



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Chris Burton

SUBJECT: See Below

DATE: May 19, 2026

COUNCIL DISTRICT: Citywide

SUBJECT: PP25-007 - Title 20 Zoning Code Update State Law Compliance Ordinance

RECOMMENDATION

The Planning Commission voted 8-0-3 (Commissioners Rosario, Nguyen, and Young absent) to recommend the City Council take the following actions:

- (a) Adopt the Determination of Consistency to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto, in accordance with the California Environmental Quality Act as amended.
- (b) Approve an ordinance amending Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to amend Part 9.5 of Chapter 20.30 to incorporate state law (Assembly Bill 1061) provisions within R 1 Single Family Zoning districts; amend Section 20.80.178 of Chapter 20.80 to update Junior Accessory Dwelling Unit regulations to conform with state law (Assembly Bill 1154 and Senate Bill 543); amend Section 20.80.185 of Chapter 20.80 to incorporate reference to California Department of Real Estate regulations; amend Section 20.30.100 of Chapter 20.30, Section 20.40.100 of Chapter 20.40, Section 20.55.203 of Chapter 20.55, Section 20.70.100 of Chapter 20.70, and Section 20.75.200 of Chapter 20.75 to incorporate a new use 'Day care center co-located with multifamily housing development' to conform with state law (Assembly Bill 752); amend Section 20.70.520 of Chapter 20.70 to remove the word 'overlay'; and making other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code.
- (c) Approve an ordinance amending various sections of Chapter 20.100, 'Administration and Permits,' including Section 20.100.630 of Part 5, Site Development Permit; Section 20.100.720 of Part 6, Conditional Use Permits; Section 20.100.820 of Part 7, Special Use Permits; Section 20.100.940 of Part 8,

Planned Development Permits to remove subjective language within permit findings for housing projects and replace with objective standards; and making other technical, non-substantive, or formatting changes within related sections of Title 20 of the San José Municipal Code.

SUMMARY AND OUTCOME

Approval of the proposed San José Municipal Code amendments will amend Title 20 (Zoning Ordinance or Zoning Code) for compliance with recent state law updates and San José 2023-2031 Certified Housing Element Action Item P-41.

BACKGROUND

The proposed Zoning Code amendments are part of routine zoning maintenance that would address the following items:

1. Compliance with state law provisions
2. Implement City of San José's 2023-2031 Housing Element (HE) Action Item P-41, standard permit conditions (findings)

ANALYSIS

A complete analysis of the issues related to Title 20 Zoning Code updates is contained in the Planning Commission staff report dated May 6, 2026 (Attachment).

The Planning Commission voted 8-0-3 (Commissioners Rosario, Nguyen, and Young absent) to recommend to the City Council to approve the proposed Title 20 Zoning Code updates pursuant to staff's recommendation.

EVALUATION AND FOLLOW-UP

If the proposed Title 20 changes are approved by City Council, the new ordinance will be effective 30 days after the second reading.

COORDINATION

The preparation of this memorandum was coordinated with the City Attorney's Office.

PUBLIC OUTREACH

This memorandum will be posted on the City Council Agenda website for the June 2, 2026 City Council Meeting.

Staff created an informational webpage¹ for the ordinance, which was posted to the City's website on April 8, 2026. Staff also recorded a video presentation and posted it to the informational website. Given that the updates included in this ordinance were primarily mandated by the state, utilizing a video presentation in lieu of a traditional community meeting allowed for information sharing since there is little or no room to deviate from the state mandates.

Staff followed City Council Policy 6-30: Public Outreach Policy, in that the notices for the public hearing were posted on the City's website and published in the San José Post-Record. This report and attachments were posted on the City's website. Staff has been available to respond to questions from the public; to date, staff has not received any comments or inquiries from the public.

BOARD, COMMISSION, COMMITTEE RECOMMENDATION AND INPUT

On May 6, 2026, the Planning Commission conducted a public hearing on the proposed Zoning Code updates. Staff presented a background and summary of the proposed changes for the Commission.

Commissioner Oliverio asked clarifying questions about how Assembly Bill 1061 affects historically designated homes and neighborhoods, specifically referencing neighborhoods like Palm Haven and Eichler districts.

Staff response: Historic properties on national, state, or local registers still require administrative review. Reviews would no longer involve public hearings or discretionary approvals. The City cannot fully prohibit changes to historic homes under current state law. SB 9 lot splits generally would not significantly alter the front historic structure because setback rules push new development toward the rear of the property.

Commissioner Cantrell asked what changes were made in the ordinance regarding the Housing Element Strategy P-41, shifting from "Subjective" to "Objective" Standards for permit findings. Commissioners discussed how state housing laws increasingly require cities to rely on objective, measurable criteria rather than aesthetic judgment.

¹ <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/ordinances-proposed-updates/ordinance-update-pp25-007>

Staff response: Terms like “harmonious,” “aesthetically pleasing,” or “compatible with neighborhood character” are considered subjective and cannot be used for residential project approvals. Only measurable standards, such as setbacks, height limits, and safety requirements, or objective standards, may be enforced. This change applies primarily to residential projects; non-residential projects can still use discretionary standards.

Commissioner Bhandal asked staff why, referencing the hearing timeline, the proposed ordinance is to be heard by the Airport Land Use Commission. Commissioner Cantrell asked if the proposed ordinance would be heard by the Historic Landmarks Commission.

Staff response: Land use amendments within the Airport area of influence, the Airport Land Use Commission has to approve the changes before the changes go into effect. Staff also clarified that the Historic Landmarks Commission is not part of this review cycle because the proposed ordinance is adhering to a mandatory state law compliance.

Commissioner Barocio asked clarifying questions about Assembly Bill 752, which allows daycare centers in multifamily housing developments without requiring discretionary permits. Commissioners generally supported improving childcare access, with one commissioner noting personal relevance as a parent.

Staff response: Previously, daycare centers often needed special use permits, however, under AB 752, daycare centers co-located within multifamily developments (defined as 5+ units) become permitted uses. The goal is to make childcare more accessible where families live. State licensing rules still impose strict requirements for safety, staffing ratios, indoor/outdoor space, and operations.

Staff also clarified that small and large family daycares are already allowed in apartments and homes. The new law mainly affects larger daycare centers integrated into apartment developments. Existing apartment buildings could potentially add daycare centers, but retrofitting older buildings may be difficult due to licensing and design requirements. Staff noted the law is intended to streamline approvals and prevent cities from blocking housing projects through daycare permitting delays.

After the questions concluded, commissioners expressed appreciation for the staff's work. Commissioner Casey made a motion to recommend approval of the staff recommendations. Commissioner Oliverio seconded the motion. The Planning Commission voted 8-0-3 (Commissioners Rosario, Nguyen, and Young absent) to recommend that the City Council approve this item per staff's recommendation.

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Climate Smart San José

The recommendation in this memorandum aligns with one or more Climate Smart San José energy, water, or mobility goals as it facilitates a reduction in resources by streamlining the development review process, incorporating updates, and supporting current trends.

CEQA

Determination of Consistency to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto, in accordance with the California Environmental Quality Act as amended.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

Chris Burton

Secretary, Planning Commission

For questions, please contact Martina Davis, Division Manager, Planning, Building, and Code Enforcement Department at (408) 535-7888 or martina.davis@sanjoseca.gov.

ATTACHMENT:

Attachment – Planning Commission Staff Report May 6, 2026



Memorandum

TO: PLANNING COMMISSION FROM: Christopher Burton
SUBJECT: File No. PP25-007 DATE: May 6, 2026

Project	Zoning Ordinance Update
Applicability	Citywide in applicable Zoning districts
Project Description	An ordinance of the City of San José amending Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to: amend Part 9.5 of Chapter 20.30 to incorporate State law (AB 1061) provisions; amend Section 20.80.178 of Chapter 20.80 to update Junior Accessory Dwelling Unit regulations to conform with State law (AB 1154 and SB 543); amend Section 20.80.185 of Chapter 20.80 to incorporate reference to California Department of Real Estate regulations; amend Section 20.30.100 of Chapter 20.30, Section 20.40.100 of Chapter 20.40, Section 20.55.203 of Chapter 20.55, Section 20.70.100 of Chapter 20.70, and Section 20.75.200 of Chapter 20.75 to include a new use ‘Day care center co-located with multifamily housing development’ to conform with State law (AB 752); amend Section 20.70.520 of Chapter 20.70 to remove the word ‘overlay’; amend various sections of Chapter 20.100, ‘Administration and Permits,’ including Sections 20.100.630 of Part 5, Site Development Permit; 20.100.720 of Part 6, Conditional Use Permits; 20.100.820 of Part 7, Special Use Permits; 20.100.940 of Part 8, Planned Development Permits; and to make other technical, non-substantive, or formatting changes within related sections of Title 20 of the San José Municipal Code.
CEQA	Determination of Consistency to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto, in accordance with the California Environmental Quality Act as amended.
Project Planners	Brent Carvalho, Rina Ong

RECOMMENDATION

Staff recommends that the Planning Commission recommend the City Council take all of the following actions:

1. Consider adopting the Determination of Consistency to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto, in accordance with the California Environmental Quality Act as amended; and
2. An ordinance of the City of San José amending Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to: amend Part 9.5 of Chapter 20.30 to incorporate State law (AB 1061) provisions; amend Section 20.80.178 of Chapter 20.80 to update Junior Accessory Dwelling Unit regulations to conform with State law (AB 1154 and SB 543); amend Section 20.80.185 of Chapter 20.80 to incorporate reference to California Department of Real Estate regulations; amend Section 20.30.100 of Chapter 20.30, Section 20.40.100 of Chapter 20.40, Section 20.55.203 of Chapter 20.55, Section 20.70.100 of Chapter 20.70, and Section 20.75.200 of Chapter 20.75 to include a new use ‘Day care center co-located with multifamily housing development’ to conform with State law (AB 752); amend Section 20.70.520 of Chapter 20.70 to remove the word ‘overlay’; amend various sections of Chapter 20.100, ‘Administration and Permits,’ including Sections 20.100.630 of Part 5, Site Development Permit; 20.100.720 of Part 6, Conditional Use Permits; 20.100.820 of Part 7, Special Use Permits; 20.100.940 of Part 8, Planned Development Permits; and to make other technical, non-substantive, or formatting changes within related sections of Title 20 of the San José Municipal Code.

OUTCOME

Approval of the proposed Municipal Code amendments will amend Title 20 (Zoning Ordinance or Zoning Code) for compliance with recent State law updates and San José 2023-2031 Certified Housing Element Action Item P-41 as described in the Analysis section below.

PROJECT BACKGROUND

The proposed Zoning Code amendments are part of routine zoning maintenance that would address the following items:

1. Compliance with State law provisions
2. Implement City of San José’s 2023-2031 Housing Element (HE) Action Item P-41, standard permit conditions (findings)

ANALYSIS

A) Compliance with State Law Provisions:

Lot splits on Historic Properties (AB 1061):

Effective January 1, 2026, Assembly Bill 1061 (AB 1061) amends Senate Bill 9 (SB 9) by allowing subdivisions of historic properties located in single-family zoning districts. Previously, State law SB 9 exempted the two-lot subdivision of properties in a historic district and individual properties listed on the California Register of Historical Resources (including National Register properties) and designated as a City Landmark District. Now, AB 1061 allows ministerial subdivision in these historic districts as long as it does not result in the demolition or alteration of a contributing structure in the district or alteration or demolition of a structure’s existing exterior structural wall within a historic district in accordance with Government Code Sections 66411.7(3)(E) and (F). AB 1061 does not allow the ministerial subdivision of parcels located within a historical landmark property listed in the California Register of Historic Places and/or

within a site designated as a City Landmark. Because AB 1061 already specifically disallows the subdivision that would result in demolition or alteration of the historic structure, staff did not identify the need for additional requirements for these subdivisions beyond the current SB 9 subdivision standards listed in Part 8 within Chapter 20.30 for non-historic properties. A recent Zoning Ordinance update (Ordinance no. 31298) established clear objective standards and facilitated either a streamlined ministerial review or a discretionary process, as applicable, for the development of two-unit dwellings on single lots listed within the San Jose Historic Resources Inventory within the R-1 and R-2 Zoning districts.

This prior amendment did not allow subdivisions. It addressed streamlined development of two-units on a lot that is listed on the City's Historic Resources Inventory unless designated within the California State Register, National Register or as a City Landmark. These properties are allowed two-unit development subject to a Single-Family House Permit review, or a Historic Preservation Permit in case of a designated City Landmark and will not be eligible for a ministerial process. For other properties listed on the Historic Resources Inventory that are eligible for ministerial development, the new units must comply with objective standards listed in Part 9.5 within Chapter 20.30, which require them to be compatible with the scale and appearance of the existing main dwelling unit.

If a property is in a historic district (contributing or non-contributing) meets AB 1061 criteria, it is deemed eligible for a SB 9 ministerial lot-split and two-unit development unless the project proposes to demolish or alter a contributing structure or more than 25% of an exterior structural wall. This proposed amendment would incorporate the AB 1061 applicability to SB 9 housing projects within single-family zoned properties, as mandated by State law provisions.

Analysis: The proposed amendments to Title 20 (Zoning Code), Chapter 20.30, Part 9.5 specify the requirements for streamlining the approval process for urban lot splits and two-unit development on historic properties that are zoned single family residential to bring the code into conformance with AB 1061. The changes are consistent with and necessary to implement the requirements of this State law which clarifies the applicability of Senate Bill 9 (SB 9) to properties with historic designations. The amendments establish objective standards and ministerial procedures to allow urban lot splits and two-unit developments on qualifying single-family parcels located within historic districts, while continuing to prohibit projects that would result in the demolition or substantial alteration of designated historic resources. The proposed amendments expand housing opportunities for historic properties and ensure compliance with Government Code Section 66411.7.

State law limits the use of streamlined SB 9 approvals on properties listed on the State Historic Resources Inventory or designated as local historic resources where a project would require the alteration or demolition of a historic structure or its character-defining features (Government Code Section 66411.7(a)(3)(F)(ii)). Consistent with this requirement, the City's regulations continue to prohibit such impacts while allowing qualifying projects that avoid demolition or substantial alteration of protected historic resources to proceed ministerially (see Ordinance No. 31298).

While there may be some market interest in utilizing these provisions, the extent to which SB 9 and AB 1061 will be applied to historically designated properties within the City remains uncertain. The proposed amendments facilitate the potential use of these provisions by clarifying eligibility and development standards.

Older parcels that were subdivided prior to World War II generally exhibit physical characteristics that are more conducive to urban lot splits, including greater lot depth, narrower widths, and larger side setbacks that can accommodate driveway access to a rear parcel. In contrast, post-World War II subdivisions typically feature wider but shallower lots with minimal side setbacks, which can constrain access and reduce the feasibility of rear lot development. As a result, the amendments may have greater practical applicability to older residential neighborhoods.

Day Care Centers co-located with Multifamily Housing Development (AB 752):

AB 752 is targeted specifically to make day care centers a permitted use when they are collocated within a Multifamily Housing Development. In addition, this state law prohibits local governments from applying different development standards for the day care center than those standards that would apply to the multifamily housing development. To address this update, staff proposes adding a new use titled “Child day care center co-located with Multifamily Housing Development” to the use tables: Table 20-50 of Chapter 20.30 Residential Zoning Districts, Table 20-90 of Chapter 20.40 Commercial Zoning Districts, Table 20-138 in Chapter 20.55 Urban Village and Mixed Use Zoning Districts, Table 20-140 in Chapter 20.70 Downtown Zoning Districts, and Table 20-156 in Chapter 20.75 Pedestrian Oriented Zoning Districts.

Analysis: The proposed update aligns with current State law provisions that allow child day care centers as permitted uses when co-located with a multifamily development. Previously, Child Day care centers would have been approved through issuance of a Special Use Permit, which requires a public hearing before the Planning Director or designee. This update does not propose new or different development standards for the child day care use because state law prohibits municipalities from applying standards which are different from the Multifamily housing development. Daycare centers allowed as a permitted use in multifamily housing development will be subject to the objective noise standards for adjacent properties that are contained in the zoning ordinance as well as the same objective design standards applicable to the multi-family development

Junior Accessory Dwelling Units (SB 543 & AB 1154):

There are two significant changes to state law standards for Junior Accessory Dwelling Units or JADUs that require an update to the Zoning Ordinance. Previously, state law required owner occupancy on a property that contained a JADU in all cases. Now, Owner Occupancy is only required when a JADU shares sanitation facilities (e.g. a bathroom) with the primary dwelling. The second requirement disallows short term rentals in JADUs. Cities must now require that JADUs are rented for a term greater than 30 days. To address this update, and to prevent the need for further revisions based on future state laws, Section 20.80.178 of Part 2.75 of Chapter 20.80 shall be revised to simply state that JADU regulations in the City of San Jose shall be processed pursuant to Section 66333 of the state Government Code, the state JADU regulations. A complete list of the regulations for permitting and approval of JADUs will be outlined in the application checklist that will be able to be updated as state law changes without requiring any future ordinance update.

Analysis: The proposed update aligns with current State law provisions that streamline the approval for Junior Accessory Dwelling Units on properties that are zoned for single family dwellings. This update is aimed at creating more flexibility for renting JADUs which meet the updated owner occupancy requirements while at the same time restricting the short-term rental of the units. By requiring a minimum of 30 days for rental terms this update can potentially add more units to San Jose’s rental inventory.

ADU Condominium: The proposed update would include minor edits to Chapter 20.80, Part 2.76, “Accessory Dwelling Unit Condominium,” to provide further clarification on the approval process in accordance with the California Department of Real Estate (DRE) regulations. The previous update, approved in January 2026, removed a restriction that no more than four condominium units per lot were allowed through an ADU condominium conversion. This change is a clean-up to reflect that the subdivision of five or more condominium units is also regulated by the DRE.

Analysis: The proposed amendments do not introduce any changes to the existing allowances or development standards for Accessory Dwelling Units (ADUs), except for updates related to approval process to maintain consistency with current provisions of California State law. The proposed revisions do not alter existing height limitations, permitted land uses, or noise compatibility standards as presently established in the City’s Zoning Ordinance for single-family and multi-family residential zoning districts. All provisions will remain consistent with the applicable base zoning regulations.

B) Implementation of Housing Element Action Items:

Standard Permit Conditions - Housing Element Action Item P-41:

This ordinance update implements Action Item P-41 of the San José 2023–2031 Housing Element by amending provisions of the San José Municipal Code Title 20 (Zoning Code) to remove subjective language from planning permit findings and replace it with clear, objective development and design standards. The update ensures consistency with State housing law requirements for objective standards in the review of residential development. To address this update, the proposed update will include amendments to Section 20.100.630 of Part 5 Site Development Permit, 20.100.720 of Part 6 Conditional Use Permits, 20.100.820 of Part 7 Special Use Permit, 20.100.940 of Part 8 Planned Development Permits of Chapter 20.100 Administration and Permits.

Analysis: The proposed update aligns with Housing Element Action Item P-41. The proposed amendments aim to improve transparency and predictability in the development review process by establishing measurable criteria for evaluating housing projects. By reducing discretionary interpretation in permit conditions, the ordinance is intended to streamline housing approvals, support housing production goals, and maintain compliance with state laws that limit discretion on review of residential development permits and the requirements of the California Department of Housing and Community Development for implementation of the City’s Housing Element. The findings for non-residential projects would remain the same.

Additionally, in accordance with HE Strategy P-42 direction to update the Zoning Code to be consistent with State and federal laws, the proposed update incorporates those references for Residential Service Facility in existing tables, as required by HCD.

GENERAL PLAN CONFORMANCE

The Envision San José 2040 General Plan encourages the periodic review of the Zoning Ordinance and other supporting Ordinances in the Municipal Code to ensure that the document conforms to State mandates and requirements, is consistent with General Plan approvals, and reflects the goals, policies, and implementation of the General Plan.

General Plan Goals and Policies: Title 20 - Zoning Ordinance

The proposed amendments to Title 20 would update and clarify certain sections of the Zoning Code to allow for conformance with changes to the General Plan. The proposed amendments to Title 19 and Title 20 are consistent with the following General Plan policy:

General Plan Goals and Policies: General Plan Land Use Policy

LU-1.6: With new development or expansion and improvement of existing development or uses, incorporate measures to comply with current Federal, State, and local standards.

LU-1.10: Review criteria in the Zoning Ordinance and update it as appropriate to reflect Land Use goals, policies, and implementation actions in this Plan.

Analysis: The amendments are either for conformance with state law, City Council directed, and City-initiated changes proposed to further the City's housing goals, process improvements, clarity and consistency. These changes help ensure that the Zoning Ordinance is maintained and is consistent with any General Plan amendments.

General Plan Goals and Policies: Landmarks and Districts

LU-13: Preserve and enhance historic landmarks and districts in order to promote a greater sense of historic awareness and community identity and contribute toward a sense of place.

LU-13.15 Implement City, State, and Federal historic preservation laws, regulations, and codes to ensure the adequate protection of historic resources.

Analysis: AB 1061 advances Policy LU-13 by promoting infill development on underutilized residential lots while maintaining the preservation and enhancement of the City's historic landmarks and districts and is consistent with Policy LU-13.15 by implementing State regulations to ensure adequate protection of historic resources by balancing preservation while creating additional housing units supporting increased residential capacity within the City's Urban Growth Boundary.

General Plan Goals and Policies: Housing – Social Equity and Diversity

H-1.1: Through the development of new housing and the preservation and rehabilitation of existing housing, facilitate the creation of economically, culturally, and demographically diverse and integrated communities.

H-1.5: Facilitate the development of multi-generational housing in compact form that meets the needs of families living together.

H-1.7: Comply with State and Federal laws prohibiting discrimination in housing and that support fair and equal access to housing.

H-1.9: Facilitate the development, preservation, and rehabilitation of housing to meet San José's fair share of the County's and region's housing needs.

Analysis: With this proposed update, removing the discretionary findings for approval of housing projects not only aligns with state law requirements, but also provides better opportunity for the development of new housing and rehabilitation of existing housing for a diverse demographic.

General Plan Goals and Policies: Environmental Consideration

EC-7.1: For development and redevelopment projects, require evaluation of the proposed site's historical and present uses to determine if any potential environmental conditions exist that could adversely impact the community or environment.

Analysis: Implementation of AB 1061 supports Policy EC-7.1 by allowing additional residential units within developed neighborhoods, optimizing the use of existing infrastructure systems, and improving overall service efficiency.

Other Agency Coordination

Staff referred the proposed ordinance amendment to the Airport Land Use Commission (ALUC) for the meeting scheduled on May 27, 2026, to determine if the amendment is consistent with the San José International Airport (SJC) and Reid-Hillview Airport (RHV) Comprehensive Land Use Plans (CLUP). An update on the ALUC's determination will be provided to the City Council.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A Determination of Consistency to the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), for which findings were adopted by City Council through Resolution No. 76041 on November 1, 2011, and Supplemental EIR Resolution No. 77617, adopted by City Council on December 15, 2015, and the Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto is prepared in accordance with CEQA, as amended. The project would not increase the overall development capacity beyond what is already identified in the Envision San José 2040 General Plan and analyzed in the Envision San José 2040 General Plan Final Program Environmental Impact Report, as supplemented and amended.

PUBLIC OUTREACH

Staff created an informational webpage on the proposal which was posted to the City's website on April 8, 2026. This report and attachments were posted on the City's website. Staff have been available to respond to questions from the public. Staff followed Council Policy 6-30: Public Outreach Policy, in that the notices for the public hearing were posted on the City's website and published in the San José Post-Record.

Project Managers: Brent Carvalho, Rina Ong
Approved by: /s/ Manira Sandhir, Deputy Director for Christopher Burton, Planning, Building & Code Enforcement Director

ATTACHMENTS:

Exhibit A: [Draft Ordinance](#)
Exhibit B: [CEQA Determination of Consistency](#)