

Legislation Text

File #: 19-994, **Version:** 1

Ellis Act Ordinance Re-Control Provisions.

(a) Accept the staff report on:

- (1) Research on Ellis Act Ordinance's existing re-control provisions including interviews with developers, lenders and tenants; and
- (2) Updated research from other communities regarding the re-control provisions in other Ellis Act ordinances to assess the extent they may make new residential projects more difficult to build.

(b) Direct the City Attorney to draft an Ordinance amending Part 11 of Chapter 17.23 of Title 17 of San José Municipal Code to:

- (1) Modify the base requirement of 50% re-control of newly-built units to require a cap of no more than seven times the number of withdrawn apartments; and

- (2) Modify the re-control waiver provision from 20% onsite to 15% of newly constructed rental units to be restricted affordable apartments and offer tenants displaced by the prior withdrawal and demolition of the rent stabilized units either:

- (i) A right to return at the prior rent plus annual adjustments at the rate of the Consumer Price Index during the construction period and a maximum of 5% rent increases thereafter; or

- (ii) An equivalent apartment immediately following displacement at the prior rent with annual rent adjustments no greater than 5% per year.

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment, and PP17-033, CEQA Guidelines Section 15061. (Economic Development/Housing)