

Memorandum

TO: CITY COUNCIL

FROM: Mayor Matt Mahan
Councilmember Campos
Councilmember Tordillos
Councilmember Cohen
Councilmember Mulcahy

SUBJECT: SEE BELOW

DATE: October 24, 2025

Approved






SUBJECT: Amendment to the San José Municipal Code Adopting the 2025 California Building Standards, with Local Technical Amendments, and Repealing Superseded San José Reach Codes.

RECOMMENDATIONS:

1. Approve staff recommendation except for any new findings and new local amendments added to the building code referenced in (a) (2), (a) (3), c (2), and (c) (3).
2. Direct the City Manager to evaluate a local building code amendment to allow the construction of buildings up to six stories with a single staircase. If implementing this local amendment requires changes to State law, direct the City Manager to include pursuit of those changes in the City's legislative program.

BACKGROUND:

In addition to the soaring cost of materials and labor, layers of regulation have made it prohibitively expensive for new construction to proceed in California. According to the California Department of General Services Construction Cost Index, the cost of construction has gone up 34.4% over the last four years, nearly double the consumer price index for California of about 18.9% over that same period.

HONORABLE CITY COUNCIL

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Page 2

We shouldn't compound this problem by adopting building codes in San José that go above and beyond State requirements. California already maintains some of the most rigorous safety, energy, and accessibility standards in the nation. Creating a separate, more restrictive local code makes construction here even more complicated and expensive. This hurts economic activity, negatively impacts job growth, and – in the case of slower building replacement – results in a less safe built environment.

If the administration would like to bring back any local amendments or reach codes for approval, staff should first conduct a cost benefit analysis that specifically quantifies the forecasted expense that the regulation may add in terms of material costs, permitting costs, and potential additions to the timeline to completion. Additionally, staff should also conduct stakeholder outreach that includes the Associated General Contractors of California, San José Chamber of Commerce, and the City's Development Roundtable.

Additionally, staff should explore opportunities to remove or streamline regulations that drive up building costs without compromising safety. Cities like New York and Seattle already allow buildings up to six stories to be constructed with a single staircase – a change that can make small lots buildable at moderate densities, reduce construction costs, and improve housing affordability. The City Manager should treat this not as a one-time directive but as part of an ongoing effort to identify and pursue building code updates that make construction more feasible and housing in San José more attainable.

The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.