Legislation Text

File #: 20-567, **Version:** 1

PP20-009 - Amendment to Title 20 (The Zoning Ordinance).
(a) Approve an ordinance of the City of San José amending Chapter 20.190 of Title 20 of the San José Municipal Code to extend the applicability of City density bonus development incentives and to update the City's density bonus ordinance in conformance with state law; amending Chapter 20.30, Chapter 20.40, Chapter 20.70, Chapter 20.75 and Chapter 20.200 to enumerate and add a definition for Permanent Supportive Housing and Low Barrier Navigation Center; adding Chapter 20.195 to implement ministerial approvals required by California Government Code Section 65650 et. seq., 65660 et. seq., and 65913.4; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code.
(b) As recommended by the Rules and Open Government Committee on May 13, 2020:
(1) Direct staff to investigate whether additional amendments to the Zoning Code are necessary to clarify the intent behind AB 101 and AB 2162. Specifically:
a. Determine whether AB 2162 applies more broadly to zones where multi-family residential is allowed as a conditional or special use, including mixed-use residential/commercial as a conditional or special use.
b. Determine whether AB 101 requires Low Barrier Navigation Center as a by-right use in residential zones where multifamily uses are permitted.
c. Return to Council with these amendments, or the results of this investigation, before the summer recess.
(2) Direct staff to return to Council with the following additional modifications to the Zoning Code before the end of the year to be more explicitly consistent with Senate Bill 2 (2007), add Transitional Housing, as defined in Ordinance No. 28680, to the land use tables for all residential and mixed-use Zoning Districts. Transitional Housing should remain a permitted use in all residential zones, as required by Ordinance No. 28680, and be allowed as a conditional or special use in appropriate non-residential zoning districts, as determined by staff.
(3) Direct staff to identify any obstacles to the establishment of emergency shelter, transitional housing, and permanent supportive housing in the Zoning Code or in other City regulations and return to Council with recommendations for modifications intended to streamline and facilitate the establishment of emergency shelter, including the addition of beds to existing shelters, and the creation of transitional and permanent supportive housing.
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 Commission recommends approval (7-0). (Planning, Building and Code Enforcement)
[Deferred from 4/14/2020 - Item 10.1(c) (20-432); 4/28/2020 - Item 10.1(b) (20-480); 5/12/2020 - Item 10.1(d) (20-535)]
[Rules and Open Government referral 5/13/20 - Item G.2 (2(a)(b)(c), 3(a), 4)]
TO BE HEARD IMMEDIATELY AFTER CONSENT