

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Julie Edmonds-Mares

**SUBJECT: COUNCIL PRIORITY SETTING
RESULTS**

DATE: October 23, 2017

Approved

D. OSYL

Date

10/23/17

INFORMATION

On October 17, 2017, the City Council held a two-part Priority Setting Session, first voting to add items to the Priority List, then ranking those items in priority order.

NOMINATED IDEAS

The following six items were added to the Council Priority List:

- Downtown Zoning Code Update (Responding to the Housing Crisis)
- Impact Fee Deferred Payment Program for Housing (Responding to the Housing Crisis)
- Safe Parking Program
- Private Property Graffiti Abatement Ordinance
- Smoke-Free Housing
- Develop Innovation Strategies to Hire Crossing Guards

The following twelve nominated items did not receive enough votes to move forward to the Council Priority List and have been dropped:

- Expansion of City of San Jose's Investment Policy, Social Responsibility Clause
- Enhanced Tobacco Retail License Ordinance
- Ban on Gasoline-Powered Leaf Blowers
- Urban Street Park Pilot
- Suicide Prevention Policy
- Expansion on the Bring Your Own Bag Ordinance
- Unified Marketing Function for City Departments
- Facilitating SJSU Student and Faculty Housing
- Regional Entitlement Fee Study (Responding to the Housing Crisis)
- Create On-line Map of Vacant Blighted, underutilized housing sites (Responding to the Housing Crisis)

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- Align Zoning with General Plan Designations (Responding to the Housing Crisis)
- Empty Home/Empty Parcel Fee to Generate Funds for Affordable Housing (Responding to the Housing Crisis)

The nomination by Vice Mayor Carrasco for the *Women's Bill of Rights* was removed from the nominated items as it was already a resolution adopted by Council in 1999. The City Attorney will review this enhanced proposal as part of their current workplan.

COUNCIL PRIORITY LIST RANKING ORGANIZATION ACTIONS

Froze the Top 10

Council held in place items 1 – 10 from the Council Priority list established on March 7, 2017.

Removed Prior Zero Votes Items

Council removed the past items which received zero votes at the March 7, 2017 ranking process.

The items removed were:

- Real Estate Transactions Streamlining (Phase 3)
- Development Agreement Policy
- Off-Sale Alcohol at Grocery Stores Streamlining
- Zoning Ordinance Quarterly Modifications

Capping the Priority List

Council did not limit the newly established list to 25 items.

COUNCIL PRIORITY LIST

The updated Council Priority List is available in the Attachment. The Priority Setting ballots can be viewed here: <http://www.sanjoseca.gov/DocumentCenter/View/72801>.

Staff will work on the priority items, including items that received zero votes in the ranking, with work effort allocated to higher-ranked items. Please keep in mind that project complexity may differ from item to item and departmental capacity may differ from department to department. As a result, some lower-ranked items may be completed sooner than higher ranked items.

/s/

JULIE EDMONDS-MARES
Deputy City Manager

For questions please contact Julie Edmonds-Mares, Deputy City Manager, at 408-535-8155.

Attachment - Final Ranked Council Priority List

Attachment
Final Ranked Council Priority List

Based on the Council voting exercise, the following 27 items were selected as Council Priorities, and are presented in ranked order with those getting the highest number of votes listed first. Progress will be tracked on all items on the Priority List.

Rank	Policy/Ordinance Name Description	Votes 10/17/17
1	Update the City's Rental Rights and Referrals Program Explore modifications to strengthen the City's rent control ordinance (rent registry, notices of rent increase, banking); and the creation of ordinances to address retaliatory evictions, income discrimination, major capital improvement pass-through, displacement and relocation (Ellis).	*Carried over from previous Priority Setting process.
2	Local Hiring/Local Business/Apprentice Utilization Program Create policies encouraging the hiring of local workers and contracting of local and small businesses, using the City of Sunnyvale's recently approved program as a model.	*
3	Mobile Home Conversions Review and potentially amend the Mobile Home Conversion Ordinance to address the protection of health, safety and welfare of mobile home park residents, including any needed General Plan amendments.	*
4	Housing Rehabilitation Program (Homeless Veterans Vouchers) Develop a program using the Low and Moderate Income Housing Asset Fund in the City's Affordable Housing Investment Plan to establish a housing rehabilitation program incentivizing landlords to participate in housing voucher or coupon programs for homeless veterans.	*
5	Disadvantaged Business Enterprises Explore expanding existing DBE program beyond Airport to other City departments and contracts.	*
6	Electronic Billboards Options for public and private property that will allow electronic digital off-site advertising signs or billboard installations.	*
7	Downtown and/or Citywide Parks Operations and Maintenance Financing District To study and make recommendations to the City Council for a long term financing district for parks operations and maintenance. The study will look at citywide and downtown as options.	*
8	Development of a Soft-Story Retrofit Program Explore developing a program to incentivize the seismic retrofit of multifamily soft-story buildings. An incentive program may motivate owners to retrofit inadequate structures that pose a safety risk to over 24,000 San Jose residents who live in the approximately 1,093 "soft-story" buildings.	*

Rank	Policy/Ordinance Name Description	Votes 10/17/17
9	<p>Accessory Dwelling Units & Garage Conversion Ordinance</p> <p><i>Accessory Dwelling Units:</i></p> <ul style="list-style-type: none"> -Support the Planning Department's recommendations to revise the Zoning Code to ensure that the City's Second Unit Ordinance is in conformance with the provisions of Senate Bill 1069 (Wieckowski), which requires jurisdictions to relax some requirements for second units, also called accessory dwelling units; -Direct the Administration to: (a) Eliminate any impediments to the conversion of detached garages or other accessory units to residential use; (b) Consider changes that would increase the number of potential lots in R-2 zones; (c) Study an amnesty program that would legalize illegal non-conforming accessory dwellings as long as they are brought up to the standards included in the City's ordinance; (d) Encourage a robust public information effort to help residents understand the potential for second units, and the process for development. -Additionally, to "Not require for the secondary dwelling a minimum area of 80 s. f. of private open space with a minimum width of 8 feet." <p><i>Garage Conversion Ordinance:</i></p> <ul style="list-style-type: none"> -An ordinance to establish procedures whereby owner-occupants of single-family residential real property on which certain illegal garage conversions now exist would have a limited time to seek to legalize converted garages. Landlords could be required to provide some affordable housing in exchange for the legalized unit. Explore the possibility of reducing the parking requirements if the unit's close enough to a major transit stop. 	*
10	<p>Personal Care Business Compliance Initiative</p> <ul style="list-style-type: none"> -A registry requiring all personal care businesses that provide any form of massage services to annually register prior to obtaining a business tax certificate with an additional cost-recovery fee for a City employee position to proactively coordinate administrative processes and inspection for compliance. -A moratorium on the distribution of new massage parlor permits to all personal care businesses that provide any form of massage services during the initiative development up to a period of one year with an option to extend per Council's approval. - Conduct outreach and discussion with industry business professionals. 	*
11	<p>North San José Policy Review</p> <p>Review of North San José development policies, fees, and development capacity allocations.</p>	10

Rank	Policy/Ordinance Name Description	Votes 10/17/17
12	Commercial Impact Fee for Affordable Housing Research the potential of a non-residential development fee as an additional source of revenue for affordable housing development.	10
13	Safe Parking Program Explore and develop an ordinance which would allow for a legal use of "safe parking" in public and privately-owned parking lots for people who live in their vehicles.	10
14	Private Property Graffiti Abatement Ordinance Ordinance that will allow staff to warn private property owners to abate graffiti on their property within 72 hours, or the City will abate the graffiti and bill the property owner.	9
15	Downtown Zoning Code Update (Responding to the Housing Crisis) Eliminate parking requirements, establish height minimums, and establish minimum residential densities for residential uses Downtown. Also establish requirements for retail, restaurants or other active ground floor uses on streets with sufficient visibility or foot traffic.	7
16	Impact Fee Deferred Payment Program for Housing (Responding to the Housing Crisis) Consider allowing deferral of payment of impact fees on GP 2040-compliant housing construction to enable payments streams to align with project revenues. Explore financing mechanisms that could allow for-sale housing projects to pay fees over time, at higher aggregate amounts than currently – but reduce the up-front burden.	7
17	Develop Innovation Strategies to Hire Crossing Guards Develop new and innovative strategies to hire crossing guards.	4
18	Sanctioned Encampments Continue to explore the operation of a sanctioned encampment pilot to meet the immediate needs of unsheltered homeless people in the community.	3
19	Anti-Displacement Preference Ordinance Explore the development of policy that will allow a set-aside in affordable housing developments that prioritizes residents who are being displaced that live in low-income neighborhoods undergoing displacement and/or gentrification.	2
20	Update Urban Design Guidelines Update citywide urban design guidelines for our key commercial districts, including Downtown and Berryessa.	2
21	Food and Clothing Distribution at City Parks Review and update the Municipal Code policy regarding the distribution of food and clothing at City Parks.	1

Rank	Policy/Ordinance Name Description	Votes 10/17/17
22	<p>Smoke-Free Housing</p> <p>Explore a prohibition on smoking in multifamily housing units.</p>	1
23	<p>Spurring High Density Development Along Transit Corridors</p> <p>Development of an incentive plan to spur investment in high-density development within the General Plan land use designation "transit residential" by exploring a targeted decrease in the \$17/square foot Housing Impact Fee and other fees, to include looking at alternative payment schedules to the current up-front payment requirement.</p>	0
24	<p>Riparian Corridor & Bird-Safe Buildings</p> <p>Develop a work plan to:</p> <ul style="list-style-type: none"> -Study the impacts of bird strikes in San José; -Explore the implications of incorporating current voluntary bird-safe design measures as a City-wide requirement along riparian habitats, creek corridors and open spaces; and, -Evaluate if additional environmental review may be needed to implement a City-wide program. 	0
25	<p>Downtown Active Storefronts Initiative</p> <p>Penalty fees for storefronts that been inactive over one year; allocation of all collected penalty fees toward an incentive program that assists property owners in activating their storefronts; exploration of new tools and recommendations that will require new development in the PBID to activate ground floor space or storefronts. To include Citywide business districts or commercial areas.</p>	0
26	<p>San José is Open for Business/Legal Non-Conforming Uses</p> <p>Clarify Title 20 to reduce the evidentiary burdens for businesses and property owners seeking to establish a longstanding, legal nonconforming use.</p>	0
27	<p>Medical Marijuana</p> <p>Explore whether to allow medical marijuana distributors, manufacturers, and testing labs to operate in San José, and if so, how many and where. (Note: marijuana land use and regulatory issues could be impacted by the outcome of Proposition 64 on the November 8, 2016 California ballot.)</p>	0