

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSÉ AMENDING TITLE 20 OF THE SAN JOSÉ MUNICIPAL CODE (ZONING ORDINANCE) TO: CHANGE PERMIT REQUIREMENTS FOR DRINKING ESTABLISHMENT IN CONJUNCTION WITH A WINERY BREWRY OR DISTILLERY AN OFF-SALE OF ALCOHOLIC BEVERAGES AS INCIDENTAL TO A WINERY BREWERY OR DISTILLERY IN THE COMMERCIAL, INDUSTRIAL, AND DOWNTOWN ZONING DISTRICTS IN TABLE 20-90 IN SECTION 20.40.100 OF CHAPTER 20.40, TABLE 20-110 IN SECTION 20.50.100 OF CHAPTER 20.50, AND TABLE 20-140 IN SECTION 20.70.100 OF CHAPTER 20.70; AMEND TABLE 20-90 IN SECTION 20.40.100 OF CHAPTER 20.40, AND TABLE 20-140 IN SECTION 20.70.100 OF CHAPTER 20.70 TO INCLUDE TAPROOM OR TASTING ROOM WITH OFF-SALE OF ALCOHOL; AMEND THE PARKING REQUIREMENT FOR MEDICAL OR DENTAL CLINIC/OUT-PATIENT FACILITY IN TABLE 20-140 OF SECTION 20.70.100; AMEND SECTION 20.50.110 COMMERCIAL SUPPORT TO INCLUDE THE ADMINISTRATIVE PERMIT FOR OFF-SALE OF ALCOHOL; AMEND SECTION 20.80.900 TO INCLUDE A SECTION FOR OFF-SALE OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH WINERIES, BREWERIES, AND DISTILLERIES; ADD PART 5.75 TAPROOM OR TASTING ROOM WITH OFF-SALE OF ALCOHOLIC BEVERAGES TO CHAPTER 20.80; ADD A PARKING REQUIREMENT FOR TAPROOM OR TASTING ROOM USE IN TABLE 20-190 IN CHAPTER 20.90; UPDATE THE DEFINITION FOR DRINKING ESTABLISHMENT IN SECTION 20.200.1273 OF CHAPTER 20.200; AND MAKE OTHER TECHNICAL, NON-SUBSTANTIVE, OR FORMATTING CHANGES WITHIN THOSE SECTIONS OF TITLE 20 OF THE SAN JOSÉ MUNICIPAL CODE.

WHEREAS, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined that this Ordinance is pursuant to, in furtherance of and within the scope of the previously approved program evaluated in the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (the “FEIR”), for which findings were adopted by City Council through its Resolution No. 76041 on November 1, 2011, and Supplemental Environmental Impact Report (the “SEIR”), through Resolution No. 77617, adopted by City Council on December 15,

2015, and Addenda thereto, and does not involve new significant effects beyond those analyzed in the FEIR and SEIR; and

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

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

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

SECTION 1. Section 20.40.100 of Chapter 20.40 of Title 20 of the San José Municipal Code is amended to read as follows:

PART 2 - USES ALLOWED

20.40.100 Allowed Uses and Permit Requirements

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

the planning commission at a public hearing of the commission for the commission's report and recommendation on the application to the city council pursuant to the processes set forth in Chapter 20.100.

- D. "Special" uses are indicated by a 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 a 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					Notes & Section
	CO	CP	CN	CG	P Q P	
General Retail						
Alcohol, off-sale s - beer and/or wine only	-	C	C	C	-	Note 21; Section 20.80.900
Alcohol, off-sale s - full range of alcoholic beverages	-	C	C	C	-	Note 21; Section 20.80.900
Alcohol, off-sale s - 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 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	C	C	C	C	C	
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	-	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	C C	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
Drinking establishment in conjunction with a winery, brewery, or distillery	-	S	S	S	-	
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	-	<u>Part 5.75, Chapter 20.80</u>
Public eating establishment or drinking establishment with incidental dancing	-	P	P	P	-	Note 21
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 Services						
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
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	-	-	-	-	C	

use						
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	S	S	S	S	S	Section 20.80.500
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
Mixed use residential/commercial	-	C/S	C	C _{GP}	-	Note 6 and Note 25
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	-	-	S	P	-	Note 12 and Note

trucks not exceeding 25 feet in length, and motorcycles						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 on-site 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. In an urban village, mixed-use residential/commercial only if the residential portion of the use is 100% deed restricted and affordable to persons of low, very low, and/or extremely low income as defined in California Government Code Section 65915 et seq. and in conformance with all criteria in the general plan for such use. Live/work in an area with an urban village designation or urban village overlay in the general plan shall be consistent with applicable approved urban village plans.
7. Use must be less than twenty-four hours.
8. Permitted only as incidental to neighborhood agriculture; otherwise prohibited in CO. In PQP the use is permitted only as incidental to neighborhood agriculture; otherwise a special use permit is required.
9. Incidental repair includes non-invasive engine service, maintenance, and repair, including but not limited to, air conditioning service, fuel system service, electrical service, coolant system service, tune-up, fluid exchanges, steering and suspension system service, brake system service, transmission adjustment and service, lube, oil change, smog check, diagnostics and vehicle inspections, stock catalytic converters and manifolds, as well as tires, batteries and accessories installation. Does not allow body repair, welding, vehicle restorations, other types of exhaust system repair, the removal of cylinder heads, engines, transmissions/transfer cases and differentials, or painting.
10. Includes non-invasive engine service, maintenance, and repair, including but not limited to, air conditioning service, carburetor and fuel injection system service, electrical service, radiator coolant system service, and tune-up, fluid exchanges, steering and suspension system service, brake system service, transmission adjustment and service, lube, oil change, and smog check, diagnostics and vehicle inspections, stock catalytic converters and manifolds, as well as tires,

batteries and accessories installation. Does not allow body repair, welding, vehicle restorations, other types of exhaust system repair, the removal of cylinder heads, engines, transmissions/transfer cases and differentials, or painting.

11. No outdoor sales areas or dismantling allowed.
12. In the CG district, incidental repair of vehicles requires a special use permit. Incidental repair of vehicles is prohibited in all other commercial districts.
13. All vehicle-related repair, service, and accessory or other installation shall be conducted within a fully enclosed building.
14. Bail bond establishments shall not be located and are prohibited uses on the ground floors of structures located within the main jail area, as that area is defined in Section 20.80.070 of Chapter 20.80 of this title. Bail bond establishments are allowed as shown on Table 20-90 on other, above-ground floors of structures. All bail bond establishments shall meet all distance requirements specified in Section 20.80.075 of Chapter 20.80 of this title.
15. Charging stations that are incidental to a separate primary use that do not impact on-site or off-site vehicular circulation, and that serve patrons of the primary use on-site are permitted in all commercial zoning districts.
16. Public schools are subject to the regulations of this title, subject to the provisions of California Government Code Section 53094 for classroom facilities.
17. Primary uses include sporting events, assembly venues, concerts, and entertainment events of similar character and intensity. Incidental support uses include offices, locker rooms, retail, public eating establishments, drinking establishments, outdoor vending facilities, and other commercial uses of similar character and intensity.
18. Use permit applications for stadiums that consist of more than 2,000 seats and that are in airport influence areas shall be referred to the Santa Clara Airport Land Use Commission prior to approval by the city.
19. Neighborhood agriculture in conformance with this title is a permitted use that may operate on a site without a permanent building on that site.
20. The city council is the decision-making body for special use permit appeals for this use pursuant to Section 20.100.220 of this title.
21. In the PQP public/quasi-public zoning district, the following uses may be allowed as a use supporting and incidental to a primary PQP use:
 - a. Offices, retail, public eating establishments, and other commercial uses of similar character and intensity, with approval of a special use permit; and
 - b. Drinking establishments, off-sale of alcoholic beverages, arcade amusement games, poolroom/billiards establishments, wineries, breweries, distilleries, and data centers, with approval of a conditional use permit.
22. Hotel supportive housing may be permitted only with a conditional use permit pursuant to Part 22 of Chapter 20.80 and only until December 31, 2026.
23. Certain modifications of existing wireless facilities may be permitted with an administrative permit in accordance with Section 20.80.1915 of Chapter 20.80.
24. Restricted outside of Urban Villages; Prohibited in Urban Villages.
25. Conditional use permit required outside of Urban Villages; Special use permit in Urban Villages.

SECTION 2. Section 20.50.100 of Chapter 20.50 of Title 20 of the San José Municipal Code is amended to read as follows:

20.50.100 Allowed Uses and Permit Requirements

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

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

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

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

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

Table 20-110
Industrial Zoning Districts Use Regulations

Use	Zoning District					Applicable Sections & Notes
	CIC	TEC	IP	LI	HI	
Industry						
Construction/corporation yard	S	-	-	P	P	
Establishment for the repair, cleaning of household, commercial or industrial equipment or products	-	-	-	P	P	
Extraction of minerals from the ground,	-	-	-	-	C	

including quarrying						
Hazardous materials storage facility	-	-	-	C	C	
Hazardous waste facility	-	-	-	-	C	
Junkyard	-	-	-	-	C	
Industrial services	-	-	-	P	P	
Laboratory, processing	P	P	P	P	P	
Manufacturing and assembly, light	P	P	P	P		
Manufacturing and assembly, medium	P	P	P	P	P	
Manufacturing and assembly, heavy	-	-	-	-	P	
Miniwarehouse/ministorage	-	-	-	C	-	
Outdoor uses or storage, industrial	-	-	-	S	P	Section 20.50.210
Research and development	P	P	P	-	-	
Stockyard, including slaughter	-	-	-	-	C	
Warehouse/distribution facility	P	P	P	P	P	Note 2
Wholesale sale establishment	P	S	S	P	P	Note 2
Additional Uses						
Any use not set forth in Tables 20-30, 20-50, 20-90	-	-	-	-	C	
Any use without a permanent fully enclosed building on-site	C	C	C	S	S	

Commercial support	-	P	P	-	-	Note 5; Section 20.50.110
Agriculture						
Aquaculture, aquaponics, and hydroponics	S	-	S	S	S	
Certified farmers' market	S	S	S	-	-	Part 3.5, Chapter 20.80
Certified farmers' market - small	P	P	P	-	-	Part 3.5, Chapter 20.80
Neighborhood agriculture	P	-	P	P	P	
Drive-Through Use						
Drive-through in conjunction with any use	C	-	-	-	-	
Education and Training						
Day care center	C	C	C	-	-	Note 20
Instructional art studios	P	P	-	-	-	Note 14
Private instruction, personal enrichment	P	P	-	-	-	Note 14
School, driving (class A & B license)	P/S	-	-	P	P	Note 23
School, driving (class C & M license)	P/S	-	-	S	S	Note 23 and Note 24
School, elementary and secondary (public or private)	C	C	-	-	-	Note 11
School, post-secondary	C	C	C	-	-	
School, trade and vocational	S	C	S	S	S	

Entertainment and Recreation						
Health club, gymnasium	P	S	-	-	-	Note 14; Section 20.50.110
Performing arts production and rehearsal space, excluding performances	P	C	C	-	-	
Recreation, commercial/indoor	P	S	-	-	-	Note 2 and Note 5; Section 20.50.110
Recreation, commercial/outdoor	C	-	-	-	-	
Relocated cardroom	C ^{GP}	C ^{GP}	C ^{GP}	C ^{GP}	-	Section 20.80.1155
Stadium, 2,000 seats or fewer including incidental support uses	C	C	-	-	-	Note 15
Stadium, more than 2,000 seats including incidental support uses	CC ^{GP}	-	-	-	-	Note 15 and Note 16
Food Services						
Caterer	P	P	-	-	-	
Commercial kitchen	P	P	P	P	-	Note 2 and Note 14
Drinking establishments	C	C	-	-	-	
Drinking establishments interior to a full-service hotel or motel that includes 75 or more guest rooms	P	S/P	P ^{GP}	-	-	Note 13 and Note 21; Section 20.80.475
Drinking establishment in conjunction with a winery, brewery, or distillery	S	S	S	S	S	
Public eating establishments	P	P	-	C	C	Note 5; Sections 20.50.110, 20.50.113

Outdoor dining, incidental to a public eating establishment	P	S/P	-	C	C	Note 5 and Note 21; Sections 20.50.110,20.50.113
<u>Taproom or tasting room in conjunction with a winery, brewery, or distillery</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>Part 5.75, Chapter 20.80</u>
Winery <u>ies</u> , brewery <u>ies</u> , <u>and-or</u> distillery <u>ies</u>	P	P	P	P	P	<u>Note 2 and Note 14</u>
General Retail						
Alcohol, off-sales - beer and/or wine only	C	C	-	-	-	Note 5; Section 20.50.110
Alcohol, off-sales - full range of alcoholic beverages	C	C	-	-	-	Note 5; Section 20.50.110
Alcohol, off-sales - as incidental to a winery, brewery, or distillery	<u>S-A</u>	<u>S-A</u>	<u>S-A</u>	<u>S-A</u>	<u>S-A</u>	Note 12; <u>Part 5.75, Chapter 20.80, Section 20.50.110</u>
Food, beverages, and groceries	P	P	-	-	-	Note 5 and Note 14; Section 20.50.110
Nursery, plant	P	-	P	C	C	
Outdoor vending	A	A	-	A	A	Part 10, Chapter 20.80
Outdoor vending - fresh fruits and vegetables	P	P	P	P	P	Part 10, Chapter 20.80
Warehouse retail	-	C	C	C	C	Note 2; Section 20.50.130
Retail sales, goods, and merchandise	P	P	-	-	-	Note 5 and Note 14; Section 20.50.110
Retail art studio	P	P	-	-	-	Note 14

Retail bakery	P	P	-	-	-	Note 5 and Note 14; Section 20.50.110
Sales, industrial equipment and machinery	P	P	P	P	-	Note 2
Seasonal sales	P	P	P	P	P	Part 14, Chapter 20.80
General Services						
Crematory	-	-	-	-	C	Note 7
Dry cleaner	P	P	-	-	-	Note 14
Hotel or motel	P	P	C	-	-	Note 13
Laundromat	P	P	-	-	-	Note 14
Mortuary, without funeral services	-	-	-	P	P	
Personal services	P	-	-	-	-	Note 5; Section 20.50.110
Printing and publishing	P	P	P	P	P	
Social service agency	S	-	-	-	-	
Health and Veterinary Services						
Animal boarding	P/S					Note 22
Animal grooming	P		-	-	-	
Emergency ambulance service	C	-	-	-	-	
Hospital/in-patient facility	C	C	C -	-	-	Note 6
Medical cannabis collective	R ^{GP}	-	R ^{GP}	R ^{GP}	R ^{GP}	Part 9.75, Chapter 20.80

Medical cannabis collective cultivation site only	R _{GP}	-	R _{GP}	R _{GP}	R _{GP}	Part 9.75, Chapter 20.80
Medical cannabis collective dispensary site only	R _{GP}	-	R _{GP}	R _{GP}	R _{GP}	Part 9.75, Chapter 20.80
Medical cannabis business	R _{GP}	-	R _{GP}	R _{GP}	R _{GP}	Part 9.75, Chapter 20.80
Non-medical cannabis business	R _{GP}	-	R _{GP}	R _{GP}	R _{GP}	Part 9.75, Chapter 20.80
Cannabis manufacturing (Type 6) business	R _{GP}	—	R _{GP}	R _{GP}	R _{GP}	Part 9.76, Chapter 20.80
Cannabis distribution business	R _{GP}	—	R _{GP}	R _{GP}	—	Part 9.76, Chapter 20.80
Cannabis testing business	—	—	R _{GP}	—	—	Part 9.76, Chapter 20.80
Office, medical	P	P	C	-	-	Note 14, Note 5, Section 20.50.110
Veterinary clinic	P	-	-	-	-	
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	P	Section 20.80.200
Business support use	P	P	P	-	-	
Financial institution	P	P	-	-	-	Note 5; Section 20.50.110

Office, general business	P	P	P	-	-	
Office, research and development	P	P	P	-	-	
Public, Quasi-Public and Assembly Uses						
Church/religious assembly	C	-	-	-	-	
Recycling Uses						
Processing facility	-	-	C	S	S	
Transfer facility, recycling	-	-	C	S	S	
Collection facility, large	-	-	-	-	P	
Reverse vending machine	A	A	A	A	A	
Collection facility, small	A	A	A	A	A	
Residential						
Emergency residential shelter, more than 50 beds	C	-	-	-	-	Section 20.80.500
Emergency residential shelter, 50 beds or fewer	P	-	-	-	-	Section 20.80.500
Hotel supportive housing	C	C	C	C	C	Note 17; Part 22 of Chapter 20.80
Living quarters, custodian, caretakers	-	-	-	-	C	Note 1
Transportation and Utilities						
Commercial vehicle storage	S	-	-	S	S	
Common carrier depot	S	S	S	S	S	

Community television antenna systems	C	C	C	C	C	
Data center	S	S	S	S	S	Note 2
Off-site, alternating and alternative use parking arrangements	S	S	S	S	S	Section 20.90.200
Off-street parking establishment	C	-	C	C	C	
Television, radio studio	C	C	C	C	C	
Utility facilities, excluding corporation yards, storage or repair yards and warehouses	C	C	C	C	C	
Wireless communications antenna	C	C	C	C	C	Note 18; Sections 20.100.1300, 20.80.1915
Wireless communications antenna, slimline monopole	S	S	S	S	S	Note 18; Sections 20.80.1900, 20.80.1915
Wireless communications antenna, building mounted	P	P	P	P	P	Note 18; Sections 20.80.1910, 20.80.1915
Utilities, Power Generation						
Base load power plant	-	-	-	-	C	
Co-generation facility	S	S	S	S	S	
Private electrical power generation facility	C	C	C	C	C	
Solar photovoltaic power system	P	P	P	P	P	Section 20.100.610 C.7.
Stand-by/backup facilities that do not exceed noise and air standards	P	P	P	P	P	

Stand-by/backup facilities that do exceed noise and air standards	C	C	C	C	C	
Stationary peaking power plant	-	-	-	C	C	
Temporary stand-by or backup electrical power generation facility	P	P	P	P	P	
Transportable peaking power plant	-	-	-	C	C	
Vehicle Related Uses						
Auto dealer, wholesale, no on-site storage	P	P	P	-	-	
Car wash, detailing	C	C	-	-	-	
Fuel service station or charge station, no incidental service or repair	P	-	C	-	-	Note 8
Fuel service station or charge station with incidental service and repair	P	-	-	-	-	Note 3
Repair and cleaning of vehicles	C	-	-	P	P	Note 4
Sale, brokerage, or lease (rental) of passenger vehicles, pick-up trucks not exceeding 25 feet in length, and motorcycles	S	-	-	-	-	Note 10
Sale or lease of commercial trucks, buses, trailers, campers, boats, mobilehomes, construction equipment	C	-	-	C	-	
Sale, vehicle parts	P	-	-	P/ S	-	Note 9
Vehicle tow yard	-	-	-	C	S	Note 19
Vehicle wrecking, including sales of parts	-	-	-	-	C	

Warehouse retail indoor sale of passenger vehicles, pick-up trucks not exceeding 25 feet in length, and motorcycles	C	C	C	C	C	Note 2; Section 20.50.140
---------------------------------------------------------------------------------------------------------------------	---	---	---	---	---	---------------------------

Notes:

1. Site must be seven (7) acres or more.
2. In TEC, only allowed in existing buildings with a valid certificate of occupancy as of (the effective date of this ordinance). Not allowed more than 5% expansion of the existing building floor area ratio for the portion of the building occupied by the use subject to this note.
3. Incidental repair includes air conditioning service, carburetor and fuel injection service, electrical service, radiator service, and tune-up, lube, oil change, and smog check, as well as tires, batteries, and accessories installation. Does not allow body repair or painting.
4. All vehicle-related repair, service, and accessory or other installation, excepting the cleaning of vehicles, shall be conducted within a fully enclosed Building.
5. Retail; recreation, commercial/indoor establishments; Health club, gymnasium; Public Eating Establishments; outdoor dining, incidental to a public eating establishment; financial institutions; medical clinics; medical offices; and Personal Service establishments are Permitted in the IP district subject to the limitations of Commercial Support Use, Section 20.50.110. Public Eating Establishments in the LI or HI districts are limited to a maximum of six hundred fifty (650) gross square feet in size.
6. Refer to the General Plan for criteria to determine if the use is permissible at the proposed location.
7. Crematories shall be separated by at least five hundred (500) linear feet from residential uses, schools, and day care centers, which distance(s) shall be measured from the nearest points of the Parcel boundary on which the crematory is proposed and the Parcel boundary on which the residential, school or day care center use is located.
8. Charge Stations that are incidental to a separate primary use, that do not impact on-site or off-site vehicular circulation, and that serve patrons of the primary use on-site are Permitted in all Industrial Zoning Districts.
9. Vehicle parts sales are permitted in the LI district when the total floor area dedicated to retail display and open to the public occupies no more than fifteen (15) percent of the gross floor area of the individual tenant space. Vehicle parts sales establishments that exceed fifteen (15) percent of the gross floor area of the individual tenant space are subject to a Special Use Permit.
10. Any incidental vehicle-related repair, service, and accessory or other installation, excepting the cleaning of vehicles, shall be conducted within a fully enclosed Building.
11. Public schools are subject to the regulations of this Title, subject to the provisions of California Government Code Section 53094 for classroom facilities.
12. Off-sale of alcoholic beverages. The total square footage of alcoholic beverages on display in a retail area and the total square footage of retail floor area in which alcoholic beverages are displayed for sale shall be the lesser of the following:
 - a. Two hundred fifty (250) gross square feet; or

- b. Five (5) percent of the winery's, brewery's, or distillery's entire gross floor area; and any and all alcoholic beverages made available for retail sale shall be limited only to those alcoholic beverages manufactured and produced on-site.
- 13. At least two hundred (200) rooms and four (4) or more stories in height are required for Hotels located in the TEC Transit Employment Center Zoning District.
- 14. The use is allowed in the TEC district only on the first or second floor of a building containing another permitted, special, or conditional use of the TEC Zoning District that is not subject to this note. Not allowed as a standalone use.
- 15. Primary uses include sporting events, large assembly, concerts, and entertainment events of similar character and intensity. Incidental support uses include offices, locker rooms, retail, Public Eating Establishments, Drinking Establishments, Outdoor Vending Facilities, and other commercial uses of similar character and intensity.
- 16. Use permit applications for stadiums that consist of more than two thousand (2,000) seats and that are in an airport influence area shall be referred to the Santa Clara Airport Land Use Commission prior to approval by the City.
- 17. Hotel Supportive Housing may be Permitted only with a Conditional Use Permit pursuant to Part 22 of Chapter 20.80 and only until December 31, 2026.
- 18. Certain modifications of existing Wireless Facilities may be Permitted with an Administrative Permit in accordance with Section 20.80.1915 of Chapter 20.80.
- 19. Vehicle auctions are permitted as part of a Vehicle tow yard.
- 20. Day care centers are allowed in the IP and TEC Zoning Districts as incidental uses to the primary TEC or IP development, not as a standalone use.
- 21. Special use permit required if within 150 feet of residentially used or zoned lot; Permitted if not within 150 feet of residentially used or zoned lot.
- 22. Outdoor Animal Boarding is allowed through a Special use permit in the CIC Zoning District.
- 23. Permitted in the CIC district for classroom use only, outside vehicle storage requires a Special use permit.
- 24. Only schools which offer driving instruction for commercial vehicles are permitted in this zoning district.

20.50.110 Commercial Support

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

- A. Such commercial uses serve the immediate area; and
- B. Such commercial uses are located entirely within Buildings occupied by primary uses permitted in the IP or TEC districts; and
- C. The sum of all such commercial uses in any single building on the site occupies no more than ten percent of the gross floor area of the building or no more than

twenty thousand square feet, whichever is less; or, in the case of medical offices as the sole commercial support use in a building, the sum of such medical office use in any single building on the site occupies no more than twenty percent of the gross floor area of the building or no more than twenty thousand square feet, whichever is less; and

D. Such commercial uses are limited to the following:

1. Retail; including off-sale of alcohol, subject to a conditional use permit, except that retail sales incidental to a winery, brewery, or distillery which are regulated by Part 5.75 of Chapter 20.80 do not require a conditional use permit.
2. Recreation, commercial/indoor.
3. Health club, gymnasium.
4. Personal service establishment.
5. Public eating establishment.
6. Outdoor dining, incidental to a public eating establishment.
7. Financial institution.
8. Medical clinic.
9. Medical office.
10. Amusement game devices, up to nine per business establishment, as an (incident) to one or more of the above enumerated commercial uses.

SECTION 3. 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. "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.
- F. "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.
- G. "Administrative" uses are indicated by an "A" on Table 20-140. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with an administrative use permit as set forth in Chapter 20.100.
- H. "Restricted" land uses are indicated by an "R" on Table 20-140. These uses may occur in such designated districts, as an independent use, but only upon issuance of and in full compliance with a valid and effective zoning code verification certificate as set forth in Chapter 20.100.
- I. Land uses not permitted are indicated by a "-" on Table 20-140. Land uses not listed on Table 20-140 are not permitted.

- J. The column of Table 20-140, under the heading "Additional Use Regulations for the Ground Floor Active Use Area Overlay", identifies further regulations on the uses of ground-floor building space within a portion of the DC zoning district. The portion of the DC downtown primary commercial district included in the Active Use Area Overlay is described in Section 20.70.520.
- K. The "Parking" column of Table 20-140 establishes the required parking. The amount of parking may not be increased or decreased unless modified by the director as set forth in Sections 20.70.320 and 20.70.330 of this chapter.
- L. When the right column of Table 20-140 includes a reference to a section number or a footnote, the regulations cited in the section number or footnote apply to the use. In addition, all uses are subject to any other applicable provision of this Title 20 and any other title of the San José Municipal Code.

Table 20-140
Downtown Zoning Districts Use Regulations

Use	Zoning District		Applicable Notes & Regulations <u>Regulations</u>		
	DC	DC-NT1	Additional Use Regulations for the AUA Overlay	Parking	Applicable to All Downtown Districts
Offices and Financial Services					
Automatic teller machine	P	P	P	No parking	Note a; Section 20.80.200
Business support use	P	P	P	No parking	
Financial services	P	P	P	2.5 per 1,000 sq. ft.	Note b
Retail bank	P	P	P	No parking	Note b

Offices, business and administrative	P	P	S	2.5 per 1,000 sq. ft.	Section 20.70.110
Payday lending establishment	R	R	-	No parking	Part 12.5, Chapter 20.80; Section 20.200.875
Research and development	P	P	-	2.5 per 1,000 sq. ft.	
General Retail					
Alcohol, off-sales - beer and/or wine only	C	C	C	No parking	Section 20.80.900
Alcohol, off-sales - full range of alcoholic beverages	C	C	C	No parking	Section 20.80.900
Alcohol, off-sales - as incidental to a winery, brewery, or distillery	S-A	C-A	S-A	No parking	Note 11; Part 5.75, Chapter 20.80
Food, beverages, and groceries	P	P	P	No parking	
Outdoor vending	A	A	A	No parking	Note b; Part 10, Chapter 20.80
Outdoor vending - fresh fruits and vegetables	P	P	P	No parking	Note b; Part 10, Chapter 20.80
Pawn shop or pawn broker, incidental to a retail jewelry store	C	C	C pawn	No parking	Note b; Chapter 6.52
Retail bakery	P	P	P	No parking	

Retail art studio	P	P	P	No parking	
Retail sales, goods, and merchandise	P	P	P	No parking	Note c
Seasonal sales	P	P	P	No parking	Part 14, Chapter 20.80
Agriculture					
Certified farmers' market	S	S	S	No parking	Part 3.5, Chapter 20.80
Certified farmers' market, small	P	P	P	No parking	Part 3.5, Chapter 20.80
Neighborhood agriculture	P	P	P		
Education and Training					
Day care center	P	P	P	No parking	Note b
Instructional art studios	P	P	P	No parking	
Private instruction, personal enrichment	P	P	P	1 per 360 sq. ft.	Note b
School, elementary - grades K - 8 (public or private -)	C	C	C	1 per teacher and employee	Note b
School, secondary - grades 9 - 12 (-public or private)	C	C	C	.75 per teacher and employee and 1 per each 10 students	Note b
School, post-secondary	P	P	-	1 per 360 sq. ft.	
School, trade and vocational	P	P	P	1 per 360 sq. ft.	Note b

Entertainment and Recreation Related					
Arcade, amusement game	P	-	P	No parking	Note b
Health club, gymnasium	P	P	P	No parking	
Lighting display	A/S	A/S	A/S	No parking	Section 20.70.150
Movie theater	P	P	P	No parking	
Poolroom/billiards establishment	P	-	P	No parking	
Private club or lodge	P	P	-	1 per 360 sq. ft.	
Recreation commercial/indoor	P	P	P	No parking	
Food Services					
Banquet - facility	P	P	P	No parking	
Caterer	P	P	P	No parking	Note b
Drinking establishments	S	C	S	No parking	
Drinking establishment in conjunction with a winery, brewery, or distillery	S	C	S	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	-	CC	No parking	Note 5
Drinking establishments interior to a full-service hotel or motel with 75 or more guest rooms	P	P	-	No parking	Section 20.80.475

Public eating establishments	P	P	P	No parking	Note 7
Public eating establishment in conjunction with a winery, brewery, or distillery	P	P	P	No parking	
<u>Taproom or tasting room in conjunction with a winery, brewery, or distillery</u>	<u>A</u>	<u>S</u>	<u>A</u>	<u>No parking</u>	<u>Part 5.75, Chapter 20.80</u>
<u>Taproom or tasting room with off-sale of alcohol</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>No parking</u>	<u>Part 5.75, Chapter 20.80</u>
General Services					
Bed and breakfast inn	P	P	P	.35 per room	Note b; Part 2, Chapter 20.80
Hotel or motel	P	P	P	.35 per room	
Laundromat	P	P	P	No parking	Note b
Maintenance and repair of small household appliances	P	P	P	No parking	Note b
Personal services	P	P	P	No parking	Note d
Printing and publishing	P	P	P	No parking	Note b and Note f
Health and Veterinary Services					
Animal grooming	P	P	P	No parking	Note b
Animal boarding, indoor	P	P	P	No parking	Note b
Emergency ambulance service	C	-	-	No parking	
Hospital/in-patient medical facility	C	-	-	1.5 per doctor	

Medical or dental clinic/out-patient facility	P	P	P	1.5 per doctor	Note b
Medical cannabis collective	R	-	-	No parking	Part 9.75, Chapter 20.80
Medical cannabis collective dispensary site only	R	-	-	No parking	Part 9.75, Chapter 20.80
Medical cannabis business	R	-	-	No parking	Part 9.75, Chapter 20.80
Non-medical cannabis business	R	-	-	No parking	Part 9.75, Chapter 20.80
<u>Office, medical</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>No parking</u>	<u>Note b</u>
Veterinarian	P	P	P	1.5 per doctor	Note b
Historic Reuse					
Historic landmark structure reuse	S	S	S	Section 20.90.220 E.	Part 8.5, Chapter 20.80
Public, Quasi-Public and Assembly Uses					
Auditorium	C	-	C	No parking	
Church/religious assembly	P	P	-	No parking	
Information center	P	P	P	No parking	
Museums and libraries	P	-	P	No parking	
Parks, playgrounds, or community centers	P	P	S	No parking	
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
Residential^{GP}					
Residential shelter	C _{GP}	-	-	1 per 4 beds, 2.5 per 1,000 sq. ft.	Note e
Live/work uses	P _{GP}	S ^{GP}		1.5 per unit	Note e; Section 20.70.120
Residential, multiple dwelling	P _{GP}	P ^{GP}	-	1 per unit	Note e
Co-living community	S	S	-	.25 per bedroom	Note 10 and Note e; Part 3.75, Chapter 20.80
Residential care facility for seven or more persons	C _{GP}	C ^{GP}	-	.75 per employee	Note e
Residential services facility, for seven or more persons	C _{GP}	C ^{GP}	-	.75 per employee	Note e
Hotel supportive housing	C _{GP}	C ^{GP}	-	.35 per room	Note 9 and Note e; Part 22 of Chapter 20.80
Single room occupancy (SRO) living unit facility	S _{GP}	S ^{GP}	-	.6 per unit	Note e; Part 15, Chapter 20.80
Single room occupancy (SRO) residential hotel	S	S	-	.6 per unit	Note e; Part 15, Chapter 20.80

Residential Accessory Uses ^{GP}					
Accessory buildings and accessory structures	P _{GP}	P ^{GP}	-	No parking	Note 1
Transportation and Communication					
Community television antenna systems	C	-	-	No parking	
Off-site and alternating use parking arrangements	P	P	P	N/A	Section 20.90.200
Off-street parking establishment	P	P	-	N/A	
Short term parking lot for uses or events other than on-site	S	S	-	N/A	
Radio and television studios	P	-	-	No parking	
Wireless communications antenna	S	-	-	No parking	Note 8; Sections 20.80.1900, 20.80.1915
Wireless communications antenna, building mounted	P	-	-	No parking	Note 8; Sections 20.80.1900, 20.80.1915
Utilities, Power Generation					
Private electrical power generation facility	C	C	-	1 for each vehicle used in the operation of such facility	
Solar photovoltaic power system	P	P	-	No parking	Section 20.100.610 C.7.

Stand-by/backup facilities that do not exceed noise or air standards	A	A	-	N/A	
Temporary stand-by/backup generators	P	P	-	N/A	
Vehicle Related Uses					
Car wash, detailing	P	-	-	No parking	
Fuel service station or charge station, no incidental service or repair	P	-	-	No parking	Note 6
Fuel service station or charge station, with incidental service and repair	P	-	-	No parking	Note 2
Sale and lease, vehicles and equipment (less than one ton)	P	-	-	1.5 per employee	Note 3
Tires, batteries, accessories, lube, oil change, smog check station, air conditioning	P	-	-	2 per bay or .75 per employee	Note 4
Sale, vehicle parts, new	P	-	-	No parking required	

Notes applicable to the Active Use Area Overlay only:

- a. Automatic Teller Machines must be a secondary use and must be architecturally integrated into the building on which they are placed. Automatic Teller Machines may not be standalone structures. Use may not be an ATM vestibule lobby.
- b. Not permitted in corner tenant spaces. Corner tenant spaces are defined as storefronts that extend up to or beyond 30 feet along the street in either direction from the intersection.
- c. Second-hand stores not dealing primarily in antiques, artworks, or vintage clothing require a Special Use Permit.
- d. Excludes check-cashing services and bail bond services.
- e. A residential pedestrian entry portal not exceeding 25 feet in length is permitted in the Ground Floor Active Use Area.

- f. Only if dedicated primarily to on-site retail customer copy services, otherwise not Permitted.

Notes applicable to the Downtown Primary Commercial (DC) Zoning District, including the Active Use Area Overlay:

1. No Lot may be used solely for an Accessory Structure or Accessory Building.
2. 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.
3. All activity must be conducted indoors.
4. Non-engine and exhaust-related service and repair allowed as incidental use.
5. Maximum occupancy load shall be that maximum occupancy load determined by the City fire marshal.
6. 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.
7. Includes on-site outdoor dining area(s).
8. Certain modifications of existing Wireless Facilities may be Permitted with an Administrative Permit in accordance with Section 20.80.1915 of Chapter 20.80.
9. Hotel Supportive Housing may be Permitted only with a Conditional Use Permit pursuant to Part 22 of Chapter 20.80 and only until December 31, 2026.
10. A Co-Living Community with 600 or more units located adjacent, across or within 500 feet of a property line with Residential Neighborhood (RN) designation on the land use/transportation diagram of the General Plan, as amended, shall require 0.6 parking spaces per bedroom.
11. Off-sale limited to items produced on-site otherwise a Conditional Use Permit is required.

SECTION 4. Section 20.80.900 of Chapter 20.80 of Title 20 of the San José Municipal Code is amended to read as follows:

20.80.900 Off-Sale of Alcoholic Beverages

- A. A conditional use permit may be issued pursuant to the applicable provisions of this title for the off-sale of any alcoholic beverages only if the decision-making body first makes the following additional findings, where applicable:
 1. For such use at a location closer than five hundred feet from any other such use involving the off-sale of alcoholic beverages, situated either within or outside the city, that the proposed location of the off-sale alcohol use would not result in a total of more than four establishments that provide alcoholic beverages for off-site consumption within a one thousand foot radius from the proposed location.

2. For such use at a location closer than five hundred feet from any other use involving the off-sale of alcoholic beverages, situated either within or outside the city, where the proposed location of the off-sale of alcoholic beverages use would result in a total of more than four establishments that provide alcoholic beverages for off-site consumption within a one thousand foot radius from the proposed location, that the resulting excess concentration of such uses will not:
 - a. Adversely affect the peace, health, safety, morals, or welfare of persons residing or working in the surrounding area; or
 - b. Impair the utility or value of property of other persons located in the vicinity of the area; or
 - c. Be detrimental to public health, safety or general welfare.
 3. For such use at a location closer than five hundred feet from any child care center, public park, social service agency, residential care facility, residential service facility, elementary school, secondary school, college or university, or one hundred fifty feet from any residentially zoned property, that the building in which the proposed use is to be located is situated and oriented in such a manner that would not adversely affect such residential, child care center, public park, social service agency, residential care facility, residential service facility and/or school use.
- B. The off-sale of alcohol as incidental sales in conjunction with the sale of gift baskets, balloons and flowers is exempt from the requirement of a conditional use permit.
- C. Where a conditional use permit application requesting the off-premises sale of alcoholic beverages also would require a determination of public convenience and necessity under the provisions of Chapter 6.84 of Title 6 of this Code, and the planning commission cannot make the required findings under Section 6.84.030 of Chapter 6.84 of Title 6 of this Code, the planning commission shall make a report and recommendation to the city council on said conditional use permit application. In this instance, the city council shall be the initial and final decision-making body on said conditional use permit application.
- D. In the Downtown Primary Commercial Zoning District (DC), an Administrative Permit or a Special Use Permit may be issued for a taproom or tasting room with off-sale of alcohol either as a standalone use or in conjunction with an alcohol manufacturing site such as a winery, brewery, or distillery, pursuant to the regulations set forth in Part 5.75 of Chapter 20.80, and are not subject to the above conditional use permit requirements.

- E. In Commercial Zoning Districts (CP, CN, and CG) and Industrial Zoning Districts (CIC, TEC, IP, HI, and LI), an Administrative Permit or a Special Use Permit may be issued for a taproom or tasting room with off-sale of alcohol in conjunction with a winery, brewery, or distillery, pursuant to the regulations set forth in Part 5.75 of Chapter 20.80, and are not subject to the above conditional use permit requirements.

SECTION 5. 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 5.75 –TAPROOM OR TASTING ROOM AND OFF-SALE OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A WINERY, BREWERY, OR DISTILLERY

20.80.476 - Administrative permit required.

No person shall place or operate or allow or suffer the operation of any taproom or tasting room facility which serves members of the public on any privately-owned parcel or lot except in compliance with an administrative permit issued pursuant to this title. The application for such administrative permit may be filed by the operator of the taproom or tasting room pursuant to the requirements of Chapter 20.100. Alternatively, applicants can apply for a special use permit or conditional use permit for uses which do not meet the regulations of the administrative permit.

20.80.477 Findings

- A. The administrative permit shall be granted only if the director makes the following findings:
1. The taproom or tasting room facility, as designed and at the location requested, will not create adverse impacts on the health, safety, or welfare of persons residing or working in the surrounding area; and
 2. The proposed site is adequate in size and shape to accommodate the taproom or tasting room, and any manufacturing uses on site.
- A.B. The director shall deny the application where the information submitted by the applicant fails to satisfactorily substantiate such findings.

20.80.478 Taproom or Tasting Room in Downtown Zoning Districts

- A. In Downtown Zoning Districts, an Administrative Permit may be issued pursuant to the applicable provisions of this Title for the off-sale of alcohol or the addition of a tap room or tasting room, only if the applicant meets the following criteria:
1. Use Authorization. The Administrative Permit authorizes the following uses to be implemented on the property subject to the Permit:
 - a. A drinking establishment (taproom or tasting room) in conjunction with a winery, brewery, or distillery.
 - b. Off-sale of alcohol as incidental to a winery, brewery, or distillery.
 - c. A standalone drinking establishment (taproom or tasting room) with off-sale of alcohol.
 2. Alcohol Service and Sale. Alcohol service shall be conducted in full compliance with the issued ABC license.
 3. Limitation on Area of Alcohol Sales. In Downtown Zoning Districts there are no restrictions on the size of retail space, including taprooms, tasting rooms, or any retail display areas. The alcohol available for retail sale shall be limited only to those alcoholic beverages manufactured and produced on-site or in the case of a duplicate license, at the ABC license holder's primary manufacturing site.
 4. Vendor Delivery Parking. The permittee shall discourage vendors from parking delivery vehicles illegally on City streets and shall identify to vendors the available legal loading and unloading zones.
 5. Warehousing, Storage and Bottling. In Downtown Zoning Districts the manufacturing space should not exceed 70% of the total square footage. All aspects of manufacturing should be conducted in a fully enclosed building
 6. Outdoor Storage. No outdoor storage is allowed or permitted unless designated on the approved plan set.
 7. Outdoor areas. Outdoor seating or dining areas shall not be located within 150 horizontal feet of any residential unit and shall be closed to the public by 10:00 p.m. Existing, previously approved, outdoor seating areas may

be permitted within 150 feet of residential units. Locations within 150 from residential units may be permitted if they conform to the following criteria:

- a. The outdoor area is completely separated from residentially zoned property by a non-residential building or by a minimum distance of one hundred feet that includes a public street with a minimum public right-of-way dimension of eighty feet; and
 - b. The outdoor area does not include any equipment to produce any noise that does not comply with Section 20.40.600 of Chapter 20.40; and
 - c. The outdoor dining area does not operate between the hours of 10:00 p.m. and 6:00 a.m.
8. Hours of Operation: Taproom or tasting room uses shall not be open to the public before 11:00 a.m. and shall not be open past 12:00 a.m.
9. Food trucks. One food truck per site may be permitted, subject to the outdoor vending regulations detailed in Part 10 of Chapter 20.80.
10. Nuisance. This use shall be operated in a manner that does not create a public or private nuisance. Any such nuisance shall be abated immediately upon notice by the City.
11. Noise and Acoustics. The permittee shall prevent disturbing or unreasonable noise which can be heard from neighboring properties. Ambient music provided for the listening enjoyment of customers is exempted.
12. Anti-Graffiti. The permittee shall remove all graffiti from buildings, fences, and wall surfaces within 48 hours of defacement.
13. Anti-Litter. The site and surrounding area shall be maintained free of litter, refuse, and debris:
 - a. Cleaning shall include keeping all publicly used areas free of litter, trash, cigarette butts and garbage.
 - b. The operator of the proposed use shall clean the public right of way immediately adjacent to the subject site before 8:00 am each day, unless it is a participant in a Property Business Improvement District which provides such sidewalk cleaning services for the

neighborhood in the vicinity of the project site, including the immediately adjacent public right of way.

c. Mechanical equipment used for outside maintenance, including blowers and street sweepers may not be used between 10:00 p.m. and 6:00 a.m. daily.

14. Revocation, Suspension, Modification. The Administrative Permit may be revoked, suspended or modified by the Director of Planning on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 2 , Chapter 20.100, Title 20 of the San José Municipal Code a finding is made under Section 20.100.350.

20.80.479 Taproom or Tasting Room in Commercial Zoning Districts:

A. In Commercial Zoning Districts, an Administrative Permit may be issued pursuant to the applicable provisions of this Title for the off-sale of alcohol or the addition of a tap room or tasting room, only if the applicant meets the following criteria:

1. Use Authorization. The Administrative Permit authorizes the following uses to be implemented on the property subject to the Permit:

a. A drinking establishment (taproom or tasting room) in conjunction with a winery, brewery, or distillery.

b. Off-sale of alcohol as incidental to a winery, brewery, or distillery.

c. A standalone drinking establishment (taproom or tasting room) with off-sale of alcohol.

2. Alcohol Service and Sale. Alcohol service shall be conducted in full compliance with the issued ABC license.

3. Limitation on Area of Alcohol Sales. In Commercial Zoning Districts the size of retail space, including tap rooms, tasting rooms, or any retail display areas must not exceed 5,000 square feet. The alcohol available for retail sale shall be limited only to those alcoholic beverages manufactured

- and produced on-site or in the case of a duplicate license, at the ABC license holder's primary manufacturing site.
4. Vendor Delivery Parking. The permittee shall discourage vendors from parking delivery vehicles illegally on City streets and shall identify to vendors the available legal loading and unloading zones.
 5. Warehousing, Storage and Bottling. In Downtown Zoning Districts the manufacturing space should not exceed 70% of the total square footage. All aspects of manufacturing should be conducted in a fully enclosed building.
 6. Outdoor Storage. No outdoor storage is allowed or permitted unless designated on the approved plan set.
 15. Outdoor areas. Outdoor seating or dining areas shall not be located within 150 horizontal feet of any residential unit and shall be closed to the public by 10:00 p.m. Existing, previously approved, outdoor seating areas may be permitted within 150 feet of residential units. Locations within 150 from residential units may be permitted if they conform to the following criteria:
 - a. The outdoor area is completely separated from residentially zoned property by a non-residential building or by a minimum distance of one hundred feet that includes a public street with a minimum public right-of-way dimension of eighty feet; and
 - b. The outdoor area does not include any equipment to produce any noise that does not comply with Section 20.40.600 of this chapter; and
 - c. The outdoor dining area does not operate between the hours of 10:00 p.m. and 6:00 a.m.
 7. Hours of Operation: Taproom or tasting room uses shall not be open to the public before 11:00 a.m. and shall not be open past 10:00 p.m.
 8. Food trucks. One food truck per site may be permitted, subject to the outdoor vending regulations detailed in Part 10 of Chapter 20.80.
 9. Nuisance. This use shall be operated in a manner that does not create a public or private nuisance. Any such nuisance shall be abated immediately upon notice by the City.

10. Noise and Acoustics. The permittee shall prevent disturbing or unreasonable noise which can be heard from neighboring properties. Ambient music provided for the listening enjoyment of customers is exempted.
11. Anti-Graffiti. The permittee shall remove all graffiti from buildings, fences, and wall surfaces within 48 hours of defacement.
12. Anti-Litter. The site and surrounding area shall be maintained free of litter, refuse, and debris:
 - a. Cleaning shall include keeping all publicly used areas free of litter, trash, cigarette butts and garbage.
 - b. The operator of the proposed use shall clean the public right of way immediately adjacent to the subject site before 8:00 am each day, unless it is a participant in a Property Business Improvement District which provides such sidewalk cleaning services for the neighborhood in the vicinity of the project site, including the immediately adjacent public right of way.
 - c. Mechanical equipment used for outside maintenance, including blowers and street sweepers may not be used between 10:00 p.m. and 6:00 a.m. daily.
13. Revocation, Suspension, Modification. The Administrative Permit may be revoked, suspended or modified by the Director of Planning on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 2 , Chapter 20.100, Title 20 of the San José Municipal Code a finding is made under Section 20.100.350.

20.80.480 Taproom or Tasting Room in Industrial Zoning Districts

- A. In Industrial Zoning Districts, an Administrative Permit may be issued pursuant to the applicable provisions of this title for the off-sale of alcohol or the addition of a tap room or tasting room, only if the applicant meets the following criteria:

1. Use Authorization. The Administrative Permit authorizes the following uses to be implemented on the property subject to the Permit:
 - a. A drinking establishment (taproom or tasting room) in conjunction with a winery, brewery, or distillery.
 - b. Off-sale of alcohol as incidental to a winery, brewery, or distillery.
2. Alcohol Service and Sale. Alcohol service shall be conducted in full compliance with the issued ABC license.
3. Limitation on Area of Alcohol Sales. In Heavy Industrial (HI) and Light Industrial (LI) Zoning Districts the size of retail space, including tap rooms, tasting rooms, or any retail display areas must not exceed 20% of the total tenant space (inclusive of outdoor areas). There is no limit on the size of the retail space in other Industrial Zoning Districts. The alcohol available for retail sale shall be limited only to those alcoholic beverages manufactured and produced on-site.
4. Vendor Delivery Parking. The permittee shall discourage vendors from parking delivery vehicles illegally on City streets and shall identify to vendors the available legal loading and unloading zones.
5. Warehousing, Storage and Bottling. In Industrial Zoning Districts there are no limits on the size of manufacturing space. All aspects of manufacturing should be conducted in a fully enclosed building.
6. Outdoor Storage. No outdoor storage is allowed or permitted unless designated on the approved plan set.
7. Outdoor Areas. Outdoor seating or dining areas shall not be located within 150 horizontal feet of any residential unit and shall be closed to the public by 10:00 p.m. Existing, previously approved, outdoor seating areas may be permitted within 150 feet of residential units. Locations within 150 from residential units may be permitted if they conform to the following criteria:
 - a. The outdoor area is completely separated from residentially zoned property by a non-residential building or by a minimum distance of one hundred feet that includes a public street with a minimum public right-of-way dimension of eighty feet; and

- b. The outdoor area does not include any equipment to produce any noise that does not comply with Section 20.40.600 of Chapter 20.40; and
 - c. The outdoor dining area does not operate between the hours of 10:00 p.m. and 6:00 a.m.
- 8. Hours of Operation: Taproom or tasting room uses shall not be open to the public before 11:00 a.m. and shall not be open past 10:00 p.m.
- 9. Food trucks. One food truck per site may be permitted, subject to the outdoor vending regulations detailed in Part 10 of Chapter 20.80.
- 10. Nuisance. This use shall be operated in a manner that does not create a public or private nuisance. Any such nuisance shall be abated immediately upon notice by the City.
- 11. Noise and Acoustics. The permittee shall prevent disturbing or unreasonable noise which can be heard from neighboring properties. Ambient music provided for the listening enjoyment of customers is exempted.
- 12. Anti-Graffiti. The permittee shall remove all graffiti from buildings fences, and wall surfaces within 48 hours of defacement.
- 13. Anti-Litter. The site and surrounding area shall be maintained free of litter, refuse, and debris:
 - a. Cleaning shall include keeping all publicly used areas free of litter, trash, cigarette butts and garbage.
 - b. Mechanical equipment used for outside maintenance, including blowers and street sweepers may not be used between 10:00 p.m. and 6:00 a.m. daily.
- 14. Revocation, Suspension, Modification. The Administrative Permit may be revoked, suspended or modified by the Director of Planning on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 2 , Chapter 20.100, Title 20 of the San José Municipal Code a finding is made under Section 20.100.350.

SECTION 6. Table 20-190 in 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 game	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
Driving range	1 per tee, plus 1 per employee	Note 6	1 per 10 full-time employees plus 1 per 10 tees

Golf course	8 per golf hole, plus 1 per employee	Note 6	1 per 10 full-time employees plus 1 per 2 golf holes
Health club, gymnasium	1 per 80 sq. ft. recreational space	Note 6	1 per 1,600 sq. ft. of recreational space
Miniature golf	1.25 per tee, plus 1 per employee	Note 6	1 per 10 full-time employees plus 1 per 6 tees
Performing arts rehearsal space	1 per 250 sq. ft. of floor area	Section 20.90.220E.	1 per 4,000 sq. ft. of floor area
Poolroom/billiards establishment	1 per 200 sq. ft. of floor area	Note 6	1 per 3,000 sq. ft. of floor area
Private club or lodge	1 per 4 fixed seats on the premises, or 1 per 6 linear feet of seating, plus 1 per 200 square feet of area without seating but designed for meeting or assembly by guests, plus 1 per 500 sq. ft. of outdoor area developed for recreational purposes	Note 6	1 per 60 fixed seats on the premises, or 1 per 90 linear feet of seating, plus 1 per 3,000 sq. ft. of area without seating but designed for meeting or assembly by guests, plus 1 per 5,000 sq. ft. 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	1 per 2.5 seats or 1 per 40 square feet of dining area, whichever requires the greater number of parking spaces	Note 3, Note 6	1 per 50 seats or 1 per 800 sq. ft. of dining area, whichever requires the greater number of parking spaces
Commercial kitchen	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	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		greater number of parking spaces
Entertainment (with any food or alcohol service)	1 per 40 sq. ft. of area open to the public	Note 3, Note 6	1 per 800 sq. ft. of area open to the public
Outdoor dining incidental to a public eating establishment or a retail establishment	0 spaces up to 25 seats, 1 space per 2.5 for seats over 25	Note 6	1 space per 50 seats
Public eating establishments	1 per 2.5 seats or 1 per 40 square feet of dining area, whichever requires the greater number of parking spaces	Note 3, Note 6	1 per 50 seats or 1 per 800 sq. ft. of dining area, whichever requires the greater number of parking spaces
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
<u>Taproom or tasting room</u>	<u>1 per 2.5 seats or 1 per 40 square feet of drinking area, whichever requires the greater number of parking spaces</u>	<u>Note 3, Note 6</u>	<u>1 per 50 seats or 1 per 800 sq. ft. of drinking area, whichever requires the greater number of parking spaces</u>
<u>Winery, brewery, or distillery with a taproom or tasting room</u>	<u>1 per 300 sq. ft. of floor area. And 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</u>	<u>Note 3, Note 6</u>	<u>1 per 300 sq. ft. of floor area and 1 per 10 full-time employees</u>

	<u>per 5,000 sq. ft. of gross floor area or a fraction thereof</u>		
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
Food, beverages, and groceries	1 per 200 sq. ft. of sales area	Note 3, Note 6	1 per 3,000 sq. ft. of floor area
Nursery, plant	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
Retail sales, goods and merchandise	1 per 200 sq. ft. of floor area	Note 3, Note 6	1 per 3,000 sq. ft. of floor area
Retail sales of furniture	1 per 250 sq. ft. of floor area	Note 3, Note 6	1 per 4,000 sq. ft. of floor area
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 inn	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 or 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
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,	Note 6	1 per 3,000 sq. ft. of floor

	plus 1 per company vehicle		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
Office, medical	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			
Commercial support	1 per 350 sq. ft. of floor area	Note 6	1 per 5,000 sq. ft. of floor area
Establishment for the repair, cleaning of household, commercial or industrial equipment or products	1 per 350 sq. ft. of floor area	Note 6	1 per 5,000 sq. ft. of floor area
Hazardous materials storage facility	1 per employee plus 1 per company vehicle	Note 6	1 per 10 full-time employees
Hazardous waste facility	1 per employee plus 1 per company vehicle	Note 6	1 per 10 full-time employees
Industrial services	1 per 350 sq. ft. of floor area	Note 6	1 per 5,000 sq. ft. of floor area
Junkyard	1 per employee	Note 6	1 per 10 full-time employees
Laboratory	1 per 350 sq. ft. of floor area	Note 6	1 per 5,000 sq. ft. of floor area
Manufacturing and assembly, light, medium, heavy	1 per 350 sq. ft. of floor area plus 1 per company vehicle	Note 6	1 per 5,000 sq. ft. of floor area
Miniwarehouse/ministorage	1 per 5,000 sq. ft. of floor area, plus 1 per resident manager	Note 4, Note 6	1 per 10 full-time employees

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

Business support	1 per 200 sq. ft. of floor area plus 1 per company vehicle	Note 6	1 per 3,000 sq. ft. of floor area
Financial institution	1 per 250 sq. ft. of floor area	Note 6	1 per 4,000 sq. ft. of floor area
Offices, general business	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 1 per 500 sq. ft. of outdoor area developed for recreational purposes	Note 6	1 per 60 fixed seats, or 1 per 90 linear feet of seating, plus 1 per 3,000 sq. ft. of area without seating but designed for meeting or assembly by guests, plus 1 per 5,000 sq. ft. of outdoor area developed for recreational purposes
Utility facilities, excluding corporation yards, storage or repair yards and warehouses	1 per 1.5 employees, plus 1 per company vehicle	Note 6	1 per 10 full-time employees
Recycling Uses			
Processing facility	1 per employee of the largest shift, plus 1 per facility vehicle	Note 6	1 per 10 full-time employees
Transfer facility	1 per employee of the largest shift, plus 1 per facility vehicle	Note 6	1 per 10 full-time employees
Small collection facility	1 per attendant	Note 6	1 per 10 full-time employees
Residential			
Co-living community with shared full kitchen facilities	.25 per bedroom	Note 7	Long-term - .25 spaces per bedroom. Except for buildings containing over 100 bedrooms, 25 long-term spaces plus .20 long-term spaces for every bedroom over 100. Short-term 2 spaces for every 100

			bedrooms
Emergency residential shelter	1 per 4 beds, 1 per 250 square feet of area which is used for office purposes	Section 20.90.220 G.	1 per 5,000 sq. ft. of floor area
Guesthouse	1 per guest room, plus 1 per each employee	Note 6	1 per 10 guest rooms plus 1 per 10 full-time employees
Live/work	No additional parking required above what is required for commercial use parking	Note 6	1 per 5,000 sq. ft. of floor area
Living quarters, custodian, caretakers	1 per living unit	Note 6	1 per 10 living units
Mixed use/ground floor commercial with residential above	Respective commercial and residential parking requirements combined	Note 6	
Multiple dwelling	See Table 20-210 and Table 20-211, required parking is determined by the type of parking facility and the number of bedrooms		See Table 20-210 and Table 20-211
One family dwelling	2 covered	Note 5 and Section 20.90.220 B.	None
Residential care or service facility	1 per first 6 client beds, plus 1 additional space for up to 4 client beds (or portion thereof) above the first six, plus 1 additional space for each additional four client	Section 20.90.220 G.	1 per 10 full-time employees

	beds (or portion thereof), plus 1 space for each employee or staff member.		
SRO facilities within 2,000 ft. of public transportation		Note 6	1 per SRO unit
SRO residential hotels	.25 per SRO unit		
SRO living unit facilities with shared kitchen and bathroom facilities	.25 per SRO unit		
SRO living unit facilities with partial or full kitchen and bathroom facilities	1 per SRO unit		
SRO facilities not within 2,000 ft. of public transportation	1 per SRO unit	Note 6	1 per SRO unit
Sororities, fraternities, and dormitories occupied exclusively (except for administrators thereof) by students attending college or other educational institutions	1 per guest room, plus 1 per employee	Note 6	1 per guest room plus 1 per 10 full-time employees
Temporary farm labor camp necessary to the gathering of crops grown on the site	1 per dwelling unit		None
Travel trailer parks	1 per employee	Note 6	1 per 10 full-time employees
Two family dwelling	See Table 20-200, required parking is determined by the type of parking facility and		None

	the number of bedrooms		
Transportation and Utilities			
Common carrier depot	1 per employee, plus 1 per company vehicle	Note 6	1 per 10 full-time employees
Data center	1 per 250 sq. ft. of office/meeting/technician work space, plus 1 for each 5,000 square feet of floor area, or fraction thereof, devoted to computer equipment space	Note 6	1 per 5,000 sq. ft. of office/meeting/technician work space, plus 1 for each 50,000 sq. ft. of floor area, or fraction thereof devoted to computer equipment space
Television and radio studio	1 per 250 sq. ft. of space devoted to office use	Note 6	1 per 5,000 sq. ft. of space devoted to office use
Wireless communication antenna	1 per site	Note 6	1 per site
Vehicle Related Uses			
Accessory installation, passenger vehicles and pick-up trucks	4 per vehicle work station, plus 1 per employee	Note 6	1 per 10 full-time employees
Auto broker, w/on-site storage	See Vehicle sales and leasing	Note 6	1 per 10 full-time employees
Auto dealer, wholesale, no on-site storage	1 per 250 sq. ft. of floor area	Note 6	1 per 10 full-time employees
Car wash	1 per employee, plus stacking as follows: self service- 5 cars per lane full service- 15 cars (may be	Note 2, Note 6	1 per 10 full-time employees

	in multiple lanes)		
Fuel service station or charge station, no incidental service or repair	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
Fuel service station 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
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	4 per grease rack or vehicle work station, plus 1 per	Note 6	1 plus 1 per 10 full-time employees

station, air conditioning	employee		
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.

SECTION 7. Section 20.200.1273 of Chapter 20.200 of Title 20 of the San José Municipal Code is amended to read as follows:

20.200.1273 Taproom or tasting room

A “taproom or tasting room” is a retail drinking establishment associated with a specific alcohol manufacturer, where members of the public can sample or purchase alcohol produced by the specific alcohol manufacturer for either on-site or off-site consumption.

//

//

//

PASSED FOR PUBLICATION of title this ____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk