not a garage or bedroom.
	Minimum 20% clear glazing per individual ground floor of a dwelling unit
	No more than 50% of the required front setback shall be paved with asphalt, cement or any other impervious or pervious surface.
Setback to garage	Minimum 20 ft. from front property line
	No more than one curb cut per 30 ft of frontage shall be permitted.
Setback to front porch, balconies, bay windows, awnings, open patios, and stoops	Minimum 5 ft. from front property line
Setbacks from adjoining property to balconies and unenclosed stairs	Dwelling units which <u>that</u> share property lines with property containing a single-family residence or two-family residence, that is <u>are</u> designated as Residential Neighborhood, shall ensure that balconies, porches, or unenclosed stairs maintain a minimum setback of 15 ft. from the rear and side property line measured from the projecting face of the balcony, porch, or stairs; and shall

	not be located along building walls parallel to side or rear property lines.
Variation in architectural styles for development of 5 units or more under a single development permit	Architectural variation shall be achieved through the following criteria:
	<u>Front Setbacks and Porches</u> 1. No more than 3 adjacent dwelling structures may be constructed with the same front setback; front setbacks must vary by at least 5 ft. 2. No more than 3 adjacent units shall have the same porch dimensions or orientation
	<u>Roof Lines</u> 1. No more than 3 adjacent dwelling unit structures may have the same angles of roof pitch, styles, or roofing materials 2. Development of 5-10 units shall have at least 3 different angles of roof pitch, styles, or roofing materials 3. Development of 11-20 units shall have at least 5 different angles of roof pitch, styles, or roofing materials 4. Development of more than 20 units shall have at least 7 different angles of roof pitch, styles, or roofing materials
	<u>Building Materials and Colors</u> 1. At least 20% of dwelling unit façades shall be composed of different building materials or colors 2. At least 50% of dwelling units shall introduce a different building material for 20% of the exterior façade.

SECTION 9. Table 20-138 in Section 20.55.203 of Chapter 20.55 of Title 20 of the San José Municipal Code is amended to read as follows:

20.55.203 Urban village and mixed use zoning district use regulations.

**Table 20-138
Urban Village and Mixed Use Zoning District Use Regulations**

Use	Zoning District						Notes & Sections
	UVC	UV	MUC	MUN	UR	TR	
Residential							
One-family dwelling	-	-	-	P	P	P	Note 6; Note 25
Two-family dwelling	-	-	-	P	P	P	Note 6; Note 25
Accessory dwelling unit	-	P	P	P	P	P	Part 4.5, Chapter 20.30
Mixed use development	-	P	P	P	P	P	Note 20; Note 25 Chapter 20.195
<u>Mixed use development in Neighborhood Business District Overlaover</u>	<u>=</u>	<u>=</u>	<u>P</u>	<u>P</u>	<u>=</u>	<u>=</u>	<u>Note 27</u>
Multiple dwelling	-	P	P	P	P	P	Note 20; Note 25 Chapter 20.195
<u>Streamlined Infill Housing Development (outside of the Airport Influence Area)</u>	<u>=</u>	<u>P^{GP}</u>	<u>P^{GP}</u>	<u>=</u>	<u>P^{GP}</u>	<u>P^{GP}</u>	<u>Note 28; Section 20.200.1225; Chapter 20.195, Part 4</u>
Co-living community	-	S	C	C	S	S	Part 3.73, Chapter 20.80
Guesthouse	-	S	-	S	S	S	
Emergency residential shelter within Airport Influence Area	-	S	S	S	S	S	Section 20.80.500

Emergency residential shelter outside of Airport Influence Area (more than 150 beds)	-	S	S	S	S	S	Section 20.80.500
Emergency residential shelter outside of Airport Influence Area (150 beds or fewer)	-	P	P	P	P	P	Section 20.80.500, Chapter 20.195
Home Occupation	-	P	P	P	P	P	Part 9, Chapter 20.80
Hotel supportive housing	C	-	C	-	-	-	Note 17; Part 22, Chapter 20.80
Live/work uses	-	S	S	S	S	S	Section 20.80.740
Low barrier navigation center	-	P	P	P	P	P	Chapter 20.195
Permanent supportive housing	-	P	P	P	P	P	Note 20; Chapter 20.195
Residential accessory structures or buildings	-	P	P	P	P	P	Part 5, Chapter 20.30
Residential care facility for six or fewer persons	-	P	P	P	P	P	
Residential care facility for seven or more persons	-	C	C	C	C	C	
Residential service facility for six or fewer persons	-	P	P	P	P	P	

Residential service facility for seven or more persons	-	C	C	C	C	C	
Single room occupancy, living unit	-	-	C	-	-	-	Note 25; Part 15, Chapter 20.80
General Retail							
Alcohol, off-sale - beer and/or wine only	C	C	C	C	C	C	Section 20.80.900
Alcohol, off-sale - full range of alcoholic beverages	C	C	C	C	C	C	Section 20.80.900
Alcohol, off-sale - as incidental to a winery, brewery, or distillery	A	A	A	A	A	A	Note 1; Part 5.75, Chapter 20.80
Food, beverages, and groceries	P	P	P	P	P	P	
Nursery, plant	P	P	P	P	P	P	Note 2
Outdoor vending	A	A	A	A	A	A	Part 10, Chapter 20.80
Outdoor vending, fresh fruits fruits, and vegetables	P	P	P	P	P	P	Part 10, Chapter 20.80
Pawnshop/broker	C	-	C	-	-	-	See Title 6
Retail art studio	P	P	P	P	P	P	Section 20.80.1175
Retail bakery	P	P	P	P	P	P	
Retail sales, goods, and merchandise	P	P	P	P	P	P	
Seasonal sales	P	P	P	P	P	P	Part 14, Chapter 20.80

Agriculture & Open Space							
Aquaculture, aquaponics, and hydroponics	S	S	S	S	S	S	
Certified farmers' market	S	S	S	S	S	S	Part 3.5, Chapter 20.80
Certified farmers' market, small	P	P	P	P	P	P	Part 3.5, Chapter 20.80
Community gardens	P	P	P	P	P	P	
Neighborhood agriculture	P	P	P	P	P	P	Note 16; Title 7
Education & Training							
Child day care center located on an existing School Site or as an incident to a permitted on-site church/religious assembly use involving no building additions or changes to the site	P	P	P	P	P	P	Note 5
Day care center	S	S	S	S	S	S	Note 5
Instructional art studios	P	P	P	P	P	P	
Private instruction, personal enrichment	P	P	P	P	P	P	
School, elementary and secondary (public or private)	C	C	C	C	C	C	Note 13

School, driving (class C & M license)	P	P	P	P	P	P	Note 3
School, post-secondary	P	P	P	P	P	P	
School, trade and vocational	P/S	P/S	P/S	P/S	P/S	P/S	Note 4 and Note 13
Entertainment and Recreation							
Arcade, amusement game	P	P	P	P	P	P	
Health club, gymnasium	P	P	P	P	P	P	
Performing arts rehearsal space	P	P	P	P	P	P	
Poolroom/billiards establishment	P	P	P	P	P	P	
Private club or lodge	S	S	S	S	S	S	
Recreation, commercial indoor	P	P	P	P	P	P	
3Recreation, commercial outdoor	-	S	-	-	-	-	
Stadium, 2,000 seats or fewer	C	C	-	-	-	-	
Stadium, more than 2,000 seats	CC	CC	-	-	-	-	Note 14 and Note 15
Theater, indoor	S	S	S	-	S	S	
Theater, outdoor	S	S	S	-	S	S	
Food Services							
Banquet facility	S	S	S	S	S	S	
Caterer	P	P	P	P	P	P	

Commercial kitchen	P	P	P	-	S	S	
Drinking establishments	S	S	S	-	S	S	
Drinking establishments interior to a full-service hotel or motel that includes 75 or more guest rooms	P	P	P	P	P	P	Section 20.80.475
Public eating establishments	P	P	P	P	P	P	
Public eating establishment or retail establishment with incidental outdoor dining	P	P	P	P	P	P	Section 20.40.520
Public eating establishment in conjunction with a winery, brewery, or distillery	P	P	P	P	P	P	Part 5.75, Chapter 20.80
Taproom or tasting room in conjunction with a winery, brewery, or distillery	A	A	A	A	A	A	Part 5.75, Chapter 20.80
Taproom or tasting room with off-sale of alcohol	A	A	A	A	A	A	Part 5.75, Chapter 20.80
General Services							
Bail Bonds Establishment	S	S	S	-	S	S	Note 11; Part 1.5, Chapter 20.80
Bed and breakfast inn	P	P	P	P	P	P	Part 2, Chapter 20.80

Dry cleaner	P	P	P	P	P	P	
Hotel or motel	P	P	P	P	P	P	
Single room occupancy (SRO) hotel	C	C	C	C	C	C	Part 15, Chapter 20.80
Laundromat	P	P	P	P	P	P	
Maintenance and repair, small household appliances	P	P	P	P	P	P	
Messenger services	P	P	P	P	P	P	
Mortuary and funeral services	P	P	P	P	P	P	
Personal services	P	P	P	P	P	P	Section 20.200.880
Bail Bonds Establishment	S	S	S	-	S	S	
Bed and breakfast inn	P	P	P	P	P	P	
Health and Veterinary Services							
Animal boarding, indoor	P	P	P	P	P	P	Note 7
Animal grooming	P	P	P	P	P	P	Note 7
Cannabis retail storefront	R	R	R	-	R	R	Part 9.75, Chapter 20.80
Emergency ambulance service	C	C	C	-	C	C	
Hospital/in-patient facility	C	C	C	-	C	C	
Medical cannabis collective dispensary site only	R	R	R	-	R	R	Part 9.75, Chapter 20.80

Medical cannabis dispensary	R	R	R	-	R	R	Part 9.75, Chapter 20.80
Office, medical	P	P	P	P	P	P	
Veterinary clinic	P	P	P	P	P	P	
Historic Reuse							
Historic landmark structure reuse	S	S	S	S	S	S	Part 8.5, Chapter 20.80
Industry and Manufacturing							
Laboratory, processing	P	P	P	-	-	-	
Manufacturing and assembly, light	P	P	P	-	-	-	Note 22
Office, research, and development	P	P	P	-	S	S	Note 21
Offices and Financial Services							
Automatic teller machine	P	P	P	P	P	P	Section 20.80.200
Business support	P	P	P	P	P	P	
Office, general business	P	P	P	P	P	P	
Retail bank/Financial services	P	P	P	P	P	P	
Public, Quasi-Public and Assembly Uses							
Cemetery	C	C	C	C	C	C	
Church/religious assembly	S	S	S	S	S	S	
Museums, libraries, parks, playgrounds, or community centers (publicly operated)	P	P	P	P	P	P	

Museums, libraries, parks, playgrounds, or community centers (privately operated)	S	S	S	S	S	S	
Recycling Uses							
Reverse vending machine	A	A	A	A	A	A	Part 13, Chapter 20.80
Small collection facility	A	A	A	A	A	A	Part 13, Chapter 20.80
Transportation and Utilities							
Community television antenna systems	C	C	C	C	C	C	
Off-site, alternating use and alternative parking arrangements	S	S	S	-	S	S	Section 20.90.200
Parking establishment, off-street	S	-	S	-	-	-	Note 23
Television, radio studios without antenna/dishes	C	C	C	-	-	-	
Utility facilities, excluding corporation yards, storage or repair yards and warehouses	C	C	-	-	-	-	
Utility facilities including corporation yards, storage or repair yards and warehouses	-	-	-	-	-	-	

Wireless communication antenna	C	C	C	C	C	C	Note 18; Sections 20.100.1300, 20.80.1915
Wireless communication antenna, slimline monopole	S	S	S	S	S	S	Note 19; Sections 20.80.1900, 20.80.1915
Wireless communication antenna, building mounted	P	P	P	P	P	P	Note 19; Sections 20.80.1910, 20.80.1915
Utilities, Electrical Power Generation							
Co-generation facility	S	S	S	S	S	S	
Fuel cells	P	P	P	P	P	P	
Private electrical power generation facility	C	C	C	C	C	C	
Solar photovoltaic system	P	P	P	P	P	P	Section 20.100.610 C.7.
Stand-by/backup facilities that do not exceed noise or air standards	A	A	A	A	A	A	
Stand-by/backup facilities that do exceed noise or air standards	C	C	C	-	-	-	
Temporary stand-by/backup	P	P	P	P	P	P	
Vehicle Related Uses							
Sale or leasing of vehicles, showroom only	P	P	P	-	-	-	Note 24

Sale, vehicle parts	S	S	S	-	S	S	Note 9
For all other vehicle related uses refer to the General Use Regulations as described in section 20.55.201 (K)							

Notes:

1. Alcohol, off-sales are limited to products manufactured on-site for wineries, breweries, or distilleries.
2. Landscaping materials, such as rock, mulch, and sand are limited to prepackaged sales.
3. Classroom use only, no driving courses or on-site storage of vehicles permitted in UVC, UV, MUC, MUN, UR or TR Zoning Districts.
4. Indoor uses related to trade or vocational schools are Permitted, any outdoor uses will require a Special Use Permit.
5. If the Daycare use exceeds the noise standards, as set forth in Chapter 20.40 in Section 20.40.600, it will require a Special Use Permit.
6. One-family dwellings or two-family dwellings are allowed as part of a larger development which meets the minimum density requirement in the UR and TR zoning districts.
7. Except as an incidental use to neighborhood agriculture, all uses involving any type of care for animals, including but not limited to grooming, boarding, medical care, must be conducted wholly inside a building.
8. 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.
9. No outdoor sales areas or dismantling allowed.
10. All vehicle-related repair, service, and accessory or other installation shall be conducted within a fully enclosed building.
11. 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 20-138 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.
12. 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.
 13. Public schools are subject to the regulations of this Title, subject to the provisions of California Government Code Section 53094 for classroom facilities.
 14. 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.
 15. 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.
 16. Neighborhood agriculture in conformance with this Title is a permitted use that may operate on a site without a permanent building on that site.
 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. Conditional Use Permit required outside of Urban Villages; Special Use Permit in Urban Villages.
 20. Permanent supportive housing is a permitted use as mixed use or residential-only development. For information regarding the ministerial approval process, refer to Chapter 20.195 for more information.
 21. Research and Development is allowed through a Special Use Permit in TR and UR if the use on site does not involve activity that would create noxious sounds, smells, or vibrations.
 22. For the purposes of Chapter 20.55, Food and Beverage manufacturing is considered to be permitted under the Manufacturing and Assembly, light use, if it meets all of the following criteria:
 - a. The use must include a retail space which is accessible from and adjacent to the street and open to the public during regular business hours.
 - b. Odors produced on-site shall not have a material negative effect on other businesses or properties in the area.

23. Surface parking which does not serve a use contained on the same site or under the same Development Permit is not permitted. Standalone parking structures are allowed under the following conditions:
 - a. Parking structures shall comply with the Citywide Design Standards and Guidelines.
 - b. In addition, the parking facility must meet one of the following criteria:
 - i. The parking facility shall be designed as a structured aboveground parking facility with ground floor commercial spaces, which are located along public rights-of-way or public open spaces, and which comply with Citywide Design Standards and Guidelines for ground floor commercial spaces.
 - ii. The parking facility shall be designed as an underground parking facility with a POPOS at grade level, which is open to the public 24 hours a day, and which complies with the Citywide Design Standards and Guidelines.
24. In UVC and MUC, sale and leasing of vehicles is permitted in the form of an interior showroom only with no on-site storage of vehicles other than display models in the showroom.
25. May be used as Transitional Housing.
26. 100% deed-restricted affordable housing is a permitted use ~~for residential housing type~~ that meets minimum density requirement in the UR and TR zoning districts, and commercial space requirements shall not apply; subject to conformance with General Plan policies and state law mandates. Refer to Chapter 20.195 for information regarding the ministerial approval process.
27. The Neighborhood Business District Overlay includes North 13th Street/Luna Park, Japantown (Taylor Street only), and the Willow Glen Neighborhood Business District.
28. Ministerial streamlined review process for housing development projects. See Section 20.200.1225 and Chapter 20.195 for projects that qualify.

NVF:AXY:DJF
11/15/24

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk

EXHIBIT "A"

NBD OVERLAY SITES - WILLOW GLEN NEIGHBORHOOD BUSINESS DISTRICT



EXHIBIT "B" NBD OVERLAY SITES – NORTH 13TH STREET NEIGHBORHOOD BUSINESS DISTRICT

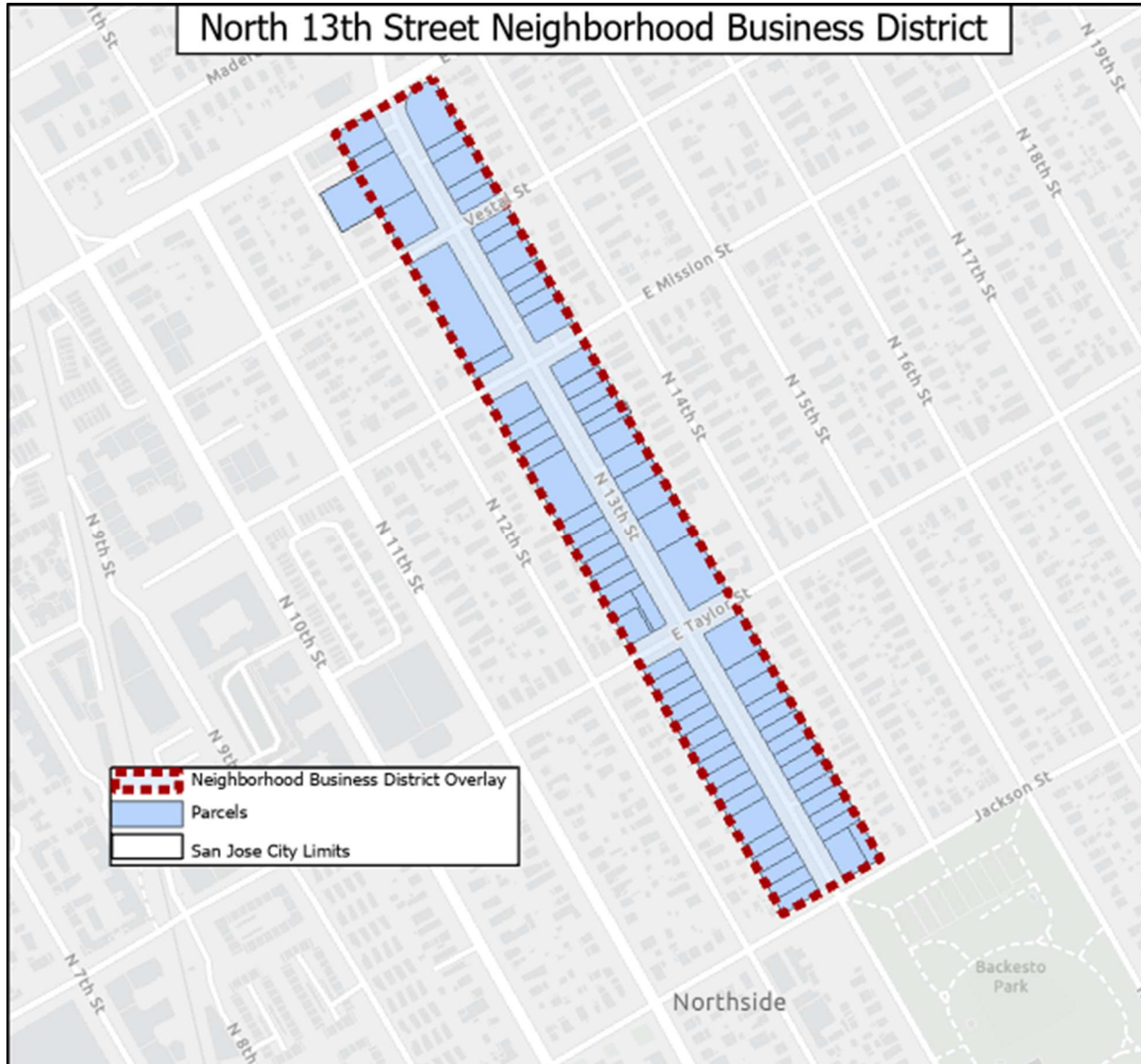


EXHIBIT "C"
NBD OVERLAY SITES - JAPTANTOWN (TAYLOR STREET ONLY)
NEIGHBORHOOD BUSINESS DISTRICT

