

DRAFT

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTION 20.70.100 OF CHAPTER 20.70, ADDING A NEW PART 3.75 OF CHAPTER 20.80, AMENDING SECTION 20.90.060 OF CHAPTER 20.90, AND ADDING SECTION 20.200.197 OF CHAPTER 20.200 OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE TO ADD CO-LIVING COMMUNITY AS AN ENUMERATED USE IN THE DOWNTOWN, TO ESTABLISH RULES AND REGULATIONS RELATED TO CO-LIVING COMMUNITIES, TO ESTABLISH PARKING REQUIREMENTS FOR CO-LIVING COMMUNITIES, TO ADD A NEW DEFINITION FOR CO-LIVING COMMUNITY, AND MAKING OTHER TECHNICAL, NON-SUBSTANTIVE OR FORMATTING CHANGES

WHEREAS, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined that this Ordinance is pursuant to, in furtherance of and within the scope of the previously approved program evaluated in the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (the “FEIR”), for which findings were adopted by City Council through its Resolution No. 76041 on November 1, 2011, and Supplemental Environmental Impact Report (the “SEIR”), through Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto, and does not involve new significant effects beyond those analyzed in the FEIR and SEIR; and

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

WHEREAS, this Council of the City of San José has considered and approves the information contained in the FEIR, as supplemented and addendum thereto, and related City Council Resolution Nos. 76041 and 77617 and the determination of consistency therewith prior to taking any approval actions on this Ordinance;

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

SECTION 1. Section 20.70.100 of Chapter 20.70 of Title 20 of the San José Municipal Code is amended to read as follows:

20.70.100 Allowed Uses and Permit Requirements.

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

in compliance with a conditional use permit as set forth in Chapter 20.100; and in compliance with the general plan land use restrictions related to residential use.

- E. "Conditional" uses requiring city council approval as the initial decision-making body are indicated by a "CC" on Table 20-140. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a conditional use permit approved by the city council as set forth in Chapter 20.100. Applications for these uses shall first be considered by the planning commission at a public hearing of the commission for the commission's report and recommendation on the application to the city council pursuant to the processes set forth in Chapter 20.100.
- F. "Special" uses are indicated by a "S" on Table 20-140. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a special use permit as set forth in Chapter 20.100.
- G. "Special" uses which may be approved only on parcels within the downtown zoning districts which are designated on the land use/transportation diagram of the general plan, as amended, with a land use designation that allows some residential use, are indicated by an "S^{GP}" on Table 20-140. These uses may be allowed on such downtown zoning district parcels, but only upon issuance of and in compliance with a special use permit as set forth in Chapter 20.100; and in compliance with the general plan land use restrictions related to residential use.
- H. "Administrative" uses are indicated by an "A" on Table 20-140. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with an administrative use permit as set forth in Chapter 20.100.

- I. "Restricted" land uses are indicated by an "R" on Table 20-140. These uses may occur in such designated districts, as an independent use, but only upon issuance of and in full compliance with a valid and effective zoning code verification certificate as set forth in Chapter 20.100.
- J. Land uses not permitted are indicated by a "-" on Table 20-140. Land uses not listed on Table 20-140 are not permitted.
- K. The column of Table 20-140, under the heading "Additional Use Regulations for the DG Overlay Area", identifies further regulations on the uses of ground-floor building space within a portion of the DC zoning district. The portion of the DC downtown primary commercial district included in the DG overlay area is described in Section 20.70.520. If there are no additional regulations noted in this column (such as the type of permit required or a "-" or cross references to notes or other section in the zoning code), then the use regulations for the DG overlay area are the same as the regulations of the DC zoning district.
- L. The "Parking" column of Table 20-140 establishes the required parking. The amount of parking may not be increased or decreased unless modified by the director as set forth in Sections 20.70.320 and 20.70.330 of this chapter.
- M. When the right column of Table 20-140 includes a reference to a section number or a footnote, the regulations cited in the section number or footnote apply to the use. In addition, all uses are subject to any other applicable provision of this Title 20 and any other title of the San José Municipal Code.

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

| Use | Zoning District | | Applicable Notes & Sections | | |
|---|-----------------|--------|--|-----------------------|--|
| | DC | DC-NT1 | Additional Use Regulations for the DG Overlay Area | Parking | Applicable to All Downtown Districts |
| Offices and Financial Services | | | | | |
| Automatic teller machine | P | P | | No parking | Section 20.80.200 |
| Business support use | P | P | S, Notes k and n | No parking | |
| Financial institution | P | P | S, Note n | 2.5 per 1,000 sq. ft. | |
| Financial services | P | P | S, Notes m and n | No parking | |
| Offices, business and administrative | P | P | S, Notes i and n | 2.5 per 1,000 sq. ft. | Section 20.70.110 |
| Payday lending establishment | R | R | | | Part 12.5, Chapter 20.80; Section 20.200.875 |
| Research and development | P | P | - | 2.5 per 1,000 sq. ft. | Note 1 |
| General Retail | | | | | |
| Off-sale, alcoholic beverages - beer and/or wine only | C | C | | No parking | Section 20.80.900 |
| Off-sale, alcohol beverages - full range of alcoholic beverages | C | C | | No parking | Section 20.80.900 |
| Auction | S | - | S | No parking | |
| Certified farmers' market | S | S | | No parking | Part 3.5, Chapter 20.80 |

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|---|---|---|------------------|---|-------------------------|
| Certified farmers' market - small | P | P | | No parking | Part 3.5, Chapter 20.80 |
| Food, beverage, groceries | P | P | | No parking | |
| Open air sales establishments and areas | S | S | | No parking | |
| Outdoor vending | S | S | | No parking | Part 10, Chapter 20.80 |
| Outdoor vending - fresh fruits and vegetables | P | P | | No parking | Part 10, Chapter 20.80 |
| Pawn shop, pawn broker | C | C | Note b | No parking | |
| Retail sales, goods and merchandise | P | P | S/P, Note a | No parking | |
| Seasonal sales | P | P | | No parking | Part 14, Chapter 20.80 |
| Education and Training | | | | | |
| Day care center | P | P | S, Notes c and n | No parking | |
| School, post-secondary | P | P | - | 1 per 360 sq. ft. | |
| School, trade and vocational | P | P | - | 1 per 360 sq. ft. | |
| Personal enrichment, instructional art | P | P | -, Note d | 1 per 360 sq. ft. | |
| School, elementary (grades K - 8) | C | C | - | 1 per teacher and employee | |
| High school (grades 9 - 12) | C | C | - | .75 per teacher and employee and 1 per each 10 students | |
| Entertainment and Recreation Related | | | | | |
| Amusement game arcade | S | - | S, - | No parking | |
| Movie theater | P | P | | No parking | |
| Recreation commercial/indoor | P | P | | No parking | |
| Poolroom | S | - | | No parking | |

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|---|-----|-----|-----------|---------------------|---------------------------|
| Private club or lodge | P | P | - | 1 per 360 sq. ft. | |
| Art display structure | S | - | S | No parking | Section 20.70.140 |
| Lighting display | A/S | A/S | | | Note e, Section 20.70.150 |
| Food Services | | | | | |
| Banquet - facility | P | P | | No parking required | |
| Caterer | P | P | C, Note f | No parking | |
| Drinking establishments | C | C | | No parking | |
| Drinking establishments with an approved maximum occupancy load of over 250 persons and that operate between 12:00 midnight and 6:00 a.m. | CC | - | | No parking | Note 7 |
| Drinking establishments interior to a full-service hotel/motel with 75 or more guest rooms | P | P | | No parking | Section 20.80.475 |
| Public eating establishments | P | P | | No parking | Note 9 |
| Wineries, breweries | C | C | | No parking | |
| Health and Veterinary Services | | | | | |
| Animal grooming | P | P | - | No parking | |
| Animal boarding, indoor | P | P | - | No parking | |
| Emergency ambulance service | C | - | - | No parking | |
| Hospital/in-patient medical facility | C | - | - | 1.5 per doctor | |
| Medical or dental clinic/out-patient facility | P | P | - | 1.5 per doctor | |
| Medical cannabis collective | R | - | - | No parking | Part 9.75, Chapter 20.80 |
| Medical cannabis collective dispensary site only | R | - | - | No parking | Part 9.75, Chapter 20.80 |

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|---|-----------------|-----------------|-----------|--|-----------------------------|
| Medical cannabis business | R | - | - | No parking | Part 9.75, Chapter 20.80 |
| Non-medical cannabis business | R | - | - | No parking | Part 9.75, Chapter 20.80 |
| Veterinarian | P | P | - | 1.5 per doctor | |
| General Services | | | | | |
| Bed and breakfast inn | P | P | S, Note l | .35 per room | Part 2, Chapter 20.80 |
| Hotel/motel | P | P | -, Note l | .35 per room | |
| Maintenance and repair of household appliances, small | P | P | - | No parking | |
| Mortuary and funeral services | C | C | - | .75 per employee and vehicle | |
| Personal services | P | P | Note g | No parking | |
| Printing and publishing | P | P | Note h | No parking | |
| Public, Quasi-Public and Assembly Uses | | | | | |
| Auditorium | C | - | C | No parking | |
| Cemetery | C | C | - | No parking | |
| Church/religious assembly | P | P | | No parking | |
| Information center | P | P | | No parking | |
| Museums, libraries | P | - | P | No parking | |
| Parks, playgrounds, or community centers | P | P | S, Note j | No parking | |
| Residential ^{GP} | | | | | |
| Residential shelter | C _{GP} | - | - | 1 per 4 beds, 2.5 per 1,000 sq. ft. | |
| Live/work uses | P _{GP} | S ^{GP} | | 1.5 per unit | Section 20.70.120 |
| Residential multiple dwelling | P _{GP} | P ^{GP} | - | 1 per unit | |

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|--|-----------------|-----------------|---|---|----------------------------------|
| <u>Co-Living Community</u> | <u>S</u> | <u>S</u> | - | <u>.25 per bedroom</u> | <u>Part 3.75, Chapter 20.80</u> |
| Residential care facility for seven or more persons | C _{GP} | C _{GP} | - | .75 per employee | |
| Residential services facility, for seven or more persons | C _{GP} | C _{GP} | - | .75 per employee | |
| Hotel supportive housing | C _{GP} | C _{GP} | - | .35 per room | Note o; Part 22 of Chapter 20.80 |
| Single room occupancy (SRO) living unit facility | S _{GP} | S _{GP} | - | .6 per unit | Part 15, Chapter 20.80 |
| Single room occupancy (SRO) residential hotel | S | S | - | .6 per unit | Part 15, Chapter 20.80 |
| Residential Accessory Uses ^{GP} | | | | | |
| Accessory buildings and accessory structures | P _{GP} | P _{GP} | - | No parking | Note 2 |
| Recycling Uses | | | | | |
| Reverse vending machine | S | S | - | No parking | Part 13, Chapter 20.80 |
| Small collection facility | S | S | - | No parking | Part 13, Chapter 20.80 |
| Transportation and Communication | | | | | |
| Community television antenna systems | C | - | - | No parking | |
| Off-site and alternating use parking arrangements | P | P | - | N/A | Section 20.90.200 |
| Off-street parking establishment | P | P | - | N/A | |
| Private electrical power generation facility | C | C | - | 1 for each vehicle used in the operation of such facility | |

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|---|---|---|--------|-------------------------------|--|
| Standby generators that do not exceed noise or air standards | A | A | - | N/A | |
| Temporary stand-by/backup generators | P | P | - | N/A | |
| Short term parking lot for uses or events other than on-site | S | S | | N/A | |
| Radio and television studios | P | - | Note n | No parking | |
| Wireless communications antenna | S | - | - | No parking | Note 10, Sections 20.80.1900, 20.80.1915 |
| Wireless communications antenna, building mounted | P | - | - | No parking | Note 10, Sections 20.80.1900, 20.80.1915 |
| Electrical Power Generation | | | | | |
| Solar photovoltaic power system | P | P | - | No parking | Section 20.100.610 C.7. |
| Vehicle Related Uses | | | | | |
| Accessory installation for cars and passenger trucks | P | - | - | No parking | |
| Car wash, detailing | P | - | - | No parking | |
| Gasoline service station or charge station | P | - | - | No parking | Note 3, Note 8 |
| Gasoline service station or charge station, with incidental service and repair | P | - | - | No parking | Note 3 |
| Sale and lease, vehicles and equipment (less than one ton) | P | - | - | 1.5 per employee | Note 4 |
| Tires, batteries, accessories, lube, oil change, smog check station, air conditioning | P | - | - | 2 per bay or .75 per employee | Note 5 |

| | | | | | |
|-----------------------------------|---|---|---|----------------------|-------------------------|
| Sale, vehicle parts, new | P | - | - | No parking required | |
| Historic Reuse | | | | | |
| Historic landmark structure reuse | S | S | | Section 20.90.220 E. | Part 8.5, Chapter 20.80 |

Notes applicable to the DG area only:

- a. Second-hand stores not dealing primarily in antiques, artworks, or vintage clothing require a Special Use Permit in the DG overlay area.
- b. Only as a use incidental to a retail jewelry store, otherwise, not Permitted.
- c. Only as a use incidental to existing on-site office use, otherwise not Permitted.
- d. Culinary/art school with public classes and public demonstrations allowed, includes such areas as dance, music, martial arts, and fine arts.
- e. Section 20.70.150 specifies the permits required under Title 20 for a lighting display.
- f. Only as a use incidental to restaurant, grocery or bakery uses for primarily on-site sales, otherwise not Permitted.
- g. Excludes check-cashing services and bail bond services.
- h. Only if dedicated primarily to on-site retail customer copy services, otherwise not Permitted.
- i. Exception for travel agencies and real estate agencies which are the only Permitted uses.
- j. Community centers are allowed with a Special Use Permit.
- k. Exception for copy shops and mail centers which are the only Permitted uses.
- l. Use of ground floor to be primarily dedicated to customer-related public services.

- m. Includes financial retail services such as payroll advances, foreign currency exchange, debit card services and related financial services products but excludes check cashing except as an ancillary use.
- n. In order to be a Permitted use, the space to be occupied shall have been vacant on January 1, 2012, the size of the space of such use shall be limited in size to a total maximum area of no greater than twenty thousand (20,000) square feet, and the space shall not be located within a corner tenant space that is directly adjacent to the intersection of two public Streets. Any use that does not meet all of the criteria specified above in this note may be allowed with a Special Use Permit, and a Special Use Permit is and shall be required.
- o. Hotel Supportive Housing may be Permitted only with a Conditional Use Permit pursuant to Part 22 of Chapter 20.80 and only until December 31, 2026.

Notes applicable to downtown primary commercial (DC) zoning district, including DG area:

- 1. Excludes manufacturing uses.
- 2. No Lot may be used solely for an Accessory Structure or Accessory Building.
- 3. Incidental repair includes air conditioning service, carburetor and fuel injection service, electrical service, radiator service, and tune-up, lube, oil change, and smog check, as well as tires, batteries and accessories installation. Does not allow body repair or painting.
- 4. All activity must be conducted indoors.
- 5. Non-engine and exhaust-related service and repair allowed as incidental use.
- 6. Limited to instrumental and vocal music and readings. Also, notwithstanding the provisions of Section 20.200.940 B., incidental

instrumental and vocal music shall be allowed between the hours of 6:00 a.m. and 12:00 a.m.

7. Maximum occupancy load shall be that maximum occupancy load determined by the City fire marshal.
8. Pedestal Charge Stations that are incidental to a separate primary use, that do not impact on-site or off-site vehicular circulation, and that serve patrons of the primary use on-site are permitted in all Downtown Zoning Districts.
9. Includes on-site outdoor dining area(s).
10. Certain modifications of existing Wireless Facilities may be Permitted with an Administrative Permit in accordance with Section 20.80.1915 of Chapter 20.80.

SECTION 2. A new Part is added to Chapter 20.80 of Title 20 of the San José Municipal Code, to be numbered, entitled and to read as follows:

Part 3.75
Co-Living Community

20.80.290 Co-Living Community Criteria for Approval.

- A. Bedrooms within a Co-Living Community are considered sleeping units as defined in Chapter 2 of the California Building Code as adopted in Chapter 24.03 of the San Jose Municipal Code. Each bedroom within a Co-Living Community is considered a separate living quarter to be occupied by permanent residents.
- B. No special use permit may be issued for a Co-Living Community unless the following criteria are met:

1. Excluding the closet and the bathroom area, the bedroom size must be at least one hundred (100) square feet in floor area if occupied by one (1) person, and one hundred fifty (150) square feet in floor area if occupied by two (2) persons. The average size of all of the bedrooms within a Co-Living Community shall be no greater than two hundred seventy-five (275) square feet and no bedroom may exceed four hundred (400) square feet.
2. Each bedroom shall be designed to accommodate a maximum of up to two (2) persons, along a lateral or loft configuration.
3. A bedroom may contain partial kitchen facilities. If individual partial or complete bath facilities are not provided in a bedroom, common bath facilities must be provided in accordance with Subsection B of Section 17.20.290 of Title 17 of the San José Municipal Code.
4. Common full kitchen facilities must be provided to adequately serve the residents of the Co-Living Community and must serve six (6) or more bedrooms.
5. No bedroom shall have a separate external entryway.
6. A Co-Living Community shall provide a minimum of 20 square feet of interior common space per bedroom, excluding janitorial storage, laundry facilities and common hallways. The interior common space may be located on different floors than the corresponding bedrooms.
7. A closet or designated storage space, which could consist of furniture that provides storage, is required in every bedroom.

8. A cleaning supply storeroom and/or utility closet with at least one (1) laundry tub with hot and cold running water must be provided on each floor of the facility.
9. Laundry facilities must be provided in a separate room at the ratio of one (1) washer and one (1) dryer for every twenty (20) bedrooms or fractional number thereof.
10. A Co-Living Community is subject to regulatory programs and requirements administered by the Department of Housing. With respect to those programs and requirements and the implementing regulations, each bedroom shall be considered a co-living dwelling unit, and the heated common areas associated with the bedrooms will not be excluded from the determination of square footage.
11. An application for a special use permit for a Co-Living Community shall have an operations management plan. The operations management plan is subject to the approval of both the Director and the Director of Housing. The operations and management plan shall be adhered to during the operation of the Co-Living Community.
12. A Co-Living Community shall conform to the design guidelines in Section 20.70.500.
13. A Transportation Demand Management Program (TDM), in conformance with Section 20.90.220, shall be required for a Co-Living Community, if a reduction in parking is requested.

C. Kitchen and bathroom facilities:

1. For purposes of this section, a partial bathroom contains a water closet and sink. A full bathroom includes sink, toilet, and shower and/or bath facilities.
2. A full kitchen contains all of the following: a sink, food preparation counter, storage cabinets, and permanent cooking facilities such as an oven and range or cooktop. A partial kitchen shall not include permanent cooking facilities.

D. The Director shall deny the special use permit application for a Co-Living Community where the information submitted by the applicant and/or presented at the public hearing fails to satisfactorily substantiate that the proposed Co-Living Community will comply with the requirements of this Section.

SECTION 3. Section 20.90.060 of Chapter 20.90 of Title 20 of the San José Municipal Code is amended to read as follows:

20.90.060 Number Of Parking Spaces Required.

A. Number of Off-Street Vehicle Spaces Required.

1. All parking requirements in Table 20-190 are minimums unless otherwise specified. Each land use shall provide, on site, at least the minimum number of vehicle parking spaces required by Table 20-190, unless a modification has been granted pursuant to Section 20.90.220 or 20.90.230.

2. All required parking shall be made available to residents, patrons and employees of a use on the site.
3. All vehicle parking spaces shall be standard size spaces as set forth in Section 20.90.100. Alternatively, a development permit may:
 - a. Authorize all off-street vehicle parking spaces to be uniform-size car spaces, as set forth in Section 20.90.100; or
 - b. Allow up to forty percent of the off-street vehicle parking spaces to be small car spaces as set forth in Section 20.90.100. The remainder of the required vehicle off-street parking spaces shall be standard car space as defined in Section 20.90.100.
4. If the number of off-street vehicle parking spaces hereinafter required contains a fraction after all parking is totaled, such number shall be rounded to the nearest higher whole number.
5. Whenever alternative units of measurement are specified in Tables 20-190, 20-200 or 20-210 for computing vehicle off-street parking requirements for any given use, the unit of measurement which provides the greatest number of off-street parking spaces for such use shall control.
6. The minimum number of vehicle off-street parking spaces required for any given use is the same irrespective of the district in which such use is conducted. In case of a use for which vehicle off-street parking requirements are not specified at all, the requirements for the most nearly

similar use for which vehicle off-street parking requirements are specified shall apply.

7. When two or more uses are located in the same lot or parcel of land or within the same building, the number of vehicle off-street parking spaces required shall be the sum total of the requirements of the various individual uses computed separately in accordance with this Chapter 20.90, except as hereinafter provided for alternating uses or exceptions.

B. Number of Bicycle Parking Spaces Required.

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

Table 20-190
Parking Spaces Required by Land Use

| Use | Vehicle Parking Required | Applicable Sections | Bicycle Parking Required |
|---|---|---------------------|--|
| Agriculture and Resource Uses | | | |
| Agriculture and Resource Uses | 1 per employee | Note 6 | 1 per 10 full-time employees |
| Drive-Through Uses | | | |
| Drive-through in conjunction with any use | No additional parking required | | None |
| Education and Training | | | |
| Day care center | 1 per 6 children, up to 5 spaces and thereafter 1 per 10 children (includes employee parking) | Note 6 | 1 per 10 full-time employees and children |
| Instructional studios | 1 per 150 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Private instruction, personal enrichment | 1 per 3 students, plus 1 per staff | Note 6 | 1 per 10 students and full-time employees |
| School- elementary (K - 8) | 1 per teacher, plus 1 per employee | Note 6 | 1 per 10 full-time employees plus 6 per classroom |
| School- secondary (9 - 12) | 1 per teacher, plus 1 per employee, plus 1 per 5 students | Note 6 | 1 per 10 full-time employees plus 10 per classroom |
| School, post secondary | 1 per 3 students, plus 1 per staff | Note 6 | 1 per 10 full-time employees plus 10 per classroom |
| School, trade and vocational | 1 per 3 students, plus 1 per staff | Note 6 | 1 per 10 full-time employees plus 10 per classroom |

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

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

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

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

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| Retail sales of furniture | 1 per 250 sq. ft. of floor area | Note 3, Note 6 | 1 per 4,000 sq. ft. of floor area |
| Retail Art Studio | 1 space per 200 sq. ft. of retail area | Note 3, Note 6 | 1 per 3,000 sq. ft. of floor area |
| Sales, appliances, industrial equipment, and machinery | 1 per 1,000 sq. ft. of floor area | Note 6 | 1 per 10,000 sq. ft. of floor area |
| Neighborhood shopping center (minimum 100,000 sq. ft. in size), includes a mix of permitted, special, and conditional uses | 1 per 225 sq. ft. of floor area | Note 1, Note 6 | 1 per 3,000 sq. ft. of floor area at publicly accessible entrances with locations to be determined through a development permit |
| Neighborhood shopping center (minimum 20,000 sq. ft. in size), includes a mix of permitted, special, and conditional uses | 1 per 200 sq. ft. of floor area | Note 1, Note 6 | 1 per 3,000 sq. ft. of floor area at publicly accessible entrances with locations to be determined through a development permit |
| General Services | | | |
| Bed and breakfast | 2 spaces, plus 1 per guest room, plus 1 per employee | Note 6 | 1 per space plus 1 per 10 guest rooms |
| Crematory | 1 per full-time employee | Note 6 | 1 per 10 full-time employees |
| Dry cleaner | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |
| Hotel/motel | 1 per guest room or suite, plus 1 per employee | Section 20.90.220 C., Note 6 | 1 space plus 1 per 10 guest rooms |
| Laundromat | 1 per 200 sq. ft. of floor area | Note 6 | 1 per 3,000 sq. ft. of floor area |

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

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

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| Miniwarehouse/ministorage | 1 per 5,000 sq. ft. of floor area, plus 1 per resident manager | Note 4, Note 6 | 1 per 10 full-time employees |
| Outdoor storage | 1 per employee | Note 6 | 1 per 10 full-time employees |
| Private power generation | 1 per employee plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Research and development | 1 per 350 sq. ft. of floor area | Note 6 | 1 per 5,000 sq. ft. |
| Stockyard, including slaughter | 1 per employee | Note 6 | 1 per 10 full-time employees |
| Warehouse | A minimum of 2 for warehouses with a total gross floor area under 5,000 square feet; a minimum of 5 for warehouses with a total gross floor area between 5,000 sq. ft. and 25,000 sq. ft.; for warehouses in excess of 25,000 sq. ft. of total gross floor area a minimum of 1 per 5,000 sq. ft. of gross floor area or a fraction thereof | Note 6 | 1 per 10 full-time employees |
| Warehouse retail | Minimum 1 per 2,000 sq. ft. of floor area; maximum 1 per 250 sq. ft. of floor area | Note 6 | 1 per 10 full-time employees |
| Wholesale sale establishment | 1 per 2,000 sq. ft. of floor area, plus 1 per company vehicle | Note 6 | 1 per 20,000 sq. ft. of floor area |
| Offices and Financial Services | | | |
| Automatic teller machine (free standing) | 2 per machine | Note 6 | 1 per 10 machines |
| Business support | 1 per 200 sq. ft. of floor area plus 1 per company vehicle | Note 6 | 1 per 3,000 sq. ft. of floor area |

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| Financial institution | 1 per 250 sq. ft. of floor area | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Offices, business and administrative | 1 per 250 sq. ft. of floor area | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Offices, research and development | 1 per 300 sq. ft. of floor area | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Private security | 1 per 250 sq. ft. of floor area office space, plus 1 per employee, plus 1 per company vehicle | Note 6 | 1 per 4,000 sq. ft. of floor area |
| Public, Quasi-Public and Assembly Uses | | | |
| Cemetery | 1 per full-time employee | Note 6 | 1 per 10 full-time employees |
| Church/religious assembly | 1 per 4 fixed seats, or 1 per 6 linear feet of seating, or 1 per 30 sq. ft. of area designed for assembly, used together or separately for worship. | Note 6 | 1 per 60 fixed seats, or 1 per 90 linear feet of seating, or 1 per 450 sq. ft. of area designed for assembly, used together or separately for worship |
| Community television antenna systems | 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Museums and libraries | 1 per 300 sq. ft. of area open to the public | Note 6 | 1 per 4,000 sq. ft. of floor area open to the public |
| Parks and playgrounds | 1 per 500 sq. ft. | Note 6 | 1 per 5,000 sq. ft. of outdoor recreation space |
| Community centers | 1 per 4 fixed seats, or 1 per 6 linear feet of seating, plus 1 per 200 square feet of area without seating but designed for meeting or assembly by guests, plus | Note 6 | 1 per 60 fixed seats, or 1 per 90 linear feet of seating, plus 1 per 3,000 sq. ft. of area without |

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| | 1 per 500 sq. ft. of outdoor area developed for recreational purposes | | seating but designed for meeting or assembly by guests, plus 1 per 5,000 sq. ft. of outdoor area developed for recreational purposes |
| Utility facilities, excluding corporation yards, storage or repair yards and warehouses | 1 per 1.5 employees, plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Recycling Uses | | | |
| Processing facility | 1 per employee of the largest shift, plus 1 per facility vehicle | Note 6 | 1 per 10 full-time employees |
| Transfer facility | 1 per employee of the largest shift, plus 1 per facility vehicle | Note 6 | 1 per 10 full-time employees |
| Small collection facility | 1 per attendant | Note 6 | 1 per 10 full-time employees |
| Residential | | | |
| <u>Co-living Community with shared full kitchen facilities</u> | <u>.25 per bedroom</u> | <u>Note 7</u> | <u>.5 per bedroom</u> |
| Emergency residential shelter | 1 per 4 beds, 1 per 250 square feet of area which is used for office purposes | Section 20.90.220 G. | 1 per 5,000 sq. ft. of floor area |
| Guesthouse | 1 per guest room, plus 1 per each employee | Note 6 | 1 per 10 guest rooms plus 1 per 10 full-time employees |
| Live/work | No additional parking required above what is required for commercial use parking | Note 6 | 1 per 5,000 sq. ft. of floor area |
| Living quarters, custodian, caretakers | 1 per living unit | Note 6 | 1 per 10 living units |

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| Mixed use/ground floor commercial with residential above | Respective commercial and residential parking requirements combined | Note 6 | |
| Multiple dwelling | See Table 20-210 and Table 20-211, required parking is determined by the type of parking facility and the number of bedrooms | | See Table 20-210 and Table 20-211 |
| One family dwelling | 2 covered | Note 5 and Section 20.90.220 B. | None |
| Residential care or service facility | 1 per first 6 client beds, plus 1 additional space for up to 4 client beds (or portion thereof) above the first six, plus 1 additional space for each additional four client beds (or portion thereof), plus 1 space for each employee or staff member. | Section 20.90.220 G. | 1 per 10 full-time employees |
| Servants quarters attached to a one-family dwelling or attached to a garage structure | 1 additional parking space | Note 6 | 1 per 10 full-time employees |
| SRO facilities within 2,000 ft. of public transportation | | Note 6 | 1 per SRO unit |
| SRO residential hotels | .25 per SRO unit | | |
| SRO living unit facilities with shared kitchen and bathroom facilities | .25 per SRO unit | | |
| SRO living unit facilities with partial or full kitchen and bathroom facilities | 1 per SRO unit | | |
| SRO facilities not within 2,000 ft. of public transportation | 1 per SRO unit | Note 6 | 1 per SRO unit |

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| Sororities, fraternities and dormitories occupied exclusively (except for administrators thereof) by students attending college or other educational institutions | 1 per guest room, plus 1 per employee | Note 6 | 1 per guest room plus 1 per 10 full-time employees |
| Temporary farm labor camp necessary to the gathering of crops grown on the site | 1 per dwelling unit | | None |
| Travel trailer parks | 1 per employee | Note 6 | 1 per 10 full-time employees |
| Two family dwelling | See Table 20-200, required parking is determined by the type of parking facility and the number of bedrooms | | None |
| Transportation and Utilities | | | |
| Common carrier depot | 1 per employee, plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Data center | 1 per 250 sq. ft. of office/meeting/technician work space, plus 1 for each 5,000 square feet of floor area, or fraction thereof, devoted to computer equipment space | Note 6 | 1 per 5,000 sq. ft. of office/meeting/technician work space, plus 1 for each 50,000 sq. ft. of floor area, or fraction thereof devoted to computer equipment space |
| Television and radio studio | 1 per 250 sq. ft. of space devoted to office use | Note 6 | 1 per 5,000 sq. ft. of space devoted to office use |
| Wireless communication antenna | 1 per site | Note 6 | 1 per site |

| Vehicle Related Uses | | | |
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| Accessory installation, passenger vehicles and pick-up trucks | 4 per vehicle work station, plus 1 per employee | Note 6 | 1 per 10 full-time employees |
| Auto broker, w/on-site storage | See Vehicle sales and leasing | Note 6 | 1 per 10 full-time employees |
| Auto dealer, wholesale, no on-site storage | 1 per 250 sq. ft. of floor area | Note 6 | 1 per 10 full-time employees |
| Car wash | 1 per employee, plus stacking as follows: <ul style="list-style-type: none"> • self service - 5 cars per lane • full service - 15 cars (may be in multiple lanes) | Note 2, Note 6 | 1 per 10 full-time employees |
| Gas or charge station | 1 per employee, plus 1 per air and water pump service area, plus 1 space for information stop | Note 6 | 1 per 10 full-time employees |
| Gas or charge station with incidental service and repair | 4 per grease rack or vehicle work station, plus 1 per employee, plus 1 per air and water pump service area, plus 1 space for information stop | Note 6 | 1 per 10 full-time employees |
| Glass sales, installation and tinting | 4 per vehicle work station, plus 1 per employee | Note 6 | 1 per 10 full-time employees |
| Repair and cleaning per detailing of vehicles | 4 per grease rack or vehicle work station, plus 1 per employee | Note 6 | 1 per 10 full-time employees |
| Sale or lease of vehicles | 1 per 350 sq. ft. enclosed showroom, 1 per 2,500 sq. ft. open area, plus 2 per service bay | Note 6 | 1 plus 1 per 10 full-time employees |
| Exclusively indoors sales | 1 per 200 sq. ft. | Note 6 | 1 plus 1 per 10 full-time employees |

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| Auto rental agency | 1 per 400 sq. ft. of floor area, plus 1 per rental vehicle | Note 6 | 1 plus 1 per 10 full-time employees |
| Sale, vehicle parts | 1 per 200 sq. ft. of floor area | Note 6 | 1 plus 1 per 10 full-time employees |
| Tires, batteries, accessories, lube, oil change, smog check station, air conditioning | 4 per grease rack or vehicle work station, plus 1 per employee | Note 6 | 1 plus 1 per 10 full-time employees |
| Tow yard | 1 per employee, plus 1 per company vehicle | Note 6 | 1 per 10 full-time employees |
| Vehicle wrecking, including sales of parts | 1 per employee | Note 6 | 1 per 10 full-time employees |

Notes:

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

parking spaces shall be provided in short-term bicycle parking facilities and at most twenty percent shall be provided in long-term bicycle facilities.

7. Bicycle Parking shall be required for a Co-Living Community and shall be provided at a ratio of one bicycle space per two bedrooms. At least sixty percent of the bicycle parking shall be long term parking spaces; no more than forty percent may be short term parking spaces. Short term and long-term bicycle parking shall be designed per Part 2.5 of Chapter 20.90 of this Title.

SECTION 4. A new section is added to Chapter 20.200 of Title 20 of the San José Municipal Code, to be numbered, entitled and to read as follows:

20.200.197 Co-Living Community.

A "Co-Living Community " is a residential facility where individual secure bedrooms rented to one or two persons, are provided for an established period of time with a lease agreement, in exchange for an agreed payment of a fixed amount of money. To be considered a Co-Living Community, shared full kitchen facilities must serve six (6) or more bedrooms, and must include interior common space excluding janitorial storage, laundry facilities and common hallways. An individual bedroom that contains a full kitchen facility is not a Co-Living Community for the purposes of this Section.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk