Legislation Details (With Text)

File #:	19-1258 **Version:** 1		
Type:	Land Use Regular Agenda	**Status:**	Agenda Ready
File created:	12/13/2019	**In control:**	City Council
On agenda:	12/17/2019	**Final action:**	
Title:	PP19-080 - Amendment to Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to Align with California State Law Requirements for Accessory Dwelling Units.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Replacement Memorandum, 2. Supplemental Memorandum, 3. Memorandum from Mayor, Foley, Carrasco & Arenas, 12/13/19, 4. (1) Ordinance, 5. (2) Ordinance		

Date	Ver.	Action By	Action	Result
12/17/2019	1	City Council		

PP19-080 - Amendment to Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to Align with California State Law Requirements for Accessory Dwelling Units.

(1) Approve an ordinance of the City of San José amending various sections of Title 20 (Zoning Ordinance) of the San José Municipal Code to further align with California State Law requirements:

(a) add a new Part 4.5 “Accessory Dwelling Units,” including Sections 20.30.460 (Single-Family Dwelling Units), 20.30.470 (Junior Accessory Dwelling Units), 20.30.480 (Two-Family and Multi-Family Dwelling Units), and 20.30.490 (Amnesty Program); amend Section 20.30.310 (Minor One-story Addition); amend Section 20.80.160 (Incidental Transient Occupancy); and amend Section 20.90.220 (Reduction in required off-street parking spaces);

(b) delete Section 20.30.150 (Secondary Units) from Part 2 “Uses Allowed”; and (c) amend Section 20.200.325 to add clarifying language to Accessory Dwelling Unit definition, and add Section 20.200.342 to include new definition of Junior Accessory Dwelling Unit; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code.

(2) Adopt an urgency ordinance of the City of San José amending various sections of Title 20 (Zoning Ordinance) of the San José Municipal Code to further align with California State Law requirements:

(a) add a new Part 4.5 “Accessory Dwelling Units,” including Sections 20.30.460 (Single-Family Dwelling Units), 20.30.470 (Junior Accessory Dwelling Units), 20.30.480 (Two-Family and Multi-Family Dwelling Units), and 20.30.490 (Amnesty Program); amend Section 20.30.310 (Minor One-story Addition); amend Section 20.80.160 (Incidental Transient Occupancy); and amend Section 20.90.220 (Reduction in required off-street parking spaces);

(b) delete Section 20.30.150 (Secondary Units) from Part 2 “Uses Allowed”; and (c) amend Section 20.200.325 to add clarifying language to Accessory Dwelling Unit definition, and add Section 20.200.342 to include new definition of Junior Accessory Dwelling Unit; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code; and setting forth the facts constituting such urgency.

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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. (Planning, Building and Code Enforcement)

Please note: Approval of this item 10.3 part (2) requires 8 or more affirmative votes (2/3).

RENUMBERED FROM ITEM 10.1(f) (19-1216)