

## Legislation Details (With Text)

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**Type:** Land Use Regular Agenda      **Status:** Agenda Ready

**File created:** 11/13/2018      **In control:** City Council

**On agenda:** 11/27/2018      **Final action:**

**Title:** PP18-086 - Amendment to Title 4 (Revenue, Finance and Business Tax) and Title 20 (Zoning Ordinance) of the San José Municipal Code.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Memorandum, 2. Ordinance, 3. Presentation

Date	Ver.	Action By	Action	Result
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### PP18-086 - Amendment to Title 4 (Revenue, Finance and Business Tax) and Title 20 (Zoning Ordinance) of the San José Municipal Code.

Consideration of an ordinance of the City of San José amending Title 4 (Revenue, Finance, and Business Taxes) and Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to amend Section 4.88.100 of Chapter 4.88 to extend the expiration date of the Urban Agriculture Incentive Zone to January 1, 2029; amend San José Municipal Code Section 20.30.100 to add Secondary Units as a permitted use in the R-M Multiple Residence Zone; amend San José Municipal Code Section 20.30.200 to add a new Note 6 to Table 20-60 to cross-reference the existing Code section for side setback exceptions; amend San José Municipal Code Section 20.40.100 to add Child Day Care incidental to an existing school site, or a permitted on-site church/religious assembly use, involving no Building additions or changes, as a permitted use in the PQP Zoning District, and to amend Note 6 for Table 20-90, to add certain 100% affordable housing projects as a permitted use; amend San José Municipal Code Section 20.50.100, to substitute catering facility for caterer and outdoor storage for storage in Table 20-110; add a new section, 20.50.125 establishing incidental office use as a permitted use, in the LI and HI Zoning Districts and defining such incidental office use and establishing parking criteria for such; amend San José Municipal Code Section 20.55.300 to include the CIC and TEC zoning districts; amend San José Municipal Code Section 20.70.510 to clarify types of establishments included as retail commercial establishments and change an incorrectly referenced code section; amend San José Municipal Code Section 20.90.130 to correct the required single-family driveway length to 18 feet; amend San José Municipal Code Section 20.90.210 for clarity as to required parking for structures or uses existing as of November 10, 1965; and amend San José Municipal Code Section 20.100.1300 to allow exceptions to be granted for an increase of up to ten feet in the general zoning district maximum height limitations for elevator shafts and stairwells; and add new San José Municipal Code Sections 20.200.181 and 20.200.261 defining Catering Facility and Construction/Corporation Yard and to make other technical, non-substantive, or formatting changes within those sections.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), adopted through Resolution No. 76041, and Supplemental EIR Resolution No. 77617, adopted on December 15, 2015, and Addenda thereto; Downtown Strategy 2000 FEIR, Resolution No. 72767, and Addenda thereto; North San José Development Policies FEIR, Resolution No. 72768, and Addenda thereto; and Diridon Station Area Plan FEIR, Resolution No. 77096 and Addenda thereto

(collectively, the “Final Program EIRs”). Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the earlier approved programs and the Final Program EIRs adequately describe the activity for purposes of CEQA. The project does not involve new significant effects beyond those analyzed in the Final Program EIRs. Planning Commission recommends approval (7-0-0). (Planning, Building and Code Enforcement)

**PP18-086** - Citywide