



Legislation Details (With Text)

File #: 18-521 **Version:** 1

Type: Community & Economic Development **Status:** Agenda Ready

File created: 4/3/2018 **In control:** Housing Department

On agenda: 4/24/2018 **Final action:**

Title: Amendments to Procedures for Removal of Rent Stabilized Units from the Rental Market (Ellis Act Ordinance).

Sponsors: City Council

Indexes:

Code sections:

Attachments: 1. Memorandum, 2. Memorandum from CM Rocha, 3. Memorandum from CM Diep, 4. Memorandum from CM Peralez, 5. Memorandum from Mayor Liccardo, 6. Memorandum from CM Jimenez, 7. Attachment, 8. (b) Ordinance, 9. Letter(s) from the Public, 10. Presentation

Date	Ver.	Action By	Action	Result
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Amendments to Procedures for Removal of Rent Stabilized Units from the Rental Market (Ellis Act Ordinance).

(a) Accept the staff report.

(b) Approve an ordinance amending Part 11 of Chapter 17.23 of Title 17 of the San José Municipal Code to:

- (1) Modify the re-control provisions to subject the greater of either the number of apartments removed from the market, or 50% of new apartments built to the Apartment Rent Ordinance (ARO).
 - (2) Modify the re-control provisions to subject additional apartments beyond the base units to the current annual general increase of 5%.
 - (3) Allow an exemption from the re-control provisions if at least twenty (20) newly constructed rental units are being created. The re-control requirement under this Section will be waived if the property owner:
 - (i) Develops fifteen percent (15%) of the newly constructed units as on-site affordable rental units consistent with the standards and affordability restriction requirements in the Inclusionary Housing Ordinance, Chapter 5.08 of Title 5 of the San José Municipal Code and its implementing guidelines; and
 - (ii) Develops an additional five percent (5%) of the newly constructed units as on-site affordable rental units restricted at 100% of area median income, but otherwise consistent with the standards in the Inclusionary Housing Ordinance and implementing guidelines.
 - (4) Include apartment buildings with three units under the Ellis Act.
 - (5) Allow non-ARO apartments with three units or more built after 1979 to provide 120-day notification to their tenants and the City and to provide relocation consultant services to impacted tenants.
- CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Housing)

TO BE HEARD LAST