

## Legislation Text

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**File #: 22-1666, Version: 1**

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### **Downtown Residential High-Rise Program.**

- (a) Accept the report on the Downtown Residential High-Rise Program.
  - (b) Adopt a resolution authorizing updates and an expansion of the Downtown Residential High-Rise Program applicable to projects located in the Downtown Planned Growth Area as described in the Envision San José 2040 General Plan, that are 10 or more floors or stories in height (not including any nonresidential uses) where the highest occupied floor has a floor level elevation that is at least 150 feet above street level and:
    - (1) Reducing the in lieu fees due for those projects under the Inclusionary Housing Ordinance to the amount of \$0 for all projects obtaining building permits by June 30, 2025, and obtaining certificates of occupancy for the project before June 30, 2029,
    - (2) Reducing the adjusted in lieu fees required under the Inclusionary Housing Ordinance Section 5.08.525 to \$0 for those rental projects that include 5% of units to be affordable to households earning 100% of area median income and obtain building permits on or after July 1, 2025, obtain certificates of occupancy for the rental project before June 30, 2033.
  - (c) Adopt a resolution amending the 2022-2023 Schedule of Fees and Charges (Resolution No. 72737, as amended) to reduce the Inclusionary In Lieu Fee and the adjusted in lieu fees under the San José Municipal Code Chapter 5.08 to reflect the schedule in the resolution above for qualifying Residential High-Rise Developments receiving certificates of occupancy for 80% of dwelling units by the dates specified in the resolution above.
  - (d) Approve an ordinance extending a temporary 50% reduction of the Building and Structure Construction Tax and a 50% reduction of the Commercial-Residential-Mobilehome Park Building Tax for qualified residential high-rise projects located within the Downtown Planned Growth Area that obtain building permits on, or prior to, June 30, 2029 and obtain certificates of occupancy before June 30, 2033.
- CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Economic Development and Cultural Affairs/Housing)