

Urban Village and Mixed-Use Zoning District Ordinance Update

Community Meeting
March 1, 2021



*Planning, Building and
Code Enforcement*

Informational Community Meeting

- The intent of this community meeting is to inform property owners, residents, and other interested parties about the proposed ordinance, answer questions, and receive public comments. Staff will take notes on the discussion and respond to questions and comments.
- This is a community meeting; it is not a public hearing. Also, this is a policy update and not a development project. Therefore, no approval or denial of this proposed ordinance will take place today; eventually this ordinance will be heard at both the Planning Commission and City Council.

Project Objective

- **Create six zoning districts to correlate with existing General Plan Land Use Designations which lack conforming zoning districts**
 - (Commercial only) - Urban Village Commercial
 - (Mixed-use & Residential) - Urban Village, Mixed-use Commercial, Mixed-use Neighborhood, Urban Residential, and Transit Residential
- **Add or update definitions to ensure they work with Mixed-Use standards**
- **Other minor edits for conformance and clarity**



Through this proposed ordinance we are looking to create six zoning districts which will correlate with existing General Plan Land Use Designations that currently lack conforming zoning districts. I will go into more detail regarding each of these zoning districts during the presentation, but these are the names of the six districts.

Urban Village Commercial, Urban Village, Mixed-use Neighborhood, Mixed-use Commercial, Urban Residential, and Transit Residential.

In addition to creating new zoning districts, this ordinance will include minor text edits to improve consistency as well as adding or clarifying definitions in the zoning code.

Not included in this project

- **Update parking standards**
 - There is separate work underway to update parking standards
- **Opportunity Housing**
 - This zoning update is not associated with the Opportunity Housing policy proposal
- **Rezoning property**
 - There is separate work underway to rezone properties to match the General Plan
- **Pedestrian Oriented Zoning Districts (Alum Rock Form Based Code)**
 - There are no changes proposed as part of this scope of work
- **No Development Projects**
 - No development projects are being proposed as part of this ordinance – these are the rules for future development



We would like to clarify a few things that we are not addressing in this ordinance update.

Firstly, we are not proposing changes to the **parking requirements** at this time, there is a separate comprehensive effort to update parking.

Next, this ordinance update does not have anything to do with **Opportunity Housing**, that is a policy recommendation which came out of the General Plan 4-year review task force and City council hasn't voted on it yet or given staff direction on starting the work.

We will not be **rezoning** any properties as part of this scope of work. A separate team of planners will be working on the effort to rezone properties and that work is slated to start later in the year.

Also, this ordinance will not make any changes to the **Pedestrian Oriented Zoning Districts** – commonly referred to as Alum Rock Form Based Zoning.

And finally, there is **no development project** proposed as part of this ordinance. There are no areas being considered for additional growth, the Envision San Jose 2040 General Plan, which included extensive community outreach, has already determined where future growth areas will be developed. The objective of this work is to create rules for what future development will look like.

Zoning Update: Background

- **Mayor's June Budget Message for FY 18 – 19** identified a comprehensive update of the Zoning Ordinance to align with the General Plan as a key action item to facilitate housing development
- **Senate Bill 1333**, effective 2019, requires that Charter Cities align their Zoning Ordinance and General Plan



There are two main reasons why that the Planning Department took on this work:

The first reason came from the mayor, in his **June Budget Message for FY 18 – 19**, Mayor Liccardo identified a comprehensive update of the Zoning Ordinance to align with the General Plan as a key action item to facilitate housing development.

Around the same time the CA state legislature had the same idea and passed Senate Bill 1333 which became effective in 2019 and requires that Charter Cities, like the City of San Jose, bring their zoning ordinance into alignment with their general plan.

It just happened to work out that our City Council directed us to start this work right around the same time and that really set us up perfectly to address the changes required by the new state law to create alignment.

As a Charter City, the City of San José has never been required to have the General Plan and the Zoning Ordinance be consistent with one another; and wherever the two policies have been inconsistent the General Plan supersedes.

Zoning Update: Multi-Phased Approach

- Phase 1A – Approved by City Council June 2019: Update existing zoning districts to better align with the General Plan
- **Phase 1B – Create new zoning districts to implement high density residential, mixed use, and Urban Village General Plan designations**
- Phase 2 – rezone properties to conform to General Plan land use designations



Now let's discuss our approach for aligning the General Plan and Zoning Ordinance and how we have divided the work into multiple phases.

Phase 1A – This work included updating the permitting requirements for a variety of uses across zoning districts in addition to revising, adding, or deleting text throughout the code to reflect more modern development standards and definitions.

Phase 1B – This refers to the current proposed ordinance that we are presenting today. After these zoning districts have been created all of the mixed-use and high-density General Plan Land use designations will have conforming districts, making it possible for these properties to be brought into alignment as part of Phase 2 work.

Phase 2 – rezone properties to conform to General Plan land use designations

Zoning Update: Outcomes

- **Bring City into compliance with state law**
 - Creates pathway for complying with Senate Bill 1333
- **Certainty and predictability for developers and community**
 - Clear, objective standards for higher density development
 - Most new districts allow Mixed-use development without a Conditional Use Permit
- **High quality new development**
 - Modern standards and requirements
 - Will work together with Citywide Design Standards and Guidelines



To summarize some of our key outcomes, this ordinance work will accomplish:

It will **Bring City into compliance with state law** by creating a pathway for complying with Senate Bill 1333.

It will also provide **Certainty and predictability for developers and community** by providing clear, objective standards for higher density development

Most new districts allow Mixed-use development by right

It will create **High quality new development**. This ordinance update will create Modern standards for development. These new zoning districts will work together with the recently adopted Citywide Design Standards and Guidelines – important design related information and regulations can be found in that document but will apply to development that occurs within these zoning districts.

Definitions of Planning Terms

- **Mixed-use Development (proposed definition)**
 - The combination of commercial and residential uses located on the same property as part of a unified development. Mixed-Use Development consists of commercial and residential uses integrated either vertically (vertical mixed-use) in the same structure or group of structures, or horizontally on the same development site (horizontal mixed-use) where parking, open spaces, and other development features are shared.
- **100% Commercial Development**
 - Development which is purely commercial in nature, this can be a multi-tenant or single-tenant commercial building. For example: offices with a groundfloor, publicly accessible gym
- **100% Residential Development**
 - Development which is purely residential in nature. For example: residential units with a private gym or other amenity on the groundfloor which is only accessible to residents



For these next few slides, we will define some planning terms that will be used throughout the presentation as well as some planning concepts and processes.

First off, we have, **Mixed-use** – Which is defined as “The combination of commercial and residential uses located on the same property as part of a unified development. Mixed-Use Development consists of commercial and residential uses integrated either vertically (vertical mixed-use) in the same structure or group of structures, or horizontally on the same development site (horizontal mixed-use) where parking, open spaces, and other development features are shared.

Next, we have **100% Commercial** - Development which is purely commercial in nature, this can be a multi-tenant or single-tenant commercial building. For example: offices with a ground floor, publicly accessible gym

And then we have **100% Residential** – This refers to development which is purely residential in nature. For example: residential units with a private gym or other amenity on the groundfloor which is only accessible to those residents of that development

Definitions of Planning Terms

- **Floor Area Ratio (FAR):** the ratio of a building's total floor area to the size of the piece of land upon which it is built upon
 - Example 1: A 2,000 square foot house on a 6,000 square foot lot has an FAR of 0.33
 - Example 2: The new Adobe tower downtown (under construction) has an FAR of 10.56
The Total Floor Area is 1,149,367 sq. ft. / the Lot size is 108,900 sq. ft. = 10.56
- **Dwelling Units/Acre (du/ac):** A way of measuring residential density by dividing the number of units by the amount of land those units are built on
 - Example 1: Most single-family neighborhoods in San Jose are about 6-8 du/ac
 - Example 2: The 88 (Central Place) located downtown has a density of 124 du/ac.
The total number of units is 335 / the total site acreage is 2.71 acres = 124 du/ac



Here are a couple technical planning terms along with examples.

The first definition is, **Floor Area Ratio or (FAR):** the ratio of a building's total floor area to the size of the piece of land upon which it is built

Example 1: A 2,000 sq. ft. house on a 6,000 sq. ft. lot has an FAR of 0.33

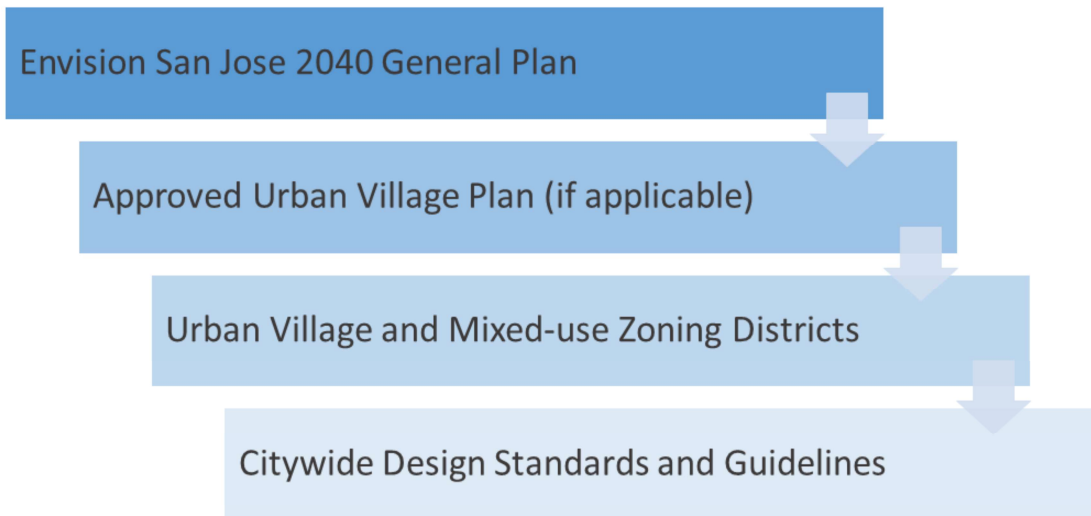
Example 2: The new Adobe tower downtown (currently under construction) is a commercial office building which has an FAR of 10.56. You can see the calculation below =
The Total Floor Area is 1,149,367 sq. ft. / the Lot size is 108,900 sq. ft. = 10.56

Another common term is **Dwelling Units Per Acre (DU/AC):** A way of measuring residential density by dividing the number of units by the amount of land those units are built on

Example 1: Most single-family neighborhoods in San Jose are about 6-8 DU/AC

Example 2: The 88 (Central Place) is a mixed-use building located downtown has a density of 124 DU/AC. You can see the calculation below = *The total number of units is 335 / the total site acreage is 2.71 acres = 124 du/ac*

Hierarchy of Development Policies



Now we will explain how some of our development policies work together.

The General Plan serves as the constitution for development in our community and it sets the stage for how, when, and where development can occur, and it provides general guidance regarding how the zoning ordinance should regulate development.

The General Plan includes a land use map and planned growth area map which lays out where most growth will occur throughout the city. While the Urban Village and Mixed-use land use designation already exist in the general plan currently there are no Urban Village and Mixed-Use zoning districts which provide development standards to allow the scale of development that the General Plan allows.

And that is really the reason for the work we are talking about today, we are creating zoning districts in order for them to align with the General Plan. It's also important to note that just because these zoning districts don't exist today, doesn't mean that development won't or can't occur in these areas, development could still occur through a planned development permit and I will talk about a couple examples of that later on.

The General Plan also includes a major strategy for future growth which involves creating Urban Village Plans. The Urban Village Plans are related to specific areas of the city and further refine how development should occur in order to achieve walkable, bicycle-friendly, and transit-oriented neighborhoods with a mix of commercial and residential uses.

The Zoning Ordinance, also referred to as Title 20 of the Municipal Code, implements the General Plan by setting the specific standards for development on each property. Every parcel in the City of San José is assigned a zoning district and that zoning district provides controls on the form and placement of buildings on individual parcels, some examples of those controls are building height, setbacks, and private open space requirements.

Finally, we have the Citywide Design Standards and Guidelines, which were just adopted by the City Council on February 24th, 2021 will provide the fine-grained regulations for how buildings will look and feel in the built environment.

Private and Common Open Space

Envision San Jose 2040 General Plan	Chapter 4 provides guidance for public open space and recreation, but it also includes references to Private & Common Open Space with general direction on accessibility from residential units	
Urban Village Plan	Hybrid of the General Plan policies and Zoning Ordinance development standards; not all the plans have the same requirements, and some may focus less on these types of open space, particularly if there is already good access to public open space in the neighborhood	
Urban Village and Mixed-use Zoning Districts	Provides specific requirements for Private and Common Open Space; requirement is dependent on the total number of residential units being proposed in a development	
	100% Residential	Mixed-use
Private Open Space	40 sq. ft. per unit	30 sq. ft. per unit
Common Open Space	75 sq. ft. per unit	50 sq. ft. per unit
Citywide Design Standards and Guidelines	Provides standards on the design, placement, and orientation of the private and common open spaces in relation to the overall development project	



A great example of how the development policy hierarchy works in practice is in our collective policies for private and common open space. But first let's define Private Open Space and Common Open Space.

Private Open Space is open space that is connected to a residential unit and only accessible to residents of that unit. Examples include a balcony or patio.

Common Open Space is open space that is collectively available to all tenants of a residential development. Examples include a courtyard or plaza.

Chapter 4 of the **General Plan** provides guidance for public open space and recreation, but it also includes references to Private & Common Open Space with general direction on accessibility from residential units

The **Urban Village plans** provide a hybrid of the General Plan policies and Zoning Ordinance development standards; not all the plans have the same requirements, and some may focus less on these types of open space, particularly if there is already good access to public open space in the neighborhood. They will always only apply to the specific geographic area defined by the Urban Village Plan.

The new **Urban Village and Mixed-use Zoning Districts** provides specific requirements for Private Open Space and Common Open Space; and that requirement is dependent on the

total number of residential units being proposed in a development. For example:

A **100% Residential development** requires 40 sq. ft. of Private Open Space per unit and 75 sq. ft. of Common Open Space per unit. A **Mixed-use development** requires 30 sq. ft. of Private Open Space per unit and 50 sq. ft. of Common Open Space per unit

Finally, the **Citywide Design Standards and Guidelines** provides standards on the design, placement, and orientation of the private and common open spaces in relation to the overall development project

Permitting and Uses

- **Changes in Permitting requirements for Mixed-use Development**

- Historically, Mixed-use development in Commercial zones has required a Conditional Use Permit which is approved by the Planning Commission
- Mixed-use development in Residential zones requires a Special Use Permit which is approved through a Director's Hearing
- Mixed-use Development in the new zoning districts (except Urban Village Commercial) will require a Site Development Permit which is approved through Director's hearing
- Will require public noticing and public hearing – However, some recent state laws which are meant to streamline housing production, allow projects to move forward without a public hearing or noticing if they meet certain criteria for affordable housing, if it is consistent with the General Plan.



Now we will talk about some of the permit requirements that will be applied in the new zoning districts.

The official use table is still being finalized; however, the preliminary draft included a reference to the Commercial Pedestrian Zoning District for examples of what you might expect to see in the new zoning districts. In addition to that I wanted to provide a couple examples of updates you will see in the final draft.

Historically, Mixed-use development in Commercial zones has required a Conditional Use Permit which is approved by the Planning Commission. Mixed-use development in Residential zones requires a Special Use Permit which is approved through a Director's Hearing. And Mixed-use Development in the new zoning districts (excluding Urban Village Commercial) will require a Site Development Permit which is approved through Director's hearing.

Mixed-use development in our new zoning districts will require public noticing along with the public hearing - **However, some recent state laws which are meant to streamline housing production, allow projects to move forward without a public hearing or noticing if they meet certain criteria for affordable housing if it is consistent with what is allowed by the General Plan.**

Permitting and Uses: Mixed-use Neighborhood

- **Duplexes, Townhouses/Rowhouses, and Small-lot Subdivisions in Mixed-use Neighborhood Zoning District**
 - Duplexes are permitted in R-2 and R-M zones and require Site Development Permit
 - Townhouses/Rowhouses and Small-lot subdivisions are typically approved through a Planned Development Permit
 - Mixed-use Neighborhood will allow these housing development types to be approved through a Site Development Permit
 - Will require public noticing and public hearing – Again, some recent state laws which are meant to streamline housing production, allow projects to move forward without a public hearing or noticing if they meet certain criteria for affordable housing, if it is consistent with the General Plan.
- **Planned Development Zoning & Permit “PD Permit”**
 - Commonly used option for townhouses and small-lot subdivisions, allows the project to create custom development standards; Zoning standards approved by City Council, PD Permit approved through Director’s Hearing



This next slide refers specifically to the Mixed-use Neighborhood Zoning District.

Currently Duplexes are permitted in R-2 and R-M zones and require Site Development Permit. Townhouses/Rowhouses and Small -lot subdivisions are typically approved through a Planned Development Zoning and Planned Development Permit. The Planned Development Zoning must go to the Planning Commission and City Council for approval, followed by a Planned Development Permit that is approved by the Director of Planning and a Director’s Hearing. The Planned Development Zoning and Planned Development Permit can be approved concurrently by City Council. A Site Development Permit is approved at the Director’s Hearing. The new Mixed-use Neighborhood zoning district will allow all of these housing development types to be approved through a Site Development Permit.

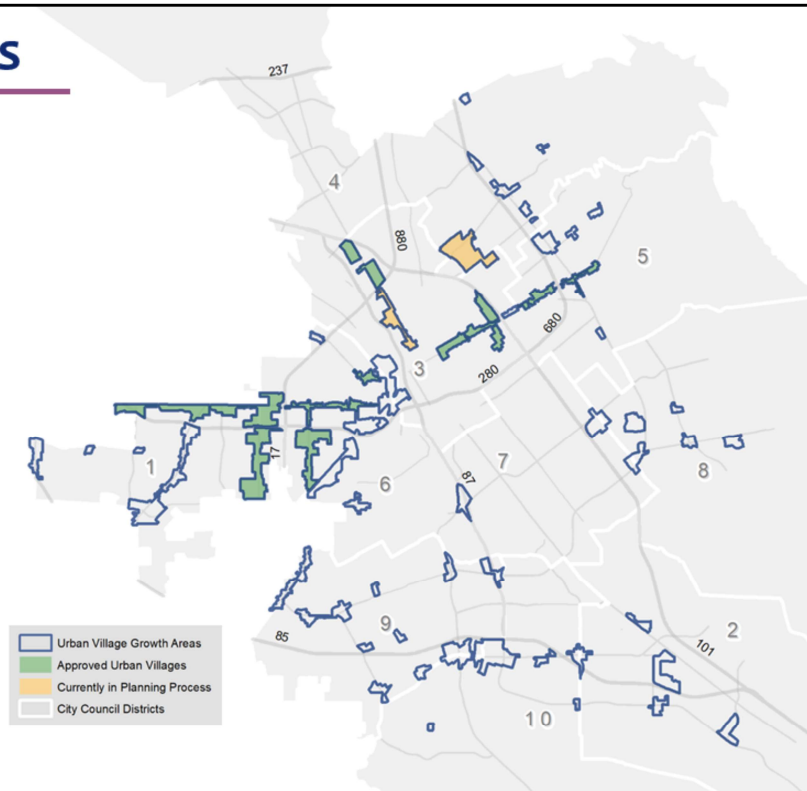
Development of these housing products in Mixed-use Neighborhood will require public noticing and public hearing - **Again, some recent state laws which are meant to streamline housing production, allow projects to move forward without a public hearing or noticing if they meet certain criteria for affordable housing if it is consistent with what is allowed by the General Plan.**

The **Planned Development Zoning & Permit “PD Permit”** process is commonly used for townhouses/rowhouses and allows the project to create custom development standards; The Planned Development Zoning is approved by City Council and the PD permit is

approved through the Director's Hearing. Most likely wherever you have seen townhouses they probably went through the Planned Development Zoning and Permit process. And that is because our Zoning Ordinance doesn't have standards which can facilitate that type of development. A great example of this is Communications Hill where you can see a variety of townhouses and small-lot single family homes.

Urban Village Plans

- Currently 12 approved urban village plans
- 64K new housing units and 116K jobs over time
- Brings together core objectives of the City's strategies for health, sustainability, and economic development



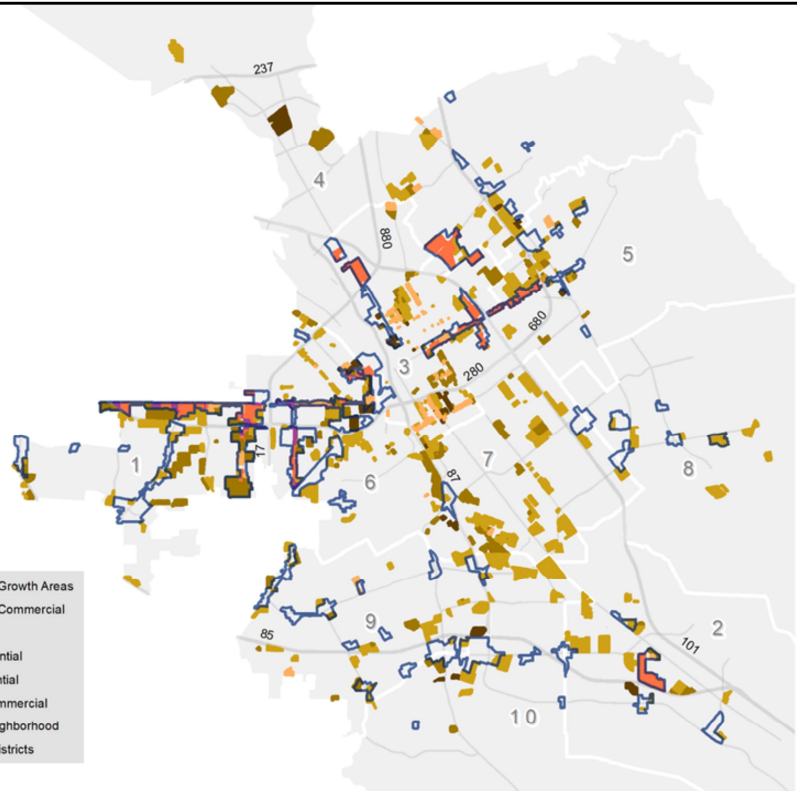
I've mentioned the term "Urban Villages" and talked about how it is as a major strategy for growth, but you may still be wondering what an urban village actually is? Urban Villages, are shown in the map with dark blue outlines. These areas bring housing, retail, and jobs together with high-density, mixed-used development. Urban Villages promote options for walking, bicycling, and transit use to support sustainable and healthful communities.

There are 61 Urban Villages in total, currently 12 of the Urban Village Plans have been approved by City Council, you can see they are colored green on the map. And there are 2 Urban Village Plans which are currently in the planning process, those are colored orange, and they include the Berryessa BART and North 1st Street Urban Villages.

Over time our Urban Villages will accommodate 64,000 new housing units and 116,000 jobs throughout the city. The Urban Village concept really brings together core objectives of the City's strategies for health, sustainability, greenhouse gas reduction, and economic development. This ordinance work will help create zoning districts which will facilitate this growth both in and outside of urban villages by providing regulations for higher density development.

Urban Village and Mixed-use

General Plan Land Use Designations



In this map we are bringing together all of the General Plan land use designations along with the urban village growth areas so that you can get a bigger picture of how they all look in relation to the rest of the city. Again, the General Plan land use designations are meant to provide direction on how and where various land uses may occur. This map is meant to highlight where the existing High-density commercial, residential and Mixed-use General Plan Land uses exist and once, we have officially created our new zoning districts they will eventually conform to these General Plan land use designations.

The next series of slides will provide some examples of what development in our new zoning districts might look like and where you can expect to find them throughout the city. We will also provide a side by side comparison to help give you an idea of how the zoning districts implement the objectives of the General Plan.

Urban Village Commercial Zoning District

- Implements the Urban Village Commercial General Plan designation
- Will only be in Urban Villages with an adopted Urban Village Plan

	Adopted General Plan	Proposed Zoning
Development Type	Mid-rise office buildings, health care facilities, and hotels, along with ground floor neighborhood-serving commercial and retail uses	100% commercial, or office development, institutional uses (hospitals, schools, etc.)
Residential Density	No residential development allowed	No residential development allowed
Floor Area Ratio	Up to 8	Up to 8, or as specified in the Urban Village Plan
Height	Not specified, development “should conform to land use and design standards established with an adopted Urban Village Plan”	Defer to Urban Village plan. Up to 120 ft. max where Urban Village Plan does not specify.

The Urban Village Commercial zoning district will implement the Urban Village Commercial land use designation and will only exist in urban village growth areas. Development under this designation should adopt an urban and pedestrian-oriented form and provide minimal parking and automobile circulation adjacent to the street.

As you can see the General Plan doesn’t permit residential development in these areas and that control has also been carried over into the zoning code, no mixed-use or residential development of any kind is permitted in this zoning district

You can also see the FAR is consistent with what is permitted in the General Plan, no changes there. As for the building height, because these zoning districts will only be allowed in urban village growth areas – it is through that urban village planning process that the appropriate building heights will be determined. If a project were to be proposed in a designated urban village before an urban village plan was completed, then the maximum height would default to 120 ft. This default number of 120 ft. comes from existing code language and is what is already allowed for Urban Village growth areas. Now you are probably wondering where you can expect to see this type of development, on our next slide we have a map to help give you an idea.

Urban Village Commercial

General Plan Land Use Designations



Again, just to quickly note, we have prepared a map for each zoning district and these maps will give you a snapshot of where these zoning districts will exist.

The Urban Village Commercial general plan land use designation is primarily located in the Western portion of San Jose.

These areas represent some of our Approved Urban Villages including Stevens Creek, Winchester, West San Carlos, Valley Fair/Santana Row, South Bascom, and the Alameda.

Urban Village Commercial Zoning District



*Images are for illustrative purposes only

Here are some examples of what you might expect to see in this zoning district.

The building on the left is the Samsung Campus in North San Jose, it's a large building but in relation to the whole site it has a lot of open space and is also very open and accessible to the public it even has a publicly accessible coffee shop.

The building on the right is the new Adobe office tower and represents an example of a denser style of development which is placed closer to the street.

Urban Village Zoning District

- Implements the Urban Village General Plan designation
- Will only be in Urban Villages with an adopted Urban Village Plan

	Adopted General Plan	Proposed Zoning
Allowed uses	Higher density housing growth along with a significant amount of job growth	Mixed use development, 100% residential development, 100% commercial or office development, institutional uses (hospitals, schools, etc.)
Density	Up to 250 du/ac	Up to 250 du/ac, or as specified in the Urban Village Plan. Minimum 55 du/ac for mixed-use
Floor Area Ratio	Up to 10	Up to 10, or as specified in the Urban Village Plan
Height	Not specified, may “vary significantly depending upon the type and character of the Urban Village”	Defer to Urban Village plan. Up to 120 ft. max where Urban Village Plan does not specify.

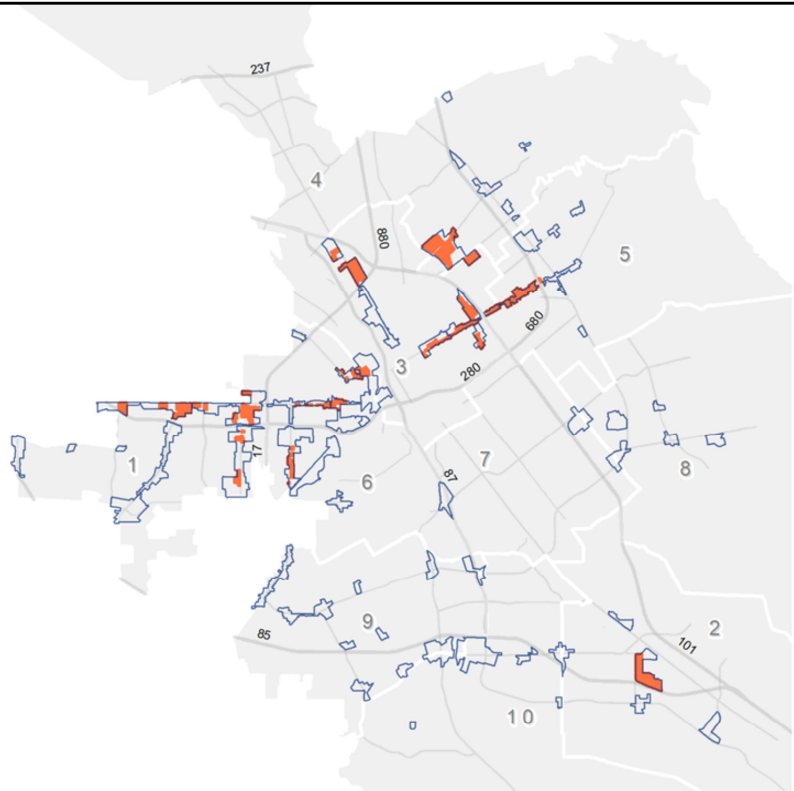
Next up we have the Urban Village zoning district, which implements the Urban Village General Plan Land Use Designation and again this zoning district will only be applied to properties which are located in urban village growth areas.

As you can see this district is pretty flexible in what can be built here, it could be mixed-use, 100% residential, or 100% commercial development. And we have listed some example of things like hospitals or schools which are also possible. The density or dwelling units per acres is set at a maximum of 250 du/ac and one thing to note here is that for mixed use or 100% residential projects there is a minimum of 55 du/ac. (To give a rough estimate 55 du/ac would likely be about a 4-story)

There is an allowable FAR of up to 10 which comes from the General Plan and you can see we have carried that over into the zoning district. Similar to Urban Village Commercial, you will want to defer to the approved urban village plan for the maximum building height, or 120 ft. where it is not specified.

Urban Village

General Plan Land Use Designations



To give you an idea of where these land uses already exist here are the Urban Village land uses which correlate with our urban village growth areas. A couple caveats to mention as part of the Urban Village land use designations as some of these designations were applied to areas that did not go through the traditional Urban Village Planning process.

Rincon is a former Specific plan that was absorbed into the current General Plan as an Urban Village and that is why it is designated as Urban Village; however, it didn't go through the Urban Village Planning process, the land uses designations were updated when it was integrated into the General Plan.

You will also notice that the **Berryessa BART Urban Village** is also designated as Urban Village land use and that reflects the fact that the Urban Village was part of Horizon1 and at the time all the Horizon 1 villages were designated as UV, The UV plan is currently in a late stage and will be heading to council later this year so eventually it will have a variety of other land use designations.

The **Blossom Hill Rd./Hitachi Urban Village**, located in South San Jose, is an area that was already developed and was designated Urban Village after the fact.

The **Alum Rock Urban Village** which is home to the Pedestrian oriented zoning/Form based code went through an extensive outreach process before the zoning districts were formally applied to this area, the development standards for this segment of Alum Rock were adopted into the code around the same time as the adoption of the general plan.

Urban Village Zoning District



*Images are for illustrative purposes only

On this slide we have a few examples of some types of development that you might see in an Urban Village zoning district. On the left you have The 88 (also known as Central Place); located in downtown San Jose, this is a mixed-use development and represents the higher range of density that might be applied under this zoning district. On the right you have an example of a newer development in Japantown, this represents the lower range of development that you might see in the Urban Village zoning district.

Transit Residential Zoning District

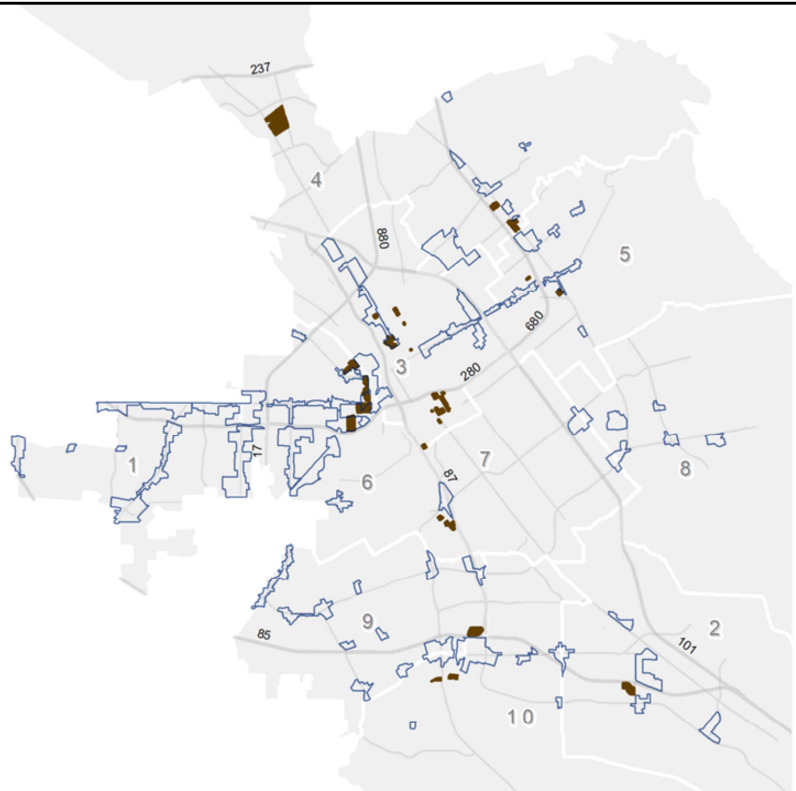
- Implements the Transit Residential General Plan designation
- Will be applied both inside and outside Urban Villages areas

	Adopted General Plan	Proposed Zoning
Development Type	New high-density, residential, mixed-use development, and commercial uses on sites located near transit, jobs, amenities, and services	100% residential, mixed use development, 100% commercial or office development, institutional uses (hospitals, schools, etc.)
Residential Density	50 to 250 du/ac	50 to 250 du/ac; Minimum 50 du/ac for mixed-use
Floor Area Ratio	2.0 - 12.0	2.0 - 12.0
Height	5 to 25 stories	Up to 200 ft.; Defer to Urban Village plan.

The Transit Residential zoning district will implement the Transit Residential General Plan land use designation. This zoning district will be applied both inside and outside of planned Urban Village areas. This zoning district supports new high-density residential or mixed-use development, which is located in close proximity to public transit. This district also supports stand-alone intensive commercial employment uses, such as office, retail, hotels, and private community gathering facilities. The residential density allowed by the General Plan is 50 to 250 du/ac and that is carried over into the zoning code, additionally for mixed-use development there is a minimum of 50 du/ac. The FAR set by the General Plan is in the range of 2.0 to 12.0 and that same standard is reflected in the zoning district. The maximum building height in this district is 200 ft. and that correlates with the 5 to 25 stories which are allowed by the General Plan.

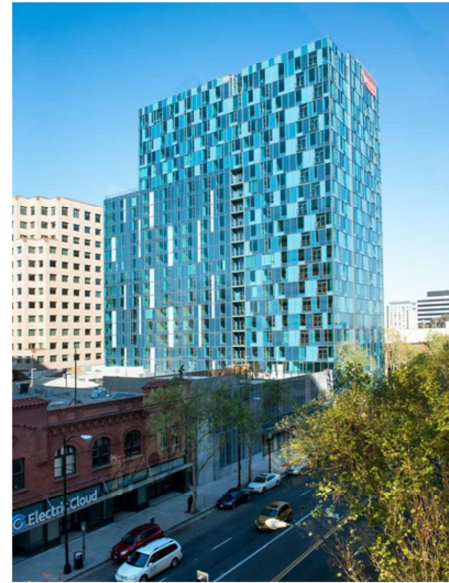
Transit Residential

General Plan Land Use Designations



On this slide we can see that the Transit Residential land use designations are concentrated in areas which correlate with a close proximity to existing public transportation lines such as the light rail and Caltrain. We can see a large area in the N First street and Diridon areas as well as some other pockets along the light rail line along Capitol Ave as well as along the portion of light rail which runs along Highway 87. This land use appears less frequently than our other land uses we will talk about today.

Transit Residential Zoning District



*Images are for illustrative purposes only

Here we have some examples of what development might look like in the Transit Residential zoning district. The image on the left is a 7 to 8 story development with residential units over some groundfloor commercial space. Again, development at this scale in this zoning district could be mixed-use, 100% residential, or 100% commercial development. The image on the right might look familiar, this is One South Market in downtown San Jose, a dense mixed-use development with residential units over some groundfloor commercial spaces. This development has excellent access to public transit including the future downtown BART stations.

Urban Residential Zoning District

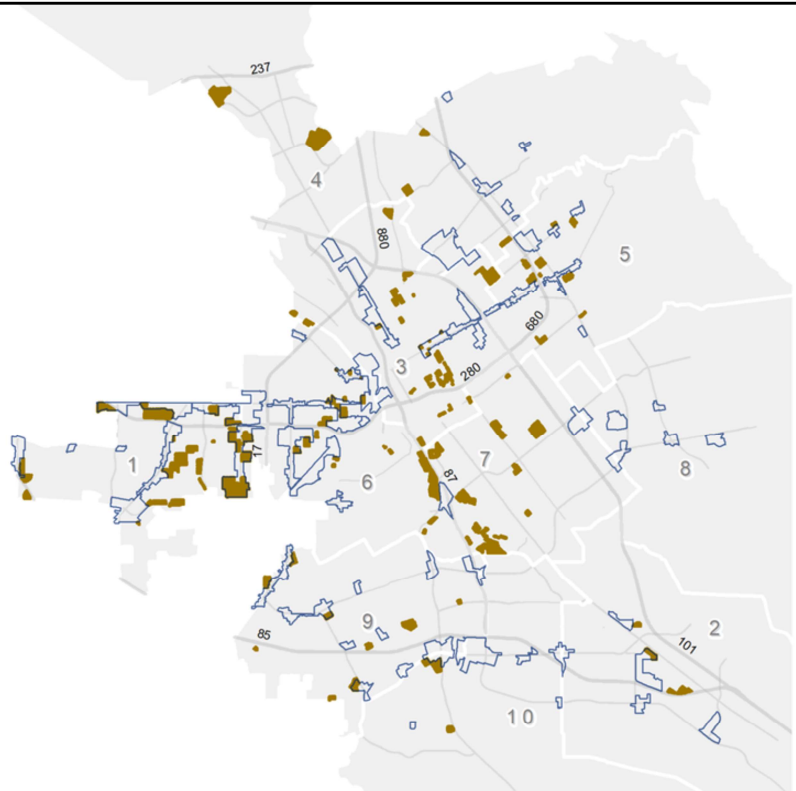
- Implements the Urban Residential General Plan designation
- Will be applied both inside and outside Urban Villages areas

	Adopted General Plan	Proposed Zoning
Development Type	Allows a variety of medium density residential, mixed-use development, and commercial uses.	100% residential, mixed use development, 100% commercial or office development, institutional uses (hospitals, schools, etc.)
Residential Density	30 to 95 du/ac	30 to 95 du/ac; Minimum 30 du/ac for mixed-use
Floor Area Ratio	1.0 - 4.0	1.0 - 4.0
Height	3 to 12 stories	Up to 135 ft.; Defer to Urban Village plan.

Next, we have the Urban Residential zoning district which will implement the Urban Residential General Plan land use designation and this zoning districts will be applied both inside and outside of planned Urban Village areas. This land use supports medium-density residential development, mixed-use development, or a broad range of stand-alone commercial uses, including retail, offices, and private community gathering facilities. Residential density for Urban Residential is set by the General Plan and allows a range of 30 to 95 du/ac and you can see that is carried over in the zoning district standard. Another thing to note is that Mixed-use development requires a minimum of 30 du/ac. The FAR allowed by the General Plan is a range of 1.0 to 4.0 and that is carried over into the zoning district standards. The maximum building height in the zoning district is 135 ft. which correlates with the General Plan which allows for development to be 3 to 12 stories tall.

Urban Residential

General Plan Land Use Designations



Here is a map of the distribution of where the Urban Residential land use designation is applied. As you can see this land use designation is more spread out throughout the city than Transit Residential. A number of areas where this land use designation is applied reflect higher density development which already exists. For example, the clusters in North San Jose correlate with some apartment that are unlikely to be redeveloped for more density. And then in West San Jose you can see areas where the land use is applied to areas with approved Urban Village plans.

Urban Residential Zoning District



*Images are for illustrative purposes only

Here are a couple examples of what development might look like in the Urban Residential zoning district. On the left we have a 4-story residential building with a nicely landscaped courtyard, again this same scale of development could be a commercial office building or a mixed-use development with groundfloor commercial and residential units on top. On the right we have another building from downtown, which is located across from City Hall. This building represents the higher end of density that would be allowed in this zoning district. There aren't a lot of examples of buildings in San Jose which are at the higher end of the density range and that is likely because buildings over 85 ft. have a different set of Building code standards which make them less financially feasible unless you go significantly higher, so it's possible that development in this zoning district might naturally max out at around 85 ft. (which would be a 7-8 story building).

Mixed-use Commercial Zoning District

- Implements the Mixed Use Commercial General Plan designation
- Will be applied both inside and outside Urban Villages areas

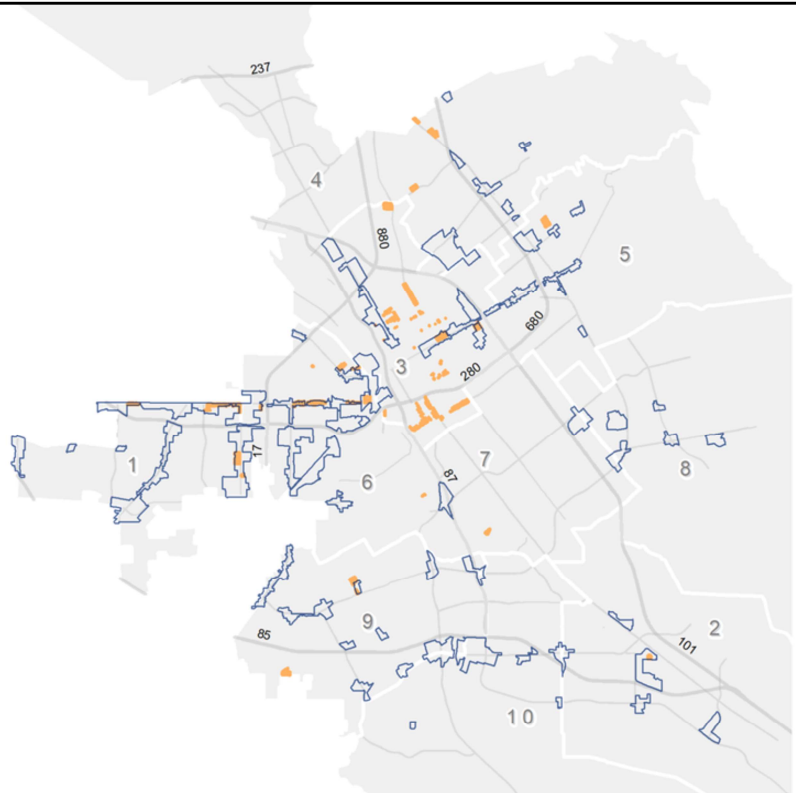
	Adopted General Plan	Proposed Zoning
Development Type	A mix of commercial and residential uses with an emphasis on commercial activity as the primary use and residential activity allowed in a secondary role	Mixed use development, 100% commercial or office development, institutional uses (hospitals, schools, etc.)
Residential Density	Up to 50 du/ac - only allowed in a mixed-use format	Up to 50 du/ac- only allowed in a mixed-use format
Floor Area Ratio	0.25 - 4.5 for 100% commercial development, 0.5 - 4.5 for mixed use development	0.25 - 4.5 for 100% commercial development, 0.5 - 4.5 for mixed use development
Height	1 to 6 stories	Up to 85 ft.; Defer to Urban Village plan.

Next up we have Mixed-use commercial which will implement and correlate the Mixed-use Commercial General Plan land use designation. This zoning district will be applied both inside and outside of urban villages. Mixed Use Commercial - Supports a mix of commercial and residential uses, appropriate commercial uses include neighborhood retail and mid-rise office. Residential development in this district is only allowed in a Mixed-use format, 100% residential development would not be permitted.

The General Plan allows up to 50 du/ac in a mixed-use format and that control has been carried over into the zoning district. The FAR from the General Plan dictates that 100% commercial development may have an FAR between 0.25 and 4.5 and Mixed-use development has a slightly higher minimum with the allowable range for FAR between 0.5 and 4.5. With regards to building heights, the General Plan calls for development in the range of 1 to 6 stories and that translates to a maximum of up to 85 ft.

Mixed-use Commercial

General Plan Land Use Designations



Next, we have our map of Mixed-use Commercial land use designations. You can see this is a little more spread out across the city, and it correlates with some of our existing commercial areas which are slated for infill or new development. For example, 13th street and West San Carlos street are two streets which already have a lot of commercial activity and in the future, you might see more infill development.

Mixed-use Commercial Zoning District



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For our photo examples you can see an image on the left which has a mixed-use development with residential on top and some groundfloor commercial. Again, this is the only format that residential would be allowed in this zoning district. On the right we see an example of an office building which could be multi-tenant or possibly a single-tenant office for a commercial business and on the groundfloor there is space for retail shops. This is a good example of what would be considered 100% commercial, even if the groundfloor tenants are different from the offices above.

Mixed-use Neighborhood Zoning District

- Implements the Mixed-use Neighborhood General Plan designation
- Will be applied both inside and outside Urban Villages areas

	Adopted General Plan	Proposed Zoning
Development Type	Townhouse or small lot single-family residences including a mix of residential densities and forms. Commercial and mixed-use development also permitted	Townhouses, duplexes, small-lot single family homes, small-scale apartment buildings, mixed-use development, and 100% commercial development
Residential Density	Up to 30 du/ac	Up to 30 du/ac
Floor Area Ratio	0.25 - 2.0	0.25 - 2.0
Height	1 to 3.5 stories	Up to 45 ft.; Defer to Urban Village plan.

The Mixed-use Neighborhood zoning district will implement the Mixed-use Neighborhood General Plan land use designation and this district will be applied both inside and outside of Urban Village planned areas. This district is intended for development with townhouse or small lot single-family homes and also supports infill development and medium density residential uses. This district also offers opportunity for live/work, or stand-alone commercial uses. The residential density set by the General Plan allows a maximum of 30 du/ac and you can see that is the same maximum that is applied in the zoning district. The FAR again, is set by the General Plan and allows development between 0.25 to 2.0 and that is reflected in the zoning district standards. The height for development as described in the General Plan allows up to 3.5 stories and that translates to a 40 ft. maximum. We have a lot of variety of housing product types in this zoning district and on the next slide I have some more nuanced details about how FAR and building height might change based on the size of the lot and the housing product type being proposed.

Mixed-use Neighborhood Zoning District

- **Conventional standards:** Applicable to developments where all lots have frontage on and direct access to a public street, and where all buildings provide a setback to property lines.
- **Alternate standards:** Applicable to small-lot development characterized by access to lots provided off courts, driveways, and private streets, and/or with buildings without setbacks to property lines.

	Conventional		Alternate	
FAR for Single- family Detached Residences, not including ADUs	3,000 sq. ft. or less	0.6 Max FAR	Max. 2.0 across the entire development site	
	3,000 – 6,000 sq. ft.	0.5 Max FAR		
	6,000 sq. ft. or greater	0.45 Max FAR		
Development Standards by Housing Product Type				
	Single-Family dwelling unit (Detached)	Two-family dwelling unit (Duplex)	Townhouse or Rowhouse	Multifamily, Mixed-use, or 100% Commercial
Max. Building Height	35 ft.	35 ft.	40 ft.	45 ft.
Max. Number of Stories	2.5	2.5	3	4
Private Open Space	400 sq. ft. per unit	300 sq. ft. per unit	300 sq. ft. per unit	60 sq. ft. per unit
Minimum width for Private Open Space shall be 15 ft.				

Because the housing types are so varied and they are also likely to be on smaller lots which are likely to be closer to existing residential neighborhoods, we are proposing different FARs and building heights in order to allow flexibility and right size the development so that it fits into the neighborhood that it is being developed in. First off, there are two pathways for proposing development in Mixed-use neighborhood, projects will either follow Conventional Standards or Alternate Standards.

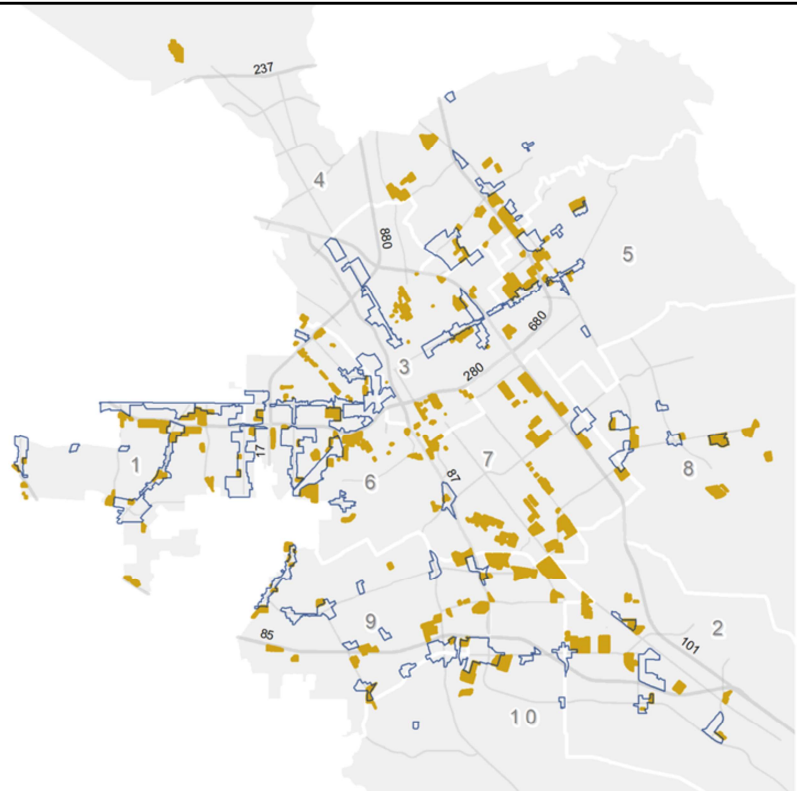
Conventional standards: Are applicable to developments where all lots have frontage on and direct access to a public street, and where all buildings provide a setback to property lines. **Alternate standards:** Are applicable to small-lot development characterized by access to lots provided off courts, driveways, and private streets, and/or with buildings without setbacks to property lines. For example, under the Conventional Standards lots up to 3,000 sq. ft. are permitted to have a maximum FAR of 0.6, lots which are between 3,000 and 6,000 sq. ft. will have a maximum FAR of 0.5, and lots which are over 6,000 sq. ft. will have a maximum of 0.45. Under the Alternate Standards a Maximum FAR of 2.0 is allowed across the entire development site.

We have also included maximum allowable building heights which are based on the housing product type being proposed for the site. For example, a single-family home or a duplex will have a maximum height of 35 ft., a townhouse or rowhouse will have a maximum of building height of 40 ft. and a multifamily development will have a maximum of 45 ft. In addition, we have included Private Open Space requirements based on housing product type: detached Single-family homes requires a minimum of 400 sq. ft. per unit,

duplexes & townhouses/rowhouses require 300 sq. ft. per unit, and multifamily and mixed-use development will require 60 sq. ft. per unit. We are also proposing a minimum width of 15 ft. for Private Open Space.

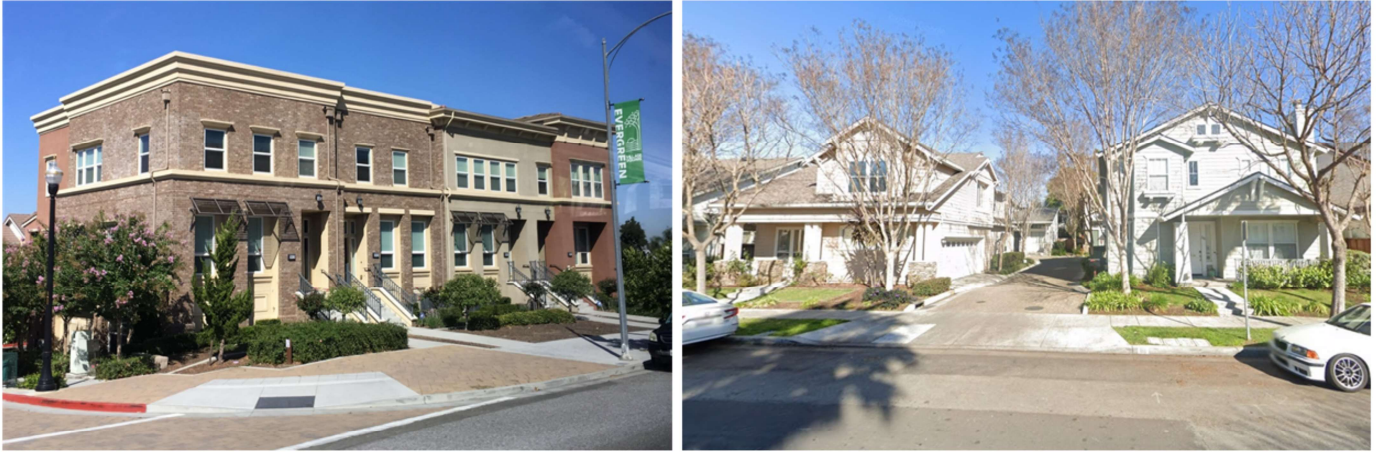
Mixed-use Neighborhood

General Plan Land Use Designations



This map shows the citywide distribution of the Mixed-use Neighborhood land use designation and as you can see it is applied in areas near existing residential development and is meant to act as a buffer between lower density, usually single-family homes and higher density development. One thing to note is that this zoning district is largely applied to areas which already have one of the allowed housing types, small lot single-family homes, duplexes, townhouses or multifamily developments. Because of that many of these locations are less likely to be redeveloped or see increased density, however, you may see infill development on these sites. In District 5 you can see a cluster of Mixed-use Neighborhood and that correlates with some of the townhouse developments that have popped up over time along Capitol Avenue. Near the border of District 7 and District 10 this cluster correlates with the townhomes & small lot single-family homes built or currently being built at Communications Hill.

Mixed-use Neighborhood Zoning District



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Here are a couple examples of development that you might see in the Mixed-use neighborhood zoning district. On the left we have some really nice-looking townhomes located in the Evergreen Neighborhood and on the right, we have an example of small lot single-family home in Naglee Park. Both of these development types are permitted in this district and they represent examples of what would follow the Alternate Standards.

Mixed-use Neighborhood Zoning District



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On this next slide, on the left, you can see an example of a home that was converted into a business, this might be something that you see in the Mixed-use Neighborhood zoning district, as stand-alone commercial uses are permitted. On the right you can see a duplex or small apartment building which is located near the Japantown neighborhood. This development still maintains the look and feel of a large single-family home, there is a front yard and driveway for access to parking in the rear.

Project Timeline:

	Target Date/Month
Community Meeting	November 12, 2020
Posted Draft Ordinance on website	December 15, 2020
2 nd & 3 rd Community Meetings	March 1, 2021
Airport Land Use Commission Referral (Tentative)	March 24, 2021
Planning Commission (Tentative)	April 28, 2021
City Council (Tentative)	May 11, 2021



Here is our projected timeline for this work:

Our first Community Meeting was on November 12, 2020. We posted a draft of the ordinance on December 15, 2020. Then we have today's community Meeting. Then coming up next, we have Airport Land Use Commission on March 24, 2021

And we are tentatively set for Planning Commission on April 28, 2021 and City Council on May 11, 2021

Contact Information:

Follow up with any questions or comments

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Informational Website: [Proposed Urban Village and Mixed-use Zoning Districts](#)

